

OVERVIEW OF EVIDENCE

The following individuals will give evidence on behalf of the Minister of Agriculture and Land (formerly Communities, Land and Environment) or the Department of Transportation, Infrastructure and Energy ("TIE") in respect of the Appeal of 1909 Culinary Academy, Ltd. v Minister of Communities, Land and Environment, LA19004 scheduled to commence on June 24, 2019.

A. Mr. Dale McKeigan

Mr. McKeigan is the Manager of Provincial Planning for the Department of Agriculture and Land. He will give evidence on behalf of the Department of Agriculture and Land regarding:

1. His experience as a Certified Planner.
2. His knowledge of the Hunter River area and this location in particular from a planning perspective.
3. How it is determined that a "change of use" occurs pursuant to the *Planning Act* Subdivision and Development Regulations and what factors would be considered in approving or denying a development permit.

B. Mr. Alan Aitken

Mr. Aitken is the Traffic Operations Engineer for TIE. He will give evidence on behalf of TIE regarding:

1. His experience as a Traffic Operations Engineer.
2. His knowledge of the arterial highway at the location in question and related safety considerations.
3. His knowledge of the historic uses of the entrance way in question.
4. How it is determined that a "change of use" has occurred pursuant to the *Roads Act* Highway Access Regulations.

C. Mr. Danny Cusack

Mr. Cusack is the Senior Development Officer for Department of Agriculture and Land. He will give evidence on behalf of the Department of Agriculture and Land regarding:

1. His experience as a Senior Development Officer and formerly, the Provincial Subdivision Officer.
2. His knowledge of the Hunter River area and this location in particular from a planning perspective.
3. How it is determined that a "change of use" has occurred pursuant to the Subdivision and Development Regulations.
4. The requirement for TIE to approve an entrance way permit for the purposes of considering a proposed application for a "change of use" under the Subdivision and Development Regulations.