

File Reference: SM4114-50

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Via Electronic Mail (mwalshdoucette@irac.pe.ca)

Island Regulatory & Appeals Commission
National Bank Tower
134 Kent Street, Suite 501
Charlottetown, PE C1A 7L1

Attention: Michelle Walsh Doucette

Dear Ms. Walsh Doucette:

**Re: Appeal #LA24020-Victoria Row Merchants Association v. City of Charlottetown
Application to Intervene**

We write on behalf of the Fathers of Confederation Buildings Trust (hereinafter “the Confederation Centre”), the owner of the property commonly referred to as the Confederation Centre and identified as Provincial Parcel No. 340422, which includes the lands commonly identified as 145 Richmond Street, Charlottetown, PEI. The Confederation Centre hereby applies to intervene as an added party intervenor, in the above-captioned proceeding. The Confederation Centre relies on rules 14 to 16 of the Commissions Rules of Practice and Procedure.

With respect to the factors listed in rule 16:

1. **Distinct and Substantial Interest** – The Confederation Centre has a distinct and substantial interest in the proceeding. The purpose of the subject Building and Development Permit is to renovate the former Confederation Library and add a pavilion to the Confederation Centre’s property. The Confederation Centre has made tens of millions of dollars in commitments in order to proceed with the planned building and development. Any delays in this project will have significant financial consequences for the Confederation Centre.
2. **Scope of Intervention** – The Confederation Centre proposes to participate as a full party to the proceeding by, for example, leading evidence, challenging evidence led by other parties, and making submissions to assist the Commission in determining the questions in dispute.
3. **No Undue Addition to Cost or Complexity** – The Confederation Centre’s participation will not unduly prolong or complicate the appeal proceeding. The Confederation Centre’s participation will help clarify and educate the legal and factual issues in dispute. The Confederation Centre has been involved in the planning and design process that underlies the subject Building and Development Permit application; as such, it is well positioned to speak to the evidence and arguments that will be made to the Commission in the course of the appeal. Including but not limited to:

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- (i) The evidence regarding the impacts to convenience, health, or safety of the occupants or residents in the vicinity of the site of the development;
- (ii) The processes required by the City of Charlottetown by-laws and factors to assess procedural fairness in evaluating the granting of the Building and Development Permit;
- (iii) Evidence regarding sound planning principles associated with proper municipal planning decisions; and
- (iv) Such further and other evidence as may be required based upon the issues raised on the appeal by the appellant.

All correspondence to the Confederation Centre in relation to this application, or to the proceeding more generally, may be directed to the undersigned at the following address:

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We thank the Commission for its consideration of this application to intervene on behalf of the Confederation Centre.

Yours truly,

Stewart McKelvey



Geoffrey D. Connolly, K.C.*

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*Law Corporation