

**Conservation Review Board**  
Commission des biens culturels



**ISSUE DATE:** January 26, 2017

**CASE NO(S):** CRB1606

**PROCEEDING COMMENCED UNDER** subsection 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended

Owner/Objector: Brampton Municipal Workers Building Society  
Subject: Notice of Intention to Designate (former St. Mary's Catholic Church)  
Property Address: 19 John Street  
Legal Description: PL BR 6 LOT 58  
Municipality: City of Brampton  
CRB Case No.: CRB1606  
CRB Case Name: Brampton Municipal Workers Building Society v. Brampton (City)

Heard: January 10, 2017 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel**

City of Brampton

Matthew Rea

Brampton Municipal Workers Building Society

Scott Snider

## **ORDER OF THE BOARD DELIVERED BY JERRY V. DEMARCO AND LAURIE SMITH**

[1] This is the Procedural Order of the Conservation Review Board (“Review Board”) in respect of an objection by the Brampton Municipal Workers Building Society to a Notice of Intention to Designate the property at 19 John Street in Brampton, Ontario.

### **Organization/Conduct of the Hearing**

[2] Pursuant to Rule 24 of the Review Board’s *Rules of Practice and Procedure* (“Rules”) the hearing will take place on April 24, 2017, starting at 10 a.m., in Room WT-2C, City Hall West Tower, 41 George Street South in the City of Brampton, and continue on April 25, starting at 10 a.m., in the Committee Council room, Old City Hall, 2 Wellington Street West in the City of Brampton. The hearing will be open to the public and public notice will be published. A site visit will take place at 9 a.m. on April 24, 2017 with the parties in attendance. No adjournments will be granted before or during the hearing except in accordance with the Rules.

[3] The parties are:

- City of Brampton, represented by counsel Matthew Rea (the “Municipality”);  
and
- Brampton Municipal Workers Building Society, represented by counsel Scott Snider (the “Owner/Objector”).

If a party fails to appear at the hearing without giving notice to the Review Board and all parties in advance and/or does so without reasonable cause, the Review Board has the discretion under the *Statutory Powers Procedure Act* to proceed with the hearing in their absence.

[4] The Owner/Objector and the Municipality each intend to call one expert witness and, possibly, one lay witness.

[5] At the hearing, the Municipality shall present its case first, followed by the Owner/Objector, then the Municipality may reply.

### **Requirements for the Hearing: Witnesses, Document Exchange and Expert Evidence**

[6] The parties have already served the following documents on the other party and filed them with the Review Board:

- A disclosure statement and *curriculum vitae* by Dr. Robert Shipley, witness for the Municipality;
- A report by David Cuming, witness for the Owner/Objector; and
- A reply disclosure statement by Dr. Robert Shipley, together with two PDF documents named "Sources Referenced".

[7] By February 6, 2017, the Owner/Objector will serve on the Municipality disclosure documents responding to Dr. Shipley's reply statement and file them with the Review Board.

[8] By February 27, 2017, the Municipality will serve on the Owner/Objector any disclosure documents replying to the Owner/Objector's responding documents and file them with the Review Board.

[9] By March 13, 2017, the parties will file an Agreed Statement of Facts with the Review Board. The parties will append to it an Agreed Proposed List of Issues to be considered at the hearing.

[10] By March 13, 2017, the parties will ensure that a Form 6 “Acknowledgement of Expert’s Duty” and a statement of the expert’s specific area of qualification have been filed with the Review Board for every expert witness they intend to call at the hearing.

[11] The above documents are to be exchanged between all parties and two paper copies are to be provided to the Review Board, as well as an electronic copy. Paper copies should be paginated, with tab markers, and colour images, where appropriate.

[12] Any documents that a party wishes to rely on at the hearing that have not been disclosed as required and within the timeframe set out above may not be used as evidence at the hearing unless the Review Board directs otherwise. Where a witness statement or expert report has not been provided by the required date, the witness may not give evidence at the hearing unless the Review Board directs otherwise.

[13] The Review Board may vary or add to this Order at any time, either on request of a party, or as it sees fit, and may do so by an oral ruling or in writing.

*“Jerry V. DeMarco”*

JERRY V. DEMARCO  
ASSOCIATE CHAIR

*“Laurie Smith”*

LAURIE SMITH  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Conservation Review Board**

A constituent tribunal of Environment and Land Tribunals Ontario  
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