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Fwd: PL180613 - Directions

Hadi Salmasian <h_salmasian@yahoo.com>
To: denis.rancourt@gmail.com

21 September 2018 at 18:24

Here is the message from Saric.

Hadi

Begin forwarded message:

From: "Saric, Tomislav (MAG)" <Tomislav.Saric@ontario.ca>
Date: September 21, 2018 at 2:56:37 PM EDT
To: "h_salmasian@yahoo.com" <h_salmasian@yahoo.com>, "eblanchard@blg.com" <eblanchard@blg.com>, "kristina.mahon@ottawa.ca" <kristina.mahon@ottawa.ca>
Subject: PL180613 - Directions

Good Afternoon,

I have been directed to respond to the recent correspondence to the Tribunal.

The Tribunal has received correspondence from Ms. Blanchard dated September 10, 2018 requesting that the Tribunal provide a direction that the scheduled hearing of the minor variance appeal would be restricted to the issue of appropriate development and that constitutional and charter arguments would not be heard by the Tribunal, and instead directed to the Superior Court of Ontario.

The Tribunal has also received the responding correspondence also dated September 10, 2018, from Dr. Salmasian referencing the previously submitted Submissions forwarded August 31, 2018, opposing the requested direction.

For the purposes of the inquiries and submissions set out in the above-referenced correspondence the Tribunal has reviewed the Appellant's Form A1. The Appeal before the Tribunal is inclusive of the grounds relating to the constitutional issues and there is an indication that notice was previously provided to the Attorney General of Ontario and the Attorney General of Canada.

The Tribunal will not provide any prior directives as requested. The Hearing is scheduled to commence on October 3, 2018 and at that time the Panel will hear and consider all evidence and submissions from the parties in regards to matters before the Tribunal. This will be

inclusive of those planning issues relating to the minor variance application, the issues of jurisdiction of the Tribunal in relation to the constitutional issues raised in the appeals and if determined appropriate, the constitutional grounds for the appeal raised by the Appellant, of which notice appears to have been provided to the AGO and AGC, prior to the decision of the Committee of Adjustment.

Given the matters raised by the parties in their correspondence, for the purposes of efficiencies of the hearing, all parties of record (inclusive of the City of Ottawa) are to provide a list of the proposed witnesses appearing in person, and a brief description of the issues and areas of evidence they will cover in their testimony, and if applicable, qualified areas of expertise relating to their testimony. This list is to be provided to all parties, inclusive of the City, and copied to the Tribunal, not later than **4:00 p.m. on Wednesday, September 26, 2018**.

As well, if additional notices have been served and filed upon the respective offices of the Attorney General, by Dr. Salmasian, in relation to the constitutional issues that will be placed before the Tribunal, in accordance with Rule 11 of the Tribunal's Rules of Practice and Procedure, copies of such additional notices should be provided to the Tribunal in advance of the hearing.

Thank you,

Tomislav

Tomislav Saric

Case Coordinator – Planning Assistant

Local Planning Appeal Tribunal

Environment and Land Tribunals Ontario

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