



City Clerk & Solicitor Department
Service du greffier municipal et du chef du contentieux
File Number: L01 03 17 OPA 180 7

BY EMAIL

December 8, 2017

Mark Flowers
Davis Howe LLP
425 Adelaide Street West
10th Floor
Toronto, ON M5V 3C1

Dear Mr. Flowers:

Re: Request for Information and Production of Documents
City of Ottawa Official Plan Amendment 180
OMB Case No.: PL170983

The City acknowledges receipt of your letter of November 28, 2017.

The standard process for the conveyance of information and documentation in Ontario Municipal Board hearings is through the Procedural Order issued at a pre-hearing. In the current proceedings, it is the intention of the City to approach the Ontario Municipal Board to group the outstanding matters into phases. This would then permit the parties interested in each particular phase to have discussions as to the identification of issues, estimated time for hearing and a timeline for the exchange of documentation. A procedural order would be sought at a subsequent pre-hearing setting forth these matters.

Indeed, it is not clear to the City that it is appropriate to provide for exchange of documentation until such time as an issues list has been formally approved by the Ontario Municipal Board.

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Nevertheless, as the Board's Rules of Practice and Procedure provide in Rules 3:

3. Interpretation of the Rules These Rules shall be liberally interpreted to secure the just, most expeditious and cost-effective determination of every proceeding on its merits.

The City is prepared to review the information in its possession to provide responses to items 1 to 6. The response would be forwarded to Mattamy and Minto in a January 15, 2018 to January 30, 2018 timeframe. The City would suggest that at the pre-hearing of January 3-5, 2018, a date be sought in late February or March at which point Mattamy and Minto could bring a motion and seek a Board order should they feel the need to do so after they have received the response from the City.

With respect to item 7, the City's view is that the matters raised therein are properly the subject of witness statements that would be produced for a hearing.

Yours,

A handwritten signature in black ink, appearing to read "Timothy C. Marc".

Timothy C. Marc
Senior Legal Counsel

c.c./ Kristina Mahon, City of Ottawa
Ursula Melinz, Soloway Wright LLP
I. Shachter, Ministry of Municipal Affairs & Housing
U. Popadic, Ministry of Municipal Affairs & Housing