

Ontario  
Municipal  
Board

655 Bay St Suite 1500  
Toronto, ON M5G 1E5  
Tel (416) 326-6800  
Toll Free: 1-866-887-8820  
Fax (416) 326-5370  
[www.omb.gov.on.ca](http://www.omb.gov.on.ca)

Commission des  
affaires municipales  
de l'Ontario

655 rue Bay Bureau 1500  
Toronto, ON M5G 1E5  
Tél (416) 326-6800  
Sans Frais: 1-866-887-8820  
Téléc (416) 326-5370  
[www.omb.gov.on.ca](http://www.omb.gov.on.ca)



IN THE MATTER OF Subsection 51(43) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Activa Holdings Inc.  
Subject: Conditions 7, 23, 39, 44, 45, 47, AP-F-52, AP-F-53, AP-F-55, AP-F-83, AP-F-101, AP-F-102, AP-F-119, AP-F-120, AP-I-27, AP-I-51 and AP-I-53 of approval of draft plan of subdivision  
Property Address/Description: 250 Wilmot Line  
Municipality: City of Waterloo  
Municipal File No.: 30T-05402  
OMB Case No.: PL091182  
OMB File No.: PL091182

IN THE MATTER OF Subsection 51(43) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Activa Holdings Inc. and Louise Puopolo  
Subject: Conditions 7, 20, 36, 41, 42, 44, AP-F-52, AP-F-53, AP-F-55, AP-F-83, AP-F-119, AP-F-120, AP-H-23 and AP-H-25 of approval of draft plan of subdivision  
Property Address/Description: 340 Wilmot Line  
Municipality: City of Waterloo  
Municipal File No.: 30T-05403  
OMB Case No.: PL091182  
OMB File No.: PL091183

IN THE MATTER OF Subsection 51(43) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Wm. J. Gies Construction Limited  
Subject: Conditions 9, 20, 34, 39, 40, 42, AP-F-52, AP-F-53, AP-F-55, AP-F-83, AP-F-119, AP-F-120, AP-G-35 and AP-G-37 of approval of draft plan of subdivision  
Property Address/Description: 450 and 500 Wilmot Line  
Municipality: City of Waterloo  
Municipal File No.: 30T-97024  
OMB Case No.: PL091182  
OMB File No.: PL091184

**APPOINTMENT FOR HEARING**

The Ontario Municipal Board hereby appoints:

at: 11:00 am

on: Tuesday, March 23, 2010

at: Council Chambers, City Hall (Waterloo), 100 Regina Street South, Waterloo, Ontario

for the commencement of the hearing of this appeal.

The Board has set aside **four (4) days** for this hearing.

All parties and participants should attend at the start of the hearing at the time and date indicated, irrespective of the number of days scheduled. Hearing dates are firm - adjournments will not be granted except in the most serious circumstances, and only in accordance with the Board's Rules on Adjournments.

If you do not attend and are not represented at this hearing, the Board may proceed in your absence and you will not be entitled to any further notice of the proceedings.

In the event the decision is reserved, persons taking part in the hearing and wishing a copy of the decision may request a copy from the presiding Board member or, in writing, from the Board. Such decision will be mailed to you when available.

*Pour recevoir des services en français, veuillez communiquer avec la Division des audiences au (416) 326-6800, au moins 20 jours civils avant la date fixée pour l'audience.*

DATED at Toronto, this 28th day of January, 2010.

PATRICK HENNESSY  
SECRETARY



## MUNICIPAL BOARD RULES ON ADJOURNMENTS

**61. Hearing Dates Fixed** Hearing events will take place on the date set unless the Board agrees to an adjournment.

**62. Requests for Adjournment if All Parties Consent** If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the signed consents of all parties. However, the Board may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent.

**63. Requests for Adjournment Without Consent** If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 10 days before the date set for the hearing event. If the reason for an adjournment arises less than 10 days before the date set for the hearing event, the party must give notice of the request to the Board and to the other parties and serve their motion materials as soon as possible. If the Board refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

**64. Emergencies Only** The Board will grant last minute adjournments only for unavoidable emergencies, such as illnesses, so close to the hearing date that another representative or witnesses cannot be obtained. The Board must be informed of these emergencies as soon as possible.

**65. Powers of the Board upon Adjournment Request** The Board may,

- (a) grant the request;
- (b) grant the request and fix a new date or, where appropriate, the Board will schedule a prehearing conference on the status of the matter;
- (c) grant a shorter adjournment than requested;
- (d) deny the request, even if all parties have consented;
- (e) direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- (f) grant an indefinite adjournment, if the request is made by the applicant or proponent and is accepted by the Board as reasonable and the Board finds no substantial prejudice to the other parties or to the Board's schedule. In this case the applicant or proponent must make a request that the hearing be rescheduled;
- (g) convert the scheduled date to a mediation or prehearing conference; or
- (h) make any other appropriate order.

August 11, 2008