



## **Here's what you need to know about Prehearings**

A prehearing is the meeting of parties and participants before a full hearing. They are especially useful if a matter is expected to be long or complicated. Prehearings help to:

- Identify issues, parties and participants;
- Organize complicated matters;
- Determine what documents should be exchanged;
- Determine procedures before and during the hearing;
- Set future hearing dates.

### **Should a prehearing be held for the matter I am involved in?**

Clarifying the issues is one of the most important reasons for holding a prehearing. Sometimes, holding a prehearing can lead to a settlement on some, or even all, of the issues. It also ensures that some, if not all, of the issues are addressed before a hearing takes place. If the matter you are involved in is complicated (i.e. has many issues, parties and types of evidence), a prehearing may be held for your matter.

### **How do I prepare for a prehearing?**

Parties must meet before the prehearing and complete a draft of a Procedural Order to bring with them to the prehearing. A procedural order can help to identify the issues and the process that the parties want the Board to order following the prehearing conference.

### **What happens at a prehearing?**

A Member(s) presides at the prehearing. One of the key outcomes of the meeting is the identification of the parties and participants. At the meeting, parties and participants for the hearing:

1. Identify their roles and responsibilities;
2. Deal with preliminary issues and motions;
3. Discuss procedures for the hearing;
4. Clarify the questions and issues that will be dealt with at the hearing;
5. Discuss and possibly settle some issues;
6. Determine the length and date of the hearing;
7. Set any additional prehearing dates.

### **Do I have to attend a prehearing?**

If you want to take part in a hearing, you must attend the prehearing. If you are going to be represented at the hearing, your representative should attend the prehearing. Please note that the Board expects that representatives have the necessary qualifications required by the Law Society of Upper Canada. If you or your representative does not attend the prehearing, it will still continue at its scheduled time and you may not be notified of future proceedings.



## How will I learn about a prehearing?

If a prehearing is scheduled, all parties will be notified.

## Can the public attend a prehearing?

Prehearings are open to the public.

## What happens after the prehearing?

The OMB will issue a Procedural Order outlining the procedure and issues for the hearing. If appropriate, it can issue a decision or order on motions or agreements reached during the prehearing.

## Where can I find more information?

For more information on prehearings, please refer to the OMB's *Rules of Practice and Procedure* (Rules 70-79). They are available at [www.omb.gov.on.ca](http://www.omb.gov.on.ca), or by calling (416) 326-6800 or toll free 1-866-887-8820.

## Please Note

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The **Ontario Municipal Board** is an independent adjudicative tribunal established under statute by the Province of Ontario. The Board hears appeals and applications on a wide range of municipal and land-related matters including official plans, zoning by-laws, subdivision plans, consents and minor variances, land compensation, development charges, ward boundaries, and aggregate resources. The Board operates under many different pieces of legislation, including the Planning Act.

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