

November 3, 2011

Le 3 novembre 2011

Coram: LeBel, Fish and Cromwell JJ.

Coram : Les juges LeBel, Fish et Cromwell

**BETWEEN:**

Toyota Canada Inc., Peace Country Toyota Inc. dba Peace Country Toyota, Sunrise Service Abbotsford Ltd. dba Sunrise Toyota, Terrace Motors Ltd. dba Terrace Motors Toyota, Peace Arch Motors Ltd. dba Peace Arch Toyota, Key Lease Canada Ltd. dba Northern Toyota and Glacier Toyota, Renwick Ventures Inc. dba Nelson Toyota, 89419 B.C. Ltd. dba Vernon Toyota, Downtown Centre Motors Ltd. dba Downtown Toyota Centre, Kelowna Toyota Ltd., Echo Toyota Ltd. dba Echo Toyota, Openroad Auto Group Ltd. dba Openroad Toyota - Richmond and Openroad Toyota - Port Moody, Jim Pattison Industries Ltd. dba Jim Pattison Toyota - Northshore, Jim Pattison Toyota - Surrey, Metro Lexus Toyota - Victoria and Metro Toyota - Duncan, Strathcona Motors (2003) Ltd. dba Strathcona Toyota, Granville Toyota Partnership dba Granville Toyota Penticton, Toyota Leisureland Inc. dba Penticton Toyota, Rice Automotive Investments Ltd. dba Courtenay Toyota, Regency Auto Enterprises Inc. dba Regency Toyota (Burnaby), Regency Auto Investments Inc. dba Regency Toyota (Vancouver), Westminster Toyota Ltd. dba Westminster Toyota, West Coast Import Vehicles Ltd. dba West Coast Toyota, Heartland Motors Ltd. dba Heartland Toyota, 414067 B.C. Ltd. dba Langley Toyotatown, Eaves Motor Sales Ltd. dba Nanaimo Toyota, Smart Cars

**ENTRE :**

Toyota Canada Inc., Peace Country Toyota Inc. dba Peace Country Toyota, Sunrise Service Abbotsford Ltd. dba Sunrise Toyota, Terrace Motors Ltd. dba Terrace Motors Toyota, Peace Arch Motors Ltd. dba Peace Arch Toyota, Key Lease Canada Ltd. dba Northern Toyota and Glacier Toyota, Renwick Ventures Inc. dba Nelson Toyota, 89419 B.C. Ltd. dba Vernon Toyota, Downtown Centre Motors Ltd. dba Downtown Toyota Centre, Kelowna Toyota Ltd., Echo Toyota Ltd. dba Echo Toyota, Openroad Auto Group Ltd. dba Openroad Toyota - Richmond and Openroad Toyota - Port Moody, Jim Pattison Industries Ltd. dba Jim Pattison Toyota - Northshore, Jim Pattison Toyota - Surrey, Metro Lexus Toyota - Victoria and Metro Toyota - Duncan, Strathcona Motors (2003) Ltd. dba Strathcona Toyota, Granville Toyota Partnership dba Granville Toyota Penticton, Toyota Leisureland Inc. dba Penticton Toyota, Rice Automotive Investments Ltd. dba Courtenay Toyota, Regency Auto Enterprises Inc. dba Regency Toyota (Burnaby), Regency Auto Investments Inc. dba Regency Toyota (Vancouver), Westminster Toyota Ltd. dba Westminster Toyota, West Coast Import Vehicles Ltd. dba West Coast Toyota, Heartland Motors Ltd. dba Heartland Toyota, 414067 B.C. Ltd. dba Langley Toyotatown, Eaves Motor Sales Ltd. dba Nanaimo Toyota, Smart Cars Company

No. 34242

Company Inc. dba Hilltop Toyota, Craig Kalawsky Automotive Holdings Ltd. dba Castlegar Toyota, 627198 B.C. Ltd. dba Quesnel Toyota, Rainbow Auto Centre Ltd. dba Valley Toyota, 646371 B.C. Ltd. dba Sun Country Toyota and Parson's Autos Inc. dba Alpine Toyota

Applicants

- and -

Michael Steele, Susan Schlombs, Shawn Allan Munro and Gary Weishaar

Respondents

JUDGMENT

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA036431, 2011 BCCA 98, dated March 7, 2011, is dismissed with costs.

Inc. dba Hilltop Toyota, Craig Kalawsky Automotive Holdings Ltd. dba Castlegar Toyota, 627198 B.C. Ltd. dba Quesnel Toyota, Rainbow Auto Centre Ltd. dba Valley Toyota, 646371 B.C. Ltd. dba Sun Country Toyota et Parson's Autos Inc. dba Alpine Toyota

Demandereses

- et -

Michael Steele, Susan Schlombs, Shawn Allan Munro et Gary Weishaar

Intimés

JUGEMENT

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA036431, 2011 BCCA 98, daté du 7 mars 2011, est rejetée avec dépens.

J.S.C.C.  
J.C.S.C.