

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.