

Supreme Court of Canada / Cour suprême du Canada

(Le français suit)

JUDGMENTS IN APPEALS AND LEAVE APPLICATIONS

March 25, 2021

For immediate release

OTTAWA – The Supreme Court of Canada has today deposited with the Registrar judgments in the following appeals and leave applications.

JUGEMENTS SUR APPELS ET DEMANDES D’AUTORISATION

Le 25 mars 2021

Pour diffusion immédiate

OTTAWA – La Cour suprême du Canada a déposé aujourd’hui auprès du registraire les jugements dans les appels et demandes d’autorisation suivants.

APPEALS / APPELS

The [reasons for judgment](#) and the [Case in Brief](#) will be available shortly. / Les [motifs de jugement](#) et [La cause en bref](#) seront disponibles sous peu.

38663

Attorney General of Saskatchewan v. Attorney General of Canada - and - Attorney General of Ontario, Attorney General of Quebec, Attorney General of New Brunswick, Attorney General of Manitoba, Attorney General of British Columbia, Attorney General of Alberta, Progress Alberta Communications Limited, Canadian Labour Congress, Saskatchewan Power Corporation, SaskEnergy Incorporated, Oceans North Conservation Society, Assembly of First Nations, Canadian Taxpayers Federation, Canada’s Ecofiscal Commission, Canadian Environmental Law Association, Environmental Defence Canada Inc., Sisters of Providence of St. Vincent de Paul, Amnesty International Canada, National Association of Women and the Law, Friends of the Earth, International Emissions Trading Association, David Suzuki Foundation, Athabasca Chipewyan First Nation, Smart Prosperity Institute, Canadian Public Health Association, Climate Justice Saskatoon, National Farmers Union, Saskatchewan Coalition for Sustainable Development, Saskatchewan Council for International Cooperation, Saskatchewan Environmental Society, SaskEV, Council of Canadians: Prairie and Northwest Territories Region, Council of Canadians: Regina Chapter, Council of Canadians: Saskatoon Chapter, New Brunswick Anti-Shale Gas Alliance, Youth of the Earth, Centre québécois du droit de l’environnement, Équiterre, Generation Squeeze, Public Health Association of British Columbia, Saskatchewan Public Health Association, Canadian Association of Physicians for the Environment, Canadian Coalition for the Rights of the Child, Youth Climate Lab, Assembly of Manitoba Chiefs, City of Richmond, City of Victoria, City of Nelson, District of Squamish, City of Rossland, City of Vancouver and Thunderchild First Nation (Sask.)
2021 SCC 11 / 2021 CSC 11

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown, Rowe, Martin and Kasirer JJ.

The appeal from the judgment of the Court of Appeal for Saskatchewan, Number CACV3239, 2019 SKCA 40, dated May 3, 2019, heard on September 22 and 23, 2020, is dismissed and the reference question is answered in the negative. Côté J. dissents in part and Brown and Rowe JJ. dissent.

L'appel interjeté contre l'arrêt de la Cour d'appel de la Saskatchewan, numéro CACV3239, 2019 SKCA 40, daté du 3 mai 2019, entendu les 22 et 23 septembre 2020, est rejeté et la question du renvoi reçoit une réponse négative. La juge Côté est dissidente en partie et les juges Brown et Rowe sont dissidents.

38781 **Attorney General of Ontario v. Attorney General of Canada - and - Attorney General of Quebec, Attorney General of New Brunswick, Attorney General of Manitoba, Attorney General of British Columbia, Attorney General of Saskatchewan, Attorney General of Alberta, Progress Alberta Communications Limited, Anishinabek Nation, United Chiefs and Councils of Mniidoo Mnising, Canadian Labour Congress, Saskatchewan Power Corporation, SaskEnergy Incorporated, Oceans North Conservation Society, Assembly of First Nations, Canadian Taxpayers Federation, Canada's Ecofiscal Commission, Canadian Environmental Law Association, Environmental Defence Canada Inc., Sisters of Providence of St. Vincent de Paul, Amnesty International Canada, National Association of Women and the Law, Friends of the Earth, International Emissions Trading Association, David Suzuki Foundation, Athabasca Chipewyan First Nation, Smart Prosperity Institute, Canadian Public Health Association, Climate Justice Saskatoon, National Farmers Union, Saskatchewan Coalition for Sustainable Development, Saskatchewan Council for International Cooperation, Saskatchewan Environmental Society, SaskEV, Council of Canadians: Prairie and Northwest Territories Region, Council of Canadians: Regina Chapter, Council of Canadians: Saskatoon Chapter, New Brunswick Anti-Shale Gas Alliance, Youth of the Earth, Centre québécois du droit de l'environnement, Équiterre, Generation Squeeze, Public Health Association of British Columbia, Saskatchewan Public Health Association, Canadian Association of Physicians for the Environment, Canadian Coalition for the Rights of the Child, Youth Climate Lab, Assembly of Manitoba Chiefs, City of Richmond, City of Victoria, City of Nelson, District of Squamish, City of Rossland, City of Vancouver and Thunderchild First Nation (Ont.)**
2021 SCC 11 / 2021 CSC 11

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown, Rowe, Martin and Kasirer JJ.

The appeal from the judgment of the Court of Appeal for Ontario, Number C65807, 2019 ONCA 544, dated June 28, 2019, heard on September 22 and 23, 2020, is dismissed and the reference question is answered in the negative. Côté J. dissents in part and Brown and Rowe JJ. dissent.

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Ontario, numéro C65807, 2019 ONCA 544, daté du 28 juin 2019, entendu les 22 et 23 septembre 2020, est rejeté et la question du renvoi reçoit une réponse négative. La juge Côté est dissidente en partie et les juges Brown et Rowe sont dissidents.

39116 **Attorney General of British Columbia v. Attorney General of Alberta - and - Attorney General of Canada, Attorney General of Ontario, Attorney General of Quebec, Attorney General of New Brunswick, Attorney General of Manitoba, Attorney General of Saskatchewan, Progress Alberta Communications Limited, Saskatchewan Power Corporation, SaskEnergy Incorporated, Oceans North Conservation Society, Assembly of First Nations, Canadian Taxpayers Federation, Canada's Ecofiscal Commission, Canadian Environmental Law Association, Environmental Defence Canada Inc., Sisters of Providence of St. Vincent de Paul, Amnesty International Canada, International Emissions Trading Association, David Suzuki Foundation, Athabasca Chipewyan First Nation, Smart Prosperity Institute, Canadian Public Health Association, Climate Justice Saskatoon, National Farmers Union, Saskatchewan Coalition for Sustainable Development, Saskatchewan Council for International Cooperation, Saskatchewan Environmental Society, SaskEV, Council of Canadians: Prairie and Northwest**

Territories Region, Council of Canadians: Regina Chapter, Council of Canadians: Saskatoon Chapter, New Brunswick Anti-Shale Gas Alliance, Youth of the Earth, Generation Squeeze, Public Health Association of British Columbia, Saskatchewan Public Health Association, Canadian Association of Physicians for the Environment, Canadian Coalition for the Rights of the Child, Youth Climate Lab and Thunderchild First Nation (Alta.)
2021 SCC 11 / 2021 CSC 11

Coram: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown, Rowe, Martin and Kasirer JJ.

The appeal from the judgment of the Court of Appeal of Alberta (Edmonton), Number 1903-0157-AC, 2020 ABCA 74, dated February 24, 2020, heard on September 22 and 23, 2020, is allowed and the reference question is answered in the negative. Côté J. dissents in part and Brown and Rowe JJ. dissent.

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Alberta (Edmonton), numéro 1903-0157-AC, 2020 ABCA 74, daté du 24 février 2020, entendu les 22 et 23 septembre 2020, est accueilli et la question du renvoi reçoit une réponse négative. La juge Côté est dissidente en partie et les juges Brown et Rowe sont dissidents.

APPLICATIONS FOR LEAVE / DEMANDES D'AUTORISATION :

GRANTED / ACCORDÉES

Attorney General of Canada v. Collins Family Trust - and between - Attorney General of Canada v. Cochran Family Trust (B.C.) (Civil) (By Leave) ([39383](#))

The motion to join two Court of Appeal for British Columbia files in a single application for leave to appeal is granted. The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Numbers CA46250 and CA46251, 2020 BCCA 196, dated July 10, 2020, is granted with costs in the cause.

La requête pour joindre deux dossiers de la Cour d'appel de la Colombie-Britannique dans une seule demande d'autorisation d'appel est accueillie. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéros CA46250 et CA46251, 2020 BCCA 196, daté du 10 juillet 2020, est accueillie avec dépens suivant l'issue de la cause.

A.S. v. Her Majesty the Queen and Shane Reddick (Ont.) (Criminal) (By Leave) ([39516](#))

The motion for an extension of time to serve and file the response to the application for leave to appeal is granted. The application for leave to appeal from the judgment of the Ontario Superior Court of Justice, Number CR-19-4000056-0000, 2020 ONSC 7156, dated November 23, 2020, is granted.

The appeal will be heard with *Her Majesty the Queen v. J.J.* (39133).

La requête en prorogation du délai de signification et de dépôt de la réponse à la demande d'autorisation d'appel est accueillie. La demande d'autorisation d'appel de l'arrêt de la Cour supérieure de justice de l'Ontario, numéro CR-19-4000056-0000, 2020 ONSC 7156, daté du 23 novembre 2020, est accueillie.

L'appel sera entendu avec *Sa Majesté la Reine c. J.J.* (39133).

DISMISSED / REJETÉES

Client B c. Directrice des poursuites criminelles et pénales, Service de police de la Ville de Montréal, Me A, Client A et Me B - et entre - Me B c. Directeur des poursuites criminelles et pénales, Service de police de la Ville de Montréal, Me A, Client A et Client B (Qc) (Criminelle) (Autorisation) ([39365](#))

Les demandes d'autorisation d'appel de l'arrêt de la Cour supérieure du Québec, numéros 500-36-009383-194 et 500-21-099038-197, 2020 QCCS 1830, daté du 29 mai 2020, sont rejetées.

The applications for leave to appeal from the judgment of the Superior Court of Quebec, Numbers 500-36-009383-194 and 500-21-099038-197, 2020 QCCS 1830, dated May 29, 2020, are dismissed.

Jeremy Robert Czechowski v. Her Majesty the Queen (B.C.) (Criminal) (By Leave) ([39483](#))

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA45999, 2020 BCCA 277, dated October 13, 2020, is dismissed.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA45999, 2020 BCCA 277, daté du 13 octobre 2020, est rejetée.

Immeubles Prime inc. c. Patrick Morin inc. (Qc) (Civile) (Autorisation) ([39393](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Montréal), numéro 500-09-027511-187, 2020 QCCA 929, daté du 15 juillet 2020, est rejetée.

The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Montréal), Number 500-09-027511-187, 2020 QCCA 929, dated July 15, 2020, is dismissed.

Giuliano Scaduto v. Workplace Safety and Insurance Appeals Tribunal (Ont.) (Civil) (By Leave) ([39499](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number M50976, dated February 14, 2020, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro M50976, daté du 14 février 2020, est rejetée avec dépens.

Anica Visic v. Elia Associates Professional Corporation, Patricia Elia and University of Windsor (Ont.) (Civil) (By Leave) ([39515](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C67881, 2020 ONCA 690, dated November 2, 2020, is dismissed with costs in accordance with the tariff of fees and disbursements set out in Schedule B of the *Rules of the Supreme Court of Canada*.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C67881, 2020 ONCA 690, daté du 2 novembre 2020, est rejetée avec dépens conformément au tarif des honoraires et débours établi à l'Annexe B des *Règles de la Cour suprême du Canada*.

8678537 Canada inc. c. Directeur des poursuites criminelles et pénales et procureur général du Québec (Qc) (Criminelle) (Autorisation) ([39398](#))

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel est accueillie. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Montréal), numéro 500-10-007336-207, 2020 QCCA 877, daté du 8 juillet 2020, est rejetée sans dépens.

The motion for an extension of time to serve and file the application for leave to appeal is granted. The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Montréal), Number 500-10-007336-207, 2020 QCCA 877, dated July 8, 2020, is dismissed without costs.

Ottawa Police Services Board, Charles Bordeleau, Jeffrey Kilcollins, Michael Belanger, Larry McNally and Christopher Rheaume v. Martin Rukavina, Heather Rukavina, Joshua Rukavina, and Mitchell Rukavina and Benjamin Rukavina by their Litigation Guardian Heather Rukavina (Ont.) (Civil) (By Leave) ([39417](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C67247, 2020 ONCA 533, dated August 26, 2020, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C67247, 2020 ONCA 533, daté du 26 août 2020, est rejetée avec dépens.

Martha Bruno, Paul John Bruno and Jake Bruno under the age of 18 by his Litigation Guardian Martha Bruno v. Her Majesty the Queen in the Right of Ontario Represented by the Ministry of Community Safety and Correctional Services (Ont.) (Civil) (By Leave) ([39441](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C66667, 2020 ONCA 602, dated September 23, 2020, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C66667, 2020 ONCA 602, daté du 23 septembre 2020, est rejetée avec dépens.

REMANDED / RENVOYÉE

Her Majesty the Queen v. Keith Clarence Napope (Sask.) (Criminal) (By Leave) ([39289](#))

Pursuant to subsection 43(1.1) of the *Supreme Court Act*, the case forming the basis of the application for leave to appeal from the judgment of the Court of Appeal for Saskatchewan, Number CACR3050, 2020 SKCA 71, dated June 11, 2020, is remanded to the Court of Appeal for Saskatchewan for disposition in accordance with *Her Majesty the Queen v. R.V.*, 2021 SCC 10.

Conformément au paragraphe 43(1.1) de la *Loi sur la Cour suprême*, l'affaire à l'origine de la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Saskatchewan, numéro CACR3050, 2020 SKCA 71, daté du 11 juin 2020, est renvoyée à la Cour d'appel de la Saskatchewan pour qu'elle statue en conformité avec *Sa Majesté la Reine c. R.V.*, 2021 CSC 10.

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