

October 20, 2022

Le 20 octobre 2022

BETWEEN:

Larry Philip Fontaine, in his personal capacity and in his capacity as the executor of the estate of Agnes Mary Fontaine, deceased, Michelline Ammaq, Percy Archie, Charles Baxter Sr., Elijah Baxter, Evelyn Baxter, Donald Belcourt, Nora Bernard, John Bosum, Janet Brewster, Rhonda Buffalo, Ernestine Caibaiosai-Gidmark, Michael Carpan, Brenda Cyr, Deanna Cyr, Malcolm Dawson, Ann Dene, Benny Doctor, Lucy Doctor, James Fontaine in his personal capacity and in his capacity as the executor of the estate of Agnes Mary Fontaine, deceased, Vincent Bradley Fontaine, Dana Eva Marie Francey, Peggy Good, Fred Kelly, Rosemarie Kuptana, Elizabeth Kusiak, Theresa Larocque, Jane McCullum, Cornelius McComber, Veronica Marten, Stanley Thomas Nepetaypo, Flora Northwest, Norman Pauchey, Camble Quatell, Alvin Barney Saulteaux, Christine Semple, Dennis Smokeyday, Kenneth Sparvier, Edward Tapiatic, Helen Winderman and Adrian Yellowknee

Applicants

ENTRE :

Larry Philip Fontaine à titre personnel et en sa qualité d'exécuteur de la succession d'Agnes Mary Fontaine, décédée, Michelline Ammaq, Percy Archie, Charles Baxter Sr., Elijah Baxter, Evelyn Baxter, Donald Belcourt, Nora Bernard, John Bosum, Janet Brewster, Rhonda Buffalo, Ernestine Caibaiosai-Gidmark, Michael Carpan, Brenda Cyr, Deanna Cyr, Malcolm Dawson, Ann Dene, Benny Doctor, Lucy Doctor, James Fontaine à titre personnel et en sa qualité d'exécuteur de la succession d'Agnes Mary Fontaine, décédée, Vincent Bradley Fontaine, Dana Eva Marie Francey, Peggy Good, Fred Kelly, Rosemarie Kuptana, Elizabeth Kusiak, Theresa Larocque, Jane McCullum, Cornelius McComber, Veronica Marten, Stanley Thomas Nepetaypo, Flora Northwest, Norman Pauchey, Camble Quatell, Alvin Barney Saulteaux, Christine Semple, Dennis Smokeyday, Kenneth Sparvier, Edward Tapiatic, Helen Winderman et Adrian Yellowknee

Demandeurs

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- et -

Attorney General of Canada, Presbyterian Church in Canada, General Synod of the Anglican Church of Canada, United Church of Canada, Board of Home Missions of the United Church of Canada, Women's Missionary Society of the Presbyterian Church, Baptist Church in Canada, Board of Home Missions and Social Services of the Presbyterian Church in Bay, Canada Impact North Ministries of the Company for the Propagation of the Gospel in New England (also known as the New England Company), Diocese of Saskatchewan, Diocese of the Synod of Cariboo, Foreign Mission of the Presbyterian Church in Canada, Incorporated Synod of the Diocese of Huron, Methodist Church of Canada, Missionary Society of the Anglican Church of Canada, Missionary Society of the Methodist Church of Canada (also known as the Methodist Missionary Society of Canada), Incorporated Synod of the Diocese of Algoma, Synod of the Anglican Church of the Diocese of Quebec, Synod of the Diocese of Athabasca, Synod of the Diocese of Brandon, Anglican Synod of the Diocese of British Columbia, Synod of the Diocese of Calgary, Synod of the Diocese of Keewatin, Synod of the Diocese of Qu'Appelle, Synod of the Diocese of New Westminster, Synod of the Diocese of Yukon, Trustee Board of the Presbyterian Church in Canada, Board of Home Missions and Social Service of the Presbyterian Church of Canada, Women's Missionary Society of the United Church of Canada, Sisters of Charity, a body corporate also known as Sisters of Charity of St. Vincent de Paul, Halifax, also

Procureur général du Canada, Église presbytérienne au Canada, Synode général de l'Église anglicane du Canada, Église Unie du Canada, Board of Home Missions of the United Church of Canada, Women's Missionary Society of the Presbyterian Church, Baptist Church in Canada, Board of Home Missions and Social Services of the Presbyterian Church in Bay, Canada Impact North Ministries of the Company for the Propagation of the Gospel in New England (également connue sous le nom de New England Company), Diocese of Saskatchewan, Diocese of the Synod of Cariboo, Foreign Mission of the Presbyterian Church in Canada, Incorporated Synod of the Diocese of Huron, Methodist Church of Canada, Missionary Society of the Anglican Church of Canada, Missionary Society of the Methodist Church of Canada (également connue sous le nom de Methodist Missionary Society of Canada), Incorporated Synod of the Diocese of Algoma, Synod of the Anglican Church of the Diocese of Quebec, Synod of the Diocese of Athabasca, Synod of the Diocese of Brandon, Anglican Synod of the Diocese of British Columbia, Synod of the Diocese of Calgary, Synod of the Diocese of Keewatin, Synod of the Diocese of Qu'Appelle, Synod of the Diocese of New Westminster, Synod of the Diocese of Yukon, Bureau de fiducie de l'Église presbytérienne au Canada, Board of Home Missions and Social Service of the Presbyterian Church of Canada, Women's Missionary Society of the United Church of Canada, Sisters of Charity, une personne morale connue sous le nom de Sisters of Charity of St. Vincent de Paul, Halifax,

known as Sisters of Charity Halifax, Roman Catholic Episcopal Corporation of Halifax, Soeurs de Notre Dame Auxiliatrice, Soeurs de St. François d'Assise, Institut des Soeurs du Bon Conseil, Soeurs de Saint-Joseph de Saint-Hyacinthe, Soeurs de Jésus-Marie, Soeurs de l'Assomption de la Sainte Vierge, Soeurs de l'Assomption de la Saint Vierge de l'Alberta, Soeurs de la Charité de St.-Hyacinthe, Oeuvres Oblates de l'Ontario, Résidences Oblates du Québec, Corporation Épiscopale Catholique Romaine de la Baie James (Roman Catholic Episcopal Corporation of James Bay), Catholic Diocese of Moosonee, Soeurs Grises de Montréal/Grey Nuns of Montreal, Sisters of Charity (Grey Nuns) of Alberta, Soeurs de la Charité des T.N.O., Hôtel-Dieu de Nicolet, Grey Nuns of Manitoba Inc. — Soeurs Grises du Manitoba Inc., Corporation Épiscopale Catholique Romaine de la Baie d'Hudson — Roman Catholic Episcopal Corporation of Hudson's Bay, Missionary Oblates — Grandin Province, Oblats de Marie Immaculée du Manitoba, Archiepiscopal Corporation of Regina, Sisters of the Presentation, Sisters of St. Joseph of Sault St. Marie, Sisters of Charity of Ottawa, Oblates of Mary Immaculate — St. Peter's Province, Sisters of Saint Ann, Sisters of Instruction of the Child Jesus, Benedictine Sisters of Mt. Angel Oregon, Pères Montfortains, Roman Catholic Bishop of Kamloops Corporation Sole, Bishop of Victoria, Corporation Sole, Roman Catholic Bishop of Nelson, Corporation Sole, Order of the Oblates Of Mary Immaculate in the Province of British Columbia, Sisters of Charity of Providence of Western Canada, Corporation Épiscopale Catholique

également connue sous le nom de Sisters of Charity Halifax, Corporation épiscopale catholique romaine de Halifax, Soeurs de Notre Dame Auxiliatrice, Soeurs de St. François d'Assise, Institut des Soeurs du Bon Conseil, Soeurs de Saint-Joseph de Saint-Hyacinthe, Soeurs de Jésus-Marie, Soeurs de l'Assomption de la Sainte Vierge, Soeurs de l'Assomption de la Saint Vierge de l'Alberta, Soeurs de la Charité de St.-Hyacinthe, Oeuvres Oblates de l'Ontario, Résidences Oblates du Québec, Corporation Épiscopale Catholique Romaine de la Baie James (Roman Catholic Episcopal Corporation of James Bay), Catholic Diocese of Moosonee, Soeurs Grises de Montréal/Grey Nuns of Montreal, Sisters of Charity (Grey Nuns) of Alberta, Soeurs de la Charité des T.N.O., Hôtel-Dieu de Nicolet, Grey Nuns of Manitoba Inc. — Soeurs Grises du Manitoba Inc., Corporation Épiscopale Catholique Romaine de la Baie d'Hudson — Roman Catholic Episcopal Corporation of Hudson's Bay, Missionary Oblates — Grandin Province, Oblats de Marie Immaculée du Manitoba, Archiepiscopal Corporation of Regina, Sisters of the Presentation, Sisters of St. Joseph of Sault St. Marie, Soeurs de la Charité d'Ottawa, Oblates of Mary Immaculate — St. Peter's Province, Sisters of Saint Ann, Sisters of Instruction of the Child Jesus, Benedictine Sisters of Mt. Angel Oregon, Pères Montfortains, Roman Catholic Bishop of Kamloops Corporation Sole, Bishop of Victoria, Corporation Sole, Roman Catholic Bishop of Nelson, Corporation Sole, Order of the Oblates Of Mary Immaculate in the Province of British Columbia, Sisters of Charity of Providence of Western Canada, Corporation Épiscopale Catholique Romaine de Grouard, Roman Catholic Episcopal Corporation of

Romaine de Grouard, Roman Catholic Episcopal Corporation of Keewatin, Corporation Archiépiscope Catholique Romaine de St. Boniface, Missionnaires Oblates Sisters de St. Boniface — Missionary Oblates Sisters of St. Boniface, Roman Catholic Archiepiscopal Corporation of Winnipeg, Corporation Épiscopale Catholique Romaine de Prince Albert, Roman Catholic Bishop of Thunder Bay, Immaculate Heart Community of Los Angeles, CA, Archdiocese of Vancouver — Roman Catholic Archbishop of Vancouver, Roman Catholic Diocese of Whitehorse, Catholic Episcopal Corporation of Mackenzie-Fort Smith, Roman Catholic Episcopal Corporation of Prince Rupert, Episcopal Corporation of Saskatoon, OMI Lacombe Canada Inc. and Mt. Angel Abbey Inc.

Respondents

JUDGMENT

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number M52780 (C69253), 2021 ONCA 931, dated December 31, 2021, is dismissed.

Keewatin, Corporation Archiépiscope Catholique Romaine de St. Boniface, Missionnaires Oblates Sisters de St. Boniface — Missionary Oblates Sisters of St. Boniface, Roman Catholic Archiepiscopal Corporation of Winnipeg, Corporation Épiscopale Catholique Romaine de Prince Albert, Roman Catholic Bishop of Thunder Bay, Immaculate Heart Community of Los Angeles, CA, Archdiocese of Vancouver — Roman Catholic Archbishop of Vancouver, Roman Catholic Diocese of Whitehorse, Catholic Episcopal Corporation of Mackenzie-Fort Smith, Roman Catholic Episcopal Corporation of Prince Rupert, Episcopal Corporation of Saskatoon, OMI Lacombe Canada Inc. and Mt. Angel Abbey Inc.

Intimés

JUGEMENT

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro M52780 (C69253), 2021 ONCA 931, daté du 31 décembre 2021, est rejetée.

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