

SCHEDULE "C" – DRAFT ORDER

Court File No.

4810-999-24-48128288

ONTARIO COURT OF JUSTICE
(Toronto Region)

WEDNESDAY, THE 20th DAY

OF NOVEMBER, 2024

THE HONOURABLE)
CHIEF JUSTICE)
SHARON M. NICKLAS)
DELEGATED TO REGIONAL SENIOR JUSTICE)
JONATHAN BLISS)

BETWEEN:

HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Applicant

- and -

JANE DOE(S), JOHN DOE(S) and OTHER PERSONS UNKNOWN

Respondents

IN THE MATTER OF AN ORDER PURSUANT TO SECTION 85 AND REGULATION 946
OF THE *PROVINCIAL OFFENCES ACT*.

ORDER

THIS APPLICATION, made by His Majesty the King in right of Ontario for an order extending certain time limits under the *Provincial Offences Act*, was heard this day at 10 Armoury Street in Toronto.

ON READING the Application Record and the Applicant's Factum,

WHEREAS the Respondents are current and potential defendants in proceedings under the *Provincial Offences Act* and identifying each of them individually is not possible,

AND WHEREAS having regard to the subject-matter and circumstances of the application, it is not unjust to hear this application without notice,

AND WHEREAS there is a disruption to postal service across Ontario:

AND WHEREAS the Respondents and municipalities in Ontario will be prejudiced in *Provincial Offences Act* proceedings by reason of the disruption in postal services,

THIS COURT ORDERS that, pursuant to Rule 7(7)(b) of the *Rules of the Ontario Court (Provincial Division) In Provincial Offences Proceedings*, the need to serve or provide notice of this Application is dispensed with.

THIS COURT FURTHER ORDERS that, pursuant to section 85 and Regulation 946 the time limits prescribed under the following sections of the *Provincial Offences Act* and the *Rules of the Ontario Court (General Division) and the Ontario Court (Provincial Division) in Appeals Under Section 116 of the Provincial Offences Act*, O. Reg. 723/94, are hereby extended to the day which is 20 days following the resumption of normal mail service:

- Section 5(2) [Defendant – Time to mail in Notice of Intention to Appear];
- Section 5(6) [Time for clerk to reschedule trial]
- Section 5.1(2) [Defendant – Time to mail in Request meeting with prosecutor]

- Section 5.1(12) [Time for clerk to reschedule trial following meeting with prosecutor]
- Section 9(1)(a) [Default conviction if no response to Part I offence notice]
- Section 11(5) [Time for clerk to reschedule trial following an order striking conviction]
- Section 17(2) [Time for commencing proceedings – following request for parking trial]
- Section 17(4.1) [Time for clerk to reschedule trial]
- Section 17.1(6.1) [Time for clerk to reschedule trial]
- Section 18(1) [Time to mail notice of impending conviction to defendants who fail to respond to a parking ticket];
- Section 18.1(2) [time to commence parking proceedings following request for trial]
- Section 18.1(5) [Time for clerk to reschedule trial]
- Section 18.2(1) [Time to mail notice of intention to dispute parking ticket after receiving ticket]
- Section 18.2(5) [Time for clerk to commence parking proceedings by filing notice requesting conviction following failure to respond to ticket]

- Section 19(4) [Time for clerk to reschedule trial]
- Section 116 [notice of appeal time periods which are specified in rules of court]
- Section 135(2) [notice of appeal Part I and Part II proceedings]
- Rules 5(2) and 5(3) of the *Rules of the Ontario Court (General Division) and the Ontario Court (Provincial Division) in Appeals Under Section 116 of the Provincial Offences Act*, [notice of appeal time periods in Part III appeals relating to those appeals brought before the Ontario Court of Justice]

THIS COURT FURTHER ORDERS that the date a fine becomes due and payable pursuant to section 66(1) and section 69(1) of the Provincial Offences Act is extended to the day which is 35 days following the final day of the strike by the Canadian Union of Postal Workers, being Canada Post employees;

THIS COURT FURTHER ORDERS that service of this Order upon the Respondents shall be made by posting a copy of this Order on the Ministry of the Attorney General website and in a visible place in all court offices dealing with *Provincial Offences Act* matters in the province of Ontario.

DELEGATED BY AUTHORITY OF CHIEF JUSTICE SHARON NICKLAS



REGIONAL SENIOR JUSTICE JONATHAN BLISS