

**DATE: 12/01/2026**

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**Applicant:** THE REGIONAL MUNICIPALITY OF WATERLOO

**Counsel:** Andrew Lokan, Greta Hoaken, Karitja Thavaraj, Gordon Capern

**Respondent(s):** PERSONS UNKNOWN AND TO BE ASCERTAINED

**Counsel:** Shannon Down, Ashley Schuitema, Joanna Mullen

**Amicus MHLC:** Mercedes Perez, Jen Danch, Karen Steward

**Interveners:**

**AG Ontario:** Andrea Boliero, Sara Badawi

**ALS:** Asha James, Erin McMurray

**CCLA:** Kristen Allen, Simone Truemner-Caron

**CCPI/NHRN:** Martha Jackman

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Case conference held today by Zoom.

The Regional Council of the Applicant Region passed amendments to the site-specific by-law on 9 Jan 2026. As a consequence, the parties request an adjournment of approximately six weeks to provide further evidence and conduct cross-examinations as required.

The currently scheduled hearing dates of 5, 6 and 27 Feb 2026 are vacated.

The parties will contact the Trial Coordinator to set new dates for three days in the latter part of March, or in April 2026, for the hearing of the applications. The three days should be contiguous if possible.

The Applicant Region will amend its Application Record to place the Amended version of the by-law before the Court.

The parties disagree as to the admissibility of the proposed affidavit of Aaron Moss regarding an update of conditions at the Encampment. The Applicant Region may bring a motion in writing to me seeking the admission into evidence of this affidavit. The Respondents may respond in writing. I will then provide a determination of the issue to the parties.

The injunction issued 20 Aug 2025 will continue to apply to the Amended version of the by-law passed by Council on 9 Jan 2026, until the hearing of the applications or further direction of the Court.

Amicus may cross-examine the Respondents' witnesses.

The timelines for submissions of facta are revised as follows:

Region's factum February 23, 2026

Respondents' factum March 6, 2026

Amicus' factum March 10, 2026

Intervener factums (CCLA, ALS, CCPI/NHRN) March 11, 2026

Ontario's factum March 12, 2026

Reply factum of the Region March 17, 2026



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**GIBSON J.**