

# COURT OF APPEAL FOR ONTARIO

CITATION: Knauff v. Ontario (Human Rights Tribunal), 2025 ONCA 345

DATE: 20250501

DOCKET: COA-25-OM-0074

Zarnett J.A. (Case Management Judge)

BETWEEN

Adam Knauff

Applicant  
(Moving Party)

and

Human Rights Tribunal of Ontario and His Majesty the King as Represented by  
the Ministry of Natural Resources and Forestry

Respondents  
(Responding Parties)

and

Animal Justice

Intervenor<sup>1</sup>

Nick Papageorge, for the moving party

Zachary Green, for the responding party His Majesty the King as Represented by  
the Ministry of Natural Resources and Forestry

Mindy Noble, for the responding party Human Rights Tribunal of Ontario<sup>2</sup>

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<sup>1</sup> The title of proceeding reflects that Animal Justice was granted permission to intervene at the Divisional Court. No such permission has been granted in this Court.

<sup>2</sup> Ms. Noble advised that her client does not intend to take a position on the leave to appeal motion but would participate in the appeal if leave is granted.

Heard: April 30, 2025 by teleconference

## ENDORSEMENT

### **I. Background**

[1] These directions pertain to Mr. Knauff's motion for leave to appeal from the February 5, 2025 decision of the Divisional Court, dismissing his application for judicial review of decisions of the Human Rights Tribunal of Ontario.

[2] Upon commencing the motion for leave to appeal, and citing this Court's recent decisions in *West Whitby Landowners Group Inc. v. Elexicon Energy Inc.*, 2024 ONCA 910, and *Davis v. Aviva General Insurance Company*, 2024 ONCA 944, the moving party indicated that he intended to ask the Court to clarify the test for leave to appeal from the Divisional Court and to that end, requested that this leave motion be heard by a five-judge panel.

[3] On April 3, 2025, Fairburn A.C.J.O. directed that this motion be heard by a five-judge panel.

[4] The parties have indicated that they are aware of at least one group that wishes to seek leave to intervene on the issue of the test for leave to appeal.

## **II. Directions**

### ***Leave to Appeal Motion to be Heard Orally***

[5] Motions for leave to appeal are typically heard in writing (r. 61.03.1(1)). However, in light of the issue raised regarding the test for leave to appeal and the fact that this leave motion will be heard by a five-judge panel, I direct that this motion for leave to appeal be heard orally pursuant to r. 61.03.1(15). The oral hearing will be scheduled to take place in the fall of this year.

### ***Interventions***

[6] Any request to intervene in the leave to appeal motion shall be heard and determined in writing.

[7] Any interested person who wishes permission to intervene is to deliver their motion materials by May 30, 2025.

[8] Any party opposing any of the intervention motions shall deliver their responding materials by June 20, 2025.

[9] Materials relating to intervention motions are to be submitted for filing to COA.E-File@ontario.ca and copied to the Executive Legal Officer at COA.ExecutiveLegalOfficer@ontario.ca.

“B. Zarnett J.A.”