Federal Court Cour fédérale

Date: 20260320

Docket: 26-T-45

Citation: 2026 FC 383

Ottawa, Ontario, March 20, 2026

PRESENT: The Honourable Mr. Justice Duchesne

BETWEEN:

RIDGE FISHING LTD., ORCA SPIRIT ADVENTURE LTD. AND CUDA MARINE ADVENTURES INC.

Applicants/Moving Parties

and

STEVESTON HARBOUR AUTHORITY

Respondent/Responding Party

ORDER AND REASONS

[1] Ridge Fishing Ltd., Orca Spirit Adventure Ltd. and Cuda Marin Adventures Inc. [the Moving Parties] have brought a motion for an order pursuant to subsection 18.1(2) of the *Federal Courts Act*, RSC 1985, c F-7, [the *Act*] extending the time for them to commence an application for judicial review of the conduct of the Steveston Harbour Authority [the Responding Party] when it exercised statutory powers granted to it as a federal board pursuant to the *Fishing and Recreational Harbours Act*, R.S.C. 1985, c. F-24 to cancel or refuse to renew

their occupancy licences and to enjoin from the using and accessing the Steveston Small Craft Harbour [the Harbour].

[2] The Moving Parties argue that they meet the applicable test for an extension of time of more than 4 years and 6 months to commence their intended judicial review proceeding. The Responding Party argues that the Moving Parties do not meet the applicable test and that, in any event, it is not in the interests of justice to grant them the extension of time they seek.

[3] The Moving Parties have not led sufficient evidence to establish that it is in the interests of justice for the extension of time they seek to be granted. Their motion will therefore be dismissed.

I. **Background**

[4] The Moving Parties are businesses incorporated pursuant to the laws of British Columbia. They pursue their respective commercial business activities from office space and berths for vessel moorage they occupy and use at the Harbour pursuant to licences issued to them by the Harbour authority through specific contracts.

[5] The Responding Party is the Harbour authority [the HA]. The HA is empowered to operate and manage the Harbour pursuant to a Harbour Authority Lease it entered into with the Crown on October 31, 2008. The HA's rights and obligations to grant the public access to the Harbour is set out in very general terms in article 7 of the Harbour Authority Lease. The

stipulated right and obligation to grant access to the public also sets out that the HA may refuse Harbour access to any person or vessel with outstanding charges payable to it.

[6] The Moving Parties were informed on July 20, 2021, that the HA had exercised its contractual right to terminate the Moving Parties' two-year term licences to occupy and use Building 24B, Building 39 (Locker 3903AA) and the "X" and "W" floats that had been issued to them commencing in December 2019 and October 2020 respectively. The licences were cancelled on the provision of 30 days written notice as permitted and stipulated in the agreements between them. The licences were cancelled prior to the expiry of their term due to the Moving Parties' recurring breaches of licence terms which included but were not limited to a failure to pay various charges. The Moving Parties were also put on written notice to remove their property from the Harbour's premises by September 30, 2021, and to pay the outstanding charges owed and payable to the Harbour.

[7] It appears that the Moving Parties did not remove their property from the Harbour within the time fixed by the Harbour in its July 20, 2021, notice. The HA commenced a civil proceeding against the Moving Parties and against their ships before the Supreme Court of British Columbia [the BCSC] in court file VIC-S-S-220314 on February 1, 2022. The HA sought declaratory orders in trespass as well as permanent injunctive relief in addition to other remedies.

[8] The Moving Parties defended the proceeding brought against them. The Moving Parties' Response to Civil Claim included allegations regarding the HA's authority and the nature of the relationship between the parties. Without being exhaustive, the Moving Parties alleged that their

relationship with the HA as to their ability to occupy and use any portion of the Harbour was contractual in nature and that the HA had terminated the licences wrongfully through breach of contract as well as breach of HA's mandate and purpose set out in the Harbour Authority Lease.

[9] The HA was successful in its litigation before the BCSC and obtained the declaratory and injunctive orders it sought, albeit subject to a six-month stay of enforcement.

[10] In a lengthy decision delivered on October 31, 2025, Mr. Justice Veenstra of the BCSC, explained the parties' positions before him as to whether the HA's decision to terminate the licences was potentially subject to judicial review. At paragraph 198 of his reasons, Justice Veenstra noted that, "the [Moving Parties] argue that the decision of the [HA] to terminate or not renew their licence and occupancy agreements is subject to judicial review". His Honour noted that the parties had agreed before him that judicial review of the HA's July 20, 2021, decision [the Decision] was a matter falling within the exclusive jurisdiction of this Court and made no determination on the likely merits of an application for judicial review. Justice Veenstra concluded as follows at paragraphs 225 and 226 of his reasons:

> [225] I have concluded that I cannot dismiss out of hand the possibility that the defendants might succeed in a judicial review application. They will of course first have to obtain an extension of time. If they bring a judicial review application and are successful, then that will significantly impact the claims of trespass and nuisance. It is obviously concerning that the defendants did not bring such application prior to the summary trial hearing. I do not know if they have since brought such an application.
>
> [226] In my view, it is appropriate that I stay the effect of the declaration and injunction that would otherwise be granted for a period of six months. That stay serves two purposes:
>
> > a) it provides the defendants with an opportunity to seek leave to bring their judicial review; and

> b) it gives the defendants an opportunity, knowing the result of this action, to seek another location for their businesses.

II. **The Law Applicable to an Extension of Time**

[11] The test that guides the Court in the exercise of its discretion with respect to an extension of time to commence an application for judicial review pursuant to section 18.1(2) of the *Act* is the four part test set out in *Grewal v. Canada (Minister of Employment & Immigration)*, 1985 CanLII 5550 (FCA) that was reformulated succinctly in *Canada (Attorney General) v. Hennelly*, 1999 CanLII 8190 (*Canada (Attorney General) v. Larkman*, 2012 FCA 204 [*Larkman*]; *Muckenheim v. Canada (Employment Insurance Commission)*, 2008 FCA 249). That test was explained in *Larkman* at paragraphs 61 and 62 as follows:

> [61] The parties agree that the following questions are relevant to this Court's exercise of discretion to allow an extension of time:
>
> (1) Did the moving party have a continuing intention to pursue the application?
>
> (2) Is there some potential merit to the application?
>
> (3) Has the Crown been prejudiced from the delay?
>
> (4) Does the moving party have a reasonable explanation for the delay?
>
> See *Grewal v. Canada (Minister of Employment & Immigration)*, 1985 CanLII 5550 (FCA), [1985] 2 F.C. 263 (C.A.); *Muckenheim v. Canada (Employment Insurance Commission)*, 2008 FCA 249 at paragraph 8.
>
> [62] These questions guide the Court in determining whether the granting of an extension of time is in the interests of justice: *Grewal*, supra at pages 277-278. The importance of each question depends upon the circumstances of each case. Further, not all of

> these four questions need be resolved in the moving party's favour. For example, "a compelling explanation for the delay may lead to a positive response even if the case against the judgment appears weak, and equally a strong case may counterbalance a less satisfactory justification for the delay": *Grewal*, at page 282. In certain cases, particularly in unusual cases, other questions may be relevant. The overriding consideration is that the interests of justice be served. See generally *Grewal*, at pages 278-279; *Canada (Minister of Human Resources Development) v. Hogervorst*, 2007 FCA 41 at paragraph 33; *Huard v. Canada (Attorney General)*, 2007 FC 195, 89 Admin LR (4th) 1.

[12] Mr. Justice Strayer clarified in *Beilin v. Minister of Employment and Immigration (1995)*, 88 F.T.R. 132 at 134, that the period of delay to be considered on a motion for an extension of time is the entirety of the period of the delay. The entirety of the period of delay means the delay beginning on the date on which the moving party became aware of the order or matter to be judicially reviewed and the date on which they filed their request for an extension of time. This same point was echoed in the Federal Court of Appeal's decision in *Larkman* at paragraphs 67 to 69.

[13] The interests of justice in connection with a motion for an extension of time to commence an application for judicial review were well canvassed and summarized by Mr. Justice Denis Gascon in *Clinique Gascon Inc. v. Canada*, 2023 FC 1757, at paragraphs 35 to 37 as follows:

> **E. Weighing the factors and serving the interests of justice**
>
> [35] Weighing each of the factors set out in *Larkman* and *Hennelly*, and taking into account the circumstances of this case, I give determinative weight to the complete lack of justification for the very long delay and the failure to demonstrate the merit of Clinique Gascon's application. After conducting my analysis, I cannot identify any reason that could allow me to grant an extension of time for filing Clinique Gascon's application for judicial review.

> [36] It has been repeatedly acknowledged that undertaking judicial review of administrative tribunal decisions within the relatively short time limits prescribed by the Act reflects the public interest with respect to the finality of administrative decisions (*Canada v Berhad*, 2005 FCA 267 at para 60 [*Berhad*], leave to appeal to the SCC refused, 31166 (May 25, 2006); *Canada (Minister of Human Resources Development) v Hogervorst*, 2007 FCA 41 at para 24). That time limit is "not whimsical" and exists "in the public interest, in order to bring finality to administrative decisions" (*Berhad* at para 60).
>
> [37] I acknowledge that the interests of justice remain the paramount consideration in granting an extension of time. But the interests of justice do not exist in a vacuum and do not absolve applicants from their duty to satisfy the burden of proof. In this case, to exercise my discretion in favour of Clinique Gascon would require me to ignore all of the established criteria regarding an extension of time and turn a blind eye to the lack of evidence supporting each of the factors set out in case law to consider granting such an extension. The rule of law is based on the fundamental principles of certainty and predictability. Discretion must be based on the law. Exercising such a power would not be appropriate or judicious, or in the interests of justice, if it ignored the minimum requirements of the applicable law.

[14] With the foregoing in mind, I turn to the evidence led by the parties.

III. **Evidence on this motion**

[15] The Moving Parties rely on the affidavit of Mabel Wilson sworn on December 10, 2025 and its 8 exhibits, the affidavit of Walter Cadwallader, also sworn on December 10, 2025, and its 10 exhibits, the affidavit of Cindy MacKay sworn on December 10, 2025, and its 4 exhibits, and, on the affidavit of Tracee Dooley sworn on December 11, 2025, and its 5 exhibits.

[16] Ms. Wilson is a Director of all three Moving Parties. She makes no mention in her affidavit of any of the Moving Parties' intention to challenge the Decision or the conduct of the

HA by way of judicial review or otherwise. She also does not offer any explanation for the Moving Parties' delay in seeking judicial review. Ms. Wilson is an indigenous person, a member of the Kawkiutl Fort Ruper Band, and a registrant pursuant to the *Indian Act*.

[17] Mr. Cadwallader is the General Manager of the Moving Party Ridge Fishing Ltd. and manages the other two moving parties. Mr. Cadwallader deposes to having made efforts to speak with the members of the HA's board of directors after having received the Decision. He does not provide any detail of those efforts. He also deposes to having requested the opportunity to appear before the HA's board of directors to address the Decision, having been refused the opportunity to do so, and having been directed to speak to the HA's lawyers. As is the case with Ms. Wilson, Mr. Cadawallader makes no mention in his affidavit of any of the Moving Parties' intention to challenge the Decision or the HA's conduct by way of judicial review or otherwise, and does not offer any explanation for the Moving Parties' delay in seeking judicial review.

[18] Ms. MacKay is an independent contractor who provides financial management services to the Moving Parties. Her affidavit sets out that on the HA provided notice on July 21, 2021, that the Moving Parties' licences would be terminated. She deposes that she wrote to the HA on July 26, 2021, to the HA's legal counsel on August 3, 2021, and to the HA's board of directors on November 1, 2021, in an effort to have the HA reconsider its licence terminations. She also deposes to the Moving Parties' payment of invoice arrears and the payment of overholding monthly invoices after the Moving Parties refused to vacate the premises.

[19] Ms. Dooley is a legal assistant in the Moving Parties' solicitors' firm. She deposes to various documents being filed in the BCSC registry in connection with the HA's litigation against the Moving Parties before that Court. The documents attached as exhibits to her affidavit are the pleadings filed by the parties in the BCSC, Justice Feenstra's October 31, 2025, reasons, and a copy of the DFO - Coast Guard Reconciliation Strategy Evergreen Guidance Document dated September 2019.

[20] Ms. Dooley's affidavit does not speak at all to the Moving Parties' desired application for judicial review. A review of the Moving Parties' Amended Response to Civil Complaint attached as an exhibit to her affidavit shows that the Moving Parties did not allege that the Decision or the HA's conduct was or were potentially subject to judicial review. Rather, the Moving Parties argued that the Decision was made in breach of their contracts with the HA.

[21] The Moving Parties have not included a proposed Notice of Application in their motion materials despite having confirmed from counsel's table during the hearing of this motion that such a proposed originating document had been prepared, had sought to be filed, and had been rejected for filing.

[22] The HA relies upon the affidavit of Paul Edgett, Vice President of the Canadian Fishing Company, and on the affidavit of Jamie Gusto, the HA's General Manager at the time of the events and since.

[23] Mr. Edgett's affidavit speaks to the Harbour as an ongoing business but otherwise contains no information regarding the current motion or the Moving Parties' intention to pursue judicial review.

[24] Ms. Gusto's affidavit speaks more generally to the history between the parties and the HA's general management of the Harbour. This includes the delegation of licence management authority from the board of directors to her, as well as a summary description of a major project with other commercial fishers the HA has undertaken since 2023 that would be detrimentally impacted if the Moving Parties were to return to the Harbour. The only mention of judicial review in Ms. Gusto's affidavit is found in its final paragraph, where she deposes that the HA and its counsel did not become aware of the Moving Parties' intention to file an application for judicial review application until January 27, 2026, when counsel for the HA received an email from the Moving Parties' counsel attaching a link to the motion record filed for this motion.

IV. **Arguments and Analysis**

A. ***The 30-day period in subsection 18.1(2) of the Act applies***

[25] The Moving Parties argue that the matter to be judicially reviewed is not a discrete decision that occurred at a fixed point in time such that the 30-day period to commence an application for judicial review set out in subsection 18.1(2) of the *Act* does not apply. They argue that the HA's conduct from the date of the Decision through litigation before the BCSC constitutes a continuing course of conduct that includes the enforcement of the Decision against

the Moving Parties through civil litigation. The delay to be considered for the purposes of an extension of time is therefore not the period from July 10, 2021, to December 11, 2025.

[26] The Moving Parties rely on *Key First Nation v. Lavallee* 2021 FCA 123 [*Lavallee*], at paragraph 36, for the proposition the time limit of 30 days set out in subsection 18.1(2) of the *Act* applies only when the "matter" sought to be reviewed is a discrete decision or order that can be fixed at a point in time. *Lavallee* was concerned with very specific facts involving a band council resolution, a prior Federal Court decision and the *First Nations Election Act*. While *Lavallee*'s guidance on whether an issue to be reviewed is a discrete event or a connected series of events is clear, its application here must be considered in light of the evidence and the allegations made.

[27] The Moving Parties allege in their Notice of Motion that they seek to file an application for judicial review in respect of the conduct of the Respondent Party when it exercised its statutory powers granted to it as a federal board under the *Fishing and Recreational Harbours Act*, R.S.C. 1985, c. F-24, to cancel or refuse to renew the Moving Parties' licenses and enjoin the Applicants from use of and access to the Harbour.

[28] This allegation is not supported by the evidence before the Court. The allegation is also contrary to what the Moving Parties appear to have represented to Justice Veenstra.

[29] The affidavits relied upon by the Moving Parties do not identify what decision or matter they seek to have judicially reviewed. As confirmed by the Moving Parties' solicitors during the

hearing of this motion, there is also no proposed Notice of Application for the Court to refer to circumscribe more precisely what the Moving Parties seek to have judicially reviewed.

[30] The Moving Parties have relied on their pleadings before the BCSC and Justice Veenstra's reasons in support of their argument. This evidence sheds light on what they represented to the BCSC they wished to have judicially reviewed. Their pleadings set out their position that the HA had cancelled or terminated their licences in breach of the implied terms for their party oral partly written agreements and, as reported at paragraph 96 of Justice Veenstra's reasons, that "they are now contemplating seeking judicial review of the [HA's] June 2021 decision to terminate or not renew their licences of occupancy".

[31] The Moving Parties' pleadings in the BCSC proceeding and Justice Veenstra's description of the "decision" the Moving Parties had represented they were contemplating to have judicially reviewed leads me to conclude that the Moving Parties have represented before another court that what they seek to have judicially reviewed is the July 2021 Decision itself rather than the Decision and the injunctive relief that was claimed in civil proceedings. If the injunctive relief sought against them in the BCSC proceeding was a matter that the Moving Parties had been contemplating formed part of the course of conduct to be judicially reviewed before this Court, then they would have argued as much before the BCSC and would have taken the necessary steps ensure that the injunctive relief that was fully litigated and determined by Justice Veenstra would have been carved out for a determination on judicial review. That is not the position they took or argued.

[32] I am satisfied on the evidence before me including the representations reported by Justice Veenstra as made before him that the Moving Parties had contemplated to seek judicial review of the July 2021 Decision and not the course of conduct that is described in their Notice of Motion.

[33] The Moving Parties have failed to demonstrate that the HA's conduct in seeking injunctive relief against them in civil proceedings before the BCSC is part of a course of conduct as described in *Lavallee.* The number of other defendants named in the BCSC proceeding and the various heads of relief sought from the defendants as pleaded by the HA reflects that the litigation before the BCSC was in effort to compel the Moving Parties and others to cease trespassing and committing the tort of nuisance in the Harbour. The Moving Parties have not persuaded me that seeking injunctive relief against trespassers who have engaged in nuisance transforms the Decision and the BCSC litigation into a course of conduct for the purposes of judicial review. Accordingly, the Moving Parties' intended application is subject to the 30-day limitation period set out in subsection 18.1(2) of the *Act*, and must be assessed in light of the four-part test set out in *Larkman* and *Hennelly*, and the overriding consideration of the interests of justice.

B. ***The Larkman and Hennelly Factors are not Satisfied***

[34] Applying *Larkman* and *Hennelly* requires that the Court consider whether the Moving Parties have established that: i) they had a continuing intention to pursue the application; ii) there is some potential merit to the application; iii) the respondent has not been prejudiced by the delay; and, iv) there is a reasonable explanation for the delay incurred between the date of the decision at issue and the date of the motion for an extension of time.

(1) **There is no continuing intention**

[35] The Moving Parties' affidavit evidence is silent as to their continuing intention to pursue judicial review of the Decision.

[36] The best indication of any intention on their part to seek judicial review is found at paragraph 96 of Justice Veenstra's reasons where his Honour writes, speaking temporally of the time of the summary trial hearing before him, that the Moving Parties "are now contemplating seeking judicial review" of the Decision.

[37] The "now" referred in Justice Veenstra's decision could be either the March 5 and 6, 2025, dates of hearing before him, or, the June 26, 2024, date of the first appearance of the potential framework of the notion of judicial review in the Moving Parties' amended Response to Civil Claim. In either case, there is no evidence of the Moving Parties' continuing intention to pursue judicial review from the date of the July 2021 Decision through to the date of this motion.

[38] The Court finds that the Moving Parties have not satisfied the first of the *Larkman* and *Hennelly* factors.

(2) **Potential merit**

[39] The Moving Parties rely on Justice Veenstra's comment at paragraph 202 of his reasons to argue their intended application has some potential merit. Justice Veenstra commented at paragraph 202 of his reasons that, "Given, however, that the Federal Court has exclusive

jurisdiction over any such judicial review, I do not think it would be appropriate for me to comment further on this issue. All I can say is that it is not plain and obvious to me that the positions advanced are entirely without merit."

[40] The Moving Parties' written representations set out that they intend to argue that their rights of procedural fairness were breached because the Decision was made by an improper delegate. In support of this argument, the Moving Parties articulated at the hearing of this motion that they were relying on section 14 of the Harbour Authority Lease. Section 14 of the Harbour Authority Lease speaks to an assignment of rights and obligation under the lease. It does not refer to delegated authority as between the Responding Party's board of directors and its officers or staff. There is no potential merit in this argument, particularly so when considered in light of Ms. Gusto's affidavit evidence that she had been provided with delegated authority by the HA's board of directors in connection with harbour customer licences.

[41] The Moving Parties argue that their right to be heard was breached because they were not provided with a reasonable opportunity to present their case and/or appeal the Decision, and by the HA's failure to reconsider its Decision. The Moving Parties' argument is not developed in any meaningful manner in their materials, but there is a minimum content of alleged material facts and legal bases upon which a Court could, if the allegations were substantiated, grant an application for judicial review and order that the matter be redetermined by the HA afresh. As such, the Moving Parties' outlined argument is not plainly and obviously doomed to fail.

[42] Finally, they argue that the HA failed to consider the Moving Parties' status as Indigenous Business or the applicable policy documents such as the DFO - Coast Guard Reconciliation Strategy. It is not plain on this motion, partly due to the baldness of the alleged argument, that this argument is entirely without merit.

[43] I find that the Moving Parties have established that their intended application for the judicial review of the Decision is not without any potential merit.

(3) **The Responding Party is not prejudiced by the delay incurred**

[44] The Moving Parties argue that the HA has not been prejudiced by the delay because the HA has acquired and retained the evidence necessary for judicial review through the BCSC proceeding.

[45] The HA's evidence of prejudice to be suffered if an extension of time is granted is largely directed to the potential for a financial loss arising from the possible thwarting of harbour use commitments and harbour space allocations. While these are not negligible potential losses, the granting of an extension of time would not lead to the HA actually suffering the prejudice it has identified it might suffer. Extending the time for the Moving Parties to seek judicial review of the Decision would require the HA to respond and engage with the arguments advanced. There is no evidence led by the HA that establishes that the delay incurred by the Moving Parties in seeking judicial review would prejudice the HA in its ability to respond to the intended proceeding.

[46] I find that the Moving Parties have established that extending the time for their application would not prejudice the HA.

(4) There is no reasonable explanation for the whole of the delay

[47] The Moving Parties argue that they have been continuously occupied with opposing the HA's conduct since July 2021 and that their being so occupied explains their delay in seeking judicial review.

[48] The Moving Parties has not led evidence of what they have been continuously occupied with or how what they were occupied with prevented them from seeking judicial review.

[49] The evidence with respect to the 3 letters sent by or on behalf of the Moving Parties to the Responding Party between July 2021 and February 2022 does not establish a reasonable explanation for the delay incurred during the period July 2021 and February 2022.

[50] While the Court can infer that the Moving Parties were occupied with the HA's civil claim before the BCSC commencing in February 2022, there is no evidence as to how being involved in the litigation prevented them from pursuing judicial review separately in a timely manner. Civil litigation may indeed be time and resource consuming, but the evidence in the record of what transpired in the BCSC litigation does not suggest that defending against the HA's civil proceeding was an all-consuming endeavour from February 2022 to March 6, 2025, that could explain the Moving Parties' inaction. The Moving Parties have not provided a

reasonable explanation for their inaction between February 2022 and the last day of their summary trial argument before Justice Veenstra on March 6, 2025.

[51] Justice Veenstra's reasons do not suggest that the Moving Parties continued to be engaged in litigation before him after March 2025 after their appearance and arguments were made. Whatever impediment arose from litigating the HA's civil claim would likely have evaporated by then as the summary trial application had been argued and taken under reserve. Yet no evidence speaks to why the Moving Parties did not act between March 2025 and the date of this motion when they had already represented to Justice Veenstra that there were contemplating judicial review. There is no reasonable explanation for the Moving Parties' inaction between March 6, 2025, and the date of this motion.

[52] Given the absence of evidence of a reasonable explanation for the whole of the delay, I must find that the Moving Parties have not established a reasonable explanation for their delay to act over well more than 4 years.

(5) **The interests of justice do not favour granting an extension of time**

[53] The Moving Parties have satisfied two of the four factors identified in *Larkman* and *Hennelly*.

[54] The long-standing absence of intent and the complete failure to justify inaction for more than 4 years must be weighed heavily in light of public policy concerns over the certainty and finality of administrative decisions (*Lavallee* at para 63). I find that the absence of prejudice to

the HA arising from the delay does not counterbalance the greater weight I give the absence of a continuing intention or of a reasonable explanation why judicial review was not pursued in a timely manner.

[55] While the Moving Parties have some arguments to advance on judicial review that are not without potential merit with respect to the July 2021 Decision, I find that the interests of justice weigh against granting them the extension of time sought. The Moving Parties' failure to act in a timely manner has caused the BCSC to expend judicial resources that might otherwise have been saved had they acted sooner. The interests of justice here dictate that the Moving Parties must bear the consequences of their long standing inaction.

[56] The Moving Parties' motion will therefore be dismissed.

V. **Costs**

[57] The Court strongly encourages the parties to confer and attempt to agree on the costs of this motion prior to April 7, 2026. If the parties agree on costs by then, they may deliver a letter on consent to my attention that sets out their agreement as to costs for the Court's consideration.

[58] In the event that the parties do not agree on costs, then the HA shall have until April 9, 2026, to serve and file its costs submissions that shall not exceed three pages in length, double-spaced, exclusive of schedules, appendices, and authorities. The Moving Parties will then have until April 17, 2026, to serve and file their costs submissions, also limited to three pages in length, double-spaced, exclusive of schedules, appendices, and authorities.

[59] If no agreement as to costs is filed by April 7, 2026, and no costs submissions are served and filed by April 9, 2026, then no costs will be awarded to any party.

ORDER in 26-T-45

THIS COURT ORDERS that:

1. The Moving Parties' motion for an extension of time to commence an application for judicial review of the Responding Party's exercise of statutory powers as a federal board under the *Fishing and Recreational Harbours Act*, R.S.C. 1985, c. F-24, to cancel or refuse to renew the Moving Parties' licenses and enjoin the Applicants from the use of and access to the Steveston Small Craft Harbour is dismissed.

2. Costs of this motion are reserved to be determined following the parties' submissions on costs in accordance with the directions as to costs set out above.

"Benoit M. Duchesne"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:	26-T-45
STYLE OF CAUSE:	RIDGE FISHING LTD. ET AL. v. STEVESTON HARBOUR AUTHORITY
PLACE OF HEARING:	VIDEOCONFERENCE
DATE OF HEARING:	MARCH 11, 2026
ORDER AND REASONS:	DUCHESNE, J.
DATED:	MARCH 20, 2026

APPEARANCES:

Buck D. Hughes	FOR THE APPLICANTS
Darren Williams	FOR THE RESPONDENT

SOLICITORS OF RECORD:

Bernard LLP Vancouver, BC	FOR THE APPLICANTS
League and Williams Law Corporation Vancouver, BC	FOR THE RESPONDENT