

July 26, 2024 - Toronto ON - In a decision many observers find surprising and disturbing the Ontario Superior Court of Justice has upheld the Rebuilding Ontario Place Act, 2023, including provisions that expressly eliminate any court or tribunal's ability to grant any remedy under all Ontario statutes. The Act also eliminates any ability to claim compensation or damages from the Government or on its face for a court to grant any remedy related to judicial review.

The decision acknowledges that government action can go too far but finds it has not in this case. "The difficulty many people will likely have with this ruling is that the government could not possibly have gone further than eliminating all remedies under all Ontario statutes", said Eric Gillespie, legal counsel for the applicant [Ontario Place Protectors](#).

The decision also does not appear to address the precedent set by Ontario's actions. "People may not be aware of how far this legislation has gone and what it means for the future. The overarching issue is this. If you can essentially eliminate all laws for Ontario Place there is now nothing preventing the Government from doing this for anything, including new expressways, airports, eliminating the Greenbelt or any other government project. One would think almost every resident of Ontario should be very concerned about this prospect", said Gillespie.

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