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**Ministère du
Procureur général**
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720, rue Bay, 8^e étage
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January 24, 2024

E-MAIL

Divisional Court

130 Queen Street West
Toronto, Ontario M5H 2N5
scj-csj.divcourtmail@ontario.ca

Dear Registrar:

**RE: Ontario Place Protectors v. His Majesty the King in Right of Ontario, et al.
Court File No. DC-23-00000702-00JR**

I am counsel for respondents, His Majesty the King in Right of Ontario and the Attorney General for Ontario, in this matter. I write pursuant to Rule 2.1.01(6) of the Rules of Civil Procedure to request an order under Rule 2.1.01(1) to dismiss the above-noted application for judicial review.

The application is on its face frivolous, vexatious and an abuse of this Court's process. I have enclosed a copy of the notice of application as a courtesy.

Should the Court require any materials, submissions, or additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Sims".

Michael J. Sims
Senior Counsel

Encl.

cc. Eric Gillespie, lawyer for the applicant, via email (egillespie@gillespielaw.ca)

**ONTARIO
SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT**

BETWEEN:

ONTARIO PLACE PROTECTORS

Applicant

- and -

**HIS MAJESTY THE KING IN RIGHT OF ONTARIO and
ATTORNEY GENERAL FOR ONTARIO**

Respondents



APPLICATION UNDER Section 6(2) of the *Judicial Review Procedure Act*,
R.S.O. 1990, J.1. and Rule 68 of the Rules of Civil Procedure

NOTICE OF APPLICATION FOR JUDICIAL REVIEW

TO THE RESPONDENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following pages.

THIS APPLICATION for judicial review will come on for a hearing before the Superior Court on a date to be fixed by the registrar at the place of hearing requested by the applicant. The applicant requests that this application be heard at Brantford Courthouse, 70 Wellington Street, N3T 2L9.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the office of the Superior Court, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant,

and file it, with proof of service, in the office of the Superior Court within thirty days after service on you of the applicant's application record, or not later than 2 p.m. on the day before the hearing, whichever is earlier.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date: December 8th, 2023

Issued by _____
Local Registrar

Address of court office: 130 Queen St. West - Osgoode Hall
Toronto, Ontario M5H 2N5

TO: **HIS MAJESTY THE KING IN RIGHT OF ONTARIO**
c/o ATTORNEY GENERAL OF ONTARIO
Crown Law Office – Civil
720 Bay Street, 8th Floor
Toronto, Ontario M5G 2K1

TO: **ATTORNEY GENERAL OF ONTARIO**
Crown Law Office – Civil
720 Bay Street, 8th Floor
Toronto, Ontario M5G 2K1

APPLICATION

1. **THE APPLICANT MAKES APPLICATION FOR** judicial review of Bill 154, New Deal Toronto Act. 2023 (“Bill 154”). The applicant respectfully requests:

- (a) A declaration that Bill 154 is of no force and effect;
- (b) An injunction prohibiting the respondent from implementing Bill 154;
- (c) The applicant’s costs of this application on a substantial indemnity basis; and
- (d) Such further and other relief as counsel may advise and this Honourable Court may permit.

2. **THE GROUNDS FOR THE APPLICATION ARE:**

- (a) Bill 154 proports to eliminate the requirement for compliance with numerous statutory and regulatory requirements;
- (b) Bill 154 further proports to eliminate virtually all claims and/or challenges that could be brought regarding Bill 154;
- (c) Bill 154 does not comport with the rules of natural justice and procedural fairness;
- (d) Bill 154 does not comport with the rule of law;
- (e) Bill 154 breaches the principles of public trust;
- (f) Consequently, Bill 154 should be declared unlawful and of no force and effect;
- (g) There are serious issues to be tried, Bill 154 will cause irreparable harm, the balance of convenience and justice of the case favors granting an injunction.
- (h) Such further and other grounds as counsel may advise and this Honourable Court may permit.

3. **THE FOLLOWING DOCUMENTARY EVIDENCE WILL BE USED AT THE HEARING OF THE APPLICATION:**

- (a) The Affidavits filed by the applicant; and
- (b) Such further and other material as counsel may advise and this Honourable Court may permit.

December 6, 2023

ERIC K. GILLESPIE
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Lawyers for the Applicant

**ONTARIO PLACE
PROTECTORS**

- and -

**HIS MAJESTY THE KING IN RIGHT
OF ONTARIO and ATTORNEY
GENERAL OF ONTARIO**

Court File No.

Applicant

Respondents

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding Commenced at Toronto

**NOTICE OF APPLICATION FOR JUDICIAL
REVIEW**

**ERIC K. GILLESPIE
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