

IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)

BETWEEN:

ONTARIO PLACE PROTECTORS

APPELLANT
(Appellant)

- and -

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

RESPONDENTS
(Respondents)

NOTICE OF CONSTITUTIONAL QUESTIONS
(ONTARIO PLACE PROTECTORS, APPELLANT)
(Pursuant to Rule 33(2) of the *Rules of the Supreme Court of Canada*)

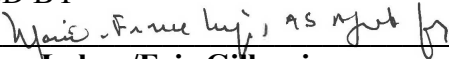
TAKE NOTICE that we, Andrew Lokan and Eric Gillespie, counsel for the Appellant Ontario Place Protectors, assert that the appeal raises the following constitutional questions:

1. Does section 17 of the *Rebuilding Ontario Place Act, 2023*, SO 2023, c 25, Sch 2, contravene s.96 of the *Constitution Act, 1867*, insofar as it removes the core jurisdiction of the Superior Court of Justice of Ontario and immunizes the Crown from liability under common law or statute, thereby preventing the Court from exercising its role as primary guardian of the rule of law?
2. Does Canadian law recognize a public trust obligation inherent in Crown sovereignty over certain public resources, operating as an unwritten constitutional principle that informs statutory interpretation and constrains the exercise of discretionary public power?

AND TAKE NOTICE that an attorney general who intends to intervene with respect to this constitutional question may do so by serving a notice of intention in Form 33C on all other parties and filing the notice with the Registrar of the Supreme Court of Canada within four weeks after the day in which this notice is served.

Dated at Toronto, Ontario, this 6th day of February, 2026.

SIGNED BY


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Marie-France Major

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