

## MEMO / NOTE DE SERVICE



To / Destinataire Mayor & Members of Council File/N° de fichier: Clublink

From / Expéditeur Stuart Huxley, Interim City Solicitor

Subject / Objet ClubLink Corporation ULC Date: September 18, 2025  
City's Application for Leave to Appeal  
to the Supreme Court of Canada

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Further to my Memorandum to Members of Council of [February 5, 2025](#), informing Council of the City's application for leave to appeal to the Supreme Court of Canada, the purpose of this Memorandum is to advise that earlier today, the Supreme Court of Canada released its Decision on the City's application for leave to appeal.

The Supreme Court has denied the City leave to appeal to the highest Court. As per the Court's practice, no reasons are provided on leave applications.

Today's decision means that the Supreme Court will not allow a hearing on the merits of the City's requested appeal from the January 21, 2025 decision of the Court of Appeal for Ontario, in the matter of *City of Ottawa v. ClubLink Corporation ULC*. That decision had declared certain contractual provisions with the developer relating to the so-called "Golf Course Lands" to be void and unenforceable. As the Supreme Court is the highest court, today's decision ends this litigation.

As for any next steps relating to the subject lands, I note that any consideration of development would be subject to applicable approvals, all of which would have regards to and respect the City's existing infrastructure located on the lands. The City has indicated to ClubLink that it is not prepared to alter any existing easements to permit the redevelopment to take place. Further, approval from the National Capital Commission would be required in respect of the stormwater outlet.

Sincerely,

Stuart Huxley  
Interim City Solicitor

cc: Senior Leadership Team