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OUR INJUNCTIONS EXPERTISE

Both obtaining and responding to extraordinary legal remedies such as injunctions require the support of a highly skilled and experienced legal team. Lenczner Slaght has extensive experience and knowledge in this specialized practice area and has successfully obtained and responded to a variety of injunctions on an urgent basis, including prohibitive, mandatory, and temporary injunctions, as well as Mareva, Anton Piller, and Norwich Orders.

YEAR IN REVIEW

Injunctions

“Injunctive relief remains anchored in the RJR-MacDonald framework but is increasingly shaped by context, evidentiary strength, and remedial restraint.”

What are some of the most interesting developments and trends of 2025?

Injunctions remain one of the powerful equitable remedies available to prevent harm while cases proceed on the merits. In 2025, Ontario courts continued to refine how the established injunction framework operates, with important developments in both public and private law.

In [Cycle Toronto v Attorney General of Ontario](#), the Court accepted that the applicants had met the low serious-issue threshold and established irreparable harm based on increased risk of personal injury if bike lanes were removed in the City of Toronto. The Court nevertheless denied interim relief based on the presumption that duly enacted legislation serves the public good, emphasizing that interlocutory relief should suspend legislative action only in the clearest of cases. *Cycle Toronto* underscores how heavily courts weigh the public interest presumption where an interlocutory injunction would render legislation inoperable.

By contrast, [The Neighbourhood Group v HMKRO](#) demonstrates a willingness by the Court to tailor remedies when rights to life and security of the person are at stake. In *The Neighbourhood Group*, the Court granted a time-limited exemption from legislation mandating the closure of supervised consumption sites. The Court found there was irreparable harm grounded in elevated risk of overdose and death.

These two decisions underscore three practical points:

- Irreparable harm grounded in credible evidence of health and safety risk does not require proof of certainty, but the strength and specificity of the record are critical.
- In challenges to legislation or government policy, applicants must meaningfully engage the public-interest presumption and demonstrate why interim relief would advance, not undermine, the public interest pending adjudication.
- Courts are more willing to grant narrow, time-limited exemptions that minimize intrusion on legislative choices.

In the private law context, the Ontario Court of Appeal in [Hermina Developments v Epireon Capital Limited](#) (on motion for a stay pending appeal of a judgment permitting the sale of a property) signaled a continued reluctance to halt transactions absent compelling evidence that damages are an inadequate remedy. The Court of Appeal rejected claims of irreparable harm where the property was not uniquely situated and the alleged loss was monetary and quantifiable. *Hermina Developments* reinforces that in private disputes, the irreparable harm branch of the *RJR-MacDonald* test turns on the nature of the harm, not its magnitude, and that uniqueness arguments require a strong evidentiary record.

Similarly, when assessing the balance of convenience in respect of a property dispute in [Liu v Xing](#), the Court conducted a careful analysis of the factual record to determine whether the respondents’ argument that the existence of a proprietary injunction would truly hamper their ability to develop the properties. Ultimately, the Court found there was no evidence to support the argument.

What’s the primary takeaway for businesses from this year?

Injunctive relief remains anchored in the *RJR-MacDonald* framework but is increasingly shaped by context, evidentiary strength, and remedial restraint. In constitutional cases, courts are giving real effect to the public-interest presumption while preserving flexibility to grant narrow, time-limited exemptions when life and security interests are credibly at risk. In private disputes, courts demand persuasive proof of irreparable harm, and closely scrutinize quantifiability and uniqueness. When considering injunctive relief, counsel should focus on building a robust evidentiary record addressing alleged harm (or lack thereof), meaningfully engaging the public interest on its merits, and considering tailored remedies that minimize interference with legislative policy.

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