The Green Energy Act (GEA) has harmed rural communities to the detriment of the health of residents, the sustainability of the natural environment, water quality, local economies, rural roads, property values, municipal assessment taxes, heritage properties and the safety of residents and communities.

The entire regime established by the Liberal government to enforce the GEA violates principles of natural justice. The entire scheme is biased in favour of proponents of renewable energy projects and against individuals, communities and municipalities. There is limited scope for opponents to be heard, while proponents have undue access to Ministries to influence decisions and amend the conditions of approval. In many cases the Ministries improperly delegate their statutory powers to others, and in all instances they follow an inflexible policy of granting consent to renewable energy projects without any cost/benefit analysis.

The GEA discriminates against residents and landowners in rural Ontario because regulations under the Environmental Protection Act provide that Class 4 wind facilities can only be installed in locations a minimum of 550m from the nearest noise receptor (occupied building) which restricts placement to rural areas of Ontario.

To impose this mandatory industrialization of rural Ontario, in implementing the GEA the Ontario government also amended other statutes to strip rural residents of the protection of laws available to other communities:

1. The Green Energy Act, 2009, S.O. 2009, c. 12 , Sched. A, s.5 strips residents in rural Ontario of statutory rights to enact, rely on and claim the benefit of sound land use planning principles

2. The Planning Act, R.S.O. 1990, c. P.13, s. 62.0.2 eliminates the right of unwilling host municipalities and their residents to exercise sound planning principles in respect of industrial uses of land within their jurisdiction

3. R.R.O. 1990, Reg. 334, s. 15(1) exempts renewable energy projects from the Environmental Assessment Act, R.S.O. 1990, c. E.18, substituting self-assessment by the proponent of each such project

4.The Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, s.76 prohibits any action by owners of abutting lands for damages caused by fires originating from renewable energy projects

5. The Assessment Act, R.S.O. 1990, c. A-31, Regulation 282/98, s.42.5 deems the assessed value for the 2017, 2018, 2019 and 2020 taxation years of a $2.2 million wind turbine tower to be $50,460 multiplied by the installed capacity in megawatts of the generator attached to the wind turbine tower (in this case 2 Mw), so that the unwilling host municipality is entitled to assess rates at only 4.6% of the current value of the industrial wind turbine, to the benefit of the Operator.

This discrimination violates section 15 of the Canadian Charter of Rights, which guarantees equal protection and equal benefit of the law to all Canadians.

The GEA regime contravenes several international conventions to which Canada is a party, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Convention Economic, Social and Cultural Rights, the Declaration of the United Nations Conference on Human Rights, the Rio Declaration on Environment and Development. The Supreme Court of Canada has held that “the legislature is presumed to respect the values and principles enshrined in international law, both customary and conventional. These constitute a part of the legal context in which legislation is enacted and read. In so far as possible, therefore, interpretations that reflect these values and principles are preferred.”

However, the Canadian legal system faces an access to justice crisis. The Supreme Court of Canada has stated the law to be that "state action should conform to the Constitution and statutory authority and that there must be practical and effective ways to challenge the legality of state action". However, ordinary citizens are prevented from challenging government action because of the unequal access to costly justice that wealth can provide, and by the ability of huge corporations to bully and manipulate the law in their own interests. Not only do they lack the means to commence a legal proceeding to enforce a public interest, but the threat of an adverse costs award if the case fails can be a powerful disincentive to launch the case in the first place. Until the traditional cost rules of the justice system are revised, the right of a citizen to challenge government action is illusory.