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### THE LAW OF CANADIAN MUNICIPAL CORPORATIONS

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Since 1959, The Law of Canadian Municipal Corporations, 2nd Edition, has been the definitive text on all aspects of the law governing municipalities in every province. No other work is quoted with approval so frequently in Canadian judicial decisions. More than 1,700 pages of in-depth commentary keeps you fully informed on this vast subject.

#### What's New in this Update:

This release features updates to the case law and commentary in 6 (Municipal Council), 14 (Revenue), 16 (Licensing), 17 (Planning), 18 (Building), 22 (Miscellaneous – Animal Control), 24 (Attacks on By-Laws), 32 (Actions By and Against Municipalities), 33 (Municipal Wrongs) and, 35 (Schools).

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## Highlights

### Case Law

- **Subdivision Approval—Conditions—Restrictive Covenant—**Registration of a restrictive covenant intended to ensure that a certain types of rental housing development would occur is a permissible condition and failure to fulfill that condition will lead to rejection of a subdivision plan: *0985470 B.C. Ltd. v. Ucluelet (District)*, 2025 CarswellBC 1352, 2025 BCSC 837, 68 R.P.R. (6th) 134 (B.C. S.C.).
- **Evidence—Expertise—Overstepping Bounds—**Expert evidence and opinion based on expert analysis are both important parts of court and tribunal processes. Experts must give testimony within their field of expertise. Where they overstep their expertise, as when a planner gave a legal opinion, the courts will reject their assertions: *1000758840 Ontario Ltd. v. City of Toronto*, 2025 CarswellOnt 4972, 2025 ONSC 2084, 59 M.P.L.R. (6th) 281 (Ont. Div. Ct.).
- **Actions—Limitation—Continuing Event—**“A continuing act or omission requires succession or repetition of actionable conduct” and where that is not present the limitation will begin with the actual, unrepeatable, actionable conduct: *Huether v. Sharpe*, 2025 CarswellOnt 2034, 2025 ONCA 140, 59 M.P.L.R. (6th) 188 (Ont. C.A.).
- **Schools—Abuse—Vicarious Liability—**Where a tutor sexually abused a child/student, vicarious liability was not found because while some grooming had occurred in the school context the incidents were minor in respect to what happened later and were beyond the control of the school: *H.N. v. School District No. 61 (Greater Victoria)*, 2025 CarswellBC 1334, 2025 BCCA 144, 3 B.C.L.R. (7th) 101, [2025] 10 W.W.R. 551 (B.C. C.A.).