Publisher's Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. *Distribution List*
☐
☐
☐
☐

ONTARIO WATER LAW

Release No. 2, September 2025

Ontario Water Law provides a thorough examination of the current provincial and federal regulatory framework for all aspects of water in Ontario — all of which is expertly annotated with cases from the courts and tribunals along with the prosecution disposition reports.

THOMSON REUTERS®

Customer Support
1-416-609-3800 (Toronto & International)
1-800-387-5164 (Toll Free Canada & U.S.)
E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

What's New in this Update:

This release features legislative updates to Chapter 11 (Conservation Authorities Act). Additionally, there have been updates to the case digests in Chapters 3 (Ontario Water Resources Act), 4 (Safe Drinking Water Act), 10 (Public Lands Act), 11 (Conservation Authorities Act) and 12 (Nutrient Management Act, 2002).

Highlights

Chapter 3—Ontario Water Resources Act—Appendix 3A. Case Digests—In *Sherk v. Ontario (Environment, Conservation and Parks)*, 2023 CarswellOnt 1236, the appellants owned majority of property surrounded a pond. The pond featured two main outlets and smaller seasonal outlets. The water discharged at the eastern edge of the pond flowed through dam constructed by the appellant's father. The Dam was approved by Ministry of Natural Resources but Permit to Take Water (PTTW) was never obtained for the dam. The Provincial Officer made order requiring appellants to submit completed application for PTTW for dam on their lot. The appellants appealed the order of province. The Director upheld the order, but then the appellants appealed the decision of the director. The appeal was allowed in part. The Director ordered to amend the order to remove requirement to include copy of signed and notarized agreement between property owners and nearby golfclub with respect to the outflow of water from the pond. The appeal was dismissed in all other aspects. The appellants were in contravention of section 34 of the Ontario Water Resources Act. The appellants were required to apply for PTTW.

Chapter 11—Conservation Authorities Act—Appendix 11A. Case Digests—In *Pavy v. Quinte Conservation*, 2023 CarswellOnt 548, the applicant sought permission from conservation authority to undertake development to facilitate construction of dwelling and installation of holding tank for sewage and wastewater storage. Subject property was vacant, and site of proposed development was on peninsula surrounded by wetlands and Lake Ontario. The Conservation authority's hearing committee denied the application. The applicant appealed. The appeal was dismissed. The proposed development permission did not comply with Ontario Regulation 319/09 under the *Conservation Authorities Act*. The proposed development permission would permit development within 120m of Provincially Significant Wetland, and exceptions under s. 3(1) of the Regulation did not apply.