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### CANADIAN LAW OF PLANNING AND ZONING

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Written by leading authorities in municipal law in Canada, the fully revised second edition of *Canadian Law of Planning and Zoning* remains the only Canadian text comprehensively covering all aspects of the municipal regulation of land use, including key cases and selected planning legislation from across Canada.

This release features updates to the case law and commentary available in these chapters: 2 (Authority to Plan), 3 (Plan), 4 (Zoning and Land Use), 5 (Subdivision and Development), 8 (Challenges to Planning Decisions, Reviews and Appeals), 9 (Enforcement) and 10 (Emerging Issues in Planning Law).

#### Case Law — Highlights

- **Appeals — Evidence — Production of Documents** — Production of a report with information on hydrology and natural heritage was ordered because along with being fair, just and expeditious in the circumstances and was relevant to the determination of issues: *Losani Homes (1998) Ltd. v. Brantford (City)*, 2025 CarswellOnt 6039 (Ont. Land Tribunal).

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- **Appeals — Hearing — De Novo** — Subdivision and appeal boards may hold hearings de novo on such matters as the issuance of development permits but if they do so, they must do so within the rules of natural justice including reasonable notice and the ability to respond to arguments and failure to do so will lead to quashing of their decisions: *Landry v. Rocky View County (Subdivision and Development Appeal Board)*, 2025 ABCA 34, 2025 CarswellAlta 206, 36 Admin. L.R. (7th) 322, 81 Alta. L.R. (7th) 38, [2025] 6 W.W.R. 29 (Alta. C.A.).
- **Actions — Costs — Substantial Indemnity** — Costs will be awarded on a substantial indemnity basis where time spent on an application and motion were substantial and were of considerable importance to the municipality and its residents and the fees were reasonable: *The Corporation of the City of Kawartha Lakes v. Grills*, 2021 ONSC 2229, 2021 CarswellOnt 20902, 56 M.P.L.R. (6th) 310 (Ont. S.C.J.).
- **Enforcement — Orders — Registration of Orders** — Orders to comply may be registered on title against the property to which they apply. There is a mechanism to remove such orders under land titles legislation and owners ought not to try to circumvent that process nor try to hide such an order by attempting to have the courts remove the registration: *2811230 Ontario Limited v. City of Niagara Falls, et al.*, 2025 ONSC 588, 2025 CarswellOnt 913 (Ont. S.C.J.), additional reasons 2025 ONSC 2961, 2025 CarswellOnt 7629 (Ont. S.C.J.).