

## Publisher's Note

An Update has Arrived in Your Library for:

<b>Please circulate this notice to anyone in your office who may be interested in this publication.</b> <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

### CANADIAN LAW OF PLANNING AND ZONING

Ian MacF. Rogers

Release No. 1, January 2025

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: 1 (Introduction), 3 (The Plan), 4 (Zoning and Land Use), 5 (Subdivision and Development), 7 (Building Construction) 8 (Challenges to Planning Decisions, Reviews and Appeals) and 9 (Enforcement).

#### Case Law — Highlights

- **Enforcement — Compliance — Injunction** — An injunction was granted where an owner added a second addition to a home without a building permit and ignored stop work orders respecting building activity: *Surrey (City) v. Gill*, 2023 CarswellBC 3502, 2023 BCSC 2114 (B.C. S.C.).

---

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.

- **Development Permit — Issuance — Conditions** — Where a development permit has been authorized by the Alberta Utilities Commission, any further development conditions added by the development authority must be consistent with the Commission’s permit and conditions: *McKell v. Leduc County (Development Authority)*, 2024 CarswellAlta 2444, 2024 ABLPRT 497 (Alta.L.P.R.T.).
- **Building — Property Standards — Injunction** — Injunctions may be granted to halt infractions such as leaving derelict waste contrary to property standards and operating contrary to zoning and the courts may also compel compliance: *The Corporation of the Municipality of Greenstone v. Deroy*, 2024 CarswellOnt 10658, 2024 ONSC 3357 (Ont. S.C.J.).
- **Judicial Review — Motion to Quash — Test** — Motions to quash a judicial review must meet a high test. In Ontario the test is that the leave to review motion is manifestly devoid of merit and that it is beyond doubt that judicial review would fail: *Casa Loma Residents Association v. 555 Davenport Holdings Inc.*, 2024 CarswellOnt 14441, 2024 ONSC 5182 (Ont.S.C.J. – Div.Ct.).
- **Appeal — Notice — Postponement** — Where notice of a hearing was not served within the required time frame, the Tribunal postponed the hearing to allow for fuller participation by allowing a party’s representative to participate: *Stakenas v. Rocky View County (Development Authority)*, 2024 CarswellAlta 2377, 2024 ABLPRT 486 (Alta.L.P.R.T.).