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O'BRIEN'S DIVISION IX — MUNICIPAL CORPORATIONS

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O'Brien's Encyclopedia of Forms, Eleventh Edition is a comprehensive collection of forms and precedents covering a broad range of legal subjects. It provides, in both looseleaf and electronic formats, thousands of documents which can be easily customized to suit your individual needs. Each topical division includes authored commentary.

This release features updates to Chapter 1 (Municipal Administration), Chapter 4 (Planning and Development) and Chapter 7 (Public Health Matters).

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Highlights

Chapter 1 – Municipal Administration – Elections – Commentary was updated to account for legislative changes impacting electoral topics such as nominations, voters’ lists, campaign contributions and expenses, campaigning activities, voting procedure, counting votes, recounts and offences.

Chapter 4 – Planning and Development – Affordable Housing – The Provincial Planning Statement, 2024 came into effect on October 20, 2024. The policy statement replaces the Provincial Policy Statement, 2020. Pursuant to s. 2.2, planning authorities must provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of affordable housing for low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options, including affordable housing needs. The policy statement also makes changes to the definition of “affordable”, replacing references to “regional market area” in the definition with “municipality”.

Chapter 7 – Health Legislation – Provincial legislatures have jurisdiction under the *Constitution Act, 1867*, s. 92¶7 over the establishment, maintenance and management of hospitals (other than marine hospitals), asylums, charities and eleemosynary (charitable) institutions in and for the province. The federal government has a considerable sphere of activity with relation to public health by virtue of its jurisdiction over criminal law. The criminal law power set out in the *Constitution Act, 1867*, supports prohibitory public health enactments such as the *Food and Drugs Act*, R.S.C. 1985, c. F-27 and the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19, and it also provides for assisted human reproduction (*Québec (Procureur général) c. Canada (Procureur général)* (2010), 2010 SCC 61 (S.C.C.)) and medically assisted dying (*Carter v. Canada (Attorney General)* (2015), 2015 SCC 5 (S.C.C.)).

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