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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), 17 (Planning), 18 (Building), 20 (Local and Other Public Improvements), 24 (Attacks on By-Laws), 25 (Municipal Contracts), 26 (Corporate Property), 30 (Highways), 32 (Actions by and Against Municipalities) and 33 (Municipal Wrongs).

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Highlights

Case Law

- **Municipal Council—Conduct—Viability of Sanctions**—Sanctions against a councillor were overturned because the investigation report utilized by council did not provide a transparent or rational connection between the facts and alleged breaches of code: *Koester v. Wheatland County*, 2025 CarswellAlta 2104, 2025 ABCA 308, 64 M.P.L.R. (6th) 118 (Alta. C.A.).
- **Revenues—Assessment—Income Approach**—The income approach is based on an understanding that income-producing properties are sold on the basis of their income-producing potential. Where the calculation for that potential has been set by the assessment appeal committee and followed by the assessment authority it will be upheld: *Canalta Real Estate Services Ltd. v. Melfort (City)*, 2025 CarswellSask 363, 2025 SKCA 91 (Sask.C.A.).
- **Corporate Property—Acquisition—Unjust Enrichment**—A municipality could not simply hold onto land which had been given subject to a condition which it now appeared impossible to fulfill because some cadastral operations had not occurred. The municipality could not benefit or be unjustly enriched because of a mistake and hence a more appropriate remedy had to be found: *Sainte-Julie (Ville) c. Investissements Laroda inc.*, 2025 CSC 44, 2025 SCC 44, 2025 CarswellQue 12952, 2025 CarswellQue 12953, 509 D.L.R. (4th) 201, 64 M.P.L.R. (6th) 1, 73 R.P.R. (6th) 1 (S.C.C.).
- **Municipal Wrong—Abuse of Office—Exercise of Authority**—Exercise of a public authority and action by a public officer are pivotal to this tort and where an action occurs in a subcontracting situation by someone who is not exercising such authority, a claim of misfeasance of public office will fail: *Polischuk v. Winnipeg (City of)*, 2025 CarswellMan 314, 2025 MBCA 78, [2026] 3 W.W.R. 81 (Man.C.A.).