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### CANADIAN LAW OF PLANNING AND ZONING

Ian MacF. Rogers  
Release No. 7, July 2022

#### Publisher's Special Release Note 2021

The pages in this work were reissued in April 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the April 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

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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: 3 (The Plan), 4 (Zoning and Land Use), 5 (Subdivision and Development), 6 Heritage Designation 7 (Building Construction - Sign Regulation), and 8 (Challenges to Planning Decisions, Reviews and Appeals)

## Highlights

### Case Law

- **Planning — Official Plan — Amendment** — Where a proposed amendment struck “the appropriate balance between neighbourhood character, streetscape, urban design, intensification and compatibility”, it was approved: *LJM Developments (Stoney Creek) Inc. v. Hamilton (City)*, 2022 CarswellOnt 1763 (Ont. Land Tribunal)
- **Zoning — Variance — Compatibility and Prevalence** — Where variances which would allow greater massing and height of the rear of building were sought, they were refused because they did not suit the character of the neighbourhood: *Grisch, Re*, 2022 CarswellOnt 2559 (Tor. L.A.B.)
- **Building Construction — Sign Regulation — Permit** — Where the site of the sign is the same place as a previous sign, the sign is not especially large given the area on which it is placed, the sign fits into the area and there is little risk of proliferation of such signs, it has been approved: *Cameron Corporation v. Development Authority of the City of Edmonton*, 2022 ABESDAB 10028 (Alta. E.S.D.A.B.)
- **Appeals — Motions — Adjournment** — Ongoing processes such as environmental assessment appeals, are not a sufficient reason to adjourn a planning hearing: *Angus Glen Landowners’ Group Inc. v. Markham (City)*, 2022 CarswellOnt 2416 (Ont. Land Tribunal)
- **Appeals — Costs — Factors** — Where an appellant put forth a baseless appeal, without evidence or legal argument, had no direct interest in the case and asserted a public interest without representing the public in any meaningful way, costs were awarded to the respondents: *Maynard v. Mississippi Mills (Town)*, 2022 CarswellOnt 1962 (Ont.L.T.)

### ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
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- The Table of Contents now has internal links to every chapter and section of the book within ProView
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