



Osgoode Hall Law School of York University
Osgoode Digital Commons

Osgoode Course Casebooks

Course Materials and Syllabi

2016

Municipal Law

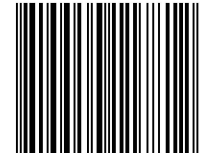
John Mascarin

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/casebooks>

Recommended Citation

Mascarin, John, "Municipal Law" (2016). *Osgoode Course Casebooks*. 78.
<http://digitalcommons.osgoode.yorku.ca/casebooks/78>

This Book is brought to you for free and open access by the Course Materials and Syllabi at Osgoode Digital Commons. It has been accepted for inclusion in Osgoode Course Casebooks by an authorized administrator of Osgoode Digital Commons.



2815550117812

Municipal Law

Winter 2016

Course Director(s): John Mascarin



NOT FOR PUBLICATION

All items protected by copyright have been cleared through the Course Kit and Copyright Clearance Centre of York University Printing Services.



Municipal Law
LAW 2305 MW X53D01

Instructor:

John Mascarin

Winter 2016

Wednesdays

2:30pm - 5:30pm

ACKNOWLEDGEMENTS

This material has been copied with the copyright holder's permission.
Resale or further copying of this material is strictly prohibited.

LAW 2305 Municipal Law

1. Doug Sanders. "Suddenly, All Politics is Municipal " from *The Globe and Mail*, Globe and Mail Publishing, © July 20, 2013, F2.
Reproduced with the permission of Globe and Mail Publishing.
2. Kenneth Grant Crawford. "Excerpt from Canadian Municipal Government " from *Canadian Municipal Government*, University of Toronto Press, © 1954, iii, 126-132.
Reproduced with the permission of University of Toronto Press.
3. Warren Magnusson. "Are Municipalities Creatures of the Provinces? " from *Journal of Canadian Studies*, Vol.39, No.2, University of Toronto Press, Journals Division, © Spring 2005, 5-29.
Reproduced with the permission of University of Toronto Press, Journals Division.
4. La Forest, et al. "R. v. Greenbaum " from *Municipal and Planning Law Reports*, Carswell, © February 25, 1993, 16 pages.
Reproduced with the permission of Carswell.
5. Borins J.. "East York (Borough) v. Ontario (Attorney General) " from *Municipal and Planning Law Reports*, Carswell, © July 24, 2997, 13 pages.
Reproduced with the permission of Carswell.
6. Prendergast, C.J.M, et al. "Brandon v. Municipal Commissioner and A.G. Manitoba " from *Dominion Law Reports*, Canada Law Book Inc, © September 28, 1931, 20 pages.
Reproduced with the permission of Canada Law Book Inc.
7. Taylor J.. "Canadian Pacific Railway v. Outlook (Town) " from *Western Weekly Reports*, Carswell, © October 23, 1924, 4 pages.
Reproduced with the permission of Carswell.
8. Ron Levi & Mariana Valverde. "Freedom of the City: Canadian Cities and the Quest for Governmental Status " from *Osgoode Hall Law Journal*, Vol.44, No.3, York University, Osgoode Hall Law School, © 2006, 409-459.
Reproduced with the permission of York University, Osgoode Hall Law School.
9. Russell & O'Brien JJ. A. "St. Paul (County No. 19) v. Belland " from *Municipal and Planning Law Reports*, Carswell, © February 14, 2006, 10 pages.
Reproduced with the permission of Carswell.
10. John Mascarin & Lauren Chee-Hing. "Like a Prayer - Freedom of Religion and State Neutrality in the Council Chambers " from *The Digest of Municipal and Planning Law*, Vol.7 (2d), No.8, Carswell, © August 2015, 1-13.
Reproduced with the permission of Carswell.
11. Paul Perell. "Ten Commandments and Attacking Municipal By-Laws " from *Advocates' Quarterly: A Canadian Journal for Practitioners of Civil Litigation*, Vol.26, Canada Law Book Inc, © 2002, 177-202.
Reproduced with the permission of Canada Law Book Inc.
12. John Mascarin. "Authenticating Municipal By-Laws - The Rules of Formality in Ontario and Throughout Canada " from *Municipal and Planning Law Reports*, 4th edition, Vol.69, Carswell, 27-43.
Reproduced with the permission of Carswell.
13. Ministry of Municipal Affairs and Housing. "The Municipal Councillor's Guide 2014 " from *The Municipal Councillor's Guide 2014*, Queen's Printer for Ontario, © 2014, cover, 3-14.
Reproduced with the permission of Queen's Printer for Ontario.
14. Carthy JJ.A, et al. "Moin v. Blue Mountains (Town) " from *Municipal and Planning Law Reports*, Carswell, © August 22, 2000, 12 pages.
Reproduced with the permission of Carswell.

15. F.R. Caputo J. "Ottawa (City) v. Letourneau " from *Municipal and Planning Law Reports*, Carswell, © January 24, 2005, 26 pages.
Reproduced with the permission of Carswell.

16. Binnie JJ., et al. "London (City) v. RSJ Holdings Inc. " from *Municipal and Planning Law Reports*, Carswell, © June 21, 2007, 17 pages.
Reproduced with the permission of Carswell.

17. Moss C.J.O., et al. "Ottawa Electric Light Co. v. Ottawa (City) " from *Ontario Judgments*, Judges Library, © June 29, 2006, 8 pages.
Reproduced with the permission of Judges Library.

18. Latchford C.J.A, et al. "Morrison and the City of Kingston " from *Ontario Reports*, LexisNexis Canada Inc., © 1938, 5 pages.
Reproduced with the permission of LexisNexis Canada Inc..

19. Lamer C.J., et al. "Shell Canada Products Ltd. v. Vancouver (City) " from *Municipal and Planning Law Reports*, Carswell, © February 24, 1994, 27 pages.
Reproduced with the permission of Carswell.

20. McLachlin C.J., et al. "United Taxi Drivers' Fellowship of Southern Alberta v. Calgary (City) " from *Supreme Court Reports*, LexisNexis Canada Inc., © March 25, 2004, 9 pages.
Reproduced with the permission of LexisNexis Canada Inc..

21. Goudge JJ.A, et al. "Croplife Canada v. Toronto (City) " from *Ontario Reports*, LexisNexis Canada Inc., © May 13, 2005, 19 pages.
Reproduced with the permission of LexisNexis Canada Inc..

22. McLachlin C.J., et al. "Catalyst Paper Corp v. North Cowichan (District) " from *Supreme Court Reports*, LexisNexis Canada Inc., © January 20, 2012, 9 pages.
Reproduced with the permission of LexisNexis Canada Inc..

23. Spence J.. "Eng v. Toronto (City) " from *Ontario Superior Court of Justice*, Carswell, © November 30, 2012, 22 pages.
Reproduced with the permission of Carswell.

24. John Mascarin. "Interpreting General Grants of Municipal Powers " from *3rd Annual Six-Minute Municipal Lawyer*, Law Society of Upper Canada, Department of Continuing Legal Education, © 2005, 11 pages.
Reproduced with the permission of Law Society of Upper Canada, Department of Continuing Legal Education.

25. Boyd C.. "Brown v. Hamilton (City) " from *Ontario Judgments*, Judges Library, © April 14, 1902, 3 pages.
Reproduced with the permission of Judges Library.

26. Schroeder JJ.A., et al. "City of Toronto v. Polai " from *Ontario Reports*, LexisNexis Canada Inc., © 1970, 13 pages.
Reproduced with the permission of LexisNexis Canada Inc..

27. Martland JJ., et al. "Toronto (City) v. Polai " from *Supreme Court Reports*, LexisNexis Canada Inc., © 1973, 3 pages.
Reproduced with the permission of LexisNexis Canada Inc..

28. Catzman JJ.A., et al. "Oosthoek v. Thunder Bay (City) " from *Ontario Reports*, LexisNexis Canada Inc., © September 27, 1996, 9 pages.
Reproduced with the permission of LexisNexis Canada Inc..

29. John Mascarin. "Ontario's Every-Changing Municipal Licensing Regime " from *The Digest of Municipal and Planning Law*, 2d edition, Vol.3, Carswell, © November 2007, 3-6.
Reproduced with the permission of Carswell.

30. Fournier JJ., et al. "Virgo v. Toronto (City) " from *Supreme Court Reports*, LexisNexis Canada Inc., © February 20, 1984, 15 pages.
Reproduced with the permission of LexisNexis Canada Inc..

31. Taliano J.. "Kovinic v. Niagara Falls (City) " from *Municipal and Planning Law Reports*, Carswell, © June 14,

- 2999, 24 pages.
Reproduced with the permission of Carswell.
-
32. Doherty JJ.A., et al. "2211266 Ontario Inc. (Gentlemen's Club) v. Brantford (City) " from *Ontario Court of Appeal*, The Ontario Courts, © 2013, 12 pages.
Reproduced with the permission of The Ontario Courts.
-
33. C.T. Hackland J.. "Magder v. Ford (2012) " from *Municipal and Planning Law Reports*, Carswell, © November 26, 2012, 17 pages.
Reproduced with the permission of Carswell.
-
34. E.F. Then R.S.J., et al. "Magder v. Ford (2013) " from *Municipal and Planning Law Reports*, Carswell, © January 25, 2013, 16 pages.
Reproduced with the permission of Carswell.
-
35. Dickson C.J., et al. "Old St. Boniface Residents Assn. Inc. v. Winnipeg (City) " from *Supreme Court Reports*, LexisNexis Canada Inc., © December 20, 1990, 25 pages.
Reproduced with the permission of LexisNexis Canada Inc..
-
36. Dickson C.J., et al. "Save Richmond Farmland Society v. Richmond (Township) " from *Supreme Court Reports*, LexisNexis Canada Inc., © August 16, 1990, 12 pages.
Reproduced with the permission of LexisNexis Canada Inc..
-
37. M. Rick O'Connor & George H. Rust-D'Eye. "The Basics: Ontario's Municipal Conflict of Interest Act " from *Municipal World*, Municipal World Inc., © October 2007, 9-12.
Reproduced with the permission of Municipal World Inc..
-
38. J. Douglas Cunningham. "Appendix J: Ruling on Conflict of Interest " from *Report of the Mississauga Judicial Inquiry: Updating the Ethical Infrastructure*, City of Mississauga Judicial Inquiry, © 2011, covers, 372-381.
Reproduced with the permission of City of Mississauga Judicial Inquiry.
-
39. John Mascarin. "Eyes Wide Shut - Wilful Blindness and a Conflict of Fordian Proportions " from *The Digest of Municipal and Planning Law*, 2d edition, Vol.6, No.1, Carswell, © January 2013, 1-18.
Reproduced with the permission of Carswell.
-
40. Boyd C., et al. "In Re L'Abbé and the Corp. of Blind River " from *Ontario Judgments*, Judges Library, © February 1, 1904, 7 pages.
Reproduced with the permission of Judges Library.
-
41. Krever JJ., et al. "Moll and Fisher et al. " from *Ontario Reports*, LexisNexis Canada Inc., © April 25, 1979, 10 pages.
Reproduced with the permission of LexisNexis Canada Inc..
-
42. Henry, J., et al. "Greene and Borins " from *Municipal and Planning Law Reports*, Carswell, © April 16, 1985, 9 pages.
Reproduced with the permission of Carswell.
-
43. Robert G. Doumani & Patricia A. Foran. "Commentary " from *Ontario Planning Legislation & Commentary, 2016 Edition*, LexisNexis Canada, © 2015, 1-4, 32-41.
Reproduced with the permission of LexisNexis Canada.
-
44. Sutherland J.. "Village of Euclid v. Ambler Realty CO. " from *United States Supreme Court Reports*, © November 22, 1926, 9 pages.
-
45. John Mascarin. "The Who, What, Where, When, Why and How of Development Charges for Real Estate Lawyers " from *The Six-Minute Real Estate Lawyer 2011*, Law Society of Upper Canada, © 2011, 1-21.
Reproduced with the permission of Law Society of Upper Canada.
-
46. John Mascarin. "Run, Covenant, Run: The Law of Positive Covenants in Ontario " from *The Digest of Municipal and Planning Law*, 2d edition, Vol.3, Carswell, © January 2007, 2-3.
Reproduced with the permission of Carswell.
-
47. S.D. Rogers. "Innisfil (Township) Development Charges By-law No. 021/94 (Re) " from *Ontario Municipal Board*

Decisions, Ontario Municipal Board, © February 2, 1998, 10 pages.
Reproduced with the permission of Ontario Municipal Board.

-
48. D.Y. Perlin. "Guelph (City) Development Charges By-law (1999)-15992 (Re) " from *Municipal and Planning Law Reports*, Carswell, © November 4, 1999, 16 pages.
Reproduced with the permission of Carswell.
-
49. "Commentary " from *Ontario Heritage Act & Commentary*, LexisNexis Canada, © 2010, cover, 1-9.
Reproduced with the permission of LexisNexis Canada.
-
50. Dickson J.J., et al. "St. Peter's Evangelical Lutheran Church (Ottawa) v. Ottawa (City) " from *Supreme Court Reports*, LexisNexis Canada Inc., © November 23, 1982, 15 pages.
Reproduced with the permission of LexisNexis Canada Inc..
-
51. Stephen Auerback & John Mascarin. "Part XII - Fees and Charges " from *The Annotated Municipal Act: Volume 2 (2nd edition)*, Carswell, © 1990, Covers, 4 pages.
Reproduced with the permission of Carswell.
-
52. Winkler C.J.O, et al. "Friends of Lansdowne Inc. v. Ottawa (City) " from *Ontario Court of Appeal*, The Ontario Courts, © April 30, 2012, 32 pages.
Reproduced with the permission of The Ontario Courts.
-
53. Jeffrey L. Levitt & John Mascarin. "Excerpts from the Annotated Ontario Building Code Act, 2016 Edition " from *Annotated Ontario Building Code Act, 2016 Edition*, LexisNexis, © 2015, cover, 1-9, 72-79, 261-263, 385-387.
Reproduced with the permission of LexisNexis.
-
54. L'Heureux-Dubé, et al. "Ingles v. Tutkaluk Construction Ltd. " from *Supreme Court Reports*, LexisNexis Canada Inc., © March 2, 2000, 21 pages.
Reproduced with the permission of LexisNexis Canada Inc..
-
55. John Mascarin. "Are Personal Communications Subject to Disclosure Under the Municipal Freedom of Information and Protection of Privacy Act? " from *Canadian Privacy Law Review*, Vol.8, No.12, LexisNexis Canada Inc., © November 2011, 129-136.
Reproduced with the permission of LexisNexis Canada Inc..
-
56. John Mascarin. "Sheltering Councillor Records from Disclosure " from *The Digest of Municipal and Planning Law*, 2d edition, Vol.6, No.4, Carswell, © April 2013, 1-7.
Reproduced with the permission of Carswell.
-
57. J.R.R. Jennings, A.M., et al. "Ottawa (City) v. Ontario (Information and Privacy Commissioner) " from *Municipal and Planning Law Reports*, Carswell, 14 pages.
Reproduced with the permission of Carswell.
-
58. K.B. Corrick J.. "Ontario (Information and Privacy Commissioner) (Re) " from *Municipal and Planning Law Reports*, Carswell, © January 14, 2011, 7 pages.
Reproduced with the permission of Carswell.
-
59. M.J. Moldaver R.J., et al. "Toronto (City) Police Services Board v. Ontario (Information and Privacy Commissioner) " from *Municipal and Planning Law Reports*, Carswell, © January 13, 2009, 16 pages.
Reproduced with the permission of Carswell.
-