[Français](http://www.ontario.ca/fr/lois/loi/90m51)

Municipal Corporations Quieting Orders Act

R.S.O. 1990, Chapter M.51

**Consolidation Period:** From June 1, 2021 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2021, c. 4, Sched. 6, s. 67](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1).

Legislative History: [2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2); [2021, c. 4, Sched. 6, s. 67](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1).

Definitions

**1** In this Act,

“Ministry” means the Ministry of Municipal Affairs and Housing; (“ministère”)

“municipality” does not include a regional municipality; (“municipalité”)

“quieting order” means an order establishing the legal existence or corporate status of a municipality, or establishing its proper area and boundaries or any of its boundaries, in order to quiet doubts affecting the same. (“ordonnance de régularisation”)

“Tribunal” means the Ontario Land Tribunal. (“Tribunal”) R.S.O. 1990, c. M.51, s. 1; 2002, c. 17, Sched. F, Table; 2021, c. 4, Sched. 6, s. 67 (2, 3).

**Section Amendments with date in force (d/m/y)**

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2) - 01/01/2003

[2021, c. 4, Sched. 6, s. 67 (2, 3)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s2) - 01/06/2021

Power to make quieting order

**2** (1)  Upon the application of the council of a municipality, the Tribunal may make a quieting order respecting the municipality. R.S.O. 1990, c. M.51, s. 2 (1); 2021, c. 4, Sched. 6, s. 67 (1).

Retroactive effect of order

(2)  A quieting order may be made retroactive in its effect and operation for the purpose and to the extent provided therein, except that it does not affect or prejudice the rights of any person in any action, litigation or other proceeding pending at the time when the order is made. R.S.O. 1990, c. M.51, s. 2 (2).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (1)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1) - 01/06/2021

Application for quieting order

**3** (1)  Where the council of a municipality is aware of any doubt affecting the legal existence or corporate status or proper area and boundaries of the municipality, or any of its boundaries, it may apply to the Tribunal for a quieting order. R.S.O. 1990, c. M.51, s. 3 (1); 2021, c. 4, Sched. 6, s. 67 (4).

Particulars of application

(2)  The application shall be in duplicate, shall specify the nature of the doubt that exists and shall be accompanied by a proposed description of the boundaries to be established. R.S.O. 1990, c. M.51, s. 3 (2).

Duplicate copy for Ministry

(3)  Upon receipt of an application for a quieting order, the Tribunal shall transmit one copy to the Ministry. R.S.O. 1990, c. M.51, s. 3 (3); 2021, c. 4, Sched. 6, s. 67 (5).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (4, 5)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s4) - 01/06/2021

Public hearing

**4** (1)  Except as provided in subsections (2), (3) and (4), the Tribunal before making any order under section 2 shall hold a public hearing, after such notice thereof has been given as the Tribunal may direct, for the purpose of inquiring into the merits of the application and of hearing any objections that any person may desire to bring to the attention of the Tribunal. R.S.O. 1990, c. M.51, s. 4 (1); 2021, c. 4, Sched. 6, s. 67 (1).

Notice to provide for filing of objections

(2)  The Tribunal may direct that the notice to be given shall state that anyone objecting to the making of a quieting order may, within such time from the giving of the notice as may be prescribed by the Tribunal, file an objection to the making of the quieting order with the clerk of the municipality that has made the application, or on whose behalf the application has been made by the Ministry. R.S.O. 1990, c. M.51, s. 4 (2); 2021, c. 4, Sched. 6, s. 67 (1).

Where no objection filed

(3)  Where notice has been given under subsection (2), the Tribunal may, when no notice of objection has been filed with the clerk within the time specified in the notice, make a quieting order respecting the municipality without holding a public hearing. R.S.O. 1990, c. M.51, s. 4 (3); 2021, c. 4, Sched. 6, s. 67 (1).

Where objections filed

(4)  If one or more objections have been filed with the clerk within the time specified in the notice, the Tribunal shall hold a public hearing. R.S.O. 1990, c. M.51, s. 4 (4); 2021, c. 4, Sched. 6, s. 67 (1).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (1)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1) - 01/06/2021

Effect of quieting order

**5** Every quieting order made by the Tribunal is according to its tenor valid and binding for all purposes and upon all municipalities and persons. R.S.O. 1990, c. M.51, s. 5; 2021, c. 4, Sched. 6, s. 67 (1).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (1)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1) - 01/06/2021

Publication of quieting orders

**6** Forthwith after the issue of a quieting order, the applicant shall,

(a) publish the order locally in such manner as the Tribunal may direct;

(b) publish in *The Ontario Gazette* notice of the making of the order and the date thereof;

(c) file a certified copy with the Ministry; and

(d) register a certified copy in the proper land registry office, as in the case of an order of the Tribunal registered under section 68 of the *Registry Act*, which section applies. R.S.O. 1990, c. M.51, s. 6; 2021, c. 4, Sched. 6, s. 67 (1, 6).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (1, 6)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1) - 01/06/2021

Powers of Ministry

**7** The Ministry may,

(a) authorize the board of trustees of a police village to apply under this Act for a quieting order with respect to the police village and for that purpose the provisions of this Act apply with necessary modifications;

(b) require the council of any municipality to apply for a quieting order with respect to the municipality and upon neglect or failure of the council to apply for the order within sixty days after being so required, the Ministry may on behalf of the council and in the name of the municipality apply to the Tribunal for the quieting order. R.S.O. 1990, c. M.51, s. 7; 2002, c. 17, Sched. F, Table; 2021, c. 4, Sched. 6, s. 67 (7).

**Section Amendments with date in force (d/m/y)**

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2) - 01/01/2003

[2021, c. 4, Sched. 6, s. 67 (7)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s7) - 01/06/2021

Fee of Tribunal

**8** The fee payable upon an application under this Act shall be fixed by the Tribunal, but shall not exceed $15. R.S.O. 1990, c. M.51, s. 8; 2021, c. 4, Sched. 6, s. 67 (1).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 67 (1)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s67s1) - 01/06/2021

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