

Beds of Navigable Waters Act

R.S.O. 1990, CHAPTER B.4

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Amended by: 2002, c. 18, Sched. L, s. 2.

Grant to be deemed to exclude the bed

1. Where land that borders on a navigable body of water or stream, or on which the whole or a part of a navigable body of water or stream is situate, or through which a navigable body of water or stream flows, has been or is granted by the Crown, it shall be deemed, in the absence of an express grant of it, that the bed of such body of water was not intended to pass and did not pass to the grantee. R.S.O. 1990, c. B.4, s. 1.

Saving as to certain cases

2. Section 1 does not affect the rights, if any, of a grantee from the Crown or of a person claiming under the grantee, where such rights were, before the 24th day of March, 1911, determined by a court of competent jurisdiction in accordance with the rules of the English Common Law, or of a grantee from the Crown, or a person claiming under the grantee who establishes to the satisfaction of the Lieutenant Governor that he, she or it or any person under whom the person claims has, before the 24th day of March, 1911, developed a water power or powers under the reasonable belief that he, she or it had the legal right to do so, provided that the person may be required by the Lieutenant Governor in Council to develop such power or powers to the fullest possible extent and provided that the price charged for power derived from such water power or powers may from time to time be fixed by the Lieutenant Governor in Council, and the Lieutenant Governor in Council may direct that letters patent granting such rights be issued to the grantee or person claiming under the grantee under and subject to such conditions and provisions as are considered proper for insuring the full development of such water power or powers and the regulation of the price to be charged for power derived from them. R.S.O. 1990, c. B.4, s. 2.

Act not to apply to a certain locality

3. This Act does not apply to the bed of the river in Lot 8 in the 6th Concession of the Township of Merritt in the District of Sudbury. R.S.O. 1990, c. B.4, s. 3.

4. REPEALED: 2002, c. 18, Sched. L, s. 2.