

16th annual GTA rankings

TOP-10 DEVELOPMENT LAW FIRMS

Growth plan conformity continues to be a popular topic at the Ontario Municipal Board, with this year's big items being lower-tier official plans.

The most complicated hearing by far involved appeals of the 2010 Vaughan official plan. By *NRU's* count, the hearing has thus far involved 34 law firms, 64 solicitors and 134 appellants. Work continues well into 2015, although settlements are trickling in. As of April 14—the last decision within *NRU's* review period—15 city-wide appeals and 93 site-specific appeals remained.

The Richmond Hill official plan was another big case that carried over from last year. The big ticket items still left for the board to adjudicate concern the town's greenway system and appeals of the downtown local centre. By this point, the official plan has been substantially approved, but those decisions won't factor in until next year's annual rankings.

While it's hard to pick favorites, some of the more interesting decisions that *NRU* has reported include the board denying a 22-storey development in Mississauga and a controversial development in Newmarket regarding a former golf course and whether it could be redeveloped without going through a town-led intensification study. (Spoiler: yes.) [CONTINUED PAGE 5](#)

Halton Region appointments

COMMITTEE GUIDEBOOK

By Leah Wong

Now that York Region's inaugural council meeting, the last in the GTHA, is over and its regional chair appointed, municipal leaders across the region are officially settling into their roles. With one exception. Newly appointed regional chair **Frank Dale** has resigned his Mississauga Ward 4 council seat, which remains vacant pending a decision on how to fill the vacancy.

While the Peel chair appointment has left a vacancy and a potential by-election in the works, York Region council, the only other region that continues to appoint a chair, chose to appoint former Whitchurch-Stouffville mayor **Wayne Emmerson**. Emmerson did not seek re-election for his mayoral seat in October.

Over the next month *NRU* will publish the membership of standing committees in the four regions and the municipalities that comprise each region.

Starting with Halton Region, there are three standing committees—health and social services committee, planning and public works committee and administration and finance committee. Each committee meets monthly, is comprised of members from all four local municipalities and regional chair **Gary Carr**. With the exception of Carr, each member of regional council sits on one standing committee. [CONTINUED PAGE 4](#)

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Doubling up

Secondary units coming to Vaughan

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Park Improvement

CVC works on management plan

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Note: There will be no issue next week, happy holidays!

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UPCOMING DATES

DECEMBER 17

NRU and CUI's chief planner breakfast, 8:00-11:00 a.m., Fork York Visitor's Centre

Halton Region Council, 9:30 a.m.

Aurora Public Planning Committee, 7:00 p.m.

Mississauga Council, 9:00 a.m.

DECEMBER 18

York Region Council, 9:30 a.m.

Burlington Council, 6:30 p.m.

Heritage Oshawa, 6:30 p.m.

DECEMBER 22

Oakville Council, 7:00 p.m.

JANUARY 5

Oshawa Council, 6:30 p.m.

Whitby Planning & Development Committee, 7:00 p.m.

JANUARY 6

Durham Region Planning & Economic Committee, 9:30 a.m.

JANUARY 7

Mississauga Transportation Committee, 9:00 a.m.

Durham Region Transit Executive Committee, 1:30 p.m.

JANUARY 8

York Region Committee of the Whole, 9:30 a.m.

Housing York Inc. (immediately following)

JANUARY 12

Brampton Planning, Design and Development Committee, 7:00 p.m.

Mississauga Planning and Development Committee, 7:00 p.m.



Secondary suites in Vaughan

AFFORDABLE OPTIONS

By Edward LaRusic

Vaughan is moving forward on its solution to legalizing secondary suites in hopes that it may create thousands of new units and help tackle issues of affordable housing and congestion in the city.

Vaughan planning commissioner **John MacKenzie** told *NRU* that the city is creating city-wide policies to allow secondary suites. He noted that the updated policies are in response to the *Strong Communities Through Affordable Housing Act, 2011*.

“[The study is] part of our whole future growth in the municipality, where we want to make sure we’re viable and have complete communities,” said MacKenzie.

To implement a secondary suites policy framework, the city created a task force to develop a solution that would fit the Vaughan context. Taskforce and Sustainable Vaughan chair **Sony Rai** said the main recommendations are to allow a single secondary suite in each principle residence and to ensure there is a parking space available for the unit. Rai said these units would benefit the city.

“One of the things that Vaughan likes to boast is that more people drive into work than leave the city. But that’s something that’s quite problematic, and speaks to affordability of living in Vaughan, and the increased traffic congestion caused from people coming from elsewhere.”

Both MacKenzie and Rai noted that there are existing—albeit illegal—secondary suites

in Vaughan. These raise safety concerns, as they are unlikely to be building code compliant. Rai said he heard one estimate that potentially 2,000 illegal secondary units currently exist and that some of the task force’s recommendations focus on ways to encourage those owners to legalize their units.

One of the things that Vaughan likes to boast is that more people drive into work than leave the city. But that’s something that’s quite problematic, and speaks to affordability of living in Vaughan, and the increased traffic congestion caused from people coming from elsewhere.

• Sony Rai

MacKenzie said that even using conservative estimates, allowing secondary suites could add over 4,000 units. He noted that an important part of the process, outside of the official plan and zoning by-law changes, will be public education.

“Fire safety is front and centre...a part of our future report will be how the city can—through the fire department—educate people on safe construction of secondary suites.”

Staff is currently drafting official plan and zoning by-law amendments that will be available for public consultation in the spring. **nrU**

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Belfountain Complex Management Plan

ENHANCING A CENTURY-OLD PARK

By Leah Wong

Last week **Credit Valley Conservation** presented the first phase of its Belfountain Complex Management Plan, which was the first public consultation on the plan.

Work on the plan has been underway since the start of the year and throughout the process the conservation authority has been consulting with its stakeholder advisory committee. The consultation was an opportunity for the conservation authority to share with the public its vision for the project.

“[The plan] is still in the initial phases,” CVC conservation lands planner **Laura McDonald** told **NRU**. “From the consultation we were looking to get some immediate feedback.”

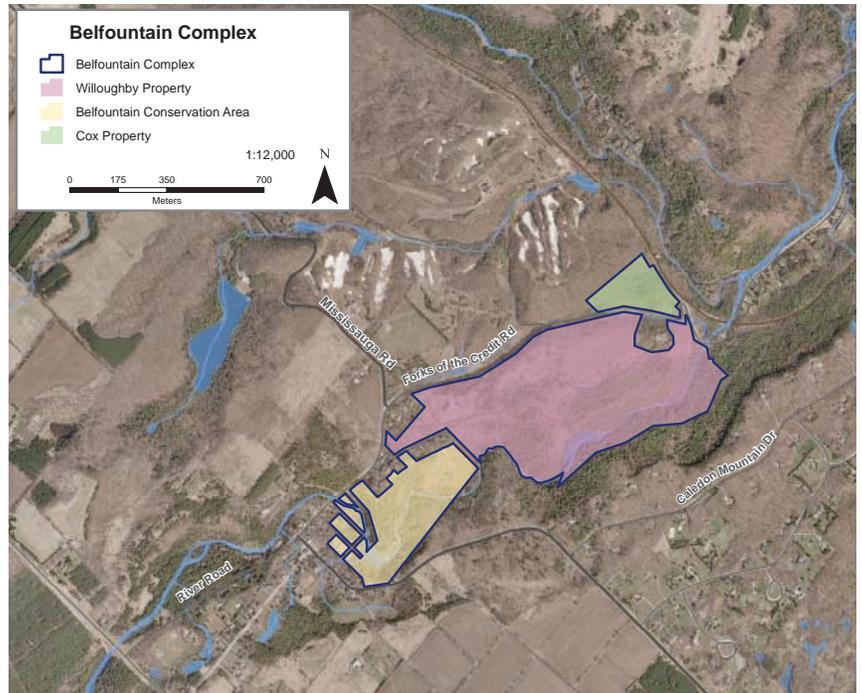
The Belfountain Complex comprises three diverse properties—Belfountain Conservation Area, Cox property and Willoughby property. The 13-hectare Belfountain Conservation Area is used for activities such as hiking and picnicking. It was first opened to the public in 1914. At 39 hectares Willoughby is the largest property in the complex. It is owned by the **Ontario Heritage Trust** and managed by the CVC.

Its uses are limited to hiking along the two connections to the Bruce Trail running through the property. The Cox property, which is 4 hectares, is not currently open to the public.

“We’re trying to go with a cultural heritage theme of the century park—Belfountain has been around for a century,” said McDonald. “We want to have a consistent aesthetic in terms of the infrastructure that is built and our ancillary features such as picnic tables.”

Since the plan will include a number of smaller projects, such as landscaping and gardens, the consultation offers an opportunity to tell the public about some of the initial projects without getting into specific design details and locations.

McDonald said feedback was mixed for some of the larger projects, such as improving the parking area to make it more efficient. Also, as the complex is located within a small hamlet, there are some concerns about an increased number of visitors, though this is not a priority of the conservation authority.



Map of the Belfountain Complex

SOURCE: CREDIT VALLEY CONSERVATION

“The objective for the property does not include more visitations. Really, we’re trying to manage what’s already there,” she said. “We want to ensure better visitor experiences.”

One of the other larger projects being proposed is building a new visitor centre, which will include space for educational programming and meetings. McDonald said this will add new sustainable recreation opportunities, which is a goal of the conservation authority. The plan is to make the new centre more accessible and to incorporate low-impact design principles.

The conservation authority is moving into its strategic direction phase, which will involve putting together a report with initial recommendations for the site and proposed projects. This will inform the concept plan designs, which are expected to be presented to the public during another round of consultations in spring 2015. Preferred design options will be selected following the second round of consultation and included in the final management plan. [nrU](#)

COMMITTEE GUIDEBOOK

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The three committees have each held its first meeting of the term, and appointed its chairs and vice-chairs. Oakville councillor **Jeff Knoll** was appointed chair of health and social services and Milton councillor **Mike Cluett** vice-chair. Oakville councillor **Tom Adams** was appointed chair of planning and public works and Milton councillor **Colin Best** vice-chair. Burlington councillor **Blair Lancaster** was appointed administration and finance chair and Halton Hills councillor **Clark Somerville** vice-chair.

In addition to the regional committees, each local municipality has a number of committees dealing with issues related to the community, planning, economic development and corporate affairs.

In Burlington all councillors and the mayor sit on development and infrastructure committee, community and corporate services committee and committee of the whole. Audit committee is comprised of appointed councillors and members of the public. Committee chairs and vice-chairs will be appointed at the first meeting of each committee.

The Halton Hills' committees of council have a different structure than those in Burlington. Mayor **Rick Bonnette** chairs two of the committees—economic development and budget—and sits as an ex-officio member on community affairs and corporate affairs. All members of council sit on budget committee, while select members are appointed to the other three committees.

Councillors **Bob Inglis**, **David Kentner**, **Bryan Lewis** and **Clark Somerville** sit on economic development committee. Somerville chairs the corporate affairs committee, which comprises councillors Inglis, **Moya Johnson**, **Mike O'Leary** and Lewis. Councillor **Jane Fogal** chairs community affairs committee, which comprises councillors **Ted Brown**, **Jon Hurst**, Kentner and **Ann Lawlor**.

At its meeting Monday Milton council voted to switch to a committee of the whole system, which will replace its standing committees. This change takes effect in January.

Oakville has three standing committees: administrative services, budget and community services. Mayor **Rob Burton** serves on all three committees. Administrative services and community services committees are appointed for a one-year term and do not designate a chair. Budget committee members also serve for a one-year term, though council appoints members for all four periods within its term of office

at its first meeting. The budget chair for 2015 will be selected at the committee's first meeting January 20.

Councillors **Cathy Duddeck**, **Dave Gittings**, **Max Khan**, **Jeff Knoll**, **Roger Lapworth** and **Sean O'Meara** have been appointed to administrative services. Community services committee comprises councillors **Tom Adams**, **Pam Damoff**, **Alan Elgar**, **Marc Grant**, **Nicholas Hutchins** and **Ralph Robinson**. Councillors **Tom Adams**, **Alan Elgar**, **Pam Damoff** and **Sean O'Meara** will serve on budget committee for the 2015 term. **nr**

Halton Region Standing Committees

Who Sits Where

Administration and Finance Committee

Tom Adams (Oakville)
Colin Best (Milton)
Rick Bonnette (Halton Hills)
Gary Carr (regional chair)
Cathy Duddeck (Oakville)
Allan Elgar (Oakville)
Blair Lancaster (Burlington)
Paul Sharman (Burlington)
John Taylor (Burlington)

Health and Social Services Committee

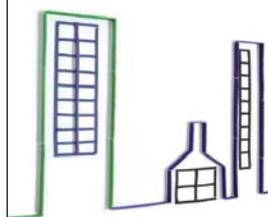
(Note: members also serve on the Halton Community Housing Corporation)

Rob Burton (Oakville)
Gary Carr (regional chair)
Rick Craven (Burlington)
Mike Cluett (Milton)
Jane Fogal (Halton Hills)
Jeff Knoll (Oakville)
Marianne Meed Ward (Burlington)

Planning and Public Works Committee

Tom Adams (Oakville)
Colin Best (Milton)
Rick Bonnette (Halton Hills)
Gary Carr (regional chair)
Jack Dennison (Burlington)
Cathy Duddeck (Oakville)
Allan Elgar (Oakville)
Rick Goldring (Burlington)
John Taylor (Burlington)

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TOP-10 DEVELOPMENT LAW FIRMS

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In the 16th annual rankings of the GTA's most prominent planning and development firms, *NRU* looked back at OMB decisions and stories from August 2013 to July 2014. While there is only one new firm introduced into the top 10 this year, there's been a bit of a shakeup among ranks three through 10.

For the Toronto rankings, see the December 19 edition of *NRU* Toronto.

1 [1] Davies Howe Partners



Jeffrey Davies, John Alati, Isaiah Banach, Kimberly Beckman, Matthew Di Vona, Kate Fairbrother, Mark Flowers, Kyle Gossen, Jason Lewis (now with Ivanhoé Cambridge), **Meaghan McDermid, Michael Melling, Tanya Nayler, Aaron Platt, Susan Rosenthal, Katarzyna Sliwa, Daniel Steinberg and Alexander Suriano** (now with the City of Toronto).

Davies Howe Partners once again retains the number one spot in the GTA annual rankings, with its solicitors involved in practically every major decision. Aside from representing clients in new official plan appeals in York Region including East Gwillimbury, Richmond Hill, Vaughan and Innisfil, the firm has been involved in some high profile townhouse developments in Mississauga and Milton. The sheer number of OMB cases Davies Howe is involved in will make it an uphill battle for any firm to challenge it for the number one position in 2015.

OMB Cases and Decisions:

Representing Stephen Emmanuel and James Jagtoo in appeals against the approval of single-detached dwellings in Markham (Alati, Suriano) (x); representing F.S. 6810 Limited Partnership in an appeal to permit a 22-storey condominium building in Mississauga (Alati) (x); representing Peter Eliopoulos in an appeal to permit an outdoor banquet facility in King (Melling, Sliwa) (x); representing Antony Niro in an appeal of the decision to reorganize Vaughan into six, rather than five, wards (Melling, McDermid) (x); representing Alriz Development and Innisfil Alcona regarding an appeal

to develop a new neighbourhood in Innisfil (McDermid); representing Tesmar Holdings regarding appeals to develop six residential apartment buildings and two office/commercial buildings in Vaughan (Melling, McDermid); representing multiple parties regarding appeals of an amendment to the downtown core local area plan in Mississauga (Suriano, Rosenthal, Di Vona); representing multiple parties in appeals to enact plans of subdivision in Milton (Melling, McDermid); representing Beverley Homes Holding Corp. in an appeal to permit 30 townhouses in Mississauga (Flowers, Suriano); representing multiple parties in appeals of the 2010 East Gwillimbury official plan (Flowers, Lewis, Rosenthal) (settlement); representing Nobleton North Holdings in an appeal of a secondary plan for the Nobleton community in King (Flowers, McDermid); representing Victoria Hill Finance Group in an appeal to permit a waste transfer facility in Milton (Melling, Lewis) (settlement); representing multiple parties in appeals of the 2010 Richmond Hill official plan (Flowers, Platt, Rosenthal, Sliwa); representing multiple parties regarding appeals to regional official plan amendments in Peel Region (Flowers); representing Mattamy (Seaton) Limited in appeals to allow a subdivision in the Seaton Community in Pickering (Alati); representing Innisfil Alcona and Alriz regarding appeals of Innisfil's expansion of its settlement area boundary north of the Alcona neighbourhood (Melling, McDermid); representing Harbour View Investments and Paramount Building regarding an appeal to enact land use designations and policies for Vales North Airport Road/Industrial and Mayfield Road/Goreway special study areas in Brampton (Lewis, Sliwa) (settlement); representing 675553 Ontario in an appeal to permit an 18-storey, mixed-use building and 88 townhouses in Mississauga (Alati, Rosenthal) (settlement); representing Whiterose Village Investments and York Region District School Board in appeals to permit mid-rise condominium and townhouse developments in Markham (Melling, Flowers) (settlement); representing Summit Eglinton regarding an appeal to allow 1323 condominium units and 80 townhouses in Mississauga (Rosenthal) (settlement); representing multiple parties in appeals against the 2010 Vaughan official plan (Beckman, Rosenthal, Lewis, Melling, Davies, Platt, Flowers, Alati, Suriano); representing multiple parties in appeals against the 2010 Vaughan official plan (Beckman, Rosenthal, Lewis, Melling) (settlement); representing

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the Twenty Road East Landowners in appeals of the 2009 Hamilton urban official plan (Rosenthal) (settlement); representing Beechnut Development Corporation against an appeal of the approval of a 39-home subdivision in Oshawa (Sliwa) (✓); representing multiple parties in an appeal to permit a draft plan of subdivision in Richmond Hill (Rosenthal) (✓); representing 2245108 Ontario against an appeal of the approval of 124 townhouses in Vaughan (Sliwa) (✓); and representing Moscorp 1C Development in an appeal to develop townhouses in Caledon (Flowers) (✓).

2 [2] Aird & Berlis



Lauren Chee-Hing, Eileen Costello, Robert Doumani, Patricia Foran, Tom Halinski, Patrick Harrington, Jody Johnson, Kim Kovar, Sidonia Loiacono, Leo Longo, John Mascarin, Josephine Matera, Jane Pepino, Andrea Skinner, Christopher Williams and Steven Zakem.

Aird & Berlis continues to be one of the most prolific firms in the GTA, maintaining its second spot standing from 2013. The firm is clearly hungry to regain its lead, being involved not only in the big official plan cases in Vaughan and Peel Region, but in some big settlements in Mississauga, Markham and Durham Region. One of the firm's wins came from representing the Township of King against an appeal to allow recreational uses in the Oak Ridges Moraine. While first place will be a difficult fight, expect Aird & Berlis to place well in 2015.

OMB Cases and Decisions:

Representing multiple parties in an appeal of Mississauga's 2010 official plan (Zakem); representing the Gordon Woods Homeowners Association in an appeal to allow eight detached dwellings in Mississauga (Costello); representing Danik Daniels regarding an appeal to develop four building lots in Richmond Hill (Zakem); representing D.G. Pratt Construction Limited in an appeal to develop a new neighbourhood in Innisfil (Pepino, Skinner); representing Magna International and Granite Real Estate regarding appeals to develop six residential apartment buildings and two office/commercial buildings in Vaughan (Zakem); representing King in an appeal against a secondary

plan for the Nobleton community (Halinski); representing Milton and Halton Region regarding appeals to allow plans of subdivision in the Milton Heights Neighbourhood (Matera, Doumani, Skinner); representing 669145 Ontario Limited regarding an appeal to permit a waste transfer facility in Milton (Pepino, Skinner); representing multiple parties in appeals regarding the 2010 Richmond Hill official plan (Zakem, Harrington); representing Mayfield West Phase 2 Landowners Group and Orlando Corporation regarding appeals to regional official plan amendments in Peel Region (Skinner, Zakem, Longo); representing multiple parties in appeals of 2010 Vaughan official plan (Foran, Harrington, Pepino, Zakem, Williams, Skinner, Zakem); representing the North Markham Land Owners Group in an application to revoke a minister's zoning order in Markham (Pepino); representing Mayfield West Phase 2 Landowners Group in an appeal of an official plan amendment in Peel Region (Harrington, Zakem); representing Orlando Corporation in an appeal to clarify a policy related to crematoriums in Mississauga (Longo) (settlement); representing 2310601 Ontario regarding appeals to permit mid-rise condominium and townhouse developments in Markham (Halinski) (settlement); representing Bonnydon Limited in appeals to permit a 169-unit residential development in Clarington (Zakem) (settlement); representing 501 Lakeshore in an appeal to permit a 12- and 20-storey, mixed-use development in Mississauga (Zakem) (settlement); representing Home Depot Holdings in appeals of the 2010 Vaughan official plan (Zakem); representing Nordeagle Development Limited in an appeal of Durham Region official plan growth plan conformity amendment (Zakem) (settlement); and representing King against an appeal to permit recreational uses in the township (Halinski) (✓).

3 [6] WeirFoulds



Glenn Ackerley, Denise Baker, John Buhlman, Jeff Cowan, Julia Croome, Jill Dougherty, Bruce Engell, Aisling Flarity, Sean Foran, Barnet Kussner, Ian Lord, Michael McQuaid, Jennifer Meader, Kim Mullin, Gregory Richards, Sylvain Rouleau, Lynda Townsend and Christopher Tzekas.

WeirFoulds made some big moves since 2013, notably adding

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TOP-10 DEVELOPMENT LAW FIRMS

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Townsend and Associates—Lynda Townsend, Denise Baker and Jennifer Meader—to its already formidable roster. Representing clients ranging from big developers to a not-for-profit soup kitchen, the firm effectively doubled its case load from the previous year vaulting it three spots up the ranking to number three. Nipping at Aird & Berlis’s heels, WeirFoulds is well positioned to make a run for the top spot in next year’s rankings.

OMB Cases and Decisions:

Representing multiple clients in appeals of Aurora’s development charge by-law (Townsend) (settlement); representing Vaughan against appeals to develop six stacked townhouse blocks (Engell) (x); representing Durham Outlook for the Needy in a motion to dismiss an appeal of the approval of minor variances to allow an office, store and soup kitchen in Oshawa (Mullin) (x); representing Barrie regarding an appeal to construct a 3.5-storey building with 24 senior housing units (Engell); representing multiple parties in appeals of an amendment to the downtown core local area plan in Mississauga (Baker); representing William Ardell and Anneke Feberwee regarding an appeal to allow a four-storey, mixed-use development in Oakville (Baker); representing Metrolinx regarding an appeal to permit five commercial buildings and 11 detached dwellings in Mississauga (Kussner); representing Vaughan regarding appeals of its 2010 official plan (Engell); representing Richmond Hill regarding appeals of its 2010 official plan (Kussner); representing the City of Brampton and James Dick Construction Limited regarding an appeal to approve Caledon’s growth plan conformity official plan amendment in Peel Region (Kussner, Buhlman, Meader); representing multiple parties in appeals to allow plans of subdivision in Pickering’s Seaton Community (McQuaid); representing Biddington Homes Oakville in appeals to develop 113 townhouses in Oakville (Baker, Meader) (settlement); representing James Dick Construction in an appeal of natural heritage and agriculture policies in Peel Region (Buhlman) (settlement); representing Antorisa Investments in an appeal to permit a two-storey motor vehicle repair facility in Mississauga (Baker) (✓); representing Solmar Development Corporation regarding an appeal to approve Caledon’s growth plan conformity official plan amendment in Peel Region (Meader); representing Halloway Developments Limited

regarding an appeal to permit a 169-unit residential building in Clarington (Meader) (settlement); and representing Brasun Developments in an appeal to permit 446 townhouses in Brampton (Townsend, Meader) (settlement).

4 [4] Ritchie Ketcheson Hart & Biggart

Ritchie Ketcheson Hart & Biggart LLP

John Ritchie, Bruce Ketcheson, Andrew Biggart, John Hart Effie Lidakis and Joshua Silver.

Ritchie Ketcheson Hart & Biggart moved up a spot in the ranking from last year. The firm counts a number of municipalities as its clients, including Markham, East Gwillimbury, Georgina and Whitby. Notably, the firm represented Mississauga in a big win to prevent a 22-storey condominium in the Port Credit neighbourhood, as well as a settlement involving a 12- and 20-storey development adjacent to Cooksville Creek. Growth in the GTA will likely insure it will have plenty of work defending municipalities in 2015.

OMB Cases and Decisions:

Representing Joseph Santos in an appeal to permit a 3.5-storey building with 24 senior housing units in Barrie (Biggart); representing Ozner Corporation (South) in an appeal to permit two 12-storey apartment buildings in Vaughan (Ketcheson); representing West Rutherford Properties in an appeal to permit two 12-storey apartment buildings and 21 townhouses in Vaughan (Ketcheson); representing Great Land (Yonge 16th) to determine the value of parkland to be paid as cash in lieu to develop four blocks for mixed-use, residential-commercial purposes in Richmond Hill (Ketcheson); representing Markham regarding an appeal to permit a cemetery and accessory uses (Ketcheson); representing West Rutherford Properties and Onzer Corporation (South) in appeals of the 2010 Vaughan official plan (Ketcheson); representing Great Land (Westwood) in an appeal of the 2010 Richmond Hill official plan (Biggart); representing East Gwillimbury against appeals regarding appeal of its 2010 official plan (Ketcheson) (settlement); representing Mississauga regarding an appeal to permit a 12- and 20-storey, mixed-use

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development (Biggart) (settlement); representing Georgina against an appeal to approve a variance for a front yard shed (Lidakis) (✓); representing Mississauga against an appeal to allow a 22-storey condominium apartment (Ketcheson) (✓); representing Whitby against an appeal to allow a plan of subdivision at the Brooklin Golf Course (Biggart); representing Markham regarding an appeal to permit mid-rise condominium and townhouse developments at Highway 7 East and Village Parkway (Ketcheson) (settlement); and representing Whitby regarding appeals of Durham Region’s official plan growth plan conformity amendments (Biggart) (settlement).

5 [3] **Goodmans** 

Ian Andres, Anne Benedetti, David Bronskill, Jennifer Drake (now with Aon), Tom Friedland, Joseph Hoffman, Roslyn Houser, Robert Howe, Allan Leibel, Catherine Lyons, Mark Noskiewicz, Nicholas Staubitz and Michael Stewart.

Due to some fierce competition from WeirFoulds and Ritchie Ketcheson Hart & Biggart, Goodmans falls a couple of spots down the ranking in 2014. The firm was involved in two notable subdivision applications, one in Richmond Hill to allow 833 residential units—a decision that was recently approved at the board, and will show up in next year’s rankings—and a subdivision in Barrie with 1249 residential units, which resulted in a settlement.

[OMB Cases and Decisions:](#)

Representing the Building Industry and Land Development Association in an appeal of Aurora’s development charges by-law (Howe) (settlement); representing multiple parties in appeals of an amendment to the downtown core local area plan in Mississauga (Noskiewicz, Drake, Houser, Andres); representing Corsica Development in appeals to permit 833 dwellings in Richmond Hill (Bronskill, Andres); representing multiple parties regarding appeals of the 2010 Vaughan official plan (Houser, Stewart, Drake, Bronskill, Staubitz); representing multiple parties in appeals against the 2010 Richmond Hill official plan (Houser, Andres); representing the Kennedy McCowan Land Owner Group in an application to revoke a

minister’s zoning order in Markham (Lyons); representing Canadian Tire Real Estate Limited regarding an appeal to approve Caledon’s growth plan conformity official plan amendments in Peel Region (Howe); representing multiple parties in appeals to allow plans of subdivision in Pickering’s Seaton Community (Howe, Benedetti); representing Campus 2000 Developments in an appeal to allow site plan approval for a warehouse and office building in Richmond Hill (Staubitz) (settlement); representing 2131059 Ontario (Baywood Homes) in an appeal to develop 1,249 residential units in Barrie (Bronskill) (settlement); and representing Paletta International Landowners in an appeal of the 2009 Hamilton urban official plan (Drake) (settlement).

6 [4] **Kagan Shastri** 

Ira Kagan and Paul DeMelo.

Kagan Shastri drops in rank this year, not due to its workload, but to the strong competition. The big hearing the firm was involved in was a controversial residential development in Newmarket, involving redevelopment of the former Glenway Country Club for 730 residential units. A decision adopting a settlement for former golf course lands came out after *NRU*’s cut-off date, but expect to see it referenced by residents and local politicians as redevelopment proposals for other golf courses in the GTA come forward.

[OMB Cases and Decisions:](#)

Representing 822403 Ontario in an appeal to allow a four-storey, mixed-use development in Oakville (Kagan); representing Queen Street East Acton Development in an appeal to permit a supermarket in Halton Hills (Kagan); representing Marianneville Developments Limited in an appeal to permit a 730-unit residential development in Newmarket (Kagan); representing multiple parties in appeals of the 2010 Vaughan official plan (Kagan); representing Castlepoint Huntington Ltd and 2264319 Ontario in appeals of the 2010 Vaughan official plan (Kagan) (settlement); representing multiple parties in appeals of the 2010 Richmond Hill official plan (Kagan); representing Mississauga regarding

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appeals to clarify policies related to crematoriums (DeMelo) (settlement); representing 1820266 Ontario in an appeal to permit mid-rise condominium and townhouse developments in Markham (Kagan) (settlement); and representing Midway Machinery Movers in an appeal of the 2010 Aurora official plan (Kagan) (settlement).

7 [12] Bratty and Partners



Barry Horosko (now with Horosko Planning Law) and **Caterina Facciolo**.

Bratty and Partners made a huge leap up the rankings from 12th spot in 2013, by taking on more and lengthier appeals, including major developments in Vaughan and Mississauga. The most notable decision was representing Alfonso Galluci General Construction in an appeal of a huge subdivision application in Mississauga, which resulted in a settlement. Despite the strong jump up the rankings this year, the loss of Barry Horosko will make next year's showing more challenging.

OMB Cases and Decisions:

Representing Delisle Properties regarding appeals to develop six residential apartment buildings and two office/commercial buildings in Vaughan (Horosko, Facciolo); representing Bayview Manor Homes regarding an appeal to permit a 105-unit subdivision in Richmond Hill (Facciolo); representing Granite Real Estate Investment Trust regarding appeals to allow subdivisions in Milton (Horosko, Facciolo); representing multiple parties in appeals against the 2010 Richmond Hill official plan (Facciolo, Horosko); representing multiple parties in appeals to the 2010 Vaughan official plan (Horosko, Facciolo); representing Alfonso Galluci General Construction against an appeal of the approval of 1,323 condominium units and 80 townhouses in Mississauga (Horosko) (settlement); representing Kau and Associates and Allegra on Woodstream regarding appeals of the 2010 Vaughan official plan (Horosko, Facciolo) (settlement); representing the West Whitby Landowners Group regarding appeals of Durham Region's growth plan conformity amendments (Facciolo) (settlement); and representing Xpert Credit Control Solutions in an appeal

to permit variances to allow a two-storey, single-detached dwelling in Whitby (Facciolo) (✓).

8 [9] Loopstra Nixon

Quinto Annibale, Steven Ferri and Mark Joblin.

Loopstra Nixon rises slightly in this year's rankings. Its big case this year involved representing Innisfil in appeals to permit development of a new neighbourhood north of the Alcona neighbourhood, which involved, in part, determining whether the *Growth Plan for the Greater Golden Horseshoe* applied to the application. By also defending the interests of the cities of Markham, Pickering, and Mississauga, the firm once again fought its way into the top 10.

OMB Cases and Decisions:

Representing Scugog against an appeal to revise the boundaries of a provincially significant wetland (Ferri) (settlement); representing Innisfil regarding appeals of the expansion of its settlement area boundary north of the Alcona neighbourhood (Joblin); representing multiple clients in appeals of the 2010 Vaughan official plan (Annibale, Ferri); representing Mississauga regarding an appeal to approve Caledon's growth plan conformity amendments in Peel Region (Joblin); representing Pickering regarding appeals to allow a subdivision in the Seaton Community (Annibale, Joblin); representing Innisfil regarding an appeal to permit development of a new neighbourhood (Annibale, Joblin); representing Maple Industrial Landowners Group and Blue Sky Entertainment Group regarding appeals of the 2010 Vaughan official plan (Annibale, Ferri) (settlement); and representing Markham against an appeal of the decision to reconfigure its ward boundaries (Annibale) (✓).

9 [7] Borden Ladner Gervais



Rick Coburn, Aimee Collier, Ajay Gajaria, Sean Gosnell, Christel Higgs, Gabrielle Kramer,

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TOP-10 DEVELOPMENT LAW FIRMS

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Ian Mathany, Piper Morley, J. Pitman Patterson, Frank Sperduti, Isaac Tang, Stephen Waqué and Robert Wood.

Borden Ladner Gervais slips a couple of spots in this year’s ranking, but remains in the top 10. The firm has been mainly involved in various regional and lower-tier official plan amendments, representing the interests of both York and Halton regions. Its biggest case in this year’s review was representing Vaughan in a huge appeal by Casertano Development Corporation and Sandra Mammone. The two appellants were seeking to build 1,600 residential units in six 25- to 35-storey towers near Vaughan Mills Centre.

OMB Cases and Decisions:

Representing Vaughan regarding appeals to develop six residential apartment buildings and two office/commercial buildings (Coburn); representing York Region regarding appeals to the 2010 Vaughan official plan (Patterson);

representing Halton Region against claims under the *Expropriations Act* in Halton Hills (Mathany); representing 1370569 Ontario (Kaneff Properties) in an appeal to allow a golf course and hotel in Caledon (Patterson); representing York Region regarding appeals of the 2010 Richmond Hill official plan (Waqué); and representing multiple parties in appeals of natural heritage, agriculture and aggregate policies in Peel Region (Patterson) (settlement).

10 [8] **Davis**



Chris Barnett and Laura Bisset.

Davis drops a couple of spots from last year, with fewer cases overall reported. The firm represented Caledon successfully in appeals of its growth plan conformity

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Methodology

The end of year tradition at NRU examines the legal side of planning and development in the GTA, primarily focusing on cases that have come before the Ontario Municipal Board between August 2013 and July 2014 as reported in the GTA edition of NRU.

Email us your interesting board and court decisions and development applications to ensure

they are covered in NRU and thus included in the determination of the 17th annual ranking to be published in December 2015.

How the information is collected—NRU tracks each of the law firms mentioned in the GTA edition of NRU (OMB News predominately but not exclusively) over a one-year period between August and the following July. Then we determine the firms that are most frequently mentioned and sort through their projects

and hearings. Some firms are involved in a variety of developments across the region, while others have particular associations to major clients.

Determining the top 10—Balancing the number of clients, the range of projects and the difficulty of cases, as well as unique features about each project or case, is our most difficult task. This assessment is based only on items covered in the GTA edition of NRU and

does not account for the vast number cases concerning such matters as minor variance applications and assessment appeals or for cases we did not know about. Hence, there is a degree of subjectivity in our ranking.

The listings—Lawyers that are part of the planning and development law team for each of the top-10 ranked firms are noted. In cases that involved an OMB decision where a

clear winner/loser or settlement resulted, the appropriate symbol (√) or (x) or (settlement) follows the case description. If there was no clear win/lose/settlement or the matter involved a prehearing or was still pending before the OMB by the end of July 2014, no symbol appears. A square bracket after this year’s ranking indicates the firm’s placement in last year’s NRU listing.

TOP-10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 10

amendments and was part of a settlement regarding regional official plan amendments in Peel Region. Davis also successfully represented Vaughan against an appeal of the city’s ward boundary reorganization.

OMB Cases and Decisions:

Representing Green Ginger Developments regarding appeals to allow a mixed-use development in Oakville (Barnett); representing Carrville Investment in an appeal to permit a 105-unit townhouse development in Richmond Hill (Barnett); representing Teefy Developments in appeals of the 2010 Vaughan official plan (Barnett); representing Caledon in an appeal to approve its growth plan conformity amendment (Barnett, Bisset) (✓); representing Caledon regarding appeals of natural heritage, aggregate and agriculture policies in Peel

Region (Bisset) (settlement); representing 1351739 Ontario Limited against an appeal of the approval of a four-storey apartment building in Clarington (Bisset) (x); and representing Vaughan against an appeal of the decision to reorganize the city into six, rather than five, wards (Barnett) (✓).

The next 10...

- 11. [15] **Jeffrey Streisfield of Land Law**; 12. [13] **McMillan**;
- 13. [14] **Thompson, Rogers**; 14. [17] **Turkstra Mazza Lawyers**;
- 15. [19] **Garrod Pickfield**; 16. [10] **Davis Webb**;
- 17. [20] **Blake, Cassels & Graydon**; 18. [N/A] **Parente Borean**;
- 19. [N/A] **Fasken Martineau DuMoulin**; 20. [N/A] **Fogler, Rubinoff.** 

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GTA IN BRIEF

[Mattamy buys Monarch](#)
Oakville-based **Mattamy Homes** has entered into an agreement to purchase **Monarch Corporation** for an estimated purchase price of \$330 million. The deal is expected to close in the first quarter of 2015. Monarch, based in Toronto, was part of the Canadian division of the U.S. firm, **Taylor Morrison Home Corporation**.

HALTON

[Oakville removes heritage property from register](#)
Oakville planning and development council approved the removal of the property at 87 Dundas Street East from the Oakville heritage register at its meeting on December 8. The property owner received permission from council in November 2012 to remove two other heritage buildings on the property, a barn and a shed, due to poor condition and safety concerns, as the residence was currently being leased. The house is now vacant and the owner would like to demolish it in order to develop the property.
Designated in 2009 for its associations with the agricultural history of Trafalgar Township, heritage staff has recommended to

council that the property does not warrant designation under the *Ontario Heritage Act* as there are very few historical elements still remaining on the property. Council approved the staff recommendation and requested the property owner to salvage historic materials from the residence including beams, interior trim and stone.

[Shieldbay subdivision draft plan approved](#)
Oakville planning and development council approved staff recommendations for a zoning by-law amendment and draft plan of subdivision by **Shieldbay Developments Inc.** at its meeting December 8. Shieldbay sought approval to permit the development of approximately 44 hectares of land at 467 Dundas Street East with 518 residential units as well as commercial, institutional and open space uses.
[Temporary use by-law extended for Medeiros Boat Works](#)
The **Oakville** planning and development council approved an application by **Medeiros Boat Works Ltd.** for a temporary use by-law extension at its

meeting December 8. The by-law permits the lands at 210 Burnhamthorpe Road East to be used as a boat manufacturing and fabrication operation on a temporary basis for a three-year period. The site has been used for this purpose since 1979 and the temporary use by-law granted in 1994 has been extended every three years.

[Approval for Oakville retirement home](#)
Oakville planning and development council approved the applications for official plan and zoning by-law amendments submitted by **V!VA Oakville Facilities Inc.** and **V!VA Oakville Towns Inc.** at its December 8 meeting. V!VA is proposing to develop a six-storey retirement home with about 171 suites and a floor space index of 2.1, whereas the North Oakville East Secondary Plan permits a maximum of 5 storeys and a floor space index of 2. The staff report says the amendments conform to the overall policy direction of the secondary plan and include urban design requirements for the property's site plan.

PEEL
[Proposed expansion to Port Credit BIA](#)
Mississauga staff recommends that council approve boundary changes for a proposed expansion to the Port Credit BIA at its meeting December 8. The Port Credit BIA proposes an east-west boundary extension to include businesses on the north and south sides of Lakeshore Road East from Cooksville Creek to Maple Avenue. The proposed north boundary extends to the Canadian National Railway tracks, mainly at Wesley Avenue, Mississauga Road North, Helene Street North, and the Cooksville Creek.
[Brampton draft subdivision plan approved](#)
At its meeting on December 8, **Brampton** planning committee approved, with conditions, applications by **Candevcon Ltd. – Hans Holdings Inc.** to amend the zoning by-law and approve a draft plan of subdivision. Candevcon seeks to develop six semi-detached lots and one single-detached lot on 0.42 hectares of vacant land. The site is located on the west side of Chinguacousy Road, north of Botavia Downs Drive at Allness Road and Yvonne Drive. [nru](#)

GTA OMB NEWS

Vaughan consent and minor variances denied

In a November 21 decision, board members **Jason Chee-Hing** and **Karen Kraft Sloan** dismissed an appeal by **Amanda Zingaro**, **Daryl Coelho**, **Jennifer Zingaro** and **Justin Johnston** regarding the committee of adjustment's failure to approve consent and variances for their lot at 16 Gordon Drive in **Vaughan**. The owners sought to demolish the current house and construct a detached two-storey dwelling on each of the two lots.

Planner **William Dolan (Wm. J. Dolan Planning Consultants Ltd.)** presented planning evidence on behalf of Zingaro, Coelho, Zingaro, and Johnston in support of the appeal. City planner **Gillian McGinnis** provided evidence on

behalf of the city. She persuasively argued that the proposed severance would result in two lots with significantly smaller frontages than others in the neighbourhood and thus fails to meet the criteria for severances set out in the *Planning Act*.

The board agreed with McGinnis's testimony and dismissed the appeal for both consent and minor variances as these variances were contingent on the board granting the consent.

Solicitors involved in this decision were **Tony Zingaro (Pomer & Boccia)** representing Zingaro, Coelho, Zingaro and Johnston, and **Dawne Jubb (Dawne Jubb Barrister)** representing the City of Vaughan. (See OMB Case No. PL140107.)

Clarington OPA modifications

In a November 28 decision, board member **Mary-Anne Sills** approved appeals, in part, by **Halloway Developments Ltd.** and **Bonnydon Ltd.** regarding the failure of **Durham Region** to make a decision regarding an application for amendment to the Clarington official plan. The amendments concern areas designated as Town Centre, which include land owned by Halloway and Bonnydon. They sought amendments to the environmental protection restrictions that limited development opportunities.

Clarington planner **Lisa Backus** advised the board that the proposed amendments conform to provincial policies and are consistent with the objectives of the region's official plan. The board agreed with Backus's testimony and approved the amendments, save and except for the policy regarding the minimum height of all new buildings

CONTINUED PAGE 14 

Request for Proposals for the Richmond Hill Public Realm Master Plan (Ref.164-14)

The Town of Richmond Hill is looking for a qualified consultant(s) to help create a unique, innovative and well-illustrated *Public Realm Master Plan* to help guide the creation and implementation of diverse, interesting, and memorable public spaces within the Town. The *Master Plan* will set the functional and aesthetic vision and design framework for different types of public spaces such as streets, focal points, gateways, open spaces, linkages, and special neighbourhoods within the Town. It will also establish matrices of design principles, components, and potential material palettes and associated maintenance considerations, to create and enhance these public spaces. The document, when completed, will be a foundational document that, through place-making, helps create a sense of identity and community pride in and of Richmond Hill as a community.

At minimum, the successful proponent team will have knowledge and expertise in community engagement, urban design, landscape and architecture/design, public art, community planning, and trail planning.

Interested parties for the RFP related to this project please refer to www.biddingo.com/richmondhill where it will be released in the month of December 2014.



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GTA OMB NEWS

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in the Courtice Main Street Secondary Plan Area, which remains under appeal.

Solicitors involved in this decision were **Jennifer Meader** (**WeirFoulds LLP**) representing Halloway Developments Ltd., **Steven A. Zakem** (**Aird & Berlis LLP**) representing Bonnydon Ltd., and **Andrew Allison** representing the Town of Clarington. (See *OMB Case No. PL140177.*)

Variance approved for Peel Tile

In a November 19 decision, board vice-chair **Susan de Avellar Schiller** approved a settlement between the **City of Mississauga** and **The Great-West Life Assurance Company** and **London Life Insurance Company** concerning units 1-5 at 3620-B Laird Road. Mississauga appealed the decision of the committee of adjustment to increase the gross floor area of the property to be used for accessory retail sales and display from 20 to 53 per cent.

City planner **David Ferro** provided affidavit evidence. Ferro indicated that the property is within a designated employment area and the current tenant, **Peel Tile and Marble Inc.**, is the type of business that would particularly benefit from a larger accessory area. The city's concern was that the variance would permit some other businesses to lease the premises and continue to enjoy the permission of increased GFA for retail sales and display in circumstances where new businesses might not require the space to conduct its business properly.

The board authorized the settlement agreement authorized and approved the variance on condition that the variance be limited to Peel Tile at the subject site.

The solicitor involved in this decision was **Marcia Taggart**

representing the City of Mississauga. (See *OMB Case No. PL140852.*) **nru**

Send OMB your decisions to edwardl@nrupublishing.com

Erratum

In the December 10 edition of NRU, Oakville Ward 2 councillor Pam Damoff's name was spelled incorrectly. NRU regrets this error.

GET THE INFORMATION ONLY THE INSIDERS KNOW.

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VANCOUVER EDITION

GTA PEOPLE

Former Whitchurch-Stouffville mayor

Wayne Emmerson was appointed **York Region** chair at the regional council's inaugural meeting December 11.

Emmerson served as mayor of Whitchurch-Stouffville for 17 years and did not seek re-election in the October municipal election.

Joyce McLean and **David Oved** were appointed to the **Greenbelt Foundation's** board of directors in late October. McLean spent 17 years at

Toronto Hydro, most recently serving as strategic issues director and managing the president's office. Oved served as a ministerial communications advisor

at Queen's Park for 15 years, eight years of which were for the environment minister.