

# NOVÆ RES URBIS

## GREATER TORONTO & HAMILTON AREA

WEDNESDAY,  
DECEMBER 13, 2017

Vol. 20  
No. 49

NRU recognizes the top-10 GTHA development law firms in its 19th annual review. Page 7



**DELTA URBAN**  
Celebrating 25 years in Project Management & Land Development

### ■ OMB REFORM BECOMES LAW

# TRANSITION RULES

**Dominik Matusik**

**A**midst a rush by developers to file appeals, the provincial government's OMB reform package has received royal assent, and the province has revealed its rules to govern the transition period.

Friday, municipal affairs minister **Bill Mauro** and attorney general **Yasir Naqvi** issued a statement that outlined the rules that will govern the transition period between the **Ontario Municipal Board** and the new **Local Planning Appeal Tribunal**. Appeals filed before the *Building Better Communities and Conserving Watersheds Act* received royal assent, will go to the OMB. Appeals filed after the new rules come into force will go to LPAT. Appeals filed after royal assent but before the new rules come into effect will go to the OMB if the application was completed prior to royal assent, and to LPAT if it was not.

**Stikeman Elliot** partner **Calvin Lantz** told *NRU* that the transition rules are fair

and workable, given the circumstances.

"I was pleased when I saw a statement about [the province's] intent on how the transition provisions would work. They could have been much worse. And I think, in the circumstances, they are fair and workable for my land development clients."

One way they could have been worse, Lantz says, is by making appeals retroactive, tied to a date earlier than royal assent.

"Firstly, there is no requirement that the transition provisions necessarily relate to a future date. They could have been retroactive. And they're not. So it's nice to see [the province isn't] going to refer to a date that has already passed."

Lantz says that there have been a number of developers who have chosen to file appeals in the weeks leading up to today's royal assent.

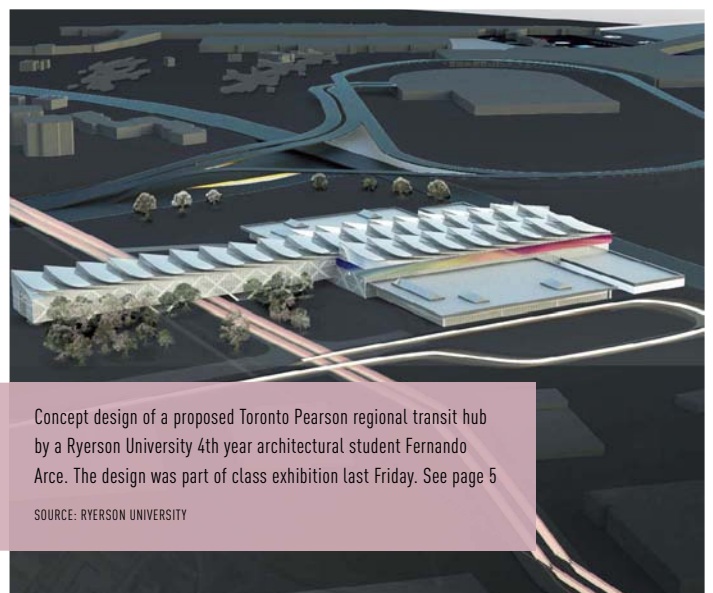
"There's been an effort by many landowners and

development lawyers to hold off on filing appeals while they monitor the information that was coming out regarding the transition provisions. But as time went on, there was a feeling that they would be better served by the devil they know than by the one they don't know. So the thought was file the appeal and get it before the board. At least they understand that framework. And I think

in all cases it was the prudent thing to do."

Burlington planning and building director **Mary Lou Tanner** told *NRU* that the transition rules are pretty well what she had expected. According to Tanner, there have been a number of applications appealed to the OMB where council has not made a decision, in anticipation of reform.

CONTINUED PAGE 4 ■



Concept design of a proposed Toronto Pearson regional transit hub by a Ryerson University 4th year architectural student Fernando Arce. The design was part of class exhibition last Friday. See page 5

SOURCE: RYERSON UNIVERSITY

## UPCOMING

### DECEMBER

- 13** Brampton Council, 9:30 a.m.  
Durham Region Council, 9:30 a.m.  
Georgina Council, 7:00 p.m.  
Halton Region Council, 9:30 a.m.  
Mississauga Council, 9:00 a.m.
- 14** York Region Council, 9:00 a.m.  
Peel Region Council, 9:30 a.m.  
Aurora Public Planning Committee, 7:00 p.m.
- 18** Oshawa Council, 6:30 p.m.  
Oakville Council, 7:00 p.m.  
Barrie Council, 7:00 p.m.  
Scugog Council, 6:30 p.m.
- 19** East Gwillimbury Committee of the Whole, 1:00 p.m.  
East Gwillimbury Council, 7:00 p.m.

### JANUARY

- 2** Clarington General Government Committee, 9:30 a.m.
- 8** Clarington Planning & Development Committee, 7:00 p.m.  
Pickering Planning & Development Committee, 7:00 p.m.  
King Council/Committee of the Whole, 6:00 p.m.  
Uxbridge Council, 10:00 a.m.
- 9** Halton Hills Planning, Public Works & Transportation Committee, 3:00 p.m.
- 10** Georgina Council, 7:00 p.m.  
Halton Region Planning & Public Works Committee, 9:30 a.m.
- 11** Peel Region Council, 9:30 a.m.
- 15** Ajax Community Affairs & Planning Committee, 7:00 p.m.  
Brampton Planning & Development Committee, 7:00 p.m.



## EXCESS SOIL MANAGEMENT

# ONUS ON DEVELOPERS



**Daniel Taylor**

**E**arly in 2018, the provincial government is expected to enact a regulation under the *Environmental Protection Act*, which will increase developers' responsibilities for managing the removal of excess soil from their development sites. Requirements are to include the creation of soil management plans detailing where the soil will be going, and how it will be handled.

Ontario land and water senior policy analyst **Sunjay Coelho** told *NRU* that over 25 million cubic metres of excavated soil or sediment is moved from construction sites across Ontario every year. Much of it is untracked and ends up in illegal dump sites.

"There have been many cases of large [soil] receiving sites emerging in rural areas that are accepting soil from urban areas such as [Toronto]. And key issues related to excess soil movement include illegal dumping, situations where ... soil is untracked from the site that it's generated to the site that it ends up at, and local issues that include noise, dust, road

traffic ... and concerns around ground water, agricultural land ... and inconsistent oversight, particularly of large fill operations."

While municipalities have by-laws that control how the soil is managed in their jurisdictions, there is little regulation managing the source of the soil, Coelho explains.

"Municipalities have site alteration by-laws which effect how soil is managed on reuse sites but there are limited existing policies that clarify the responsibilities for source sites."

In April provincial staff posted an Excess Soil Regulatory Proposal on the Environmental Bill of Rights. Seeking comments before the end of June.

Canadian Urban Institute urban infrastructure programs manager **Amanda Smith**

told *NRU* that at CUT's recent excess soil symposium the 300 participants were generally supportive of the proposed regulation.

"We had a wide range of perspectives from the development industry, municipalities and residents and we heard general approval for the proposed regulatory package. ... [The province] announced that if approved, the regulations will be phased in over a transition period over the next few years and people reacted well to that. It gives developers time to build it into site due diligence and for municipalities to review their by-laws."

CONTINUED PAGE 6

Dump trucks unloading excess soil at a fill site

SOURCE: PROVINCE OF ONTARIO



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Annual subscription rate is \$389 +HST (ON).

Complimentary trial subscriptions are available.

Advertising rates available upon request.

**Novae Res Urbis Greater Toronto & Hamilton Area** is published 50 times a year and is not to be redistributed without the written consent of the publisher.

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ISSN 1918-7548

# ALIGNING PLANS



**Dominik Matusik**

**M**etrolinx is recommending the province create a transportation planning policy statement that would give the agency more input into the municipal planning process, and better integrate land use and transportation planning.

The *Metrolinx Act (2006)* contemplates the province enacting a transportation planning policy statement, which has not been done to date. The draft [2041 Regional Transportation Plan](#), released in September, recommends the province enact this policy statement to provide more detailed transportation policies than those currently found in the Growth Plan.

Metrolinx senior transportation systems planning manager **Lisa Salsberg** told *NRU* that a TPPS may be a good way to implement some of the goals of the RTP.

“We are, in the draft 2041 Regional Transportation Plan, recommending that [the enactment of a TPPS] be looked at again as an option for moving forward with certain aspects that are highlighted in the Regional Transportation Plan,” she says. “...There would be policies that would be developed as part of this policy statement, and then municipal official plans would have to

have regard for those policies as they are developed. And the [*Metrolinx*] *Act* also talks about municipal transportation masterplans. Which, right now, don’t have any official status per se. Most municipalities do them, but they’re not required to do them, and they’re not required to have any specific components or content... What the [TPPS] would do is set overall policy guidance for municipal transportation masterplans.”

**Neptis Foundation** executive director **Marcy Burchfield** is a vocal advocate for greater integration of land use and transportation policies, as a way to increase transit mode share.

“I think that the idea of this Transportation Planning Policy Statement is to address that misalignment between where growth has been going, where the transit is, and where the transit is being planned,” she told *NRU*.

“Our research has shown [that] since 2001 and 2011, almost 86 per cent of new net population went to the edge of our region... The momentum in which land use planning has been going has still been focused on greenfield development. And Metrolinx’s own modelling shows that even under the Growth Plan, future

population and employment projections and where it sees that new growth going, will barely move the needle when it comes to increased ridership share when it comes to transit riders.”

Burchfield says that the TPPS may be a way to help accomplish a greater harmonization between land use and transportation by allowing Metrolinx more input into the official plan process.

“I think this statement will

allow Metrolinx to provide more policy guidance to municipalities and more input into the municipal official plan process in a way that’s much more formalized and in a way that’s much more specific to the RTP,” she says. “Much more specific than, say, the Growth Plan is... [The TPPS] would require the municipal official plans to be consistent with the [TPPS]. So for instance, their by-laws cannot be in conflict

CONTINUED PAGE 4 ■



## Pre-qualification, development teams for Baker District mixed-use development

### RFPQ No. 17-196

The City of Guelph is seeking a qualified development team to work with the city on the planning, design and development of the Baker District in the heart of Guelph’s historic downtown.

Documents may be obtained by registering and/or logging in on the City of Guelph’s website under bids and tenders at: [guelph.ca/business/bids-and-tenders](http://guelph.ca/business/bids-and-tenders)

**Electronic proposal submissions only** shall be received by the bidding system, no later than 2:30 p.m. local time, on Friday, January 26, 2018

# TRANSITION RULES

CONTINUED FROM PAGE 1

“We have seen a number of appeals of non-decisions under the existing rules of the *Planning Act*. And it was what we expected,” she says.

Hamilton planning director **Steve Robichaud** told *NRU* that his municipality has also experienced a flurry of appeals.

“In the last three to four years, on average, we receive about two non-decision appeals a year,” he says. “So, in the last four years, that would be about eight to 10 non-decision appeals. Since June or July of this year, we’re [at] about 10-12 non-decision appeals. So we’ve noticed that there’s been a significant uptake, or spike,

in non-decision appeals. And we anticipate that, with the wording in the regulations as proposed, we may see more non-decision appeals as applications reach those non-decision appeal milestones as per the *Planning Act*.”

He says that staff is now figuring out how to perform triage on the volume of work that has come in as a result of the anticipated OMB reform, as well as how to incorporate public consultation into the process. He adds that developers’ fears may be somewhat assuaged by the transition rules.

“People were making

decisions not knowing what those regulations would be,” he says. “People were hearing that they might be retroactive to the date of first reading, when the bill was first introduced. Now that the regulations are out, it provides a little bit of certainty for landowners and applicants as to how they want to manage their files. So I think that may help lower the concerns that people have and the feeling that they have to appeal their application non-decision to the OMB.”

Mississauga city solicitor **Mary Ellen Bench** told *NRU* that staff is now focused on helping council and the public understand the new framework.

“The next couple of months, the biggest change will be helping council to understand what that means for applications that are considered by our Planning & Development Committee when

the new rules come in,” she says. “...So we’re planning, in the first quarter of next year, to do a public council education session that will take them through what all of those changes are, what the role of staff will be, what the role of developers and their consultants will be, what the role of council will be in terms of having to hear more submissions than they’re used to, and then what the role of the public will be.”

*The Building Better Communities and Conserving Watersheds Act* received royal assent yesterday and the provincial government is currently consulting on the timelines, practices, and procedures of the new tribunal, which it anticipates will be implemented by spring 2018.



# ALIGNING PLANS

CONTINUED FROM PAGE 3

with the [TPPS]. You can think about the zoning by-laws. If the zoning by-laws around a transit station area aren’t good to produce the kind of densities that are specified in the [TPPS], then those [would] have to be changed.”

Salsberg says that the TPPS would be an opportunity to create transportation policy that is significantly more detailed than what is found in

the Growth Plan.

“The Growth Plan does deal with transportation issues, but it’s at quite a high level,” she says. “Same with the PPS. So I think that this policy statement could get into a greater level of detail. Just as the Growth Plan gets into detail on land use planning issues, more detail than the PPS, [the TPPS] would get into more detail on the transportation issues. And it

would also be an opportunity to make sure that the policy framework for transportation and land use at the regional level fits together.”

Salsberg explains that the TPPS could provide direction for municipal transportation masterplans, which could address such details as road widths, and priority signals for buses.

“The idea is that the [RTP] speaks to certain kinds of issues that are relevant to transportation across the region. And that municipal transportation masterplans

would then have to flow from there to align themselves to regional policy directions that we talk about in the [RTP]. So we talk about things like standards for roads to accommodate transit, for example. There’s different approaches being taken across the region by different municipalities and there’s perhaps a need to look at some harmonization of how transit functions on the road might be implemented in a consistent way across municipalities.”





# STUDENT EXHIBITION



Daniel Taylor

Last Friday, Ryerson fourth year architectural students showcased their conceptual designs for a future Toronto Pearson regional transit hub.

Ryerson architectural science professor **Kendra Smith** told *NRU* that she first had the idea for the project when the Greater Toronto Airports Authority announced this past summer its plans to develop a future transit hub at Toronto Pearson International Airport. She said the project was particularly exciting because of the way it deals with the users' experience in navigating a huge and complex transit hub.

"A transit hub is exciting because its intersectional, it brings people together as they pass through space into something else, to go to the airport or coming to Toronto. It's part of the excitement of designing a transit centre," said Smith. "A lot of students were looking at the relationship between above and below, so you didn't need signs so much. You can see the trains below or above you, and you just know where to go."

The Greater Toronto Airports Authority issued an RFP in August for the architectural firm to lead the project. The successful firm is anticipated to be announced

in January. Smith hopes her students projects are an inspiration for the design team.

Greater Toronto Airports Authority spokesperson **Eileen Waechter** laid out the project parameters for the students and organized individual tours for each student. She explained that while the regional transit centre at Toronto Pearson is intended to provide ground access to and from the airport, it will also serve as a regional transit centre for the whole area. She suggested the students consider future transit connections, beyond the current system.

"What we said to them is if you focus on nothing else, focus on the first phase where we'd like to see the beginnings of the regional transit, and to plan and protect for future transit connections. There won't be heavy rail in the beginning phase, but make sure you design it in such a way that those things could be added later."

Waechter was impressed with the quality of work the students brought to their presentations.

**Urban Strategies** partner **Joe Berridge** authored a white paper, commissioned by the Greater Toronto Airports Authority, on the hub's future growth, connectivity and

capacity. He told *NRU* the students had honed in on the need to create stress-relieving spaces in large transit projects to address what is usually a stressful user experience.

"When you're a planner you're so rigorous and constrained, and it's wonderful to see a gang of young people not so constrained and letting their imaginations go. So there was a lot of energy and a lot of imagination ... I liked the schemes that created these extraordinary spaces, and this

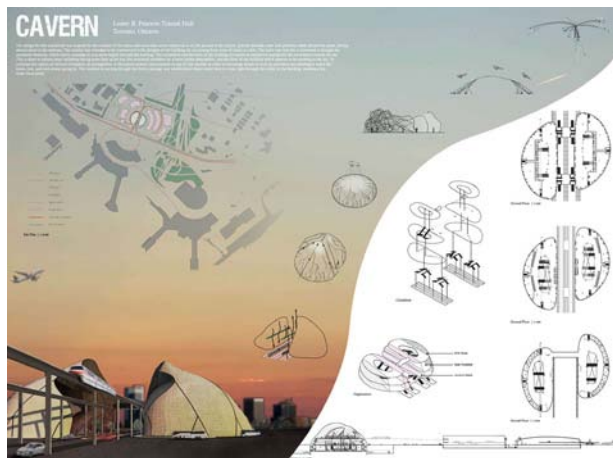
sense of place, and sense of arrival and departure. Several students said 'you know, travel is high stress', so they designed an environment that calms you down so you enjoy it."

The students that exhibited were **Fernando Arce, Sara**

CONTINUED PAGE 5

Ryerson University 4th year architectural students' conceptual designs for a Toronto Pearson regional transit hub  
SOURCE: RYERSON UNIVERSITY

Below:  
Meng Ye  
Mina Hardan



# STUDENT EXHIBITION

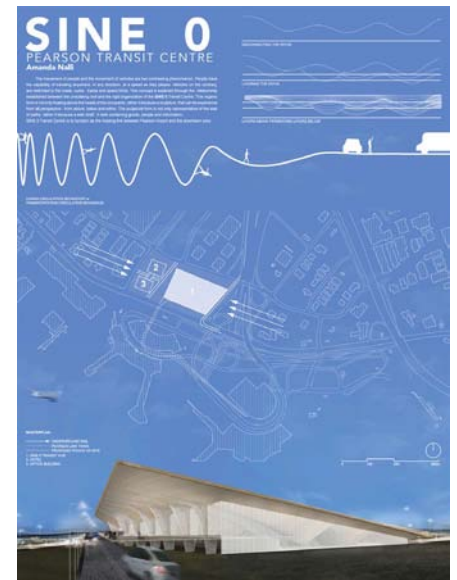
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Baghbani Shemirani, Si Chen, Alexander Christie, Kathleen Collins, Mina Hardan, Christian Innantuono, Sora Kim, Ho Kwan, Timothy Lai, Stephanie Lima, Adib Misaghi, Amanda Nalli, Blake Nicholson, Robin Nong and Meng Ye.

The Greater Toronto Airports Authority is

considering hosting an exhibition of the students' work at Toronto Pearson Airport. 🌸

Right: Amanda Nalli  
Below: Sora Kim



# ONUS ON DEVELOPERS

CONTINUED FROM PAGE 2

**Durham Homes Group** principal **Jeff Goldman** told *NRU* that most developers are not aware of the anticipated regulation.

“For the most part developers have not been paying attention to this because it’s just been a regular line item on their pro forma along with 100 other line items and costs for the development. ... The development community—in my respectful opinion—really needs to wake up,” said Goldman. “We applaud the government for slowing things down with a transition period to make sure they get it right. But whether it’s in 2018 or 2020, they’re coming and we’re going to have to do things

differently, better and smarter.”

Goldman says that under the proposed regulation, developers will have to create a management plan for the excess soil their developments generate and that will have an impact on their timelines.

“When you’re a project manager doing a high condo in mid-town Toronto, you may have to truck out hundreds of loads of soils that are not pristine. So you better know where that soil is going and how it’s going to be handled. ... We’re going to have to start looking at things way, way ahead of time.”

“The province is going to put a lot more responsibility on the developer—the generator

of excess soils—so we may be liable for any human impacts, for example. If someone gets sick from contaminated ground water and it’s found that it comes from the soil from your development. You could be in trouble.”

“The key is going to be education. ... The best method of enforcement is educating developers on why this makes good sense environmentally, economically. Because the big kicker is that if you give

thought to this in advance—this is an expensive item now—if you pay attention and do proper advance planning with your consultant you’re going to save money, and it’s better for the environment.” 🌸

## Economics Matters

- demographics
- construction economics
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- forecasting

  
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# TOP-10 DEVELOPMENT LAW FIRMS

**W**ith royal assent for Bill 139, the Ontario Municipal Board era officially ends. Ontario's planning and municipal law community is preparing for the onset of sweeping reforms that will introduce a new land use tribunal, the Local Planning Appeal Tribunal. Although it will likely be years before the OMB issues its final order, the implications of transitioning to an entirely new regime at a time when Ontario continues to grapple with planning issues of ever-increasing complexity has given rise to a palpable aura of apprehension, not to mention a flood of development applications prior to the impending transition.

Nonetheless, *NRU's* annual Law Review feature is about looking back at planning appeals resolved at the Ontario Municipal Board over the last year, and more specifically, the planning and municipal lawyers that shepherded these appeals through to completion. From Hamilton, to Scugog, up to Georgina and everywhere in between, this year *NRU* covered OMB appeals ranging from high-rise developments in Richmond Hill to a pool cabana in rural Clarington.

One of the year's biggest themes concerned golf course redevelopments. The handful of such proposals reported in last year's GTHA law review

has given way to several more applications to redevelop defunct golf courses throughout the region. This year settlements reached concerning the redevelopment of golf courses included Aurora's Highland Gate, Oakville's Saw-Whet, and Scugog's Canterbury Common. Other golf course redevelopments now in the OMB pipeline include Oakville's Glen Abbey, Brampton's Castlemore Golf and Country club, and Markham's York Downs.

In this year's GTHA Law Review there have been some interesting moves, rebounds, and a couple of new entries. Now in our 19<sup>th</sup> year, *NRU's* annual ranking of GTHA planning and municipal law firms looks back at OMB decisions covered in *NRU* GTHA from August 1, 2016 to July 31, 2017. For the Toronto rankings, see the December 15 edition of *NRU* Toronto.

**1** [2] **DAVIES HOWE PARTNERS**



Solicitors: **John Alati, Isaiah Banach, Kimberly Beckman, Jeffrey Davies, Matthew Di Vona, Kate Fairbrother, Mark Flowers, Kyle Gossen, Marisa Keating, Andy Margaritis, Meaghan McDermid, Michael Melling, Aaron Platt, Susan Rosenthal and Daniel Steinberg.**

Davies Howe lands the top prize in this year's GTHA ranking for its consistently solid performance in a large number of highly complex and contentious appeals. The firm successfully represented a developer in its appeals against King Township's Nobleton Community Plan, as well as the new zoning by-law for the Nobleton urban area. Another Davies Howe client, York Energy Centre LP, won its appeals of five township-initiated OPAs to introduce new power generation policies into the King official plan.

The firm scored settlements as co-counsel in two golf course redevelopment appeals—Highland Gate in Aurora and Canterbury Common in Scugog—and is also representing ClubLink in its pending OMB battle for a large redevelopment of the Glen Abbey Golf Club in Oakville, one of the highest-profile board appeals in recent memory.

## OMB Cases & Decisions—

Representing multiple appellants of the new Vaughan Official Plan (Di Vona) (settlement/ongoing); representing multiple appellants of Mississauga's Downtown Area Local Plan (Di Vona, Alati, Rosenthal); representing Primont Homes (Bayview) in its appeal for a ZBA/plan of subdivision/site plan for 0 19<sup>th</sup> Avenue and 5 Glen Meadow

Lane in Richmond Hill (Platt, McDermid) (settlement); representing TSMJC Properties and Sitzer Group Holdings No. 1 in their appeals of Richmond Hill's new (2010) official plan (Platt, McDermid); representing the Estate of Thomas and Joyce Mulock Trust in its appeal of Newmarket's OPA to implement its Urban Centres Secondary Plan (Flowers); representing Montanaro Estates and Sundance Estates (Richmond Hill) in an appeal by the Estate of William and Yvonne Worden for a ZBA for 1393 Bethesda Side Road (McDermid, Rosenthal); representing 675553 Ontario in its appeal for a ZBA/site plan/plan of subdivision for 90, 110 & 110 Dundas Street West in Mississauga (Alati, Margaritis); representing Highland Gate Developments in its appeal for OPA/ZBA/draft plan of subdivision for the redevelopment of the Highland Gate Golf Course in Aurora (Flowers) (settlement); representing North Nobleton Holdings in its appeal of the Nobleton Community Plan (Melling, McDermid) (✓); representing Canterbury Land Development Corp in its appeal for an OPA/ZBA/draft plan of subdivision for the redevelopment of Canterbury Golf Course in Scugog (Flowers) (settlement); representing ClubLink Corporation ULC

CONTINUED PAGE 8 ■

# TOP-10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 7

and ClubLink Holdings in its appeal against Oakville's ICBL to freeze the development of Glen Abbey Golf Course (Flowers, Fairbrother) (x); representing 1091369 Ontario in its appeal of Barrie's Hewitt's Secondary Plan (Banach) (settlement); representing 1077022 Ontario, Touchstone Construction, and Armdale Estates in their appeal for ZBA/site plan approval for 0 Enfield Place, 3600, 3606 & 3618 Hurontario Street in Mississauga (Alati, Margaritis); representing Eden Oak (Creditview Heights) Development in its appeal for a ZBA/plan of subdivision for Part Lot 20, Concession 9 in Halton Hills (Alati) (settlement); representing 1965870 Ontario in its appeal of Georgina's Growth Plan conformity OPA (Flowers); representing ClubLink Corporation ULC and ClubLink Holdings in its request for an OMB order declaring its development applications for Glen Abbey Golf Course as complete (Flowers, Fairbrother) (✓); representing Behrooz Yazdani-Zenooz in his appeal for a ZBA/plan of subdivision for 155 Snively Street in Richmond Hill (Rosenthal, McDerimid) (settlement); representing Osmington in an appeal by North American Realty Acquisition Corporation for a ZBA for a mixed-use development at Mississauga

Road and Bovaird Drive West in Brampton (Flowers) (settlement); representing TSMJC Properties and Yonge MCD in an appeal by Dogliola Developments for site plan approval for 10922, 10944 & 10956 Yonge Street in Richmond Hill (Alati); representing York Energy Centre LP in its appeal against King's adoption of five OPAs to introduce power generation policies into its OP (Melling, Keating) (✓); representing North Leslie Residential Landowners Group in its appeal of Richmond Hill's three new development charges by-laws (Banach, Melling); representing Belmont in its appeal for an OPA/ZBA/plan of subdivision for Part Lot 29, Concession 3 in Richmond Hill (Rosenthal, McDerimid) (settlement); representing Greystone (Homestead) in its appeal for a ZBA and draft plan of subdivision for lands southwest of Old Homestead Road and the Queensway North in Georgina (Melling); representing multiple appellants to the new Markham official plan (Melling, McDerimid, Rosenthal, Fairbrother); representing Wycliffe King Bond in its appeal for a ZBA/site plan/draft plan of subdivision for 301-349 King Road & 115-119 Bond Crescent in Richmond Hill (McDerimid) (settlement);

representing King David in its appeal for an OPA/ZBA/plan of subdivision for 10340, 10350 & 10370 Woodbine Avenue in Markham (McDerimid); and representing Nobleton North Holdings in its appeal against King's adoption of a new zoning by-law for the Nobleton Urban Area (McDerimid) (settlement).

2

[5] KAGAN SHASTRI



Solicitors: **Ira Kagan, Paul DeMelo and Alexandra De Gasperis.**

For a relatively small team, Kagan Shastri has once again demonstrated that it is a powerful force to be reckoned with, having had a stellar record at the board over the reporting window for this year's GTHA ranking. The firm won a significant appeal by a commercial landowner against the employment land protection policies in Richmond Hill's new official plan, achieved settlements as co-counsel in the Highland Gate and Canterbury Common golf course redevelopment appeals, settled with Ajax on a 563-unit residential subdivision, and settled on behalf of a developer for a mixed-use mid-rise development on Yonge Street in Richmond Hill.

## OMB Cases & Decisions—

Representing Golden Heights Real Estate Investment Corp. in its appeal for a ZBA/site plan approval for 12050 Yonge

Street in Richmond Hill (Kagan, De Gasperis) (settlement); representing 2042843 Ontario in its appeal for variances for 34 Highwood Road in Brampton (DeMelo) (x); representing 2303042 Ontario and 2170548 Ontario in their appeal for an OPA/ZBA for 0, 75 & 85 Norman Bethune Avenue in Richmond Hill (Kagan, De Gasperis) (settlement); representing Oakville in an appeal by General Electric Canada regarding development charges for GE's property at 420-468 South Service Road East (DeMelo) (✓); representing Mississauga in various appeals of the city's adoption of an OPA for the Downtown Area Local Plan (DeMelo); representing Rice Commercial Group, Major Mac 404 Realty and other appellants of Richmond Hill's new official plan (Kagan, De Gasperis) (✓/ongoing); representing Clarington and Central Lake Ontario Conservation Authority in an appeal by Wealthpower Land Development for a ZBA/draft plan of subdivision for part of Lot 17, Concession 1 (DeMelo) (settlement); representing Highland Gate Developments in its appeal for OPA/ZBA/draft plan of subdivision approval for redevelopment of the Highland Gate Golf Course in Aurora (Kagan) (settlement); representing Canterbury Land Development Corp in its appeal for OPA/ZBA/draft plan of subdivision for the redevelopment of Canterbury Golf Course in

CONTINUED PAGE 9



# TOP-10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 8

Scugog (Kagan) (settlement); representing Pickering Developments 401 in its appeal against Ajax's approval of OPA/ZBA applications by Picov Holdings for the expansion of the Ajax Downs gaming and gambling establishment (Kagan, DeMelo); representing Caledon 410 Developments in its appeal against Brampton's Mayfield West Secondary Plan (Kagan, De Gasperis, DeMelo) (settlement); representing Ivana Zentil in her appeal for variances for 230 Sylvadene Parkway in Vaughan (Kagan, De Gasperis) (✓); representing Dogliola Developments in its appeal for site plan approval for 10922, 10944 & 10956 Yonge Street in Richmond Hill (Kagan); representing Mariana Sand Home Corporation in its appeal for a plan of subdivision at Part of Lot 6, Concession 10 in Brampton (Kagan); representing Giocon Developments in its appeal for consent and variances for 84 Howard Road in Newmarket (DeMelo) (✓); representing Antonio Bruno in his appeal for variances for his property at 715 Hickory Street North in Whitby (DeMelo) (✓); representing Leslie Elgin Developments and 775377 Ontario in their appeals of Richmond Hill's three new development charges by-laws (DeMelo); representing multiple

appellants of Brampton's OPA for the Highway 427 Industrial Secondary Plan (Kagan); representing Leslie Elgin Developments in an appeal by Belmont for an OPA/ZBA/plan of subdivision for Part Lot 29, Concession 3 in Richmond Hill (Kagan) (settlement); representing Preston Homes in its appeal against Newmarket's adoption of a ZBA to impose setback requirements on some lots in its Copper Hills subdivision in Newmarket (Kagan) (settlement); representing multiple appellants to the new Markham official plan (Kagan, DeMelo); representing Main Street Clock in its appeal for a ZBA for 178-194 Main Street South in Newmarket as well as the applicable heritage conservation district by-law (Kagan, De Gasperis); representing Maria Finelli in an appeal by the Franceschini Estate against the Mississauga COA's approval of Finelli's minor variance application for 2222 Doultton Drive in Mississauga (Kagan) (✓); representing Block 18 Landowners Group and Block 18 Properties in an appeal by Dufferin Vistas for a ZBA/plan of subdivision for 230 Grand Trunk Avenue (DeMelo); representing Russell Pines Development Corp. in its appeal of Halton Region's adoption of

a ROPA for corridor protection policies for the Halton-Peel boundary area transportation study/GTA west corridor, as well as to re-phase employment lands impacted by the corridor protection area (De Gasperis); representing Brampton Brick in its appeal for a ZBA for an aggregate license to develop a shale quarry at West Half of Lot 12, Concession 6 in Brampton (DeMelo); representing Mil Con Three Developments, 1048605 Ontario and 1045502 Ontario in their appeals of the Milton's Boyne Survey Secondary Plan (Kagan); representing Golden Heights Real Estate Investment Corp. in an appeal by J-G Cordone Investments for an OPA/ZBA for 12030 Yonge Street in Richmond Hill (✓); and representing Magnum Opus Developments in its appeal for a ROPA/OPA/ZBA/plan of subdivision for 727 Shoal Point Road in Ajax (DeMelo) (settlement).

3

[1] AIRD & BERLIS



Solicitors: **Meaghan Barrett, Eileen Costello, Laura Dean, Robert Doumani, Patricia Foran, Tom Halinski, Patrick Harrington, Jody Johnson, Kim Kovar, Sidonia Loiacono, Leo Longo, John Mascarin, David Neligan, Jane Pepino, Andrea Skinner, Christopher Williams and Steven Zakem.**

Aird & Berlis comfortably retains a spot in our top three by virtue of its steady caseload

and a handful of significant triumphs at the board over the past year. The firm represented Bronte Green Corporation in the controversial redevelopment of the former Saw-Whet Golf Course in Oakville, resulting in a settlement for more residential units than originally proposed, but on a smaller development footprint with more land set aside for environmental protection.

The firm also represented Pickering Developments, whose OPA/ZBA applications for a major tourist destination were approved by the City of Pickering and then appealed by the Town of Ajax. In a lengthy decision, the board dismissed Ajax's appeal and upheld approval of the planning instruments, giving the green light for the developer to proceed with the project.

## OMB Cases & Decisions—

Representing First Capital Holdings Trust and Loblaw Properties in their appeals against Oakville's new comprehensive zoning by-law and implementing OPA (Neligan) (settlement); representing P.A. Campagna Investments and 1480420 Ontario in their appeals of Richmond Hill's new official plan (Skinner); representing Newmarket in multiple appeals against Newmarket's Urban Centres Secondary Plan (Longo) (settlement/ongoing); representing Colette Nemni in an appeal by Highland Gate Developments to redevelop the

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# TOP-10 DEVELOPMENT LAW FIRMS

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Highland Gate Golf Course in Aurora (Longo) (settlement); representing King in an appeal by North Nobleton of the Nobleton Community Plan (Halinski) (x); representing Sam and Joanne Gideon in an appeal by CIM Developments for ZBA/plan of subdivision for 10747 Bayview Avenue in Richmond Hill (Skinner); representing King in an appeal by Stonebridge Homes for consent/variances for 5826 King Road (Halinski) (x); representing Mayfield West Phase 2 Landowners Group in its appeal against Brampton's Mayfield West Secondary Plan (Harrington, Neligan); representing Symgine (Lake East) in its appeal for an OPA/ZBA for 2266 Lakeshore Road West and 83 East Street in Oakville (Costello, Dean); representing Mayfield West Phase 2 Landowners Group in its appeal against Brampton's Mayfield West Secondary Plan (Neligan, Harrington); representing 10898 Yonge St. LP and Wilbair Holdings in an appeal by Dogliola Developments for site plan approval for 10922, 10944 & 10956 Yonge Street in Richmond Hill (Foran); representing Orlando Corporation in its appeal against the new Mississauga official plan (Longo) (settlement); representing Orlando Corporation in its

appeal of Brampton's OPA for the Highway 427 Industrial Secondary Plan (Longo); representing Signature 13424 Keele in its appeal for variances for 13400 Keele Street in King (Halinski) (✓); representing Ravines of Islington in its appeal for an OPA/ZBA/plan of subdivision and site plan for 8451 & 8457 Islington Avenue in Vaughan (Longo); representing King in an appeal by Milani Group against King's adoption of a ZBA in relation to the new town hall at 2585 King Road (Halinski) (x); representing Deergate Holdings in its appeal for a ZBA and draft plan of subdivision for Part of Lot 31, Concession 2 in Richmond Hill (Foran); representing multiple appellants to the new Markham official plan (Foran, Costello, Longo, Skinner, Loiacono); representing King Township in an appeal by Nobleton North Holdings against the township's adoption of a new zoning by-law for the Nobleton Urban Area (Halinski) (settlement); representing City Park Homes in its appeal for an OPA/ZBA/site plan/plan of subdivision for a townhouse development at 7803 & 7815 Dufferin Street in Vaughan (Longo); representing EMGO (North Oakville 1) in its appeal for a ZBA/plan of subdivision to develop a subdivision at

3369 Sixth Line, in Oakville (Harrington) (settlement); representing the Newmarket in an appeal by Main Street Clock for a ZBA for 178-194 Main Street South in Newmarket as well as the applicable heritage conservation district by-law (Longo); representing Sandy Caparrotta in an appeal by Estelle Thomas against Vaughan COA's approval of Caparrotta's minor variance application for 12 Ferrazzano Lane in Vaughan (Longo) (✓); representing North Gwillimbury Forest Alliance in its appeal of Georgina's Growth Plan conformity OPA (Neligan); representing Barry and Sandra Smith in an appeal by David Jones and Kathryn Murphy against the Hamilton COA's approval of the Smith's minor variance application for 22 Parkview Row in Hamilton (Loiacono) (✓); representing Milton in multiple appeals of Halton Region's adoption of a ROPA for corridor protection policies for the Halton-Peel boundary area transportation study/GTA west corridor, as well as to re-phase employment lands impacted by the corridor protection area (Barrett); representing Bronte Green Developments in its appeal for an OPA/ZBA/plan of subdivision for 1401 Bronte Road in Oakville (Foran, Harrington) (settlement); representing Milton in multiple appeals to the town's adoption of the Boyne Survey Secondary Plan (Costello); and representing Pickering Developments in an appeal by Ajax against Pickering's approval of Pickering

Development's zoning by-law amendment application for a major tourist destination (Foran, Neligan) (✓).

4



[3] WEIRFOULDS

Solicitors: **Denise Baker, Lia Boritz, John Buhlman, Michael Connell, Jeff Cowan, Bruce Engell, Aisling Flarity, Sean Foran, Barnet Kussner, Michael McQuaid, Jennifer Meader, Kim Mullin, Gregory Richards, Sylvain Rouleau, Lyn Townsend and Christopher Tzekas.**

WeirFoulds continues to maintain a strong presence at the OMB. In cases included in this year's reporting window, the firm represented a roughly equal proportion of developers and municipalities. The firm represented a Clarington developer, achieving a settlement for a 95-unit infill subdivision, as well as a Hamilton developer who appealed a neighbouring landowner's subdivision proposal, and reached a settlement based on cost sharing.

WeirFoulds's municipal clients include Oakville, Brampton, Barrie, Richmond Hill and Vaughan. Representing Vaughan, the firm settled with a developer for a new six-storey mixed-use building within the Woodbridge Heritage Conservation District which will integrate two contributing heritage buildings.

**OMB Cases & Decisions—**  
Representing Vaughan in

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# TOP-10 DEVELOPMENT LAW FIRMS

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multiple appeals to Vaughan's new official plan (Engell) (settlements/ongoing); representing 2167200 Ontario in its appeal against Oakville's new comprehensive zoning by-law (Meader); representing Silverwood Homes in its appeal against Hamilton's adoption of OPA/ZBA/draft plan of subdivision applications by Landmart Realty for 157 Parkside Drive (McQuaid) (settlement); representing Terrence Timmins in his appeal against the Clarington COA's refusal of his minor variance for 7700 Brown Road (Townsend) (settlement); representing multiple appellants against the Village of Bolton heritage conservation district by-law (Baker); representing Richmond Hill in multiple appeals against its new official plan (Kussner); representing Wealthpower Land Development in its appeal for a ZBL/draft plan of subdivision for Part of Lot 17, Concession 1 in Clarington (Engell) (settlement); representing Julia Wallace in an appeal by Oakville against Wallace's minor variance application for 1204 Cynthia Lane (Baker) (settlement); representing Barrie in multiple appeals against the Hewitt's Secondary Plan (Engell) (settlement); representing Tibor Urac, Wanda Bogoros, Cindy Wennerstrom and Marcin

Wroblewski in their appeals for variances for 516 & 518 Richey Crescent in Mississauga (Baker) (settlement); representing Caledon Development GP and Caledon Development Number Two in their appeals against Brampton's Mayfield West Secondary Plan (Baker, Connell); representing Oakville in an appeal by Symgine (Lake East) for an OPA/ZBA for 2266 Lakeshore Road West & 83 East Street (Kussner); representing Brampton in an appeal by Mariana Sand Home Corporation for a plan of subdivision for Part of Lot 6, Concession 10 (Kussner); representing Richmond Hill in multiple appeals against the town's three new development charges by-laws (Kussner); representing Vaughan in an appeal by Camelot for a ZBA/site plan approval at 4902 & 4908 Highway 7 (Baker); representing Brampton in multiple appeals of its OPA for the Highway 427 Industrial Secondary Plan (Kussner, Meader); representing Vaughan in an appeal by Ravines of Islington for an OPA/ZBA/plan of subdivision and site plan 8451 & 8457 Islington Avenue in Vaughan (Meader, Kussner); representing Corktown Pub & Fare in an appeal by Hamilton against the Hamilton COA's approval of Corktown's minor variance for 175 Young Street

in Hamilton (Meader, Connell) (x); representing multiple appellants to the new Markham official plan (Meader, Townsend, Connell); representing Vaughan in an appeal by City Park Homes for an OPA/ZBA/site plan/plan of subdivision for 7803 & 7815 Dufferin Street (Meader); representing Vaughan in an appeal by FCF Old Market Lane 2013 against the new Vaughan official plan consolidated with its site-specific appeal for an OPA/ZBA 177, 185 & 197 Woodbridge Avenue in Vaughan (Baker) (settlement); representing Scott Munro & Greg Lawson in an appeal by Centurion (Dundas) Holdings for an OPA/ZBA for 71 Main Street & 10 Baldwin Street in Hamilton (Connell); representing multiple appellants of Mississauga's enactment of a zoning by-law affecting various low-density residential zones in Ward 1 in Mississauga (Baker); representing Richmond Hill in an appeal by Behrooz Yazdani-Zenooz for a ZBA/plan of subdivision for 155 Snively Street (Rouleau) (settlement); and representing Halloway Developments and 1151390 Ontario in its appeal of Oshawa/Durham Region's adoption of an OPA/ROPA to implement the provincial *Greenbelt Plan*, Growth Plan, and environmental policies stemming from several watershed plans (Meader).

## 5 Goodman<sup>LLP</sup>

[7] GOODMANS

Solicitors: **Ian Andres, Anne Benedetti, David Bronskill, Tom Friedland, Joseph**

**Hoffman, Roslyn Houser, Robert Howe, Max Laskin, Allan Leibel, Catherine Lyons, Elliot Pobjoy, Mark Noskiewicz and Michael Stewart.**

Goodmans advances two places in this year's ranking reflecting favourable results on a number of high-profile files. Highlights this year included significant settlements for Baif Developments in its appeals of Mississauga's new downtown core local area plan, and the new Richmond Hill official plan. Acting on behalf of Oakville, the firm achieved a major settlement for the redevelopment of the former Saw-Whet Golf Course that was many years in the making. In Richmond Hill, Goodmans represented Metroview Developments in an appeal by a neighbouring landowner for a development proposal that would have compromised the viability of Metroview's own proposal—the appeal was dismissed and the neighbour's proposal was refused.

### OMB Cases & Decisions—

Representing Baif Developments, OMERS Realty Management Corp., Square One Property Corp. and Walmart Canada in their appeals of Mississauga's Downtown Area Local Plan (Andres, Houser, Noskiewicz) (settlement/ongoing); representing Gil and Marina Scholyar in their appeal against the Vaughan COA's refusal of their consent and minor variance applications for 18 Erica Road & 80

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# TOP-10 DEVELOPMENT LAW FIRMS

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Thornbank Road (Lyons) (✓); representing multiple appellants of the new Vaughan official plan (Andres, Houser) (settlement/ongoing); representing Baif Developments 404 in its appeal against Richmond Hill's new official plan (Andres, Houser) (✓); representing Criterion Development Corporation in its appeal of Newmarket's OPA to implement its Urban Centres Secondary Plan (Houser) (settlement); representing Ontario Lotto and Gaming Corporation in appeals against Ajax's approval of OPA/ZBA applications by Picov for the expansion of the Ajax Downs gaming and gambling establishment (Andres); representing Crisdawn Construction in its appeal of Barrie's Hewitt's Secondary Plan (Howe); representing Mayfield West Phase 2 Landowners in its appeal against Brampton's Mayfield West Secondary Plan (Noskiewicz); representing SASE Aggregates in its appeal for an OPA/ZBA to permit an expanded aggregate extraction area at Part Lot 20, Concession 4 in Uxbridge (Benedetti); representing Ideal (JS) Developments in its appeal for a ZBA/plan of subdivision/site plan for townhouse development at 39, 53 & 67 Jefferson Side Road in Richmond Hill (Hoffman) (settlement);

representing multiple appellants to the new Markham official plan (Lyons); representing Metroview Developments in an appeal by FBNM Enterprises for an OPA/ZBA 9825 Yonge Street in Richmond Hill (Andres) (✓); representing Maple Lake Estates in its appeal of Georgina's Growth Plan conformity OPA (Bronskill); representing Oakville in a request by ClubLink for an OMB order declaring its development applications for Glen Abbey Golf Course as complete (Howe, Lyons, Hoffman) (x); representing Dufferin Vistas in its appeal for a ZBA/plan of subdivision for 230 Grand Trunk Avenue in Vaughan (Bronskill, Laskin); representing Oakville in an appeal by Bronte Green Developments for an OPA/ZBA/plan of subdivision for 1401 Bronte Road (Lyons, Laskin) (settlement); and representing Bruce and Shirley Reed and Bramwest Development Corporation in an appeal by Brampton Brick for a ZBA related to its application for an aggregate license to develop a shale quarry at West Half of Lot 12, Concession 6 in Brampton (Noskiewicz).

6



[ 6 ] BORDEN LADNER GERVAIS

Solicitors: **Andrew Baker, Katie Butler, F.F. (Rick) Coburn, Sean Gosnell, Barbora Grochalova, Christel Higgs, Gabrielle Kramer, Ian Mathany, Piper Morley, Meagan Patry, J. Pitman Patterson, Frank Sperduti, Isaac Tang, Stephen Waqué and Robert Wood.**

Borden Ladner Gervais holds steady at sixth place in this year's ranking, keeping busy at the board representing a range of developer and municipal clients. For developer Kaneff Homes, BLG secured minor variances to construct 20 and 23-storey apartment buildings near Mississauga City Centre. The firm settled with Aurora on behalf of a developer proposing to build an infill detached-dwelling subdivision. BLG also represented, and continues to represent, Halton Region in several high-profile OMB cases including the Saw-Whet and Glen Abbey redevelopments, the Boyne Survey Secondary Plan in Milton, and ROPA 43, which implements corridor protection policies and rephases employment lands in Halton Hills.

## OMB Cases & Decisions—

Representing Vaughan in multiple appeals of the new Vaughan official plan (Coburn, Tang) (✓/ongoing); representing York Region in multiple appeals

of the new Vaughan official plan (Patterson) (✓/ongoing); representing York Region in an appeal by 2468390 Ontario for a ZBA/plan of subdivision for 850 Elgin Mills Road East in Richmond Hill (Patterson); representing Metrolinx in appeals of Oshawa/Durham Region's adoption of an OPA/ROPA to implement the provincial *Greenbelt Plan*, Growth Plan, and environmental policies stemming from several watershed plans (Baker); representing 2419059 Ontario in its appeal against Aurora's failure to make a decision in its ZBA/site plan applications for 479 Wellington Street West (Patterson, Baker) (settlement); representing York Region in multiple appeals against Markham's OPA and secondary plan for the Buttonville Airport Redevelopment Area (Waqué); representing Rice Development Corp. in its appeal for an OPA to add 45 hectares to Clarington's urban area for Phase 8 of the Wilmot Creek Lifestyle Community (Waqué) (settlement); representing Laurier Homes (Richmond Hill) Inc. in its appeal for a ZBA and draft plan of subdivision for 44, 48, 54 & 60 Arnold Crescent in Richmond Hill (Tang, Waqué); representing Sunrise Senior Living, Sunrise North Senior Ltd. and SZR Aurora in an appeal by Highland Gate Developments to redevelop the Highland Gate Golf Course in Aurora (Coburn) (settlement); representing Halton Region in an appeal by ClubLink

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# TOP-10 DEVELOPMENT LAW FIRMS

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against Oakville's ICBL to freeze the development of Glen Abbey Golf Course (Tang, Waqué) (✓); representing York Region in an appeal by CIM Developments for ZBA/plan of subdivision for 10747 Bayview Avenue in Richmond Hill (Patterson) (settlement); representing Mayfield McLaughlin Developments, Caledon West 25 and Caledon Development Number Two in their appeals against Brampton's Mayfield West Secondary Plan (Waqué, Morley) (settlement); representing Kaneff Homes Compass Creek in its appeal for variances for 202-204 Burnhamthorpe Road East in Mississauga (Patterson, Baker) (settlement); representing Alton Mills in its appeal for a plan of subdivision at Part of Lots 22 & 23, Concession 4 in Caledon (Patterson, Wood); representing Vaughan in an appeal by Dufferin Vistas for a ZBA/plan of subdivision for 230 Grand Trunk Avenue (Patterson, Morley); representing Halton Region in multiple appeals of Halton's adoption of a ROPA for corridor protection policies for the Halton-Peel boundary area transportation study/GTA west corridor, as well as to re-phase employment lands impacted by the corridor protection area (Tang); representing Halton Region in an appeal by Bronte

Green Developments for an OPA/ZBA/plan of subdivision for 1401 Bronte Road in Oakville (Waqué, Tang); and representing Halton Region in multiple appeals to Milton's Boyne Survey Secondary Plan (Tang).

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Ritchie Ketcheson  
Hart &  
Biggart LLP

[ 8 ] RITCHIE KETCHESON  
HART & BIGGART

Solicitors: **R. Andrew Biggart, John R. Hart, Bruce C. Ketcheson, Effie Lidakis and Joshua Silver.**

Ritchie Ketcheson Hart & Biggart moves up one spot this year with a handful of wins and settlements and only one loss reported in *NRU*. The firm continues to represent a predominantly municipal clientele, including the Town of Oakville in the ongoing appeals of its new zoning by-law where the town successfully upheld paid parking provisions that were fiercely contested by a commercial property owner. Another interesting appeal concerned a planned private school expansion in Burlington, which was approved by the city and appealed by multiple neighbours—the firm successfully represented the owner in having the appeals dismissed.

## OMB Cases & Decisions—

Representing Aurora in an appeal by 2419059 Ontario for a ZBL/site plan approval for 479 Wellington Street (Ketcheson) (settlement); representing Oakville in multiple appeals against Oakville's new comprehensive zoning by-law (Biggart) (✓/settlement); representing Ajax in appeals against Ajax's approval of OPA/ZBA applications by Picov Holdings for the expansion of the Ajax Downs gaming and gambling establishment (Biggart); representing 1430518 Ontario in an appeal by CIM Developments for ZBA/plan of subdivision 10747 Bayview Avenue in Richmond Hill (Ketcheson); representing Orangeville Railway Development in its appeal against Brampton's Mayfield West Secondary Plan (Ketcheson, Lidakis) (settlement); representing Georgina in an appeal by John Furlano for minor variances for 164 Moore's Beach Road (Lidakis) (settlement); representing Whitchurch-Stouffville in multiple appeals of the town's Growth Plan conformity OPA (Ketcheson); representing Mississauga in its appeal against the Mississauga COA's approval of a minor variance application by Monika Kamycki (Biggart) (✓); representing Aurora in an appeal by Ashlen Holdings for an OPA/ZBA/plan of subdivision for 13859, 13875 & 13887 Yonge Street (Ketcheson); representing Georgina in an appeal by Greystone (Homestead) Ltd.

for a ZBA and draft plan of subdivision for lands southwest of Old Homestead Road and the Queensway North (Ketcheson); representing Sharon Bogart in her appeal for variances for 918 Goodwin Road in Mississauga (Ketcheson) (✓); representing Georgina in multiple appeals of Georgina's Growth Plan conformity OPA (Ketcheson); representing Lynmarsh Enterprises in appeals by Burlington Artist Gallery and Landmark Shopping Centre against Lynmarsh's ZBA application for 3508 Commerce Court (Hart) (✓); represent Ajax in its appeal against Pickering's approval of a ZBA application by Pickering Developments for a major tourist destination (Biggart) (x); and representing East Gwillimbury in an appeal by 1422754 Ontario against the new East Gwillimbury official plan as well as the town's failure to make a decision on its ZBA for 19267 Centre Street (Ketcheson).

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LOOPSTRA NIXON LLP  
BARRISTERS AND SOLICITORS

[ 12 ] LOOPSTRA NIXON

Solicitors: **Quinto Annibale, Steven Ferri, Mark Joblin, Brendan Ruddick and Cindy Yi.**

Loopstra Nixon slides into the top 10 having won or settled all but one of its cases mentioned in *NRU* over this year's law review reporting period. The firm represented Scugog Township in the Canterbury Common Golf Course redevelopment settlement, and represented the

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# TOP-10 DEVELOPMENT LAW FIRMS

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City of Pickering in an appeal by Ajax, which the board quashed, concerning a proposed major entertainment development in Pickering.

One of Loopstra Nixon's most interesting victories concerned a decision that took the board nearly a year to issue—representing Uxbridge, the firm settled with a developer for a 27-unit infill subdivision involving the on-site relocation of a 131-year old heritage building. The Uxbridge Gouldville Citizens Association strenuously but unsuccessfully opposed the settlement, which was upheld by the board in a lengthy decision.

## OMB Cases & Decisions—

Representing 785343 Ontario and I&M Pandolfo Holdings in their appeals of the Vaughan Metropolitan Centre Secondary Plan (Annibale, Ferri) (settlement); representing Uxbridge in an appeal by 2373521 Ontario for a ZBL/site plan approval for 62 Mill Street (Annibale, Ruddick) (settlement); representing Uxbridge in an appeal by Lesley Turnbull against the Uxbridge COA's approval of a minor variance application by 2457552 Ontario for 168 Brock Street West (Joblin) (✓); representing Scugog in an appeal by Canterbury Land

Development Corp. for an OPA/ZBA/draft plan of subdivision for the redevelopment of Canterbury Golf Course (Joblin) (settlement); representing Mississauga in an appeal by Tan Jing for variances for 594 Curzon Avenue (Ruddick) (✓); representing Yorkshire Holdings in its appeal for an OPA/ZBA for 17-29 Clarence Street in Brampton (Ruddick) (settlement); representing A-Major Homes (Ontario) in its appeal against Brampton's Mayfield West Secondary Plan (Annibale, Yi) (settlement); representing Uxbridge in an appeal by SASE Aggregates for an OPA/ZBA to permit an expanded aggregate extraction area at Part Lot 20, Concession 4 in Uxbridge (Joblin, Ferri); representing Mitchell Grant and Leah Sargent in an appeal by Basil Gobbo against Grant and Sargent's consent and variance applications for 368 Meadow Wood Lane in Mississauga (Joblin) (✓); representing Milani Group in its appeal against King's adoption of a ZBA in relation to the new town hall at 2585 King Road (Ferri, Ruddick) (✓); representing Mississauga in an appeal by Daniel Chang Medicine Professional Corporation for consent and variances for 1338 Broadmoor Avenue (Joblin, Yi) (x); representing Mississauga

in an appeal by Jack and Josie Bonofiglio for variances for 1158 Meander Court in Mississauga (Yi) (✓); representing Pickering in an appeal by Ajax against Pickering's approval of a zoning by-law amendment application by Pickering Developments for a major tourist destination (Annibale, Joblin) (✓); and representing Steeple Hill On The Lake in its appeal for an OPA/ZBA/site plan for 650 Lake Ridge Road in Ajax (Ruddick).

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Turkstra Mazza

## [ 4 ] TURKSTRA MAZZA

Solicitors: **Shelley Kaufman, Paul Mazza, Fred Rudolph, Nancy Smith, Scott Snider, Anna Toumanians and Herman Turkstra.**

Turkstra Mazza moves back several places in this year's rankings with fewer cases reported in *NRU*, yet retains a place in the top 10. The Hamilton-based firm has kept busy with several big OMB cases in the west end of the GTHA and beyond. On behalf of a medical marijuana grower, the firm settled its appeals of the Rural Hamilton official plan and zoning by-law concerning setbacks and size restrictions on pot facilities. Turkstra Mazza was also involved in the Saw-Whet golf course redevelopment appeal, representing neighbouring landowners who ultimately settled their issues with respect to the proposed development.

## OMB Cases & Decisions—

Representing multiple appellants of Oakville's new comprehensive zoning by-law (Toumanians); representing Paul Aitkin in an appeal by Raymond Fennema against Aitkin's minor variance application for 341 5th Concession West (Toumanians) (✓); representing a group of residents in an appeal by Highland Gate Developments to redevelop the Highland Gate Golf Course in Aurora (Toumanians) (settlement); representing G.B. Mayfield Inc. and Lormel Joint Venture in their appeals against Brampton's Mayfield West Secondary Plan (Snider, Kaufman); representing Sargent Farms in an appeal by 2332133 Ontario for OPA/ZBA for 150-175 Main Street in Milton (Snider, Toumanians); representing Branthaven Homes Fruitland in its appeal for an OPA/ZBA for 288 Glover Road in Hamilton (Smith); representing 1794784 Ontario in its appeal for a ZBA 449 Stone Church Road West in Hamilton (Smith); representing Pharm Meds in its appeal against the Rural Hamilton Zoning By-law and its implementing OPA with regards to size and setback restrictions for a medical marijuana facility on its property at 97 5th Concession Road East (Toumanians) (settlement); representing Upper Centennial Developments and Penta Properties in their appeals for OPAs/ZBAs/plans of subdivision for 165 Upper Centennial Parkway and 198 First Road in Hamilton (Snider); representing

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# TOP-10 DEVELOPMENT LAW FIRMS

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Centurion (Dundas) Holdings in its appeal for an OPA/ZBA 71 Main Street & 10 Baldwin Street in Hamilton (Snider); representing David Jones and Kathryn Murphy in their appeal of the Hamilton COA's approval of a minor variance application by Barry and Sandra Smith for 22 Parkview Row (Snider, Toumanians) (✓); representing Astra Capital Properties in its appeal for variances for 2213 North Sheridan Way in Mississauga (Smith) (x); representing Victor and Joyce Enns in an appeal by Bronte Green Developments for an OPA/ZBA/plan of subdivision for 1401 Bronte Road in Oakville (Smith) (settlement); and representing Northwest Brampton Landowners Group in an appeal by Brampton Brick for a ZBA related to its application for an aggregate license to develop a shale quarry at West Half of Lot 12, Concession 6 in Brampton (Snider).

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**THOMSON ROGERS**  
MUNICIPAL LAWYERS

[12] **THOMSON, ROGERS**

Solicitors: **Stephen D'Agostino, Al Burton, David Germain, Denitza Koev, Jeffrey Wilker** and **Gregory Sills**.

Thomson, Rogers lands a spot in our top 10 this year for several favourable outcomes

including representing a residents' association in a mediated settlement for the redevelopment of Aurora's Highland Gate Golf Course and a win on behalf of Halton Region against a contentious consent in Milton's Hamlet of Campbellville. Also on behalf of Halton, Thomson, Rogers helped reach a settlement for a 31-unit subdivision in Halton Hills, and for two adjacent subdivisions in North Oakville with 749 new dwellings. The firm continues to represent Halton Region in a handful of upcoming hearings on contentious development proposals including a residential tower in Oakville's Bronte community, a lakefront townhouse development in Burlington, and a massive shale quarry in Northwest Brampton abutting the Halton Hills boundary.

## OMB Cases & Decisions —

Representing Halton Region in multiple appeals of Oakville's new comprehensive zoning by-law (Germain); representing Highland Gate Ratepayers Association in an appeal by Highland Gate Developments to redevelop the Highland Gate Golf Course in Aurora (D'Agostino) (settlement); representing Halton Region in an appeal by Reginald Adams for consent/variances for 254

Main Street South in Milton (Germain) (✓); representing Ben-Ted Construction in its appeal against Brampton's Mayfield West Secondary Plan (D'Agostino, Koev); representing Halton Region in an appeal by Symgine (Lake East) for an OPA/ZBA 2266 Lakeshore Road West & 83 East Street (Germain); representing Halton Region in an appeal by 2332133 Ontario for OPA/ZBA for 150-175 Main Street in Milton (Wilker); representing Savina Cove Homes in its appeal of Whitchurch-Stouffville's Growth Plan conformity OPA (D'Agostino); representing Halton Hills and Halton Region in an appeal by Eden Oak (Creditview Heights) Development for a ZBA/plan of subdivision for Part Lot 20, Concession 9 in Halton Hills (Wilker, Sills) (settlement); representing multiple appellants to the new Markham official plan (D'Agostino, Koev); representing Halton Region in appeals by Star Oak Developments and EMGO (North Oakville 1) to develop subdivisions in North Oakville (Germain) (settlement); representing Halton Hills in multiple appeals of Halton Region's adoption of a ROPA for corridor protection policies for the Halton-Peel boundary area transportation study/GTA west corridor, as well as to re-phase employment lands impacted by the corridor protection area (Germain); representing Halton Region and Halton Hills in an appeal by Brampton Brick for a ZBA related to its application for an aggregate license to

develop a shale quarry at West Half of Lot 12, Concession 6 in Brampton (Wilker, Germain); and representing Halton Region in an appeal by First Urban and Bloomfield Developments against Burlington's refusal of its ZBA application for 143 Blue Water Place and 105 Avondale Court (Germain, Sills).

## The next 10 firms...

11 [11] **Municipal Law Chambers**; 12 [13] **Land Law**; 13 [9] **Overland**; 14 [16] **Devine Park**; 15 [10] **O'Connor MacLeod Hanna**; 16 *TIE* [NA] **Gowling WLG and** [13] **DLA Piper**; 17 [17] **Garrod Pickfield**; 18 [NA] **Cassels Brock**; 19 [NA] **Dentons**; 20 [NA] **Parente Borean**.

## METHODOLOGY

The end of year tradition at NRU examines the legal side of planning and development in the GTHA, primarily focusing on cases that came before the Ontario Municipal Board and were reported in the GTHA edition of NRU between August 1, 2016 and July 31, 2017.

**How the information is collected**—NRU tracked each of the law firms mentioned in the GTHA edition of NRU over a one-year period. Then we determined the firms most frequently mentioned and sorted through their projects and hearings. Some firms were involved in a variety of developments across the GTHA, while others have particular associations to major clients.

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# HAMILTON DESIGN REVIEW

## PANEL AGENDA

The Design Review Panel will consider the following items at its meeting Thursday, December 14 at 2:00 p.m. in committee room 830, city hall.

### PRESENTATIONS

2:40 P.M.

**James Street mid-rise**—Panel will undertake its first review of

JvN/d's proposal for an eight-storey residential building at 468-474 James Street, at the corner with Ferrie Street. Presentations will be made by Hamilton senior planner **Adam Lucas** and JvN/d CEO **John van Nostrand**.

Rendering of JvN/d's proposed mid-rise development at 468-474 James Street in Hamilton  
SOURCE: JVN/D



4:00 P.M.

**Upper James commercial building**—Panel will undertake its first review of Dr. **Majd Al Mardini's** proposal for a two-storey commercial building at 623 Upper James Street. Presentations will be made by Hamilton senior

planner **George Zajac** and **Esposito Architects** owner **Sam Esposito**. 🌸

Rendering of Dr. Majd Al Mardini's proposed commercial building at 623 Upper James Street in Hamilton  
SOURCE/ARCHITECT: SAM ESPOSTO ARCHITECT



## TOP-10 DEVELOPMENT LAW FIRMS METHODOLOGY

CONTINUED FROM PAGE 15

### 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 NRU's most difficult task. This assessment is based only on items covered

in the GTHA edition of NRU and does not account for cases we do not know about. Hence, there is a degree of subjectivity in the ranking.

**The listings**—Lawyers that are a part of a planning and

development law team for each of the top-10 ranked firms are noted. In cases that involved an OMB decision were 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 at the end of July, 2017, no symbol appears. A square

bracket after this year's ranking indicates the firm's placement in last year's NRU listing.

Email us your interesting board decisions and development applications to ensure they are covered in NRU and thus included in the 20<sup>th</sup> annual GTHA rankings to be published in December 2018. 🌸



# YORK REGION DEVELOPMENT TEAMS

## Georgina

Main number	905-476-4301
Velvet Ross, Manager of Planning,	ext. 2251
Alan Drodz, Supervisor of Development Planning,	ext. 2221
Tolek Makarewicz, Planner,	ext. 2297
Ingrid Fung, Planner,	ext. 2244
Maryann Hunt, Planner,	ext. 2275
Dustin Robson, Junior Planner,	ext. 2326
Vacant, Senior Planner	

## Aurora

Planning and Building Services	905-727-3123
Marco Ramunno, Director, Planning and Building Services,	ext. 4755
Glen Letman, Manager, Development Planning,	ext. 4346
Anthony Ierullo, Manager, Policy Planning and Economic Development,	ext. 4742
Fausto Filippetto, Senior Policy Planner,	ext. 4342
Michael Logue, Program Manager, Economic Planning,	ext. 4324
Lawrence Kuk, Planner,	ext. 4343
Caitlin Graup, Planner,	ext. 4347
Marty Rokos, Planner,	ext. 4350
Jeff Healey, Planner/Heritage Planning,	ext. 4349
Justin Leung, Secretary-Treasurer, CoA/Planning Technician,	ext. 4223
Bill Butler, Engineer, Development Planning,	ext. 4353

## Newmarket

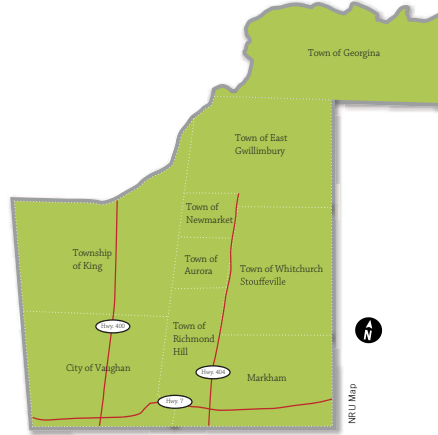
Planning & Building Services Department	905-953-5300
Richard Nethery, Director, Planning,	ext. 2451
Jason Unger, Assistant Director, Planning,	ext. 2452
Dave Ruggle, Senior Planner, Community Planning,	ext. 2454
Adrian Cammaert, Senior Planner, Policy,	ext. 2459
Linda Travis, Senior Planner, Development,	ext. 2457
Ted Horton, Planner,	ext. 2458
Meghan White, Planner,	ext. 2460

## Vaughan

Planning Department	905-832-8565
Jason Schmidt-Shoukri, Deputy City Manager, Planning & Growth Management,	ext. 8445
Mauro Peverini, Director of Development Planning,	ext. 8407
Bill Kiru, Senior Manager of Development Planning (West),	ext. 8633
Vacant, Senior Manager of Development Planning (East),	ext. 8635
Carmela Marrelli, Senior Planner, Development Planning - West of the 400 (Kleinburg/Woodbridge),	ext. 8791
Judy Jeffers, Planner,	ext. 8645
Diana DiGirolamo, Planner,	ext. 8860
Clement Messere, Senior Planner, Development Planning - West of the 400 (Kleinburg/Woodbridge),	ext. 8409
Natalie Wong, Planner,	ext. 8866
Letizia D'Addario, Planner,	ext. 8813
Daniel Rende, Planner 1 (COA and development applications),	ext. 8112
Christina Napoli, Senior Planner, Development Planning - East of the 400 (Maple/Thornhill),	ext. 8483
Margaret Holyday, Planner,	ext. 8216
Mark Antoine, Planner,	ext. 8212
Stephen Lue, Senior Planner, Development Planning - East of the 400 (Maple/Thornhill),	ext. 8210
Carol Birch, Planner,	ext. 8485
Laura Janotta, Planner,	ext. 8634
Christopher Cosentino, Planner 1 (Contract), (CoA and Development Applications),	ext. 8215
Mary Caputo, Senior Planner, Development Planning - OMB, (maternity leave)	
Eugene Fera, Senior Planner, Development Planning - OMB,	ext. 8003

## Richmond Hill

Planning & Regulatory Services Department	905-771-8910
Kelvin Kwan, Commissioner, Planning & Regulatory Services Department,	ext. 2410
Patrick Lee, Director, Policy Planning,	ext. 2420
Gus Galanis, Manager, Site Plans and Acting Director, Development Planning,	ext. 2465
Salvatore Aiello, Manager, Zoning,	ext. 2471
Denis Beaulieu, Manager, Subdivisions,	ext. 2540
Sybelle von Kursell, Manager, Policy,	ext. 2472
Tracey Steele, Manager, Park & Natural Heritage Planning,	ext. 2476
Joanne Leung, Manager, Urban Design,	ext. 5498
Michelle Dobbie, Senior Planner, Policy,	ext. 2467
Brian DeFreitas, Senior Planner, Policy,	ext. 2536



Michal Matyjewicz, Planner II, Policy,	ext. 6428
Megan Kevill, Planner I, Policy,	ext. 5493
Andrew Crawford, Planning Researcher,	ext. 5528
Isa James, Urban Design/Heritage Planner,	ext. 5529
Lamyaa Salem, Urban Design, Planner II,	ext. 5562
Sasha von Kursell, Park Planning & Policy Coordinator,	ext. 3808
Martin Volhard, Tree Preservation/Landscape Planner,	ext. 3425
Patricia Young, Parks Planner,	ext. 2477
Dan Harrietha, Parks Planning Technician,	ext. 2474
Bruce Robb, Senior Planner, Subdivisions,	ext. 2459
Shelly Cham, Senior Planner, Subdivisions,	ext. 3438
Deborah Giannetta, Senior Planner and Acting Manager, Site Plans,	ext. 5542
Alison Long, Senior Planner, Site Plans,	ext. 5563
Ferdi Toniolo, Planner II, Site Plans,	ext. 2442
Katherine Faria, Planner II, Subdivision,	ext. 5543
Simone Fiore, Planner II, Subdivision,	ext. 2479
Phoebe Chow, Planner II, Subdivisions,	ext. 3413
Philip Liu, Planner I, Site Plans,	ext. 6312
Sarah Mowder, Planner I, Subdivisions,	ext. 3422
Kelsey Prentice, Planning Technician,	ext. 2470
Jaime Hope, Assistant/Secretary Treasurer, CoA,	ext. 2414
Vacant, Secretary Treasurer, CoA	

## King

Planning Department	905-833-5321
Vacant, Director of Planning,	ext. 4060
Gaspere Ritacca, Manager, Planning & Development,	ext. 4064
Paul Kulyk, Planner II,	ext. 4063
Kristen Harrison, Planner II - acting Policy Planner,	ext. 4065
Elizabeth Marteluzzi, Planner II/Heritage Coordinator (contract),	ext. 4061
Colin Pang, Planning Technician and acting Planner, Planner II,	ext. 4067
Roberto Simbana, Planner II (contract),	ext. 4066
Felix Chau, Planning Technician, CoA of Adjustment Secretary Treasurer (contract),	ext. 4080
Sara Olivieri, Planning Technician, Sustainability Coordinator,	ext. 4080
CoA Secretary Treasurer (on maternity leave),	ext. 4080

## Whitchurch-Stouffville

Planning & Building Services Department	905-640-1910
Mary Hall, Director, Development Services,	ext. 2359
Haiqing Xu, Deputy Director / Manager of Policy,	ext. 2431
Kennedy Self, acting Manager, Development Services,	ext. 2320
Jeremy Humphrey, Junior Planner, Development,	ext. 2284
Christine Halis, Junior Planner, Development,	ext. 2457
Vivian Mah, Planner, Development,	ext. 2326
Rachael Cogar, Secretary-Treasurer, CoA,	ext. 2236

## East Gwillimbury

Development Planning	905-478-4282
Trish Elliott, Manager Planning/Development,	ext. 1286
Robin Prentice, Manager Planning/Policy,	ext. 3862
Kaitlyn Graham, Intermediate Planner,	ext. 3860
James Daniel, Junior Planner,	ext. 1265
Tarah Coutts, Junior Planner,	ext. 1459
Nick Pileggi, General Manager,	905-478-4283, ext. 3828

## Markham

Planning and Urban Design Department	905-477-7000
Vacant, Commissioner, Development Services,	ext. 4875
Biju Karumanchery, Director, Planning and Urban Design,	ext. 4713
Marg Wouters, Senior Manager, Policy & Research,	ext. 2909

Marion Plaunt, Manager, Intensification & Secondary Plans,	ext. 2459
Stephen Kitagawa, Senior Planner,	ext. 2531
Murray Boyce, Senior Project Coordinator, Policy & Special Projects,	ext. 2094
Ron Blake, Senior Development Manager,	ext. 2600
David Miller, Development Manager, West District,	ext. 4960
Richard Kendall, Development Manager, Central District,	ext. 6588
Sally Campbell, Development Manager, East District,	ext. 2645
Catherine Jay, Development Manager, North District,	ext. 2520
Gary Sellars, Senior Planner,	ext. 2960
Geoff Day, Senior Planner,	ext. 3071
Scott Heaslip, Senior Planner,	ext. 3140
Sabrina Bordone, Senior Planner,	ext. 8230
Daniel Brutto, Planner,	ext. 2468
Stephen Corr, Planner,	ext. 2624
Stacia Muradali, Senior Planner,	ext. 2008
Rick Cefaratti, Planner,	ext. 3675
George Duncan, Senior Planner,	ext. 2296
Peter Wokral, Planner,	ext. 7955
Regan Hutcheson, Manager, Heritage Planning & Heritage Districts Development Coordinator,	ext. 2080
Lilli Duoba, Manager, Natural Heritage Planner,	ext. 7925
Patrick Wong, Planner,	ext. 6922
Demetra Koros, Manager, Urban Design,	ext. 3363
Liz Wimmer, Senior Planner, Urban Design,	ext. 2750
Marina Haufschild, Senior Planner, Urban Design,	ext. 5790
Yvonne Yeung, Senior Planner, Urban Design,	ext. 2780
Jim Greenfield, Senior Planner, Urban Design,	ext. 2059
Carlson Tsang, Planner,	ext. 2945
Vacant, Senior Planner,	ext. 3115
Vacant, Manager, Zoning & Special Projects,	ext. 2758
Vacant, Planner, CoA,	ext. 7922
Vacant, Secretary, CoA,	ext. 4721
Vacant Planner, Urban Design,	ext. 6900

## York Region

Planning & Economic Development	877-464-9675
Valerie Shuttleworth, Chief Planner,	ext. 71525
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Shahinaz Eshesh, Planner,	ext. 71507
Gabrielle Hurst, Associate Planner,	ext. 71538
Ryanne Ziegler, GIS Technologist,	ext. 71502
Karen Whitney, Director, Community Planning & Development,	ext. 71505
Duncan MacAskill, Manager, Development Planning,	ext. 71513
Augustine Ko, Senior Planner,	ext. 71524
Jason Ezer, Senior Planner,	ext. 71533
Sara Brockman, Senior Planner,	ext. 75750
Kathryn Cymbalista, Planner,	ext. 71556
Asif Abbas, Planner,	ext. 77271
Justin Wong, Planner,	ext. 71577
David Mhango, Manager, Development Engineering,	ext. 77533
Eva Pulnicki, Environmental Services Engineer,	ext. 75749
John Lau, Development Engineer,	ext. 78034
Vick Bilkhu, Development Coordinator,	ext. 75751
Calvin Mollett, Program Manager, Development Engineering,	ext. 75755
Arif Khan, Development Engineer,	ext. 73107
Duane Carson, Design Technologist Approvals,	ext. 75221
Carlton Smith, Design Technologist Approvals,	ext. 75754
Trevor Catherwood, Program Manager, Development Engineering,	ext. 75753
Anwar Mumtaz, Design Technologist Approvals,	ext. 75701
Mauricio Saya, Design Technologist Approvals,	ext. 75758
Nick Sawyer, Planner,	ext. 71553
Frank Lombardi, Development Construction Coordinator,	ext. 76088
Robert Bailey Development Construction Coordinator,	ext. 73114
Nasir Mahmood, Development Construction Coordinator,	ext. 76929
Paul Freeman, Director, Long Range Planning,	ext. 71534
Sandra Malcic, Manager, Policy & Environment,	ext. 75274
Teresa Cline, Senior Planner,	ext. 71591
Sarah Cameron, Senior Planner,	ext. 71593
Jennifer Best, Senior Planner,	ext. 76118
Janai De Lima, Planner,	ext. 71528
Paul Bottomley, Manager, Policy, Research & Forecasting,	ext. 71530
Michael Skelly, Senior Planner,	ext. 71543
Mark Kitzelmann, Planner,	ext. 71563
Karmen Whitbread, Planner,	ext. 71576
Megan Grant, Senior Planner,	ext. 71532
Lauren Sauve, Planner,	ext. 71526
Hidy Ng, Planning Statistical Specialist,	ext. 71582
Jelena Baker, Planner,	ext. 77808

# COMMITTEE AGENDAS



YORK

## King unveils new draft official plan

At its December 11 meeting, King committee of the whole considered a staff [report](#) recommending that the new draft official plan, prepared by **Meridian Planning Consultants**, be released for public review. The township initiated an official plan review in June 2014 and retained

Meridian to prepare a new official plan to replace the current King official plan (1970). Upon release, the draft official plan will be posted to the township's website for public and agency review, with further revisions anticipated over the first half of 2018, and final council adoption anticipated in June, 2018.

## Designation recommended for Schomberg dwelling

At its December 11 meeting, **King** committee of the whole considered a staff [report](#)

recommending council state its intention to designate the property at 66 Main Street under *Part IV* of the *Ontario Heritage Act*. The property contains a two-storey painted brick dwelling constructed in 1903. The statement of significance attached to the report indicates that the building is a representative example of Italianate architecture with elements of Queen Anne style. The current owner has applied for official plan and zoning by-law amendments for the property to permit a 32-unit townhouse

development, and is also proposing to demolish the 1903 building.

## North Markham secondary plans proposed

At its December 11 meeting, Markham development services committee considered a preliminary [report](#) regarding official plan amendment applications by **Berczy Glen Landowners Group**, **Angus Glen Landowners Group** and **Robinson Glen Landowners Group**. The three

CONTINUED PAGE 19

860 ROSSLAND ROAD WEST · WHITBY, ON

## RESIDENTIAL/MIXED USE DEVELOPMENT OPPORTUNITY

Size	±4.4 acres
Frontage	±535 feet on Rossland Rd. W
Official Plan	West Whitby Secondary Plan
Secondary Plan	Mixed Use One

### INVESTMENT HIGHLIGHTS

Located a short drive away, the site is serviced by two Durham Region GO Stations: Ajax GO and Whitby GO Station.

To the west of the site is a designated Gateway Area, which is meant to act as a key entry way into the mixed use designated lands.

As per the West Whitby Secondary Plan, the site permits a wide range of residential, retail, office and community uses.

OFFER SUBMISSION DATE:  
**Wednesday, January 10, 2018 by 12:00 pm EST**

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Vice President  
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lauren.doughty@cbre.com

**Mike Czystochowski\*\***  
Executive Vice President  
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# OMB NEWS

## MINEOLA TOWNHOUSES SETTLED

In a November 28 decision, board member **Anne Milchberg** allowed an appeal by **Carlyle Communities (Crestview)** against the **City of Mississauga's** failure to make a decision on its official plan and zoning by-law amendment applications. Carlyle had initially proposed to build 26 three-storey condo townhouses at 1640 Crestview Avenue, in Mississauga's

Mineola neighbourhood. Prior to the hearing a settlement was reached between Carlyle and the city for a slightly reduced development consisting of 20 three-storey freehold townhouses to be served by a private road that will connect to both South Service Road and Crestview Avenue. Other changes from the initial proposal include a lower roof profile with a mansard roof design, a landscaped buffer along the

perimeter of the development, and five visitor parking spaces.

Planner **Jim Levac (Glen Schnarr & Associates)** provided evidence on behalf of Carlyle, in support of the settlement. He testified that the revised development has appropriate regard for matters of provincial and local planning interest and, in particular, the policies of the Mississauga official plan pertaining to intensification and infill.

The board accepted Levac's

uncontroverted evidence and allowed the appeals.

Solicitors involved in this decision were **Mary Flynn-Guglietti (McMillan)** representing Carlyle Communities (Crestview) Inc. and city solicitor **Michael Minkowski** representing the City of Mississauga. [See OMB Case No. [PL151083](#).] 🌸

## COMMITTEE AGENDAS

CONTINUED FROM PAGE 18

landowners are seeking an OPA to facilitate creation of three secondary plans in the North Markham District, which consists of 975 developable hectares of land.

The lands subject to the

secondary plan applications include three of the four development blocks in the North Markham District, which is anticipated to accommodate approximately 45,000 residents in about

14,000 dwellings. Berczy Glen, Angus Glen and Robinson Glen propose to facilitate the creation of three secondary plans based on the principles and parameters in the "conceptual master plan" endorsed by Markham council in October. This establishes a land use framework with a transportation network, schools and parks anchoring the neighbourhoods within each of the communities in the North Markham District.

### [Markham townhouses proposed](#)

At its December 11 meeting, Markham development services committee considered a preliminary [report](#) regarding zoning by-law amendment and site plan approval applications by **2404099 Ontario (JD Development Group)**. JD proposes to build 265 four-storey stacked townhouses and two commercial units at 7190 and 7200 Markham Road. 🌸

## PEOPLE

The **Building Industry and Land Development Association** board of directors announced the appointment of **David Wilkes**

to the position of president and CEO effective January 3, 2018. Wilkes will take over from Bryan Tuckey, who is retiring. Wilkes was

most recently government relations and grocery president at the Retail Council of Canada.

**Mary Lou Tanner** has been appointed to the new position of deputy city manager at the City of Burlington, effective December 21. Tanner is

currently Burlington's planning and building director.