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Hamilton Plans for Intensification with MTSA Review

6 TOP-10 DEVELOPMENT LAW FIRMS IN THE GTHA
NRU's 25th Annual Review

RICHMOND HILL'S NEW TRANSPORTATION MASTER PLAN PRIORITIZES MULTI-MODAL TRAVEL

RETHINKING TRANSPORTATION

Matt Durnan

The City of Richmond Hill has established its blueprint for the future of travel around the city with its first transportation master plan in nearly 10 years, consolidating three mobility plans that will provide policy direction to support a multi-modal transportation system that prioritizes active modes of travel and will support the city's projected population and employment growth to 2051.

At its December 13 meeting, Richmond Hill council approved its transportation master plan (TMP), a policy document that will guide the planning and development of the city's transportation network, integrating the city's transportation master plan, pedestrian and cycling master plan (last updated in 2010) and trails master plan (last updated in 2004) into one cohesive document.

The vision set out in the TMP was informed by feedback from city residents through a public consultation process. The plan was developed around four key pillars: connectivity, sustainability, multi-modality and inclusivity.

The TMP establishes a mobility hierarchy that puts

active modes of transportation like walking and cycling at the top, working downwards to other modes of transportation such as micro-mobility devices like e-bikes and scooters, to public transit and train travel, to goods movement like couriers and delivery drivers, and finally to shared and

private motor vehicles.

"This [TMP] has been done with the public in mind. I think that as we grow we're starting to see, even in the 10 years that I have been on council, an increase in the number of concerns that people have in one form or another that are transportation-related," Richmond Hill Mayor **David**

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Infographic showing the City of Richmond Hill's "mobility hierarchy" included in the recently adopted transportation master plan (TMP). The city has recognized that it cannot build its way out of traffic congestion with never-ending road expansion and has developed a master plan that prioritizes active modes of transportation such as walking and cycling. The TMP consolidates three city master plans, the transportation master plan (last updated in 2014), the pedestrian and cycling master plan (last updated 2010) and the trails master plan (last updated in 2004).

SOURCE: CITY OF RICHMOND HILL

UPCOMING DATES

DECEMBER

20 Brampton Special Council,
10:00 a.m.

Durham Regional Council,
9:30 a.m.

Innisfil Special Council—
Public Planning Meeting,
6:30 p.m.

Oakville Special Council,
6:30 p.m.

21 York Regional Council, 9:00 a.m.

JANUARY

8 Ajax Community Affairs &
Planning Committee, 7:00 p.m.

Burlington Committee of the
Whole, 9:30 a.m.

King Council Public Planning
Meeting, 6:00 p.m.

Mississauga Planning &
Development, 6:00 p.m.

Oshawa Economic &
Development Services
Committee, 1:30 p.m.

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

Uxbridge Council, 10:00 a.m.

Whitby Committee of the
Whole, 7:00 p.m.

9 Caledon General Committee,
2:30 p.m.

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

East Gwillimbury Special
Council, 10:00 a.m.

10 Caledon General Committee,
2:30 p.m.

HAMILTON PLANS FOR INTENSIFICATION WITH REVIEW OF 20 MAJOR TRANSIT STATION AREAS

ENVISIONING COMPLETE COMMUNITIES



Lana Hall

As Hamilton looks to develop 17 light rail transit stations and two new GO transit stations in lower Hamilton within the next decade, the city is poised to absorb an unprecedented amount of population and employment growth. But local politicians point out that new development around major transit station areas must respond to the needs of all Hamilton residents, and include options for affordable housing, community amenities and strengthened pedestrian and cyclist networks.

The City of Hamilton is currently undertaking a detailed review of its planned major transit station areas (MTSAs) within the Urban Hamilton Official Plan to identify areas of intensification and development or redevelopment potential. The provincial Growth Plan

has established minimum density targets for MTSAs and in Hamilton, these densities amount to 160 people and jobs per hectare for areas serviced by light rail transit (LRT) and 150 people and jobs per hectare for areas serviced by the GO transit rail network. The City's review will also identify which MTSAs might qualify as Protected Major Transit Station Areas (PMTSAs), a sub set of MTSAs where Inclusionary Zoning policies may be applied.

The MTSA review, say city staff, is an opportunity to build complete communities in Hamilton and provide more residents with access to sustainable transportation methods.

"The MTSAs have the potential to support transformative growth in the lower city of Hamilton, and it is exciting to provide a planning

framework that centres the use of transit as a primary mode of transportation," City of Hamilton manager of sustainable communities **Dave Heyworth** told *NRU*.

"This is a complex conversation and really requires coordination amongst all service providers. But if we can all agree on a key vision for the development of these areas and develop a policy framework that centres equity through the redevelopment process, this has the potential to see these areas develop as successful, complete communities."

But if not planned sensitively, growth can be divisive and could risk excluding the very residents it aims to support, says Hamilton ward 2 councillor **Cameron Kroetsch**, pointing to the evolution of other transit-oriented communities in the GTHA.

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COMPLETE COMMUNITIES

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“I remember being a kid, taking the GO train past Mimico and Exhibition Place and nothing being there at first. And then when that changed, what that did to those communities,” he says.

“We saw a lot of intensification, a lot of land value prices just going through the roof. Now trying to get a place near Mimico is so hard, and it’s very difficult to afford a place near that transit line. And people who often rely on transit

aren’t making as much money as those who can afford cars.”

Kroetsch believes targeting a balance of housing types—with a focus on affordable and rental housing options—will be critical to implementing growth Hamilton’s planned MTSA.

Hamilton Ward 1 councillor **Maureen Wilson**, meanwhile, is thinking about an additional kind of balance for the MTSA; a balance of land uses.

“Housing is one thing but, you know, you need to live your life,” she says. “Making sure that there’s greenspace and recreational opportunities and public investments like libraries all within a distance that is reasonable for people who may be living in a denser form of housing, those are the things that go into making life better.”

Transit-oriented communities, she says, also afford people more options for active transportation and

should be welcoming for those travelling on foot or by bike as well. “...It affords people a choice in mobility ... and it enables us to add housing in places that are close to urban amenities, so people have an opportunity to walk or cycle or take transit more, rather than having to do the calculus of driving all the time.”

But when it comes to creating complete communities around MTSA, says Kroetsch, the onus should not be exclusively on the City, but also on developers to incorporate meaningful and practical amenities into their developments.

“I think what we really need to see more of are staple amenities. I know the municipalities can’t mandate that a developer put a grocery store in, but that’s what we need. They can’t mandate that we put laundromats in either, but we need those. People need to have the basics in their community,” he says.

Community benefits agreements, for example, could ensure that new developments in MTSA are building not just

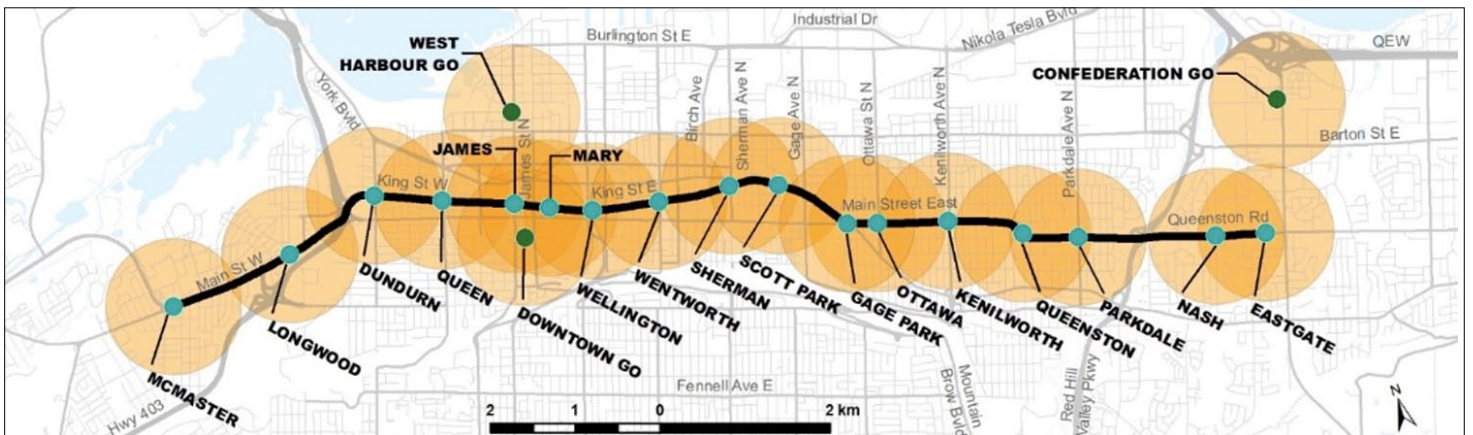
homes, but affordable housing, as well as community amenities, such as parks or strengthened pedestrian networks.

“[Traditionally the conversation] in Hamilton has been ‘Oh, you want to develop here? Great! We’re happy to have your interest! And then we miss the second part of that, which is, ‘What will the impact be of this development on the community?’” says Kroetsch. “Right now the Beasley neighbourhood, which is the neighbourhood with the most economic austerity in Ward 2, has the most active condominium developments—more than 30 applications in a very small neighbourhood. So what are we doing to also ensure that, especially in communities where folks don’t have the same resources as in many other places, that we’re putting amenities in that help them?”

City of Hamilton planning staff is planning to present a final MTSA report and Official Plan Amendment to the Planning Committee in the first quarter of 2024. 🌱

Map showing the locations of 20 planned Major Transit Station Areas (MTSA) in Hamilton (circles shaded in orange). The MTSA centre around 17 LRT stations and three GO stations. As the City of Hamilton reviews plans for intensification within these MTSA, local councillors caution that this growth must accommodate a range of housing types and community amenities that will serve residents from the full range of income levels in the city.

SOURCE: CITY OF HAMILTON



RETHINKING TRANSPORTATION

CONTINUED FROM PAGE 1

West told *NRU*.

“The thing I hear about most often is road safety, including pedestrian safety, bicycle safety and traffic congestion. I think it’s natural as we grow and surrounding communities grow, we’re not going to be able to build road capacity to fulfill everyone’s needs, so we’re going to need to look at other forms of transportation and public transit and active transportation, and they have to be part of the mix in order for us to be successful.”

The overarching purpose of the TMP is to plan, build, operate and maintain a connected transportation network for all travelers that is safe, reliable and future-ready, that is sustainable and balances the needs of all Richmond Hill residents.

While the plan is focused around the movement of people and goods through and around Richmond Hill, it is also a foundational document

establishing how the city will take shape over the next 30 years as its population grows and housing is built to support the growing number of people that will call Richmond Hill home.

“It’s probably not the most exciting thing as far as what the general public sees, but this is really foundational in a community like ours. And at the stage that we’re at, it’s really the bottom line for everything that we do,” West said.

“Whether it’s the buildings that we need to be able to build in the context of working within the fabric of the transportation system that we will have now and in the future, this [TMP] really facilitates growth in a way that creates dynamic communities.”

Like many Ontario municipalities, Richmond Hill has developed around the automobile as a predominant mode of travel in and around the community. Consequently, in developing this new

integrated master plan, the City had to be innovative and imaginative out of necessity as much as anything else.

“One of the challenges that we identified is that you’re not going to build your way out of [traffic] congestion, especially in some of the more mature neighbourhoods where we don’t have the space and capacity to widen roads,” Richmond Hill director of infrastructure planning and development engineering **Dan Terzievski** told *NRU*.

“This is where the focus of the TMP goes back to this focus on pedestrian networks and seeing how we can accommodate additional transportation capacity by minimizing the space needed to accommodate it. Oftentimes, adding more lanes takes up more space, rather than putting in pedestrian facilities and trying to create those first-mile and last-mile connections to transit.”

Identified in the TMP are some significant infrastructure projects to be completed in Richmond Hill between

now and 2051, including the construction of 100 additional kilometres of sidewalks, 138 kilometres of cycling infrastructure, 69 kilometres of off-road trails. Also planned are a number of new pedestrian and cycling bridges in as many as 11 locations to create an added measure of connectivity in areas that previously were not so pedestrian-friendly.

While high priority is being placed on improving and expanding pedestrian and active transportation options, the TMP also includes some infrastructure improvements to the city’s road network. Around 35 kilometres of new roads or road extensions are planned, 6.3 kilometres of existing roads are tabbed for widening and new traffic signals will be installed in 28 locations.

“As part of our infrastructure improvements we’re proposing a number of structures that cross over the **CN Rail** line to eliminate some of those barriers for

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One of the challenges that we identified is that you’re not going to build your way out of [traffic] congestion, especially in some of the more mature neighbourhoods where we don’t have the space and capacity to widen roads.

- Dan Terzievski

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 Stouffville

RETHINKING TRANSPORTATION

CONTINUED FROM PAGE 4

pedestrians and to just make those linkages more accessible to not just the communities along the street, but the adjacent communities,” Terzievski said.

“We’re looking at developing some micro-mobility strategies because that’s a big part of evolving technology, with scooters, e-bikes and things like that. We want to make sure we have strategies in place to take advantage of these types of technologies that will get people out of their cars and around those intensified corridors that our official plan is planning for.”

Richmond Hill does have some notable challenges with respect to planning its transportation network, specifically when it comes to transit, as the city does not have its own public transit system, but is instead serviced by **York Region Transit**. While prioritizing transit use and supporting a robust public transit network are fundamental elements of establishing better transportation connections within and around the city, Terzievski says that the TMP was built largely upon the infrastructure pieces that the city can control.

This doesn’t mean that the

TMP ignores transit however. One of the key pillars of the transportation master plan is advocacy and using the plan itself as means of leveraging upper tiers of government like **York Region** and the provincial government to make good on promised transit investments that will benefit Richmond Hill.

“Within the TMP we identify all of the transit projects that are carried in the Region’s plan, all of the transit projects identified in the Province’s plan and we use

our TMP to try to leverage and advocate for these projects,” Terzievski said.

“Beyond that plan, the intent is to always point back to the fact that our council adopted this plan. And we’ll use that to continue discussions with the Region to promote and encourage them to invest in Richmond Hill in terms of transit investments, along with the Province and the subway investments, and making sure that gets delivered on time.”

The Province and York Region have both made investments to support the development of a rapid bus transit system that would serve Richmond Hill.

The city’s TMP will be carried out over the next 30 years, with short-, medium- and long-term goals set out for 2031, 2041 and 2051. And Mayor West says that in the short term, residents can expect to see improvements to the city’s trail network, the installation of more bike lanes and walking trails and to experience an added feeling of safety when it comes to getting around Richmond Hill on foot

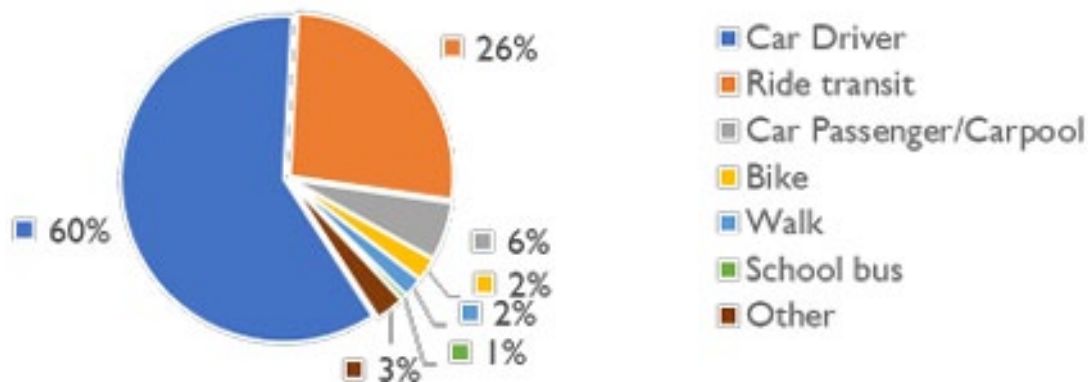
or by bike.

“When municipalities like ours were built, walking wasn’t really the number one mode of transportation, cars were. I must admit though, that we were built at a time where for the most part, we do have the basic infrastructure for pedestrians,” West said.

“But if we have one subdivision that is fully decked out with a great network of sidewalks, but there’s no connection to the next place you want to go, that’s not a gap, that’s a canyon. We recognize that we’re going to be growing, and when we design communities, they’re going to be built in a compact and pedestrian and active transportation environment. We’re not building more urban sprawl, we’re building compact communities that will hopefully be quickly evolving to the point where you don’t need a car as often or at all.” 🌱

Pie chart depicting information gained through public engagement on how Richmond Hill residents currently commute to and from school and/or work. The majority of residents surveyed (60 per cent) indicated that driving a car is their primary means of commuting. The City of Richmond Hill’s recently adopted transportation master plan seeks to guide transportation planning policy to prioritize active modes of transportation such as walking and cycling.

SOURCE: CITY OF RICHMOND HILL



TOP-10 DEVELOPMENT LAW FIRMS



Peter Pantalone

Just in time for the holiday hiatus *NRU* is back with our annual law review special edition where we rank the top GTHA planning and development law firms based on a detailed review of planning appeal decisions issued over the past year.

2023 was another banner year for big legislative and policy changes, a year in which the cumulative effects of the last several years of provincial land use planning reforms have become more visible in decisions of the **Ontario Land Tribunal**. 2023 has also been a year of stunning policy U-turns on issues like urban boundary expansions, the dissolution of **Peel Region** and the revocation of some Ministerial Zoning Orders, which occurred after **Municipal Affairs & Housing Minister Paul Calandra** reviewed legislation and policies that were introduced under the previous Minister in the name of getting housing built faster.

Within this rapidly evolving legislative landscape, the need for strong legal advocacy on a range of issues—including land use approvals, employment area conversions, policy appeals, cultural heritage matters, development charge

complaints, and many others—remains critical, particularly in the adjudicative realm.

NRU's annual law review stands as a testament to the hard work that planning and development lawyers put into representing clients all over the GTHA to move cases through the land use planning appeals process. Significant OLT decisions reported in *NRU* over the past year dealt with a broad range of appeals, from complex site-specific matters to rulings on issues of regional, and even national, importance.

In one landmark ruling issued this year, the OLT denied a proposal for two residential towers on a site adjacent to a portion of the **Canadian National Railway's** MacMillan Rail Yard in **Vaughan** known as the “pullback” tracks. MacMillan Yard handles over one million cars of rail freight annually and is considered to be of critical economic importance due to its key transportation and logistics functions. Following a 33-day hearing, the OLT issued a decision refusing the development of the proposed towers on the adjacent site on the grounds that it would not be in the public interest to allow a sensitive residential use

to encroach on the activities of the existing rail infrastructure.

Another major decision this year was the OLT's approval of the Angus Glen Secondary Plan, which establishes a land use and development framework for 411 hectares of greenfield lands in **Markham's** Future Urban Area. Initiated by a landowners' group, the secondary plan appeal was unique in that it was vigorously opposed by a large rural landowner who disputed what they viewed as the imposition of planning policy and various uses on their lands.

While there is somewhat of a shake-up in the results of this year's GTHA ranking, the firms landing in the top-10 remain the same as last year's, in name if not in specific ranking. The evolving positions are a reflection of the size of each firm's caseload over the year, including the number of final decisions that it obtained as well as ongoing appeals that continue to progress through the OLT pipeline.

NRU hopes that you enjoy reading our annual law review edition and, as always, we congratulate all of the firms that made it into this year's ranking on a job well done—we look forward to continuing

to report on your decisions in 2024!

WeirFoulds^{LLP}

① [3] WeirFoulds

Solicitors: **Denise Baker**, [Lia Boritz], **John Buhlman**, **Katherine Chan**, [Alyssa Clutterbuck], **Jeff Cowan**, **Chantal deSereville**, **Bruce Engell**, **Sean Foran**, **Micah Goldstein**, **Raj Kehar**, **Gregory Richards**, **Sylvain Rouleau**, **Abbey Sinclair** and **Christopher Tzekas**.

WeirFoulds takes back the top spot in this year's GTHA rankings—a position the firm also held in 2021—buoyed by a formidable caseload and a strong success rate for its clients across a wide range of appeals.

In one of the most captivating OLT decisions that *NRU* reported on over the past year, WeirFoulds represented the **City of Vaughan** in opposing a proposal for two 36-storey residential towers located adjacent to critical railway infrastructure for the CN MacMillan Rail Yard. On behalf of Vaughan, WeirFoulds successfully advanced an argument that

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the Tribunal ought not to approve the residential towers on the grounds of health and safety issues and land use compatibility, and that the lands would be used more suitably for non-sensitive uses such as a hotel or an office building.

WeirFoulds racked up a handful of approvals in **Halton Region**, including two settlements for **SmartCentres**, one for a five-storey retirement residence on the outskirts of downtown Oakville, and another for two towers, 26 and 31-storeys high that will set a new record for height in Oakville's uptown core. In Burlington's Aldershot community, the firm secured a settlement approval for a 12-storey mid-rise development along Plains Road East on behalf of **Infinity Development Group**.

In addition to serving private developer clients, WeirFoulds also frequently appears at the OLT on behalf of municipalities such as **Durham, Vaughan, Richmond Hill, Caledon, Mississauga, Brampton** and **Aurora**, where it supports all types of appeals from minor variance applications through to newly-adopted official plans. In an interesting case, the firm represented **Durham Region** in its development charge

appeal against **Brock Township** for a supportive housing facility, which resulted in a ruling in favour of the Region, requiring the Township to refund Durham \$460,000 in improperly levied development charges.

Cases: Representing Ashfaq Ahmed Kurd and Nusrat Parveen Kurd (OLT-22-002735 – Goldstein); representing the City of Vaughan (OLT-22-002653 – Engell, Kehar) (S); representing Alphabet Self Storage (OLT-22-002571 – Engell, deSereville) (X); representing Cindy Woodland and Charles Michaud (OLT-22-003189- Kehar) (S); representing King West Crossing Limited and DV Trillium Group Inc. (Vrancor) (OLT-21-001127 – Baker) (S); representing the Town of Aurora (OLT-22-001975 – Baker); representing Losani Homes (OLT-22-002366 – Kehar) (V); representing the City of Vaughan (OLT-21-001787 – Engell) (S); representing 4880 Valera Road LP (OLT-22-003792 – Baker) (V); representing the Town of Caledon (OLT-21-001273 – Kehar) (S); representing Branthaven Homes (OLT-21-001195 – Baker) (S); representing Branthaven Homes et al (OLT-22-003893

– Baker); representing the City of Vaughan (OLT-21-001436 – Kehar); representing the Town of Caledon (OLT-21-001392 – Kehar deSereville) (S); representing SmartCentres REIT et al (OLT-21-001637 – Baker) (S); representing the City of Brampton (OLT-22-003840 – Engell, Rouleau); representing the City of Mississauga (OLT-22-003367 – Kehar) (X); representing Master Built Homes Inc. (OLT-22-001949 – Baker); representing the City of Vaughan (OLT-22-004122 – Kehar); representing West End Home Builders' Association (OLT-22-003394 – deSereville) (S); representing Nadeem Munir Anjum (OLT-22-003754 – Kehar) (V); representing Michael Chiaravalle (OLT-22-003875 – Kehar) (V); representing SmartCentres et al (OLT-22-004052 – Baker, deSereville) (S); representing the Town of Aurora (OLT-22-004377 – Baker); representing the Town of Caledon (OLT-22-003954 – Kehar); representing the City of Vaughan (OLT-22-002421 – Kehar) (X); representing the City of Vaughan (OLT-21-001751 – Engell, Kehar) (S); representing the City of Mississauga (OLT-22-003430 – Goldstein) (S); representing multiple appellants (OLT-22-002219 – Baker); representing the City of Vaughan (OLT-22-002608 – Baker); representing The Millcroft Coalition Against Bad Development (OLT-22-004149 – deSereville); representing Bucci Homes (OLT-22-002920 – Baker);

representing Essence Homes (OLT-22-004243 – Baker) (V); representing Infinity Development Group (OLT-22-004445 – Baker, Clutterbuck); representing Infinity Development Group (OLT-21-001834 – Baker, deSereville) (S); representing Graywood Bronte Village LP (OLT-22-004272 – Baker); representing the Building Industry and Land Development Association (OLT-22-004131 – Baker); representing the City of Mississauga (OLT-22-004386 – Kehar); representing FGL Pirie Inc. (OLT-22-004414 – Baker, Clutterbuck) (S); representing the Town of Aurora (OLT-22-002950 – Baker); representing the City of Vaughan (OLT-22-002164 – Engell) (V); representing the City of Vaughan (OLT-22-004531 – Engell) (S); representing FL (Kerns) Inc. (OLT-22-004680 – Baker, Clutterbuck, Kehar); representing the Town of Oakville (OLT-22-002506 – Baker); representing Shoppers Realty Inc. (OLT-22-004250 – Sinclair); representing Milton P4 Trafalgar Landowners Group (OLT-22-004717 – Baker); representing Infinity Development Group (OLT-22-003813 – Baker); representing Dona Asciak and Larry Fletcher (OLT-22-004681 – Baker) (S); representing 146769 Ontario Inc. (OLT-23-000009 – Baker); representing Adi Developments (OLT-22-004794 – Baker, Clutterbuck) (S); representing the City of Mississauga (OLT-22-004584

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– Kehar); representing the City of Vaughan (OLT-22-002415 – Kehar) (X); representing the City of Richmond Hill (OLT-22-004695 – Kehar); representing Mattamy Homes (OLT-22-004666 – Baker, deSereville); representing Camarro Development Inc. (OLT-23-000116 – Baker); representing 335 Plains Holdings Inc. and 355 Plains Holdings Inc. (OLT-22-004807 – Kehar); representing Durham Region (OLT-22-004635 – Baker) (✓); representing 1085 Clearview Holdings (OLT-21-001522 – Baker) (S); representing multiple appellants (OLT-22-004345 – deSereville); representing the City of Mississauga (OLT-22-004366 – Kehar); representing York Region (OLT-22-002374 – Tzekas, Chan); representing the City of Vaughan (OLT-23-001169 – Engell); representing Cindy Cottrelle (OLT-23-000112 – Baker) (✓); representing the City of Vaughan (OLT-23-000254 – Engell); representing 2626364 Ontario Inc. (OLT-22-004848 – Baker); and representing Pallene Holdings (OLT-23-000001 – Baker) (✓).

AIRD BERLIS

2 [4] Aird & Berlis

Solicitors: **Meaghan Barrett, Maggie Bassani**, [Paula Boutis], **Eileen Costello, Laura Dean**, [Patricia Foran], **Jasmine Fraser, Ajay Gajaria, Tom Halinski, Patrick Harrington, Matthew Helfand, Leo Longo, Naomi Mares, John Mascarin, Melissa Muskat, David Neligan, Brendan O’Callaghan, John Pappas, Jane Pepino, Kristi Ross, Andrea Skinner, Alexander Suriano, Sidonia Tomasella, Peter Van Loan, Christopher Williams and Steven Zakem.**

Aird & Berlis moves up two spaces from its position last year to achieve the #2 position in this year’s GTHA rankings, reflecting the firm’s intense caseload, the diversity of the land use planning appeal types it represented, and its consistency in obtaining positive outcomes for clients.

In a merits hearing on behalf of a developer against the **City of Vaughan**, Aird & Berlis secured an approval for an eight-storey residential building at Jane Street and Teston Road that the City unsuccessfully argued was out of scale for the area and would have tangibly negative traffic impacts on the

neighbourhood.

Elsewhere in Vaughan, Aird & Berlis helped secure a settlement approval on behalf of a developer for a high-density development at the northeast corner of Weston Road and Major Mackenzie Drive comprising eight buildings of up to 19 storeys in height. The firm also represented **CountryWide Homes** in its appeal of the Vaughan Block 40/47 Secondary Plan. That secondary plan involved the establishment of new policies for CountryWide’s lands to identify land use designations for low- medium- and high-density development, parks and open space, and to affirm the need for Stage 4 archaeological assessments to determine the impact of future development on remaining vestiges of a 16th/17th-century Huron-Wendat settlement known as *Skandatur*

The firm continued its ongoing association with developer **City Park Homes**, securing settlement approvals for two Mississauga developments: one for an 11-storey mixed-use building in the Lakeview neighbourhood, and the second for an infill development comprising 22 single-detached dwellings in the Cooksville neighbourhood.

Cases: Representing 2351528 Ontario Ltd. and Aurora Leslie Development Ltd. (OLT-21-001317 – Foran) (S); representing King Township (OLT-22-002262 – Halinski) (S); representing

City Park (Lakeshore) Inc. (OLT-22-002361 – Longo) (S); representing King Township (OLT-22-002839 – Boutis, Halinski) (S); representing multiple appellants (OLT-22-002104 – Helfand, Pappas, Tomasella, Halinski); representing Magna International Inc. (OLT-22-002653 – Skinner) (S); representing the Town of Grimsby (OLT-22-002366 – Halinski) (✓); representing Development Group (100 SAW) Inc. (OLT-21-001787 – Halinski, Tomasella) (S); representing ONE Properties LP (OLT-21-001567 – Harrington, Barrett); representing City Park Holdings Inc. (OLT-22-002093 – Longo) (S); representing King Township (OLT-22-002300 – Halinski, Fraser) (S); representing DiCenzo Construction (OLT-22-002496 – Helfand) (S); representing Development Group (100 SAW) Inc. (OLT-21-001436 – Halinski); representing Hamilton Country Properties Ltd. (OLT-22-002493 – Harrington); representing Argo TFP Brampton III Ltd. and Argo TFP Brampton IV Ltd. (OLT-22-003840 – Harrington, Van Loan, Barrett); representing G Group Major Mackenzie Inc. (OLT-22-004083 – Pepino, Skinner, Helfand) (S); representing Lakeview Community Partners Ltd. (OLT-22-004186 – Harrington); representing King Township (OLT-22-004118 – Skinner, Fraser)

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(V); representing Georgetown Country Properties (OLT-22-001949 – Harrington); representing Georgian Mayfield Inc. (OLT-22-004205 – Harrington) (S); representing G Group Major Mackenzie Inc. (OLT-22-004049 – Skinner, Helfand) (S); representing Development Group (100 SAW) Inc. (OLT-22-004122 – Tomasella, Halinski, Helfand); representing Jacossi Investments (OLT-22-003864 – Pepino, Mares) (S); representing King Township (OLT-21-001677 – Harrington) (X); representing Wilson St. Ancaster Inc. (OLT-22-003888 – Harrington); representing 2601622 Ontario Inc. (OLT-22-004388 – Costello, Mares); representing King Township (OLT-22-004321 – Halinski); representing 7818 Dufferin Inc. (OLT-22-004197 – Harrington, Helfand, Pappas); representing New Horizon Development Group and Millcroft Greens Corporation (OLT-22-002219 – Harrington, Longo, Barrett); representing 7553 Islington Holding Inc. (OLT-22-002608 – Harrington, Helfand); representing Millcroft Greens Corporation (OLT-22-004149 – Harrington, Barrett); representing Valery Homes (OLT-22-002920 – Harrington); representing the Township of Oro-Medonte

(OLT-22-002249 – Williams, Skinner) (X); representing Bronte River LP (OLT-22-004487 – Harrington, Barrett); representing 1407 Lakeshore Developments Inc. (OLT-22-003844 – Longo); representing General Electric Canada and Silwell Developments Limited (OLT-22-004712 – Williams, Gajaria); representing Franden Holdings Inc. (OLT-22-004429 – Longo, Helfand); representing Docasa Group (OLT-22-004475 – Harrington); representing Oakville Developments (2010) Inc. (OLT-22-002506 – Harrington, Skinner); representing Trafalgar Heights Inc. (OLT-21-001374 – Harrington) (X); representing Oakville Developments (2010) Inc. (OLT-22-004250 – Williams, Gajaria); representing New World Centre (Markham) Development Corp. (OLT-22-004154 – Helfand); representing the Town of Milton and Frontenac Forest Estates Inc. (OLT-22-004717 – Harrington, Neligan, Costello); representing Jane Teston Holding Inc. (OLT-22-002415 – Harrington, Pappas) (V); representing CountryWide Homes (OLT-22-004885 – Barrett) (S); representing King Township (OLT-22-0040723 – Halinski, Fraser) (S); representing Fourteen Estates (OLT-22-003318 – Suriano);

representing Development Group (100 SAW) Inc. (OLT-22-004498 – Mares, Halinski, Tomasella); representing King Township (OLT-22-002262 – Halinski, Fraser) (S); representing Wilson St. Ancaster Inc. (OLT-23-000017 – Harrington); representing Frank Baldesarra (OLT-22-002270 – Van Loan, Pappas) (X); and representing Spallacci Contracting Ltd. (OLT-21-001723 – Barrett) (S).



3 [2] Davies Howe LLP

Solicitors: **John Alati, Michael Cook, Mark R. Flowers, Kyle Gossen, Narmada Gunawardana, Ava Kanner, Samantha Lampert, Alex Lusty, Andy Margaritis, Meaghan McDermid, Robert G. Miller, Grace O'Brien**, [Aaron Platt], **Susan Rosenthal, Hannah Ruby**, [Christopher Sivry], [Daniel Steinberg], **Andrew Valela** and **Liam Valgardson**.

In third place this year is Davies Howe, a boutique firm that specializes in land development, expropriation and litigation. Davies Howe secured a high rate of wins and settlements at the OLT across a broad range of planning appeal types.

Ending a decades-long saga, the firm helped secure a settlement approval on behalf of **Claremont Development Corporation** for a 71-unit residential subdivision in **Pickering's** Hamlet of

Claremont. The appeal had been the subject of a previous LPAT decision—upheld by Divisional Court of Ontario—that determined that the Clergy Principle applied and that the applicable municipal planning policies were those from 1991 when the original applications were filed.

Representing **The Nourish and Develop Foundation**, Davies Howe successfully fought for the dismissal of an appeal by a neighbouring property owner against the Foundation's minor variance application to establish a crisis care centre in the community of **Cannington, Brock Township**.

Davies Howe obtained positive outcomes in two other notable contested hearings. In one, the firm represented **Velmar Centre Property Ltd.** and secured approvals for a six-storey mid-rise development at 4101 Rutherford Road in Woodbridge, which was opposed by the **City of Vaughan**. In another case, the firm represented **Hanlon Glen Homes Inc.** in its appeal for a 324-unit residential subdivision in **Mississauga's** Meadowvale neighbourhood; although Hanlon Glen had settled with the City, an objecting neighbour fought the proposal through a lawyer and a planning witness. Ultimately, the Tribunal ruled in favour of Hanlon Glen and approved the development.

Cases: Representing Edenshaw Elizabeth Developments Ltd.

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(OLT-21-002260 – Flowers, Lampert); representing multiple appellants (OLT-22-002104 – McDermid, Alati, Miller, Flowers, Lusty, O'Brien) (S); representing King David Inc. (OLT-21-001033 – Margaritis) (S); representing Tesmar Holdings Inc. (OLT-22-002653 – McDermid) (S); representing Lynstrath Developments (OLT-22-002180 – McDermid, O'Brien) (V); representing 2466571 Ontario Inc. (OLT-22-002486 – McDermid) (S); representing Shimvest (OLT-22-001975 – McDermid); representing Claremont Development Corporation (OLT-22-002250 – Flowers, Lusty) (S); representing Schlegel Villages Inc. (OLT-22-002063 – Alati) (V); representing Bridgebrook Corporation (OLT-22-002958 – Flowers, O'Brien); representing Milford Development Limited (OLT-22-002310 – Flowers) (V); representing Auto Complex Ltd. (OLT-21-001787 – Rosenthal, Lampert) (S); representing Stylux Caledon Inc. (OLT-21-001273 – Flowers, Lampert) (S); representing Auto Complex Ltd. (OLT-21-001436 – Rosenthal, Lampert); representing Twenty Road East Landowners (OLT-22-002493 – Rosenthal); representing 2706376 Ontario Inc. (OLT-22-003768 – Lampert) (V);

representing Brampton Areas 52, 53 Landowners Group (OLT-22-003840 – Flowers); representing The Nourish and Develop Foundation (OLT-22-004009 – Lampert) (V); representing SO Developments (OLT-22-002197 – McDermid) (V); representing Ayodeji and Adeola Egerton Shyngle (OLT-22-003923 – Margaritis) (V); representing Shelson Properties Ltd. (OLT-22-001949 – Alati, Margaritis); representing Digram Developments Helen Inc. (OLT-22-003956 – Flowers, Miller) (S); representing Velmar Centre Property Ltd. (OLT-21-001045 – Alati, Lusty) (V); representing 2147925 Ontario Inc. (OLT-22-004222 – Alati, Margaritis); representing Auto Complex Ltd. (OLT-22-004122 – Rosenthal, Lampert); representing Clubhouse Developments Inc. (OLT-22-002905 – Flowers, Lampert); representing Lara Papa (OLT-21-001677 – Alati, Cole) (V); representing Weston Garden Centre (OLT-22-004321 – Lusty); representing Centre Street Properties Inc. (OLT-21-001751 – Flowers, Lampert) (S); representing United Burlington Retail Portfolio Inc. and Crystal Homes (OLT-22-002219 – Platt, Lampert, Melling, Lusty); representing Sarno Holdings Corporation (OLT-22-002608

– McDermid, O'Brien); representing 2147925 Ontario Inc. (OLT-22-001937 – Alati, Margaritis) (S); representing 1019 Wilson Storage GP Corporation (OLT-22-004119 – Platt) (S); representing King David Inc. (OLT-22-002957 – McDermid) (S); representing 2109179 Ontario Inc. (OLT-22-004564 – Miller, O'Brien) (S); representing Solmar Inc. (OLT-22-002164 – Flowers, McDermid) (X); representing Tony & Dom's Ltd. (OLT-22-004429 – McDermid, O'Brien, Cook); representing 919819 Ontario Ltd. and 1891445 Ontario Ltd. (OLT-21-001221 – Lampert) (S); representing Hongs International Group Ltd. (OLT-21-001306 – Fenicky); representing Halton Standard Condominium Corporation 416 (OLT-22-003813 – Platt, O'Brien); representing Gates of Bayview Inc. (OLT-22-004469 – Flowers); representing Edenshaw Queen Developments Ltd. (OLT-22-004843 – Flowers, Lampert); representing Block 40/47 Developers Group (OLT-22-004885 – Margaritis) (S); representing 375 Kingston Road Corporation, 705 Kingston Road Ltd., Rosebank & Kingston Holdings Inc. and 1409 Rosebank Holdings Inc. (OLT-22-004770 – Alati, O'Brien, Platt); representing 2593033 Ontario Ltd. (OLT-22-004723 – Lusty); representing Auto Complex Ltd. (OLT-22-004498 – Rosenthal, Gossen); representing Romandale Farms (OLT-22-002000 – McDermid) (X); representing 1494096

Ontario Inc. (OLT-23-000324 – Alati, Gunawardana); and representing Hanlon Glen Homes Inc. (OLT-22-002270 – Alati, Margaritis) (V).

Goodmans

4 [8] Goodmans

Solicitors: **Ian Andres, Anne Benedetti, David Bronskill**, [Zachary Fleisher], **Tom Friedland, Rodney Gill, Joseph Hoffman, Roslyn Houser, Robert Howe, Caroline Jordan, Matthew Lakatos-Hayward, Max Laskin, Allan Liebel** and [Catherine Lyons].

Goodmans ascends from eighth to fourth place in this year's rankings due to an increased caseload of GTHA appeals relative to prior years, as well as a continued strong track record for obtaining positive results for its clients. The firm secured a settlement approval for **New Horizon Development Group** for minor variances to allow the development of three towers of 34, 37 and 44 storeys in height on a Stoney Creek site that was located in a zoning "hole" and not subject to any height limit in the applicable zoning by-law.

In **Oakville's** Bronte community, Goodmans secured a settlement approval for a 10-storey 244-unit development on a site where a previous 20-storey proposal had been advanced several years ago but was abandoned by the previous owner. The firm achieved another settlement for

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Vrancor Group to permit the development of 555 residential units within two buildings of 9 and 17 storeys respectively, on a site in Aldershot, **Burlington**.

In **Richmond Hill**, Goodmans represented **Oxford Properties Group**, which proposes to continue the regional trend of mall-based redevelopment with a high-density infill development on its Hillcrest Mall Property. The OLT approved a settlement of Oxford's applications to allow the first phase of development on the site to proceed, comprising two towers of 26 and 29 storeys.

Cases: Representing Park 52 Apartments Ltd. (OLT-21-002260 – Laskin); representing SmartCentres, Bren-Coll Holdings Inc. and 7080 Yonge Limited (OLT-22-002104 – Bronskill); representing 2266 Lakeshore LP (OLT-22-002119 – Andres) (S); representing Knightstone Capital Management II Inc. (OLT-22-003028 – Bronskill, Hoffman) (S); representing Calloway REIT (OLT-22-002063 – Bronskill); representing 7080 Yonge Limited and Fairfax Financial Holdings Ltd. (OLT-21-001787 – Andres, Bronskill, Houser); representing Burlington 2020 Lakeshore Inc. (OLT-22-

003866 – Bronskill, Lakatos-Hayward); representing Promenade Limited Partnership (OLT-22-002276 – Hoffman); representing Presidio Construction Limited (OLT-22-003893 – Bronskill); representing 7080 Yonge Limited (OLT-21-001436 – Bronskill, Hoffman); representing Elfrida Landowners (OLT-22-002493 – Hoffman); representing Metroview Developments (Garden) Inc. (OLT-22-002152 – Andres); representing Bramwest Development Corporation, Four X Development Inc., Pencil Top Development Inc. and Mustque Development Inc. (OLT-22-003840 – Lyons, Howe, Andres); representing Fengate LiUNA Gardens Holdings LP (OLT-22-003989 – Bronskill); representing Burlington 71 Plains Inc. (OLT-21-001021 – Lakatos-Hayward) (S); representing 128 Lakeshore Road East LP (OLT-22-004078 – Bronskill); representing 120 Metcalfe JV (OLT-22-004377 – Laskin); representing Calloway REIT (Mississauga) Inc., First Capital (Meadowvale) Corporation and 4005 Hickory Drive Ltd. (OLT-22-002285 – Bronskill, Laskin); representing multiple appellants (OLT-22-002219 – Houser, Laskin, Lakatos-Hayward,

Bronskill); representing 4Q Commercial WP Inc. (OLT-22-003759 – Fleisher); representing Mississauga I GP Inc. et al (OLT-22-004386 – Bronskill, Gill); representing NDHG (Waterfront) Inc. (OLT-22-001995 – Bronskill) (S); representing Hamilton II GP Inc. (OLT-22-004385 – Bronskill); representing Rockport (Unionville) Inc. (OLT-22-002218 – Bronskill) (S); representing Zonix Group Inc. (OLT-22-003176 – Gill, Bronskill); representing Holland Homes Inc. (OLT-22-004530 – Fleisher) (V); representing Downing Street (1015 King Street) Inc. (OLT-22-004771 – Bronskill, Gill, Fleisher); representing Liquor Control Board of Ontario (OLT-22-004628 – Laskin); representing Remington Trafalgar Inc. (OLT-22-004717 – Bronskill); representing 409 Brant Street Ltd. (OLT-22-004857 – Gill, Bronskill) (S); representing Lightpoint (170 Lakeshore Road East Port Credit) Inc. (OLT-22-004584 – Bronskill, Gill); representing 30 Eglinton Avenue West Limited (OLT-22-004548 – Andres); representing Old Orchard Kingston Road GP Inc. and 705 Kingston Road Ltd. (OLT-22-004770 – Laskin, Andres); representing 2402828 Ontario Inc. (OLT-22-004695 – Andres); representing Oxford Properties Group (OLT-22-003077 – Bronskill) (S); representing Dundas Landowners' Association (OLT-23-000075 – Laskin); representing Core FSC

Lakeshore GP International, Reserve Properties Limited and Vrancor Group (OLT-22-004345 – Lakatos-Hayward); and representing Building Industry and Land Development Corporation and Mississauga I GP Inc. et al (Howe, Laskin, Bronskill).

Turkstra Mazza
Hamilton London Toronto

5 [1] Turkstra Mazza

Solicitors: **Meredith Baker, John Anthony Cleworth, Jessica De Marinis, Shelley Kaufman, Paul Mazza, Jennifer Meader, Nancy Smith, Scott Snider, Anna Toumanians and Herman Turkstra.**

Hamilton-based Turkstra Mazza, which led the GTHA rankings in 2022, retained a place within this year's top-5 municipal law firms, reflecting the firm's many notable wins and settlements reported in *NRU* over this year's case reporting window.

In two OLT contested hearings in which Turkstra Mazza represented developer proponents of tall buildings in downtown **Burlington**, the firm emerged victorious. The first case, in which the firm represented **Carriage Gate Homes**, resulted in an approval for a 27-storey mixed-use development that the City of Burlington had vigorously opposed as constituting overdevelopment. During the two-week hearing, the Tribunal

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heard evidence from 10 expert witnesses for Carriage Gate and from five witnesses for the City.

In the second case, Turkstra Mazza represented **Renimmob Properties** and helped obtain the OLT's approval of its proposed 26-storey mixed-use building. The City had opposed the proposal and argued for the approval of an alternative 17-storey development concept.

The firm also secured a settlement approval for a pair of towers, 42 and 45 storeys high on behalf of **Aryeh Construction Ltd.** in Markham, and helped secure a settlement approval for **Vue Developments on Main Inc.**, whose **Milton** proposal for one 17 and one 18-storey apartment buildings was appealed by a community group. In the Milton case, the settlement agreement allowed the development to proceed but gave the appellant community group an opportunity to have a say on detailed design matters.

Cases: Representing Aryeh Construction Ltd. (OLT-22-003330 – Meader) (S); representing Durham Region Home Builders' Association (OLT-22-002019 – Meader) (X); representing Ewa and Ryszard Niebrowski (OLT-21-001687 – Baker) (V); representing Allan and Dimple Madan

(OLT-22-003198 – Baker) (S); representing Slavica Petrovski (OLT-22-002833 – Meader) (S); representing Carriage Gate Homes (OLT-22-002451 – Snider, Toumanians) (V); representing 1905372 Ontario Inc. (OLT-22-002605 – Snider, Toumanians); representing 1376412 Ontario Ltd. (Zeina Homes) (OLT-22-003911 – Meader); representing Artstone Holdings et al (OLT-22-002493 – Snider, Toumanians); representing multiple appellants (OLT-22-003840 – Snider, Kaufman); representing Willow Valley Holdings (OLT-22-002313 – Snider, Toumanians) (X); representing Losani Homes (1998) Ltd. (OLT-22-003075 – Meader, Smith); representing Stratos Technologies Inc. (OLT-22-004186 – Baker); representing Robert Morash (OLT-22-003989 – Baker, Smith, De Marinis); representing Mattamy (Halton Hills) Ltd. (OLT-22-001949 – Snider, Toumanians); representing 2362302 Ontario Ltd. (OLT-22-003394 – Toumanians) (S); representing Anthony Laregina (OLT-22-003920 – Meader) (S); representing 64 Main Project LP (OLT-21-001799 – Baker, Meader); representing Latiq Qureshi (OLT-22-003430 – Snider) (S); representing multiple

appellants (OLT-22-002219 – Smith, Meader, Snider, Kaufman); representing Peter Djeneralovic (OLT-22-002920 – Smith, Meader); representing Emshih Developments Inc. (OLT-21-001738 – Smith, Baker); representing Enirox Dundas 3015 Inc. (OLT-22-004712 – Meader); representing Miss BJI Corp. (OLT-22-004676 – Smith, De Marinis); representing 12046906 Ontario Inc. (OLT-22-002506 – Smith, De Marinis); representing 2076828 Ontario Ltd. and White Squadron Development Corporation (OLT-22-004717 – Snider, Toumanians); representing Losani Homes (1998) Ltd. and 1080992 Ontario Inc. (OLT-22-004814 – Meader, De Marinis, Smith); representing Darren Danger-Smith (OLT-22-000010 – Snider, Toumanians) (V); representing 1583123 Ontario Inc. (OLT-22-004724 – Smith, Meader); Enirox Dundas 3015 Inc. (OLT-22-004666 – Meader); representing Vue Developments on Main Inc. (OLT-21-001210 – Snider, Kaufman) (S); representing Mattamy James Street LP and Penta Properties Inc. (OLT-22-004345 – Smith); representing Renimmob Properties Ltd. (OLT-21-001442 – Snider, Toumanians) (V); and representing St. Joseph's Healthcare Hamilton (OLT-21-001723 – Toumanians) (S).



6 [N/A] Kagan Shastri DeMelo Winer Park

Solicitors: Paul DeMelo, Patrick Devine, Adrian Frank, Ira Kagan, Sarah Kagan, Jason Park, Douglas Pateman, Olivia Rasekhi, and Kristie Stitt.

Coming in at sixth place is the talented team at Kagan Shastri DeMelo Winer Park, a firm that is the product of a relatively recent merger of the former firms of Kagan Shastri and Devine Park, both previously *NRU* law review regulars.

In one of the lengthiest and most consequential decisions of the year, the firm represented **Angus Glen Landowners Group** in its appeal for an OPA to establish the Angus Glen Secondary Plan for a 400-hectare expanse in **Markham's** Future Urban Area. Although the Landowners Group reached a settlement with the relevant approval authorities, the secondary plan was fiercely but unsuccessfully opposed by the owner of an existing rural estate located within the secondary plan area, with the Tribunal upholding the settlement.

In another interesting dispute, the firm represented the **Town of Oakville** in a development charge appeal for a recently-completed high-density residential development in the Oakville's uptown core. The developer asserted that

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the Town had incorrectly levied development charges by wrongly classifying 21 one-bedroom + den dwelling units as two-bedroom units. In acting for the Town, the firm argued, and the Tribunal agreed, that the dens in question were larger than seven square metres, a size that exceeds the Town's definition for a habitable bedroom in Oakville's development charges by-law, leading to the Tribunal's dismissal of the complaint.

In other hearings with successful outcomes, the firm helped achieve settlement approvals for multiple developments in **Georgina** and **Markham**, and a settlement on behalf of the **Building Industry & Land Development Association** in respect of its appeal of Markham's inaugural Community Benefits Charge by-law.

Cases: Representing Markham Centre Landowners Group (OLT-22-003330 – Park) (S); representing Yonge-Steeles Landowners Group Inc. (OLT-21-001436 – Kagan, Kagan, Stitt, Park); representing Yonge-Steeles Landowners Group Inc. (OLT-22-004122 – Kagan, Kagan, Park, Stitt); representing Vaughan NW Residences Inc., Betovan Construction Ltd. and Nashville Major Developments

Inc. et al (OLT-22-002104 – Kagan, Kagan); representing the Municipality of Clarington (OLT-22-002180 – DeMelo) (X); representing Bridgewater Hospitality Inc. and The Pearle Hotel & Spa (OLT-22-003866 – Kagan, Stitt); representing Leslie Elgin Developments (OLT-22-004102 – Kagan, Stitt, Kagan); representing Yonge-Steeles Landowners Group Inc. (OLT-21-001436 – Kagan, Kagan, Stitt, Park); representing Lakeview Community Partners Ltd. (OLT-22-004186 – Kagan); representing 2691823 Ontario Inc. (OLT-22-004156 – Kagan, Kagan); representing Yonge-Steeles Landowners Group Inc. (OLT-22-004122 – Kagan, Kagan, Park Stitt); representing Yonge-Steeles Landowners Group Inc. (OLT-21-001787 – Kagan, Kagan, Stitt, Park) (S); representing Markham Main Street R.R. Inc. (OLT-22-004090 – Park) (S); representing First Baymac Developments Ltd. and Canadian Property Holdings (Ontario) Inc. (OLT-22-004270 – Park, Rasekhi); representing Augend 189 Dundas West Village Properties Ltd. (OLT-22-004125 – Park, Rasekhi); representing 412 Dundas Developments Ltd. (OLT-22-003994 – Kagan, Stitt, Kagan) (V); representing 2603235 Ontario Ltd. (OLT-22-004051

– Kagan, Stitt) (S); representing Fouro Towers Builders Ltd. and Sasson Construction Inc. (OLT-22-003536 – DeMelo, Stitt); representing RGF (Mississauga) Developments (OLT-22-004373 – DeMelo); representing Halton Region (OLT-22-004131 – DeMelo); representing OnePiece Ideal (MS) Developments Inc. (OLT-22-002218 – Park, Frank) (S); representing 1213763 Ontario Inc., 1319399 Ontario Inc. and Building Industry and Land Development Association (OLT-22-004712 – Park, Frank, Kagan); representing Greenwin Corp. and Sweeny Holdings Ltd. (OLT-22-004628 – Park); representing 1107656 Ontario Inc. (Times Group) (OLT-22-003831 – Kagan, Stitt, Kagan); representing 407-419 Mapleview Inc. and Encore Group (OLT-22-003244 – DeMelo); representing the Town of Oakville (OLT-21-001374 – DeMelo) (V); representing Nash Developments Ltd. (OLT-22-004868 – Frank, Park); representing The Elia Corporation (OLT-22-004828 – Kagan, Kagan); representing Building Industry and Land Development Association (OLT-22-004666 – Kagan); representing Building Industry and Land Development Association (OLT-22-004424 – Kagan, Kagan) (S); representing 1989 Appleby Latch Ltd. (OLT-23-000070 – Park, Rasekhi); representing the Municipality of Clarington (OLT-22-003318 – DeMelo); representing 1989 Appleby Latch Limited and

Building Industry and Land Development Association (OLT-22-004345 – Park, Kagan); representing GWL Realty Advisors Inc. and RGF (Mississauga) Developments Inc. (OLT-22-004366 – Frank, Park, DeMelo); representing Yonge-Steeles Landowners Group Inc. (OLT-22-004498 – Kagan, Kagan, Park); and representing Angus Glen Landowners' Group (OLT-22-002000 – Kagan, Stitt, Kagan) (V).



7 [5] Loopstra Nixon

Solicitors: **Quinto Annibale, Steven Ferri**, [Alyssa Granato], **Mark Joblin, Ashley Metallo, Mandy Ng, Aaron Platt, Austin Ray, Brendan Ruddick, Daniel Steinberg** and **Alexandra Whyte** and **Bianca Zuzu**.

Loopstra Nixon retains its place among the top-10 firms in this year's GTHA rankings and lands the seventh spot this year. In an appeal that engaged questions of appropriate commercial uses in rural settings, the firm represented the **Town of Uxbridge** in defense of a proposal for a milling, seed-cleaning and flour/grain blending operation that the Town had approved, but the owners of a nearby recreational property appealed. The Tribunal sided with the Town and the development proponent and denied the appeal.

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In another contested merit hearing, Loopstra Nixon represented **Ozner Corporation** in its appeal for a nine-storey residential development located in **Vaughan's** Vellore neighbourhood. Although Ozner's proposal was supported by Vaughan staff, the proposal was kiboshed by council, which retained an external planning witness to fight the proposal on appeal. Ultimately, Ozner prevailed, with the Tribunal finding that the proposal represented good planning and should be approved despite the City's objections.

Loopstra Nixon secured other settlement approvals on behalf of a developer for a 30-unit townhouse development in **Caledon Village**; a settlement on behalf of **NJS Developments** for a 12-storey mixed-use development at Weston Rd. & Major Mackenzie Dr. in Vaughan, and a settlement on behalf of **Pristine Homes** for a six-storey residential development in Woodbridge.

Cases: Representing multiple appellants (OLT-22-002104); representing Rutherford Land Development Corporation (OLT-22-002653 – Whyte) (S); representing the City of Pickering (OLT-22-002250 – Joblin) (S); representing the

City of Pickering (OLT-21-001593 – Joblin); representing the Township of Uxbridge (OLT-22-002958 – Joblin); representing Mizrahi Constantine (180 SAW) Inc. (OLT-21-001787 – Annibale, Ruddick, White) (S); representing the Township of Uxbridge (OLT-22-002956 – Annibale, Joblin) (V); 11866575 Ontario Ltd. (OLT-22-002300 – Ferri, Ng); representing Mizrahi Constantine (180 SAW) Inc. (OLT-21-001436 – Ruddick); representing Jannett and Richard Nicholson and 2683894 Ontario Inc. (OLT-21-001392 – Ferri) (S); representing MCN (Mayfield) Inc., Cortel Group Inc., MCN (Heritage) Inc. and MCN Financial Group Inc. (OLT-22-003840 – Ferri, Whyte); NJS Developments Inc. (OLT-22-004083 – Ferri) (S); representing Southwest Georgetown Landowners Group (OLT-22-001949 – Annibale, Joblin); representing NJS Developments Inc. (OLT-22-004049 – Ferri) (S); representing the City of Pickering (OLT-21-001742 – Joblin, Granato) (X); representing Mizrahi Constantine (180 SAW) Inc. (OLT-22-004122 – Annibale, Ruddick, Whyte); representing the City of Pickering (OLT-22-003754 – Whyte) (X); representing

Nucon Property Development and 2203315 Ontario Corp. (OLT-22-003954 – Annibale, Whyte); representing Ozner Corporation (OLT-22-002421 – Annibale, Ruddick) (V); representing the City of Pickering (OLT-22-003752 – Whyte) (V); representing Southwest Georgetown Landowners Group (OLT-22-004131 – Joblin, Annibale); representing Rutherford Land Development Corporation (OLT-22-002164 – Whyte); representing the Municipality of Clarington (OLT-22-004868 – Joblin); representing the City of Pickering (OLT-22-004770 – Joblin, Annibale); representing 12304 Heart Lake Road LP (OLT-22-00465 – Ferri); representing 1005 Dundas Street Inc. (OLT-22-004666 – Annibale, Whyte); representing multiple appellants (OLT-22-004723 – Ferri) (S); representing Brock Township (OLT-22-004635 – Ruddick, Whyte) (X); Southwest Georgetown Landowners Group (OLT-22-004405 – Annibale, Joblin); representing Mizrahi Constantine (180 SAW) Inc. (OLT-22-004489 – Annibale, Ruddick); and representing Pristine Homes (OLT-22-004629 – Annibale, Ruddick) (S).



[7] Borden Ladner Gervais

Solicitors: **Andrew Baker, Emma Blanchard, Katie Butler, Liviu Cananau, F.F. (Rick) Coburn, Jonathan**

Cocker, Lauren Daniel, Brett Davis, Lee English, Lou Fortini, Simon Fung, Michael Grant, Gabrielle Kramer, Julie Lesage, Franz Lopez, Denisa Mertiri, Piper Morley, J. Pitman Patterson, Laura Robinson, Frank Sperduti, Isaac Tang and Robert Wood.

The powerhouse team at Borden Ladner Gervais (BLG, for short) is back in this year's GTHA rankings. Among numerous successful files heard at the Tribunal this past year, two in particular stood out.

The firm is representing **Halton Region** in appeals of the **Town of Halton Hills' Vision Georgetown Secondary Plan**, which will establish a planning framework for over 400 hectares of undeveloped land. An official plan amendment for the same land area, initiated by a group of private developers, has also been appealed, along with the rezoning and draft plan of subdivision applications of each of the landowners in the group. In a significant OLT ruling, BLG helped obtain a motion win for Halton denying a request from one of the major developers to consolidate the various inter-related appeals, which Halton argued would have jeopardized the hearing structure for the secondary plan appeals that were scheduled to proceed first.

In a second notable appeal, BLG represented **Ashley Heritage Joint Venture**, which proposes to develop a residential subdivision on 23

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2022 LAW REVIEW

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hectares of land in **Brampton**, in close proximity to a **Maple Lodge Farms** poultry processing plant. Although the stage was set for a contested hearing on the basis of land use compatibility impacts, ultimately, the parties reached a settlement based on increasing the minimum proposed separation distance between the plant and the nearest residential dwellings from 75 to 150 metres.

Cases: Representing the City of Markham (OLT-22-003330 – Baker, Patterson) (S); representing Halton Region (OLT-22-002735 – Morley); representing 2472490 Ontario Ltd. (OLT-22-002262 – Tang, Butler) (S); representing the City of Vaughan (OLT-22-002104 – Patterson, English, Morley) (S); representing the City of Markham (OLT-22-001998 – Morley) (S); representing York Region (OLT-21-001186 – Sperduti, Fung, Grant); representing York Region (OLT-22-002300 – Patterson, English) (S); representing Wanless Properties Ltd. (OLT-22-003840 – Tang, English); representing Halton Region (OLT-22-001949 – Tang, English) (V); representing the City of Vaughan (OLT-22-002905 – Patterson, Baker); representing Ashley Heritage

Joint Venture (OLT-22-002419 – Patterson, English, Butler) (S); representing York Region (OLT-21-001498 – Sperduti, Grant); representing the City of Burlington (OLT-22-004149 – Tang, Davis); representing 2864249 Ontario Inc. (OLT-22-003667 – Tang, Davis); representing the City of Markham (OLT-22-003536 – Wood); representing the City of Markham (OLT-22-002218 – Patterson) (S); representing York Region (OLT-22-002164 – Patterson) (V); representing the City of Vaughan (OLT-22-004652 – Baker, Lesage); representing York Region (OLT-21-001306 – Grant); representing Halton Region (OLT-22-004717 – Tang, Davis); representing the City of Markham (OLT-22-004424 – Patterson, Grant) (S); representing York Region (OLT-22-004573 – Michaluk, Grant); representing Peel Region (OLT-23-000027 – Lesage); representing King Heights Ltd. (OLT-22-002262 – Tang, Butler) (S); representing the City of Vaughan (OLT-22-004629 – Morley) (S); representing the City of Markham (OLT-22-003917 – Baker, Lesage); and representing the City of Markham (OLT-22-002000 – Coburn, Morley, Mertiri, Lesage) (V).

9 [10] Overland

Solicitors: **Daniel Arsenosi, Natalie Ast, Michael Cara, Justine Reyes, Christopher Tanzola** and **Brad Teichman**.

Boutique planning and development law firm Overland continues to punch well above its weight at the OLT, and rises to the ninth spot in this year's GTHA rankings. This past year, Overland has achieved positive outcomes in several **Vaughan**-based OLT appeals, including for **Yonge-Steeles Developments Inc.** in its appeal of the Yonge-Steeles Corridor Secondary Plan. The Secondary Plan area is projected to have a future population of 45,000 residents once the Yonge North Subway Extension and the Steeles Avenue bus rapid transit lines are completed.

Along Thornhill's Centre Street Corridor, Overland helped to secure a settlement approval for **Sorbara** to permit a 12-storey mixed-use development containing 414 residential units. This follows a settlement that Overland helped broker for Sorbara several years prior that secured increased height and density permissions for the site, which is located within the Thornhill Centre Street Area Land Use Plan area.

A short distance east of the Sorbara site, Overland

represented **Blue Water Ranch Developments** in its appeal for zoning by-law amendments to allow the development of two high-rise towers on a site originally planned for lower-scale development. After lengthy discussions between the developer and the City of Vaughan, the OLT approved a settlement to allow two towers of 26 and 29 storeys on the site.

Cases: Representing multiple appellants (OLT-22-002104 – Tanzola, Ast, Cara, Reyes); representing Whitby Brock Estates Inc. (OLT-22-002023 – Tanzola, Cara) (X); representing Yonge-Steeles Developments Inc. (OLT-21-001787 – Arsenosi, Ast) (S); representing Yellow Horizon Homes (OLT-22-002300 – Ast) (S); representing Yonge-Steeles Developments Inc. (OLT-21-001436 – Arsenosi, Ast); representing Halton District School Board and Halton Catholic District School Board (OLT-22-001949 – Teichman); representing Yonge-Steeles Developments Inc. (OLT-22-004122 – Tanzola, Arsenosi, Ast); representing Prime Real Estate Group Inc. (OLT-22-002285 – Arsenosi); representing Mohsen Taheri (OLT-22-003926 – Tanzola) (V); representing 1150 Centre Street GP Inc. (OLT-21-001751 – Tanzola, Ast) (S); representing 9218 Yonge Street Inc. (OLT-22-003667 – Tanzola, Cara); representing Doughton Residences Corp. (OLT-22-004429 – Arsenosi,

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Ast); representing Blue Water Ranch Developments (OLT-22-004531 – Tanzola, Ast) (S); representing Wedgewood Columbus Ltd. (OLT-22-004652 – Tanzola, Cara); representing SB Developments Inc. (OLT-21-001427 – Artenosi, Cara) (S); representing Upper Keele Inc. (OLT-22-004444 – Teichman, Reyes) (V); representing Director Industrial Holdings (OLT-22-004770 – Cara, Tanzola); representing Hillcrest Holdings Inc. and Montez Hillcrest Inc. (OLT-22-003077 – Cara) (S); representing Penwest Holdings Ltd. and 2731961 Ontario Inc. (OLT-22-004723 – Cara); representing Victoria Muzychka (OLT-22-004840 – Cara) (V); representing Yonge & Steeles Development Inc. (OLT-22-004498 – Artenosi, Ast); and representing Amar Group Developments Ltd. (OLT-23-000134 – Cara).

Ritchie Ketcheson
Hart &
Biggart LLP

10 [9] Ritchie Ketcheson Hart & Biggart

Solicitors: **R. Andrew Biggart, John R. Hart, Christina Kapelos, Bruce C. Ketcheson, Kacie Layton and John C. Ritchie.**

Wrapping up our list of the top-10 GTHA planning and

development law firms this year is the well-known law firm of Ritchie Ketcheson Hart & Biggart, which continues to represent primarily—though not exclusively—municipalities across a range of OLT appeals. Among the various municipalities that the firm represented over the past year are **Ajax, Mississauga, Whitby, Whitchurch-Stouffville, Burlington, Markham, Georgina, Aurora, Hamilton, Oakville** and **Mississauga.**

Ritchie Ketcheson Hart & Biggart represented the Town of Ajax in an appeal by **Durham Region Home Builders Association** against Ajax's Development Charges (DC) By-law 50-2018, which the home builders' association asserted ran afoul of the limitations of the *Development Charges Act*. On behalf of the Town, the firm argued that the DC By-law was properly enacted in accordance with the provisions of the *Act*, and the Tribunal agreed, dismissing the Association's appeal.

In another hearing win, the firm represented the Town of Whitby in an appeal by **Whitby Brock Estates**, which proposed to develop a seven-storey residential building on Brock Street North. The Town opposed the development proposal on the basis that it

was too high for the area and that it would impose other inappropriate development standards for the site. The Tribunal sided with the Town and refused the development application.

Cases: Representing the Town of Ajax (OLT-22-002019 – Biggart) (V); representing the City of Mississauga (OLT-21-002260 – Biggart, Kapelos); representing the Town of Whitby (OLT-22-002023 – Biggart) (V); representing the Town of Whitby (OLT-22-002078 – Biggart); representing the Town of Whitchurch-Stouffville (OLT-22-002063 – Kapelos) (S); representing the City of Burlington (OLT-22-002451 – Biggart) (X); representing the City of Markham (OLT-21-001787 – Biggart) (S); representing the Town of Georgina (OLT-22-004120 – Kapelos) (S); representing the Town of Aurora (OLT-22-004187 – Biggart, Kapelos); representing MCC Properties Corp. (OLT-21-001751 – Biggart, Kapelos); representing the City of

Burlington (OLT-22-002219 – Biggart, Kapelos); representing the Town of Georgina (OLT-22-004051 – Biggart) (S); representing the Town of Whitby (OLT-21-001272 – Kapelos); representing the City of Hamilton (OLT-22-002920 – Biggart); representing the Town of Oakville (OLT-22-004272 – Biggart); representing the City of Mississauga (OLT-22-004364 – Biggart); representing the Town of Oakville (OLT-22-004712 – Biggart); representing the City of Burlington (OLT-22-004767 – Layton) (S); representing the Town of Aurora (OLT-22-004060 – Layton) (S); representing the Town of Georgina (OLT-21-001427 – Kapelos, Biggart) (S); representing the City of Burlington (OLT-22-004794 – Kapelos) (S); representing the Town of Oakville (OLT-22-004666 – Biggart); representing the Town of Whitchurch-Stouffville (OLT-22-004513 – Kapelos); and representing the City of Markham (OLT-22-004498 – Biggart).

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HAVE A STORY TIP OR
IDEA RELATED TO YOUR
MUNICIPALITY?

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IN BRIEF

[Caledon seeking input on Bolton secondary plan](#)

The **Town of Caledon** is undertaking review of its six secondary plans for Bolton to establish an innovative framework for built form and land use planning to guide intensification and change

in the area until 2051.

A specific focus of the review will entail identifying an optimal location for a second GO station along Highway 50 in an effort to revitalize and enhance this key corridor.

The proposed Bolton Secondary Plan will consolidate the area's six

existing secondary plan into a single policy document that will serve Caledon as an updated, contemporary blueprint for positive growth and transformation of the Bolton community.

To learn more about the Bolton secondary plans review and to participate in an online survey on the

project, please visit the Town of Caledon website [here](#). The survey will remain open until January 15, 2024. 🌸

2022 LAW REVIEW

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THE NEXT 10 FIRMS...

11 [11] **Municipal Law**

**Chambers; 12 [12] Fogler
Rubinoff; 13 [16] Thomson**

**Rogers; 14 [N/A] Osler; 15
[N/A] Stikeman Elliott; 16
[N/A] McMillan; 17 (TIE)
[15] Dentons; 17 (TIE) [18]
Devry Smith Frank; 18 [14]
Cassels; 19 [N/A] Papazian**

**Heisey Myers; 20 [20] Miller
Thomson. 🌸**

LAW REVIEW METHODOLOGY

Our end-of-year tradition at NRU examines the legal side of planning and development in the GTHA, focusing primarily on cases that came before the OLT and other courts and tribunals and that were reported in the GTHA edition of NRU between August 1, 2022 and July 31, 2023.

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 with major clients.

Determining the top 10—Balancing the number and complexity of appeals, the diversity of issues, and the success of outcomes is NRU's most difficult task. The review does not account for cases we do not know about. Hence, there is some degree of subjectivity in the ranking.

The Listing—Lawyers that are part of the planning and development law team in each of the top-10 ranked firms are noted. Names in parentheses indicate lawyers who were previously with the firm, but left prior to this year's law review.

The client, OLT case number, and relevant solicitor(s) are noted for each contributing case. In cases that involved an OLT decision where there was a clear winner, loser, or settlement, the appropriate symbol (✓) or (X) or (S) follows the case description. If there was no

clear win/loss/settlement, or the matter involved a Case Management Conference or was still ongoing by July 2023, no symbol appears. A square bracket after this year's ranking containing a number indicates the firm's placement in last year's NRU ranking.

Email us your OLT decisions to ensure that they are covered in NRU and thus, included in the 26th annual GTHA rankings, to be published in December, 2024.

OLT NEWS

SETTLEMENT APPROVED FOR JANE-TESTON MID-RISE DEVELOPMENT

In a December 6 decision, OLT member **Jennifer Innis** allowed appeals, in part, by **Cacoeli Terra Vaughan Ltd.** against the **City of Vaughan's** failure to make decisions on its official plan and zoning by-law amendment applications for 10811 & 10819 Jane Street.

Cacoeli Terra initially proposed a 12-storey mixed-use development containing 203 dwelling units, a daycare facility, and an adult care facility. It appealed its

applications due to the City of Vaughan's failure to make a decision within the timeframe prescribed under the *Planning Act*.

Prior to the hearing, Cacoeli Terra and the City reached a settlement of the appeals on the basis of a revised proposal for a six-storey mixed-use development containing 174 residential units and an at-grade daycare space. An adult care facility is no longer a proposed use for the site.

Planner **Andrew Ferancik (WND Associates)** provided evidence on behalf of Cacoeli Terra in support of the

settlement. He advised that the property is located within the Block 27 Secondary Plan area that is designated for the creation of a new mixed-use community to support the planned Kirby GO station.

Ferancik reviewed the changes to the proposal, including building height reduction, increased setbacks, and the relocation of an existing dwelling considered to have cultural heritage value to a new location at 10891 Jane Street.

Based on Ferancik's uncontested evidence, the Tribunal found that the

settlement proposal represents good planning and allowed the appeals, in part, approving the amendments in principle subject to various conditions.

Solicitors involved in this decision were **Max Laskin (Goodmans)** representing Cacoeli Terra Vaughan Ltd. and **Candace Tashos** representing the City of Vaughan. [See *OLT Case No. OLT-23-000284*.]

SETTLEMENTS APPROVED FOR KING RURAL ZONING BY-LAW APPEALS

In December 5 and December

CONTINUED PAGE 19

PARTIALLY COMPLETED 4-TOWER, 623 UNIT DEVELOPMENT OPPORTUNITY IN KITCHENER

1333 WEBER STREET EAST

KITCHENER, ONTARIO



CBRE's Land Services Group, on behalf of KSV Restructuring Inc., is pleased to offer for sale a unique development opportunity at 1333 Weber Street E in the City of Kitchener. This 3.6-acre site represents an unmatched development opportunity to acquire an approved multi-tower project that is under construction.

The entire site was originally rezoned in 2016 and received Site Plan Approval in December 2019 to allow for a 4 building development with a total GFA of 611,694 sq. ft. and 623 residential units. Building A, which is under construction, is a 15-storey building with a total of 177 residential dwelling units and a total GFA of 178,626 sq. ft. Similarly, Building B is approved for a 15-storey tower with 193 residential units in total. Building C and D are both 12-storeys in height and each provide commercial space at grade along Weber Street and contain 159 residential units and 94 residential units respectively.

VIEW BROCHURE

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OFFER SUBMISSION DATE TO BE ANNOUNCED

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OLT NEWS

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6 decisions, OLT member **Bita Rajae** allowed several appeals, in part, against the **King Township Comprehensive Zoning By-law 2022-053** (the ZBL) which revises and updates rural zoning standards in the Township. The ZBL received numerous appeals, which have been the subject of prior case management conferences.

The Tribunal convened two case management conferences to hear evidence in support of settlements reached between the Township and some of the appellants of the ZBL.

October 5 Case Management Conference

The Tribunal was advised that a settlement had been reached between King Township and Appellant #13 (**Northern Wide Plank Flooring Inc.**). The settlement pertains to the property at 5390 Lloydtown/ Aurora Road, which accommodates a hardwood flooring manufacturing plant and showroom. Supported by the evidence of planner **Gord Mahoney (Michael Smith Planning Consultants)**, the settlement adds an exception

provision to the ZBL to recognize the existing uses on the site and to address Appellant #13's concern that the ZBL would have imposed more onerous restrictions on its lands. The Tribunal accepted Mahoney's evidence and allowed the appeal, in part.

November 6 motion hearing in writing

The Tribunal was advised that a settlement had been reached between King Township and Appellant #6, **Deborah and David Solomon Weiss**, in respect of the property at 17900 Dufferin Street. The settlement adds site-specific provisions to the ZBL to provide clarity to an existing use permission on the Weiss

CONTINUED PAGE 20



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SEASON'S GREETINGS

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OLT NEWS

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lands, as well as a range of appropriate permitted on-farm diversified uses.

Another settlement had been reached between King Township and Appellant #17, **Bill and William Bowles Harris**, in respect of the properties at 12740 & 12745 Mill Road. The ZBL as adopted by the Township would have restricted the range of agricultural uses permitted and established on the Harris lands for many decades. The settlement changes the zoning of the Harris lands from Open Space (OS) to Greenbelt Natural

Heritage (GNH) to resolve these concerns.

The Tribunal received and adopted affidavit evidence from planner **Dan Stone (Thorstone Consulting Services)** in support of the settlements of Appeal #6 and Appeal #17, allowing those appeals, in part. Solicitors involved in these decisions were **Tom Halinski and Jasmine Fraser (Aird & Berlis)** representing King Township, **Steve Ferri and Mandy Ng (Loopstra Nixon)** representing **Robert Scheinberg and B&D Love Inc., 1186675 Ontario Ltd.,**

Heste Corporation, Deborah and David Solomon Weiss, **Lloydtown Farms Ltd., 611428 Ontario Ltd.** and Bill and William Bowles Harris, **Michael Cara and Daniel Artenosi (Overland)** representing **2731961 Ontario Inc.** and **Penwest Holding Ltd., David Whyte (Devry Smith Frank)** representing **Len Payne, Rideau Leasing Corp., Northern Wide Plank Flooring Inc., Amber Stewart (Amber Stewart Law)** and **Barry Horosko (Horosko Planning Law)** representing **Zao Wang, 84 Charing Cross International Inc.** and **1000124547 Ontario Inc.** and **Alex Lusty (Davies Howe)** representing **Penwest Holdings Limited.** [See *OLT Case No. OLT-22-004723.*]

SETTLEMENT APPROVED FOR AURORA MID-RISE DEVELOPMENT

In a December 7 decision, OLT member **Gwen Croser** allowed appeals, in part, by **2601622 Ontario Inc.** against the **Town of Aurora's** failure to make decisions on its official plan and zoning by-law amendment applications for 26-38 Berczy Street.

In January 2020, 2601622 Ontario filed applications to permit a seven-storey mixed-use development containing at-grade commercial space and 356 residential units on the Berczy Street site. The applications were appealed by the applicant on November

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2.5 ACRES

PRIME COMMERCIAL BLOCK

IN THE GLEN ABBEY ENCORE COMMUNITY

ASKING PRICE: \$6,400,000
OFFERS TO BE REVIEWED AS RECEIVED
MLS: W7351166

ADVISORS

CBRE's Land Services Group:

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*Sales Representative **Broker | All outlines are approximate | CBRE Limited Brokerage | 2005 Sheppard Ave. E., #800, Toronto, ON M2J 5B4

NW CORNER OF BRONTE ROAD AND CHARLES CORNWALL ROAD, OAKVILLE, ON

CBRE's Land Services Group is pleased to offer for sale a ± 2.5 acre commercial block located at the north west corner of Bronte Road and Charles Cornwall Road in the Town of Oakville. The property is located adjacent to the ± 140 acre subdivision known as "Glen Abbey Encore", which is being developed by a number of the GTA's most prominent builders and will add 1,874 new housing units upon completion. Based on the site's flexible Neighbourhood Commercial (C) Zoning, this offering represents an outstanding development opportunity for a wide range of developers, investors and users alike, to introduce meaningful new supply to service not only this neighbourhood, but also its surrounding markets across the greater Town of Oakville and City of Burlington.

Zoning

PERMITTED USES

- Art Gallery
- Business Office
- Commercial School
- Community Centre
- Day Care
- Drive-Through Facility
- Dry Cleaning Depot
- Emergency Service Facility
- Financial Institution
- Food Production
- Medical Office
- Museum
- Pet Care Establishment
- Restaurant
- Retail Store
- School, Private
- Service Commercial
- Establishment
- Sports Facility
- Veterinary Clinic

*subject to conditions

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OLT NEWS

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25, 2021 due to the Town of Aurora's failure to make a decision within the timeframe prescribed under the *Planning Act*.

Also under appeal was the Town of Aurora's passage of a by-law, in July 2022, to designate the property at 38 Berczy Street under Part IV of the *Ontario Heritage Act*. 2601622 Ontario disputed that the 38 Berczy component of the site, which contains a remnant one-storey office building from an obsolete shoe factory complex, has any heritage value. 2601622 Ontario's appeal of the

heritage designation by-law was consolidated with its OPA/ZBA appeals.

On the eve of the scheduled hearing, the Tribunal was advised that 2601622 Ontario and the Town of Aurora had reached a settlement of the appeals on the basis of a revised proposal for a nine-storey mixed-use development containing at-grade retail space and 545 residential units.

Planner **Martin Quarcoopome (Weston Consulting)** provided evidence on behalf of 2601622 Ontario Inc. in support of

the settlement. He reviewed the various iterations of the proposed development and described how the settlement proposal has been shaped by discussions with the Town, which has since reconsidered its position on 38 Berczy having heritage value.

Quarcoopome testified that the settlement proposal is transit-supportive, and accommodates the realignment of Berczy Street as part of future improvements contemplated for the adjacent Aurora GO Station. The Tribunal accepted his planning evidence and allowed the appeals, in part, approving the OPA/ZBA in principle subject to various conditions.

Solicitors involved in this decision were **Naomi**

Mares and Eileen Costello (Aird & Berlis) representing 2601622 Ontario Inc. **Chantal deSereville** and **Denise Baker (WeirFoulds)** representing the Town of Aurora and **Max Laskin (Goodmans)** representing **Atria Development**. [See *OLT Case No. OLT-21-001950*.] 

HAPPY HOLIDAYS

NRU IS NOT PUBLISHING NEXT WEEK, AND OUR OFFICES WILL BE CLOSED, BUT WE WILL BE BACK WITH A NEW ISSUE OF GTHA EDITION **WEDNESDAY, JANUARY 3, 2024**. SEE YOU THEN!

PEOPLE

City of Mississauga Mayor **Bonnie Crombie** tendered her resignation from the role last week, announcing that her last day in office will be January 12, 2024. Crombie was elected leader of the **Ontario Liberal Party** earlier this month. Upon Crombie's departure from Mississauga, Ward 4 councillor **John Kovac** will serve as acting mayor until the end of January. After

that, Mississauga councillors will continue to follow the Mississauga council by-law through which councillors rotate into the acting mayor position for two-month increments on an ascending basis by ward. Under this system, ward 5 Mississauga councillor **Carolyn Parrish** would assume the role of acting mayor next for the months of February and March.

Mississauga council must pass a by-law to call a by-election for the vacant mayor's seat within 60 days of Crombie's departure from the City. Mississauga city council is likely to formally declare Crombie's seat vacant at its next meeting Wednesday, January 17, 2024, after which planning for a mayoral by-election can begin. The **Town of Niagara-on-the-Lake** has

appointed **Bruce Zvaniga** as its interim chief administrative officer (CAO), effective January 1, 2024. Zvaniga has over 40 years of experience leading municipal government services and critical infrastructure projects for various municipalities, including through past roles with the **City of Toronto**, the **City of Burlington**, the **City of Halifax**, and **Niagara Region**. Zvaniga

replaces departing Niagara-on-the-Lake CAO **Marnie Cluckie**, who has accepted the position to become **City of Hamilton's** next city manager, effective January 15, 2024. Zvaniga will serve the Town of Niagara-on-the-Lake in the interim role until the Town is able to recruit a permanent CAO.