

Janet Bobechko

Partner

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Practice Areas

Corporate & Commercial

Energy & Utilities

Environmental

Food & Beverage

Litigation & Dispute

Resolution

Real Property

Janet Bobechko is a Certified Specialist in Environmental Law and a nationally recognized senior practitioner with extensive experience in all aspects of environmental law, climate change and sustainability, including supply chain transparency.

Janet's environmental law practice is focused on climate change and sustainability, Environment Social Governance (ESG), real estate and brownfield development and environmental dispute resolution.

She routinely provides sophisticated and strategic advice on environmental compliance, mergers & acquisitions, real estate and portfolio acquisitions and dispositions, leasing, financings, and environmental management systems. She has significant experience in construction contracts and lien matters as they relate to contamination, remediation and excess soils. Her dispute resolution work includes, providing advice on environmental aspects in complex civil litigation for legacy contamination, migration of contamination, environmental regulatory inspections, defence of charges, orders, and strategic due diligence advice.

Janet supports her clients with advice on environmental approvals (all media), chemical management and importation of new substances into Canada, transportation of dangerous goods, hazardous products, pesticides, stewardship, producer responsibility and the circular economy. She advises on risk management, emergency planning and spill response, storage tanks, Federal E2 Regulations and strategic communication. She is routinely consulted on issues related to sewage works, waste/process water management and treatment, source water protection and sustainable water supply.

Janet advises on climate change issues including climate risk, climate resilient infrastructure and the impacts to supply chains. She provides support to clients as they look to diversify their businesses with investments into new, low carbon asset classes and technologies.

She advises boards of directors regarding environmental compliance, corporate reporting strategies and risk mitigation and environmental insurance, and advises clients on environmental, social and corporate governance (ESG) matters. Janet sits on the external advisory committee for Toronto Metropolitan

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University's Corporate Social Responsibility Institute and co-chair's the Ontario Environment Industry Association (ONEIA) Climate Change Committee. Janet is also on the Province of Ontario's Excess Soils Engagement Group. She is a sought after speaker at industry events.

Janet received a career achievement award from the Canadian Brownfields Network as a person who has had a profound impact on the brownfield industry in Canada.

Called to the Bar	Education	Affiliations
<ul style="list-style-type: none">• Ontario (1991)	<ul style="list-style-type: none">• Certificate, Advanced Alternative Dispute Resolution, University of Windsor, 1995• J.D., Mercy Law School, University of Detroit, 1989• LL.B., University of Windsor, 1989• B.A., York University, 1986	<ul style="list-style-type: none">• Ontario Bar Association

Notable Mandates

- Advice to a global manufacturer of electrical equipment in relation to a civil claim by an adjacent property owner of migration of contamination
- Defence of an international food production company in relation to investigations and subsequent charges under provincial environmental legislation related to wastewater treatment facility odours
- Advice to a residential developer in relation to a brownfield development on a former service station property
- Advice as environmental counsel for a global manufacturer regarding facility closure and remediation plant to address historic chemical usage
- Advice to global chemical company regarding historic migration of contamination onto party property
- Defence of innocent impacted property owner for migration of contamination onto their commercial multi tenanted property from an adjacent dry cleaner
- Advice to manufacturing client regarding compliance and preparation of an Emergency Response Assistance Plan (ERAP)
- Advice to a residential property owner in an upscale neighbourhood regarding potential stigmatization of land by a conservation authority as having an unstable sloping ravine property
- Acting for an environmental consultant regarding a potential negligence claim regarding delineation of contamination
- Advising a national railway company regarding remediation of historic contamination
- Acting for a chemical production company in relation to ongoing environmental regulatory matters
- Provided environmental advice to MAG Real Estate LP on the sale and leaseback by its subsidiaries to Automotive Properties Real Estate Investment Trust, which consisted of a portfolio of 11 properties in Ottawa and Kingston, Ontario, for a combined purchase price of approximately C\$101.4 million

- Advised global clients regarding Global Harmonization System of Classification and Labelling of Chemicals (GHS) implementation in Canada for classification and labelling of hazardous products for compliance with Workplace Hazardous Materials Information System (WHMIS 2015)
- Advice to cannabis company regarding environmental issues related to operations
- Lead environmental counsel to Brookfield Business in the acquisition of 213 gas bars from Loblaw Companies for a purchase price of approximately C\$540 million
- Ex US Environmental counsel to Energizer Holdings, Inc. on its US\$1.25B global acquisition of Spectrum Brands' Battery and Portable Lighting business
- Advised Infrastructure Ontario and Metrolinx on the Finch West LRT Project, an 11 km light rail transit line on environmental aspects
- Acted for HMSHOST in relation to the sale of 23 OnRoute service plazas
- Provided environmental advice to the Board of Directors for a company regarding CCAA proceedings
- Managed the defence of prosecution of various environmental charges for an energy company over several time periods to obtain a successful global resolution with charges withdrawn against the parent company (an important aspect to allow it to bid on government contracts) and reasonable fines against the operating company
- Advice to multinational company on risk management measures for legacy contaminated sites
- Represented a global manufacturing company who owned a large parcel of land in a metropolitan area that was historically contaminated with PCBs and separate plumes of VOCs in a complex geologic formation (weathered bedrock and sensitive site due to minimal overburden)
- Represented a multinational power management company in civil proceedings relating to alleged historical contamination from solvents and hydrocarbons migrating from and to neighbouring properties, including residential properties, and related issues concerning indoor soil vapour and statutory limitation periods
- Acting for clients regarding advice for various fires at their operations, including emergency management, spill response, regulatory reporting, communication and public relations (including temporary closure or major highway and airport runways due to smoke), resulting investigation and defences of charges
- Acted for chemical manufacturing client in relation to ammonia leak and emergency response with cross border implications
- Represented property owner in purchase of contaminated land from receiver in bankruptcy, pro-active installation of barrier to prevent migration of solvent contamination (VOCs) as of date of change of ownership and subsequent litigation from adjacent property owners for alleged migration of contamination after change in ownership.

Awards

- Recognized in the *Chambers Global Guide* as a leading lawyer in Environment Law, 2024
- Repeatedly recognized in the *Chambers Canada Guide* as a leading lawyer in Environment Law
- Repeatedly recognized in the *Lexpert Special Edition: Energy*
- Repeatedly recognized in the *Canadian Legal Lexpert Directory* as a Leading Practitioner in Environmental Law
- Recognized in the *Canadian Legal Lexpert Directory* as a Leading Practitioner in Environmental, Social & Governance (ESG), 2024

- Repeatedly recognized in *Best Lawyers in Canada* as a leading lawyer in Environmental Law
- Recognized in *The International Who's Who of Environmental Lawyers*
- Repeatedly recognized in *Who's Who Legal Canada* as a leader in Environmental Law
- Recipient of the Heroes Underpinning Brownfields Foundation Award, Canadian Brownsfields Network – Inaugural Foundation award for having a profound impact on establishing the Foundation upon which current policies and practices are based, 2016

Professional Activities

- Chair, Climate Change Committee, Ontario Environment Industry Association (ONEIA) (2017 to present)
- Member, External Advisory Committee, Institute for the Study of Corporate Responsibility at Toronto Metropolitan University [formerly Ryerson University] (2019 to Present)
- Board Member, Learning for a Sustainable Future (2017 to present)
- Member, Provincial Excess Soil Engagement Group, Ontario Ministry of the Environment, Conservation and Parks (2017 to present)
- Member, Site Alteration – Excess Soil Bylaw Tool Steering Committee, Canadian Urban Institute (2020 to present)
- Member, Executive committee, National Environmental, Energy and Resources Law Section (NEERLS), Canadian Bar Association (2015 – 2022, 2023 – Present)
- Member, Provincial Brownfield Stakeholder Advisory Group, Ontario Ministry of the Environment, Conservation and Parks
- Member, Canadian Brownfields Network
- Member, Women in Mining Association (Toronto Chapter)
- Member, Supporting Inclusive Resource Development in East Africa (SIRD)
- Member, Prospectors & Developers Association of Canada
- Past Chair, Brownfield Committee, ONEIA
- Past Chair and member, Environmental Law Section, Ontario Bar Association
- Past Director, Toronto Lawyers Association

Speaking Engagements

- Course Chair, "Dealing with Environmental Emergencies and Spills, CANECT 24, Vaughn, ON, April 25, 2024
- Course Chair, "Ontario's Excess Soils Regulation and Contaminated Sites 2024, CANECT 24, Vaughn, ON, April 24, 2024
- Moderator, "Transactional Due Diligence in Emerging Contaminants, ESG and Indigenous Relationships", Aboriginal and Environmental, Energy and Resources Law Summit, Montreal, QC, April 18, 2024
- Speaker, "ESG (Environmental Social and Governance) issues in commercial leasing – what are the current issues and how to manage lease implications", ICSC+Canadian Law 2024, Toronto, ON, April 9, 2024
- Speaker, "Leveraging AI Intelligently in the Business of Real Estate Law", ICSC+Canadian Law 2024, Toronto, ON, April 9, 2024
- Moderator, "Women's Impact and Leadership in the Legal Sphere", International Women's Day

2024, Urban Economy Forum, Toronto, ON, March 8, 2024

- Speaker, "Significant Environmental Issues in Land Use Planning", Ontario Legal Conference 2024, Toronto, ON, February 9, 2024
- Moderator, "Indigenous Involvement in Energy and Resources Development Projects", NEERLS & Department of Justice Meeting, Canadian Bar Association, November 30, 2023
- Moderator, "Resilient Urban Futures - Unleashing the Power of Regeneration for Climate Action and Inclusive Growth", 5th Urban Economy Forum + 59th ISOCARP World Planning Congress, Toronto, ON, October 10, 2023
- Speaker, "Climate-resilient Urban Finance: Empowering communities for sustainable development", 5th Urban Economy Forum + 59th ISOCARP World Planning Congress, Toronto, ON, October 11, 2023
- Speaker, The Eight-Minute Environmental Lawyer 2023, Toronto, ON, October 4, 2023
- Speaker, "Excess Soils and ESG: What's the Connection?", Excess Soils Symposium 2023, Toronto, ON, September 21, 2023
- Speaker, "Legal Implications for PFAS - To sample or not to sample, that is the question!", PFAS Symposium - Ontario Environment Industry Association, Mississauga, ON, September 20, 2023
- Speaker, "ESG Update: Issues, Risks and Trends", Canadian Bar Association, Online, June 8, 2023
- Chair, "Dealing with Environmental Emergencies and Spills", CANECT 2023, Vaughan, ON, May 11, 2023
- Speaker, "Environmental Management Systems: The Journey from EMS to Environmental, Social, Governance", CANECT 2023, Vaughan, ON, May 11, 2023
- Chair, "Excess Soils and Contaminated Sites", CANECT 2023, Vaughan, ON, May 10, 2023
- Speaker, "What is the Latest on Climate Change Planning, Adaptation, Disclosure", Environmental, Energy and Resources Law Summit 2023, Canadian Bar Association, May 4-5, 2023
- Speaker, "Excess Soils - Important Considerations for Qualified Persons from a Legal Perspective", Professional Geoscientists Ontario, Webinar, March 9, 2023
- Panelist, "Excess Soils Symposium", Environment Journal, December 6, 2022
- Speaker, ESG Summit Canada, Toronto, ON, October 12, 2022
- Speaker, "ESG Leaders Panel", SCG Legal Conference Toronto, Toronto, ON, September 22, 2022
- Speaker, "ESG and Best Practices for Climate-Related Disclosure Requirements", Canadian Corporate Counsel Association, Online, July 12, 2022
- Speaker, "Climate Resilient Infrastructure - How Can Municipalities Protect Their Infrastructure and Communities From Climate-Related Disruptions", Municipal Infrastructure Projects Update, Online, April 25, 2022
- Panelist, "Environmental Social and Governance (ESG) and Brownfield Land Development", Canadian Brownfields Network Conference, Online, April 6, 2022
- Speaker, "Law and Climate", Toronto Lawyers Association, Online, February 16, 2022
- Speaker, "US & Canada Phase I Standard Comparison", EBA Risk Management MDG Meeting, Environment Bankers Association, Online, November 10, 2021
- Panelist, "How New Regulations Impact the Industry", 2021 Excess Soils Symposium, Environmental Journal, Online, December 7, 2021
- Panelist, "Excess Soils Symposium: Find out how to stay in compliance in 2022", Excess Soils Symposium 2021, Environmental Journal, Online, December 6, 2021
- Speaker, "Excess Soil Registry Webinar", Ontario Home Builders' Association, Online,

December 2, 2021

- Speaker, "The Supreme Court of Canada's Decision in Reference Re Greenhouse Gas Pollution Pricing Act: Impacts on Climate Change Law", OBA Environmental Law Program, Ontario Bar Association, Online, November 17, 2021
- Speaker, "From Farm to Table: An In-Depth Conversation about the Food Sector", WeirFoulds, Online, June 2, 2021
- Speaker, "Excess Soils Regulation 406/19 Webinar", Ontario Public Buyers Association, Online, June 3, 2021
- Speaker, "Planning, Adaptation and Disclosure in an Era of Climate Change", Canadian Bar Association's (CBA), Online, May 6, 2021
- Co-Chair, "Roundtable at the 2021 Environment and Cleantech Business + Policy Forum", Ontario Environment Industry Association's (ONEIA), Online, May 5, 2021
- Panelist, "Digging In: Three Months Later... Ontario's New Regulation for Excess Soil (Part 2)", WeirFoulds LLP, Online, March 25, 2021
- Chair and Speaker, "Ontario's New Excess Soil Regulation: What You Need to Know ", CANECT, Online, February 25, 2021
- Speaker. "Understanding the New Excess Soil Regulation: Get the Dirt on Updating Bylaws". Canadian Urban Institute, Online, February 23, 2021
- Panelist, "Digging In: Ontario's New Regulation for Excess Soil (Part 1)", WeirFoulds LLP, Online, January 14, 2021
- Instructor, "Due Diligence Risk Assessment vs. Regulatory Risk Assessment: Which Do I Need?" Webinar, Pinchin Ltd., November, 2020
- Speaker, "Climate Change and Infrastructure Resilience", Roundtable Chair, ONEIA Business and Policy Forum, Toronto, ON, September 2020
- Chair and Speaker, "Contaminated Sites and Emergency Response Management", CANECT, Fall 2020
- Chair and Speaker, "Brownfield, Contaminated Sites & Excess Soil" and "Spill Reporting and Emergency Response", CANECT, November 2-4, 2020
- Speaker, "Developments in Environmental Law for Real Estate Transactions", Ontario Bar Association (OBA), Toronto, March 2020
- Moderator, "Roundtable - Inclusive Workplace Design", International Women in Mining, Toronto, March 2020
- Moderator, 2019 Excess Soil Symposium, Canadian Urban Institute, Oshawa, December 2019
- Moderator and speaker, "Review of Canadian environmental health & safety law / Aboriginal rights"; Supporting Inclusive Resource Development (SIRD) East Africa, Canadian Bar Association (CBA) Global Affairs, Uganda, Kenya & Tanzania, June 2019
- Chair and speaker, "Dealing with Spills and Environmental Emergencies", "Reporting spills, leaks and discharges – Compliance with regulatory requirements under Transportation of Dangerous Goods Act and Fisheries Act", "Cautionary tales", CANECT, Toronto, May 2019
- Chair and speaker, Brownfields Regulation and Compliance: What's new for 2019 "Hot off the press! Excess Soil Management in Ontario: Discussion of the Proposed New Excess Soil Regulations". "Management and Development of Contaminated Sites", CANECT, Toronto, May 2019
- Chair, "Climate Change Roundtable", ONEIA Business and Policy Forum, Toronto, April 2019
- Co-moderator, "Environmental Law 101", 2019 ICSC Canadian law Conference Roundtable, Toronto, March 2019
- Speaker, "Meeting the soil management challenge", Ontario Road Builders Association, Toronto,

February 2019

- Speaker, "Clean to Pristine – An Argument Advocating for Full Restoration Damages", The Six-Minute Environmental Lawyer 2018, Law Society of Ontario, Toronto, October 2018
- Speaker, "Charting the Future", National Brownfields Summit, Toronto, June 2018
- Chair and speaker, Regulation, Liability & Best Practices: "What's new: Managing Excess Soil", "Management and Development of Contaminated Sites and Movement of Excess Soil", CANECT, Toronto, May 2018
- Moderator, "Environment and Energy Fundamentals: Environmental due diligence tool kit" and "Environmental Issues from Our American Neighbour's Perspective", CBA, NEERLS Annual Summit, Winnipeg, Manitoba, May 2018
- Moderator and speaker, Environment – Impacts & Regulation, SIRD, CBA, Dar es Salam, Tanzania, April 2018
- Speaker, "Climate Change – A Strategic Priority", Crown Corporate Governance Conference, Toronto, January 2018

Additional Publications and Media Mentions

- Contributor to "Landlord's Rights and Remedies in a Commercial Lease: A Practical Guide"
- Regularly updates *Falconbridge on Mortgages*, Chapter 10, "Environmental issues Affecting the Mortgagee"
- "10 Tips To Manage Environmental Risk During Uncertain Times", April 2020
- "Climate Change: Parties to M&A must be diligent", January 2020
- "The Rapid Rise of Climate Change Disclosure Risks", Chapter in Key Developments in Environmental Law 2019, Thomson Reuters, November 2019
- "Climate change related risks classified as a mainstream business issue by the CSA", August 2019
- "Ontario conducts province-wide mining inspection blitz: employers take note", August 2019
- "Weathering the climate-change storm with increased financial risk disclosure – Bank of Canada vulnerability assessment", May 2019
- "Ontario government proposes changes to Endangered Species Act", May 2019
- "Ontario proposing environmental assessment changes", May 2019
- "Impact on Environmental Issues", USMCA, November 2018
- "Bill C-68: amending the Fisheries Act to provide protection to fish and their habitat", March 2018
- "Mainstream carbon markets", February 2018
- "Canada unveils backstop carbon pricing details: the Green House Gas Pollution Pricing Act", January 2018
- "Inspection and Maintenance Guide for Stormwater Management Ponds and Constructed Wetlands Toronto and Region Conservation Authority", 2018
- ["How Ontario's rules for dealing with excavated dirt aim to clean up the industry"](#), *The Globe and Mail*, May 10, 2023
- ["The difficult road to a green recovery"](#), National, CBA, October 2020
- "Environmental and industry implications for Ontario's Bill 197", ERIS Blog, August 2020
- ["Celestica manages environmental risk during COVID"](#), *Canadian Lawyer Magazine*, April 2020

- [“10 Tips to manage environmental risk during uncertain times”](#), ES&E Magazine, April 2020
- [“An environment chapter with teeth”](#), National, CBA, February 2020
- [“Climate related financial disclosure in spotlight”](#), *Lawyer’s Daily*, August 2019
- [“Ontario government proposes changes to Endangered Species Act”](#), *Law Times*, May 2019
- [“Excess Soil Management”](#), *NRU Publishing*, December 2018
- [“Trade agreement has new environmental rules”](#), *Law Times*, November 2018
- [“Every Drop Counts”](#), *Water Canada*, (Report focusing on the connection between water and energy in Ontario’s municipal water and wastewater systems)
- [“How CETA Will Impact the Water Sector”](#), *Water Canada*, January 2017

Publications

- The Deadline to Report Under Canada’s New Anti-Forced Labour Supply Chain Law is Fast Approaching: What You Need to Know, April 16, 2024
- Excess Soil Regulation Partial Pause Commences April 20, until December 31, 2022 – What you need to know!, April 21, 2022
- New Guidance on ESG-Related Investment Fund Disclosure: The CSA Releases Staff Notice 81-334, February 09, 2022
- Mandatory Climate-Related Disclosure: The CSA Releases Proposed National Instrument 51-107 – Open for Comment, November 04, 2021
- A Matter of National Concern: The Supreme Court of Canada Upholds a Federal Price on Carbon, March 26, 2021
- Comply or Beware: Toronto to Begin Naming Employers With COVID-19 Outbreaks, January 05, 2021
- Ontario’s New Regulation for Excess Soil, December 18, 2020