

Krista Chaytor

Partner

Toronto

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Practice Areas

Construction

Employment & Labour

Commercial Leasing

Litigation & Dispute

Resolution

Real Property

Commercial Litigation

Krista Chaytor is an experienced litigator with a practice focused on business litigation.

Krista has experience litigating a large number of business disputes, including those related to commercial leasing, construction, real estate, shareholder rights and remedies, and employment.

Krista is adept at handling complex business litigation. She has appeared before all levels of Ontario courts, numerous tribunals and the Federal Court. Krista also has experience in alternative dispute resolution and effectively provides advice and opinions that result in practical business solutions for her clients.

Called to the Bar

- Ontario (2000)

Education

- J.D., University of Toronto, 1998
- B.Comm. (Hons.), Memorial University of Newfoundland, 1995
- Undergraduate Certificate in International Business, ESC Rennes School of Business, 1994

Affiliations

- Canadian Bar Association
- Ontario Bar Association
- Metropolitan Toronto Lawyers Association
- The Advocates' Society
- Canadian Association of Women in Construction
- Women in Capital Markets
- Construction Lawyers Society of America

WeirFoulds LLP

4100 – 66 Wellington St. West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

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Notable Mandates

Acted for:

- a national landlord in the enforcement of a redevelopment clause in a commercial lease

- a national landlord in connection with the enforceability of an Offer to Lease
- numerous landlords in connection with disputes concerning the calculation of common area maintenance costs
- a national tenant in connection with the wrongful termination of a retail lease
- numerous landlords in connection with the interpretation of the use clause in a retail lease
- numerous employers in connection with the misappropriation of confidential business information
- a commercial tenant of an office lease in connection with construction deficiencies in the landlord's work
- minority shareholders of a parent corporation in connection with oppressive conduct of the majority shareholder in depleting corporate assets of the parent and subsidiary companies
- a public authority in connection with the scope of an official mark

Reported Cases

Fairweather Ltd. v. RioCan YEC Holdings Inc. 2010 ONSC 6445 (CanLII)

Hashem v. 2069513 Ontario Ltd. (2010), 92 R.P.R. (4th) 224 (Ont. Div. Ct.)

Hashem v. 2069513 Ontario Ltd. (2009), 82 R.P.R. (4th) 292 (Ont. S.C)

Kirwan v. Silver Brooke Golf Course Inc. (2006), 46 R.P.R. (4th) 104

Prism Data Services Ltd. v. Neopost Inc. (2003), 124 A.C.W.S. (3d) 461

Cadogan v. Lavigne (2000), 98 A.C.W.S. (3d) 69

Society of Composers, Authors and Music Publishers of Canada v. Armitage (2000), 50 O.R. (3d) 688 (C.A.)

Awards

- Recognized by the *Canadian Legal Lexpert Directory* as a leading lawyer in Construction Law (2023, 2024)
- Recognized in the *Lexpert Special Edition: Infrastructure* (2023, 2024)
- Repeatedly recognized by *Best Lawyers in Canada* as a leading lawyer in Construction Law and Commercial Leasing Law

Professional Activities

- Co-Chair, WeirFoulds Equality, Diversity and Inclusion Committee (2020-present)

Speaking Engagements

- Co-Host, "Tools for Success: A Construction Webinar Series - Season 9", WeirFoulds LLP, Online, April 10 to May 22, 2025

- Speaker, "Tenant Defaults - What to Do and Not to Do", ICSC+Canadian Law 2025, Toronto, ON, May 1, 2025
- Instructor, "It's like Deja Vu all Over Again!" - Changes to Ontario's Construction Act", The Construction Institute of Canada, Toronto, ON, March 25 & June 4, 2025
- Co-Host, "Tools for Success: A Construction Webinar Series - Season 8", WeirFoulds LLP, Online, November 7 to December 5, 2024
- Speaker, "Collaborating & Cross-Selling for Success", 2024 Annual Meeting, SCG Legal, Los Angeles, CA, September 19, 2024
- Instructor, "The Construction Act", The Construction Institute of Canada, Webinar, June 6, 2024
- Instructor, "Construction Contracts 101: Smooth Sailing or Gale Force Winds", The Construction Institute of Canada, Webinar, May 8 & May 9, 2024
- Co-Host, "Tools for Success: A Construction Webinar Series - Season 7", WeirFoulds LLP, Online, April 18 to May 30, 2024
- Speaker, "Contract Conundrums: Navigating Construction Challenges from the Legal, Expert, and Contractor Perspective", Chartered Institute of Building & WeirFoulds LLP, Toronto, ON, April 10, 2024
- Speaker, "Can I still sue? How far back can I go? What are a lawyer's obligations? Limitation issues", ICSC+Canadian Law 2024, Toronto, ON, April 9, 2024
- Instructor, "Bidding & Tendering", The Construction Institute of Canada, Webinar, April 3 & April 9, 2024
- Speaker, The Eight-Minute Commercial Leasing Lawyer 2024, Law Society of Ontario, Toronto, ON, February 28, 2024
- Facilitator, "Interactive Workshop: Saving the Troubled Project", The Osgoode Certificate in Construction Law, Toronto, ON, November 7, 2023
- Co-Host, "Tools for Success: A Construction Webinar Series - Season 6", WeirFoulds, Online, October 5 to November 30, 2023
- Instructor (with Michael Swartz), "Construction Contracts 101: Smooth Sailing or Gale Force Winds", The Construction Institute of Canada, Online, August 2nd - 4th 2023
- Speaker, "The New Construction Act, Ontario - What's Changed", ICSC+Canadian Law, Toronto, ON, May 5, 2023
- Co-Host, "Tools for Success: A Construction Webinar Series - Season 5", WeirFoulds, Online, March 9 to May 4, 2023
- Instructor (with Michael Swartz), "CCDC2 - 200 (Everything You Need to Know but Haven't Asked About Yet)", The Construction Institute of Canada, February 8, 2023
- Co-Speaker (with Michael Swartz), "Construction Contracts: Assessing and Managing Risks – Part 2", Private Webinar Series for an Owner in conjunction with The Construction Institute of Canada, October 31, 2022
- Co-Host, "Tools for Success: A Construction Webinar Series - Season 4", WeirFoulds, Online, September 29 to November 10, 2022
- Co-Speaker (with Michael Swartz), "Construction Contracts: Assessing and Managing Risks – Part 1", Private Webinar Series for an Owner in conjunction with The Construction Institute of Canada, July 8, 2022
- Co-Speaker (with Jeff Scorgie), "A Conversation About Contracts – Emerging Trends and Challenges", EACC Annual General Meeting & Conference, May 26, 2022
- Speaker, "Lessons From Canada and the UK: Lien Reform and Adjudication", The Advocates' Society, Online, April 22, 2022

- Co-Host, "Tools for Success: A Construction Webinar Series - Season 3", WeirFoulds, Online, March 10 to April 28, 2022
- Co-Speaker (with Michael Swartz), "Construction Contracts 101: Smooth Sailing or Gale Force Winds", Webinar Series, The Construction Institute of Canada, March 29-31, 2022
- Co-Speaker (with Jeff Scorgie), "New CCA 1-2021 Stipulated Price Subcontract & Best Practices: What you need to know", Webinar, Barrie Construction Association, March 24, 2022
- Co-Speaker (with Michael Swartz), "The Law of Procurement", Webinar Series, The Construction Institute of Canada, March 7-9, 2022
- Co-Speaker (with Michael Swartz), "Supply Chain Woes: Breaches, Claims, Delay and More – Tips for Handling Price Escalations, Material Shortages and Supply Chain Delays", Webinar, The Construction Institute of Canada, February 28, 2022
- Speaker, "The Six-Minute Commercial Leasing Lawyer 2022," Law Society of Ontario, Online, March 3, 2022
- Co-Speaker (with Michael Swartz), "CCDC2 – 2020 (Everything You Need to Know But Haven't Yet Asked)", Webinar, The Construction Institute of Canada, June 9, 2021
- Co-Host, "Tools for Success: A Construction Webinar Series", WeirFoulds, Online, April 1-June 10, 2021
- Speaker, "CCDC 2 Updates", International Institute of Building Enclosure Consultants - Southern Ontario Chapter, Online, May 26, 2021
- Speaker, "The Six-Minute Commercial Leasing Lawyer 2021," Law Society of Ontario, Online, March 2, 2021
- Speaker, "Commercial Priorities for Real Estate and Business Lawyers 2021", Law Society of Ontario, Online, March 3, 2021
- Speaker, "CCDC 2 Updates Webinar", Sealant and Waterproofing Association, Online, April 20, 2021
- Speaker, "Everything You Need to Know About the New CCDC 2 Contract", FCA Insurance Brokers, Online, January 27, 2021
- Speaker, "What Went Wrong?", Your First Commercial Leasing Transaction, Webinar, The Canadian Bar Association, November 10, 2020
- Co-Speaker (with Karsten Lee), "Impact and Implications of Ontario's Temporary Ban on Commercial Evictions", Webinar, Ontario Bar Association, June 23, 2020
- Co-Speaker (with Michael Swartz), "Construction Contracts: Assessing and Managing Risks", Webinar Series, The Construction Institute of Canada, April 27 - May 1, 2020
- Co-Speaker (with Michael Swartz), "The New Construction Act: The Old, The New, and the Really, Really New!", The Construction Institute of Canada, Richmond Hill, ON, March 11, 2020
- Co-Speaker (with Michael Swartz), "The New Construction (Lien) Act: Time Periods, Prompt Payment and Adjudication", Ontario Petroleum Contractors Association", Toronto, ON, March 4, 2020
- Co-Speaker (with Michael Swartz), "The New Construction Act: What's New and What's Really, Really New!", The Construction Institute of Canada, Toronto, ON, October 9, 2019; and presentation for a private institute, Toronto, ON, February 14, 2020
- Co-Speaker (with Michael Swartz), "Construction Contracts: Assessing and Managing Risks", Gold Seal Accredited Course for the Peterborough and District Construction Association, Peterborough, ON, September 9, 2019
- Co-Speaker (with Michael Swartz), "Construction Contracts: Assessing and Managing Risks", Gold Seal Accredited Course for The Construction Institute of Canada, Toronto, ON, June 5, 2019

- Speaker, "Impact of the Proposed new Construction Lien Legislation on Tenancies", ICSC Canadian Shopping Centre Law Conference, Toronto, ON, April 2016
- Roundtable Speaker, "Lease Negotiations and the Rules of Professional Conduct", ICSC 2015 Canadian Law Conference, April 15, 2015
- Roundtable Speaker, "Bankruptcy and Insolvency Law for Leasing Professionals", ICSC 2013 Canadian Law Conference, February 21, 2013
- Guest Lecturer, "Employment Standards in the Construction Industry", Ontario General Contractors Association, December 2012
- Roundtable Speaker, "Lease Negotiations and the Rules of Professional Conduct", ICSC 2015 Canadian Law Conference, April 15, 2015
- Roundtable Speaker, "Construction Liens for Dummies", ICSC 2012 Canadian Law Conference, February 23, 2012
- Guest Lecturer, *Employment Law and Human Rights Law in the Construction Industry*, George Brown College, School of Continuing Education, July 2011
- Roundtable Speaker, "Tenant Defaults – What to Do and What Not to Do", ICSC 2011 Canadian Law Conference, February 25, 2011
- Guest Lecturer, "Employment Standards in the Construction Industry and Human Rights in the Construction Industry", Ontario General Contractors Association, October, 2010
- Speaker, "Commercial Leasing in Tumultuous Times", Ontario Bar Association, May 28, 2009
- Speaker, "Commercial Leasing Essentials", Law Society of Upper Canada, September 24, 2008
- Speaker, *The Six Minute Debtor-Creditor & Insolvency Lawyer*, Law Society of Upper Canada, April 22, 2008
- Speaker, "Property Tax Issues", ICSC 2007 Canadian Law Conference, March 1, 2007
- Roundtable Speaker, "Confidential Information from a Litigator's Perspective", University of Western Ontario Faculty of Law, 2006
- Speaker, *Bounteous Borders, Nasty Neighbours III: Return of the Feuding*, Ontario Bar Association, Toronto, June 2004

Additional Publications

- Co-author (with Michael Swartz and Brian Kuchar), "Pandemic Pandemonium! Construction Claims and COVID-19", *Piling Canada* Q2, 2020
- Co-author (with Michael Swartz), "Getting Ready for Prompt Payment in Ontario: Other provinces are likely to follow suit", *Canadian Petroleum Contractor Magazine*, Canadian Petroleum Contractor Association, December 2019.

Media Mentions

- *Daily Commercial News*, "[AI in Construction: Legal implications for the new frontier](#)", October 26, 2023
- *Daily Commercial News*, "['Golden goose' of project delays is unforeseen site conditions: WeirFoulds](#)", May 8, 2023
- *Daily Commercial News*, "[Technology vastly changing e-discovery process: WeirFoulds webinar speaker](#)", March 31, 2023

Publications

- [Start Shredding: The Ultimate Limitation Period Is About to Extinguish Claims](#), December 04, 2018
- [What's New in the World of Asset Management Planning?](#), May 31, 2016
- ["Canada" in Global Legal Insights – Litigation & Dispute Resolution 3rd Ed.](#), August 20, 2014
- ["Canada" in Global Legal Insights – Litigation & Dispute Resolution 2nd Ed.](#), August 13, 2013
- [Working in Canada: An Overview of Employment Law](#), October 18, 2011
- [Estoppel Certificates: Avoiding Liability for Another Owner's Debts](#), September 02, 2011
- [Tenant Defaults – What to Do and What Not to Do: A Short Checklist](#), February 24, 2011
- [Is Your Business Protected When Employees Leave?](#), November 27, 2008
- [Tenant bankruptcy and beyond – Spring 2008](#), May 30, 2008
- [The Power of the Internet: Beware of What You Write](#), August 02, 2004