

David Thompson

Senior Counsel

Toronto

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Practice Areas

Corporate & Commercial

Landlord & Tenant

Commercial Leasing

Real Property

Shopping Centres

Waterfront

David Thompson is a highly distinguished leasing lawyer. Since 1989, his practice has focused on commercial leasing and development law, negotiating large and complex retail, commercial, mixed-use, ground and industrial leasing transactions across Canada, for some of the most significant clients in the field.

David regularly acts for landlords, tenants, lenders and property managers. As a partner at WeirFoulds, he has acted for some of Canada's most well-known national chains in food services and retail. He also regularly works on leases for venues such as shopping malls, historical sites, sports facilities, pads, strip centres and hospitals.

He has negotiated and finalized leases, offers, subleases and letter agreements (for land leases, turnkeys and pad deals). He also has extensive experience with joint venture agreements, development agreements, cross easements and all the issues related to the development, sale and/or acquisition of land, including heritage site designations and all ancillary documentation. David is also well versed at providing legal opinions on lease interpretation and other leasing matters.

As well as providing unparalleled support to his clients, David has been repeatedly recognized in the *Canadian Legal Expert Directory* as a leading property leasing lawyer. He is also a sought-after presenter for national leasing and real estate conferences, including speaking at events for the Law Society and The International Council of Shopping Centers (ICSC).

WeirFoulds LLP

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Called to the Bar

- Ontario (1989)
- Alberta (1995)

Education

- LL.B., University of Western Ontario, 1987
- B.Sc., University of Toronto, 1986

Affiliations

- Canadian Bar Association
- Ontario Bar Association
- International Council of Shopping Centres
- Canadian Corporate Counsel Association

Notable Mandates

Handles leasing needs for national retailers with locations across Canada.

Handles leasing matters for national landlords with centres across Canada.

Handles leasing matters regarding warehouse and office leases across Canada.

Awards

- Repeatedly recognized by *Best Lawyers®* in Canada as a leading lawyer in Commercial Leasing Law and Real Estate Law
- Repeatedly recognized in the *Canadian Legal Lexpert® Directory* as a leading lawyer in Property Leasing

Professional Activities

Former Bar Admission course instructor for Legal Writing.

Community Involvement

Rugby Coach

Speaking Engagements

- Speaker, "Negotiation Techniques", Your First Commercial Leasing Transaction, Webinar, The Canadian Bar Association, November 10, 2020
- Panelist, "Retrofit and Adaptive Reuse: Case Studies and Commentary", The Real Estate Strategy & Leasing Conference, Toronto, ON, September 19, 2017
- Panelist, "Retail Programing for Condominiums and New Apartments: What Works and What Doesn't?", 2017 Canadian Apartment Investment Conference, Toronto, ON, September 6 2017
- Panelist, "With a Little Help From My Friends", ICSC Canadian Shopping Centre Law Conference, Toronto, ON, April 27, 2017
- Speaker, "It's Fundamental, No Really, Fundamental Breach as Tenant's Remedy", The Six-Minute Commercial Leasing Lawyer 2017, The Law Society of Upper Canada, Toronto, ON, February 22, 2017

- Panelist, Rapid Legal Roundtable: Implications of Development Activity on Existing Assets including Demolition and No Build Clauses Description, 2016 Real Estate Strategy & Leasing Conference, Toronto, ON, October 6, 2016
- Moderator, Legal and Regulatory Issues for Property Managers and Owners, Property Management Exposition & Conference, Toronto, November 28, 2012
- Co-presenter, Roundtable on Legal and Regulatory Issues for Property Managers and Owners, 17th Annual Springfest, April 6, 2011
- Moderator, "That's Special. Food, Fitness and Fun. Tips for Specialty Leasing to Tenants with Extraordinary Needs", International Conference of Shopping Centres Legal Conference, February 24, 2011
- Speaker, "Storefront Leasing Issues", 6 Minute Leasing Lawyer, Law Society of Upper Canada, February 16, 2011 Speaker and Moderator, "Pad Locations, Construction and Defaults", International Council of Shopping Centres Seminars and Roundtables
- 6 Minute Commercial Leasing Seminars (Law Society of Upper Canada)
- Practice Gems Seminar (Law Society of Upper Canada)
- In Sight seminar on commercial leasing
- Real Leasing Conference, 2009 and 2010

Publications

- Bill C-9: An Act to Amend the Income Tax Act (*Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy*), November 16, 2020
- The Collapse of a House of Cards: Estoppel by Convention and the Need for a Shared Assumption, August 31, 2020
- Commercial Tenant Relief Provided: the *Protecting Small Business Act*, 2020, June 18, 2020
- The Standard of Appellate Review for Standard Form Contracts versus CCAA Plans – *SFC Litigation Trust v. Chan*, 2019 ONCA 525, July 06, 2019
- International Commercial Arbitration Awards: When Does an Arbitration Award Become Binding?, August 03, 2018
- Equity Rules the Day: The Supreme Court of Canada Clarifies the Tenets of Proprietary Estoppel, January 08, 2018
- Webinar Series: All About Shareholders, December 07, 2017
- Make a Will Month provides an annual checkup for lawyers and the public, November 21, 2017
- "Wealth Planning for Personal Equity Plans (PEPs) and "High Risk" Clients: Risks and Challenges", July 10, 2017
- "Investing in Justice: Expanding the Litigation Funding Industry to Estates and Trust Litigation, July 10, 2017
- A Year in Review: The Far Reach of the IRS in Canada Foreign Account Tax Compliance Act, January 23, 2015
- "Litigating Through the Grey Zone: The Law of Testamentary Capacity" in Annual Review of Civil Litigation 2014, December 31, 2014
- Tactical summons barrage leads to big indemnity, December 10, 2014
- Preservation, Patience and Persistence: The Dilemmas of a Litigator in Estates, October 09, 2014
- "Canada" in Global Legal Insights – Litigation & Dispute Resolution 3rd Ed., August 20, 2014