

15th annual rankings

TOP 10 DEVELOPMENT LAW FIRMS

Growth plan conformity and density issues dominated OMB cases in the Greater Toronto Area in 2013. Municipal official plans and amendments were the target of many appeals, as the *Growth Plan for the Greater Golden Horseshoe* continued to be controversial in municipal implementation.

The year's biggest case landed slightly outside of the GTA, as the Region of Waterloo's land budget became a flashpoint for the board, the municipality and the province.

The region has two ongoing court cases over a board decision to open up more land than the municipality budgeted for residential growth in coming decades. The result of the court appeals will have ramifications—both for land budgeting exercises and for experts at the Ontario Municipal Board.

In the GTA proper, growth plan conformity amendments faced appeals in Durham, York, Halton and Peel, at both lower- and upper-tier levels.

Look for these trends to continue, as many official plans and conformity exercise appeals remain in all sections of the GTA.

It wasn't all conformity, however. This year's top 20 development firms represented interests in cases regarding race tracks, urban boundaries and variances galore. [CONTINUED PAGE 4](#)

Airport Employment District in question

BOUNDARY ADJUSTMENTS

A recent Ontario Municipal Board decision has left the **City of Hamilton** looking to adjust its urban boundaries to accommodate new employment lands, and hungry developers looking to capitalize on the situation.

As the City of Hamilton airport employment growth district enters its third phase of hearings at the OMB, a new proposal by **Twenty Road Landowners Group West** has put the community on edge, wondering if the process to finalize new urban boundaries in Hamilton might drag on for several more years.

In a recent submission to council, the Twenty Road Group proposed a concept plan that shows almost 70 hectares of land being used to expand the low-rise residential found north of Twenty Road West, plus a small mixed-use corridor added onto a proposed extension of Garth Street.

The submission seemingly runs contrary to a previous OMB decision back in 2006 which agreed that there would be no residential land use within the employment growth district. The second phase of hearings at the board, which ended back in July, gave direction that the amount of land set aside for employment uses should be reduced from the original 662 net hectares, to 555 net hectares. The Twenty Road West group is proposing that 70 of the 107 excess hectares [CONTINUED PAGE 3](#)

HOLIDAY NOTICE

There will be no GTA Edition Wednesday, January 1, 2014.

Publication will resume January 8. NRU editorial offices will be closed December 25, 2013 to January 1, 2014. Happy holidays!

OUR LEGAL TEAM. YOUR SUCCESS.

- Planning
- Development
- Municipal
- Real property
- Finance
- Infrastructure
- PPP
- Litigation
- Environmental

Jim Harbell
jharbell@stikeman.com

Calvin Lantz
clantz@stikeman.com

STIKEMAN ELLIOTT

STIKEMAN ELLIOTT LLP | www.stikeman.com

UPCOMING DATES

JANUARY 6

Oshawa Council, 6:30 p.m.

JANUARY 7

Durham Region Planning and Economic Development Committee, 9:30 a.m.

Halton Planning and Public Works Committee, 9:30 a.m.

Halton Administration and Finance Committee, 1:30 p.m.

JANUARY 9

York Region Committee of the Whole 1, 9:30 a.m.

Housing York Inc. (following committee of the whole)

JANUARY 13

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

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

Newmarket Committee of the Whole, 1:30 p.m.

JANUARY 14

Durham Region Finance and Administration Committee, 9:30 a.m.

Heritage Richmond Hill, 7:30 p.m.

Caledon Council, 9:30 a.m.

JANUARY 15

Halton Regional Council, 9:30 a.m.

JANUARY 16

York Region Committee of the Whole 2, 9:30 a.m.

Halton Housing Advisory Committee, 1:00 p.m.

JANUARY 20

Pickering Executive Committee, 7:00 p.m.



Peel pilots popularly priced pass

DISCOUNTED PRESTO CARD

Peel Region is looking to give discounted Presto cards to Ontario Works clients to help them move around the Greater Toronto Area. As part of the region's 2012 Poverty Reduction Strategy, the program would issue up to 500 Presto Cards.

Peel Human Services specialist **Adaoma Patterson** spoke to *NRU* over the phone about the program.

"The Peel Poverty Reduction Strategy Committee, which is a community table that is co-chaired by the United Way and the Region of Peel, has a three-year strategy that identifies affordable transit as one of five major issues that we heard from the community really needs to be addressed in a focused way. One of the specific actions was the creation of an affordable transit program."

The cost of providing the 500 Presto Cards will be shared among the region, **Brampton Transit** or **MiWay** (Mississauga) **Transit**, and participating Ontario Works clients. **Caledon** currently does not have a transit system. Each party will pay a third of the cost of a Presto card.

Of particular note is that Presto Cards will give clients transit access to more than just Peel Region. Patterson said that this was intentional.

"We've become fluid. The purpose of the Presto Card is the recognition that people travel, that they don't always stay within their community anymore," she said, adding that the pass will help people connect to employment, social and health services, not only in Peel but throughout the GTA. "The Presto Card offers that flexibility."

We've become fluid. The purpose of the Presto Card is the recognition that people travel, that they don't always stay within their community anymore.

• Adaoma Patterson

The affordable transit pass pilot program for Peel Region residents in Brampton and Mississauga was approved by regional council at its December 19 meeting. The pilot is still in the design phase, but Patterson says that they hope to begin the 12-month pilot by about spring of 2014.

Peel's transit pass pilot program joins similar programs in **Hamilton**, **York Region** and **Halton Region**. Patterson said that she's pleased this initiative is being undertaken elsewhere.

"We're thrilled that we're tied to a bigger table that is looking at transit throughout the GTA as opposed to just a city or region." **NRU**

Ian A.R. Graham, Publisher
iang@nrupublishing.com

Lynn Morrow, Editor
lynnm@nrupublishing.com

Sarah Ratchford
Municipal Affairs Reporter
sarahr@nrupublishing.com

Jeff Payette, Design/Layout
jeffp@nrupublishing.com

Irena Kohn
Sales and Circulation
irenak@nrupublishing.com

Twitter @NRUpublishing

SALES/SUBSCRIPTIONS
circ@nrupublishing.com

Annual subscription rate is \$369 +HST (ON).

Complimentary trial subscriptions are available.

Advertising rates available upon request.

NRU Greater Toronto Area Edition is not to be redistributed without the written consent of the publisher.

NRU Greater Toronto Area Edition is published 50 times a year by email by NRU Publishing Inc.

NRU Publishing Inc.
Editorial Office
26 Soho Street, Suite 330
Toronto, ON M5T 1Z7
Tel: 416.260.1304
Fax: 416.979.2707

Billings Department
34B McMurrich Street
Toronto, ON M5R 2A2
Tel: 416.440.0073
Fax: 416.440.0074
ISSN 1918-7548



CITY OF TORONTO • GREATER TORONTO • VANCOUVER

BOUNDARY ADJUSTMENTS

CONTINUED FROM PAGE 1

be turned over for residential development. Twenty Road West group member **Ward Campbell** says that pulling that 70 hectares out for further study is very logical.

“The area that we looked at has potential for other uses that we think might be more beneficial than just employment land,” Campbell said. “It is adjacent to an existing residential area, it’s outside of all of the noise contour problems that might be created by an airport, and we believe the employment area should be centralized around the airport.”

Citizen’s at City Hall (CATCH) coordinator **Don McLean** says this whole process has been very frustrating for citizens. His group, which monitors news coming from Hamilton City Hall, has been reporting on issues surrounding the airport employment district since 2006. In a phone interview with *NRU*, McLean said that many residents in Hamilton feel that the whole process of expanding the employment in the area has been an exercise in futility.

“We’ve had an airport business park since 1992, it was established at 93 per cent empty, it is 93 per cent empty today, it has never attracted anybody, so the airport as an attractant hasn’t really panned out.”

He said that given there is currently more desirable vacant employment land within the city boundaries, the chance that much of the airport employment land will remaining empty—regardless of the boundaries chosen—remains high. He said that residents didn’t want the expansion of employment in the first place, but that was never presented as an option when they were consulted back in 2006.

“[The airport employment growth district’s] only advantage is that lands are near an airport, but that airport is not doing very well.”

The Twenty Road Landowners Group West is not the only landowner who may be looking to fight over what ultimately might become of the expanded urban boundaries, and which part of it will be considered for employment uses. A group called **Twenty Road Landowners Group East** had been part of the original appeal, and McLean said they, along with other landowners in the area, are interested in making a claim too.

“The appellants who are the landowners are primarily arguing that the [urban] boundaries should be expanded, but that some portion of their lands is better suited for residential or commercial purposes.”

He also says that landowners further east in the Elfrida

area, which was considered by the city for future residential growth and boundary expansion back in 2009, will likely be gearing up to fight both the East and West landowner groups should an attempt be made to get approval for residential uses on their lands. Campbell says that Twenty Road West has not discussed the issue with the other landowner groups.

Hamilton industrial parks and airport development director **Guy Paparella** says the city is not looking to entertain any talks about introducing residential lands into the airport employment growth district.

“They think we’re starting all over again because we had to take out 107 hectares, and they’re saying ‘take me out, take me out, because I didn’t want to be in it in the first place’. But what we’re saying is ‘no’. We’re not going to compromise principles; we’re not going to revisit history. They agreed in the minutes of phase one that there would be no residential so don’t start talking about it now.”

Paparella says recommendations on new airport employment growth district boundaries will be presented to council in February before the third phase of the OMB hearing begins.

Campbell says that the negative reaction to his group’s concept plan is a misunderstanding.

“They automatically assumed we’re asking for residential. We are not. We are saying that the area has potential for further study.”

The appeal to the OMB on the second phase, fought jointly by **Environment Hamilton** and **Hamilton for Progressive Development** sought to limit the amount of lands available for development around the airport, but their appeal was denied by the board. The decision meant that the city is currently trying to figure out the boundaries for 555 hectares of employment land, a process that will be decided in the third phase, which will be before the OMB in 2014.

CATCH has ties to both Environment Hamilton and Hamilton for Progressive Development, although McLean emphasizes that CATCH itself tries not to take positions.

The proposed boundaries of the airport employment growth district place it around the John C. Munro Hamilton International Airport, which is south-west of Hamilton’s core, and will expand the City of Hamilton’s boundaries. The six landowners who make up the Twenty Road Landowners Group West own land north of the airport between Glencaster Road and Upper James Street. [nrU](#)

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 1

In the 15th annual rankings of the Greater Toronto Area's most prominent planning and development firms, NRU looked back at OMB decisions and stories from August 2012 to July 2013. The ranking themselves remained relatively stable in the top 5, with last years two top firms swapping spots (meaning a new number one). Elsewhere, three firms made the jump into the top 10 in 2013.

For the Toronto rankings, see the December 20th edition of NRU Toronto.

1 [2] Davies Howe Partners



Jeffrey Davies, John Alati, Isaiah Banach, Kimberly Beckman, Matthew Di Vona, Mark Flowers, Jason Lewis, Meaghan McDermid, Michael Melling, Aaron Platt, Susan Rosenthal, Katarzyna Sliwa, Daniel Steinberg and Alexander Suriano.

The two top firms from 2012 swapped spots in 2013. Davies Howe took the top spot from Aird & Berlis. The firm had the edge in sheer volume of cases, seemingly involved with the majority of major cases before the board in some capacity. The firm not only was involved in a number of land-use cases, but played major roles in development charges and parkland decisions in Richmond Hill and York Region.

OMB Cases and Decisions:

Representing Daraban Holdings Ltd. in appeals to allow a multi-storey retirement home in Mississauga (x); representing appellants Al Ladha and Jeremy Tio to allow minor residential redevelopment in an existing subdivision (√); representing Mattamy in appeals related to a development plan for the Seaton area in Pickering; representing multiple parties in appeals of the Halton Region official plan; representing Sutton Heights Development Inc. in appeals of York Region's development charges by-law; representing York Region District School Board ad Whiterose Village investments in appeals to allow two eight-storey apartment buildings; representing Yonge Bayview Holdings Inc. in appeals of the Town of Richmond Hill's parkland dedication policies (x); representing York Region District School Board in appeals to

permit a five-storey condo in Brampton (√); Mayfield West Developers Group Inc. and Solmar Development Corporation in the Peel Region ROPA 20, 22 and 24 (settled); representing multiple parties regarding site-specific policies and partial approvals of Richmond Hill's official plan; representing multiple parties in appeals to the Vaughan official plan; representing multiple parties in appeals to the York Region official plan (√); representing Snelgrove Plaza Inc. in an appeal to allow a plaza in Caledon (settled); representing Tribute (Unionville) Limited in appeal to allow a four-storey apartment building in Markham (√); representing Islington Palisades Ltd. in appeals to allow a rezoning and site plan for a four-storey apartment building in Vaughan (√); representing Kindwin (Mayfield) Development Coporation Osmington Inc. and Heathwood Homes Limited regarding modifications to Brampton's official plan (√); representing multiple parties in appeals of the Simcoe County growth plan OPA; representing multiple parties in appeals of the East Gwillimbury official plan (√); representing Yonge Bayview Holdings Inc. in appeals of the Richmond Hill official plan (√); representing Daraban Holdings Ltd. and White Elm Investments Inc. in appeals of the City of Mississauga's official plan; representing 2190647 Ontario Inc. in appeals to allow two 10-storey residential buildings on Highway 7 in Vaughan (settled); representing multiply parties in an appeal to allow three subdivisions in Milton; representing 20 Road Landowners East in appeals of Hamilton's urban boundary expansion; representing Huntingwood Developments Ltd. in appeals to allow a Hindu Temple on agricultural land in Brampton; representing Brynes Shouldice in appeals of the Sutton/Jackson secondary plan in Georgina (settled); representing Harbour View Investments Ltd. in appeals to allow a residential subdivision in Caledon East; representing F.S. 6810 Limited Partnership in appeals to allow a 22-storey condo on commercial land in Mississauga; and representing landowner Peter Eliopoulos, who is seeking to re-designate agricultural lands in the Township of King.

2 [1] Aird & Berlis



Eileen Costello, Robert Doumani, Patricia Foran, Tom Halinski, Patrick Harrington, Jody Johnson, CONTINUED PAGE 5 ▶

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 4

Kim Kovar, Sidonia Loiacono, Leo Longo, John Mascarin, Josephine Matera, Piper Morley, Jane Pepino, Andrea Skinner, Christopher Williams and Steven Zakem.

Despite losing the top spot in the rankings, Aird & Berlis continued to be involved in major planning decisions across the GTA in 2013. The firm represented parties in appeals to official plans in Halton, York and Peel, and claimed a big victory in February, when it won an appeal on behalf of the Orlando Corporation that allows market justifications to be used as a planning rationale in development applications. It is still involved with many major appeals, so expect it to be in contention for the top spot again in 2014.

OMB Cases and Decisions:

Representing Major Mac 404 Realty Inc. in an appeal to allow a plan of subdivision in Richmond Hill (settled); representing Frank Gusic in an appeal to allow a two-storey medical/office building in Mississauga (x); representing the Brooklin North Landowners Group in appeals regarding the Seaton lands in Pickering; representing multiple parties in appeals to the Halton Region official plan conformity amendments; representing the Township of King in appeals to permit a subdivision in King Township; representing multiple parties in appeals of the Peel Region official plan amendments 20, 22 and 24 (settled); representing Loblaw Properties Limited in appeals of the Richmond Hill official plan; representing multiple parties in appeals to the Vaughan official plan; representing 2310601 Ontario Inc. (Milliken) in appeals to approve a precinct plan in Markham; representing Halton Region in appeals of its development charges by-law; representing multiple parties in appeals of the York Region official plan (✓); representing the Township of Woolwich in appeals to the Region of Waterloo's land budget (✓); representing Orlando Corporation in an appeal of the City of Mississauga official plan that prevented development applications from using market conditions as a planning justification (✓); representing Frangian Holdings Limited in appeals to allow a 17-storey residential tower in Markham (settled); representing Minto Stouffville Inc. in an appeal of approvals for zoning by-law amendments in Whitchurch-Stouffville (x); representing Orlando Corporation and Akeda Holdings Limited in appeals to the Brampton official plan (settled); representing multiple parties in Simcoe

County's growth plan conformity amendment to its official plan; representing Yonge and Green Lane South Developments Corp. in appeals to the East Gwillimbury official Plan(✓); representing multiple parties in appeals against Milton's growth plan conformity official plan amendment; representing Loblaw Properties Limited in modifications to the Richmond Hill official plan; representing multiple parties in appeals of the City of Mississauga official plan; representing Loblaw Properties Limited and HDP Canada Industrial Fund (I) GP Inc. in appeals to Durham Region's growth conformity official plan amendment (settled); representing the Town of Milton in appeals relating to three subdivisions in Milton; representing the City of Hamilton in appeals of its development charges by-law (settled); representing M1 Developments Inc. in appeals to allow higher densities near Vaughan Mills Mall; representing the North Markham Land Owners Group in appeals to request the revocation of a minister's zoning order in Markham; and representing the Township of King in appeals to re-designate agricultural lands in the Oak Ridges Moraine.

3 [3] **Goodmans**



Ian Andres, Anne Benedetti, David Bronskill, Jennifer Drake, Tom Friedland, Joseph Hoffman, Roslyn Houser, Robert Howe, Allan Leibel, Catherine Lyons, Mark Noskiewicz, Nicholas Staubitz and Michael Stewart.

Goodmans maintained its ranking at 3 in 2013. The firm was involved in a major case in Richmond Hill—Representing Corsica Developments Inc. in its settlement with the Town of Richmond Hill in appeals to establish a secondary plan for the David Dunlap Observatory district. The firm was also involved in multiple official plan appeals, and looks poised to remain in the top 5 in 2014.

OMB Cases and Decisions:

Representing Baif Developments Limited in an appeal to allow a subdivision in Richmond Hill (settled); representing appellant 611428 Ontario Limited in appeals to re-designate employment lands in Vaughan (settled); representing Baif Development Limited site-specific appeals

CONTINUED PAGE 6 ▶

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 5

of Richmond Hill’s official plan; representing multiple parties in appeals to Waterloo Region’s land budget (✓); representing Zavala Developments incorporated in appeals regarding the Seaton lands in Pickering; representing Georgetown Shopping Centres and Milton Phase 3 Landowners Group Inc. in appeals to Halton’s official plan conformity amendments; representing multiple parties in appeals to Peel Region’s growth plan conformity amendments; representing multiple parties in appeals to the Vaughan official plan; representing Milton Phase 3 Landowners Group Inc. and Silwell Developments Limited in appeals to the Halton Region development charges by-law; representing multiple parties in appeals to the York Region official plan (✓); representing multiple parties in appeals to the East Gwillimbury official plan; representing Corsica Developments Inc. in appeals to establish a secondary plan for the observatory district in Richmond Hill (settled); representing multiple parties in modifications to the Richmond Hill official plan; representing the Kennedy McCowen Land Owner Group in an appeal to remove a 1970s zoning order in Markham; and representing Elfrida Landowners against appeals to the City of Hamilton’s urban boundary (✓).

4 [4] Kagan Shastri



Ira Kagan and Paul DeMelo.

Yorkville firm Kagan Shastri also retained its spot from 2012, landing in fourth place once again. Major cases for the firm included the settlement of a racetrack in Fort Erie, and the battle over a major development, including an eight-storey retirement residence, at Slessor Square in Newmarket, which landed on the front page of *NRU GTA* in February. The firm’s high success rate helped it maintain its ranking.

OMB Cases and Decisions:

Representing 1820266 Ontario Inc. (Times Group) in appeals to allow zoning amendments for a residential development in Markham; representing multiple parties in appeals of the Halton Region growth plan conformity amendments; representing the Town of Fort Erie in appeals to allow a racetrack (settled); representing 1820266 Ontario

Inc. (Times Group Corporation) in an appeal to allow two eight-storey condominium developments in Markham; representing Empirewalk Estates Inc. in appeals to allow a townhouse development in Richmond Hill (✓); representing multiple parties in appeals to the York Region official plan (✓); representing Dwight Slessor Holdings Limited and George St. Retirement Residence Partnership in appeals to allow a high-density development in Newmarket (settled); representing multiple parties in appeals to the Vaughan official plan; representing the Town of Oakville in appeals to allow a subdivision in the town (x); representing Ouray Development Inc. in appeals to the City of Brampton official plan; representing Abode Varsity Living Inc. in appeals to allow student housing in Guelph (✓); and representing Niagara Region in appeals by the Ministry of Municipal Affairs and Housing over the Fort Erie urban boundary.

5 [7] Ritchie Ketcheson Hart & Biggart

Ritchie Ketcheson Hart & Biggart LLP

John Ritchie, Bruce Ketcheson, Andrew Biggart, John Hart and Effie Lidakis.

Etobicoke firm Ritchie Ketcheson Hart & Biggart jumped two spots from 2012, landing in the top 5 for 2013. The firm’s jump can be attributed to its representation of municipal interests—it represented municipalities in a number of high-profile appeals, including Durham Region in appeals regarding the Seaton Lands. Its involvement in that case, as well as multiple appearances for the City of Markham, could keep the firm climbing up the rankings in 2014.

OMB Cases and Decisions:

Representing the City of Markham in an appeal regarding the city’s lot division by-law (✓); representing the City of Burlington in an appeal of a draft plan of subdivision (settled); representing the City of Markham in official plan and zoning by-law appeals to allow a subdivision in the city; representing Durham Region in appeals regarding the City of Pickering official plan amendment 22; representing Great Land (Westwood) Inc. in appeals to the Richmond Hill

CONTINUED PAGE 7 >

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 6

official plan (✓); representing multiple parties in appeals to the Vaughan official plan; representing the City of Burlington regarding its five-year official plan review and zoning by-law amendments; representing the Town of Whitby seeking costs regarding a previous OMB appeal by Winchester Plaza Limited (✓); representing the City of Markham in appeals to approve a precinct plan and official plan and zoning bylaws for residential development in the city; representing the City of Markham in appeals to allow a four-storey apartment building on Fred Varley Drive (x); representing the Town of East Gwillimbury in appeals to its official plan; and representing Richmond Hill in appeals regarding the David Dunlap observatory lands (settled).

6 [6] **WeirFoulds**



Glenn Ackerley, Denise Baker, John Buhlman, Jeff Cowan, Julia Croome, Jill Dougherty, Bruce Engell, Sean Foran, Barnet Kussner, Ian Lord, Michael McQuaid, Jennifer Meader, Kim Mullin, Gregory Richards, Sylvain Rouleau, Lynda Townsend and Christopher Tzekas.

WeirFoulds remained stable in the 2013 rankings, staying in the sixth spot. With its involvement in the Seaton appeals, growth conformity appeals in Halton and Simcoe and official plan appeals in Richmond Hill and Brampton, the firm had a solid year and cemented its status as a top-10 firm in the GTA.

OMB Cases and Decisions:

Representing multiple parties in appeals regarding the Seaton lands in the City of Pickering; representing multiple parties in appeals to the Halton Region growth conformity amendments; representing the City of Brampton in appeals to allow a five-storey condominium in Brampton (settled); representing the City of Brampton and James Dick Construction Ltd. in appeals to Peel Region's growth plan conformity amendments (settled); representing the Town of Richmond Hill in appeals to its official plan; representing the City of Brampton in appeals to its official plan (✓); representing the Township of Springwater in appeals to the Simcoe County growth plan conformity amendment to its official plan; representing

the City of Vaughan in appeals to allow a 180 townhouse development; and representing Mayfield the Park Community Association in appeals to allow student housing in Guelph (x).

7 [5] **Borden Ladner Gervais**



Rick Coburn, Aimee Collier, Ajay Gajaria Sean Gosnell, Christel Higgs, Gabrielle Kramer, Ian Mathany, J. Pitman Patterson, Frank Sperduti, Isaac Tang, Stephen Waqué, Robert Wood.

Borden Ladner Gervais dropped two spots from 2012, but managed to remain in the top 10 in 2013, landing at 7. It held its position in the top 10 through its involvement in representing York Region in multiple appeals, including official plan cases in Richmond Hill and Vaughan.

OMB Cases and Decisions:

Representing Halton Region in appeals to the City of Burlington's growth conformity amendments; representing John Field in an appeal of approvals to allow a cottage in Georgian Bay (✓); representing Halton Region in appeals to its official plan conformity amendments; representing York Region in appeals to the Richmond Hill official plan (settled); representing York Region in appeals to the Vaughan official plan; representing Arcturus Investment Management in an appeal to allow a four-storey apartment building in Oshawa (settled); representing York Region in appeals to the Richmond Hill official plan regarding the David Dunlap observatory lands (settled); representing Murray Stroud in appeals to the Durham Region growth plan conformity amendment; and representing parties in appeals to the City of Hamilton's urban boundary.

8 [12] **Davis**



Chris Barnett, Laura Bisset and David Crocker.

CONTINUED PAGE 8 ▶

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 7

It was a four-spot jump for Toronto firm Davis, which moved into the top 10 after looking in from the outside at the number 12 spot last year. The jump can be attributed to the firm's involvement in a number of official plan growth conformity exercises, representing a variety of interests, both public and private.

OMB Cases and Decisions:

Representing the Town of Richmond Hill in appeals to allow 67 residential dwellings in Richmond Hill; representing Shoppers Drug Mart/Shoppers Realty inc. in appeals over a parking variance in Richmond Hill (✓); representing North Pickering Limited Partnership in appeals regarding the Seaton lands in the City of Pickering; representing South Georgetown Landowners Group in appeals to the Halton Region official plan growth conformity amendments; representing Garden Commercial Properties Inc. in appeals to permit 77 townhouses in Richmond Hill (✓); representing the Town of Caledon in appeals of Peel Region's growth conformity amendments to its official plan (settled); representing Teefy Developments Inc. in appeals to the Vaughan official plan; representing the Ontario Potato Distributors in appeals of the Simcoe County growth plan conformity amendments to its official plan; representing multiple parties in appeals of the East Gwillimbury official plan (settled); representing 724903 Ontario Inc. (Preston Group) in an appeal to allow a retail and office plaza in Newmarket (✓); representing multiple parties in appeals to the Richmond Hill official plan (settled); representing Durham Region in appeals of its official plan growth plan conformity amendment; and representing Losani Homes in appeals of the City of Hamilton's development charges by-law (settled).

9 [11] Loopstra Nixon

Quinto Annibale, Steven Ferri and Mark Joblin.

Loopstra Nixon is the second of 2013's top-10 debuts, jumping from 11 in 2012 to 9 this year. The firm's cases represented the major types of appeals that dominated 2012-13 in the GTA—conformity exercises, density issues and allowing places of worship in employment areas.

OMB Cases and Decisions:

Representing the Town of Georgina in appeals to its development charges bylaw (✓); representing the City of Mississauga in appeals to allow a two-storey medical building in Mississauga (✓); representing the City of Pickering in appeals regarding OPA 22, a development plan for the Seaton lands; representing a the Town of Innisfill in appeals to Simcoe County's growth plan conformity amendment to its official plan; representing Southwest Georgetown Landowners Group and Lormel Develoments (Georgetown) in appeals to the Halton Region official plan review and Milton's growth conformity official plan amendment; representing St. Thomas of Villanova Catholic School and Augustinian Fathers (Ontario) Inc. in appeals to allow a subdivision in the Township of King; representing Holcim (Canada) Inc. in an appeal to allow a place of worship in an industrial building in Markham(settled); representing the City of Mississauga in appeals of the Peel Region official plan growth plan conformity amendments (settled); representing multiple parties in appeals of the Vaughan official plan; and representing the City of Mississauga in appeals to allow a retirement home (✓).

10 [N/A] Davis Webb



Neil G. Davis, Ronald K. Webb and Ellen S. Pefhany.

After not making the rankings in 2012, Davis Webb managed a top-10 debut in 2013, landing in the 10th spot. The firm achieved a victory in an appeal to allow a 100-lot subdivision in King Township, in which it represented the developer. That case, and its involvement in other high-profile GTA cases, moved Davis Webb into the Top 10.

OMB Cases and Decisions:

Representing James and Kathleen Pope in appeals to allow five minor variances in Brampton (✓); representing multiple parties in appeals to the Halton Region's official plan growth conformity amendments; representing W. J. Smith Gardens Limited in an appeal to East Gwillimbury's official plan; representing multiple parties in appeals to Halton Region's five-year official plan review amendment and

CONTINUED PAGE 9

TOP 10 DEVELOPMENT LAW FIRMS

CONTINUED FROM PAGE 8

the Town of Milton's growth plan conformity amendment to its official plan; representing Mary Lake Estates Inc. in an appeal to allow a subdivision in King Township (✓); representing Brampton Brick Limited in appeals of the Peel Region growth conformity amendments (x); representing Swami Mohan Das Sewa Samiti of Canada in a Brampton parking minor variance appeal (settled); representing W. J. Smith Gardens Limited in appeals to the York Region official plan (✓); representing Sutton Six 1 Developments Ltd. in appeals of the Town of Georgina's Sutton/Jackson's Point secondary plan; representing multiple parties in appeals to allow three subdivision in the Town of Milton; and representing Daniels LR Corporation in an appeal to allow 98 condominium units in Brampton (settled).

The next 10...

11. [9] **Townsend and Associates**; 12. [10] **Bratty and Partners**; 13. [N/A] **McMillan**; 14. [8] **Thomson Rogers**; 15.

[N/A] **Jeffrey Streisfield**; 16. [15] **McCarthy Tétrault**; 17. [13] **Turkstra Mazza**; 18. [N/A] **Wood Bull**; 19. [19] **Garrod Pickfield**; 20. [N/A] **Blake Cassels & Graydon**. [nru](#)

Methodology

The end of year tradition at NRU examines the legal side of planning and development in the Greater Toronto Area, primarily focusing on cases that have come before the Ontario Municipal Board between August 2012 and July 2013 as reported in NRU - GTA.

Send us your interesting board and court decisions and development applications by email or fax, to ensure they are covered in NRU - GTA Edition for the annual ranking to be published in

December 2014.

How the information is collected—We track each of the law firms mentioned in NRU - GTA Edition (OMB News predominately but not exclusively) over a one-year period between August and July. From there we determine the firms that are most frequently mentioned and sort through their projects and hearings. Some firms are involved in a variety of developments across the city, while others have particular associations to major clients.

Determining the top 10—Balancing the number of clients, the range of projects and the difficulty of cases, as well as unique features about each project or case, is our most difficult task. This assessment is based only on items covered in NRU-GTA Edition and does not account for the vast number cases concerning such matters as minor variance applications, assessment appeals or for those that participated as part of a development team without our knowledge. Hence, there is a degree of subjectivity in our ranking.

The listings—Lawyers that are part of the planning and development law team for each of the top 10 ranked firms are noted. In cases that involved an OMB decision where a clear winner/loser or settlement was determined, the appropriate symbol (✓) or (x) or (settled) follows

the case description. If there was no clear win/lose/settlement or the matter involved a prehearing or was still pending before the OMB by the end of July 2013, no symbol appears. A square bracket after this year's ranking indicates the firm's placement in last year's NRU listing.

There will be no GTA Edition Wednesday, January 1, 2014. Publication will resume January 8. NRU editorial offices will be closed December 25, 2013 to January 1, 2014. Happy holidays!