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ENVISIONING BLOOR

Living up to its potential

By Mark Ostler

When you think of Bloor Street West you think of a myriad of restaurants, hotels, stores, cultural, entertainment and educational facilities rich in architecture and public art—and that is only the segment between Avenue Road and Bathurst Street.

Working to the areas strengths, the presentation by **Jennifer Keesmaat (Office for Urbanism)** at the final public meeting on Monday showed a future that includes a strong, improved public realm along Bloor Street West and received a largely positive response.

“There was no rancour or any major comments about the potential intensification issues, such as height and density,” **Robert Brown, The Annex Residents’ Association’s** visioning study director, told *NRU*.

“There would be a continuous network of good visual public spaces between Avenue Road and Walmer.”

“A big part of our plan was about recognizing that there is going to be intensification along the corridor, but it shouldn’t be everywhere,” Keesmaat told *NRU*. “There are certain spots that can accommodate it and certain spots that cannot.”

Key ideas of the study include protecting the low-rise residential neighbourhoods that abut the corridor, recognizing the importance of pedestrians and examining how the corridor can be a model for the sustainable evolution of neighbourhoods.

Pedestrian improvements set out in the study include removing one lane of westbound traffic between Bathurst Street and Spadina Avenue and narrowing all lanes between Spadina Road and Avenue Road to widen the sidewalk on the north side of Bloor Street.

Retaining employment in the area is one of the stipulations the vision sets out for potential new developments.

“Any new projects or development should have retail at grade,” Brown said. “We’d like to retain some element of employment because there are a significant number of

CONTINUED PAGE 3

10TH ANNUAL TORONTO RANKING

Top ten development law firms

The 2006-2007 *NRU* Toronto law review highlights the continuation of some high profile cases. Appeals of the *Central Waterfront Secondary Plan* and the *East Bayfront West Precinct Plan* kept on going this year, while some large residential developments were given the go ahead. Menkes Development’s condominium towers, totalling 1,200-units at Park Lawn Road and Lake Shore Boulevard West, El-Ad Group’s 2,200-unit development north of Highway 401 and K&G Oakburn Apartments’ 1,195-unit mix of condos and townhouses northeast of Yonge Street and Highway 401 were among the larger residential developments whose appeals at the Ontario Municipal Board came to an end. However, condos were not the only Toronto developments to reach the OMB: 2811 Development Corporation won its appeals for a 690,000-sq.ft. mixed commercial-industrial development at Steeles Avenue East and Markham Road, Menkes Development won appeals for mixed-use towers, as well as a 10-storey office building and Bridgepoint Health Services won appeals for a 12-storey hospital facility, a 10-storey institutional building and three 8-storey mixed-use buildings.

CONTINUED PAGE 5

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Coming Up

JANUARY 1

Mayor's New Year's Levee, City Hall Rotunda, 11:00 a.m. - 12:30 p.m.

JANUARY 8

Executive Committee, 9:30 a.m.

JANUARY 9

Public Works & Infrastructure Committee, 9:30 a.m.

JANUARY 10

Planning & Growth Management Committee, 9:30 a.m.

JANUARY 14

Community Development & Recreation Committee, 9:30 a.m.

JANUARY 15

Community Councils, 9:30 a.m.

JANUARY 16

Parks & Environment Committee, 9:30 a.m.

JANUARY 17

Economic Development Committee, 9:30 a.m.

JANUARY 18

Government Management Committee, 9:30 a.m.

JANUARY 28

Budget Committee, 9:30 a.m.

JANUARY 29 - 30

Council, 9:30 a.m.

FEBRUARY 4

Budget Committee, operating budget councillor hearings, 9:30 a.m.

FEBRUARY 5

Budget Committee, operating budget public hearings, 9:30 a.m.

FEBRUARY 6

Executive Committee, 9:30 a.m.

FEBRUARY 8

Public Works & Infrastructure Committee, 9:30 a.m.

FEBRUARY 11

Budget Committee, operating budget review, 9:30 a.m.

FEBRUARY 12

Community Councils, 9:30 a.m.

A CENTURY AGO

How the waterfront has changed

Some might say nothing has been done to Toronto's waterfront in years, but York University professor, Gene Desfor would argue that if you look at

process. Some people look at what's happening now on the waterfront as being the beginning of change, where it's just one more step in a process of change that has always been happening," said the faculty of environmental studies professor who also worked with the **Royal Commission on the Future of the Toronto Waterfront** appointed in 1988.

His research begins in the mid-

Toronto: Harbour, [ca. 1919]



archives.gov.on.ca

it from a historical perspective, it has come a long way.

In the midst of a three-year research project funded by the **Social Science and Humanities Research Council of Canada**, Desfor and a team of York professors from various disciplines are looking at the last 100 years of Toronto's waterfront from both a social nature and a political ecology perspective.

"Waterfront change is a continuous

1800s, when the board of the **Toronto Harbour Commission** was created to manage shipping issues down at the port but by the turn of the 20th Century, it was seen as corrupt and inadequate and the problems were getting worse.

During the 1910 election, voters were asked if they would like a commission to control and develop Ashbridge's Bay and 76 per cent were in favour. So

CONTINUED PAGE 3

10 NRU

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Envisioning Bloor continued from page 1

non-profits and smaller local businesses and local offices above the stores that are currently existing or in some of the smaller buildings and we wouldn't want to lose those employment opportunities."

The **University of Toronto**, the largest single landowner in the area, was an active participant in the study looking at how its future contributions can enhance the area.

"The university will try to create a better presence at grade with some form of retail, whether it's cafes or bookstores."

Brown was interested in seeing the section of Bloor Street treated as an area of transition to the city's western neighbourhoods, as opposed to part of the downtown.

"Even though this area of the city is officially part of the downtown, we're saying it's on the fringe of the downtown and should not be seen in the same light as Front Street or Bay Street or King or Adelaide or Richmond," said Brown.

Keesmaat noted that at the outset of the process it was established that the work on the study would recognize "that this in fact is a corridor that has a pretty important role on a broader scale in the neighbourhood."

"Our stakeholder group was comprised not only of people who had some interest in land in the corridor, but people who in some way had an adjacency to the corridor as



well," Keesmaat said. "It brought together a whole variety of stakeholders who had not collaborated in the past. It ended up being a very positive experience."

Stakeholders involved in the study include the **Harbord Village Residents' Association**, the **Huron Sussex Residents' Association**, the **Harbord Street BIA**, the **Bloor Annex BIA**, local developer **David Green**, the **Mirvish Village BIA**, a representative of the **University of Toronto** students' union, U of T administration, the **Royal Conservatory of Music**, the **Jewish Community Centre** and the **ROM**.

"Hopefully, this will be executed in a reasonable fashion over the next few years and we will get continuous support from the city," Brown said.

City staff will now take the recommendations of the report and produce an official plan amendment to recognize the character of the area. **NRU**

Waterfront continued from page 2

the plan to rid the city of the marsh and construct an industrial district got underway with the establishment of the Toronto Harbour Commission and the *1912 Waterfront Plan*.

In a paper about his research, presented at the **Association of American Geographers** meeting last April, Desfor explains "a new organization was established that reshaped the waterfront, this time in the form of an industrial landscape, and it was responsible for institutionalizing practices for the commodification of urban nature."

Now, nearly 100 years later, it's happening again but this time, the value of nature has changed. In the industrial era, there was a need for deep water and solid land, but "now people see the marsh providing another way of participating in the environment," Desfor said.

The research study entitled, *Changing Urban Waterfronts*, will examine the shaping of it from a political-economy perspective, but also an ecological perspective looking at the relationship between the decisions being

made and the wildlife in the area. It will also provide an analysis of images and documents produced by various groups involved with the waterfront changes over the years.

"The waterfront in Toronto needs to change but it needs to build on the historical processes of change that have happened," said Desfor. The final research project is expected to be presented in spring 2008. **NRU**

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THE GREAT INCOME DIVIDE

Targeted investment needed

Calling Toronto a “city of disparities” the **Centre For Urban and Community Studies at University of Toronto** released a report that shows such a distinct divide among income levels that it could be seen as three-cities-in-one.

“Toronto is now so polarized it could be described as three geographically distinct cities made up of 20 per cent affluent neighbourhoods, 36 per cent poor neighbourhoods, and 43 per cent middle-income earner neighbourhoods—and that 43 per cent is in decline,” states a summary by the report’s author **J. David Hulchanski**, director of the centre.

The study entitled, *The Three Cities within Toronto: Income polarization among Toronto’s neighbourhoods, 1970–2000*, analyzes income and other data from the 1971 and 2001 censuses and groups the city’s neighbourhoods based on whether average income in each had increased, decreased or stayed the same over the 30 year period.

The report describes three distinct geographical “cities” within Toronto in 2001. The first city being the high-income clusters around the two subway lines, an area south of Bloor/Danforth, some of the waterfront and central Etobicoke. It includes about 17 per cent of Toronto’s residents; incomes have increased by 71 per cent over the 30 years and ethnically the majority is white.

In the second, middle-income “city” people live in the core, south of Bloor-Danforth and in the former North York. This group makes up 42 per cent of Toronto’s residents; have seen a slight decrease in income and half are immigrants.



The third “city” is low-income and can be found in northern Toronto, outside the Yonge Street subway corridor and in Scarborough. It comprises 40 per cent of the city’s population; incomes have decreased dramatically and the majority of residents are black, Chinese or South Asian.

The study concludes that the grand divide has become wider, that federal and provincial income-support programs that keep up with inflation and tax relief is needed and that municipal policies that encourage inclusionary zoning and control the hike in rental fees when a unit becomes vacant could also help alleviate the disparity. **NRU**

City in brief

Construction amalgamation

SNC-Lavalin Engineers & Constructors Inc. is amalgamating with some of its affiliates and its indirect parent company. The new amalgamated company will be called **SNC-Lavalin Inc.** effective January 1, 2008.

Protecting the Great Lakes

Founding Canadian mayor **David Miller** and other mayors of the Great Lakes and St. Lawrence Cities Initiative called on the Canadian and U.S. federal governments to make protection of the Great Lakes a priority by renegoti-

ating the 20-year-old Canada-U.S. Agreement on Great Lakes Water Quality. The mayors met for a mid-year board of directors meeting, hosted by the mayor of Racine and current chair, **Gary Becker**, last week.



Holiday travel

If you are travelling over the holidays, you will be one of the 100,000 passengers expected to travel through **Toronto Pearson** airport. The busiest season for the airport is between Friday, December 21, and Saturday, December 22. On an average day, about 85,000 passengers travel through Toronto Pearson.

Canadian content

During a special meeting this week, the **TTC** voted to replace the aging fleet of streetcars with ones that are at least 25 per cent made in Canada. A request for proposal will be put out for 204 low-floor streetcars—to hit the rails by 2011—pushing the limit for Canadian content requirements. **NRU**

Top ten development law firms

continued from page 1

In our tenth annual ranking of Toronto's most prominent planning and development law firms, *NRU* looked back at the OMB decisions from August 2006 to July 2007. There is a fair bit of change this year over last year's ranking as some firms moved up the list and others slid down.

Look for the GTA edition of the top 10 development law firms in last Wednesday's *NRU*.

1. [1] SHERMAN, BROWN, DRYER, KAROL Adam Brown, Alan Dryer



Reasons for Ranking:

Sherman, Brown, Dryer, Karol takes the top spot for the second year in a row. The firm had a hand in a large number of cases, including several large residential developments. Lawyer Adam Brown featured prominently in all of the firm's appeals, including the Lake Shore Boulevard high-rise appeals and Menkes Development's Yorkville condo towers. Sherman, Brown, Dryer, Karol also benefited from taking on a number of smaller cases, such as minor variances and smaller residential intensification developments.

OMB and Court Matters or Hearings: representing Churchill-Basswood Developments Inc. regarding its appeals for official plan and zoning by-law amendments and site plan settlement to permit development of 38 townhouses northwest of Park Home Avenue and Yonge Street (Brown) (✓); representing Savon Construction Inc. regarding its appeals for official plan and zoning by-law amendments and site plan settlement to permit development of eight townhouses on Bayview Avenue north of Sheppard Avenue East (Brown) (✓); representing Sheppard Valley Holdings Ltd. regarding its appeals for official plan and zoning by-law amendments and site plan settlement to permit development of two-condominium towers and 45 townhouses totaling 650 units northeast of Leslie Street and Sheppard Avenue East (Brown) (✓); representing Menkes Lakeshore Ltd. regarding its appeals for official plan and zoning by-law amendments to permit the development of a 10-storey office building and three mixed-use towers with a total of 1,200-residential units at Lake Shore Boulevard and Park Lawn Road (Brown, Dryer) (✓); representing Owen's Custom Build regarding its appeal of the committee of adjustment's approval of minor variances to permit construction of a two-storey house on Russell Hill Road

(Brown) (✓); representing Vianovus Capital Corporation regarding its appeals for official plan and zoning by-law amendments and site plan approval to permit development of a 10-storey, 240-unit apartment building southeast of Bathurst Street and Steeles Avenue West (Brown) (✓); representing Menkes Development (Bay-Yorkville Developments Ltd.) regarding appeals by John Donald, Linda Chu, John and Angela Cliendo, ABC Residents Association, Amy Coffin and Donna Wright against the city's approval of Menkes' proposed 46 and 30 storey residential towers in Yorkville, which includes hotel uses (Brown) (settlement); representing Alex Marrero regarding his appeals for rezoning, site plan approval and consent to sever to permit development of 18 townhouses northeast of Dundas Street East and Coxwell Avenue (Brown) (settlement); representing 3018-3020 Yonge Street Ltd. regarding its appeals for official plan and zoning by-law amendments to permit development of a 16-storey, 198-unit condominium on Yonge Street near Lawrence Avenue (Brown); representing Stone Manor Limited regarding its appeal for official plan and zoning by-law amendments to permit the development of 20 three-storey townhouses on Bayview Avenue, north of Lawrence Avenue East (Brown) (✓).

2. [3] MCCARTHY TÉTRAULT John Dawson, Steven Diamond (now president of DiamondCorp), John Inglis, Calvin Lantz (now with Stikeman Elliott), Cynthia MacDougall, Tara Piurko, Christopher Tanzola, Brad Teichman

McCarthy
Tétrault

Reasons for Ranking: McCarthy Tétrault moved up one spot from last year's ranking, largely due to the number of cases the firm took on in 2006-2007. High profile cases, such as appeals of the new official plan, the *Central Waterfront Secondary Plan* and the East Bayfront west precinct lands helped the firm move into the number two spot.

OMB and Court Matters or Hearings: representing the Toronto District School Board regarding appeals by El-Ad Group (Canada) for official plan and zoning by-law amendments to permit development of two 36-storey condominium towers and several 7-9 storey buildings totaling 2,200 units north of Highway 401 (Teichman) (settlement); representing the Greater Toronto Homebuilders' Association and the Urban Development Institute (now BILD) regarding their appeals against the official plan (Diamond, Dawson, MacDougall, Lantz) (settlement); representing Wellesley Residences Corp. (Plazacorp) regarding appeals by First Urban Inc. (2060580 Ontario Inc.) against official plan and zoning by-law amendments granted to Wellesley

Top ten development law firms continued from page 5

Residences to permit a 28-storey, 227-unit residential development on Wellesley Street East (MacDougall, Piurko) (✓); representing Concert Properties Inc. regarding its appeals for official plan and zoning by-law amendments to permit a 19,000-sq.m. mixed-use development southwest of Adelaide Street East and Lower Jarvis Street (Dawson, Tanzola); representing Monarch Corporation regarding its appeal for draft plan of subdivision approval to permit development of a residential subdivision east of Midland Avenue, west of Brimley Road and south of the CNR Kingston subdivision (Dawson) (settlement); representing Canadian Pacific Express & Transport Ltd., Pier 27 Toronto Inc., the Greater Toronto Homebuilders' Association, the Urban Development Institute (now BILD) and Canadian Tire Real Estate Ltd. regarding appeals against the East Bayfront West Precinct Plan (Teichman, Inglis); representing Bridgepoint Health Services regarding its appeal for plan of subdivision approval to permit a 12-storey hospital facility, 10-storey institutional building, three 8-storey mixed-use buildings and improvements to existing on-site buildings (MacDougall) (✓); representing Victoria University and MintoUrban Communities Inc. regarding their appeal for official plan and zoning by-law amendments to permit development of two mixed-use buildings, 21 and 12 storeys, southwest of Bloor Street West and Bay Street (MacDougall, Tanzola) (settlement); representing Concert Properties Inc. regarding its appeals for official plan and zoning by-law amendments to permit a 225-residential unit, mixed-use development on a site that contains two heritage buildings northwest of Church and Front streets (MacDougall, Dawson) (settlement); representing Gladstone Tire Distributors Ltd. regarding its appeals against the city's refusal of variances to permit an eight-storey mixed-use building northeast of Queen Street West and Dufferin Street (Teichman); representing Pier 27 Toronto Inc., Plazacorp Properties Ltd., Canadian Tire Real Estate Ltd., Tate + Lyle Canada Ltd., National Rubber Technologies Corp., 640 Fleet Street Developments Limited, 650 Fleet Street Developments Limited and Fleet Boulevard Limited regarding appeals against the *Central Waterfront Secondary Plan* (Dawson, Lantz); representing Quad (King & Brant) Inc. regarding an appeal by Floyd Prager, Morton Prager, 1170480 Ontario Inc. and the City of Toronto against the committee of adjustment's approval of variances to permit Quad's 11-storey, 160-unit residential building on Adelaide Street West (Dawson, Tanzola) (✓ and partial settlement).

3. [4] GOODMANS LLP

Anne Benedetti, David Bronskill, Roslyn Houser, Allan Leibel, Catherine Lyons, Mark Noskiewicz, Sarah O'Connor, Michael Stewart

Goodmans^{LLP}

Reasons for Ranking: With a number of important cases Goodmans LLP climbed up one spot since last year's ranking, landing at number three. Representing clients in appeals in the West Queen West and waterfront cases, as well as the large residential subdivision on Oakburn Crescent and Oakburn Place helped push the firm up the ratings.

OMB and Court Matters or Hearings: representing Markham Steeles Realty Inc. regarding its appeals for official plan and zoning by-law amendments to permit commercial developments at Steeles Avenue East and Markham Road (Houser, Bronskill) (✓); representing the Toronto Waterfront Revitalization Corporation (now Waterfront Toronto) regarding appeals against the East Bayfront West Precinct Plan (Leibel, Stewart); representing Verdiroc Development Corporation and Abell Investments Limited regarding their appeals for official plan and zoning by-law amendments to permit residential developments in the West Queen West Triangle, southwest of Queen Street West and Dovercourt Road (Bronskill) (settlement); representing RioCan Real Estate Investment Trust and Avefair Holdings Inc. regarding their appeal for official plan and zoning by-law amendments to permit development for a six-storey mixed-use building on Avenue Road north of Lawrence Avenue West (Noskiewicz, Benedetti) (settlement); representing The Daniels Corporation regarding its appeal for settlement of site plan details to permit a 15-storey, 450-unit residential condo tower on Bayview Avenue, north of Sheppard Avenue East (Noskiewicz, O'Connor) (✓); representing The Daniels Corporation regarding its appeals for rezoning and settlement of site plan details to permit an integrated complex, including a seven-storey condominium building with retail uses, a nine-storey condo building, a three-storey residential development and a 10-storey seniors' retirement residence on Sheppard Avenue East (Noskiewicz, O'Connor) (✓); representing K&G Oakburn Apartments I & II Limited regarding its appeals for official plan and zoning by-law amendments and draft plan of subdivision approval to permit five residential towers and multiple townhouse blocks totaling 1,195 units on Oakburn Crescent and Oakburn Place, northeast of Yonge Street and Highway 401 (Lyons, Stewart) (settlement); representing the Toronto Waterfront Revitalization Corporation (now Waterfront Toronto) regarding appeals against the *Central Waterfront Secondary Plan* (Leibel, Stewart).

Top ten development law firms

continued from page 6

4. [5] AIRD & BERLIS

Eileen Costello, Robert Doumani, Patricia Foran, Patrick Harrington, Kim Kovar, Leo Longo, John Mascarin, Josephine Matera, Jane Pepino, Christopher Williams, Steve Zakem



Reasons for Ranking: Having taken on a large number of cases, Aird & Berlis stays within the top five, moving up one spot. Representing clients such as Loblaw Properties and handling such cases as the waterfront appeals has kept the firm among the top five.

OMB and Court Matters or Hearings: representing El-Ad Group (Canada) regarding its appeal for official plan and zoning by-law amendments to permit development of two 36-storey condominium towers and several 7-9-storey buildings totalling 2,200 units north of Highway 401 (Pepino) (settlement); representing Loblaw Properties Limited regarding its appeals against the *Warden Woods Community Secondary Plan* (Halinski); representing Petro J. Developments Limited regarding appeals by Menkes Lakeshore Ltd. and Amexon Holdings Ltd. for official plan and zoning by-law amendments to permit mixed-use developments at Lakeshore Boulevard and Park Lawn Road (Costello, Halinski); representing 77 Charles Street West regarding appeals by Warren Seyffert and Metropolitan Toronto Condominium Corporation No. 1251 against the city's approval of official plan and zoning by-law amendments permitting 77 Charles Street West's 16-storey mixed-use building southeast of Bloor Street West and Avenue Road (Kovar) (✓); representing Castan Waterfront Developments Inc. and Home Depot of Canada Ltd. regarding appeals against the East Bayfront West Precinct Plan (Williams, Zakem); representing Monica Kan regarding her appeal for variances to permit development of a four-storey, eight-unit apartment west of St. Clair West and Avenue Road (Kovar) (✓); representing Royal St. George's College regarding its appeals for official plan and zoning by-law amendments to permit a large addition to the school, located northeast of Bathurst and Bloor Streets (Pepino) (✓); representing East Lofts Inc. regarding its appeals for variances to permit development of an 11-storey building on King Street, east of Jarvis Street (Kovar) (✓); representing Shiner Investments Ltd. regarding appeals by Associated Taxicab Cooperative Limited, Lee Valley Tools Ltd. and area residents against the committee of adjust-

ment's approval of variances permitting Shiner's proposed 13-storey, 213-unit residential development on King Street West, east of Bathurst Street (Kovar) (settlement); representing Loblaw Properties Limited regarding its appeals against city-approved official plan and zoning by-law amendments for its properties along Warden Avenue north and south of St. Clair Avenue East (Halinski); representing Castan Waterfront Developments Inc. and Home Depot of Canada Ltd. regarding appeals against the *Central Waterfront Secondary Plan* (Williams, Zakem); representing Kingsway Ratepayers Against Poor Planning regarding appeals by Dunpar Developments Inc. for official plan and zoning by-law amendments to permit development of a seven-storey apartment complex on Dundas Street West, east of Royal York Road (Longo); representing Abdo and Soheir Abdelmessih regarding their appeal for an official plan amendment to permit conversion of two rental apartment buildings into condominiums on Lonsdale Road, northeast of Spadina Avenue and St. Clair Avenue West (Doumani) (settlement); representing the Edwards Gardens Neighbourhood Association and the York Mills Ratepayers Association regarding an appeal by Stone Manor Limited for official plan and zoning by-law amendments to permit development of 20 three-storey townhouses on Bayview Avenue, north of Lawrence Avenue East (Kovar) (X).

5. [2] DAVIES HOWE PARTNERS

John Alati, Jeff Davies, Mark Flowers, Michael Melling, Susan Rosenthal



Reasons for Ranking: Davies Howe slipped three spots this year, but stays within the top five. The high profile waterfront appeals, as well as a large Scarborough commercial-industrial development and several downtown condominiums helped the firm maintain a prominent position in this year's ranking.

OMB and Court Matters or Hearings: representing 36 Park Lawn Road Ltd. regarding appeals by Menkes Lakeshore Ltd. and Amexon Holdings Ltd. for official plan and zoning by-law amendments to permit mixed-use developments at Lakeshore Boulevard and Park Lawn Road (Flowers, Khazanov); representing 1095999 Ontario Inc. regarding its appeals to expand permitted uses northeast of Eglinton Avenue East and Warden Avenue (Flowers); representing 2811 Development Corporation regarding its appeals for official plan and zoning by-law amendments and draft plan of subdivision approval to permit a 690,000-sq-ft. mixed commercial-industrial development at Steeles Avenue East and Markham Road (Davies) (✓); representing

Top ten development law firms continued from page 7

Kintork (Ontario) Limited and Nuko Investments Ltd. regarding appeals against the East Bayfront West Precinct Plan (Flowers, Davies); representing Rose Baum et al. regarding appeals by Victoria University and MintoUrban Communities Inc. for official plan and zoning by-law amendments to permit development of two mixed-use buildings, 21 and 12 storeys, southwest of Bloor Street West and Bay Street (Alati) (settlement); representing Henry D'Auchhapt, Eric Ho, Scott James, Dennis Reed-Lewis, Fredric Geisweller, Cate Freeman, Patricia Goldby, Barry Brown, Peter Markwell and Jeff Ibsen regarding their appeals against the committee of adjustment's approval of variances permitting Shiner Investments Ltd.'s proposed 13-storey, 213-unit residential development on King Street West, east of Bathurst Street (Flowers) (settlement); representing Kintork (Ontario) Limited, 1079744 Ontario Limited, the Ontario Film and Television Studio Owners Association and Nuko Investments Ltd. regarding appeals against the *Central Waterfront Secondary Plan* (Flowers); representing Floyd Prager, Morton Prager and 1170480 Ontario Inc. regarding their appeals against the committee of adjustment's approval of variances to permit Quad (King & Brant) Inc.'s 11-storey, 160-unit residential building on Adelaide Street West (Rosenthal) (settlement); representing Urban Fabri Development (Colgate) Inc. regarding its appeal for official plan and zoning by-law amendments to permit development of two-residential buildings, three and four storeys, northwest of Queen Street East and Carlaw Avenue (Davies) (settlement).

6. [16] FRASER MILNER CASGRAIN

Patrick Devine, Andrew Jeanrie, Jason Park, Katarzyna Sliwa



Reasons for Ranking: One of two top ten firms that jumped ten spots, Fraser Milner Casgrain benefited from a strong team of lawyers who tackled a large volume of cases. Waterfront and large residential development appeals helped propel the firm up the rankings. The firm also represented the Toronto Community Housing Corporation, defending an approved development from appeals.

OMB and Court Matters or Hearings: representing North York General Hospital regarding appeals by Sheppard Valley Holdings Ltd. for official plan and zoning

by-law amendments and site plan settlement to permit development of two condominium towers and 45 townhouses totalling 650 units northeast of Leslie Street and Sheppard Avenue East (Jeanrie); representing the Toronto Community Housing Corporation regarding appeals by the Sheppard West Neighbourhood Association and Penny Jerkovic against the city's approval of a proposed three-storey, 27-unit TCHC development on Sheppard Avenue West, east of Jane Street (Jeanrie) (✓); representing Queen's Quay Investments Inc. and A Small Street in Toronto Inc. regarding appeals against the East Bayfront West Precinct Plan (Devine); representing Minto Gardens Inc. and Minto L8 Inc. regarding their appeal for official plan and zoning by-law amendments to permit a 33-storey residential apartment tower on Sheppard Avenue East, just east of Yonge Street (Devine, Sliwa) (settlement); representing 940412 Ontario Ltd. and 572550 Ontario Ltd. regarding their appeal for official plan and zoning by-law amendments to permit conversion of existing buildings, southeast of Queen Street East and the Don Valley Parkway, into 12-live/work units (Park) (settlement); representing 18 Brownlow Holdings Limited regarding its appeals for official plan and zoning by-law amendments and site plan approval to permit development of a 26-storey, 265-unit condominium southeast of Eglinton Avenue East and Yonge Street (Devine) (settlement); representing 2BRNOT2B Holdings Inc. regarding its appeals against city-approved official plan and zoning by-law amendments for its properties along Warden Avenue north and south of St. Clair Avenue East (Park); representing 940412 Ontario Ltd. and 572550 Ontario Ltd. regarding their appeal for official plan and zoning by-law amendments to permit conversion of units in a building on Saulter Street, southeast of Queen Street East and Broadview Avenue to live-work units (Park); representing the Toronto Economic Development Corporation, Queen's Quay Investments Inc., Gemess Investments Inc. and A Small Street in Toronto Inc. regarding appeals against the *Central Waterfront Secondary Plan* (Park, Sliwa, Jeanrie).

7. [17] WEIRFOULDS

Jill Dougherty, Bruce Engell, Blake Hurley, Barnet Kussner, Constance Lanteigne, Ian Lord, Michael McQuaid, Christopher Tzekas



Reasons for Ranking: WeirFoulds leapfrogged up from number 17 in 2005-2006 to land in the number seven spot this year's rankings. The firm tackled many cases, including appearances in appeals for several large, mixed-use developments.

OMB and Court Matters or Hearings: representing First

Top ten development law firms continued from page 8

Urban Inc. (2060580 Ontario Inc.) regarding its appeals against official plan and zoning by-law amendments granted to Wellesley Residences Corp. (Plazacorp) to permit a 28-storey, 227-unit residential development on Wellesley Street East, west of Church Street (Lord) (✗); representing S. Godfrey Co. Limited regarding its appeals for official plan and zoning by-law amendments to permit at 19,000-sq.m. mixed-use development southwest of Adelaide Street East and Lower Jarvis Street (Kussner); representing Premium Properties Limited regarding its appeal against the official plan with respect to employment lands (Engell) (✗); representing 788248 Ontario Ltd., Dr. David Yan, Rosemary Chan, Symon Zucker, Lisa Borsook and Calvin and Donna Goldman regarding an appeal by Monica Kan for variances to permit development of a four-storey, eight-unit apartment west of St. Clair West and Avenue Road (Kussner, Mullin); representing Perle Michna regarding her appeals for variances to permit development of a new garage and rooftop patio (Kussner) (✓); representing S. Godfrey Co. Limited regarding appeals by Concert Properties Inc. for official plan and zoning by-law amendments to permit a 225-residential unit, mixed-use development on a site that contains two heritage buildings northwest of Church Street and Front Street (Kussner) (settlement).

8. [12] PAPAZIAN HEISEY MEYERS

Papazian Heisey Myers Barristers & Solicitors

Michael Hackl, Alan Heisey

Reasons for Ranking: Moving up four spots to rest at number eight, Papazian Heisey Meyers repeatedly represented high profile clients such as CN Railway. Taking part in the appeals of secondary plans on the city's waterfront, as well as the highly visible West Queen West case, helped the firm climb into the top ten rankings.

OMB and Court Matters or Hearings: representing CN Railway regarding its appeals against the official plan (Hackl) (settlement); representing 30501973 Canada, bcIMC Realty, Diversicare (Hazelton Place) and local residents regarding appeals by Aldergreen Estates Inc. for official plan and zoning by-law amendments to permit a mixed-use development south of Avenue Road and Davenport Road (Heisey); representing the south Etobicoke industrial employers regarding appeals by Menkes Lakeshore Ltd. and Amexon Holdings Ltd. for official plan and zoning by-law amendments to permit mixed-use developments near Lake Shore Boulevard and Park Lawn Road (Heisey); representing CN Railway regard-

ing appeals by Monarch Corporation for draft plan of subdivision approval to permit development of a residential subdivision east of Midland Avenue, west of Brimley Road and south of the CNR Kingston subdivision (Hackl) (settlement); representing CN Railway and GO Transit regarding appeals by B'nai Fishel Inc. for official plan and zoning by-law amendments to permit development of two residential buildings, 10 and four storeys, totalling 207 units northeast of Lansdowne Avenue and Queen Street West (Hackl) (settlement); representing CN Railway and GO Transit regarding appeals by Verdiroc Development Corporation, Abell Investments Limited, 2059946 Ontario Limited, Bohemian Embassy Residences Inc. and Landmark Developments Inc. for official plan and zoning by-law amendments to permit residential developments in the West Queen West Triangle (Hackl); representing CN Railway regarding appeals by 940412 Ontario Ltd. and 572550 Ontario Ltd. for official plan and zoning by-law amendments to permit conversion of existing buildings, southeast of Queen Street East and the Don Valley Parkway, into 12-live/work units (Heisey) (settlement); representing CN Railway regarding appeals by 940412 Ontario Ltd. and 572550 Ontario Ltd. for official plan and zoning by-law amendments to permit conversion of units in a building on Saulter Street, southeast of Queen Street East and Broadview Avenue to live-work units (Heisey); representing the Ontario Realty Corporation regarding appeals against the *Central Waterfront Secondary Plan* (Heisey).

9. [NA] MCMILLAN BINCH MENDELSON

MCMILLAN BINCH MENDELSON

Mary Flynn-Guglietti,
Scott Oldewening, Gina Rogakos

Reasons for Ranking: McMillan Binch Mendelsohn took on a large number of cases in 2006-2007, jumping up to number nine after not making an appearance last year. Big wins in the Mount Pleasant Cemetery and Lake Shore Boulevard high-rise cases pushed the firm into the top ten.

OMB and Court Matters or Hearings: representing Mount Pleasant Group of Cemeteries regarding its appeals for site plan approval and tree removal to permit development of a visitation centre on Mount Pleasant Road (Flynn-Guglietti) (✓); representing Amexon Holdings Ltd. regarding its appeals for official plan and zoning by-law amendments to permit two mixed-use towers, including 588-residential units (Flynn-Guglietti) (✓); representing Ontario Power Generation regarding appeals against the East Bayfront West Precinct Plan (Flynn-Guglietti); representing Stanley Grandison regarding his appeals against the city's

Top ten development law firms continued from page 9

refusal of variances to permit additions to his property on Dufferin Street north of St. Clair Avenue West to create a 14-unit rooming house (Flynn-Guglietti, Oldewening); representing 2058460 Ontario Ltd. (Honeywood Properties Inc.) regarding its appeal for rezoning and draft plan of subdivision approval to permit development of 16-detached homes on Meadowvale Road, north of Lawrence Avenue East (Flynn-Guglietti, Oldewening) (settlement); representing Vanguard Sheet Metal Contractors Limited and Honeywood Properties Inc. regarding their appeal against the city's refusal of a proposed zoning by-law amendment and draft plan of subdivision approval to permit development of 35-detached houses on Zaph Avenue and Meadowvale Road, south of Sheppard Avenue East (Flynn-Guglietti, Oldewening) (settlement).

10. [8] CASSELS BROCK & BLACKWELL

James Ayres, Nicole Auty, Signe Leisk, Stan Makuch



Reasons for Ranking:

Cassels Brock & Blackwell slipped two spots, but hung on to number ten this year thanks to a large volume of cases. Representing Lafarge Canada Inc. in the appeals against the official plan and the *Central Waterfront Secondary Plan*, as well as taking part in several important downtown condominium appeals helped the firm stay in the top ten.

OMB and Court Matters or Hearings: representing Lafarge Canada Inc. regarding its appeals against the official plan (Leisk) (settlement); representing Castlefield/Caledonia

Developments Inc. regarding its appeals against interim control by-laws to permit commercial development on Castlefield Avenue (Makuch, Auty) (settlement); representing Cadbury Adams Canada Inc. regarding appeals by 1095999 Ontario Inc. to expand permitted uses northeast of Eglinton Avenue East and Warden Avenue (Ayres); representing the Metropolitan Toronto Condominium Corporation No. 1251 regarding its appeal against the city's approval of official plan and zoning by-law amendments permitting 77 Charles Street West's 16-storey mixed-use building southeast of Bloor Street West and Avenue Road (Makuch, Leisk) (X); representing Metropolitan Toronto Condominium regarding appeals by Victoria University and MintoUrban Communities Inc. for official plan and zoning by-law amendments to permit development of two mixed-use buildings, 21 and 12 storeys, southwest of Bloor Street West and Bay Street (Makuch, Leisk) (settlement); representing John Donald, Linda Chu, John and Angela Cliendo, ABC Residents Association, Amy Coffin and Donna Wright regarding their appeals against the city's approval of two residential towers in Yorkville, 46 and 30 storeys, which includes hotel uses, proposed by Menkes Development (Bay-Yorkville Developments Ltd.) (Auty) (settlement); representing Lafarge Canada Inc., Toronto Film Studios and the Ontario Realty Corporation regarding appeals against the *Central Waterfront Secondary Plan* (Leisk).

THE NEXT TEN

Based on mentions in *Novae Res Urbis - City of Toronto Edition*, here is the ranking of the next ten firms: (11) [6] **Goodman & Carr**; (12) [9] **Stikeman Elliott**; (13) [13] **Ritchie, Ketcheson, Hart & Biggart**; (14) [n/a] **William Roberts**; (15) [n/a] **Fasken Martineau**; (16) [18] **Thomson, Rogers**; (17) [20] **Borden Ladner Gervais**; (18) [n/a] **Wood Bull**; (19) [15] **Michael B. Vaughan Q.C.**; (20) [11] **Russell Cheeseman**. NRU

Annual ranking

The end of year tradition at *NRU* examines the legal side of planning and development in the GTA, primarily focussing on cases that have come before the Ontario Municipal Board from August 2006 to July 2007 as reported by *Novae Res Urbis - GTA Edition*.

Send us your interesting board and court decisions and development applications by email or fax, to ensure *NRU - GTA Edition* publishes them. We've already started keeping tabs for the tenth annual ranking.

How the information is collected—Using manual research, we track each of the law firms mentioned in *Novae Res Urbis - GTA Edition* (OMB News, predominantly) 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 GTA, while others have particular associations to major clients. The original data is collected from OMB files plus our research for news stories.

Determining the top 10—The most difficult task is balancing the number of clients, the range of projects and the difficulty of cases, as well as some unique features about each project or case. This list is based only on items covered in *Novae Res Urbis - GTA Edition* and does not account for the vast number of cases and firms involved with 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 certain degree of subjectivity in our ranking.

The listings—The 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 (settlement) follows the case description. If there was no clear win/lose or settlement or the matter involved a pre-hearing, or is still pending before the OMB, no symbol appears. A square bracket after this year's ranking indicates the firm's placement in last year's *NRU* listing.

Toronto OMB News

Waterfront appeals update

In a prehearing decision issued December 12, board member **Donald Granger** provided an update on appeals of the *Central Waterfront Secondary Plan*.

The board adjourned archaeological and heritage issues to provide the parties further opportunities to resolve issues arising from the archaeological management plan, to be released soon.

The board also set the date for the next prehearing, scheduled for February 1.

Solicitors **Bruce Ketcheson (Ritchie Ketcheson)** and **Robert Balfour** represent the **City of Toronto**. Solicitor **Christopher Williams (Aird & Berlis)** represents **Castan Waterfront Developments Inc.** Solicitor **Steven Zakem (Aird & Berlis)** represents **Home Depot of Canada Limited**. Solicitor **Calvin Lantz (Stikeman Elliott)** represents **640 Fleet Street Developments Limited, 650 Fleet Street Developments Limited, Fleet Boulevard Limited** and **Redpath Sugar Ltd.** Solicitors **Allan Leibel** and **Michael Stewart (Goodmans)** represent the **Waterfront Toronto**. Solicitors **Andrew Jeanrie** and **Katarzyna Sliwa (Fraser Milner)** represent the **Toronto Economic Development Corporation**. Solicitor **Jason Park (Fraser Milner)** represents **Queen's Quay Investments Inc., A Small Street in Toronto Inc., Gemess Investments Inc., Kintork (Ontario) Limited, Nuko Investments Limited, 1079744 Ontario Limited** and the **Ontario Film and Television Studio Owners Association**. **Michael Shapcott** acts as agent for the **Toronto Disaster Relief**

Committee. Solicitor **Signe Leisk (Cassels Brock)** represents **LaFarge Canada Inc.** and **Toronto Film Studios Inc.** Leisk and solicitor **Alan Heisey (Papazian Heisey)** represent the **Ontario Realty Corporation**. Solicitors **Mary-Flynn Guglietti (McMillan Binch)** and **Jonathan Myers** represent the **Ontario Power Corporation**. Flynn-Guglietti also represents **Talisker Sunlight Park Inc.** (See OMB Case Nos. PL030412, PL030514 and PL060106.)

First prehearing for North York residential appeal

In a prehearing decision issued December 12, board member **Jan de Pencier Seaborn** provided an update on appeals by **Damaris Developments Inc.** against Toronto council's refusal to approve official plan and zoning by-law amendments and plan of subdivision permitting development of detached and semi-detached houses and townhouses at **3035 Weston Road**, southwest of Sheppard Avenue West and Highway 400. Additional appeals by **2233 Sheppard Inc.** and **Clayson KS Inc.** have been taken over by **I.G. Investment Management Ltd., Lindvest Properties (Westshp) Ltd.** and the **Toronto District Catholic School Board**.

The board set the date for a second prehearing conference, scheduled March 4.

Solicitor **Mark Crawford** represents the **City of Toronto**. Solicitor **John Alati (Davies Howe)** represents **Damaris Developments Inc.** Solicitors **Timothy Bermingham** and **Michael Mercer (Blake, Cassels)** represent **I.G. Investment Management Ltd., Lindvest Properties (Westshp) Ltd.** and the **Toronto District Catholic School Board**. **Murray Chusid** acts as agent for **Linvest** and **Brian Dourley** acts as agent for the **TDCSB**. (See OMB Case Nos. PL060687 and PL070782.)

NRU

REMINDER: NRU City of Toronto Edition will not be published on December 28



City People

Toronto-based businessman **Thomas Bitove** has been awarded the Order of Ontario. Bitove was recognized for his support of many charitable causes

including Big Brothers, the Canadian Macedonian Place and ProAction Cops and Kids.

Director and CEO of the Royal Ontario Museum **William Thorsell** has been awarded the Order of Ontario. Thorsell was recognized for being the visionary

behind the current renaissance of the cultural centre and his work in journalism including his work as the former editor-in-chief of *The Globe & Mail*.