

# Novæ Res Urbis

**GREATER TORONTO AREA EDITION**

WEDNESDAY, DECEMBER 18, 2002 • VOL 5 • No 50

## 2001 CENSUS

### Data suggests a segmented region

By Karen Wirsig

Results of the 2001 census are beginning to set off alarm bells among researchers. The latest data to be released is on language and migration and it shows that Canada's biggest, and most diverse, metropolitan regions would be shrinking if not for immigration. For the Toronto region, it suggests a version of the U.S. phenomenon known as "white flight," whereby white anglophone people move from diverse central cities to more homogenous suburban jurisdictions.

One particularity of the Toronto region, however, is that three outer municipalities, **Markham, Richmond Hill** and **Vaughan**, have a majority of residents who claim a language other than English as their mother tongue.

**Myer Siemiatycki** of **Ryerson University's** politics department believes the data can be sorted into three categories: those municipalities that have a dominant anglo character with tiny minorities of people with English as a second language (such as **Oshawa, Burlington** and **Whitby**); those with a clearly dominant minority language (such as Italian in **Vaughan**, Punjabi in **Brampton** and Chinese in **Markham** and **Richmond Hill**); and, finally, the two with a seeming high degree of integration (**Toronto** and **Mississauga**).

"If there is anything disquieting in these statistics, it is that only Mississauga and Toronto have linguistic diversity," Siemiatycki told *Novæ Res Urbis*. "We may not be as interconnected (in the Toronto region) as we think we are."

*continued page 4*

## ENGLISH AS A SECOND LANGUAGE

### A reality for the majority in Markham, Vaughan and RH

The mother tongue of the majority of people in three GTA municipalities is not English, according to the latest data from the 2001 census. **Markham, Richmond Hill** and **Vaughan** now have a slight minority of residents who claim English only as their mother tongue, a new development since the previous census in 1996. **Toronto** and **Mississauga** have a slight majority of English-only native speakers, with 51.8 and 54.5 per cent respectively.

Meanwhile, **Oshawa, Whitby, Burlington**, and **Pickering** are among the overwhelmingly "anglo" municipalities in the GTA, with more than 80 per cent of their populations claiming English as their sole mother tongue. In Oshawa, Whitby and Burlington, the top four languages are European, while the third most common mother tongue in Pickering is Tagalog,

*continued page 3*

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## COMING UP

THURSDAY DECEMBER 19

**York Region Council**, 17250 Yonge Street, Newmarket, 9:30 a.m.

FRIDAY JANUARY 10, 2003

**Federal-Provincial Housing Program Seminar**, sponsored by the **Greater Toronto Home Builders' Association**, Toronto Marriott, 90 Bloor St. East, 7:45 a.m. to 11 a.m. Call 416-391-3445.

WEDNESDAY JANUARY 15, 2003

**Battling Smog Through Regional Action**, sponsored by the **GTA Forum**, City of Toronto Archives, 255 Spadina Rd., Toronto, 4 p.m. to 6:30 p.m. Call 416-480-2313.

MONDAY JANUARY 20, 2003

**Frank Stronach at Toronto Board of Trade Annual Dinner**, Westin Harbour Castle Hotel, Toronto, 6 p.m. Call 416-862-4507.

WEDNESDAY JANUARY 22, 2003

**Halton Region Council**, 1151 Bronte Road, Oakville, 9:30 a.m.

**Durham Region Council**, 605 Rossland Road East, Whitby, 10 a.m.

THURSDAY JANUARY 23, 2003

**The Quality of New Architecture in Toronto**, panel sponsored by the **Canadian Urban Institute**, Metro Hall, 55 John St., Toronto, 7:45 a.m. to 9:45 a.m. Call 416-365-0816, ext. 234.

**Peel Region Council**, 10 Peel Centre Drive, 5th Floor, Brampton, 9:30 a.m.

OAKVILLE'S OPA 198

## Residents protest venue for pre-OMB meeting

The law firm hired by the **Town of Oakville** to represent it at the **Ontario Municipal Board** has not made any friends among residents who oppose *Official Plan Amendment 198*. **Julia Ryan** of **Goodmans**, who is representing the town, invited all of the parties to the OMB appeal to a pre-hearing meeting last week at the firm's Toronto offices.

**Oakvillegreen**, a residents' group that opposes OPA 198, which was narrowly approved by Oakville council last May and makes way for urban development north of Highway 5 (*see NRU, July 3, 2002*), wanted the meeting to be held in public and in Oakville.

"We are dismayed that this pre-hearing meeting will not take place in Oakville, but instead at the Goodmans law firm in Toronto, for what appears to be the exclusive convenience of developers and their lawyers," according to a letter from the group to Oakville council. "As you know, OMB members come to Oakville for all pre-hearings and hearings regarding Oakville matters. We believe that Goodmans, too, especially as employees of the town of Oakville involved in a case about Oakville, should do the same and hold all meetings in Oakville."

In an e-mail note to Ryan, a member of **Oakvillegreen** wrote "let me remind you that unlike the

developers' attorneys and yourselves, we, the residents, are not being paid to be at these meetings, nor are we being paid for our time or inconvenience."

At least one Oakville councillor expressed support for the residents' position. In a note to his council colleagues obtained by *Novae Res Urbis*, **Kevin Flynn** suggested the town council would be wise to change the meeting venue.

"I've thought long and hard since receiving the e-mail from **Oakvillegreen** and can't come up with one good reason why this meeting needs to be behind closed doors," Flynn wrote on December 10. "I also can't think of a reason I could justify to my constituents as to why this meeting could not take place in Oakville."

"As I see it we can let it take place and continue the process in full knowledge that it will only further exacerbate the feeling that we've lost local control of our community planning. Or we could instruct our counsel to reschedule the meeting in the New Year, have it take place in Oakville."

The December 12 meeting went ahead in Toronto despite the appeals by **Oakvillegreen** and **Flynn**. The next meeting among the parties will be held in Oakville in January. The OMB has scheduled a pre-hearing conference for the appeal for January 20 and 21. •

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NOVÆ RES URBIS  
GREATER TORONTO AREA

## THE 25 MAJOR LANGUAGES IN THE GTA How the numbers have changed since 1996 (%)

% Change 1996-2001	Toronto	Pickering	Whitby	Oshawa	Vaughan	Markham	Richmond Hill	Mississauga	Brampton	Oakville	Burlington
Municipal Pop.	3.9	10.2	18.2	3.4	37.3	20.4	29.7	12.6	21.4	12.7	10.1
English	-0.8	7.9	17.8	4.6	34.1	4.1	11.8	3.9	11.9	11.4	8.7
Chinese	17.1	-14.2	9.6	-9.8	5.6	43.1	37.3	20.3	21.8	-4.0	56.3
Italian	-13.0	38.2	5.2	-13.9	25.7	-6.5	-4.1	-11.2	3.9	-0.8	26.2
Portuguese	-4.4	-11.6	2.0	-0.6	76.6	87.1	53.8	7.0	2.0	2.4	36.6
Spanish	4.1	17.6	-5.4	105.7	104.0	86.8	30.9	20.5	77.6	94.0	133.9
Tamil	21.7	105.6	250.0	-20.0	529.4	407.1	180.0	45.5	126.9	60.0	-33.3
Tagalog (Pilipino)	26.9	121.8	-44.8	17.1	90.1	31.9	77.7	30.0	68.7	53.8	66.7
Polish	-22.9	79.2	15.5	-1.9	53.0	-5.4	73.1	31.0	44.4	51.3	2.8
Greek	-2.4	34.0	34.0	-29.7	22.6	37.8	51.9	-2.7	-4.7	-19.1	31.0
Persian (Farsi)	40.5	87.1	141.2	-24.0	122.2	84.4	302.6	78.6	126.3	189.7	200.0
Russian	78.0	180.0	28.6	-37.8	160.1	70.1	437.9	219.7	252.6	32.0	277.8
French	8.2	1.6	58.6	-0.3	41.0	13.4	11.6	8.0	7.1	0.2	13.2
Urdu	103.9	55.3	54.5	206.7	408.8	106.4	120.0	159.7	150.9	38.2	105.0
Punjabi	19.9	9.2	142.9	-40.0	136.6	57.3	69.2	23.0	113.8	31.2	31.3
Korean	36.5	-32.3	88.9	60.0	41.4	189.6	117.7	102.1	83.7	79.3	65.1
Vietnamese	2.2	7.1	50.0	10.3	205.4	62.1	212.5	42.8	2.8	-18.4	107.7
Arabic	9.9	63.3	-6.5	205.6	65.0	48.1	139.3	69.2	45.1	45.5	75.5
German	-11.8	-24.6	-8.2	-5.9	3.5	-3.3	14.0	-7.2	-15.7	6.5	-8.1
Gujarati	38.5	11.1	34.8	-29.3	17.0	19.2	85.2	64.1	54.1	56.9	247.1
Ukrainian	2.0	-3.6	-20.8	-11.9	33.3	51.1	54.5	16.9	63.1	-15.6	-20.7
Hungarian	1.8	32.3	31.4	-9.8	-1.2	4.2	-4.8	21.8	-7.2	25.7	-7.4
Bengali	173.7	675.0	100	100	27.3	-38.2	-90.9	97.7	102.7	93.8	100
Romanian	46.3	1250.0	275.0	81.8	109.0	197.6	365.4	215.6	130.3	147.6	269.2
Serbian	31.4	0.0	137.5	66.7	175.0	78.3	290.0	37.4	-13.3	-4.0	-11.8
Hindi	40.2	-12.0	81.8	63.6	23.2	66.7	85.0	83.6	52.6	257.7	75.0

Source: 2001 Census

## English as a second language

continued from page 1

spoken in the Phillipines, which is claimed by 1.3 per cent of the population. (See map on page 4.)

After English, the top minority language in Markham and Richmond Hill is Chinese, with 25.9 and 18.8 per cent of the populations claiming a Chinese language as their mother tongue respectively. In Vaughan, the top minority language after English is Italian, with 22.7

native speakers.

The top minority language in Toronto is Chinese, claimed as a mother tongue by 9.2 per cent of the population. Mississauga does not have a dominant minority language: the top three minority languages, Polish, Chinese and Punjabi, are claimed as a mother tongue by 4.8, 4.7 and 3.9 per cent of the population respectively. •

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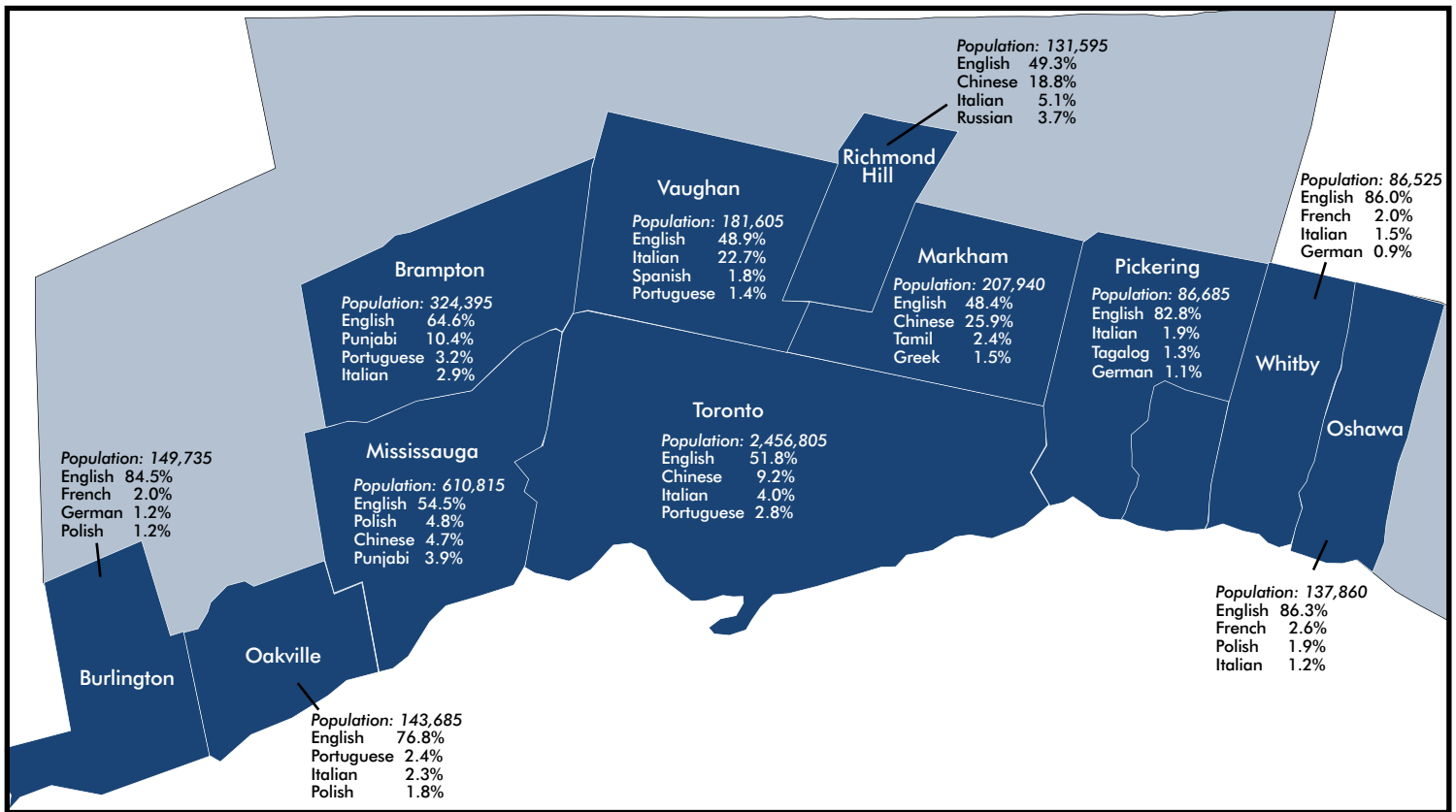
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# Top languages by municipality



Source: 2001 Census

## Census data continued from page 1

**Carlos Teixeira**, a **University of Toronto** geographer who has studied the settlement patterns of people of Portuguese heritage in the Toronto and Montreal regions, confirms a high degree of segregation for that group, both in the central city and in the suburbs. His research has found that, in general, the community places very high value on home ownership, and that many have sought the cheaper housing and lower taxes of municipalities such as Mississauga and, increasingly, Brampton, **Caledon** and **Halton Hills**.

Mississauga became a “graduation area” for the Portuguese community beginning in the 1970s, Teixeira told *NRU*. It was a place where the largely working class community could find bigger houses and lots than were available in Toronto’s Little Portugal. He also said that Portuguese real estate agents have played a very important role in concentrating the Portuguese

community in places like Mississauga.

For Teixeira, the situation in the Toronto region is more positive than the typical American case since immigrants are being encouraged to settle in the outer municipalities.

Siemiatycki believes that further study is needed on whether people are also seeking out more homogenous communities that “look like they do.” He also predicts that the data on income and occupation, due to be released in the new year, will indicate that there continues to be a different class profile of people in the “416” area, compared with those in the “905” area.

The data on census tracts, which would allow for more detailed analysis of segregation of linguistic groups in the region, will not be available for another three to four weeks, according to **Statistics Canada**. •

## York and Waterloo get urban transportation funding

York and Waterloo regions are among 15 municipalities selected to receive up to \$30,000 each under the federal Urban Transportation Showcase Program to develop and submit more detailed proposals on projects designed to lower greenhouse gas emissions from transportation in their cities. **York Region** intends to convert existing high volume bus routes to a central two-lane bus transitway on the York section of Yonge Street. Eventually the region would integrate the transitway with the TTC Finch Subway station. **Waterloo Region** proposes linking three communities with cycle-friendly, express bus service along a clearly defined corridor, incorporating information technology to provide real-time transit information and web-based trip planning opportunities.

## Canada Lands goes live

**Canada Lands Company CLC Limited** last week launched its new corporate web site at [www.clc.ca](http://www.clc.ca).

## Volunteer firefighters lose in legislature

Last week, Waterloo-Wellington MPP **Ted Arnott's** *Volunteer Firefighters Employment Protection bill* was defeated at Queen's Park. The legislation would have protected those full-time firefighters who also serve in volunteer fire departments in their communities (two-hatters) from union harassment and threats. The **Association of Municipalities of Ontario** supported *Bill 30* because it would have given firefighters the right to assist their own local communities by serving with their volunteer fire departments. Similar protections are available to other workers in Ontario, according to AMO, which also believes that there may be significant public safety issues and cost impacts on municipalities

where volunteers may have to be replaced with full-time firefighters.

## New study finds wealth inequity growing

A report released by the **Canadian Centre for Policy Alternatives** last week analyzes data from **Statistics Canada** dating back to 1970 and reveals deep and abiding inequality in the distribution of personal wealth cross Canada. The report, *Rags and Riches: Wealth Inequality in Canada*, finds that gaps between rich and poor are evident in each of Canada's regions and that the wealthiest 10 per cent of family units held 53 per cent of the wealth in 1999. The wealthiest 50 per cent of family units controlled almost 94.4 per cent of the wealth, leaving only 5.6 per cent for the bottom 50 per cent. The poorest 10 per cent of family units have more debts than assets. Average wealth adjusted for inflation for the poorest 10 per cent actually declined by 28 per cent, from \$8,031 in 1970 to \$10,656 in 1999.

## Species at risk act in force in 2003

The *Species at Risk Act* received Royal Assent last week, bringing to a close a nine-year legislative process to protect Canada's species at risk and their habitat. The new legislation comes into force in 2003.

## Federal homelessness program receives international award

The federal Supporting Communities Partnership Initiative has been selected in the UN-Habitat 2002 Dubai international awards for best practices, held biannually. The SCPI entry, along with other best practices, will be included in an online database and form part of a CD-ROM intended to share the lessons learned.

## Senate committee study on intercity bus service released

The report of the standing senate

committee on transport and communications was tabled in the Senate last week, explicitly acknowledging the environmental benefits of the bus mode of transportation.

## IRPP 2002 economic and social review released

The **Institute for Research and Public Policy** has released its review of economic performance and social progress in 2002, *Towards a Social Understanding of Productivity*, focusing on the causal linkages between economic and social outcomes. The paper's dominant themes are the impact of productivity on social well-being and the social determinants of productivity.

## Office administrators salaries to rise in 2003

Average starting salaries in the administrative field are expected to increase 3.1 per cent next year, according to the just-released 2003 **OfficeTeam** salary guide. The jump reflects the expected demand for skilled administrative professionals.

## Rental housing tribunal increases accessibility

**Ontario Rental Housing Tribunal** services will be available through 51 Government Information Centres - approximately half of which are in northern Ontario. ORHT's nine client service offices, which will be co-located with GICs by the spring of 2003 and eight regional offices will continue to process applications as well. Application referral services, in which tenants and landlords collect and drop off applications related to tenant-landlord issues, were also available at GICs as of December 2. ORHT handles over 70,000 applications from landlords and tenants each year.

## Fourth annual ranking of the region's most prolific performers

As part of our annual end of year ritual and a tribute to all those lawyers who have worked hard in the planning and development field, particularly in front of the Ontario Municipal Board, we have compiled our fourth annual ranking of the most prolific of these law firms in the Greater Toronto Area. The review comprises planning and development legal activities in the GTA from **August 2001 to July 2002**, as reported by *GTA Municipal News/Novae Res Urbis - GTA Edition*. Most were board decisions with some court appeals rounding out the analysis. For those tracking City of Toronto activity, be sure to see a copy of this Friday's edition of *Novae Res Urbis - Toronto Edition*.

### 1. Goodmans

[RANK LAST YEAR: 5]

**(Roslyn Houser, Robert Howe, Allan Leibel, Catherine Lyons, Mark Noskiewicz, Julia Ryan, Michael Stewart, Richard Storrey, Christine Viinberg)**

**Reasons for Ranking:** Congratulations Goodmans for being this year's most prolific municipal law firm in the GTA, and the second firm to hold this spot in four years of ranking. Similar to previous years the top two were neck and neck, but Goodmans nudged ahead this year based on the nature of their cases and success rate. Goodmans has always come in the top five, but certain key hearings and a high success rate gave them the edge this year.

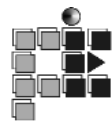
**OMB Court Matters or Hearings:** representing Omers Realty Management Corp. and 1331430 Ontario Inc. for appeals against Mississauga city centre policies (Leibel, Viinberg) (✓); representing Jannock Properties regarding residential subdivision with related commercial uses within the NW quadrant of Britannia Road W. and Erin Mills Parkway in Mississauga (Lyons); representing the Ontario Municipal Board for leave to appeal of King's OPA 54 and York Region's OPA 4 (Storrey) (✓); representing Georgian Taylor Woods for residential subdivision in Caledon (Howe); representing Sandringham Place regarding a Brampton subdivision (Noskiewicz, Ruby); representing Cypress Point Holdings Ltd. and Nivlog Investments Ltd. regarding a residential development off of Steeles Ave. in Vaughan (Houser) (✓); representing Sixteenth Warden Ltd. regarding a Markham subdivision (Houser) (✓); representing E. Manson Investment, First Gulf Capital Corp., Harry Snoek and SREIT Ltd. for appeals against

OPA 7 of the Town of Milton (Houser, Howe, Ryan); representing Langstaff Woods Development Corp., 482497 Ontario Ltd., Armeria Investments Ltd. et. al. permitting phasing plan for approved subdivisions in Vaughan (Houser) (✓); representing Erin Mills Development Corporation for appeal dismissed against rezoning for residential, commercial and long-term care facility in Mississauga (Howe, Ryan) (✓); representing Grand Life Boulevard Corporation for subdivision in Markham's Cathedral Community (Houser, Viinberg) (✓); representing Erin Mills Development Corporation et. al. regarding Mississauga and Peel DC credit claims (Noskiewicz); representing St. John's and Preserve Homes Inc. for residential subdivision in Aurora (Houser) (✓).

**Outside GTA:** representing Multi Area Development Inc. and J. Beume Real Estate Ltd. regarding Hamilton secondary plan (Ryan).

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## 2. Aird & Berlis

[RANK LAST YEAR: 1]

(Eileen Costello, Robert Doumani, Patricia Foran, Tom Halinski, Kim Kovar, Leo Longo, Josephine Matera, Jane Pepino, Christopher Williams, Steven Zakem)

**Reasons for Ranking:** For the first time in four years, the reign by Aird & Berlis as the most prolific law firm in the GTA was broken, but it was a very close call. Aird & Berlis still remain one of the most prolific law firms in the GTA, and could very well regain their title next year.

**OMB Court Matters or Hearings:** representing City of Mississauga regarding the Erin Mills-Britannia property (Foran, Pepino); representing MBI Ltd. for appeals against OPA 7 of the Town of Milton (Longo); representing Aubrey Lipman for house at 448 Highcliffe Dr. in the City of Vaughan (Halinski) (✓); representing Michael-Angelo's Market Place for site plan at 8551-8601 Woodbine Ave. (Foran); representing Loblaw Properties Ltd. appeal dismissed in Mississauga (Longo) (✓); representing Quorum (1419356 Ontario Inc.) for development in Port Perry (Pepino) (✓); representing owners within the OPA 28 area for Brampton residential subdivisions (Longo); representing Loblaw Properties Ltd. for a development on Steeles Ave. in Brampton (Zakem); representing Vaughan and Janet Mazur regarding appeals of Vaughan's OPA 600 (Pepino, Longo); representing Loblaw Properties regarding a proposed Canadian Tire on Burnhamthorpe Road in Mississauga (Zakem); representing 1308317 Ontario Ltd. regarding a minor variance for a dental clinic (Longo) (✓); representing 1300234 Ontario Ltd. against appeals by Kaysar Nasr for their development on Danbury Court in Markham (Longo); representing Northwest Jane Rutherford Realty regarding zoning amendment in Vaughan (Longo) (✓).

**Outside GTA:** representing Loblaw Properties Ltd. and 2257 Rymal Road Development Corp. for Hamilton secondary plan (Foran).

## 3. Borden, Ladner, Gervais

[RANK LAST YEAR: 6]

(Rick Coburn, Sean Gosnell, Gabrielle Kramer, Pitman Patterson, Shayne Rayman, Paul Scargall, Frank Sperduti, Stephen Waqué)

**Reasons for Ranking:** Watch these guys. For the past few years they have deftly climbed up the scale due to increased volume and case significance to garner a spot in our top three. In 2000 they were ninth, and didn't make the top ten in 1999. Previously, the firm's work

focused in the north and west ends of the GTA, but this year their case load seems to have spread over the entire GTA.

**OMB Court Matters or Hearings:** representing Region of Peel regarding compensation claims to be paid by Peel for Brampton property (Waqué); representing Mikaldo Farms Inc., Norton Sons Ltd. and Halton Catholic School Board for appeals against Burlington OPA 3 (Coburn, Patterson); representing 300 John St. Ltd. and Properties Cad-Car Inc. for a big box retail proposal that was dismissed (Waqué) (✗); representing Beacon Hall Ltd. et. al regarding Caledon aggregate policies (Patterson); representing Vaughan for subdivision appeals by 653099 Ontario Ltd. (Patterson); representing Glenburnie School Inc. for Oakville OPA 194 hearings (Patterson); representing Beacon Hall Ltd., 810676 Ontario Ltd. and Roman Humeniuk for golf course development in Caledon (Patterson, Waqué); representing Gartley Kids and EK Birch Hill Properties regarding subdivision by Halton Hills Village Homes Ltd. (Gosnell, Patterson); representing DaimlerChrysler Canada Inc. for severance for Ajax industrial property (Aurini, Coburn) (✓).

## 4. WeirFoulds

[RANK LAST YEAR: 9]

(Kerri Boniface, John Buhlman, Jeff Cowan, Chris Diana, Bruce Engell, Sean Foran, Tali Golombek, Chris Johnston, Barnet Kussner, Ian Lord, Mike McQuaid, Sue Metcalfe, Kim Mullin, Ken Prehogan, Greg Richards, George Rust-D'Eye, Bay Ryley, Lynda Tanaka, Chris Tzekas)

**Reasons for Ranking:** Moving up steadily from last year, and its 12th position rank in 2000, WeirFoulds has cracked the top five due to its increased volume and success rate. Representing aggregate interests in Caledon and OPA 3 in Burlington are noted cases.

**OMB/Court Matters or Hearings:** representing Aurora regarding appeals by 761933 Ontario Ltd. for residential subdivision (Lord); representing Aurora regarding subdivisions by St. John's Road Development Corp. (Lord); representing Elia Corporation regarding Canadian Tire OPA and rezoning in Mississauga (Dougherty); representing Aurora for long-term care facility expansion (Lord); representing Madrid Development Ltd. for rezoning permitted for 5221 Highway 7 in Markham (Lord) (✓); representing Joseph Lambert and Lemberg Brothers Ltd. for appeals against Whitby zoning by-law (Lord) (✓); representing Embee Properties regarding appeals against

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Burlington OPA 3 (McQuaid); representing LaFarge Canada Inc., Graham Bros. Aggregates Ltd. and Franceschini Bros. for aggregate amendments (Tanaka).

## 5. Davis, Webb, Schulze & Moon

[RANK LAST YEAR: 7]

(Neil Davis, Ellen Pefhany, Ronald Webb)

**Reasons for Ranking:** After having been ranked number two in 2000, Davis, Webb, Schulze & Moon has started to bounce back from last years seventh place showing in a closely ranked field. Increased volume and involvement in noted cases such as Oakville OPA 194 and Caledon's aggregate policies has helped them move up and round out this years top five.

**OMB/Court Matters or Hearings:** representing Longo Brothers Fruit Market Inc. and City South Ltd. regarding appeals for Brampton Loblaws (Webb); representing Brewis Chevrolet Oldsmobile Ltd. regarding Milton OPA 7 (Davis); representing Panorama Investment Group Ltd. regarding appeal for Halton Hills 401 industrial corridor (Davis) (✓); representing Bell Canada regarding Brampton subdivision (Webb); representing Target Construction and Supply Ltd. for Oakville OPA 194 (Davis); representing Coalition of Concerned Citizens of Caledon regarding aggregate policies (Davis); representing Marbloom Investments Ltd. and Wilderton Investments Ltd. regarding 27-hole golf course in Vaughan (Webb); representing Irvine and Brenda Riopelle regarding parking lot expansion in Newmarket (Webb).

## 6. Davies, Howe Partners

[RANK LAST YEAR: 2]

(John Alati, Kim Beckman, Jeffrey Davies, Mark Flowers, Michael Melling, Susan Rosenthal)

**Reasons for Ranking:** Slipping slightly from last year, Davies Howe was edged out the top five in a very tight field. Notable cases relate to a residential and golf course development in Uxbridge and involvement in the Mississauga city centre policies. This firm is still one to watch and will likely bounce back next year.

**OMB Court Matters or Hearings:** representing Box Grove Hill Developments Inc. and Ontario Realty Corporation regarding severance in Markham (Davies); representing Baif Developments for appeals against Mississauga city centre policies (Rosenthal) (✓); representing 1077022 Ontario Inc. for appeals against Mississauga city centre policies (Alati); representing Azuria Group for subdivision development on

Woodbine in Markham. (Beckman) (✓); representing Majorwest Development Corp. for development in Vellore Village in Vaughan (Alati) (✓); representing Pinegrove on the Humber for residential appeals in Vaughan (Flowers); representing Sandhill Aggregates Ltd. and Goodwood Properties for residential and golf course development in Uxbridge (Melling, Rosenthal); representing H.D. Investments Inc. for development of a retirement condominium in Milton (Melling) (✓).

## 7. Cassels, Brock & Blackwell

[RANK LAST YEAR: 12]

(Marc Kemerer, Signe Leisk, Stanley Makuch)

**Reasons for Ranking:** Despite a shrinking roster, Cassels, Brock & Blackwell has cracked the top ten for the second time with its best showing to date. Particular success has had this year with developments in Markham.

**OMB/Court Matters or Hearings:** representing Tender Holdings for commercial uses permitted in Markham (Makuch) (✓); representing Canadian Tire against holding provision on Speers Rd. in Oakville (Makuch); representing F-F Construction and Ferkul Brothers regarding development charges in Mississauga (MacLean) (X); representing Forum Capital Corporation for mixed-use development in Markham (Makuch) (✓); representing Georgina regarding subdivision development (Kemerer); representing TDL Group regarding Caledon drive-through (Makuch); representing Georgina regarding settlement of subdivision (Craik).

## 8. Reble, Ritchie, Green & Ketcheson

[RANK LAST YEAR: 18]

(Andrew Biggart, John Hart, Bruce Ketcheson, John Reble, John Ritchie)

**Reasons for Ranking:** Increased volume, success rate and the nature of its cases has propelled this firm into

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the top ten for the first time. The Etobicoke-based firm saw most of its cases in Burlington and Pickering and often represented municipalities.

**OMB/Court Matters or Hearings:** representing City of Pickering regarding expansion of commercial use by J & K Shopping Centre (Reble); representing Angelo Gardin for farm severance permitted in Milton (Ketcheson) (X); representing Burlington for appeals against Burlington OPA 3 (Ketcheson); representing Burlington for Wal-Mart at 4515 Dundas St. (Ketcheson); representing Pickering regarding a residential development in north Pickering (Biggart) (✓); representing Pickering regarding commercial development on Kingston Road (Reble) (X); representing Dorsay and Deltera regarding development within Mississauga city centre (Ketcheson) (✓).

## 9. McCarthy Tétrault

[RANK LAST YEAR: 3]

(Mary Bull, John Dawson, Stephen Diamond, Tara Doyle, Calvin Lantz, Cynthia MacDougall, Sharmini Mahadevan, Phil Sanford, Brad Teichman, Gordon Willcocks, Dennis Wood)

**Reasons for Ranking:** The GTA seems to have been a rocky road for McCarthy Tétrault over the last four years of rankings. Reduced volume has been the major factor in this year's placement, although the success rate remains high.

**OMB/Court Matters or Hearings:** representing 210 and 240 Burnhamthorpe Road West Inc. and Daniels Elm Corporation regarding appeals against Mississauga city centre policies (Dawson); representing 1334218 Ontario Inc. regarding Wal-Mart permitted in Burlington (Bull, Wood) (✓); representing WC-401 Developments Ltd. regarding appeals dismissed against Loblaws (Mahadevan, Wood) (✓); representing EMCO Ltd. and General Electric Capital Canada Inc. regarding Oakville OPA 194 (Inglis); representing Verdiroc Construction Co. Ltd. regarding Aurora retirement home (Dawson); representing Jofian Holdings regarding approval of Vaughan subdivision (Dawson) (✓).

**Outside GTA:** representing 100 Main St. East Ltd. for Hamilton secondary plan (Dawson) (✓).

## 10. Polak, McKay and Hawkshaw

[RANK LAST YEAR: NOT IN TOP 20]

(Ronald Hawkshaw, Henry Polak)

**Reasons for ranking:** Every year, a small firm seems to shine through on our top ten list. This year is no exception with hard working lawyer Ronald Hawkshaw

being a one man show propelling this firm into the top ten. Hawkshaw was busy this year representing the towns of Ajax and Whitby. The cases are not always the most complicated, but volume alone brought this firm forward to round out our top ten.

**OMB/Court Matters or Hearings:** representing Ajax regarding permitted BIA budget increase (Hawkshaw) (✓); representing Whitby regarding Whitby cemetery improvements (Hawkshaw); representing Ajax for rescinded draft subdivision (Hawkshaw) (✓); representing Ajax for downtown mixed-use development (Hawkshaw); representing Whitby regarding 4505 Baldwin Street (Hawkshaw); representing Hayes Line Properties regarding a commercial development in Pickering (Hawkshaw) (✓); representing Ajax regarding urban expansion hearing (Hawkshaw).

## THE NEXT TEN

Based on mentions in *GTA Municipal News/Novae Res Urbis - GTA Edition* the following make up the next ten firms based on municipal board activity: (11) **Davis & Company;** (12) **Lynda J. Townsend-Renaud Law Offices;** (13) **Osler, Hoskin & Harcourt;** (14) **Goodman and Carr;** (15) **Blake Cassels & Graydon;** (16) **Stikeman Elliott;** (17) **Turkstra, Mazza Associates;** (18) **Fasken, Martineau and DuMoulin;** (19) **Arnold, Foster;** (20) **Loopstra, Nixon.**

To ensure *Novae Res Urbis - GTA Edition* covers your interesting cases, be they board decisions, development applications or court decisions, please send us an email or fax. The count for the fifth annual top ten has already begun. •

## How the information was collected

Using manual research, we tracked each of the law firms mentioned in *GTA Municipal News/Novae Res Urbis - GTA Edition* (OMB News predominately) over this one-year period. From there we determined the firms that were the most frequently mentioned and sorted through the projects and hearings with which they were involved. It became apparent that some firms (given their size) were involved in a variety of developments across the four regions in the GTA (outside of Toronto), while others had particular associations to major clients. The original data was collected from OMB files plus our research for news stories.

## Determining the top 10

The most difficult task was in balancing the number of clients, the range of projects, the difficulty of cases, as well as some unique features about the projects/cases. Remember, this list was based only on items covered in *GTA Municipal News/Novae*

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## HALTON

### Halton sets 2003 budget and water rates

**Halton Region** Council has approved its 2003 operating and capital budget, recommending a 2 per cent tax increase and an increase of 7.5 per cent for water and wastewater rates. For a homeowner with a property assessed at \$220,000 this means an annual increase of approximately \$23.48 on the property tax bill and \$35.75 on the combined water and wastewater bill. The region accounts for approximately 42 per cent of a Halton homeowner's property tax bill with education at 30 per cent and the local municipality (i.e. Burlington, Oakville and Halton Hills) at 28 per cent based on the 2002 property tax bills.

### National council on self-help housing launched

A national council on self-help housing will be established in 2003 to promote and further the work of the self-help housing sector in meeting affordable housing needs according to a media release by **Frontiers Foundation Inc.**, along with several partners including **Habitat for Humanity**, **Canada Mortgage and Housing Corporation** funds were used to bring together delegates from across Canada to discuss the concept and to develop a business plan over the next three months.

## ResREIT acquires Burlington apartments

Last week **Residential Equities Real Estate Investment Trust** acquired **4067 Longmoor Drive in Burlington**, a 91-unit apartment building, for \$5.6 million. The property is 100 per cent occupied with monthly rents of approximately \$750 per unit. The acquisition price of approximately \$62,000 per unit is substantially below replacement cost.

## PEEL

### Water service connection fees to increase

**Peel Region** council approved a fee increase for water service connections last week that will come into effect in March 2003. The increase will apply to charges for water line and water meter installations, as well as processing and inspection fees for residential, commercial and industrial applications. The new residential water connection fee will range from \$3,942 to \$3,996. Meter-only installations will increase by \$5 per installation, from the current fees that range from \$255 to \$367. A standard processing and inspection fee of \$843 will apply for non-residential applications.

### Mississauga anti-idling pilot deemed successful

The results of the **City of Mississauga** pilot project, designed to test the effectiveness of

municipally-based anti-idling awareness campaigns provided on the **Natural Resources Canada** web site, was deemed to be positive. Results of the public awareness program included a reduction in the frequency of idling engines from 54 per cent to 29 per cent at schools. NRCan provided over \$150,000 for the pilot project.

### More parking at Malton GO station

Approximately 150 new parking spaces are being added at the Malton GO station to accommodate about 590 vehicles in total. The station, used by about 1,200 commuters each day, is located on the Georgetown GO train line.

## HAMILTON

### Hamilton to bid for Commonwealth Games

The **Commonwealth Games Canada Association** has chosen Hamilton to represent Canada in the bid for the 2010 Commonwealth Games. The **City of Hamilton** worked on the bid collaboratively with its major sponsors – the **Hamilton Spectator** and **McMaster University** – and with the support the **Province of Ontario** and Hamilton's neighbouring municipalities, **Brantford, Burlington, Milton and St. Catharines**. The **Commonwealth Games Federation** is expected to select a host country early November 2003. •

## DETERMINING THE TOP 10 continued from page 9

*Res Urbis – GTA Edition*, excludes activities in the City of Toronto 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

Each grouping in the list notes the firm and the lawyers that are part of the planning and development law team for each of the top ten ranked firms. Items grouped as OMB matter/court

hearing are those involved with hearings, pre-hearings, and mediation sessions. In cases which involved a board decision and a clear winner/loser or settlement was determined, we note the appropriate symbol (ü) or (ò) following the case description. If there was no clear win/lose or the matter involved a pre-hearing, or is still pending before the OMB no symbol is applied. Others are grouped as Outside GTA, and deal with decisions related to our expanding coverage outside the GTA that were included, although not necessarily a factor in swaying the ranking. A brief reason is given at the beginning of each listed firm explaining why we ranked them as we did. •

# ONTARIO MUNICIPAL BOARD NEWS

## PEEL

### Cluster townhouse development permitted on Parkerhill Road

In a decision issued December 5, board member **John Aker** allowed the appeal by **1134867 Ontario Limited** against proposed amendment no. 3 to the Cooksville District Plan for a property located on the south side of **Parkerhill Road**, west of **Confederation Parkway** that was approved by the **City of Mississauga**. At the start of the hearing, the board heard that the city now supported the appeal. Geoff Smith, a planner with the City of Mississauga, advised the board that the purpose of the amendment is to permit townhouses, either street-related or in clusters, whereas the existing designation permits street townhouses only. Smith added that the amendment in no way prejudices any other appeals against OPA 3 and is acceptable from a planning standpoint and should be approved.

Solicitor **Gerald Swinkin (Blake, Cassels & Graydon)** represented 1134867 Ontario Limited. **Kenneth Beaman** was the solicitor for the City of Mississauga. (*See OMB Case No. PL980724.*)

### Settlement imminent for Caledon shopping centre

In a decision issued December 5, board member **Donald Granger** adjourned the appeals by **Loblaw Properties Limited** for OPA, rezoning and site plan to permit the expansion of the maximum floor space for the development of a community shopping centre on a 14.2 ha. property located on the east side of **Regional Road 50** at the intersection of **McEwen Drive** in the **Town of Caledon**. The applications would permit the expansion of a community shopping centre from 23,500 sq. m. to 32,515 sq. m. At the start of the hearing, the board was informed that a full settlement was at hand and that minutes of settlement had been signed by the parties, conditional on the final resolution of the details of the site plan. The board adjourned the full hearing until February 3, 2003 to hear evidence regarding the final OPA, rezoning and site plan, with an additional conference call scheduled for December 18. If the parties settle, the hearing is expect to last one day. If settlement is not reached, up to eight days have been scheduled for the remainder of the hearing. **Steven Zakem (Aird & Berlis)** is the solicitor for Loblaw Properties Limited. J. Thompson is the solicitor for the Town of Caledon. (*See OMB Case No. PL011149.*) •

## GTA PEOPLE

**Emma Aragon** has joined **Bousfield, Dale-Harris, Cutler & Smith Inc** as an urban designer and planner. Formerly, Aragon was a planner/urban designer with Page & Steele.

Environment deputy minister **Jan Rush** is retiring effective January 13, 2003.

Federation of Canadian Municipalities CEO **Jim Knight** has been appointed to the arm's-length national selection committee for the federal **Broadband for Rural and**

**Northern Development** pilot program.

**Paul Tellier** been appointed CEO of **Bombardier**, replacing Robert Brown. Formerly Tellier was head of Canadian National Rail.

**Hon. Heather Smith** has been appointed Chief Justice of the **Superior Court of Justice of Ontario** by Prime Minister Chrétien. Formerly, Smith was associate Chief Justice. •

**Christmas is here!  
NRU - Greater Toronto Area Edition  
is going on vacation!**

**NRU GTA will not be published next week.  
You will receive your next NRU GTA on Thursday, January 2, 2003.**

**Enjoy your holiday!**