



# Novæ Res Urbis

**GREATER TORONTO AREA EDITION**

WEDNESDAY, DECEMBER 17, 2003 • VOL 6 • No 50

## INCOME INEQUALITY

### Cities face the harsh reality

Cities are coming to grips with a growing gap in the income levels of their residents, according to a recent report prepared for the **Federation of Canadian Municipalities**. The FCM has found that income inequality is more prevalent in urban areas than it is in rural areas.

Taking a close look at **Toronto, Saskatoon** and **Calgary**, the report concludes that the income gap is growing and has spatial dimensions in all three cities, despite the fact that low incomes were increasing in the late 1990s. The information in the report is based on census data, taxfiler data for 1995 and 2000, as well as a literature review.

People most likely to have low incomes in all cities include lone parents, seniors, unattached people, children, people of colour, recent immigrants, Aboriginal people, people with disabilities and women. However, "Falling Behind," prepared by **Caryl Arundel & Associates** with **Hemson Consulting Ltd.**, found that the profile of low-income people differed by region.

In Saskatoon, urban Aboriginal people made up a striking proportion of low-income residents, whereas in the Toronto area, new immigrants and racialized people were well over-represented.

The Toronto area is slightly different from the other two cities studied because low-income neighbourhoods are more dispersed throughout the inner **City of Toronto**, instead of concentrated in the urban core. At the same time, the report points out, there are "few" low-income areas in the GTA outside of Toronto.

*continued page 3*

### New planning act to restrict developers

There are big changes in store for developers in the Golden Horseshoe. For starters, changes proposed for the *Planning Act*, introduced in the provincial legislature on Monday, will make it more difficult to develop in rural areas at the urban fringe.

As well, a zoning order and legislation introduced yesterday put a moratorium on urban development in rural areas in the Golden Horseshoe until a plan is in place to create a 600,000-acre greenbelt. The order does not affect lands under the *Oak Ridges Moraine Conservation Act*, seen to be already protected. The moratorium applies to most of the lands under appeal in the North Leslie case in **Richmond Hill**, but not to lands in **Markham's** Box Grove or in north **Oakville**, already designated urban in regional plans.

Changes to the planning act generally bring the regime back in line with the way it was under the former NDP government. Appeals to the **Ontario Municipal Board** will only be allowed for municipal inaction 180 days after an application is submitted for rezoning or official plan amendments, up from the current 90 days.

As well, applicants will no longer be able to appeal a municipality's decision to turn down an OPA or rezoning that expands the boundary of its urban settlement area. A definition of urban settlement area has been added to the act, including lands designated as urban areas, urban policy areas, towns, villages, hamlets, rural clusters, rural settlement areas, urban systems, rural service centres or future urban use areas.

The legislation also gives the government a bigger role in the OMB process.

*continued page 3*

## COMING UP

WEDNESDAY DECEMBER 17

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

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

MONDAY JANUARY 19, 2004

**Toronto Board of Trade  
annual dinner**, featuring  
**AIC Ltd. CEO Michael  
Lee-Chin**, Sheraton Hotel,  
123 Queen St. West,  
Toronto. Call 416-862-  
4500.

WEDNESDAY JANUARY 21

**GTA labour force and  
employment trends**,  
sponsored by **GTA Forum**,  
City of Toronto Archives, 255  
Spadina Rd., 4 p.m. to 6:30  
p.m. Email:  
[gtainfo@yorku.ca](mailto:gtainfo@yorku.ca).

THURSDAY JANUARY 22

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

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

THURSDAY & FRIDAY, MARCH 25-  
26

**GTA Transportation  
Summit**, sponsored by the  
**Strategy Institute**, Toronto,  
9 a.m. to 5:30 p.m. Call  
416-944-8833.

**NOVÆ RES URBIS**  
**GREATER TORONTO AREA**

## GO TRANSIT

# Ridership, revenue drop after route transfer

**GO Transit** is facing a budget shortfall of \$800,000 for 2003, in large part because of the transfer of two busy bus routes – along Yonge Street and Bayview Avenue – to **York Region Transit**.

GO was ordered by the provincial government to make the transfer earlier this year and it took effect in September. GO will be looking to Queen's Park to make up for the actual shortfall at the end of the year.

"We haven't done anything to incur the extra cost except give up the bus routes," GO chair **Gordon Chong** told *Novae Res Urbis*.

York Region has entered into a partnership with a private-sector consortium to develop a rapid transit system, with the Yonge Street corridor proposed as a main corridor. The system, which is to involve rapid bus service in dedicated rights-of-way, is also slated to include an east-west line along Highway 7 and a north-south connection between **Vaughan** and the **Toronto Transit Commission's** Downsview subway.

The transfer of the GO bus routes has provided York Region with instant ridership along two key north-south corridors.

Overall GO bus ridership was down by 31 per cent in September over the

same period last year, despite growing ridership on the system's remaining routes. Bus ridership was down 28 per cent in October over the same period last year. Chong said the decline is attributable to the transfer of the York Region bus routes.

At the same time, ridership on GO's new 407 route doubled in the span of a year, Chong said. He believes that the

loss of riders from the transferred routes will be compensated by growth of riders elsewhere in the system within "a year or so."

With the added impact of the major power outage

in August, GO's commuter revenue is expected to be \$1.8 million short of the budget target by the end of the year. Bus and train ridership in August was down a total of 3.8 per cent. However, lower than expected operating expenses will make up for some of the shortfall.

Chong said the new provincial government appears very supportive of GO and does not seem poised to make any major changes to its agency. One of the Liberals' election promises was to establish a transportation authority for the GTA, but definitive moves on that front are not expected for months. •



Source: Transport Canada

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### SALES/SUBSCRIPTIONS

(circulation@nrupublishing.com)  
Annual subscription rate is \$299.  
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 fax or e-mail by NRU Publishing Inc.  
12 Mercer Street, Suite 400  
Toronto, Ontario, M5V 1H3  
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## Income inequality continued from page 1

Mobility and opportunity were key issues for low-income people, according to respondents in the research. Many get stuck in neighbourhoods with deteriorating infrastructure, even as more and more money needs to be spent to service sprawling and more wealthy (often newer) areas of urban regions. As well, gentrification of neighbourhoods is pushing people out to places where it is more difficult to access services.

Senior government policy over the last decade is seen as the most important factor in the income gap. Cuts to social assistance and income maintenance programs, as

well as the introduction of regressive user fees and flat taxes, and low minimum wage rates have intensified income inequality. However, community services and supports, many provided by municipal governments, are seen as an important antidote because they allow people to engage in community life.

Partnerships are the buzz word in each of the cities studied among business, the voluntary sector and (municipal) government. Key strategies used by the municipalities to address the inequality include monitoring and analysis of the situation, education and advocacy. •

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Gentrification of neighbourhoods is pushing people out to places where it is more difficult to access services.

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## Planning act continued from page 1

The municipal affairs minister can advise the OMB that an OP, OPA, rezoning or holding provision is a matter of provincial interest at least 30 days before the scheduled start of a hearing. If provincial interest is declared, an OMB order cannot be made for the areas of provincial interest. Instead, the lieutenant governor in council will confirm, change or rescind the decision.

Finally, the legislation requires that all planning decisions – including those by municipalities and the OMB – must be “consistent with” provincial policy statements. Those statements are due to be revised. The existing language in the act calls for planning decisions to “have regard” for the policy statements.

Not surprisingly, environmental organizations and municipal officials have heralded the planning act changes as an important step toward balancing a process they contend favoured developers.

“These changes are a good first step - they are like socks and underwear under the Christmas tree,” according to **David Donnelly** of **Environmental Defence Canada**, who is involved in several OMB cases in the GTA.

**Jeffrey Davies**, of **Davies Howe Partners**, also involved in many cases in the GTA acting for

developers (*see lawyers’ ranking, this issue*), is less enthusiastic. He calls the legislation a “resounding endorsement of the NDP approach to planning.”

Davies believes that if the new government is intent on fighting sprawl, it will need to amend the provincial policy statement (PPS) to make sure intensification is possible despite people’s aversion to medium and high density.

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“If the new PPS is going to be a sprawl fighter, it is going to have to have tough medicine.”

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- Jeffrey Davies

“If the new PPS is going to be a sprawl fighter, it is going to have to have tough medicine.

Otherwise, it will just be window dressing,” he told *Novae Res Urbis*.

Asked if the changes will make it more difficult to build new subdivisions in the GTA, he said we will have to wait and see. He

also foresees the big players in the development industry, who can navigate the rules and regulation, doing most of the work and the smaller players getting shut out. •

### *Erratum*

The ownership of **BPC Energy Corporation** was incorrectly stated in our Wednesday December 3 article on the lifting of the electricity distribution rate cap. BPC Energy Corporation is a wholly-owned subsidiary of **OMERS**. We regret the error.

## Province tables greenbelt legislation

The government introduced legislation yesterday that, if passed, would mean that for up to a year there could be no new urban development on rural and agricultural land in the Golden Horseshoe unless it had already been zoned for development. The proposed legislation would:

- create a greenbelt study area in the Golden Horseshoe including the Oak Ridges Moraine, the Niagara Escarpment and the Niagara tender fruit lands;
- establish a moratorium that would temporarily prevent new urban uses outside existing urban boundaries on rural and agricultural lands within key portions of the study area;
- allow the Minister of Municipal Affairs to stay proceedings regarding sensitive lands within the study area;
- clarify provisions of the *Oak Ridges Moraine Conservation Act, 2001* and extend the authority of the government to stay Ontario Municipal Board appeals on the Oak Ridges Moraine.

## Another redesign for Kennedy GO station

The proposed Kennedy GO station for east-end Toronto will be the subject of a fifth design assignment for **DS-LEA Associates**. The original design got to the 80 per cent stage in 1992 before program cuts intervened. An updated design, completed in 1999 and involving an underground station, was deemed too expensive and a design for an above ground-only station was finished in 2002.

Then, changes to a **Toronto Transit Commission** parking lot

required design modifications that were completed last September. However, tendering for construction this fall revealed the costs of developing the station were prohibitively high, in part because of a “severely restricted” work area on the west side of the track, where the station was proposed. GO staff recommended not proceeding with the project.

DS-LEA is now being asked to modify the design again to position the station on the east side of the track, predicated on the realignment of a curve in the track. Staff believe that the costs of relocating the platform will be more than offset by construction savings. The station is to be operated using ticket vending machines.

## Parking tax won't encourage transit use: BC Retailers

British Columbia retailers are not happy about **Translink's** decision to impose a tax on parking stalls throughout the **Greater Vancouver Regional District**.

“When it's the retailers, and not the shoppers, who pay the tax, there is not incentive for those shoppers to choose public transportation over the automobile,” says **Retail BC** president and CEO **Mark Startup**.

## HALTON

### Oakville goes to court over mayoralty election

The **Town of Oakville** has decided to defend the court application surrounding the results of the November 10, 2003 mayoral election brought by mayoralty candidate **Robert Burton**, who lost to incumbent **Anne Mulvale** by 15 votes. The town, which is represented by the firm of **Weir**

**Foulds**, will make its side of the case known by way of sworn evidence on or before January 9, 2004, and the matter will be heard in open court on March 8 and 9, 2004.

## PEEL

### Rezoning proposed for Cawthra Woods

**Mississauga's** community services department is putting forward an application to change the zoning of the Cawthra Woods from residential to greenbelt (special section zone). The special section zone would permit conservation activities, including the maintenance of trails and control of invasive species. The Cawthra Woods area was acquired by the city in three parcels between 1970 and 1994. The first two parcels were acquired from the Cawthra family while the third, the northern most parcel containing the bush, was bought from the provincial government. The application will go to the city's planning and development committee, likely this winter.

### Tourism money for Mississauga

**Mississauga Tourism** is to receive \$100,000 from the province for SARS recovery. The proposal, submitted by Mississauga Tourism on behalf of 26 tourism operators, is to support three sales and marketing campaigns targeting corporate meetings, trade shows and travel trade markets.

**NRU GTA Edition will not be published next week.**  
**Enjoy your holiday!**

## Fifth 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 fifth 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 2002 to July 2003**, as reported by *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. Aird & Berlis

[RANK LAST YEAR: 2]

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

**Reasons for Ranking:** Congratulations Aird & Berlis for regaining the title of this year's most prolific municipal law firm in the GTA. In five years of ranking this is the fourth year that Aird & Berlis has ranked number one. The race on the number one spot was a close one, but a high volume of cases combined with a high success rate and certain key hearings gave Aird & Berlis the edge this year.

**OMB Court Matters or Hearings:** representing Eros Gerardi regarding City of Vaughan rezoning and its committee of adjustment approval of application to permit the development of two residential lots (Longo); representing Verdirac/Sunrise Developments Inc. for appeals of OPA and rezoning to permit a seven-storey retirement home (Foran) (✓); representing Loralgia Management Ltd. regarding an appeal against an interim control zoning by law (Pepino) (✓); representing Quorum Development Corporation Inc. regarding an appeal of OPA and rezoning for a Canadian Tire store in Scugog (Pepino); representing Loblaw Properties Ltd. for appeals of OPA, rezoning and site plan (Zakem); representing the Town of Oakville for appeals of DaimlerChrysler Canada Inc. of OPA, rezoning, site plan and consent to convey (Zakem); representing land owners in the appeals of 1223578 Ontario Ltd. and Urban &

Country Developments Ltd. for OPA, rezoning and plan of subdivision (Longo); Representing York Region in the appeals for eight proposed plans of subdivision on the Oak Ridges Moraine (Matera and Grant); representing the Township of King regarding appeals against approval of applications for OPA, rezoning, severance and variances (Williams); representing Tornorth Holdings in a motion for costs (Pepino) (✓); represented E. Manson Investments Ltd. regarding appeals for an OPA for Richmond Hill and a regional OPA for York Region (Zakem); represented Loblaw Properties Ltd. for appeals of OPA and rezoning regarding a commercial development in Brampton (Zakem) (✓); represented Durham Region and the Township of Uxbridge regarding appeals for OPA and regional OPA (Longo) (✓); represented the City of Mississauga regarding appeals for OPA, rezoning and plan of subdivision for a mixed-use development (Pepino and Foran); representing Carena Bancorp Equities Ltd. regarding an appeal for site plan (Williams) (✓); represented Loblaw Properties Ltd. regarding appeals by Paletta International Corporation against the partial approval of City of Burlington OPA (Zakem); represented the City of Vaughan regarding an appeal against a rezoning from agricultural to commercial (Zakem); represented the City of Vaughan and the Toronto and Region Conservation Authority regarding appeals against OPA and rezoning (Halinski and Matera); represented Altone Investments Inc. and Greccap Holdings Ltd. regarding appeals against the City of Vaughan OPA to implement the Credit Valley secondary plan (Halinski); represented the Township of King regarding appeals of the committee of adjustment dismissal of a minor variance application to allow a golf driving range (Zakem); represented Halton Region and the City of Burlington in the Divisional Court regarding a municipal development charge by-law (Doumani and Foran); represented Halton Condominium Corporations 381 & 397 regarding an appeal by Oakridge Heights Development Ltd. of the Town of Oakville rezoning (Doumani); represented Gordon and Dorothy Coker regarding appeals for variances and land severance (Zakem); represented Chiefton Investment Limited in a development application (Longo); represented the City of Vaughan regarding a motion to dismiss the board's order to deny a minor variance application (Costello) (✓).

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## Top Ten Firms continued from page 5

### 2. Davies Howe Partners

[RANK LAST YEAR: 6]

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

**Reasons for Ranking:** Involved in some of the most notable OMB cases Davies, Howe Partners do not need much introduction. Bouncing back to the second place, which it held two years ago, just behind Aird & Berlis undoubtedly suits this prolific firm.

**OMB Court Matters or Hearings:** representing 863935 Ontario Inc. (Homefounders Development Joint Venture) regarding appeals for OPA, rezoning and plan of subdivision in Uxbridge (Melling) (✓); representing Pinegrove on the Humber Inc. regarding appeals for residential development in Vaughan (Flowers); representing 231561 Holding Ltd. regarding appeals for OPA and rezoning in Brampton (Alati) (✓); representing Unionville Village Investments Inc. regarding appeals against the Markham's interim control by-law (Flowers); representing Chestnut Manor Developments regarding appeals by Della Caleb and Michael Gericke of OPA, rezoning, consent to convey and minor variance (Alati); representing the York Region District School Board regarding appeals for eight plans of subdivision on the Oak Ridges Moraine in Richmond Hill (Davies); representing Lambertus Dekkema and 618554 Ontario Inc. regarding appeals for OPA, rezoning and plan of subdivision in Brampton (Alati); representing the Bayview East Landowners Group regarding appeals for an OPA for Richmond Hill and a regional OPA for York Region (Davies and Flowers); representing Sandhill Aggregates Ltd. regarding OPA and rezoning and against the approval of regional OPA in Uxbridge (Melling and Rosenthal); representing McGrath Hunter Properties regarding an appeal by Colleen and Bruce Ewart of rezoning (Melling); representing Digz Development Corporation regarding appeals for OPA and rezoning for a residential development in Mississauga (Davies and Alati) (✓); representing Pulcher Holdings Ltd. regarding appeals for OPA, rezoning and plan of subdivision for residential development in Richmond Hill (Alati); representing the York Region District School Board in the Divisional Court regarding an appeal of OMB compensation decision for school site within the Berczy Village subdivision (Howe and Melling) (✓); representing Bressa Developments Inc. regarding appeals of OPA

198 of the Town of Oakville (Davies); representing Algem Properties Ltd. regarding a motion to dismiss an appeal of OPA approval (Alati) (✓); representing SMJC Holdings and 884418 Ontario Limited regarding appeals OPA and rezoning to permit a commercial centre in Georgina (Melling); Representing 1433666 Ontario Inc. in an appeal by Peel Region, Caledon and Brampton against York Region's OPA (Melling); representing the Credit Valley Secondary Plan Developers Group regarding an appeal against the City of Vaughan approval of OPA to implement the Credit Valley Secondary Plan (Beckman); representing Daraban Holdings Ltd. regarding an appeal of the King Township's committee of adjustment dismissal of a minor variance application (Flowers);

**Outside GTA:** representing Castle Glen Development Corporation regarding appeals for an OPA to permit 1,720 residential units with commercial and golf uses in the Town of Blue Mountain (Rosenthal and Melling).

### 3. Davis & Company

[RANK LAST YEAR: 11]

(Chris Barnett, Thomas Lederer, Karen O'Neill)

**Reasons for Ranking:** An impressive year for Davis & Company, moving from number 11 last year straight to the top three. Diversity, volume and nature of cases enabled that convincing climb.

**OMB Court Matters or Hearings:** representing Runnymede Westney Ltd. and Starstoke Development regarding appeals of OPA, rezoning and plan of subdivision in Ajax (Lederer and Barnett) (✓); representing Rickmar Holding Inc. regarding appeals for rezoning and plan of subdivision for lands within special study area of OPA 165 in Oakville (Lederer, O'Neill); representing Town of Caledon regarding appeals against OPA approval (Lederer, O'Neill); representing 1223578 Ontario Ltd. regarding appeals for OPA, rezoning and plan of subdivision (Barnett); representing Zavala Developments, Hunley Homes and 1160963 Ontario Inc. regarding appeals for eight proposed plans of subdivision in Richmond Hill on the Oak Ridges Moraine (Lederer and Barnett); representing Pickering Islamic Centre regarding appeals of a minor variance approval (Barnett) (✗); representing Cookfield Development Ltd. regarding a cost-sharing dispute for the developments of commonly shared Brisdale Drive in Brampton (Barnett);

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## Top Ten Firms continued from page 6

representing Block 12 Landowners regarding appeals of Vaughan's OPA 600 approval by York Region (Barnett); representing Green Ginger Developments regarding appeals for OPA 198 in Oakville (Lederer); representing the City of Mississauga regarding development charge by-laws (Lederer, Friedman); representing Humberplex Development Inc. regarding appeals against a decision by the City of Vaughan to approve a proposed plan of subdivisions (Barnett, Lederer); representing Block 12 Landowners regarding appeals against Zoning By-law 489-2001 in Vaughan (Barnett); representing Halton Hills Estates Ratepayers regarding appeals of minor variances and severance (Barnett); representing the Virgilio Group regarding appeals of Zoning By-law and plan of subdivisions (Barnett); representing Senator Homes regarding transportation cap imposed by the City of Brampton (Barnett).

### 4. Borden, Ladner, Gervais

[RANK LAST YEAR: 3]

(Thomas Andrews, Edward Ayers, Rick Coburn, Sean Gosnell, Salim Hirji, Gabrielle Kramer, Kevin McGivney, Pitman Patterson, Shayne Rayman, Paul Scargall, Michael Smith, Frank Sperduti, Robert Traves, Stephen Waqué, Cherly Woodin)

**Reasons for Ranking:** Borden, Ladner, Gervais continues to show a strong presence in the region. Volume and key cases helped this firm keep its position in the top five.

**OMB/Court Matters or Hearings:** representing Town of Markham regarding expropriation under the *Expropriation Act* (Kramer); representing Halton Catholic District School Board regarding appeals of rezoning and plan of subdivision for lands within special study area of OPA 165 in Oakville (Coburn); representing Glenburnie School Inc. regarding appeals against OPA and rezoning in Oakville (Patterson) (✓); representing DaimlerChrysler regarding appeals against approval of proposed OPA, rezoning, site plan and consent to convey for 2350 Trafalgar Road in Oakville (Coburn) (✓); representing Beacon Hall, 810676 Ontario Ltd., 840996 Ontario Ltd., Forge Hill Equities and Forsgate Funding Corporation regarding appeals OPA approval for the Town of Caledon (Patterson); representing San-Elgin Properties Ltd. regarding appeals by Pulcher Holdings for OPA, rezoning and plan of subdivision in Richmond Hill (Coburn); representing Halton District School Board regarding appeals of OPA in

Burlington(Coburn); representing Halton Region and H.R. Conservation Authority regarding appeals of OPA 198 in Oakville (Wagué); representing Halton District School Board regarding an appeal of a plan of subdivision in Oakville (Wagué); representing Shirley Endean regarding appeals of OPA for both Richmond Hill and York Region (Wagué); representing National Golf Club of Canada regarding an appeal against a decision by York Region to approve in part OPA 600 in Vaughan (Coburn)

### 5. Turkstra, Mazza Associates

[RANK LAST YEAR: 17]

(Stephen Garrod, Manfred Ruldolph, Shelley Kaufman, Scott Snider, Peter Pickfield, Herman Turkstra)

**Reasons for Ranking:** Undoubtedly Turkstra, Mazza Associates made the most impressive entry of the year, climbing 12 spots up the scale to round out the top five. The volume and nature of cases this firm was involved suggest that these folks are here to stay.

**OMB/Court Matters or Hearings:** representing John Bayus Park Ltd. regarding appeals for OPA and rezoning to permit a mobile home park (Garrod) (✓); representing Landmart Building Corp. regarding appeals by Ancaster Partners Inc. for OPA, rezoning and plan of subdivision (Ruldolph) (✓); representing By-Ways Construction regarding appeals of OPA and rezoning in Oakville (Kaufman, Snider) (✓); representing Peel Region, Town of Erin and County of Wellington regarding appeals of OPA 161 for the Town of Caledon (Garrod); representing Memorial Gardens Ltd regarding appeals for rezoning and site plan (Pickfield) (✓); representing The Old Neighbourhood Residents Inc. regarding appeals of rezoning in Guelph (Snider) (✓); representing The Bridge: From Prison to Community Inc. regarding appeals for a minor variance (Snider)(X); representing Paletta International Corporation regarding appeals for OPA, rezoning and plan of subdivision in Burlington (Snider) (✓); representing Paletta International Corporation regarding appeals of OPA 3 in Burlington (Snider); representing Paletta International Corporation and By-Ways Construction Inc. regarding municipal development charge by-laws (Snider); representing Paletta International Corporation regarding appeals for OPA, rezoning and plan of subdivision in Burlington (Snider).

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## Top Ten Firms continued from page 7

### 6. Reble, Ritchie, Green & Ketcheson

[RANK LAST YEAR: 8]

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

**Reasons for Ranking:** Not far behind the number five spot this firm continues to go up the ranking for the second year in a row. Representing clients from the public and the private sectors this firm is expected to be a tough competitor in the years to come.

**OMB Court Matters or Hearings:** representing Pickering-Ajax Citizens Together for the Environment regarding appeals of OPA and rezoning for 66 townhouses (Ketcheson); representing Town of Oakville regarding appeals of rezoning and plan of subdivision for lands within special study area of OPA 165 in Oakville (Biggart); representing Toronto and Region Conservation Authority regarding appeals of eight proposed plans of subdivisions in Richmond Hill (Ketcheson); representing Town of Oakville regarding appeals of OPA, rezoning and variances to permit a townhouse development subdivision (Ritchie) (✓); representing City of Burlington regarding appeals of OPA 3 in Burlington (Ketcheson); representing Elia Corporation regarding appeals for OPA and rezoning for a 24-storey apartment (Ketcheson); representing the City of Burlington regarding appeals for OPA, rezoning and plan of subdivision in Burlington (Ketcheson); representing Toronto and Region Conservation Authority regarding appeals of OPA for both Richmond Hill and York Region, that would implement the expansion of the town's urban boundary (Ketcheson); representing Dorsay Ltd. regarding a rezoning application to permit 31- and 10-storey apartment buildings (Ketcheson); representing the Town of Oakville regarding appeals rezoning (Biggart); representing the City of Pickering regarding appeals of rezoning to permit a subdivision development (Reble).

### 7. Goodmans

[RANK LAST YEAR: 1]

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

**Reasons for Ranking:** Despite the steep fall from the number one spot Goodmans remains a force to reckon with. As in previous years this firm was involved in

some of the key cases in the GTA like the hearings regarding the Oak Ridges Moraine and Oakville's OPA 198.

**OMB/Court Matters or Hearings:** representing Georgian Taylor Woods Inc. regarding appeals for rezoning and plan of subdivision (Howe) (✓); representing Crossmar Invests Ltd. and Ballymore Development regarding appeals for plans of subdivisions in Richmond Hill (Ryan) (✓); representing 147092 Ontario Ltd. regarding a motion to dismiss an appeal by George Kelava and allow a subdivision in Cornell (Houser, Bronskill) (✓); representing Preserve Homes Inc. regarding appeals for rezoning and plan of subdivision in Aurora (Houser) (✓); representing Jannock Properties Ltd. regarding an appeal for OPA, rezoning and plan of subdivision (Noskiewicz, Lyons); representing 6 & 7 Developments Ltd. regarding the awarding of costs (Howe); representing the Town of Markham regarding an appeal of a site plan for a commercial development (Howe); representing the Town of Oakville regarding appeals of OPA 198 in Oakville (Ryan); representing Block 33 West Landowners regarding an appeal of a decision by York Region to approve in part OPA 600 in Vaughan (Ryan); representing Erin Mills Development Corp., Gulletti Brothers Investments Ltd. and Rowhedge Construction Ltd. regarding development charges (Noskiewicz, Storrey).

### 8. Lynda Townsend-Renaud Law Offices

[RANK LAST YEAR: 12]

(Lynda Townsend-Renaud)

**Reasons for Ranking:** High volume of cases from all corners of the GTA gave this hard working lawyer the edge, placing her right back in the top ten list, where she belongs.

**OMB/Court Matters or Hearings:** representing Lanada regarding appeals for residential development in Vaughan; representing Markbar Valley Estates Inc. regarding a cost-sharing dispute for the developments of commonly shared Brisdale Drive in Brampton; representing the Town of Ajax regarding appeals of OPA to permit the expansion of the Ajax Urban Area (✓); representing Monarch Development Ltd. for appeals regarding the determination of the value of land for subdivisions under development in Mississauga (✓); representing C.R.A.F.T Development Corporation

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## Top Ten Firms continued from page 8

regarding appeals by SMJC Holdings Inc. and 854418 Ontario Ltd. for rezoning and amendment to the Keswick Secondary Plan to permit a shopping centre; representing C.R.A.F.T Development Corporation regarding appeal for OPA rezoning and site plan to permit a drive through restaurant in Brampton (✓); representing Guisepe Morelli and Ritajo Developments regarding appeals for rezoning and interim control by-law in Vaughan; representing 1001127 Ontario Ltd. regarding appeals for rezoning and plan of subdivision in Oshawa (✓); representing the Town of Halton Hills regarding appeals of minor variances (✓); representing Orlando Corporation et. al., and Con-Drain Company Ltd. Corporation regarding development charges.

### 9. Kagan Shastri

[RANK LAST YEAR: NO RANKING]

(Ira Kagan, Paul DeMelo)

**Reasons for Ranking:** Involved in notable and diverse cases Kagan Shastri makes a very impressive entry to the top ten list. This firm is certainly a one to keep an eye on.

**OMB/Court Matters or Hearings:** representing Credit Valley Conservation Authority regarding appeals of OPA, rezoning and plan of subdivision in Halton Hills (Kagan); representing D. Bawden regarding appeals of an OPA in Richmond Hill and a regional OPA for York Region (Kagan); representing Toronto and Region Conservation Authority regarding appeals of OPA and rezoning (Kagan); representing Osmington Inc. regarding appeals of OPA 198 in Oakville (Kagan); representing Region of Peel regarding development charges (Kagan); representing Toronto and Region Conservation Authority regarding appeals of OPA 600 in Vaughan (Kagan); representing the City of Mississauga regarding appeals of OPA and rezoning in Mississauga (De Melo) (✓); representing Cougs Investments Ltd. regarding appeals of rezoning in Pickering to permit a subdivision in Durham Region (De Melo).

### 10. Bratty and Partners

[RANK LAST YEAR: NO RANKING]

(Barry Horosko)

**Reasons for ranking:** The one man Barry Horosko show was extremely impressive this year with an astounding number of cases both in the GTA and in Toronto (where he got the number five spot). Probably

the busiest municipal lawyer in the GTA (including Toronto), Horosko's place among the top ten is more than deserving.

**OMB/Court Matters or Hearings:** representing Hayhoe Mills Ltd. regarding appeals of OPA and rezoning to allow for a residential development in Vaughan (Horosko); representing Autumn Grove Builder Ltd. regarding appeals for eight proposed plans of subdivision in Richmond Hill on the Oak Ridges Moraine (Horosko); representing Bot Construction and Holdings regarding appeals of OPA and rezoning in Oakville (Horosko); representing Delisle Properties regarding an appeal for variances in Vaughan (Horosko) (X); representing Erin Mills Development Corp. for an OPA and rezoning to permit retail and service commercial (Horosko); representing Trefoil Holding Inc. regarding an application for OPA, rezoning and plan of subdivision applications to permit 47 detached dwellings (Wisebrod); representing Residents Association of North Dundas regarding appeals of OPA 198 in Oakville (Horosko); representing Block 17 Properties, Nine-Ten West Ltd., Ochre Baron Holdings Inc. and National Homes Ltd. regarding appeals of rezoning and of interim control by-law in Vaughan (Horosko); representing Fratime Holding Inc. regarding a rezoning application to permit row dwellings (Wisebrod) representing Maple Downs Gold and Country Club Ltd. regarding appeals of OPA 600 and rezoning in Vaughan (Horosko).

## THE NEXT TEN

Based on mentions in *Novae Res Urbis - GTA Edition* the following make up the next ten firms based on municipal board activity: **(11) Blake, Cassels &**

*continued page 10*



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## GTA IN BRIEF

### YORK

#### King pipe a go

The councils of **York Region** and **King Township** have reached agreement about service to King City through a local sewage collection system and connection with the York Durham Sewage System. The agreement includes the township abandoning its court appeal of the regional by-law that gives the region control of the local sewage collection system in

conjunction with the York Durham system. King City is to be connected to the YDSS in phases – with the first slated for completion by December 2004 and the entire project expected to be completed by December 2008.

### HAMILTON

#### New transport minister deemed pro-expressway

Opponents of the Red Hill expressway proposed for Hamilton's

east end were disappointed with **Prime Minister Paul Martin's** choice of transport minister. Hamilton's **Tony Valeri** has been a "vocal supporter" of the expressway, as has new cabinet colleague and Hamiltonian **Stan Keyes**. The opponents point out that Hamilton-area MPs who have been critical of, or silent on, the expressway – **John Bryden, Sheila Copps, and Beth Phinney** – got passed over for appointments. •

## Top Ten Firms continued from page 9

**Graydon; (12) Thomson Rogers; (13) Loopstra, Nixon; (14) Cassels, Brock & Blackwell; (15) WeirFoulds; (16) Osler, Hoskin & Harcourt; (17) McCarthy Tétrault; (18) Russell Cheeseman; (19) Davis, Webb, Schulze & Moon; (20) Gowlings.**

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 sixth annual top ten has already begun. •

### How the information was collected

Using manual research, we tracked each of the law firms mentioned in *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 *Novae 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 (✓) or (X) 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.

## GTA PEOPLE

**Michael Metcalf** has been appointed deputy chief of the **Peel Regional Police**, effective January 1, 2004. Metcalf replaces **Ron Bain** who is retiring. Metcalf is a 32-year veteran of the regional force.

York Region deputy clerk **Harold Brown** is retiring effective December 31, 2003.

**York Region** has appointed councillors to its committees, agencies, boards and commissions for the 2003-2006 term. The list can be found at [www.region.york.on.ca](http://www.region.york.on.ca). •