

# GTA MUNICIPAL NEWS



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## Pennachetti heads to megacity

**J**oseph Pennachetti is proud of his accomplishments as treasurer of **Peel Region**. Next month, Pennachetti will leave the region after nearly seven years to take on the top financial job at the **City of Toronto**. In a recent interview with *GTA Municipal News*, he reflected on his work in Peel, from making sound financial plans to accommodate regional growth to co-ordinating the GTA development charge policy for **GO Transit**.

Pennachetti has worked in municipal finance in the GTA since 1986, when he became director in **Durham Region**'s finance department. In 1990, he moved to **York Region**, where he spent five years as treasurer before going to Peel.

When he arrived at Peel, the region had \$100 million worth of debt. Three years ago, Peel's debt was eliminated under Pennachetti's guidance. The

region has now developed a ten-year, \$2.2 billion capital plan for Peel that won't require any outside borrowing.

"That will be one of my objectives in Toronto, to minimize borrowing and increase the pay-as-you-go approach," he said.

Peel Region is looking at a property tax increase of approximately 2 per cent in 2002, according to Pennachetti, to keep up with inflationary pressures. He said that the region had managed little or no tax increases over the last decade, finding efficiencies to compensate for wage hikes and other costs, but "at some point you need an inflationary increase." In the last five years, the region saved money in the human services area, mainly because of reduced

*(Continued on page 2)*

## Electricity market to open in May

**I**n one of his last acts as Premier of Ontario, **Mike Harris** committed to opening the province's electricity market to retail competition beginning May 2002. The latest announcement follows closely on the heels of the move to privatize **Hydro One**, the electricity distribution company created by the breakup of **Ontario Hydro**, through an offering of public shares.

So-called "market opening" was originally to have occurred more than a year ago, in the fall of 2000, but the government delayed the event indefinitely at the time. Some observers suggested the delay was due to concerns about what was happening in deregulated electricity markets elsewhere in North America, such as Alberta and California, where prices and energy supply fluctuated erratically.

In the last year, the Harris government has faced ongoing pressure, especially from utilities such as Hydro One and **Toronto Hydro**, to sell off its utility

and open up the retail market. However, major industrial power consumers that once supported deregulation are now concerned that the move could result in less affordable and reliable power.

The **Independent Electricity Market Operator**, a provincial not-for-profit corporation, will house and oversee the new wholesale electricity market. The **Ontario Energy Board** regulates retailers, distributors and power generators. •

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## PENNACHETTI HEADS TO MEGACITY (FROM PAGE 1)

welfare caseloads. Those savings effectively paid for maintaining service levels, including hiring 30 police officers per year over the last five years, he said.

However, the region is projecting no savings in human services next year because of the economic downturn. At the same time, policing costs are likely to go up even further than in previous years because, in the wake of the September 11 attacks in the U.S., Peel regional police are expected to ask for added resources. Their request goes before council in January which could result in even greater tax increases.

“Most municipalities are projecting a 2 per cent increase at least,” Pennachetti said, in part due to added policing costs.

He said his knowledge of regional governments in the GTA has served him in helping to forge agreements across regions “on sharing of infrastructure and ensuring that the taxpayers in the GTA are provided with the most cost-efficient delivery of municipal services. It is something I am proud of, in

terms of working across the whole GTA.”

This includes the recently signed water agreement between Peel and York regions that will help accommodate growth in Peel and York. Pennachetti said the agreement came together with less than a year of negotiations after York Region ruled out increasing its water contract with Durham Region. The water should start flowing into York from Peel within about two years, he added.

Pennachetti believes that growth in Peel has been well-planned from a financial point of view, but said that transportation infrastructure funding remains an issue. “We need highway and regional transit funding partnerships,” he said. “We appreciate the provincial government coming to the table and we need the federal government to contribute its share to this funding partnership.”

And for Pennachetti, regional transportation is a personal issue. He currently lives in **Newmarket** and doesn't plan to move closer to his new place of employment, at least until his son finishes high school. •

## Oak Ridges Moraine Conservation Act passed

The frenzy of legislation that was passed before the winter break of the Ontario Legislature included the passing of the *Oak Ridges Moraine Conservation Act*, December 13. The Act allows the government to establish a land use plan for the future protection of 100 per cent of the significant natural and water resource features, as well as agricultural land and will focus development in approved settlement areas. Applications made on these lands, on or after November 17, are required to conform to the Oak Ridges Moraine Conservation Plan.

The plan is to be established by regulation within the next couple of weeks. It is to include strong policies to protect Moraine water quality and quantity. The legislation that was passed included recent amendments to:

- require a revocation of the Oak Ridges Moraine Conservation Plan to be subject to a public process;
- require public consultation when the plan is

reviewed in 10 years;

- ensure that the 10-year review cannot consider removing lands within the natural core and natural linkage designations; and
- require final approval by the Minister of Municipal Affairs and Housing for zoning amendments required to bring local zoning into conformity with the plan.

With the passage of the legislation the province will begin to move ahead on the creation of a continuous east-west trail system, and the appointment of the interim board of directors. The board will include: **John Riley**, Science Director of the Nature Conservancy of Canada; **John Burke**, Deputy Minister of Natural Resources; **Ric Symmes**, board member of Ontario's Living Legacy Trust; **Russ Powell**, CAO of the Central Lake Ontario Conservation Authority; and **James McKellar**, Associate Dean, Professor and Director of the Schulich School of Business at York University. •

## Top ten municipal law firms in the GTA (2000-2001)

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

For the past two years we have analyzed the most prolific municipal law firms in the Greater Toronto Area (outside of the City of Toronto) as a tribute to all those lawyers who have worked hard in the planning and development field. It has become an annual ritual. As promised, here is our review of the municipal legal activities in the GTA from *August 2000 to July 2001*, as reported by *GTA Municipal News*. For those tracking City of Toronto activity, be sure to see a copy of this Friday's edition of *Novae Res Urbis*.

#### 1. Aird & Berlis

[Rank last year: 1]

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

Reasons for Ranking: Again volume, diversity and success rate helped Aird & Berlis maintain its position as the most prolific municipal law firm in the GTA for a third year in a row. Like past years, it was a close race between the top three, and the nature of the cases on the Aird & Berlis listing pushed them slightly ahead of the others.

OMB / Court Matters or Hearings: representing Peel Region and the City of Brampton regarding development charges (Doumani) (✕); representing Durham Region and Town of Uxbridge in 'Gan Eden' appeal (Pepino, Longo); representing Loblaw Properties Ltd. regarding land redesignation at Appleby Line and Dundas St. W. (Halinski); representing Durham Region regarding Durham Region's OPA 60 (Allison, Longo); representing City of Mississauga regarding the Erin Mills-Britannia property (Foran, Pepino); representing Tornorth Holding Ltd. residential subdivision in Brampton Part Lot 10, Conc. 6 (Pepino) (✓); representing 1177284 Ontario Ltd. regarding Vaughan's OPAs 528 and 529 (Foran); representing Niagara Escarpment Commission regarding Caledon's OPAs 124 and 161 (Matera); representing Ricenberg Developments regarding development charges credit claims pertaining to land n/w of Kennedy Rd. and Steeles Ave. in Markham (Williams) (✕); representing Ridge Pine Park Inc. regarding development charges in Clarington (Doumani); representing Queenscorp Inc. regarding 3351 and 3365 Cawthra Rd. (Kovar) (✓); representing Fitzwood, Canay and Orlando regarding OPA 23 in Mississauga (Longo); representing

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#### How the information was collected

With the assistance of the search engine on our website and some manual research, we tracked each of the law firms mentioned in GTA Municipal News (OMB News and Development News) over this one-year period. From there we determined the firms that were most frequently mentioned and sorted through the projects and hearings they were involved with. 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 were collected from application and OMB files plus our research for GTA Municipal 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, 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 each of the lawyers mentioned in GTA Municipal News in a given matter. Items have been grouped into 1) noted development project- those development applications that noted a solicitor on file; 2) OMB matter/court hearing- those involved with hearings, pre-hearings, and mediation sessions. In cases which involved board decisions and a clear winner/loser or settlement was determined, we noted the appropriate symbol (✓) or (✕) following the case description. If there was no clear win/lose or the matter involved a pre-hearing, or the matter is still pending before the OMB no symbol was applied; and 3) other- an open category that noted the mention of a law firm in our stories. Finally, a brief reason is given at the beginning of each firm listed explaining why we ranked them as we did.

## TOP TEN MUNICIPAL LAW FIRMS IN THE GTA (FROM PAGE 3)

Runnymede Somerset Ltd. regarding an Ajax subdivision (Pepino) (✓); representing Northwest Jane Rutherford Realty Ltd. regarding OPA 551 in Vaughan (Longo) (✓); representing 1190667 Ontario Ltd. regarding a subdivision on Oakville's former Shell Research Site (Halinski); representing Loblaw Properties Ltd. regarding a large retail/commercial development in Brampton (Zakem); representing Township of King regarding the severance of agricultural land in King, Part Lot 30, conc. 10 (Longo) (✓); representing Loblaw Properties Ltd. regarding 12612 Highway 50 (Zakem); representing Ronald Fiorelli et al. regarding 2175 Cornwall (Longo) (✓); representing Rona regarding 1303 – 1317 King St. E. and 25 and 33 Eastlawn St. (Zakem); representing Township of King regarding additional use (television repair) for former King Township office (Williams).

### 2. *Davies Howe Partners*

*[Rank last year: 3]*

**(John Alati, Kim Beckman, Jeffrey Davies, John Inglis, Michael Melling, and Susan Rosenthal [formerly of Harper Rosenthal])**

*Reasons for Ranking:* Watch these guys. For the past two years this firm has increased its volume, success and significance of work throughout the GTA. The workload seems to be fairly shared among the solicitors, and geographically they moved beyond their traditional east GTA concentration. They were nipping at the heels of Aird & Berlis in this year's placement.

*OMB / Court Matters or Hearings:* representing 8171883 Ontario Ltd. regarding a décor centre at 7330 Yonge St. (Davies) (✓); representing 648649 Ontario Ltd (Costco) regarding costs associated with road access (Alati) (✓); representing Harbour View Investments Ltd. regarding development charges (Alati); representing Jetron Holdings Inc. regarding development on Pineview Cres. (Alati) (✓); representing 763728 Ontario Ltd. regarding 'Gan Eden' appeals (Davies); representing 1315872 and 1327545 Ontario Ltd. regarding a senior's complex at Keele St. and Fieldgate Dr. (Alati) (✓); representing Snelgrove Plaza Inc. regarding a retail

plaza at 163 and 175 Colonel Bertram Rd. and 3047 and 3037 Mayfield Rd. (Alati) (✓); representing Huntington Business Park Group regarding a cemetery in Vaughan (Alati); representing Sandhill Aggregates & Goodwood Properties Inc. regarding OPA 60 in Durham Region (Melling); representing Vellore Woods Development Group regarding a subdivision plan s/e of Weston Rd. and Major Mackenzie Dr. (Alati) (✓); representing Goodwood Properties regarding a golf course development in the Hamlet of Coppins Corners (Melling); representing York Pacific Ltd. regarding costs related to an appeal (Melling) (✓); representing York Region District School Board regarding the expropriation of lands for a school site in Markham's Berczy subdivision (Beckman, Melling); representing 1319164 Ontario Ltd. regarding commercial uses on King St. in Clarington (Melling) (✓); representing Kanvers Homes Inc. regarding severances on Turney Dr. (Davies) (✓); representing Paradise Homes Britannia Inc. and Sundance Vintage Development Inc. regarding OPA 16 in Mississauga (Davies) (✓); representing South Portage regarding a subdivision in Ajax (Inglis) (✓); representing Guscon Transportation regarding Region of Peel appeals of York Region's OPAs (Davies); representing Southlawn regarding a subdivision at Eglinton and Mavis (Davies); representing Hincos regarding OPA in Ajax (Howe); representing Iron Mountain regarding a variance for industrial expansion (Alati) (✓); representing Azuria Group Ltd. regarding Markham Conc. 4, Part Lots 21 and 22 for rezoning 177-96 (Beckman).

### 3. *McCarthy Tétrault*

*[Rank last year: 5]*

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

*Reasons for Ranking:* This past year was a comeback year for McCarthy Tétrault in the GTA. Ranked second in 1998 and dropping to fifth last year, the team's volume pushed it up amongst the

*(Continued on page 5)*

## TOP TEN MUNICIPAL LAW FIRMS IN THE GTA (FROM PAGE 4)

top three. Lack of final decisions on OMB cases ranked it third, yet the firm faced some major items, including 'Gan Eden'.

OMB / Court Matters or Hearings: representing Cambridge Shopping Centres Ltd. and 2725312 Canada Inc. et al, regarding development charges (Teichman); representing Dufferin-Peel Catholic School Board regarding education development charges by-law (Teichman); representing Jofian Holdings Ltd. and North Humber Investments Ltd. regarding a revised OPA for subdivision at Islington Ave. north of Major Mackenzie Dr. (Dawson) (✓); representing United Capital Investments Ltd. & United People Corp. regarding seniors' apartment at the corner of Hwy 7 and Helen St. (Bull); representing Jay-M Holdings Ltd. regarding the 'Gan Eden' appeal (Dawson, Diamond); representing 1334218 Ontario Inc. regarding land redesignation at Appleby Line and Dundas St. W. (Wood); representing Dufferin-Peel Catholic District School Board regarding Erin Mills-Britannia property (Teichman); representing Hunter's Farm II Inc. regarding development of lands s/w of Arnold Cres. and Anderson St. (Dawson) (✓); representing Customized Transportation Ltd. and TNT Logistix regarding a residential subdivision at Part Lot 10, Conc. 6 in Brampton (Bull); representing First Vaughan Investments Ltd., Sevenbridge Developments regarding OPAs 528 and 529 in Vaughan (Peterson, Wood); representing First Baymac Developments regarding a mall at 1070 Major Mackenzie Dr. E. (Wood) (✓); representing Tridel Builders Inc. regarding condominiums at 300 Steeles Ave. and 7095 and 7051 Bayview Ave. (Dawson) (✓); representing 1334218 Ontario Inc. and First Professional Management Inc. regarding a retail and service community centre at 4515 Dundas St. (Wood); representing Dufferin-Peel Catholic District School Board regarding OPA 16 in Mississauga (Teichman); representing New Providence Homes

regarding a subdivision on Oakville's former Shell Research Site (Wood) (✓); representing Loblaw Properties Ltd. regarding a large retail/commercial development in Brampton (Wood); representing 1334218 (WalMart) regarding WalMart in Burlington (Wood).

### **4. Lynda J. Townsend-Renaud, Law Office** **[Rank last year: 16]** **(Lynda J. Townsend-Renaud)**

Reasons for Ranking: A recent marriage and travel to various parts of Ontario hasn't kept Lyn Townsend-Renaud from being the darling of the pack in this year's ranking. Volume, success and the ability to undertake the range of assignments in a one-person law firm is impressive. Based in Oakville, Townsend-Renaud has represented all corners of the GTA this past year.

OMB /Court Matters or Hearings: representing Erin Mills Development Corp. regarding education development charges by-law; representing Urban Development Institute, Sandringham Place Inc., GTHBA, Orlando Corp. and Cantay Holdings Inc. regarding development charges (✓); representing 1236240 Ontario Ltd. (Coral Creek Homes) regarding the 'Gan Eden' appeal; representing Fernando Soares regarding a severance at 1050 Deborah Dr. (✓); representing the Town of Ajax regarding OPA 60 in Durham Region (✓); representing Ching Lai Wong Investments Ltd. regarding 1400 Lakeshore Rd. W.; representing Clublink Corp. regarding a golf course zoning in Caledon; representing 808890 Ontario Ltd. regarding a supermarket development in Brampton; representing 1304326 Ontario Ltd. regarding residential units at 1155 Birchview Dr. (✓); representing Trowbridge Developments Ltd. regarding a redesignation from hazard land to residential in Whitby (✓); representing Unique regarding 1470 – 1482 Bayly St. (✓).

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## TOP TEN MUNICIPAL LAW FIRMS IN THE GTA (FROM PAGE 5)

Noted Development Projects: representing Bentall Corporation regarding commercial/retail development at 2120 Royal Windsor Dr.

### 5. **Goodmans**

*[Rank last year: 4]*

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

Reasons for Ranking: A slight slip in rank from last year, Goodmans remains one of the most prolific law firms in the GTA. Representing OMERS Realty in Mississauga is one of many noted highlights.

OMB/Court Matters or Hearings: representing Erin Mills Development Corp., Brampton Shopping Centres Ltd., QCVII Inc. and Runnymede Development Corp. Ltd. regarding development charges (Noskiewicz) (✓); representing Erin Mills Development Corp. regarding education development charges by-law (Noskiewicz); representing H.D. Investments Inc. and Leisure World Inc. regarding a condominium on Ontario St. in Milton (Noskiewicz, Pike, Ryan) (✓); representing Glen-50 Developments Ltd. regarding a cemetery in Vaughan (Noskiewicz); representing First Gulf Capital Corp. and Summit REIT regarding a car dealership in Milton (Leibel, Stewart); representing Jannock Properties Ltd. regarding Erin Mills-Britannia property (Ryan); representing Glen-Steeles Three Ltd. regarding OPAs 528 and 529 in Vaughan (Lyons); representing OMERS Realty, 1131430 Ontario Inc. regarding OPA 23 in Mississauga (Leibel, Noskiewicz); representing Pentex Fletcher's Creek Ltd. and First Gulf Development Corp. regarding a supermarket development in Brampton (Houser); representing St. Johns' Road Development Corp. and Preserve Homes Inc. regarding OPA 30 in Aurora (House); representing the City of Mississauga regarding a Mississauga OPA south of Eglinton west of Sorrento Dr. (Noskiewicz); representing Grand Life Blvd. Corp. regarding Markham rezoning 177-96 Conc. 4, Part Lots 21 and 22 (Houser, Viinberg).

Noted Development Projects: representing OMERS Realty Management Corp. and 1331430 Ontario Inc. regarding additional uses for Mississauga City Centre at the corner of Duke of York Blvd. and Rathburn Rd. (Leibel).

### 6. **Borden, Ladner, Gervais**

*[Rank last year: 9]*

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

Reasons for Ranking: Moving on up. Borden, Ladner, Gervais didn't make the top ten in 1999 and just made the list last year. Volume is up substantially and the team is involved with a variety of clients, mainly in the north and west ends of the GTA.

OMB /Court Matters or Hearings: representing Sanco Builders regarding development charges credit claim (Patterson); regarding Georgetown South subdivision (Coburn); representing Sanco Builders regarding party status in development charges credit hearing concerning 1111 Wilson Rd. North (Patterson) (✗); representing Mikaldo Farms Inc. and Norton Sons Ltd. regarding land redesignation at Appleby Line and Dundas St. W. (Patterson); representing City of Vaughan regarding Vaughan's OPAs 528 and 529 (Patterson); representing Beacon Hall Group regarding Caledon OPAs 124 and 161 (Patterson, Waqué); representing R. and S. Drew regarding costs for expropriation in Newmarket (Kramer) (✓); representing Halton Catholic District School Board regarding a subdivision on Oakville's former Shell Research Site (Coburn); representing Mikaldo Farms and North Sons Ltd. regarding Burlington WalMart (Waqué); representing EMK Construction Ltd., Treelawn and Walmark Investments Ltd. regarding Markham rezoning 177-96 Conc. 4, Part Lots 21 and 22 (Waqué).

### 7. **Davis, Webb, Schulze & Moon**

*[Rank last year: 2]*

**(Neil Davis, Ellen Pefhany, Ronald Webb)**

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## TOP TEN MUNICIPAL LAW FIRMS IN THE GTA (FROM PAGE 6)

Reasons for Ranking: Lower volume and fewer decisions moved Davis, Webb, Schulze & Moon down from their number two ranking last year. Notwithstanding their usual strong hold on the Brampton scene, the firm represented a wider geography than in previous years and deserves their respectable ranking.

OMB/Court Matters or Hearings: representing J. Elder regarding OPA consolidation concerning land redesignation at 13990 and 14028 Yonge St. (Webb); representing Goodfellow Estate regarding expanded use in the plaza at 12612 Highway 50 (Webb); representing Brewis Chevrolet Oldsmobile Ltd. regarding a car dealership in Milton (Webb); representing Universal AmCan Ltd. regarding a residential subdivision in Brampton at Part Lot 10, Conc. 6 (Davis); representing Coalition of Concerned Citizens of Caledon regarding Caledon OPAs 124 and 161 (Webb); representing U. and V. Bonde regarding 2045 and 2055 Heartwood Court in Mississauga (Webb) (✓); representing Longo Brothers Fruit Market and City South Ltd. regarding large retail/commercial development in Brampton (Webb); representing Daimler-Chrysler Canada regarding a subdivision for Tornorth lands in Brampton (Davis); representing King David Developments Ltd. regarding Markham rezoning 177-96 Conc. 4, Part Lots 21 and 22 (Sleightholm).

### 8. *Blake Cassels & Graydon*

*[Rank last year: 17]*

**(Tim Bermingham, Jonathan Kahn, Robert Maisey, Jim McCallum, Gerald Swinkin, Judy Wilson)**

Reasons for Ranking: Increased volume and one noted success in Mississauga moved Blake Cassels & Graydon into the top ten this year. Representing aggregate interests in Caledon is the most noted highlight. A couple of loses in Mississauga are also noted.

OMB /Court Matters or Hearings: representing Keanall Holdings Ltd. et al regarding development charges (Swinkin); representing Franceschini Bros. Aggregates Ltd. and Dufferin Aggregates regarding

Caledon OPAs 124 and 161 (Maisey); representing United Parcel Service Canada Ltd., 724352 Ontario Ltd. and Rona Inc. regarding Vaughan OPAs 528 and 529 (Bermingham); representing Aggregate Producer's Association of Ontario regarding Caledon OPAs 124 and 161 (Khan); representing J. and S. Welton regarding 2045 and 2055 Heartwood Court in Mississauga (Swinkin) (✗); representing J. Welton regarding 2196 Oneida Court (Swinkin) (✓); representing Westport Realty Ltd. regarding Mississauga OPA 16 (Swinkin) (✗); representing Shorecrest Arms Ltd. regarding 1095 Allan St. (Belanger) (✗); representing Westport Realty regarding rezoning by-law 5500 Mississauga subdivision s/w of Britannia (Swinkin).

### 9. *WeirFoulds*

*[Rank last year: 12]*

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

Reasons for Ranking: More volume and a diversity of cases among the team members warranted WeirFoulds to make the top ten this year. A mixed bag of clients ranged from the aggregate industry to adult entertainment projects. WeirFoulds has moved consistently up the ranking over the last two years.

OMB/Court Matters or Hearings: representing Map Realty Ltd. regarding *Open Space System Natural Areas* designation at 100 Finch Ave. (Lord) (✗); representing Blue Circle Aggregates Canada and Graham Bros. Aggregates Ltd. regarding Caledon OPAs 124 and 161 (Tanaka); representing the Town of Richmond Hill regarding adult entertainment zoning in industrial area (Kussner) (✗); representing Awaiting Developments Inc. regarding Whitby development charges (Lord) (✗); representing Lakridge Health Corp. regarding reduction of parking spaces at hospital in Oshawa (Lord) (✓); representing Residents Opposed to Over Development in Thornhill South regarding condominiums at 300 Steeles Ave. and 7095 and 7051 Bayview Ave. (Kussner) (✗); repre-

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**TOP TEN MUNICIPAL LAW FIRMS IN THE GTA** (FROM PAGE 7)

senting the Town of Aurora regarding Aurora OPA 30 (Lord); representing Lemberg Brothers Ltd. and J. Lambert regarding the redesignation of land from hazard to residential (Lord).

*Noted Development Projects:* representing Madrid Developments Ltd. regarding retail and office additions to existing plaza (Chronis).

**10. Loopstra, Nixon**

[Rank last year: not ranked]

**(Quinto Annibale, Charles Loopstra)**

*Reasons for ranking:* A new kid on the top ten block, Loopstra, Nixon had a big jump in volume from last year with a few successes under its belt.

*OMB /Court Matters or Hearings:* representing Mr. and Mrs. G. Marcheson regarding a revised OPA concerning a subdivision at Islington Ave. north of Major Mackenzie Dr. (Loopstra) (✓); representing Tonlu Holdings Ltd. regarding a rezoning application to permit residential uses (Annibale); representing the Pandolfos regarding an OPA consolidation concerning the redesignation of lands at 13990 and 14028 Yonge St. (Annibale); representing E. and B. Veenstra, W.

and J. Bick regarding a church expansion at 14430 Bathurst St. (Loopstra) (✓); representing the Township of Uxbridge regarding Durham's OPA 60 (Annibale); representing the Township of Uxbridge regarding a golf course development in the Hamlet of Coppins Corners (Annibale); representing the Township of Uxbridge regarding costs related to an appeal (Annibale).

**The Next Ten**

Based on mentions in GTA Municipal News the following firms make up the next ten in the GTA (outside of the City of Toronto) based development activity: **(11) Stikeman Elliott; (12) Cassels Brock & Blackwell; (13) Davis & Company; (14) Osler, Hoskin & Harcourt; (15) Goodman and Carr; (16) Thomson, Rogers; (17) Kagan, Zucker, Feldbloom Shastri; (18) Reble, Ritchie, Green & Ketcheson; (19) Fasken, Martineau & DuMoulin; (20) Brown Dryer Karol.**

To ensure GTA Municipal News covers your interesting cases, please drop us an email or fax. The count for the fourth annual top ten has already begun. •

**Development charges for GO Transit**

**B**elow are the development charges for GO Transit as approved this year by regional councils in the GTA. The City of Toronto has yet to approve its charges and only the proposed rates for Toronto are listed.

It is projected that revenues from development charges will contribute about \$150 million toward GO Transit's \$1.1 capital plan for the next decade. Municipal development charges can only cover growth-related GO expansions and will pay for 40 per cent of the municipal share of the ten-year tab. According to the new provincial formula for the GO Transit capital program, municipalities, the provincial government and Ottawa are each expected to cover one-third of the costs.

| Municipality        | Single-family or semi-detached unit | Multiple dwelling unit | Large apartment | Small apartment | Non-residential GFA |
|---------------------|-------------------------------------|------------------------|-----------------|-----------------|---------------------|
| Durham              | \$498.00                            | \$441.00               | \$313.00        | \$185.00        | --                  |
| Halton              | \$738.68                            | \$448.75 to \$616.78   | \$424.16        | \$288.92        | --                  |
| Peel                | \$308.00                            | \$308.00               | \$220.00        | \$114.00        | --                  |
| York                | \$266.00                            | \$210.00               | \$154.00        | \$98.00         | --                  |
| Toronto* (proposed) | \$68.00                             | \$55.00                | \$46.00         | \$29.00         | \$0.99 (per sq.ft.) |

\* Based on June 9, 2001 calculation.  
Sources: C.N. Watson and Associates/ Region of Peel

## Bell pleased with moraine outcome

*This is the latest in our ongoing series of reports based on in-depth interviews with municipal leaders in the GTA. We recently met up with **Richmond Hill Mayor William F. Bell** in his city hall office.*

**B**ill Bell has the look of a man who has navigated his way out of the centre of a storm. Appearing relaxed, sitting in his office, he says he is glad that **Richmond Hill** succeeded in convincing the provincial government that the Oak Ridges Moraine is a provincial issue. The appeals launched against his town in early 2000 by developers who wanted to build thousands of housing units on land that residents and environmentalists demanded be protected from development were pre-empted by provincial legislation that became law last week.

In the end, the legislation provides stronger protection than the town was seeking and will mean less development – and therefore less revenue – than Richmond Hill had counted on before the issue exploded and became seen as a wedge issue across the coveted 905 political landscape.

“It is not all doom and gloom,” Bell said of the impact on the town. He pointed to the creation of a 1,000 acre park on some of the most fragile moraine land and to the fact that about 50 per cent of the developable moraine land in Richmond Hill is slated for employment uses.

“I would be very happy to catch my breath on residential development,” Bell admitted. Major growth in the town has put a strain on resources and sparked demand for expansion of services.

Local taxes have not been increased in 11 years. But with less revenue from building permits and other development fees than expected, the end of the contribution holiday toward employee pensions, and with the cost of the city’s contract for garbage collection going up, signs are pointing to a tax hike. “We’ll have to be very creative to avoid a tax increase next year,” Bell said.

The town may look at using proceeds from the

sale of **Richmond Hill Hydro** to neighbouring **Vaughan** and **Markham** to offset a tax increase, similar to proposals in **Brampton**. (See *GTA Municipal News*, November 28, 2001.) As a result of the deal, which is awaiting final approval from the **Ontario Energy Board**, the town stands to receive \$150 million overall.

At the same time as the province moved to protect the moraine, **York Region** approved a controversial extension of Bayview Avenue north of Stouffville Road. Bell, who chairs the region’s transportation committee that recommended the extension, said that while it might seem inconsistent with moraine protection, it is necessary because of “horrific traffic” in the area. “Politics is a balance,” he said.

Bell does not lament the passing of the **Greater Toronto Services Board**, which he called a good idea but “doomed from the start,” without authority, money or a clear mandate. He had supported a transportation-only focus for the board and “had never really come to grips” with the proposal that the GTSB take on a growth management role in the GTA.

“Municipalities are jealous of their planning powers,” he said. “And, besides, we have the OMB.”

At the same time, he does not jealously guard his own municipality from the prospect of amalgamation or restructuring. A member of the province’s now-defunct “Who Does What” panel, he professes to have a pragmatic approach to governance and service delivery. “Figure out the most economical and efficient way to deliver a service and tailor it that way,” he said. “You don’t really need your own council to preserve the local identity.”

**York Region** is looking into the possibility of taking over fire protection from the local municipalities. Bell said if it makes economic sense, it should happen. And, if it works, there may be a case for passing on responsibility for other services to the region, such as garbage collection. •

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 •REGIONAL NEWS •
 

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### EA announced for provincial extension of Highway 427

The province announced December 14 that they will proceed with the environmental assessment process for the extension of Highway 427. The proposed corridor will run 50 km. from where Highway 427 currently ends at **Highway 7 in Vaughan**, to the area of the proposed **Bradford Bypass and Highway 89**. The study will also consider transit opportunities, including a transitway and/or reserved bus lanes in the corridor. The environmental study process includes examination of alternative designs and construction approaches, and environmental impacts and mitigation. The process provides the opportunity for public and stakeholder consultation. The government will move forward with the EA terms of reference. The environmental assessment phase is expected to take three to five years. The announcement follows the completion of the first phase of the Highway 427 needs assessment study.

### Multiple housing starts up in November

Multiple housing starts for the Toronto CMA bounced back in November after two consecutive months of decline. Data from the Canada Mortgage and Housing Corporation showed that residential construction was up 4.1 per cent from October to 42,900 seasonally adjusted annual rates (SAAR) and housing starts were up 6.5 per cent compared to November 2000. The multiple market was led by condo apartment and semi detached construction. Multiples rose to 23,500 SAAR up nearly 27 per cent from October. Single detached starts declined by 16 per cent to 18,400 SAAR. Canada wide, housing starts decreased by 2.6 per cent from 173,500 in October to 168,900 SAAR, with urban single detached slipping 0.7 per cent and multiples declining by 5.8 per cent.

(Continued on page 11)

## GTA Economic Activity

*This is the next installment in an ongoing series on economic activity and investment in the GTA. This week, we focus on recent activity in Newmarket, provided by Mark LaHay of the town's planning department. Newmarket has more than seven million sq.ft. of industrial floor area and five million sq.ft. of commercial space. It is also home to the York Region Provincial Offenses Court and the region's administrative offices.*

### New IT manufacturer under construction

**Solectron Global Services** is building a new 186,825 sq.ft. manufacturing plant on Harry Walker Parkway North Extension. The electronics manufacturing services company will employ around 450 people at the new facility.

### Penguin Books expands on Nicholson Rd.

**Penguin Books** is adding nearly 30,000 sq.ft. to its publishing warehouse at 1220 Nicholson Road.

### Snap On expands

**Snap On Tools**, manufacturer and distributor of tools, is expanding its Harry Walker Parkway facility by more than 40,000 sq.ft.

### Tool and die maker grows

**Eurospec Tooling**, a tool and die manufacturer, is adding 32,375 sq.ft. to its Harry Walker Parkway plant. •

## REGIONAL NEWS (FROM PAGE 10)

**-Halton Region-****Buyer demand to outstrip Oakville and Milton existing housing supply**

The Milton/Oakville housing market remains strong, according to statistics released earlier this month by the **Oakville Milton and District Real Estate Board**. Area housing sales stood at 307 in November, a drop of 1.3 per cent from October sales of 311. The decline is thought to be the result of a drop in the number of listings. The number of properties listed in November dropped 27 per cent to 388 from the October high of 531 and the sales-to-listings ratio rose a full point between October and November, indicating a demand/supply imbalance. "Low interest rates are attracting new and move-up buyers," said Board President **Barbara Murphy**. "There is demand, however, there isn't the supply of available properties for buyers to choose from. This represents a good opportunity for potential vendors."

**-York Region-****Region renews commitment to Black Creek TMA**

**York Regional Council** has renewed its commitment to the **Black Creek Regional Transportation Management Association**, agreeing to contribute \$25,000 to the organization. Launched earlier this year, the innovative transportation management association is a co-operative initiative between business, municipal governments and other partners to encourage alternatives to single occupant vehicles and to reduce traffic congestion. The association provides benefits to commuters from Vaughan by offering them travel information and different mode choices. The Black Creek association will be the model for additional transportation management associations in other parts of the GTA, including Richmond Hill and Markham. The Region's financial contribution represents about 15 per cent of the association's annual budget of \$170,000. •

**• ONTARIO MUNICIPAL BOARD •****-Peel Region-****Zoning amended for Brampton trucking site**

In a decision issued December 7, board member **Norman Jackson** allowed the withdrawal of appeals by **Debjaun Construction Ltd.** and **Baron Group Holdings Ltd.** against amendment to *zoning by-law 208-2001* of the **City of Brampton**. The appeals were in regard to the application by **Vista Restaurant and Lunch Incorporated** for their 4.6 ha. property bounded by **Steeles Avenue East, Dixie Road** and **Wilkinson Road** to the south. The site was designated for commercial use and included a restaurant truck parking and automobile sales centre. The by-law would consolidate

the zoning, add a drive through restaurant, and delete a site plan which restricted building envelopes. These changes were not disputed. What had been of concern, was a proposal to permit truck refueling on the southern portion of the site fronting on Wilkinson Road. The appellants were concerned about the visual and traffic impact of truck refueling. The applicant and the city both agreed to withdraw truck fueling as a permitted use from the proposed zoning. As a result, the appellants withdrew their appeals. The appellant's planner, **Michael Bagnon** and city planner **Paul Snape** gave evidence in support of the amended zoning by-law. Solicitor **Janice Atwood-Petkovski** represented Brampton. **Robert Filkin (McCabe, Filkin & Associates)** was the solicitor for Vista. (*See OMB Case No. PL010749.*) •

## Coming Up

Wednesday December 19

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

Wednesday January 10

**Brad Clark at Toronto Board of Trade**, 1 First Canadian Place, Toronto, 7:45 a.m. to 9 a.m. Call 416-862-4500.

Wednesday January 16

**Politics and planning in the regional city**, forum sponsored by the **Faculty of Environmental Studies**, Room 306 Lumbers Building, York University, 12:30 p.m. to 2 p.m. Call 416-736-5285.

Thursday January 17

**Beyond Oak Ridges Moraine**, forum sponsored by the **Canadian Urban Institute**, Metro Hall, 55 John St., Toronto, 7:45 a.m. to 10 a.m. Call 416-365-0816, ext. 234.

**End of cheap energy in GTA**, sponsored by the **GTA Forum**, Toronto Archives Auditorium, 255 Spadina Rd., 4 p.m. to 6:30 p.m.

Wednesday January 23

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

Thursday January 24

**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.

Wednesday January 30

**David Johnson speech to OPPI**, OBA Conference Centre, 20 Toronto St., Suite 200, Toronto, 5:30 p.m. Call 416-483-1873.

Thursday February 7

**Mississauga Board of Trade 25<sup>th</sup> Anniversary Dinner**, Verdi Hospitality Centre, 3550 Derry Rd. East, Mississauga. Call 905-273-69151. •

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## Seasons Greetings!

We at *GTA Municipal News* are taking our annual festive break. That means there will be no edition on December 26. But we'll be back with bells on in January. The first edition of the new year will come out on Thursday January 3 and, after that, *GTA Municipal News* will arrive, as usual, on Wednesdays.

*See you next year!*