



June 18-19, 2013  
St. Andrew's Club and Conference Centre, Toronto, ON

# LAND DEVELOPMENT AND PLANNING LAW

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## **CO-CHAIRS**

**Patrick J. Devine**  
Partner, Dentons Canada LLP

**Kim Beckman**  
Partner, Davies Howe Partners LLP



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Conferences*

Dear colleague,

The issues and challenges in today's land use and planning law field are myriad and often very complex, with diverse interests, stakeholders and visions to be considered and accommodated. Achieving a satisfactory built environment that takes into account environmental, conservation, economic development, design and other objectives requires well-crafted, balanced and effective legislation and workable regulatory procedures in order to facilitate the development process and arrive at a satisfactory balance of often competing objectives.

We have been working with Insight Information to develop a two-day conference which will address some of the most pressing and immediate issues in this field. Among the practical and timely topics to be tackled by top experts in the sector are:

- Tips for preparing for a hearing on a s. 42(10) OMB appeal
- Implications of intensification for affordable housing
- How should the OMB use urban design guidelines?
- Alternative approaches to development control – beyond the Zoning By-law
- Where are we in the Five Year Review process?
- Conversions of employment lands to residential use
- Do the usual planning rules apply to heritage districts?

Whether you are a lawyer, planner, municipal, regional or provincial public servant, a lawyer in private practice, a service provider or a consultant in the field, you will not want to miss this opportunity to hear about the latest legal developments. You will benefit from the opportunity to participate in dialogue and exchange views on breaking issues in this exciting and quickly evolving field of law and public policy.

I hope to see you there,



Patrick J. Devine, Partner, Dentons Canada LLP



Kim Beckman, Partner, Davies Howe Partners LLP

The challenges and complexities in this field of law and policy continue to grow. Hear the latest on these and other issues of the day:

- Parkland Dedication and Cash in Lieu Payments
- Bonusing and S. 37 of the *Planning Act* - Challenges and Appeals
- Design Guidelines – Where do they Fit into the Planning Process?
- Legal Strategies for Effective Mixed Land Use and Intensification
- Successful Zoning By-law Design and Application
- Comprehensive Official Plan Review – a Toronto Case Study
- Ecological Integrity and the Planning Process
- Interplay of the *Ontario Heritage Act and the Planning Act*
- Meeting Growth Plan and Employment Lands Challenges
- Infrastructure Ontario's Role in Land Use Planning

Plus, a multi-stakeholder panel discussion on:  
**Financing Growth – How Far Can Development Charges Take Us?**

And, a run down on the  
**Top Recent Developments in Planning and Development Law**

**CPD Accreditation:** This program has been approved by the Law Society of Upper Canada CPD for 11 substantive hours.

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**June 18, 2013**

8:00 | **Registration and Continental Breakfast**

9:00 | **Welcoming Remarks from Insight Information**

9:05 | **Co-Chair's Opening Remarks**

**Patrick J. Devine**

Partner  
Dentons Canada LLP

9:15 | **Top Recent Developments in Planning and Development Law**

**Robert Doumani**

Partner  
Aird & Berlis LLP

10:00 | **Networking Coffee Break**

10:15 | **Challenges of Parkland Dedication and Cash in Lieu Payments in the Growth Plan Age**

**Ira T. Kagan**

Partner  
Kagan Shastri LLP

**Jason Park**

Partner  
Dentons Canada LLP

- Challenges under s. 42 *Planning Act* provisions
- New approaches and strategies being considered for alternative parkland rates
- Implications on intensification and affordable housing
- Current state of play
- By-law design and sample provisions
- Appeal options including OP appeals, by-law appeals and challenges to the cash-in-lieu quantum
- Tips for preparing for a hearing on a s. 42(10) OMB appeal

11:15 | **Bonusing and S. 37 of the *Planning Act* - Latest Challenges and Appeals**

**Christine Enta**

Legal Counsel, Corporate Development and Environmental Law Branch  
City of Ottawa

**Douglas B. Kelly**

Partner  
Soloway Wright LLP

- How are the amounts set?
- On what basis?
- How can the funds be utilized?
- Challenges?
- Drafting tips

12:15 | **Networking Luncheon**

1:15 | **Adaptive Reuse Redevelopment - Guelph Correctional Centre Case Study from Infrastructure Ontario**

**Jeremy Warson**

Senior Project Manager, Development Planning  
Infrastructure Ontario

**Frank Dieterman**

Manager, Heritage Projects, Environmental Management  
Infrastructure Ontario

2:00 | **Urban Design Guidelines – Vision and Application**

**Robert Glover**

Architect  
Bousefields Inc.

- What are design guidelines?
- Where do the guidelines fit into the planning process?
- How are they currently used?
- How should the OMB use urban design guidelines?

2:45 | **Networking Refreshment Break**

TWO CASE STUDIES

3:00 | **Legal Strategies for Effective Mixed Land Use and Intensification**

**Mary Ellen Bench**

City Solicitor  
City of Mississauga

- Case study of Inspiration Lakeview and Port Credit Projects
- Legal challenges and how they are being met
  - Third party land ownership (OPG)
  - Economic development corporation
  - P3 models
  - Infrastructure Ontario's role
  - MOU

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**Brian Haley**

Solicitor and Practice Lead  
Planning and Administrative Tribunal Law, Legal Services  
City of Toronto

- City of Toronto case study
  - Reinvestment areas
  - Live/work units
  - Home occupations

4:00 | **Zoning By-laws – Latest Developments and Reflections**

**Elizabeth Howson**

Principal  
Macaulay Shiomi Howson Ltd.

**Susan D. Rogers**

Principal  
Susan D. Rogers Law

- Planning process and the Zoning By-law
- Where do Zoning by-laws fit in the planning process?
- Examples of successful Zoning by-law design and application
- Alternative approaches to development control
- What has not worked
- Lessons learned

5:00 | **Co-Chair's Summation and Conference Adjourns**

**June 19, 2013**

8:15 | **Continental Breakfast**

9:00 | **Remarks from Insight Information**

9:05 | **Co-Chair's Opening Remarks**

**Kim Beckman**

Partner  
Davies Howe Partners LLP

PANEL DISCUSSION

9:10 | **Financing Growth – How Far Can Development Charges Take Us?**

Moderator:

**Robert Doumani**

Partner  
Aird & Berlis LLP

**Kim Beckman**

Partner  
Davies Howe Partners LLP

**Paul J. Stagl**

President Elect  
Ontario Professional Planners Institute

**Darren Steedman**

Vice President  
Metrus Development Inc.  
Chair, Peel Chapter, BILD

**Lynda J. Townsend**

Principal  
Townsend and Associates

- Increasing charges – how high can you go?
- Impact on feasibility and economic growth
- Are there alternatives? What are they?
- Are there financing strategies that complement development charges?

10:15 | **Networking Coffee Break**

10:30 | **Avoiding Islands of Green; Ecological Integrity as seen by Conservation Authorities, the MNR and MOE**

**Donna S. K. Shier**

Partner  
Willms & Shier Environmental Lawyers LLP

**Jonathan Wigley**

Partner  
Gardiner Roberts LLP

- Provincial policy statements
- Flood plain management and conservation of land
- Source water protection
- Species at risk permits and process
- Records of Site Condition, fill and environmentally sensitive areas

TORONTO CASE STUDY

11:30 | **Comprehensive Official Plan Review**

**Kelly Matsumoto**

Solicitor, Planning and Administrative Tribunal Law  
City of Toronto

- Where are we in the Five Year Review process?
- What have we accomplished so far?
- Issues and challenges along the way
  - Employment lands issues
  - Heritage review
- What still needs to be done?

12:15 | **Networking Luncheon**

1:30 | **Meeting Growth Plan and Employment Lands Challenges**

**Paul Lowes**

Principal  
Sorensen Gravely Lowes Planning Associates Inc.

- Meeting employment density targets
- Consistent Growth Management approaches
- Addresses take outs
- Conversion to residential use
- Appeals process
- The special case of retail

2:30 | **Networking Refreshment Break**

2:45 | **Interplay: the *Ontario Heritage Act* and the *Planning Act***

**Eileen P. K. Costello**

Partner  
Aird & Berlis LLP

**Sharon Haniford**

Solicitor, Planning and Administrative Tribunal Law  
City of Toronto

- Heritage Designation - properties and conservation districts
- How does the district designation differ?
- Do the usual planning rules apply to heritage districts?
- What is the interplay between the two Acts?
- Illustrative examples

3:45 | **Co-chair's Summation and Closing Remarks**

4:00 | **Conference Concludes**

## WHO SHOULD ATTEND

**From the Private Sector**

- Municipal, Planning, Real Estate, and Land Use Lawyers
- Presidents / CEOs / VPs / EDs
- Partners

**Of:**

- Land Development Companies
- Builders / Construction Companies
- Finance and Real Estate Companies
- Legal and Consulting Firms
- Professional and Industry Associations

**From the Public Sector**

- Legal Counsel
- Mayors / CAOs / City Councillors
- Commissioners, Directors and Managers of Planning
- Directors of Policy / Land Use / Development
- Policy Analysts and Advisors

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## DISTINGUISHED FACULTY

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**Frank Dieterman**

Manager, Heritage Projects, Environmental Management, Infrastructure Ontario

**Robert Doumani**

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City of Toronto

**Elizabeth Howson**

Principal, Macaulay Shiomi Howson Ltd.

**Ira T. Kagan**

Partner, Kagan Shastri LLP

**Douglas B. Kelly**

Partner, Soloway Wright LLP

**Paul Lowes**

Principal, Sorensen Gravely Lowes Planning Associates Inc.

**Kelly Matsumoto**

Solicitor, Planning and Administrative Tribunal Law  
City of Toronto

**Jason Park**

Partner, Dentons Canada LLP

**Susan D. Rogers**

Principal, Susan D. Rogers Law

**Donna S. K. Shier**

Partner, Wilms & Shier Environmental Lawyers LLP

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**Lynda J. Townsend**

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**Jeremy Warson**

Senior Project Manager, Development Planning  
Infrastructure Ontario

**Jonathan Wigley**

Partner, Gardiner Roberts LLP

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**Dietary Restrictions: Do you have any dietary restrictions?**

No  Yes

If yes, please indicate: \_\_\_\_\_

**Special Needs: Do you have any special needs that require accommodation?**

No  Yes

If yes, please indicate: \_\_\_\_\_

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