# Development Projects

**February 17, 2022**

From high-profile real estate developments to smart city planning and infrastructure, BLG offers you an experienced partner with cross-sector and practice expertise, a national reach and an innovative mindset. Collaborative, entrepreneurial and adaptive, we can guide you through every stage of your project with strategic advice, fearless advocacy and an eye on what's next.

## Mixed Use

**Central City** – BLG stepped in to handle what became the most complex air space parcel subdivision in British Columbia, with 9 air space parcels and two remainders, with the realized goal of providing greater investment flexibility for the mall, university, and office components of the project.**KEY CONTACT:** David Longcroft

**Lansdowne Park redevelopment** – Acted for the City of Ottawa and Ottawa Sports and Entertainment Group in connection with the redevelopment of Lansdowne Park through a public-private partnership, which included the redevelopment of a stadium and the construction of a large underground parking garage with retail uses at grade, and condominium and office towers above. **KEY CONTACTS:** Jamison Young and Yves Ménard

**Salavation Army** – Acted for Salvation Army to approve its move from its out-dated shelter facility in By-ward Market to the Vanier neighbourhood with the goal of creating a modern purpose-built shelter facility.This is a multi-purpose facility, including residential units, specialized medical care, stabilization and treatment services, life-skills training, day programs, and emergency shelter accommodations. The Salvation Army is proposing this facility to serve the vulnerable and homeless in Ottawa. **KEY CONTACTS:** Emma Blanchard and Stephen Waqué

**Brampton ACC Center** – Acted for City of Brampton in its arrangement with developer and sports event operator in connection with the ACC Centre (formerly known as Powerade Centre). **KEY CONTACT:** Xue Yan

**The Rise, Vancouver** – This unique mixed-use project combines large format retail and an upper storey courtyard townhouse complex comprised within a single city block, in a dense urban environment. In addition to carrying out the complex pre-leasing of the commercial component, we worked closely with the City's legal and engineering departments to successfully satisfy the "prior to" conditions under the development permit in a very tight timeframe, in order to avoid an upcoming DCC increase. **KEY CONTACT:** David Longcroft

**Local, North Vancouver** – We acted for Loblaws on the sale of the residential air space parcel to Anthem Properties, and the redevelopment by Anthem of the podium level as a City Market food store. Working in close collaboration with Anthem and the City of North Vancouver, we secured the agreement of the approving officer to permit the creation of the air space parcel prior to commencement of construction of the residential component, thereby keeping the Loblaws parent parcel free and clear of Anthem's construction financing. We also quickly solved the problem of an encroachment between the parcels that arose during construction, that would otherwise have required a complicated cancellation of the air space parcel subdivision. **KEY CONTACT:** David Longcroft

**Grosvenor Ambleside, West Vancouver** – This phased project presented unique challenges arising from the original subdivision of the site and the phasing of the residential remainder parcels. We carried out the initial air space parcel of phase one pursuant to an easement agreement that contemplated the subsequent air space parcel subdivision of phase two, in a manner that effectively eliminated the role of the existing strata corporation while concurrently facilitating the necessary phased strata plan consolidation of the residential component. We also handled the commercial lease negotiations and the completion of the strata lots sales in both residential phases. **KEY CONTACT:** David Longcroft

**Branded Hotel/Residential Project, Kelowna** – We are working with Westcorp Developments on a 33 storey tower and podium branded hotel and residence project in Kelowna, which will be the tallest building between Calgary and Vancouver, once constructed. **KEY CONTACT:** David Longcroft

# Industrial

**Healthcare of Ontario Pension Plan (HOOPP) –** Acted for HOOPP in Tribunal and Provincial Facilitation proceedings to bring 300+ acres of land in the Bolton (Caledon) area into the urban boundary, and to achieve official plan (Coleraine West Employment Area Secondary Plan) and zoning approvals. More recently, we acted in Tribunal proceedings to have additional land added to the urban area (ROPA 30). We continue to act for HOOPP on site plan approvals and development agreements, as it brings millions of square feet of large scale employment space to market in the Coleraine West Employment Area. **KEY CONTACTS:** Pitman Patterson, Piper Morley, Katie Butler, Lee English

**AIMCO (Blackwood Partners) –** Amazon fulfillment centre - We acted for AIMCO through its Ontario development managers Blackwood Partners in,

first, Tribunal and Provincial Facilitation proceedings to bring 300+ acres of land in the Bolton (Caledon) area into the urban boundary, and to achieve official plan (Coleraine West Employment Area Secondary Plan) and zoning approvals; and subsequent site plan approvals. Through this process, approvals were obtained for an Amazon distribution centre in Bolton having over one million square feet, and two other large footprint commercial buildings have been approved. We continue to support development of the site with various agreements under preparation. **KEY CONTACTS:** Pitman Patterson, Piper Morley, Katie Butler, Simon Fung

**Blackwood Partners – Amazon fulfillment centre –** we acted for Blackwood in obtaining approvals for an Amazon fulfillment centre in Ajax, Ontario, having over a million square feet. We continue to work on various development agreements needed to support this project, including on and off-site infrastructure and reciprocal arrangements with adjacent lands to be developed with more large footprint commercial or industrial uses. **KEY CONTACTS:** Pitman Patterson, Piper Morley, Simon Fung

## Transit

**Metrolinx - Mimico-Judson Secondary Plan –** BLG represented Metrolinx before the LPAT regarding the Mimico-Judson Secondary Plan. The outcome of the Secondary Plan is of both local and Provincial importance, as it provides the planning vision for lands located immediately north of the Willowbrook Rail Maintenance Facility (WRMF) and also next to the Mimico GO Station. The WRMF is the primary maintenance facility for GO Transit rolling stock, including over 800 locomotives and coaches, and activity is expected to intensify to accommodate Metrolinx's plans for Regional Express Rail (RER). BLG successfully settled Metrolinx's appeal by securing significant built form changes to the development approved by the City (contrary to staff recommendations) next to the WRMF, including guarantees for noise mitigation and securing a monetary contribution. BLG subsequently represented Metrolinx before the LPAT to defend its interest on four separate development parcels next to the Mimico GO Station. **KEY CONTACT:** Isaac Tang

**Montreal LRT –** Advising the NouvLR General Partnership (SNC- Lavalin, Aecon, Dragados, Pomerleau and EBC) with all legal matters in connection with the procurement and construction of Montreal's Light Rail Train Project (Réseau Express Métropolitain). The BLG team also supported NouvLR during the RFP process that led to the award of the project and negotiated the main project agreements, namely the EPC contract and the Interface Agreements. The BLG team remains involved during the construction phase of the project and advises the client with respect to day-to-day project operations, contract, risks and claims management. **KEY CONTACTS:** John Godber, Doug Sanders, Pascale Dionne, Patricia Galella and John Murphy

## Health

**Ancillary Services Building at Etobicoke General –** Acted for William Osler Health Systems on public private arrangement for construction and leaseback of an Ancillary Services Building at its Etobicoke General Hospital location. **KEY CONTACT:** Brennan Carroll

**Michael Garron Hospital –** Acting for Michael Garron Hospital in connection with the development, financing and operation of a new community hub being constructed at the East York Town Centre within space that was formerly occupied by Target. This will include coordination with other key governmental and community agencies to create an important gathering place for the local community, as well as additional business for an underutilized retail mall in Toronto. **KEY CONTACTS:** Brennan Carroll, Andrew Guerrisi

BLG has also acted for Michael Garron Hospital over the past decade in a variety of land use approvals, including expansion of the Knight Street parking garage, and approvals for the new patient care tower under construction on Sammon Avenue as part of an overall new campus master plan. **KEY CONTACTS:** Pitman Patterson, Adam Shipowick

**St Joseph's Housing Corporation –** Acting for St Joseph's Housing Corporation (Guelph) with respect to the development of new seniors housing. The mandate includes engagement with a private developer for the development, construction and marketing of units, as well as working with local governments to secure funding grants. **KEY CONTACTS:** Brennan Carroll, Dan Boan

**Grey Bruce Health Services –** Acting for Grey Bruce Health Services with respect to the acquisition of land from the County of Grey for the development of a new Markdale Hospital, which is located adjacent to an existing long-term care facility. The transaction involves the negotiations of reciprocal easements and other covenants to allow for potential future development on the GBHS's lands and other lands retained by the County. **KEY CONTACTS:** Brennan Carroll, Anthony Deluca

**Markham Stouffville Hospital –** Acting for Markham Stouffville Hospital with respect to the development of a new medical office building on lands adjacent to the Uxbridge Hospital. The transaction involves the long-term lease of a land to a private developer, as well as engagement with third party construction financing. **KEY CONTACTS:** Brennan Carroll, Anthony Deluca

**Queen Elizabeth II Health Sciences Centre –** Acting for the Province of Nova Scotia, as represented by its Department of Transportation and Infrastructure Renewal, with the Halifax Infirmary and the Community Outpatient Centre (Bayers Lake) elements in relation to the redevelopment of the Queen Elizabeth II New Generation Project. BLG is assisting with all aspects of the procurement process and the Project Agreements through award, commercial and financial close, and the term of the Project Agreements to help them achieve their goals through the delivery of strategic legal advice and efficiency. **KEY CONTACTS:** Rick Shaban, Sarah Bird

## Education

**Durham College –** Acted for Durham College with respect to the design, build, construction, maintenance and operation of a new student residence on the College's Whitby Campus. The transaction involved engagement with a private student residence developer and third party financing. **KEY CONTACTS:** Brennan Carroll, Dan Boan

**Crescent School –** Acting for Crescent School in various land use approval and heritage matters as Crescent begins to implement its campus master plan, transforming and modernizing its facilities. **KEY CONTACTS:** Pitman Patterson, Katie Butler, Adam Shipowick

BLG also acted for Crescent School in its acquisition of the adjacent Rumboll Centre lands, which in time will facilitate further expansion of the Crescent campus. **KEY CONTACTS:** Tamila Ivanov, Brennan Carroll

**Toronto Lands Corporation –** BLG acts for TLC, the real estate arm of Toronto District School Board, on land use approval matters throughout the City of Toronto, typically in Tribunal proceedings. We assist the TLC in addressing secondary plan and site-specific development approvals in high growth and infill/ regeneration areas, typically with a focus on alignment of the timing of growth and availability of school facilities. **KEY CONTACTS:** Pitman Patterson, Piper Morley, Julie Lesage, Adam Shipowick

**University of Toronto –** we worked with the School to secure approvals for a major capital project involving expansion and renovation of school facilities. We assisted with a variety of ancillary development, municipal and environmental issues. **KEY CONTACTS:** Pitman Patterson, Katie Butler, Adam Shipowick

**Mohawk College –** Long-term sub-sublease at the Hamilton Airport for the construction and operation of an airport hangar, classrooms, and related facilities relating to Mohawk's aviation program. **KEY CONTACTS:** Brennan Carroll, Andrew Guerrisi

## Golf Course

**Regional Municipality of Halton –** Glen Abbey Golf Course – Retained to represent the Region at the OMB/LPAT on the most controversial golf course redevelopment in Ontario, and likely in the country: the proposed redevelopment of the Glen Abbey Golf Course (well known as the home of the Canadian Open) by ClubLink.The Glen Abbey Golf Course case has spun into a series of at least 9 appeals related to growth management, urban structure and cultural heritage before the LPAT and the courts, including two appeals that went to the Ontario Court of Appeal. **KEY CONTACTS:** Isaac Tang, Stephen Waqué, Katie Butler, Julie Lesage

**Osprey Valley golf courses, Caledon –** We act for the Osprey Valley golf course complex which joined the TPC Network as TPC Toronto at Osprey Valley, in a variety of land use approval, real estate and commercial matters. **KEY CONTACTS:** Pitman Patterson, Anthony Milazzo, Adam Shipowick

# Land Use Compatibility

**Parrish & Heimbecker –** BLG represented Parrish & Heimbecker before the LPAT to address concerns about land use compatibility between the City's proposed new residential community on Pier 8 in Hamilton Harbour, and existing nearby industrial uses including P&H's grain terminal and flour mill on Pier 10. This case involved complex expert evidence regarding air quality, dust and noise and is representative of the increasing friction between existing industrial uses and urban intensification and redevelopment for sensitive residential uses. Parrish & Heimbecker operates a state of the art grain handling terminal on Pier 10 less than 300 m away from Pier 8 and recently completed construction of a $45M flour mill on the pier, which is currently being expanded. The City of Hamilton adopted zoning by-laws and a plan of subdivision for 1,500 residential units (5000 new residents) and 13,000 square metres of commercial and institutional space for the redevelopment of Pier 8 on Hamilton Waterfront. **KEY CONTACTS:** Pitman Patterson, Robert Wood, Katie Butler

**Metrolinx –** BLG represents Metrolinx before the LPAT to defend its interest on four separate development parcels next to the Mimico GO Station and provides legal advice and strategy on this matter.BLG represented the only public sector party that called expert witnesses involving planning, rail safety and noise concerns. BLG was successful at negotiating complex, multi-party settlement documents with three developers to ensure that Metrolinx' RER service and WRMF functions remained protected, while continuing to encourage transit-oriented development. **KEY CONTACT:** Issac Tang

**HOOPP and AIMCO, Bolton –** We acted for these two major institutional land owners in a land use compatibility matter in Caledon. Our clients, together with the Town of Caledon and Mars Canada, opposed the approval of a hot mix asphalt plant opposite our clients' lands on Coleraine Drive where they are presently developing large footprint prestige industrial facilities. The case involved a lengthy LPAT hearing, from which the decision is pending. **KEY CONTACTS:** Pitman Patterson, Lee English

# Residential

**Metropolitan Square –** We act for the developer of this 223 unit condominium project in the Town of Aurora. The matter involved appeals of official plan and zoning by-law amendments, and site plan approval, to the LPAT, which were ultimately resolved in a settlement. The development will provide 14 affordable housing units as a community benefit. **KEY CONTACTS:** Pitman Patterson, Katie Butler

Expertise

Construction, Expropriation, Land Use Planning, Indigenous Law, Project Finance, Real Estate Project Development, Infrastructure

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