

Municipal & Land Use Planning

The Aird & Berlis Municipal & Land Use Planning Group is one of the largest and most highly-recognized practice groups of its kind in Canada. Our dedicated lawyers and skilled land use planners devote their practice to matters relating to municipal law, land use planning and development law. We act on behalf of landowners and developers, municipalities and public agencies, elected officials and local board members, institutional clients, utility companies, as well as public interest groups.

Land Development

We are a recognized leader in land use planning, and are well-acquainted with the ever-evolving legislative regime governing and affecting development in Ontario.

Our services range from providing assistance with simple land use approvals, including minor variances and consent applications, to complex and lengthy development matters and disputes, such as contentious official plan and comprehensive zoning by-law amendments.

Our lawyers regularly appear before the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board), municipal councils and committees of adjustment. We also represent litigants in court applications and appeals at all levels of the courts, including the Supreme Court of Canada. Additionally, we have a well-established track record of success in the mediation and resolution of land use disputes.

Our professionals have extensive experience preparing all forms of statutory and extra-statutory development agreements, and are well-versed in providing advice and dealing with appeals related to the *Building Code Act, 1992*, and the *Development Charges Act, 1997*.

We also have specialized expertise handling *Ontario Heritage Act* matters, including heritage designations, heritage conservation districts and appearances before the Conservation Review Board.

Municipal Law

General municipal law covers a wide array of matters which deal with the core powers, duties, responsibilities and liabilities of municipalities. Our knowledge of local government jurisdiction, operations, procedure and law is second to none in Ontario. We are experts on municipal legislation and have written extensively on the subject. A number of our lawyers are former in-house municipal solicitors, senior municipal staff and/or have worked at the former Ontario Ministry of Municipal Affairs and Housing, now two separate ministries. This provides an unparalleled depth of knowledge and understanding regarding municipal by-laws, council authority, powers and procedures, elections, the open-meetings rule, the anti-bonusing provision, accessibility, transparency, councillor conduct, self-help remedies and the discretionary enforcement principle.

We regularly provide opinions on the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act*, the *Municipal Elections Act, 1996*, the *Municipal Freedom of Information and Protection of Privacy Act*, procedural and governance issues and social and public housing matters. We frequently attend at council, committee and staff meetings for our municipal clients to provide opinions and make presentations on legal issues.

With respect to various municipal agreements, Aird & Berlis assists with everything from simple undertakings and releases to complex contracts and development agreements. A large component of our practice is focused on drafting municipal contracts and agreements, including those pertaining to large infrastructure financing, operating and service delivery, information technology, procurement, construction, user and licence fees, and property tax and collection matters.

We have also dealt with all types of municipal by-law interpretation, application and enforcement matters, including those under the *Municipal Act, 2001*, the *Provincial Offences Act*, the *Building Code Act, 1992*, and the *Fire Protection and Prevention Act, 1997*. Our experience includes advising on municipal signage regulation, applications for variances and amendments, provincial regulation, permit and contract litigation, Charter issues and defending against prosecutions.

Expropriation

Aird & Berlis represents a wide variety of landowners/claimants and expropriating/approval authorities across Ontario in all aspects of expropriation law. We act for municipalities and other public authorities on a wide variety of expropriations, including very large and complex linear expropriations for transportation and related infrastructure projects. In so doing, we are involved from the inception of the project, advising on related environmental assessments, preparation of notices, by-laws, plans, offers, agreements, and other documents, as well as the negotiation of compensation and the adjudication of compensation before the Board of Negotiation, the Local Planning Appeal Tribunal and the courts, if necessary. Our experience includes acting for the landowner in one of the largest transportation infrastructure expropriations in Ontario, as well as numerous claimants regarding various takings by public agencies for large infrastructure projects.

Municipal Finance, Development Charges and Property Tax Assessment

Aird & Berlis has extensive experience in all aspects of municipal finance, tax and assessment, including hearings before the Local Planning Appeal Tribunal, the Assessment Review Board and the courts. We represent municipalities and private sector clients with respect to development charges, large infrastructure financing, municipal fees and charges, as well as all aspects of property tax and collection, including tax sales.

Contact



Tom Halinski
Partner
T 416.865.7767
thalinski@airdberlis.com

Group Members

Meaghan Barrett
Associate
T 416.865.3064
mbarrett@airdberlis.com

Maggie Bassani
Partner
T 416.865.3401
mbassani@airdberlis.com

Eileen P. K. Costello
Partner
T 416.865.4740
ecostello@airdberlis.com

Tarah Coutts
Land Use Planner
T 416.637.7571
tcoutts@airdberlis.com

Laura Dean
Associate
T 416.865.7706
ldean@airdberlis.com

Robert G. Doumani
Partner
T 416.865.3060
rdoumani@airdberlis.com

Patricia A. Foran
Partner
T 416.865.3425
pforan@airdberlis.com

Ajay Gajaria
Associate
T 416.865.3065
agajaria@airdberlis.com

Tom Halinski
Partner
T 416.865.7767
thalinski@airdberlis.com

Patrick Harrington
Partner
T 416.865.3424
pharrington@airdberlis.com

Rebecca Hines
Associate
T 416.865.7757
rhines@airdberlis.com

Kim Kovar
Partner
T 416.865.7769
kkovar@airdberlis.com

Leo F. Longo
Partner
T 416.865.7778
llongo@airdberlis.com

Sandra Marki
Land Use Planner
T 416.865.4705
smarki@airdberlis.com

John Mascarin
Partner
T 416.865.7721
jmascarin@airdberlis.com

Melissa Miceli
Land Use Planner
T 416.637.7561
mmiceli@airdberlis.com

David P. Neligan
Associate
T 416.865.7751
dneligan@airdberlis.com

N. Jane Pepino
Partner
T 416.865.7727
jpepino@airdberlis.com

Corinna Prior
Land Use Planner
T 416.637.7562
cprior@airdberlis.com

Andrea Skinner
Partner
T 416.865.3423
askinner@airdberlis.com

Sidonia J. Tomasella
Partner
T 416.865.7763
stomasella@airdberlis.com

Hon. Peter Van Loan
Partner
T 416.865.3418
pvanloan@airdberlis.com

Christopher J. Williams
Partner
T 416.865.7745
cwilliams@airdberlis.com

Steven Zakem
Managing Partner
T 416.865.3440
szakem@airdberlis.com