



10th ANNIVERSARY

LANDPRO10 YEARS

THE PREMIER "HOW-TO" CONFERENCE FOR LAND, CONDO, AND DEVELOPMENT PROFESSIONALS

Date: **April 02, 2025**

Time: **8:00 AM - 5:00 PM**

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OUR SPONSORS

Your sponsorship enabled us to bring together top professionals, foster invaluable networking opportunities, and engage into discussions that shape the future of our industry.

Thank you for your ongoing support, dedication, and partnership. We look forward to continuing this collaborative journey and achieving greater milestones together in the future.

01

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Protect Your Boundaries is for homeowners, REALTORS®, and land professionals seeking the knowledge, tools and services to prevent and resolve property boundary issues and complete successful real estate transactions.

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FOR ONTARIO REALTORS®

BoundaryWise™ Education, essential tools and services to help you protect your client, your deal and your reputation.

FOR LAND PROFESSIONALS

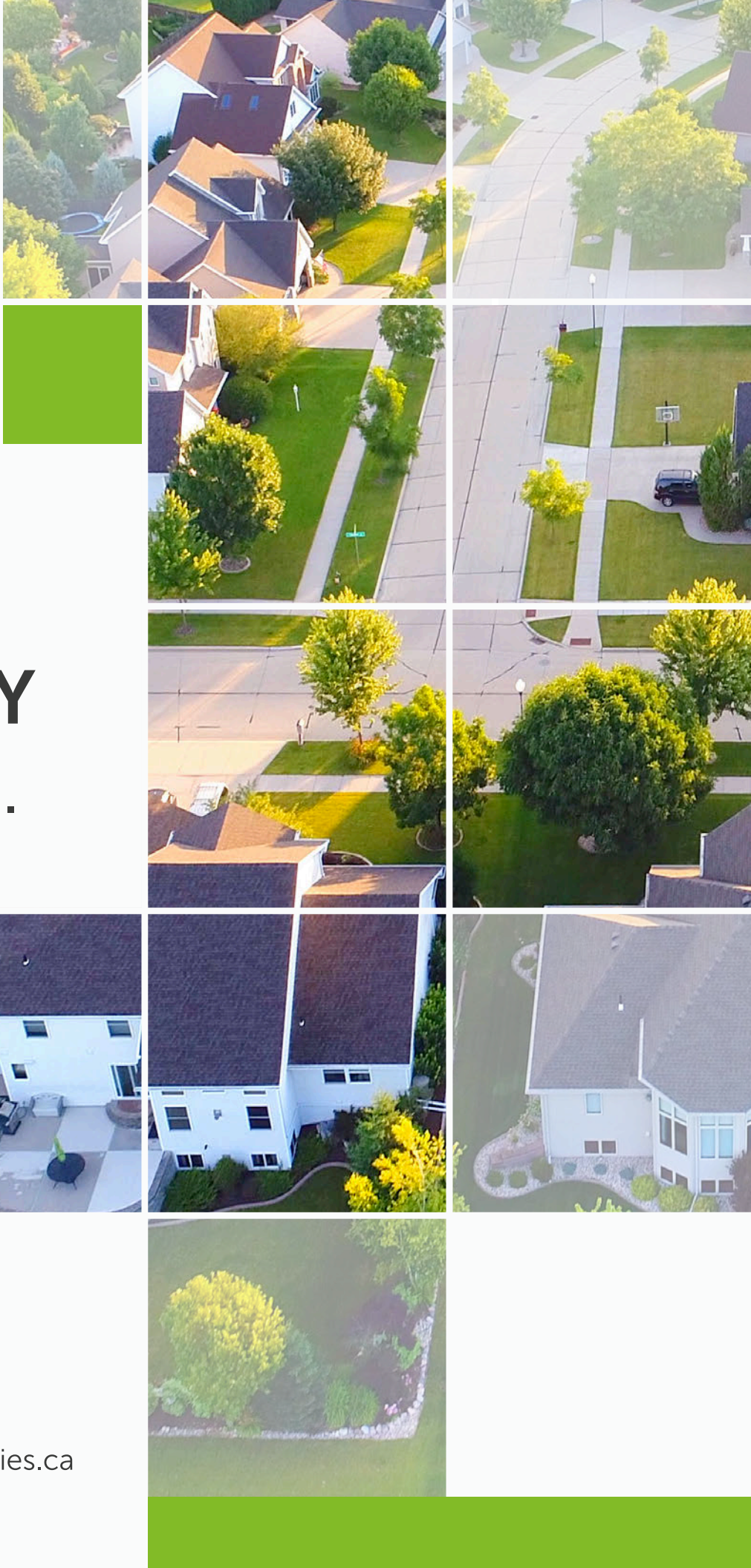
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🌐 ProtectYourBoundaries.ca


✉ info@protectyourboundaries.ca








SURVEY PLANS

 Here at Protect Your Boundaries, we are surveyors at heart. We offer the largest online database of existing surveys in the GTA, all of which are available at the [click of a button](#) and in the comfort of your home, office or on the go on your mobile device.

- 1 Visit our website: ProtectYourBoundaries.ca
- 2 Type in the home address.
- 3 Go to the Property Page to see the surveys and reports for that address.
- 4 Simply add to cart, proceed through the secure checkout and a PDF plan will be emailed to you instantly.


 If there is no survey available, you can have us do a custom search, you can commission a new survey, or even get a [boundary stakeout](#) done by us.

What does a survey plan show ?

-  Displays the legal boundaries of the property
-  The size and shape of the property
-  The location of right of ways and easements
-  Location of physical monuments that mark the limits of land (i.e survey bars)
-  The house and other buildings and physical features like fences, decks, patios, driveways and pools.








PROPERTY REPORTS

 When buying a house, there are a few steps that need to be taken in order to do due diligence but also to protect yourself whether you are the agent or buying/selling the home.

Protectyourboundaries.ca offers a variety of reports (Property Reports & Easement Reports) that include vital information to help in the decision of the sale and to ensure all information is disclosed and clear.

In a Property Report, you get:

-  Parcel Register (official property document from the Province of Ontario).
-  Easement Instruments (official documents from the Province of Ontario).
-  Plain English explanation of easements, liens and encumbrances.
-  The PYB Official guide to evaluating and researching a property.
-  Report does NOT include a full survey (SRPR).

*Optional: verify property area (square footage); Reports will require 1-2 business days to complete.

KRCMAR™

Krcmar Surveyors Ltd. is a premier land surveying firm with a decades-long legacy of excellence, innovation, and precision in Ontario's development landscape. As a multi-generational, family-run company, Krcmar has been at the forefront of land surveying for over 40 years, shaping some of the most iconic projects in the Greater Toronto Area, including the Rogers Centre, L Tower Condos, and The Ritz Carlton Residences. Renowned for their expertise in condominium development, municipal infrastructure, and complex urban projects, Krcmar combines cutting-edge technology with time-honored expertise to deliver unmatched accuracy and efficiency. Their proprietary Condo: Start to Finish Process™ streamlines development, helping clients navigate intricate regulatory and technical challenges with ease. With a reputation built on trust, innovation, and a relentless commitment to excellence, Krcmar Surveyors Ltd. continues to set the standard for land surveying in Ontario.

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ORGANIZER

KRCMARTM

CONDO DEVELOPMENT.
URBAN CONSTRUCTION.
LAND DEVELOPMENT.
MUNICIPAL &
INFRASTRUCTURE SURVEYS.

KRCMAR SURVEYORS LTD
1137 Centre Street, Suite 101
Thornhill, Ontario L4J 3M6
P 905.738.0053 - F 905.738.9221
info@krcmar.ca - www.krcmar.ca



OUR COMPANY

At Krcmar Surveyors, we specialize in large and multi-faceted projects—condominiums, complex construction layouts and urban cadastral surveys. Our industry-leading brand is known for its professionalism, experience, reliable service and integrity and we pride ourselves on anticipating and surpassing our clients' expectations.

OUR PEOPLE

The key to our success is directly related to our investment into the quality, skill and expertise of our dedicated and talented people. Experienced both within Canada and internationally, our staff is comprised of only the best in the industry. Our professional team currently consists of 50 surveyors and technologists, with a complement of 10 survey crews – more than capable of handling any-sized development.

OUR SERVICES

While we specialize in sizeable high-rise redevelopments for condominiums and complex construction, we are also a full-service professional surveying company with expertise in all forms of cadastral, topographic and engineering surveys.

OUR HISTORY

Our company began as a small family business, established by Vladimir Krcmar working out of his basement in 1981. We quickly forged a reputation for excellence within Ontario's legal and development communities. Throughout our history, we have proudly remained a family managed business that always puts special care and attention into everything we do. We have expanded to successfully undertake countless large and complex projects throughout Ontario – becoming the recognized leader in the industry we are today.

OUR INNOVATIONS

Catapulting surveying into the digital era, Protect Your Boundaries Inc. was launched by Krcmar Surveyors in 2014. The “Uber” of the surveying world, PYB is the most comprehensive online source for boundary information available to the public. Through our cutting-edge technology and partnership with Teranet Inc., we provide customers with a database of more than 1 million Ontario survey plans. Licensed by the Association of Ontario Land Surveyors, PYB is also a provider of smaller residential surveying services and consultations.

OUR SIGNS

Our iconic sign—a common sight throughout top-tier developments in the Greater Toronto Area—stands as a hallmark for landowners and developers who have a high regard for excellence.

OUR LEADERSHIP

Committed leadership is what distinguishes our team of professional surveyors and cadastral experts. Everything we do is driven by our passion for great service to clients and our commitment to the highest levels of quality. We have eleven senior surveyors on staff with a combined 350 years of experience between them! They are supported by experienced cadastral field technologists, project directors, skilled CAD specialists and researchers. Together, there is no development challenge or deadline that our team can't meet. The following individuals make up our leadership team:



Vladimir Krcmar
O.L.S.

- Founder and President (since 1980)
- More than 60 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1974
- Subdivision, condominium and development specialist



Maja Krcmar
B.Sc., O.L.S.

- Managing Director, with 30 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1995
- Condominium and development specialist



Saša Krcmar
B.Sc., M.B.A., O.L.S.

- Managing Director, with 30 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1995
- Condominium and development specialist



Tom Krcmar
B.Sc., O.L.S.

- Managing Director, with 30 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1997
- Subdivision and development specialist



Robert Wiegenbröcker
B.Sc., B.C.L.S.,
O.L.S., O.L.I.P.

- Supervising Project Director, with 30 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1995
- Licensed by the Association of British Columbia Land Surveyors
- High-rise construction specialist



Rodrigo Batol
B.Sc.

- Project Director, with 35 years' experience
- Graduated with a Bachelor of Science in Architecture from the University of Santo Tomas
- Condominium and development specialist

OUR LEADERSHIP



J. Eduardo Linhares
B.Sc., O.L.S., O.L.I.P.

- Project Director, with 25 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1998
- Condominium and development specialist



Mansour Ghofrani
B.Eng., O.L.S.

- Project Director, with 20 years' experience
- Licensed by the Association of Ontario Land Surveyors in 2015
- Condominium and development specialist



Sase N. Ramsamooj
O.L.S., O.L.I.P.

- Project Director, with 35 years' experience
- Licensed by the Association of Ontario Land Surveyors in 1984
- Legal survey specialist



Waldemar Golinski
B.Sc., O.L.S., O.L.I.P.

- Project Director, with 21 years' experience
- Licensed by the Association of Ontario Land Surveyors in 2016
- Condominium, construction and development specialist



Satesh Lakhan
B.Sc., M.Sc., O.L.S., O.L.I.P.

- Project Director, with 9 years' experience
- Licensed by the Association of Ontario Land Surveyors in 2021
- Legal survey, construction and development specialist



Jansky Lau
O.L.S.

- Project Director, with 15 years' experience
- Licensed by the Association of Ontario Land Surveyors in 2012
- Legal survey and Development specialist



Victoria Donko
B.Eng, O.L.S.

- Legal Project Director
- Licensed by the Association of Ontario Land Surveyors in 2022
- Condominium and Development Specialist

KRCMAR™

At-a-Glance Overview

www.krcmar.ca

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Thornhill ON L4J 3M6
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F 905.738.9221

OUR CLIENTS

Krcmar helps clients across the GTA stay ahead of the curve, solve challenges and navigate a new era in the land surveying industry.



OUR PROJECTS

Amacon

Parkside Village Redevelopment, Mississauga

Aoyuan

M2M Condos - Newtonbrook Plaza Redevelopment, Yonge St.

Armour Heights Developments

The Kent - 89 Avenue Road, Yorkville

Bazis

Emerald Park, Yonge St.
Exhibit, Bloor St.

Broccollini

Leftbank, 83 River St.
River & Fifth

Camrost Felcorp

Yorkville (former Four Seasons)

Carterra

65 King St. E. Redevelopment, King St. E. & Church St.
Portland Commons

Castlepoint

Toronto Waterfront Film Studios, Commissioners St.

Castle Group

Insignia Condos, Sheppard Ave. E.

Cityzen/Castlepoint

L-Tower, Yonge St.

Cityzen/Fernbrook

Absolute Towers – “Marilyn Monroe” Buildings
Art on Main Condos
D’Or Condos
Garrison Point Redevelopment
Pier 27 Redevelopment

Cityzen/Greybrook

306 Davenport Redevelopment

Collecdev

2450 Victoria Park Ave.
30 Tippet Rd. Redevelopment
36 Tippet Rd. Redevelopment
300 Bloor Street West
500 Wilson Avenue
Westwood Gardens, Yonge St.

Cortel Group

Expo Condos, Highway 7
Abeja Condos Jane/Rutherford Redevelopment
OAK Condos, Dundas St. E Oakville

The Daniels Corporation

1525 Kingston Road, Pickering
Eglinton Ave. W. & Erin Mills Parkway Redevelopment
Olivia Marie Gardens
Regent Park Redevelopment
TIFF/Bell Lightbox
Waterfront, Queens Quay E.

The Daniels Corporation/Diamond/Kilmer

Humber River Hospital Redevelopment, Keele St.

Davpart

481 University Ave.
Avro Condo

Diamante

100 Davenport
The Diamond, Churchill St.
Mirabella, Lake Shore Blvd. W.

Dream/Kilmer

49 Ontario St.
Pan-Am/Canary District Redevelopment

OUR PROJECTS

Eastons

60 Mill St.
Dundas Square Gardens, Dundas St. E. & Jarvis St.
Icona – Hilton Garden
Rosedale on Bloor Condos, Bloor St. E.
Yonge Park Plaza, Yonge St. & Wilson Ave.
Yorkdale Holiday Inn, Dufferin St.

Edilcan

Valhalla Town Square, Gibbs Rd. & Highway 427

El-Ad Group

Emerald City, Sheppard Ave. E. & Don Mills Rd.
Lansing Square Re-Development, Sheppard Ave. E. & Victoria
Park Ave.

El-Ad Group/Freed

Galleria Mall Re-Development, Dufferin St. & Dupont St.

Emblem Developments

Arte Residences, 89 Dundas St. W., Mississauga
Artform, 86 Dundas St. E., Mississauga

Freed

60 Colborne, Church St.
650 King St. W., King St. W. & Bathurst St.
Art Shoppe, Yonge St. (Construction only)
Thompson Toronto Hotel & Residences, King St. W. & Bathurst St.

Ghods Builders Inc.

5959 Yonge St. Condos

Graywood Group

241 Church Street
250 Lawrence Ave. W.
33 Parliament Street
506-516 Church Street
Eastern Ave Condos, Eastern Ave.
Ocean Club, Etobicoke
Peter Adelaide Condos, Adelaide St. W.
Ritz Carlton Hotel and Residences, Wellington St. W.
Scoop Condos, St. Clair Ave. W.
Scout Condos, St. Clair Ave. W.
The Mercer, John St.
Wonder, 462 Eastern Ave.

Great Gulf

357 King West Condos
401 King St. W.
Gehry + Mirvish
One Bloor East (Construction only)
Parkside Condos, Queens Quay E. (Construction only)
PACE Condos, Dundas St. E. (Construction only)

Greenland Group

King Blue Condos, King St. W.
Lakeside Redevelopment, former Fed-Ex lands Queens Quay E.

Harhay Construction

75 The Esplanade
900 The East Mall

Kingsett Capital

2075 Kennedy Road
50 Cumberland St. & 37 Yorkville Ave. Redevelopment
Cumberland Square Condos, 2 Bloor St. W.
Valhalla Executive Centre Redevelopment, The East Mall

OUR PROJECTS

Lamb Developments

Bauhaus, King St. E.
Bread Co., McCaul St.
East Fifty Five, Ontario St.
The Harlowe, Richmond St. W.
Television City, Hamilton
Wellington House, Wellington St. W.
The Woodsworth, Richmond St. W.

Lash Group

The Barrington, Bathurst St.
Distinction Condos, Soudan Ave.
ME Condos, Meadowglen Place

Metropia

AYC Condo, Davenport Rd.
New Lawrence Heights Redevelopment
The Rocket, Wilson Ave.

Metroview

8888 Yonge St.
9839 Yonge St.

Mizrahi Developments

The One, Bloor St. W. & Yonge St.
180 Steeles Ave. W.
181 Davenport Rd. Redevelopment

Mod Developments/Intracorp

Massey Tower, Yonge St. (Construction Only)

North American Development Group

Agincourt Mall Redevelopment

Northam Realty Advisors

2 Carlton St.
250 University Ave.

Oxford Properties Group

Square One Expansion and Revitalization

Pinnacle

Harmony Village, Sheppard Ave. E.

Remington Group

Downtown Markham, Warden Ave.

Rogers Group & Urban Capital

M-City Redevelopment, Mississauga

Talon

Former Trump Hotel and Residences, Bay St. & Adelaide St. W.

TAS

2 Tecumseth St.
385 The West Mall
888 Dupont St.

Tribute Communities

1325 The Queensway
210 Bloor St. W.
Artistry Condo, Dundas & McCaul
The College Condo, College St.
Linx Condo, Main St. and Danforth Ave.
Max Condos, Mutual St.
Parkside Square, Sheppard Ave. E.
RCMI, 426 University Ave.
The Stanley, Carlton St.
Y&S, 2161 Yonge St.

Urban Capital/Northam Realty

Kingsway on the River, Dundas St. W.
M-City
The Ravine

Zancor Homes

The Branch Condos
King City Condos



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Zeifmans is a distinguished full-service tax, accounting, and consulting firm headquartered in Toronto, Canada. Our reputable standing is underscored by our inclusion among the top 20 accounting firms in Canada in terms of revenue, and our recognition as a Top 10 Accounting Firm based on the excellence of our services in the Greater Toronto Area. In addition to our conventional offerings, our comprehensive suite of services encompasses business advisory, valuation, corporate finance, transaction services, corporate turnaround and insolvency, as well as estate and succession planning. We are steadfastly committed to assisting our expansive clientele, which numbers over 11,000 clients, across all phases of the business life cycle.

Since our inception in 1959, Zeifmans has consistently pioneered innovative solutions driven by astute creativity. Over six decades have transpired since our founding, during which time our local team has evolved into a diverse assembly of over 150 accomplished professionals. Our affiliation with Nexia, counted among the globe's top accounting and consulting networks, extends our reach to an extensive consortium of over 2,000 partners, with 260 firms, spanning more than 122 countries worldwide. Remarkably, a substantial portion of our client base, exceeding 4,000 private companies, have been our steadfast companions for generations. This enduring loyalty is a testament to the enduring trust that characterizes our client relationships, all united by the shared objective of business growth and prosperity.

For a comprehensive insight into our tax, accounting, and consulting services, please feel free to download our firm brochure by clicking [here](#).

If you would like more information on how we can assist you, please contact Zeifmans today.

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201 BRIDGELAND AVENUE

TORONTO, ONTARIO,

M6A 1Y7, CANADA

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ABOUT US

You need a tax, accounting, and consulting partner who truly understands your needs and leverages the full spectrum of solutions available. A partner who navigates the rules strategically to your advantage, delivering clear, insightful advice that consistently drives profitability. Zeifmans has been developing innovative solutions driven by creative insight since 1959.

GREAT IDEAS. POSITIVE IMPACT. THAT'S ZEIFMANS.

Over 65 years later, we remain entrepreneurial, and so we naturally have a comprehensive understanding of the needs of owner-operated and family-run businesses. We advise over 13,000 clients year after year — over 4,000 of them being private companies — as those businesses continue to grow and prosper with our support. As a matter of fact, hundreds of our clients have been with us for more than a generation. Why? Because our connection with you, our client, is a trusted long-term relationship based on the common goal of helping your business grow and profit.

THE PERFECT FIT

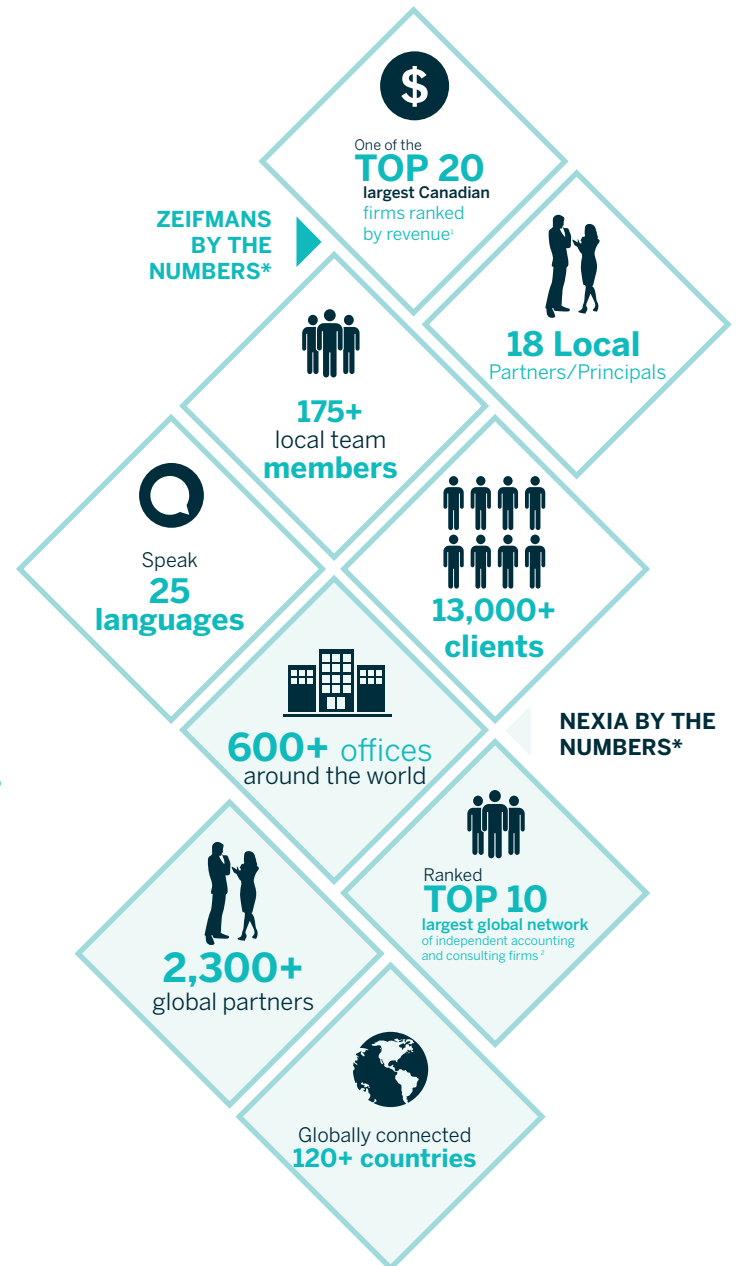
Big business expertise, delivered with the intimacy of a small business team

Even though our team has grown to over 175 individuals servicing thousands of clients, we still maintain the small business intimacy and entrepreneurial spirit that got us started. You'll benefit from the right sized team for all your needs. Our partners draw on their combined hundreds of years of experience to provide consulting, assurance, compliance and tax services supported by their diversely skilled team members. Not only will you benefit from the experience and judgement of our senior leaders, but also from the sharp, innovative thinking of our young associates.

GLOBALLY CONNECTED

Your access pass to the best of all worlds

Zeifmans offers you the benefit of access to a global network of accounting and consulting professionals as a member of Nexia – one of the top ten global networks of accounting and consulting firms. For over 25 years, Nexia has ensured that all member firms meet and maintain high quality control standards. Meaning, we can partner with our affiliate Nexia firms operating in more than 120 countries around the world, allowing us to support you in achieving growth across multiple markets.



A ONE-STOP FIRM

We do it all

While Zeifmans operates with an entrepreneurial spirit, we are a full service, one-stop firm where you will benefit from the wide range of services available as your company grows and matures. As of the top 10 service accounting firms in the Greater Toronto Area (GTA), we have numerous professionals that can help you with, traditional consulting, tax, audit and accounting services, and more.

US Personal and
Corporate Taxation

Cross Border Tax Planning

Corporate Finance:
Mergers and Acquisitions,
Business Valuation, and
Financing

Wealth Management,
Succession and Estate Planning

International Business
including Israeli Companies

Going Public

Audits of Public Companies,
Hedge Funds, including Cayman
Islands, Pension Funds and
Investment Dealers

Corporate Turnaround,
Recovery and Insolvency

Risk Advisory



Though our team has a great deal of specialized knowledge, we are anything but a niche firm. Over the years, we've proudly amassed experience accross a number of different markets throughout the globe, enabling us to provide world-class advice in several different areas, including but not limited to the following:

- Healthcare
- Real Estate & Development
- Retail
- Cannabis & Psychedelics
- Distribution
- Short-term & Long-term Rentals
- Financial Services Sports &
- Entertainment
- Manufacturing
- Not-for-Profit & Charity
- Technology & Startups

PERSONALIZED INSIGHT

Tailored solutions meticulously crafted to align with your business objectives.

Recognizing the distinct nature of each client, we acknowledge that every financial decision requires a comprehensive evaluation of various interconnected personal and business factors. Our team dedicates time to familiarize themselves with your unique circumstances, comprehending your business, family dynamics, or co-ownership intricacies. We assess your journey thus far and your envisioned destination. Subsequently, leveraging this holistic understanding, we fine-tune a bespoke business strategy. Regardless of your business's life cycle stage, we offer specialized expertise and inventive solutions to guide you toward the next echelon of success.



Connect with Zeifmans today

Allow Zeifmans to support your business in conquering new levels of success. Let's create a lasting partnership, starting today:

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The real estate industry is constantly evolving

To succeed, it is essential to have a clear understanding of current performance, strategic cash flow planning, effective risk management, and a proactive approach to changing tax regulations. Whether you are entering the real estate market, a seasoned industry leader, or planning your exit strategy, Zeifmans is here to support you.

Our team of real estate experts' partner with builders, contractors, developers, property managers, and passive investors across North America, delivering comprehensive financial management, compliance, and tax planning solutions that drive profitability. We develop efficient tax strategies that allow our clients to focus on seizing new opportunities and driving growth.

Backed by over 65 years of experience, we provide trusted audit, accounting, tax, consulting, and compliance services to real estate partnerships, joint ventures, and corporations. At Zeifmans, we are committed to helping you navigate the complexities of the real estate landscape with confidence and success.

We are here for you

You need a tax, accounting, and consulting partner who truly understands your needs and leverages the full spectrum of solutions available. A partner who navigates the rules strategically to your advantage, delivering clear, insightful advice that consistently drives profitability.

**Great ideas. Positive impact.
That's Zeifmans.**



Contact us today

**Contact your Zeifmans advisor
or one of the partners below:**

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Real Estate Industry Services





Why choose Zeifmans?

We serve hundreds of clients in the real estate sector, as well as the professionals who support them—including architects, engineers, designers, property managers and surveyors—operating across Canada, the U.S., and internationally.

As a member of Nexia—one of the world's top ten global assurance and advisory networks with over 200 member firms in more than 120 countries—we leverage this extensive network to help our clients grow.

Established in 1959, Zeifmans is led by 18 Partners and Principals, supported by a team of over 175 professionals.

We can help you with

■ Canadian Tax Consulting:

Including efficient tax structures and sophisticated tax minimization strategies that let you keep more of your hard-earned money.

■ Compliance:

With all aspects of tax, audit and regulatory requirements so you can focus on what you do best – growing your business.

■ Financing:

Including sourcing and negotiating the right financing for your projects – and advising on the optimal capital structure of your operations.

■ HST:

Where you may find complex and unexpected traps that can cause costly errors.

■ Succession Planning:

Including an exit strategy so you can retain your assets and a succession plan that preserves business continuity when you pass control to the next generation.

■ Transactions and Valuations:

If a merger, acquisition or exit is in your future including due diligence and tax minimization services.

■ US Taxation:

If you plan to invest abroad or manage a portfolio of US real estate.

■ Accounting, Audits and Reviews of Real Estate Operations:

For regulatory compliance, lender requirements, and effective risk management and decision-making. Assistance with implementation of new accounting standards including but not limited to IFRS 18 and IFRS 19.



The **BOUNDARYWISE ACADEMY** provides education and ongoing professional development top REALTORS® in Ontario. It arms them with the knowledge, skills and tools they need to reduce and eliminate boundary, easement and title related risk in every sale and purchase.

At **PROTECT YOUR BOUNDARIES** we have dedicated ourselves to helping Ontario's top agents and brokers drastically increase their knowledge and effectiveness at identifying and dealing with land, easement and boundary-related risks on both sides of the deal.

WWW.BOUNDARYWISE.CA

G O L D S P O N S O R

DON'T LET YOUR REAL ESTATE DEAL BE AT RISK

Understand Land. Protect Your Clients.
Build Your Business.



PROFESSIONAL EDUCATION PROGRAM

BROUGHT TO YOU BY

PROTECT YOUR **B**OUNDARIES

KRCMAR



GAIN KNOWLEDGE
AND SKILLS



UNDERSTAND
LAND



WIN MORE
LISTINGS



SEAL THE DEAL
FASTER



REDUCE YOUR
RISK

COURSE OUTLINE

01

SURVIVING AND THRIVING IN THE NEW BOUNDARY REALITY

Introducing the world of boundary, easement and title issues.

02a

HOW TO IDENTIFY AND VALIDATE A SURVEY PLAN

This course will make you the gatekeeper for your client and your deals, ensuring that when it comes to survey plans and the decisions you make based on them, you'll stay on side and out of trouble.

02b

HOW TO READ A SURVEY PLAN

In this course you will learn the six key features to look for, how to interpret them on any survey plan, how to spot trouble and what to do about it.

03

THE A-Z OF TITLE INSURANCE

Title insurance (TI) is a great product, but few understand it. Learn all about TI and how to use your new-found knowledge to add immeasurable value to your clients' buying and selling experiences.

04

THE REALTOR'S GUIDE TO BOUNDARY DISPUTES

In this course you will learn how boundary disputes happen and why they are so common in the months after the real estate transaction. Most importantly you'll learn how to give great advice without getting dragged into the dispute.

05

EASEMENTS AND RIGHT-OF-WAYS

Discover easement identification, purpose, and impact on land use. Gain direct access to crucial official documentation for informed disclosure, safeguarding buyers, sellers, and yourself.

06

CONDOS 101

This course will equip you with the knowledge to identify issues, and understand the key documentation you need to review to help your client make the best condo decision possible.

07

DECIPHERING THE LEGAL DESCRIPTION

In this course you'll learn how to decipher any legal description and use the vital information in it to your clients' and your advantage.





Diverso Energy designs, builds, owns, and operates geothermal heating and cooling systems for multi-family, office, and institutional buildings, allowing clients to reap the benefits of geothermal without the financial or operating risks associated with the technology. The company prides itself on being the first fully integrated geothermal supplier in Canada, with engineering, construction (including drilling) and capital managed under one roof.

Unlike past solutions, clients achieve new energy and carbon targets while lowering their budget, not increasing it, thanks to the company's \$0 geothermal utility model. This model converts the upfront cost of a geothermal ground loop into a long-term operating expense, providing a reliable and low-risk renewable heating and cooling solution.

With over 40 years of combined experience, Diverso's ownership team has collaborated with hundreds of clients, many in high-density urban environments. Their use of dependable financial & technical solutions is expediting the transition from fossil fuels to electric buildings. To date, they have eliminated over 9,000 tons of CO₂ and served a total area of over 6,500,000 square feet of real estate. Each installation factors all stakeholders into the equation.

Tenants and Owners can take comfort knowing that their investment is secured against climate-related policy changes and carbon tax increases, as well as escalating energy costs. Meanwhile, developers benefit from a future-proofed building that improves their bottom line and carbon footprint. With a multibillion-dollar capital partner at the helm, they can also rest assured that their projects are in capable hands. Above all, Diverso's geothermal systems are good for the planet, offering an 80% carbon reduction per building on average.

"18 years ago, we created a top-notch 'Tylenol' for developers, but it took 15 years for anyone to develop a headache. Now they have a headache, and they are looking for that Tylenol. Green standards are growing stricter, carbon-tax is sky-high, and energy costs aren't decreasing anytime soon. A tipping point for green buildings is drawing near and we're prepared to take the market by storm." – Tim Weber, CEO of Diverso Energy

WWW.DIVERSOENERGY.COM

GOLD SPONSOR



WHAT'S IN IT FOR **YOU**?



REDUCE CONSTRUCTION COSTS

Replace cooling towers and boilers with a geothermal borefield paid for by Diverso and convert your capital costs into off-balance sheet operating expenses.



INCREASE BUILDING VALUE

Eliminate conventional HVAC equipment and repurpose this prime real estate for additional amenities, such as a green rooftop or patio space.



EXCEED GREEN STANDARDS

Exceed government-mandated energy standards and carbon reduction targets, while improving your building's marketability.

THE CHALLENGE **FACING DEVELOPERS**

At Diverso Energy, we recognize that developers and building owners face heightened pressure to achieve new energy and carbon targets. Meeting these new standards can hurt your construction budget. Not with Diverso!

OUR SOLUTION **\$0 GEOTHERMAL UTILITY MODEL**

Our geothermal utility model converts the capital cost of a geothermal ground loop into a long-term operating expense while providing a resilient, low risk renewable heating and cooling solution.



300+ projects



Design, build, own



Vertically integrated

SAMPLE PROJECTS



MISSISSAUGA, ON

THE EXCHANGE

- 9 buildings, from 30–66 storeys
- Features tallest geothermal building in North America



MISSISSAUGA, ON

ALBA CONDOS

- 230,000 sq.ft condominium
- 418 units
- Borefield under 8 levels of underground parking

VERTICALLY INTEGRATED

Diverso Energy is majority-owned by **CVC DIF**, a global infrastructure fund manager with over €18 billion of assets under management, many of which are invested in the energy (transition) sector. With their support, Diverso has become the **first vertically integrated geothermal company in Ontario**, with engineering, drilling, construction management, and project capital all in-house.





With 1,500 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area.

The building and renovation industry provides \$33 billion in investment value and employs 271,000 people in the region.

BILD is proudly affiliated with the Ontario and Canadian Home Builders' Associations.

G O L D S P O N S O R

Torkin Manes

TORKIN MANES LLP

As a full-service law firm based in downtown Toronto, Torkin Manes offers qualified expertise spanning multiple areas of practice, with specialists across all areas of the law. Our professionals provide legal counsel to individuals, public and private companies, and buyers and sellers of independent businesses.

Our clients range from owner-operators and founders to investment funds and high net worth individuals, who value and trust our deep knowledge, experience and expertise in the Canadian mid-market. We advise our clients on day-to-day legal matters, as well as during the most transformative transactions and critical disputes of their businesses and lives. When clients require legal services in other jurisdictions, we leverage our affiliation with Ally Law, an international network of select law firms to facilitate the procurement of excellent legal service and counsel worldwide.

Torkin Manes is ranked the #1 Ontario Regional Law Firm by Canadian Lawyer and is consistently shortlisted as one of Canada's Regional Law Firms of the Year by Chambers and Partners. Our Construction, Corporate & Commercial, Family Law and Real Estate Groups are all recognized on the Globe & Mail's Best Law Firms in Canada list.

COMMERCIAL REAL ESTATE

Our Real Estate Group has extensive expertise in all types of real estate transactions. Whether the property use is residential, commercial, industrial, office or institutional, we have represented countless public and private clients in the acquisition, sale and financing of real estate. Our real estate clients span the entire spectrum of the real estate industry—on both sides of the transaction. Given our client base, we are prepared to respond to a broad range of client projects, issues and needs, and handle them effectively and efficiently. Visit our website for more information about our Commercial Real Estate Group.

CONSTRUCTION

As one of the largest construction law groups in Canada in a full-service law firm, Torkin Manes' construction lawyers provide the full spectrum of industry participants with comprehensive services throughout the lifecycle of a construction project. We understand and negotiate risk allocation when handling contracts and procurements; proactively engage in negotiation, mediation, arbitration and litigation of claims when disputes arise; and provide swift, effective advocacy to protect our clients' interests. Visit our website for more information about our Construction Group.

GOLD SPONSOR

COMMERCIAL REAL ESTATE & CONSTRUCTION LAW

Develop your projects with Torkin Manes.



Our full-service legal teams bring extensive industry and practical experience to help clients strategically and judiciously navigate the entire lifecycle of even the most complex projects.

Connect with us. Connect to opportunities.

torkin.com

Torkin | Manes

About Torkin Manes LLP

Torkin Manes LLP is a full-service law firm based in downtown Toronto. Founded in 1974, we have built our firm by focusing on the core principles that we believe make a great law firm: a deep and personal understanding of clients' business needs; a results-oriented approach to practice that provides practical, smart, and cost-effective advice; and, above all, responsiveness to our clients.

Our professionals provide legal counsel to individuals, public and private companies, and buyers and sellers of independent businesses. Our clients range from owner-operators and founders to investment funds and high net worth individuals, who value and trust our deep knowledge, experience and expertise in the Canadian mid-market. We advise our clients on day-to-day legal matters, as well as during the most transformative transactions and critical disputes of their businesses and lives.

We are committed to exceptional client service

At Torkin Manes, we are invested in seeing our clients develop and prosper. As trusted advisors and legal counsel, we make it our priority to listen to our clients and work collaboratively alongside them to maximize our understanding of their legal needs based on their unique circumstances. Whether the matter is personal or business related, we appreciate that legal services do not conform to a "one size fits all" model. We devote time at the outset of every engagement to ensure we tailor our services in a manner that maximizes favourable outcomes for our clients.

Prior to advising on business matters, we immerse ourselves into not only the organization itself, but also the industry in which it belongs to ensure we gain as much insight as possible to optimize and personalize the top tier legal counsel we offer. Our clients' best interests always remain our top priority.

Our client-driven approach has brought professional accolades

Torkin Manes is ranked the #1 Ontario Regional Law Firm by *Canadian Lawyer* and is consistently shortlisted as one of Canada's Regional Law Firms of the Year by *Chambers and Partners*. Our Construction, Corporate & Commercial, Family Law and Real Estate Groups are all recognized on the *Globe & Mail's Best Law Firms in Canada* list.

Many of our lawyers are well known throughout the profession and community at large as highly respected leaders in their practice areas, as well as teachers, authors and advocates for the Law Society of Ontario and the Ontario Bar Association. In addition to our firm rankings, a significant number of our lawyers are recognized by leading legal surveys and directories, including *Chambers Canada*, *Chambers Global*, *Chambers High Net Worth Guide*, *Canadian Legal Lexpert Directory*, *Lexology Index* (formerly *Who's Who Legal*) and *Best Lawyers in Canada*. As a full-service law firm, Torkin Manes offers qualified expertise spanning multiple areas of practice, with specialists across all areas of the law.

Construction Law

As one of the largest construction law groups in Canada in a full-service law firm, Torkin Manes' construction lawyers provide clients with comprehensive services throughout the lifecycle of a construction project. We understand and negotiate risk allocation when handling contracts and procurements; proactively engage in negotiation, mediation, arbitration and litigation of claims when disputes arise; and provide swift, effective advocacy to protect our clients' interests.

We regularly act for the full spectrum of construction industry participants, including public and private sector owners, general contractors, construction managers, design-builder, counties, municipal corporations, municipalities, sureties, transportation authorities, subcontractors, suppliers, financial institutions, architects, engineers and other design professionals. We also act on behalf of public sector owners of health care facilities, community housing developments, power plants, universities, colleges, churches and community groups.

Our Group has unparalleled expertise in both above ground and subsurface construction, and represent some of the largest industry leading clients in the infrastructure and property development fields.

On the commercial side, our Group's expertise includes drafting national and Ontario-specific standard form and single-use RFPs, and bid packages and contracts drafting for various project delivery methods. These include stipulated price, cost plus, unit price, construction management, facilities management, and design-build contracts. We also regularly

provide bid compliance analysis and fairness analysis, project delivery method consultation and contract negotiation assistance. We are experienced in drafting standard form Canadian Construction Documents Committee (CCDC) design-build, stipulated price and consultant contracts currently in use across Canada. We also offer clients bespoke contract drafting options particularly suited to specific or niche areas of construction.

Our lawyers have specialized expertise in the appropriate use of, and making claims against, various forms of contract security, including letters of credit and surety bonds, such as Bid Bonds, Performance Bonds, Labour and Material Payment Bonds, Financial Security Bonds and Holdback Release Bonds.

We frequently advise on all types of financing arrangements, including structuring of loan transactions, loan and security requirements, inter-creditor arrangements, priority issues, regulatory compliance, environmental concerns, and the preparation of loan agreements, commitment letters and requisite security documentation.

When matters progress to dispute resolution, clients can count on the strong advocacy skills of our construction litigators, whose experience encompass the defence of all types of construction claims, including breach of contract, claims for lien, delays, breach of trust, performance and labour and material payment bonds, negotiating and settling disputes through ADR and arbitration, and appearing at trial and appellate levels of court.

Understanding that matters extend beyond construction law, we leverage the expertise of other areas of practice at the firm to ensure our clients benefit from the seamless comprehensive legal services we offer.



Commercial Real Estate

With a deep understanding of the business of real estate, Torkin Manes' real estate team has comprehensive expertise across the spectrum of purchasing, selling, leasing, financing and developing property. Our lawyers bring extensive industry and practical experience to help clients navigate even the most complex transactions.

We employ a judicious and strategic approach when conducting the full scope of a real estate deal, leveraging our insight into associated business considerations that might influence the outcome of any given transaction or project. At the outset of new engagements, we examine the opportunities and risks before helping clients establish strategies for buying, selling, financing, developing and leasing property. We integrate our real estate expertise with business law, planning law, tax law, mortgage and financing law, creditor and debtor law, partnership and syndication law, landlord and tenant law and litigation—all as they relate to real estate transactions and development projects.

Our clients can count on us to not only provide excellent service and advice, but also be creative and strategic thinkers, focused on finding solutions to their real estate matters. We are seasoned contract negotiators, business strategists and client advisors, and are skilled at choosing the optimal dispute resolution process should this be required. With our clients' best interests always at the forefront, we seek out and implement the most practical and cost-effective solutions to each issue that will support our clients in achieving their unique objectives.

Commercial Leasing

Our Commercial Leasing team has comprehensive expertise across the spectrum of commercial leasing, including retail, office and industrial sectors. Our lawyers regularly act for leading developers, retailers, property and asset management companies, landlords and tenants, and bring extensive industry and practical experience to help clients navigate even the most complex commercial leasing transactions. We work alongside our corporate lawyers on mergers and acquisitions, including significant sale and leaseback transactions, as well as complex ground leases.

Our strategic approach coupled with our exceptional writing skills, allows us to capably assist clients in drafting and negotiating commercial leases and ancillary commercial lease documents, such as non-disturbance agreements, leasehold mortgage agreements, landlord waivers and tenant assistance

agreements. Our team's experience combined with our legal knowledge and business acumen, provides our commercial leasing clients with the additional tools they need to advance their projects and achieve their objectives. We skillfully guide and counsel clients on commercial lease disputes working, when necessary, in conjunction with litigation counsel, whose strong advocacy and negotiation skills can advise and represent clients through all stages of their dispute.

Condominium/Subdivision Development

Our lawyers possess a wealth of experience and knowledge with all types of condominium and subdivision developments, including residential, commercial, mixed-use and industrial projects of varying sizes and complexity. We act for a wide variety of developers and builders throughout the GTA, and work closely and in concert with our clients and their surveyors, property managers, planners and other consultants to help clients navigate their developments with ease and confidence.

As both transactional and development lawyers, we counsel on all stages of our clients' projects, including land acquisition, ownership structuring, disclosure documentation, agreements of purchase and sale, Home Construction Regulatory Authority and Tarion licensing and enrolment, deposit administration, construction and deposit insurance financing, condominium and subdivision registration, closings with end purchasers, and turnover of the condominium.

Secured Lending & Mortgage Remedies

Financing commercial real estate, whether it be for acquisition, development, construction or permanent financing, requires a unique combination of legal skills and experience. The members of our Secured Real Estate Lending team listen to our clients to best understand their business needs and goals, and how those are impacted by such forces as the economic environment. With that in mind, we are able to best utilize our legal knowledge and experience to meet those needs and help our clients achieve their goals.

We regularly act for lenders and borrowers in financings for single family residential, multi-family residential (rental and condominium), commercial, industrial and retail properties, and possess a deep understanding of the nuances that come with each different type of property.

Our Mortgage Remedies team has the experience to quickly grasp the situation and implement the best solution for our clients. We appreciate that in changing economic environments, client needs may require a creative flair, which we are well situated to implement where necessary to best protect our clients' interests.

Our Team:

Construction Law and Commercial Real Estate

Construction Law Group



Gregory D. Hersen
Partner and Co-Chair



Kayla Kwinter
Partner and Co-Chair



Jonathan Goode
Partner



Ryan Hauk
Partner



Aleksandar Jovanovic
Partner



Anthony Scane
Partner



Michael Tamblyn
Partner



Christopher Valente
Partner



Luigi A. Iantosca
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Paul Jacoby
Associate

Commercial Real Estate Group



Aaron English
Partner and Chair



Kenneth Beallor
Partner



Doug Bourassa
Partner



Stephanie Eiley
Partner



Noorin Manji
Partner



Leonard D. Rodness
Partner



Sidney H. Troister, KC, LSM
Partner



Seth Zuk
Partner



Noah Ciglen
Associate



Anthony D'Angelo
Associate



Michael Hochberg
Associate



Danielle Thiessen
Associate

To contact any of the lawyers in our Construction Law or Commercial Real Estate Groups, please visit [torkin.com](https://www.torkin.com) or call 416 863 1188.

Torkin | Manes

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MELBOURNE PROPERTY MANAGEMENT is a Toronto-based firm serving the Ontario market. It is built on over 100 combined years of our team's experience in the property management industry. Melbourne Property Management aims to create a sense of community within each condominium we manage, in the same way that the City of Melbourne focuses on being one of the most liveable cities in the world.

We provide our clients with a comprehensive consulting services including design and amenity review, waste management and site logistics review, shared facilities structure and set up, as well as review and discuss new technologies, green loans, renewable energy solutions and financial operational cost estimates and fee structures. For more than a decade, team members from Melbourne Property Management have been trusted to work on over 800 condominium developments in Ontario.

Our clients benefit from a broad range of full services in addition to consulting, such as Interim-Occupancy Management, Condominium Management, Rental Management and our Resident Touch Point Program, financial reporting and administrative support. At Melbourne, we never forget that we are taking care of your home. We strive to be market leaders in innovative property management solutions. Our goal is to deliver quality service and advice over the full lifespan of a community, while also developing positive relationships with our stakeholders. We aim to provide the highest performance and standards.

SILVER SPONSOR



MELBOURNE PROPERTY MANAGEMENT

Melbourne Property Management is a Toronto-based firm serving the Ontario market. It is built on over 30 combined years of our team's experience in the property management industry. Melbourne Property Management aims to create a sense of community within each condominium we manage. We provide our clients with a broad range of full services and support, including consulting, on-site and off-site management, financial reporting, and administrative support. At Melbourne Property Management, we never forget that we are taking care of your home.

What We Do?

We strive to be market leaders in innovative property management solutions. Our goal is to deliver quality service and advice over the full lifespan of a community, while also developing positive relationships with our stakeholders. We aim to provide the highest performance and standards. We provide our clients with comprehensive consulting services including design and amenity review, waste management

and site logistics review, shared facilities structure and set up, as well as review and discuss new technologies, green loans, renewable energy solutions and financial operational cost estimates and fee structures. For more than a decade, team members from Melbourne Property Management have been trusted to work on over 900 condominium developments in Ontario.

Get in Touch

1244 Caledonia Rd. Toronto, M6A 2X5



416-546-2126



contact@melbourpm.ca



melbournepm.ca



Condominium Management

Our Melbourne Property Management team's established reputation and knowledge of the condominium industry provides the communities they take care of with the integrity, reliability, and security that these communities deserve. Based on our expertise and resources, we offer highly customized condominium management plans to suit the needs of every community. We strive to take care of the community, not just simply manage the building.

We do this by:

- Developing and educating managers to ensure they are equipped to handle the ever-changing challenges of property management.
- Paying above-market salaries to attract and maintain the best talent in the industry.
- Ensuring our team has access to relevant expertise, training, and resources.
- Provide customer service-focused solutions for the communities they manage.

Property Management Consulting

When embarking on a new condominium development, it is critical that services of an experienced and competent management company be retained. Our consultants can ensure the operational fulfillment of the project's vision and can also function as a valuable resource to help with issues or questions that may arise during the development phase.

Our team's work with some of Ontario's most respected developers over the past 30 years has allowed us to build a wealth of experience in consultancy services across Toronto and the GTA. We have also worked with key developers in Barrie, Hamilton, Kitchener/Waterloo, Ottawa, Muskoka, and Sudbury. Our consultancy services continue to be highly sought after within the development industry.



Get in Touch

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contact@melbourpm.ca



melbournepm.ca



Interim Occupancy Condominium Management

When opening a newly constructed community, there are several essential items that need to be given special consideration, to ensure that your purchaser's expectations are managed, and the experience they receive is reflective of your brand.

The team at Melbourne Property Management have learned a few lessons along the way, having opened hundreds of new buildings over the past decade. We understand that it is critical that a well-structured opening plan be established, to be used by both the management team and the Declarant. It is important that all parties are aligned in their approach, and that a focus and priority be given to communication with both the owners and construction team during the interim occupancy period.

We understand that Interim Occupancy Management is very different from managing an existing community, and that additional resources, subject matter experts and experience are paramount to a smooth opening and transition to a well-functioning condominium.

If you are embarking on a new condominium development, have a new community that will soon be occupying, or would simply like to know more about how the team at Melbourne might be able to help, we would be more than happy to have a conversation. We are a friendly team, committed to providing trusted and timely advice.



Get in Touch

1244 Caledonia Rd. Toronto, M6A 2X5



416-546-2126



contact@melbourpm.ca



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Meet Our Team



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Officer

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AIRD BERLIS

AIRD & BERLIS is a leading Canadian law firm based in Toronto, serving clients across Canada and globally. Our team of more than 200 lawyers, land use planners and patent agents provides strategic legal advice in all principal areas of business law.

With one of the largest real estate practice groups in the GTA, Aird & Berlis has the breadth and depth of experience to handle any real estate deal. Our Real Estate Group assists clients with the purchase, sale and development of real property, leasing transactions and all types of real estate financing. We have extensive experience representing clients involved in the development, construction and management of office buildings, hotels, residential and commercial condominiums, residential rental projects, retirement homes and shopping centres. Our experience extends to infrastructure planning, financing and procurement.

Our 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.

SILVER SPONSOR

Real Estate Group

With one of the largest real estate practice groups in Canada, Aird & Berlis has the breadth and depth of experience to handle any real estate deal. From acquisitions, divestitures and financings to land development, joint ventures, construction projects and major leases, we have done it all many times over.

Acquisitions

Our depth of experience spans all asset classes, including office, retail, industrial, multi-family, raw land, institutional, government and specialty assets such as hotels, refineries and manufacturing plants. We have advised on single assets and large portfolios. In each case, we bring a sophisticated and in-depth understanding of conveyancing and real estate due diligence matters, and can assure our clients that the property title, as acquired, meets their objectives and expectations.

Financings

We act for many major lenders and borrowers throughout Canada. We have been involved in everything from simple first mortgage financings to sophisticated mezzanine deals, bonds and commercial backed mortgage security issues. Our lawyers have extensive experience in mortgage enforcement and restructuring, and remedies such as power of sale, foreclosure and actions on the covenant. We are able to offer our clients the strategic advice necessary to ensure a smooth financing transaction.

Development

With the involvement of our Municipal & Land Use Planning Group, we work with our clients in developing residential subdivisions, commercial and mixed use developments and redevelopments, industrial subdivisions and condominium developments, both in an urban and suburban context. We understand the development and planning approvals processes and we can help our clients navigate through it.

Construction

The Aird & Berlis Construction Group represents clients on the full range of construction-related activities, from tendering, bidding, contract creation and defining relationships with consultants, to providing day-to-day legal resources during design and construction, to litigation and alternative dispute resolution. We act for contractors, architects, land developers and builders.

Condominiums

We act for both large and smaller condominium developers and provide experienced, cost-effective legal advice with respect to site acquisition, ownership structure, Tarion registration, disclosure and sale documentation, deposit administration, construction and deposit surety financing, condominium registration, completion of occupancy and final closings, and turnover to the unit-owner elected board of directors. Post-turnover, we also advise our developer clients on ongoing *Condominium Act* compliance matters and Tarion warranty obligations as well as operational issues with residential, commercial and mixed use developments. We have set up hundreds of condominium corporations, co-operatives and co-ownerships. Our experienced professionals are regularly involved in drafting by-laws, rules, amendments to declarations, shared facilities agreements, s. 98 agreements and other documentation.

Leasing

Our group handles office, industrial and retail leases, from the routine to the most complex. We have advised on major leases of hundreds of thousands of square feet with sophisticated tenants and landlords. Our professionals are very familiar with structuring credit tenant lease transactions, ground leases and using leases as a tool to achieve other structuring preferences. We have expertise in green leases and leasing in LEED buildings. Our group also has extensive experience in rooftop and telecommunication licence agreements, which provide enhanced amenities to tenants and additional revenue for landlords.

Dispositions

We have assisted clients in the disposition of real estate assets by various means, including sale through a broker and by auction. In each case, we take care that the disposition is handled expeditiously, with the client's objectives in mind, while attempting to eliminate any residual risk or liability. We are focused on getting our clients the disposition proceeds as quickly and as cleanly as possible.

Municipal & Land Use Planning Group

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 Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal), 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.

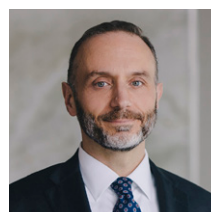
With respect to various municipal agreements, Aird & Berlis assists with everything from simple undertakings and releases to complex contracts and development agreements. A large component of our practice is focused on drafting municipal contracts and agreements, including those pertaining to large infrastructure 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.

Contacts



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Egis, formerly known as McIntosh Perry, is an award-winning North American-based consulting firm with more than seven decades of experience in all facets of engineering. Founded in the US in 1945 and with a history in Canada stretching back to 1971, with 32 office locations across North America – 13 in Canada and 19 in the U.S. and with more than 1,000 people, we are North America's leading team of engineers, project managers, architects, technicians, and problem solvers.

In the last few years, we have experienced significant growth, adding to our existing expertise as well as expanding our service offerings into new areas. We've solved problems for our clients across North America, and with a commitment to deliver successful, high-quality projects, we help our clients find innovative solutions, regardless of the project size.

From our local roots beginning decades ago to our present global reach, we've remained focused on our clients. We know our client success is our success, which is demonstrated by our numerous long-term client relationships.

OUR KEY AREAS OF EXPERTISE:

- Earth, Environment and Community.
- Buildings and Property.
- Infrastructure and Transportation.
- Water and Resources.
- Program Management.
- Rail and Transit.

SILVER SPONSOR



Egis in Canada

**Silver Sponsors of the
LandPro Conference**

**IMAGINE
CREATE
ACHIEVE**

a sustainable future

Egis in North America



1,000 EMPLOYEES
ACROSS NORTH AMERICA



18,000 EMPLOYEES
WORLDWIDE



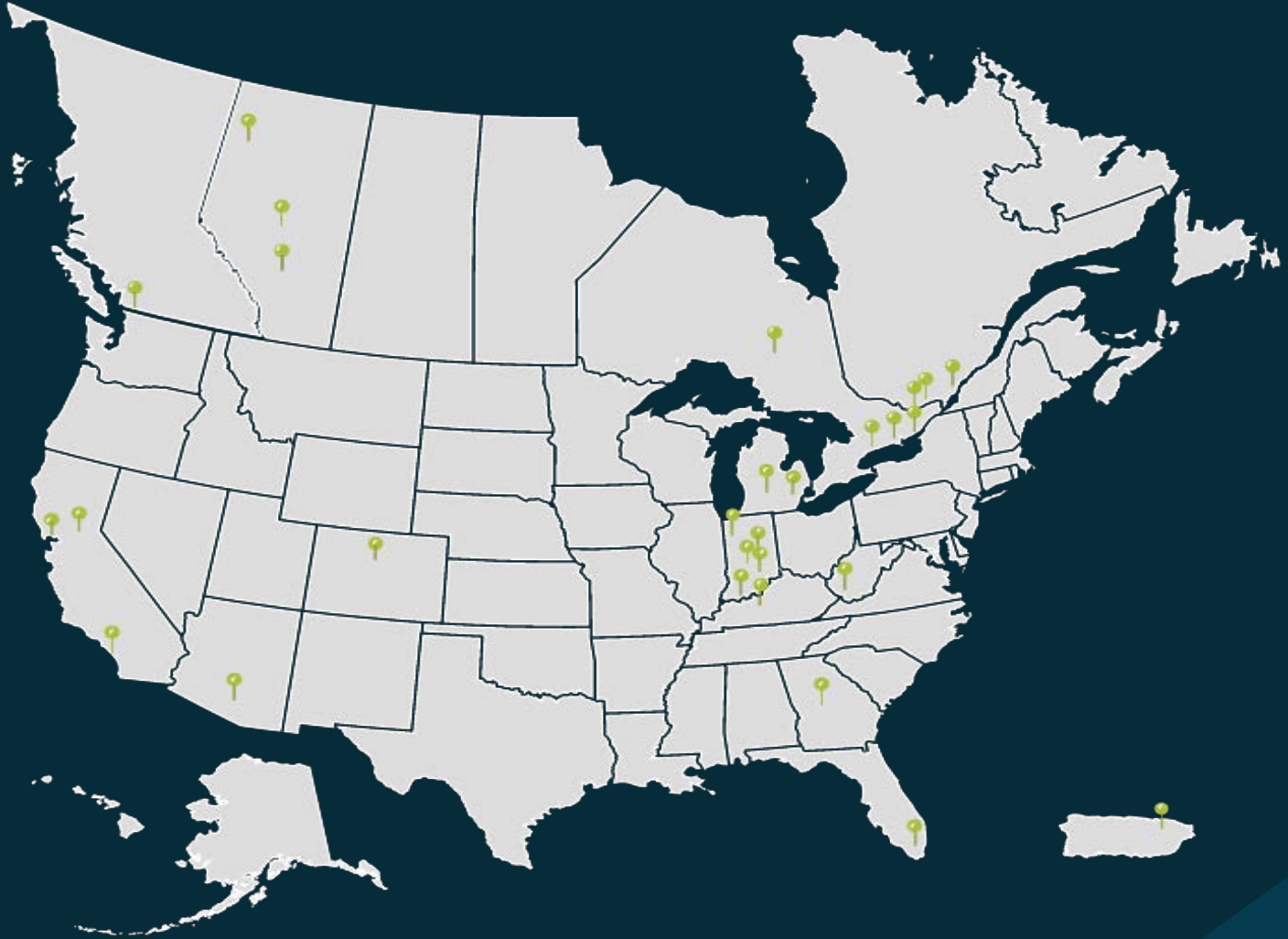
29 OFFICES
ACROSS NORTH AMERICA



13 IN CANADA
16 IN THE UNITED STATES



70+ YEARS HISTORY
IN NORTH AMERICA



Egis Key figures

\$2.13bn



2022 REVENUE

65%
international

79%
Consulting & engineering



21%
Operation & mobility
services

2022 Revenue



Transportation



62%

Building, Urban
Development &
Energy



38%



\$69 M

DISTRIBUTABLE
NET PROFIT 2022
\$254M
EBITDA

28

ROAD OPERATING
COMPANIES

20

AIRPORTS

21

URBAN PARKING
CONTRACTS IN
EUROPE

ENR 21st



ENGINEERING NEWS
RECORD GLOBAL RANKING

1st

FRENCH ENGINEERING
COMPANY

8th

IN TRANSPORTATION
MARKET



18,000
EMPLOYEES
IN THE WORLD

74% Consulting & engineering **26%** Operation & mobility services

Our Global Offer in Details



Mobility

Urban transport

- Metro
- Tram
- Bus
- Cable cars

Intercity & long-distance transportation

- Railways
- Roads
- Aviation
- Maritime and river

Structures

- Tunnels
- Bridges and viaducts



Urban & Sustainable living

Buildings

- Shops and offices
- Health
- Sports and events
- Education, culture and administration
- Housing

Water & environment

- Storage, transportation and water treatment
- Protection of biodiversity
- Natural resources
- Air, odours, health
- Littoral



Energy & Industry

Low carbon energy

- Renewable energy
- Nuclear

Industrial facilities

- Automotive
- Aeronautics
- Agrifood
- Pharmaceuticals and chemicals
- Data center
- Logistics

Building Services

Building Quality Assurance



We have provided Building Quality Assurance Services for decades. Our professional engineers have worked on buildings of all sizes throughout Canada. We diligently adhere to codes and standards and work to ensure quality is built into the project, eliminating costly rework.

Building Condition Assessment



We provide building owners and managers with the information they need to plan more effectively. Whether you're buying, selling, or planning for future repairs, you need to know what's really going on and you need expert recommendations about next steps.

Structural & Temporary Structures



We have a team that can accommodate your every need. Our team has designed structural, scaffolding and platforms for a wide range of new builds and restoration projects. We are shoring engineer experts in construction requiring shoring and design systems, and our [building science team](#) works closely with contractors to meet your project requirements.

Building Restoration & Project Management



We have decades of experience not only in building construction, but in advising owners and managers on repairs and upgrades. We have worked with condo boards / strata boards, rental apartment building portfolio owners, real estate investment trusts (REITs), commercial building owners, architects, and general contractors

Reserve Fund Studies/Capital Planning



We have been helping condominium developers, managers, and owners since 1972 and started reserve fund studies before they were legislated in the 1990s. We also have extensive experience in capital planning for buildings.

Earth, Water & Environmental Services

Environmental Assessments



Environmental Assessment consultants assist municipalities and provincial agencies, private landowners, and public bodies, such as conservation authorities, with the completion of environmental assessments (EAs) as required by the [Environmental Assessment Act \(EAA\)](#).

Water Resources



Water resources engineering consultant expertly balance land use objectives with environmental protection. Recognized for expertise in hydrology and hydraulics and a deep knowledge of the natural landscape, we deliver innovative long-term water management solutions to public and private clientele.

Geotechnical – Foundations & Pavements



The engineering consultants possess broad experience with projects of almost any size, traffic volume, or location and provide the technical and cost analysis you need to manage your assets effectively.

Hydrogeology



We offer hydrogeological services including investigations, reviews, permit assistance, construction assessments, and monitoring of groundwater and surface water. Our services also cover drainage assessment, nitrate loading studies, and source water impact assessment. We provide solutions for aggregate resources management, waste disposal sites, and low impact development.

Excess Soils



Excess Soil Engineering Management department assists our clients with excess soil issues at their sites. Our expertise ranges from soil sampling and testing programs, construction staging approach and methodology, excess soil management restrictions from multiple levels of government, and much more.

Earth, Water & Environmental Services

Planning



We provide land development and planning services, including subdivision and condominium planning, land severance consent, official plan and zoning by-law amendments, minor variances, and site plan control. Our team has the expertise to guide you through any project, big or small.

Surveying



Our surveying and mapping services include subdivision and condominium planning, boundary and reference plans, professional opinions, engineering/topographic and route surveys, construction layout, volumetric and mining surveys. Count on our team for comprehensive and reliable services.

Land Development



Our team provides comprehensive commercial site planning services, including planning, design, approvals, contract administration, and inspection. We prepare specific engineering documents and review design standards for compliance. We assess the impact on adjacent properties and downstream infrastructure, as well as natural site features, to ensure sustainability and minimize negative impacts.

Cultural Heritage



We provide access to a full range of cultural heritage consultant services in built heritage and cultural landscape conservation, planning, and management. The Cultural Heritage team works across disciplines and sectors, and partners with our Building, Infrastructure and Development Planning teams.

Materials Laboratory



Our testing services cover all aspects of construction compliance, including soil and aggregate testing, gradation analysis, standard and modified proctor testing, concrete testing, one-dimensional consolidation, moisture content, hydrometer, unconfined compressive strength of rock, asphalt compliance, and Marshall testing. We offer reliable and comprehensive services for projects of all sizes.



Egis

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Postal Code : L4H 4G3

+ (905) 856-5200

info.north-america@egis-group.com

www.egis-group.com



Vaughan's Economic Development team is the go-to source for insight into Vaughan's economic community. Our award-winning team can provide support for your expansion or relocation within the city through:

- **END-TO-END CUSTOMIZED SITE SELECTION SUPPORT;**
- **CUSTOMIZED GUIDANCE AND RESEARCH;**
- **ECOSYSTEM CONNECTIONS;**
- **SUPPORT ACCESSING FUNDING PROGRAMS;**
- **AND ZONING, PLANNING, AND BY-LAW INFORMATION.**

Vaughan is Transformative, Ambitious, and Purpose-Driven.

TAP into Opportunity – TAP into Vaughan.

SILVER SPONSOR



TAP into Vaughan: Services for Businesses

About Us

The City of Vaughan's Economic Development department supports Vaughan's transformative, ambitious and purpose-driven economy to make Vaughan a place where entrepreneurship, business, tourism, and art can prosper and grow.

Vaughan is **Transformative**. Our economy and business community continue to change the way business is done. The Economic Development department enables transformative projects.

Vaughan is **Ambitious**. The City of Vaughan undertakes world-class projects that elevate opportunities for our talent and businesses that strive to lead their industries.

Vaughan is **Purpose-Driven**. The City of Vaughan is proud to lead a community that is dedicated to doing business with purpose. Our community works to build Vaughan as a vibrant and inclusive community where all can prosper.

The City's Economic Development team is the go-to source for insight into Vaughan's economic community. Economic Development staff are knowledge brokers and opportunity advisors who facilitate local economic capacity, resilience, and opportunity while exemplifying the City dedication to service excellence. Economic development currently supports the Vaughan business community in the following ways:

- Promote Vaughan's economic advantages and key projects in target markets.
- Support business growth and expansion through corporate calling and end to end site selection.
- Engage businesses and regional partners, provide referrals to grants, business organizations and various levels of government.
- Develop and implement economic development strategies, programs, and initiatives.
- Counsel, mentor and train business leaders and provide access to resources.
- Provide business planning support, including marketing strategies, financial forecast and cash flow, and general business development.
- Collect, analyze, and share economic, market, real estate, demographic and competitive business data with clients and partners.
- Plan and curate public art spaces and installations.
- Facilitate corporate partnerships and sponsorships for the City of Vaughan.
- Provide guidance to businesses by understanding the overall landscape of Vaughan's business industry.
- Entrepreneurship programs, including training, mentorship and opportunities to apply for provincial funding.

Tap into opportunity - **TAP** into Vaughan.

CITY OF VAUGHAN ECONOMIC DEVELOPMENT

QUICK-LINK RESOURCE PAGE

Our Economic Development team provides services to expand and support Vaughan's established, growing, and emerging business clusters. Our staff can provide your business with a suite of services that include:

Corporate Visits – Staff are available to visit your location or meet virtually to provide business advisory support, learn more about your business needs, and address challenges. This includes providing information on relevant funding or financing programs, value-add partnership and business development opportunities, or advocacy and government relations toolkits.

Site Selection Assistance – Whether you're looking to expand or relocate in Vaughan, our team provides customized site location assistance. This service includes information about the community and relevant properties, inventory of vacant land opportunities, site visits, custom research, introductions to local businesses and business support organizations, and information on relevant government programs.

Data Analysis and Provision – We provide research on national, provincial, regional, and local economic trends relevant to your business and sector. Our business intelligence services include data analysis, market research, and the provision of data to support business operations, expansion, and workforce development.

Check out our quick-link resources below or connect with us today to learn more!

- **[Connect](http://www.vaughanbusiness.ca/connect)** (www.vaughanbusiness.ca/connect)
Have questions, or need support with your next opportunity? Reach out to the City of Vaughan's Economic Development staff!
- **[Events](http://www.vaughanbusiness.ca/events)** (www.vaughanbusiness.ca/events)
Vaughan Economic Development hosts an array of events, workshops and information sessions for residents and businesses, which you can find listed and updated here.
- **[Insights and News](http://www.vaughanbusiness.ca/insights)** (www.vaughanbusiness.ca/insights)
Stay up to date on important economic development news and insights from Vaughan and beyond.
- **[Key Sectors](http://www.vaughanbusiness.ca/key-sectors)** (www.vaughanbusiness.ca/key-sectors)
The Vaughan business community is comprised of several key industry sectors. Follow the links below for more information on the following sectors. Agri-food and food processing, automotive, construction and building Materials, healthcare, health tech and life sciences, information and communication technology, logistics distribution and E-commerce and Tourism.
- **[Opportunity Areas](http://www.vaughanbusiness.ca/opportunity-areas/)** (www.vaughanbusiness.ca/opportunity-areas/)
The City of Vaughan has a number of key opportunity areas have been identified as significant areas for business attraction and can be used to promote unique geographic clusters throughout the City. These opportunity areas represent significant economic, social and cultural opportunities for businesses and talent looking to expand existing business operations or re-locate to Vaughan..
- **[Vacant Employment Land Directory](http://www.vaughanbusiness.ca/veld)** (www.vaughanbusiness.ca/veld)
The City of Vaughan's online Vacant Employment Land Directory identifies and supports development opportunities for relevant third parties and facilitates the construction of industrial and commercial buildings.
- **[Vaughan at a Glance](http://www.vaughanbusiness.ca/data)** (www.vaughanbusiness.ca/data)
Interested in learning more about the City of Vaughan? Visit Vaughan at a Glance for detailed information on our economy, demographics and building activity.
- **[Vaughan Business Directories](http://www.vaughanbusiness.ca/data)** (www.vaughanbusiness.ca/data)
Vaughan is home to a diversified industrial base of more than 19,000 businesses, making the city one of the largest markets in the Greater Toronto Area (GTA). The business directory resources will allow you to explore the City of Vaughan's globally competitive businesses.
- **[Vaughan Enterprise Zone](http://www.vaughanbusiness.ca/vez)** (www.vaughanbusiness.ca/vez)
Learn more about the advantages the Vaughan Enterprise Zone (VEZ) has to offer, with a powerful value proposition for head offices, national logistics and distribution centres, manufacturing operations and other users needing large, new spaces. The VEZ has a vast business area with significant goods-movement infrastructure in Vaughan's west end. It borders Toronto, Brampton and Caledon, covering a total area of 1,668 hectares (4,122 acres). More than a third of the land is developed, offering one of the largest supplies of vacant employment lands in the Greater Toronto Area.

Economic Development

City of Vaughan

2141 Major Mackenzie Dr.
Vaughan, ON, Canada L6A 1T1

T: 905-832-8526

E: ed@vaughan.ca

vaughanbusiness.ca





Founded in 2014, Fausto Cortese Architects is dedicated to creating timeless architecture across a diverse array of design styles. Our approach fosters an open and dynamic environment where clients can freely express their ideas, allowing us to refine their vision into extraordinary spaces. We strive to achieve this goal while maintaining our core values of unwavering honesty, integrity, efficiency and innovation in everything we do.

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FAUSTO CORTESE
A R C H I T E C T S

www.fcarchitects.ca
(4 1 6) 8 0 6 - 7 0 0 0

Founded in 2014, Fausto Cortese Architects is dedicated to creating timeless architecture across a diverse array of design styles. Our approach fosters an open and dynamic environment where clients can freely express their ideas, allowing us to refine their vision into extraordinary spaces. We strive to achieve this goal while maintaining our core values of unwavering honesty, integrity, efficiency and innovation in everything we do.



EDUCATION PARTNERS

02

EDUCATION PARTNERS



Association of Ontario Land Surveyors

2.75 Formal and 3.25 Professional hours.



Ontario Professional Planners Institute

May claim hours units as per CPL handbook.



Law Society of Ontario

CPD Qualified Program.
00:40 Professionalism Hours.
Substantive Hours are at the participant's discretion for 8 hour program.

ONTARIO ASSOCIATION OF ARCHITECTS

Ontario Association of Architects

Eligible for 6 structured learning hours.



Appraisal Institute of Canada

Appraisal Institute of Canada

May claim 8 credits.



The Canadian Society of Landscape Architects

Eligible for CPDs at the discretion of attendee to meet MCE requirements

WELCOME & OPENING REMARKS

Andrew Brethour (MASTER OF CEREMONIES)

Executive Chairman & CEO, PMA Brethour.

Dave Wilkes

President & CEO, Building Industry and Land
Development Association (BILD).

OPENING REMARKS



ANDREW BRETHOUR

Executive Chairman & CEO,
PMA Brethour.

MASTER OF CEREMONIES

Andrew Brethour, Executive Chairman PMA Brethour Realty Group, including PMA Brethour Real Estate Corporation Inc., PMA Brethour Research Associates, PMA Land Services, PMA SalesMasters, PMA Leasing and PMA Insiders. He is a registered Real Estate Broker and Broker of Record for PMA Brethour Real Estate Corporation Inc, Brokerage.

PMA was founded in 1964 to provide Sales and Marketing services to the Building Industry. Andrew joined the firm in 1977 and became owner and President in 1989, Chairman & CEO in 2016 and most recently transitioned to Executive Chairman in 2021.

Today, PMA provides sales and marketing and research services to the Building Development industry from offices in Toronto, Ottawa, Collingwood, Calgary, Kelowna and Naples.

Andrew attended University of Waterloo School of Urban & Regional Planning, Class of 1972

Andrew is the Founder of Housing Data Reports in 1980, later merged in 2000 with RealNet Canada and sold to Altus in 2012. Also, the former Director and Executive of the Toronto, Ontario and Canadian Home Builders' Associations. As well as former Chairman of the Toronto and National Sales & Marketing Council.

He is the founder of the National SAM AWARDS and recipient of the prestigious Maple Leaf Award honoring Canada's top associate member. Receiver of the "SAMMY" 1999 (Sales and Marketing Member of the Year) Award, also awarded the Riley Brethour Award by BILD (formerly the Greater Toronto Home Builders' Association) and Elected to the BILD Hall of Fame in 2005. The only Canadian recipient of the "Legends of Residential Marketing" Award from National Homebuilders Association in the United States.

Membership involvement: Governor of the Builder Marketing Society in the United States, Economic Review Committee of the Ontario Home Builders' Association and Member of the International Lambda Alpha Society of Land Economists. BILD Awards Committee member. In 2022, Andrew became a member of the Board of Governors of The Abraham Global Peace Initiative (AGPI), a Canadian human rights organization.

OPENING REMARKS



DAVE WILKES

President and CEO, Building Industry and Land Development Association (BILD).

OPENING REMARKS

Dave Wilkes is a seasoned business leader with deep experience in developing collaborative solutions to industry challenges and opportunities. As President & CEO of BILD, he is a powerful advocate for land developers and home builders and a strategic partner to a wide variety of stakeholders and partner organizations. In 2022, Dave was a member of Ontario's Housing Affordability Task Force. With more than 1,300 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area. The building and renovation industry provides more than 231,000 jobs in the region and \$26.9 billion in investment value. BILD is allied with the Ontario and Canadian Home Builders' Associations.

PRESENTATION

THE GST CUT DEBATE: IMPACTS ON NEW HOUSING SALES AND INCENTIVES

MP Scott Aitchison

Member of Parliament, Parry Sound, Muskoka.

04

P R E S E N T A T I O N



MP SCOTT AITCHISON

Member of Parliament,
Parry Sound, Muskoka.

THE GST CUT DEBATE:
IMPACTS ON NEW
HOUSING SALES AND
INCENTIVES

Scott Aitchison was born and raised in Huntsville, Ontario - a community where neighbours show up for neighbours and your word is your bond. After serving as Town Councillor, District Councillor and Deputy Mayor, he was elected as Mayor of Huntsville in 2014 on a promise of fiscal discipline, responsible governance and excellent customer service. In 2019, Scott once again stepped up to put action to words when he ran to be a Member of Parliament. Seeing his ability to get results, the residents of Parry Sound-Muskoka overwhelmingly sent Scott to Ottawa. Scott Aitchison believes that there is nothing wrong about Canada that cannot be fixed with everything that is right about it.

KEYNOTE

ECONOMIC UPDATE

Benjamin Tal

Deputy Chief Economist,
CIBC World Markets Inc.

05

KEYNOTE



BENJAMIN TAL

Deputy Chief Economist,
CIBC World Markets Inc.

ECONOMIC UPDATE

Mr. Tal is responsible for analyzing economic developments and their implications for North American fixed income, equity, foreign exchange and commodities markets. He also acts in an advisory capacity to bank officers on issues related to wealth management, household/corporate credit and risk.

Well-known for his ground-breaking published research on topics such as labour market dynamics, real estate, credit markets, international trade and business economic conditions, Mr. Tal not only contributes to the conversation but also frequently sets the agenda.

He has close to 20 years of experience in the private sector advising clients, industry leaders, corporate boards, trade associations and governments on economic and financial issues. National and global media regularly seek him out for his insight and analysis on economic issues that impact financial markets, consumers, corporations and public policy. He is also a frequent lecturer in the economic programs of various Canadian universities.

Mr. Tal is a member of the Economic Committee of The Canadian Chamber of Commerce, The Economic Development Committee of the Toronto Board of Trade. He is also a member on the board of Governors of Junior Achievement of Central Ontario, and a board member of the Toronto Financial Services Alliance.



OMG

Benjamin Tal

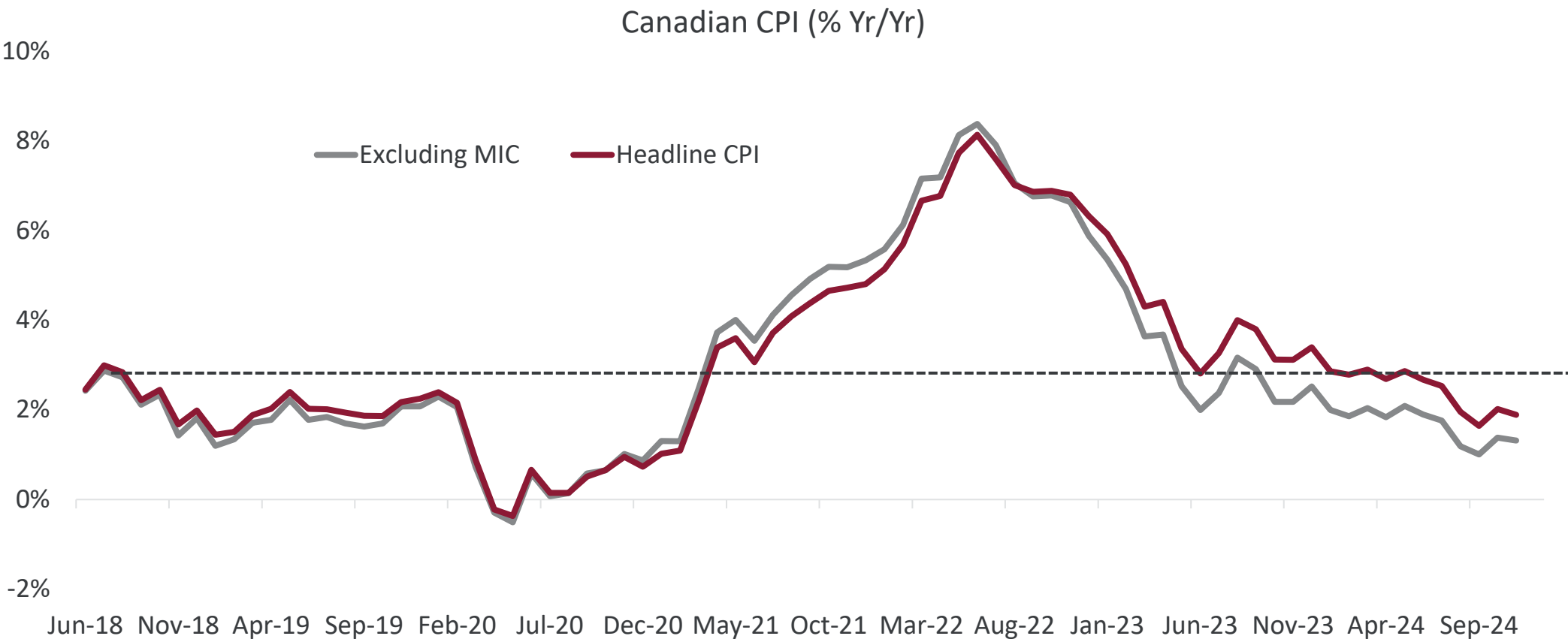
April, 2025

What if it's all just a dream?

- Lower inflation paved the way for substantial interest rate relief
- Strong pickup in growth led by consumers. Signs of life in housing market.
- Brisk job gains led to first drop in unemployment
- Productivity starting to recover after earlier declines
- Public policy shifting towards a greater growth agenda

Wake up!

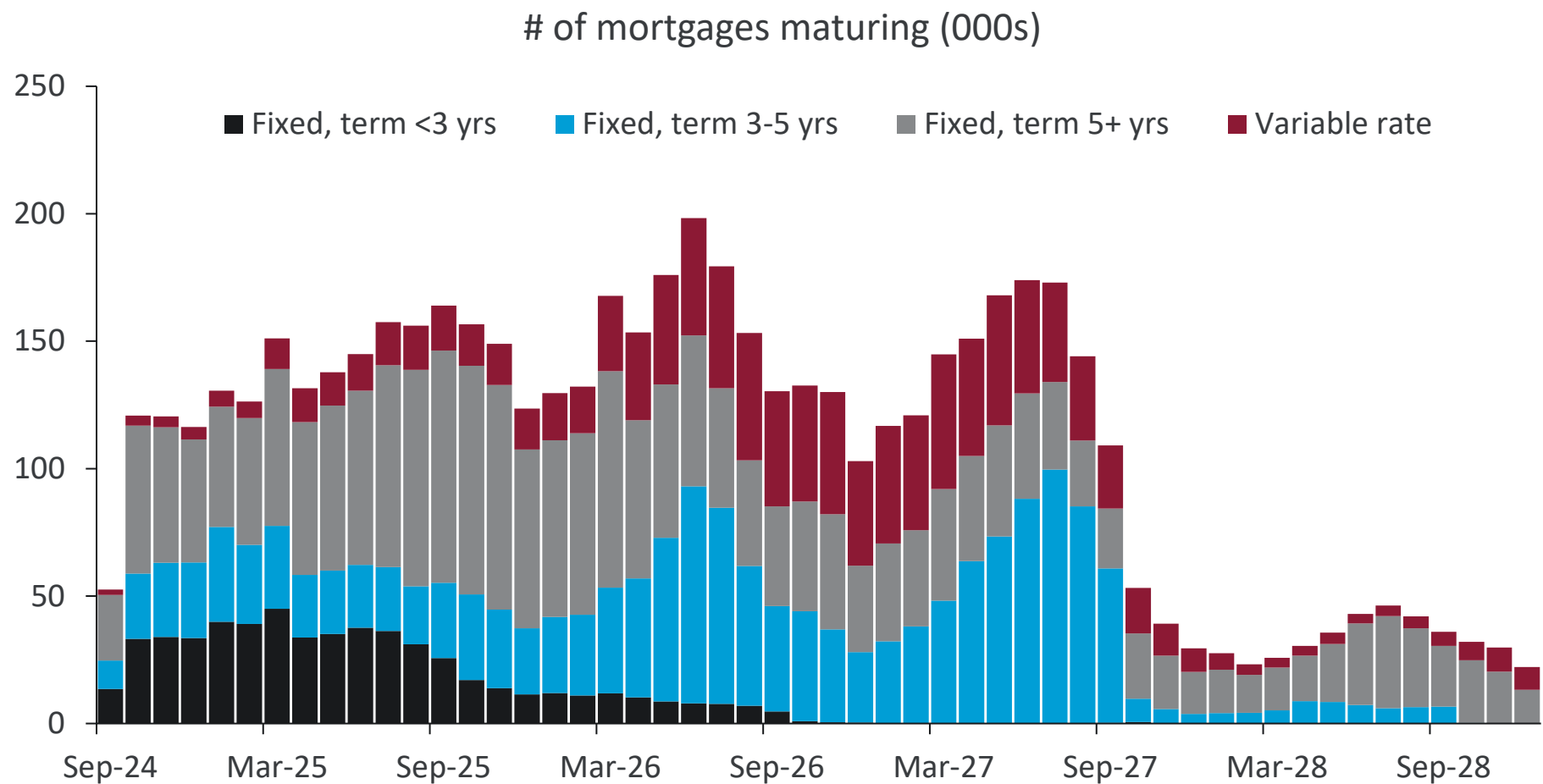
Canadian inflation...no longer an issue ..at the moment.



Source: Statistics Canada, CIBC



Wave of mortgage renewals upcoming...should we lose sleep over it?



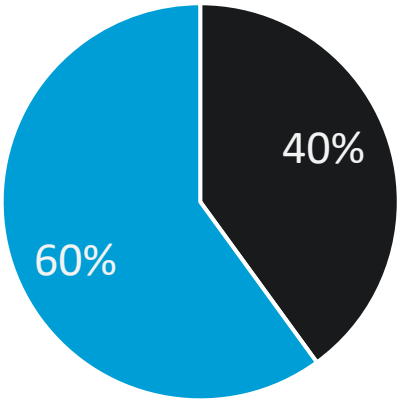
Source: BoC, CIBC



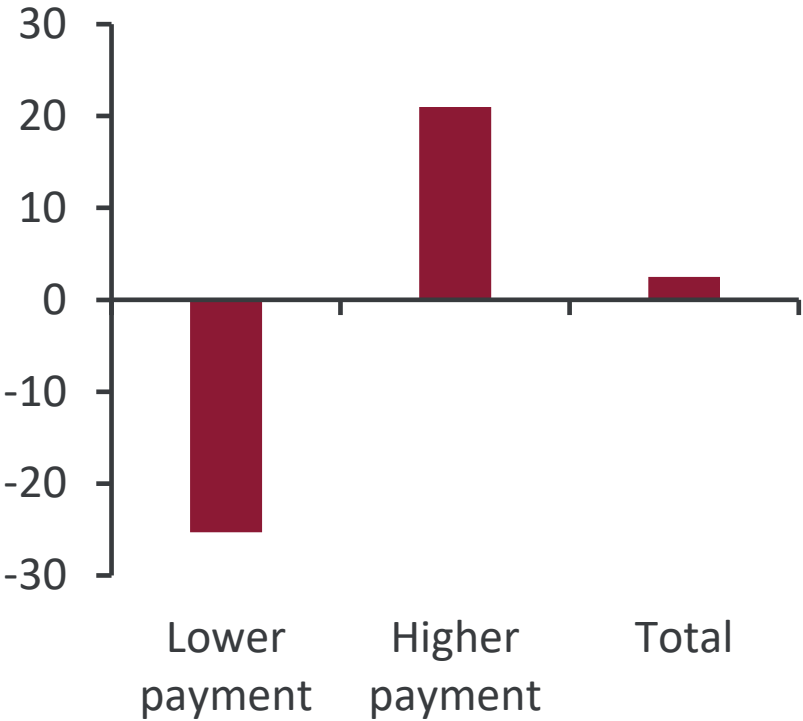
40% of mortgage renewals will face lower payments next year (l), leading to only a modest aggregate increase (r)

% of mortgage holders renewing in 2025

- Lower payment
- Higher payment



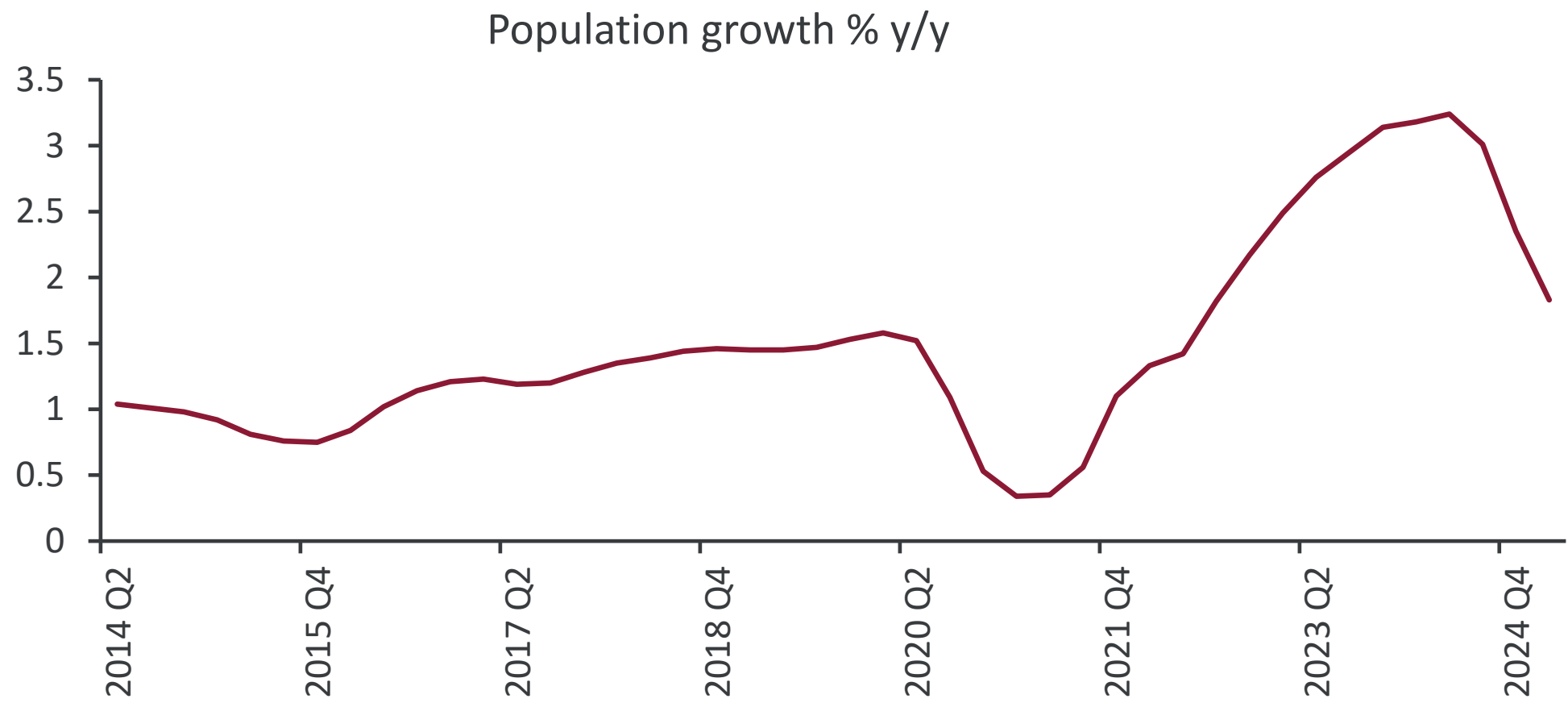
% change in average monthly payment



Source: CIBC



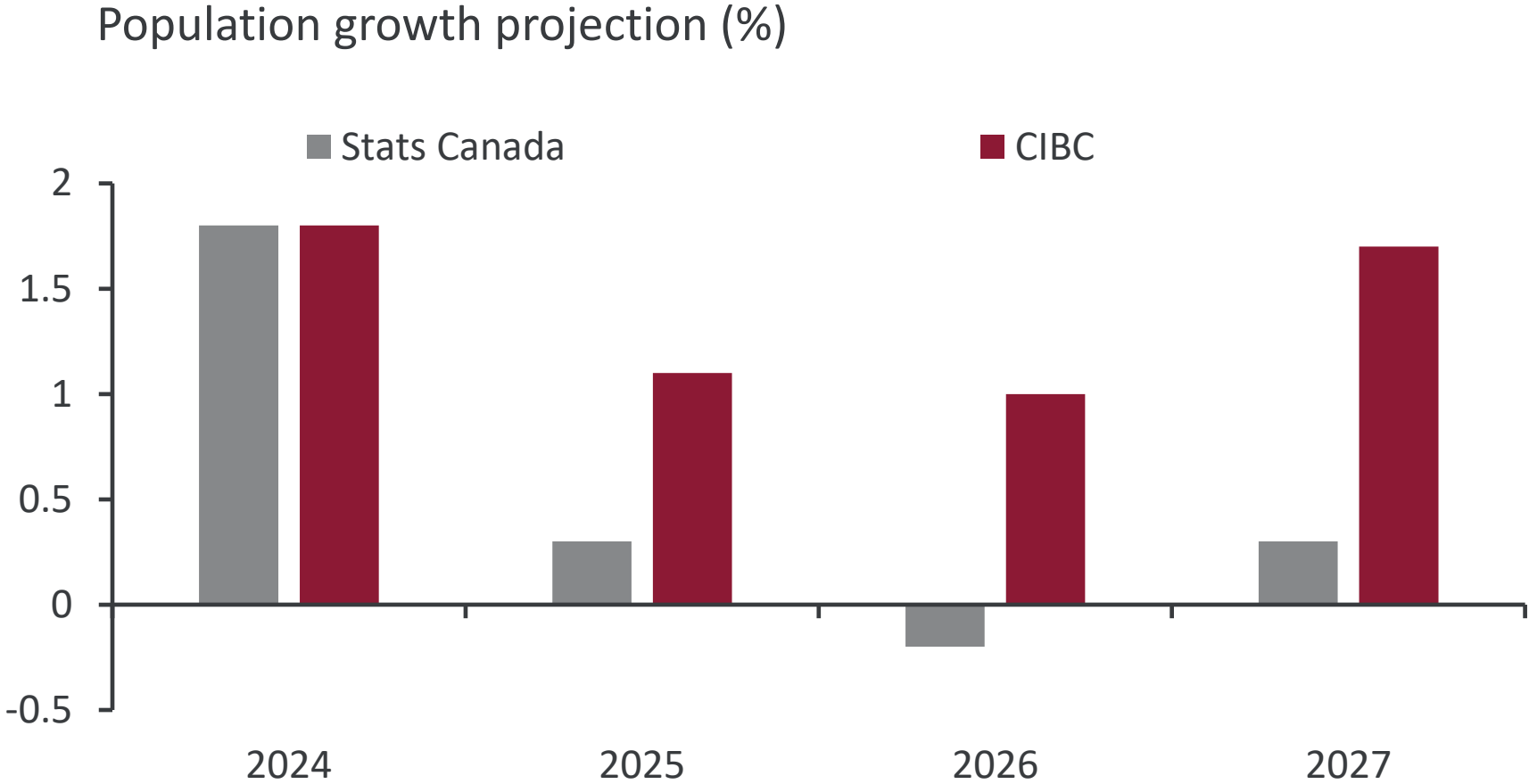
Finally, population growth is slowing ...BUT



Stats Canada. CIBC



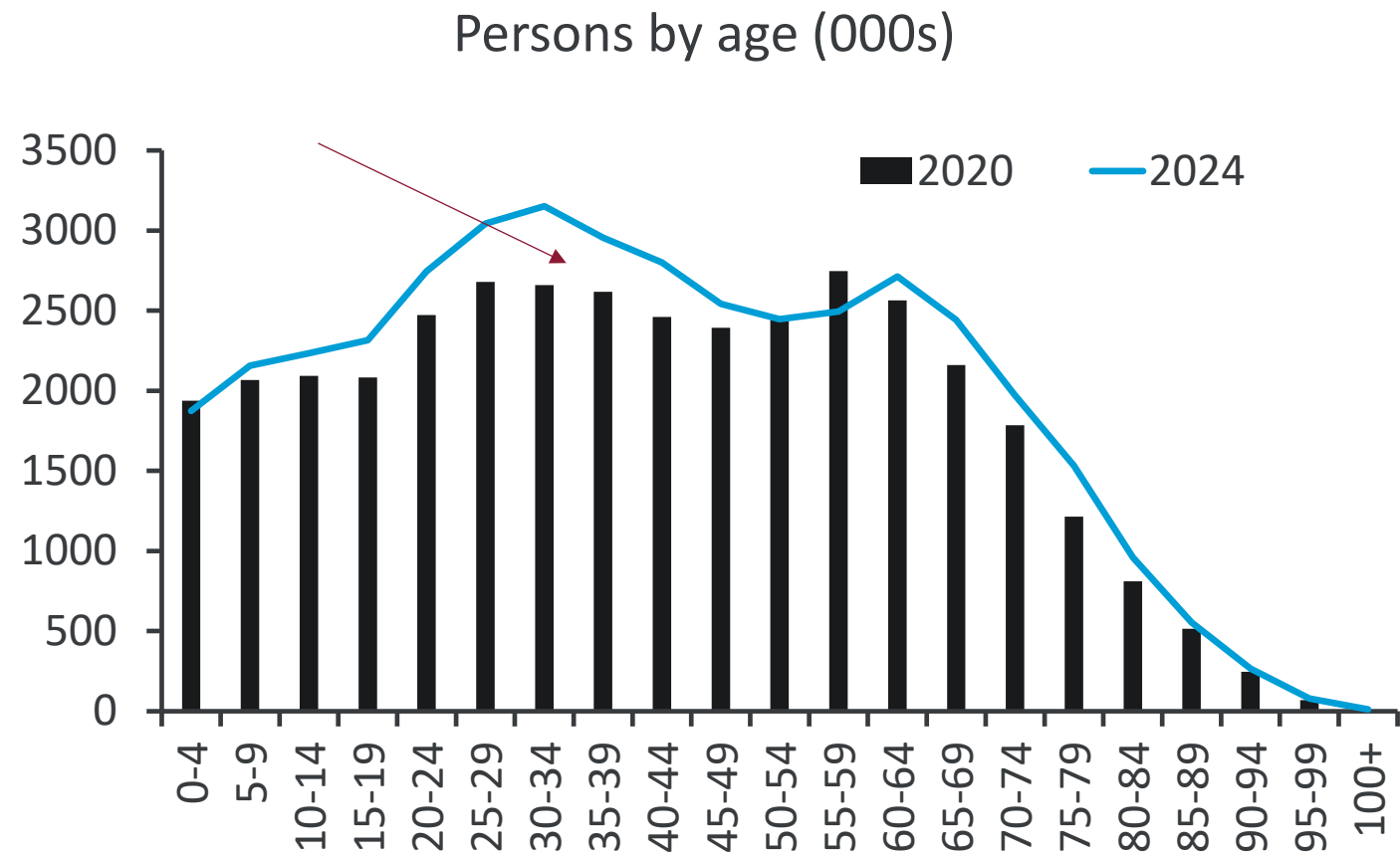
Population growth will be stronger than assumed



Stats Canada, CIBC



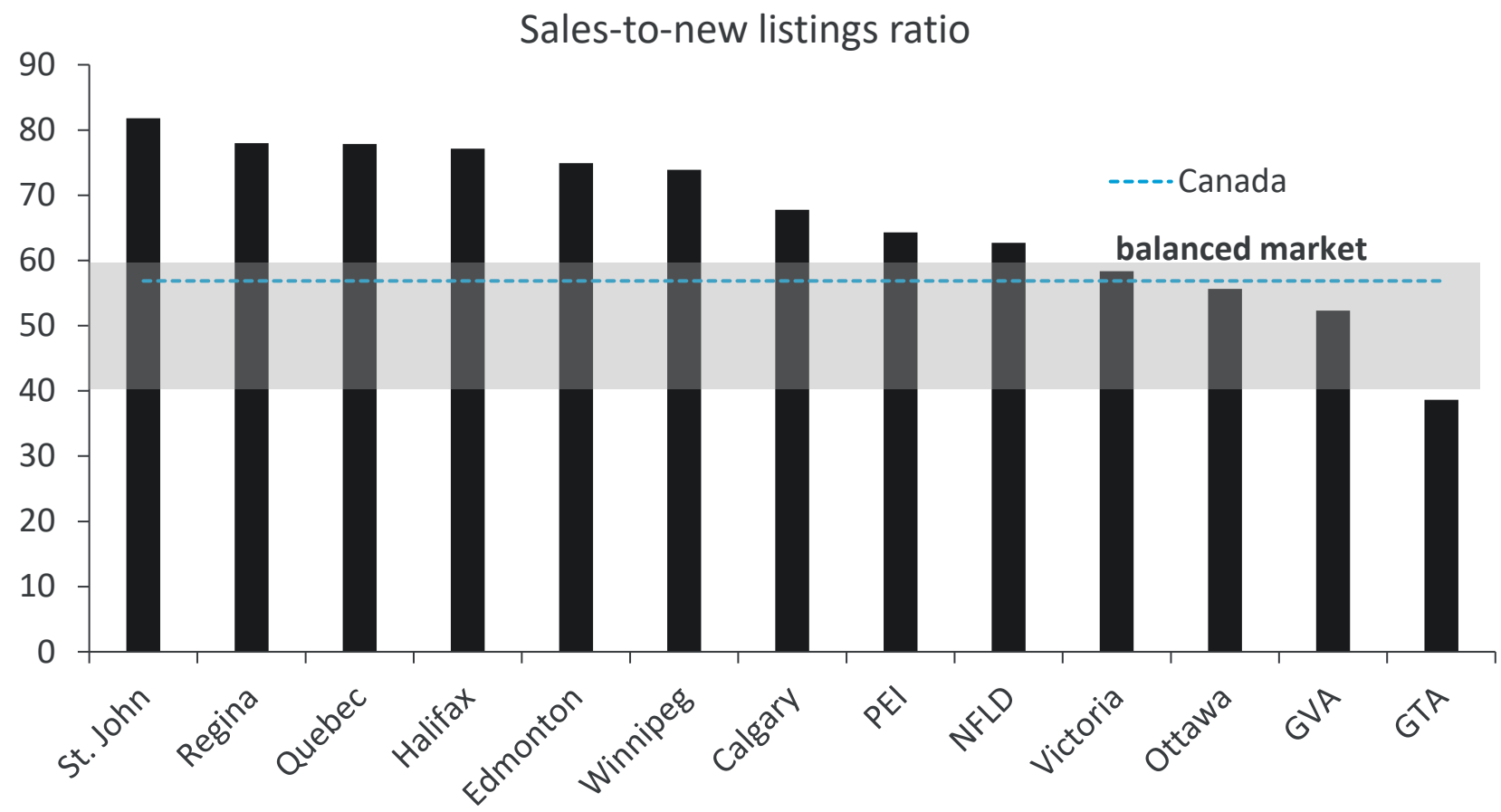
Short term pain long term gain?



Stats Canada, CIBC



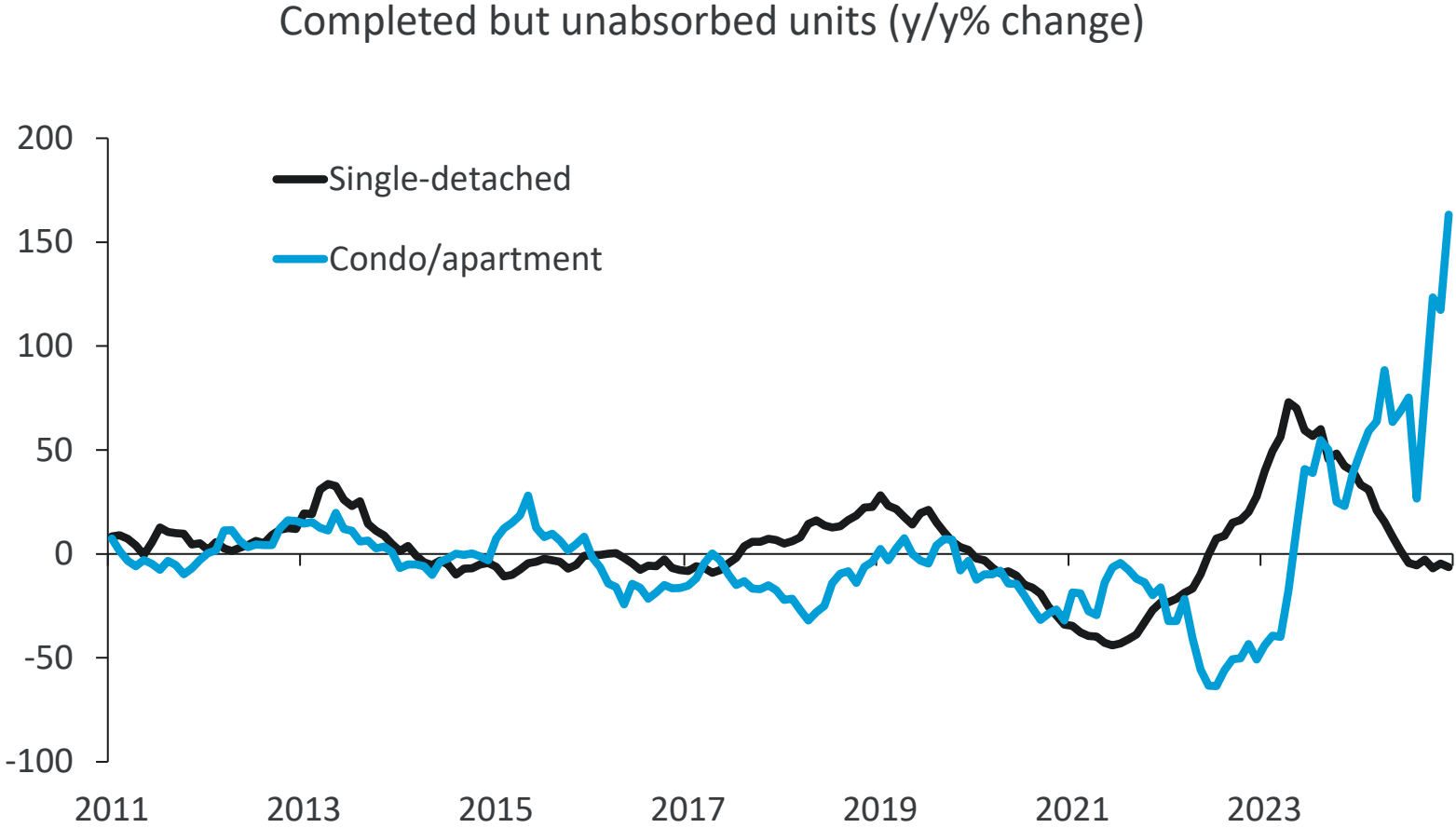
Location location location



Source: CREA, CIBC



Condo market weakness limiting housing construction rebound

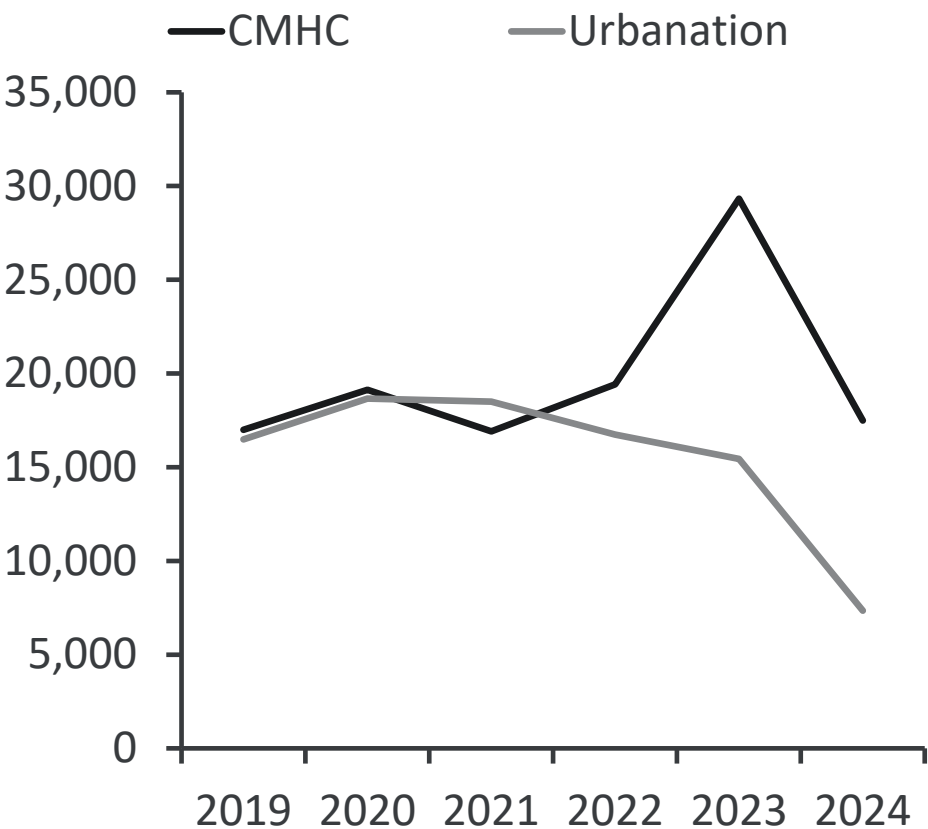


Source: CMHC, CIBC

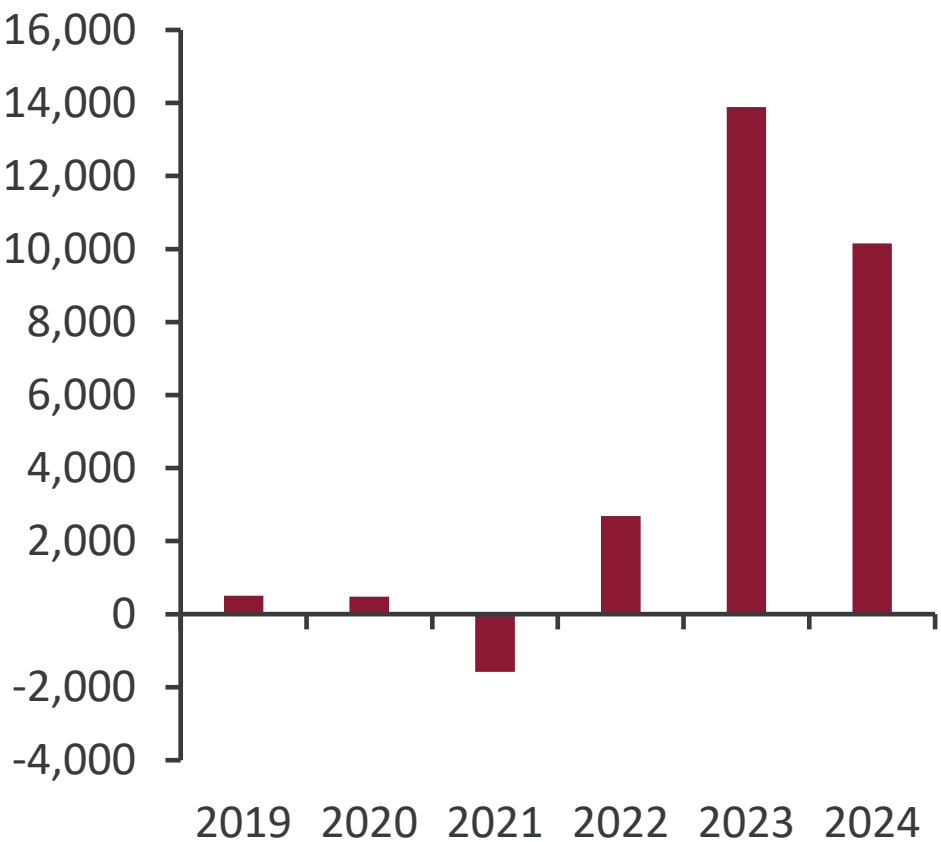


Interesting.....

Apartment starts Toronto



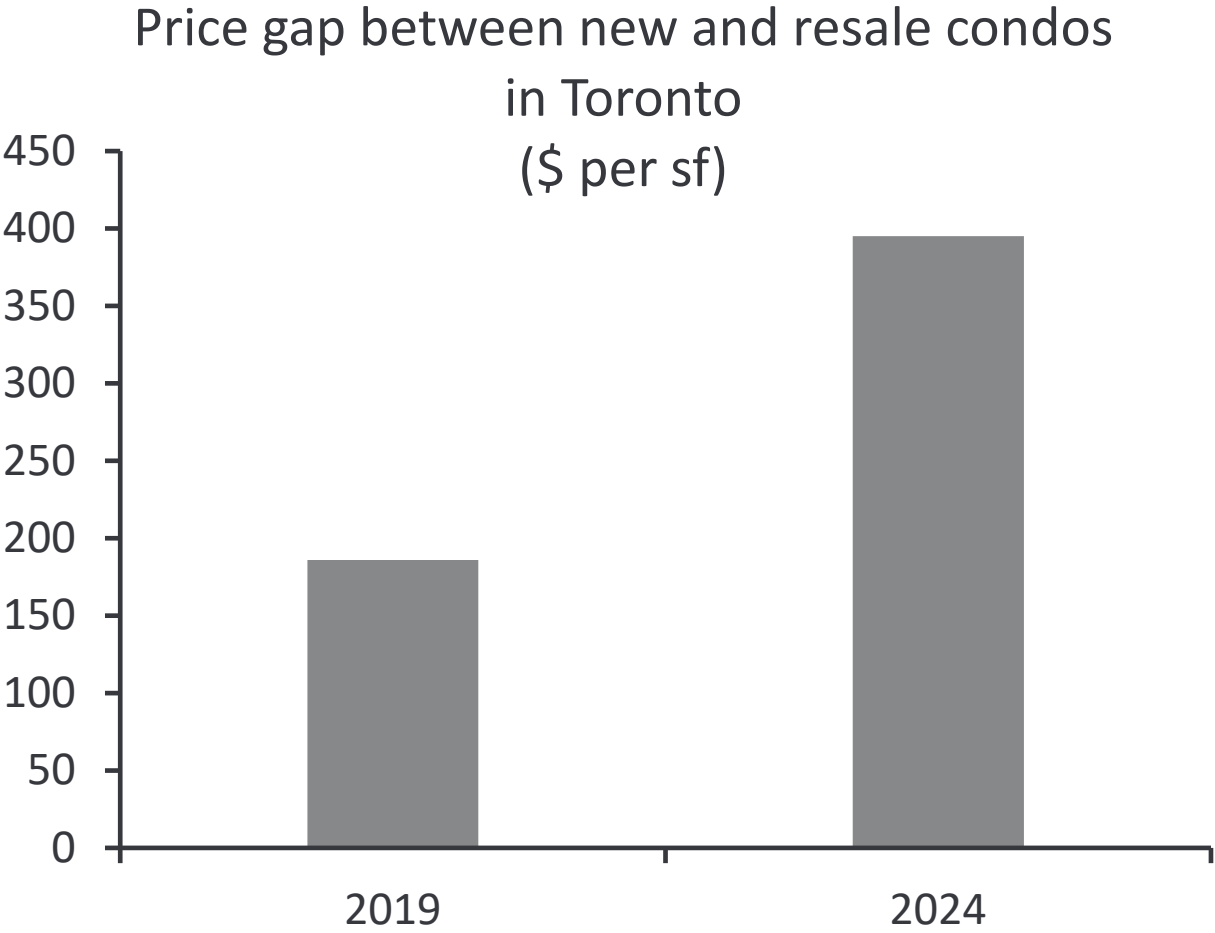
Difference



CMHC, Urbanation, CIBC



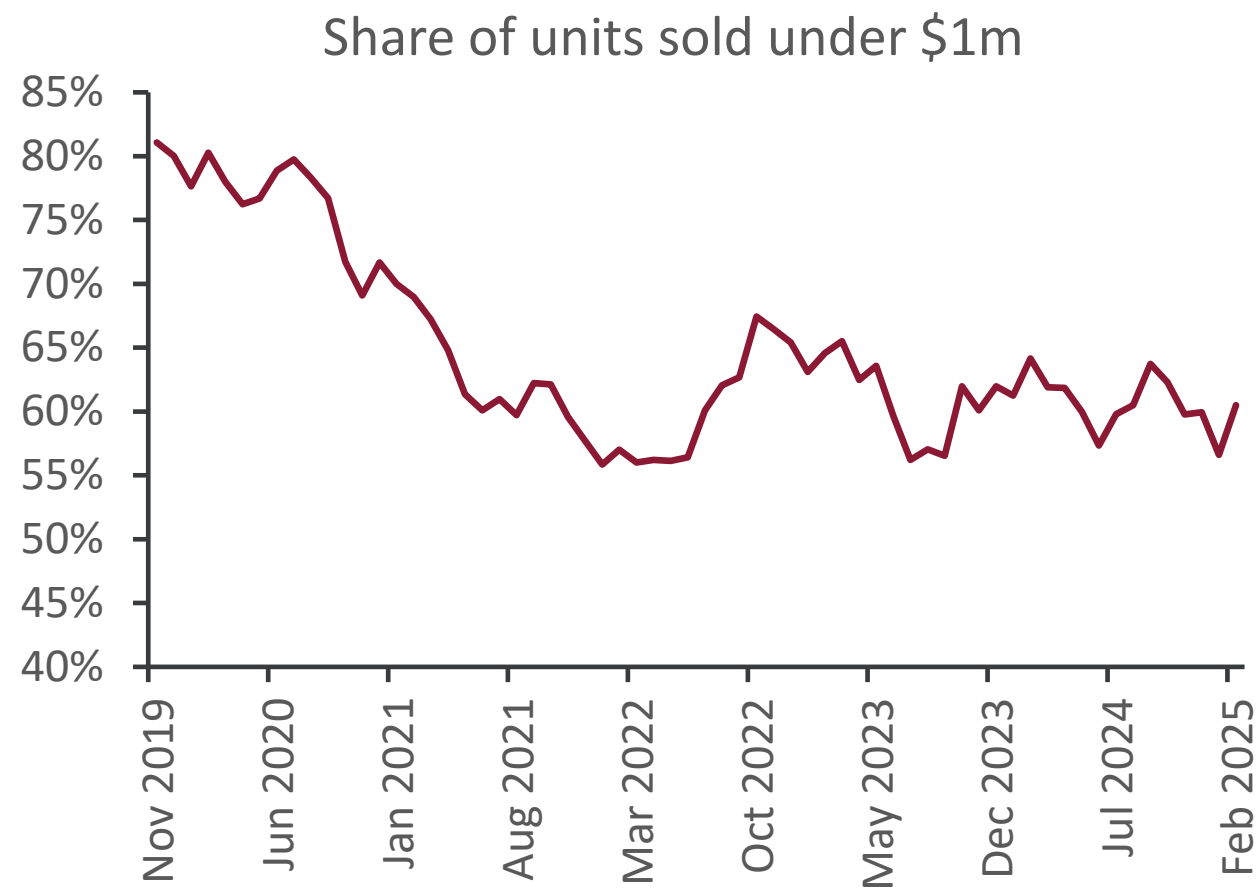
Price gap... too wide



Urbanation, CIBC



GST removal will make a difference



It's all in the name

T Tax/tariff

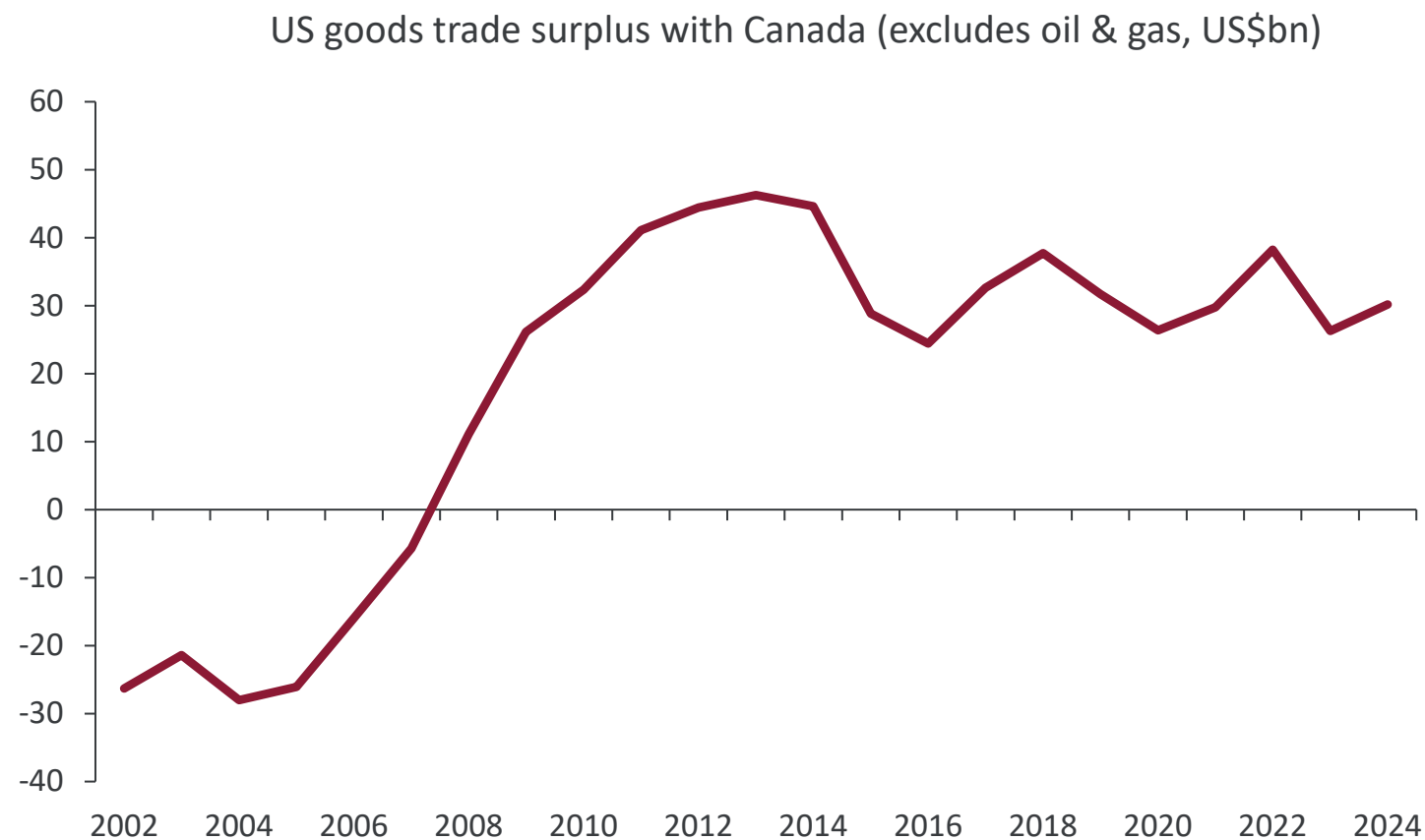
R Regulations

U Undocumented

M Migrants

P Protectionism

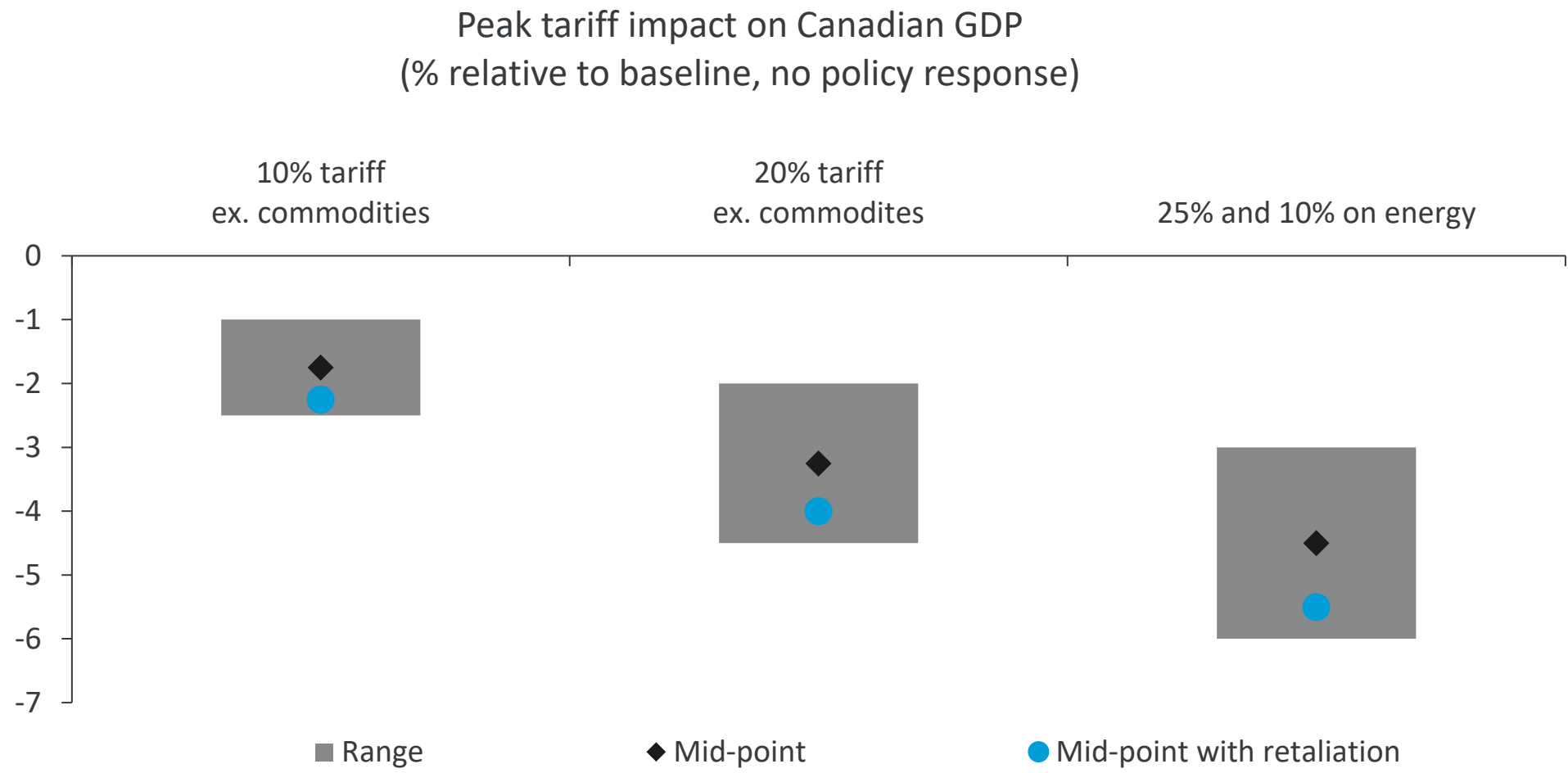
Outside of oil and gas, US runs a trade surplus with Canada



Source: Census Bureau, CIBC

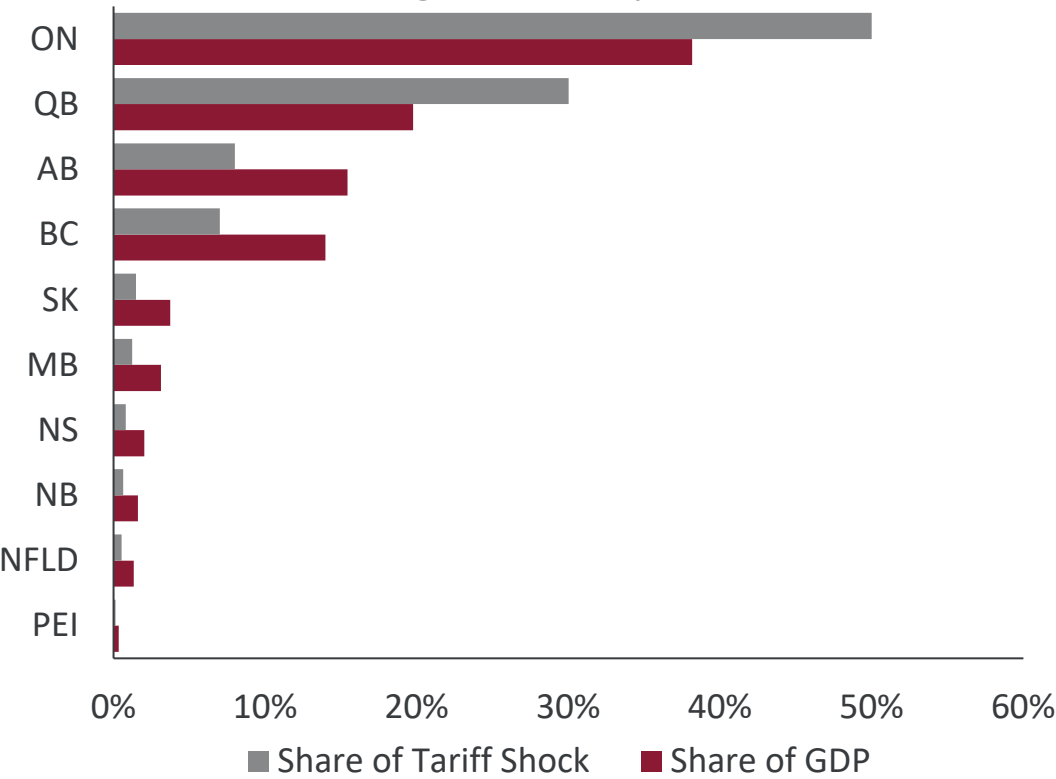


Tariff scenarios range from a 2% to 5% hit on GDP, and dent to growth path could be lasting

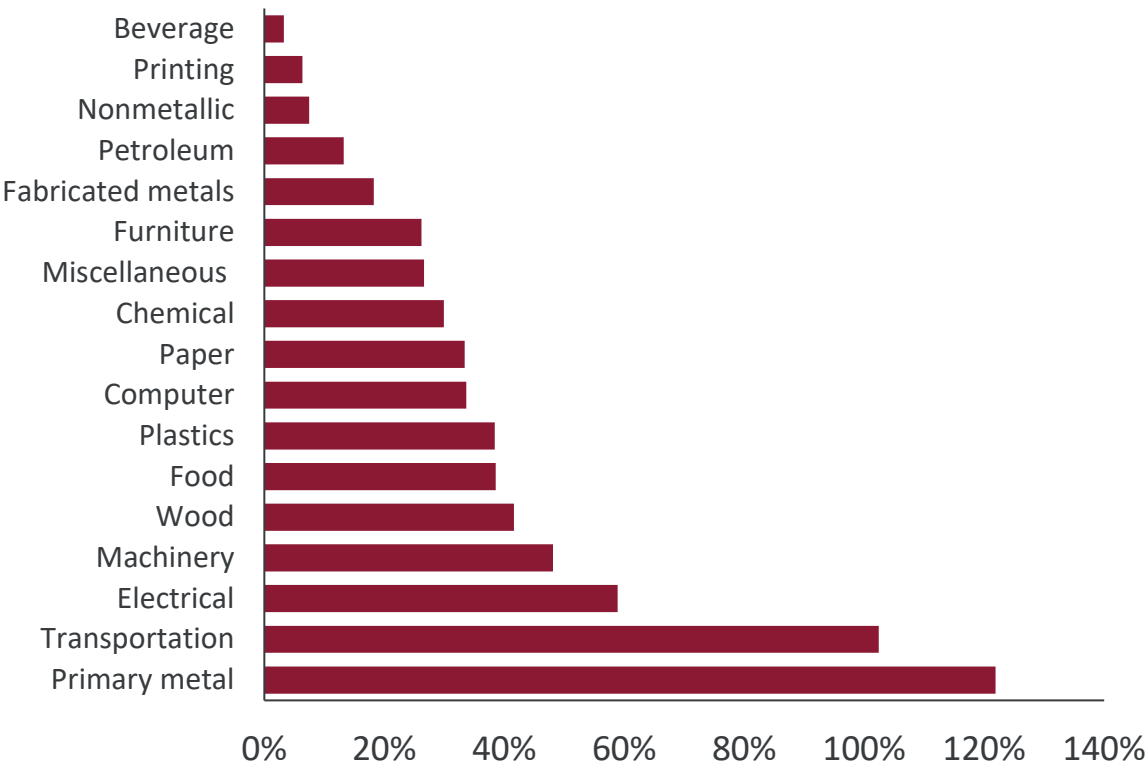


Ontario and Quebec, Metals, Transportation Equipment among the most impacted provinces and sectors. But recession spills into cyclical services

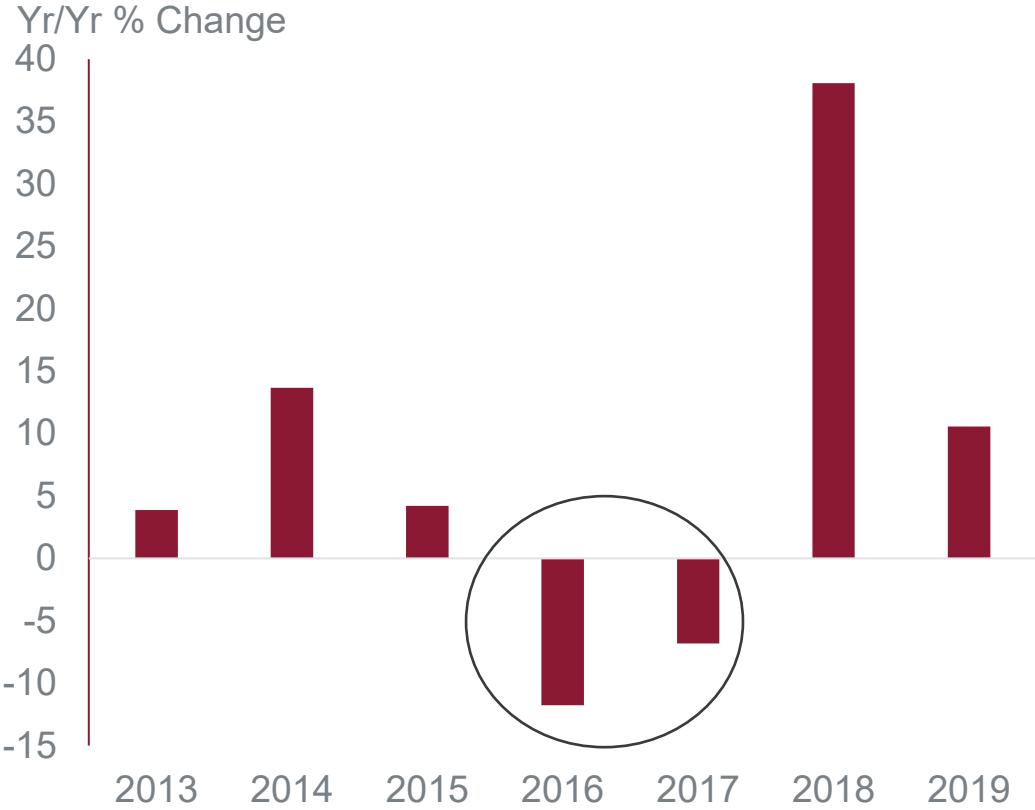
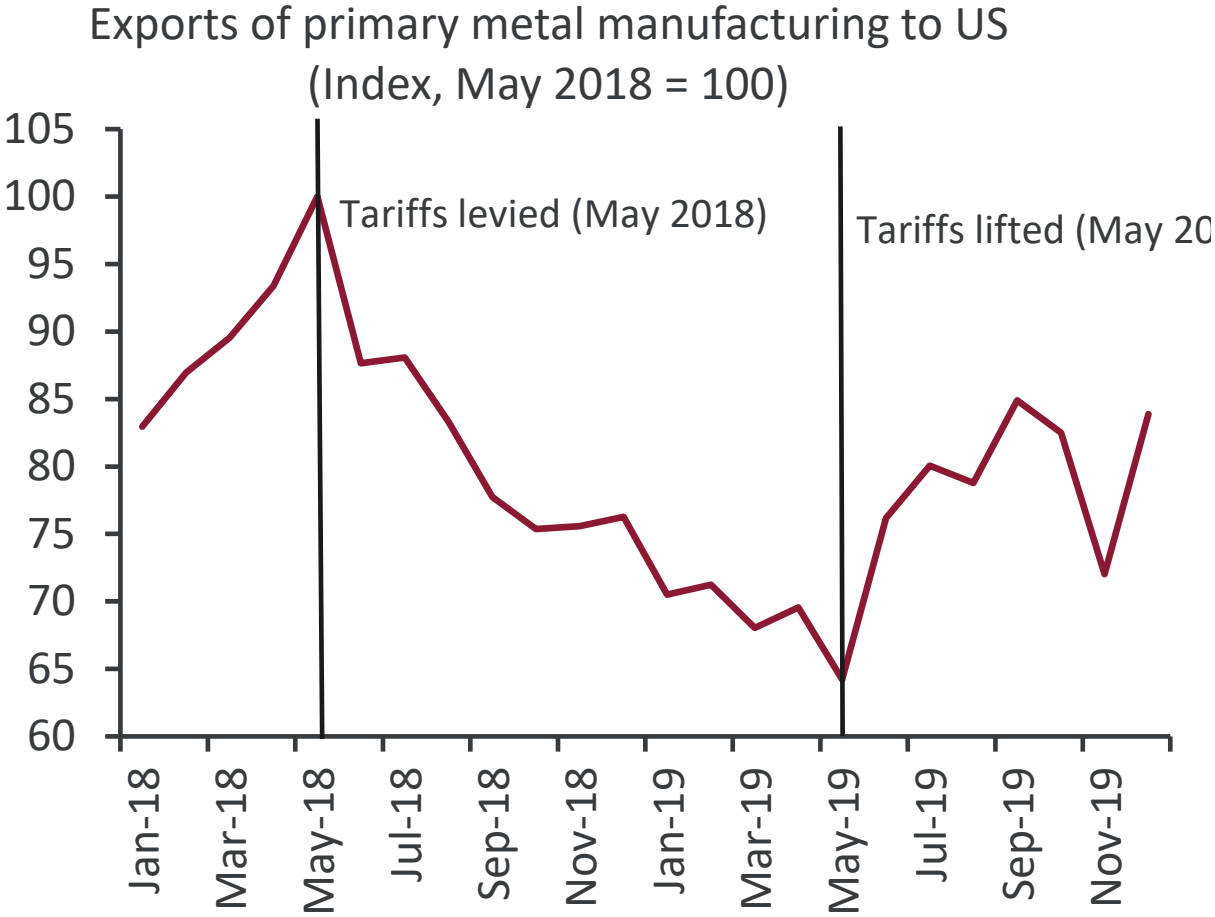
Impact of tariff shock by province
(excluding commodity scenarios)



Export loss by manufacturing sector
(as % of sectoral GDP in real terms)



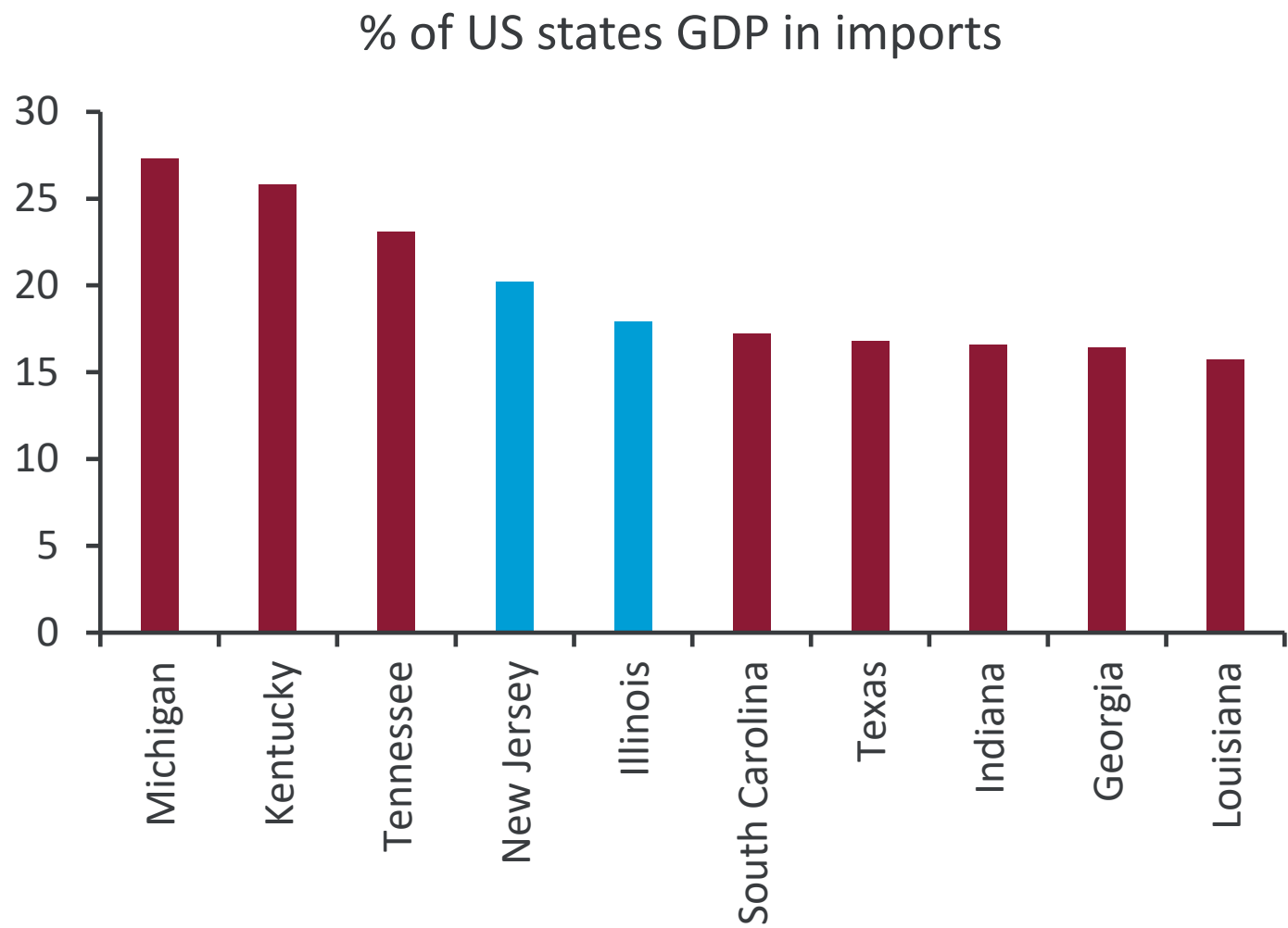
Lessons for Canada in 2018: steel exports (L), factory capital spending (R)



Source: Statistics Canada, CIBC calculations



Red States have a high propensity to import



Source: US BEA, CIBC



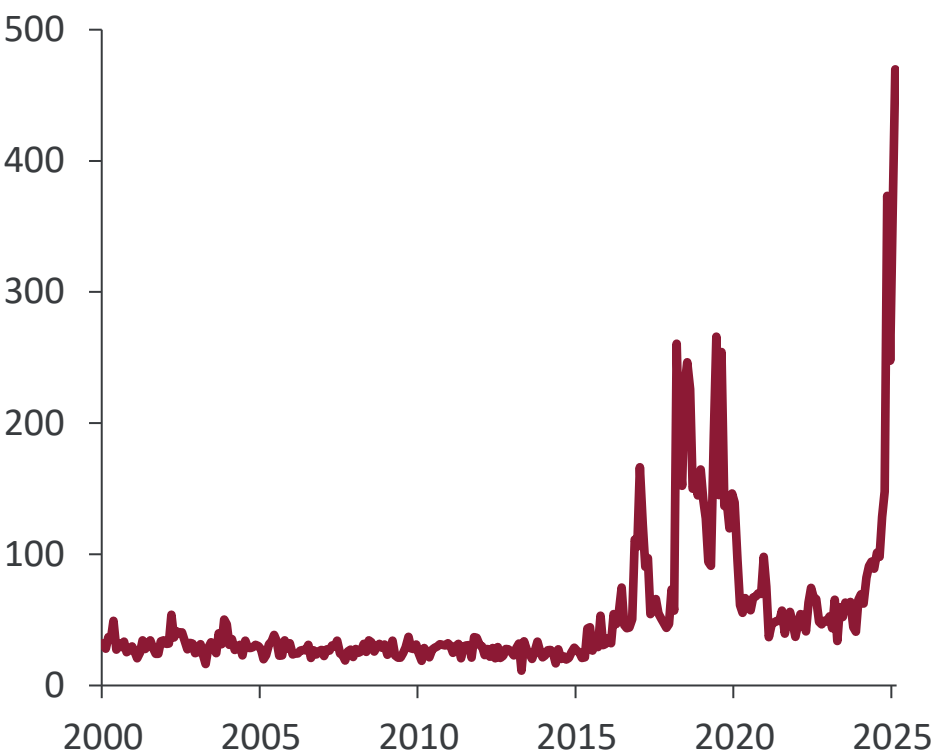
Trump's Kryptonite



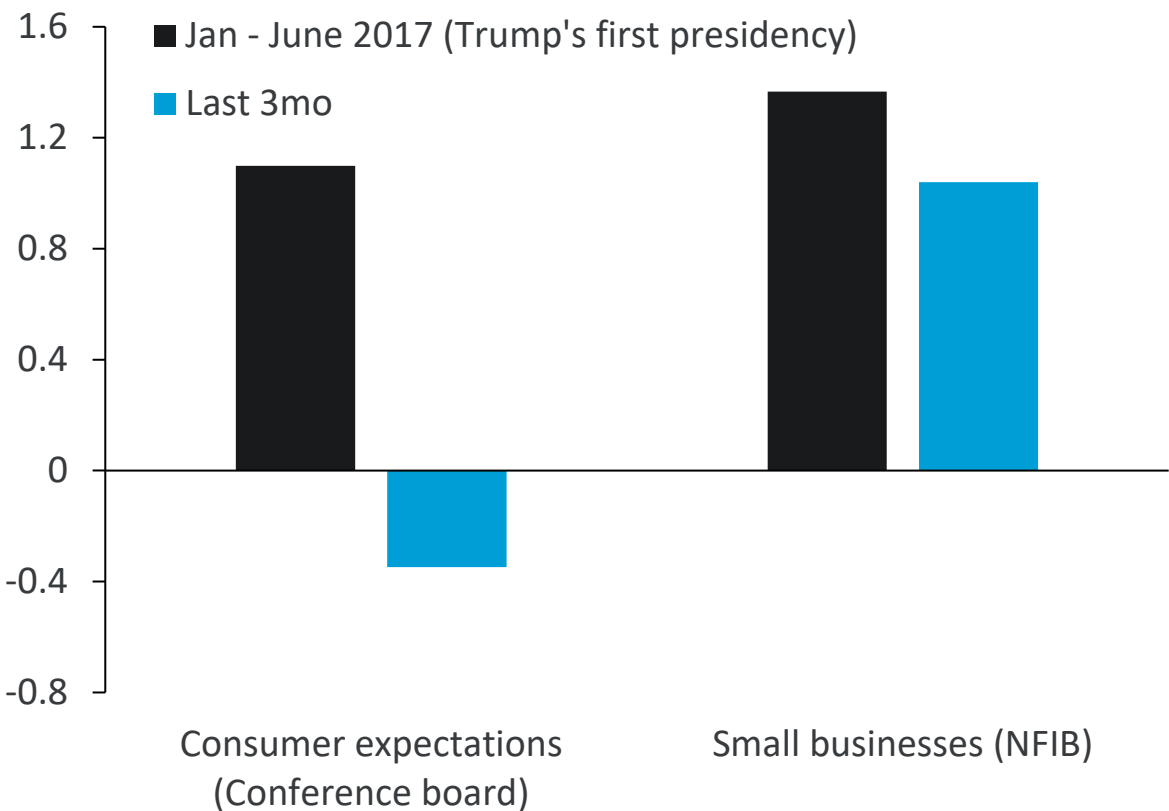
- Stock market
- Gasoline prices
- Inflation
- Time

Uncertainty with a Capital U

Trade policy uncertainty index

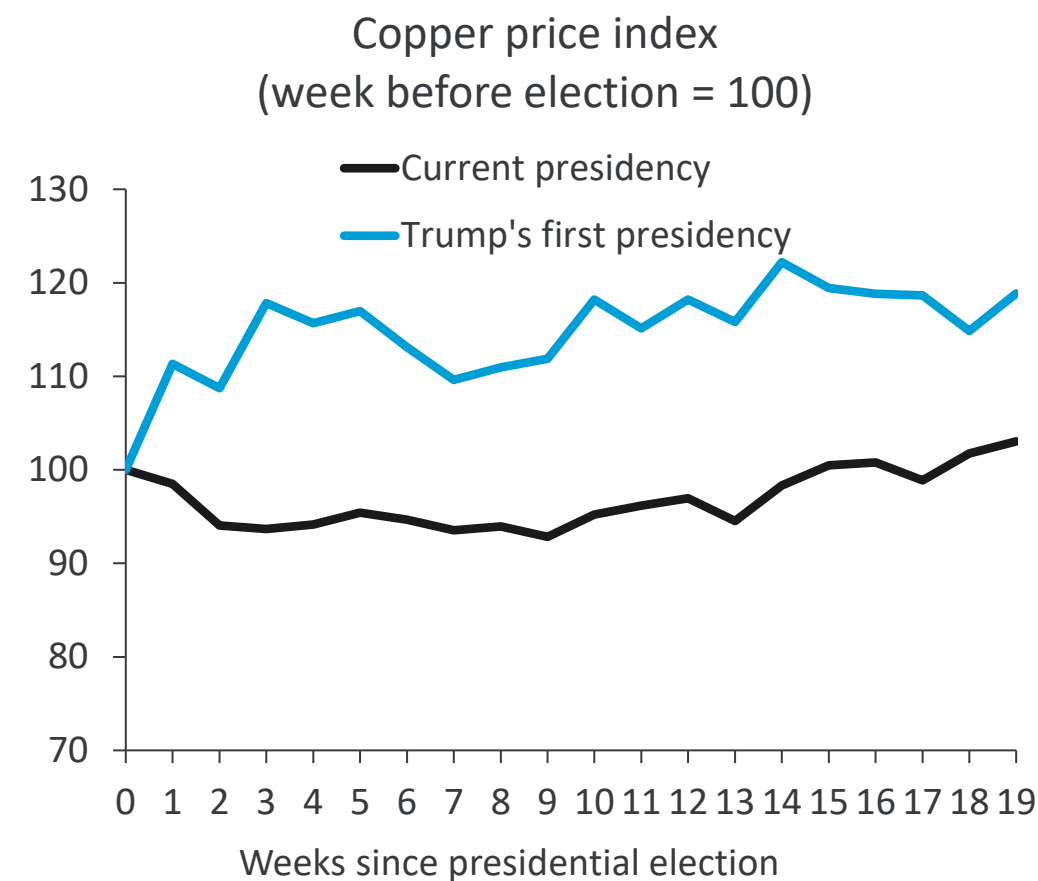
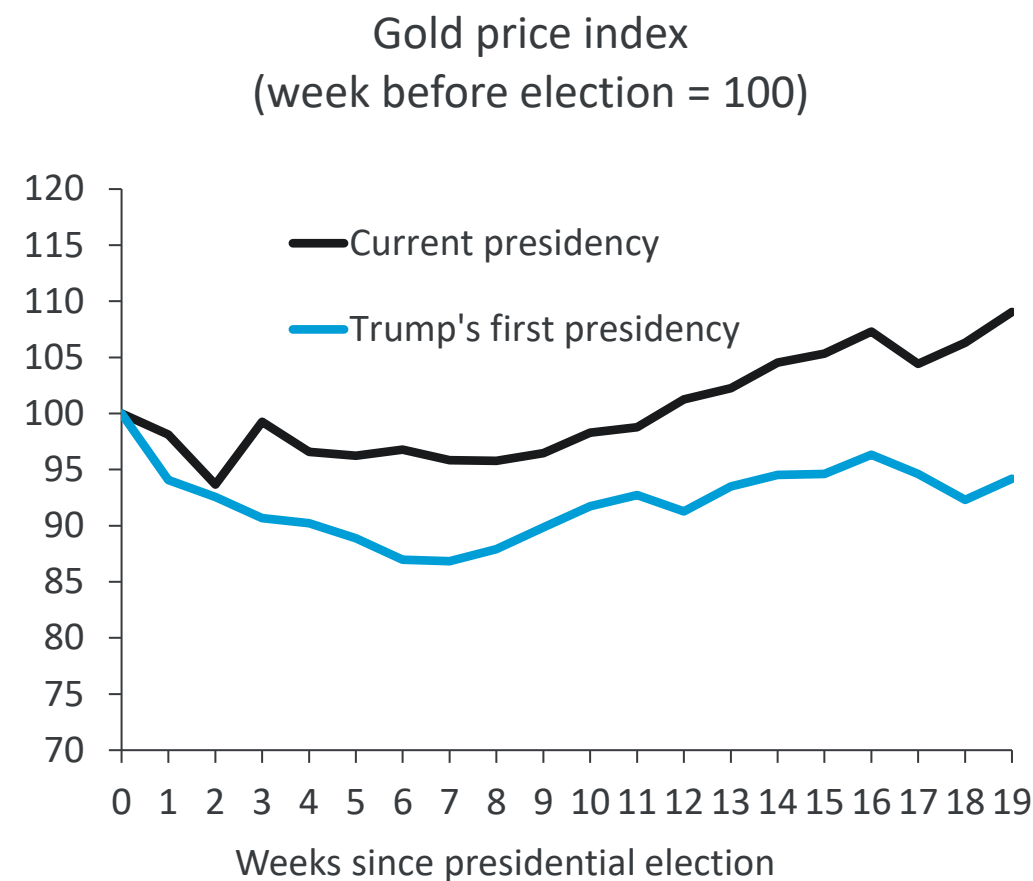


Standardized confidence index (avg. of period)



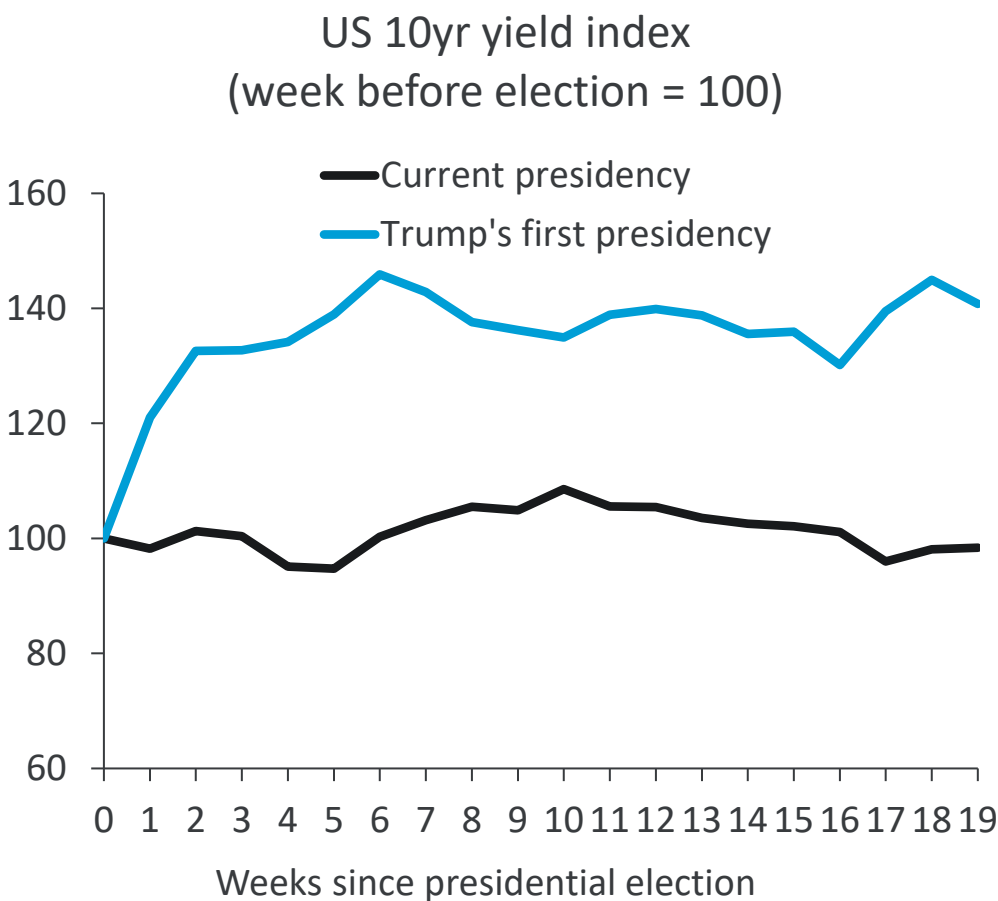
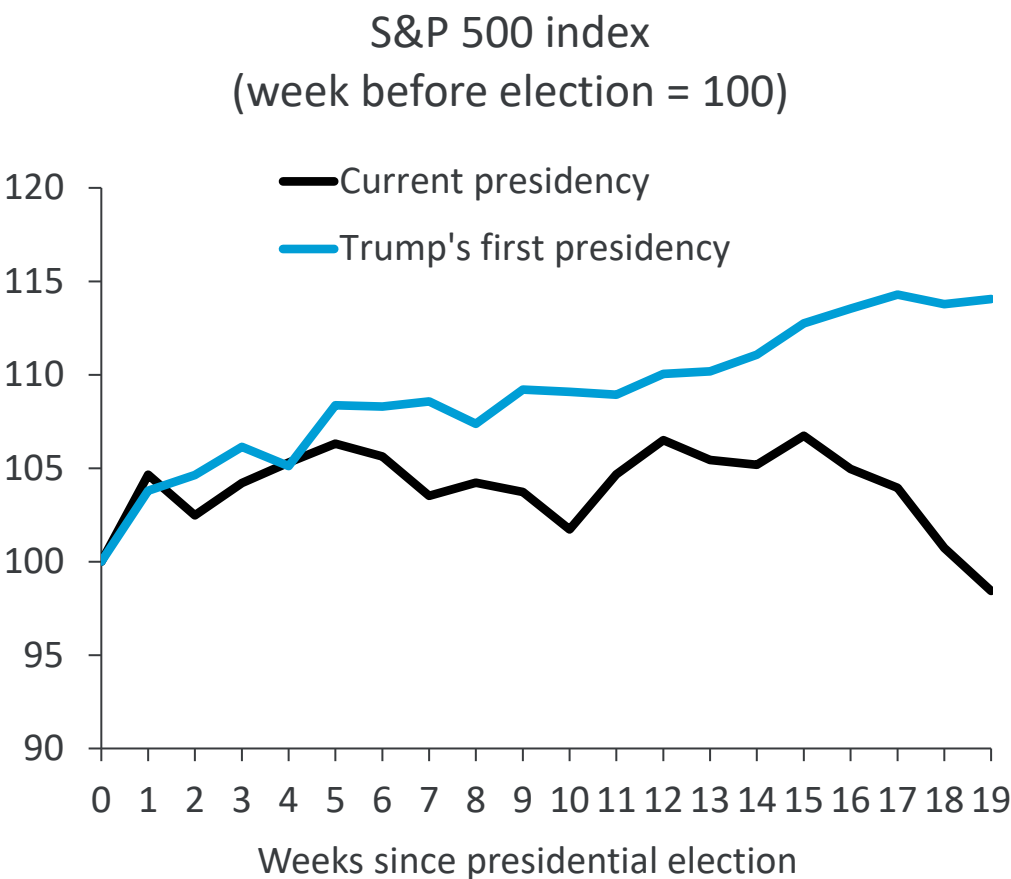
Source: Haver analytics, Bloomberg, CIBC

Gold shining, copper not so much



Source: Bloomberg, CIBC

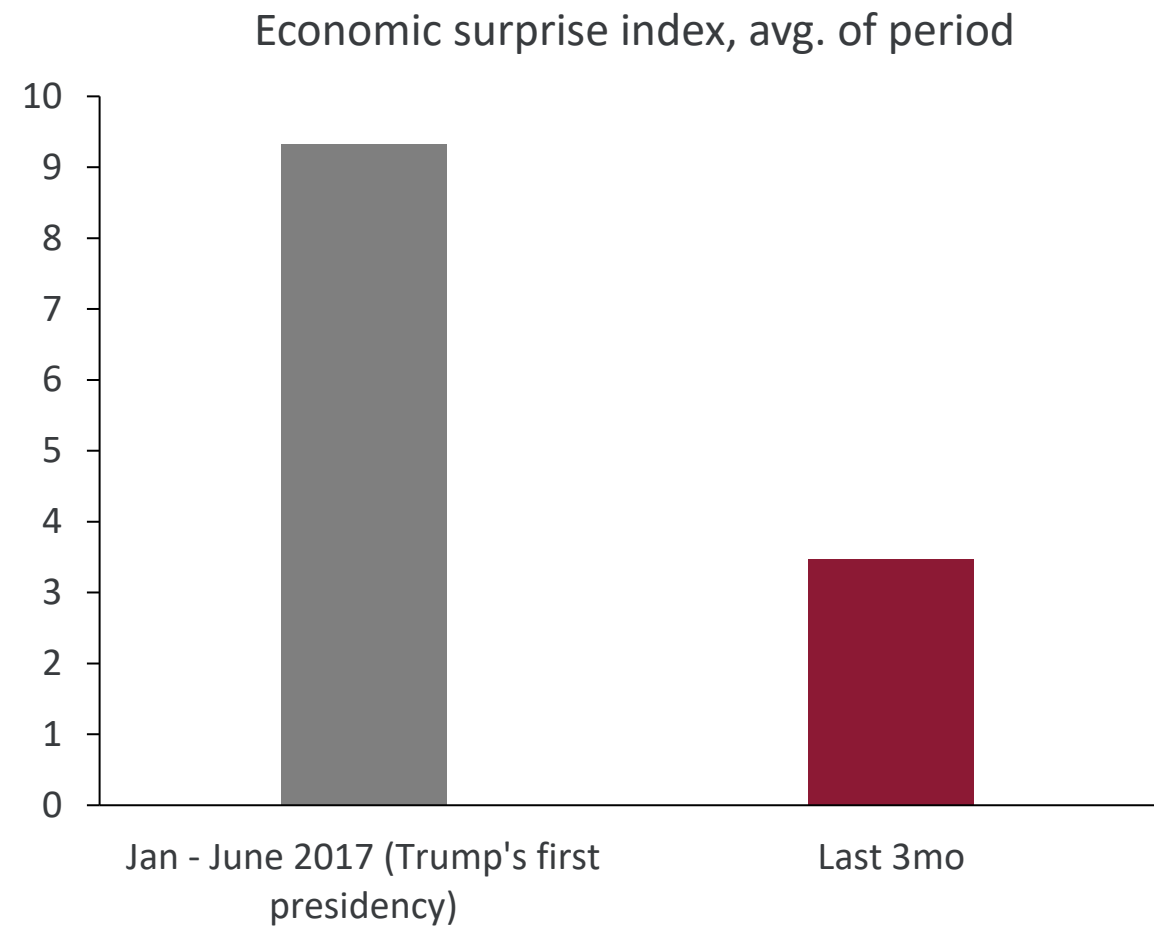
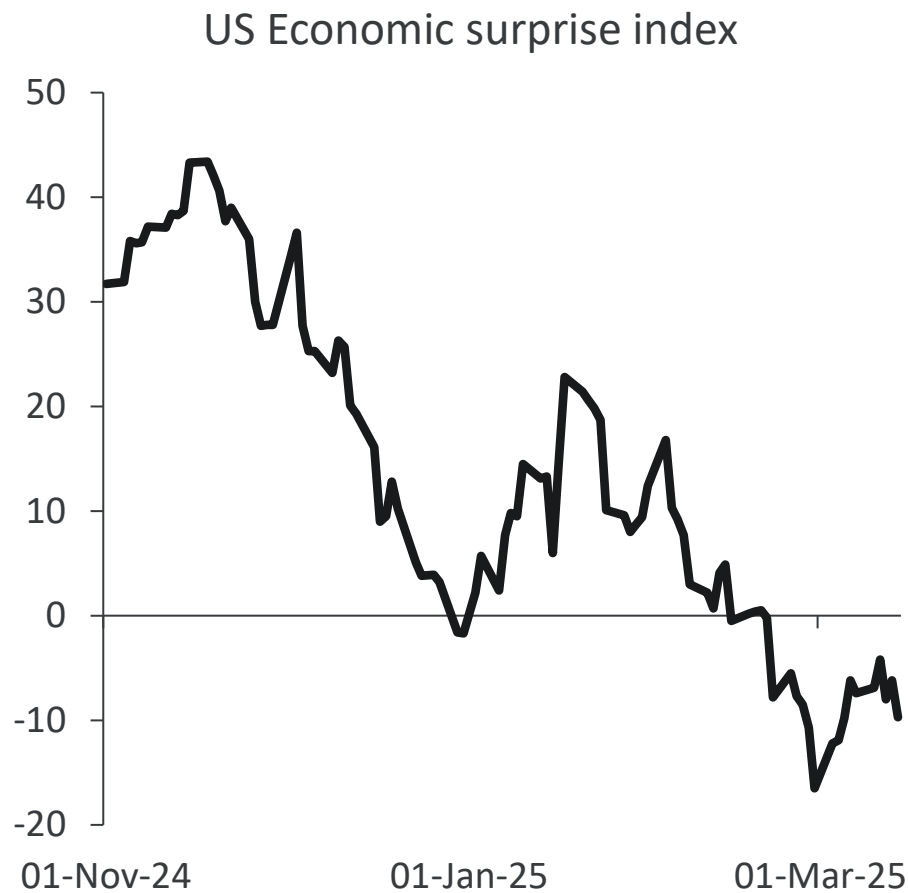
Markets are nervous



Source: Bloomberg, CIBC

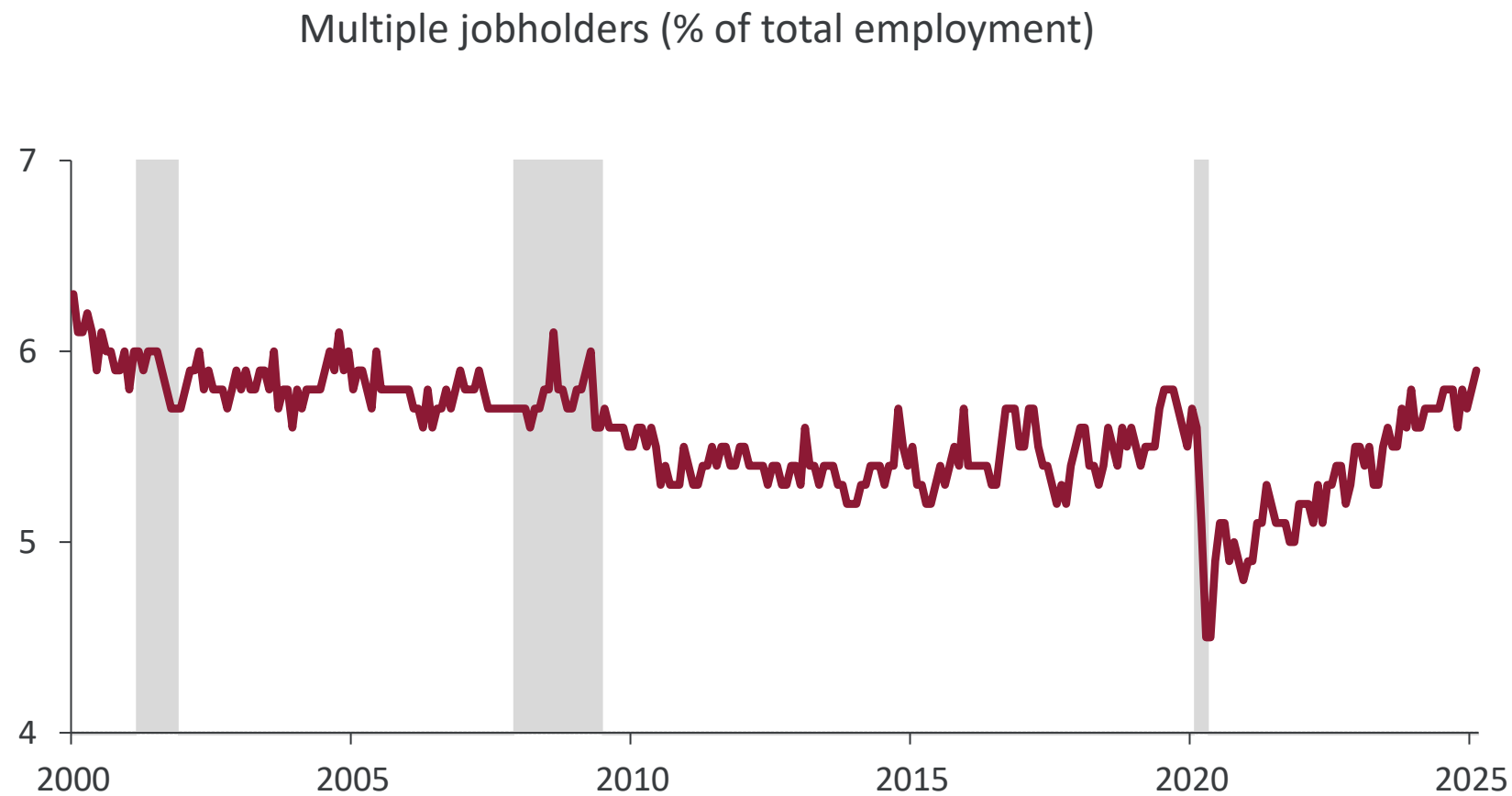


US Economy weakening



Source: Haver analytics, Bloomberg, CIBC

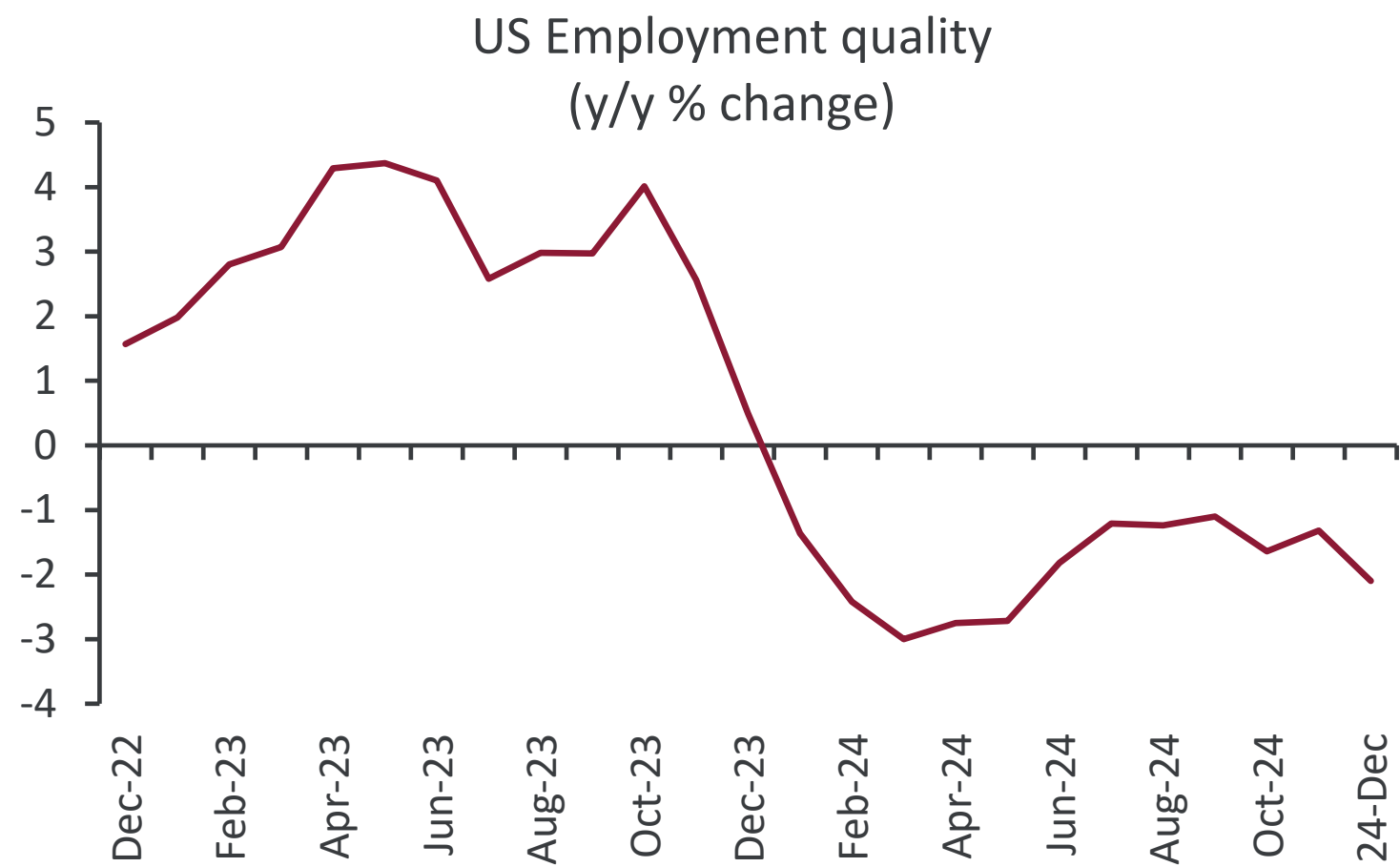
US Moonlighting on a rise



Source: BLS, CIBC

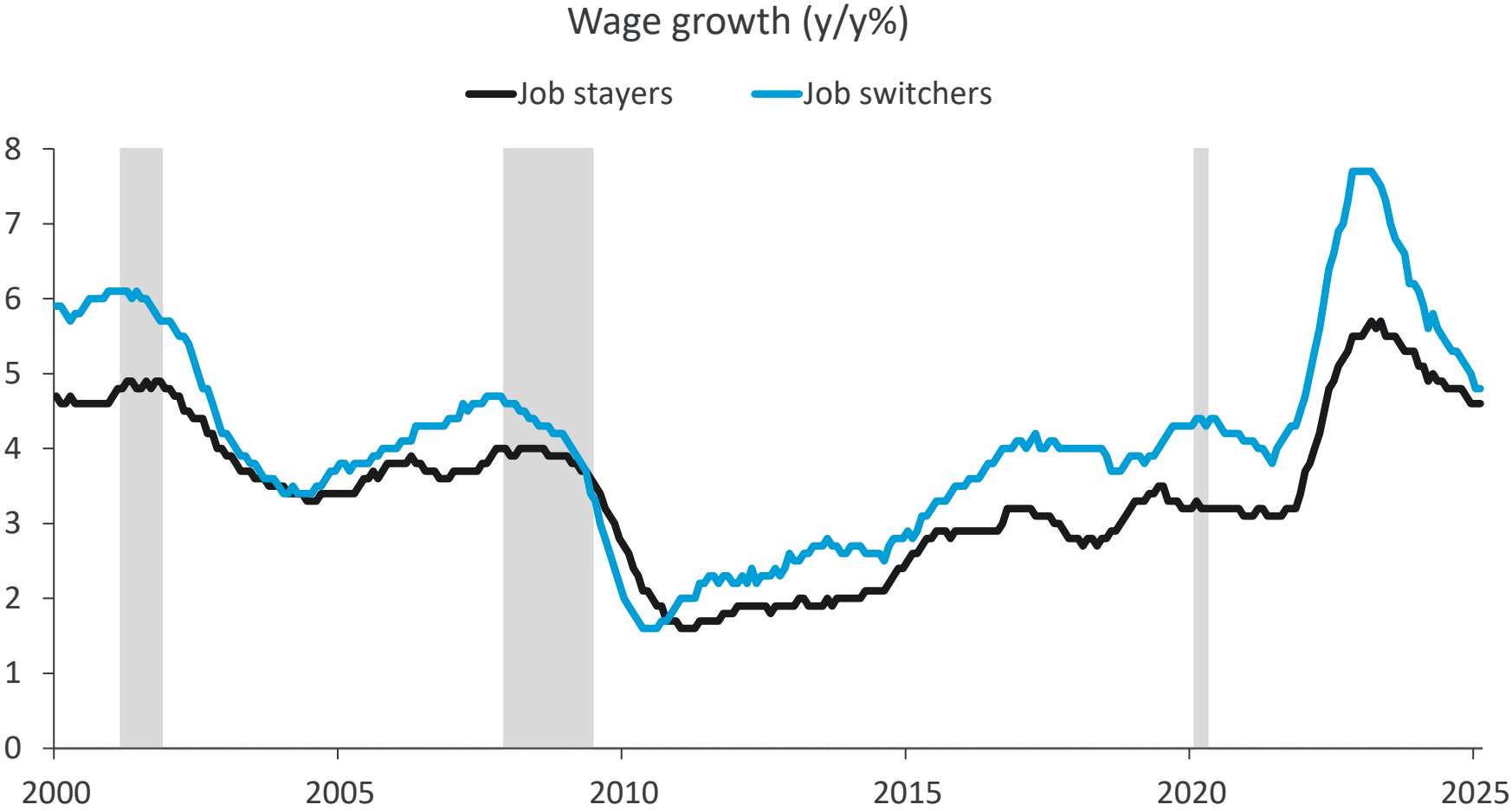


US job quality – down



Source: IP Holdings, CIBC

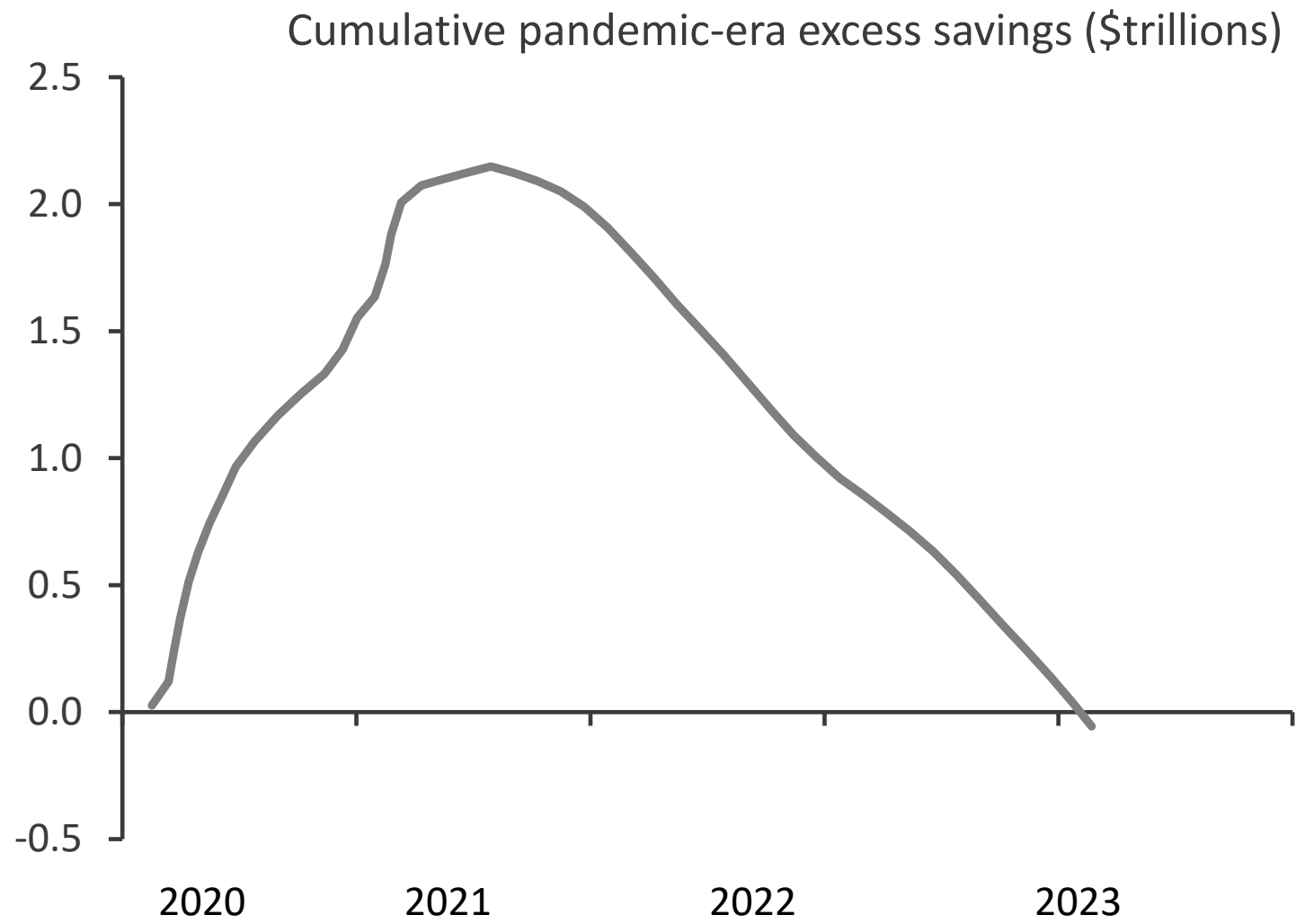
No bargaining power



Source: Atlanta Fed, CIBC



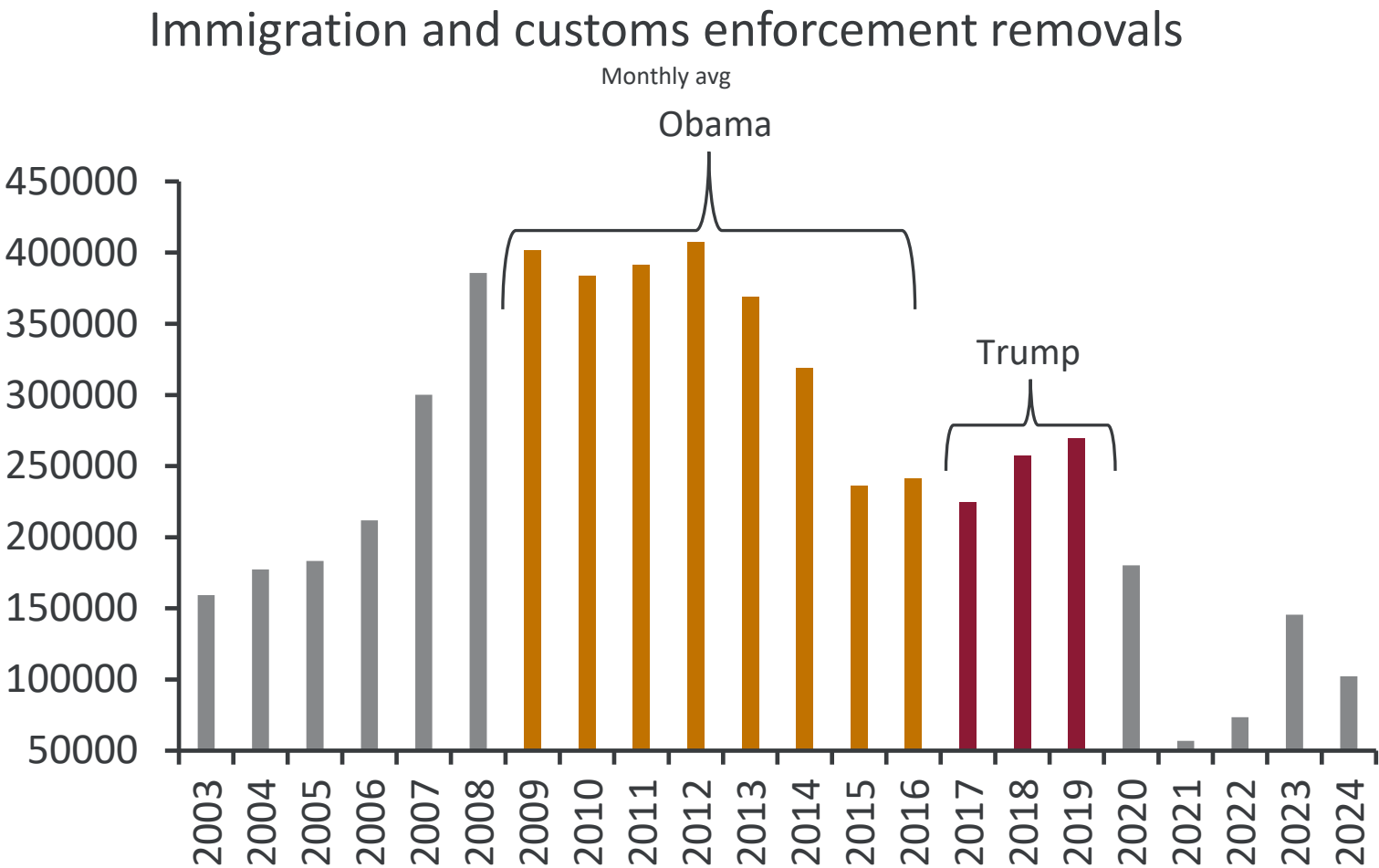
Excess savings – zero



Source: BLS, CIBC



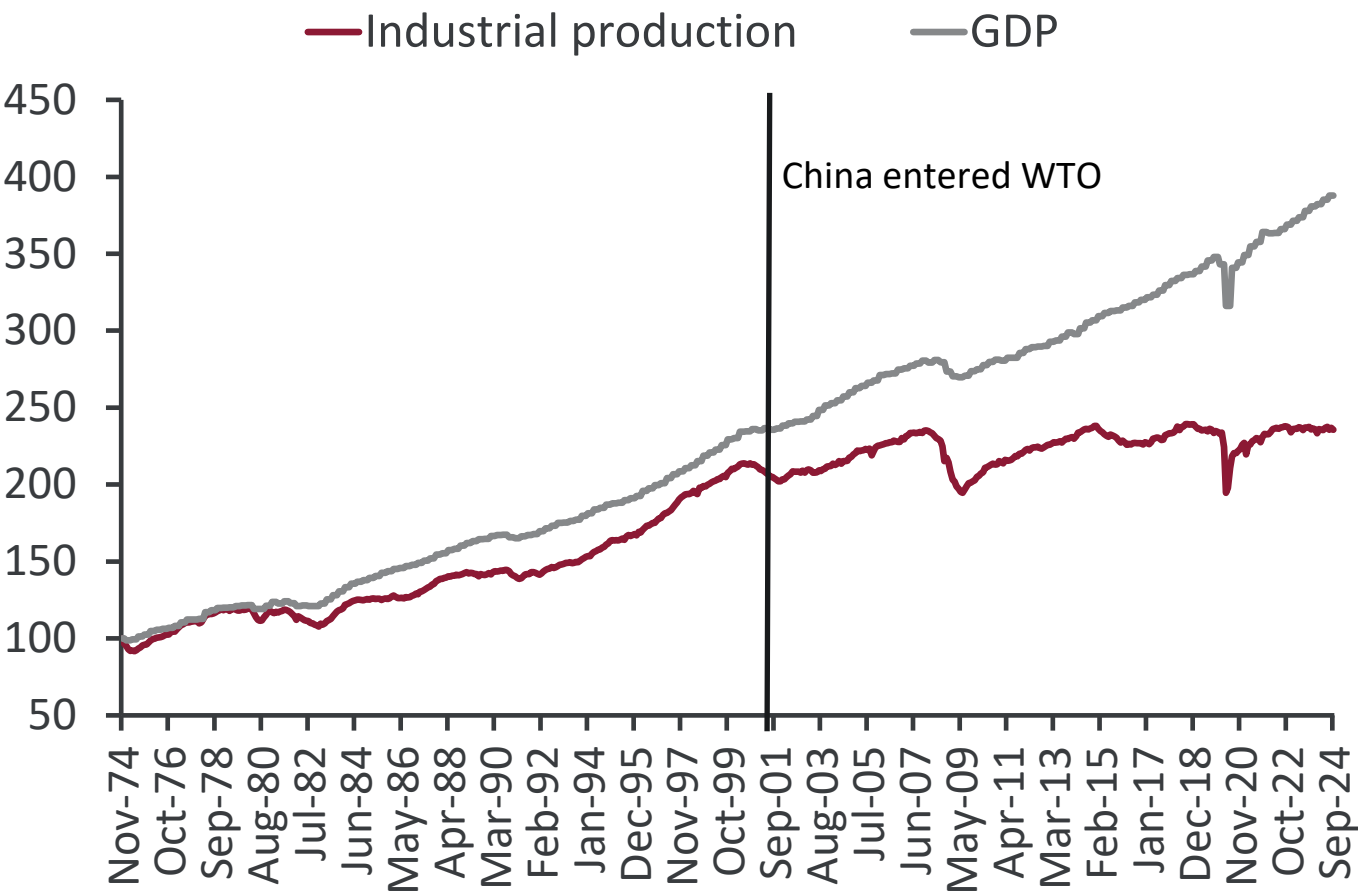
Obama deported more than Trump



Source: TRAC Immigration, CIBC



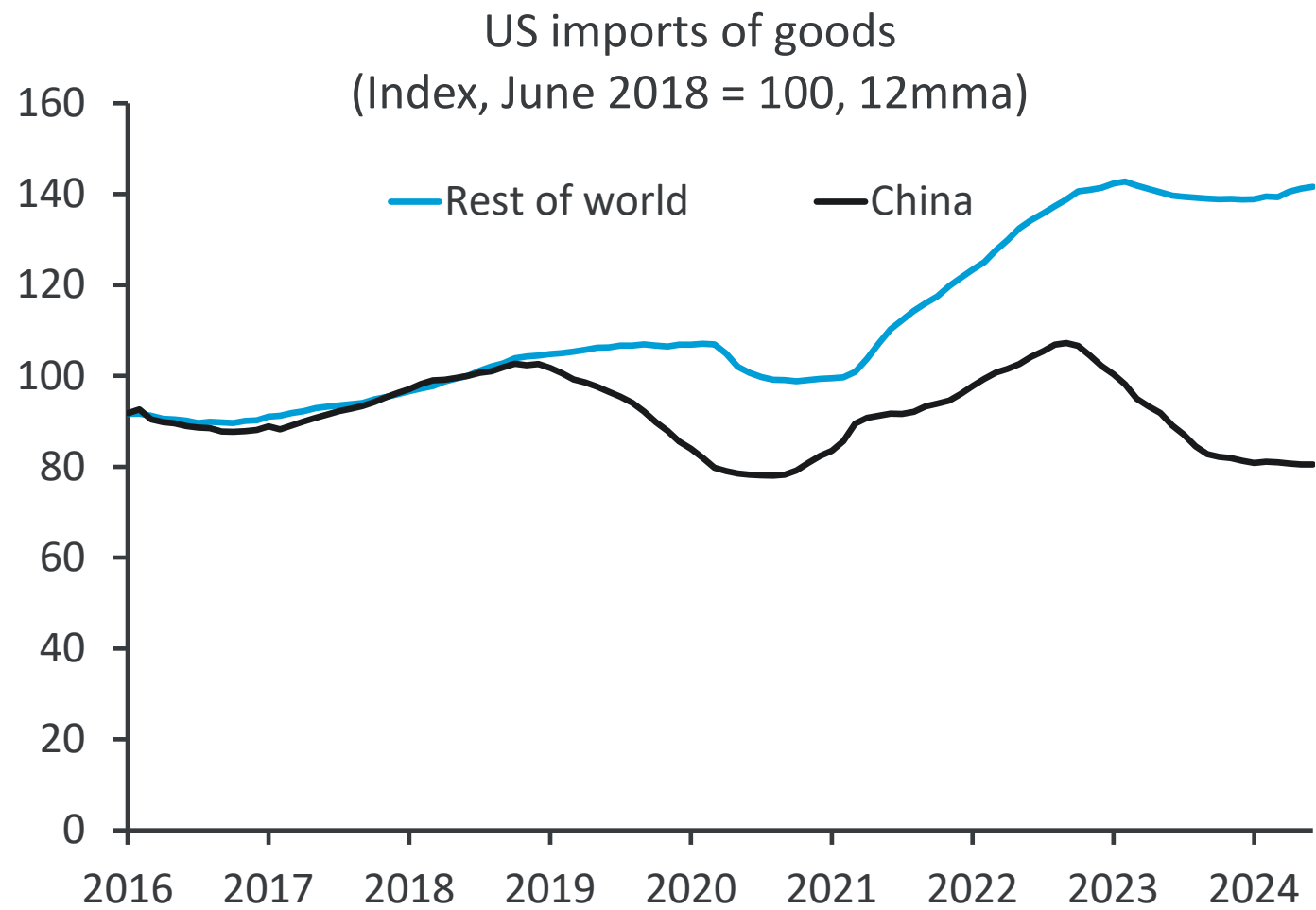
China entering the WTO was a game changer



Source: Federal Reserve Board, Bureau of Economic Analysis, CIBC



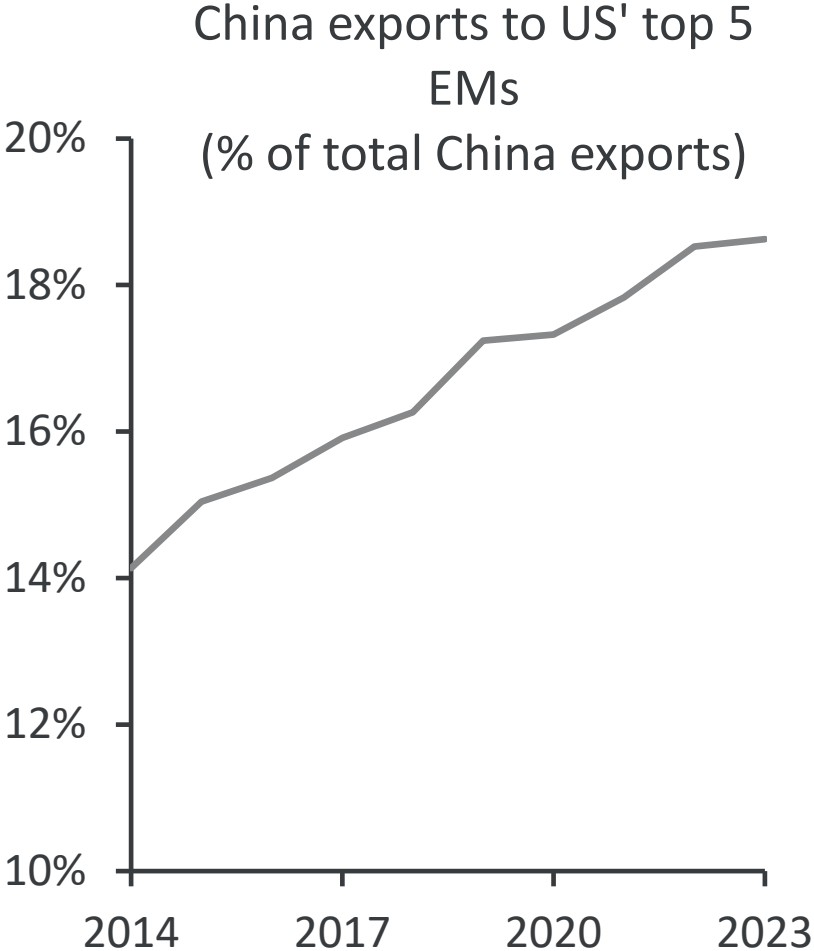
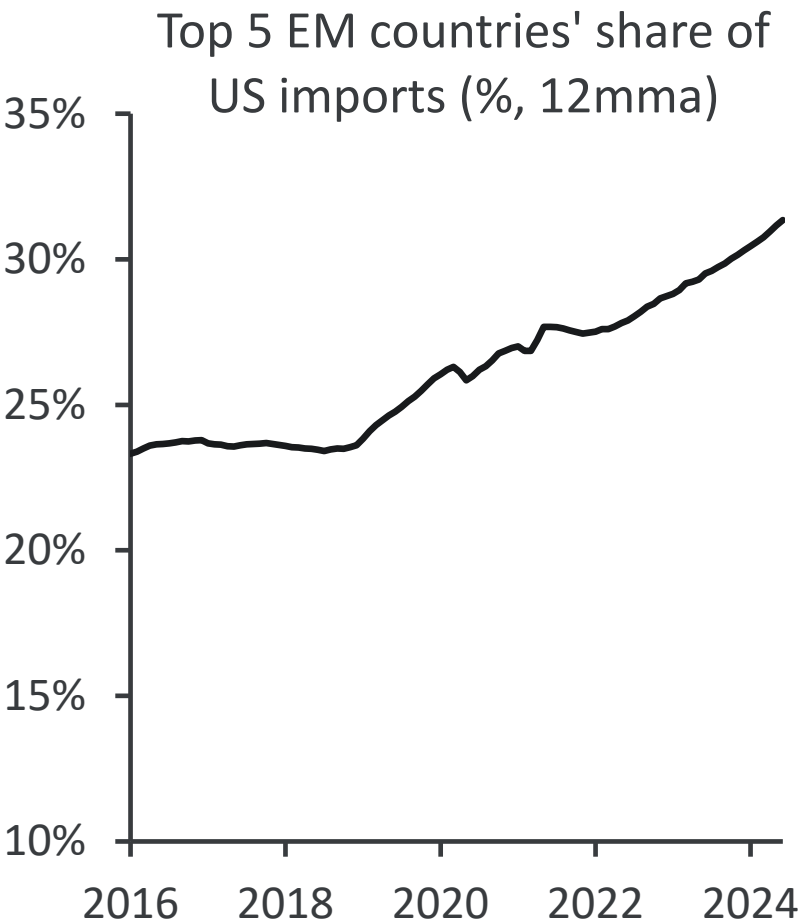
Re-Globalization



Source: Census Bureau, CIBC



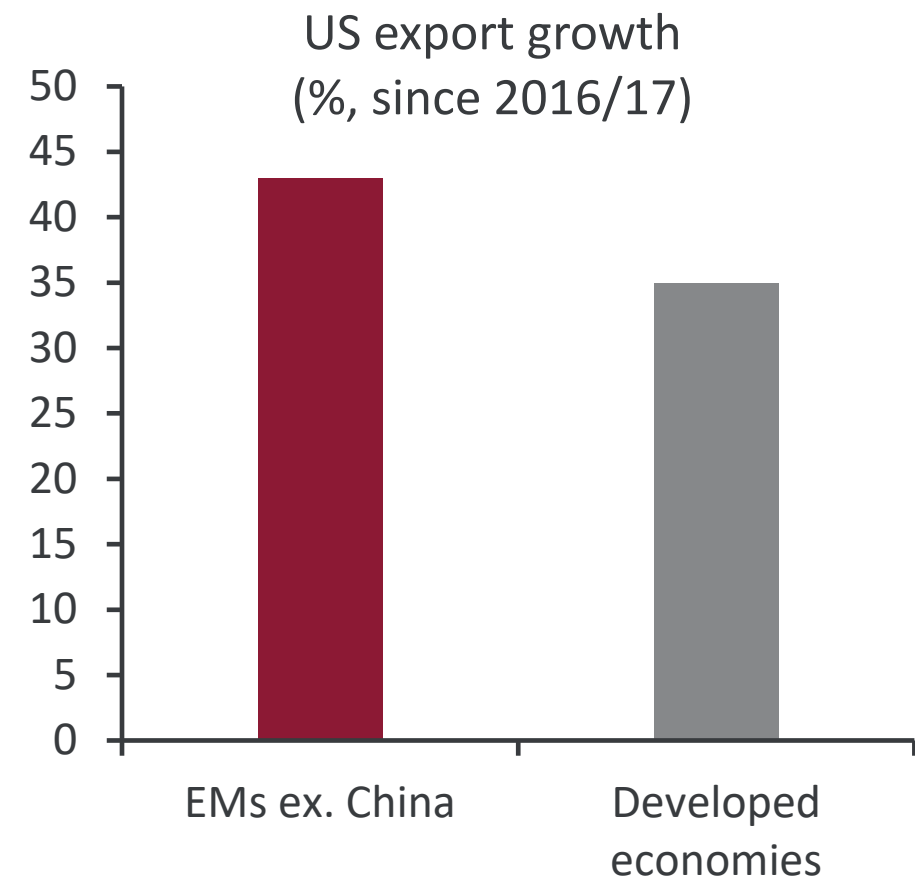
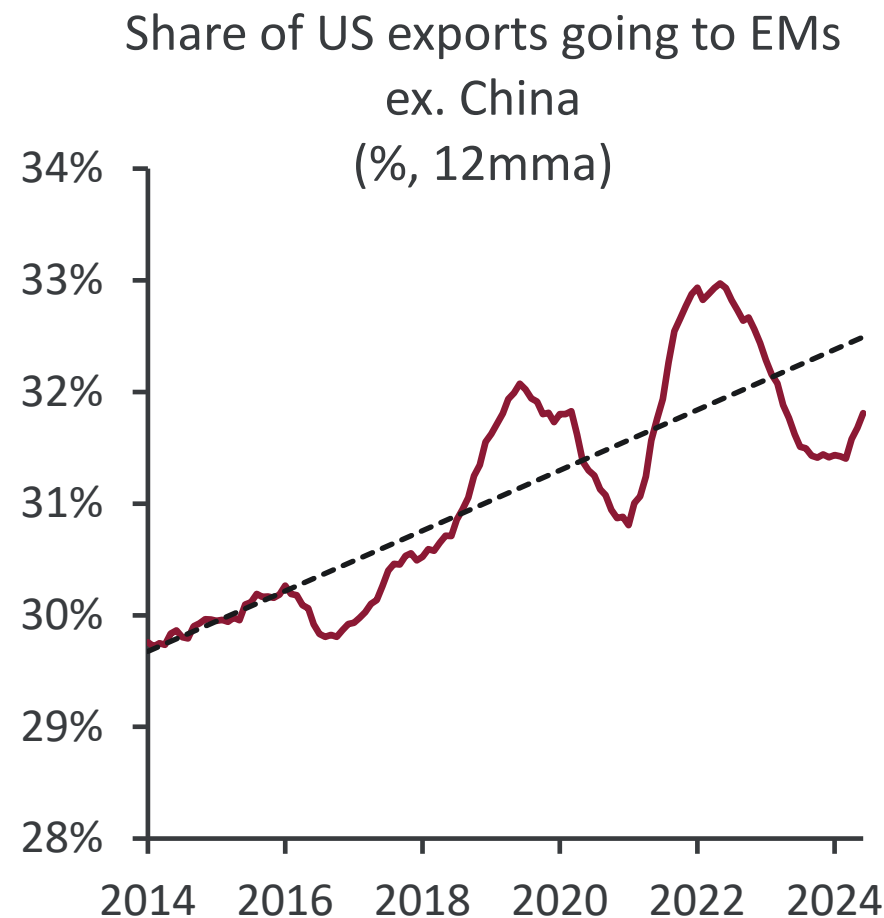
China's proxy trade policy



Source: Census Bureau, ITC, CIBC



US becoming more depended on emerging markets' consumers



Source: Census Bureau, CIBC

Aspirations vs reality

What Trump is aiming to achieve?

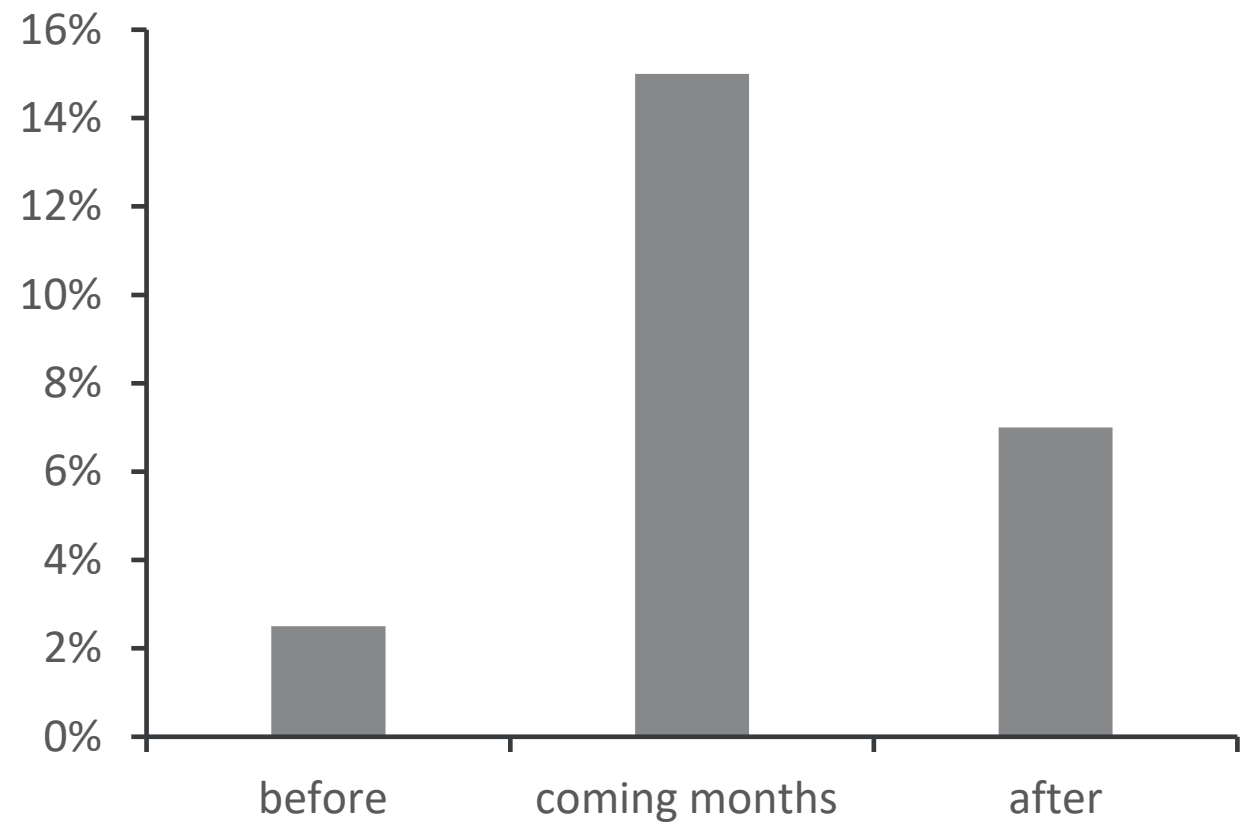
- Weaker version of globalization
- US global leader in manufacturing and technology
- More decoupling from China,
- Cold peace
- 1980s?

What Trump might end up achieving

- Rising tension between US and allies
- Elevated tension between west and China
- Deglobalization, lower efficiency
- Slower potential growth globally
- 1970?

A new era

US effective tariff rate with Canada



BEA , CIBC



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DEVELOPMENT/ PLANNING WISDOM PANEL

Steve Deveau (PANEL MODERATOR)

Tribute Communities.

Remo Agostino

The Daniels Corporation.

Gavin Bailey

Tridel.

Gabriel DiMartino

Trinity Point.

Tom Giancos

KingSett Capital.

PANEL



STEVE DEVEAUX

Vice President, Land Development,
Tribute Communities.

PANEL MODERATOR

Steve Deveaux is Executive Vice President of Land Development with Tribute Communities. For 18 years, Steve has been responsible for the investigation, acquisition and redevelopment of Tribute's land holdings. Prior to Tribute, Steve was Director of Development with Monarch Corporation. Steve also spent two years as a Community Planner with the City of Toronto.

Steve served as a Board of Director with the Building Industry and Land Development Association (BILD) for 7 years, serving as Chair from 2015-2016. Steve has also served as a Board of Director with the Ontario Home Builders Association (OHBA) and the Canadian Homebuilders Association (CHBA). Steve has sat on numerous housing advisory panels, including Mississauga's Housing Advisory Panel, and the City of Toronto's Private Sector Housing Roundtable.

Steve is a graduate of the University of Toronto (Innis College – Urban Studies; Hon B.A.) and Dalhousie University (Faculty of Architecture – Urban and Rural Planning, Masters).

PANEL



REMO AGOSTINO

Chief Development Officer
(CDO), The Daniels Corporation.

Remo Agostino has approximately 20 years of experience in professional planning and real estate development. Remo joined Daniels in 2003 after approximately 7 years with a private planning consulting firm, specializing in land use development. Remo is a graduate of the University of Toronto, Masters in Planning program, Member of the Canadian Institute of Planners and a Member of the Urban Land Institute.

Remo oversees the development division at Daniels. Remo analyzes land acquisition opportunities, manages developments through the development approvals process; the municipal permits process and condominium registration. Remo currently oversees all development related matters associated with the Regent Park Revitalization, including the implementation of the Regent Park Employment initiative. Remo has managed the development approvals for a number of Daniels developments including Kilgour Estate, Lewis Honey Community – Aurora, First Home Markham, WRP Neighbourhood Housing (an affordable housing development constructed for a charitable organization), and The Woodlands. Remo has also participated in the City of Toronto's Private Sector Affordable Housing Roundtable, which produced the report "Housing Makes Economic Sense".

PANEL



GAVIN BAILEY

Director, Development Planning,
Tridel.

Gavin is a registered Professional Planner (RPP) in good standing with the Ontario Professional Planners Institute. He has acquired 20 years of professional planning experience in land use planning/development approvals and facilitation throughout the Greater Toronto Area and United States. Gavin provides strategic land use planning advice and comprehensive project management for a variety of high-rise and mid-rise residential and mixed-use projects. Land development planning and its impact on the built environment is a passion for Gavin; specifically, the design of attractive built-forms, appropriate densities and the creation of positive and vibrant public realms.

Gavin acts as a Regional Advisor with the Building Industry and Land Development (BILD) Association to represent the interests of the development industry and work collaboratively with municipalities to achieve common goals and objectives. He also has a passion for mentorship with the Ontario Professional Planners Institute and is a member of the Honourable Mayor Carolyn Parrish Housing Task Force.

PANEL



GABRIEL DIMARTINO

MCIP, RPP. Senior Executive
Vice President, Trinity
Point Developments.

Gabriel is a 36-year veteran of the development and building industry and has been with Trinity Point Developments since it was founded in May 2020. At Trinity Point, he leads the approval and development of residential and mixed-use projects across the Greater Toronto Area, providing complete project oversight from site acquisition, to entitlements to construction.

Prior to his tenure at Trinity Point, Gabriel held the positions of Vice President, Development with Armland Group, and Vice President, Development Planning with Graywood Developments.

Gabriel is also actively involved with the Building Industry and Land Development Association (BILD) through his role as a Regional Advisor of the York Region Forum and was formerly the Co-Chair of the BILD York Region Chapter. In that capacity, Gabriel serves as the Co-Chair of the City of Vaughan's Development Liaison Committee, is a past Co-Chair of the City of Markham City Builders Forum, as well as participating on numerous Municipal Comprehensive Review (MCR), Development Charges, Community Benefits Charges and Parkland By-law Committees for some of the constituent municipalities in York Region and York Region itself. Gabriel was also appointed by Council to the City of Vaughan Comprehensive Zoning By-law and Greenspace Strategic Plan Stakeholder Advisory Groups.

Gabriel holds a Bachelor of Applied Arts (Urban and Regional Planning) degree from Ryerson University (now Toronto Metropolitan University), is a full member of the Ontario Professional Planners Institute (OPPI) and the Canadian Institute of Planners (CIP), and is a Registered Professional Planner (RPP).

PANEL



TOM GIANCOS

Senior Vice President Urban
Development, KingSett Capital.

Tom has over 20 years experience in a wide array of development and construction projects throughout the GTA and Canada. Tom holds a degree in Urban and Regional Planning, studying both at Ryerson University and The University of Central England.

RESOURCES



Mayor's Housing Task Force Report

General Committee

January 22, 2025



The Housing Crisis

The Issues

There is a housing affordability crisis in Canada – and Mississauga is not immune

- Average home price is \$1.5M for a detached home or \$600,000 for a condominium
- First-time home buyers must be in the top 20% of income earners to afford a home
- Young adults are leaving Mississauga due to housing affordability

If we are in a housing crisis, why can't developers just build more homes?

- Building homes is capital, land and labour intensive
- Sale prices and rents needed for new projects to be profitable are too high
- Developers are not going to build in this climate

To get to solutions, we need to recognize the key issues that led to today's situation.

The Mayor's Housing Task Force

Overview: Industry Engagement & Consultation

Established June 2024 by Mayor, Carolyn Parrish

Task Force Aimed to:

- Determine the factors needed to create an environment in which more housing, including purpose-built rental could be constructed immediately
- Identify and break down barriers to housing delivery by bringing together those who plan for and approve housing (government) and those who build it (industry)

Unique Made in Mississauga Approach:

- Involved politicians at all 3 levels of government, a broad range of industry experts, and planning, agency and government professionals (finance, legal, planning, building and development)
- Building on past work
- Working meetings

Task Force Report

Summary

7.9 - Staff Presentation

Identifies 30 Actions in 4 priority areas:

1. Reform development charges, taxes and fees to help lower housing costs
2. Update building and design standards to help boost supply and make building more affordable
3. Transform zoning to unlock more housing
4. Create sustainable programs and funding that will mobilize industry to help meet the demand for affordable housing



Task Force Recommendations

Highlights

7.9 - Staff Presentation

What The City Can Do :

- Lower or offset Development Charges and introduce incentives
- Review and streamline regulations
- Streamline Site Plan Application
- Standardize alternative solutions for mid-rise development
- Delegate Authority
- Align Official Plan and Zoning bylaw
- Review Urban Design Guidelines

What Other Levels of Governments Can Do:

- Fund water, wastewater, and transit development charges while reforming Provincial *Development Charges Act* methodology
- Establish a First-Time Homebuyer Rebate and Remove HST on new ownership housing construction and sales
- Strengthen landlord rights
- Provide sustainable funding for Inclusionary Zoning and affordable units

City Commitments

Areas of focus

Ongoing:

- Conclude Review of Official Plan
- Implement Community Improvement Plan (Rental)
- Finalize Region of Peel Planning Services Integration
- Implement “3 Strikes & You’re in” process
- Promote ‘Guide to planning and development’ webpage

In-Progress:

- Public Utility Coordination Review Committee (Alectra)
- Urban Design Guideline Review

We know that city planning can be complicated.

That’s where our guide to city planning and development can help.

It provides information about the topics we get asked about the most:

- **What is city planning** explains how planning works and why it’s so important
- **Guiding city growth** outlines our housing targets and how we plan for growth
- **How land gets developed** gives an overview of the development application process
- **Development in your neighbourhood** helps you find information about proposed development and construction near you
- **Ways to get involved** explains how and when you can have your say

Visit:
mississauga.ca/city-planning-guide





City of Mississauga

Corporate Report



Date: January 20, 2025 To: Chair and Members of General Committee	Originator's files:
From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building	Meeting date: January 22, 2025

Subject

Mayor's Housing Task Force Report

Recommendation

1. That the report titled "Mayor's Housing Task Force Report" dated January 20, 2025, from the Commissioner of Planning & Building be received for information; and
2. That the City Clerk provides this report and its attachment to the Provincial Ministry of Municipal Affairs and Housing; Mississauga's Members of Provincial Parliament, the Association for Municipalities Ontario, the Region of Peel and the Federal Ministry of Housing, Infrastructure and Communities.

Executive Summary

- Assembled by Mayor Carolyn Parrish two weeks after taking office in June 2024. The Mayor's goal was to help break down barriers by bringing together those who plan for and approve housing (government) and those who build it (industry).
- The task force includes more than 30 experts from Ontario's private and not-for-profit building and development industry.
- Over the course of four months, and engagement with federal and provincial ministries, the task force assembled a series of recommendations.
- The Mayor's Housing Task Force report also outlines 14 actions the City is taking right now to address the housing crisis.

Background

Mississauga has been facing a growing housing crisis, which is getting worse every year. Despite several interventions by the Federal, Provincial and Regional level of governments, the number of new major housing development projects in Mississauga have dramatically slowed.

In fact, according to the industry, few residential units will be built over the next two years unless there are changes.

In response to this the Mayor's Housing Task Force was assembled in June 2024. The Task Force was Chaired by the Mayor, Carolyn Parrish, and included more than 30 experts from Ontario's private and not-for-profit building and development industry to help advise the Mayor and Council on changes that can be made to help get more housing built. The purpose of the Task Force was to "*help break down barriers by bringing together those who plan for and approve housing (government) and those who build it (industry)*".

The Task Force was convened in July, with subsequent meetings in September and November that focused discussions around the following themes:

- Understanding the issues that are preventing housing from being built
- Identifying potential solutions to invigorate the local housing industry
- Prioritizing recommended actions

In addition to the industry experts, the Task Force meetings included the Deputy Mayor, Mayor's Chief of Staff, City Manager, City Solicitor, and the Commissioner of Planning & Building. Notable external partners and stakeholders in the housing approval and development application process that also participated were:

- Minister Paul Calandra, Minister of Municipal Affairs and Housing of Ontario
- M.P. Peter Fragiskatos, Canadian Parliamentary Secretary to the Minister of Housing, Infrastructure and Communities
- Doug Fairchild, Vice President, Distribution Design, Alectra Utilities
- Paula J. Tenuta, Building Industry and Land Development Association

Previous Government Housing Actions:

Housing has been a focus of all levels of governments over the last several years. The following outlines some of the key strategies at each of these levels.

- a) **Federal Government:** The [Canada's Housing Action Plan](#) focuses on building more homes and improving affordability. The federal government has committed billions in funding to the National Housing Strategy (NHS) to create and maintain housing supply. Recent measures include incentivizing rental housing construction, protecting renters and homeowners, and making it easier for Canadians to access housing. The



Partners in Homebuilding:

Mayor's Housing Task Force Report

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Letter From Mayor Parrish



Mississauga has been facing a growing housing crisis, which is getting worse every year. We've all seen the stories in the news about people leaving Mississauga because they cannot find an affordable place to live. Despite the crisis, new housing development has stalled and according to the industry, few units will be built over the next two years.

This is unacceptable and it needs to be fixed. Housing is the bedrock of our society - allowing people to get jobs, raise families and live productive and happy lives. Today,

one in thirteen of our residents are using a food bank in Mississauga. There is a direct link between insufficient and unaffordable housing and food insecurity. Now more than ever, we must get this right.

I have made it my top priority to tackle the housing crisis and develop solutions to get more housing built more quickly in Mississauga. The time for talk is over. The time for action is now.

As a municipality, Mississauga bears some responsibility for this crisis and has a role to play in solving it. For too many years we have said "not in my backyard." Our processes often made building new housing in Mississauga difficult, therefore more expensive as "time is money." This mindset must change.

This is why as one of my first actions as Mayor, I convened the *Mayor's Housing Task Force* and invited representatives from some of the top developers, builders and social housing specialists in Mississauga and Ontario to come to the table. When a problem is as serious as the crisis

we are facing, it is incumbent on everyone to bring the right people together and come up with solutions. We will start by streamlining our own City processes based on suggestions from the Task Force.

Together with City staff, the Task Force has assembled a series of recommendations that Mississauga can implement to speed up development and do our part as a city to end this crisis.

The Task Force has also produced recommendations to propose to other levels of government. The federal and provincial governments have many more tools to get housing built than Mississauga does, including financial and legislative powers. They must also come to the table in a meaningful way and work with us. In the meantime, we are rolling up our sleeves to do our part. We owe it to the residents of Mississauga - to all those who want to call our city home, the businesses who want to invest here and the future residents of this city. The current crisis requires us to think and act differently, and through this Task Force and its recommendations, we are doing just that.

Mississauga must remain a place people can afford to live.

I want to thank all those involved in the Task Force for their hard work, dedication and above all else, their commitment to tackling the housing crisis head on and developing workable solutions. We will get more shovels in the ground and together, we will get more housing built.

Carolyn Parrish,
Mayor of Mississauga

Letter From Mayor's Housing Task Force



As proud industry members of the Mayor's Housing Task Force, we extend our heartfelt gratitude to Mayor Parrish and City staff for their leadership, collaboration, and willingness to act decisively. Your dedication to addressing the housing crisis is commendable and should be a model of how other municipalities can collaborate with their developer and builder partners.

Cities play a pivotal role in enabling the construction of new homes. However, municipal processes often create delays and uncertainty that can derail projects, making them financially unfeasible. For builders and developers, the stakes are high—every project involves significant financial risk. While Mississauga has made notable progress in streamlining its development approval process and cutting through red tape, there is still more to be done. We applaud the Mayor and City staff for listening to our feedback and incorporating it into the thoughtful recommendations outlined in this report.

Government fees, such as development charges and taxes, continue to be significant barriers to new housing projects. These costs can mean the difference between shovels in the ground or years of delays. Once

again, Mississauga is showing leadership by recognizing this challenge and committing to action. We stand ready to partner with the Mayor, Council, and City staff to advocate for necessary changes at all levels of government.

The housing crisis is not a challenge any single group or municipality can solve alone. Our industry faces a host of issues beyond Mississauga's jurisdiction, from a critical labour shortage in construction to unprecedented demand following years of slowdown. Tackling this crisis requires a coordinated, collaborative response from municipal, provincial, and federal governments. Mississauga is setting the example we hope others will follow.

We recognize the vital role we play in shaping communities and delivering much-needed homes for families, downsizing seniors, and first-time buyers. We are eager to build, but the right conditions must exist to make projects viable. Mississauga is taking significant steps to create those conditions, and we are confident that if the recommendations in this report are implemented, Mississauga will see a surge in new homes in the near future.

As members of the Mayor's Housing Task Force, we are proud to work alongside the City on this critical issue. This is the bold, visionary leadership Canada's housing crisis demands—not just here in Mississauga, but across the province and the nation. We hope our collaborative efforts will inspire other communities to follow suit and take decisive action.

Together, we can build the homes that are desperately needed and create vibrant, sustainable communities for generations to come.

Mayor's Housing Task Force Members

Executive Summary

Bringing Together Housing Experts: Solutions that Work

In July 2024, Mayor Carolyn Parrish assembled more than 30 experts from Ontario's top developers and builders in the private and not-for-profit housing sectors to work with Mississauga staff.

The goal? Open and honest dialogue between those who plan for and approve housing (government) and those who build it (industry) to develop solutions to the housing crisis that can work for everyone.

Over the course of four months, and engagement with federal and provincial ministries, the Task Force outlined impediments and brought forth ideas for how to:

- Kick-start development in today's challenging market and get it built more quickly and affordably
- Streamline processes to make it easier to build in Mississauga
- Create the incentives needed to deliver homes for a wide-range of Mississauga families

This Report

- 1 Brings together the recommendations from Task Force experts
- 2 Highlights actions the City is taking right away and outlines where support is needed from others

Task Force Recommendations: Four Priorities and 30 Actions



1 Reform development charges, taxes and fees to help lower housing costs

95% of new homes built in Canada are built by the private sector. The Task Force is recommending **14 actions** to help balance demand and incentivize more affordable housing developments.



2 Update building and design standards to help boost supply and make building more affordable

In a housing crisis, the aim of guidelines and standards must be to help – not hinder – good city-building. The Task Force is recommending **7 actions** that will help create efficiencies across the industry to increase supply.



3 Transform zoning to unlock more housing

Zoning reform provides certainty for developers and can help streamline the development application process. The Task Force is recommending **5 actions** that will support Mississauga's transformation into a dynamic urban city.



4 Create sustainable programs and funding that will mobilize industry to help meet the demand for affordable housing

The private sector can – and is willing – to play a significant role in helping to build affordable housing. The Task Force is recommending **4 actions** to help develop a sustainable, long-term funding program for affordable housing.

We're Starting Now Mississauga is Acting

The Task Force recommendations will help guide Mississauga's future efforts on housing. In fact, we've already started to take action in important ways.



Increasing housing supply with one of the most progressive Official Plans in Ontario

- Adding permissions for another 124,000+ units to boost residential growth
- Making it easier to build mixed-use communities and housing around transit
- New permissions to bring even more gentle density to neighbourhoods
- Finding creative ways to build new housing above or alongside city facilities



Bringing down costs to make it more affordable to own or rent

- Financial incentives to get more affordable purpose-built rental built
- Making it less expensive to build homes on your own lot - like garden suites, triplexes and fourplexes
- Lowering costs for non-profit developers



Time is money: streamlining processes to help tackle affordability

- Creating a housing-focused team of city-builders
- Overhauling development and site plan approval processes
- Updating urban design guidelines
- Improving financial policies and driving efficiencies in the housing development approvals process

Join Us! A Blueprint for Other Municipalities

The housing crisis isn't unique to Mississauga, Ontario or even Canada. Many jurisdictions worldwide are grappling with the same issues we're facing.

The time for finger-pointing and blame is over - we must move forward together.

This report identifies solutions the City and our government partners can take to help get more homes built in Mississauga. But it doesn't have to stop there.

We're hopeful this report offers a blueprint for other municipalities to follow as well.

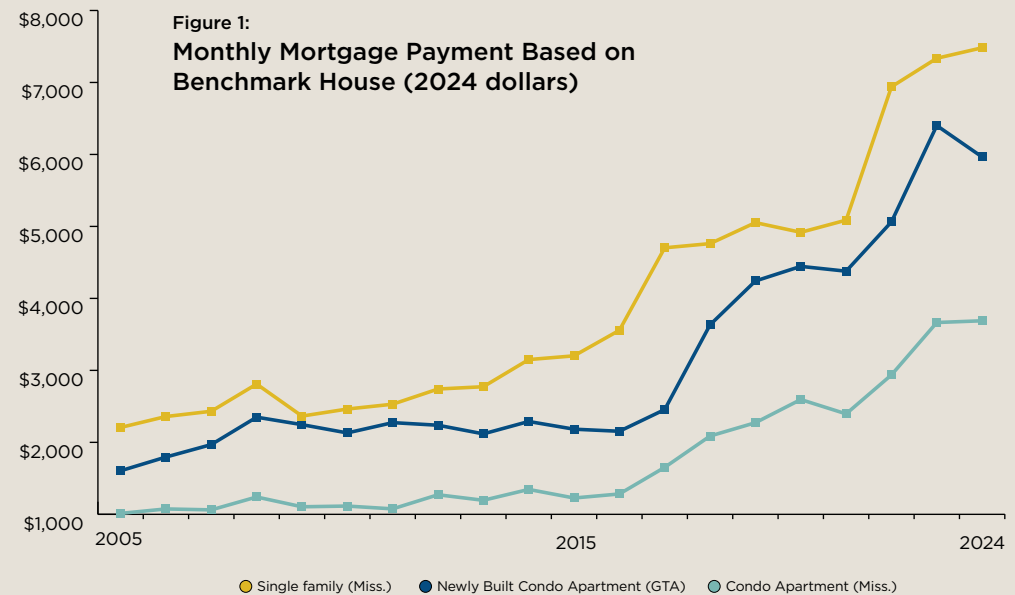
How We Got Here and Where We Need to Go



The Crisis Explained

There is a housing affordability crisis in Canada – and Mississauga is not immune. The average home price in our city is now \$1.4 million for a detached home or \$600,000 for a condominium apartment. First-time homebuyers need to be in the top 20% of income earners to afford the average Mississauga house, assuming a 10% down payment and no family financial support. New homebuyers are also faced with comparatively high mortgage costs when trying to purchase a home (Figure 1).

Mississauga also has some of the highest rental costs in the GTA. In 2024, the average monthly rent for a one-bedroom condo was \$2,500 while

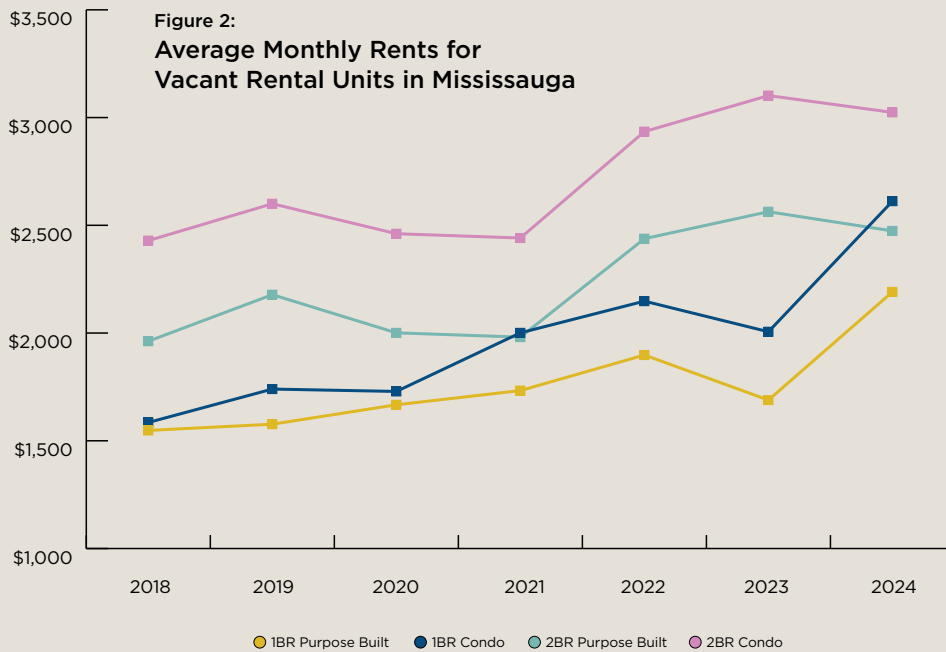


Source: CREB for Existing Stock Data, Altus Data Studio for New Build Data; Statscan 5 year fixed mortgage data, Statscan CPI and wage data, based on 25 year amortization, 10% down payment.

an average two-bedroom cost over \$3,000 per month (Figure 2). While rental costs for two-bedroom units have moderated somewhat over the last year, about half of renter households would have difficulty affording prevailing rents for a vacant unit.

High housing prices and household debt also impact our economy with residents having less money to start a small business or purchase consumer goods. As COVID-19 era mortgages renew starting in 2025 with much higher interest rates, most Canadians will have even less disposable income.

In recent years, we have also seen a notable increase in the number young adults leaving Mississauga. Housing affordability is undoubtedly a key factor in this decision.



Source: CMHC Rental Market Survey for Purpose Built Units, TREB Market Report for Rents in Condos

In fact, between the 2016 and 2021 census, Mississauga lost population, as the aging of the community generally exceeded the rate of new people moving in.

Housing is also a major factor driving the increasing wealth inequality in Mississauga and other communities across Canada. Families under 35 years of age who do not own a principal residence have a median net worth of \$44,000 whereas those owning a house have a median net worth of \$457,000.¹

This is not the direction we want to head in as we mark 50 years as a city. Access to safe housing for all income levels is critical to a strong economy, a healthy community and a thriving city. We have to get this right.



¹ Statscan, Survey of Financial Security, 2023. Canada-wide value

The Market

You may be asking: “If we are in a housing crisis, why can’t we just build more homes?”

The housing market is different from other industries. Building homes is capital, land and labour intensive. So, while the goal of building more is to help bring down prices, the reality is somewhat different. Unfortunately, the sales prices and rents currently needed to make new projects profitable are too high for most purchasers to afford. That means, increasing the number of units built, at today’s prices, will not solve the problem without interventions.

To get to solutions, we need to recognize the key issues that led to today’s situation.

Housing Demand

As housing costs start to slowly decline it is reasonable to ask: “Should we just wait for the market to correct this on its own?”

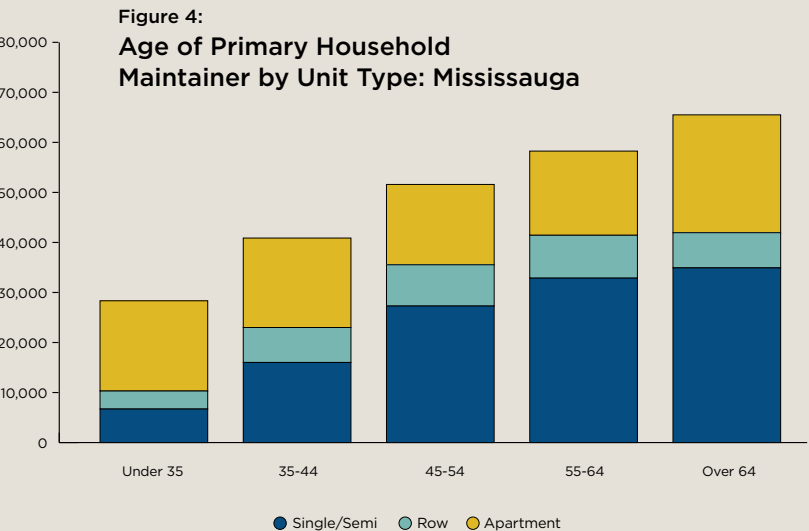
The challenge for policy makers at all levels is that most rapid housing price corrections, in the magnitude required, involve weakening demand through poor economic conditions. This often aligns to periods of higher unemployment and government spending. Examples include the house price corrections in the southern U.S. during the 2009 financial crisis or Ontario in during the early 1990s recession.

The policy goal is for a soft correction where the gap between household incomes and costs narrows in the absence of a broader economic downturn. While housing affordability has improved slightly in 2024, the pace of the realignment is slow and residents in unaffordable housing situations, particularly younger individuals, justifiably want change now.

One of the challenges is also an opportunity – people want to live here. Ontario’s population has grown more rapidly in recent years with higher immigration targets, particularly for non-permanent residents (international students and/or foreign workers).

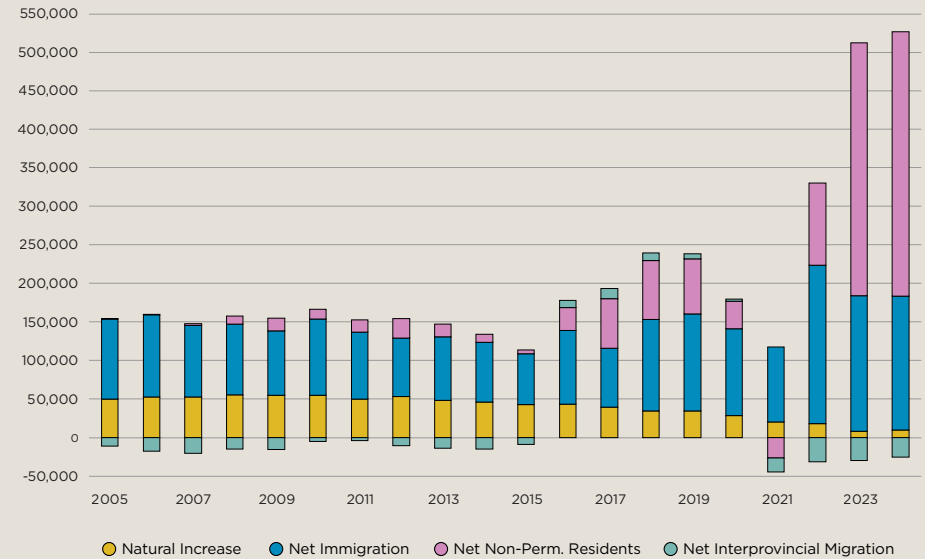
The federal government’s decision to lower short-term immigration levels may lead to lower demand in the near term, particularly in the rental market as non-permanent and new permanent residents are more likely to rent housing.

A further challenge for Mississauga is that its housing supply is not perfectly aligned with age-based demand. Residents 65 years or older currently make up 30% of the primary single and semi-detached households in Mississauga. This up from 21% in 2011 (Figure 4).



Source: 2021 Census

Figure 3:
Ontario Population Growth



Source: STATSCAN, Estimates of components of demographic growth

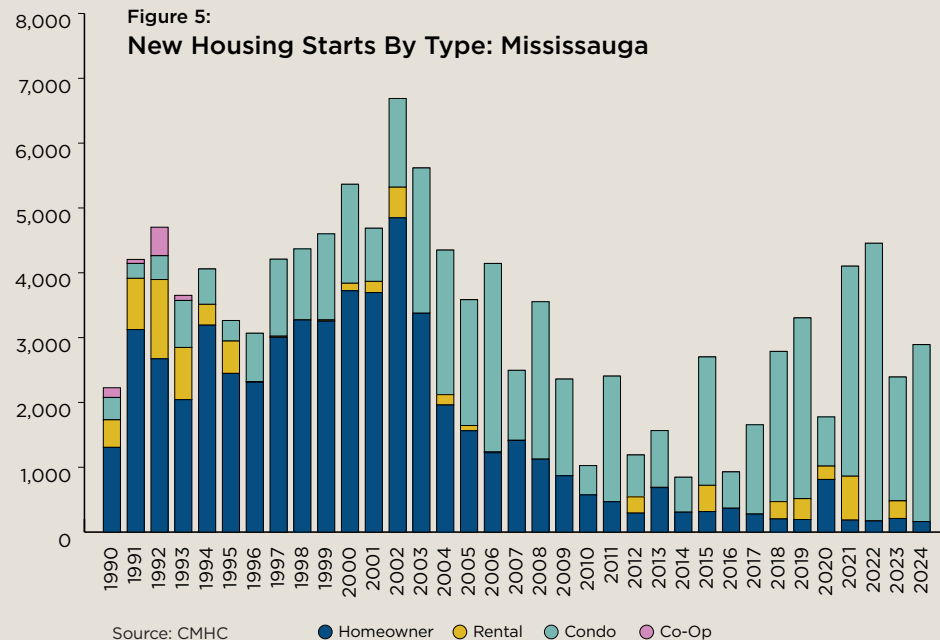
More attractive housing options need to be offered to seniors so they can age in the community where they are comfortable, but in a smaller unit, freeing up larger units for families. This could include a smaller single/semi, a garden suite or a mid-rise apartment unit. Over time there will be turnover in the low-density units, however, the peak baby boom age of residents is about 63 years old. If current aging in place patterns continue, it will likely be a decade before a significant number of low-density units come on the market. And unfortunately, many millennials (peak age is 34) are looking to move into larger housing units now, which are relatively expensive in Mississauga.

Stagnant Supply: Decline of Senior Government Funding

In the 1990s, the federal and provincial governments downloaded many of the funding responsibilities for affordable housing, co-ops and purpose-built rental incentives to municipalities. Since cities have fewer forms of taxation to draw upon, the development of these types of units shrunk dramatically.

At the same time, the federal government focused most of its housing efforts on ownership housing through mortgage insurance and principal residence capital gain exemptions. In recent years, the Canada Mortgage and Housing Corporation (CMHC) has increased incentives for purpose built rental construction through preferred financing programs and HST exemptions for rental developments, in addition to the incentives provided for affordable housing. This has likely helped spur new rental construction but growth is still well below the activity seen in the 1990s (Figure 5).

Overall new housing construction in Mississauga has declined since the 2021 and 2022 peak. With essentially no greenfield land remaining, Mississauga's development is almost entirely comprised of market condominiums. Task Force members suggested while some projects started in 2024, the outlook for 2025 and beyond is poor for both condo and rental projects.



Reliance on Small Scale Investors to Supply New Housing

In the early 2000's, as house prices started to increase faster than inflation, housing was increasingly viewed through a financial lens. This includes low density homeowners using their homes as a form of retirement savings and small-scale investors purchasing pre-construction condos to rent or sell.

The financial system offers benefits for small scale real estate investing that are not available for other forms of investments (i.e. stocks, bonds, mutual funds). More specifically, banks (and the government) are willing to back a 70-95% loan for a single housing unit whereas they are unlikely to provide this for a stock market investment. This allows real estate investors to leverage the appreciation on the bank's share of the investment, less any interest. And despite recent increases to capital gain inclusion rates, appreciation is still taxed significantly less than salary, interest and dividend income.

With very few purpose-built rental buildings being constructed, small scale investors provided the majority of new market rate rental supply. In the Toronto Census Metropolitan Area, which includes Mississauga, approximately 60% of apartment condominium units built between 2016-2021 were occupied by renters. This compares to 30% occupied by renters for units built prior to May 2011.

For pre-construction condominium investing to make sense, purchasers need sufficient rental income to at least cover expenditures and/or sufficient capital gain to warrant the investment and risk. From the mid 2000s to about 2022 both conditions were largely met and there was an increase in pre-construction investing. The result? Owners of multiple properties are now the largest segment of home purchasers in Ontario (Figure 6).

As the gap between the cost of new (mostly pre-sale) condominiums and resale market

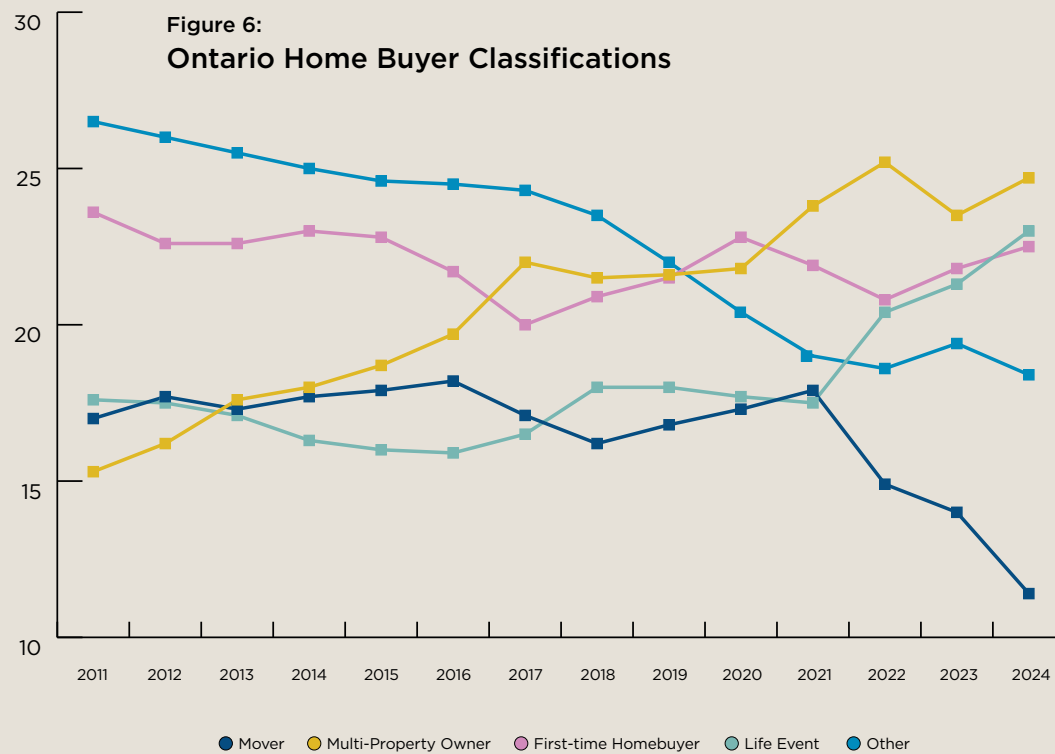
condominiums continues to grow, non-investor purchasers start to shift more heavily towards the resale market. This makes it harder for new construction projects to start as builders need to rely more on investors who place more weight on expected appreciation in their buying decision.

Newer forms of real estate investing such as AirBnB have provided another source of revenue for some purchasers, however, the impact to housing supply and the number of these investors is relatively small.

Interest Rates

The development industry is particularly sensitive to interest rates which affect project financing and sales.

- **Project financing:** Approximately 70% of project construction is debt financed and interest could total \$50 million for a large city centre condo project. When interest rates were lower, during the COVID-19 period, the costs may have been half that amount. Construction and long-term mortgage interest rates are also an important variable affecting new rental housing construction. Additionally, as high-rise projects have grown bigger, they require more equity and longer construction periods, some as long as six years, which result in more mortgage interest.
- **Sales:** Prospective condo buyers are also very sensitive to interest rates and will not be able to pay as much for a unit in a higher rate environment. This is one of the key reasons there has been both a slowdown in the housing market's pre-construction sales and downward pressure on housing prices over the last two years.



Source: TERANET

Construction Costs

Rapidly escalating construction costs in recent years have made it harder to get projects with all approvals in place started. Construction costs have doubled since 2007 and most of the increase has happened since 2020 (Figure 7).

When construction costs, which represent about 55% of a total project budget, have increased by 60% since 2020, it's easy to understand the upward pressure on sales prices.

Some root causes of the cost escalation include lack of skilled workers, global material cost escalation, high competition for construction crews between housing, non-residential and infrastructure sectors, Canadian dollar depreciation vs. the US dollar, and the increased performance standards of new buildings (regulatory and discretionary).

Land Prices

While land costs are a smaller portion of a pro forma – at around 10% of a project budget – the escalation in price in recent years has significantly exceeded construction costs. For example, high-density development land in the city's downtown core has increased from roughly \$5 million an acre ten years ago to about \$45 million today. In Lakeview, developable land for a mid-rise project has increased from \$4 million an acre to \$25 million an acre over the same period.

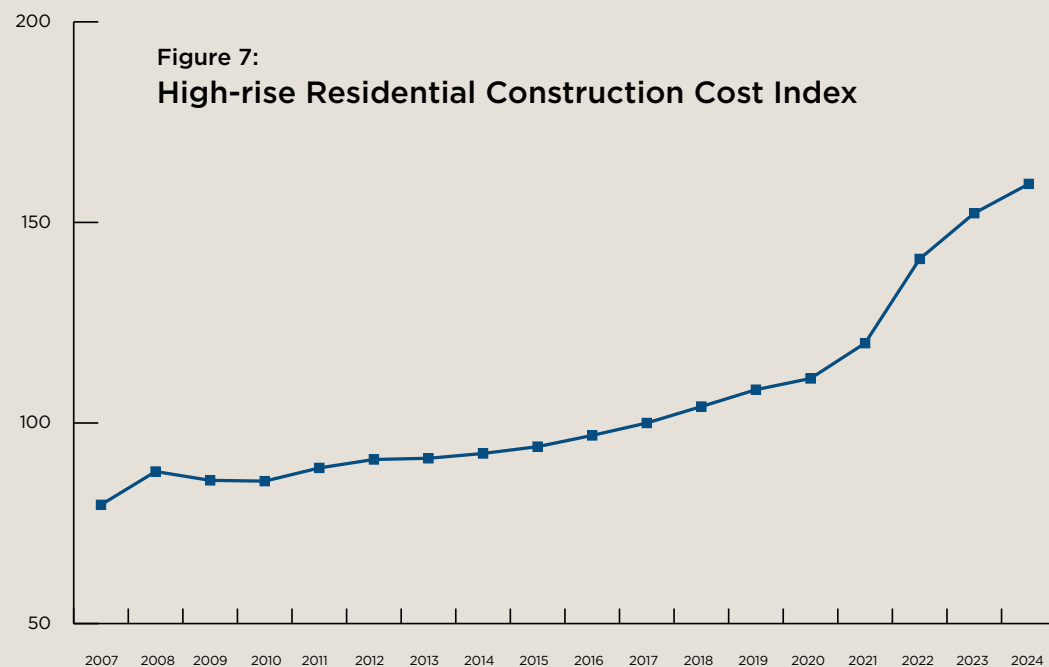
The financial returns, in percentage terms, for urban land investments have far exceeded building development returns over the last 10 years. Landowners often benefit from:

- Investments in higher order transit and other infrastructure without being required to contribute to municipal capital costs like a building developer is required to do (e.g., development charges).
- Comparatively low capital gain tax rates.

Because of this, the City has seen an increasing number of purchasers buying land for long-term holding, seeking entitlements

and then selling it for a large profit without the intent to ever build housing.

Long-term landowners have a competitive advantage compared to new prospective developers. This has also led to more pressure for higher height and densities (to offset the land cost) which in turn leads to higher land costs on adjacent sites making development more difficult. In terms of societal benefits, land value escalation is one of the least productive forms of capital as there are minimal spin offs (e.g., holding vacant or underutilized land does not require



Source: STATSCAN

many employees). Additionally, land values tend to be sticky in that owners will often resist lowering prices in softening markets and instead hold out for a reservation price.

Fees, Taxes, and Approvals

The Building Industry and Land Development Association (BILD) have noted that fees, taxes and charges from the four levels of government make up 25% of the price of an average new home in the Greater Toronto Area. In Mississauga, municipal fees (development charges, parkland dedication and community benefit charges) represent in the order of 10% of the cost of a condominium project in the downtown. While the 10% share of the cost has stayed relatively consistent over time, the cost of the fees themselves has increased significantly.

Municipalities are struggling with some of the same construction cost and land cost escalation that the development industry is facing. The combined (city, region, school board) development charge for a large apartment unit has increased from \$45,000 to \$98,000 (or 131%) over the last 10 years. As municipal fees are relatively similar across the GTA, it's likely most of the fees and interest costs are passed on to home purchasers/renters.

While municipal fees go directly to new infrastructure supporting development, senior governments have general sales taxes on housing development. This includes the land transfer tax and HST. Some exemptions exist but many of the thresholds do not reflect current house prices.

Finally, municipal rules and approval processes can create uncertainty and delay the start of unit sales and construction. The longer approvals take, the higher the carrying costs and increased risk of cost escalation. This is especially true in missing middle and smaller scale (i.e. mid-rise) projects as they operate with more risk and less profitability.

While Mississauga has made tremendous strides in streamlining our processes, more work is needed. For developers, time is money, as monthly delays cost millions of dollars.



Funding for 21st Century Cities

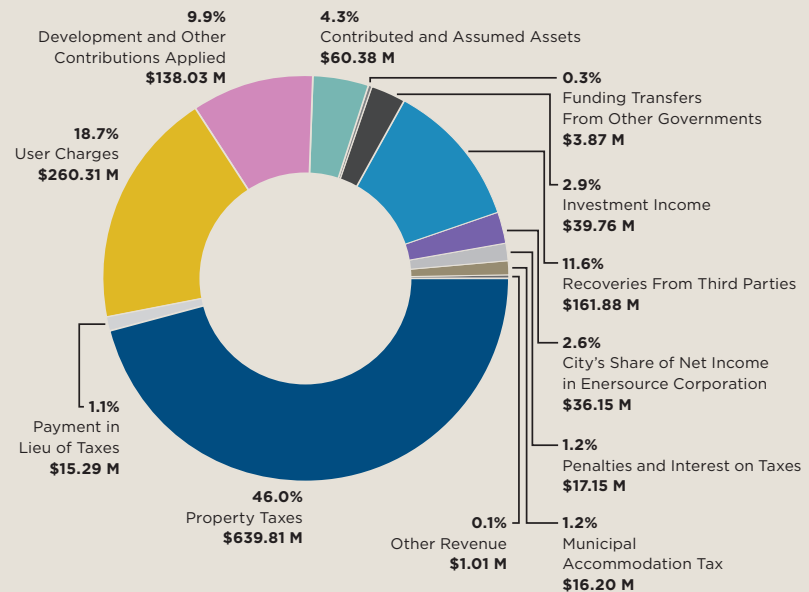
City and regional governments are increasingly dealing with some of the most pressing issues of our time – many of which are tied to the housing affordability crisis.

Climate change continues to intensify weather events damaging homes and infrastructure. Regional congestion requires funding for new roads and bridges, increased transit service and operating costs for new lines once they are built. Municipalities are also responding to public health emergencies, food insecurity, asylum seekers, the impacts of homelessness and the opioid crisis everyday.

We must continue to deliver important services and build resilient communities. But the reality is that municipalities have very few revenue tools to do our work. In fact, we're being asked to use property taxes and user fees to build cities. The math just doesn't add up for Mississauga – rising costs, increased responsibilities, and no new revenue powers.

Property taxes do not provide enough revenue to sustain the onslaught of new responsibilities cities are facing. When it comes to infrastructure, this revenue model is also not enough to maintain our current infrastructure much less provide the necessary infrastructure to enable the development necessary to support new housing and build complete communities. More residents need more roads, transit, parks and open space, trail connections, recreation, library and cultural amenities.

2024 Budgeted Revenue by Category (\$1.19 Billion)



Are development charges and other municipal fees on housing ideal? No. But aside from raising property taxes significantly, they are one of the few ways cities currently have to raise the needed revenue to build housing-supporting infrastructure. Current government programs, such as Ontario's Housing Enabling Water Systems Fund and the Municipal Housing Infrastructure Program, while helpful, are short-term in nature and do not provide municipalities with stable funding that can be used to plan for long-term projects.

So, we have a problem. Cities need predictable, long-term funding to meet the growing demands of building and maintaining healthy cities. New homeowners need housing to be more affordable. Something needs to change.



It's Time to Think and Act Differently

What we have been doing isn't working. Despite all the recent efforts the City has made to streamline development processes and increase permissions for more housing, the industry, financial institutions and Task Force members expect that there will be few if any new development applications in Ontario and Mississauga in the next two years. This is an unacceptable situation and one that needs to be addressed as soon as possible.

Over the last few years, we have seen all levels of government begin to take action to address the housing crisis. The increasing federal and provincial investments reflect a growing recognition of their responsibility to address the national housing crisis. These commitments mark a shift in housing as not only a municipal concern but a collective national priority.



Province of Ontario

The province has introduced 10 pieces of planning and development legislation since 2021 – including a target to build 1.5 million new homes by 2033. It also rolled out the Building Faster Fund, a three-year annual funding program that rewards municipalities based on new housing starts in their communities. To help meet infrastructure needs to support growth, the province has introduced the Housing Enabling Water Systems Fund, the Municipal Housing Infrastructure Program and the Housing-Enabling Water Infrastructure lending stream. It is also aiming to resolve issues around timely and cost-effective electricity systems connections for new homes and industry with the introduction of the Affordable Energy Act.



Government of Canada

The federal government launched Canada's Housing Plan in 2024 to help unlock 3.87 million new homes by 2031. It includes initiatives to increase housing supply including a program to use public lands for affordable housing and financial measures such as extending mortgage amortizations for first-time buyers. It also rolled out a municipal housing funding program in 2023 (Housing Accelerator Fund) to encourage local initiatives to build more homes faster. Recent actions have also been taken to pause population growth by reducing immigration targets for permanent and temporary residents.

Efforts are also being made in other provinces to provide municipalities with a more predictable stream of revenue. In October 2024, the province of Alberta introduced the Local Government Fiscal Framework. This new model ties 100 per cent of funding for municipalities to provincial revenues. This means that when provincial revenues increase, municipal funding increases at the same percentage.

While the housing crisis has taken centre stage, there is more work to do.

What the Task Force is recommending is bold, and in some ways, outside the comfort zone for most cities, including Mississauga. But, if what we are currently doing is not getting homes built, more drastic action is needed. We need to shake up the status quo.



Task Force Recommendations – Solutions We Can Deliver Together



Cities create opportunities for more housing through our policies and housing approval processes, but we don't build homes. That's why input from the development and building industry is essential in helping to ensure municipal actions aren't occurring in a vacuum and that our policies don't have unintended consequences.

The feedback from Task Force members has very clearly informed the recommendations in this report. Our industry partners were candid about their proformas and the issues they face. In turn, the City was clear in its goal to build strong, healthy communities where our residents can afford to purchase a home but also benefit from the high quality of life that has drawn so many to Mississauga over the years.

As evident by the many recommendations in this report that are geared to taxation or funding authority, it goes without saying that the City cannot resolve this crisis on its own.

Task force recommendations are focused on **four key priorities with 30 concrete** actions that municipalities and other levels of government can take to help get more housing built and make it more affordable.

1 Reform development charges, taxes and fees to help lower housing costs

Ninety-five per cent of new homes built in Canada are built by the private sector who rely on investment capital to move forward. These investors, including some of Canada's largest pension funds, require minimum returns of at least 4 – 5% per annum before they will agree to invest. If a developer can't guarantee the required return on investment, the project – no matter how much housing it will deliver – will not receive financing.

The high cost of building new homes presents a significant barrier to increasing housing at any price point. The market has reached a point where the sales prices needed for project viability are higher than what most purchasers are willing to pay. In 2021, there were approximately 5,200 new high-rise home sales in the Region of Peel. In 2024, new high-rise home sales were down 95% with only 236 sales recorded by the end of November.² In Ontario, housing starts have tumbled to levels last seen in 2020. Pre-sales activity remains exceedingly weak in the Greater Toronto Area (GTA), pointing to more of the same through 2025.³ The situation is stark. There will be significant impacts to the economy if new housing projects don't come online.

[2] Building Industry and Land Development Association

[3] Canadian Housing Starts, TD Economics, October 2024

The cumulative effect of taxes and fees for all levels of government is having a detrimental effect on the feasibility of development. These costs discourage developers from pursuing projects, particularly in areas of the GTA like Mississauga, where the cost of land is high.

Reforming government taxes and fees – **even as a short-term measure** – can help make projects viable for developers, affordable for homeowners and help get “shovels in the ground.” It can also help make homes less expensive for purchasers.

As a more ambitious objective, governments – municipal, regional, provincial, and federal – should undertake a larger philosophical review of housing tax and fee policy. Our current structure may be overly taxing the creation of housing relative to other transactions, especially given housing’s importance in addressing inequality.

To help more residents attain their housing needs, all governments should immediately implement policy reforms that reduce housing costs, boost long-term supply, while also incentivizing more affordable housing developments.

What Municipalities Can Do

1. Incentivize purpose-built rental and affordable housing: Promote the construction of affordable housing, particularly by non-profit organizations, through the following measures:

- a. Waive fees: Implement a moratorium on development charges, community benefits charges, and parkland contributions for purpose-built rental units; affordable units are currently exempt from these charges.

- b. Amortize and defer development charges and municipal fees: While the *Development Charges Act* requires certain deferrals, this should be expanded to cover other development fees. The timelines could also be extended. Allow purpose-built rental projects to amortize development charges over extended periods to reduce up-front capital costs. Allow for the deferral of remaining development charges in accordance with *Bill 108, More Homes, More Choice Act, 2019*, even for projects with conditional permits.
- c. Offer tax incentives: Create an optional subclass for multi-residential properties with a municipal tax reduction of up to 35% to incentivize the development of new or converted units for new rental developments.
- d. Remove parking minimums: Eliminate parking requirements for supportive and affordable housing projects.

■ **Why This Matters:** These actions lower costs to help make projects viable and encourage the creation of housing options that address affordability challenges. Aligned with Recommendations 33, 34, 39, 43, Appendix B2 of Ontario’s ‘Housing Affordability Task Force report’.



2. Lower or offset development charges for all housing types: Reduce the costs of city and regional development charges to encourage broader housing supply growth by:

- a. Deferring payments:
Allow development charges and community benefits charge payments to be deferred until construction is complete.



- b. Indexing interest rates: Align municipal interest rates on development charges with the Consumer Price Index (CPI) to minimize financial risk by using a reliable and standardized measure of inflation.
- c. Cap development charge rates (with CPI adjustments) at a fixed point in the development process.
- d. Review and adjust Development Charge By-law key assumptions: Reallocate person-per-unit type assumptions to better reflect modern housing needs.
- f. Eliminate non-residential development charges for mixed-use projects to promote the development of mixed-use communities.

■ **Why This Matters:** Reducing or deferring these costs improves project feasibility to help boost housing supply overall. Encouraging mixed-use projects fosters vibrant, walkable neighborhoods while reducing barriers to small businesses and commercial development. Aligned with Recommendation 33, 34 of Ontario's 'Housing Affordability Task Force report'.

3. Optimize parkland dedication

requirements: In advance of legislative proclamation, allow 100% of on- and off-site parkland conveyance, as well as Privately Owned Public Spaces (POPS), to count towards parkland dedication obligations.

■ **Why This Matters:** This approach improves building efficiencies on sites and ensures parkland requirements do not impede housing supply.

4. Create incentives for housing

development products: Create incentives for housing development by aligning tax classifications to encourage the production of targeted housing types, such as mid-rise buildings to move projects quickly from approval to construction through:

- a. Realty tax incentives that are time-limited, ensuring benefits are accessed within a defined period before they expire (use it or lose it).
- b. Establish a Tax Increment Equivalent Grant (TIEG) program.
- c. Mid-rise assessment classes: Establish assessment classes⁴, or a grant equivalent, linked to affordability and mid-rise built forms.

■ **Why This Matters:** These measures create urgency, reducing project timelines and encouraging faster housing delivery. These tools incentivize the creation of rental housing, addressing critical gaps in the housing market.

[4] Would require changes to Assessment Act

5. Explore alternative financing mechanisms to reduce development charges and property taxes for buildings that lease at below-market rates.

- Investigate innovative financing tools, such as municipal borrowing and betterment levies, to complement or replace traditional DCs.
- Establish a Tax Increment Equivalent Grant (TIEG) program.

■ **Why This Matters:** New funding approaches can diversify revenue streams, reducing reliance on DCs while enabling continued investment in critical infrastructure. Property tax reductions incentivize the creation of affordable rental housing and support long-term affordability for tenants.

6. Expand the Affordable Rental Housing Community Improvement Plan: Extend the scope of the City's recently introduced Affordable Rental Housing Community Improvement Plan to reduce DCs and property taxes (via TIEGs) for all project types over the next two years.

■ **Why This Matters:** Expanding the CIP ensures immediate support for diverse housing projects while maintaining long-term affordability goals.

7. Advocate for provincial and federal funding: Request financial support from higher levels of government to offset municipal costs, including taxes, DCs, parkland contributions, cash-in-lieu of parking, and application fees.

■ **Why This Matters:** Securing external funding reduces local financial burdens

and property tax pressures, which allows municipalities to support housing supply more effectively and expeditiously. Aligned with Recommendations 39, 48, 51, Appendix B1 of Ontario's 'Housing Affordability Task Force report'.

What the Provincial Government Can Do

8. Fund water, wastewater, and transit development charges

■ **Why This Matters:** Provincial funding would alleviate financial pressures on municipalities, enabling them to support critical infrastructure without passing costs onto developers or homebuyers. This approach reduces overall project costs, accelerates housing delivery, and ensures that essential services are in place to support sustainable growing communities.

9. Establish a First-Time Homebuyer

Rebate: Introduce a rebate program that directly offsets the cost of development charges (DCs) for first-time homebuyers.

■ **Why This Matters:** Development charges represent a significant cost barrier for prospective buyers. Reducing this expense supports homeownership accessibility while fostering demand for new housing.



10. Waive HST or increase HST maximum rebate amount (provincial share) for all new home purchasers.

11. Increase Land Transfer Tax first-time buyer thresholds: As an immediate step the province should increase the first-time buyer thresholds so they better reflect current prices. The province should also look at broader reforms to the tax to help new homebuyers and younger residents.

■ **Why This Matters:** This change addresses affordability challenges and promotes equitable access to housing.

12. Broader reform of Community Benefit Charges and land transaction taxes: As a way to provide a partial alternative to development charges, the province could explore providing municipalities the ability to apply a land value uplift charge on land sales over a certain value. This could replace community benefit charges and a portion of development charges. By doing so, the seller of land would be taxed for the land value increase rather than the developer creating the housing. The revenue could be dedicated to pay for growth-related infrastructure as having these services in place is a key factor in land value.

■ **Why This Matters:** This charge would be more economically efficient and incentivize housing creation, reduce land speculation, and lower land costs.

What the Federal Government Can Do

13. Partner with large municipalities for pre-screening authority for affordable housing projects: Collaborate with large municipalities to establish a pre-screening process for affordable housing projects under CMHC's construction and permanent financing programs. Once municipal approvals are secured, this process would either (a) streamline CMHC's review timeline or (b) enable instant approvals, significantly accelerating project delivery.

■ **Why This Matters:** Empowering municipalities to pre-screen projects reduces administrative delays, expedites funding, and accelerates the construction of affordable housing. This collaboration ensures alignment between municipal and federal processes, improving efficiency and responsiveness to housing needs.

14. Remove HST on new ownership housing construction and sales: Eliminate the Harmonized Sales Tax (HST) on the construction and sale of new ownership housing, mirroring the approach already applied to the rental housing sector. Alternatively, ensure first time homebuyer exemptions reflect current house prices.

■ **Why This Matters:** Removing the HST reduces overall development costs, making homeownership more affordable and incentivizing the creation of new housing supply. This change addresses affordability challenges and promotes equitable access to housing.

2 Update building and design standards to help boost supply and make building more affordable

A key factor in Ontario's housing crisis continues to be the imbalance between supply and demand. While there is now broad agreement that supply must increase, it's never been a more challenging time to build. For that reason, we must look at all options to create efficiencies across the industry.

Updating or scoping building by-laws and design standards can help reduce costs without sacrificing safe building practices or the development of livable communities. While it is understood that the City is committed to achieving good urban design and safe building practices, conditions change over time and regulations and guidelines must be reviewed or standardized to reflect current priorities. Some urban design requirements can add costs – particularly for mid-rise construction – that may make a project unfeasible. One such example are step-back requirements mandated to support transitions to adjacent buildings and neighbourhoods. These step-backs not only increase design and construction costs but also reduce the amount of housing that can be built on a site.

Building Code standardization is another area that must be addressed – particularly as it relates to accessibility and sustainability. Green building standards, for example, offer

significant environmental and long-term economic benefits. Sustainable development is the future of the industry, but the lack of standardization in this area adds complexity to project planning and increases costs. Phasing in these standards over time and incentivizing developments that deliver superior environmental results can help offset the financial impact of these new regulations.

As we move forward, restrictive guidelines that make the projects unfeasible – and offer limited community benefits – must be reviewed, removed or relaxed with an eye to boosting supply. In a housing crisis, the aim of all guidelines and regulations must be to help – not hinder – good city-building.

What Municipalities Can Do

1. **Review and streamline regulations that impose unnecessary constraints on residential and non-residential development** (to increase housing availability, accelerate project timelines and drive economic benefits for our communities.) This includes:
 - a. Simplifying building and urban design standards: Reconsider floor plate maximums (i.e., 750 sq. m.) which are increasingly unfeasible due to thicker envelope systems for energy codes. Allow flexibility in daylight requirements for interior bedrooms to optimize mid-rise unit layouts. Reduce or eliminate angular planes, setbacks, arbitrary urban design requirements such as street-wall configurations, tower separation distances and height-to-thoroughfare ratios, which often negatively influence key elements of the building and reduce the gross floor area for housing supply.
 - b. Streamlining approval processes: Prioritize the scope of the encroachment agreement so as to not duplicate efforts when completing shoring and tie back works. Limit the role of Urban Design Review Panels/Committees and avoid additional process steps such as mandatory relief through the Committee of Adjustment.
 - c. Non-residential requirements: For commercial spaces, avoid mandating glazing, parking, height (4.5m), and retail at grade requirements without incentives to improve feasibility.

■ **Why This Matters:** These restrictions limit design flexibility and add significant costs to design and construction. These measures will significantly reduce approval times, increase housing supply, and lower costs, enabling the delivery of more units in a shorter timeframe.



2. Phased introduction of sustainability measures:

Sustainability is a shared priority, but its integration must be pragmatic to ensure housing affordability. Recommendations include:

- a. Phase-in green development standards:
Introduce green and net-zero initiatives over a 10-year period to prevent escalating costs from stalling housing pipelines, particularly for small and medium-sized developers.
- b. Expedite environmental excellence: Expedite approvals and provide incentives for projects achieving superior environmental outcomes, such as net-zero emissions, to encourage adoption without overburdening developers.

■ **Why This Matters:** A phased approach balances environmental goals with economic and socio-economic realities, ensuring both sustainability and housing supply progress simultaneously.



3. Streamline Site Plan Application (SPA): A focused and simplified SPA process can unlock quicker approvals for mid-rise and missing middle projects:

- a. Adopt a limited scope: Streamline SPA objectives to align with city and community goals, avoiding excessive design scrutiny that delays projects.
- b. Direct approval pathways: Allow projects to proceed directly to Site Plan Approval, with the option to apply for minor variances or zoning as needed.

■ **Why This Matters:** Simplifying SPA processes for mid-rise and missing middle projects aligns municipal goals with developer capacity, enabling more efficient delivery of diverse housing types. If not standardized through the province, a municipality should standardize an “alternative solution” process for single-stair design, exit stairwell lengths, egress, and point access block to unlock multi-residential mid-rise development projects.

- 4. Standardize alternative solutions for mid-rise development:** Where provincial standards do not exist, municipalities should establish a consistent process for “alternative solutions” in partnership with first responders in areas such as single-stair design, exit stairwell lengths, egress, and point access blocks.

■ **Why This Matters:** Standardizing alternative solutions unlocks multi-residential mid-rise development potential, particularly in urban areas, by providing clear and predictable pathways to compliance. Aligned with Recommendation 3b of Ontario’s ‘Housing Affordability Task Force report.’

What the Provincial Government Can Do

- 5. Standardize accessibility and green standards across Ontario:**

- Accessibility design guidelines: Harmonize accessibility requirements across jurisdictions to ensure a clear and cohesive framework. This should extend beyond the AODA to include interior spaces governed by the Ontario Building Code.
- Green standards: Introduce consistent, province-wide green building standards to eliminate the patchwork of regulations currently faced by developers.

■ **Why This Matters:** Standardized regulations reduce complexity and compliance costs for developers, streamline design processes, and ensure equitable and sustainable development across the province.

- 6. Streamline the Ministry of the Environment, Conservation and Parks (MECP) role in the building permit process:** Adopt a streamlined and concurrent approval process for environmental requirements, such as Records of Site Condition and risk assessments.

■ **Why This Matters:** Faster approvals from the MECP enable municipalities to issue building permits more efficiently, reducing delays and accelerating housing delivery.



What the Federal Government Can Do

- 7. Standardize the Building Code across Canada:** Align provincial building codes to create a universal national standard, allowing developers to adopt consistent design and construction practices across jurisdictions.

■ **Why This Matters:** A standardized Building Code reduces administrative burdens for developers working in multiple provinces, fosters innovation, and ensures uniform safety and quality standards nationwide.

3 Transform zoning to unlock more housing

It sounds simple, but one way to get more homes built is to make it easier to build. A focus on zoning reform will help accomplish this in two important ways. First, increasing ‘as of right’ zoning in growth areas will provide clarity and certainty for development by avoiding the need for lengthy rezoning applications. This can help unlock more housing – particularly mid-rise housing – in neighbourhoods along commercial corridors and near transit where the City wants to encourage complete communities.

Simplifying the zoning regulations themselves is also necessary. Zoning regulates everything from the size of buildings and lot sizes to parking spaces and affordable housing criteria. The Zoning By-law should be streamlined with an eye to removing or relaxing regulations that lead to time-consuming – and ultimately – costly delays.

Finally, Mississauga is no longer a bedroom community of Toronto. As such, the Zoning By-law should also be reviewed to modernize outdated regulations so that it better reflects and supports Mississauga’s transformation into a dynamic urban city.



What Municipalities Can Do

1. **Explore citywide upzoning and as-of-right permissions:** Investigate the feasibility of upzoning across the city to permit as-of-right mid-rise (4-12 stories, 10-60+ units) developments along major streets, arterials, commercial corridors, and in select low-density areas.

■ **Why This Matters:** Upzoning reduces reliance on lengthy rezoning applications, accelerates development timelines, and supports housing intensification in transit-accessible and underutilized areas.

2. **Increase flexibility for density and height in Major Transit Station Areas:** Enable the Committee of Adjustment or minor Zoning By-Law Amendments to approve incremental increases in height and density for properties within MTSAs.

■ **Why This Matters:** Delegating these approvals avoids unnecessary red tape, streamlines the process, and supports intensification within key growth areas.

3. **Simplify zoning and reduce regulatory requirements:** Refocus zoning on clear, measurable metrics such as height, density, and setbacks. Defer detailed urban design elements to the Site Plan Approval (SPA) process. And to facilitate mid-rise and mixed-use developments, eliminate or reduce the following:

- a. Parking requirements: Remove parking minimums for affordable housing, mid-rise developments, and projects in transit-accessible areas (outside of MTSAs).
- b. Podium standards: Reconsider requirements for three-storey podium expressions around entire buildings.
- c. Setbacks and yard requirements: Minimize setbacks and stepbacks, including interior side and rear yards, that reduce buildable space.
- d. Amenity space ratios: Reduce mandated amenity space ratios to allow developers flexibility in design, improving utilization of community services and local businesses.
- e. Bike parking: Reduce mandated bike parking requirements.
- f. Non-residential parking ratios: Adjust parking rates for ground-floor commercial uses in mixed-use projects to align with market demand.

■ **Why This Matters:** Simplified zoning reduces complexity, ensures feasibility, and provides developers with predictable standards while allowing urban design to be addressed more flexibly. Reducing these requirements lowers costs, improves density, and allows for more efficient land use, especially for affordable and transit-oriented housing.

- 4. Align Official Plan and Zoning By-Law permissions:** Amend the Official Plan and Zoning By-Law to harmonize height and density permissions. Expand as-of-right mid- and high-rise development beyond MTSAs to include neighborhoods already well-served by transit, amenities, jobs, and public infrastructure.

■ **Why This Matters:** Consistent policies provide clarity for developers, reduce approval delays, and unlock opportunities for transit-oriented growth outside of traditional nodes.

- 5. Delegate minor variance approvals for affordable housing:** Grant City staff the authority to approve minor variance applications for supportive and affordable housing projects.

■ **Why This Matters:** Delegation expedites approvals, reduces barriers for non-profit and affordable housing providers, and ensures these critical projects can proceed without unnecessary delays. Aligned with Recommendation 15 of Ontario's 'Housing Affordability Task Force report'.



4 Create sustainable programs and funding that will mobilize industry to help meet the demand for affordable housing

Housing affordability is a huge concern particularly for young people. A recent poll from Abacus Data found that 81 per cent of people say the dream of owning a home is slipping away.⁵ The need for below-market and subsidized housing is also acute.

In the 1990s, the federal and provincial governments shifted their approach to funding housing that resulted in a dramatic slowdown in the construction of new affordable housing units. Today, regional and municipal governments are responsible for delivering affordable housing development with funding support from upper levels of government.

As Mississauga's housing service provider, the Region of Peel is responsible for low income and subsidized housing, shelters and homelessness support. In a recent report, the Region noted that "the need for affordable housing, particularly amongst our community's most vulnerable, far exceeds available resources. Increasing the supply of affordable, community and supportive housing at a scale that more fully addresses our community's need cannot be funded through the property tax alone."⁶

Mississauga introduced an Inclusionary Zoning By-law in 2022 aimed at increasing affordable housing in the city. It works by requiring affordable housing units in all large developments in major transit station areas. Inclusionary zoning is one of the few tools a municipality has to help increase affordable

[5] Perceptions of Homeownership in Canada Today, Abacus Data, June 2024

[6] Housing Development Update 2024, Report, Region of Peel

housing. Unfortunately, the financial offsets for inclusionary zoning units are currently inadequate to cover the full cost of providing the discounted units.

This funding system is inconsistent, difficult to navigate and ultimately ineffective at addressing the scale of the problem. In fact, in 2024, the Region of Peel estimated that the current supply of affordable housing in Brampton, Mississauga and Caledon met the needs of only 34 per cent of the residents of those cities. The supply of available supportive and transitional housing is much more dire, meeting only three and eight per cent of the need respectively.⁷

The private sector can – and is willing – to play a significant role in helping to build affordable housing. However, for this to work, the provincial and federal governments must develop a sustainable, long-term housing funding program.

- 1. Expand the federal and provincial government's role as a housing supplier:** Increase the government's role in directly funding and providing land for housing to ensure long-term affordability and stability within the housing market. The provincial and federal governments should take a leading role in funding housing services and incentivizing development by:

- a. Implementing a long-term housing development & affordability strategy: Establish consistent, decade-long programs that create certainty for private developers to include affordable and rental housing in their business models (e.g. % of GDP).

■ **Why This Matters:** A stable, long-term strategy from senior governments provides financial certainty, encourages sustained developer participation, and ensures affordability objectives are integrated into housing development plans. A stronger government presence in housing provision creates a reliable supply of affordable units, reduces dependency on market fluctuations, and addresses systemic gaps in housing availability. This approach promotes equity and long-term solutions to the housing crisis.

2. Strengthen landlord rights to promote rental housing supply:

Recent provincial measures to balance tenant and landlord rights – such as increased fines under the Residential Tenancies Act (RTA), enhanced tenant rights, and investments in the Landlord and Tenant Board (LTB) – are a step in the right direction. However, further action is needed to ensure landlords and housing providers can confidently invest in and maintain rental housing. Proposed actions:

- a. Ensure faster dispute resolutions

at the LTB: Expand funding and operational capacity to reduce case backlogs and deliver swift resolutions to disputes, protecting landlords from prolonged financial strain.

- b. Establish clear recourse for dealing with problematic tenants: Introduce streamlined processes for addressing issues such as unpaid rent, property damage, and lease violations to provide landlords with fair and timely remedies.
- c. Encourage compliance while mitigating risks of an unregulated market: Strengthen enforcement mechanisms against both tenants and landlords who operate outside the formal rental system, thereby reducing risks associated with unregulated markets.

■ **Why This Matters:** Strengthening landlord protections reduces risks for housing providers, encourages more investment in rental housing, and accelerates the availability of regulated, high-quality rental units. Without adequate recourse, the market risks losing landlords to informal and unregulated systems, ultimately limiting housing supply and tenant security.



3. Strengthen the Region of Peel's housing service delivery framework:

Enhance the Region's capacity to facilitate affordable housing by focusing on the following priorities:

- a. Establish trusted organizations: Create entities akin to Toronto Community Housing to provide project certainty, clarity, and shared accountability for developers.
- b. Expedited approval streams: Implement dedicated fast-track approval processes for affordable housing, including site plan and permitting reviews.
- c. Support non-profit pathways: Develop robust programs for non-profit housing organizations, incorporating affordable ownership and equity-based models to accelerate project delivery.

■ **Why This Matters:** Streamlining service delivery and fostering collaboration with trusted partners ensures predictability for developers and enables non-profit organizations to contribute significantly to affordable housing supply.

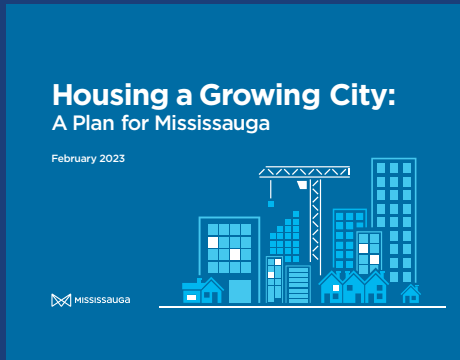
4. Provide funding for Inclusionary Zoning and affordable units:

Critically review the feasibility model in today's economic climate and reconsider the rates or the allocation of dedicated funding to support Inclusionary Zoning policies in the construction of newly built affordable housing units.

■ **Why This Matters:** Inclusionary Zoning is challenging to operationalize for developers and municipalities. To encourage greater adoption a critical review of feasibility or funding model for affordable units may support offsetting the financial carrying costs to developers and impact to new homeowners.

Getting it Done





In 2023, the City launched Growing Mississauga: An Action Plan for Housing. In that plan, we outlined five goals and 23 actions the City would take over the next four years to get more homes built, streamline building approvals and make homes more affordable. Since launching that report the City has made good progress, but the scale of the crisis requires even bolder action. That's where the Mayor's Housing Task Force comes in.

Taking Action – What Mississauga is Doing

Getting more housing built requires everyone to do their part. We are carefully reviewing the recommendations in this report to help guide our future efforts. We are keenly aware that we must do things differently – particularly on development charges, taxes and fees – to help immediately improve affordability and boost the supply of housing in our city. We are prepared to act – and in fact, have already begun in many areas based on early engagement with the Task Force.

Here is an overview of the initial actions we are taking to help increase supply, make housing more affordable and streamline our municipal processes.

Increasing Supply

As Mississauga becomes more urban, the way our residents live will continue to change. The City has no remaining greenfield

lands available for traditional suburban-style development. That means, the majority of new homes – both ownership and rental – will be built by infilling existing areas of the city. Most will take the form of tall and medium-sized towers. Some of the new housing supply will also come through gentle density in neighbourhoods including the development of homes on smaller lots, townhouses, duplexes, triplexes, multiplexes, and low-rise apartments.

Here are 4 actions we are taking to help boost the supply of housing in Mississauga.

1. Opportunities for More Housing through Planning Permissions

The City is in the process of finalizing its new Official Plan to guide how Mississauga will grow and develop over the next 25 years. The City is introducing new policies to help further increase housing supply. Mississauga's proposed new Official Plan will permit an additional

Mississauga's Updated Official Plan



124,000 units for a total capacity of 370,000 new units city-wide. The draft Official Plan also includes an increase of heights from 25 storeys to 35 storeys in many areas along the LRT corridor. This complements the Downtown Core which already has unlimited heights and densities.

The City is also proposing to exclude affordable housing (including inclusionary zoning units) and non-residential space above the first floor when calculating height caps for development applications. This will ensure developers are no worse off from a residential density perspective for helping to create complete communities.

2. Supporting development in Major Transit Station Areas

The City is working on pre-zoning its Major Transit Station Areas. This means development that is proposed at the planned heights and densities in the Official Plan can proceed quicker without the need for costly studies and a public approval process.

3. Bringing more mixed-use development online

The City is establishing new planning permissions for mixed-use commercial sites under one hectare. As of right heights of 8 storeys are being proposed in the new Official Plan. Larger mall sites in community nodes now have permissions for 18 or 25 storey residential towers after a recent Ontario Land Tribunal settlement.

The draft Official Plan also supports additional opportunities for residential development in certain employment areas around the Clarkson, Lisgar and Erin Mills GO stations.

4. Allowing for more housing choices in neighbourhoods

More permissions for growth through gentle density are also planned for Mississauga's many residential neighbourhoods. In addition to permitting fourplexes as-of-right, the City's zoning by-law is being updated to make it easier to sever residential lots (e.g., create two semi-detached homes rather than one large detached home).

Improving Affordability

In Mississauga, the supply of housing that is affordable to a wide range of household incomes is diminishing. The housing market is meeting the needs of high-income households and there are some supports in place for lower income households, but young people and middle-income earners are falling through the cracks.

The Region of Peel, our housing service provider, is responsible for low income and subsidized housing, shelters and homelessness support. The City is focused on finding solutions to help make housing more affordable for young people and middle-income households.

Here are 5 actions the City is taking to help make housing more affordable.

1. Encouraging the development of more affordable rental units for our residents

City Council has adopted a \$44 million community improvement plan with financial incentives to help stimulate the creation of new affordable rental housing made possible through federal funding.

For affordable units at or below 100% average market rent the City will provide a \$130,000 per unit grant and cover the cost of building permit fees. These units are also eligible for the provincially legislated



66%

Gen Z Canadians have considered delaying starting a family because they can't afford a suitable home.

exemptions for affordable housing units (City, Region and GO Transit development charges, community benefits charge, and cash-in-lieu of parkland).

For below-market units with rent at or below 125% average market rent, the City will provide a \$60,000 per unit grant and exemptions for city development charges, community benefits charge, cash-in-lieu of parkland, and building permit fees.

2. Reducing application and parking fees for affordable housing

In an effort to reduce costs for affordable housing units, application fees for Official Plan and Zoning By-law amendments, removal of holding zones, site plan, and

minor variances will be waived for non-profit housing providers. The City is also working on a Zoning By-law to eliminate any resident parking requirements for non-profit housing projects that are not already exempt in the legislation.

3. Optimizing city-owned land for housing development

Given the rapid cost escalation of developable land in Mississauga, using existing government-owned lands for housing is increasingly important. Most municipalities look to underutilized land such as parking lots or vacant properties as opportunities for new residential development. Unfortunately, given the nature of the development in Mississauga, there are not many underutilized city-owned parcels to develop at this time.

For that reason, we must be more creative. Mississauga is becoming more urban and we need to find innovative ways to build housing above or alongside city facilities. To kick start the process, we are initiating a review of city-owned properties such as community centres, libraries and other realty assets to determine which properties can be optimized for residential development.

The City is exploring partnering with affordable housing providers by using funding from the federal government's Housing Accelerator Fund to purchase land for this purpose.

4. Making it less expensive to build additional residential units

The City is committed to encouraging a mix of owned and rented units for more income types by making it easier and less expensive to build fourplexes and additional residential units.

- Fourplexes: The City is providing grants to cover city development charges for fourplexes (developments up to three units are already exempt through provincial regulation) while also exempting building permit fees for the creation of new legal additional residential units up to four units.
- Second units: The City is also working with the Region of Peel on a revamp of its My Home Second Unit Renovation Program which provided grants for homeowners creating new legal secondary suites.
- Garden suites: The City has launched free, pre-approved design plans for garden suites to help residents save time and costs associated with drawing custom plans.

In addition to making the pre-approved garden suite plans available to our residents, the City has offered the plans to planning and building departments across Ontario. Our aim is to give other municipalities an off-the-shelf product they can review and approve for use in their own communities. By sharing our knowledge and expertise, it is our hope that we can help other municipalities save time and more quickly increase these types of units in their own communities.

5. Keeping building application fees as low as possible

The City's new Building By-law will allow for greater flexibility in the calculation and collection of permit fees. It includes a new deposit structure that will lower the initial costs of applying for a permit; deferring the full payment until the permit is ready to be issued. Permit fees can now also be calculated on the basis of partial scopes of work, allowing the full cost of the permit to be paid over multiple stages of the construction.



Example of a garden suite, rendering

Streamlining Processes

Mississauga is a municipal leader in streamlining our planning processes to make it easier to build in our city. Earlier this year, the City was ranked #1 of 16 GTA municipalities for our planning processes. Part of this success can be attributed to our investment in technology, a commitment to streamlining approval processes and eliminating red tape, and using all planning tools available to make approvals faster.

As an organization, the City is also dedicated to continuous improvement. Here are 5 actions the City is taking to improve service and remove barriers that delay development.

Municipal Scoring, All Planning Tools and Features

MUNICIPALITY	APPLICATION PREPARATION	APPLICATION SUBMISSION	APPLICATION TRACKING	TOTAL SCORE	RANK
Mississauga	88%	100%	100%	96%	1
Markham	75%	100%	100%	92%	2
Barrie	88%	88%	100%	92%	2
Toronto	100%	69%	100%	90%	4
Oakville	88%	75%	100%	88%	5
Vaughan	50%	88%	100%	81%	6
Brampton	75%	69%	80%	75%	7
Milton	75%	44%	90%	71%	8
Burlington	75%	25%	80%	62%	9
Caledon	38%	38%	80%	54%	10

SOURCE: Greater Toronto Area Municipal Benchmarking Study, BILD

1. Creating a housing-focused team of city builders

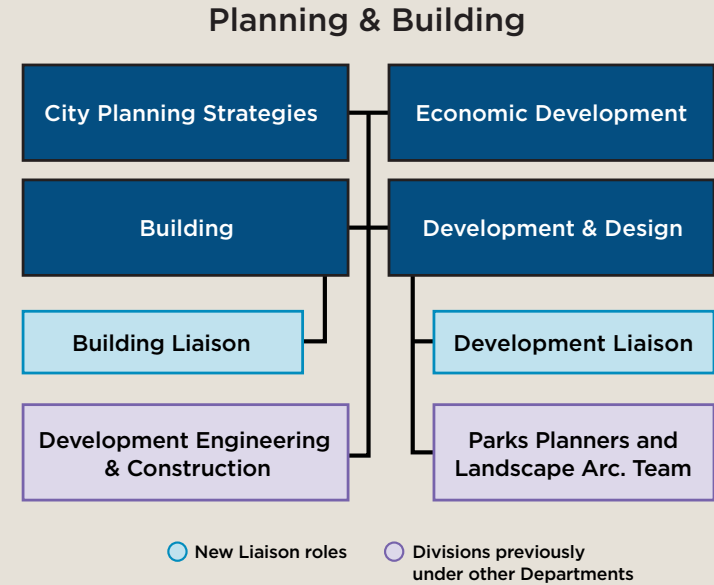
In most large cities, including Mississauga, staff with expertise across multiple divisions have a role in reviewing development and building applications. It takes a team of knowledgeable people to deliver long-range planning services and development approvals – from engineers who review stormwater infrastructure, to park planners, transportation specialists and fire services professionals.

The problem? With staff in different divisions with multiple priorities, there can be missed opportunities, conflicting comments and unnecessary delays. To address this issue and improve customer service, we are reorganizing our staff to bring a team of experts together to work as one cohesive team focused on delivering housing. This team of multi-disciplinary city builders will include a lead planner who is empowered to audit comments and make decisions to keep things moving.

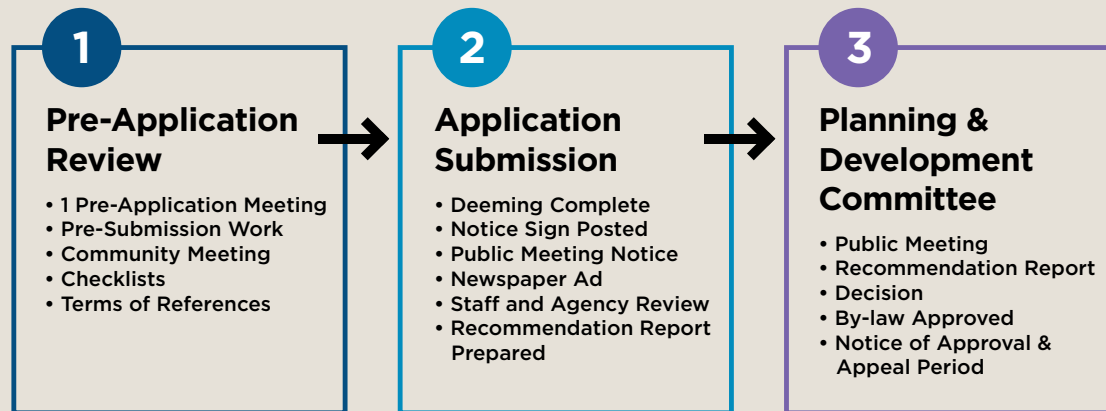
The City is also creating new **Development Liaison and Building Liaison positions** to facilitate approvals. These positions will be dedicated to facilitating unique challenges, elevating issues quickly and making decisions that support expedited approvals.

City staff have always been focused on delivering great customer service. This is the next evolution in working with our industry partners – on behalf of our residents – to help get more housing online as quickly as possible.

The New Housing Delivery Team



Official Plan Amendment & Zoning By-Law Amendment Process



2. Overhauling development application review processes

In 2022, the City updated its development application review processes to meet new timelines prescribed by the province under *Bill 109, More Homes For Everyone Act*. The legislation included a penalty system requiring some, or all, of the development application fees collected by the City to be refunded if the new timelines were not met. Earlier this year, the province removed the refund requirement – giving cities more leeway if the review timelines are not met.

While we appreciate the province’s decision to remove this penalty, Mississauga has completely overhauled its development application review process to meet these

more aggressive timelines. To help keep applications moving, we will continue to work to:

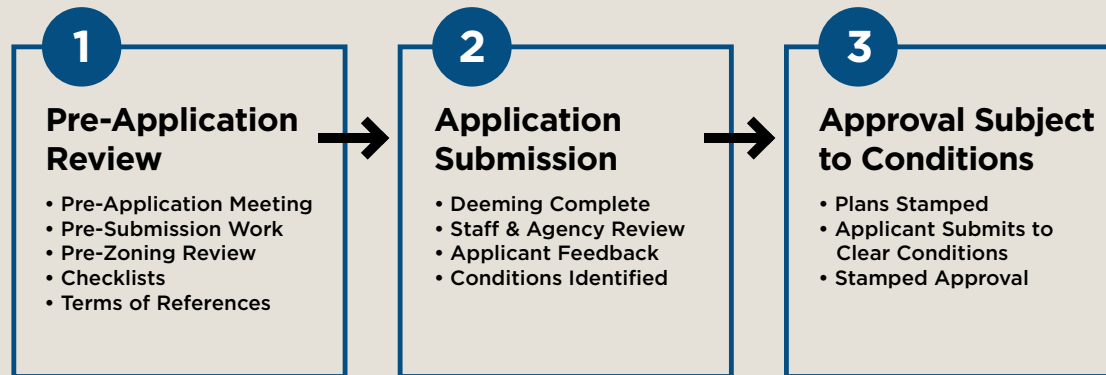
- 90 days for a Zoning amendment
- 120 days for a combined Zoning and Official Plan amendment

For applications that are trending toward an approval but may require additional refinement via subsequent resubmissions, staff will prepare a public meeting information report within the applicable statutory time frame with a recommendation to report back to Council once the applications are ready for a decision to approve. The City is also undertaking a review of the Draft Plan of Condominium application process. The aim is to streamline

the process to avoid unnecessary requirements and delays by ensuring city comments are clear and appropriate for this stage of development.

To further streamline the development application process, the City will look for additional opportunities to use delegation of authority powers under the *Municipal Act*. To date, Council has approved delegated approval authorities for three types of development applications: Site Plan Approval, Subdivision Approval and Holding Provision for Zoning By-law approvals – saving approximately 4 weeks in lead time. The City is also exploring delegated approvals for Development Agreements, Subdivision Agreements, and Minor Variance applications for supportive and affordable housing projects.

Site Plan Application Process



3. Improvements to site plan applications

Site plan approval applications go through a technical review and evaluation by staff before being approved. Site plan is often the final development application required before a building permit can be approved and issued.

Site plan applications, which deal with external design elements like landscaping, grading, site layout, parking areas and emergency services access can be complex, and in some instances, multiple rounds of comments are required. To help streamline the process, the City of Mississauga is making important changes.

Changes to Site plan application process:

- Remove the need for an independent zoning review as part of site plan application.
- Introduce concurrent application processing for Official Plan and Zoning By-law amendments and site plan application.
- Reduce the number of comments during the review process by committing to three rounds of comments on site plan applications going forward. After the third round is complete, the applicant will be given the option for a face-to-face 'redline' meeting with staff to resolve any outstanding comments so that a Site Plan Approval can be issued.

4. Incentives for pre-application meetings

The City aims to review development applications as quickly as possible. One way to minimize review time is through a pre-application meeting with the City's development team and agencies. In our experience, pre-consultation with City staff leads to more complete, quality applications that improve turnaround times and crystalize expectations.

To encourage applicants to take advantage of this service, the City will credit the pre-application meeting fees against the development application fee. This is a win-win for applicants, as not only will their development applications be processed more quickly, but there is no financial cost associated with meeting with City staff in advance.

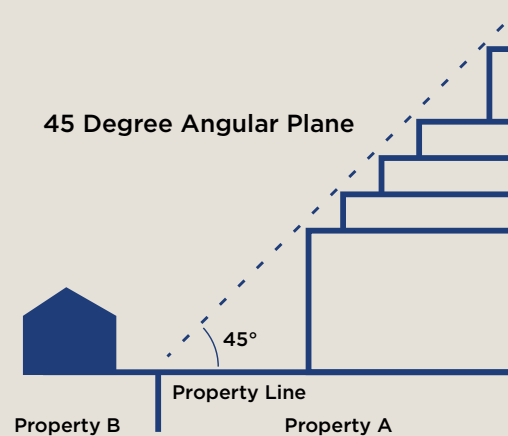
5. Getting urban design right for housing

Urban design is important and ever-evolving. It helps us plan for livable and workable communities. The City has created a variety of urban design guidelines that developers must follow, from wind studies to green development standards. While many of these guidelines play an important role in helping to build well-designed communities, some have inadvertently made it harder to get housing built.

Many communities across Canada are revisiting angular planes – a planning tool that results in buildings with floors that 'step

back' as they increase in height. The City's updated Official Plan will relax some angular plane and height transition policies where it's clear that these policies are not having a measurable improvement on quality of life and are acting as a barrier to getting more homes built.

The City will also be working with a third-party consultant to undertake a comprehensive review and update of the City's urban design program. The review will assess the City's existing urban design policies, zoning regulations and design guidelines through the lens of housing affordability, climate change, and urban equality. The end result will be a contemporized Urban Design Program that will expedite and facilitate development approvals. This will ensure that the city grows in a meaningful and sustainable way while not inhibiting the ability of the development industry to provide much needed housing.



Where More Help is Needed: Housing Barriers

While Mississauga is committed to doing whatever we can to help get more housing built, there are some barriers identified by the Task Force that are beyond the City's reach.

As these issues were identified by Task Force members, Mayor Parrish invited appropriate stakeholders and government partners to listen to concerns and share expertise with an aim to facilitating solutions.

Here are barriers that require immediate attention so that we can get more housing built.

1. Provincial and Federal support needed for first-time homebuyers

Mississauga is planning to use the financial tools at our disposal to help first time homebuyers get into the housing market. While our efforts will help lower costs, coordination from other levels of government will make the difference.

- Provincial support: The Land Transfer Tax is a provincial tax levied on the purchase price of real estate in Ontario. The tax is calculated on a sliding scale, with higher rates applied to more expensive properties. First-time homebuyers in Ontario are eligible for a Land Transfer Tax Rebate of up to \$4,000. Given the average price of all homes in Mississauga currently exceed the province's \$368,000 limit, the maximum rebate should

be increased to help support new homebuyers.

- **Federal GST/HST new housing rebate:**
This rebate allows an individual to recover some of the goods and services tax (GST) or the federal part of the harmonized sales tax (HST) paid for a new or substantially renovated home. However, in order to qualify for the federal rebate, the total purchase price of the home must be less than \$450,000. In the GTA, very few, if any new homes meet this threshold. To be meaningful for new homebuyers, the federal government must increase the eligibility threshold to meet today's market realities.

2. Making more land available for development near provincial highways

Mississauga is served by several major highways that are important for the city's economic competitiveness and to help connect and move people around the area. Given the lack of greenfield development opportunities in Mississauga, areas adjacent to provincial series highways – where there is land available – are often desirable locations for high-rise development.

Currently, the Ministry of Transportation requires that any development occurring near a provincial highway must maintain a minimum setback of 14 metres. While a buffer is important to address safety concerns and the integrity of the road network, several

good development proposals in Mississauga have been denied when the setback was rigidly enforced.

It is recommended that MTO adopt a more flexible approach to setback requirements, allowing case-by-case assessments for developments that demonstrate adherence to safety and operational standards to ensure good opportunities for housing development can move forward.

3. External utility providers and provincial agencies review processes

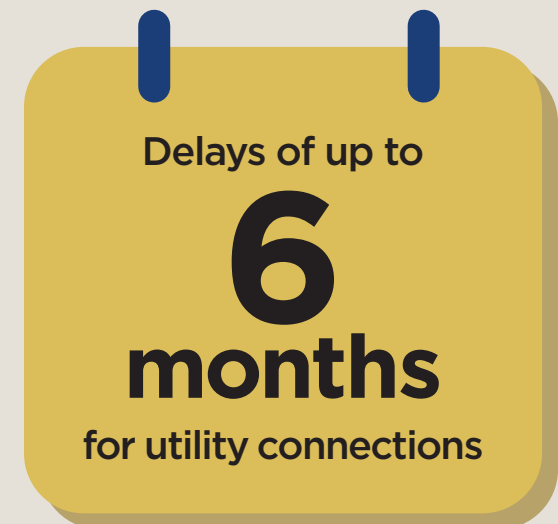
Coordination with utility providers and provincial agencies is a critical but often delayed aspect of housing delivery. Housing projects require connections to a variety of utility systems (electricity, water, sewer, gas, telecommunications, etc.). These utilities are often managed by different providers each with its own procedures, timelines, and requirements. Coordination delays lead to significant setbacks in construction schedules, added costs, and complications in the connection of services to new buildings. Some developers have reported delays of up to 6 months in accessing permanent power for their buildings.

Provincial agencies and third-party comments on development applications are also slowing down housing delivery. Comments are often received too late in the process – or are at odds with other agency or municipal

reviewers. The impacts are significant.

These can be incredibly costly delays, particularly at the back end of a project when occupancy is close at hand. In an industry where time is money, this is increasing the cost of housing for everyone.

It should be required that utility providers, provincial agencies and third-party commenters adhere to standardized timelines for providing comments on development applications. Improved coordination among utilities, agencies, and municipalities will accelerate housing delivery, reduce project costs, and provide greater certainty to developers, benefiting both the industry and future homeowners.



Moving Forward

10.1



The first meeting of the Mayor's Housing Task Force was held two weeks after Mayor Parrish took office on June 24, 2024. This sent a clear signal of how seriously the Mayor – and Mississauga's leadership – would take the housing crisis going forward.

At the first meeting, Mayor Parrish outlined the Task Force's purpose: "we are here to solve problems." The Mayor reinforced the urgency of the crisis and the need to work quickly. The Mayor made a commitment to working through tough issues to help get more housing built for future generations who want to live in Mississauga.

Collaboration is contagious particularly when given licence to solve problems. Providing a forum for open and frank dialogue amongst City staff and industry experts created an environment at the Task Force table where issues could be raised without recrimination. It was clear from the get-go, that blame won't solve the housing crisis but action might.

The recommendations in this report will mark a shift for the City of Mississauga. As we move forward, we are willing to operate differently – both fiscally and administratively – to help spur development and get homes built.

We know that the next couple of years will continue to be difficult as the development and building industry recovers from the issues that have led to low construction starts over the past year. Now is the time for a catalyst to help support this recovery. As interest rates begin to fall, a reduction in government costs and improved efficiencies must also be considered.

This report includes opportunities for quick wins that can help create much-needed momentum in the housing market. While there are recommendations for all levels of government, there are things Mississauga can – and will do – to make a difference.

The time for bold action is now. We encourage our government partners to join us in considering the recommendations directed to them. We're also hopeful that this report offers a blueprint for other municipalities to follow as well.

The problem is complex and we all need to do things differently to help get more homes built for future generations.

Appendix



Task Force Members



David Hunwicks

Vice President, Planning | Amacon

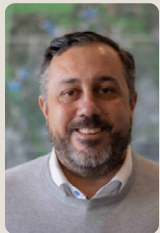
Since 2001, Amacon has contributed to the Mississauga skyline over 6,000 residential units in its numerous mixed-use developments with an additional 2,000 residential units currently under construction and will be seeking planning approval for over 2,500 residential units and commercial uses in 2025.



Paula J Tenuta

Senior Vice President, Policy & Advocacy | BILD (Building Industry and Land Development Association)

BILD is the voice of the home building, residential and non-residential land development and professional renovation industries in the Greater Toronto Area.



Brian Sutherland

Vice President | Argo Development Corporation

For more than 25 years, Argo Development Corp. has created future-ready communities that connect to nature, transit and the amenities of modern living. With significant land holdings across the GTA and strong partnerships built on loyalty, integrity and transparency, we are proud to develop neighbourhoods that people call home and help build the future of Ontario.



Sean Hart

Construction Manager | Bird Construction

BIRD operates in a diverse cross-section of market sectors, with 100+ years of experience in 20 offices across Canada.



Joseph Feldman
Executive Vice President & Chief Operating Officer | Camrost Felcorp

Camrost Felcorp Inc. is one of the most established privately held real estate developers in the Greater Toronto Area. The company is vertically-integrated, with operations spanning all stages of the development process—from land entitlement through to construction, through its affiliate Camcorp Construction—delivering landmark residential, commercial, and mixed-use communities for over 50 years, including the transformative Exchange District in Mississauga's City Centre.



Remo Agostino
Chief Development Officer | Daniels

The Daniels Corporation is one of Canada's pre-eminent builders/developers, building nearly 40,000 new homes across the Greater Toronto Area for over 40 years. Understanding that quality of life is created by much more than physical buildings, Daniels goes above and beyond to integrate building excellence with opportunities for social, cultural, and economic well-being.

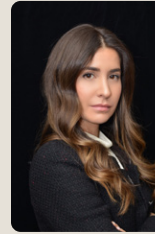
Also represented by:

Elizabeth Gillin
Vice President, Development | Daniels



Chris Zeppa
President | City Park Homes

City Park Homes is a boutique builder of expertly crafted residential homes throughout the GTA and Southern Ontario. We develop unique communities tailored to the needs of today's homeowners, from modern condominium buildings to elegant townhomes and single detached luxury residences. We also build large commercial properties and custom homes. City Park Group has recently expanded into the Southwestern United States where we're bringing the same level of expertise and impeccable quality to a new generation of homeowners.



Alexandra De Gasperis
Vice President | Deco Communities

DECO is a development and homebuilding company with expertise in land transformation and a member of one of Ontario's largest construction, infrastructure and servicing companies - the TACC Group.



Robert Blazeovski
President & Chief Operating Officer | DiamondCorp

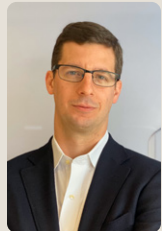
DiamondCorp is a Toronto-based real estate development company that maintains a strong commitment to developing high-quality, innovative, and award-winning residential and mixed-use projects. Since its founding in 2008, the company has established itself as a leader in progressive city building in the GTA with a proven track record in achieving municipal approvals for complicated sites translating into the highest and best use. The company has built a reputation as a creative developer with real-world solutions to complex challenges.


Frank Doracin
President & Owner | Doracin Terra Strategies Limited

Established in 2018, DTSL is a land development/consulting company providing advice to a limited number of organizations & partnerships. Frank previously spent over 20 years with Mattamy Homes Limited, steadily moving up to the ranks to become President of Mattamy Development Corporation and then of Mattamy Homes' GTA Division.

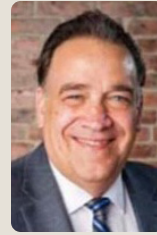

David McComb
President & CEO | Edenshaw Developments

Edenshaw Developments was founded in 2009 and currently has 4,000 units under various stages of development, continuing its commitment to complementing the neighbourhoods in which it builds with mindfully designed mixed-used residential communities in the GTA.


Also represented by:
Oscar Piovesan
Chief Operating Officer | Edenshaw Developments

Neil M. Smiley
Partner | Fasken Martineau DuMoulin LLP

Fasken's Real Estate Law Group has pronounced expertise in the acquisition, financing, construction and securing necessary entitlements/approvals for all classes of real estate development.

Also represented by:
Joseph Guzzi, Consultant | Fasken Martineau DuMoulin LLP

Frank Gianonne
President | Fram Building Group

Since its founding in 1981, Fram+Slokker has been shaping vibrant communities in the City of Mississauga and beyond. Headquartered in the historic St. Lawrence Starch Building in Port Credit, the company is renowned for its acclaimed Port Credit Village, a benchmark for quality brownfield mixed-use redevelopment that has inspired transformative waterfront projects like Brightwater.

Fram+Slokker's delivers diverse housing options, including condominiums, seniors' rentals, and affordable rental housing, meeting the needs of a wide range of residents. These developments span the Greater Toronto Area, including waterfront brownfield revitalizations in Collingwood and Orillia, seamlessly connecting downtowns to their waterfronts.


Michael Williams
Managing Partner, Head of Development | Hazelview Investments

We work overlooked opportunities in order to optimize value on all investments. Our development management team applies an intense focus on execution and innovation from conception to completion on every single development file. A progressive attitude, strong implementation experience and a skilled team directly supports our ability to add value throughout the development investment project. Utilizing the company's relationship and partnership synergies attained over the last two decades of effective performance directly contributes to our ability to be a leader in the marketplace.

Also represented by:
Aimee Grigg
Partner | Hazelview Investments

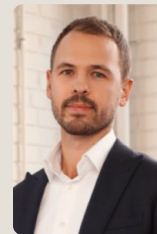

Graham Cubitt
Director of Projects and Development | Indwell

Indwell creates affordable housing communities for people seeking health, wellness, and belonging. As one of Ontario's leading developers of new supportive housing, we are committed to working closely with Mississauga's civic leadership, neighbourhood stakeholders, service agency allies, and industry colleagues to build new affordable housing. Together we can provide the stable, safe, and quality homes that help rebuild lives, turning the tide on homelessness on our community.

Also represented by:
Jess Brand
Regional Director | Indwell

Michael Uster
Senior Vice President | Liberty Development Corporation

Liberty Development Corporation is a full-service real estate development company. It is a leading development manager of commercial, office, and residential buildings in the Greater Toronto Area. Liberty Development Corporation brings expertise in land assembly, development, design and construction, sales, leasing, and property management.


Andrew Murphy
Vice President, Development | Mattamy Homes

Mattamy Homes is the largest privately-owned homebuilder in North America and is Canada's largest new home construction and development firm, with operations across Canada and the United States. Mattamy Homes currently operates across 19 municipalities in The Greater Toronto Area and has remained #1 in New Home Sales in the GTA since 1997.

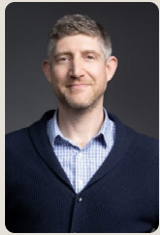

Anna-Maria Kaneff
Executive Vice President | Kaneff Group

Kaneff Group: a private real estate company based in Peel, Ontario, with over 70 years of experience in developing and managing retail, office, multi-family residential, and golf properties across Southern Ontario. Since 1951, Kaneff has built over 10,000 homes and apartments, 3 million square feet of office, retail, and industrial real estate and 6 public golf courses.


Orlando Corporation

Orlando Corporation is Canada's largest privately-owned industrial real estate developer and landlord. As a multi-faceted real estate company, Orlando is involved in a wide range of investments and activities. Within the Greater Toronto Area, we have built a critical mass of properties and are able to offer tenants a complete range of property types across premium locations within Canada's central economic hub.


Also represented by:
Kristina Kaneff
Vice President and General Counsel | Kaneff Group



Steve Nightingale

Vice President | Oxford Properties Group

Oxford Properties is a global real estate investment and development company headquartered in Toronto and develops, owns and manages commercial, industrial, retail and multifamily residential assets across the GTA and Canada.



Also represented by:

**Veronica Maggisano, Vice President,
Development | Oxford Properties Group**

**Sherif Masood, Senior Vice President,
Development & Asset Management |
Oxford Properties Group**



SmartCentres

SmartCentres is one of Canada's largest fully integrated REITs, with a best-in-class retail, residential and mixed use portfolio. SmartCentres owns and operates approximately 35.5 million square feet of income producing retail, residential and office properties with an enterprise value of approximately \$13 billion and 98.5% occupancy in all asset classes across all Provinces in Canada.



Gavin Bailey

Director, Development Planning | Tridel

The Tridel Group of Companies is one of the largest privately held residential real estate groups in Canada. The Group consists of several operating companies focused in diverse areas of real estate including development, sales, construction, property management and other related real estate services.

Also represented by:

**Vince Mirarchi, Vice President, Project
Management | Tridel**



Howard Paskowitz

Vice President, Development & Municipal Affairs | Starlight Development

Starlight Investments is a leading global real estate investment and asset management firm and we are proud to be Canada's largest provider of rental housing and a developer of complete communities across the country.



Salvatore Cavarretta

Vice President, Development | TMG Builders

TMG Builders is an established and experienced industry leader in project management and construction management services of high rise residential and mixed-use developments within the Greater Toronto Area. With a proven track record of developing and constructing large scale projects, TMG takes great pride in collaborating and working with partners to achieve the highest standards in construction and achieving mutual project success.

Also represented by:

John Gallucci, Principal | TMG Builders

Getting More Homes Built: Top Takeaways

Mississauga has been facing a growing housing crisis, which is getting worse every year. Despite the crisis, housing development has stalled. In July 2024, Mayor Carolyn Parrish assembled a group of prominent developers, builders and social housing experts to work with the City to address this problem. The goal? Workable solutions that will help build momentum and spur development.

Task Force Recommendations – 30 Actions

Reform development charges, taxes and fees to help lower housing costs		
What Municipalities Can Do	What the Province Can Do	What the Feds Can Do
<ol style="list-style-type: none"> 1. Incentivize purpose-built rental and affordable housing 2. Lower or offset development charges for all housing types 3. Optimize parkland dedication requirements 4. Create incentives for housing development products 5. Explore alternative financing mechanisms to reduce development charges and property taxes for buildings that lease at below-market rates 6. Expand the Affordable Rental Housing Community Improvement Plan 7. Advocate for provincial and federal funding 	<ol style="list-style-type: none"> 8. Fund water, wastewater and transit development charges 9. Establish a First-Time Homebuyer Rebate 10. Waive HST or increase HST maximum rebate amount (provincial share) for all new home purchasers 11. Increase Land Transfer Tax first-time buyer thresholds 12. Broader reform of Community Benefit Charges and land transaction taxes 	<ol style="list-style-type: none"> 13. Partner with large municipalities for pre-screening authority for affordable housing projects 14. Remove HST on new ownership housing construction and sales

Update building and design standards to help boost supply and make building more affordable

What Municipalities Can Do	What the Province Can Do	What the Feds Can Do
15. Review and streamline regulations that impose unnecessary constraints on housing development 16. Phased introduction of sustainability measures 17. Streamline site plan application 18. Standardize alternative solutions for mid-rise development	19. Standardize accessibility and green standards across Ontario 20. Streamline the Ministry of the Environment, Conservation and Parks role in building permit process	21. Standardize the Building Code across Canada

Transform zoning to unlock more housing

22. Explore citywide upzoning and as-of-right permissions 23. Increase flexibility for density and height in Major Transit Station Areas 24. Simplify zoning and reduce regulatory requirements 25. Align Official Plan and Zoning By-Law permissions 26. Delegate minor variance approvals for affordable housing		
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Create sustainable programs and funding that will mobilize industry to help meet the demand for affordable housing

	27. Expand the federal and provincial government's role as housing supplier 28. Strengthen landlord rights to promote rental housing supply 29. Strengthen the Region of Peel's housing service delivery framework	
	30. Provide funding for Inclusionary Zoning and affordable units	

City of Mississauga – Initial Actions

Mississauga is prepared to act and will use the recommendations in this report to help guide future efforts. In fact, early engagement with the Task Force, has prompted the City to take action already. Here is a summary of the initial actions we are taking.

Increasing Supply	Improving Affordability	Streamlining City Processes
<ol style="list-style-type: none"> 1. Creating opportunities for more housing through planning permissions 2. Supporting development in Major Transit Station Areas 3. Bringing more mixed-use development online 4. Allowing for more housing choices in neighbourhoods 	<ol style="list-style-type: none"> 1. Encouraging the development of more affordable rental units for our residents 2. Reducing application and parking fees for affordable housing 3. Optimizing city-owned land for housing development 4. Making it less expensive to build additional residential units 5. Keeping building application fees as low as possible 	<ol style="list-style-type: none"> 1. Creating a housing-focused team of city-builders 2. Overhauling development application review processes 3. Improvements to site plan applications 4. Incentives for pre-application meetings 5. Getting urban design right for housing

Housing Responsibilities – Who Does What

Federal Government (Canada)	Provincial Government (Ontario)	Regional Government (Region of Peel)	Municipal Government (Mississauga)
<ul style="list-style-type: none"> Fiscal and monetary policy (e.g., federal budget, inflation) Federal taxation (e.g., GST/HST) Banking & financial regulation (e.g., mortgage finance, CMHC, interest rates) National Building Code Immigration levels planning Temporary Foreign Workers Program Funding & cost-sharing (e.g., community housing, homelessness programs) Federal lands (management & sale) Census & statistics Global affairs and trade 	<ul style="list-style-type: none"> Provincial taxation (e.g., provincial sales tax/HST, land transfer tax) Ontario Building Code Landlord & tenant rights and responsibilities Ontario Planning Act and Provincial Planning Statement (e.g., planning framework, land use planning and development rules) Legislative authority for community housing, funding & delivery Provincial lands (management & sale) Transit investment (e.g., Metrolinx) Legislative authority for Growth Charges (development charges, community benefits charge, parkland dedication/cash-in-lieu) Regulatory framework for municipal borrowing 	<ul style="list-style-type: none"> Property taxes Housing service manager <ul style="list-style-type: none"> Community housing development and delivery (e.g., affordable, transitional and emergency housing) Program delivery (e.g., homelessness support) Regional infrastructure and services <ul style="list-style-type: none"> Development charges for new development 	<ul style="list-style-type: none"> Property taxes Land use planning and development responsibilities <ul style="list-style-type: none"> Official Plan Zoning By-law Development applications Committee of Adjustment Building permits City building initiatives Local infrastructure and community services <ul style="list-style-type: none"> Growth charges for new development (development charges, community benefits charge, parkland cash-in-lieu) Community improvement plans

January 20, 2025

Mayor Carolyn Parrish & Members of General Committee
City of Mississauga
300 City Centre Drive
Mississauga, Ontario
L5B 3C1

RE: *January 22, 2025 General Committee Meeting*
Agenda Item 10.1 - Mayor's Housing Task Force Report

Mayor Parrish and members of Council,

Congratulations to you, City staff, and all members of the Mayor's Housing Task Force for the release of your ***Mayor's Housing Task Force Report***.

As a member of the Task Force, I can attest to the comprehensive and extensive Task Force process which involved a group of committed industry leaders, as well as a unified and devoted city team who were laser focused on arriving at a set of tangible solutions to address the housing crisis. Thank you for being open to understanding the challenges the industry is currently facing, for creating an environment of collaboration to identify forward-thinking opportunities, and for recognizing what immediate steps the City can take.

The extensive list of solutions are primed to accelerate residential and non-residential development to help increase housing and employment opportunities for residents and businesses in Mississauga. The City should be celebrated for being leaders! You are clearly doing your part to address today's economic and housing realities, and the report's solutions rightly recognize that all levels of government also need to be at the table.

Again, congratulations to all for the outstanding work and effort. It has been an honour and pleasure to be a part of this historic process and resulting report. We at BILD, as well as our members who are your partners in building complete and vibrant communities in your city, look forward to working with you and your staff on the Report's successful implementation.

Sincerely,



Paula Tenuta
Senior Vice President, Policy & Advocacy



22 St. Clair Avenue East, Suite 1010
Toronto, ON Canada M4T 2S3
T 416 324 5409
F 416 924 6353
www.diamondcorp.ca

January 21, 2025

Attn: General Committee, City of Mississauga

Re: Mayor's Housing Task Force Report

DiamondCorp is a Toronto-based real estate development company. Since its founding in 2008, the company has established itself as a leader in progressive city building in the GTA involved in the development of over 21 million square feet of gross floor area.

I am pleased to be part of the Mayor's Housing Task Force, working collaboratively with the Mayor, City Officials, and industry stakeholders to develop solutions to address the complexities of building housing today. I commend the Mayor for her forward-thinking approach and for bringing together the Housing Task Force, and hope other municipalities will follow. I look forward to continuing to work with the City of Mississauga to build new homes for years to come.

As one of the four partners representing the Port Credit West Village Partners, DiamondCorp has been active in Mississauga over the past several years with the development of Brightwater, a 72-acre master planned community in Port Credit. Throughout the development process we have maintained a strong working relationship with the City of Mississauga and have benefited from a collaborative approach where we implemented creative solutions to resolve some of the challenges we faced. Despite this, over the last two years there have been increasing difficulties and risks associated with housing development and construction that are magnified in the current economic climate.

DiamondCorp is supportive of the recommendations put forth in the Mayor's Housing Task Force Report. At the Municipal level, there are a number of actions that can be taken which will help increase both the supply and affordability of housing. As identified in the Task Force report, this includes streamlined approvals processes, increased zoning permissions, and financial incentives. Implementing changes at the municipal level is the first step in enabling new housing to be built across the city.

However, the challenges we face building housing today require more than just municipal action. We are supportive of the Mayor and the Task Force's recommendations that call on the Regional, Provincial and Federal governments to establish coordinated and comprehensive strategies to support housing supply. The Provincial government has set out housing targets and legislation which encourage the development of new housing in Ontario. This direction can be brought to fruition through financial support from the Region of Peel in the form of Development Charge incentives that match the City of Mississauga's incentive program, and from the Federal government as a tax base waiver. This support is necessary due to the financial impact of fees and taxes on housing projects.



22 St. Clair Avenue East, Suite 1010
Toronto, ON Canada M4T 2S3
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www.diamondcorp.ca

We are currently facing a housing starts crisis where unfortunately many projects have been cancelled with many others at risk of being cancelled. Soft costs are the biggest challenge today making up almost 30% of project costs which are mostly driven by government taxes and multiple municipal fees. This makes it difficult to deliver projects at more affordable prices to spur on condominium sales which are required to begin construction. Highrise construction typically takes 3 to 4 years from start to completion, meaning that 2027 and beyond will bring a significant drop in housing completions due to the sharp decline in sales and construction starts since 2022. With current projects showing very few deliveries later this decade, we are at a critical juncture for housing supply in Ontario. This means that unless action is taken, in a few years' time we will see a greater housing crisis as supply will be limited across the GTA. With support from all levels of government, we can work to deliver more housing.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Blazeovski", written in a cursive style.

Robert Blazeovski

President and COO, DiamondCorp

Date: 1/21/2025

Dear Housing Task Force Members,

It is an honour for Edenshaw to have participated in the Mayor's Housing Task Force, working alongside such esteemed colleagues and partners. We would like to first express our gratitude to Mayor Carolyn Parrish and Deputy Mayor Matt Mahoney for their leadership in convening this task force. Their commitment to addressing Mississauga's housing challenges head-on is inspiring, and it is a testament to their dedication to the future of our city.

The housing crisis we face in Mississauga is a reality that impacts families, communities, and the very fabric of our city. The need for more affordable, accessible, and sustainable housing has never been more urgent. As we know, housing is not just a basic necessity – it is the cornerstone of vibrant, thriving communities. Together, we are taking a critical step forward in addressing this issue.

We are proud to be part of a group of developers, city planners, and professionals who are all deeply committed to finding innovative solutions. The focus of this task force was clear: to streamline housing approvals, increase supply, and make sure that the homes we build are more affordable.

One of the key outcomes we are striving for is efficiency. We all understand that the approval processes, though well-intentioned, can be cumbersome and slow down the delivery of much-needed homes. Any efficiencies found in the approval process will transmit into shorter project durations and as we all know, time is money so any cost savings will transmit into more affordable housing. By identifying ways to accelerate development approvals while maintaining the necessary safeguards, we can ensure that we meet the growing demand for housing without sacrificing quality.

At Edenshaw, we are particularly excited about the potential to collaborate with the Task Force members to identify incentives that will allow us to deliver homes at lower costs. As an example, Development Charges are a major cost of a home and the revisions proposed to these development charges will transmit into housing being more affordable in Mississauga. We know that the solutions we seek cannot be one-size-fits-all. The housing market is complex, and it is critical that we provide a variety of housing options that cater to different income levels, family sizes, and lifestyles. The input from everyone on the task force will guide us in crafting policies and strategies that can truly transform the housing landscape in Mississauga.

The Residential development industry has demonstrated its desire to be part of the solution of our housing crisis by collaborating with the City of Mississauga. We also recognize that the solutions are not just local but require the involvement and action on behalf of the Peel Region and both the Provincial and Federal governments. We applaud the Mayor for involving these other levels of government and her insistence that they contribute their share in a meaningful way.

To the Mayor, Deputy Mayor, and all of my fellow task force members, I thank you for your collaboration and vision. The work we are doing will lay the foundation for the future of Mississauga – a future where families can thrive in affordable, well-designed homes, and where the city's growth is managed responsibly and sustainably.

Together, we can ensure that Mississauga continues to be a city that offers opportunity, community, and a place to call home for everyone.

Warm Regards,



David McComb

President & CEO

Edenshaw Developments

January 21st, 2024

Planning and Development Committee
City of Mississauga
300 City Centre Drive
Mississauga ON L5B 3C1

Attention: Angie Melo, Legislative Coordinator (angie.melo@mississauga.ca)

**RE: Item 10.1 Information Report (All Wards) – Mayor’s Housing Task Force Report
January 22nd, 2025 General Committee Meeting**

Dear Members of General Committee,

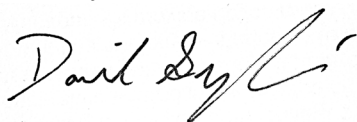
On behalf of Terracap Management., we are writing to express our support for the Mayor’s Housing Task Force Report, which is under consideration as Item 10.1 at the January 22nd, 2025, General Committee Meeting. We commend the Mayor, Staff, and members of the Housing Task Force for producing an insightful and forward-thinking report.

The Housing Task Force Report accurately captures the current market conditions, and the challenges faced in delivering housing solutions in Mississauga. Implementation of the actionable steps, as outlined in the report, will result in concrete steps towards addressing housing affordability and supply through innovative and pragmatic strategies.

The report’s 30 recommended actions represent a holistic approach to addressing housing. We commend the focus on expediting development approvals, lowering costs for new housing, and fostering partnerships that encourage innovation in housing design and delivery. These measures are critical for ensuring that Mississauga remains an attractive, livable, and competitive city. By prioritizing affordability and accessibility, the report sets a strong foundation for achieving meaningful and lasting progress in the housing sector.

Thank you for the opportunity to offer our feedback on this important initiative. Terracap Management would like to extend their congratulations to the entire Mayor’s Task Force. We are encouraged by the City’s leadership and proactive approach to addressing housing challenges and are eager to support these efforts.

Sincerely,



David Sajecki
MCIP, RPP, B.Eng, LEED AP
Partner, Sajecki Planning Inc.

PRESENTATION

PROVINCIAL & MUNICIPAL HOUSING POLICIES: BILD'S POLITICAL ACTION

Andrew Brethour (MASTER OF CEREMONIES)
Executive Chairman & CEO, PMA Brethour.

Dave Wilkes
President & CEO, Building Industry and Land
Development Association (BILD).

P R E S E N T A T I O N



ANDREW BRETHOUR

Executive Chairman & CEO,
PMA Brethour.

**PROVINCIAL & MUNICIPAL
HOUSING POLICIES: BILD'S
POLITICAL ACTION**

Andrew Brethour, Executive Chairman PMA Brethour Realty Group, including PMA Brethour Real Estate Corporation Inc., PMA Brethour Research Associates, PMA Land Services, PMA SalesMasters, PMA Leasing and PMA Insiders. He is a registered Real Estate Broker and Broker of Record for PMA Brethour Real Estate Corporation Inc, Brokerage.

PMA was founded in 1964 to provide Sales and Marketing services to the Building Industry. Andrew joined the firm in 1977 and became owner and President in 1989, Chairman & CEO in 2016 and most recently transitioned to Executive Chairman in 2021.

Today, PMA provides sales and marketing and research services to the Building Development industry from offices in Toronto, Ottawa, Collingwood, Calgary, Kelowna and Naples.

Andrew attended University of Waterloo School of Urban & Regional Planning, Class of 1972

Andrew is the Founder of Housing Data Reports in 1980, later merged in 2000 with RealNet Canada and sold to Altus in 2012. Also, the former Director and Executive of the Toronto, Ontario and Canadian Home Builders' Associations. As well as former Chairman of the Toronto and National Sales & Marketing Council.

He is the founder of the National SAM AWARDS and recipient of the prestigious Maple Leaf Award honoring Canada's top associate member. Receiver of the "SAMMY" 1999 (Sales and Marketing Member of the Year) Award, also awarded the Riley Brethour Award by BILD (formerly the Greater Toronto Home Builders' Association) and Elected to the BILD Hall of Fame in 2005. The only Canadian recipient of the "Legends of Residential Marketing" Award from National Homebuilders Association in the United States.

Membership involvement: Governor of the Builder Marketing Society in the United States, Economic Review Committee of the Ontario Home Builders' Association and Member of the International Lambda Alpha Society of Land Economists. BILD Awards Committee member. In 2022, Andrew became a member of the Board of Governors of The Abraham Global Peace Initiative (AGPI), a Canadian human rights organization.

P R E S E N T A T I O N



DAVE WILKES

President and CEO, Building Industry and Land Development Association (BILD).

PROVINCIAL & MUNICIPAL
HOUSING POLICIES: BILD'S
POLITICAL ACTION

Dave Wilkes is a seasoned business leader with deep experience in developing collaborative solutions to industry challenges and opportunities. As President & CEO of BILD, he is a powerful advocate for land developers and home builders and a strategic partner to a wide variety of stakeholders and partner organizations. In 2022, Dave was a member of Ontario's Housing Affordability Task Force. With more than 1,300 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area. The building and renovation industry provides more than 231,000 jobs in the region and \$26.9 billion in investment value. BILD is allied with the Ontario and Canadian Home Builders' Associations.

BILD Speech Summary – LandPRO Conference 2025

Speaker: David Wilkes, President & CEO, Building Industry & Land Development Association (BILD)

Key Themes

1. Urgency in Addressing the Housing Crisis

- Sales of new homes are significantly below average (75% below the 10-year average in 2024).
- 2025 trends are continuing to decline.
- A historical housing deficit is colliding with population growth and infrastructure challenges.
- According to a study developed by the Missing Middle Initiative by Mike Moffatt for BILD and OHBA in March, we need to build at least 50,000 homes annually of all types to balance the market and meet the housing needs of the GTA.

2. Economic and Geopolitical Challenges

- Global trade issues and tariffs are creating cost pressures.
- Increased construction costs and supply chain instability.
- Urgency to act now to avoid a more severe crisis by 2027.

3. Collaborative Action Required

- Industry, all levels of government must align and take decisive action.
 - Housing supply can stimulate economic growth, protect jobs.
-

Cost-to-Build Crisis

- High-rise projects: Need to reduce costs by ~\$400/sq ft.
- Low-rise projects: Need to reduce costs by ~\$100/sq ft.
- Market forces alone are not enough to solve the crisis.

Three Key Areas of Focus for 2025:

1. Reduce Government Fees, Taxes & Charges

- Eliminate/reduce HST on new homes:
 - Condo: ~\$93,000 savings
 - Single-family home: ~\$151,000 savings
- Lower municipal development charges (DCs):

- GTA municipalities are the highest in Canada for both low-rise and high-rise fees.
- Modernize the DC Act to address long-term affordability.

2. Speed Up Approval Times

- Current GTA average: 22 months
- National average: 12 months
- Examples:
 - London, ON: 4.2 months
 - Edmonton: 3.4 months
 - Calgary: 4.2 months
- Improving timelines can have a major impact on supply.

3. Increase Serviced Land Availability

- The issue is not land quantity but servicing (pipes/infrastructure).
- Need continued investment in housing-supportive infrastructure.
- Federal and provincial support for municipalities is essential.

Reasons for Optimism

- Political recognition of the issue.
- Promising actions in Burlington, Vaughan, and Mississauga lowering fees.
- Federal and provincial support is beginning to align.
- Proven economic benefit of residential construction.
- Potential to reduce home prices by over \$200,000 with combined measures.

Conclusion

- The task ahead is clear and achievable.
- Progress is already underway.
- Industry is ready to work with government at all levels.
- Collective, urgent action can restore affordability and supply.

“The solutions have been identified, and we know how to fix this. We must do so together, with a renewed sense of urgency.”

PRESENTATION

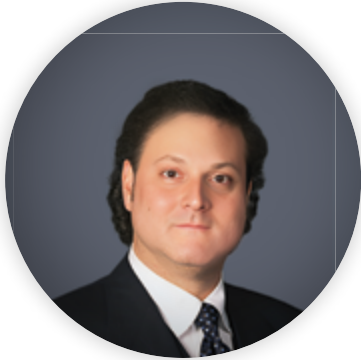
RECENT APPELLATE
COURT DECISIONS
IMPACTING HOME
BUILDERS & LAND
DEVELOPERS

Harry Herskowitz

Senior Partner, DelZotto, Zorzi LLP

08

P R E S E N T A T I O N



HARRY HERSKOWITZ

Senior Partner, DelZotto, Zorzi LLP.

RECENT APPELLATE COURT DECISIONS IMPACTING HOME BUILDERS & LAND

DEVELOPERS: namely 660
Sunningdale GP Inc. v. First
Service Mortgage (2024) 171
O.R. (3d) 624; and Ungar et.
al. v. MOD Developments
(Charles) Limited
Partnership, by its general
partner MOD Development
(Charles) Inc. 2024 ONCA
298

Harry Herskowitz is a graduate of Osgoode Hall Law School and was called to the Bar of Ontario in 1979. Harry is qualified as an arbitrator/mediator, having completed a course in arbitration/mediation at the University of Toronto's School of Continuing Studies in 1994.

Harry's practice is devoted to real estate, mortgage lending and commercial transactions, with emphasis on land development and condominium law. Harry's practice also includes arbitrating disputes involving commercial real estate transactions and condominium issues, and providing legal opinions on various aspects of real property law.

Harry has represented numerous subdivision and condominium developers throughout Ontario, from simple stand-alone residential projects to complex mixed-use, multi phased and leasehold condominium projects. Harry is qualified as an expert witness before the Ontario Superior Court of Justice, and frequently provides opinions on real estate conveyancing and condominium issues.

**RECENT APPELLATE COURT DECISIONS
IMPACTING HOME BUILDERS & LAND DEVELOPERS IN ONTARIO**

BY HARRY HERSKOWITZ & AMY CRYSTAL AT DELZOTTO, ZORZI LLP
(with assistance from articling student Harshita Bhayana)

For the 2025 LandPro Conference being held on April 2, 2025

SUMMARY

PART ONE: An Analysis of the Appellate Court Decision in *660 Sunningdale GP Inc. v. First Service Mortgage* (2024), 171 O.R. (3d) 624 (hereinafter referred to as the “**Sunningdale Case**”)

1. Introduction
2. The Facts of the Case
3. The Lower Court Decision
4. The Appellate Court’s Ruling and Analysis
5. Critique of the Decision

PART TWO: An Analysis of the Appellate Court Decision in *Ungar et al. v. MOD Developments (Charles) Limited Partnership, by its general partner MOD Development (Charles) Inc.*, 2024 ONCA 298 (hereinafter referred to as the “**MOD Case**”)

1. Introduction
2. The Facts of the Case
3. The Lower Court Decision
4. The Appellate Court’s Ruling and Analysis
5. Critique of the Decision

PART ONE: AN ANALYSIS OF THE APPELLATE COURT DECISION IN THE SUNNINGDALE CASE

1. INTRODUCTION

Most home builders and land developers in Ontario require some source of financing in connection with the development and construction of their respective low-rise housing projects or high-rise condominiums, and the lenders who ultimately commit to provide such financing will invariably charge or exact from their respective borrowers a loan commitment fee, or a loan arrangement fee, in order to compensate the lender for sourcing and arranging the funds, and for the time expended in underwriting the loan, and for preparing the initial commitment letter and/or the ultimate loan agreement or credit agreement. A portion of the requisite commitment fee is usually paid by the borrower up front, at the time that the loan is being negotiated, with the balance thereof to be deducted by the lender from the initial loan advance (or otherwise paid by the borrower on or shortly after the date of the first loan advance), and typically the commitment letter expressly stipulates that the entirety of the commitment fee is deemed to be fully earned and payable to the lender upon the acceptance and execution of the commitment letter by all parties thereto, regardless of whether the loan itself has ultimately been advanced, in whole or in part.

In the Sunningdale Case, sometime after the commitment letter had been executed, the borrower alleged that the lender had made unreasonable demands as a condition of (or as a prerequisite to) the loan being advanced, and consequently the borrower decided not to proceed with the loan. Upon terminating the loan commitment, the borrower proceeded to challenge the enforceability of its obligation to pay the loan commitment fee, and in rendering their respective decisions, both the lower court and the appellate court embarked on an analysis of several legal principles or doctrines, namely the doctrine of unenforceable penalty clauses (triggered by a

stipulated remedy clause) and the doctrine of relief against forfeiture, as well as the independent doctrine of unconscionability.

The purpose of part one of this paper is to review the decision of the motion court judge and the ruling of the Ontario Court of Appeal in the Sunningdale Case, and to assess whether the borrower's obligation to pay the commitment fee was an enforceable contractual obligation (i.e., that was negotiated openly and fairly between two commercially-sophisticated parties), rather than a stipulated remedy clause triggering a penalty that would entitle the borrower to relief from forfeiture, or alternatively an unearned windfall benefit that would be inequitable and unconscionable for the lender to retain under the circumstances.

2. THE FACTS OF THE CASE

660 Sunningdale GP Inc., a commercial real estate developer (hereinafter referred to as the "**Borrower**"), signed a loan commitment letter (hereinafter referred to as the "**Loan Agreement**") with First Source Mortgage Corporation (hereinafter referred to as the "**Lender**"), for a first mortgage loan on a development property in the amount of \$15,500,000 (hereinafter referred to as the "**Loan**"). Pursuant to the provisions of the Loan Agreement, the Borrower agreed to pay the Lender a loan commitment fee equivalent to 2.75% of the total principal amount of the Loan, totaling the sum of \$426,500 (hereinafter referred to as the "**Lender's Fee**"), as consideration for the Lender sourcing the funds, and for the Lender's time expended (and the corresponding risk involved) in underwriting the loan, and for preparing the Loan Agreement.

The Loan Agreement stipulated that the Lender's Fee was to be payable by the Borrower by way of an initial payment in the amount of \$100,000 (hereinafter referred to as the "**Deposit**"), to be paid and remitted to the Lender when the Loan Agreement had been accepted and executed

by both parties thereto, and with the remaining balance thereof (in the amount of \$326,500) to be paid to the Lender either from the loan proceeds (i.e., as a deduction from the first loan advance) or directly by the Borrower (in the event that the Loan was not funded without a default by the Lender). The Loan Agreement further confirmed that the Lender's Fee was deemed to have been earned upon the acceptance and execution of the Loan Agreement, which transpired on or about March 31, 2021.

Following the execution of the Loan Agreement, and prior to the first loan advance thereunder, the Lender imposed various obligations or requirements on the Borrower, as a prerequisite to the Loan being advanced, which the Borrower believed were unreasonable or overly demanding. Consequently, the Borrower decided not to proceed with the Loan (nor to pay the balance of the Lender's Fee in connection therewith), alleging that the Loan Agreement had been terminated through the fault of the Lender, and that the Lender's Fee was correspondingly no longer due and owing by the Borrower. The Lender took the position that the Loan was cancelled, with no default having been committed under the Loan Agreement by either party thereto. Article 4.17 of the Loan Agreement expressly confirmed that in the event that the Loan Agreement was terminated (with no loan advance having been made thereunder) through no fault of the Lender, then the Deposit may be retained by the Lender as its liquidated damages, with the Borrower continuing to be liable to pay the entire outstanding balance of the Lender's Fee, on demand. The Lender proceeded to register a caution against the development property, which prompted the Borrower to issue a notice of action seeking formal rescission of the Loan Agreement, and an order discharging the registered caution. The Borrower thereafter paid the remaining balance of the Lender's Fee to its own lawyer, to be held in trust pending the resolution of the

dispute between the Borrower and the Lender regarding the balance of the Lender's Fee, in exchange for the Lender removing the caution that it had filed.

3. THE LOWER COURT DECISION

Justice Hebner of the Ontario Superior Court of Justice decided the case on a motion for summary judgment, and determined that the Borrower's obligation to pay the balance of the Lender's Fee was a penalty, and therefore awarded the Borrower all of the monies held in trust by the Borrower's solicitor, representing the balance of the Lender's Fee. The lower court also confirmed that the Lender was legally entitled to retain the Deposit, because the amount of the Deposit represented a legitimate pre-estimate of the damages that would flow from a subsequent breach of the Loan Agreement. Although the Borrower argued that the Loan Agreement had been terminated through the fault of the Lender (due to the Lender's unreasonable demands of the Borrower that were imposed as a condition or prerequisite to the first loan advance), the motion court judge was unable to determine whether the termination of the Loan Agreement was, in fact, triggered by the fault of the Lender based on the evidence before the court. Justice Hebner nevertheless concluded that the onerous requirements imposed by the Lender about which the Borrower complained, including the Lender's PPSA registration against the Borrower, made the Borrower's life difficult, and ultimately prompted the Borrower to unilaterally terminate the Loan Agreement and look elsewhere for financing.

In determining that the obligation to pay the balance of the Lender's Fee was an unenforceable penalty, Justice Hebner referred to the case of *Peachtree II Associates – Dallas L.P.*

v. 857486 Ontario Ltd.¹, where the appellate court described the body of law pertaining to stipulated remedy clauses. As Justice Sharpe explained in said case, a stipulated remedy clause in a contract may be treated as triggering an unenforceable penalty if it is extravagant and unconscionable in amount, in comparison to the greatest loss that could conceivably be proved to have flowed from the breach. If the stipulated remedy gives rise to a forfeiture, then it will be enforced in equity only when it is not unconscionable to do so (determined at the time of the breach), and if it is ultimately considered to be an unenforceable penalty, then relief from forfeiture may be granted by the court pursuant to the provisions of Section 98 of the *Courts of Justice Act*². Justice Hebner then proceeded to cite the case of *Redstone Enterprises Ltd. v. Simple Technology Inc.*³, where the appellate court set out the test for determining whether relief from forfeiture should be granted, namely that a party seeking relief from forfeiture must establish that the forfeited amount was out of all proportion to the damages suffered by the non-defaulting party consequent upon the breach, and that it would be unconscionable for the non-defaulting party to retain the money so forfeited.

Justice Hebner suggested that the Deposit, on the one hand, and the balance of the Lender's Fee, on the other hand, ought to be treated differently, and she ultimately confirmed that where the Loan is not advanced through no fault of the Lender, then the Lender should be entitled to retain the Deposit as its liquidated damages, as expressly contemplated by the Loan Agreement. However, the lower court rejected the Lender's argument that the Lender's Fee was compensation for both the work involved in arranging the Loan, and for the risk associated with entering into the Loan Agreement, and pointed out that much of the work for which the Lender's Fee was payable

¹ (2005), 76 O.R. (3d) 362 (C.A.).

² R.S.O. 1990, c. C.43, as amended.

³ 2017 ONCA 282.

(namely, the underwriting, sourcing and arrangement of the monies earmarked for the Loan) was never actually undertaken or completed. In Justice Hebner's view, the balance of the Lender's Fee was not payable until the mortgage loan funds were fully advanced, which never actually transpired. Additionally, the Lender was unable to provide any evidence as to the damages that it had suffered as a result of the cancellation of the Loan. The lower court therefore concluded that the balance of the Lender's Fee constituted a sum that was "extravagant and unconscionable in amount", in comparison with the maximum loss that could have been sustained by the Lender consequent upon the Borrower's default, and accordingly granted the Borrower relief from forfeiture regarding the balance of the Lender's Fee. The Lender subsequently appealed the motion court judge's decision.

4. THE APPELLATE COURT'S RULING AND ANALYSIS

Justice Paciocco, delivering the unanimous decision of the Ontario Court of Appeal, held that the contractual provision mandating the payment of the balance of the Lender's Fee did not constitute a "stipulated remedy" clause for a breach of contract pursuant to the terms of the Loan Agreement, inasmuch as the balance of the Lender's Fee was contractually stipulated to be payable by the Borrower irrespective of whether or not the contract was breached. The entirety of the Lender's Fee constituted the consideration for the Lender agreeing to arrange the Loan and for correspondingly entering into the Loan Agreement. Moreover, the Loan Agreement expressly stipulated that the Lender's Fee was deemed to have been earned upon the acceptance and execution thereof. Simply put, the obligation to pay the Lender's Fee did not arise because of some specified conduct, default or breach committed by the Borrower, as a remedy for same, and it was therefore inappropriate to apply the law relating to penalty clauses thereto. In advancing this point,

Justice Paciocco referred to the accepted definition of a penalty as being “the payment of a stipulated sum on breach of the contract, irrespective of the damage sustained”, and he correspondingly concluded that the provisions of the Loan Agreement pertaining to the Lender’s Fee did not accord with this definition. In Justice Paciocco’s view, the motion court judge focused solely on whether the balance of the Lender’s Fee was extravagant and unconscionable, in comparison to the amount that the Lender actually expended, without first determining whether the Lender’s Fee was, in fact, payable as a remedy for a breach of contract, and such a determination is a necessary condition or prerequisite to it being characterized as a stipulated remedies clause. Moreover, Justice Paciocco noted that the description of the Deposit as “liquidated damages” in Article 4.17 of the Loan Agreement did not support the interpretation that the payment of the Lender’s Fee was actually (or akin to) a remedy for any breach of contract, in the context of the Loan Agreement as a whole, nor would such an interpretation have applied to the payment of the balance of the Lender’s Fee in any event. The appellate court was therefore satisfied that the motion court judge committed a legal error in applying the doctrine of unenforceable penalty clauses to monies that were expressly payable pursuant to the provisions of the contract in the absence of any breach.

Justice Paciocco also pointed out that the motion court judge misapplied the law regarding the granting of relief against forfeiture, which is an equitable remedy that is available to relieve a defaulting party of the consequences of its non-observance or breach of contract, but cannot (and should not) be applied to relieve a party from its contractual obligation to pay an amount that is payable or owing, regardless of whether any default or breach has occurred. The appellate court confirmed that the doctrines and jurisprudence regarding penalties and the relief against forfeiture are limited to a narrow set of circumstances, none of which were applicable to the case at bar. As

Justice Paciocco observed, it is not the role of the judiciary to grant relief against forfeiture in order to relieve parties from the terms of a contract that they had expressly agreed to, simply on the grounds of the improvidence or harsh result imposed by said terms. Rather, that type of relief is the function of the equitable doctrine of unconscionability, but only in those circumstances where such doctrine is applicable.

The appellate court expressly confirmed that resort to the doctrine of unconscionability is only available where the agreement (or any particular term thereof) is inherently unfair or inequitable, and such unfairness or inequity arises from an inequality of bargaining power between the contracting parties. In turn, the inequality of bargaining power arises in circumstances where there is a substantial difference in the financial resources of the contracting parties and/or a significant disparity in their respective level of commercial or business sophistication. The doctrine of unconscionability is essentially aimed at protecting vulnerable parties in the contracting process from any loss or improvidence as a result of the bargain that was made. In the Sunningdale Case, the appellate court confirmed that there was no evidence to suggest that the Borrower and the Lender were not on equal footing in terms of bargaining power, particularly in light of the fact that the Borrower was an experienced commercial developer capable of handling large-scale projects, and was not a disadvantaged consumer. Justice Paciocco concluded that the motion court judge incorrectly invalidated the terms of the contract relating to the payment of the balance of the Lender's Fee by applying relief which was only available under the doctrine of unconscionability, and which doctrine was correspondingly inapplicable because of the absence of any inequality of bargaining power.

Finally, the appellate court found that the motion court judge erred in concluding that the Lender's Fee was not earned, due to the non-advancement of the loan. The motion court's reliance

on the case of *Marshallzehr Group Inc. v. Ideal (BC) Developments Inc.*⁴, where the loan commitment fee was deemed payable only upon the advancement of the loan, was misplaced in the Sunningdale Case, inasmuch as the motion court judge failed to consider the express terms of the Loan Agreement at issue. Specifically, Article 2.01 of the Loan Agreement stipulated that the Lender's Fee was earned upon the acceptance and execution of the Loan Agreement, irrespective of whether the Loan was advanced. Furthermore, Article 4.17 allowed for an alternative payment method, in the event that the Loan was not advanced without fault by (or from) the Lender, and expressly confirmed that in such circumstances, the Borrower would nevertheless be responsible for paying the deficiency between the Lender's Fee and the Deposit, forthwith upon demand. The appellate court ultimately determined that the motion court judge committed a palpable and overriding error, by failing to give proper consideration to these salient contractual provisions, resulting in an unreasonable interpretation of the contract. Consequently, the appellate court ruled that the balance of the Lender's Fee so held in trust should be paid and remitted to the Lender, and not refunded to the Borrower.

5. CRITIQUE OF THE DECISION

The well-reasoned decision of the Ontario Court of Appeal in the Sunningdale Case draws an important distinction between:

- (a) those contractual provisions which provide for a payment that is contingent or payable only upon a default or breach committed by one of the contracting parties (and correspondingly characterized as a penalty, and which may consequently be unenforceable if the payment

⁴ 2021 ONCA 229, 155 O.R. (3d) 200.

so required is considered excessive and beyond a genuine pre-estimate of the damages consequent upon such breach); and

- (b) those contractual provisions which provide for a payment that is triggered or payable upon a certain event or timeframe, irrespective of whether any breach or default has occurred.

In addition, the appellate court confirmed that the law involving a stipulated remedy clause triggering an unenforceable penalty, and the corresponding relief against forfeiture, should not be blended or merged with the law regarding the unconscionability of a contract, because they are two distinct legal principles with different ambits or scope.

Relief against forfeiture is typically available as an equitable remedy where the enforcement of a clause in the contract that was inserted to secure some outstanding obligation would result in overcompensating the innocent party for the default or breach of contract so committed by the party seeking relief, and is invariably sought in order to prevent: (i) the forfeiture of non-refundable deposits, or the forfeiture of partial payments or instalments on account of the purchase price that have been previously advanced by the defaulting party; (ii) the loss of proprietary or possessory rights, including the loss of an option to renew a lease; or (iii) the loss of a right to extend a contractual benefit or entitlement. However, in the Sunningdale Case, the balance of the Lender's Fee was not paid or payable (in form or in substance) as a deposit, nor as partial payment or as an instalment, and the Borrower's obligation to pay the balance of the Lender's Fee was not a stipulated remedy clause intended to secure the performance of any specific obligation in the event of a breach of contract. Relief from forfeiture is also available in cases involving fraud, accident, mistake or surprise, but none of those circumstances prevailed in the Sunningdale Case.

The doctrine of unconscionability will apply to relieve a party from the obligation to perform or fulfil its contractual obligations where the contract as a whole, or the particular contractual provision that is the subject of the dispute between the contracting parties, is deemed or construed to be objectively unfair to one of the contracting parties, in circumstances where there is an inequality of bargaining power (often reflected by a significant disparity in the financial wherewithal and/or the business acumen or sophistication of the contracting parties), thereby warranting judicial intervention to relieve against the enforceability of the provision, or the enforceability of the contract in its entirety. No such inequality of bargaining power existed in the Sunningdale Case, and presumably both parties were represented by experienced legal counsel in connection with the creation and execution of the Loan Agreement.

Simply put, the motion court judge in the Sunningdale Case purported to relieve the Borrower not from the consequences of its conduct relating to the performance of the Loan Agreement, but rather from a contractual term or provision (namely, the payment obligation relating to the balance of the Lender's Fee) that the judge found to be extremely excessive and unconscionable in amount. However, as the appellate court expressly confirmed, it is not the role of the court to grant relief against forfeiture in order to relieve one of the contracting parties from a specific and unambiguous contractual obligation that was expressly agreed to (and that was not contingent upon, nor tied to, said party's breach or default) due to the improvidence, harshness or inequity of that term or provision, unless the doctrine of unconscionability is applicable to the contract because of the inequality of bargaining power between the contracting parties at the time of contract formation.

In the end, the appellate court decision in the Sunningdale Case strikes the proper balance between the judiciary's goal of promoting the relative fairness of contractual provisions, on the

one hand, and the paramount goal of attaining and preserving commercial certainty in contractual relations, and correspondingly enforcing contractual provisions that were freely and bona fide entered into by relatively sophisticated commercial parties with independent legal representation, on the other hand.

**PART TWO: AN ANALYSIS OF THE APPELLATE
COURT DECISION IN THE MOD CASE**

1. INTRODUCTION

Over the past twenty years or so, primarily due to the increasing scarcity of vacant land for development situate within the confines of the City of Toronto, home builders and land developers have targeted older rental housing projects for acquisition and demolition, for the purposes of redeveloping the site and building a new condominium project thereon that will incorporate a replacement rental housing component that will comply with the policy guidelines of the City of Toronto, and specifically Section 111 of the *City of Toronto Act, 2006*⁵, which essentially prohibits the demolition of residential rental properties in the City of Toronto without a corresponding commitment to provide an equivalent amount of replacement rental housing that is expressly governed by the terms and provisions of a development agreement entered into with the City of Toronto, and that is ultimately registered on title to the project lands in order to evidence and secure said obligation (hereinafter referred to as the “**Section 111 Agreement**”).

The MOD Case is emblematic of the foregoing scenario, where two separate and independent rental apartment owners sold their respective rental buildings (which were adjacent to one another) to a developer who sought to redevelop the site into a mixed-use complex comprising condominiums, townhouses, commercial space and 100 replacement rental apartment suites. The agreements of purchase and sale contemplated that the developer would have the discretion to create one or more cost-sharing agreements to address the ongoing operation, insurance, maintenance and repair of certain shared amenities, facilities and/or common areas

⁵ S.O. 2006, c. 11, as amended.

within the overall complex, but which cost-sharing provisions (and the corresponding percentage allocation of shared facilities costs between or amongst the respective components of said complex) were not settled or agreed-upon when the original agreements of purchase and sale were entered into, primarily because the developer wanted to retain maximum flexibility in finalizing the cost-sharing arrangements in order to reflect the as-built condition of the project lands, following the execution of the Section 111 Agreement with the City of Toronto.

The purpose of part two of this paper is to review the decision of the application judge and the ruling of the Ontario Court of Appeal in the MOD case, and to correspondingly review the principles of contractual interpretation predicated on the specific wording of the agreements of purchase and sale in the case at bar, and the reasonable expectation of the contracting parties at the time of contract formation.

2. THE FACTS OF THE CASE

Each of the two rental apartment owners, namely Torandim Limited and Eva Ungar (hereinafter collectively referred to as the “**Sellers**”), entered into two separate (but essentially identical) agreements of purchase and sale dated on or about December 18, 2017 (hereinafter collectively referred to as the “**Sale Agreements**”) with the developer MOD Developments (Charles) Limited Partnership (hereinafter referred to as “**MOD**”), involving the sale of two rental apartment buildings at 55 Charles Street East and 61-63 Charles Street East in Toronto, collectively comprising a total of 100 rental apartment suites (hereinafter collectively referred to as the “**Existing Rental Buildings**”). The Existing Rental Buildings were purchased by MOD with the intention of demolishing same and redeveloping the site for the construction of a new mixed-use project thereon (hereinafter referred to as the “**New Project**”), comprising a 52-storey

building incorporating a residential condominium containing approximately 565 dwelling units and several townhouses (hereinafter collectively referred to as the “**Condominium**”), along with 100 replacement rental apartment suites (hereinafter collectively referred to as the “**Replacement Rental Apartments**”), as well as a commercial underground parking garage and five storeys of freehold commercial space.

The Sale Agreements provided for cash consideration of approximately \$75 million to the Sellers, along with the transfer of title to the Replacement Rental Apartments to the Sellers, and with the Sellers being solely responsible for the operation, insurance, maintenance and repair of the Replacement Rental Apartments, and correspondingly entitled to retain all rental revenues derived therefrom. It was also anticipated that the Sellers would be responsible for renting out and populating the Replacement Rental Apartments, and in doing so, that the Sellers would be giving each of their former tenants a right of first refusal to lease one of the Replacement Rental Apartments.

When the Sellers entered into the Sale Agreements with MOD, the parties did not settle or finalize the specific terms of the cost-sharing agreement involving the common or shared amenities, facilities, services and/or areas intended to be used or enjoyed by any two or more of the different components of the New Project. However, the Sale Agreements provided that the terms and provisions of the cost-sharing agreement would ultimately be at the sole discretion of MOD, and that the Sellers were to act reasonably in executing such an agreement. Following the execution of the Sale Agreements, MOD was required to enter into a Section 111 Agreement with the City of Toronto outlining the specific details and requirements relating to the Replacement Rental Apartments. However, the City of Toronto imposed various conditions in the Section 111 Agreement that were inconsistent with the development of the New Project as initially

contemplated in the Sale Agreements. One of the conditions required the creation of a common entrance for both the Condominium and the Replacement Rental Apartments, whereas the Sale Agreements anticipated that there would be a separate entrance for each of same. The Section 111 Agreement also stipulated that three elevators must be installed to provide access to the respective Replacement Rental Apartments, as opposed to the two elevators that were expressly contemplated by the Sale Agreements. Additionally, the Section 111 Agreement required the Replacement Rental Apartments to be made available once 70% of the dwelling units in the Condominium were ready for occupancy, whereas the Sale Agreements provided that title to the Replacement Rental Apartments would be transferred to the Sellers at a later stage in the development and completion of the New Project. Finally, the Section 111 Agreement expressly limited both the initial rent and the future rent increases that the Sellers (as landlords) could legally charge to both returning tenants and to new tenants respectively.

The Section 111 Agreement was registered on title to the project lands on October 2, 2019, but the Sellers and MOD were unable to reach an agreement on the financial impact of the unanticipated requirements imposed by the City of Toronto thereunder. MOD presented the Sellers with a draft cost-sharing agreement, which included a requirement that the Sellers pay 15% of the expenses pertaining to all of the amenities, facilities, services and/or areas intended to be shared between the Condominium and the Replacement Rental Apartments, including the cost of maintaining the Condominium's lobby and concierge station, as well as the management fees and reserve fund required by the Condominium. Furthermore, MOD took the position that it should be responsible for arranging occupancy of the Replacement Rental Apartments pursuant to the obligation outlined in the Section 111 Agreement, and that it should correspondingly be entitled to retain all of the rental revenues derived therefrom, until the date that title to the Replacement

Rental Apartments is ultimately transferred by MOD to and in favour of the Sellers. The Sellers disagreed with the foregoing proposed arrangements, and took the position that they should not be responsible for paying for the cost of any shared amenities or common facilities that were not expressly contemplated by the Sale Agreements, and consequently litigation between the Sellers and MOD ensued, by way of an application (and cross-applications) to the Ontario Superior Court of Justice.

3. THE LOWER COURT DECISION

Justice Koehnen of the Ontario Superior Court of Justice noted that the matters in dispute between the parties were not specifically addressed or contemplated in the Sale Agreements, and he was accordingly required to judicially confirm:

- (a) whether the Sellers would be required to contribute towards the cost of maintaining those amenities, facilities, services and/or areas being shared between the Condominium and the Replacement Rental Apartments, above and beyond what was expressly specified in the Sale Agreements; and
- (b) which party would be responsible for leasing out the Replacement Rental Apartments prior to the transfer of title thereto to the Sellers, and correspondingly entitled to retain the rental revenues derived therefrom.

In applying the principles of contractual interpretation, Justice Koehnen based his decision on the specific wording of the Sale Agreements and the reasonable expectations of the parties at the time of contract formation.

On the issue of the allocation of the shared facilities costs, the lower court confirmed that the precise terms and provisions of the Sale Agreements, as well as the circumstances in which

they were made, did not support MOD's position that the Sellers should be obliged to contribute 15% of all shared facilities costs. Justice Koehnen noted that the Sale Agreements contemplated that the Condominium would be physically separate from the Replacement Rental Apartments, and that there would only be a small, modest lobby exclusively for the Replacement Rental Apartments, in contrast to the larger and more lavish two-storey lobby and concierge station situated within the Condominium that ultimately comprises part of the shared facilities pursuant to the provisions of the Section 111 Agreement. In Justice Koehnen's view, MOD would be better able to bear the risk of the cost of such shared amenities, because the Sellers were limited in their ability to recoup the extra expenses from the respective renters of the Replacement Rental Apartments, given the limits imposed on available rent increases in the future. Justice Koehnen also pointed out that MOD could fund the financial burden of the shared facilities costs through the sale prices charged to the respective condominium unit purchasers, and through the common expenses attributable to the respective units within the Condominium, which were anticipated to increase on an annual basis. Furthermore, Justice Koehnen found that while the Sale Agreements granted MOD the discretion to create the cost-sharing arrangements reflecting the as-built condition of the New Project, this discretion was not unfettered, and had to be exercised reasonably. The lower court rejected MOD's argument that the Sellers could use part of the \$75 million purchase price that they received as payment for the Existing Rental Buildings, in order to fund any additional shared facilities costs, in light of the fact that the \$75 million payment was always intended to represent the consideration for the sale of the Existing Rental Buildings, and that there was no reasonable expectation or intention that said sale proceeds would be used to fund the expenses associated with more luxurious amenities being imposed upon the Sellers against their will. Finally, Justice Koehnen dismissed MOD's assertion that the Sellers should be obliged to pay 15%

of the Condominium's management fees and maintenance costs (including the Condominium's reserve fund), inasmuch as the Replacement Rental Apartments would require their own property manager, and their own maintenance expenses, and the Sellers would accordingly be obliged to pay (and be solely responsible for) said costs, as originally contemplated. Justice Koehnen held that the Sellers should not be required to contribute 15% of the Condominium's reserve fund, but rather accepted the Sellers' proposal that they would maintain a 4% reserve fund on their own that could be subject to audit by the Condominium. However, despite the fact that it was not anticipated in the Sale Agreements, Justice Koehnen found it reasonable for the Sellers to bear the additional cost of the third elevator, as mandated by the Section 111 Agreement, since said elevator is intended to benefit and serve the Replacement Rental Apartments exclusively.

The Sale Agreements were silent about which party would be responsible for leasing out the Replacement Rental Apartments prior to the transfer of title thereto to the Sellers. Justice Koehnen noted that title to the Replacement Rental Apartments was contemplated to be transferred to the Sellers no later than 90 days after the date of registration of the Condominium, pursuant to the terms of a collateral mortgage held by the Sellers. However, the Section 111 Agreement required that the Replacement Rental Apartments be made available for prospective tenants by the time 70% of the dwelling units in the Condominium are ready for occupancy. Justice Koehnen pointed out that MOD would likely obtain occupancy permits for 70% of the dwelling units in the Condominium well before the registration of the Condominium, and that MOD would therefore continue to be the registered title holder of the Replacement Rental Apartments at the time that same are to be rented to third-party tenants. Justice Koehnen rejected MOD's position that as the registered title holder, MOD should be responsible for renting the Replacement Rental Apartments and collecting the rental revenues derived therefrom at the time that the City of Toronto requires

the Replacement Rental Apartments to be made available. In Justice Koehnen's view, it was more consistent with the intention of the contracting parties at the time of entering into the Sale Agreements that the Sellers would take responsibility for the leasing of the Replacement Rental Apartments, given the Sellers' pre-existing relationship with the original tenants, and their legitimate commercial interest in vetting all tenants who will be living in the Replacement Rental Apartments. Justice Koehnen also noted that the Sellers had extensive experience in leasing apartments, in contrast to MOD, who had no experience in re-locating tenants. Relying on Section 4(f) of the *Vendors and Purchasers Act*⁶, MOD claimed that from and after the closing of the purchase and sale transaction in respect of the Existing Rental Buildings, it became legally entitled to any and all rents derived from the rental of said properties. However, after taking into account the overall context of the transaction, Justice Koehnen held that the Replacement Rental Apartments comprised part of the consideration that MOD paid to the Sellers, and therefore the Replacement Rental Apartments were always intended to be constructed for the benefit of the Sellers. Absent an exception to this fundamental concept, Justice Koehnen concluded that the reasonable expectations of the parties dictated that the benefit of the Replacement Rental Apartments (i.e., in terms of the rental revenues derived therefrom) would ultimately accrue to the Sellers, as soon as such rent was earned. Accordingly, Justice Koehnen confirmed that until the Replacement Rental Apartments are transferred to the Sellers, MOD holds title to the Replacement Rental Apartments in trust for the Sellers, who are the sole beneficial owners thereof.

⁶ R.S.O. 1990, c. V.2, as amended.

4. THE APPELLATE COURT'S RULING AND ANALYSIS

Justice Favreau, delivering the unanimous decision of the Ontario Court of Appeal, upheld the application judge's interpretation of the Sale Agreements and his conclusions in connection therewith. In considering the provisions of the Sale Agreements, the factual context surrounding their formation, and the reasonable commercial expectations of the parties, the appellate court confirmed that the Sellers should only be responsible for contributing an amount equivalent to those shared facilities costs originally contemplated in the Sale Agreements, rather than paying for 15% of all of the additional shared facilities costs imposed thereafter pursuant to the requirements of the City of Toronto in connection with the development of the New Project, and the provisions of the Section 111 Agreement. The appellate court affirmed that with respect to the shared amenities imposed by the Section 111 Agreement, such as the lobby, the Sellers are only required to contribute an amount equal to what the Sellers would have had to spend in order to clean and maintain a small vestibule and lobby, as originally contemplated, but no more than that.

While MOD had the authority to determine the provisions of a cost-sharing agreement to address the cost of operating, insuring, maintaining and repairing those amenities, facilities, services and/or areas being shared by the Replacement Rental Apartments with the Condominium (and/or any other components of the New Project), the Sale Agreements did not grant MOD an unfettered discretion in connection therewith, nor unrestricted rights or entitlements arising therefrom. Consequently, Justice Favreau pointed out that any changes to the proposed shared facilities or common areas necessitated the procurement of the consent of the Sellers thereto, and had to align with the spirit and intent of the Sale Agreements.

Furthermore, Justice Favreau rejected MOD's argument that the application judge overstepped his role in considering matters such as the Sellers' ability to increase rents and recoup

the proposed shared facilities costs. In this regard, Justice Favreau referred to the case of *Sattva Capital Corp. v. Creston Moly Corp.*⁷, in order to highlight the distinction between inadmissible parol evidence (being evidence of the parties' subjective intentions that risks displacing or contradicting the clear language of the written contract) and admissible evidence regarding the circumstances surrounding the formation of the contract (being objective evidence of the factual background that was known, or that reasonably ought to have been known, by the parties at the time that they entered into the contract). Justice Favreau affirmed that the application judge appropriately considered various surrounding circumstances, including the parties' intention for separate and distinct operations of the Condominium and the Replacement Rental Apartments, as well as the Sellers' limited ability to recoup expenses from their respective tenants of the Replacement Rental Apartments. The appellate court expressly confirmed that the application judge was correct to interpret the provisions of the Sale Agreements by taking into consideration the principles of commercial reasonableness and efficacy.

Moreover, Justice Favreau rejected MOD's argument that it was entitled to populate the Replacement Rental Apartments, and to correspondingly collect and retain the rent derived therefrom, before the date that the Replacement Rental Apartments are legally transferred to the Sellers. Justice Favreau observed that at the time the parties entered into the Sale Agreements, they anticipated that the Sellers (as the long-term owners of the Replacement Rental Apartments) would be fully in control of re-populating the Replacement Rental Apartments and collecting rent therefrom, and that said intention of the parties remained unchanged. Justice Favreau also noted that Section 4(f) of the *Vendors and Purchasers Act* does not contemplate the context of the

⁷ 2014 SCC 53 (CanLII), [2014] 2 SCR 633.

purchase and sale transaction between the parties in its entirety, and consequently is not absolute in its application, but rather is subject to the overriding agreement reached between the contracting parties.

Deriving from the principles of unjust enrichment and constructive trust⁸, Justice Favreau supported the application judge's conclusion that MOD held title to the Replacement Rental Apartments in trust for the Sellers, who were the sole beneficial owners thereof, and that allowing MOD to collect and retain the rent derived from the leasing of the Replacement Rental Apartments for its own benefit would ultimately result in unjust enrichment, since the future rental revenue yield from the Replacement Rental Apartments was an integral part of the total value of the consideration for the sale of the Existing Rental Buildings, and was correspondingly always intended to enure to the benefit of the Sellers exclusively. Simply put, the Sale Agreements never contemplated that MOD would be entitled to receive any rental revenues from the Replacement Rental Apartments, and Justice Favreau confirmed that the courts may recognize a constructive trust to avert such an unjust enrichment (i.e., where there is no juristic reason that justifies the deprivation of the intended benefit), particularly where monetary damages may not be sufficient to address any such deprivation that is directly linked to property.

The appellate court ultimately held that the Section 111 Agreement did not constitute a juristic reason or legal justification to deprive the Sellers of the benefit of the rental income derived from the Replacement Rental Apartments prior to the transfer of title to same, inasmuch as MOD had entered into the Section 111 Agreement independent of the Sellers, and said agreement was therefore not binding upon (nor enforceable against) the Sellers. Additionally, Justice Favreau

⁸ *Soulos v. Korkontzilas*, 1997 CanLII 346 (SCC), [1997] 2 S.C.R. 217 at paras 20 and 36.

noted that MOD's purported rental revenue enrichment, and the corresponding deprivation to the Sellers of said rental revenue, was inextricably connected to the Replacement Rental Apartments, and that awarding monetary damages to the Sellers would be inadequate at this stage, since the loss of the rental revenue had not yet occurred, nor was same fully quantified. Accordingly, Justice Favreau concluded that the fairest approach to avert and redress MOD's unjust enrichment is to recognize the Sellers as the sole beneficial owners of the Replacement Rental Apartments.

5. CRITIQUE OF THE DECISION

The appellate court decision in the MOD Case purports to reflect and implement the reasonable expectation of the respective parties to each of the Sale Agreements, and it outlines several important principles emanating from the judicial exercise of contractual interpretation. The MOD Case also highlights the challenges created by an agreement that obliges each of the parties (or their successors in title) to pay, in perpetuity, an unspecified amount towards shared facilities costs that have not been fully identified, pursuant to the provisions of a cost-sharing agreement that has not yet been drafted or approved, with no stipulated cap or limit to the amount of each party's respective annual financial contribution towards the shared facilities costs, and with no objective guidelines or parameters on the allocated cost-sharing percentages (nor any agreed-upon formula for allocating shared costs) that would ultimately limit their respective financial exposure or liability.

Hindsight has a perfect 20/20 acuity, and in light of the significant changes mandated by the City of Toronto pertaining to the development of the New Project, and the corresponding obligations imposed by the Section 111 Agreement in connection therewith, the closing of the purchase and sale transactions contemplated by the Sale Agreements should not have transpired

before all material terms and provisions of the Section 111 Agreement were finalized with the City of Toronto. Rather, the completion of the transactions should have been made expressly conditional upon all parties being satisfied with the terms and provisions of the Section 111 Agreement. Had the parties known of the shared amenities and/or common facilities required by the Section 111 Agreement, then they could easily have determined the cost-sharing formula or basis upon which said cost-sharing arrangements would be predicated (i.e., on the basis of relative dwelling unit count, or relative gross floor area, or some other objective basis). The risk of more onerous cost-sharing obligations, and increased cost-sharing expenses, arising from more extensive and/or expensive common areas or facilities dictated by the Section 111 Agreement, combined with the practical limitations on the Sellers' ability to recoup any increased shared facilities costs (engendered by rent controls imposed upon the Replacement Rental Apartments), compelled the courts to favour the Sellers in equity, and to correspondingly oblige MOD to absorb a greater proportion of the additional shared facilities costs that were not expressly contemplated by the Sale Agreements. Parenthetically, had MOD stipulated in the Sale Agreements that the Sellers would be obliged to pay X percent of all shared facilities costs incurred in connection with any facilities that were required to be constructed and shared between the Condominium and the Replacement Rental Apartments pursuant to the terms and provisions of the Section 111 Agreement, to a maximum of X dollars per year (and subject to increase thereafter, based on a specified inflation factor or tied to the Consumer Price Index), then the Sellers would be hard-pressed to argue that it would be inequitable to oblige them to contribute their respective share of the shared facilities costs, up to the threshold or maximum amount contractually imposed by the Sale Agreements.

On the premise that the Replacement Rental Apartments were always intended to be constructed by MOD for the sole benefit of the Sellers, and given that the rental revenues derived therefrom were part and parcel of the overall consideration for the sale of the Existing Rental Buildings, it was clearly consistent with the reasonable expectation of the contracting parties that the benefit of the rental revenues derived from the Replacement Rental Apartments ought to have accrued exclusively to the Sellers, as soon as the rental income was earned, regardless of the date of the transfer of legal title thereto by MOD to the Sellers. If MOD wanted to depart from that fundamental precept, due to the provisions of the Section 111 Agreement, then MOD should have endeavoured to make that potential exception clear to the Sellers in the Sale Agreements. Simply put, the appellate court was not going to allow the provisions of the Section 111 Agreement, which changed the timing of the renting and population of the Replacement Rental Apartments, to fundamentally alter the clear intention of the contracting parties to the Sale Agreements, and accordingly the appellate court's reliance upon the doctrines of unjust enrichment and constructive trust were properly employed to assist in addressing this issue, and to correspondingly obviate any inequity arising from MOD carrying out the rental process involving the Replacement Rental Apartments and collecting and retaining the rental revenues derived therefrom.

PRESENTATION

TARION INSIGHTS:
ENROLLMENT AND
WARRANTY TRENDS,
FIGHTING ILLEGAL
ACTIVITY, AND
CREATING A MODERN
WARRANTY PROGRAM

Peter Balasubramanian

President & Chief Executive Officer,
Tarion Warranty Corporation.

09

P R E S E N T A T I O N



**PETER
BALASUBRAMANIAN**

President & Chief Executive Officer,
Tarion Warranty Corporation.

TARION INSIGHTS:
ENROLLMENT AND
WARRANTY TRENDS,
FIGHTING ILLEGAL
ACTIVITY, AND CREATING
A MODERN WARRANTY
PROGRAM

Peter Balasubramanian joined Tarion in January 2004 as Corporate Counsel, after practising for several years at Torys LLP. In 2009, he took on the role of Vice President, Claims, and in 2014, Vice President, Licensing & Underwriting. Peter became Senior Vice President, Strategy in 2018 and Chief Operating Officer in 2019. On January 1, 2020, Peter became President & Chief Executive Officer. Peter obtained his law degree from Osgoode Hall Law School and was called to the Ontario bar in 1999.



Tarion Update

LandPRO 2025 Presentation





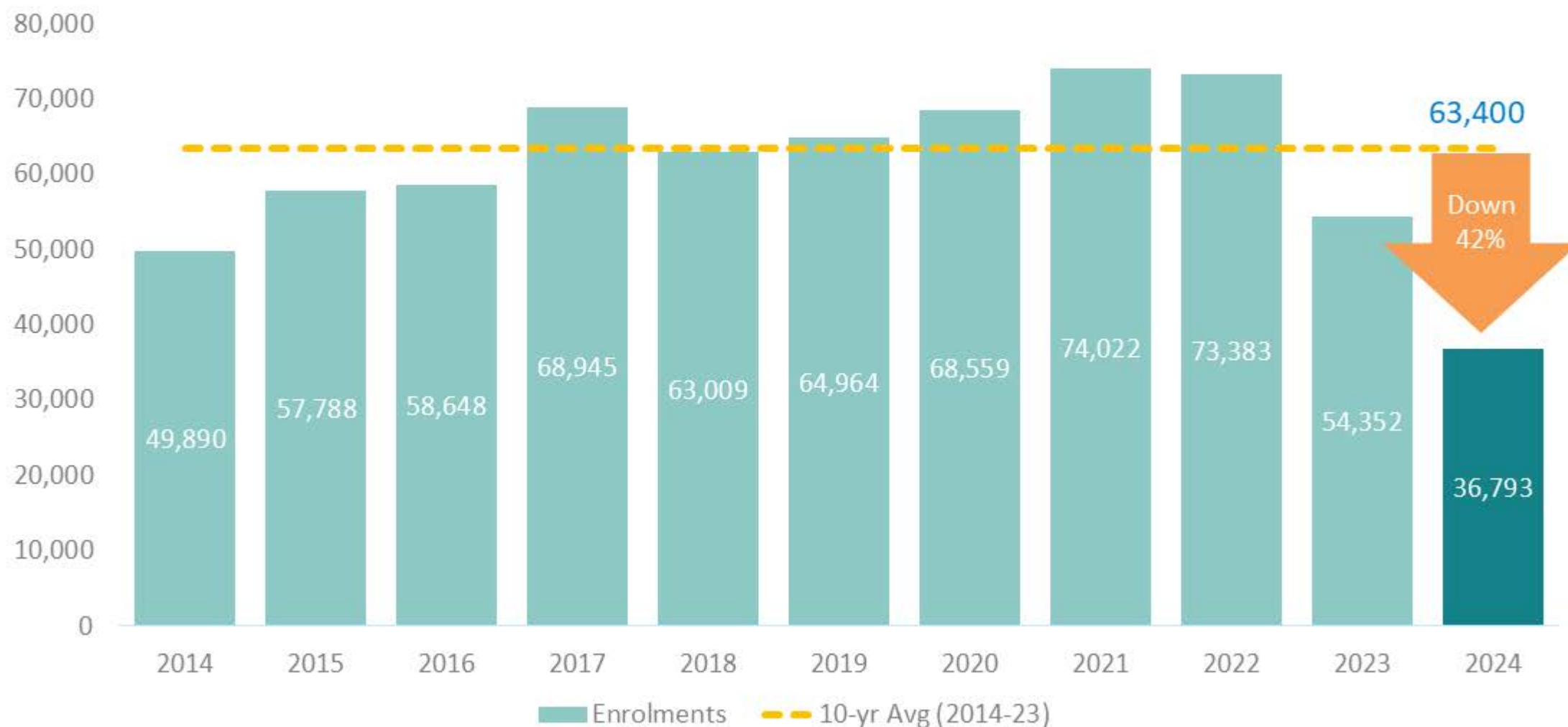
- Independent not-for-profit
- Warranty Side Focus since 2021, with HCRA taking on Licensing
- Authorize construction and sales plans of Vendors/Builders (QFE)
- Underwrite and backstop builder warranties
- Administer the new home warranty and protection plan (Dispute Resolution) and manage provincial consumer compensation fund

See: [Tarion.com](https://tarion.com)

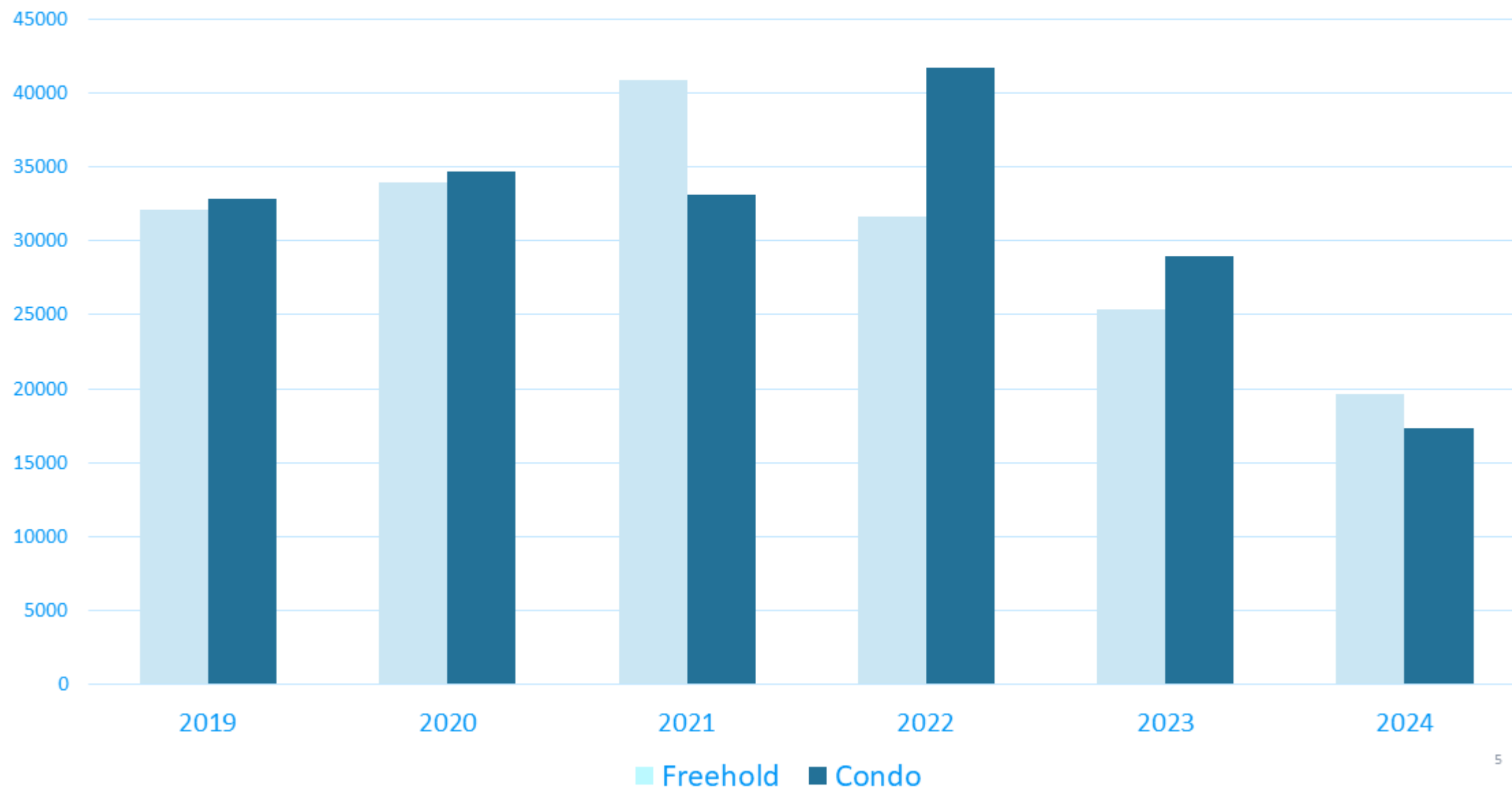
Most issues without major escalation (2024 data)



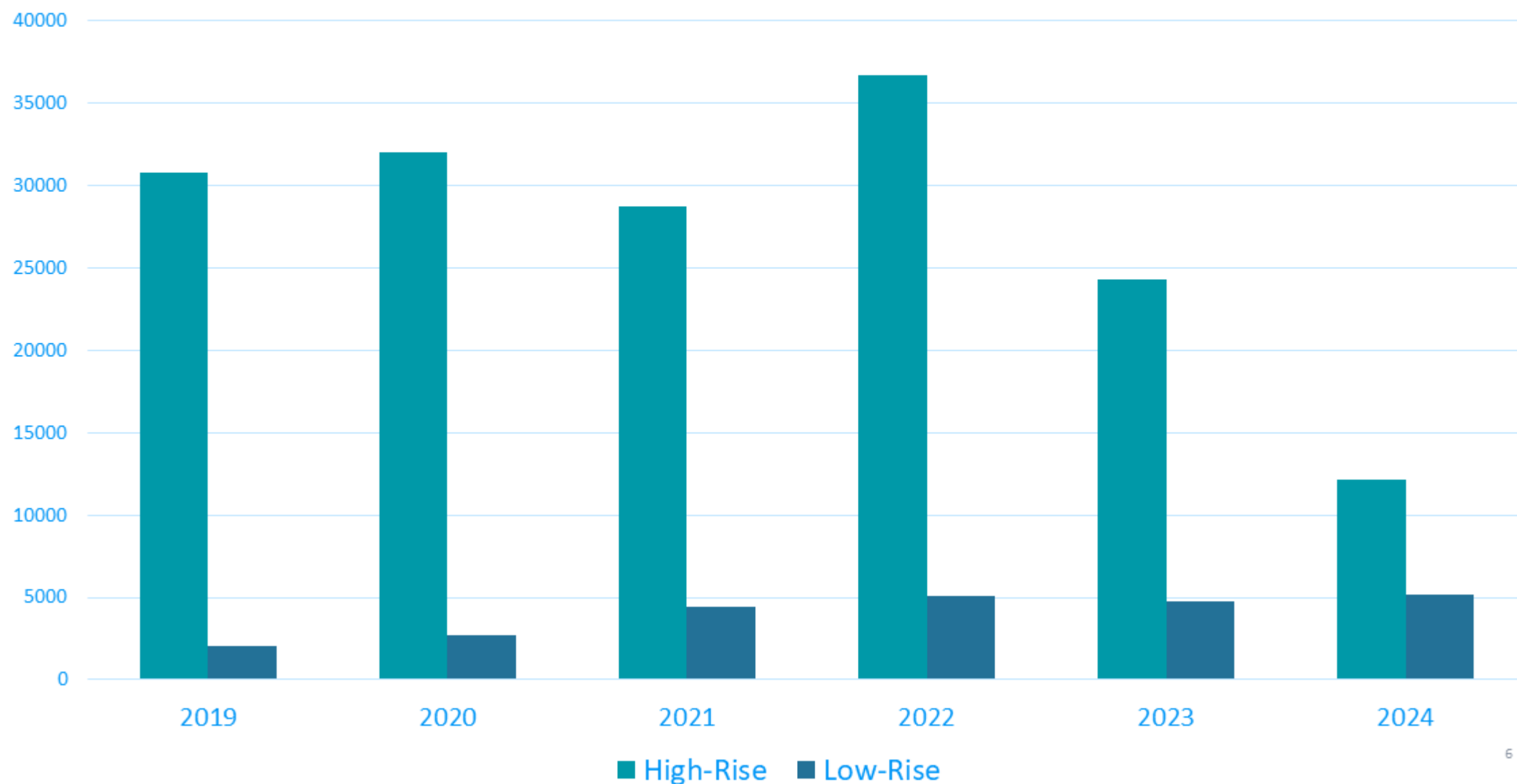
Enrolment Trends



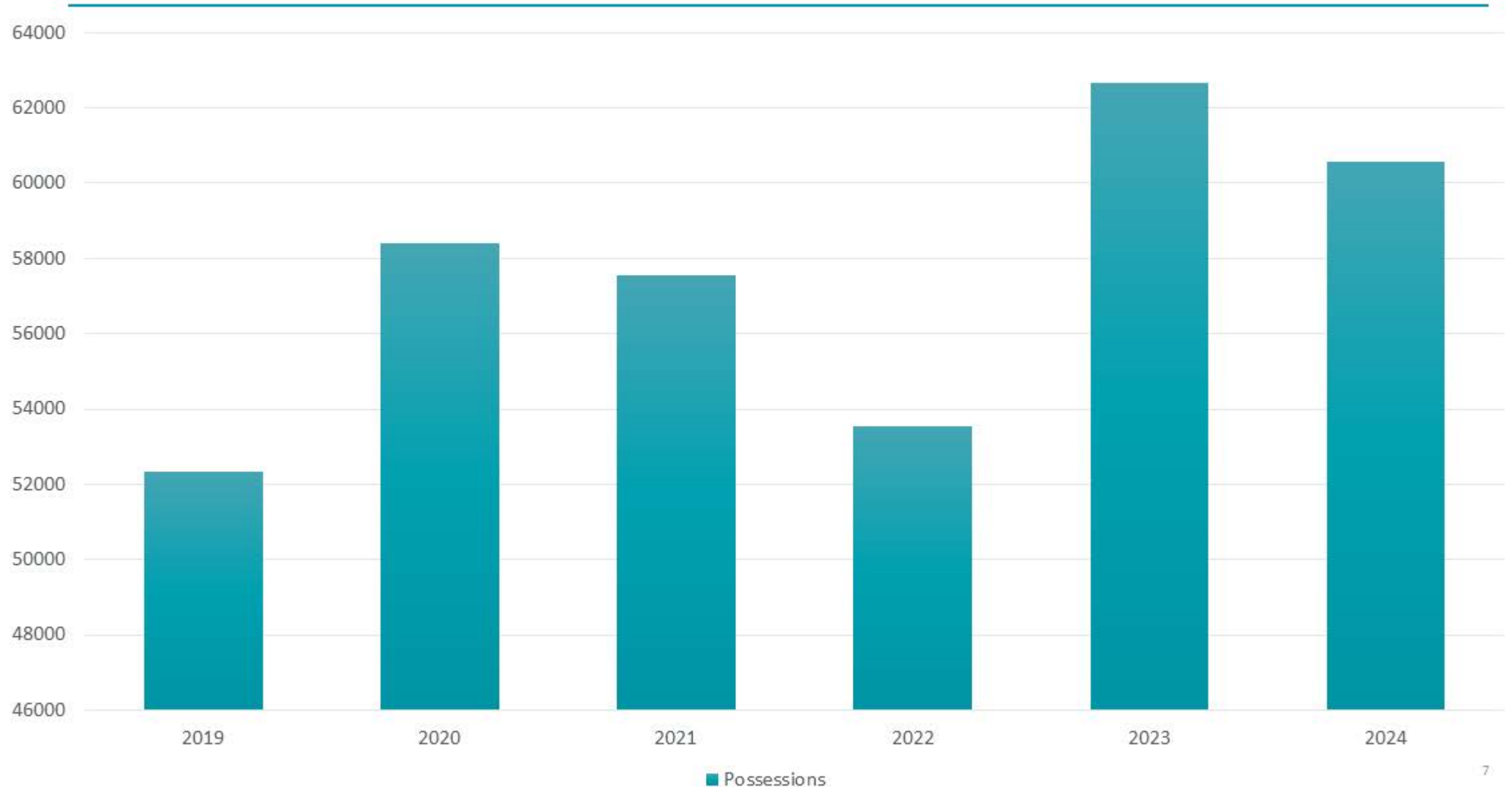
Enrolment Trends



High-Rise and Low-Rise Condos



Possessions



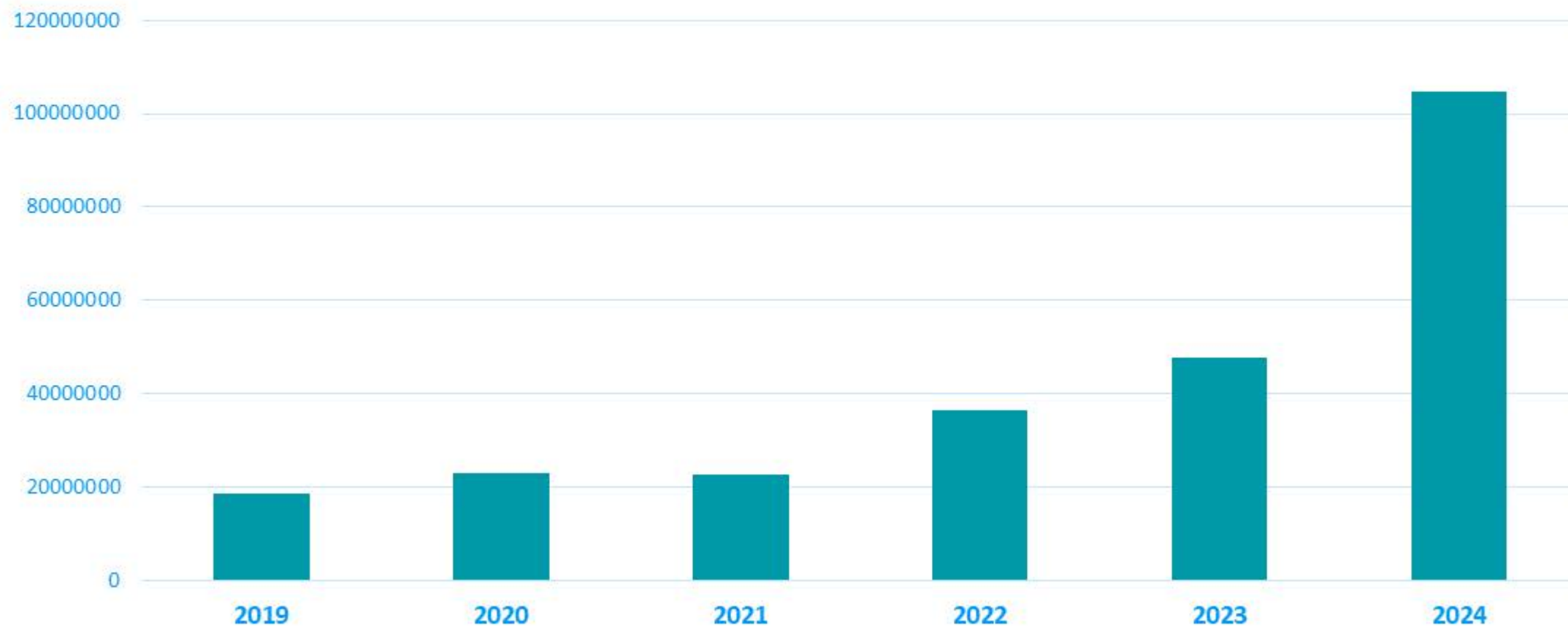
Impact of Tariffs

1. Increases to the cost of construction and potential home price adjustments.
2. Delays in the timing of the delivery of homes.
3. Builders unable to complete repairs within Builder Repair Periods.
4. Supply chain disruptions may cause need to substitute items.

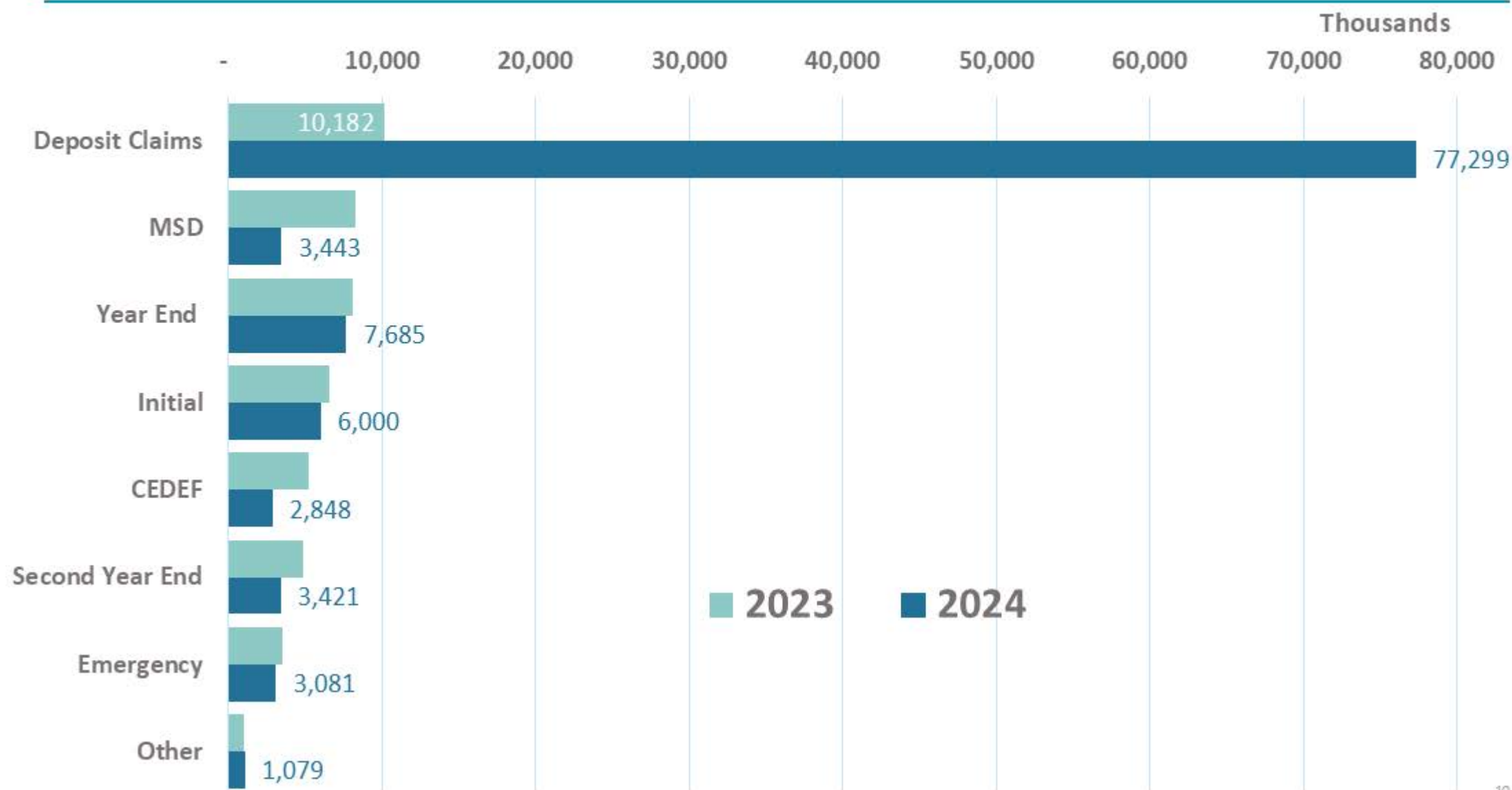


Warranty Claims Paid

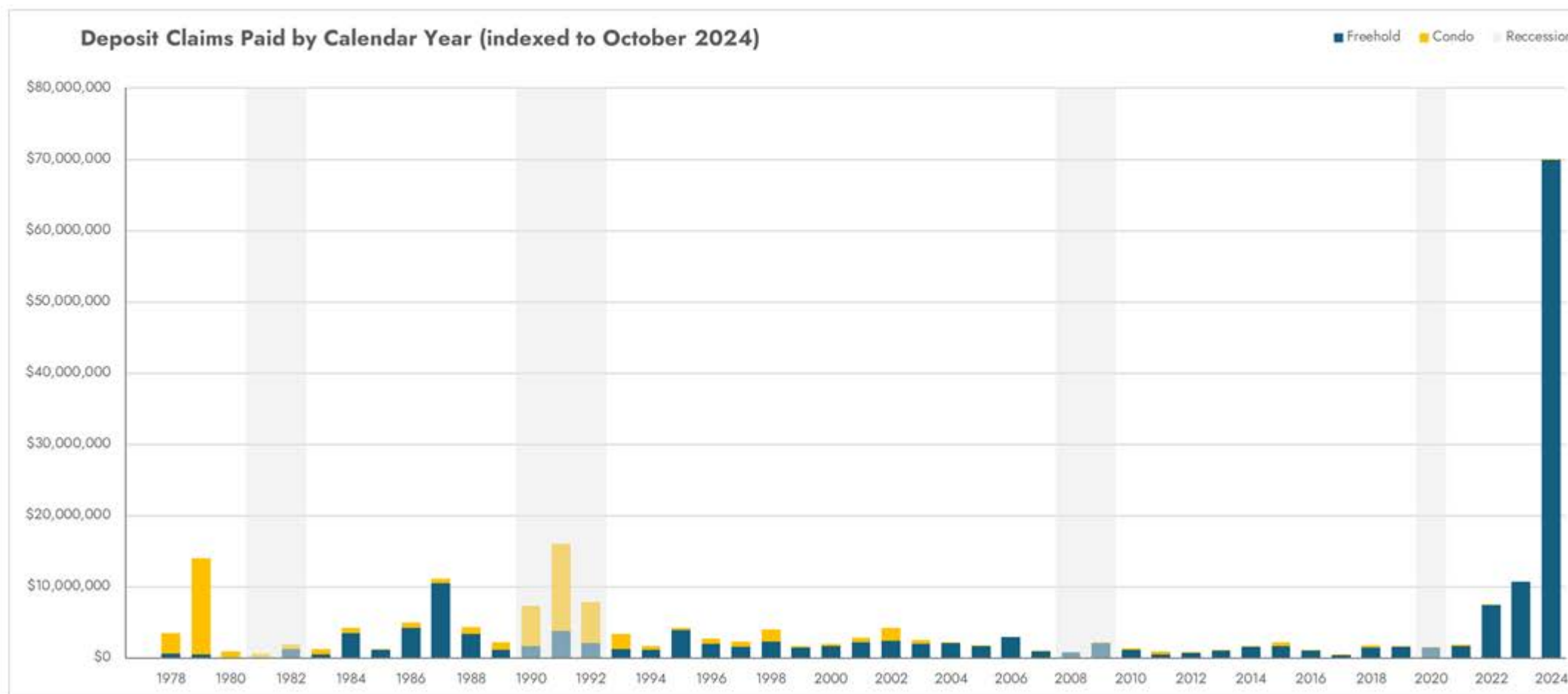
Total Claims Paid (\$)



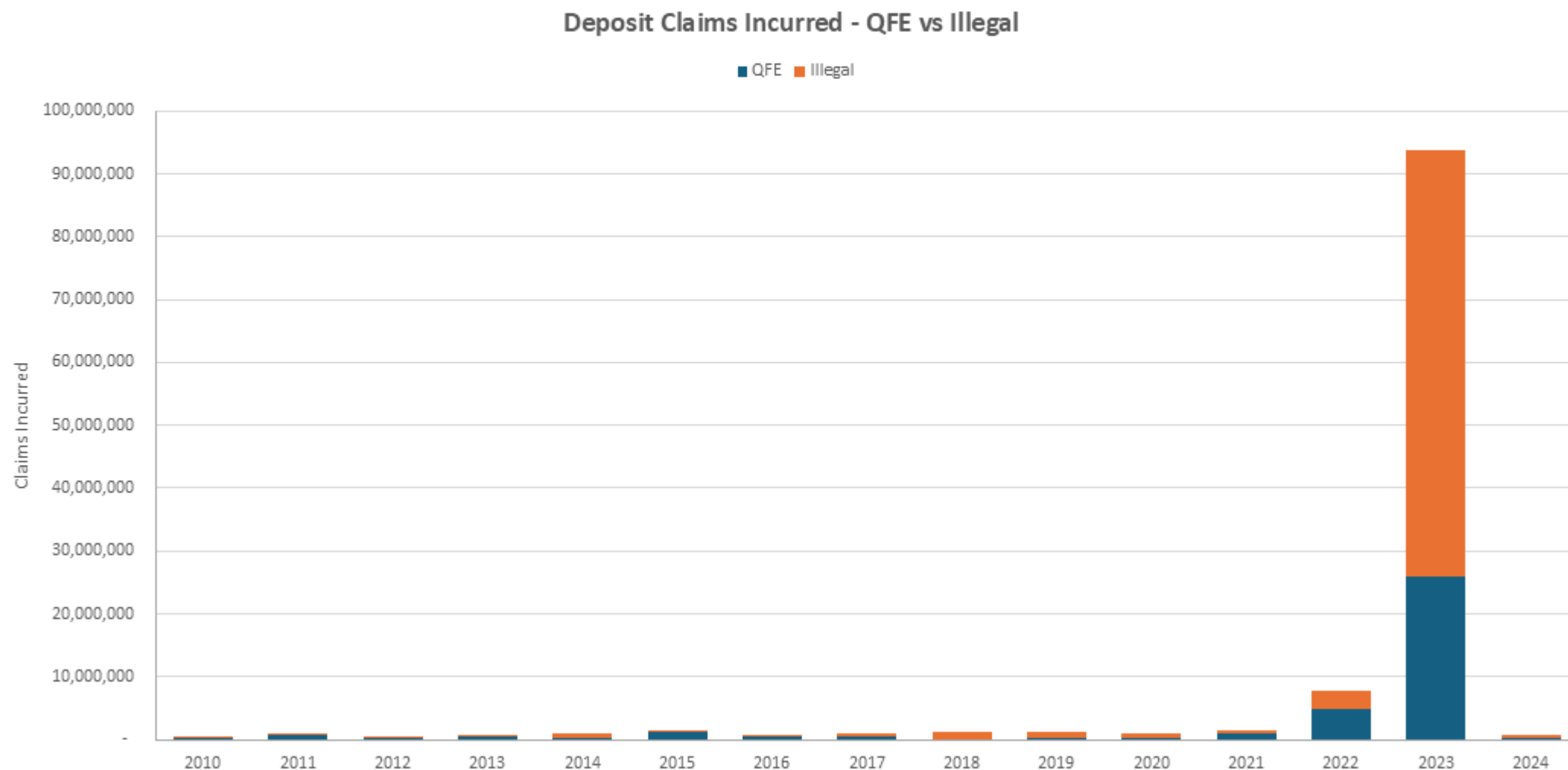
Deposit Claims Paid vs Other



Historical Deposit Loss Event (Claims Paid)



Deposit Claims Incurred by legal status



Key Change – Engaging the Consumer

- Tarion has introduced a change to the deposit protection process which will encourage new home buyers to provide notice to Tarion of their purchase agreement for a new home within 45 days of signing it.
- This will allow Tarion to check early on in the process if the builder has complied with its obligations or not - and take swift action against illegal actors.
- To encourage homeowners to register this information early, the deposit coverage rules have been modified:
 - ☐ purchasers who register within 45 days of signing their agreement will qualify for the maximum available deposit coverage,
 - ☐ those who register later (or do not register) will qualify for a different, potentially lower, level of deposit coverage.
- By encouraging purchasers to register their agreement early, Tarion will be able to detect and stop illegal activity in partnership with the Home Construction Regulatory Authority (HCRA), reducing risks for buyers.



Innovation – CPG & HomeHub



New Home Explorer App

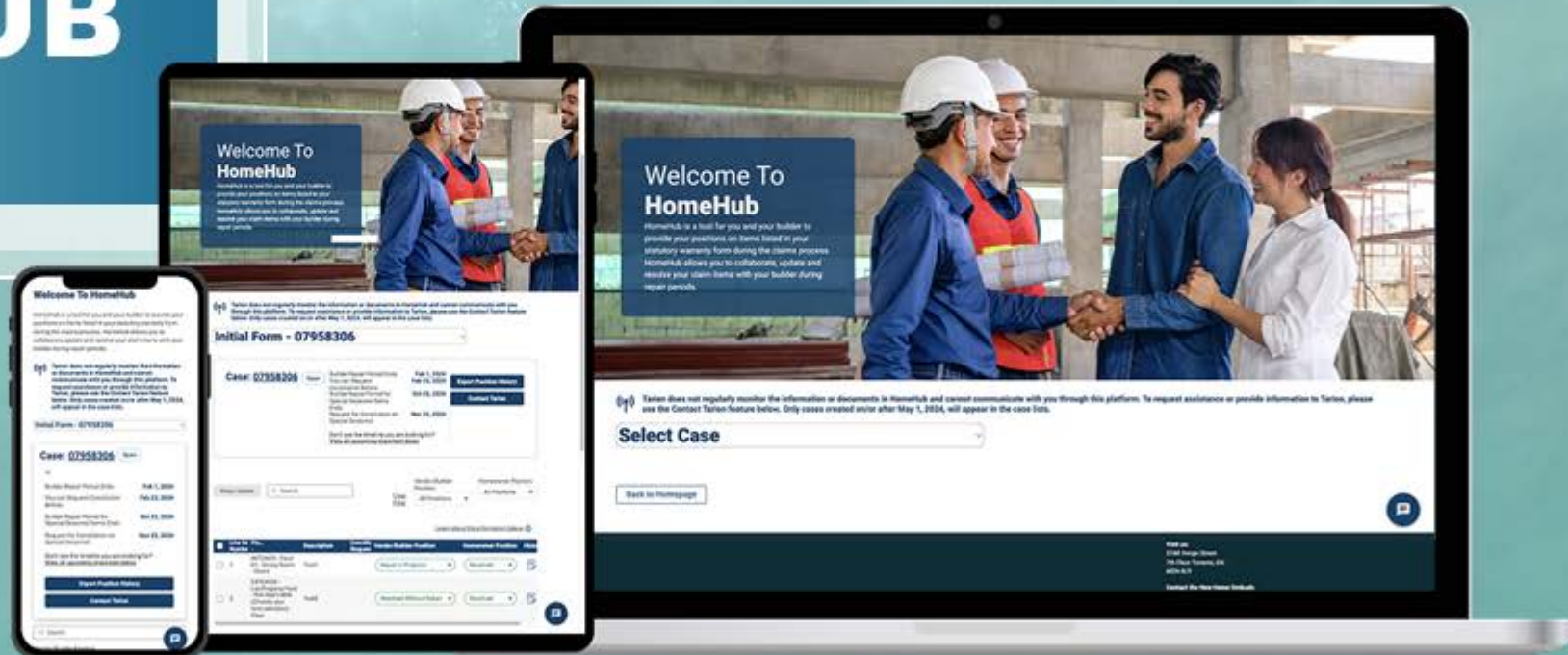
- Home Explorer is an interactive 3D overview of Tarion's *Construction Performance Guidelines* (CPG) and an easy way to find warranty information on the most common situations encountered in new home.
- The new and improved version of Home Explorer features:
 - better navigation and search functionality that will help homeowners and builders find the information they are looking for more easily.
 - updated content to include new and revised CPG articles developed by Tarion in partnership with industry experts.
 - the ability to share the relevant article with a third-party
- For example – a builder can now share a relevant article with a homeowner or easily share with a customer service rep or trade.



HomeHub 2.0

- Launched in 2024 as a free, easy-to-use tool, HomeHub allows homeowners and builders to work together to resolve warranty claims.
- Easily allows builders to sort/filter issues by type, export lists of items for trades, and provides notices if a homeowner makes an update or adds a photo.
- Now in 2025 Tarion is launching HomeHub 2.0 with new features like improved functionality, data driven dashboards, and ability to link to Tarion's CPG.

HOME HUB



TARION HOMEHUB, A BUILDER'S ESSENTIAL TOOL

Involving stakeholders directly in the development and design process resulted in a tool that streamlines the warranty and repairs process.

"I think it's gonna be a great communication tool with our clients. I feel that this is a very supportive tool."

- HomeHub Builder

*I'm **happy with it**. I had the builder go over whatever was done, we looked at it, everything is complete, so **I have the ability to just say resolved.**"*

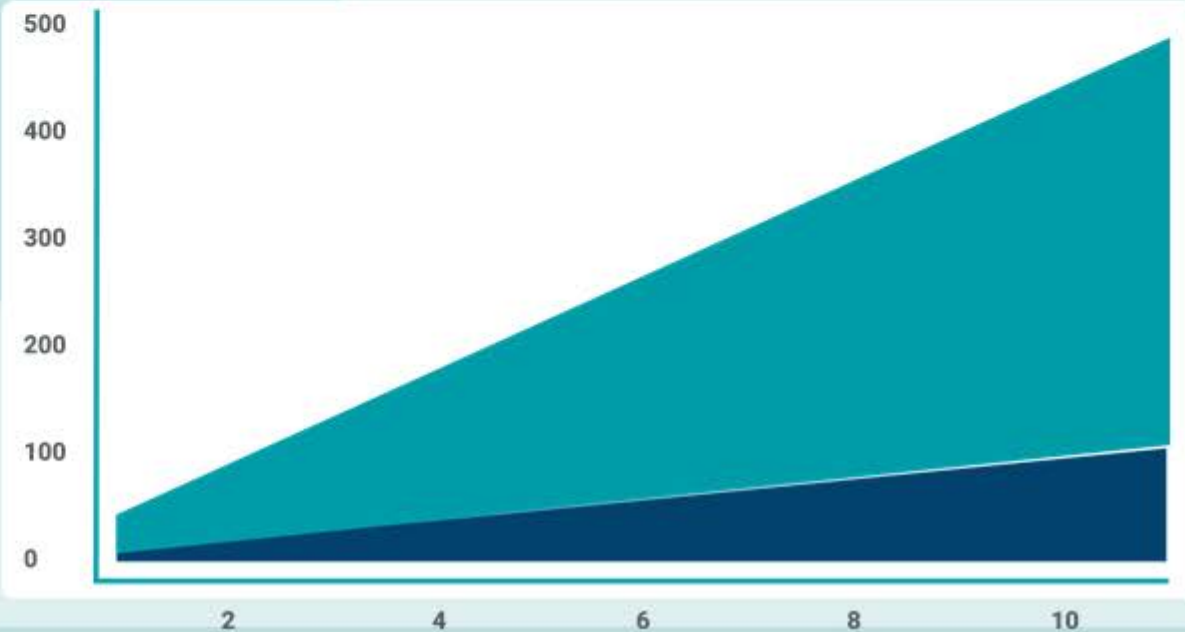
- HomeHub Homeowner

With significant growth & adoption, we're expanding with 2025 features based on builder needs

Now **over 500 VB'S**

25,665 Owners with Active Cases

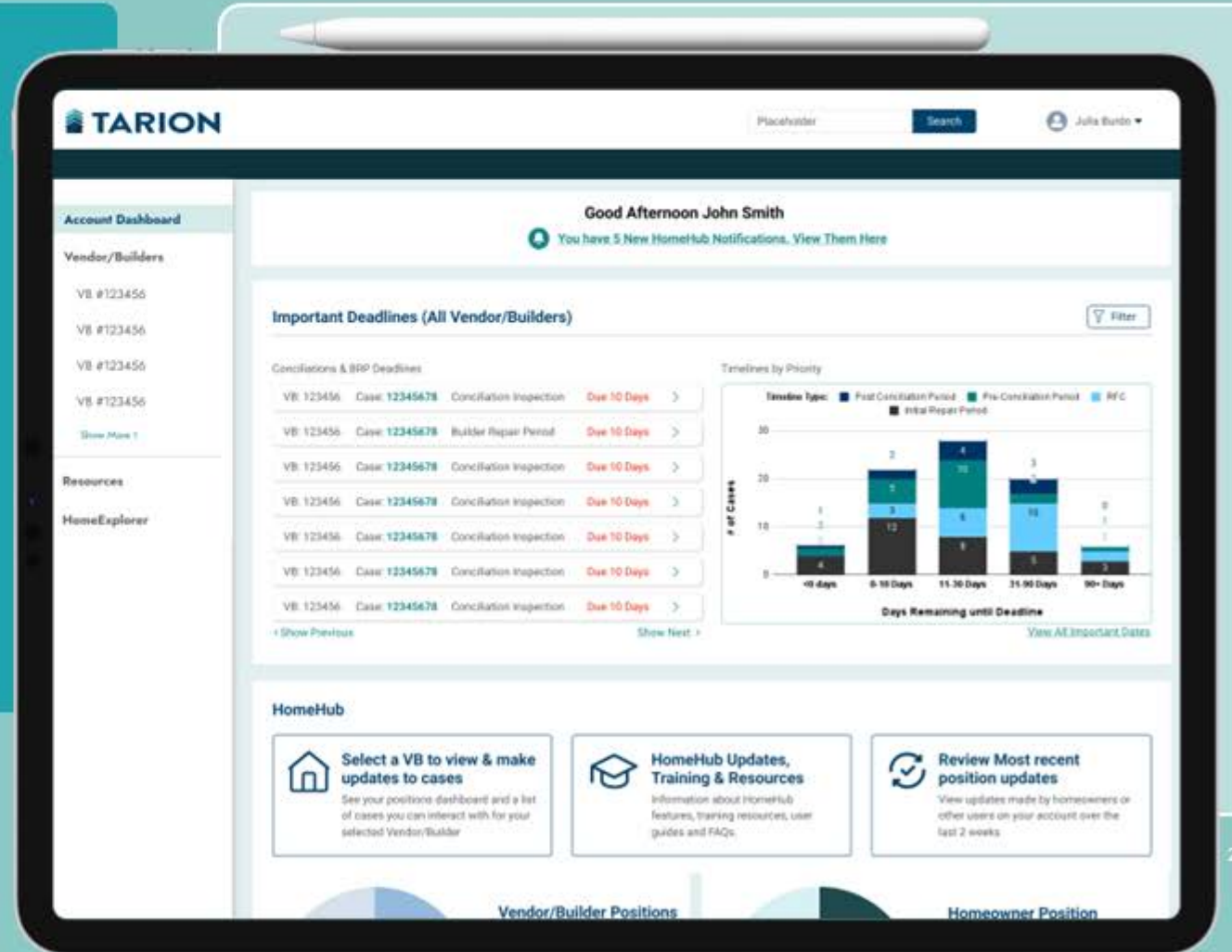
And **over 47,800 Position Changes!**



ACTIONABLE DASHBOARD

SUMMER 2025

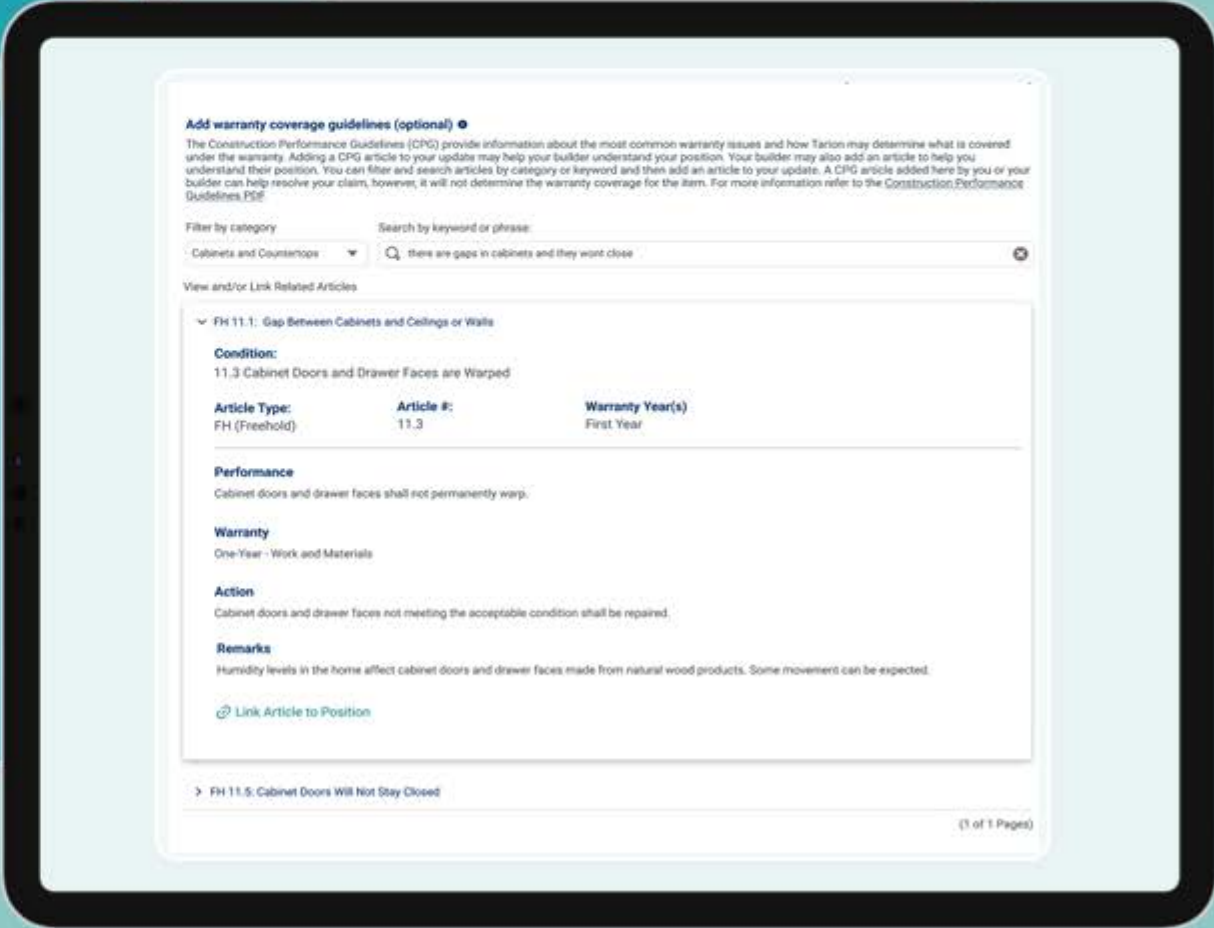
- Time Sensitive Tasks Up Front
- Upgraded Interface
- Easy access to VB's
- HomeHub Cases + Prompts
- Resources & Home Explorer Access



CPG | HOME EXPLORER INTEGRATION

Integrating the static CPG into the workflows of builders and homeowners, making it more accessible and shareable.

- Search by category or keyword
- Browse, open & link articles to update
- Articles stored in item History
- Articles link to Home Explorer tool
- Home Explorer updated features & functionality



Add warranty coverage guidelines (optional) ⓘ

The Construction Performance Guidelines (CPG) provide information about the most common warranty issues and how Taron may determine what is covered under the warranty. Adding a CPG article to your update may help your builder understand your position. Your builder may also add an article to help you understand their position. You can filter and search articles by category or keyword and then add an article to your update. A CPG article added here by you or your builder can help resolve your claim, however, it will not determine the warranty coverage for the item. For more information refer to the Construction Performance Guidelines PDF.

Filter by category: Cabinets and Countertops Search by keyword or phrase: there are gaps in cabinets and they wont close

View and/or Link Related Articles

▼ FH 11.1: Gap Between Cabinets and Ceilings or Walls

Condition:
11.3 Cabinet Doors and Drawer Faces are Warped

Article Type:	Article #:	Warranty Year(s)
FH (Freehold)	11.3	First Year

Performance
Cabinet doors and drawer faces shall not permanently warp.

Warranty
One-Year - Work and Materials

Action
Cabinet doors and drawer faces not meeting the acceptable condition shall be repaired.

Remarks
Humidity levels in the home affect cabinet doors and drawer faces made from natural wood products. Some movement can be expected.

[Link Article to Position](#)

► FH 11.5: Cabinet Doors Will Not Stay Closed

(1 of 1 Pages)





QFE Process Improvements



QFE Process – Know The Requirements

- Vendor can apply to the HCRA and Tarion at the same time
- Refer to the applicable Registrar Bulletin 10 at <https://www.tarion.com/registrar-bulletins>
- **For Condo applications see the requirements listed in the Condominium Project Profile Form – see <https://www.tarion.com/builders-forms>**

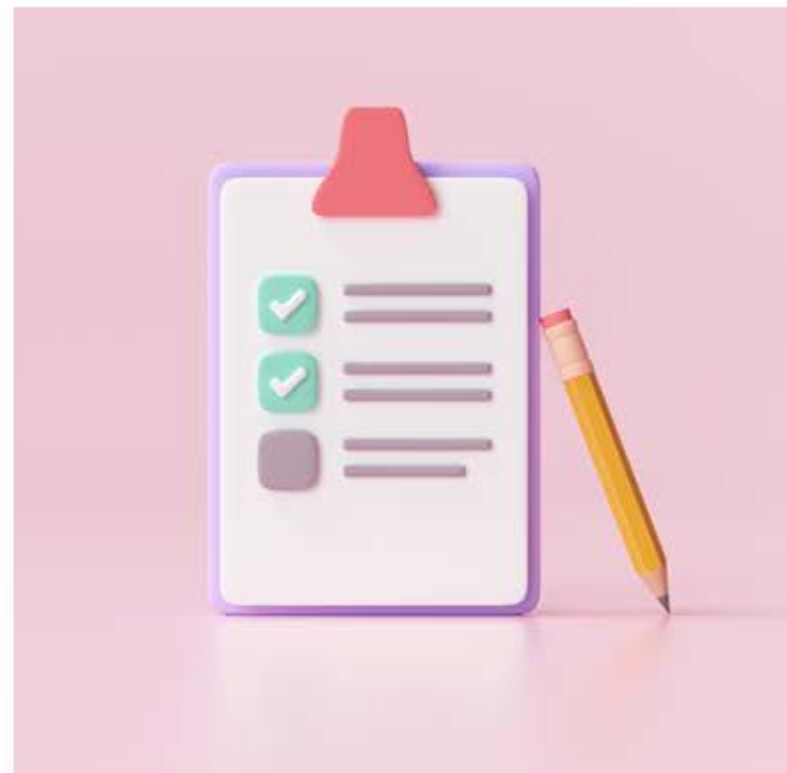
Registrar Bulletin No. 10 FH

Tarion Application Process for Freehold Homes

Effective Date: February 1, 2021
Updated: September 8, 2022

Continuous Improvement

- We have received feedback that the Qualification For Enrolment process can be improved.
- An example of a suggestion includes reducing the requirement for certain supporting documents for Builders who are “low risk”.
- We are looking for additional feedback.
- If you have some suggestions – Please contact Kevin at Kevin.Brodie@tarion.com who is the VP of Underwriting.





Modernizing the Warranty Process for Condos



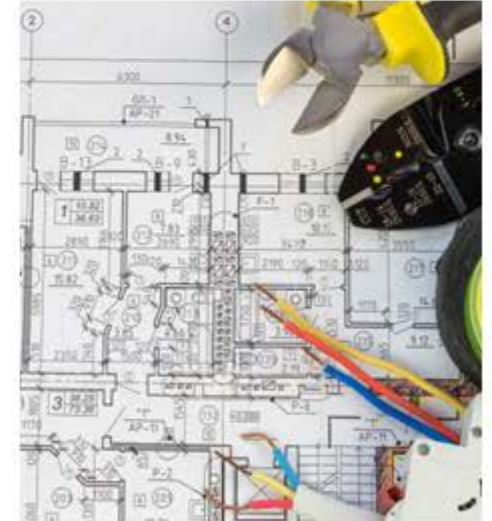
Updated CE PATS

- Tarion's Common Element Performance Audit Tracking Summary (CE PATS) is a tool that allows Builders and Condo Corporations to track and resolve warranty issues.
- We have recently made updates to improve the day-to-day functionality with added enhancements like:
 - Easily Keep track of PATS items with items identified by user and date added,
 - Dashboard view with progress for first and second year performance audit,
 - Weekly emails providing new/updated items.



Top Issues For Condos and RB19 Process

- Top Three Common Element Issues for Condos:
 1. Water penetration of the building envelope (roof, walls, and foundation)
 2. Issues with the buildings mechanical systems
 3. Issues with the buildings plumping systems
- **Registrar Bulletin 19 (RB19)** sets out the requirements for reports and information that builders of condominium projects must provide to Tarion through Field Review Consultants (FRCs).
- Goal is to **mitigate warranty claim risk during the design and construction of a new condominium project** by proactively identifying, reporting, and resolving construction deficiencies during construction to reduce future warranty claims and higher repair costs.
- Important to identify and engage the FRC early in your design and construction process to provide insight and identify issues early to save you money.



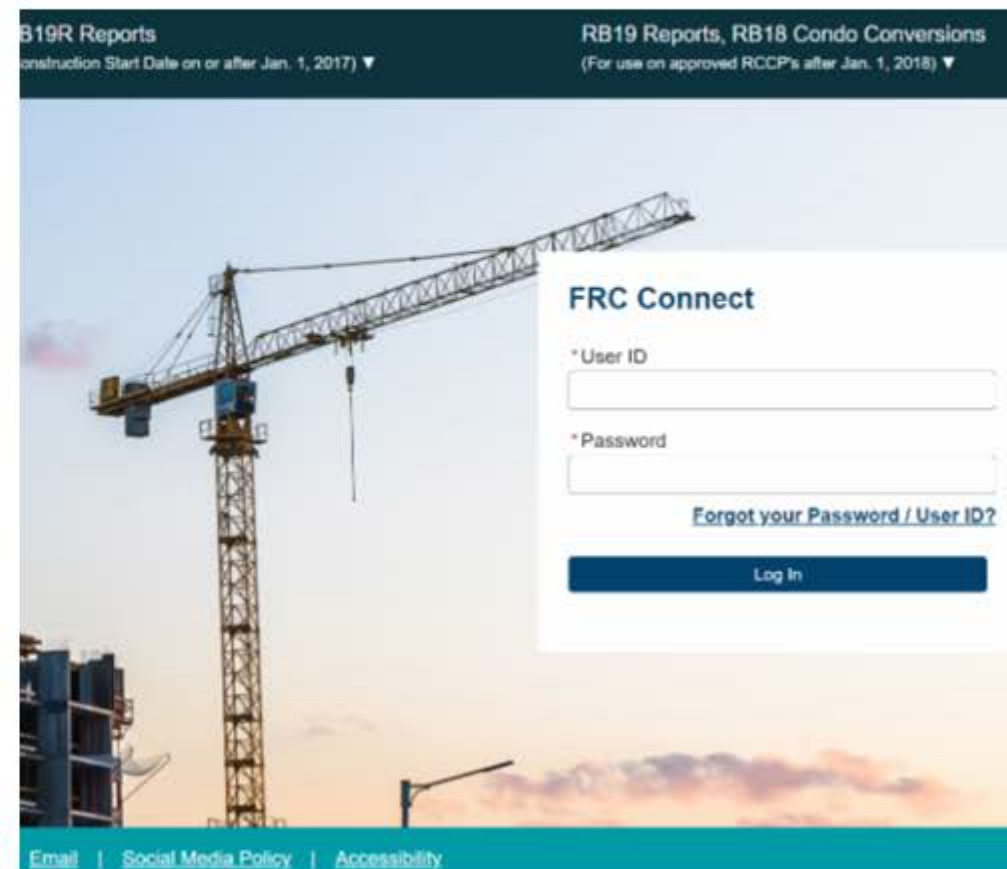
Updates to FRC Connect

Tarion has also created FRC Connect – a helpful portal to better assist Field Review Consultants (FRCs) with their RB19 submissions.

This portal makes it easier for FRC's to fulfill their reporting requirements, quickly and easily update and submit documents.

Some of the key features include:

- FRCs can view a list of project enrolments linked to their account
- FRCs can preview the submitted B19 documents for a project
- If a project has multiple buildings on an enrolment, FRCs can specify the Building/Tower No. associated to the B19 document





Tarion Staff
We are here to help!



Underwriting / Condo / Technology Contacts



Kirk Rowe

Director, Underwriting

For help with Tarion
Applications, Enrolments, or
Security.



Ryan Haley

Director, Common Elements

For help with Condo
Projects, Commons
Elements, and RB19
Process.



Renee Morris

Manager, Builder Services

For help with BuilderLink and
HomeHub.

Industry Relations Team Contacts – General



Christine Zabalet

Builders in the Southwest Ontario region can reach Christine at

Christine.Zabalet@Tarion.com



Danny Conte

Builders in the GTHA & Golden Horseshoe regions can reach Danny at

Danny.Conte@Tarion.com



Bryan Stott

Builders in the East, Central and North regions can reach Bryan at

Bryan.Stott@Tarion.com

Additional Tarion Contact Points

Questions about BuilderLink

- **Email builderLink@Tarion.com**

Questions about Early Intervention

- **Email customerservice@tarion.com**

Questions about Vendor Builder Integrated (VBI) Web Services

- **Email webservice@tarion.com**

Sign Up For Updates @Tarion.com

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Welcome Industry Professionals

This page provides a collection of our resources, tools and guides.



LAW PANEL

Harry Herskowitz (PANEL MODERATOR)

Senior Partner, DelZotto, Zorzi LLP..

Sarah Turney

Partner, Fasken, LLP.

John Georgakopoulos

Partner, Willms & Shier Environmental Lawyers LLP.

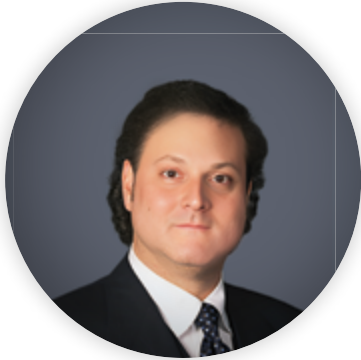
Tony Bui

Lawyer, Common Ground Condo Law.

Arnie Herschorn

Lawyer, Klein & Schonblum Associates LLP.

LAW PANEL



HARRY HERSKOWITZ

Senior Partner, DelZotto, Zorzi LLP.

PANEL MODERATOR

Harry Herskowitz is a graduate of Osgoode Hall Law School and was called to the Bar of Ontario in 1979. Harry is qualified as an arbitrator/mediator, having completed a course in arbitration/mediation at the University of Toronto's School of Continuing Studies in 1994.

Harry's practice is devoted to real estate, mortgage lending and commercial transactions, with emphasis on land development and condominium law. Harry's practice also includes arbitrating disputes involving commercial real estate transactions and condominium issues, and providing legal opinions on various aspects of real property law.

Harry has represented numerous subdivision and condominium developers throughout Ontario, from simple stand-alone residential projects to complex mixed-use, multi phased and leasehold condominium projects. Harry is qualified as an expert witness before the Ontario Superior Court of Justice, and frequently provides opinions on real estate conveyancing and condominium issues.

LAW PANEL



SARAH TURNEY

Partner, Fasken, LLP.

**ADVERSE POSSESSION
AGAINST THE CITY OF
TORONTO'S PARKLAND
(THE APPELLATE COURT
DECISION IN THE KOSICKI
CASE)**

Sarah Turney is an advocate specializing in real property, development and construction litigation. She works with clients to solve complex disputes arising from real property.

Sarah's litigation practice focuses on real property disputes. She advises clients on complex easement and title matters, boundary disputes, adverse possession claims, mortgage claims and commercial lease remedies. Sarah has developed specialized expertise and is able to provide efficient, strategic advice on a broad range of real property matters.

Sarah was recognized as a "Rising Star: Leading Lawyer under 40" by Lexpert in 2019. Winners of these highly competitive awards are selected by a distinguished advisory board. In selecting winners, the advisory board considers contributions to the firm, legal profession, and larger community.

Sarah's municipal and planning practice includes property tax assessment, zoning and other planning appeals and expropriation matters. Sarah advocates for clients before the Ontario Land Tribunal and the Assessment Review Board. As a former program coordinator with the City of Ottawa, Sarah has experience with government relations and policy development at the municipal level.

LAW PANEL



**JOHN
GEORGAKOPOULOS**

Partner, Willms & Shier
Environmental Lawyers LLP.

EVERYTHING YOU WANTED
TO KNOW BUT WERE AFRAID
TO ASK ABOUT RECORDS
OF SITE CONDITION AND
RISK ASSESSMENTS, AS
WELL AS CERTIFICATES
OF REQUIREMENT
AND CERTIFICATES OF
PROPERTY USE ISSUED
BY THE MINISTRY
OF ENVIRONMENT,
CONSERVATION & PARKS

John was formerly a scientist with Ontario's environmental regulator. He uses his extensive technical knowledge and environmental legal experience to create clear and actionable plans to achieve clients' objectives.

John has significant experience advising clients on various environmental legal issues including environmental aspects of corporate commercial and real estate transactions, contaminated site and brownfield redevelopment, environmental risk and liability management, environmental due diligence, regulatory approvals and compliance, air emissions, noise and odour management, greenhouse gases, carbon trading and climate change disclosure, the import and export of products, engines and chemical substances, environmental insurance, and environmental litigation.

His diverse client base includes industrial manufacturers, waste management companies, agricultural businesses, property developers and real estate investment trusts (REITs), lenders, insurers, and municipalities.

John assists clients with regulatory inspections and investigations, provides strategic advice to help clients maintain compliance with environmental laws, and negotiates resolutions with regulators on behalf of clients. John litigates environmental claims, including defence of environmental prosecutions, administrative appeals and hearings, and environmental civil litigation.

John is recognized as a leading environmental law practitioner in Canada and is a Certified Specialist in Environmental Law by the Law Society of Ontario. He is a repeatedly recommended Leading Lawyer by Lexpert in environmental law and is acknowledged by his peers by being named to the Best Lawyers in Canada for environmental law.

Everything You Wanted to Know About RSCs, RAs, & CPUs

John Georgakopoulos

Partner, Specialist in Environmental Law Certified by the Law Society of Ontario

This presentation provides general information and is not intended to provide legal advice.
Audience members should seek legal advice for specific situations.

2025 LandPro Conference
Toronto, Ontario
April 2, 2025

Overview

- **EPA and O Reg 153/04 – Sensitive Uses**
- **Record of Site Condition (RSC)**
- **Risk Assessment (RA)**
- **Certificate of Property Use (CPU)**
- **What's Next?**

Prohibited Changes in Property Use

- ***EPA***

- **Section 168.3.1 prohibits**

- change in use from less sensitive use (e.g. industrial/commercial/community) to more sensitive use (e.g. residential/parkland/institutional)
 - construction of a building, if the building will be used in connection with a change of use that is prohibited,

Except where a Record of Site Condition (RSC) is filed for the property in the Environmental Site Registry (ESR) for the specified use

- **O Reg 153/04**

- | |
|--|
| Agricultural or Other |
| Residential – Parkland – Institutional |
| Industrial – Commercial – Community |

least sensitive

RECORD OF SITE CONDITION (RSC)

What is a Record of Site Condition (RSC)?

- **RSC is statutory tool for promoting redevelopment of contaminated lands**
- **A form of environmental liability protection**
 - but not a complete answer
- **Can be an important risk management tool for municipalities, landowners, and developers**
- **Certification by a “Qualified Person” that the property is suitable for proposed use**

When is an RSC Required?

- **RSC is required to be filed on the ESR when a property is changing to a more sensitive property use**
 - *Environmental Protection Act*
 - O Reg 153/04 Record of Site Condition Regulation
- **May also be requested/required by municipalities, lenders, insurers, purchasers, vendors**

What Does Filing an RSC Achieve for a Property Owner?

- **May demonstrate clean-up to MECP Standards (soil and groundwater)**
- **May permit redevelopment of a contaminated property without necessarily removing all contaminants**
 - Risk Assessment
- **Provides limited protection from regulatory orders**
 - Regulators retain emergency order powers (danger to health or safety of any person) aka “reopeners”

What Does Filing an RSC NOT Achieve for a Property Owner?

- **Not protected from MECP Orders if contaminants move off-site**
- **May no longer have unencumbered property – e.g. if proceed by Risk Assessment, RSC may include future obligations in a Certificate of Property Use (CPU)**
 - may include restrictions on use that are registered on title
- **No protection from civil lawsuits**

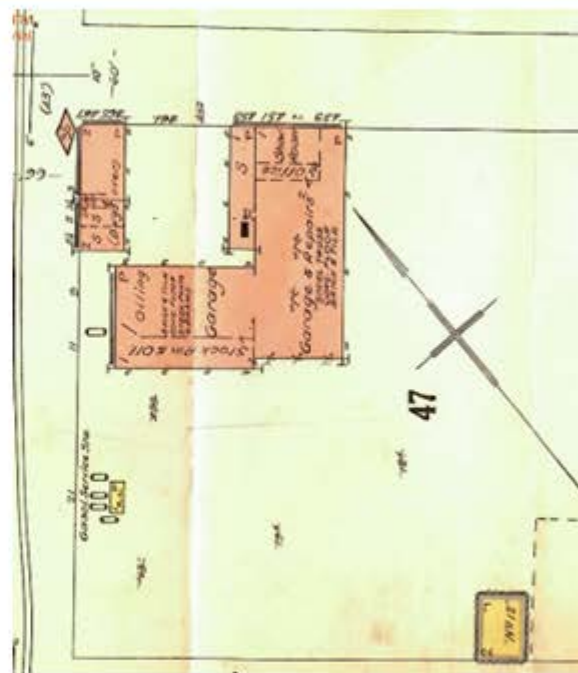
Filing an RSC – Phase One and Two Environmental Site Assessments

To file on ESR, an RSC must involve

- **Phase One ESA** – desktop review to assess for possible Contaminants of Concern (COCs) and Areas of Potential Environmental Concern (APECs)

OR

- **Phase One ESA and Phase Two ESA** – Phase Two ESA is an intrusive investigation to determine the location and concentrations of contaminants in soil and groundwater, used to prepare a Conceptual Site Model (CSM)



Phase One Environmental Site Assessment



- **Phase One ESA**

- desktop review required to support an RSC
- list of potentially contaminating activities
- presence of a potentially contaminating activity points to the need for a Phase Two ESA
- “best before” date of 18 months

Phase Two Environmental Site Assessment

- **Phase Two ESA**

- prescribed in O Reg 153/04
- intrusive investigation to support an RSC
- requires lateral and vertical delineation of contaminants in soil and groundwater, and consideration of vapour intrusion
- sampling may be required to cover seasonal variations



Filing an RSC

- **The Qualified Person must certify that**
 - through the Phase One ESA, no potentially contaminating activities or areas of potential environmental concern identified for that property (i.e., no Phase Two ESA is required), OR
 - where a Phase Two ESA is required that either
 - site conditions meet the **site condition standards** prescribed by O Reg 153/04 for all contaminants, or
 - a **risk assessment (RA)** was prepared for the property, accepted by the MECP Director, and the site conditions meet those contaminant limits set out in the RA



Risk Assessment

- **Determination of site-specific standards that are less stringent than the O Reg 153/04 Standards for contamination left *in situ* at the property**
- **Must be protective of human health and the environment**
- **Assesses exposure pathways (e.g. vapour inhalation through Vapour Intrusion)**
- **Risk Management Measures (RMMs)**
 - e.g. engineering controls, construction of barriers, air ventilation, specific use at ground level, monitoring
- **Certificate of Property Use (CPU) can be registered on title through Certificate of Requirement (COR)**

Risk Assessment – Certificate of Property Use

- **Certificate of Property Use (CPU)**
 - If a RA is accepted and there are RMMs, the MECP Director will often issue a Certificate of Property Use
 - Notice of a CPU may be required by the MECP Director to be registered on title through Certificate of Requirement (COR) and may impose restrictions on property use that runs with title to the land

Effect of RSC Filing

- **Once the Qualified Person has filed the RSC, the MECP has 30 days to**
 - acknowledge the date that the RSC was filed on the Environmental Registry
 - communicate that the RSC was not completed in accordance with the regulation, OR
 - provide Notice of Review of the RSC
- **Filing RSC provides some protection against MECP Orders, no protection from civil liability, no protection where contaminants move off-site, and MECP retains emergency order powers (i.e., reopeners)**

WHAT'S NEXT? PROPOSED REGULATORY CHANGES

What's Next?

- **Proposed amendments to Ontario's *RSC Regulation***
 - **Concern:** Stakeholders have identified that when a third party requires an RSC, and the EPA and RSC Regulation (Reg 153/04) doesn't require an RSC, the RSC may be unnecessary (e.g. for land conveyances where there's no known contamination or past activities that suggest potential contamination)
 - **Proposed Regulatory Response:** Proposed amendments to Reg 153/04 prohibiting the filing of RSCs in specified circumstances
 - consultation period open November 20, 2024, to January 15, 2025
 - amendments not implemented and remain at proposal stage

What's Next?

- **Proposed Change #1 - Prohibit filing of RSCs in specified circumstances**
 - Prohibit filing when RSC not required by EPA or Reg 153/04 (e.g. no change in use) **IF** RSC prepared solely based on Phase One ESA (i.e., no potentially contaminating activities or areas of potential environmental concern identified for that property)
 - Exception: property owner is allowed to submit RSC for filing based solely on Phase One ESA **IF** RSC is **NOT** compelled by a third party
 - Example: municipality would be prohibited from requiring a property owner to file an RSC as condition of site plan approval, if RSC filing would be based solely on a Phase One ESA. **HOWEVER**, if property owner wanted to file RSC at their own discretion, the owner would be permitted to do so, despite this prohibition
 - Also, where RSC not required by EPA or Reg 153/04, but Phase Two ESA (or Phase Two ESA and Risk Assessment) is required to be prepared, an RSC may still be submitted for filing

What's Next?

- **Proposed Change #2 - Expand current RSC exemption for changes to existing commercial or community use buildings**
 - Currently, RSC filing is exempt for changes in property use of existing buildings used for commercial or community use of buildings with no more than six storeys, **IF** property meets certain criteria
 - property not historically used for industrial use, garage, bulk liquid dispensing facility, or operation of dry-cleaning equipment
 - change in use must be above ground floor
 - building envelope will not change and there will be no additions to the exterior portions of the building
- **Proposed amendments remove six-storey limit and allow for additions to exterior portions of a building**

Willms & Shier Environmental Lawyers

- **Established nearly 50 years ago**
- **Environmental, Indigenous, and Energy law**
- **14 lawyers**
 - six lawyers are certified by the Law Society of Ontario as Environmental Law Specialists
 - lawyers called to the Bars of Alberta, British Columbia, Ontario, Northwest Territories, Nunavut and the Yukon
 - offices in Toronto, Ottawa, Calgary, and Yellowknife

Contact Information



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Environmental Law Specialist
Certified by the Law Society of Ontario

Called to the Bars of Ontario and Alberta

Willms & Shier Environmental Lawyers LLP

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LAW PANEL





TONY BUI

Lawyer, Common
Ground Condo Law.

INDEMNITY PROVISIONS
IN CONDOMINIUM
DECLARATIONS,
AND CONDOMINIUM
CHARGEBACKS IN
AFTERMATH OF THE AMLANI
CASE

Tony has practiced condo law since he was called to the bar in 2018. He approaches his practice with a “people-centric” lens, recognizing that the problems and solutions to most condo issues cannot be removed from the essential human component of condo living.

Eager to stay atop the changing tides of condo law, Tony frequently writes about hot topic issues and has appeared as a panelist and presenter at industry events.



INDEMNITY PROVISIONS IN CONDOMINIUM DECLARATIONS

Condominium Chargebacks in Aftermath of *Amlani*

Tony Bui

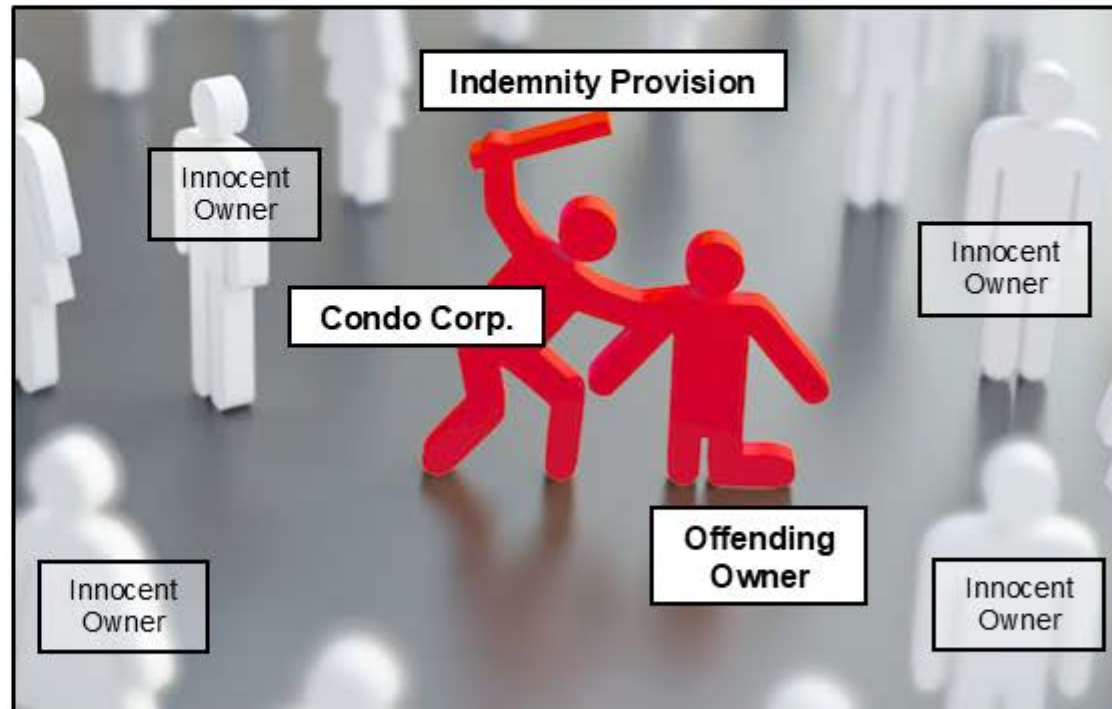
Lawyer at Common Ground Condo Law

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Indemnity Provisions in Condo Declarations

- Protection for “innocent unit owners”
- Declarations should always include indemnity provisions
- Powerful relief via condominium liens



Each Owner shall indemnify and save the Corporation harmless from and against any loss, cost, damage, injury or liability which the Corporation may suffer or incur resulting from (or caused by) any act or omission of such Owner, or of any resident, tenant, invitee or licensee of such Owner's Unit, to the Common Elements or to any Unit, except for any loss, costs, damage injury or liability insured against by the Corporation. All payments to be made by any Owner pursuant to this section shall be deemed to be additional contributions towards the Common Expenses payable by such Owner, and shall be recoverable as such.

Indemnity Provisions in Declaration vs. *Condo Act*

7(5)

If any provision in a declaration is inconsistent with the provisions of this Act, the provisions of this Act prevail and the declaration shall be deemed to be amended accordingly.

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This Act applies despite any agreement to the contrary.

Section 134 of *Condo Act*

134 (1)

...may make an application to the Superior Court of Justice for an order enforcing compliance with any provision of this Act, the declaration, the by-laws, the rules...

134 (5)

If a corporation obtains an award of damages or costs in [a compliance application]...the damages or costs, together with any additional actual costs to the corporation in obtaining the order, shall be added to the common expenses...

Amlani v. YCC 473

- Typical enforcement dispute
- Condo relied on indemnity provisions in Declaration
- Owner argued that lien amounts fell under s. 134 of *Condo Act* and not enforceable in the absence of a court order

...interpretation the Corporation advances contravenes section 134 (5) because the costs it claims related to compliance and enforcement costs without being embodied in a court order. An interpretation that contravenes a statutory provision is, by definition, unreasonable.

...It is one thing to allow the corporation to enforce, by way of lien, common expenses that are applicable to all unit holders and that a majority of unitholders have approved [i.e. monthly expenses]. It is entirely another to allow a condominium corporation the unfettered, unilateral right to impose whatever costs it wants on a unitholder, refer to them as common expenses and thereby acquire the right to sell the unitholder's apartment...

Aftermath of *Amlani*

***Rahman v. Peel Standard Condominium Corporation No. 779*, 2021 ONCAT 13**

[*Amlani*] does not stand for the proposition that, through deft wording of an indemnification clause, a condominium corporation can deprive an owner of his or her day in court as provided for in subsection 134(5) of the Act.

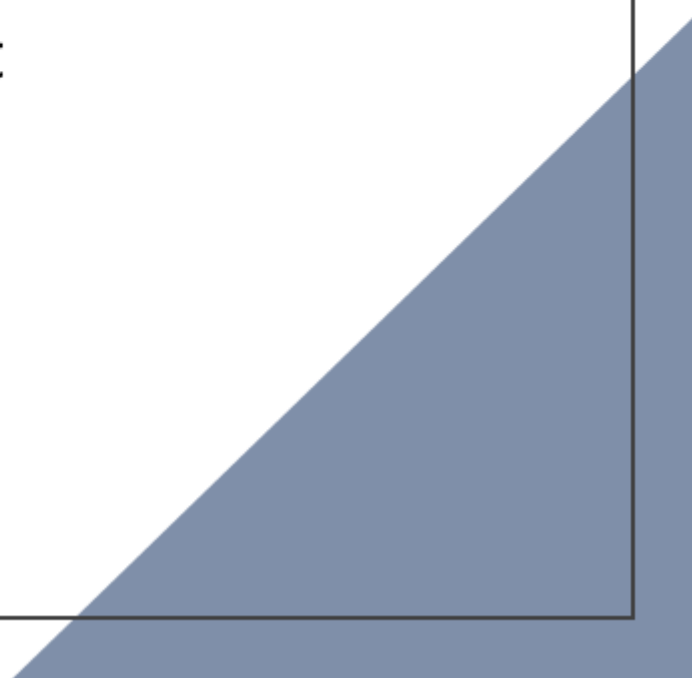
***Merrifield v Russel et al.*, 2025 CanLII 6237 (ON SCSM)**

The fact that the government had to be lobbied to introduce a provision like section 134 of the Act undermines the argument that the problem could have been (and has been) cured through “deft” drafting of constating documents...

...rather dystopian...that condo corporations have the right to charge back every compliance related expense, fully enforceable through a lien on the owner's unit, with no hearing...

...condominium corporation can chargeback legal expenses against the offending unit owner, but they cannot *enforce* those chargebacks through a lien unless and until a court has determined that those enforcement chargebacks are appropriate...gives the unit owner their “day in court”

Practical Considerations for Condo Corps. *Post-Amlani*

- Know your governing docs
 - Be reasonable - don't bring a gun to a knife fight
 - Seek legal advice
 - Remember – *Condo Act* prevails
- 

Practical Considerations for Developers Post-*Amlani*

- “Costs incurred as a result of owner’s acts or omission” without specifying “...to the common elements/units”
- “Recoverable as common expenses under s. 85 of Condo Act”
- Specify interest rate on chargebacks (note: criminal interest rate >35% APR)



LAW PANEL



ARNIE HERSCHORN

Lawyer, Klein & Schonblum LLP.

MORTGAGE PENALTIES,
BONUSES AND/OR
PREPAYMENT CHARGES,
AND MANDATORY
REIMBURSEMENT OF
THE MORTGAGEE'S
ANCILLARY COSTS—WHAT'S
ENFORCEABLE AND WHAT'S
NOT

Arnie has practiced civil litigation since he was called to the Bar.

Arnie has extensive experience in the areas of professional malpractice, real estate and corporate/commercial litigation, with special emphasis on shareholder disputes and defamation. Arnie has represented parties to defamation actions in several jury trials.

Arnie has published extensively in legal publications including the Canadian Bar Review. Arnie has also participated as a lecturer in numerous continuing legal education programs and has taught in the Real Estate Master of Laws Program at Osgoode Hall Law School.

Best Lawyers® recognizes Arnie as one of Canada's best lawyers.

Printing and Numerical Registering Co. v. Sampson

(1875), LR 19 Eq. 462

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Sir George Jessel MR

If there is one thing which more than another public policy requires it is that men of full age and competent understanding shall have the utmost liberty of contracting, and that their contracts when entered into freely and voluntarily shall be held sacred.

E. Underwood & Son Ltd. v. Barker

[1899] 1 Ch 300 (CA)

305

Lindley MR

If there is one thing more than another which is essential to the trade and commerce of this country it is the inviolability of contracts deliberately entered into and to allow a person of mature age, and not imposed upon, to enter into a contract, to obtain the benefit of it, and then to repudiate it and the obligations which he has undertaken is, prima facie at all events, contrary to the interests of any and every country.

PRESENTATION

UNDERGROUND UTILITY LANDSCAPE

Blaine Hunt

Director of Engineering and Quality for
Canada, T2 Utility Engineers.

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P R E S E N T A T I O N



BLAINE HUNT

Director of Engineering
& Quality, Canada, T2
Utility Engineering.

UNDERGROUND UTILITY
LANDSCAPE

Blaine Hunt is the Director of Engineering & Quality for the Canadian offices at T2 Utility Engineers with a vast experience in successfully leading multifaceted projects of all sizes. He is a licensed Professional Engineer in the provinces of Ontario, Nova Scotia, Manitoba, Alberta and British Columbia.

Blaine is currently a member of industry technical committees including American Society of Civil Engineers – Utility Engineering Survey Institute (ASCE-UESI), Transportation Association of Canada Utility Management Subcommittee (TAC-UMS), Canadian Underground Infrastructure Innovation Centre (CUIIC) and Ontario Public Works Association Right of Way Management Committee (OPWA-ROW). Blaine is actively involved in speaking at industry conferences and has authored articles for industry magazines.

Underground Utility Landscape

Subsurface Utility Engineering

Blaine Hunt, P. Eng.

Director of Engineering and Quality, Canada

April 2, 2025



About the Presenter

Blaine Hunt, P. Eng. (NS, ON, MB, AB, BC)

Director of Engineering & Quality, Canada

- Director of Engineering & Quality, Canada
- A graduate of McGill University, Blaine holds a Bachelor of Civil Engineering. He is a licensed Professional Engineer in Ontario, Nova Scotia, Manitoba, Alberta and British Columbia who has over 25 years' experience. In his current role at T2 Utility Engineers, he is responsible for the overall quality of deliverables and the application of standards across Canadian offices.



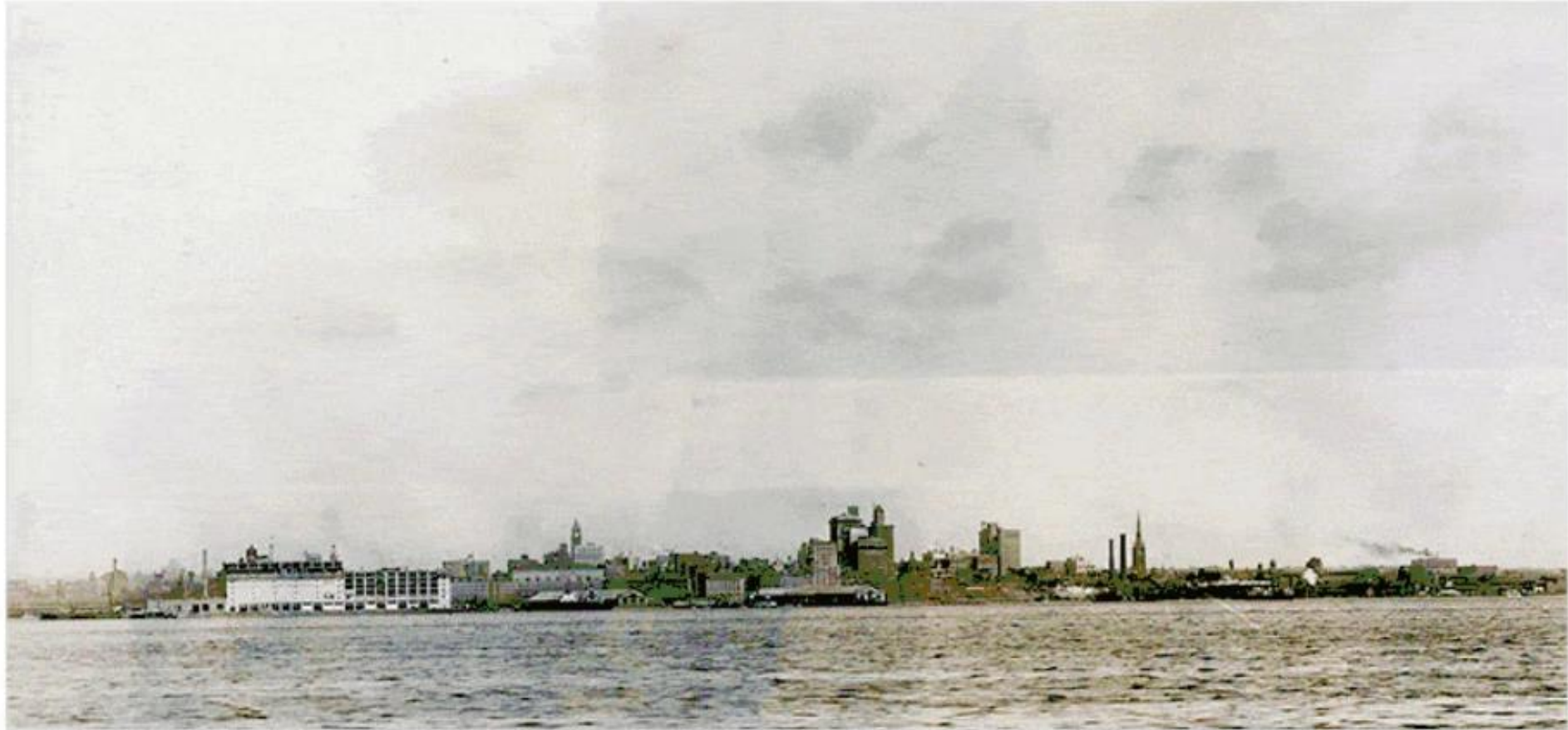
Underground Utility Landscape

Subsurface Utility Engineering

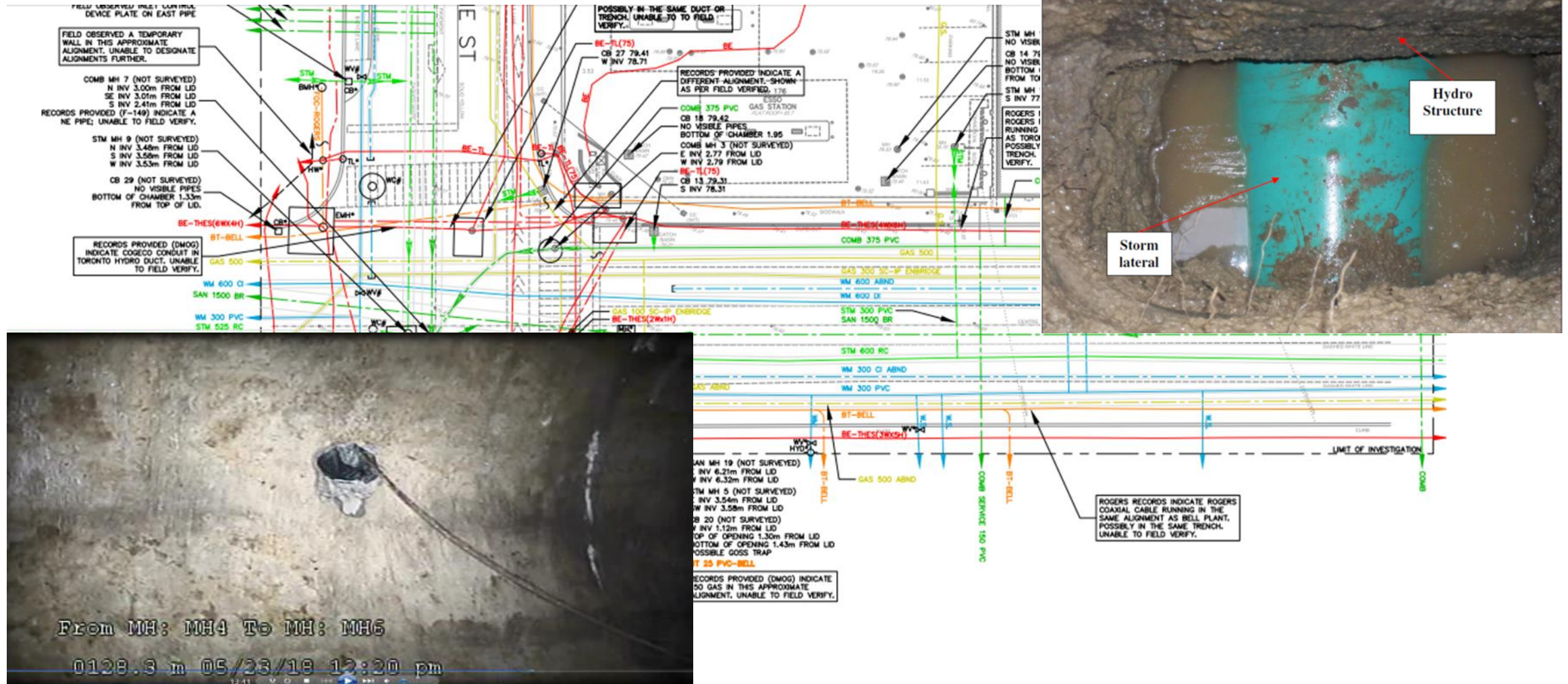
Agenda

- Introduction
- Subsurface Utility Engineering
 - Quality Levels
 - Deliverables
- Underground Utility Challenges and Delays
- Existing Requirements for Development
- Risk Management
- Recommendations

Toronto Skyline 1902-2020

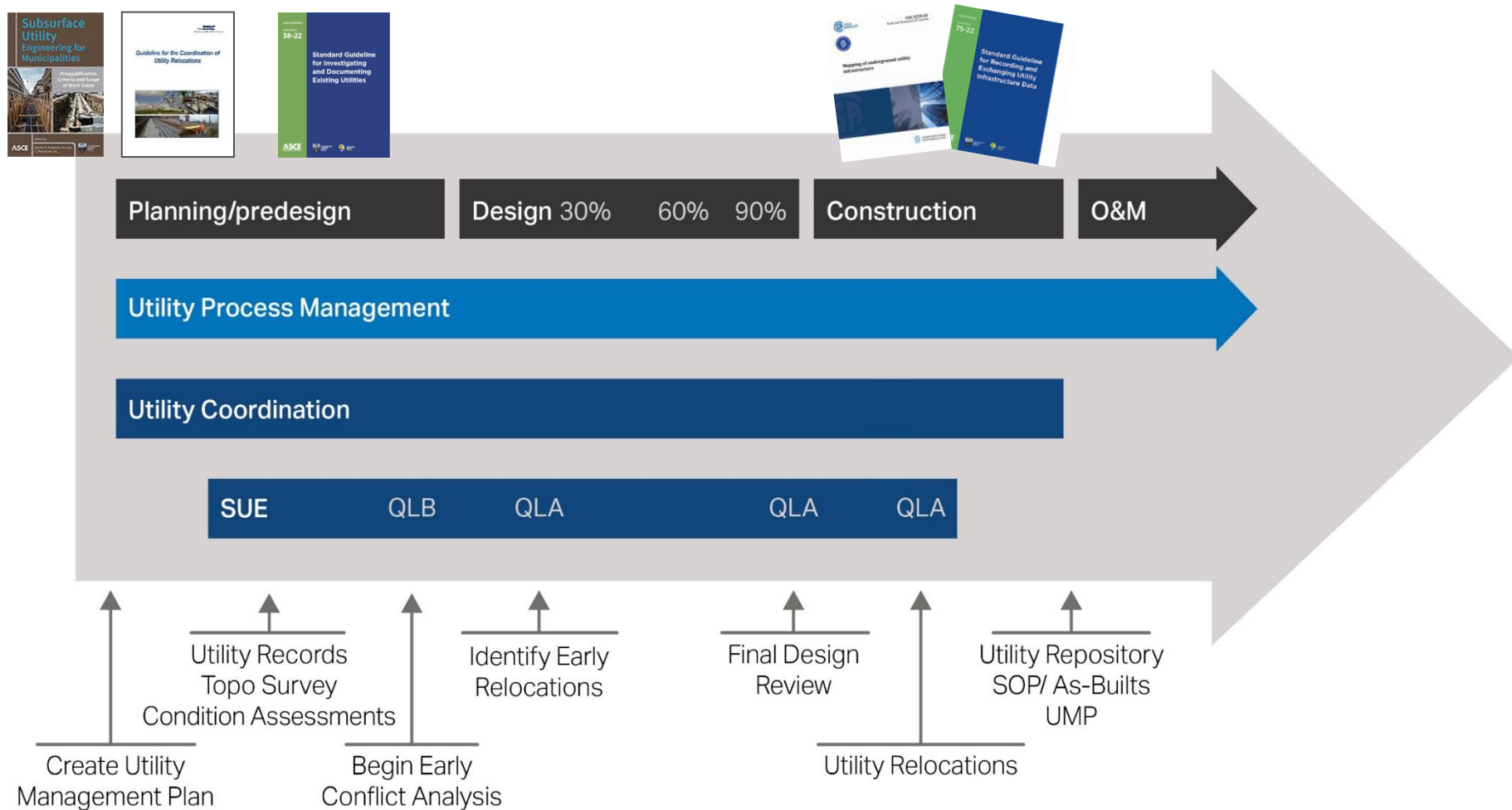


Introduction



Subsurface Utility Engineering

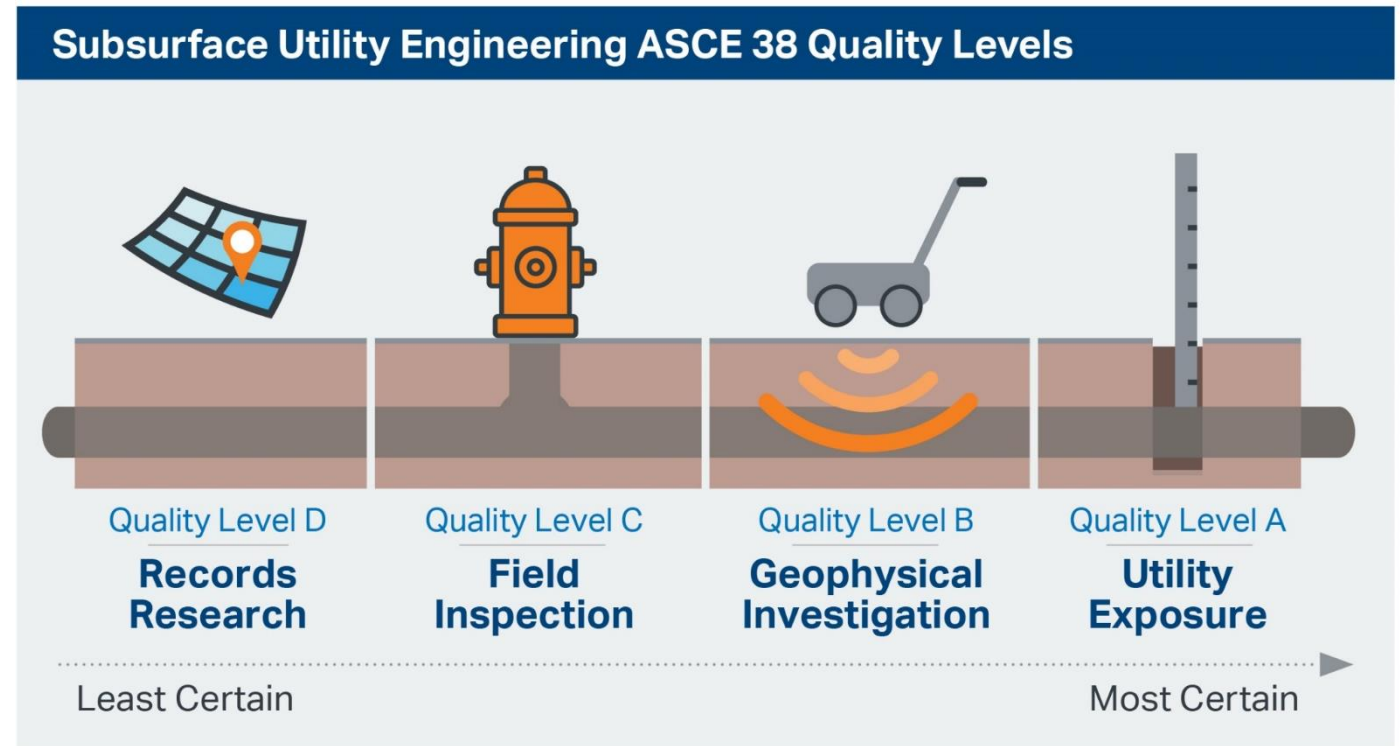
Professional Practice Engineering Guidelines



Subsurface Utility Engineering

ASCE 38 is based on principles of Uncertainty

- Records are uncertain
- Visual indications are uncertain
- Geophysics are uncertain
- Point exposures are uncertain



Subsurface Utility Engineering

Quality Level D

- Utility segment depicted based on the basic level of information. Collection and interpretation of record data.
- A RECORD IS NOT QUALITY LEVEL D

Quality Level C

- Increased level of confidence for utility segments with a visible (surveyed) anchor point correlated to interpretation of the record data.
- A SURVEY OF FEATURES IS NOT QUALITY LEVEL C

Quality Level B





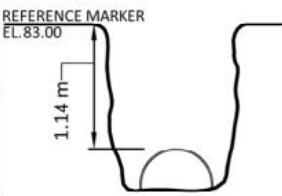
- Designating the horizontal alignment of utility segments based on the interpretation of geophysical observations and available record data.
- A LOCATE IS NOT QUALITY LEVEL B

Quality Level A

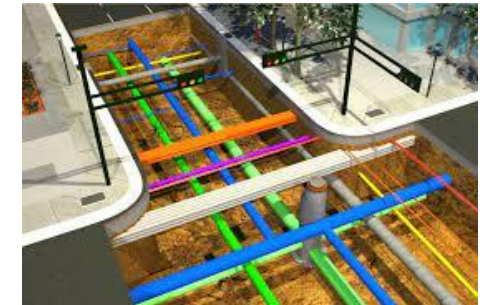
- Visual verification and survey (x,y,z) of an exposed utility.
- A POTHOLE IS NOT QUALITY LEVEL A

Subsurface Utility Engineering: Deliverables

- Engineering Report
 - Objective
 - Methodology
 - Analysis & Results
- Test Hole Data Sheets
 - Visually Verification
 - Horizontal & Vertical Alignment
 - Utility Material
 - Size
 - Comments
- Additional Investigations
 - Invert Depth Report, Chamber Investigations, CCTV, Photos

Project No: 81001747 Client: TMIG Project Name: TMIG - CoT - YONGE ST WM & SEWER		 TEST HOLE No.: TH112	
TEST HOLE DATA SHEET			
MAP 		SITE PHOTO 	
TH Date (mid/yy) 8/17/21 Utility Description Utility Type: GAS Utility Material: PL Utility Width (Field): 110 mm Utility Width (Record): 100 mm Utility Direction: N-S Elevation of Utility Top of Utility: 81.86 m Bottom of Utility: - m Depth From Grade Top of Utility: 1.14 m Bottom of Utility: - m Depth of Excavation: 1.50 m Reference Marker Easting: 314644.78 Northing: 4834126.89 Reference Elevation: 83.00 m Location: Center of Utility ID'd By: Cut X Surface Type: AC		TEST HOLE PHOTO 	
Notes: Revision Notes:		TEST HOLE CROSS SECTION 	

Subsurface Utility Engineering Report



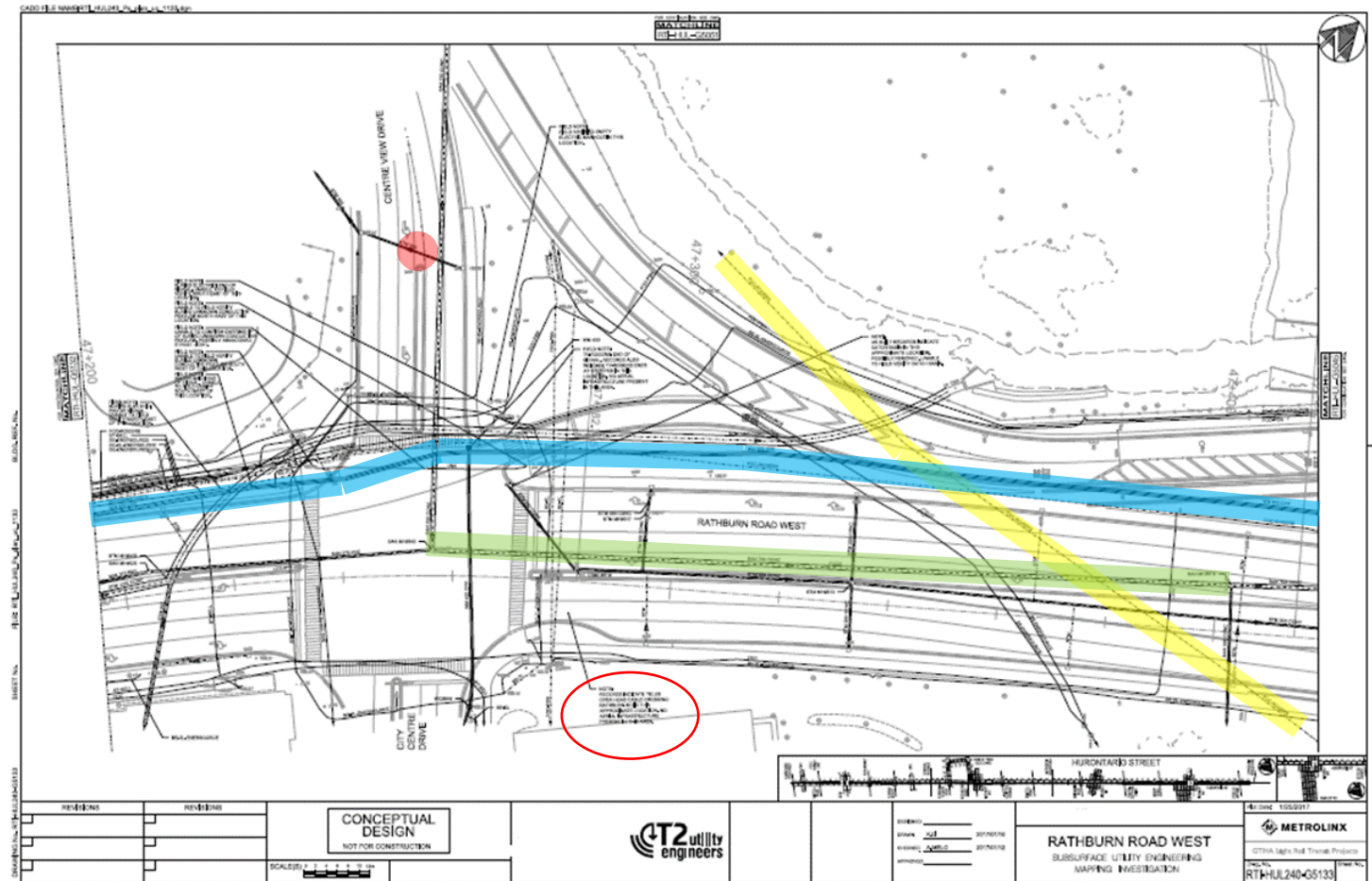
Project



Subsurface Utility Engineering: How to Read the Drawing

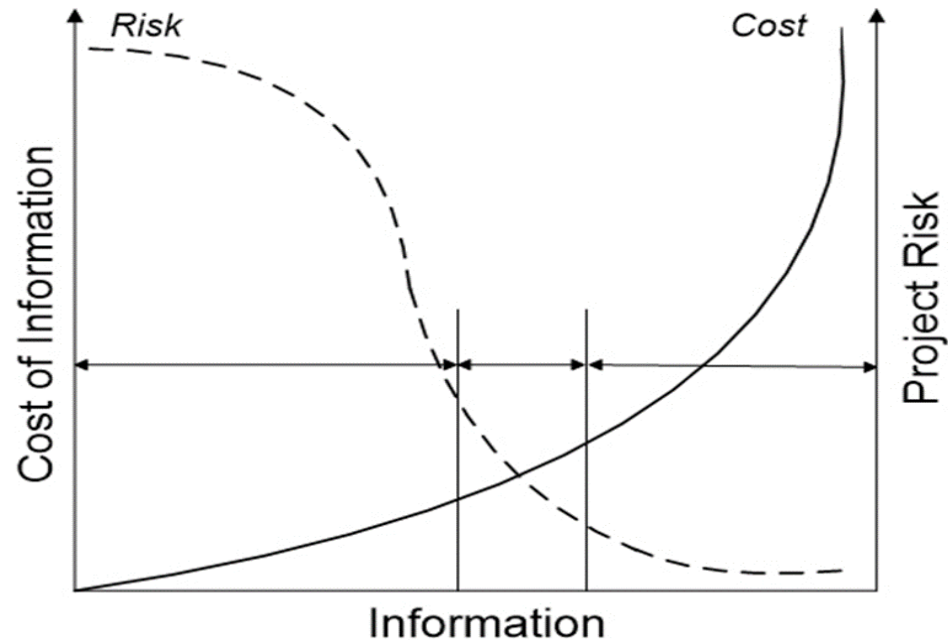
Quality Levels are typically depicted with linetype or text.
ASCE-38 is not a drawing standard.

- Quality Level D
- Quality Level C
- Quality Level B
- Quality Level A
- Notes/Comments



Risk Management and Return on Investment

A number of Studies have been completed proving the value of SUE



T2ue's priority is to provide critical information to reduce the risk imposed by existing utility infrastructure while minimizing the level of effort to stay within the client's budget

Purdue University – Jan. 2000

- Commissioned by FHWA
- \$4.62 Return on \$1.00 Investment

University of Toronto – 2005

- Commissioned by Ontario Sewer & Watermain Contractors Association
- \$2.56 Return on \$1.00 Investment

Penn State University – 2008

- Commissioned by PENNDOT
- \$21.00 Return on \$1.00 Investment

2022 Dirt Report

- 10K damages as a result of abandoned unlocatable utilities, incorrect records and mapping
- All instances preventable with a properly executed SUE investigation.

Existing Requirements for Development City of Toronto



Application Checklist

Official Plan Amendment (OPA)
Zoning By-law Amendment (ZBA)
Plan of Subdivision (SUB)
Site Plan Control (SPC)

Information and Materials

Public Utilities Plan

Refer to the Terms of Reference.

OPA ZBA SUB SPC

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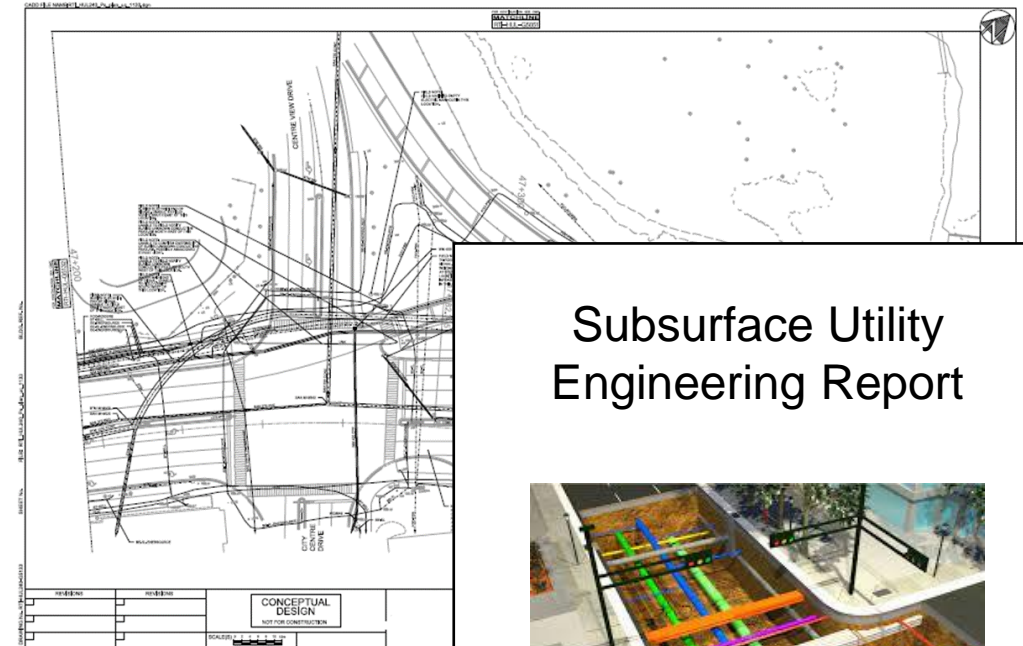
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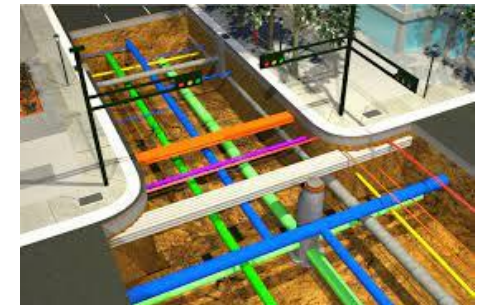
Public Utilities Plan

Purpose

To obtain sufficient utility data to ensure the coordination of built form, and public realm with tree planting areas. Provide the existing/proposed location of utilities in and under the boulevard, as well as proposed lateral connections and infrastructure for the development within the right-of-way and on the development site. Utility data is to be provided as per the American Society of Civil Engineers (ASCE) Standard 38, to Quality Level B (QL-B). Where tree planting locations are proposed, provide utility data to Quality Level A (QL-A). QL-A provides precise horizontal and vertical utility information, typically obtained by exposure (i.e. "daylighting") using minimally intrusive excavation equipment. Quality level of the subsurface utility data should be clearly noted adjacent to the professional stamp of the consulting engineer, on all plans and documents as certification of the quality level. The Public Utilities Plan should be submitted as a separate plan, and also as an underlay (in grey) on the Landscape and Planting Plan and the Soil Volume Plan (SVP) and any soil cell drawings, if applicable. The Public Utilities Plan may need to be resubmitted as part of the development application review and circulation process if changes to utilities are proposed and/or recommended.



Subsurface Utility Engineering Report



Project



Managing Risk

- Utility Engineer
 - Responsible for existing utilities and the impact to the project (space and time).
 - Works with the project team to identify utility related risks (known and unknown).
 - Coordinate reviews, utility relocations, protection requirements and contingencies.
- Subsurface Utility Engineering Investigation
 - Comprehensive plan of existing utilities.
 - Reliable information for alignment of active utilities.
 - Abandoned, inactive utilities that may exist.
 - Notes and descriptions of utility related impacts that may not be well documented (unknowns).
 - Minimize disruptions during staging and construction within the Right of Way
 - Reduce changes for landscaping, tie backs, site service connections and commissioning

Recommendations

- Engage a Utility Engineer early in the data collection phase.
- Develop a Subsurface Utility Engineering investigation that meets the needs of the project (don't just check the box).
- Review the results of the SUE investigation with the project team.
- Identify utility related risks and develop a plan to mitigate these risks to accommodate the project requirements (time and space).

Ensure that underground utilities have an active advocate on your projects to avoid delays and disruption to critical infrastructure.

Thank You



Scan for vCard

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PRESENTATION

ACQUIRING A PROJECT UNDER RECEIVERSHIP - WHAT YOU NEED TO KNOW GOING FORWARD

Tushara Weerasooriya

Partner, McMillan LLP.

Robert Shore

Partner, McMillan LLP.

P R E S E N T A T I O N



**TUSHARA
WEERASOORIYA**

Partner, McMillan LLP

**ACQUIRING A PROJECT
UNDER RECEIVERSHIP -
WHAT YOU NEED TO KNOW
GOING FORWARD**

Tushara Weerasooriya is a leading restructuring and insolvency lawyer. Her practice is focused on the transactional aspects of reorganizations under the Companies' Creditors Arrangement Act, receiverships, workouts, and distressed M&A transactions. She acts for a wide range of clients, including debtors, secured lenders, hedge funds, private equity firms, purchasers and court officers.

Recognized in Best Lawyers in Canada (2021) as a leading lawyer in the area of insolvency and financial restructuring law, Tushara has advised on numerous high-profile and complex domestic, cross-border and international restructuring proceedings. In 2020, she became the automotive industry officer for the Insolvency Section of the International Bar Association and currently heads McMillan's India country desk.

An experienced deal lawyer, Tushara also frequently represents private equity firms and financial institutions in a variety of financing transactions, including secured lending, sponsored finance and debtor-in-possession (DIP) financing.

A dedicated promoter of diversity initiatives both inside and outside the firm, Tushara chairs McMillan's Inclusion and Diversity Council. She is also a past director of the Federation of Asian Canadian Lawyers.

P R E S E N T A T I O N



ROBERT SHORE

Partner. McMillan LLP

ACQUIRING A PROJECT
UNDER RECEIVERSHIP -
WHAT YOU NEED TO KNOW
GOING FORWARD

Robert Shore is a respected commercial real estate lawyer with significant expertise in the construction and infrastructure, financial services and asset management sectors.

As a major focus of his practice, Robert acts on behalf of some of Canada's largest condominium developers. He advises on projects from the acquisition stage through to production of condominium disclosure documents and final conveyances to end purchasers.

In his transactional work, Robert works with public and private funds, investors and entrepreneurs, to provide sophisticated, practical and timely advice that advances their interests in acquisitions, dispositions, joint ventures and financings.



Acquiring a Project Under Receivership

- what you need to know going forward

| Tushara Weerasooriya
Robert Shore

Agenda



Sales in receivership



Treatment of purchasers



Things to know about the sales process



Benefits of a receivership



Bidding strategies

Sales in Receivership

- Receiver controls sale process
- Receiver has authority to operate, including an option to complete the project
- Prior promoter has no further authority
- Court supervised process

Treatment of Purchasers

- Receiver's right to terminate
- Court authority required
- Treatment of deposits
- Implications for bidders



| Things to know about the sales process



- Can be 1 or 2 phases
- "As is, where is"
- No representations & warranties
- As short as 90 days or longer

| Benefits of a Receivership



**Vesting order
and title**



**Cleanup of
pre-receivership liabilities**



**Treatment of
contracts**

Bidding Strategies

- Price
- Assumption of liabilities
- Treatment of purchasers
- Financing



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mcmillan

Thank You

Q&A



PRESENTATION

CONDOMINIUM DEVELOPMENT PROCESS – BEST PRACTICES

Robert Mullin

Lawyer, Condominium Practice Group Chair,
SmithValeriotte Law Firm LLP.

Jonathan Pettit

Lawyer, SmithValeriotte Law Firm LLP.

P R E S E N T A T I O N



ROBERT MULLIN

Lawyer, Condominium Practice
Group Chair, SmithValeriotte Law.

CONDOMINIUM DEVELOPMENT PROCESS – BEST PRACTICES

Robert Mullin is a knowledge leader in Ontario condominium law, writing and speaking frequently on the subject. He regularly works with developers, property management firms and condominium boards across Ontario.

Robert routinely advises condominium corporations on the creation of standard unit by-laws and indemnity agreements, the adoption of declaratory, by-law, rule amendments, enforcement procedures including liens, powers of sale, mediations & arbitration, and compliance orders. He also actively assists condominium developers in the formation of new condominiums, including agreements of purchase and sale, new declarations, by-laws, rules, management agreements, and disclosure statements.

Robert is currently authoring a text book entitled 'Condominium Law' to be expected in 2024.

Robert is also an instructor at Conestoga College, teaching Condominium Law to future property managers.

Robert is a member of the Canadian Condominium Institute. In 2009, he was elected President of the Golden Horseshoe Chapter and is now a Past-President. Robert is proud to serve as a founding director of CCI's new Grand River Chapter. Robert is also a member of the Toronto, London, and Huronia Ontario Chapters. He is also a member of the Association of Condominium Managers of Ontario (A.C.M.O.). Robert holds an Associate of the Canadian Condominium Institute (A.C.C.I.) designation, earned after demonstrating a high degree of condominium legal knowledge and experience.

Robert is active in the field of municipal law and land use development. Robert is principal counsel to the Township of Centre Wellington and to the Township of Woolwich. Robert also appears regularly before the Ontario Municipal Board. Robert has expertise in dealing with the OMB, representing both municipal and private section clients.

P R E S E N T A T I O N



JONATHAN PETTIT

Lawyer, SmithValeriotte Law LLP.

CONDOMINIUM
DEVELOPMENT PROCESS –
BEST PRACTICES

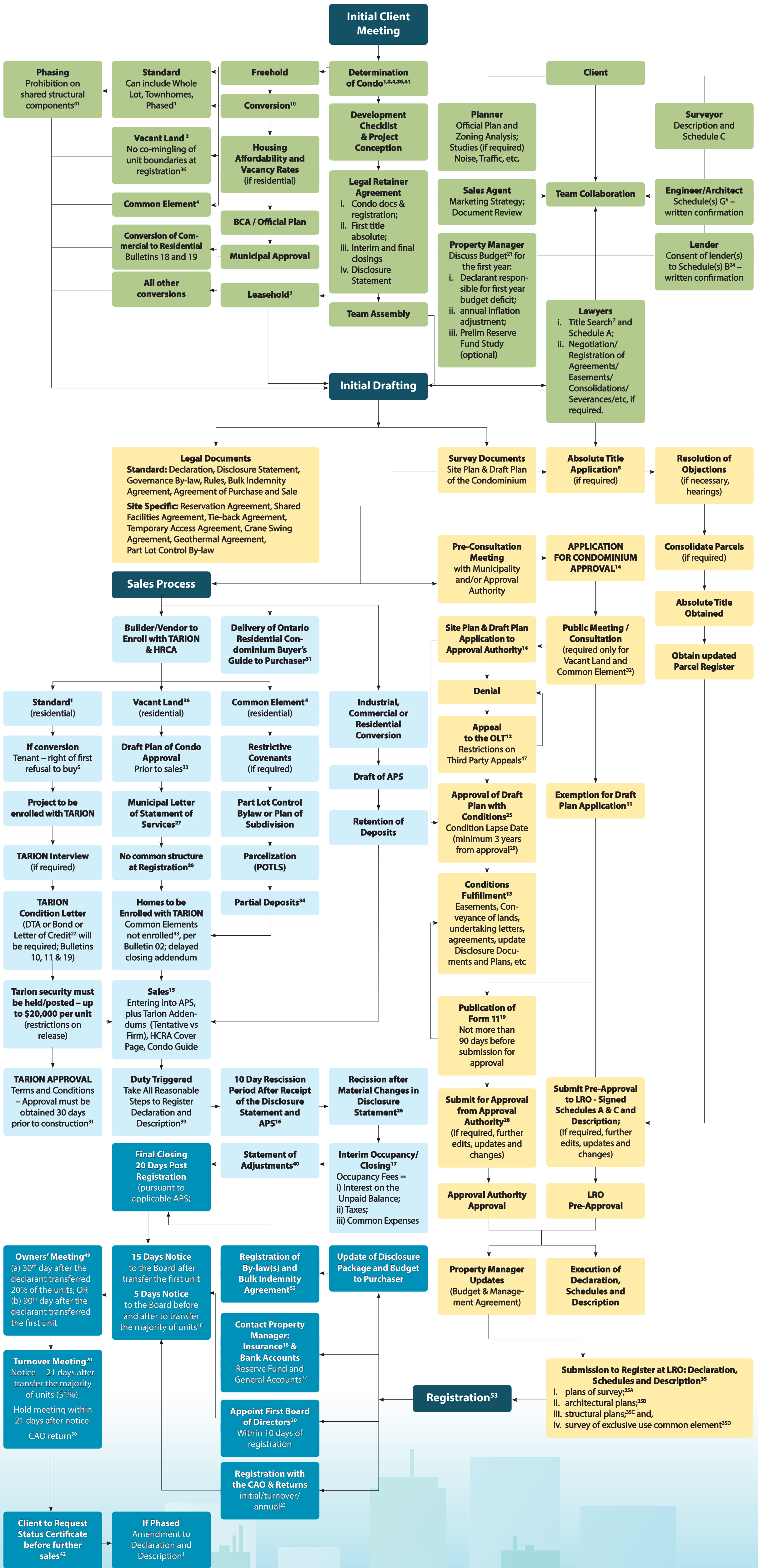
Jonathan brings a unique blend of technical, academic and practical skills to every file. Before attending law school, Jonathan worked as a condominium law clerk, gaining valuable experience in the technical aspects of condominium development and governance. While studying at the University of Toronto Faculty of Law, Jonathan purposefully took courses that enhanced this existing skillset, which he then learned to apply in real-world situations during his summer and articling periods here at SV Law.

As a result, Jonathan provides his clients a holistic understanding of condominium law, combining both theory and practice to produce outstanding and cost-effective results.

P R E S E N T A T I O N

Click on this link to view the presentation: <https://prezi.com/view/TRPLSVcmjqWbD5e4u2qk/>

Condominium Development Guide



Condominium Development Guide

Standard	Phased	Vacant Land	Common Element
General Characteristics			
<ul style="list-style-type: none">Freehold condominium corporation^{Act, s. 6}Property must have Absolute Title⁸Declarant must be registered owner of property (eg, same name on all parcel registers)^{Act, s.2(1-2)}Must contain common elements and units;^{Act, s. 8(3)(a)}Each residential unit must include at least a building or be included within a building^{Act, s. 8(3)(b)}Each owner is entitled to exclusive ownership and use of the owner's unit;^{Act, s. 11 (1)}The owners are tenants in common of the common elements with an undivided interest in the common elements appurtenant to each owners' unit;^{Act, s. 11 (2)}The ownership of a unit shall not be separated from the ownership of the common interest.^{Act, s. 11 (4)}	<ul style="list-style-type: none">Currently, only for standard, freehold condos (will expand to leasehold and common elements condos)^{Act, s.145(1)}All phases must be completed within 10 years of initial registration^{O.Reg 48/01, s.51(h)}At least 60 days between phases^{O.Reg 48/01,s.51(f)}Consent of owners is NOT required to register Amendments creating a phase^{Act, s.146(7)}No shared structures: the units and common elements of the phase cannot be part of an existing building⁴¹	<ul style="list-style-type: none">Allows for registration of vacant lots, without need for construction prior to registration, if no units are above or below another³⁸Mandatory public consultation³²No shared structures at registration^{36, 38}All buildings/services on common elements MUST be completed, or a bond or other security provided in lieu^{Act, s.158(1)}If a bond is provided, an Amendment to Declaration must be registered after completing the common elements^{O.Reg 48/01, s.58(1,2)}	<ul style="list-style-type: none">No units, only common elements^{Act, s.138(1)}Has POTLs instead of units^{Act, s.138(1-4)}Share of common interest cannot be terminated, even by sale or transfer^{Act, s.139(4)}An existing POTL cannot be subdivided without an Amendment^{O.Reg 48/01, s.40(1) & s.42(3)}
Declaration			
<ul style="list-style-type: none">First page must state “will create a freehold standard condominium corporation”^{O.Reg 48/01, s.5(1)(c)}Executed by Declarant and meets all requirements of s. 7 of the Act, stating: lands are subject to the Act; the consent of all registered encumbrancers; the Schedule D percentages; the mailing address, municipal address and address for service; the designation of any exclusive use common elements; any conditions required by the approval authority^{Act, s.7}Contains Schedules A, B, C, D, E, F and G^{O.Reg 48/01, s.5(1)(d)}<ul style="list-style-type: none">Schedule A – Description of the PropertySchedule B - Consent of MortgageesSchedule C – Unit Boundary DescriptionSchedule D – Portion of common interests and the contributions to common expensesSchedule E – Statement of Common ExpensesSchedule F – Exclusive Use Common ElementsSchedule G – Certificate of Architect or Engineer	<ul style="list-style-type: none">First page must state “will create a phased condominium corporation”^{Act, s.145(1)(c)}First page must state “will create a vacant land condominium corporation”^{O.Reg 48/01, s.56(1)(b)}Schedule G may be omitted if there are no buildings, structures, facilities or services included in the common elements^{O.Reg 48/01, s.56(5)}New Schedule H: lists the buildings, structures, facilities or services^{O.Reg 48/01, d.56(1)(c)}	<ul style="list-style-type: none">First page must state “will create a common elements condominium corporation”⁴⁶Statement on first page that a POTL may not be divided into two or more parcels unless an amendment is registered^{O.Reg 48/01, s.40(1)}Include a statement <i>in Schedule “D”</i> that the common elements are intended for the use and enjoyment of the owners^{O.Reg 48/01, s.40(6)(a)}The legal description of the POTLs^{O.Reg 48/01, s.40(6)(b)}Schedule C: inapplicable^{O.Reg 48/01, s.40(4)}Schedule G: not required if common elements have no buildings, structures, facilities or services [NOTE: if they are included, they MUST be complete prior to registration]^{O.Reg 48/01, s.40(9)}NEW Schedule H: a list of all buildings, structures, facilities or services^{O.Reg 48/01, s.40(15)}NEW Schedules I and J: A certificate and prescribed notice signed by each of the owners of a common interest in the corporation^{O.Reg 48/01, s.40(17-18)}	
Disclosure Statement & Table of Contents			
<ul style="list-style-type: none">Include all information required from s.72: name and address of developer, general description of property, units intended to be marketed to investors, a budget, the proposed amenities, fees/charges paid to the developer, copies of proposed declaration and agreements, and the date the disclosure statement is made^{Act, s. 72, O. Reg. 48/01, s.17, Loeb's check list No. 20}	<ul style="list-style-type: none">State it is a Phased Condo Corporation^{Act s.72(3)(b)(iii)}Disclose intent to create more phases, that Declarant is not required to create additional phases, and the projected year of registration for each phase^{Act, s.147(1)}For each phase, list the approximate number of units, approximate locations, the intended Schedule D percentages, and list any facilities or services owners will share^{Act, s.147(1)}A change in the number of units is NOT a material change^{Act, s.147(2)}Include statement that “no phase will be registered after 10 years”^{O.Reg 48/01, s.55}	<ul style="list-style-type: none">Before delivering the first disclosure statement, the declarant shall request the Municipal Letter of Service Statement.²⁷The disclosure statement shall include whatever statement has been provided by the municipality; If no statement is received within 30 days, disclose that no response has yet been received.^{Act, s.161(1-3)}	<ul style="list-style-type: none">Must include a statement that “the common interest attaches to the owner’s parcel of land described in the declaration of the corporation and cannot be severed from the parcel upon the sale of the parcel or the enforcement of an encumbrance registered against the parcel!”^{Act, s.143}
Other Legal Documents			
<ul style="list-style-type: none">Normal required documents: By-laws (including general governance by-law)^{Act, s.56, Rules s.58, Bulk Indemnity Agreement^{s.98}, Shared Facility Agreements^{s.113}, APS}Additional documents may include Tie-Back Agreements, Geothermal Agreements, Condominium Agreements, Deposit Trust Agreements	<ul style="list-style-type: none">Each phase is created through an Amendment^{Act 146(3)}New Municipal Schedule G, stating all facilities and services are provided^{O.Reg 48/01, s.52(5)}New Schedule K, a statement of any conditions from approval authority^{O.Reg 48/01, s.52(8)}	<ul style="list-style-type: none">The proper addendum is the Freehold Home Addendum (Firm / Tentative Closing)^{O.Reg 165/08, s.7(1)}	<ul style="list-style-type: none">At registration, each POTL must be capable of being individually conveyed, or otherwise dealt with, without contravening s.50 of the Planning Act^{O.Reg. 48/01, s.39(1)}This presupposes part-lot control, parcellation and/or a plan of subdivision
HCRA / Tarion			
<ul style="list-style-type: none">Builder, vendor and project to be approved by Tarion New Home Construction Licensing^{ONHWPA, ss.10.1 & 10.2}Interviews required for Type D condosNo warranty or registration for rentals, or lease-to-own if agreement has opt-out clause^{HCRA Advisory 3, “Home”}	<ul style="list-style-type: none">No additional requirements in relation to phasing	<ul style="list-style-type: none">Tarion inapplicable to the condo, but would apply to the home on the unit^{Registrar Bulletin 02}	<ul style="list-style-type: none">Tarion does not apply to CECC⁴³
Sales			
<ul style="list-style-type: none">Requires Tarion approval 30 days prior to marketing or construction^{Registrar Bulletin 10C}10-day rescission period¹⁶A material change can re-trigger the rescission period²⁶	<ul style="list-style-type: none">No additional requirements in relation to phasing	<ul style="list-style-type: none">Section 52 of the Planning Act applies in respect of a description of a vacant land condominium corporation but does not apply in respect of a description of any other corporation: No sales prior to Draft Condo approval.⁹	<ul style="list-style-type: none">Deposits for Condo need not be held in trust^{O.Reg 48/01, s.45(1)} (Retention 100% suggested)
Post-Registration			
<ul style="list-style-type: none">Open bank accounts, place insurance^{18, 37}Appoint first Board within 10 days³⁰Register Bylaw(s), Bulk Indemnity AgreementCall Turnover Meeting after selling 51% of units; meeting held within 42 days²⁰CAO registration and returns⁵⁰	<ul style="list-style-type: none">Begin drafting Amendment for next phaseMust give corporation copy of proposed Amendment 60 days before registration⁴⁴After each phase, Declarant give copy of Amendment and Disclosure Package to the corporation and unit owners within 15 days⁴⁵	<ul style="list-style-type: none">No additional requirements	<ul style="list-style-type: none">No additional requirements

1. Condo. Act, 1998 s.145-154 & O.Reg. 48/01 s.47-55
2. Condo. Act, 1998 s.155-163 & O.Reg. 48/01 s.56-58
3. Condo. Act, 1998 s.164-175 & O.Reg. 48/01 s.59-62
4. Condo. Act, 1998 s.138-144 & O.Reg. 48/01 s.39-46
5. Residential Tenancies Act s.51 (5)
6. O.Reg. 48/01 s.5(1)(d), (8-9) & s.6
7. O.Reg. 48/01 s.4 & Condo. Act., 1998 s.2(1)
8. Land Titles Act, R.S.O. 1990 s.46(2) & O.Reg. 48/01 s.4(a)
9. Condo. Act, 1998 s.9(12) & Planning Act s.52
10. Condo. Act, 1998 s.2(2.1), 4 and 9(4) & Residential Tenancies Act s.51
11. Condo. Act, 1998 s.9(3)(b) and 9(6-8) & Planning Act s.17(9)
12. Planning Act s.51(34-56.2)
13. Planning Act s.51(25) & Condo. Act., 1998 s.9(5)
14. Planning Act s.50 - 51 & O.Reg. Act., 1998 s.9
15. Condo. Act, 1998 s.71.1 -83
16. Condo. Act, 1998 s.73
17. Condo. Act, 1998 s.80
18. Condo. Act, 1998 s.99-106
19. Construction Act, s.33.1, O Reg, 303/18, s.2(11); O Reg 304/18, s.10
20. Condo. Act, 1998 s.43 and 51
21. Condo. Act, 1998 s.72(6), 75(1), (5) and 82(1)
22. Tarion Bulletins 11L & 11H

23. R.R.O. 1990, Reg. 90, O.Reg. 377/17 s.3-6 & Condo. Act, 1998 s.9.1 and s.9.2(1)
24. Condo. Act, 1998 s.7(2)(b)
25. Planning Act s.51(25) & Condo. Act, 1998 s.9(5)
26. Condo. Act, 1998 s.74 (1)(6)
27. Condo. Act, 1998 s.161 (1)
28. Planning Act, s.51
29. Planning Act, s.51(32)
30. Condo. Act, 1998 s.42(1)
31. Registrar Bulletin No. 15- Enrolment Fees
32. Planning Act s.17 (15), (19)
33. Condo. Act, 1998 s.9 (12) & Planning Act s.52
34. O.Reg. 48/01 s.45
35.A. O.Reg 49/01, s.2 and s.3
35.B. O.Reg 49/01, s.2 and s.13
35.C. O.Reg 49/01, s.2 and s.14
35.D. O.Reg 49/01 s.2 and 11(3)
36. O. Reg. 48/01 s.56(1)(a)
37. Condo. Act, 1998 s.115 (2)
38. Condo. Act, 1998 s.155(1)
39. Condo. Act, 1998 s.79
40. Condo. Act, 1998 s.82(1)
41. O. Reg 48/01, s.51(e)
42. Condo. Act, 1998 s.76

43. Ontario New Home Warranties Plan Act, s.15(c)
44. Condo. Act, 1998 s.149(1)
45. Condo. Act, 1998 s.147(5) & 150(1)
46. O.Reg 48/01, s.40(1)
47. Planning Act s.17(40), 51(39) and Condo Act s.9(2)
48. O. Reg 48/01, s.6.1(1)
49. Condo. Act, 1998 s.42(6)(7)(8)(9)
50. Condo. Act, 1998 s.9.1 and s.9.2(1)
51. Condo. Act, 1998 s.72(1)(b)
52. Condo. Act, 1998 s.56 and 98
53. Condo. Act, 1998 s.2

Tarion Registrar Bulletins:
02 – Claims Process – Condominium Common Elements
06-C – Delayed Occupancy Warranty – Condominiums
06-P – Delayed Occupancy Warranty – POTLS
09 – Risk-Based Inspections
10C – Application Process for Condominium Projects
11F/L/H – Security Requirements (Freehold / Low-rise / High-rise)
15 – Enrolment Fees
18 – Residential Condominium Conversion Projects
19 – Condominium Projects Design and Field Review Reporting
Tarion – Common Elements Guide

PRESENTATION

STATE OF THE UNION: ONTARIO LAND TRIBUNAL

Michael Kraljevic

Full-Time Chair of the Ontario Land Tribunal.

P R E S E N T A T I O N



MICHAEL KRALJEVIC

MCIP. RPP. PLE. Full-Time Chair
of the Ontario Land Tribunal.

STATE OF THE UNION:
ONTARIO LAND TRIBUNAL

Michael Kraljevic was appointed Full-Time Chair of the Ontario Land Tribunal on February 11, 2023, where he served as Interim Chair as of August 11, 2022.

Michael Kraljevic, MCIP. RPP. PLE., is a Real Estate and Land Development professional who has worked with both private and public sector companies for over 30 years. He has held key positions with the Federal Government, at Canada Mortgage and Housing Corporation (CMHC), the Canada Lands Company and the Parc Downsview Park (PDP).

Mr. Kraljevic led the Toronto Port Lands Company as the President and CEO from 2009 to 2018 and was Executive Advisor at CREATETO to 2019.

Mr. Kraljevic was a Vice-President of Real Estate with City of Toronto Economic Development Corporation from August 2005 to 2009, overseeing the development, acquisition, leasing, joint venture partnership and property management of all land and buildings owned by the Corporation.

Mr. Kraljevic is a Registered City Professional Planner (RPP), a Member of the Canadian Institute of Planners and the Ontario Professional Planners Institute, a Professional Land Economist (PLE), and a Member of the Ontario Society of Environmental Management (OSEM).

Mr. Kraljevic is a graduate of Ryerson University (now Toronto Metropolitan University) in Urban Regional Planning, holds a Certificate in Environmental Management, and is an Alumni, Harvard University Graduate School of Design (GSD), Advanced Management Program (AMDP) in Real Estate 2013, and Lecturer on Development Matters and Transit Oriented Communities at Harvard GSD.



Ontario Land Tribunal

Tribunal ontarien de
l'aménagement du territoire

The Ontario Land Tribunal

Presentation to the LandPRO Conference

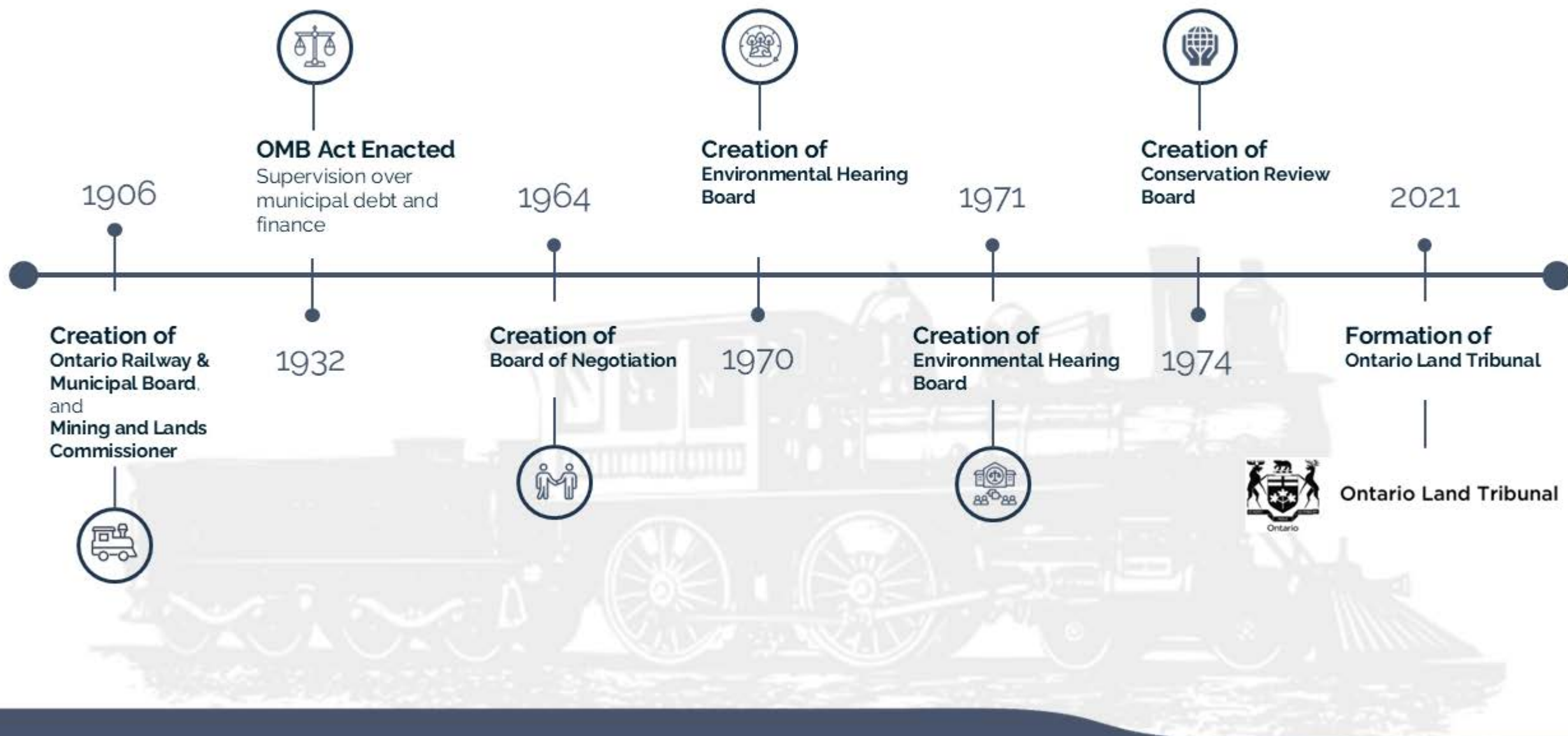
Michael Kraljevic, Chair, OLT

April 2, 2025

The State of the Union, Ontario Land Tribunal

- OLT History, OLT Adjudicators
- Statistics on Caseload, Legacy Cases, Hearings, Performance Standards
- Mediation
- Tribunal Rules Amendments
- The New Provincial Policy Statement, 2024
- e-File Portal

OLT History



OIC Adjudicators

OIC Organizational Chart (Full-time)



Since 2023, the Tribunal has increased its OIC Membership to 52 members (full time and part time), more than doubling the number of qualified individuals able to adjudicate on the various issues under its jurisdiction.

Statistical Overview

Fiscal Years 2023-24 to 2024-25

(Apr. 1, 2023 to Feb. 28, 2025)

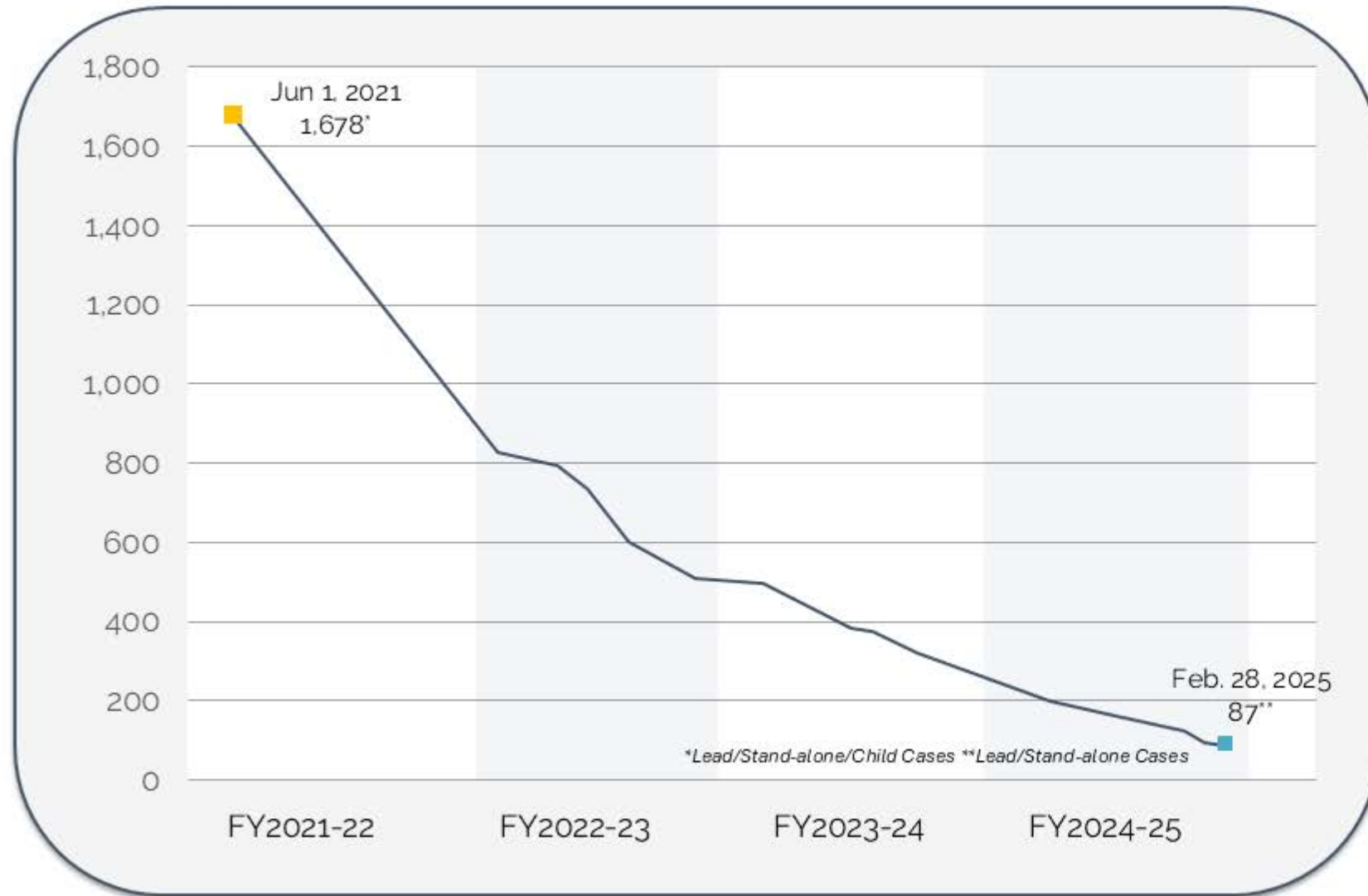


Received Cases
Combined Total of 2,354

Resolved Cases*
Combined Total of 2,374

Resolved cases
involved over 200,000
units of various
housing types

Legacy Cases



- Legacy cases are those that were filed with the predecessor tribunals, including the former Ontario Municipal Board (OMB), prior to the establishment of the OLT.
- Majority of Open Legacy Cases Involve:
 - Official Plan/Amendment (50.4%)
 - Zoning By-law/Amendment (16.5%)
 - Expropriation/Land Compensation (13.2%)

Hearing Events – April 1, 2023 to February 28, 2025



Over 3,000 conducted events during this period consisting of:



705

First Event Case
Management
Conferences



85.5%

Video Events



4.5%

Telephone
Conference Calls



10%

Written Hearings



Over 60+

In-person Events
(includes Mediations)

Performance Standards



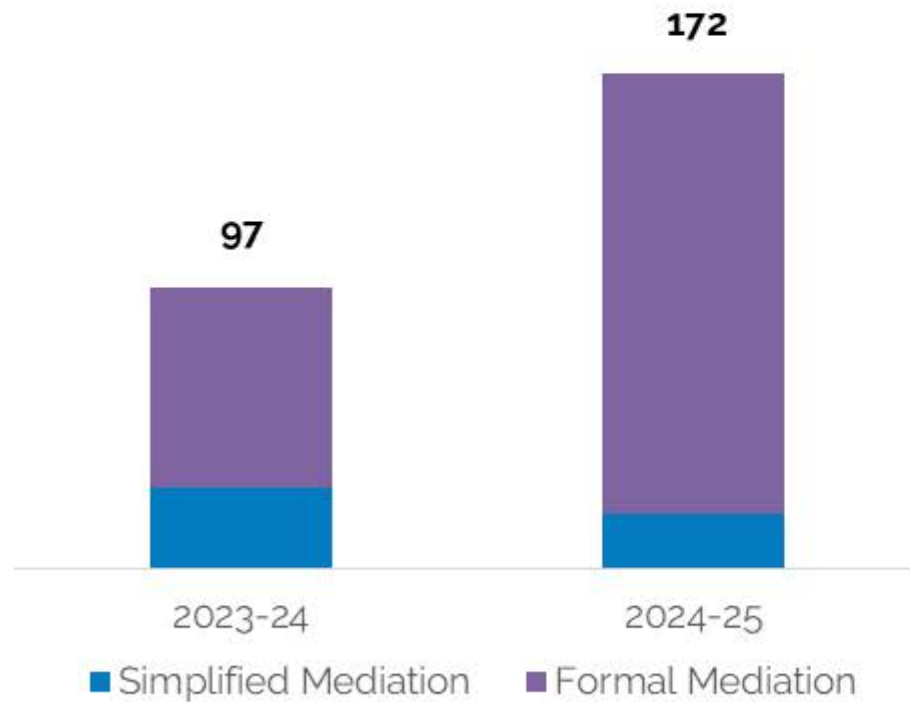
FY 2024-25 Targets	Actuals (Feb. 1, 2024, to Feb 28, 2025)
Reduce the time to the first hearing event to 120 days for 85% of cases	The Tribunal scheduled a first event within 120 days for 76% of its cases within this time period
80% of decisions issued within 30 days and 90% within 50 days	<p>The Tribunal issued 61% of its decisions within 30 days within this time period</p> <p>The Tribunal issued 74% of its decisions within 50 days within this time period</p>
85% of Acknowledgement Letters issued within 20 days after receipt of appeal/application	The Tribunal issued 96% of Acknowledgement Letters within 20 days

Mediation

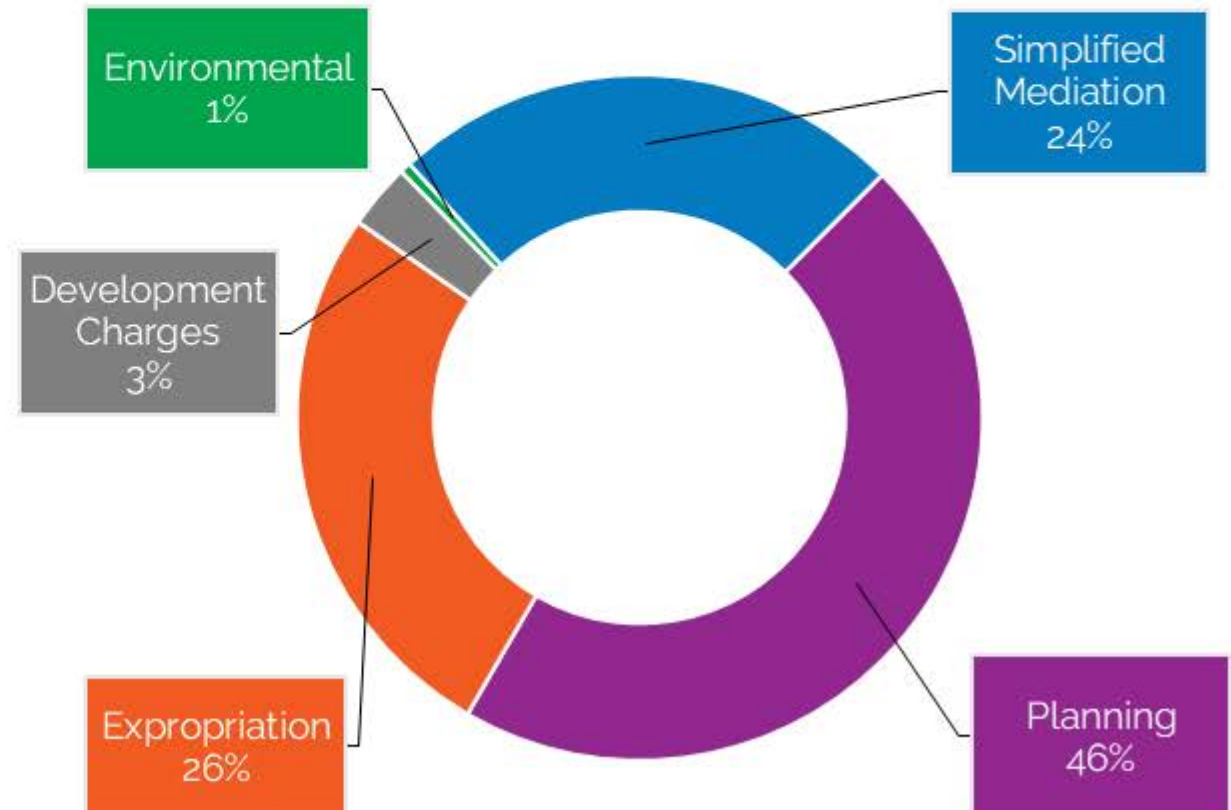
- Mediation is an alternative to adjudication, and is voluntary, requiring the consent of the parties
- The OLT has implemented a program using mediators rich in experience and credentials, who have participated in the municipal and planning life of the Province in many facets, both in public and private sectors, as adjudicators, counsel and consultants
- The formal mediation program roster of experienced mediators, who are external to OLT, includes:
 - **Wendy Nott, Bob Dragicevic, Laurie McPherson, Lindsay Dale-Harris, Jeannette Gillezeau, and Paul Henry**

Mediation Events – April 1, 2023, to March 13, 2025

Mediation Events Conducted



Mediations by Case Type



Rule Amendments

Effective December 2, 2024, the Tribunal updated its Rules of Practice and Procedure

- **Revision to Rule 5.4:**
 - Requiring municipalities and other approval authorities to forward appeals to the Tribunal using the e-file portal.
- **Other modest changes included clarified rules on:**
 - Written hearings
 - Verbatim reporters
 - Party and Participant requests
 - Expropriations

Provincial Planning Statement, 2024

- On August 20, 2024, the [Provincial Planning Statement \("PPS 2024"\)](#), was released and came into effect on October 20, 2024.
- The PPS 2024 applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after the October 20, 2024 effective date.
- As of October 20, 2024, all decisions of the Tribunal must be consistent with the PPS 2024

Examples of Tribunal decisions that address the new PPS:

DiCenzo Construction Company Limited v Hamilton (City), 2024 CanLII 126828

Benneian v St. Catherines (City), 2025 CanLII 2769

E-File Portal: Overview

- New online service developed with municipalities/legal firms
- **Appellants/Legal Reps:** submit appeals; pay online
- **Approval authorities:** receive, group, and remit appeals to the Tribunal (mandatory as of December 2024 to forward appeals using e-file)

Key Benefits

- **Time-Saving:**
 - Reuse contact info, pay online, and upload documents easily
- **Faster Processing:**
 - Allows the Tribunal to schedule hearing events faster
- **Improved Accuracy:**
 - Smart Forms guide users for precise information
 - Mandatory fields ensure all required information is completed

E-File Portal: Key Stats



As of March 2025, **195 municipalities** fully registered; more continue to onboard.

- Includes **20 out of the 22** municipalities with the **highest volume** of appeals to the Tribunal
- This means **we will be receiving the majority of our cases/appeals via e-file going forward**

Questions? Please contact the OLT Citizen Liaison: OLT.CLO@ontario.ca



Thank you

Ontario Land Tribunal

PRESENTATION

UPDATE ON THE PLANNING LANDSCAPE AND WHAT DOES IT LOOK LIKE NOW

Leo Longo

Partner, Aird & Berlis LLP.

P R E S E N T A T I O N



LEO LONGO


Partner. Aird & Berlis LLP.

UPDATE ON THE PLANNING
LANDSCAPE AND WHAT
DOES IT LOOK LIKE NOW.

Leo's experience enables him to isolate issues quickly and arrive at a creative solution that advances his clients' objectives. He remains committed to continuously learning and deepening his knowledge of the legal issues that matter to his clients.

As a senior member of the firm's Municipal & Land Use Planning Group, Leo's practice is devoted to all areas of land use planning, development law and municipal law, representing both private and public sector clients.

Leo appears before councils, tribunals and various levels of court.



Update on the Planning Landscape and what does it look like now.

LandPRO 2025 Conference
April 2, 2025

Leo F. Longo
Partner



AIRD BERLIS

This presentation may contain general comments on legal issues of concern to organizations and individuals. These comments are not intended to be, nor should they be construed as, legal advice. Please consult a legal professional on the particular issues that concern you.

Table of Contents

- 1) Upper Tier Municipalities “Without Planning Authority”
- 2) Expediting Process for Planning Applications/Approvals
- 3) Major Transit Station Areas [MTSAs]
- 4) New Legislation & Regulations
- 5) Ontario Land Tribunal
- 6) Other Matters

1) Upper Tier Municipalities Without Planning Authority

- Bill 23, the *More Homes Built Faster Act, 2022* introduced the concept of *upper-tier municipalities without planning responsibilities*.
- Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, announced the removal of planning responsibilities from seven upper-tier municipalities:
 - The Regions of Peel, Halton and York (as of July 1, 2024)
 - The Regions of Durham and Waterloo (as of January 1, 2025)
 - Niagara Region (on March 31, 2025)
 - County of Simcoe (TBD)
- Upper-tier municipalities without planning responsibilities no longer have the statutory authority to adopt official plans or amendments, approve lower-tier plans or amendments, approve plans of subdivision and consents or appeal planning decisions.

Upper Tier Municipalities Without Planning Authority

- *Planning Act* contains transition provisions for:
 - upper-tier official plans that are in effect;
 - upper-tier official plans or amendments that are not yet in force;
 - upper-tier official plans and amendments in process;
 - applications for amendments to upper-tier official plans; and
 - applications for plans of subdivision and consents.
- O. Reg. 525/97 was amended to exempt most lower-tier official plan amendments, including site-specific OPAs, from the need for Minister's approval.

Upper Tier Municipalities Without Planning Authority

- Upper-tier municipalities without planning responsibilities still have many responsibilities that must be considered when planning for development.
- The PPS, 2024 requires co-ordination between upper-tier and lower-tier municipalities.
- What does co-ordination look like? Continued consultation with the upper-tiers on growth-related matters affecting an upper-tier service/responsibility.
- MOUs between the upper-tier municipality and the lower-tiers.
- Proposal for bilateral MOUs between MMAH and upper-tier municipalities without planning responsibilities.

2) Expediting Process for Planning Applications

- Example of a failed legislative initiative – Fee refunds linked to achieving processing timing
- Example of an effective legislative initiative – Removal of many third-party appeal rights
- Some municipalities establishing / considering policies to expedite application process – best to inquire directly
- “Partners in Homebuilding: Mayor’s Housing Task Force Report” [Partners in Homebuilding - Mayor's Housing Taskforce Report](#)

Expediting Process for Planning Applications

- CHBA Municipal Benchmarking 2024 Study – Altus Group [Microsoft Word - Final Report - CHBA Municipal Benchmarking Study - 3rd Edition - P-7146.docx](#)

Estimated Average Approval Timelines, by Application Type, by Municipality and Region, 2022-2024

Rank	Municipality/Region	Municipal Plan Amendment	Zoning By-law Amendment	Plan of Condominium/ Strata	Plan of Subdivision	Site Plan/ Development Permit	Weighted Average	Total Sample
		Months						Observations ²
1	Prairies Average	6.5	6.2	1.5	4.5	3.1	4.6	n=2,624
2	Atlantic Canada Average	12.2	8.4	**	2.7	2.5	6.1	n=285
3	British Columbia Average	10.0	10.7	**	7.5	4.9	8.4	n=1,1179
4	Ontario Average	17.5	19.6	9.3	31.2	18.2	18.8	n=1,144

Expediting Process for Planning Applications

Combined Ranking - 2024 Municipal Benchmarking Study - Study Municipalities

Municipality	Municipal Fees		Approval Timelines		Planning Features		Combined Scoring	
	Total Value	Rank	Average Timelines	Rank	Score	Rank	Overall Index	Overall Rank
	Per Unit (\$), weighted average of development	(Lowest to Highest)	Months	(Lowest to Highest)	%	Highest to Lowest	Weighted Average	(Lowest to Highest)
Edmonton	22,680	8	3	4	0.8	5	1.26	1
Halifax	14,008	6	10	13	0.9	1	1.26	2
London	33,930	9	5	7	0.8	5	1.14	3
Regina	15,476	7	3	3	0.6	14	1.12	4
Calgary	50,286	11	4	6	0.8	5	1.01	5
Moncton	7,485	2	2	2	0.4	18	1.00	6
Charlottetown	5,270	1	3	5	0.3	22	0.83	7
Kelowna	35,026	10	6	8	0.6	15	0.83	8
Kamloops	13,936	5	7	10	0.3	20	0.74	9
Surrey	64,884	15	6	9	0.7	10	0.71	10
Saskatoon	61,479	13	2	1	0.6	15	0.71	11
St. John's	13,119	4	9	12	0.3	20	0.71	12
Ottawa	54,370	12	17	18	0.8	8	0.62	13
Winnipeg	9,976	3	10	14	0.3	22	0.62	14
Oakville	113,842	20	14	15	0.9	4	0.25	15
Burnaby	66,936	16	16	17	0.5	17	0.23	16
Vancouver	118,935	21	8	11	0.7	10	0.21	17
Brampton	108,222	18	14	16	0.8	9	0.16	18
Hamilton	64,546	14	31	23	0.7	10	0.04	19
Pickering	109,951	19	17	19	0.7	13	(0.01)	20
Toronto	138,157	22	25	22	0.9	3	(0.22)	21
Markham	160,013	23	23	20	0.9	2	(0.32)	22
Bradford West Gwillimbury	102,700	17	24	21	0.4	19	(0.41)	23

Weighted Average 47,625 11.24 0.65
Weight (%) 40% 30% 30%

Source: Atlas Group, based on Municipal Fee and Charges By-Laws, Municipal websites and data, as of August 2024

3) Major Transit Station Areas

- MTSAs included in Growth Plan since 2006: area within a 500- to 800-metre radius of an existing or planned higher order transit station (representing an approx. 10 min. walk).
- Growth Plan, 2017 introduced density targets for MTSAs (policy 2.2.4.3).
- New Provincial Planning Policy (largely) carries forward definition of and policies pertaining to MTSAs.
- Relationship between Inclusionary Zoning and MTSAs:
 - IZ: policy that requires developers to include a certain percentage of affordable housing units in new residential developments, and to maintain those units as affordable over a certain period of time.
 - Bill 108, *More Homes, More Choice Act, 2019*, only allows municipalities to enact IZ in (1) delineated MTSA, or (2) Development Permit System.

Major Transit Station Areas

- Appeal restrictions on municipally enacted MTSA OPAs & ZBAs [PA, ss. 17(36.1.4) & 34(19.5)]
- Planning Act, s. 16(16)(b) - policies that (i) identify the authorized uses of land in the area and of buildings or structures on lands in the area; and (ii) identify the minimum densities that are authorized with respect to buildings and structures on lands in the area.
- Minimum densities and heights have been the focus of the MTSA policies, but what about maximum heights and densities? Under the *Planning Act*, these are also protected from appeal.
- See *COLLECTIV (8868 Yonge) GP Inc. v Richmond Hill*, 2024 CanLII 83215 (OLT) – cannot appeal angular plane provisions
- Appeals currently before OLT may provide further guidance on meaning and application of Planning Act's appeal restrictions. See Mississauga OLT-24-000535 & Brampton OLT-24-000688

4) New Legislation & Regulations

- *Planning Act* amended 32 times in 7 years under the Ford Government
- Prognostication – new legislation?
- New Minister Rob Flack
- Mounting pressures re:
 - housing supply and affordability;
 - cost of infrastructure assets - maintenance and expansion
 - “tariff war” fallout

5) Ontario Land Tribunal

- Largest Roster of Members Ever: 39 Full-Time Members & 12 Part-Time Members
- Hearing scheduling improved – reduced wait times
- Mediation – increasing and successful results
- Auditor General's 2024 Report: "Performance Audit – Ontario Land Tribunal" [Ontario Land Tribunal](#) - 18 Recommendations
- OLT Annual Report 2023-24: [2023-24-OLT-Annual-Report-EN.pdf](#) - handling approximately same number of appeals than previous year

6) Other Matters on the Planning Landscape

Employment Land Protection & Conversions

Development Charges – Exemptions / Deferrals

MZOs – Business as Usual vs. Reconsideration?

Affordable Housing – Government Assistance; Expanding Inclusionary Zoning?

New Building Code – O.Reg. 163/24 - March 31, 2025 transition now expired

Contacts



Leo F. Longo

Partner

llongo@airdberlis.com

Presented by

The logo for Aird & Berlis, featuring the company name in a bold, sans-serif font enclosed within a dark rectangular border. A small yellow square is positioned at the top right corner of the border.

AIRD BERLIS

10 YEARS OF SUCCESSFUL CONFERENCES

15

10 YEARS OF LANDPRO

LANDPRO 2024

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS):
Formal CPD 6 hours 15 minutes.

Ontario Professional Planners Institute: As per
CPL handbook.

Law Society of Ontario: 1 hour and 5 minutes
(Professionalism). Substantive Hours are the
participant's discretion.

Ontario Association of Architects: OAA
members may claim 6 hours as per the
association's handbook.

SPONSORS

- Protect Your Boundaries
- Krcmar Surveyors Ltd.
- Zeifmans
- BoundaryWise
- Teranet
- The Westlake
- Diverso Energy
- BILD
- Melbourne Property Management
- Torkin Manes LLP
- TitlePLUS
- Egis
- AOLS
- Almadev
- Aird & Berlis LLP
- Vaughan Economic Development
- CIBC

TOPICS & SPEAKERS

Welcoming Remarks

Master of Ceremonies - Michael Thompson,
Councillor in City of Toronto representing
Scarborough.

David Wilkes, BILD.

MP Melissa Lantsman, Member of Parliament for

Thornhill Deputy Leader of the Conservative Party
of Canada.

PA Matthew Rae, Parliamentary Assistant to the
Minister of Municipal Affairs and Housing.

Keynote: ECONOMIC UPDATE.

Benjamin Tal, Managing Director and Deputy
Chief Economist, CIBC Capital Markets Inc. CIBC
World Markets Inc.

Presentation: STATE OF THE MARKET: GTA RESIDENTIAL LAND VALUES & FORECAST.

Jeremiah Shames, Senior Vice President,
Sales Representative, Colliers, Private Capital
Investment Group.

Presentation: TARION'S NEW CUSTOMER SERVICE STANDARD AND WARRANTY MODERNIZATION.

Peter Balasubramanian, President and CEO,
Tarion.

Panel: DEVELOPERS MOUNT RUSHMORE - The most experienced condominium builders in the Industry will be sharing their insights as to "The State of the Industry".

Roger Greenberg, Executive Chairman, The Minto
Group - Brian Johnston, Multiple Directorship;
Panel Moderator - Niall Haggart, President, GTA
Urban Division, Mattamy Homes Canada - Jim
Ritchie, President, Tridel.

Presentation: RECENT COURT DECISIONS IMPACTING CONDOMINIUM DISPUTES IN ONTARIO.

Harry Herskowitz, Senior Partner, DelZotto, Zorzi
LLP.

Presentation: UPDATE ON THE PLANNING LANDSCAPE AND WHAT DOES IT LOOK LIKE NOW.

Patrick Harrington, Partner, Aird & Berlis.

**Presentation: AN ESSENTIAL GUIDE TO THE
LAW OF BOUNDARY TREES IN ONTARIO.**

Paula Lombardi, Partner & Department
Head, Environmental, Municipal & Planning,
Regulatory Law, Siskinds LLP.

**Presentation: CLEARING THE MUDDIED
WATER CHALLENGES AROUND BUILDING
SERVICING AND METERING FOR MIXED USE**

BUILDINGS. Bram Atlin, Principal, Smith
and Andersen Consulting Engineering -
Ralph Simone, President, Provident Energy
Management Inc.

Panel: LEGAL PANEL

Leor Margulies, Partner, Robins Appleby LLP.-
Sarah Turney, Partner, Fasken.- Patrick G. Duffy,
Partner, Stikeman Elliott LLP.- Craig Garbe,
Partner, Bennett Jones LLP. - Doug Bourassa,
Partner, Torkin Manes LLP.

**Presentation: THE LIFECYCLE OF
INSURANCE COVERAGE, FROM
EXCAVATION TO CONDOMINIUM
REGISTRATION AND TURNOVER.**

Maurice Audet, Senior Vice President and Senior
Account Manager, Aon Insurance.

Tom Gallinger, Senior Vice President, Atrons-
Counsel Insurance Brokers.

10 YEARS OF EXCLUSIVE MARKET INTELLIGENCE

LANDPRO 2023

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS):
2.5 Formal and 2.75 Professional (Meeting
Attendance) hours.

Ontario Professional Planners Institute: May
claim hours units as per CPL handbook.

Law Society of Ontario: Professionalism
Hours: 2 hour and 10 mins. Substantive Hours
are at the participant's discretion.

Ontario Association of Architects: Eligible for 6
Structured Learning Hours.

SPONSORS

- Protect Your Boundaries
- Krcmar Surveyors Ltd.
- Zeifmans
- Teranet
- Geowarehouse
- BoundaryWise
- CIBC
- Smartpixel
- BILD
- Melbourne Property Management
- Vaughan Economic & Cultural Development
- TitlePLUS
- Raikes Geomatics
- Aird & Berlis LLP
- McIntosh Perry
- Almadev
- The Westlake

TOPICS & SPEAKERS

BILD Industry Update

David Wilkes, BILD.

Economic Update

Ben Tal, CIBC World Markets Inc.

Building Expectations: The HCRA and

Metrolinx Panel - Go-Metrolinx Expansion and Impact on the GTA

Panel Moderator - Lindsay Dale-Harris, Bousfields
Inc.

Marcy Burchfield, Metrolinx.

Ryan Millar, Emblem Developments.

Gregory Bender, RPP, MCIP, WSP Canada.

Elizabeth Lun, Brattys.

Law Panel

Panel Moderator - Harry Herskowitz, DelZotto,
Zorzi LLP.

Municipal Liability in Negligence.

Leo Longo, Aird Berlis LLP.

The Condominium Developer's Liability in Tort for Construction Deficiencies.

Colin Stevenson, Stevenson Whelton LLP.

The Duty of Good Faith Contract Performance v. The Duty To Exercise Contractual Discretions.

Tammy Evans, Aird Berlis LLP.

Best Practices For Developers to Avoid, Manage and Minimize Trade Claims & Construction Liens, arising from Covid Regulations, Supply Chain Shortages and Delays, and Labour Unavailability Michael Tamblyn, Torkin Manes' Construction Law and Commercial Litigation Groups.

Easements And The Changing Law.

Sarah Turney, Fasken.

Update on Bill 23.

Patrick Harrington

Presentation: An analysis of the Ontario Court of Appeal decision in Akelius Canada Ltd. v. 2436196 Ontario Inc., regarding the damages ultimately awarded to an innocent buyer of land consequent upon the seller's default in a sharply rising real estate market.

Harry Herskowitz, DelZotto, Zorzi LLP.

Accelerating Accessibility: Design, Development and Construction initiatives by Daniels.

Jake Cohen

Re-Developing Malls and Other Big Challenging Sites.

Melanie Hare

Toronto as a World Class City: Is housing really unaffordable or consistent with cities of similar class?

Andrew Brethour

10 YEARS OF ADVANCING PROFESSIONAL KNOWLEDGE

LANDPRO 2022

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS): 4 Formal and 3 Professional (Meeting Attendance) hours.

Ontario Professional Planners Institute: May claim hours units as per CPL handbook.

Law Society of Ontario of Ontario:
Professionalism 2 hours and 15 minutes.

Ontario Association of Architects: Eligible for 6 Structured Learning Hours.

SPONSORS

- Protect Your Boundaries
- BoundaryWise
- Krcmar Surveyors Ltd.
- Zeifmans LLP
- CIBC
- Vaughan Economic
- Development
- Teranet
- BILD
- Aird & Berlis LLP
- Title PLUS
- Melbourne Property Management
- Colliers
- The Westlake

TOPICS & SPEAKERS

Keynote: Economic Update.

Ben Tal, CIBC World Markets Inc.

Presentation: 2022 Market Update: where the market is what's trending and what we're likely to see in the next 12 months in the GTA.

Jeremiah Shames, Private Capital Investment Group.

Presentation: Strata Parks.

Paul Ferris, Ferris + Associates Inc.

Panel: Legal Panel.

Harry Herskowitz, DelZotto, Zorzi LLP.

Patricia Elia, Elia Associates PC.

Melissa Jean Gilles, Brattys LLP.

Calvin Lantz, Stikeman Elliott LLP.

David Carter, Grechi Carter Professional Corporation

Rodney Ikeda, Goldman Sloan Nash & Haber LLP.

Presentation: Record of Site Condition (RSC) Requirements for Stratified Parks and Lands & Other Difficult Situations – When, Why & How?

Vico Paloschi, Pinchin Ltd.

Panel: Geothermal Panel - Why would you consider Geothermal if you are not interested in delivering a Net Zero or Net Carbon development?

Julian McNabb, Melbourne Property Management

Jennifer Burstein, Collecdev.

Tasso Eracles, Smart Energy Recovery.

Megan Mackey, Shibley Righton LLP.

Steven Little, Able Engineering Inc.

Presentation: Three Significant Decisions of the Ontario Court of Appeal Involving Real Estate in 2021.

Harry Herskowitz, DelZotto, Zorzi LLP.

Presentation: The Future of GTA Parking.

Timothy Arnott, BA Group.

Presentation: Unlocking Unusable Sites: What You Need to Know to Develop Near Railways.

Jonathan Hendricks, Entuitive.

Presentation: The Evolution of Heritage Protection in Ontario.

Andrew Pruss, ERA Architects.

10 YEARS OF INDUSTRY EDUCATION

LANDPRO 2021

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS):
4 formal hours & 2 professional (meeting attendance) hours.

Ontario Professional Planners Institute: May claim hours units as per CPL handbook.

Law Society of Ontario: CPD Accredited – 1 hour and 40 minutes Professionalism, 7 hours Substantive.

Ontario Association of Architects: Eligible for 6 Structured Learning Hours.

SPONSORS

- Protect Your Boundaries
- BoundaryWise
- Krcmar Surveyors Ltd.
- Zeifmans
- Vaughan Metropolitan
- Teranet
- PowerStream Energy Services
- BILD
- 3DCityScapes
- Title PLUS
- Melbourne Property Management
- The Westlake

TOPICS

Economic Update.

Benjamin Tal, CIBC World Markets Inc.

The Tarion – HCRA Transition, One month in.

Tammy Evans, Aird & Berlis LLP.

Automated Parking Systems.

George Carras, R-Labs Canada Inc.

Future Tech.

Audrey Loeb, Shibley Righton LLP.

Future of Office Space & Office Real Estate.

Dan Marinovic, Dream.

Shared Facilities Panel.

Julian McNabb, Melbourne Property Management.

Harry Herskowitz, Delzotto, Zorzi LLP.

Michael Volpatti, Brattys LLP.

Development Law Panel.

Alexander Foundos, Delzotto, Zorzi LLP

Thomas Woodhall, BA Consulting Group Ltd.

Colin Barksby, Kingfisher Technical Solutions Ltd.

Affordable Housing – Opportunity and Challenges.

Stephen Karr, Harris Sheaffer LLP.

10 YEARS OF VALUABLE NETWORKING

LANDPRO 2020

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS)

Ontario Professional Planners Institute: May claim hours units as per CPL handbook

Law Society of Ontario: CPD Accredited – 1 hour Professionalism

Ontario Association of Architects

SPONSORS

- Protect Your Boundaries
- BoundaryWise
- Krcmar Surveyors Ltd.
- Vaughan Metropolitan Centre
- PowerStream Energy Services
- TitlePLUS
- Melbourne Property Management

TOPICS & SPEAKERS

Welcome & Opening Remarks.

Chris Kamarianakis, Protect Your Boundaries & Conference Organizer; David Wilkes, Building Industry & Land Development Association; Eileen Costello, Aird & Berlis LLP & Master of Ceremonies / Update on Bill 108.

Keynote: 2020 Economic Update.

Ben Tal, CIBC World Markets.

Presentation: Developing and Valuing Air Rights.

Andrew Jeanrie, Bennett Jones LLP.

Presentation: Setting up your Condo/ Commercial Development for a Successful

Lease-up of the Commercial Podium - Legal Framework.

Natalie Vukovich, Daoust Vukovich LLP.

Presentation: Aborted Real Estate Transactions in a Declining Market – Recent Decisions of the Ontario Courts.

Harry Herskowitz, DelZotto, Zorzi LLP.

Developers Panel: Get an Inside Account of the Challenges keeping Property Developers up at night.

Leader - Dan Marinovic, Dream Panelists: Sam Mizrahi, Julie Di Lorenzo, Jim Ritchie, Michael F. Firestone, Alan Vihant.

Development Law Panel

Leader - Harry Herskowitz, DelZotto, Zorzi LLP.

Panelists: Mark Karoly, Craig Robson, David Spencer, Tammy Evans, Arthur Shapero.

Presentation: The Past, Present and Future of the Condo Industry in the G.T.A.

Hunter Milborne, Milborne Real Estate.

Presentation: Tarion's Registration Process - Navigating the Changes.

Adil Dar, Masters Insurance.

Presentation: Attract High-End Commercial: The New Key to Success.

Karen Mak, dkstudio architects inc.

Presentation: What Can a Developer Do When There is an Error in the Condo Doc?

Patricia Elia, Elia Associates PC.

Presentation: Technology Driven Industry Transformation.

George Carras, R-LABS.

10 YEARS OF SHAPING LAND DEVELOPMENT

LANDPRO 2019

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS):
CP Hours (formal) 4.5 Hours.

Ontario Professional Planners Institute: May
claim hours units as per CPL handbook.

Law Society of Upper Canada: CPD Accredited
– 45 minutes Professionalism, 6 Substantive
Hours.

Ontario Association of Architects: Eligible for 6
Structured Learning Hours.

SPONSORS

- Zeifmans LLP
- Vaughan Metropolitan
- Centre
- McIntosh Perry
- BILD
- Teranet
- Quandrangle
- Title PLUS
- Aird & Berlis LLP
- The Westlake
- Urban Toronto

Topics & Speakers

2019 Economic Update.

Ben Tal. Deputy Chief Economist, CIBC World
Markets

Construction Cost Update.

Niall Finnegan. Founder, Finnegan Marshall

Creating Value with Design for Tomorrow's Buildings and Communities.

Len Abelman. Principal, WZMH Architects.

Panel: Development Law.

Moderator - Harry Herskowitz. Senior Partner,
DelZotto, Zorzi LLP.

Kathryn Borgatti. Senior Counsel, Mattamy
Homes Limited.

David Slan. Partner, McMillan LLP.

Andrew Webster. Partner, Aird & Berlis LLP.

Stephen Karr. Partner, Harris Sheaffer LLP.

Daniel Botelho. Partner, Brattys LLP.

Panel: Developers

Discussion:

1. Aborted/cancelled condo projects:

**Are Tarion's early termination conditions
working?**

2. When buyers fail to qualify:

**Consequences to developers and lenders of
the 2% stress test.**

**3. How unforeseen costs can increase
common expense budgets past the 9.9%
ceiling.**

**4. Cannabis – growing and smoking,
how to deal with it in the condominium
documents.**

**5. The 2019 construction strike: how to
navigate the delay and delay periods.**

Moderator - Alan Vihant. Executive Vice
President, Great Gulf Homes.

Niall Haggart. Executive Vice President, Daniels
Group.

Brad Lamb. Founder, Lamb Development Corp.

Mark Reeve. Partner, Urban Capital Property
Group.

Sam Crignano. President, Cityzen
Developments.

T.James Tadeson. Founding Partner, Carttera.

Faulty Status Certificates and their Impact on Condo Corporations.

Harry Herskowitz. Senior Partner, DelZotto, Zorzi LLP.

Panel: Municipal Planners (in collaboration with the OPPI).

Our panel of municipal planners and leaders will be discussing key issues to planning for growth in Ontario, including their perspective on the implementation and future of LPAT.

Moderator - Justine Giancola RPP. Associate, Dillon Consulting Limited.

Andrea Bourrie RPP. Director, Planning & Building Services, City of Barrie.

Emma West RPP. Partner, Blousfields Inc.

Arvin Prasad RPP. Commissioner of Development Services, City of Markham.

Jason Bevan RPP. Director of City Planning Strategies (Policy), City of Mississauga.

Panel: Planning Lawyers

1. CN vs. City of Toronto (CanLII 102206).

Discuss the questions posed to Court and the ramifications of the Court's potential answers on future LPAT hearings.

2. The "Missing" Question – Is affidavit [and other] evidence permitted at Part II LPAT hearings?

3. Your Land, your Development Proposal but no "party" status to participate at LPAT hearings?

4. Can LPAT be fixed? – What does the future hold?

Moderator - Leo Longo. Partner, Aird & Berlis LLP.

David Bronskill. Partner, Goodmans LLP.

Calvin Lantz. Partner, Stikeman Elliott LLP.

Patrick Devine. Founding Partner, Devine Park LLP.

Catherine Lyons. Partner, Goodmans LLP.

Marketing Accessibility

Jesse Klinitz. Director, Human Space, Quadrangle.

Lorene Casiez. Accessibility and Wellness Practice Lead, Human Space, Quadrangle.

10 YEARS OF CONNECTING INDUSTRY LEADERS

LANDPRO 2018

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS): 5 formal hours suitable for CPD under the AOLS Continuing Education Program.

Law Society of Upper Canada: CPD Accredited – 1 hour 20 minutes Professionalism, 6 hour 30 minutes Substantive.

Ontario Professional Planners Institute: May claim hours units as per CPL handbook.

Ontario Association of Architects: 6 Structured Learning Hours.

SPONSORS

- Protect Your Boundaries
- Zeifmans LLP
- BILD
- Aird & Berlis LLP
- Third Octet
- Teranet
- City of Vaughan
- TitlePLUS
- Milborne Group
- Quadrangle

TOPICS & SPEAKERS

Welcome & Opening Remarks.

Chris Kamarianakis, Protect Your Boundaries; Tammy Evans, Master of Ceremonies, Aird & Berlis LLP.

2018: Economic & Market Outlook.

Benjamin Tal - Deputy Chief Economist | CIBC World Markets.

Land Development in non-OMB Times.

Adam Brown | Sherman Brown LLP Development.

Tax Law Changes-Implications and Strategies.

Ahmad Aslam | Zeifmans LLP.

PANEL: Development Law Update.

Harry Herskowitz | DelZoto, Zorzi LLP.

Panelist: Leor Margulies, Leo Longo, Alicia Kuntz, Alex Foundos.

Developing on the Toronto Transit Commission (TTC).

Michael Stevenson | Toronto Transit Commission.

Don't Make Retail an Afterthought.

Avi Behar | The Behar Group.

Ontario Condos and The New Court Standard of Review.

Harry Herskowitz | DelZotto, Zorzi LLP.

Getting New Site Valuations Right.

Niall Finnegan | Finnegan Marshall Inc.

PANEL-Municipal Planning Challenges for 2018.

Leona Savoie | Hullmark Developments.

Panelist: Ed Sajecki, Mary Lou Tanner, Rob Elliot, Kathy Suggitt, John MacKenzie.

10 YEARS OF FOSTERING COLLABORATION

LANDPRO 2017

PROFESSIONAL EDUCATION CREDITS

Association of Ontario Land Surveyors (AOLS): 4 hours formal CPD time.

Ontario Professional Planners Institute: Claim hours according to CPL Program Guide.

Law Society of Upper Canada: CPD Accredited – 1 hour Professionalism, 6.5 Substantive Hours.

Ontario Association of Architects.

SPONSORS

- Zeifmans LLP
- Title PLUS
- BILD
- City of Vaughan
- Altus Group
- Teranet
- Milborne Group
- Protect Your Boundaries
- Third Octet
- Krcmar Surveyors Ltd.

TOPICS & SPEAKERS

Welcome & Opening Remarks.

Chris Kamarianakis, Protect Your Boundaries and Steve Deveau, Tribute Communities .

2017 Economic & Real Estate Outlook for the GTA.

Benjamin Tal, CIBC World Markets.

Shared Facilities Agreements: New Risks for Developers.

Audrey Loeb, Miller Thomson LLP.

The Challenges in Designing Tall Buildings.

Mansoor Kazerouni, IBI Group.

Easements 2.0: The Challenges of Public and Private Laneways.

Craig Carter, Fasken Martineau LLP.

Getting Complex Land Development

Projects Approved.

Adam Brown, Sherman Brown LLP.

Emerging Issues Affecting Condo Development.

Panel Leader: Harry Herskowitz, DelZotto, Zorzi.

Flight Paths and Vertical Development.

Charles Cormier, Cormier Aviation Consultants.

Water Boundaries: Identifying Problems and Solutions.

Ron Stewart, Surveyor & Water Boundary Expert.

Airbnb in Toronto: Regulating Short Term Home Rentals without Stifling Innovation.

Tracey Cook, City of Toronto.

Shared Facilities: The Perils of Making Them an Afterthought.

Julian McNabb, First Service Residential.

10 YEARS OF EMPOWERING LAND PROFESSIONALS

LANDPRO 2016

PROFESSIONAL EDUCATION CREDITS

Law Society of Upper Canada: CPD Accredited
- 1.75 Professionalism Hours, 3.5 Substantive
Hours Association of Ontario Land Surveyors
(AOLS): 4 hours.

Ontario Professional Planners Institute: Claim
hours according to CPL Program Guide.

Ontario Association of Architects: 4 Continuing
Education Hours.

SPONSORS

- Protect Your Boundaries
- Krcmar Surveyors Ltd.
- BILD
- Blaney McMurtry LLP
- City of Vaughan

TOPICS & SPEAKERS

2016 GTA Real Estate and Condo Industry Outlook.

Jason Mercer, Director of Market Analysis &
Service Channels, Toronto Real Estate Board.

Tarion Update.

Tim Schumacher, VP and General Counsel,
Tarion Corporation.

The Condo Act is changing...are you ready?

Harry Herskowitz, Partner and Head of Real
Estate Development, DelZotto, Zorzi LLP,
Barristers & Solicitors.

Easements and Right-of-Ways.

Craig Carter, Real Estate Lawyer.

Why Real Estate Agents Get Sued.

Allan Powell, Powell Barristers Professional
Corporation, Error and Omissions Liability

Counsel.

Transacting Land in a Wired World.

Drew Doherty, Director of Marketing & Product
Development, Teranet Inc.









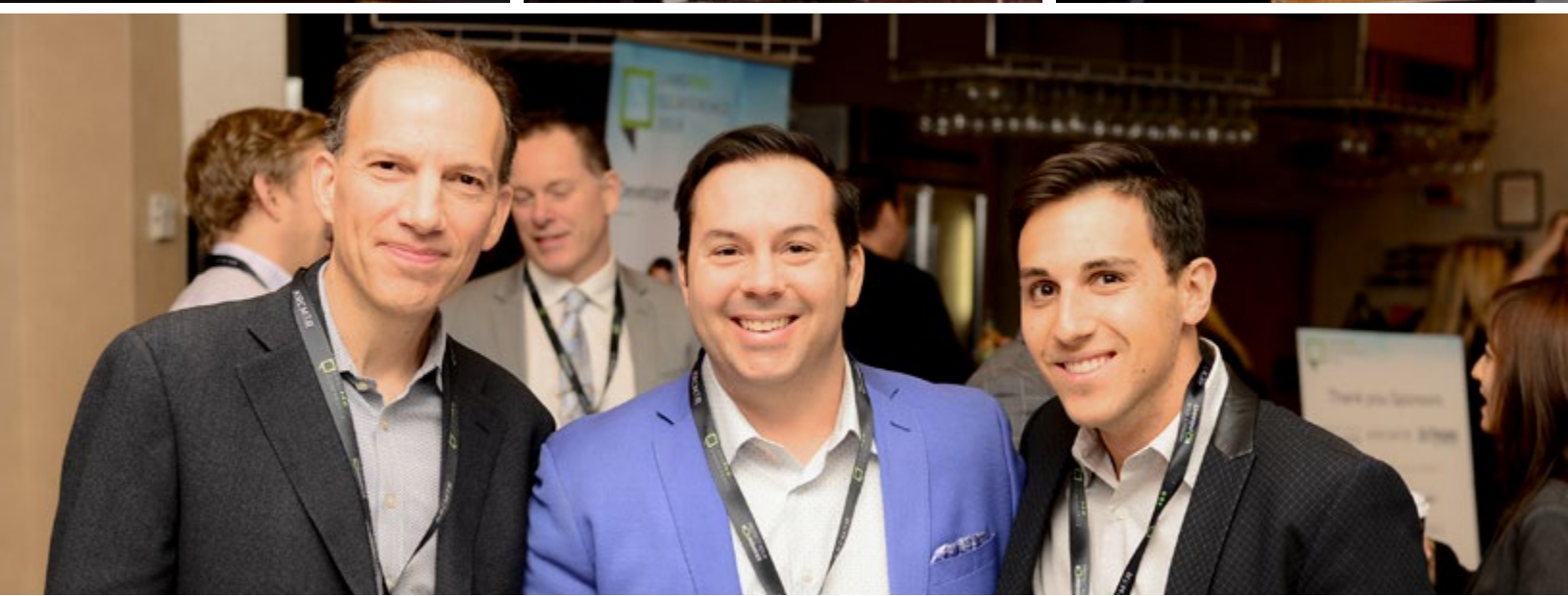


















PREVIOUS BINDERS

Click on the buttons to check out the Binders from previous years:

LANDPRO 2024

LANDPRO 2023

LANDPRO 2022

LANDPRO 2021

LANDPRO 2020

LANDPRO 2019

LANDPRO 2018

LANDPRO 2017

LANDPRO 2016

LANDPRO 2015

A low-angle, upward-looking photograph of several tall skyscrapers. The buildings are seen through a dark, metallic grid of a glass railing in the foreground. The sky is a clear, pale blue. The buildings have a mix of yellowish-gold and blue-tinted glass facades.

LANDPROTEC YEARS