



Melissa Winch

Partner

Contact Information

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Office

Toronto

Expertise

- Municipal, Planning & Environmental
- Real Estate & Development
- Universities & Colleges

Biography

Melissa Winch is a partner in the Litigation Group at Cassels and specializes in Municipal, Planning & Environmental law. Melissa's practice encompasses all aspects of municipal, land use planning and environmental law, with a focus on land development and expropriations law. Melissa advises on decisions or actions that are impacted by municipal law or otherwise arise from the development, use and ownership of land, including all aspects of the land use planning and development process. In addition to having appeared before all levels of court in Ontario, Melissa regularly appears before the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) and the Toronto Local Appeal Body. Melissa successfully acts as legal counsel for landowners, private sector developers and builders, large retail and restaurant franchises, municipalities, governmental authorities, and public institutions throughout the Greater Toronto Area and across Ontario. Melissa has extensive experience representing clients in expropriation proceedings throughout Ontario and British Columbia, including those impacted by the construction of public works where no land is taken.

Melissa is co-author of the leading text: *Canadian Forms & Precedents — Land Development*, published by LexisNexis Butterworths.

In addition to her law practice, Melissa is the chair of the Women's Advancement, Voices and Equity Committee at Cassels and formerly sat on the Board of Directors for Leadership Sinai and Gilda's Club Toronto.

Some of Melissa's experience includes:

- Advising on development approvals, including zoning and official plan amendments, variances, consents, site plan approvals and permits
- Acting for both public and private sector clients on development agreements, including negotiating and drafting subdivision, site plan, cost-sharing, front-ending, servicing, and development charge credit agreements, and providing representation before the Local Planning Appeal Tribunal

- Obtaining approvals for large scale, institutional and public facilities, including acting for the University of Toronto in all matters of municipal, land use planning and environmental law
- Representing major retail franchises in all expropriation matters, including where no land is taken
- Acting for Infrastructure Ontario in the development of the West Don Lands in the Toronto waterfront, including preparations for the Pan/Parapan American Games
- Assisting municipalities with large scale expansions of infrastructure, such as roads, water, and sewer lines, including expropriations as required
- Advising on the redevelopment of contaminated land, including former landfill sites, and assisting with obtaining all required approvals under the *Environmental Protection Act* and the *Environmental Assessment Act*
- Advising on environmental approvals and instruments, environmental assessment requirements, environmental due diligence, and environmental compliance
- Acting as defence counsel with respect to provincial offences charges
- Representing private and public sector clients with respect to municipal enforcement matters, including Building Code prosecutions
- Successfully representing the Corporation of the Town of Caledon in a precedent-setting case before the Superior Court on a contempt matter involving the breach of a municipal zoning bylaw, resulting in one of the highest fines to be ordered by the Ontario courts in a contempt case (*Town of Caledon v. Darzi Ltd.*, 2021 ONSC 985)
- Representing a land developer in respect of a precedent-setting decision on the interpretation of lease agreements their renewal/extension terms (*2324702 Ontario Inc. v. 1305 Dundas W Inc.*, 2020 ONCA 353)
- Successfully representing the Corporation of the Town of Georgina in a precedent-setting case before the Superior Court respecting Building Code inspections and occupational health and safety issues (*MacDonald v. The Corporation of the Town of Georgina*, 2010 ONSC 6169)
- Successfully defending the Town of Whitchurch-Stouffville on an action in which the plaintiffs sought to appeal the decision

of the Chief Building Official to grant a building permit to the plaintiffs' neighbour, alleging negligence respecting the Chief Building Official's assessment of grading, drainage, and septic system issues (*Fiore v. Town of Whitchurch-Stouffville and Delic*, 2011 ONSC 3928(CanLII))

Recent Representative Work

- SupplyOne Expands Beyond the U.S. with Its Acquisition of Crownhill Packaging
- E2P Acquires Canature
- Astatine Acquires McKeil
- Benchmark Metals to Acquire Thesis Gold
- E2P Adds New Portfolio Company Furlani Foods

Insights

- Will it be Enough? The Escalating Cost of Construction and the Impact of New Exemptions to Spur Development (Cassels Webinar)
- The Ontario Government Announces Further Changes to Increase Housing Supply
- Reduce, Reuse, Responsibility: Ontario Extends Producer Responsibility Under its New "Blue Box" Waste Management Reforms

Pro Bono & Community Involvement

- Board of Directors for Leadership Sinai, Member
- Board of Directors for Gilda's Club Toronto, Past Member

Education / Bar Admissions

- LL.B., University of Windsor, 2008
- B.A. (Hons.) (with Distinction) (Specialized Comm.), York University, 2005
- Ontario, 2009

Associations

- Building Industry and Land Development Association, Member, Membership Committee
- Canadian Bar Association, Member, National Compensation Survey Subcommittee of the Women Lawyers Forum
- Ontario Bar Association
- Ontario Expropriation Association
- Urban Land Institute