



Bruce County Clerks



Proposal to Provide Integrity Commissioner Services

Prepared by:

John Mascarin & Meghan Cowan

Partners

Aird & Berlis LLP

Brookfield Place, 181 Bay Street, Suite 1800

Toronto, Ontario M5J 2T9

E jmascarin@airdberlis.com T 416.865.7721

E mcowan@airdberlis.com T 416.863.1515

AIRD BERLIS

August 25, 2022

Table of Contents

- 1. **Executive Summary1**
- 2. **Integrity Commissioner Experience.....2**
- 3. **Proposed Team4**
- 4. **Fee Proposal.....17**
 - 4.1 Hourly Rates..... 17
 - 4.2 Disbursements..... 17
- 5. **References.....18**
- 6. **Concluding Remarks19**

Municipal Freedom of Information and Protection of Privacy Act

The information provided herein in Section 4 (Fee Proposal) and Section 5 (References) is expressly supplied in confidence. We specifically identify information of a commercial and financial nature in this submission, including, but not limited to, pricing, rates and disbursements and proprietary information related to clients of our firm as strictly confidential. We expressly do not consent to the disclosure and dissemination of any of this information or of any related information pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*. The disclosure of this information provided herein may significantly prejudice our competitive position in the marketplace for such services and may interfere with our existing and future contractual relations.

1. Executive Summary

Aird & Berlis LLP (“**Aird & Berlis**”) is pleased to submit this proposal to Bruce County and its member municipalities (together, the “**Municipalities**”) for consideration to provide Integrity Commissioner Services.

Aird & Berlis has the requisite experience, capacity and expertise to serve as a knowledgeable, efficient and cost-effective Integrity Commissioner to the Municipalities. The firm has the pre-eminent municipal law practice group in Canada. A recent edition of *The Best Lawyers in Canada* names Aird & Berlis as a “Top Listed” firm in municipal law. Our Municipal & Land Use Planning Group has also received a top ranking in *Novae Res Urbis*’ annual listing of planning and development law firms in the GTA. Five of our lawyers have been named Municipal Law “Lawyer of the Year” for Toronto by *The Best Lawyers in Canada*, including lead lawyer **John Mascarin**. In short, leading municipal lawyers practise at Aird & Berlis.

Aird & Berlis is the Integrity Commissioner for close to 50 public sector entities in Ontario. Our wide-ranging experience includes appointments by municipalities of all sizes and types across the province. We have the requisite knowledge, capacity and expertise to serve as an expert, efficient and cost-effective Integrity Commissioner to the Municipalities. Moreover, we have acted and are currently acting for a large number of Integrity Commissioners throughout Ontario. We are the experts that other Integrity Commissioners rely upon. We act as Closed Meeting Investigator for more than 100 municipalities in Ontario and have also acted as Municipal Ombudsman for a smaller number of local governments.

Our lawyers have advised local boards, councils and municipalities regarding codes of conduct and the enforcement thereof, including investigations, penalties and remedial measures. We have advised, written, taught and presented extensively on the accountability and transparency provisions in Part V.1 of the *Municipal Act, 2001*. We have conducted and participated in numerous inquiries, formal and informal, on a variety of matters under the *Municipal Act, 2001*, including various ethical and other issues, both within and outside the specific legislative provisions under Part V and V.1 of the statute. Our firm has considerable experience with investigations, investigative procedures and principles in the local government context. Two of our team members are employment lawyers who have also conducted workplace investigations. We provide education and training on conduct and integrity matters.

John Mascarin, who heads our firm’s Integrity Commissioner services team, is widely recognized across the province as a leader in the area of municipal law. He is currently the lead lawyer for all of our Integrity Commissioner and accountability appointments. He was named the *Best Lawyers’ 2016* Municipal Law “Lawyer of the Year” for Toronto and is a Certified Specialist in Municipal Law: Local Government and Land Use Planning and Development by the Law Society of Ontario.

We believe our professional background and experience, together with our academic endeavours and publications, attest to our unparalleled professional credibility, expertise and ability to fulfill the mandate. Our municipal and public sector clients trust Aird & Berlis to serve as their Integrity Commissioner because the value, credibility, integrity and expertise we bring to the role is arguably unmatched across the province.

2. Integrity Commissioner Experience

We provide Integrity Commissioner services for a large number of municipalities and boards in Ontario. The following table lays out our extensive experience in acting as Integrity Commissioner, as well as Closed Meeting Investigator and Ombudsman.

We have also been retained by a number of municipalities to advise them on their accountability frameworks. We have assisted these municipalities in drafting codes of conduct and complaint protocols as well as council-staff relationship policies (and other policies).

We also advise and represent a significant number of Integrity Commissioner across the province (who are not listed below). We have represented them on applications under the *Municipal Conflict of Interest Act* as well as on judicial review applications.

Municipality / Other Entity	Term
Township of Norwich **	August 2022 [commencing Oct 1]
County of Haliburton	August 2022 – ongoing
Toronto Catholic District School Board (interim)	June 2022 – ongoing
Municipality of Central Huron	April 2022 – ongoing
City of Kingston	December 2021 – ongoing
Township of North Stormont (delegation)	October 2021 – ongoing
Township of Tay Valley (delegation)	March 2021 – May 2021
Hamilton Wentworth District School Board	March 2021 – September 2021
City of Guelph	December 2020 – ongoing
Municipality of Southwest Middlesex***	December 2020 – ongoing
ONE Joint Investment Board**	March 2020 – ongoing
Local Authority Services***	January 2020 – ongoing
Township of Otonabee-South Monaghan	October 2019 – ongoing
Township of Hamilton	July 2019 – ongoing
Municipality of Bluewater**	July 2019 – ongoing
City of Cambridge	June 2019 – ongoing
Municipality of South Huron**	June 2019 – ongoing
Town of Cobourg**	June 2019 – ongoing
Municipality of Port Hope	June 2019 – ongoing
Regional Municipality of Waterloo	May 2019 – ongoing
Town of Moosonee	February 2019 – ongoing
Cataraqui Region Conservation Authority	February 2019 – ongoing
Town of Ajax	February 2019 – ongoing
Municipality of Sioux Lookout	February 2019 – ongoing
Town of Petrolia	February 2019 – ongoing
Village of Point Edward	February 2019 – ongoing

Municipality / Other Entity	Term
Township of West Lincoln	January 2019 – ongoing
City of Thorold	January 2019 – ongoing
Norfolk County	January 2019 – December 2021
Township of Ashfield-Colborne-Wawanosh*	December 2018 – ongoing
Town of Goderich*	December 2018 – January 2021
Township of Howick	December 2018 – ongoing
Municipality of Huron East	November 2018 – ongoing
Municipality of Morris-Turnberry	November 2018 – ongoing
Township of North Huron*	November 2018 – ongoing
Township of North Frontenac	November 2018 – ongoing
County of Huron*	November 2018 – ongoing
City of Greater Napanee	September 2018 – ongoing
Loyalist Township	September 2018 – ongoing
County of Lennox and Addington	August 2018 – ongoing
Haldimand County (temporary)	April 2018 – July 2018
Township of Georgian Bay (interim)	February 2018 – March 2019
Township of Perth South	February 2018 – ongoing
Municipality of West Perth	February 2018 – ongoing
Town of St. Mary's	February 2018 – ongoing
County of Perth	November 2017 – ongoing
Township of Southgate (interim)	September 2017 – May 2018
Municipality of Middlesex Centre**	August 2017 – ongoing
York Region District School Board (interim)	July 2017 – January 2018
City of St. Catharines	October 2016 – ongoing
Regional Municipality of Niagara (interim)	December 2016 – July 2017
County of Lambton	October 2015 – ongoing
Town of New Tecumseth**	November 2013 – ongoing
Town of Innisfil	November 2013 – ongoing

* Appointed as Integrity Commissioner, Closed Meeting Investigator and Ombudsman.

** Appointed as Integrity Commissioner and Closed Meeting Investigator.

*** Appointed as Closed Meeting Investigator.

3. Proposed Team

Our approach to the Integrity Commissioner role is a collaborative one. All of our accountability engagements are led and managed by **John Mascarin**. John will be the primary ethics advisor and educator to the County and will lead applications under the *Municipal Conflict of Interest Act*.

John has spent his legal career practising almost exclusively in the area of municipal law and, in recent years, specializing in matters relating to accountability and transparency, including councillor conduct. He is respected by his municipal clients for taking a hands-on, common-sense approach to his Integrity Commissioner work, while maintaining the highest standards of professionalism and confidentiality in dealing with sensitive matters. John's high-level strategic and advisory work is complemented by the investigative, research, drafting and document preparation work and advice-giving function of the other lawyers on the team, and our costing proposal reflects this approach.

Meghan Cowan will act as lead code of conduct investigator. She will herself undertake as well as oversee complaint investigations. Meghan is an employment law lawyer who has conducted and participated in various workplace investigations and, as part of the municipal accountability team, has led and investigated dozens of code of conduct complaints.

John and Meghan are assisted by **Paula Boutis, Laura Dean, Meaghan Barrett, Daria (Dasha) Peregoudova** and **John Pappas**. Curricula vitae of the proposed team are set out on the following pages.

John and Meghan will delegate to or be assisted by the other members of our team and work cooperatively and cost-effectively with them. This coordinated approach is beneficial for various reasons, including because it:

- ensures that there is always someone who is fully apprised of the details of the investigation or inquiry and, therefore, responsive;
- provides proactive and cost-effective service for tasks that need not be attended to by a senior team member;
- allows an assessment of the complaint and the investigation from a different or additional perspective; and
- facilitates the efficient processing of the investigation or inquiry within time limits.

We serve all of our municipal clients, indeed all of our clients, in the same way: by providing efficient, expert and professional advice and representation in the most cost-effective manner.

As noted, we are the experts that other Integrity Commissioners call upon when they require expert opinions, advice on investigative and administrative law issues, and representation when their investigative reports are challenged or when they commence applications against members for breach of the *Municipal Conflict of Interest Act*.



John Mascarin

Partner*

Admitted to the Ontario Bar: 1989

jmascarin@airdberlis.com

T 416.865.7721

* Practising as a professional corporation

John is widely regarded as a leader in municipal, planning and local government law. He is a prolific author, editor and speaker, and is often called upon by the media to comment on current issues. His vast experience and depth of knowledge enables him to solve municipal law and governance issues, while identifying impending challenges. John represents his clients with vigour, integrity and passion.

John is a member of the Municipal and Land Use Planning Group. He practises in the areas of local government and municipal law, development, land use and planning law, and building and construction regulation. John provides advice, counsel and representation to both private and public sector clients on all matters relating to municipal law, as well as land use planning and development matters, including development charges, building regulatory matters and various contractual arrangements.

He also appears regularly before municipal councils, committees, public authorities and boards, administrative tribunals and the Ontario Courts. An acknowledged expert on the *Municipal Act, 2001* and on matters pertaining to municipal powers, authorities and jurisdiction, clients often seek out John for his opinions, advisement and representation with respect to all issues related to municipal law.

John is an Adjunct Professor at Osgoode Hall Law School where he teaches courses in both the JD & LLM programs. John serves as Integrity Commissioner and Closed Meeting Investigator for a large number of municipalities in Ontario.

Awards & Recognition

Certified Specialist in Municipal Law: Local Government and Land Use Planning and Development by the Law Society of Ontario.

Recognized in *The Best Lawyers in Canada* in the fields of Municipal Law and Real Estate Law, and named the Best Lawyers' 2016 Municipal Law "Lawyer of the Year" for Toronto.

Appears in *The Canadian Legal Expert Directory* as a leading practitioner in the area of Property Development.

IMLA President's Award for Most Outstanding Associate Member (2011).

Lifetime Honourary Membership – Canadian Association of Certified Planning Technicians (2009).

Professional Involvement

Books

A Comprehensive Guide to the City of Toronto Act (with Leo Longo)
Annotated Ontario Building Code Act (with Jeffrey Levitt)
Annotated Land Development Agreements (with Paul De Francesca)
Ontario Municipal Act and Commentary (with Christopher Williams)
Annotated Municipal Act (2nd Edition) (with Stephen Auerback)

Editorial

Editor-in-Chief, *Municipal & Planning Law Report* (1995-present)
 Editor-in-Chief, *The Digest of Municipal & Planning Law* (1990-present)
 Co-Editor-in-Chief, *Real Property Reports* (1992-present)
 Former Editor, *Digest of Real Property Law* (1991-1993)

Contributor

Halsbury's Laws of Canada – Municipal
Ontario Planning Act and Commentary
Ontario Land Development: Legislation and Practice
Practice and Procedure Before Administrative Tribunals
Canadian Abridgment (Municipal Law & Real Property Titles)

John's numerous articles, commentaries and papers have been extensively published. He is a frequent speaker at professional, industry and continuing legal education conferences.

Memberships

Canadian/Ontario Bar Association (Past Chair, Municipal Law Section)
 Canadian Association of Certified Planning Technicians
 International Municipal Lawyers Association (Associate Member)

Teaching Engagements

Adjunct Professor (2008-2020) – “Land Use Planning Law”
 York University – Faculty of Environmental Studies – MES Program
 Osgoode Hall Law School – JD Program

Adjunct Professor (2014, 2016, 2017, 2019 & 2021) – “Municipal Law”
 Osgoode Hall Law School – JD Program

Course Director (2006, 2011 and 2015) – “Municipalities in a Legal & Policy Context”
 Osgoode Hall Law School – LLM in Municipal Law

Course Director (2012) – “Ethics and Municipalities”
 Osgoode Hall Law School – LLM in Municipal Law

Course Director (2010) – “Land Use Regulations & Property Development”
 Osgoode Hall Law School – LLM in Real Property Law

Education

LLB, Osgoode Hall Law School, 1987
 MA, University of Toronto, 1984
 BA, University of Toronto, 1983



Meghan A. Cowan

Partner

Admitted to the Ontario Bar: 2013

mcowan@airdberlis.com

T 416.865.4722

Meghan is a member of the firm's Litigation & Dispute Resolution Group, Labour & Employment Group and Privacy & Data Security Group. She works closely with the firm's Municipal & Land Use Planning Group and has taken the lead on various employment, workplace and code of conduct investigations and also mediates and facilitates on informal complaints. She tenaciously represents our municipal clients on various litigation matters.

Meghan assists clients with their litigation issues by thoroughly examining all aspects of a case and delivering practical solutions. Meghan is a critical thinker and a strong advocate. She frequently writes and speaks on a variety of labour, employment, freedom of information and privacy topics.

Meghan has appeared before several tribunals and courts, including the Ontario Superior Court of Justice, the Ontario Small Claims Court, the Court of Appeal for Ontario and the Human Rights Tribunal of Ontario.

Professional Involvement - Memberships

- Canadian/Ontario Bar Association
- The Advocates' Society
- Canadian Association of Counsel to Employers

Selected Speaking Engagements

"Workplace Vaccinations: Legal Considerations and Recommendations for Employers," Aird & Berlis LLP *Workplace Webinar*, May 19, 2021.

"Employment 101 for Startups," Queen's Innovation Centre Summer Initiative, July 4, 2019.

"Employment Matters Affecting Startups," Queen's Innovation Centre Summer Initiative, June 2018.

"Avoiding a Privacy Breach: How to Train Employees and Contractors," Aird & Berlis LLP *Privacy Webinar*, October 2017.

"Dealing with the Difficult Employee," Aird & Berlis *Labour & Employment Webinar*, April 2017.

“Emerging Issues in Human Rights: Family Status and Transgender Accommodation in Employment,” Aird & Berlis LLP *Labour & Employment Webinar*, February 2017.

“A Year in Review: Top Issues in Employment Law,” Aird & Berlis LLP *Labour & Employment Webinar*, January 2017.

“Pay Equity and Women’s Economic Empowerment,” Aird & Berlis LLP *Women in Business Webinar*, November 2016.

“Tough Questions, Difficult Answers and Head Scratchers: A&B Workplace Law Lawyers Answer Your Questions,” Aird & Berlis LLP *Labour & Employment Webinar*, October 2016.

“The Employment Contract: From Marriage to Divorce,” Aird & Berlis LLP *Labour & Employment Webinar*, September 2016.

“Canada’s Anti-Spam Legislation (CASL) – Updates Since September 2015,” Aird & Berlis LLP *Technology Webinar*, September 2016.

“Changing Demographics in the Workplace: How To Manage And Thrive,” Aird & Berlis LLP *Labour & Employment Webinar*, May 2016.

“How Workplace Health, Safety and Privacy Clash and Converge,” Aird & Berlis LLP *Labour & Employment Webinar*, March 2016.

“Medical Marijuana in the Workplace,” Aird & Berlis LLP *Labour & Employment Webinar*, February 2016.

“Top Issues In Employment Law,” Aird & Berlis LLP *Labour & Employment Webinar*, January 2016.

“Issues in Accommodation,” Aird & Berlis LLP *Labour & Employment Webinar*, October 2015.

“Workplace Law Update: What to Watch out For,” Aird & Berlis LLP *Labour & Employment Webinar*, September 2015.

Selected Publications

“Important Changes to Employers’ Obligations Regarding Violence and Harassment in the Workplace,” co-authored with Cynthia Sefton, Aird & Berlis LLP *Workplace Law Bulletin*, December 2015.

“Employment Update: Termination Provisions and the Definition of Severance,” Aird & Berlis LLP *Workplace Law Bulletin*, June 2015.

“Recent Developments in the Law of Constructive Dismissal: The Supreme Court of Canada’s Decision in Potter v. New Brunswick Legal Aid Services Commission,” Aird & Berlis LLP *Workplace Law Bulletin*, April 2015.

Education

JD, (cum laude), University of Ottawa, 2012

MA, (International Affairs), Carleton University, 2012

BA, (First Class Honours), University of King’s College and Dalhousie University, 2007



Paula has more than 20 years of experience advising on issues affecting municipal governance, land development and environmental management. She has an unrelenting eye for detail that informs her assessment of facts and issues and supports her ability to work closely with clients to resolve disputes effectively and efficiently.

As Counsel to the firm's Municipal and Land Use Planning Group and Environmental Law Group, Paula advises on municipal governance, land use planning and environmental law matters. Her experience includes drafting opinions, managing civil litigation and prosecution files, regulatory investigations, tribunal hearings, compliance advice and civil litigation for various corporate, municipal and individual clients. She has appeared before numerous tribunals, including the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal) and the Health Services Review and Appeal Board, and before all levels of court in Ontario.

Paula served as a member of the Ontario Land Tribunal for two years where she adjudicated and case managed numerous planning appeals and other matters, including a municipal ward boundary appeal.

Community Involvement

Board Member and President, Inclusion Action in Ontario Education and Community (2020-Present)

Special Education Advisory Committee Member, Toronto District School Board (2015-2019) and Grand Erie District School Board (2019-Present)

Board Member and Ontario Chapter Executive Member, Sierra Club Canada Foundation (1996-2016)

Education

LLB, Dalhousie University, 1998

M.Sc., McGill University, 1995

B.Sc. (Hons.), McGill University, 1993



Laura thoroughly understands the environment in which her clients operate and offers advice that suits the broader context. Her experience working as a senior policy advisor in the Ontario provincial government contributes to her ability to identify and resolve issues. Laura is an effective mediator with a calm, articulate demeanor.

As a member of the firm's Municipal & Land Use Planning Group and Expropriation Law Group, Laura provides advice and representation to both private and public sector clients on land use planning matters, municipal governance and accountability regimes, and the development and implementation of a wide array of municipal by-laws and policies.

Laura has done extensive work in the municipal accountability area, having provided training and education sessions for councils, written advice to members, investigated code of conduct complaints and assisted on court applications under the *Municipal Conflict of Interest Act*. Laura has extensive knowledge and experience handling requests and appeals and making representations before the Information and Privacy Commissioner of Ontario pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

Before beginning her legal practice, Laura worked as a Senior Policy Advisor in the Housing Policy Branch of the Ontario Ministry of Municipal Affairs and Housing. In this capacity, Laura provided advanced policy analysis, research and business planning in support of strategic housing policy initiatives and legislation. Laura also worked as a Policy Advisor with the Ontario government's Climate Change Secretariat where she was responsible for monitoring and reporting on provincial greenhouse gas emissions targets, conducting research and providing advice on the green economy.

Awards & Recognition

Named the "Ward Advocacy Volunteer of the Year" from Cycle Toronto

Professional Involvement - Memberships

Ontario Expropriation Association

Selected Speaking Engagements

“Modernizing Municipal Accountability: The Bill 68 Amendments,” International Municipal Lawyers Association in Canada, May 18, 2017.

“Accountability and Transparency: Emerging Issues,” AMCTO 2016 Municipal Clerks Forum: *Effective Citizen Engagement in a Changing World*, April 6, 2016.

“Releasing Councillors’ Personal Records – Has the IPC Opened Pandora’s Box?” Aird & Berlis LLP Municipal Webinar, March 2016.

Selected Publications

“Ontario Proposes Amendments to a Number of Statutes Affecting Municipalities and the Development Industry,” Aird & Berlis LLP *Municipal and Planning Law Bulletin*, July 13, 2020.

“Modernizing Ontario’s Municipal Accountability Regime,” Co-authored with John Mascarin, *The Digest of Municipal & Planning Law*, July 2017.

“Municipal Codes of Conduct, Integrity Commissioners and the Investigative Process,” Co-authored with John Mascarin, *The Digest of Municipal & Planning Law*, November 2016.

“Councillor Records and Disclosure – Same Old Analysis, Different Result,” Co-authored with John Mascarin, *The Digest of Municipal & Planning Law*, June 2016.

“Ontario Releases Proposed Revisions to Four Land Use Plans Affecting the Greater Golden Horseshoe,” Aird & Berlis LLP *Municipal and Planning Law Bulletin*, May 2016.

“IPC Orders the Release of Email Sent From City Councillor’s Personal Account,” Co-authored with John Mascarin and Jody Johnson, Aird & Berlis LLP *Municipal and Planning Law Bulletin*, February 2016.

“Bill 8 Or: How Municipalities Learned to Stop Worrying About Oversight and Love the Ombudsman,” Co-Authored with John Mascarin, *The Six-Minute Municipal Lawyer 2015*, Law Society of Upper Canada, May 2015.

“Municipal Regulation of Renewable Energy Projects: Tilting at Windmills No More?,” Co-Authored with Piper Morley, *The Digest of Municipal & Planning Law*, July 2013.

Education

JD, University of Windsor, 2014

M.Sc. (with distinction), Urbanization & Development, London School of Economics, 2008

BA (Hons.), McGill University, 2007



Meaghan Barrett

Associate

Admitted to the Ontario Bar: 2016

mbarrett@airdberlis.com

T 416.865.3064

Meaghan's passion for municipal and planning law and her ability to solve complex problems mark her as an up-and-comer in the municipal planning group. Meaghan has a strong policy background and research skills, which make her a valuable addition to a client team.

As a member of the firm's Municipal & Land Use Planning Group and Expropriation Law Group, Meaghan provides advice and representation to both private and public sector clients.

On the municipal side, Meaghan assists with various municipal accountability matters, including drafting codes of conduct and complaint procedures, and multiple investigations and reporting on code of conduct complaints. She also provides expert advice to clients regarding all aspects of the *Municipal Freedom of Information and Protection of Privacy Act* and the *Municipal Conflict of Interest Act*.

Meaghan represents a range of clients in her land use planning law practice, assisting owners, developers and applicants in obtaining a wide array of development and land use approvals. Meaghan is particularly interested in matters relating to the *Ontario Heritage Act* and other heritage protection and conservation issues.

Professional Involvement - Memberships

Ontario Expropriation Association

Urban Land Institute

Selected Speaking Engagements

"Planning for Change – Ontario's New Municipal Accountability Frontier," Ontario Small Urban Municipalities, May 4, 2018.

"A Primer on Codes of Conduct and Municipal Conflicts of Interest," Ontario Association of Committees of Adjustment and Consent Authorities Fall Seminar, October 24, 2017.

Selected Publications

“The “Uber” Impact of E-Scooters on Canadian Municipalities,” *Municipal World*, August 2019, (Co-authored with Ajay Gajaria).

“Implementing Ontario’s Municipal Accountability Framework,” 8 *Digest of Municipal & Planning Law* (2d) (June 2018) No. 18, pp. 1-10.

“Getting Ready for Ontario’s New Municipal Accountability Regime,” *Six-Minute Municipal Lawyer*, May 7, 2018.

“A New Frontier: Compliance Audit Committees and the New Changes to the *Municipal Elections Act, 1996*,” 7 *Digest of Municipal & Planning Law* (2d) (December 2016) No. 24, pp. 1-6.

“Municipal Authority, Cooperative Federalism and Snail Mail Delivery,” 8 *Digest of Municipal & Planning Law* (2d) (January 2017) No. 1, pp. 1-7.

Education

JD, University of Ottawa, 2015

BA (Hons.), University of Toronto, 2010

Programme Internationale, Institut d’Études Politiques (Sciences Po), 2008



Daria (Dasha) Peregoudova

Associate

Admitted to the Ontario Bar: 2017

dperegoudova@airdberlis.com

T 416.865.3417

Dasha is a confident and compassionate litigator with a focus on labour and employment law. She works closely with the firm's Municipal & Land Use Planning Group and often advises, investigates and litigates on municipal issues and matters. A trusted problem solver, Dasha provides counsel that reflects her clients' needs and protects their interests by ensuring that compliant policies, procedures and bylaws are in place. She is a former Canadian national team athlete and two-time Pan American champion, and brings the same level of focus and competitive energy to helping her clients meet their business objectives.

Dasha is a member of the firm's Litigation & Dispute Resolution Group and Workplace Law Group. Her practice focuses on civil and commercial litigation, professional liability, constitutional litigation and compliance and risk solutions. Dasha commonly works with our Municipal Group and has abundant experience leading code of conduct investigations as an Integrity Commissioner and has also dealt with applications under the *Municipal Conflict of Interest Act*.

Dasha has appeared as counsel before the Ontario Superior Court of Justice, the Ontario Divisional Court, the Ontario Court of Appeal and as co-counsel at the Supreme Court of Canada in *Her Majesty the Queen v. Gerard Comeau* in 2017.

Other Languages

Russian

Awards & Recognition

Havergal College Hall of Distinction Inductee, 2019

Western University Humanitarian Award, 2015

Professional Activities

Ombudsperson, Team Canada, Tokyo 2020 Olympic Games

Member-at-Large, Ontario Bar Association Labour & Employment and Entertainment, Media and Communications sections

President, AthletesCAN, the Association of Canadian National Team Athletes

Ombudsperson, 2019 Pan American Games

Board Member, Sport Dispute Resolution Centre of Canada, 2013-2019 (appointed by the Minister of Sport, Hon. Bal Gosal and re-appointed by the Minister of Sport and Persons with Disabilities, Hon. Carla Qualtrough)

Treasurer, Shakespeare in the Ruff

Panam Sport Legal Commission

Memberships

Law Society of Ontario

Ontario Bar Association

Canadian Bar Association

The Advocates' Society

Toronto Lawyers Association

Teaching Engagements

Adjunct Professor, Sports Law, Western University

Selected Speaking Engagements

"Governance and System Re-Engineering," Brock University Centre for Sport Capacity's 2021 Forum, *Athletes First: The Promotion of Safe Sport in Canada*, June 17, 2021.

"Accessibility for Ontarians with Disabilities Act: Legal Compliance with Web Accessibility and Accessibility Compliance Reports," Aird & Berlis LLP *Workplace Webinar*, June 10, 2021.

"Workplace Vaccinations: Legal Considerations and Recommendations for Employers," Aird & Berlis LLP *Workplace Webinar*, May 19, 2021.

"2021 AODA Web Accessibility Requirements," Branded Productions Webinar, March 31, 2021.

"Key Developments in Employment Law in 2020," Ontario Bar Association, February 6, 2021.

Selected Publications

"Key Developments in Employment Law in 2020," Ontario Bar Association's Labour & Employment Law Section, February 6, 2021.

"COVID-19 and the Workplace: Remote Working Legal Considerations and Recommendations," Co authored with Fiona Brown and Michael Horvat, Aird & Berlis LLP *Workplace Law Bulletin*, May 26, 2020.

Education

JD, Western University, 2016

B.Sc. (Hons.), University of Toronto, 2012



John Pappas

Associate

Admitted to the Ontario Bar: 2020

jpappas@airdberlis.com

T 416.865.7719

John is a member of the firm’s Municipal & Land Use Planning Group. He advises public and private sector clients on all aspects of municipal law, with a focus on accountability matters.

John joined Aird & Berlis as an associate after summering and articling at the firm. Before joining the firm as a summer student, John spent two summers working for local municipalities. Through that work, he gained insight into the legal framework underlying the land use planning process and municipal governance.

During his articling year, John worked extensively on a number of accountability mandates, including closed meeting and code of conduct investigations. John’s research and submissions were instrumental in successfully defending two applications against two separate heads of council under the *Municipal Conflict of Interest Act*. John has undertaken and reported upon a significant number of code of conduct and closed meeting investigations over the past year.

Select Publications

“With Great Power Comes Reasonable Responsibility – Emergency Powers of the Chief Building Official,” co-authored with Christopher J. Williams, *Ontario Building Officials Association Journal*, Legal Corner, June 2021.

“A Rock and a Hard Place: Integrity Commissioner Decisions to Make an Application under the *Municipal Conflict of Interest Act*,” *Digest of Municipal and Planning Law*, June 2021.

Canada v. Vavilov: The Impact on Statutory Appeals (Parts 1, 2, 3 and 4), co-authored with Christopher J. Williams, 9 *Digest of Municipal & Planning Law* (2d) (March - June 2020)

“What’s My Limitation Period Again? Update on the Suspension of Limitation and Time Periods During the COVID-19 Crisis,” co-authored with Dillon Collett, Aird & Berlis LLP Publication, June 8, 2020.

“The Division of Powers in Site Plan Control,” co-authored with Leo Longo and Meaghan Barrett, *OBOA Journal*, Issue No. 119, September 2018.

Education

JD, Queen’s University, 2019

BA (Hons.), Brock University, 2016

PAGES 17 & 18 HAVE BEEN REMOVED UNDER THE MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

6. Concluding Remarks

If the Municipalities desire a credible, knowledgeable, experienced, independent and qualified Integrity Commissioner, we are available to service each of them.

We appreciate that many persons are Integrity Commissioner services at a low cost. Our view has always been that a low hourly rate does not translate to cost-effective service and, may in many cases, end up costing the municipality a much higher cost when the service provider is not experienced and knowledgeable or does not have the ability or capacity to handle complex investigations or time-sensitive requests for advice.

Our background and expertise has demonstrated that we can, as Integrity Commissioner, undertake and complete thorough investigations, deliver defensible final reports within specified timelines and expertly advise council and local board members and the public as to the rights, duties, obligations and responsibilities of all persons vis-à-vis the code of conduct and the *Municipal Conflict of Interest Act* and draft and update the requisite ethical policies that need to be in place. We excel in providing education and training to councils, members and staff on the municipal accountability framework in Ontario.

We act and have acted for numerous municipalities as Integrity Commissioner. We have provided counsel, representation and specialized advice to other Integrity Commissioners and we have also advised and represented council members under investigation pursuant to code of conduct investigations and applications under the *Municipal Conflict of Interest Act*.

Our knowledge of municipal law demonstrates that we comprehend, appreciate and discern the complexities of the *Municipal Act, 2001* and, most particularly, the *Municipal Conflict of Interest Act*, which is an area that municipal integrity commissioners did not previously have to concern themselves with (and that many are ill-equipped to handle).

Our vast experience teaching, lecturing, training and presenting on the subject matter of municipal law, and particularly municipal accountability, validates our assertions that we can also provide comprehensive training and education to assist Council and the Municipalities' local boards, their members and the public to understand and abide by the municipal accountability and ethical framework.

Our bench strength means that there will always be an experienced and knowledgeable professional at the ready for any code of conduct or other ethical requirement, including for last-minute advice on the *Municipal Conflict of Interest Act* and for any opinions that Council may seek. The depth of our team is unmatched by any other entities providing such services.

We have drafted and updated dozens of codes of conduct and complaint protocols and various other policies for our municipal clients.

We encourage the Municipalities to seriously consider the quality proposition set out in our proposal.