

Infrastructure & Public-Private Partnerships

Representative projects and transactions

Transportation and Transit

- **407 ETR:** Counsel to 407 ETR Concession Company Ltd. and 407 International Inc. since 2006 on finance, technology, contracting, real estate, infrastructure, privacy and general corporate matters, including the issuance of more than \$5.9 billion in notes under a medium-term notes program.
- **Barrie Transit:** Counsel to the City of Barrie as the public authority for the Barrie Transit PPP Project, which involves the selection of a private sector partner to design, build and finance the construction of a new transit facility and to operate and maintain the City of Barrie's bus fleet.
- **Billy Bishop Toronto City Airport Pedestrian Tunnel:** Counsel to the lenders to Elite Tunnel Group (Macquarie Capital/Fiera-Axium), a shortlisted proponent for the Billy Bishop Toronto City Airport Pedestrian Tunnel PPP Project in Toronto, Ontario.
- **Confederation Bridge:** Counsel to a syndicate of underwriters in the \$680 million financing through real return bonds of Confederation Bridge across the Northumberland Strait (between Prince Edward Island and New Brunswick).
- **Deh Cho Bridge:** Counsel to a consortium of lenders led by TD Securities in the \$165 million project financing of the Deh Cho Bridge in the Northwest Territories.
- **Eglinton Crosstown LRT:** Counsel to the lenders to Crosstown Transit Partners (Fengate Capital Management/OHL Concesiones/STRABAG/Bechtel Development Company/Obayashi Canada), a shortlisted proponent for the Eglinton Crosstown LRT AFP Project in Toronto, Ontario.
- **Fredericton-Moncton Highway:** Counsel to CIBC Capital Partners, RBC Dominion Securities, Merrill Lynch and TD Securities as co-lead underwriters in the \$540 million project financing of the Fredericton-Moncton Highway in New Brunswick.
- **Golden Ears Bridge:** Counsel to XL Capital Assurance (U.K.) as the monoline insurer to Golden Crossing Group (Bilfinger Project Investments), the successful proponent in the \$808 million PPP transaction to design, build, finance and operate the Golden Ears Bridge, a toll bridge over the Fraser River in British Columbia.
- **Highway 407 East-Phase 2:** Counsel to the lenders to 407E Infrastructure Group (SNC-Lavalin/AECON/Miller Paving Ltd./MMM Group) as a shortlisted proponent in the project to design, build, finance and maintain approximately 32 kilometers of highway from Harmony Road in Oshawa to Highway 35/115 in Clarington, Ontario.
- **John F. Kennedy Airport Terminal:** Counsel to a consortium comprised of a European airport operator, a U.S. development company and two leading U.S. financial institutions in the US\$1.2 billion privatization, pursuant to a ground lease, of the International Arrivals Terminal at New York City's John F. Kennedy Airport, including a \$94 million project financing.

- **Jose de Diego Highway:** Counsel to a Canadian pension fund as part of a consortium bidding on the operation rights to the Jose de Diego Highway in Puerto Rico.
- **Metrolinx:** Counsel to Metrolinx in connection with certain confidential development projects in the Greater Toronto Area.
- **Northeast Stoney Trail:** Counsel to Financial Guaranty Insurance Company as monoline insurer to Stoney Trail Group (Bilfinger Project Investments), the successful proponent in the \$650 million PPP transaction to design, build, finance and operate the Northeast Stoney Trail, a portion of the ring road around Calgary, Alberta.
- **Ottawa Light Rail Transit:** Counsel to National Bank of Canada, Sumitomo Mitsui Banking Corporation, The Bank of Nova Scotia and The Bank of Tokyo-Mitsubishi UFJ, Ltd., as short term lenders, and National Bank Financial Inc. and Sun Life Assurance Company of Canada, as underwriters in respect of the long term facility, to Rideau Transit Group (ACS Infrastructure Canada/SNC-Lavalin/EllisDon), the successful proponent in the \$1.8 billion AFP transaction to design, build, finance and maintain the first phase of a new light rail transit system in Ottawa, Ontario. This was Ontario's first commuter rail AFP project and one of the largest municipal AFP projects completed in Canada to date.
- **Pearson International Airport Terminal 3:** Counsel to a syndicate of lenders led by ABN Amro Bank in providing subordinate financing for the development of Terminal 3 at Pearson International Airport.
- **Pennsylvania Turnpike Concession:** Counsel to Ontario Teachers' Pension Plan Board as part of a consortium with GS Global Infrastructure Partners, Canada Pension Plan Investment Board and Transurban in connection with their US\$12 billion bid for the Pennsylvania Turnpike Concession.
- **Port Mann Toll Highway and Bridge:** Counsel to a Canadian pension fund as part of a consortium bidding on the Port Mann PPP Project in British Columbia.
- **Project Pacifico:** Counsel to a Canadian pension fund as part of a consortium bidding on the construction and concession rights to a portfolio of highways in Mexico.
- **Regina Bypass:** Counsel to SaskLink Global Transportation Partners (Parsons/Gracorp/Vinci), a shortlisted proponent for the Regina Bypass PPP Project in Regina, Saskatchewan. This project is being procured by SaskBuilds.
- **Schiphol Airport-Amsterdam Rail Link:** Counsel to the government of the Netherlands on one of the first Dutch PPP projects for the provision of a high-speed rail link between Schiphol Airport and Amsterdam.
- **Sheppard Maintenance and Storage Facility:** Counsel to the lenders to SNC-Lavalin Capital, a shortlisted proponent for the Sheppard Maintenance and Storage Facility AFP Project in Toronto, Ontario.

- **Toronto's Union Station:** Special real estate counsel to Union Pearson Group in its negotiations with the City of Toronto, Go Transit, Via Rail and others on the proposed redevelopment of Union Station.
- **Region of Waterloo's Light Rail Transit System:** Counsel to Kitchener Waterloo Cambridge Transit Partners (Gracorp Capital/Fluor Canada/Parsons Canada), a shortlisted proponent for the Region of Waterloo's Light Rail Transit System AFP Project in Waterloo, Ontario.
- **Windsor-Detroit Suspension Bridge:** Counsel to Mich-Can International Bridge Company, an international consortium led by Fluor, in its proposed Windsor-Detroit Suspension Bridge, a \$500 million four-lane suspension bridge linking E.C. Row Expressway in Windsor and I-75 in Detroit.
- **Windsor-Essex Parkway:** Counsel to Windsor Essex Mobility Group (ACS/Acciona/Fluor Canada), the successful proponent in the \$1.4 billion AFP transaction to design, build, finance and maintain a new 11-kilometre parkway near Windsor, Ontario.
- **York Viva BRT (vivaNext) H2 and H3.4 Corridors Project:** Counsel to the lenders to Aecon Construction Group Inc. and Dufferin Construction Company, a shortlisted proponent for the York Viva Bus Rapid Transit (vivaNext) H2 and H3.4 Corridors project.

Healthcare

- **Abbotsford Regional Hospital and Cancer Centre:** Counsel to The Healthcare Infrastructure Company of Canada (Borealis/Carillion/EllisDon), a shortlisted proponent for the Abbotsford Regional Hospital and Cancer Centre PPP Project in Abbotsford, British Columbia. We subsequently represented Johnson Controls as the facilities management service provider to the successful proponent.
- **Antofagasta Hospital:** Canadian counsel to FESSA (EllisDon/Empresa Constructora Sigro/Fengate Capital Management), a prequalified bidder for the Antofagasta Hospital Concession Project in Chile.
- **Bluewater Health:** Counsel to Infrastructure Ontario and Bluewater Health as the public authorities in the \$214 million AFP transaction to build and finance the expansion and redevelopment of Bluewater Health's Norman Site in Sarnia, Ontario.
- **Brampton Civic Hospital:** Counsel to The Healthcare Infrastructure Company of Canada (Borealis/Carillion/EllisDon), the successful proponent in the \$550 million PPP transaction to design, build, finance and maintain the Brampton Civic Hospital (formerly William Osler Health Centre) in Brampton, Ontario. This was the first hospital PPP project in Ontario.
- **Bridgepoint Health:** Counsel to Dalkia Canada as the facilities management service provider to Access Bridgepoint Health, a shortlisted proponent for the Bridgepoint Health AFP project in Toronto, Ontario.
- **Cambridge Memorial Hospital:** Counsel to Walsh Construction Canada, a shortlisted proponent for the Cambridge Memorial Hospital AFP Project in Cambridge, Ontario.

- **Centre for Addiction and Mental Health:** Counsel to Scotia Capital, Dexia and Casgrain & Company as underwriters to Carillion Health Solutions, the successful proponent in the \$293 million AFP transaction to design, build, finance and maintain Phase 1B of the redevelopment of the Queen Street campus of the Centre for Addiction and Mental Health in Toronto, Ontario.
 - **Credit Valley Hospital Priority Areas Redevelopment:** Counsel to Walsh Construction Canada, the successful proponent in the C\$103 million AFP transaction to build and finance the Credit Valley Hospital Priority Areas Redevelopment Project in Mississauga, Ontario.
 - **Gordon and Leslie Diamond Health Care Centre:** Counsel to Brookfield LePage Johnson Controls as the facilities management service provider to Access Health Vancouver, the successful proponent in the \$95 million PPP transaction for the Gordon and Leslie Diamond Health Care Centre in Vancouver, British Columbia. This was the first hospital PPP project in B.C.
 - **Halton Healthcare Services:** Counsel to the lenders to Community Health Consortium (Lend Lease/Acciona, Aecon/Dalkia), a shortlisted proponent for the Halton Healthcare Services AFP Project in Oakville, Ontario.
 - **Hamilton Health Sciences:** Counsel to EllisDon Corporation, the successful proponent in the \$45 million AFP transaction to build and finance the redevelopment of the Hamilton General Hospital campus of Hamilton Health Sciences Corporation in Hamilton, Ontario.
 - **Health Services Restructuring Commission Capital Swap:** Counsel to the Ontario Hospital Association in a capital swap program for up to \$1 billion in Health Services Restructuring Commission project funding.
 - **Humber River Regional Hospital:** Counsel to the lenders to Future Health Consortium (Bilfinger Project Investments/SNC-Lavalin), a shortlisted proponent for the Humber River Regional Hospital AFP Project in Toronto, Ontario.
 - **Kingston General Hospital:** Counsel to The Toronto-Dominion Bank as the lead arranger and agent on behalf of a syndicate of lenders to PCL Constructors Canada, the successful proponent in the \$142 million AFP transaction to build and finance the redevelopment of the Kingston General Hospital in Kingston, Ontario.
 - **Markham Stouffville Hospital:** Counsel to The Toronto-Dominion Bank, Laurentian Bank of Canada, Canso Investment Counsel and Alberta Investment Management Corporation as lenders to PCL Constructors Canada, the successful proponent in the \$200 million AFP transaction to build and finance the redevelopment of the Markham Stouffville Hospital in Markham, Ontario.
- Niagara Health System:** Counsel to Infrastructure Ontario and Niagara Health System as the public authorities in the \$759 million AFP transaction to design, build, finance and maintain a new acute hospital and cancer centre in St. Catharines, Ontario.
- **North Bay Regional Health Centre:** Counsel to Infrastructure Ontario, the North Bay Hospital and the North Bay Mental Health Centre as the public authorities in the \$551 million AFP transaction to

build, finance and maintain the North Bay Regional Health Centre, a new co-located acute care hospital and specialized mental health facility in North Bay, Ontario.

- **Ottawa Cancer Centre:** Counsel to a syndicate of lenders to PCL Constructors Canada, the successful proponent in the \$113 million AFP transaction to build and finance the expansion of the Ottawa Hospital Regional Cancer Centre at both the Ottawa Hospital and Queensway Carleton Hospital campuses in Ottawa, Ontario.
- **Ottawa Valley Health Centre:** Counsel to West Champlain Health Community Corporation in the DBFO transaction for the Ottawa Valley Health Centre.
- **Peel Memorial Centre for Integrated Health and Wellness:** Counsel to Peel Healthcare Partnership (Brookfield Financial/Fiera-Axiom/Walsh Construction Canada), a shortlisted proponent for the Peel Memorial Centre for Integrated Health and Wellness AFP Project in Brampton, Ontario.
- **Public Health Laboratory at MaRS Centre:** Counsel to Walsh Construction Canada, a shortlisted proponent for the Public Health Laboratory at MaRS Centre AFP Project in Toronto, Ontario.
- **Royal Ottawa Mental Health Centre:** Counsel to The Healthcare Infrastructure Company of Canada (Borealis/Carillion/EllisDon), the successful proponent in the \$180 million PPP transaction to design, build, finance and maintain the Royal Ottawa Mental Health Centre in Ottawa, Ontario.
- **Stanton Territorial Hospital:** Counsel to the Government of the Northwest Territories as the public authority for the Stanton Territorial Hospital Renewal PPP Project, which involves the selection of a private sector partner to design, build, finance and maintain a renovated hospital facility in Yellowknife, Northwest Territories.
- **Sudbury Regional Hospital:** Counsel to EllisDon Corporation, the successful proponent in the \$132 million AFP transaction to build and finance Phase Two of Sudbury Regional Hospital's redevelopment project.
- **Trillium Health Centre:** Counsel to EllisDon Corporation, the successful proponent in the \$104 million AFP transaction to build and finance the redevelopment of Trillium Health Centre's Mississauga and West Toronto campuses.
- **Women's College Hospital:** Counsel to Women's College Partnership (Bilfinger Project Investments), the successful proponent in the \$460 million AFP transaction to design, build, finance and maintain the redevelopment of the Women's College Hospital in Toronto, Ontario. The project won the Silver Award for Project Financing (Canadian Council for Public-Private Partnerships).

Communications

- **Alberta First Responders Radio Communications System:** Counsel to Telus, a shortlisted proponent for the Alberta First Responders Radio Communications System PPP Project, which was to have delivered "five-nines" service level quality across all of Alberta for an emergency first responders' two-way radio communications system.

- **Mackenzie Valley Fibre Link:** Counsel to the Government of the Northwest Territories as the public authority for the Mackenzie Valley Fibre Link PPP Project, which involves the selection of a private sector partner to design, build, finance and maintain a new fibre optic communication system from Checkpoint Junction to Inuvik, Northwest Territories.
- **Maritime Radio Communications System:** Counsel to the lenders to InfraNetComm (Macquarie Infrastructure Partners), a shortlisted proponent for the Maritime Radio Communications System PPP Project, which was to have delivered an integrated public safety radio communication system across New Brunswick, Nova Scotia and Prince Edward Island.
- **Toronto Transit Commission:** Counsel to Toronto Transit Commission in connection with its project to design and build an open-payment electronic fare system.
- **Waterfront Toronto:** Counsel to Waterfront Toronto, a tri-governmental agency, in connection with the redevelopment of approximately 300 hectares of waterfront lands in Toronto, Ontario. Our role included advising Waterfront Toronto on structuring and documenting a PPP transaction for development of local broadband telecommunication infrastructure.

Water and Wastewater

- **City of Saint John Water:** Counsel to the City of Saint John as the public authority for the City of Saint John Safe, Clean Drinking Water PPP Project, which involves the selection of a private sector partner to design, build, finance, operate and maintain a new water treatment plant, distribution pipelines and associated storage reservoirs and to design, build and finance an upgrade of the city's existing water network infrastructure.
- **Hamilton-Wentworth Wastewater:** Counsel to Azurix in its acquisition of the Hamilton-Wentworth water and wastewater system PPP project and on environmental matters related to the operation of the facilities. This was Ontario's first municipal P3 project, structured on an O&M basis. Torys later advised the successor owner, American Water Services.

Niagara Tunnel: Counsel to Ontario Power Generation in ongoing matters related to the \$1.6 billion Niagara Tunnel, a 10-km water diversion tunnel at Niagara Falls and one of the largest tunnel projects in the world. We also represented OPG in negotiating a \$985 million agreement with Strabag AG to design and build the tunnel.

- **Regina Wastewater Treatment Plant Upgrade:** Counsel to the City of Regina as the public authority for the City of Regina Wastewater Treatment Plant Upgrade PPP Project, which involves the selection of a private sector partner to design, build, finance, operate and maintain an upgraded wastewater treatment plant.

Justice

- **Forensic Services and Coroner's Complex:** Counsel to Bilfinger Project Investments, a shortlisted proponent for the Forensic Services and Coroner's Complex AFP Project in Toronto, Ontario.

- **Indianapolis Consolidated Justice Facility:** Counsel to Indy Justice Partners (Fengate Capital Management/AECOM Capital/Shiel Sexton), a shortlisted proponent for the Indianapolis Consolidated Justice Facility PPP Project, which involves the selection of a private sector partner to design, build, finance, operate and maintain a new consolidated courthouse, jail facility and office space in Indianapolis, Indiana.
- **OPP Modernization:** Counsel to Forum Equity Partners, a shortlisted proponent for the Ontario Provincial Police Modernization AFP Project in respect of 18 new police facilities in 16 communities across Ontario.
- **Quinte Consolidated Courthouse:** Counsel to Balfour Beatty, a shortlisted proponent for the Quinte Consolidated Courthouse AFP Project in Belleville, Ontario.
- **Roy McMurtry Youth Centre:** Counsel to Infrastructure Ontario and the Ministry of Community and Social Services as the public authorities in the \$93 million AFP transaction to build and finance the new Roy McMurtry Youth Centre in Brampton, Ontario.
- **Sorel-Tracy Detention Centre:** Counsel to the lenders to SNC-Lavalin Capital, a shortlisted proponent for the Sorel-Tracy Detention Centre PPP Project in Sorel-Tracy, Québec.
- **South West Detention Centre:** Counsel to Bilfinger Project Investments, a shortlisted proponent for the South West Detention Centre AFP Project in Windsor, Ontario.
- **St. Thomas Consolidated Courthouse:** Counsel to Balfour Beatty, a shortlisted proponent for the St. Thomas Consolidated Courthouse AFP Project in St. Thomas, Ontario.
- **Thunder Bay Consolidated Courthouse:** Counsel to Forum Equity Partners, a shortlisted proponent for the Thunder Bay Consolidated Courthouse AFP Project in Thunder Bay, Ontario.
- **Waterloo Region Consolidated Courthouse:** Counsel to the lenders to Plenary Justice, a shortlisted proponent for the Waterloo Region Consolidated Courthouse AFP Project in Waterloo, Ontario.

Sporting and Entertainment Facilities

- **Art Gallery of Ontario:** Counsel to Art Gallery of Ontario in its \$276 million Transformation AGO Project, which involved the expansion and renovation of the AGO.
- **Regina New Stadium:** Counsel to the City of Regina as the public authority for the Mosaic Stadium PPP Project, which involves the selection of a private sector partner to design, build and finance a new stadium for the Saskatchewan Roughriders football team.
- **Pan Am Athletes' Village:** Counsel to Laing O'Rourke as the construction contractor to Village Infrastructure Partners, a shortlisted proponent for the Toronto 2015 Pan/Parapan American Athletes' Village AFP Project in Toronto, Ontario.
- **Stoney Nakoda First Nations Casino:** Counsel to Corpfinance International in its project financing of the Stoney Nakoda First Nations Casino in Morley, Alberta.

Education

- **Alberta Schools Alternative Procurement II:** Counsel to Bilfinger Project Investments, a shortlisted proponent for the Alberta Schools Alternative Procurement II PPP Project in respect of 14 new schools in and around Calgary and Edmonton, Alberta.
- **Humber College Institute of Technology & Advanced Learning:** Counsel to the lenders to SNC-Lavalin, a shortlisted proponent for the Humber College Institute of Technology & Advanced Learning AFP Project in Toronto, Ontario.
- **Sheridan College Hazel McCallion Campus (Phase II):** Counsel to Walsh Construction Canada, a shortlisted proponent for the Sheridan College Hazel McCallion Campus (Phase II) AFP Project in Toronto, Ontario.

Alternative Service Delivery

- **Drivers Examination Services:** Counsel to Forum Social Infrastructure Services, a shortlisted proponent for the Driver Examination Services AFP Project in the Province of Ontario.

Social Housing

- **SRO Renewal Initiative:** Counsel to Habitat Housing Initiative (Forum Equity Partners/Brookfield Financial), the successful proponent in the \$143 million SRO Renewal Initiative PPP Project, which involves the renewal and restoration of 13 single room occupancy hotels located in Vancouver's downtown eastside.

Defence

- **Federal Agency Headquarters:** Counsel to RBC Capital Markets as underwriter in respect of both the short-term and long-term bonds issued by Plenary Properties LTAP LP, the successful proponent in the \$1.1 billion PPP transaction to design, build, finance and maintain a new federal government facility in Ottawa, Ontario.

Other

- **Archives of Ontario:** Counsel to Ontario Realty Corporation as the public authority in the \$45 million transaction to design, build, finance and maintain the new Archives of Ontario facility at York University in Toronto, Ontario.
- **CBC Radio-Canada Headquarters:** Counsel to the lenders to Fengate Capital Management and Broccolini Construction, a shortlisted proponent for the CBC Radio-Canada Headquarters broadcast and production facilities upgrade project in Montréal, Québec.
- **Fort McMurray West Transmission Project:** Counsel to the financial advisors and underwriters to a shortlisted proponent for the Fort McMurray West 500 kV Transmission Project.

- **National Portrait Gallery:** Counsel to the City of Calgary, a shortlisted proponent for the National Portrait Gallery PPP Project.
- **New Nuclear:** Counsel to Ontario Power Generation in connection with its New Nuclear Project for the development and construction of a two-unit nuclear power plant to provide 2,000-3,500 MW of baseload generation capacity to the Ontario grid.
- **Site C Clean Energy Project Worker Accommodation:** Counsel to the lenders to the consortium (Forum Equity Partners/Brookfield Financial/Sodexo Canada/Aecon Group), a shortlisted proponent for the Site C Clean Energy Project Worker Accommodation Project in Fort St. John, British Columbia.
- **Town of Bancroft:** Counsel to the Town of Bancroft in connection with the redevelopment of its downtown core and river's edge area through a combined PPP and commercial/residential development transaction with an expected capital cost of approximately \$100 million.