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Commercial Leasing: Modern Challenges for Leasing in BC

Co-Chaired by

Neil Davie

Norton Rose Fulbright Canada LLP

Mario Rubio

Norton Rose Fulbright Canada LLP

March 6th, 2020 • UBC Robson Square • Vancouver, BC

Live Webinar also available!



CO-CHAIRS



Neil Davie, Partner, Norton Rose Fulbright Canada LLP, Vancouver, BC. Neil practices in the Real Estate Group at Norton Rose Fulbright. Neil's practice involves all aspects of commercial real estate including the acquisition, financing, leasing, development and sale of residential, industrial, office, and retail properties for local, national, and offshore clients. Neil has extensive experience advising clients at all stages of the development process—from rezoning through to building occupancy. He has worked on a number of complex phased and mixed-use developments for some of the Lower Mainland's leading residential and commercial real estate developers. Neil has also been recognized as a leading lawyer in the area of Real Estate by Lexpert, Chambers Canada, and Chambers Global. Neil has been listed in Best Lawyers in Canada in the areas of Commercial Leasing Law and Real Estate Law and was named the "2016 Lawyer of the Year" and the "2018 Lawyer of the Year" in the area of Commercial Leasing Law for Vancouver.



Mario Rubio, Partner, Norton Rose Fulbright Canada LLP, Vancouver, BC. Mario is a partner in Norton Rose Fulbright's Real Estate Group, where he assist clients with real estate transactions involving the acquisition, financing, leasing, development, subdivision, and sale of commercial, industrial, office, retail, and residential properties. Mario represents a broad range of clients, including developers, retail companies, forestry companies, societies, port authorities, and other commercial, industrial, and residential landowners. Mario is a past Chair of the Canadian Bar Association—Vancouver Real Property Subsection.

FACULTY



Aneez Devji, Partner, Richards Buell Sutton LLP, Vancouver, BC. Aneez is a real estate lawyer with experience in commercial leasing, commercial lending and real estate transactions. He is relied upon by his clients to provide practical solutions to their legal issues. Aneez acts as primary counsel for several landlords of large shopping centres, office towers and mixed-use buildings and centres and has extensive experience in the negotiation and drafting of complex commercial leases. Aneez regularly acts for lenders and borrowers in secured financing transactions and assists clients in the acquisition, development and sale of commercial and residential real estate.



Catherine Gibson, Managing Partner, DLA Piper (Canada) LLP, Vancouver, BC. Catherine is the Managing Partner of DLA Piper (Canada) LLP's Vancouver office, where she practises corporate/commercial law with a focus on commercial real estate. Catherine provides strategic advice to clients across Canada and the US on a broad range of real estate matters, including leasing, acquisitions and sales and real estate development. Her commercial leasing practice involves office, retail, industrial and mixed use leasing projects. Catherine's clients include both landlords and tenants from a broad variety of industries, including major retailers, municipalities, developers, natural resource companies, health providers and authorities, mall owners, asset managers and restaurants.



Allison Godey, Director, Terra Law Corporation, Vancouver, BC. Allison's practice is focused on all aspects of commercial real estate, including the acquisition, financing, development, sale and leasing of development and investment properties. Allison regularly advises clients on Real Estate Development Marketing Act and Strata Property Act issues, as well as real estate financing and leasing matters. She also has extensive experience negotiating agreements relating to municipal land use matters with local governments. Allison acts for a wide range of clients, including private and public companies, societies, pension funds and REITs.



Stacey J. Handley, Partner, Gowling WLG, Vancouver, BC. A highly regarded lawyer in Vancouver's real estate industry, Stacey J. Handley has extensive expertise in commercial real estate transactions. She advises clients on a range of matters, including major sales and acquisitions, and the leasing, development, subdivision, and financing of commercial properties. A significant part of her practice involves leasing commercial retail and office properties on behalf of both Landlords and major Tenants. Stacey is repeatedly recognized as a leading lawyer in the areas of Real Estate and Property Leasing by Best Lawyers in Canada and by Lexpert. In 2017 Stacey was named by Best Lawyers in Canada as "Lawyer of the Year" in Commercial Leasing Law for Vancouver.



Brigham Jagger, Partner, Dentons Canada LLP, Vancouver, BC. Brigham is a partner in Dentons' Real Estate group. Based in Vancouver, Brigham has extensive experience advising clients on all types of real estate transactions in British Columbia including acquisitions, dispositions, financings, subdivisions, strata marketing/development and leasing. Brigham regularly represents developers in a variety of residential, mixed use and comprehensive projects including complex land exchanges, rezonings and phased developments.



Steve Michoulas, Partner, McMillan LLP, Vancouver, BC. Steve is a partner in McMillan's Commercial Real Estate and Transportation Industry groups. He has over 15 years experience in corporate/commercial law with an emphasis on real estate, infrastructure, and international business ventures. Prior to rejoining McMillan in 2018, Steve spent 8½ years at the Vancouver Airport Authority (YVR) as Director, Legal Services. At YVR, Steve was entrusted with overseeing virtually all of the Airport Authority's legal affairs, which included major real estate developments, construction projects, debenture financings, commercial transactions, innovation and the commercialization of such innovation both in domestic and foreign jurisdictions, the licensing of third party operators, and management of a major piece of Competition Act litigation. Steve's broad skill set and his deep understanding of what clients want and need out of their legal counsel allows him to give practical, timely and strategic legal advice to his clients.



Andrew Mildenhall, Associate, Lawson Lundell LLP, Vancouver, BC. Andrew is an associate in Lawson Lundell's Real Estate Group. His practice focuses primarily on commercial leasing transactions. Andrew works with landlords, tenants and developers to draft and negotiate commercial leases and all related documentation.

COMMERCIAL LEASING: MODERN CHALLENGES FOR LEASING IN BC

Commercial leases are vitally important to any business, and setbacks or disputes can be costly and time consuming. The commercial leasing context is changing, and new issues are arising in 2019. It is essential that lawyers and business professionals are aware of the difficult situations that can arise and know how to prevent and handle conflict in order to reduce costs and ensure that a business runs smoothly.

This program brings together expert faculty to provide guidance on these modern leasing issues. Our faculty will share strategies and approaches for dealing with new issues in the leasing context, and attendees will come away with the skills and knowledge to address current challenges.

KEY AREAS ADDRESSED:

- The current legal landscape for commercial leasing
- Mixed-use strata buildings
- Changes in the retail leasing context
- Major tech companies and other issues affecting the modern tenant
- Sustainability concerns
- Handling leases in the face of impending development

WHO SHOULD ATTEND?

- Litigators with clients involved in commercial landlord-tenant disputes
- Solicitors who draft and advise on commercial leases
- Commercial landlords and tenants
- Lease administrators
- Business and owners and advisors
- Property managers



Shauna Towriss, Partner, Cassels Brock & Blackwell LLP, Vancouver, BC. Shauna Towriss is a partner in her firm's Real Estate & Development Group. In her practice, Shauna helps clients grow and achieve their business goals by securing the space where they conduct business and doing the legal work related to obtaining the funding that allows them to do so. She offers extensive experience in assisting clients in nearly all facets of commercial real estate including acquisitions, dispositions and financing or re-financing of office, retail, apartment and hotel properties on behalf of a range of owners, from individuals and syndications to institutional investors.

COMMERCIAL LEASING: MODERN CHALLENGES FOR LEASING IN BC

MARCH 6TH, 2020

9:00 Welcome and Introduction by PBLI

9:05 Chairs' Welcome and Introduction

Neil Davie & Mario Rubio
Norton Rose Fulbright Canada LLP

9:10 Legal Update

Allison Godey
Terra Law Corporation

- The *Land Owner Transparency Act* and other legislative developments affecting commercial leases
- Recent cases of interest in the world of commercial leasing

9:45 Questions and Discussion

9:55 Mixed-Use Strata Buildings

Aneez Devji
Richards Buell Sutton LLP

- The growth of strata office and strata industrial leases
- Dealing with different owners, tenants and needs
- Mixed-use development

10:40 Questions and Discussion

10:50 Refreshment Adjournment

11:05 Emerging Trends in Retail Leasing

Stacey Handley
Gowling WLG

- The death of big box retailers and dealing with tenant insolvency
- The future of retail leasing
- Co-tenancy

11:50 Questions and Discussion

12:00 Networking Lunch

1:00 Leasing to Tech Companies

Catherine Gibson
DLA Piper (Canada) LLP

- Leasing to tech companies: from start ups to the big players
- Attracting the modern tenant: special amenities, lobby areas and other extras
- Co-working / space-sharing

1:45 Questions and Discussion

1:55 Green Leases

Andrew Mildenhall
Lawson Lundell LLP

- Sustainability concerns in leasing
- Lease clauses for maintaining LEED certification

2:40 Questions and Discussion

2:50 Refreshment Adjournment

3:05 Leasing and Impending Development

Brigham Jagger
Dentons Canada LLP

- Dealing with commercial leases on sites to be developed
- Long tenancies, anchor tenants, incentives
- Accommodating tenants during development
- Restrictive covenants

3:50 Questions and Discussion

4:00 Booze, Drugs and Puppies

Moderators: Neil Davie & Mario Rubio
Steve Michoulas
McMillan LLP

Sauna Towriss
Cassels Brock & Blackwell LLP

- Private retail liquor stores and liquor licences
- Cannabis leases
- Pets at the office

4:45 Questions and Discussion

4:55 Chairs' Closing Remarks

5:00 Program Concludes

INFORMATION

Four Ways to Register:

1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at www.pbli.com/1569

Registration: The registration fee is \$820.00 plus GST of \$41.00 totalling **\$861.00** covering your attendance at the program, materials, a light breakfast, a networking lunch and refreshments throughout the day. In-person attendees have the option to receive their materials electronically in advance of the program, or in a hard copy binder on the day of the program. If an in-person attendee requests both hard copy and electronic materials, an additional \$50 charge will apply with applicable taxes. Webinar attendees will always receive their materials electronically.

Early Bird Discount: Register by February 6th, 2020 and receive a \$100 discount on the registration fee (\$720.00 plus GST).

Group Discount: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration. Early Bird and Group Discount cannot be combined.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m.** UBC Robson Square is located at the basement level of **800 Robson Street** in Vancouver, BC. Please visit <http://www.robsonsquare.ubc.ca/find-us/> for directions.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations (less a \$60.00 administration fee) if notice is received in writing five full business days prior to the program (**February 28th, 2020**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, availability of webinar or venue for this event.

Course Accreditation: Attendance at this course can be listed for up to **6.5 hours** of continuing professional development with the Law Society of BC.

Registration Form

Pacific Business & Law Institute

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COMMERCIAL LEASING: MODERN CHALLENGES FOR LEASING IN BC

March 6th, 2020

UBC Robson Square • Vancouver, BC

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