



Blakes legal team plays critical role behind the scenes at Evergreen/Brick Works Project

Every weekday evening, Peter MacGowan exchanges his suit for microfibre, hops on his bike and winds his way from the heart of Toronto’s Bay Street along the Don River Valley to his home in Hoggs Hollow.

In the last year, though, his routine has changed. Now, when he approaches the floodplain just north of the channelled stretch of the Lower Don, he slows for a measure of what’s new at the former Don Valley Brick Works complex.

A partner at the 150-year-old powerhouse business law firm Blake, Cassels & Graydon LLP, MacGowan has both a professional and a personal interest in the 16 heritage buildings and adjacent 16-hectare public park – which 100 years ago yielded the clay bricks that built much of Toronto’s downtown core.

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Last year, the corporate and finance lawyer was hand-picked to be a part of a special Blakes team providing pro bono law services to Evergreen, the non-profit organization behind – among other things – the revitalization of the Brick Works.

Along the way, he’s fallen in love with the charity’s vision.

“This is an organization that’s going to have a significant impact on a large number of people,” MacGowan predicts.

Seven years ago, Evergreen founder Geoff Cape looked at the derelict buildings and surrounding lands, and saw an international showcase for urban sustainability and green design. This year, construction began on the former brick works site. By next June, it will be an education centre, a demonstration garden and nursery, a farmer’s market, the site of heritage tours and workshops on



Construction at the Brick Works.

clay-making, organic food and leading edge green design techniques, even a woodworking school.

Blakes’ role in realizing the Evergreen Brick Works has been “extraordinary” says Cape. In the five years since Pro Bono Law Ontario’s executive director Lynn Burns orchestrated the partnership, 85 Blakes partners, associates, law clerks and paralegals have worked to make the project a reality.

Realizing this dream has been a long, uphill climb, but one Cape swears he couldn’t have completed without Blakes and people like MacGowan and Blakes’ partners Kim Harle, Rob Collins and Peter Gilchrist.

“For years, we felt like we were chasing our tail,” said Cape. “Then we hit the tipping point and, suddenly, things started to fall into place.”

According to Harle, Blakes’ many contributors included members of the firm’s financial services, real estate, municipal law, corporate, tax, intellectual property and employment groups. “It just goes to show how varied and intense the work was,” she says.

Last fall, Evergreen finalized a 21-year lease agreement with the City of Toronto and the Toronto and Region Conservation Authority. In March of 2009, surrounded by the 134-



page lease agreement and more than 40 legal documents negotiated by Blakes on behalf of Evergreen, Cape inked a \$12.5 million financing deal with RBC. The shovels went in the ground soon after.

And, remarkably, it all took place without Evergreen paying a cent in legal fees.

“This was a major undertaking,” says Glenn Garwood, manager of strategic policy and projects with the City of Toronto. “Without a firm like Blakes on their side, I doubt Evergreen could have closed the deal.”

Cape credits the entire Blakes team, but especially MacGowan, for helping to “quietly offer up the questions and clear answers” that broke through what most thought were definite deal breakers around the lease and financing.

In recognition of their community commitment, Blakes was awarded the 2008 National Law Firm Award, beating out more than 20 other major law firms with pro bono

policies that count pro bono time as billable time – an achievement Burns credits in large part to Blakes’ work with Evergreen.

Now that the deal is signed and construction is underway, Cape and MacGowan pick up the phone a little less often, but the Blakes team remains on call to help with day-to-day legal matters and issues that may arise when Evergreen Brick Works opens next year.

“We’re in for the long haul,” says Harle.

Indeed. Peter Gilchrist – now retired from Blakes – has joined Evergreen’s Board of Directors.

And Peter MacGowan is biding his time until he can sink his teeth into the next Evergreen project. Meanwhile, he’s getting all the inspiration he needs in the view from his bike seat.

“Boy, is it ever rewarding to ride home and see the fruits of our labour take shape.” ■

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Evergreen Brick Works lease and financing closing. Legal representatives for Evergreen, City of Toronto, Toronto and Region Conservation, and Royal Bank of Canada gather to celebrate.