



Scott Martyn

Toronto

416.945.8022

scott.martyn@mcmillan.ca

education and year of call

- York University, Osgoode Hall Law School, LLM - 2011
- Dalhousie University, LLB - 1990
- Carleton University, BA - 1984

practice areas

commercial real estate
leasing
public-private partnerships
real estate acquisitions and
divestitures
real estate financing
construction

industries

banking, finance and insurance
commercial real estate
construction
infrastructure
public-private partnerships
transportation

profile

Scott is a Partner in the Real Estate Group in the Toronto office. His practice focuses on Infrastructure and P3 and Commercial Real Estate Law.

Scott has been involved in a number of high profile infrastructure projects in Ontario, including the development and construction of Brighton Beach Power Station, William Osler Health Centre, Royal Ottawa Hospital, Roy McMurtry Youth Centre, Niagara Health System, Toronto Waterfront Revitalization Corporation, London Health Sciences Centre, St. Joseph's Health Centre, the City of Brampton SWQ revitalization and Barrie Transit.

Scott's real estate practice including the development, acquisition and disposition of retail, office, multi-residential and industrial properties and portfolios, financings, refinancings, restructurings, land transfer tax, mortgage enforcement and commercial leasing. He represents developers of commercial, residential and multi-residential properties, home builders and national and international financial institutions.

Scott has experience in municipal law, land use planning, environmental and expropriation law and his various transactions include public-private hospital projects, multi-phased, common elements and available land condominium projects. Scott's condominium practice involves condominium development and operational matters.

Additionally, Scott has represented builder/developers, hospitals, municipalities and governmental participants.

Scott has been recognized for his prominent above-average legal ability and very high ethical standards.

directorships and professional associations

- American Bar Association
- Barreau du Québec
- Canadian Bar Association

representative matters

Public/Private Partnerships and Infrastructure

- Confidential Client: Advising OM provider in a prequalified consortium bidding for the Niagara Entertainment Centre
- Confidential Client: Advising OM provider in the successful consortium in respect of the Borden Data Centre
- Canadian Chartered Bank: Advising the bank as administrative agent and the lenders in a CA\$60 million senior secured syndicated credit facility to a Canadian lumber producer.
- Barrie Transit: Advising the designer of the successful proponent in connection a public-private partnership to design, build, finance, operate and maintain the transit facilities of the City of Barrie.
- Confidential client: Advising a short-listed consortium in connection with the Wabamum to Fort McMurray electrical transmission line in Northern Alberta in 2014.
- IBI Group: Advising in connection with subcontractors in connection with the Parking Facilities for the 2015 Pan Am/Parapan Am Games in Toronto.
- TD Bank: Advising in connection with the financing of a DBF project at Sheridan College by one of the shortlisted consortium.
- IBI Group: Advising in connection with the submission of a proposal in response to an RFP for Dublin Children's Hospital.
- IBI Group: Advising in connection with a redevelopment and renovation of a Visitor Centre at the Parliament Buildings, Ottawa.
- City of Ottawa: Advising in connection with the expropriation of lands in connection with the construction of a Station for the Ottawa LRT.
- City of Brampton: Representing in respect of a DBFOM project for the revitalization of the South West Quadrant of the downtown core of the City of Brampton, and in particular, the redevelopment of the principal City offices, library and related buildings.
- Niagara Health System: Acting in connection with a DBFOM construction of a new facility in St. Catharines, Ontario

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- Confidential client: Advising on one of the key joint venture participants in a bid issued by Humber College (Etobicoke) for Learning Resource Commons at Humber College Institute of Technology & Advanced Learning DBF project.
- London Health Sciences Centre and St. Joseph's Health Centre: Acting in connection with the BF project, Milestone 2, Phase 3 for the renovation and expansion of two health centre campuses in London Ontario.
- Confidential client: Acting on behalf of the winning consortium in connection with the DBFOM of the William Osler Health Centre, in Brampton Ontario.
- Confidential client: Acting on behalf of the winning consortium in connection with the DBFOM of the Royal Ottawa Hospital.
- Five Nations Energy Inc. (FNEI): Acting in the development and construction of the Omushkego Ishkotayo Project (Western James Bay Transmission Line Project), a 270 km long transmission line that services the remote Communities of Attawapiskat, Fort Albany, and Kashechewan.

Real Estate and Real Estate Finance

- Hewlett-Packard in connection with the sale of Spectrum Way, Mississauga
- Hewlett-Packard in connection with the sale of Clegg Road, Markham
- Sincere Tech Investment Ltd. in connection with the purchase of 100 Gough Road, Markham
- Hopewell Development Corporation: Acting in respect of the acquisition of 50202 Fifth Line North, Halton Hills.
- MMLP: Acting in connection with a Joint Venture to develop recreational property in British Columbia.
- Alderland Group: Acting in connection with the purchase and financing of 7300 Warden Avenue, Markham.
- Nordstrom: Acting in connection with the leasing and construction of flagship stores at Sherway Mall, Yorkdale, Rideau Centre, Chinook Centre and Pacific Mall.
- Confidential client: Acting on behalf of Joint Venture purchaser of 81 Wellesley Street, Toronto.
- Lorama Inc.: Acting in connection with the purchase and leaseback of 30 Bethridge Road, Toronto.
- Milborne Real Estate Inc: Acting in connection with the financing of multiple purchases in Niagara Falls, Ontario.
- Confidential client: Acting on behalf of National Brokers in connection with the Share Purchase of Grant 2 Jones & Stuart Insurance Brokerage.

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- CAASCO: Acting in connection with the purchase of 10 Commerce Valley Drive, Markham.
- Confidential client: Acting on behalf of Build Toronto in connection with divestitures of real property owned by the City of Toronto.
- Bank of Nova Scotia: Acting in connection with the financing of the construction of 288 Adelaide Street West, Toronto.
- Husky Oil: Advising in connection with their Ontario operations and in particular negotiating branded dealer agreements, real property leases and mortgages, restrictive covenants and handling all matters in connection with assessment of title to the lands where the dealership is located.
- Toronto Waterfront Revitalization Corporation: Acting in connection with its development of the Toronto Waterfront lands and, in particular, with respect to development of the West Don lands and the Queen Elizabeth Docks.
- Corp finance International Limited: Advising on the CA\$36.4 million project financing for the Stoney Nakoda First Nations casino in Alberta.
- Extencicare: Advising on the construction and development of a number of long-term care facilities in Ontario and Alberta and secured municipal approvals, negotiated and implemented secured financing, acquired land and all aspects of the construction and operation of the facilities.
- TELUS: Advising in connection with its acquisition of PSINet Canada including matters concerning PSINet Limited and its Canadian affiliates (PSINet Canada) filing for CCAA protection as well as construction and expansion of TELUS's fibre optic grid connecting western Canada to Eastern Canada and expansion in the downtown Toronto Core.
- Shell: Advising on a proposed land assembly in connection with a proposed refinery in Sarnia. Negotiating extensive offers to purchase, assisting in land assembly, consulting in potential expropriations through the local city authorities and otherwise assisting in all aspects of this proposed transaction.
- ATCO Power: Acting in connection with the construction and operation of Brighton Beach Power Station is a natural gas-fired combined cycle electricity generating facility with a nameplate capacity of 541.3 MW located in Windsor. The project was a joint venture between ATCO Power and OPG.
- Five Nations Energy Inc. (FNEI): Acting in the development and construction of the Omushkego Ishkotayo Project (Western James Bay Transmission Line Project), a 270 km long transmission line that services the remote Communities



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of Attawapiskat, Fort Albany, and Kashechewan. Royal Bank of Canada: Acting in connection with the financing of the first casino in Niagara Falls.

- Global TIP Holdings Two B.V.: Advising in its acquisition of Train Trailer Rentals, the second largest semi-trailer rental, lease and storage company in Canada.