

Tamara Farber

Associé

Toronto

OFFICE

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Industries & Expertise

INDUSTRIES

Énergie et ressources naturelles |
Environnement | Mines | Pétrole et gaz |
Immobilier

EXPERTISE

Responsabilité sociale d'entreprise (RSE) et
marché du carbone | Droit administratif et public
| Environnement

Biography

BAR ADMISSION

Ontario, 1995

EDUCATION

- LL.B., Osgoode Hall Law School, York University, 1993
- B.Sc., (environmental sciences), University of Toronto, 1990

LANGUAGES SPOKEN

Anglais

Lead Environmental Partner Tamara Farber focuses on the environmental aspects of business and real estate transactions, as well as civil litigation related to these issues. Her experience spans areas such as

contaminated land, spills, consultant negligence, environmental issues in insolvencies, stewardship, insurance, environmental diligence, site decommissioning, waste management, site assessments and audits, remedial planning, brownfield redevelopment, and compliance with regulatory matters like orders and charges. With a strong background in environmental sciences, Tamara navigates real estate and business transactions involving environmental issues in business risk language. She has represented diverse clients, from private companies to government bodies, appearing in various courts and tribunals. Her clients include companies in various jurisdictions seeking Canadian legal advice, buying and selling Canadian assets with environmental issues.

Tamara's contributions extend well beyond the courtroom. At Miller Thomson, she has served as leader of the firm's National Environmental Law Group, chair of the National Administrative/Environmental Law Practice Group, and was a member on the firm's Executive Committee. She has written and presented many papers on provincial and federal environmental issues including brownfield redevelopment, environmental insurance, directors' and officers' environmental liabilities, environmental compliance approvals, expert retainers, transactional advice relating to environmental matters, cross-border environmental issues, condominium redevelopment of contaminated lands, and the intersection of insolvency and environmental matters. She has also appeared as a guest lecturer at Ontario law schools. She maintains close ties and involvement with several community organizations including United Way, and UJA Federation of Greater Toronto.

Tamara is a certified specialist in environmental law by the Law Society of Ontario. She is actively involved in the Ontario Bar Association – Environmental Law Section and American Bar Association, Section of Environment, Energy, and Resources. She has garnered several accolades and has been recognized as a leader in environmental law by Chambers Global, Chambers Canada, American Lawyer 500 Leading Lawyers in Canada, Lexpert, and Best Lawyers in Canada.

Industry involvement

Recognition

- *The Best Lawyers in Canada* – Environmental Law, 2014 – 2025
- Chambers Canada, Environment, 2017 – 2025
- *Chambers Global*, ranked lawyer, Environment, 2021-2024
- *Lexpert Leading 500 Cross-Border Lawyers: A Guide to Doing Business in Canada* – Environmental Law, 2022-2025
- *The Canadian Legal Lexpert Directory* – Environmental Law, 2012 – 2024; Environmental, Social & Governance (ESG), 2024
- *Benchmark Canada*, Litigation Star, 2022, 2024
- *Who's Who Legal*, Canada Guide – Global Leader; Environment, 2020, 2022-2023

- *Who's Who Legal*, Canada Guide – National Leader – Canada; Environment, 2020, 2022
- *Who's Who Legal*, Canada Guide – Thought Leader; Environment, 2020
- Martindale-Hubbell, BV® Distinguished™ Rated Lawyer
- Certified Specialist, Environmental Law, The Law Society of Ontario

Thought leadership

- Environmental Law Forum January 2023 – Contaminated Land: Are Emerging Contaminants Putting the Sword of Damocles Over our Heads?
- Moderator, Sidley Austin LLP and Miller Thomson LLP on Doing Business in Canada or the US: Navigating environmental regulatory business risks, October 2022
- Speaker, Environmental Due Diligence for Mergers & Acquisition Transactions, Practical Law Canada Corporate and M&A, Fall 2022
- Environmental Consultant Liability – Paper and presentation at Law Society of Ontario – Six Minute Environmental Lawyer, 2022
- Speaker, Settlement Strategies for Resolving Environmental Disputes, Ontario Bar Association, May 2022
- Speaker, Top Ten Environmental Cases 2021, 2022 OBA Institute Conference, February 3, 2022
- Speaker, Resource Recovery and the Circular Economy, September 2021
- Program Chair, Environmental Passport Series: Who's on the Hook? Contaminated Site Litigation, Ontario Bar Association, April 2021
- Environmental Law Issues for Lenders – published paper, Practical Law
- Insolvency and Environmental Law Collide in Canada: Supreme Court of Canada Rules in Favour of Environmental Protection Over the Interests of Secured Creditors – International Corporate Rescue, Volume 16, Issue 4, 2019 Chase Cambria Publishing
- Insolvency and Environmental Law Collide: Supreme Court of Canada Rules in Favour of Alberta Energy Regulator in Redwater Decision – Tamara Farber and Sherry Kettle – Ontario Bar Association, EnviroNotes!, March 30, 2019
- Creative Claims under s. 99 of the EPA: A case review of *MVL Leasing Limited v. CCI Group Inc.* – The Six-Minute Environmental Lawyer 2018, L.S.O., October 3, 2018
- Environmental Liability Of Commercial Landlords: Limited Landlord Liability For Acts/Omissions Of Its Tenants, *Sorbam v. Litwack*, Mondaq, February 22, 2018
- Climate Change Progress in 2015, COP21 and What's Next?, EnviroNotes!, December 2015 – Climate Change Special Issue
- Does Ontario Court of Appeal Midwest Decision Signal Big Changes to Environmental Civil Litigation in Ontario?, EnviroNotes!, December 2015
- Testimony in Environmental Claim, Environmental Science & Engineering Magazine, July/August, 2015

- Expert Testimony in Environmental Claims: Participant vs Litigation Experts, Lexology, May 2015; Ontario Bar Association Environmental Publications, April, 2015
- Expert Testimony in Environmental Claims: Participant vs Litigation Experts, EnviroNotes!, May 2015
- Environmental Matters, Condo Business, 2014
- Environmental Matters, MTCondoLaw—Ontario, May 2014
- Addressing Environmental Issues in Negotiating Purchase and Sale Agreements, Ontario Bar Association, May, 2014
- Summary Judgment—A Potential Tool in Defending Contaminated Land Litigation, EnviroNotes!, April 2014
- Contaminated Land: Transactional Tools—the Record of Site Condition, Ontario Bar Association’s Institute 2014, February 6-8, 2014
- Northstar directors and officers settlement: does \$4.75m buy certainty?, Lexology 2013; EnviroNotes! September, 2013

Notable Matters

- Represents various insurers in environmental litigation claims, on coverage, liability and damage issues on both defence and subrogation side.
- Environmental spill/disaster management adviser to insurers on municipal and provincial civil claim and regulatory issues.
- Represents insured claims involving allegations of professional negligence in environmental claims.
- Represents clients in large area contamination claims and overlap of insolvency with environmental matters.
- Represents several big box developers in identification of Brownfield opportunities and related transactions.
- Represents clients involved in petroleum, dry-cleaning, solvent, metal, and other contaminant-related litigation.

Community roles

- Past Chair, Miller Thomson’s United Way Campaign
- Past Chair, Miller Thomson’s Law Challenge Participation in support of Camp Oochigeas
- Past Co-Chair, Legal Expert Assistance Program/Citizen Support Program, Environmental Defence Canada

Memberships & affiliations

- Law Society of Ontario
- Canadian Bar Association
- Ontario Bar Association

- The Advocates' Society
- Toronto Lawyers' Association
- American Bar Association, Section of Environment, Energy, and Resources
- Executive Member, Environmental Law Section, Ontario Bar Association