



Michael J. Fortier

PARTNER

Recognized for developing and implementing creative and pragmatic solutions, Michael advises and negotiates for clients on their most significant environmental law and Indigenous matters—from projects and transactions to regulatory matters to resolving disputes and other important impasses.

CONTACT

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Overview

Michael provides practical advice to clients on key environmental, Indigenous and strategic aspects of developing, permitting and constructing energy, infrastructure, mining and real estate projects. He guides clients in their negotiations with Indigenous peoples and regulatory agencies, especially to resolve impasses, to advance complex, multi-party negotiations and to develop strong, mutually beneficial relationships with Indigenous peoples. He also provides counsel on consultation and accommodation obligations as well as the free, prior and informed consent of Indigenous peoples.

Michael often crafts a practical, successful resolution to disputes whether acting as counsel, mediator or facilitator. His dispute resolution practice includes approval hearings, civil litigation (especially with respect to contamination), mediation, negotiation and regulatory prosecutions and other proceedings, including with respect to the *Environmental Protection Act*, *Ontario Water Resources Act*, *Pesticides Act*, *Canadian Environmental Protection Act, 1999*, *Fisheries Act* and *Nuclear Safety and Control Act*.

As part of Michael's active transactional practice, he regularly assists buyers, sellers, lenders, borrowers, underwriters and investors through all the environmental and Indigenous aspects of transactions, from the design and coordination of deal-specific liability assessments, through the negotiation of agreements and in handling closing and post-closing details.

For existing operations in a wide range of sectors, Michael provides regulatory advice on a broad range of environmental, health and safety issues, including with respect to environmental assessments and other vital permits, including for electricity generation and transmission, water, wastewater, transportation, waste, mine and remediation/closure projects inspections; investigations; liability assessments; climate change; contaminated sites; air, renewable energy, sewage and other approvals. He also advises on the transportation, import and export of dangerous goods, nuclear substances, hazardous products and wastes.



Michael is attentive, strong and experienced.

—CHAMBERS CANADA, 2024

Featured Work

G7's first small modular reactor

Torys is acting as counsel to Ontario Power Generation on all aspects of its project to develop, construct and operate the G7's first on-grid small modular reactor ("SMR") technology at the site of its Darlington New Nuclear Project, part of a pan-Canadian national approach to facilitate the development of SMR nuclear projects in Canada

Project financing of the Goose Mine in Nunavut

Torys acted as counsel to Orion Mine Finance in the US\$520 million project financing made available to Sabina Gold & Silver Corp. to fund the development of the Goose Mine in Nunavut, Canada, including a US\$225 million senior secured debt facility, US\$75 million gold prepay facility, US\$125 million gold stream arrangement and US\$95 million private placement of common shares

DP World acquisition of the largest multi-purpose deep-sea marine terminal on the West Coast of North America

Torys acted as counsel to DP World in its acquisition of Fraser Surrey Docks from Macquarie Infrastructure Partners Inc.

Nuclear Waste Management Organization in connection with agreements with Indigenous communities and local municipalities, Impact Assessment and Canadian Nuclear Safety Commission licenses in relation to its deep geological repository for used nuclear fuel

RBC Capital Markets, CIBC Capital Markets, TD Securities, BMO Capital Markets, Scotia Capital and the syndicate of agents in RioCan Real Estate Investment Trust's C\$300 million private placement of 6.488% Series AI senior unsecured debentures—the first ever "3NC1" bond issued by a Canadian REIT

TD Securities, BMO Capital Markets, CIBC Capital Markets, RBC Capital Markets, Scotia Capital and the syndicate of agents in RioCan Real Estate Investment Trust's C\$300 million private placement of 5.962% Series AH senior unsecured debentures

TD Securities, Scotia Capital, RBC Dominion Securities, CIBC and the syndicate of agents in Dream Industrial REIT's C\$200 million private placement of 3.968% senior unsecured debentures, Series E

George Weston in its C\$1.1 billion sale of Weston Foods fresh and frozen bakery businesses to affiliated entities of FGF Brands Inc.

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Recognition and Awards

2016-2026 *Chambers Canada*—Leading lawyer in environment

2013-2024 *Chambers Global*—Leading lawyer in environment

2019-2026 *The Legal 500*—Leading partner in environment

2016-2026 *Best Lawyers in Canada*—Leading lawyer in Aboriginal law / Indigenous practice and environmental law

2025 The King Charles III Coronation Medal

2024 *Advisory Excellence*— Environmental Lawyer of the Year in Canada

2013-2023 *The Canadian Legal Lexpert Directory*—Leading lawyer in environmental law, energy, infrastructure, aboriginal law and global mining

2026 *The Canadian Legal Lexpert Directory*—Leading lawyer in environmental law

2016-2022 *Who's Who Legal*— Global and National leading lawyer in environment and climate change

2023 *Corporate INTL*—Environmental lawyer of the year in Canada

2018 *Guide to the World's Leading Energy and Environment Lawyers*

Insights

Federal cabinet issues new directive for clean growth projects

Canada reveals the latest government framework aimed at accelerating and supporting projects aligned with a net-zero future.

[Canada proposes major reforms to project approval regime](#)

[Giving fast lane permitting a test drive](#)

[Powering the Future: SMRs, Critical Minerals and Energy Security](#)

["One project, one review": Ontario signs cooperation agreement with Canada as it pushes to streamline impact assessments](#)

[Indigenous engagement in power project development](#)

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News

***Chambers Canada* ranks 81% of Torys' Canadian partners in its 2026 guide**

We are pleased to share that 127 Torys lawyers and 40 practice areas have been recognized in this year's guide, including 16 Band 1 rankings.

[Torys advises OPG on innovative \\$3 billion equity investment](#)

[176 Torys lawyers recognized in the 2026 Best Lawyers guide](#)

[Improving Canada's projects approval process](#)

[Legislative changes needed to achieve government's two-year approval goal for projects](#)

[An energy-based economy requires "commercially reasonable" approval timelines](#)

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Professional Involvement

Michael is actively involved in research and thought leadership regarding the resolution of complex environmental and Indigenous issues through negotiation, facilitation and mediation. Over the years, he has successfully completed various courses and workshops, including the Advanced Mediation Workshop at the Program on Negotiation at Harvard Law School, where he was recognized for his facilitation acumen and skills. Michael is the a former Chair of the Aboriginal Law Section and Environmental Law Section of the Ontario Bar Association. He currently serves on the Executive for both the Aboriginal Law Section and the National Environmental, Energy and Resources Law Section of the Canadian Bar Association.

Michael is also a member of the National Alternative Dispute Resolution Section for the Canadian Bar Association; the Alternative Dispute Resolution Section of the Ontario Bar Association; and the Dartmouth Lawyers Association.

Education and Bar Admissions

Education

LLB, 2001

Osgoode Hall Law School

MES (Environmental Decision Making), 2001

BA, 1997

York University

Dartmouth College

Bar Admissions

Ontario, 2002