

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
24 February 2017 / 24 février 2017**

**and Council
et au Conseil
8 March 2017 / 8 mars 2017**

**Submitted on February 17, 2017
Soumis le 17 février 2017**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-CCS-LEG-0001

**SUBJECT: Comprehensive Legal Services Report for the Period July 1 to
December 31, 2016**

**OBJET: Rapport Général sur les Services juridiques pour la période du 1^{er}
juillet au 31 décembre 2016**

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee and Council receive this report for information.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique et le Conseil municipal prennent connaissance du présent rapport.

EXECUTIVE SUMMARY

This report details the work undertaken and results achieved by Legal Services in the third and fourth quarters of 2016. In keeping with the format approved by City Council on August 25th, 2011, the Comprehensive Legal Services Report combines the former Claims Settlements, Litigation Record and External Legal Costs reports into a single comprehensive report.

As part of the organizational alignment that was implemented last fall, Legal Services was consolidated under a single Deputy City Solicitor and is now comprised of the following five legal practice groups: (1) Corporate and Commercial; (2) Civil Litigation; (3) Employment and Labour; (4) Municipal and Regulatory; and (5) Planning and Development. In addition, an expanded Legal Operations and Support Services Branch encompasses all legal administrative support positions, thereby integrating the services offered by the formerly separate corporate and litigation functions.

In respect of all forms of litigation undertaken by Legal Services (civil, labour, OMB, human rights, etc.), the reported outcomes are consistent with prior reports and highlight the City's preference to resolving matters without the expense of full proceedings. Nevertheless, the litigation outcomes also reflect the fact that, where the City does not resolve a case through a mutually-agreeable settlement, its rate of success is very high, with favourable decisions or orders in 29 of 36 cases concluded in 2016. The costs associated with the settlement of 12 claims over \$100,000 in the last two quarters of 2016 reflect the increases in court awards in personal injury matters for general damages, future loss of income/competitive advantage and future care costs.

As noted in the past, the report details the fact that more than 92% of litigation involving the City is handled by in-house resources, with fewer than 8% of the current 338 litigated matters being referred to external counsel.

Legal Services also continued its support of a number of key City initiatives in Q3/Q4 2016, including the Arts Court Redevelopment and the Ottawa Light Rail Transit (OLRT) Project, as well as assisting with the response and issues arising out of the June 8, 2016 sinkhole event. Legal Services drafted or reviewed 640 legal agreements in Q3/Q4 and processed more than 228 development agreements and requests.

In terms of outsourcing costs in Q3 and Q4 2016, these were driven by the support for large capital projects, such as Phases 1 and 2 of the OLRT Project, as well significant litigation involving the City.

RÉSUMÉ

Le présent rapport expose en détail les travaux réalisés par les Services juridiques aux troisième et quatrième trimestres de 2016 et les résultats obtenus. Suivant le modèle approuvé par le Conseil municipal le 25 août 2011, le rapport global des Services juridiques regroupe les rapports sur les demandes de remboursement, le bilan des litiges et les frais judiciaires externes.

Dans le cadre du remaniement organisationnel qui a eu lieu l'automne dernier, les Services juridiques ont été regroupés sous un seul avocat général adjoint et se composent maintenant des cinq groupes de pratique juridique suivants : (1) droit des sociétés et droit commercial; (2) contentieux civil; (3) droit de l'emploi et droit du travail; (4) droit municipal et règlements et (5) urbanisme et aménagement. De plus, tous les postes de soutien administratif et juridique relèvent maintenant de la Direction des activités juridiques et des services de soutien élargie, qui rassemble ainsi les services qu'offraient auparavant les équipes du droit des sociétés et du contentieux alors séparées.

En ce qui a trait aux formes de litiges traités par les Services juridiques (affaires civiles, travail, CAMO, droits de la personne, etc.), les résultats correspondent à ceux des rapports antérieurs et viennent mettre en lumière la préférence de la Ville à résoudre les litiges à l'amiable. Toutefois, l'examen de l'issue des litiges révèle également que lorsque la Ville ne parvient pas à une entente qui convient aux deux parties, son taux de succès est très élevé: en effet, elle a obtenu une décision ou une ordonnance en sa faveur dans 29 affaires sur 36 en 2016. Les coûts associés au règlement de 12 litiges supérieurs à 100 000 \$ au cours des deux derniers trimestres de 2016 reflètent l'augmentation des montants adjugés par la cour pour les préjudices personnels en ce qui concerne les dommages-intérêts généraux, les futures pertes de revenus ou d'avantages concurrentiels et les coûts liés à des soins futurs.

Comme on l'a mentionné par le passé, le présent rapport explique de manière détaillée que plus de 92 % des litiges de la Ville sont traités au moyen de ressources à l'interne, et moins de 8 % des 338 litiges actuels sont confiés à un avocat-conseil à l'externe.

Les Services juridiques ont continué d'appuyer bon nombre de projets municipaux importants durant les troisième et quatrième trimestres de 2016, notamment le projet de

réaménagement de la Cour des arts et le Projet de train léger sur rail d'Ottawa, et ont apporté leur aide relativement à la réponse et aux enjeux à la suite de l'affaissement du 8 juin 2016. Pendant cette période, la Direction a rédigé ou examiné 620 ententes et elle a traité plus de 228 ententes et demandes d'aménagement.

Pour ce qui est des coûts de sous-traitance aux troisième et quatrième trimestres de 2016, ceux-ci s'expliquent par l'appui aux projets d'immobilisations d'envergure comme les Étapes 1 et 2 du projet de train léger, ainsi que par les litiges considérables touchant la Ville.

BACKGROUND

The inaugural Comprehensive Legal Services Report covering the first and second quarters of 2011 was approved by City Council on August 25th, 2011. A revised, quarterly report format originated from a Motion that was passed by Council on April 27th, 2011, that directed "the City Clerk and Solicitor to combine the existing Claims Settlements, Litigation Record and External Legal Costs reports into a single comprehensive report." On December 3rd, 2014, City Council approved an amendment to the Delegation of Authority Bylaw thereby revising the reporting requirement for these matters to a semi-annual basis. Therefore, the information provided herein is with respect to the third and fourth quarters of 2016.

As part of the organizational alignment that was implemented last fall, Legal Services was consolidated under a single Deputy City Solicitor and is now comprised of the following five legal practice groups: (1) Corporate and Commercial; (2) Civil Litigation; (3) Employment and Labour; (4) Municipal and Regulatory; and (5) Planning and Development. In addition, an expanded Legal Operations and Support Services Branch encompasses all legal administrative support positions, thereby integrating the services offered by the formerly separate corporate and litigation functions.

DISCUSSION

Civil Litigation / Labour and Employment

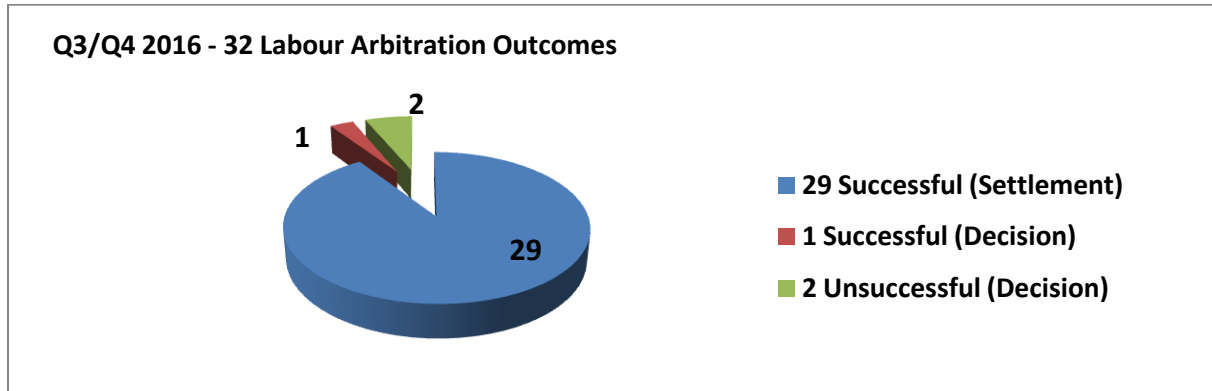
In keeping with the format developed as part of the initial Comprehensive Legal Services Report, outlined below is the litigation record for the Branch for the 2016 third and fourth quarters, as well as an overview of claims concluded in that same period.

The report also provides a breakdown of the range and volume of civil litigation currently being handled by the Branch, as well as information on whether carriage of these matters rests with the Branch's in-house Legal staff or with external counsel.

(a) *Labour Relations Unit*

A summary of labour arbitrations for Q3 and Q4 is set out below in Figure 1.

Figure 1 - Labour Arbitration Outcomes

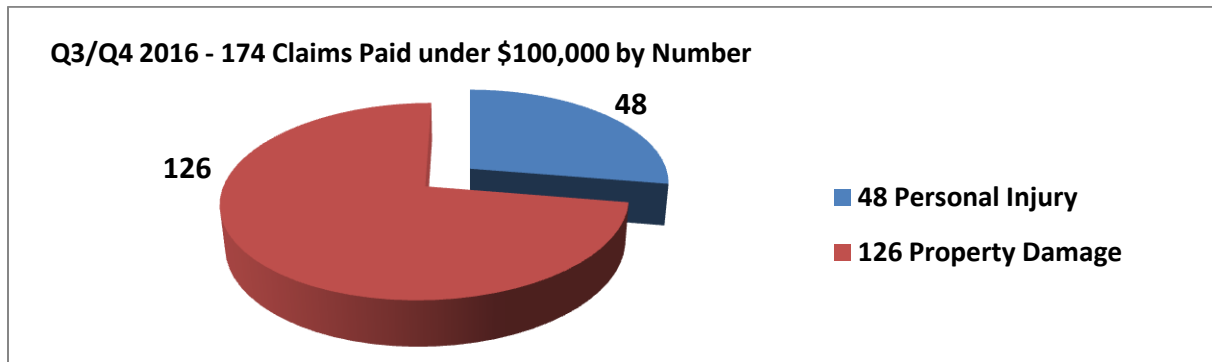
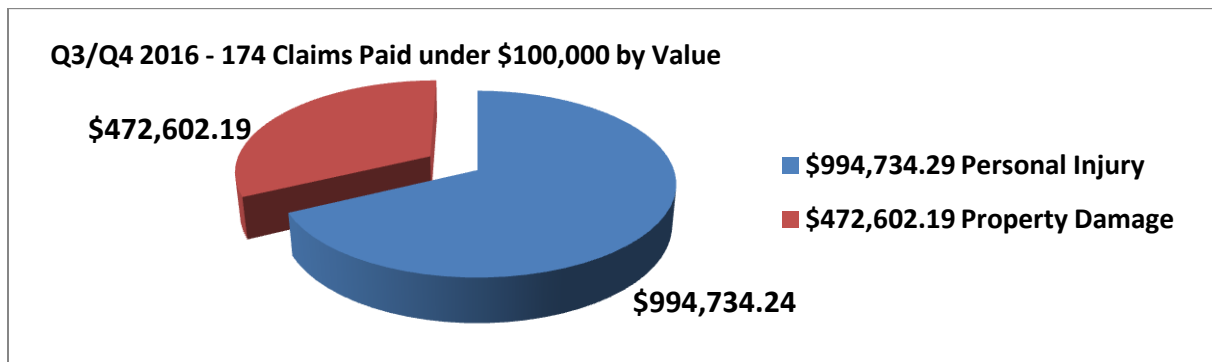


Reasons for Unsuccessful Outcomes:

- i. In this case, an OC Transpo operator was terminated after driving around the lowered barriers at a rail crossing near Carlsbad Springs in October 2015, based on comments from a passenger that the barriers frequently malfunctioned. While the Arbitrator made clear that the City “could not be faulted for its decision...to terminate the grievor’s services as a bus driver”, he also noted a number of mitigating factors, including the fact that the grievor was the sole source of support for his five children, wife and ailing mother. Based largely on those latter factors, the Arbitrator exercised the broad authority conferred by the *Canada Labour Code* to substitute, in place of the termination, a lesser penalty: namely, a permanent demotion to a non-public-driving position with no compensation – effectively a one-year unpaid suspension.
- ii. This case involved an employee who was terminated in 2013 for threatening and aggressive behavior towards other staff at a City recreation complex. Following 13 days of hearing, the Arbitration Panel determined that the employee had engaged in serious misconduct and that appropriate disciplinary action was warranted. However, as the Panel was not convinced that the penalty of termination was appropriate given all the circumstances, it exercised its statutory authority and substituted a two-month suspension in place of the termination.

(b) *Claims Unit*

The Claims Unit concluded a total of 983 claims in the last two quarters of 2016. This figure represents the 848 property damage claims and 135 bodily injury claims that were either closed-settled or closed-denied during this period. A summary of the 174 claims that were closed-settled (i.e. paid in whole or in part) during the third and fourth quarters is set out below in Figures 2 (by number) and 3 (by value).

Figure 2 – Claims Paid Under \$100,000 by Number**Figure 3 – Claims Paid Under \$100,000 by Value****Table 1 - Claims Paid over \$100,000 – Q3 and Q4 2016**

Department	Category	Claim Type	Net City Cost
Emergency and Protective Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$159,728.52
Planning, Infrastructure and Economic Development	Property Damage or Loss	Building Inspections – Bodily Injury / Property Damage	\$101,163.90
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$152,474.70
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$100,270.16

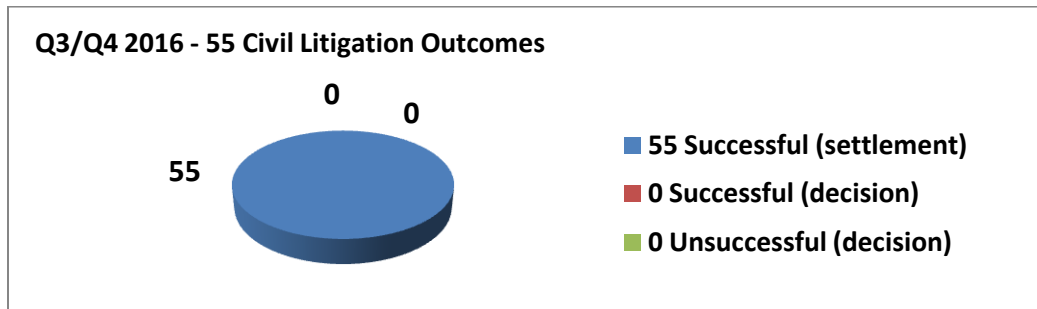
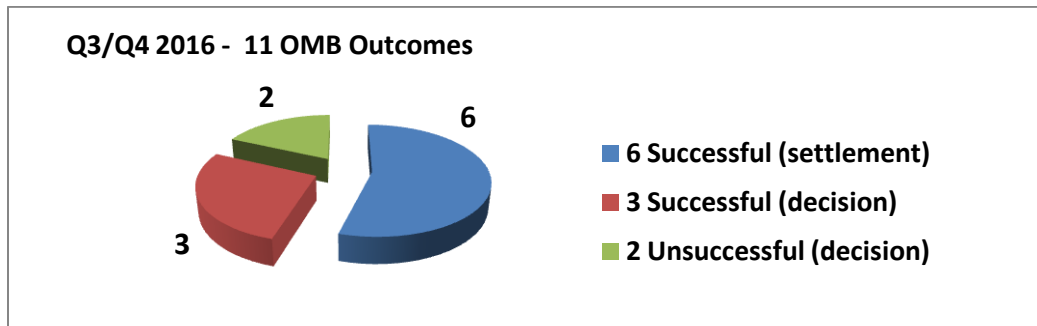
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$160,788.01
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$283,837.80
Public Works and Environmental Services	Bodily/Personal Injury	Trip and Fall	\$301,966.20
Public Works and Environmental Services	Bodily/Personal Injury	Trip and Fall	\$370,060.99
Public Works and Environmental Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$138,355.84
Transportation Services	Bodily/Personal Injury	City Vehicle Hitting Pedestrian / Cyclist	\$128,996.96
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$464,208.35
Transportation Services	Bodily/Personal Injury	City Vehicle Hitting Pedestrian / Cyclist	\$104,754.56
		TOTAL:	\$2,466,605.99

The above-noted figures represent settlement of litigated and non-litigated claims, and include all costs borne by the City in finalizing a settlement, such as court costs, legal fees, investigative costs, etc. Furthermore, claim settlement payments include those made pursuant to negotiated settlements as well as any court-ordered damages. The details with regard to these claims are confidential in keeping with standard settlement practices. The specific circumstances and facts surrounding these confidential settlements are available to Members of Council from the Office of the City Clerk and Solicitor.

(c) Civil Litigation Unit

In the third and fourth quarters of 2016, 54 new Statements of Claim were received by the Legal Services Branch. With these, there are currently 338 outstanding civil proceedings against the City that are being addressed by the Branch. Of these open files, carriage of over 92% rests with the City's in-house Legal staff, with 32 files having been referred to external counsel at either the direction of the City's insurer or due to the scope and/or complexity of the litigation.

A summary of outcomes for civil litigation, Ontario Municipal Board ("OMB") and other administrative tribunals for Q3 and Q4 is set out below in Figures 4, 5 and 6.

Figure 4 - Civil Litigation Outcomes**Figure 5 - OMB Outcomes****Reasons for Unsuccessful Outcomes:**i. 1705 Old Prescott – Subdivision and Zoning

In this case involving a rural subdivision in Greely, the appeal concerned whether 38 or 62 lots would be able to proceed. The difference in lot numbers reflected a variance in opinions as to the ability of the nitrates to be diluted by the infiltration of water. As the level of nitrates in the appellants subdivisions over the past 25 years had not risen in the view of the Ontario Municipal Board to a level of concern, the Board permitted the development to proceed, subject to the effluent discharge from individual on-site systems and its impact on groundwater, from the first phase of the development being to the satisfaction of the City and the Ministry of the Environment and Climate Change.

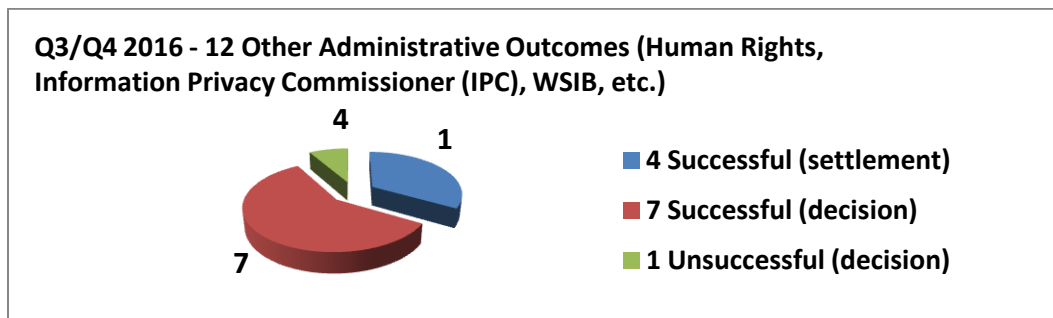
ii. Development Charges By-law

This phase of the hearings concerning the Development Charges By-law were appeals by a developer along Colonnade Road and by developers in the Fernbank Area.

With respect to the Colonnade Road development, which had proceeded through the site plan approval process, the appellant advanced the position that the intersection improvements and road modifications required by the City to be done by the appellant were not related to its development. The Board concluded that the works were off-site, that the requirements for such works were not generated by the development and therefore ordered that the works either be paid through development charges or from taxes.

In respect of the Fernbank Lands, the key matter at issue was the cost of the installation of eight intersections between arterial roads and roads that led into the development. While the position of the City was that such intersections were related to the subdivisions in question and that as such were only eligible for funding for the traffic signals (\$200,000), the Board agreed with the developers that such works were off-site works and therefore eligible for reimbursement not limited to the cost of the traffic signals.

Figure 6 - Other Administrative Outcomes



Reason for Unsuccessful Outcome:

- i. IPC Order MO-3358 (dated September 26th, 2016)

This Order, made under *the Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), addressed the disclosure of CCTV camera footage showing passengers in and around the Fallowfield Transit Station just prior to the fatal bus-train collision of September 18th, 2013. The City denied access to the footage, citing protection of personal privacy given that some individuals could be identified in the footage by their personal characteristics such as body shape and clothing. The IPC overturned the City's decision and ordered the City to disclose the footage to the media Requester/Appellant. The IPC based its decision on the fact that the information that was revealed about identifiable individuals shown on

the footage was not of the type to cause an unjustified invasion of personal privacy.

Corporate Commercial / Planning, Development and Real Estate / Municipal and Regulatory

The Legal Services Branch, in the third and fourth quarters of 2016, provided key legal support for various projects and strategic initiatives of the City within the current Term of Council Priorities. Some of the varied services provided by in-house legal staff include support for Stages 1 and 2 of the OLRT Project, preliminary work on the new Central Library Project and the Arts Court Redevelopment Project.

Table 2 - General Agreements and Contracts - Metrics

General Agreement/Contract Type	Routine	Moderately Complex	Complex	Total
Agreements and Contracts Reviewed/Drafted	256	307	77	640
Reports Reviewed/Drafted	29	40	68	137
Real Estate Purchases and Sales*	38	0	0	38
Tax Sale Registrations, Property Standards Orders, Grow Op Orders	66	0	0	66
By-laws Reviewed/Drafted	34	9	2	45
Construction Lien Payments Reviewed / Processed	192	0	0	192

*Stats do not include work required in processing outsourced transactions, including Light Rail land acquisitions.

Table 3 – Planning and Development – Development Agreements Received

Agreement Type	Routine	Moderately Complex	Complex	Total
Subdivision	3	0	0	3
Site Plan Control	45	6	2	53
Condominium	4	2	3	9
Other (i.e. cash-in-lieu, development, demolition, easement, front-ending, s. 37)	5	1	1	7

Table 4 – Planning and Development – Miscellaneous Development Requests Processed

Request Type	Routine	Moderately Complex	Complex	Total
Severance	47	4	1	52
By-laws (Road Opening/Closing)	5	0	0	5
Releases/Development Charge Deferrals	62	7	4	73
Compliance	10	0	1	11
Part Lot Exemption	13	0	2	15
Early Servicing	0	0	0	0

Definitions:

Routine – Standard form agreements regularly seen and reviewed in routine legal practice and requiring basic analysis by Law Clerks and Legal Counsel (e.g. easements, encroachment/traffic signal/private road/cash-in-lieu of parking agreements, etc.).

Moderately Complex – Agreements where no template exists and requiring research, review and analysis (e.g. inter-governmental MOUs and/or SLAs, commercial real estate transactions, site plan agreements, joint-use/cost-sharing agreements, etc.) by Law Clerks, Legal Counsel and occasionally more senior Legal Counsel. Monitoring is necessary to ensure that all legal requirements are satisfied.

Complex – Unique agreements that necessitate detailed analysis requiring expertise in specialized practice areas (i.e. public-private partnerships, subdivision agreements, commercial leases, federal and provincial funding and/or contribution agreements, etc.). There are no existing precedents for complex agreements, which often include the preparation of complementary agreements, certificates or by-laws that typically require significant time or dedicated resources to research, prepare, review and/or analyze by Legal Counsel, more senior Legal Counsel and/or the Deputy City Solicitor. Ongoing monitoring of complex agreements is required to ensure that all legal requirements are satisfied.

Table 5 - External Legal Costs – Q3 2016

Firm	Portfolio/ Practice Area	Legal Fees	Taxes	Disbursements	Total
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$226,650.50	\$29,744.50	\$2,466.79	\$258,861.79
Borden, Ladner, Gervais	Ottawa Light Rail Transit Project (Stage 1 and Land Matters- Stage 2)	\$101,534.74	\$13,208.97	\$1,098.28	\$115,841.79

Norton Rose Fulbright Canada LLP	Ottawa Light Rail Transit Project (Stage 2)	\$192,804.00	\$25,161.13	\$743.19	\$218,708.32
Caza Saikaley	Litigation	\$110,147.30	\$19,652.23	\$54,228.97	\$184,028.50
Caza Saikaley	Insured Litigated Claims	\$5,778.20	\$948.83	\$1,520.00	\$8,247.03
Gowlings	Litigation	\$1,326.80	\$172.48	\$0	\$1,499.28
Gowlings	Insured Litigated Claims	\$10,631.70	\$1,592.33	\$1,616.90	\$13,840.93
Emond Harnden	Litigation and Labour	\$20,978.00	\$2,779.80	\$404.27	\$24,162.07
Hicks, Morley	Labour and Employment	\$20,124.40	\$2,625.53	\$71.75	\$22,821.68
Lerners	Insured Litigated Claims	\$11,492.50	\$1,510.15	\$250.14	\$13,252.79
McCall, Dawson	Insured Litigated Claims	\$6,522.00	\$1,067.47	\$1,711.27	\$9,300.74
Shillington's	Insured Litigated Claims	\$53,146.50	\$7,140.60	\$1,961.59	\$62,248.69
Steiber Berlach	Insured Litigated Claims	\$19,144.50	\$2,566.54	\$725.09	\$22,436.13
Totals		\$780,281.14	\$108,170.56	\$66,798.24	\$955,249.94

Table 6 - External Legal Costs – Q4 2016

Firm	Portfolio/ Practice Area	Legal Fees	Taxes	Disbursements	Total
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$386,759.10	\$14,285.30	\$51,950.45	\$452,994.85
Borden, Ladner, Gervais	Ottawa Light Rail Transit Project (Stage 1 and Land Matters-Stage 2)	\$130,408.00	\$554.16	\$17,025.08	\$147,987.24
Norton Rose Fulbright Canada LLP	Ottawa Light Rail Transit Project (Stage 2)	\$217,386.00	\$9,351.24	\$29,475.84	\$256,213.08
Caza Saikaley	Litigation	\$137,088.00	\$113,930.63	\$26,108.55	\$277,127.18
Caza Saikaley	Insured Litigated Claims	\$36,970.10	\$28,574.46	\$8,520.93	\$74,065.49
Gowlings	Litigation	\$10,446.20	\$672.07	\$1,445.38	\$12,563.65
Gowlings	Insured Litigated Claims	\$43,990.85	\$1,665.18	\$5,982.58	\$51,638.61

Emond Harnden	Litigation and Labour	\$29,980.50	\$1,306.75	\$4,067.44	\$35,354.69
Hicks, Morley	Labour and Employment	\$34,624.00	\$37.45	\$4,506.00	\$39,167.45
Lerners	Insured Litigated Claims	\$72,347.00	\$2,089.75	\$9,674.03	\$84,110.78
McCall, Dawson	Insured Litigated Claims	\$36,534.00	\$5,830.27	\$5,472.48	\$47,836.75
Shillington's	Insured Litigated Claims	\$59,199.50	\$3,726.13	\$8,180.46	\$71,106.09
Steiber Berlach	Insured Litigated Claims	\$18,996.00	\$2,628.55	\$2,811.19	\$24,435.74
Totals		\$1,214,729.25	\$184,651.94	\$175,220.41	\$1,574,601.60

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

This is largely an administrative report issued on a semi-annual basis to meet the requirements of the Delegation of Authority By-law and the principles of the *Delegation of Powers Policy* and the *Accountability and Transparency Policy* with respect to a corresponding accountability and disclosure mechanisms for every delegation from Council. As such, no consultation was undertaken.

LEGAL IMPLICATIONS

There are no legal impediments to receiving this report for information. Some settlements referenced here are subject to the confidentiality requirements that commonly form part of a claim resolution. Should further details be sought on those matters, Councillors may contact the Office of the City Clerk and Solicitor directly.

RISK MANAGEMENT IMPLICATIONS

There are no risk management concerns arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

Governance, Planning & Decision-Making

GP2 – Advance management oversight through tools and processes that support accountability and transparency.

SUPPORTING DOCUMENTATION

Document 1 - Aggregate Metrics for Q1 to Q4 2016

Document 2 - External Legal Costs for Q1 to Q4 2016

DISPOSITION

Subject to any direction by the Finance and Economic Development Committee and Council, the City Clerk and Solicitor will continue to produce this report on a semi-annual basis.

Document 1

Aggregate Metrics for Q1 to Q4 2016

Civil Litigation / Labour and Employment

In keeping with the format used as part of the Q1-Q4 Comprehensive Legal Services Reports, the aggregate of litigation outcomes for 2016 is reproduced below. These figures include all forms of litigation, namely labour, civil, OMB and other miscellaneous tribunals.

Figure 1 - Labour Arbitration Outcomes (Q1 to Q4 2016)

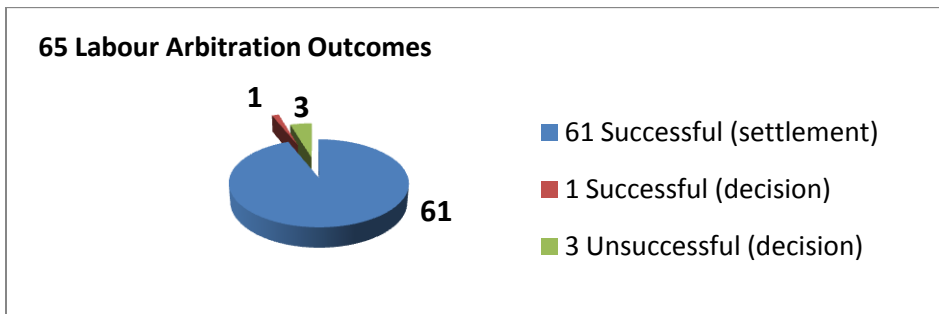


Figure 2 - Civil Litigation Outcomes (Q1 to Q4 2016)

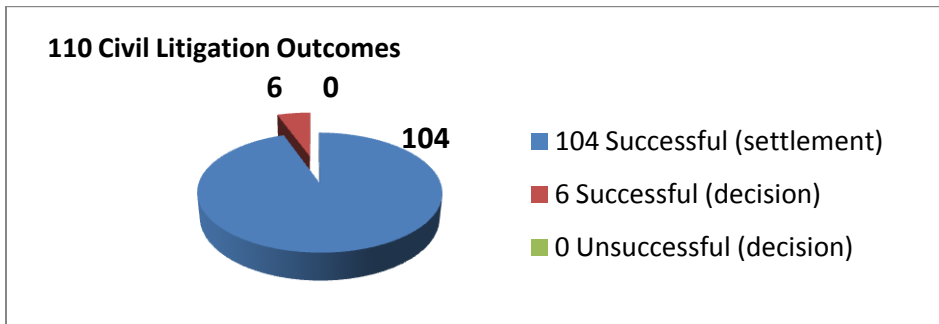


Figure 3 - OMB Outcomes (Q1 to Q4 2016)

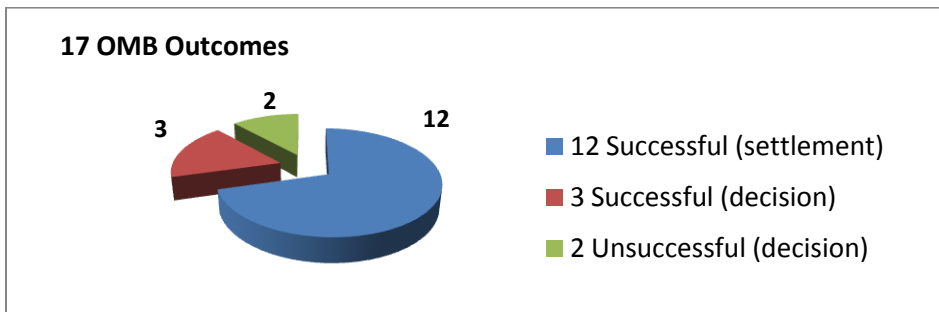
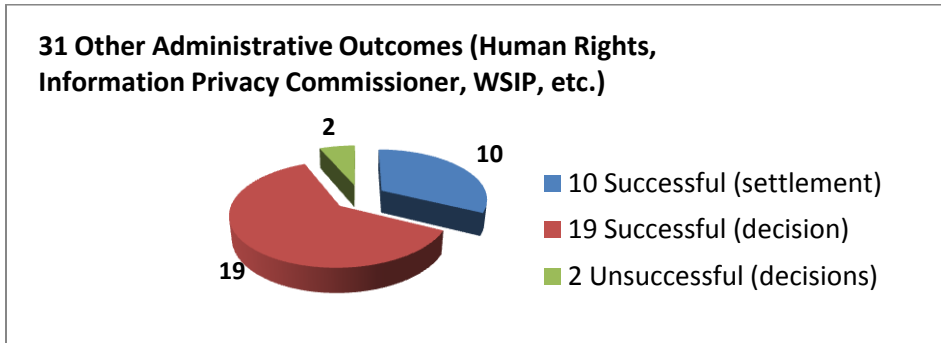


Figure 4 - Other Administrative Outcomes (Q1 to Q4 2016)



Claims Unit

The Claims Unit concluded a total of 1,732 claims in 2016. This figure represents the 1,479 property damage claims and 253 bodily injury claims that were either closed-settled or closed-denied during this period. A summary of the 428 claims that were closed-settled (i.e. paid in whole or in part) during the third and fourth quarters is set out below in Figures 5 (by number) and 6 (by value).

Figure 5 - Claims Paid Under \$100,000 by Number (Q1 to Q4 2016)

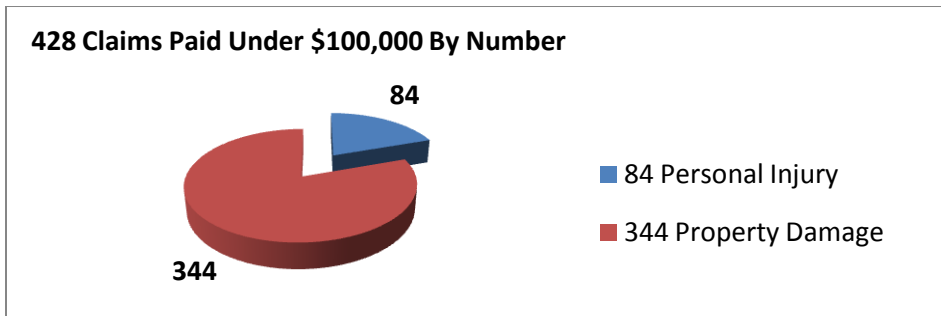


Figure 6 - Claims Paid Under \$100,000 by Value (Q1 to Q4 2016)

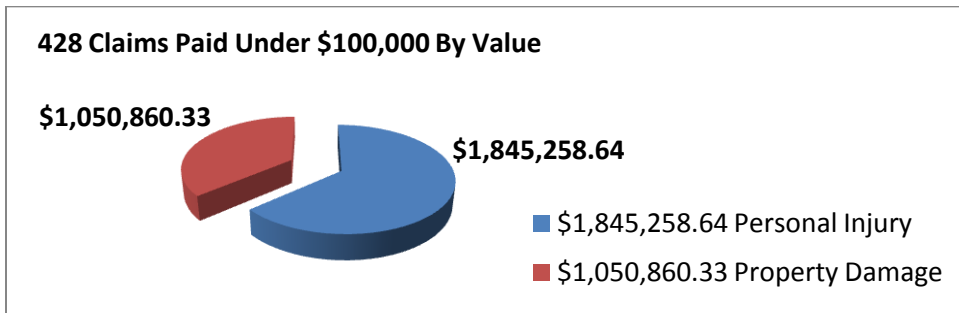


Table 1 - Claims Paid over \$100,000 - Q1 to Q4 2016

Department	Category	Claim Type	Net City Cost
Corporate Services	Property Damage or Loss	Environmental Impairment Liability	\$965,000.00
Emergency and Protective Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$159,728.52
Recreation, Cultural and Facility Services	Bodily/Personal Injury	Sports/Recreational Injuries	\$113,725.39
Planning Infrastructure and Economic Development	Property Damage or Loss	Building Inspections – Bodily Injury / Property Damage	\$101,163.90
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$152,474.70
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$100,270.16
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$160,788.01
Public Works and Environmental Services	Bodily/Personal Injury	Third Party Vehicle	\$283,837.80
Public Works and Environmental Services	Bodily/Personal Injury	Trip and Fall	\$301,966.20
Public Works and Environmental Services	Bodily/Personal Injury	Trip and Fall	\$370,060.99
Public Works and Environmental Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$138,355.84
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$111,395.63
Transportation Services	Bodily/Personal Injury	Losses Onboard City Vehicle (not MVA)	\$122,169.56
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$260,418.10
Transportation Services	Bodily/Personal Injury	Losses Onboard City Vehicle (not MVA)	\$508,363.10
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$1,140,993.78
Transportation Services	Bodily/Personal Injury	City Vehicle Hitting Pedestrian/Cyclist	\$1,416,854.78
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$130,096.43
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$156,066.83
Transportation Services	Bodily/Personal Injury	City Vehicle Hitting Pedestrian / Cyclist	\$128,996.96
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$464,208.35

Transportation Services	Bodily/Personal Injury	City Vehicle Hitting Pedestrian / Cyclist	\$104,754.56
		TOTAL:	\$7,391,689.66

Corporate, Development and Environmental Law Branch (“CDEL”)

Table 2 - CDEL Metrics for Q1 to Q4 2016

General Agreement/Contract Type	Q1/Q2	Q3/Q4	Total
Agreements & Contracts Reviewed/Drafted	417	640	1,057
Reports Reviewed/Drafted	166	137	303
Real Estate Purchases & Sales*	37	38	75
Tax Sale Registrations, Property Standards Orders, Grow Op Orders	98	66	164
By-Laws Reviewed/Drafted	49	45	94
Construction Lien Payments Reviewed / Processed	0	192	192

*Stats do not include work required in processing outsourced transactions including light rail land acquisitions.

Table 3 - CDEL Metrics - Planning and Development for Q1 to Q4 2016

Development Agreements* Received

Agreement	Q1/Q2	Q3/Q4	Total
Subdivision	22	3	25
Site Plan Control	51	53	104
Condominium	10	9	19
Other (i.e. cash-in-lieu of parking, demolition, etc.)	10	7	17

Table 4 - CDEL Metrics - Planning and Development for Q1 to Q4 2016

Miscellaneous Development Requests Processed

Request	Q1/Q2	Q3/Q4	Total
Severance	25	52	77
By-laws (Road Opening/Closing)	3	5	8
Releases/Development Charge Deferrals	8	73	81
Compliance	23	11	34

Part Lot Exemption	21	15	36
Early Servicing	16	0	16

*The statistics for Development Agreements do not include associated registration such as transfers, easements, maintenance and liability agreements, and inhibiting orders as well as review of joint use and maintenance agreements.

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Table 1 - External Legal Costs for Q1 to Q4 2016

Firm	Portfolio/ Practice Area	Legal Fees	Taxes	Disburse- ments	Total
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$957,890.85	\$127,554.58	\$25,098.30	\$1,110,543.73
Borden, Ladner, Gervais	Ottawa Light Rail Transit Project (Stage 1 and Land Matters- Stage 2)	\$307,410.26	\$40,086.07	\$1,969.68	\$349,465.81
Norton Rose Fulbright Canada LLP	Ottawa Light Rail Transit Project (Stage 2)	\$453,862.26	\$60,020.42	\$10,965.51	\$524,577.92
Caza Saikaley	Litigation	\$449,124.37	\$93,724.57	\$335,531.77	\$878,380.71
Caza Saikaley	Insured Litigated Claims	\$54,294.85	\$11,064.65	\$30,816.29	\$96,175.79
Gowlings	Litigation	\$75,858.33	\$10,180.07	\$2,340.09	\$88,378.48
Gowlings	Insured Litigated Claims	\$45,481.01	\$6,300.24	\$3,627.22	\$55,408.47
Emond Harnden	Litigation and Labour	\$82,267.03	\$11,704.05	\$7,762.59	\$101,733.68
Hicks, Morley	Labour and Employment	\$117,480.10	\$15,707.56	\$3,346.97	\$136,534.63
Lerners	Insured Litigated Claims	\$85,476.20	\$11,397.08	\$2,340.86	\$99,214.13
McCall, Dawson	Insured Litigated Claims	\$53,951.00	\$8,080.15	\$8,494.26	\$70,525.41
Shillington's	Insured Litigated Claims	\$196,976.53	\$27,599.86	\$16,159.50	\$240,735.90
Steiber Berlach	Insured Litigated Claims	\$40,272.50	\$5,689.84	\$3,622.45	\$49,584.79
Williams McEney	Corporate, Commercial, Development	\$5,844.50	\$763.82	\$31.00	\$6,639.32
Engel & Associates	Corporate, Commercial, Development	\$1,089.19	\$141.59	\$0	\$1,230.78
Totals		\$2,927,278.70	\$430,014.54	\$451,836.49	\$3,809,129.73