

<p><b>2. COMPREHENSIVE LEGAL SERVICES REPORT FOR THE PERIOD JULY 1 TO DECEMBER 31, 2019 RAPPORT GÉNÉRAL SUR LES SERVICES JURIDIQUES POUR LA PÉRIODE DU 1<sup>ER</sup> JUILLET AU 31 DÉCEMBRE 2019</b></p>
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**COMMITTEE RECOMMENDATION**

**That Council receive this report for information.**

**RECOMMANDATION DU COMITÉ**

**Que le Conseil municipal prenne connaissance du présent rapport.**

**DOCUMENTATION/DOCUMENTATION**

1. General Manager's report, Innovative Client Services dated 27 February 2020 (ACS2020-ICS-LEG-0004 ).

Rapport de la Directrice générale, Services novateurs pour la clientèle, daté le 21 février 2020 (ACS2020-ICS-LEG-0004 ).

**Report to  
Rapport au:**

**Finance and Economic Development Committee  
Comité des finances et du développement économique  
9 March 2020 / 9 mars 2020**

**and Council  
et au Conseil  
25 March 2020 / 25 mars 2020**

**Submitted on February 27, 2020  
Soumis le 27 février 2020**

**Submitted by  
Soumis par:  
Valerie Turner, General Manager, Innovative Client Services /  
Directrice générale, Services novateurs pour la clientèle**

**Contact Person  
Personne ressource:  
David White, City Solicitor / Avocat général  
Innovative Client Services Department – Services novateurs pour la clientèle  
613-580-2424, ext./poste 21933 / david.white@ottawa.ca**

**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2020-ICS-LEG-0004**

**SUBJECT: Comprehensive Legal Services Report for the Period July 1 to  
December 31, 2019**

**OBJET: Rapport Général sur les Services juridiques pour la période du 1<sup>er</sup>  
juillet au 31 décembre 2019**

## **REPORT RECOMMENDATION**

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

## **RECOMMANDATION 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 2019. In keeping with the format approved by City Council on August 25<sup>th</sup>, 2011, the Comprehensive Legal Services Report combines the former Claims Settlements, Litigation Record and External Legal Costs reports into a single comprehensive report. It also includes information on the exercise of the authority set out in the City's Public Conduct Policy, for 2019, in accordance with the reporting requirements of that Policy.

In respect of all forms of litigation undertaken by Legal Services (civil, labour, LPAT, 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 64 of 71 cases concluded in 2019. The costs associated with the settlement of 10 claims over \$100,000 in the last two quarters of 2019 reflect the increases in court awards in personal injury matters for general damages, future loss of income/competitive advantage and future care costs.

The report details the fact that more than 92% of litigation involving the City is handled by in-house resources, with fewer than eight per cent of the current 459 litigated matters being referred to external counsel.

Legal Services also continued its support of a number of key City initiatives in Q3/Q4 2019. Further, Legal Services drafted or reviewed 590 legal agreements in Q3/Q4 2019 and processed more than 368 development agreements and requests.

In terms of outsourcing costs in Q3 and Q4 2019, these continued to be driven by the support for large capital projects.

## **RÉSUMÉ**

Le présent rapport expose le travail effectué et les résultats atteints par les Services juridiques aux troisième et quatrième trimestres de 2019. Suivant le modèle approuvé par le Conseil municipal le 25 août 2011, le rapport global des Services juridiques regroupe en un seul document les rapports sur les règlements de réclamations, le bilan des litiges et les frais judiciaires externes. Il comprend également des renseignements sur l'exercice des pouvoirs établi dans la Politique en matière de conduite publique pour 2019, conformément aux exigences en matière de rapports de ladite politique.

Pour tous les types de litiges traités par les Services juridiques (affaires civiles, travail, Commission des affaires municipales de l'Ontario, droits de la personne, etc.), les résultats sont similaires à ceux présentés dans les rapports antérieurs et viennent mettre en lumière la préférence de la Ville pour les règlements à l'amiable. Par contre, dans les cas sans règlement à l'amiable, le taux de succès de la Ville est très élevé : en effet, elle a obtenu une décision ou une ordonnance en sa faveur dans 64 affaires sur 71 en 2019. Par ailleurs, les coûts associés au règlement de 10 litiges d'une valeur supérieure à 100 000 \$ dans les deux derniers trimestres de 2019 reflètent l'augmentation des montants adjugés par les tribunaux 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.

Le présent rapport précise que plus de 92 % des litiges de la Ville sont traités à l'interne, moins de huit pour cent des 459 litiges actuels ayant été confiés à un avocat externe.

Les Services juridiques ont aussi continué de contribuer à plusieurs initiatives municipales clés au cours des troisième et quatrième trimestres de 2019. Ils ont également rédigé ou révisé 590 accords juridiques et traité plus de 368 ententes et demandes d'aménagement.

Quant aux coûts de sous-traitance, ils se rapportaient, comme par le passé, à des projets d'immobilisations de grande envergure.

## 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 27, 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 3, 2014, City Council approved an amendment to the *Delegation of Authority By-law* 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 2019.

## DISCUSSION

### Civil Litigation / Labour and Employment

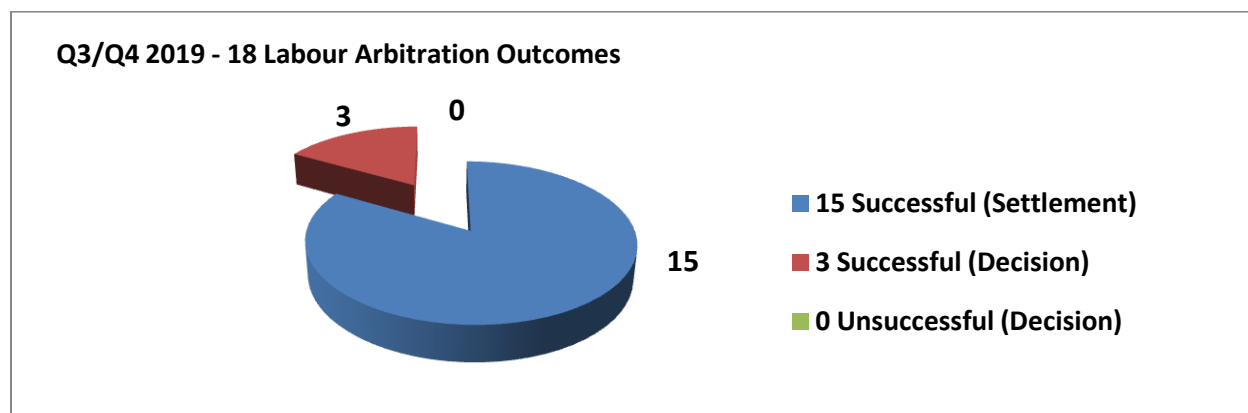
In keeping with the format developed as part of the initial Comprehensive Legal Services Report, outlined below is the litigation record for the 2019 third and fourth quarters, as well as an overview of claims received and concluded in that same period.

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

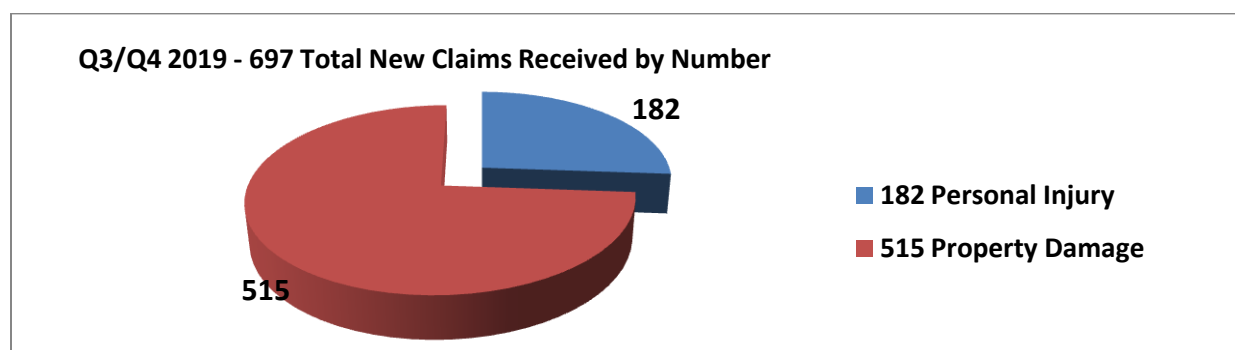


**(b) Claims Unit**

The Claims Unit received a total of 697 new claims in the last two quarters of 2019. This figure represents the 515 property damage claims and 182 personal injury claims that were filed with the Unit. Of the total number of new claims received during this period, 145 (21%) represent pothole claims, which is the most common type of claim received by the Unit on an annual basis.

A summary of the 697 claims received during the third and fourth quarters is set out below in Figure 2 by number.

**Figure 2 - Total New Claims Received by Number**



The Claims Unit also concluded a total of 1,791 claims in the last two quarters of 2019. This figure represents the 1,629 property damage claims and 162 personal injury claims that were either closed-settled or closed-denied during this period. A summary of the 316 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 3 (by number) and 4 (by value).

**Figure 3 - Claims Concluded Under \$100,000 by Number**

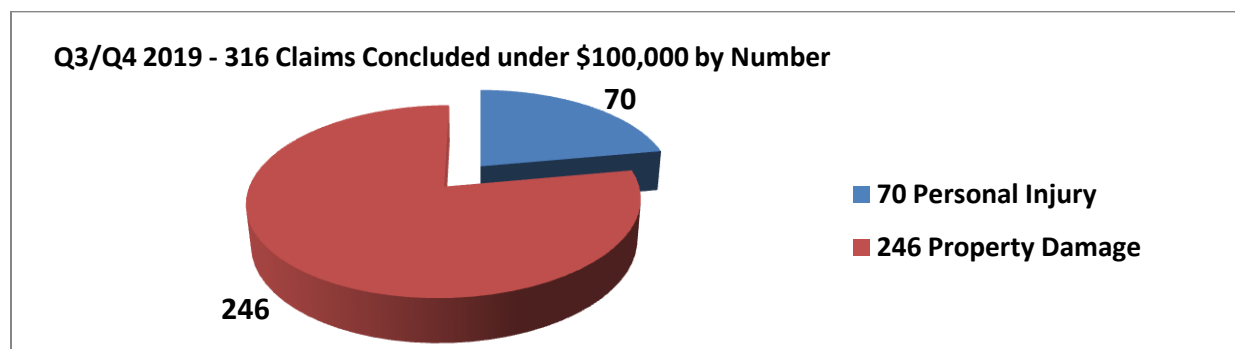


Figure 4 - Claims Concluded Under \$100,000 by Value

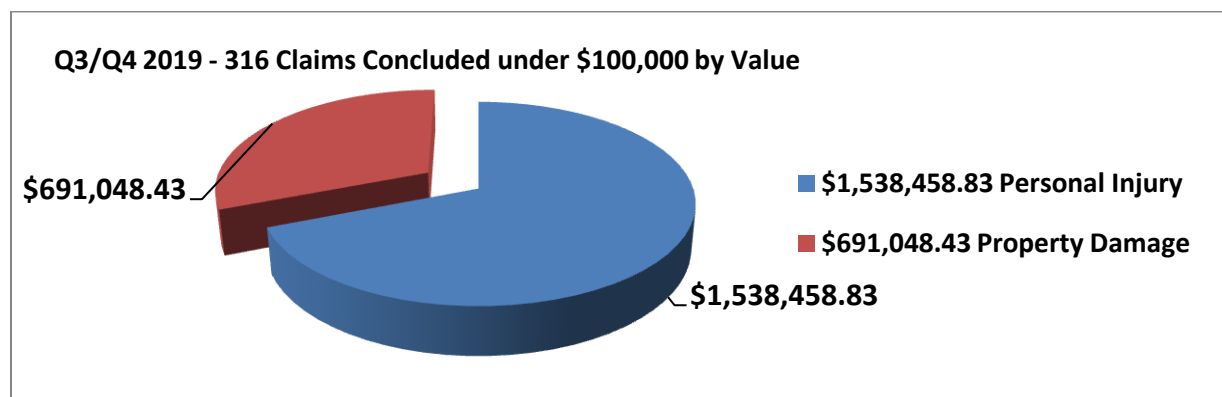


Table 1 - Claims Concluded over \$100,000 – Q3 and Q4 2019

Department	Category	Claim Type	Net City Cost
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$1,926,866.92
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$1,244,570.65
Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$118,476.16
Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$104,330.79
Public Works and Environmental Services	Property Damage or Loss	Contract Dispute	\$230,490.06
Public Works and Environmental Services	Property Damage or Loss	Damage from Tree Roots	\$101,085.10
Transportation Services	Bodily/Personal Injury	City Vehicle-Pedestrian/Cyclist	\$1,537,408.88
Transportation Services	Bodily/Personal Injury	Losses Onboard City Vehicle	\$147,252.15
Transportation Services	Bodily/Personal Injury	Losses Onboard City Vehicle	408,347.61
Transportation Services	Bodily/Personal Injury	MVA, City and Third Party Vehicle	\$120,000.00
<b>Total:</b>			<b>\$ 5,938,828.32</b>

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.

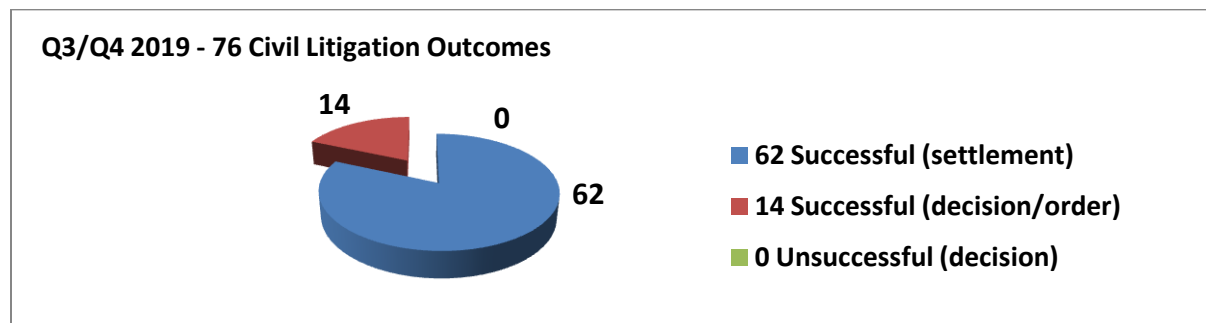
*Furthermore, claim settlement payments include those made pursuant to negotiated settlements as well as any court-ordered damages. The details with regard to these claims are confidential in keeping with standard settlement practices. The specific circumstances and facts surrounding these confidential settlements are available to Members of Council from the City Solicitor.*

**(c) Civil Litigation Unit**

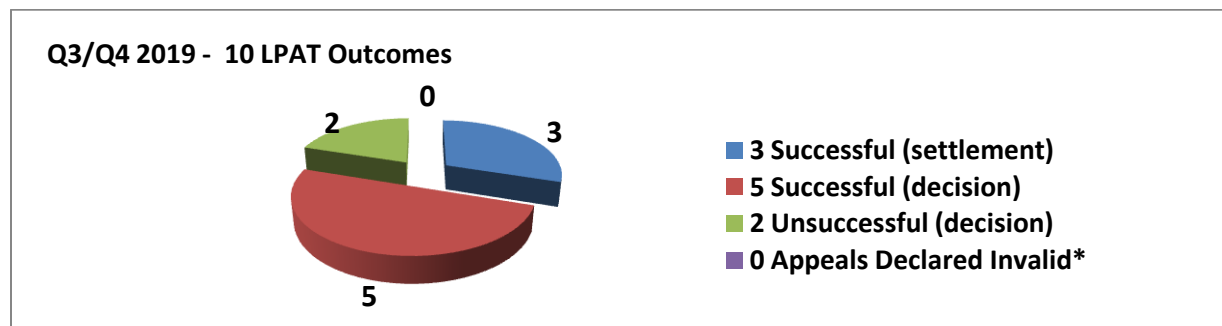
In the third and fourth quarters of 2019, 70 new Statements of Claim were received by the Legal Services Branch. With these, there are currently 459 outstanding civil proceedings against the City that are being addressed by the Branch. Of the current open files, carriage of over 92% rests with the City’s in-house Legal staff, with less than 8% of the remaining 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, Local Planning Appeal Tribunal (“LPAT”) and other administrative tribunals for Q3 and Q4 is set out below in Figures 5, 6 and 7.

**Figure 5 - Civil Litigation Outcomes**



**Figure 6 - LPAT Outcomes**



\*Appeals Declared Invalid – these numbers reflect appeals to LPAT that did not meet the tests of raising issues of inconsistency with the Provincial Policy Statement and/or non-conformity with the Official Plan.



**Reasons for Unsuccessful Outcomes:**

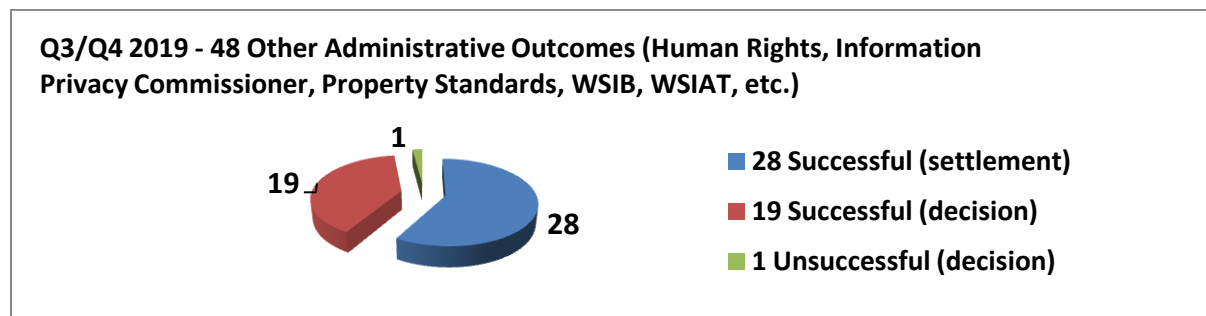
1. The Wall Road LPAT decision concerned a requested redesignation from Agricultural Resource Area to General Rural which was opposed by the City. The case largely turned on whether economic feasibility of drainage was a consideration. The owners acknowledged that the lands could be tile drained but were of the view that the cost (upwards of one million dollars) was such that it was not feasible and therefore the lands should be considered as Class 5 rather than Class 3. Class 5 lands would lead to a score under the City's LEAR system that would cause the lands to be scored at a level where they would not be designated Agricultural Resource.

The Tribunal accepted that economic feasibility continues to be a relevant consideration. As a result, the owners were successful in their appeal.

2. The second unsuccessful decision was with respect to the matter of the Rockcliffe Heritage Conservation District Plan and a request for the approval of the demolition of 270 Buchan Road, the latter of which was opposed by the City. The Rockcliffe Heritage Conservation District Plan was approved by the Tribunal but the Tribunal also approved the demolition of 270 Buchan Road. Drawing upon a 1985 study, the Tribunal was of the view that the house at 270 Buchan did not have architectural significance and, referring to a policy in the secondary Official Plan, would not fulfil the needs of the owners. The Tribunal therefore approved the demolition.

It is noted that with the approval of the District Plan, any future applications in Rockcliffe are subject to the provisions of the Heritage Conservation District Plan.

**Figure 7 - Other Administrative Outcomes**



**Reasons for Unsuccessful Outcomes:**

1. WSIB - This case involved a workplace accident that occurred on May 2, 2012. The employee was granted full loss of earning benefits from October 12, 2012 to February 3, 2015, with benefits beyond February 3, 2015 left to the discretion of the Operating Level of the WSIB.

On February 3, 2016, the WSIB determined the employee was able to perform suitable work in an alternative position and, as a result, the loss of earning benefits were terminated. The employee returned to work in September 2017

At issue in this case was the employee's entitlement to WSIB benefits for the period between February 3, 2015 and January 28, 2016. The Tribunal determined that the City had not met its obligations to identify and secure suitable alternate/accommodated work for the employee during the period in question and, therefore, awarded WSIB benefits.

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

The Legal Services Branch, in the third and fourth quarters of 2019, provided key legal support for various projects and strategic initiatives of the City within the current Term of Council Priorities. Some of the results of the varied services provided by in-house legal staff include the following:

1. Rail Transportation Matters: Legal Services provided ongoing support to Transit Operations, the Stage 2 and Confederation Line Light Rail offices, and Capital Railway, with respect to a wide variety of rail matters and specific projects, including support for the Regulatory Monitor Compliance Officer for the Confederation Line and obtaining a revised Certificate of Fitness and section 98 construction approval for Stage 2 (Trillium Line).
2. Road, Lanes, Cycling and Pedestrian Transportation Matters: Legal Services provided support with respect to a wide variety of road, lanes, cycling and pedestrian transportation matters relating to existing and new infrastructure, by providing timely and effective legal advice together with preparation, drafting, negotiating, and execution of a number of agreements including funding/contribution agreements.

3. Construction Act amendments: Legal Services supported preparations for the implementation of changes to the Ontario *Construction Act* that came into effect on October 1, 2019, including: summarizing the main changes; reviewing and amending the City's standard form construction contracts; providing legal advice on City payment practices in order to align with the new Prompt Payment Regime; advising on the impact to City contracts with consulting engineers and architects; providing advice on handling of notices of non-payment with respect to interest on overdue accounts; and providing advice on the publication of certificates of substantial completion.
4. Procurement Support: Legal Services provided assistance on a wide range of procurements, including new curbside waste collection contracts, the supply of a new recreation programs and facilities booking solution, and for the supply of replacement Street Furniture. Legal Services also drafted a set of standard terms and conditions for cloud-based software contracts.

**Table 2 - General Agreements and Contracts – Metrics**

General Agreement/Contract Type	Routine	Moderately Complex	Complex	Total
Agreements and Contracts Reviewed/Drafted	327	213	50	590
Reports Reviewed/Drafted	146	61	23	230
Real Estate Purchases and Sales*	15	33	10	58
Tax Sale Registrations, Property Standards Orders, Grow Op Orders	64	10	0	74
By-laws Reviewed/Drafted	129	29	17	175
Construction Lien Payments Reviewed / Processed	48	n/a	n/a	48

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

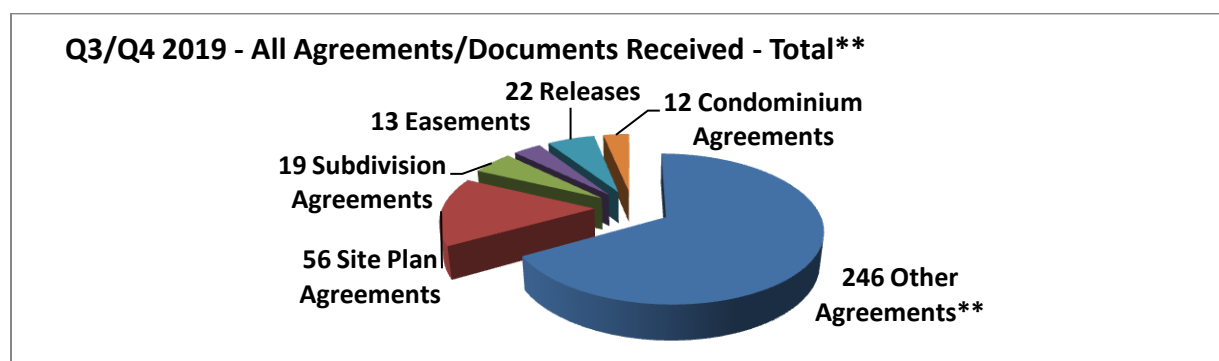
### Planning, Development and Real Estate

The Planning, Development and Real Estate Law Unit within the Legal Services Branch is collectively responsible for the preparation of a variety of Development Agreements such as Subdivision, Site Plan, and Condominium, as well as agreements related to consent or minor variance applications. In addition, staff are also responsible for

providing real estate law services (purchases, sales, expropriations, tax sales, leases, easements, mortgages, title searches and registrations) on behalf of the City.

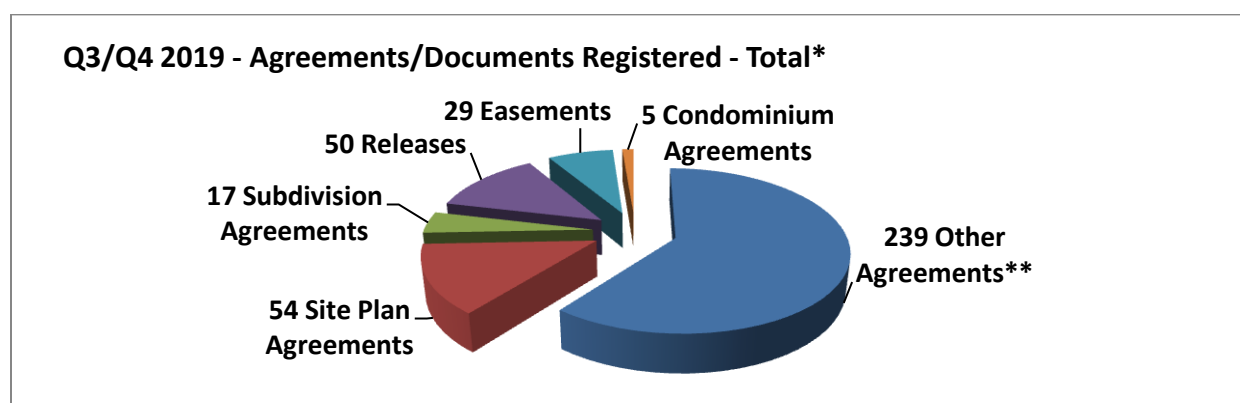
In the third and fourth quarters of 2019, 368 individual documents were logged by the Development Law Unit that were required for drafting and registration. Of these 368 requests, 84% were considered routine; 9% were considered moderately complex; and 7% were considered complex. A summary is set out below in Figure 8 (by type).

**Figure 8 - All Agreements/Document Requests Received - Total**



The Development Law Unit also completed registration on 394 individual agreements and documents in the third and fourth quarters of 2019. Of these 394 documents registered, 70% were considered routine; 6% were considered moderately complex and 24% were considered complex. A summary is set out below in Figure 9 (by type).

**Figure 9 – Agreements/Documents Registered - Total**



\*Stats shown in Figures 8 and 9 do not include work related to by-laws.

\*\*There are 17 different agreement types that fall under 'Other'

Table 3 - External Legal Costs – Q3 2019

Firm	Portfolio/ Practice Area	Legal Fees	Disbursements	Taxes	Total
Aird & Berlis	Corporate, Commercial, Development	\$283,669.40	\$7,040.67	\$37,723.71	\$328,433.78
Agro Zaffiro LLP	Insured Litigated Claims	\$20,138.00	\$3,018.10	\$3,010.29	\$26,166.39
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$285,691.43	\$7,406.98	\$38,047.73	\$331,146.14
Borden, Ladner, Gervais	Light Rail Project	\$323,910.75	\$8,660.24	\$43,150.25	\$375,721.24
Caza Saikaley	Litigation	\$37,536.89	\$718.47	\$4,973.21	\$43,228.57
Caza Saikaley	Insured Litigated Claims	\$11,614.50	\$35,513.52	\$6,123.43	\$53,251.45
Cunningham Swan Car	Corporate, Commercial, Development	\$6,275.00	\$99.54	\$828.71	\$7,203.25
Emond Harnden	Labour and Employment	\$7,114.00	\$0	\$924.90	\$8,038.90
Gowlings	Litigation	\$107,568.60	\$7,804.21	\$14,998.40	\$130,371.21
Gowlings	Insured Litigated Claims	\$85,231.20	\$203.60	\$11,106.53	\$96,541.33
Hicks, Morley	Labour and Employment	\$1,395.00	\$42.36	\$186.86	\$1,624.22
Lerners	Insured Litigated Claims	\$2,590.00	\$532.67	\$385.15	\$3,507.82
Norton Rose Fulbright Canada LLP	Light Rail Project	\$734,757.00	\$8,447.64	\$91,257.70	\$834,462.34
Shillington's	Insured Litigated Claims	\$7,784.50	\$0	\$1,011.9	\$8,796.49
Singleton Urquhart	Light Rail Project	\$95,222.70	\$2,493.58	\$12,416.85	\$110,133.13
<b>Totals</b>		<b>\$1,752,654.57</b>	<b>\$75,266.80</b>	<b>\$231,821.62</b>	<b>\$2,059,742.99</b>

Table 4 - External Legal Costs – Q4 2019

Firm	Portfolio/	Legal Fees	Disbursements	Taxes	Total
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	<b>Practice Area</b>				
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$434,631.71	\$86,837.09	\$67,609.96	\$589,078.76
Caza Saikaley	Insured Litigated Claims	\$73,782.70	\$9,865.21	\$10,844.61	\$94,492.52
Gowlings	Insured Litigated Claims	\$16,479.10	\$1,158.97	\$2,292.96	\$19,931.03
Lerners	Insured Litigated Claims	\$23,520.00	\$1,315.19	\$3,226.15	\$28,061.34
Borden, Ladner, Gervais	Insured Litigated Claims	\$888.00	\$214.97	\$119.63	\$1,222.60
Agro Zaffiro LLP	Insured Litigated Claims	\$1,530.00	\$158.00	\$219.44	\$1,907.44
Emond Harnden	Labour and Employment	\$318,214.50	\$6,572.66	\$42,185.11	\$366,972.27
Norton Rose Fulbright Canada LLP	Light Rail Project	\$241,944.00	\$3,798.69	\$31,946.55	\$277,689.24
Borden, Ladner, Gervais	Light Rail Project	\$411,838.11	\$15,117.02	\$54,863.12	\$481,818.25
Caza Saikaley	Litigation	\$59,388.07	\$2,730.85	\$8,075.60	\$70,194.52
Gowlings	Litigation/Labour	\$141.00	\$0	\$18.33	\$159.33
Aird and Berlis	Corporate, Commercial, Development	\$10,515.00	\$55.75	\$1,374.20	\$11,944.95
Soloway Wright	Litigation	\$3,528.00	\$268.95	\$485.24	\$4,282.19
Vice Hunter	Insured Litigated Claims	\$5,459.25	\$34.80	\$714.22	\$6,208.27
<b>Totals:</b>		<b>\$1,601,859.44</b>	<b>\$128,128.15</b>	<b>\$223,975.12</b>	<b>\$1,953,962.71</b>

For external legal costs relating to litigated matters, the above-noted figures may also be reported in the over \$100,000 claims concluded section, as those amounts include all costs borne by the City in finalizing a settlement, including any external legal fees incurred.

### **Public Conduct Policy**

In December 2018, City Council adopted the Public Conduct Policy, intend to further “the City’s objective of dealing with all residents in ways that are consistent and fair

while acknowledging that there may be a need to protect staff, Members of Council and residents of the City of Ottawa from unreasonable behaviour and frivolous and/or vexatious actions.” Where an individual’s behaviour is determined to be unreasonable, or a request is classified as frivolous or vexatious, the Policy provides a range of possible responses, including such things as written warnings and the imposition of restrictions on the individual’s communications with the City. Also included is a comprehensive appeal procedure, which is available to any individual who has been the subject of restrictions under the Policy.

In 2019, the Public Conduct Policy was invoked on five occasions, with warnings provided in three instances and a restriction on communications with staff imposed in one case. In the fifth case, the individual was prohibited from attending all City recreation facilities for a period of one year though, on appeal, this restriction was modified to include only a single facility, and the term of the restriction was reduced to six months.

In accordance with the annual reporting requirements of the Public Conduct Policy, instances of the application of the Policy in 2020 will form part of the Comprehensive Legal Services Report for Q3-Q4 2020, to be presented to the Finance and Economic Development Committee and City Council in Q1 2021.

## **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*. As such, no consultation was undertaken.

## **LEGAL IMPLICATIONS**

There are no legal impediments to receiving this report for information.

## **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**

Service Excellence Through Innovation – Improved service delivery through data analysis and innovation in service design

### **SUPPORTING DOCUMENTATION**

Document 1 - Aggregate Metrics for Q1 to Q4 2019

Document 2 - External Legal Costs for Q1 to Q4 2019

### **DISPOSITION**

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



Document 1

Aggregate Metrics for Q1 to Q4 2019

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 2019 is reproduced below. These figures include all forms of litigation, namely labour, civil, LPAT and other miscellaneous tribunals.

Figure 1 - Labour Arbitration Outcomes (Q1 to Q4 2019)

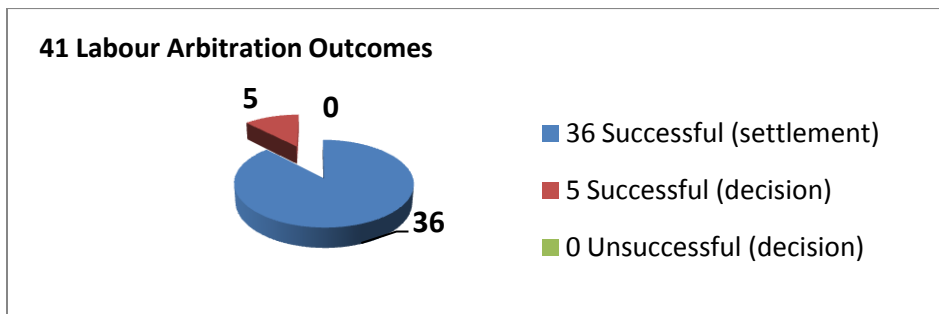


Figure 2 - Civil Litigation Outcomes (Q1 to Q4 2019)

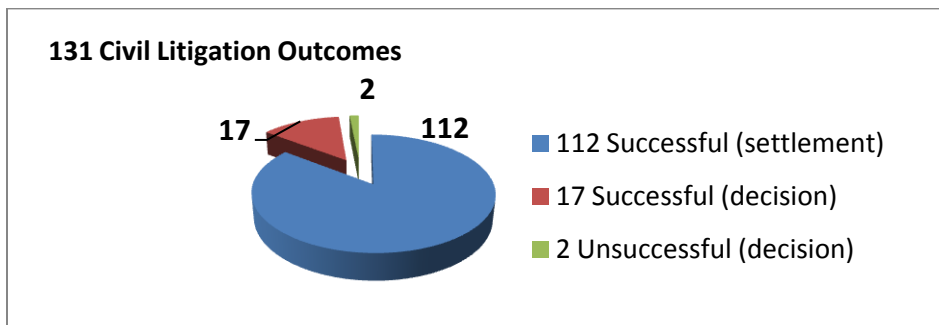
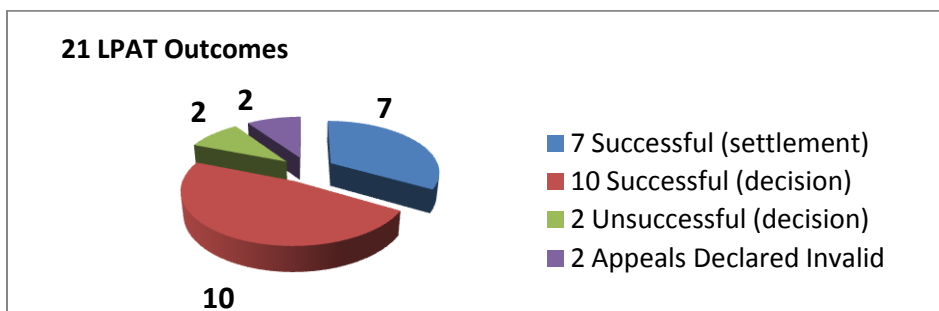
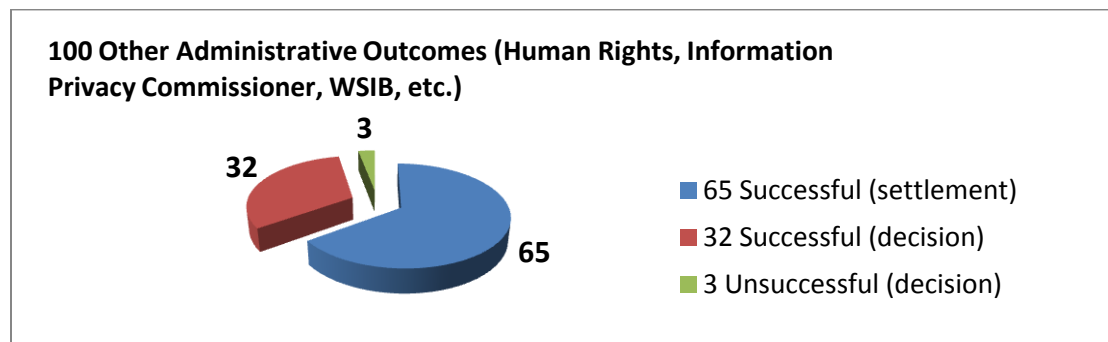


Figure 3 - LPAT Outcomes (Q1 to Q4 2019)



**Figure 4 - Other Administrative Outcomes (Q1 to Q4 2019)**

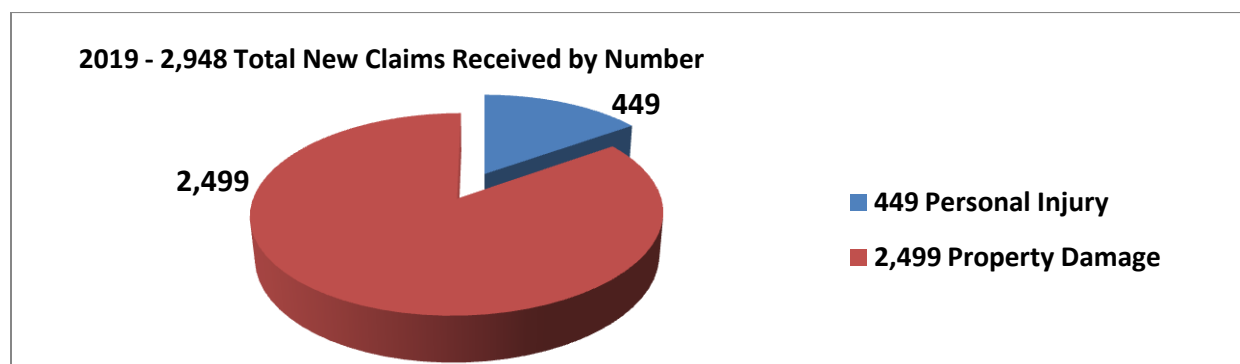


**Claims Unit**

The Claims Unit received a total of 2,948 new claims in 2019. This figure represents the 2,499 property damage claims and 449 personal injury claims that were filed with the Unit. Of the total number of new claims received for 2019, 1,293 (44%) represent pothole claims, which is annually the most common type of claim received by the Unit.

A summary of the 2,948 claims received during 2019 is set out below in Figure 2 by number.

**Figure 5 - Total New Claims Received by Number**



The Claims Unit concluded a total of 2,881 claims in 2019. This figure represents the 2,516 property damage claims and 365 bodily injury claims that were either closed-settled or closed-denied during the year. A summary of the 569 claims that were closed-settled (i.e. paid in whole or in part) in 2019 is set out below in Figures 5 (by number) and 6 (by value).

Figure 6 - Claims Paid Under \$100,000 by Number (Q1 to Q4 2019)

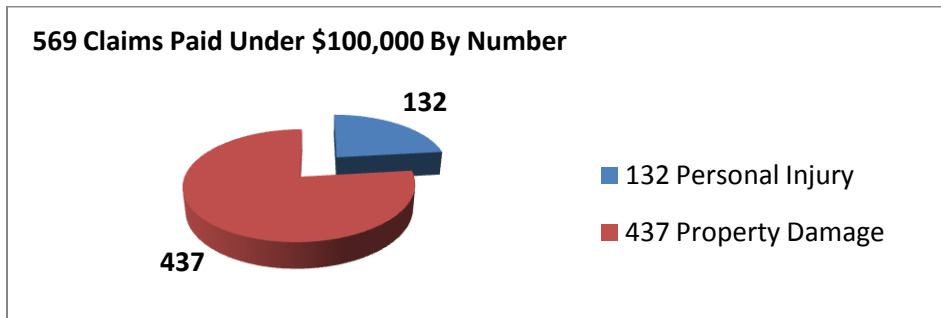


Figure 7 - Claims Paid Under \$100,000 by Value (Q1 to Q4 2019)

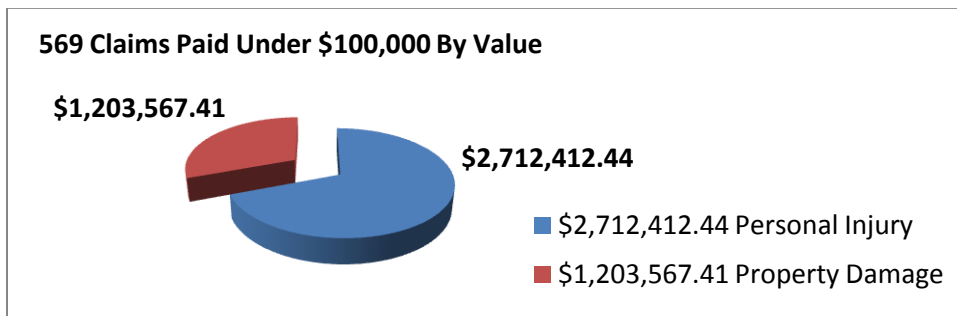


Table 1 - Claims Paid over \$100,000 - Q1 to Q4 2019

Department	Category	Claim Type	Net City Cost
Emergency and Protective Services	Bodily/Personal Injury	MVA-City and Third Party Vehicle	\$146,739.18
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$332,905.19
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$775,513.35
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$1,926,866.92
Planning, Infrastructure and Economic Development	Property Damage or Loss	Contract Dispute	\$1,244,570.65
Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$142,139.25
Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$137,278.60

Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$118,476.16
Public Works and Environmental Services	Bodily/Personal Injury	Slip and Fall	\$104,330.79
Public Works and Environmental Services	Bodily/Personal Injury	MVA-Ice/Snow Accumulation	\$184,894.15
Public Works and Environmental Services	Property Damage or Loss	Contract Dispute	\$230,490.06
Public Works and Environmental Services	Property Damage or Loss	Damage from Tree Roots	\$251,716.58
Public Works and Environmental Services	Property Damage or Loss	Damage from Tree Roots	\$101,085.10
Transportation Services	Bodily/Personal Injury	MVA, Bodily Injury	\$728,344.53
Transportation Services	Bodily/Personal Injury	City Vehicle - Losses Onboard	\$345,740.80
Transportation Services	Bodily/Personal Injury	City Vehicle - Losses Onboard	\$110,000.00
Transportation Services	Bodily/Personal Injury	City Vehicle-Pedestrian/Cyclist	\$1,537,408.88
Transportation Services	Bodily/Personal Injury	City Vehicle – Losses Onboard	\$147,252.15
Transportation Services	Bodily/Personal Injury	City Vehicle – Losses Onboard	\$408,347.61
Transportation Services	Bodily/Personal Injury	MVA-City and Third Party Vehicle	\$120,000.00
		<b>TOTAL:</b>	<b>\$9,094,099.95</b>

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

**Table 4 - General Agreements and Contracts – Metrics**

<b>General Agreement/Contract Type</b>	<b>Routine</b>	<b>Moderately Complex</b>	<b>Complex</b>	<b>Total</b>
Agreements and Contracts Reviewed/Drafted	606	509	66	1,181
Reports Reviewed/Drafted	241	121	33	395
Real Estate Purchases and Sales*	54	33	11	98
Tax Sale Registrations, Property Standards Orders, Grow Op Orders	116	10	0	126

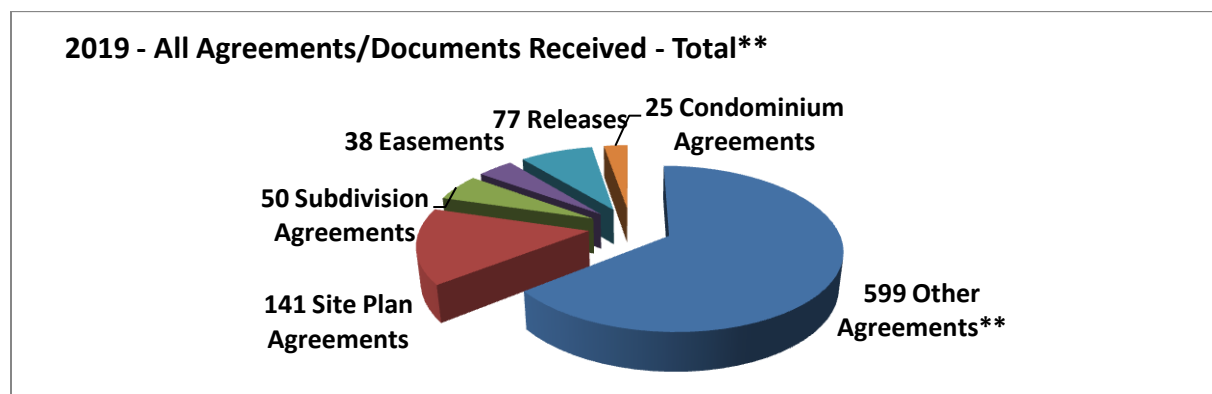
By-laws Reviewed/Drafted	175	43	21	239
Construction Lien Payments Reviewed / Processed	96	n/a	n/a	96

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

### Planning and Development

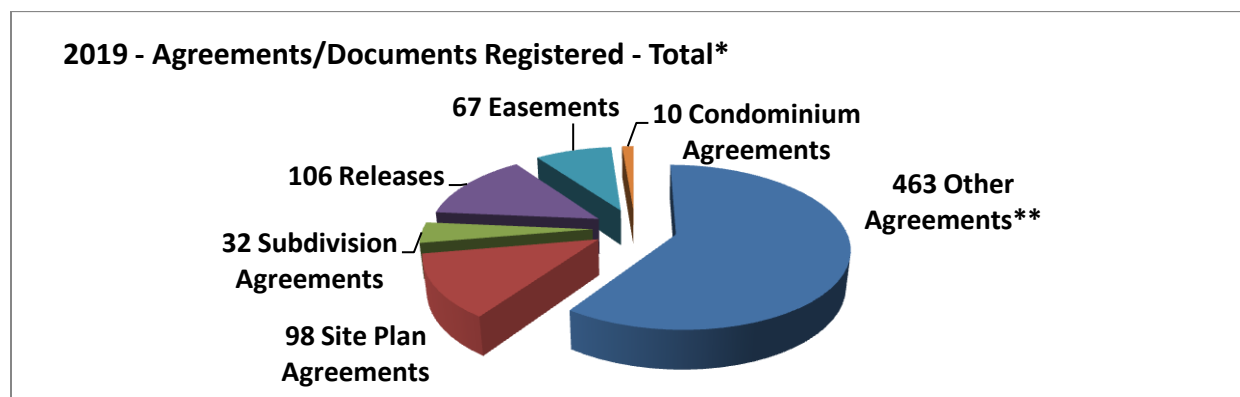
In 2019, 930 individual agreements and document requests were received by the Development Law Unit for drafting and registration. A summary is set out below in Figure 8 (by type).

**Figure 9 - All Agreements/Document Requests Received - Total**



The Development Law Unit also completed registration on 774 individual agreements and documents in 2019. A summary is set out below in Figure 9 (by type).

**Figure 9 – Agreements/Documents Registered - Total**



\*Stats shown in Figures 8 and 9 do not include work related to by-laws.

\*\*There are 17 different agreement types that fall under 'Other'

Document 2

Table 1 - External Legal Costs for Q1 to Q4 2019

Firm	Portfolio/ Practice Area	Legal Fees	Disbursements	Taxes	Total
Borden, Ladner, Gervais	Corporate, Commercial, Development	\$1,003,992.54	\$101,284.74	\$143,381.40	\$1,248,658.68
Caza Saikaley	Insured Litigated Claims	\$201,460.00	\$425,269.68	\$81,413.60	\$708,143.28
Gowlings	Insured Litigated Claims	\$189,181.80	\$7,869.93	\$25,595.97	\$222,647.70
McCall, Dawson	Insured Litigated Claims	\$28,581.00	\$1,384.27	\$3,895.48	\$33,860.75
Agro Zaffiro LLP	Insured Litigated Claims	\$28,675.00	\$3,457.28	\$4,154.44	\$36,286.72
Hicks, Morley	Labour and Employment	\$71,227.50	\$57.69	\$9,267.08	\$80,552.27
Borden, Ladner, Gervais	Light Rail Project	\$1,313,360.26	\$42,996.24	\$175,276.93	\$1,531,633.43
Norton Rose Fulbright	Light Rail Project	\$1,572,029.00	\$22,022.09	\$198,750.82	\$1,792,801.91
Caza Saikaley	Litigation	\$144,932.86	\$19,390.89	\$21,362.39	\$185,686.14
Gowlings	Litigation	\$260,281.10	\$23,244.61	\$36,837.52	\$320,363.23
Emond Harnden	Litigation/Labour	\$520,632.06	\$6,572.66	\$68,499.89	\$595,704.61
Singleton Urquhart	Light Rail Project	\$318,845.70	\$5,062.47	\$41,570.31	\$365,478.48
Aird & Berlis	Corporate, Commercial, Development	\$32,170.00	\$68.50	\$4,191.01	\$36,429.51
Soloway Wright	Litigation	\$3,528.00	\$268.95	\$485.24	\$4,282.19
Vice Hunter	Insured Litigated Claims	\$5,459.25	\$34.80	\$714.22	\$6,208.27
Borden, Ladner, Gervais	Insured Litigated Claims	\$888.00	\$214.97	\$119.63	\$1,222.60
Cunningham	Corporate,	\$6,275.00	\$99.54	\$828.71	\$7,203.25

Swan Cart	Commercial, Development				
Lerners	Insured Litigated Claims	\$26,110.00	\$1,847.86	\$3,611.30	\$31,569.16
Shillington's	Insured Litigated Claims	\$7,784.50	\$0	\$1,011.99	\$8,796.49
<b>Totals</b>		<b>\$5,735,413.57</b>	<b>\$661,147.17</b>	<b>\$820,967.93</b>	<b>\$7,217,528.67</b>