



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Proposed Settlement with 2261016 Ontario Corporation

Date: July 14, 2021

To: Board of Directors, Toronto Parking Authority

From: City Solicitor and President, Toronto Parking Authority

Wards: Ward 9 - Davenport

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects Toronto Parking Authority (TPA) and contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

The purpose of this report is to confirm instructions regarding a settlement of monies owed by numbered company, 2261016 Ontario Corporation, who operates Vescio Funeral Homes Inc., to TPA for the use of parking spaces at Car Park No. 658 located at 2054 Dufferin Street, Toronto, Ontario.

RECOMMENDATIONS

The City Solicitor and President, Toronto Parking Authority recommend that:

1. Toronto Parking Authority Board of Directors approve the conditional settlement set out in Confidential Attachment 1;
2. Toronto Parking Authority Board of Directors adopt the confidential instructions to staff set out in Confidential Attachment 1; and
3. Toronto Parking Authority Board of Directors direct that the confidential information contained in Confidential Attachment 1 remain confidential in its entirety, as it is about

litigation or potential litigation that affects Toronto Parking Authority and contains advice or communications that are subject to solicitor-client privilege.

FINANCIAL IMPACT

The financial implications are discussed in the confidential attachment.

DECISION HISTORY

The decision history is discussed in the confidential attachment.

COMMENTS

TPA entered into a license agreement (the Agreement) with 2261016 Ontario Corporation (the Licensee) dated August 15, 2012, for the use of a portion of 2054 Dufferin Street. The Agreement allowed the Licensee to use 48 parking spaces in Car Park No. 658 located at 2054 Dufferin Street in Toronto, Ontario (the Premises). Attachment 1 shows a map of the parking lot reflecting the spaces dedicated to the Licensee. The Agreement's term ended on August 15, 2017. The Licensee continued to use the spaces and make licence payments after the termination while the parties discussed entering into a new agreement. A dispute arose over the licence payments which the Licensee stopped paying in February 2019.

A conditional settlement has been reached as a result of negotiations between the City, TPA and the Licensee. Approval of the settlement terms and amount are being sought through this report, the particulars of which are in the confidential attachment.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

W. Scott Collier, President
Toronto Parking Authority

ATTACHMENTS

Confidential Attachment 1 - Confidential Information

Attachment 1 – Map of Licenced Spaces

ATTACHMENT 1 – MAP OF LICENCED SPACES

