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**TORONTO LICENSING TRIBUNAL****BUSINESS MEETING 14**

**Date of Meeting:** Thursday, November 22, 2012  
**Time:** 9:30 a.m.  
**Location:** Council Chamber  
2nd Floor, East York Civic Centre  
850 Coxwell Avenue

**Enquiry: Andrea Sloan**  
**Supervisor**  
**416-392-3072**  
**asloan@toronto.ca**

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**If the Tribunal wishes to meet in closed session (privately) during its Business Meeting, a Member must make a motion to do so and the reason given (in accordance with the *City of Toronto Act, 2006*).**

**Declarations of Interest under the *Municipal Conflict of Interest Act***

**Confirmation of Minutes – March 29, 2012**

**Communications/Reports:**

- 1. Procedural Rule Change**
- 2. Mediation by Tribunal Members**
- 3. Continuing Education for Tribunal Members**
- 4. Education regarding taxi industry**
- 5. Tribunal Start Time**
- 6. Any other business**

**Suggested Procedural Changes****Rule 9 to read as follows:**

9. (1) All parties to a hearing shall, at least two days before the hearing date, file with the Toronto Licensing Tribunal copies of photos and other documents to be entered as evidence.

(2) The Toronto Licensing Tribunal may, in its discretion, allow or refuse to allow into evidence, any photo or document not filed in accordance with sub-rule (1).

(3) When a party files photos or other documents with the Toronto Licensing Tribunal pursuant to sub-rule (1), the Toronto Licensing Tribunal shall make same available on request to all other parties.

**Rule 17 to read as follows:**

Where a person has requested a hearing before the Toronto Licensing Tribunal and is properly notified of a pre-hearing or hearing and does not attend at the time and place set out in the notice, the Toronto Licensing Tribunal may proceed in that person's absence and, without further notice to that person, may dismiss the application if the matter has not been referred to the Toronto Licensing Tribunal by the City of Toronto.

*Explanations:**Rule 9.*

*Under the present procedures, all parties bring their docs to the TLT at the time of the hearing. Often they have not been seen by the opposing party and copies have not been made. Opposing counsel has not had an opportunity to consider the docs and how to respond to or deal with them. As a result the hearing is delayed while opposing counsel review the docs and while the TLT staff makes copies. It is hoped that this rule amendment together with a corresponding instruction in the Notice of Hearing will ameliorate the situation. The TLT does recognize that unrepresented applicants may not be aware of the requirements or able to comply with them, and obviously will have to apply its discretionary power with care.*

*Rule 17.*

*There is currently no authority in the Rules for dismissing an app without a hearing, even where the applicant does not show up. Even where an applicant has orally advised City legal department or TLT staff that he or she is abandoning the app, the TLT is reluctant to dismiss without a hearing in the absence of any signed written notice from the applicant. As a result, time is wasted as the City still has to prove its case. It is expected that the proposed Rule change will avoid this necessity. The TLT did feel however that the City should still have to prove its case where the applicant did not initiate the hearing.*