

## **Appointment of Members to the Toronto Licensing Tribunal**

**Date:** June 22, 2015  
**To:** Tribunals Nominating Panel  
**From:** City Clerk  
**Wards:** All

### **REASON FOR CONFIDENTIAL INFORMATION**

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This report deals with personal matters about identifiable individuals who are being considered for appointment to the Toronto Licensing Tribunal.

### **SUMMARY**

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The Tribunals Nominating Panel will conduct interviews and recommend seven candidates to City Council for appointment to the Toronto Licensing Tribunal.

### **RECOMMENDATIONS**

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#### **The City Clerk recommends that:**

1. The Tribunals Nominating Panel recommend seven candidates to City Council for appointment to the Toronto Licensing Tribunal, at pleasure of Council, for a term of office as follows:

- a. six candidates for a term of office ending on November 30, 2018, and until successors are appointed;
- b. one candidate, who will serve as Chair, for a term of office ending on November 30, 2018, and until a successor is appointed.

2. City Council direct that the confidential information contained in Confidential Attachments 1, 2, and 3 remain confidential in their entirety as they relate to personal matters about identifiable individuals being considered for appointment to the Toronto Licensing Tribunal.

## **FINANCIAL IMPACT**

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There are no financial implications arising from this report.

## **DECISION HISTORY**

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The timing of this recruitment process is in line with the direction given by the Tribunals Nominating Panel at its April 28, 2015 meeting:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NQ1.2>.

On June 1, 2015, the Tribunals Nominating Panel identified 15 candidates to be interviewed for appointment to the Toronto Licensing Tribunal:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NQ3.2>.

## **COMMENTS**

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### **Composition of the Toronto Licensing Tribunal**

There are seven members of the public on the Toronto Licensing Tribunal.

### **City Council appoints the Tribunal's Chair**

Toronto Municipal Code Chapter 545, Licensing, Section 545-3F (1) and Section 6.2 of the Relationship Framework for the Toronto Licensing Tribunal state that City Council appoints the Chair of the Toronto Licensing Tribunal.

The Chair's responsibilities are outlined below:

- a. consulting with the Administrator of the Toronto Licensing Tribunal to ensure the efficient and effective day-to-day operation of the Tribunal;
- b. ensuring that all members attend the prescribed training program and seeking training opportunities for members to foster their adjudicative skills on an ongoing basis;
- c. presenting the Annual Report to City Council;
- d. liaising with City Councillors, the Mayor, the public, and the media from time to time as necessary;
- e. leading the preparation, review, or update of various documents, using any relevant City-wide policy as a reference point;
- f. developing statistical performance measures of Tribunal operations;
- g. participating in hearings where other members are unavailable, or in hearings of a complex, highly controversial, or lengthy nature;
- h. from time to time, retaining outside legal advice regarding issues that arise in conjunction with specific hearings or other consultants to assist with the preparation of administrative policies or other business-related matters;
- i. from time to time and at least twice a year, convening and chairing a business meeting of the Tribunal to review the Tribunal's decision-making in respect to consistency with applicable laws, clarity, and rationale;
- j. ensuring that City Council policies and procedures for procurement are

- followed;
- k. liaising with staff on the administration of the hearing process; and
  - l. investigating complaints against Tribunal members and consulting with the City Manager.

### **Tribunal members receive remuneration**

The Chair receives an annual retainer of \$18,000, plus a \$350 per diem for attending meetings and training.

The six other public members receive a \$350 per diem for attending hearings, meetings, and training. In addition, public members (other than the Chair) are paid a \$50 fee per decision for preparing and submitting written reasons for decisions.

### **Candidates selected for interviews will write a test**

As part of the selection process, the candidates selected for interviews are required to write a one-hour test related to the roles and responsibilities of Toronto Licensing Tribunal members. The Nominating Panel will be provided with the results prior to the interviews on June 29, 2015.

### **Public release of names of recommended candidates**

The names of the recommended candidates will be publicly reported once the Tribunals Nominating Panel forwards its recommendations to City Council.

### **CONTACT**

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### **SIGNATURE**

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Ulli S. Watkiss  
City Clerk

## **ATTACHMENTS**

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Confidential Attachment 1 – List of Candidates and Qualifications Summary, and Applications for Appointment to the Toronto Licensing Tribunal (previously distributed with item NQ3.2)

Confidential Attachment 2 – Confidential Voluntary Diversity Information Summary (previously distributed with Item NQ3.2)

Confidential Attachment 3 – Interview Schedule for the Toronto Licensing Tribunal Interviews on June 29, 2015