

City Council**Motion without Notice**

MM38.23	ACTION			Ward:All
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Request for Deadline Extension of Toronto Local Appeal Body Rules of Practice and Procedure Review Written Submission - by Councillor David Shiner, seconded by Councillor Justin J. Di Ciano

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor David Shiner, seconded by Councillor Justin J. Di Ciano, recommends that:

1. City Council request the Toronto Local Appeal Body to extend the deadline for written submissions for its review of the Toronto Local Appeal Body Rules of Practice and Procedure for the City of Toronto until May 4, 2018.
2. City Council direct the City Manager and the City Solicitor to report to the April 5, 2018 Planning and Growth Management Committee Meeting with recommendations for changes to the Toronto Local Appeal Body Rules of Practice and Procedure.

Summary

The Toronto Local Appeal Body was created by City Council in March 2017 with an effective date of May 3, 2017. Toronto Local Appeal Body hearings began in late August 2017.

The Toronto Local Appeal Body makes decisions on appeals of Committee of Adjustment decisions under Sections 45 and 53 of the Planning Act. It replaced the function of the Ontario Municipal Board for hearing appeals of Committee of Adjustment matters where there are no related appeals at the Ontario Municipal Board. The Toronto Local Appeal Body is an independent quasi-judicial tribunal administered by the Court Services Division and maintains an arm's length relationship with City staff and City Council.

The Toronto Local Appeal Body adopted Rules of Practice and Procedure (the "Rules") on May 3, 2017. The Rules establish procedures and timelines for hearings, motions, settlements and mediation; disclosure and service requirements; and the roles and responsibilities of parties, participants, witnesses and representatives before, during and after hearings, amongst other matters.

The Toronto Local Appeal Body has recently launched a review of its Rules and related documents, to which members of the public, stakeholders and interested individuals have been invited to participate. Written submissions are due on April 6, 2018 and there will be a one-day opportunity on April 18, 2018 to make public oral presentations.

Members of Council have received feedback from residents and staff on the operations of the Toronto Local Appeal Body and how its Rules may be revised to better serve the residents of the City.

Given the timing of the review, if City Council wants an opportunity to make a written submission based on the input of residents and other interested stakeholders, the April 6, 2018 deadline for written submissions needs to be extended so that the matter may be considered at the April 5, 2018 Planning and Growth Management Committee meeting and the City Council meeting scheduled for April 24 to 26, 2018. Given the independent arm's length relationship between the Toronto Local Appeal Body and City Council, Council's submission would contain recommendations rather than direction.

In the event the Toronto Local Appeal Body does not extend the deadline for written submissions as requested, the City Solicitor in consultation with the City Manager's office will make submissions directly to the Toronto Local Appeal Body.

This Motion is urgent as the deadline for written submissions is April 6, 2018.

Background Information (City Council)

Member Motion MM38.23