



**REPORT FOR ACTION WITH
CONFIDENTIAL ATTACHMENT**

**Appointment of a Public Member to the Toronto Local
Appeal Body**

Date: October 23, 2020

To: Nominating Panel - Toronto Local Appeal Body

From: Interim City Clerk

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report deals with personal matters about identifiable individuals who are being considered for appointment to the Toronto Local Appeal Body.

SUMMARY

The Nominating Panel – Toronto Local Appeal Body will conduct interviews and recommend five candidates, including one as Chair, to City Council for appointment to the Toronto Local Appeal Body.

RECOMMENDATIONS

The Interim City Clerk recommends that:

1. The Nominating Panel – Toronto Local Appeal Body recommend that City Council appoint five public members, including one as Chair, to the Toronto Local Appeal Body for a term of office ending November 27, 2024 and until successors are appointed.
2. City Council direct that the confidential information contained in Confidential Attachments 1 - 4 remain confidential in its entirety as they relate to personal matters about identifiable individuals being considered for appointment to the Toronto Local Appeal Body.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting held October 16, 2020, the Toronto Local Appeal Body Nominating Panel selected 15 candidates for interviews at its November 9, 2020 meeting:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.XV3.1>

At its meeting held December 17, 2019, City Council appointed one member of the public to the Toronto Local Appeal Body for a term of office ending December 17, 2023 and until a successor is appointed:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.XV2.1>

At its meeting held February 26, 2019, City Council appointed seven members of the public to the Tribunals Nominating Panel for a term of office ending February 28, 2023, and until successors are appointed:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC3.5>.

COMMENTS

Composition of the Toronto Local Appeal Body

The Toronto Local Appeal Body (TLAB) consists of ten public members, including a Chair and a Vice Chair.

There are five vacancies on the TLAB

There are five positions, including Chair, on the TLAB with terms of office which end December 10, 2020. Current members continue to serve until successors are appointed.

Under the *Statutory Powers Procedure Act*, members are also required to continue beyond their term of office or resignation date to complete hearing any matters of which they are seized, and members may continue beyond their term of office until such time as sufficient numbers of incoming new members have completed any mandatory orientation and training.

Public members should meet certain qualifications

Members should collectively bring the following skills and expertise to the TLAB:

- Experience in adjudication and mediation;

- Knowledge and experience with land use planning and planning law;
- Excellent listening skills and ability to analyze complex evidence;
- Sound judgement, tact, fairness and decorum;
- Ability to write clearly and concisely;
- Demonstrated high ethical standards and integrity;
- Ability to work under pressure to ensure timely hearing decisions; and
- Respect for access to justice, diversity and accommodation.

Applicants who are selected for interview will be required to complete a written assignment in advance of their interview.

Members must satisfy certain eligibility requirements

In addition to the general eligibility requirements set out in the Public Appointments Policy, members of the TLAB must meet these criteria:

- Cannot be a member of Toronto's Committee of Adjustment, a land division committee, or planning advisory committee member;
- Former Members of Council who served in the immediately preceding term of Council are ineligible for appointment; and
- Members cannot act as agents for applicants before the Committee of Adjustment, Toronto Local Appeal Body and other City administrative tribunals and would be required to resign from the TLAB before doing so.

Members receive remuneration

Members of the TLAB receive:

- \$600 per diem for full day hearings or mediation, business meetings and training sessions.
- \$400 for a half day hearings or mediation, business meetings and training sessions (less than 3.5 hours).
- \$200 for a written decision

In addition to receiving the above remuneration, the Chair shall receive \$60,000 annually, the Vice Chair shall receive \$15,000 annually and public members shall receive \$1,500 annually.

Public members serve four year terms and until successors are appointed

The successful candidates will be appointed for a four year term of office ending November 27, 2024 and until a successor is appointed.

Public release of the names of the recommended candidates

The names of the recommended candidates will be publicly reported once the Nominating Panel – Toronto Local Appeal Body forwards its recommendations to City Council.

CONTACT

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SIGNATURE

John D. Elvidge
Interim City Clerk

ATTACHMENTS

Confidential Attachment 1 – List of Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Toronto Local Appeal Body (previously circulated with Item XV3.1)

Confidential Attachment 2 – Diversity Information Summary for Current Public Members of the Toronto Local Appeal Body (previously circulated with Item XV3.1)

Confidential Attachment 3 - Interview schedule for November 9, 2020 (to be circulated under separate cover)

Confidential Attachment 4 - Interview questions for November 9, 2020 (to be circulated under separate cover)

Confidential Attachment 5 - Assignments completed by candidates selected for interview (to be circulated under separate cover)