



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### Appointment of Public Members to the Committee of Adjustment

**Date:** October 23, 2020

**To:** Nominating Panel - Committee of Adjustment

**From:** Interim 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 Committee of Adjustment.

#### SUMMARY

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The Nominating Panel – Committee of Adjustment will conduct interviews and recommend two candidates to City Council for appointment to the Committee of Adjustment.

#### RECOMMENDATIONS

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The Interim City Clerk recommends that:

1. The Nominating Panel – Committee of Adjustment recommend that City Council appoint 1 public member to the North York Panel and 1 public member to the Toronto and East York Panel of the Committee of Adjustment for a term of office ending November 14, 2022, and until successors are appointed.
2. City Council direct that the confidential information contained in Confidential Attachments 1, 2, 3, 4 and 5 remain confidential in its entirety as they relate to personal matters about identifiable individuals being considered for appointment to the Committee of Adjustment.

#### FINANCIAL IMPACT

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There are no financial implications arising from this report.

## DECISION HISTORY

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At its meeting held September 30 - October 2, 2020, City Council resolved that:

- notwithstanding Section 4-2 of the Toronto Municipal Code Chapter 4, Adjustment, Committee of, and By-law 1134-2019, all members appointed to the Committee of Adjustment shall be deemed to be cross-appointed to all Districts and Panels for hearings until the end of December 31, 2020, to help reduce the application backlog for the Toronto and East York District, and
- until December 31, 2020 in all districts other than Toronto and East York, and in all districts between January 1, 2021 and to the end of November 14, 2022, or until successor members are appointed to the Committee of Adjustment, cross appointments shall be used only as necessary and, in all instances, panels shall be comprised of a majority of previously appointed members for those hearings.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH16.4>

At its meeting on June 29, 2020, City Council appointed one individual to the Committee of Adjustment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC22.5>

At its meeting on February 18, 2020, the Nominating Panel - Committee of Adjustment selected 8 candidates for interview at its March 3, 2020 meeting:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NA4.1>

At its meeting on July 16, 2019, City Council appointed thirty-five individuals to the Committee of Adjustment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC9.4>

## COMMENTS

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### Composition of the Committee of Adjustment

The Committee of Adjustment consists of 35 members of the public organized into four panels corresponding to the Community Council boundaries. There are:

- 8 members on the Etobicoke York panel
- 10 members on the North York Panel
- 5 members on the Scarborough panel
- 12 members on the Toronto and East York Panel

The applications heard by each panel correspond with the Community Council boundaries.

### Committee members must meet certain qualifications

In addition to the general eligibility requirements set out in the Public Appointments Policy, members should collectively bring the following skills and expertise to the committee:

- a strong interest in the complexities and challenges of city building
- an understanding of the diverse neighbourhoods and communities across the city
- have knowledge in one or more areas of: law, planning, architecture, government, economic development, community development, land development, urban forestry and environmental planning, or citizen advocacy
- demonstrate decision-making, communication, and mediation skills to facilitate an open and fair hearing process
- each panel should have at least 2 members with adjudication experience and administrative public speaking and organizational skills to be able to chair public hearings and maintain order in conflict situations

Members cannot act as agents for applicants before the Committee of Adjustment.

Former Council members who served in the immediately preceding term of Council are ineligible for appointment as public members.

### **Term of office**

Under the Planning Act, the term of office for public members of the Committee of Adjustment is coincident with the term of the council that appointed them. The public members will serve a term of office ending November 14, 2022, and until successors are appointed.

### **Committee members receive remuneration**

Public members, including the Chair receive full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for hearings, business meetings and training sessions.

Each public member who is not a chair will receive a stipend of \$1,500 per year, pro-rated on an annual basis from the time of appointment. Chairs will receive an annual stipend of \$2,500, pro-rated on an annual basis from the time of appointment.

### **We have consulted with City Planning staff**

Public Appointments Secretariat staff consulted with City Planning staff in the fall of 2020 to discuss committee qualifications, the appointment process, and emerging trends and issues at the committee.

### **Short-listed candidates complete as assignment**

Candidates must complete an assignment related to the roles and responsibilities of Committee of Adjustment members in advance of their interview. Copies of the completed assignments are share with the Nominating Panel.

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

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

## **CONTACT**

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Matthew Cowley, Manager (Acting), Public Appointments, City Clerk's Office  
[Matthew.cowley@toronto.ca](mailto:Matthew.cowley@toronto.ca), 416-392-4389

## **SIGNATURE**

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John D. Elvidge  
Interim City Clerk

## **ATTACHMENTS**

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Confidential Attachment 1 – List of Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Committee of Adjustment (previously circulated with Item NA6.1)

Confidential Attachment 2 – Diversity Information Summary for Current Public Members of the Committee of Adjustment (previously circulated with Item NA6.1)

Confidential Attachment 3 - Interview questions for November 13, 2020 (to be circulated under separate cover)

Confidential Attachment 4 - Interview schedule for November 13, 2020 (to be circulated under separate cover)

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