



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Selection of Candidates for the Toronto Licensing Tribunal

Date: October 20, 2020

To: Nominating Panel - Toronto Licensing Tribunal

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 Licensing Tribunal.

SUMMARY

The Nominating Panel - Toronto Licensing Tribunal will conduct interviews and recommend one candidate to City Council for appointment to the Toronto Licensing Tribunal.

RECOMMENDATIONS

The Interim City Clerk recommends that:

1. The Nominating Panel - Toronto Licensing Tribunal select six candidates listed in Confidential Attachment 1 to interview at its next meeting for appointment to the Toronto Licensing Tribunal.
2. The Nominating Panel - Toronto Licensing Tribunal direct that the confidential information contained in Confidential Attachments 1 and 2 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

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting on March 27, 2019, City Council appointed seven members to the Toronto Licensing Tribunal:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.CC5.5>

COMMENTS

There is currently one position under consideration

The vacant position is due to the resignation of Maureen Carter-Whitney on September 25, 2020.

Term of office

One public member will be appointed for a term of office ending November 14, 2022, continuing to serve until a successor is appointed. This is the remainder of the term held by the member who resigned.

Composition of the Toronto Licensing Tribunal

There are seven public members on the Toronto Licensing Tribunal.

Tribunal members must meet certain qualifications and be eligible

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

- An understanding of the Toronto Licensing Tribunal's mandate;
- An understanding of the Licensing By-law and the Statutory Powers Procedure Act;
- An understanding of a field related to business licensing and sensitivity to the various interests and issues;
- Familiarity with the concepts of natural justice and fairness;
- Excellent listening skills, open-mindedness, sound judgement, and tact and the ability to mediate;
- Ability to organize and analyze written and oral evidence;
- Demonstrated ability to write a clear, well-reasoned decision that takes into account the evidence, the submissions, the law, and policy;
- A commitment to public service and to upholding a high standard of ethics;
- Good interpersonal skills, including the ability to work in a team;
- Ability to work under time pressures;
- A flexible work schedule to allow attendance at hearings and business meetings; and/or
- A willingness and availability to attend training programs once appointed.

Individuals are ineligible if they are current City licence-holders or are engaged in the business of a corporate licence-holder or do not pass the required written test. Former Members of Council who served in the immediately preceding term of Council (2014-2018) are ineligible for appointment as public members on the Tribunal.

Tribunal members receive remuneration

- The chair receives an annual retainer of \$25,000, plus full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for attendance at hearings, business meetings and training.
- Tribunal members receive an annual stipend of \$1,500, plus full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for attending hearings, business meetings, and training.
- Members receive a \$50 payment for preparing and submitting a written reason for decision.

Shortlisted candidates will write an assignment and be interviewed

Candidates who were not previously interviewed must complete an assignment related to the roles and responsibilities of Toronto Licensing Tribunal members in order to proceed to the interview stage. The Nominating Panel - Toronto Licensing Tribunal will be provided with the assignment results during the interviews.

We have consulted with Court Services Division staff

Public Appointments Secretariat staff consulted with Court Services Division staff in September to discuss Tribunal qualifications and the appointment process.

Next steps - Interviews

Once the Nominating Panel - Toronto Licensing Tribunal selects candidates for interviews, the City Clerk's Office will contact the candidates to schedule them for 15 minute interviews. Six interviews will take approximately three hours to complete.

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 Licensing Tribunal

Confidential Attachment 2 - Diversity Information Summary of Current Members of the Toronto Licensing Tribunal