



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Toronto Licensing Tribunal - Appointment of Public Member

Date: November 2, 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 public member to City Council for appointment to the Toronto Licensing Tribunal.

RECOMMENDATIONS

The Interim City Clerk recommends that:

1. The Nominating Panel - Toronto Licensing Tribunal recommend one candidate for appointment to the Toronto Licensing Tribunal, for a term of office ending on November 14, 2022, and until a successor is appointed.
2. City Council direct that the confidential information contained in Confidential Attachment 1 - 5 remain confidential in its entirety as it relates 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.

Public release of the name of the recommended candidate

The name of the recommended candidate will be publicly reported once the Nominating Panel - Toronto Licensing Tribunal forwards its recommendation 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 Licensing Tribunal

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

Confidential Attachment 3 - Toronto Licensing Tribunal Interview Schedule

Confidential Attachment 4 - Toronto Licensing Tribunal Interview Questions

Confidential Attachment 5 - Toronto Licensing Tribunal Assignment Results