



Enabling Electronic Hearings of the Sign Variance Committee

Date: July 28, 2020
To: Sign Variance Committee
From: City Clerk
Wards: All

SUMMARY

The purpose of this report is to recommend amendments to the Rules of Procedure for the Sign Variance Committee to allow for electronic hearings.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Sign Variance Committee enact By-law No. 4 in Attachment 1 to this report, being a by-law to amend Sign Variance Committee By-law No. 1.
2. The Sign Variance Committee adopt the electronic hearing requirements and operational guidelines in Attachment 2 to this report.

FINANCIAL IMPACT

The City Clerk will work with the Chief Building Official and Executive Director, Toronto Building to identify any financial impacts in excess of what has been approved in the 2020 budget.

DECISION HISTORY

At its meeting on April 30, 2020, City Council adopted Item 2020.CC20.1 as amended, and in so doing, authorized local boards of the City to amend their own procedures to permit electronic participation in meetings during emergencies, without the need for further Council approval.

COMMENTS

COVID-19 measures in the City of Toronto limit public gatherings

On March 17, 2020, the Premier of Ontario declared a state of emergency under section 7.0.1(1) of the *Emergency Management and Civil Protection Act* in response to the novel coronavirus (COVID-19) and prohibited organized public events in excess of 50 people. As of July 28, 2020, the City of Toronto is in *Stage 2* of the Province of Ontario's *Framework for Reopening our Province*, and organized public events are restricted to no more than 10 people.

As part of the City of Toronto's COVID-19 measures, the City closed all City buildings, including City Hall, to the public.

Toronto's Medical Officer of Health is recommending physical distancing as a way to minimize COVID-19 transmission in the community. Physical distancing measures include:

- keeping 2 metres (6 feet) apart from others
- avoiding mass gatherings
- avoiding crowds.

These limitations on the assembly of people present a challenge to holding administrative hearings in accordance with current procedures.

Electronic Hearings possible under Statutory Powers Procedure Act

The Rules of Procedure of the Sign Variance Committee provide that the Committee will conduct itself in accordance with the *Statutory Powers Procedure Act*.

The *Statutory Powers Procedure Act* establishes that tribunals may hold electronic hearings if the procedural rules of the tribunal establish rules for electronic hearings.

City Officials recommend that due to the closure of civic buildings and limits on public gatherings related to the COVID-19 emergency and possible continuing effects on civic operations during the recovery from the emergency, the Sign Variance Committee should amend its rules of procedure to allow for electronic hearings, as may be required.

The City Clerk and other City divisions are prepared to support meetings of the Sign Variance Committee held by electronic means.

Meeting participants, including Members of the Committee, Appellants, Applicants, City Officials and Interested Parties will use the City's video conference technology as the platform for electronic meetings.

In order to ensure that meetings of the Sign Variance Committee continue to be open to the public, open sessions will be broadcast in real-time on the City Council YouTube channel so that the public may observe the meeting.

Detailed electronic meeting requirements and operational guidelines are outlined in Attachment 2 to this report.

As August 20, 2020 will be the first time that the Sign Variance Committee will hold an electronic hearing, the City Clerk, in consultation with the Chair and the Chief Building Official and Executive Director, Toronto Building may refine and propose alternate options for meeting operations which can be implemented at future hearings.

CONTACT

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SIGNATURE

[Signed Original on file]

City Clerk

ATTACHMENTS

Attachment 1 - By-law 4 - Amendments to the Rules of Procedure for the Sign Variance Committee, with respect to electronic participation

Attachment 2 - Electronic Hearing Requirements and Operational Guidelines