

Appointment of Public Members to the Committee of Adjustment

Date: November 16, 2021

To: Nominating Panel - Committee of Adjustment

From: 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 Committee of Adjustment.

SUMMARY

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

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel – Committee of Adjustment recommend two public members, one each to the North York and Scarborough panels of the Committee of Adjustment, to City Council for appointment 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 to 6 remain confidential in its entirety as it relates to personal matters about identifiable individuals being considered for appointment to the Committee of Adjustment Board.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting on November 15, 2021, the Nominating Panel - Committee of Adjustment selected 9 candidates for interview at its December 2, 2021 meeting:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NA9.1>

At its meeting held May 5-6, 2021, City Council amended its decision on item 2020.PH16.4 to extend the cross-appointment of all panel members until November 14, 2022:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.MM32.13>

At its meeting on December 16, 17 and 18, 2020, City Council appointed two public members to the Committee of Adjustment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC27.2>

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>.

COMMENTS

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 as follows:

- Etobicoke York: 8 panel members;
- North York: 10 panel members;
- Toronto and East York: 12 panel members; and
- Scarborough: 5 panel members.

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

Under the Planning Act, members of each panel of the Committee of Adjustment elect their own Chair.

There are currently two vacancies

There are currently two vacancies on the Committee of Adjustment:

- One position on the North York Panel was held by Jillian Siskind who resigned effective August 18, 2021, and
- One position on the Scarborough Panel was held by Amy Gee who resigned effective November 18, 2021.

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 new public members will complete the terms of office held by the previous members and serve until November 14, 2022, continuing to serve until successors are appointed.

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.

Committee members receive remuneration

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

Each public member who is not a chair will receive an annual stipend of \$1,500, 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 2021 to discuss Committee qualifications, the appointment process, and emerging trends and issues at the Committee.

Public release of names of the recommended candidates

The names and biographies of the recommended candidates will be publicly reported once the Nominating Panel - Committee of Adjustment forwards its recommendation to City Council.

CONTACT

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SIGNATURE

John D. Elvidge
City Clerk

ATTACHMENTS

Confidential Attachment 1 – List of Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Committee of Adjustment (previously circulated with Item NA9.1)
Confidential Attachment 2 – Diversity Information Summary for Current Public Members of the Committee of Adjustment (previously circulated with Item NA9.1)
Confidential Attachment 3 - Committee of Adjustment Written Assignment (to be circulated under separate cover)
Confidential Attachment 4 - Committee of Adjustment - Completed Assignments from Applicants Selected for Interview (to be circulated under separate cover)
Confidential Attachment 5 - Interview schedule for December 2, 2021 (to be circulated under separate cover)
Confidential Attachment 6 - Interview questions for December 2, 2021 (to be circulated under separate cover)