

Authority: Property Standards Committee Item PSX.X adopted at its meeting held on Month, XX, 2020

Enacted by the Property Standards Committee: Item PSX.X on Month, XX, 2020.

**CITY OF TORONTO
PROPERTY STANDARDS COMMITTEE**

BY-LAW No. 5

**Amendments to Property Standards Committee By-law No. 1, Rules of Procedure for the
Property Standards Committee, as amended, with respect to the serving and filing of
documents.**

BACKGROUND

- A. As set out in Article II, subsection 629-3A, of Chapter 629, Property Standards, of the City of Toronto Municipal Code, the Property Standards Committee, a local board of the City, is established for the City of Toronto.
- B. Under subsection 189(2) of the *City of Toronto Act, 2006* every local board must adopt a procedure by-law for governing the calling, place and proceedings of meetings.
- C. The Property Standards Committee wishes to make rules with respect to the disclosure and exchange of documents.

The Property Standards Committee of the City of Toronto enacts as follows:

1. By-law No. 1 is amended by:

- A. Adding a new section 10.1 as follows:

10.1. Serving and filing documents.

- A. If a party intends to rely on or produce any written or documentary evidence at the hearing, that party is required to serve one copy of the documents on all other parties no later than 5 days prior to the date of the hearing and shall file a copy of the documents with the Secretary no later than 5 days prior to the date of the hearing.
- B. Where a party fails to disclose or serve a document in accordance with Subsection A, the Panel may disallow the document to be entered in evidence and may make such other orders as it deems appropriate in the circumstance.
- C. A party may examine any document filed with the Secretary.

- D. Unless otherwise ordered by the Panel or unless the parties consent, no document filed with the Secretary may be amended after it is filed.
- E. A Panel may, at any stage in a proceeding, make such orders as it considers necessary for:
 - a. the exchange of documents;
 - b. the exchange of witness statements;
 - c. the provision of particulars; and/or
 - d. any other form of disclosure.
- F. Where any document is required to be served upon a party to a proceeding, including for commencing that proceeding, service can be made by:
 - a. Regular, registered or certified mail to the last known address of the person or their representative; or
 - b. Email, where the person or party receiving the document has provided an email address.
- G. Service is deemed to be effective:
 - a. By mail, on the fifth day after the document is mailed; or
 - b. By email, on the day after it was sent, unless that day is a holiday, in which case the copy shall be deemed to be received on the next day that is not a holiday.

ENACTED AND PASSED this _____ day of _____, 2021.

Chair

Secretary