

Appointment of Public Members to the Toronto Local Appeal Body

Date: February 1, 2022

To: Nominating Panel - Toronto Local Appeal Body

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 Toronto Local Appeal Body.

SUMMARY

The Nominating Panel – Toronto Local Appeal Body will conduct interviews and recommend two candidates to City Council for appointment to the Toronto Local Appeal Body.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel – Toronto Local Appeal Body recommend two public members to the Toronto Local Appeal Body to City Council for appointment for a term of office ending March 9, 2026, 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 Toronto Local Appeal Body.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting held November 25 & 26, 2020, City Council appointed five members of the public to the Toronto Local Appeal Body for a term of office starting December 14, 2020 and ending December 17, 2024 and until successors are appointed:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC26.7>

At its meeting held December 17, 2019, City Council appointed one member of the public to the Toronto Local Appeal Body for a term of office ending December 17, 2023 and until a successor is appointed:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.XV2.1>

COMMENTS

Composition of the Toronto Local Appeal Body

The board consists of 10 public members, including a Chair and Vice Chair.

There are currently two positions under consideration

There are currently two vacancies on the Toronto Local Appeal Body:

- one position was held by Justin Leung who resigned effective November 26, 2021, and
- one position was held by Shaheynoor Talukder who resigned effective December 31, 2021.

Under the *Statutory Powers Procedure Act*, members are also required to continue beyond their term of office or resignation date to complete hearing any matters of which they are seized, and members may continue beyond their term of office until such time as sufficient numbers of incoming new members have completed any mandatory orientation and training.

Term of office

The term of office for public members is four years.

Public members should meet certain qualifications

Members should collectively bring the following skills and expertise to the committee:

- Experience in adjudication and mediation;
- Knowledge and experience with land use planning and planning law;
- Excellent listening skills and ability to analyze complex evidence;
- Sound judgement, tact, fairness and decorum;

- Ability to write clearly and concisely;
- Demonstrated high ethical standards and integrity;
- Ability to work under pressure to ensure timely hearing decisions; and
- Respect for access to justice, diversity and accommodation.

Members must satisfy certain eligibility requirements

In addition to the general eligibility requirements set out in the Public Appointments Policy, members of the Toronto Local Appeal body must meet these criteria:

- Cannot be a member of Toronto's Committee of Adjustment, a land division committee, or planning advisory committee member;
- Former Members of Council who served in the immediately preceding term of Council are ineligible for appointment; and
- Members cannot act as agents for applicants before the Committee of Adjustment, Toronto Local Appeal Body and other City administrative tribunals and would be required to resign from the TLAB before doing so.

Members receive remuneration

Members of the Toronto Local Appeal Body receive:

- \$600 per diem for full day hearings or mediation, business meetings and training sessions
- \$400 for a half day hearings or mediation, business meetings and training sessions (less than 3.5 hours)
- \$200 for a written decision

In addition to receiving per diem, the Chair shall receive an annual stipend of \$60,000, the Vice Chair shall receive an annual stipend of \$15,000 and public members shall receive an annual stipend of \$1,500.

Public Appointments staff have consulted with Court Services

In preparation for this process, Public Appointments staff consulted with Court Services to discuss current board needs, emerging trends, and the appointments process.

Public release of names of the recommended candidates

The names and biographies of the recommended candidates will be publicly reported once the Nominating Panel - Toronto Local Appeal Body 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 Toronto Local Appeal Body (previously circulated with Item XV5.1)

Confidential Attachment 2 –Diversity Information Summary for Current Public Members of the Toronto Local Appeal Body (previously circulated with Item XV5.1)

Confidential Attachment 3 - Toronto Local Appeal Body Written Assignment (to be circulated under separate cover)

Confidential Attachment 4 - Toronto Local Appeal Body - Completed Assignments from Applicants Selected for Interview (to be circulated under separate cover)

Confidential Attachment 5 - Interview schedule for February 15, 2022 (to be circulated under separate cover)

Confidential Attachment 6 - Interview questions for February 15, 2022 (to be circulated under separate cover)