

Appointment of Public Members to the Committee of Adjustment

Date: August 30, 2023

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 35 candidates to City Council for appointment to the Committee of Adjustment.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel – Committee of Adjustment recommend that City Council appoint 35 public members to the Committee of Adjustment for a term of office ending November 14, 2026, and until successors are appointed, as follows:
 - a. 8 members to the Etobicoke-York panel
 - b. 10 members to the North York panel
 - c. 5 members to the Scarborough panel
 - d. 12 members to the Toronto and East York panel

2. City Council direct that the confidential information contained in Confidential Attachments 1 to 7 remain confidential in its entirety as it relates to personal matters about identifiable individuals being considered for appointment to the Committee of Adjustment.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting on June 23, 2023, the Nominating Panel - Committee of Adjustment selected candidates to be interviewed at its next meeting:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.NA1.2>

At its meeting on December 15, 16, and 17, 2021, City Council appointed 2 public members to the Committee of Adjustment for a term of office ending November 14, 2022, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2021.CC38.18>

At its meeting on December 16, 17 and 18, 2020, City Council appointed two public members to the Committee of Adjustment for a term of office ending November 14, 2022, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2020.CC27.2>

At its meeting held June 29 and 30, 2020, City Council appointed 1 public member to the Committee of Adjustment for a term of office ending November 14, 2022 and until a successor is appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2020.CC22.5>

At its meeting on July 16, 17, and 18, 2019, City Council appointed 35 public members to the Committee of Adjustment for a term of office ending November 14, 2022, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2019.CC9.4>

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;
- Scarborough: 5 panel members; and
- Toronto and East York: 12 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 35 positions under consideration

Five positions are a result of vacancies due to the resignations of Thomas Klassen, September 30, 2022; Allan Smithies, December 6, 2022; Danny Bellissimo, May 2, 2023; Joanne Hayes, March 20, 2023; and Igor Samardzic, May 5, 2023. The other 30 positions are under consideration due to the terms of office which ended November 14, 2022, though members continue to serve until their successors are appointed.

Committee members must meet certain qualifications

Public 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

Eligibility for the Committee of Adjustment

In addition to the general eligibility requirements set out in the Public Appointments Policy, 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 on the Committee.

Term of office

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 appointees will serve a term of office ending on November 14, 2026, and until successors are appointed.

Short-listed candidates will write an assignment and be interviewed

Candidates must complete a test related to the roles and responsibilities of Committee of Adjustment members. The Nominating Panel - Committee of Adjustment members will be provided with the test results during the interview.

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 or 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 May 2023 to discuss committee qualifications and the appointment process, and how members can best support the committee's work.

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 NA1.2)
Confidential Attachment 2 - Interest in Re-appointment from Current Members of the Committee of Adjustment (previously circulated with Item NA1.2)
Confidential Attachment 3 –Diversity Information Summary for Current Public Members of the Committee of Adjustment (previously circulated with Item NA1.2)
Confidential Attachment 4 - Committee of Adjustment Written Assignment
Confidential Attachment 5 - Committee of Adjustment - Completed Assignments from Applicants Selected for Interview

Confidential Attachment 6 - Interview Schedule for September 14, 15, and 18, 2023
Confidential Attachment 7 - Interview Questions for September 14, 15, and 18, 2023