

Selection of Candidates for Interview for the Toronto Licensing Tribunal

Date: February 22, 2023

To: Nominating Panel - Toronto Licensing Tribunal

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 Licensing Tribunal.

SUMMARY

The Nominating Panel - Toronto Licensing Tribunal must select candidates to interview for appointment to the Toronto Licensing Tribunal. Following the interviews, the Nominating Panel - Toronto Licensing Tribunal will recommend seven candidates to City Council for appointment to the Toronto Licensing Tribunal.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel - Toronto Licensing Tribunal select 14 candidates listed in Table 1 of Confidential Attachment 1 to interview at its next meeting for appointment to the Toronto Licensing Tribunal.
2. The Nominating Panel - Toronto Licensing Tribunal direct that the confidential information contained in Confidential Attachments 1 and 2 remain confidential in its entirety as it relates to personal matters about identifiable individuals being considered for appointment to the Toronto Licensing Tribunal.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting held March 27 and 28, 2019, City Council appointed seven public members to the Toronto Licensing Tribunal for a term of office ending November 14, 2022, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2019.CC5.5>

COMMENTS

Composition of the Toronto Licensing Tribunal

There are seven public members on the Toronto Licensing Tribunal.

Tribunal members should meet certain qualifications

Public members should collectively bring the following skills and expertise to the Tribunal:

- An understanding of the Toronto Licensing Tribunal's mandate;
- An understanding of the Licensing By-law and the Statutory Powers Procedure Act;
- An understanding of a field related to business licensing and sensitivity to the various interests and issues;
- Familiarity with the concepts of natural justice and fairness;
- Excellent listening skills, open-mindedness, sound judgement, and tact and the ability to mediate;
- Ability to organize and analyze written and oral evidence;
- Demonstrated ability to write a clear, well-reasoned decision that takes into account the evidence, the submissions, the law, and policy;
- A commitment to public service and to upholding a high standard of ethics;
- Good interpersonal skills, including the ability to work in a team;
- Ability to work under time pressures;
- A flexible work schedule to allow attendance at hearings and business meetings; and/or
- A willingness and availability to attend training programs once appointed.

Eligibility for the Toronto Licensing Tribunal

In addition to the general eligibility requirements set out in the Public Appointments Policy, candidates for the Toronto Licensing Tribunal are ineligible if they are current City licence-holders or are engaged in the business of a corporate licence-holder or do not pass the required written test. Former Members of Council who served in the

immediately preceding term of Council (2018-2022) are ineligible for appointment as public members on the Tribunal.

There are currently seven positions under consideration

One position is currently vacant due to the resignation of Paula Turtle on July 22, 2022. The other six positions are under consideration due to the terms of office which ended November 14, 2022, and until their successors are appointed.

Term of office

The terms of office for the Toronto Licensing Tribunal are governed by Municipal Code Chapter 545, Licensing, which says that Members of the Toronto Licensing Tribunal are appointed for terms coinciding with the term of City Council, and until their successors are appointed. The new appointees will serve a term of office ending on November 14, 2026, and until their successors are appointed.

Tribunal members receive remuneration

- The chair receives an annual retainer of \$25,000, plus full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for attendance at hearings, business meetings and training.
- Tribunal members receive an annual stipend of \$1,500, plus full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for attending hearings, business meetings, and training.
- Members receive a \$50 payment for preparing and submitting a written reason for decision.

Shortlisted candidates will write an assignment and be interviewed

Candidates must complete an assignment related to the roles and responsibilities of Toronto Licensing Tribunal members in order to proceed to the interview stage. The Nominating Panel - Toronto Licensing Tribunal will be provided with the assignment results during the interviews.

We have consulted with Court Services staff

Public Appointments Secretariat staff consulted with Court Services Division staff in December 2022 to discuss tribunal qualifications and the appointment process, and how members can best support the tribunal's work.

Outreach was conducted for these vacancies

The opportunity to join the Toronto Licensing Tribunal was included in a city-wide outreach campaign in the fall of 2022 to coincide with the new term of City Council. This recruitment to attract diverse, highly qualified candidates included online ads, social media, outreach via the Public Appointments e-update list, and through divisional partners that work with equity-deserving communities.

Next steps - Interviews

Once the Nominating Panel - Toronto Licensing Tribunal selects candidates for interviews, the City Clerk's Office will contact the candidates to schedule them for 15 minute interviews. Fourteen interviews at 15 minutes will take approximately three and a half hours to complete.

CONTACT

Matthew Cowley, Acting Manager, Public Appointments, City Clerk's Office,
matthew.cowley@toronto.ca, 416-392-4389

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 Licensing Tribunal

Confidential Attachment 2 - Diversity Information Summary of Current Members of the Toronto Licensing Tribunal