

Amendments to the Administrative Penalty Tribunal Composition

Date: November 21, 2025

To: Executive Committee

From: City Manager

Wards: All

SUMMARY

The role of the Chair is critical to the consistent functioning and decision-making of the Administrative Penalty Tribunal. In addition to serving as a Hearing Officer, the responsibilities of the Chair include ensuring that hearing practices of the Administrative Penalty Tribunal are fair and effective, ensuring quality and consistency of Administrative Penalty Tribunal decisions, and chairing the business meetings of the Administrative Penalty Tribunal among other responsibilities.

This report recommends the creation of a Vice-Chair position on the Board, which is intended to reduce the risk of inconsistent decisions and operational disruption by serving as Chair in the absence the Chair or during a vacancy of the Chair's position. As well, a Vice-Chair could assist the Chair in managing their responsibilities and transitioning when a new Chair is appointed. The 2023 and 2024 annual report of the current Chair of the Administrative Penalty Tribunal recommended consideration of a Vice-Chair as a member of the Tribunal for these reasons.

Based on the proposed role of the Vice-Chair and consideration of the stipends for public members and the Chair, this report recommends an annual stipend for the Vice-Chair of \$6,250, pro-rated on an annual basis from the time of appointment.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council establish a Vice-Chair position for the Administrative Penalty Tribunal from one of the 25 public member positions appointed by City Council by amending Toronto Municipal Code, Chapter 610, Penalties, Administration, as follows:

- a. require the Administrative Penalty Tribunal to consist of 25 members appointed by Council, inclusive of a Chair and Vice-Chair;

b. require the Vice-Chair to be selected by the members of the Administrative Penalty Tribunal at a Business Meeting through a simple majority vote and that such vote be publicly recorded; and

c. authorize the Vice-Chair to have all the powers and to perform all of the duties of the Chair of the Administrative Penalty Tribunal in the absence of the Chair as well as any other duties that may be required of the Vice-Chair.

2. Subject to adoption of Recommendation 1, City Council adopt a stipend rate for the Administrative Penalty Tribunal Vice-Chair of \$6,250, pro-rated on an annual basis from the time of appointment.

3. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor, the Executive Director of Court Services and the City Manager.

FINANCIAL IMPACT

Funding for Administrative Penalty Tribunal member remuneration, including \$6,250 for a new Vice-Chair position, will be accommodated within the 2026 Operating Budget for Court Services.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

The 2024 annual report from the Chair of the Administrative Penalty Tribunal was received by Council on October 8 and 9, 2024. The Chair's report recommended consideration of a Vice-Chair position to support the Chair and the Tribunal as a whole. <https://secure.toronto.ca/council/agenda-item.do?item=2025.GG24.3>

The 2023 annual report from the Chair of the Administrative Penalty Tribunal was received by Council on October 9 and 10, 2024. The Chair's report recommended consideration of a Vice-Chair position to support the Chair and the Tribunal as a whole. <https://secure.toronto.ca/council/agenda-item.do?item=2024.GG16.14>

At its meeting of March 7, 2019, City Council adopted recommendation #106 of EX2.5 - 2019 Capital and Operating Budgets, which set out harmonized remuneration rates for members of the City's nine adjudicative boards. <https://secure.toronto.ca/council/agenda-item.do?item=2019.EX2.5>

COMMENTS

The Administrative Penalty System (APS) is a streamlined process for handling certain infractions, such as parking violations, red light camera and automated speed enforcement penalties. The system ensures that disputes can be reviewed and addressed through an independent review process.

The Administrative Penalty Tribunal (APT) is an independent, quasi-judicial adjudicative body of the City of Toronto that supports the APS by providing the independent review process. The APT consists of 25 public panel members referred to as Hearing Officers. Hearing Officers provide a second, independent and final decision of a violation or penalty order dispute, after a staff screening review has been completed. Hearing Officers have the authority to affirm, vary or cancel the decision of a Screening Officer and extend time or reduce amounts of payment. In carrying out this mandate, the APT is authorized to conduct final hearings and hearing reviews.

The APT is established under the [City of Toronto Act, 2006](#) (COTA), which outlines the power and authority of the APT. The APT also obtains its jurisdiction from [Ontario Regulation 611/06](#) made under COTA, [Ontario Regulation 355/22](#) made under the [Highway Traffic Act](#) and [Toronto Municipal Code, Chapter 610, Administration of Penalties](#). Hearings and Reviews of the APT are governed by the [Statutory Powers Procedure Act, 1990](#) and its own [Rules of Procedure](#).

The current composition of the APT is 25 public members, one of which is a Chair. All APT members are appointed by City Council through the City's Public Appointments process and serve as the APT's Hearing Officers. City Council also appoints the APT's Chair from its 25 members.

The role of the Chair is critical to the consistent functioning and decision-making of the APT. In addition to serving as a Hearing Officer, the responsibilities of the Chair include:

- Ensuring that hearing practices of the APT are fair and effective;
- Ensuring quality and consistency of APT decisions;
- Acting as the lead representative and spokesperson for the APT;
- Obtaining external legal advice as needed;
- Preparing the Annual Report to City Council on the APT activities;
- Chairing the business meetings of the APT;
- Liaising with City staff on administrative support matters;
- Coordinating member training and professional development; and
- Responding to information and privacy related matters respecting the APT.

The current composition of the APT does not include a Vice-Chair position among its members. A Vice-Chair would reduce the risk of inconsistent decisions and operational disruption by serving as Chair in the absence the Chair or during a vacancy of the Chair's position. As well, a Vice-Chair could undertake other duties as required. The 2023 and 2024 annual reports of the current APT Chair recommended the consideration of a Vice-Chair as a member of the APT for these reasons.

In keeping with Vice-Chair positions on other City adjudicative and local boards, the Vice-Chair would be elected from among APT members by a simple majority vote at an APT Business Meeting.

City Council has set the annual stipend for the Chair of the APT at \$25,000, and regular members of the APT at \$1,500, pro-rated on an annual basis from the time of appointment. In addition, all members of the APT receive a full-day per diem of \$460 and half-day remuneration (3.5 hours or less) of \$275 for hearings, business meetings or training sessions. Based on the proposed role of the Vice-Chair and consideration of the stipends for APT public members and the Chair, this report recommends an annual stipend for the Vice-Chair of \$6,250, pro-rated on an annual basis from the time of appointment. This amount represents one-quarter of the annual stipend for the APT Chair. As with all APT members, the Vice-Chair will also receive per diem remuneration at rates noted above.

City staff will also consider the merits of a Vice Chair position for other City adjudicative bodies that do not currently have one as part of ongoing governance-related work.

CONTACT

Dianne Kasias Executive Director, Court Services
Email: Dianne.Kasias@toronto.ca, Tel: 416-392-3835

Jean Abou Saab, Chief of Staff, City Manager's Office
Email: jean.abousaab@toronto.ca, Tel: 416-392-3922

SIGNATURE

Paul Johnson
City Manager