

Appointment of a Public Member as Chair of the Toronto Local Appeal Body

Date: April 28, 2025

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 as Chair of the Toronto Local Appeal Body.

SUMMARY

The Nominating Panel – Toronto Local Appeal Body will conduct interviews and recommend to City Council, one candidate as Chair for appointment to the Toronto Local Appeal Body.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel - Toronto Local Appeal Body recommend one public member as Chair to City Council for appointment to the Toronto Local Appeal Body for a term of office ending on May 24, 2029, and until a successor is appointed.
2. The Nominating Panel - Toronto Local Appeal Body direct that Confidential Attachments 1a, 1b, and 2 to 4, remain confidential in their entirety as they relate to personal matters about identifiable individuals being considered for appointment as Chair of the Toronto Local Appeal Body.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting held April 17, 2025, the Nominating Panel - Toronto Local Appeal Body shortlisted six candidates for interview at its next meeting:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.XV3.1>

At its meeting held February 6 and 7, 2024, City Council appointed six members of the public to the Toronto Local Appeal Body for a term of office ending on February 9, 2028, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.CC14.2>

At its meeting held July 19, 20, 21 and 22, 2022, City Council appointed four members of the public to the Toronto Local Appeal Body, for a term of office ending on July 16, 2026, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC47.11>

At its meeting held April 6, 2022, City Council increased the size of the Toronto Local Appeal Body from ten members to fourteen members, including the Chair and Vice-Chair:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH32.2>

At its meeting held March 9, 2022, City Council appointed two members of the public to the Toronto Local Appeal Body for a term of office ending on March 9, 2026, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC41.3>

COMMENTS

Composition of the Toronto Local Appeal Body

The Toronto Local Appeal Body consists of 14 public members, including a Chair and Vice Chair.

There is one position as Chair under consideration

This position is under consideration due to the end of term of the Chair, Dino Lombardi, on December 14, 2024, and until a successor is appointed.

Term of office

The term of office for public members is four years. The Chair appointed through this process will have a term of office ending May 24, 2029, and until a successor is appointed.

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.

Public members should meet certain qualifications

- Members should collectively bring the following skills and expertise to the tribunal:
- 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.

Chair Qualifications

In addition to member qualifications, the Chair shall also exhibit:

- Demonstrated leadership and administrative skills;
- Highly developed chairing and facilitation skills;
- Demonstrated ability to work effectively with others;
- Knowledge of access to information and privacy legislation; and
- The ability to effectively represent the TLAB and communicate with City Council, City committees, the media and the general public.

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)
- Remuneration for decisions including: \$50 for withdrawals, \$200 for motions, interim, summary and order decisions, \$400 for review requests and \$400 for final decisions.

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 and the appointments process.

Outreach was conducted for this vacancy

The opportunity to apply to the Toronto Local Appeal Body was shared externally through LinkedIn, the Public Appointments e-subscribers list, the Society of Ontario Adjudicators and Regulators (SOAR), and the Alternative Dispute Resolution Institute of Ontario (ADRIO).

The opportunity was also shared with internal City partners including the Indigenous Affairs Office, Confronting Anti-Black Racism Unit, and People and Equity, to promote broadly through their networks.

Short-listed candidates will write an assignment and be interviewed

Candidates selected for an interview will complete a test related to the roles and responsibilities of a Toronto Local Appeal Body member prior to the interview stage. The Nominating Panel - Toronto Local Appeal Body Tribunal will be provided with the test results during the interviews.

Public release of the name of the recommended candidate

The name of the recommended candidate 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 1a - List of Eligible Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Toronto Local Appeal Body

Confidential Attachment 1b - List of Ineligible Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Toronto Local Appeal Body

Confidential Attachment 2 - Diversity Information Summary for Current Public Members of the Toronto Local Appeal Body

Confidential Attachment 3 - Toronto Local Appeal Body - Completed Assignments from Applicants Selected for Interview

Confidential Attachment 4 - Interview Schedule for May 7, 2025