

Toronto Local Appeal Body

Orientation Session

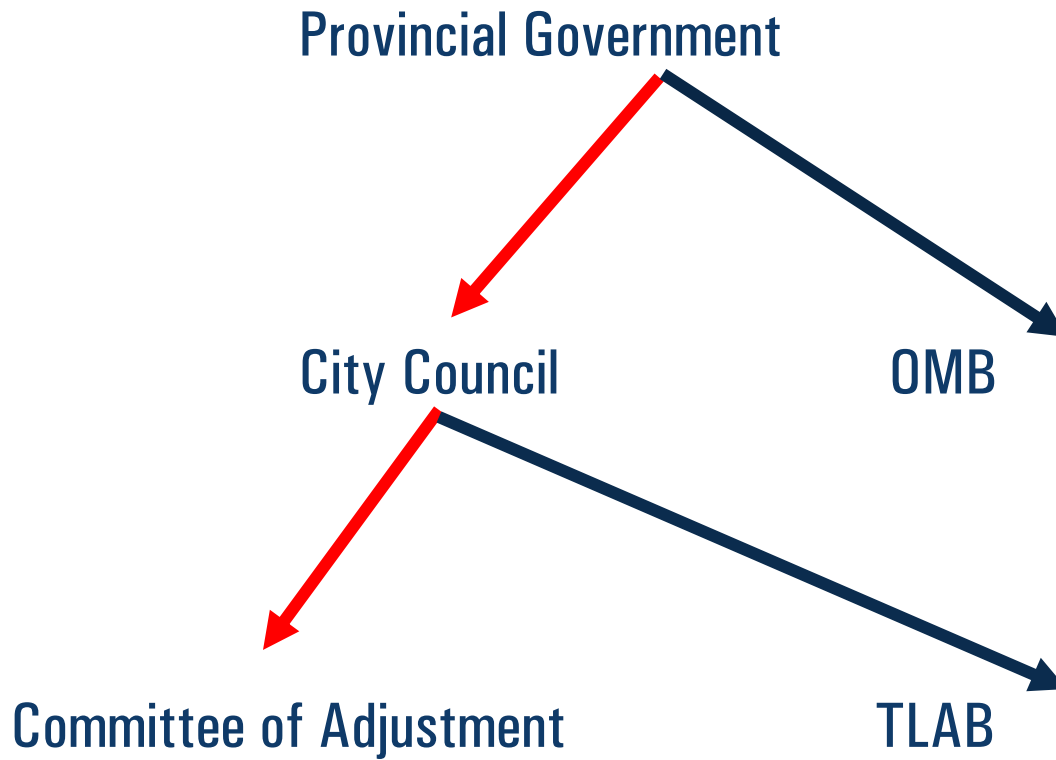
2017

February 2017

Toronto Local Appeal Body – Court Services

- Objectives
 - Overview of Committee of Adjustment
 - Overview of OMB
 - Intersections with Toronto Local Appeal Body (TLAB)
 - Court Services Staff Role
 - Use of Technology in the Adjudicative Process

Delegation



Committee of Adjustment

Toronto City Council appoints a Committee of Adjustment consisting of citizen members. They regularly hold public hearings to consider applications for minor variances, permission and consents.

The Committee of Adjustment consists of 30 members of the public organized into four panels corresponding to the Community Council boundaries. There are:

- 5 members on the Scarborough Panel
- 5 members on the Etobicoke York Panel
- 10 members on the North York Panel
- 10 members on the Toronto East York Panel

Committee of Adjustment

The Committee makes its decision through a detailed review of all material filed with the application, letters received, deputations made at the Public Hearing and the results of site inspections.

The *Planning Act* provides an appeal process to the Committee of Adjustment's decisions. Any party can appeal an approval decision within 20 days of Committee making the decision.

If no appeal is submitted, the decision is final and binding.

Toronto Local Appeal Body

The Toronto Local Appeal Body (TLAB) will be a quasi-judicial tribunal established through the *City of Toronto Act, 2006* to adjudicate Toronto-based appeals of Committee of Adjustment (C of A) decisions about minor variance and/or consent applications.

The TLAB will operate independently and at arm's length from City Council, its Committees, members of Council and City staff and it will be required to adopt its own procedural rules.

Ontario Municipal Board

The Ontario Municipal Board (OMB) is an independent quasi-judicial tribunal that adjudicates matters that have been appealed to the OMB under provincial legislation.

While the OMB has a mandate under a large number of statutes, the majority of appeals arise under the *Planning Act* for planning instruments, such as official plans, zoning by-laws, subdivision plans, consents and minor variances.

The OMB is part of the administrative justice sector in Ontario.

Intersections

- The TLAB replaces the OMB for hearing of appeals of Committee of Adjustment decisions and will have all the powers and duties of the OMB in this regard.
- The OMB will remain responsible for conducting hearings on appeals related to Official Plan and Zoning By-law amendments, site plan applications and decisions related to subdivisions.
- Where there are related appeals to the OMB and the TLAB, the OMB will have jurisdiction to hear all matters.

Court Services Staff Involvement

Staff who support Toronto Local Appeal Body will:

- In consultation with the Chair, schedule hearings to ensure timely access;
- Ensure public has access to relevant information and materials such as hearing application forms, hearing procedures, case information and decisions;
- Provide on-line services that could include: digital (electronically fillable) application forms; descriptions of hearing and dispute resolution (mediation) processes, TLAB hearing schedule and decisions.
- Ensure accommodation needs are met under *Accessibility for Ontarians with Disabilities Act*.
- Administer Budget

Use of Technology in Adjudicative Bodies

- To enhance accessibility to information and services, digital applications, digital record management systems and online services are available to adjudicative bodies.
- The City encourages a digital first approach to service delivery.
- Examples include- digital audio recording, integrated electronic hearings with video/telephone conference interface and use of computerized log notes, including exhibit notations, within a single application.

Use of Technology in Adjudicative Bodies

- Digital Application Forms with digital signature enable a consistent automated format with key data fields, establishing consistency and quality control where desired.
- Digital Records/Digital Format enable rendering of decisions in a consistent automated format with key data fields pre-populated by the parties own data reducing the time required by adjudicative personnel to complete this process.
- Digital Records are easily retrieved, can be made accessible online and require less physical space and effort to maintain.
- Electronic transfer of records from Committee of Adjustment to TLAB facilitates a timely appeal process.
- Accessibility - digital accessible format meets AODA requirements. Includes PDF, DAR, Infrared, FM systems.

Questions and Answers
