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DELIVERED BY EMAIL TO

Chair and Members
Toronto Local Appeal Body
40 Orchardview Boulevard
2nd Floor, Suite 211
Toronto, Ontario M4R1B9

TLAB@toronto.ca

**Re: Item No. TLAB 6.1
Toronto Local Appeal Body – Rules of Practice and Procedure**

Dear Chair and Members of Toronto Local Appeal Body (TLAB).

Members of the City of Toronto's Planning and Administrative Tribunal Law section of the Legal Division (the "Planning Practice Group") routinely attend the Ontario Municipal Board (OMB) on appeals of Committee of Adjustment (the "Committee") decisions when directed to do so by City Council. With the creation of TLAB it will be these same lawyers attending Committee decision appeals to your tribunal. As such, members of the Planning Practice Group have reviewed the draft Rules of Practice and Procedure (the "Rules") and have some concerns regarding certain deadlines for filing materials currently proposed, and our ability to serve our client, City Council. The concerns can be summarized as follows:

- The inability to receive Council instructions to request party status on an appeal within 20 days of the issuance of the Notice of Hearing (Rule 12.2).
- The inability to meet the disclosure deadline for the service of documents within 30 days of the issuance of the Notice of Hearing (Rule 16.2), especially on occasions when the City must retain an outside planning consultant.

- The inability to meet the disclosure deadline for service of witness statements within 45 days of the issuance of the Notice of Hearing (Rule 16.4).
- The inability to meet the disclosure deadline for service of expert witness statements within 45 days of the issuance of the Notice of Hearing (Rule 16.6), especially on occasions when the City must retain an outside planning consultant.

The Committee is an independent arm of the City, and therefore a resolution of City Council is required for the City to either appeal a Committee decision (except for limited delegated authority to the Chief Planner), or to attend on an appeal of a Committee decision at the OMB or TLAB as a party either in support or opposition of the Committee decision. The inability for the City Solicitor to get timely instructions from Council due to the schedule of City Council meetings severely hinders the City's ability to meet the above noted time deadlines in the proposed Rules. A resolution may be as simple as pushing back the above noted deadlines by 30 days, and/or to tie the deadlines to the hearing date rather than the Notice of Hearing.

It is my understanding that at the upcoming May 3, 2017 meeting of TLAB the introduction and adoption of the draft Rules will occur as part of item TLAB 6.1. It is also my understanding that deputations may be made at TLAB meetings on any agenda item being considered. Nathan Muscat, a lawyer in the Planning Practice Group, will be attending to make deputations on the draft Rules to further outline our concerns.

Yours truly,

A handwritten signature in cursive script, appearing to read "Wendy Walberg".

Wendy Walberg, City Solicitor