

City Clerk's Office

Secretariat
Marilyn Toft
Council Secretariat Support
City Hall, 12th Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2Tel: 416-392-7032
Fax: 416-392-2980
e-mail: Marilyn.Toft@toronto.ca
web: www.toronto.ca**In reply please quote:
Ref.: 18-EX36.10**

August 13, 2018

Mr. Ian Lord
Chair
Toronto Local Appeal Body
40 Orchard View Boulevard, Second Floor Suite 211
Toronto, Ontario
M4B 1R9

Dear Mr. Lord:

**Subject: Executive Committee Item 36.10
Toronto Local Appeal Body - Request for Composition Increase and
Appointment of a Vice-Chair (Ward All)**

City Council on July 23, 24, 25, 26, 27 and 30, 2018, adopted the following:

1. City Council approve an increase in the Toronto Local Appeal Body Member composition from seven (7) to ten (10) part time Members including the Chair.
2. City Council amend the terms of reference for the Toronto Local Appeal Body to provide for a Vice Chair:
 - a. to be appointed by the Toronto Local Appeal Body from among its members; and
 - b. to perform duties as assigned by the Chair in the administration of the rules of practice and procedures that govern Toronto Local Appeal Body proceedings.
3. City Council amend the remuneration policy and adopt the proposed annual stipend of \$15,000 for the Vice Chair, with funding to be reallocated from within the Approved 2018 Operating Budget for Court Services.

Yours truly,


for City Clerk

M. Toft/sb

Attachment

Sent to: Chair, Toronto Local Appeal Body
All Interested Parties

c. City Manager



Committee Report Report Item

Considered by City Council on

July 23, 2018

July 24, 2018

July 25, 2018

July 26, 2018

July 27, 2018

July 30, 2018

Executive Committee

EX36.10		Adopted		Ward:All
---------	--	---------	--	----------

Toronto Local Appeal Body - Request for Composition Increase and Appointment of a Vice-Chair

City Council Decision

City Council on July 23, 24, 25, 26, 27 and 30, 2018, adopted the following:

1. City Council approve an increase in the Toronto Local Appeal Body Member composition from seven (7) to ten (10) part time Members including the Chair.
2. City Council amend the terms of reference for the Toronto Local Appeal Body to provide for a Vice Chair:
 - a. to be appointed by the Toronto Local Appeal Body from among its members; and
 - b. to perform duties as assigned by the Chair in the administration of the rules of practice and procedures that govern Toronto Local Appeal Body proceedings.
3. City Council amend the remuneration policy and adopt the proposed annual stipend of \$15,000 for the Vice Chair, with funding to be reallocated from within the Approved 2018 Operating Budget for Court Services.

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve an increase in the Toronto Local Appeal Body Member composition from seven (7) to ten (10) part time Members including the Chair.
2. City Council amend the terms of reference for the Toronto Local Appeal Body to provide for a Vice Chair:
 - a. to be appointed by the Toronto Local Appeal Body from among its members; and
 - b. to perform duties as assigned by the Chair in the administration of the rules of practice and procedures that govern Toronto Local Appeal Body proceedings.
3. City Council amend the remuneration policy and adopt the proposed annual stipend of

\$15,000 for the Vice Chair, with funding to be reallocated from within the Approved 2018 Operating Budget for Court Services.

Origin

(July 5, 2018) Report from the Director, Court Services

Summary

On May 7, 2018, the Chair of the Toronto Local Appeal Body submitted the tribunal's first annual report. In the report, the Chair made five recommendations to improve the tribunal's service levels and operations. This report recommends that City Council address two of the Chair's recommendations and approve the following:

- an increase in Toronto Local Appeal Body Member composition from seven (7) to ten (10) part time Members including the Chair;
- an amendment to the terms of reference for the Toronto Local Appeal Body to provide for a Vice Chair; and
- an amendment to the City's remuneration policy to include an annual stipend of \$15,000 for the Vice Chair.

As noted in the Toronto Local Appeal Body annual report, at seven part time Members the tribunal is vulnerable to absences, vacations, illness, resignations and conflicts of interest. In addition, the demand for Toronto Local Appeal Body services generated a substantial caseload per Member and scheduling limitations. Staff agree that this has led to longer scheduling and decision timelines than originally anticipated.

An increase in Toronto Local Appeal Body Member composition from seven (7) to ten (10) part time Members including Chair is expected to alleviate these pressures and allow the tribunal to meet its service standards for the timely issuance of decisions and scheduling of hearings.

The appointment of a Vice Chair by Toronto Local Appeal Body under City of Toronto Municipal Code Chapter 142, Section 142-3, will allow the Chair to delegate certain responsibilities. As noted in the Toronto Local Appeal Body annual report, the role of the Chair is multifaceted and essentially full time while maintaining an equal hearing schedule, conducting reviews, preparing business meetings, and reviewing Member draft decisions. Staff agree that appointing a Vice Chair will allow the tribunal to improve overall operational performance and will require additional funding to be approved for the position. The Vice Chair, at the delegation of certain responsibilities by the Chair, will be required to take on additional workload over and above their adjudication duties as a Toronto Local Appeal Body member. The approval of additional funding by Council for the Vice Chair position will be reflective of this increase in responsibilities.

Background Information (Committee)

(July 5, 2018) Report from the Director, Court Services on Toronto Local Appeal Body - Request for Composition Increase and Appointment of a Vice-Chair

<http://www.toronto.ca/legdocs/mmis/2018/ex/bgrd/backgroundfile-118169.pdf>

Attachment 1 - Toronto Local Appeal Body Annual Report - 2017

<http://www.toronto.ca/legdocs/mmis/2018/ex/bgrd/backgroundfile-118406.pdf>

Communications (City Council)

(July 22, 2018) E-mail from Carolyn Johnson (CC.New.EX36.10.1)