



Agenda: December 2, 2020

Business Meeting No. 29

Meeting Date: Wednesday, December 2, 2020, 9:30 a.m.

Location: Electronic via Webex

Link to Join:

Toronto Local Appeal Body - Public Business Meeting - December 2, 2020

Hosted by Toronto Local Appeal Body

<https://toronto.webex.com/toronto/j.php?MTID=mdf06dbf9b025486789c90948ba0a6928>

Wednesday, Dec 2, 2020 9:30 am

Meeting number: 177 548 0907

Password: 3xDgAbVrs39

Join by video system

Dial 1775480907@toronto.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-416-915-6530 Canada Toll

+1-613-714-9906 Canada Toll (Ottawa)

Access code: 177 548 0907

Chair: Ian Lord

Contact: Angela Bepple

Secretary

Phone: 416-392-4697

Toronto Local Appeal Body Panel Members

Ian Lord (Chair)

Ana Bassios

Sabnavis Gopikrishna

Sean Karmali
Justin Leung
Dino Lombardi (Vice Chair)
Stanley Makuch
Shaheynoor Talukder
John Tassiopoulos
Ted Yao

Aboriginal Land Acknowledgement

We acknowledge the land we are meeting on is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. We also acknowledge that Toronto is covered by Treaty 13 with the Mississaugas of the Credit.

Confirmation of Minutes – Business Meeting, August 31, 2020.

Declaration of Interest under the *Municipal Conflict of Interest Act*

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26.7 – INFORMATION

Toronto Local Appeal Body – Draft Evaluation Status Update

Summary

The Toronto Local Appeal Body may receive an update regarding the establishment of a subcommittee of Members of the TLAB on a purpose and methodology for the evaluation of hearing events. The TLAB may further defer the item to a future business meeting.

Supporting Documents

Draft evaluation form

Letter –RE: TLAB Business Meeting May 26, 2020, Susan Abbott (May 24, 2020): Item 26.7 Evaluation Form for Hearings - May 25, 2020 –

Letter - RE: TLAB Business Meeting May 26, 2020, FONTRA (May 25, 2020) considering implementing a survey to measure the experience of TLAB users. Agenda item 26.7 – Draft Evaluation (Evaluation form for Hearings) – May 24, 2020;

28.5 – INFORMATION

Toronto Local Appeal Body – Correspondence

Summary

The Toronto Local Appeal Body will receive and may consider letters submitted by FONTRA regarding Chair's Annual Report, etc.

Deputations, if any.

Chair and the Vice-Chair to speak to this item.

Supporting Documents

FONTRA letter (September 19, 2020) **RE: PH15.4 Toronto Local Appeal Body – Chair's Annual Report**

FONTRA letter (July 23, 2020) **RE: PH15.4 Toronto Local Appeal Body – Chair's Annual Report**, to Mayor Tory and Members of City Council, with Attachments including Performance Statistics and correspondence from: Geoff Kettel, Cathie Macdonald RE: TLAB Virtual Business meeting, May 26, 2020 (June 10, 2020) concerning draft Practice Direction 6, procedures, etc.

Email of Geoff Kettel, sent August 30, 2020, requesting Chair's Annual Report be added as a new Agenda Item to Virtual Business Meeting, August 31, 2020.

29.1 – INFORMATION

Toronto Local Appeal Body – Chair's Update

- A) COVID-19 update on tribunal activities; procedures at virtual Hearings.
- B) Communications from Working Group on *Rule 31* revisions.
- C) Transition matters: litigation update; meeting with Court Services, October 29, 2020.

Summary

The Toronto Local Appeal Body Chair will provide an update to the Members on TLAB business and changes since the August 31, 2020 virtual Business Meeting.

29.2 – INFORMATION

Toronto Local Appeal Body – Supervisor's Update

Update on Member appointment status – Manager of Tribunal Operations

Summary

Court Services Supervisor and Manager to provide an update on administrative matters pertaining to the following items:

- Status of electronic & in-person hearings
- Updates on Covid-19 and impact on services
- Scheduling for 2021

29.3 – INFORMATION AND MOTION

Toronto Local Appeal Body – *Rule 31*

The Toronto Local Appeal Body will discuss proposed changes to *Rule 31*, and will consider any submissions received from the public pertaining to this change.

The Toronto Local Appeal Body may go into closed session to receive legal advice regarding *Rule 31* from the *Rules of Practice and Procedure*.

Motion: THAT *Rule 31* of the Toronto Local Appeal Body *Rules of Practice and Procedure* be repealed and replaced in the form and text of that attached as ‘Proposed Revisions to *Rule 31*’;

AND THAT any Request for the Review of a Member’s final decision or final Order received on or after the date of this revision be considered under the terms thereof;

AND THAT the *Rules of Practice and Procedure* be revised and posted to accord with this action.

Supporting Documents

[Proposed Revisions to *Rule 31*](#)

Public Communication:

29.4 – MEMBER REQUESTS AND MOTIONS - Member T. Yao

Motion: To consult with buildings department to end or modify the practice of affixing drawings to decisions.

Discussion.

I have concerns about the privacy implications of having in one place on the internet a person's name, address and possibly the interior layout of their residence. I feel these considerations might outweigh convenience to the plan examiner. I realize that discussions have been already held with the City Buildings Dept but I don't know if privacy was considered.

Motion: To accept links to Youtube for posting of videos.

Supporting Documents

Staff Comments

Summary Reports on Building Department discussions to date.

29. 5 – MEMBER ACCOUNTABILITY

Toronto Local Appeal Body – In Camera Session – Member Accountability

The Toronto Local Appeal Body will go into closed session to discuss an issue regarding an identified Member.

29. 6 – CHAIR RECOGNITION

Toronto Local Appeal Body – Vice Chair Remarks

29.7 – ELECTION OF VICE CHAIR/ALTERNATE, 2021

The Toronto Local Appeal Body shall elect a Member or Member Alternate to the position of Vice Chair for calendar 2021.

29.8 – SCHEDULE OF MEETINGS - 2021

The Toronto Local Appeal Body will set the dates of their 2021 Public Business Meetings, and consider communication on Striking Committee item ST6.1 regarding the 2021 Schedule of Meetings for agencies, corporations and special purpose bodies.

Proposed Dates under consideration are the following:

Monday, February 1, 2020

Wednesday, February 10, 2020

Friday May 7, 2020

Tuesday, May 11, 2020

Wednesday, July 28, 2020

Friday, August 6, 2020

Friday, November 12, 2020

Tuesday, November 16, 2020

29.9 - CLOSING BUSINESS AND REMARKS

Adjournment



September 19, 2020

Toronto Local Appeal Body
40 Orchard View Boulevard, Suite 211
Toronto, Ontario M4B 1R9
Via email: tlab@toronto.ca

RE: TLAB Business Meeting August 31, 2020: Item 28.5 Correspondence

Dear Chair Ian Lord and Members of TLAB,

At the August 31 Business Meeting it was agreed that the TLAB's top priority is handle the backlog of appeals by adjusting its operations to allow for virtual hearings. Due to time constraints the Meeting was unable to deal with the Communications, including that from FoNTRA regarding the Chair's 2019 Annual Report (see attached).

Given the importance of the Chair's Annual Report in providing for transparency about TLAB's operation and results, we suggest that the TLAB Annual Report be formally received and approved at a Business Meeting. This could be established as a procedure or "rule". Assuming consideration of the item occurred in open session this would allow an opportunity for input and deputation by all stakeholders, such as residents associations, on matters raised by the Report.

Finally, we would request that the Minutes of the Business Meetings be posted on the TLAB website.

Respectfully submitted,

Geoff Kettel
Co-Chair, FoNTRA
129 Hanna Road
Toronto, Ontario
M4G 3N6
gkettel@gmail.com

Cathie Macdonald
Co-Chair, FoNTRA
57 Duggan Road
Toronto, ON
M4V 1Y1
cathie.macdonald@sympatico.ca

Cc: Susan Garossino, Director, Court Services
Michael Mizzi, Director, Committee of Adjustment and Zoning

Attachment: FoNTRA July 23 2020 Letter to City Council re PH15.4 Toronto Local Appeal Body - Chair's 2019 Annual Report

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.

TLAB Virtual Business Meeting August 31, 2020 - 2019 Chairs Annual Report

Geoff Kettel <gkettel@gmail.com>

Sun 30-Aug-2020 4:12 PM

To: Toronto Local Appeal Body <TLAB@toronto.ca>;

Cc: Gregg Lintern <Gregg.Lintern@toronto.ca>; Susan Garossino <Susan.Garossino@toronto.ca>;

Dear Chair Ian Lord

This is to recommend that the 2019 Chair's Annual Report be added to the agenda of the August 31 meeting for receipt and an opportunity for discussion and comment.

Background

The May 26 2020 Business Meeting included the Item 27.2 Information - "2019 Annual Report following Court Services review - Committee consideration postponed". We recall that the Chair noted that he had prepared an Annual Report and was looking for comments from Members prior to its presentation to Committee of Council.

At the Planning and Housing Committee on July 13 2020 the 2019 Chairs Annual Report was received and the below recommendations were adopted:

1. City Council receive the 2019 Annual Report from the Chair of the Toronto Local Appeal Body, contained in Attachment 1 to the report (June 23, 2020) from the Director, Court Services for information.
2. City Council direct the City Manager, in consultation with the Director, Court Services, the Chief Planner and Executive Director, City Planning and the City Clerk, to review the recommendations in the Toronto Local Appeal Body Chair's 2019 Annual Report (June 23, 2020) from the Director, Court Services and report back to the Planning and Housing Committee by the first quarter of 2021 on the feasibility of implementing the Chair's recommendations.

FoNTRA had submitted a letter regarding this item to PHC

<https://www.toronto.ca/legdocs/mmis/2020/cc/comm/communicationfile-114148.pdf>

That letter is now shown under Correspondence in the August 31 2020 Business Meeting agenda

28.5 – INFORMATION Toronto Local Appeal Body – Correspondences Summary. The Toronto Local Appeal Body will receive and may consider letters submitted by FONTRA and Ms. S. Abbott regarding outstanding agenda items and the Virtual Business Meeting

Comments

While we appreciate that the FoNTRA letter is being brought forward under Communications, we are of the opinion that the Chair's Annual Report should be officially received by the Business Meeting and suggest that it be considered as part of a new agenda item concerned with the Chair's Annual Report.

We view it as important for TLAB members to consider the issues raised by residents about the fairness of its operations.

Respectfully submitted,

Geoff Kettel and Cathie Macdonald
Co-Chairs FoNTRA

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June 10, 2020

Toronto Local Appeal Body
40 Orchard View Boulevard, Suite 211
Toronto, Ontario M4B 1R9
Via email: tlab@toronto.ca

RE: TLAB Virtual Business Meeting, May 26, 2020

Dear Chair Ian Lord and Members of TLAB,

This letter is submitted further to the recent TLAB virtual business meeting. The meeting provided a window into the operations of the TLAB and an opportunity to share some of our ongoing concerns. The virtual meeting format proved to be relatively easy to attend, and participate.

The agenda for the meeting included a couple of new initiatives: Draft Practice Direction 6: Expert Witnesses, and Evaluation Form). We were pleased that the Chair was willing to allow enough time to hear from residents' representatives as well as to allow for a fulsome discussion among some Members. However in the end we feel that a multi-step approach to developing and approving such policies is required in order to achieve the best results. We suggest that, at a minimum, an initiative should go through two readings, with an initial meeting to present a proposal and gather stakeholder input, followed by a second meeting to present and receive input to the TLAB on a revised proposal. We suggest the Board might consider organizing the first meeting with mixed stakeholders so that there is an opportunity for enhanced understanding, perhaps with independent facilitation.

FoNTRA supports the goals of 'excellence in administrative justice' and is supportive of changes that would ensure residents (including un-represented residents) experience procedural fairness throughout the hearing process.

Yours truly,

Geoff Kettel
Co-Chair, FoNTRA
129 Hanna Road
Toronto, Ontario
M4G 3N6

Cathie Macdonald
Co-Chair, FoNTRA
57 Duggan Road
Toronto, Ontario
M4V 1Y1

c.c. Mayor John Tory, and Councillors
Gregg Lintern, Chief Planner and Executive Director, City Planning
Michael Mizzi, Director, Zoning and Committee of Adjustment
Susan Garossino, Director, Court Services



July 23, 2020

12th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2
Attention: Marilyn Toft

RE: **PH15.4 Toronto Local Appeal Body - Chair's 2019 Annual Report**

Dear Mayor John Tory and Members of City Council,

The Federation of North Toronto Residents Association (FoNTRA) includes over 30 residents associations in the area bounded by Bloor, Sheppard, Bathurst and the Don Valley. Given the number of Committee of Adjustment applications in our members' neighbourhoods, many residents and residents associations have been actively involved in TLAB appeals since its inception in 2017. We also see that the barriers to our effective participation are also causing the increased costs of its operations.

We appreciate the comprehensive review and report by Ian Lord, TLAB Chair. However we feel that while the report raises various matters related to the ongoing operation of the TLAB, it fails to look deeper to the workload generative issues that lie behind some of the issues raised.

Residents play a key role in the operation of the TLAB and need it to operate in a way that is fair to them. TLAB operates largely without input from residents. TLAB business meetings have been established but these are largely ineffective as mechanisms to provide input from residents. Procedure and rules continue to be added to the processes without effective input from residents. (See attached) Given that the appeal process is important to residents as it greatly affects their neighbourhoods, we pay close attention to how TLAB is operating and see how it is unfair to residents.

The TLAB deals with appeals of Committee of Adjustment decisions on minor variances. Why such timelines and complexity for what should be minor issues? Why are decisions made mainly in favour of applicants?

1. The time to deal with appeals have greatly increased and this means increased workload for all involved.

The report mentions some growing concerns regarding timeliness of issuance of decisions and disposition of appeal matters. The report cites that in 2019 the average time taken to issue a decision was 50 days, a 92% increase over the 2018 average of 26 days. However, if we compare with 2017, the time taken in 2019 increased much more (178% over 2017) (see attached Metrics table) (target metric is 14 business days from the date of Hearing or Motion to decision). Similarly the report cites that in 2019 of the appeals that were completed the average time taken to dispense of matters to the time a decision was issued was 191 days, up 39% from the 2018 average of 137 days. If we compare with 2017, the time taken in 2019 increased 34.5% (target metric is 120 days from the date the Notice of Appeal is received by the TLAB to the date the decision is issued).

The report notes that these latter statistics are disappointing and cites a number of contributory factors: hearings that involve multiple sittings with non-contiguous scheduling; decision writing delays arising from less than diligent fulfillment of undertakings by counsel and expert witnesses; a modest increase in the number of Hearings, Member complement changes, and Member issues in the delivery of timely decisions. Metrics are available in the 2018 and 2019 Annual Reports for just one of these factors: the average length of hearings which has increased from 3 hours and 52 minutes (2017) to 1.3 days (2018) to 1.5 days (2019). This amounts to an incredible 277% increase in hearing length between 2017 and 2019!

From a resident perspective the inflation in length of hearings is strikingly evident. Hearings for minor variances which were a day under the OMB are becoming two or three days and those involving severances consents may extend to 10 days. For those in the business, the lawyers and planners whose livelihood depends on TLAB hearings this inflation is hardly a problem, but for residents who must miss several days of paid work which were unplanned and unanticipated it is a major problem.

2. The rules and procedures are increasingly complex which result in increased workload for adjudicators and staff.

The rules greatly favour applicants who can afford to pay for consultants to prepare documentation for the hearings and to represent the applicants in the hearings.

There has been greater turnover of panellists than expected. We can understand this as the job has become a paper chasing one and one requiring sitting through days of technical debates rather than focusing on the issues. And of course this means much more work for panelists and for the staff, so the TLAB needs more staff and more adjudicators.

The increasingly complex set of rules and procedures also create major barriers for the effective participation of residents in the hearings. The changes add more requirements, without improving the ability of residents to present their concerns about appeals that affect their property and that of their neighbours, and neighbourhood.

It is much more difficult for residents with public and perhaps some private interest to raise the needed funds to hire consultants than the applicant with self interest. Residents should not have to hire experts or become technical experts to be heard; they only participate for applications in their neighbourhood, and for most it is a one-off experience. The information

posted on the web site is helpful but why is all this required? It is appreciated that there has been an effort to accord some witnesses as “local knowledge experts” but this only serves to create another level of “rug rank” in the hierarchy of privilege at the tribunal. While there was much to object to with the former OMB, in fact OMB hearings were much shorter and residents were able to provide their comments without providing any prior registration or documentation and their comments were taken into consideration in decision-making.

3. Wide disparity in decision outcomes compared with Cof A decisions

We have observed that there is a wide disparity in decision outcomes between the CofA and TLAB. Unfortunately there is no data addressing this in the Annual Report. In our opinion the TLAB is overturning CofA decisions to an extent far beyond what one would reasonably expect in a fair process. This situation must be reviewed by the City including conducting an analysis to examine this problem, identify the reasons for it and report its findings in a public forum.

Given these issues regarding the current TLAB operations, we recommend:

- **that City Council direct the City Manager to review the operations of the TLAB relative to its original intent, with public engagement, with a view to simplifying, removing barriers to resident participation, and reducing cost of operations.**

Yours truly,

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Attachment 1: TLAB 2019 Annual Report - Selected Performance Metrics

Attachment 2: FoNTRA comments on the most recent TLAB Business Meeting (May 2020)

C.c. TLAB

Susan Garossino, Director, Court Services

Gregg Lintern, Chief Planner and Executive Director, City Planning Division

Michael Mizzi, Director, Committee of Adjustment and Zoning

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.

PROPOSED REPLACEMENT OF RULE 31 OF THE TLAB
RULES OF PRACTICE AND PROCEDURE LAST REVISED
MAY 6, 2019.

(NOTE: A majority of the Working Committee did not support the inclusion of Rule 31.16 c))

31. REVIEW OF FINAL DECISION OR FINAL ORDER

A Party may Request a Review

- 31.1 A Party may request of the Chair a Review of a Final Decision or final order of the TLAB.

Chair May Designate Any Member

- 31.2 The Chair may in writing designate any Member to conduct the Review and make a decision in accordance with the Rules.

Review Request does not Operate as a Stay

- 31.3 A Review shall not operate as a stay, unless the Chair orders otherwise. A Party requesting that a Final Decision or final order be stayed shall do so at the same time the request for Review is made.

No Motions Except with Leave

- 31.4 No Motion may be brought with respect to a Review except with leave of the Chair.

Deadline for, and Service of, Review Request

31.5 A Review request shall be provided to all Parties and the TLAB by Service within 30 Days of the Final Decision or final order, unless the Chair directs otherwise.

Contents of a Review Request

31.6 A Party's request for Review shall be entitled "Review Request" and shall contain the following:

- a) a table of contents, listing each document contained in the Review Request and describing each document by its nature and date;
- b) an overview of the Review Request not to exceed 2 pages that identifies the grounds listed in Rule 31.17 that apply;
- c) if the Review Request includes grounds based upon Rule 31.17 (c), a list of all alleged errors of fact or law;
- d) a concise written argument contained in numbered paragraphs. The Review Request shall provide, avoiding repetition, the concise written arguments regarding each listed matter from Rule 31.17 in the same order and include the following:
 - i. the applicable section of the Planning Act or other legislative basis, if any, for the argument advanced;
 - ii. the wording of the applicable policy, By-law or authority, if any, in support of the argument advanced;

- iii. the applicable transcript or other evidence and exhibit attachments, if any, in support of the argument advanced;
- iv. a clear demonstration of how in the case of grounds asserted under Rule 31.17 c), d) and e), each would likely have resulted in a different Final Decision or final order;
- v. copies of the referenced case law and authorities; and
- vi. a statement as to the requested remedy.

Review Request not to Exceed 20 Pages

31.7 Excluding the table of contents, case law and transcripts, by-laws, exhibits and other supporting Documents, the Review Request shall not exceed 20 pages, double spaced, and written in 12-point font.

Transcripts

31.8 If any Party wishes to refer to any oral evidence presented at the Hearing and if that oral evidence is contested and a recording thereof is available, the relevant portion of the proceeding shall be transcribed and certified by a qualified court reporter and provided to all Parties and the TLAB by Service forthwith and at that Party's sole expense.

Administrative Screening

31.9 The TLAB shall, upon the filing of a request for Review, review it for compliance and advise the Parties if:

- a) it does not relate to a Final Decision or final order; or
- b) it was not received within 30 Days after the Final Decision or final order was made, unless the Chair directs otherwise; or
- c) it failed to provide the requisite fee.

Response to Review Request

31.10 Despite Rule 31.9, if a Party needs to respond to the Review Request the Responding Party shall by Service on all Parties and the TLAB provide a Response to Review Request no later than 20 Days from the Date of Service pursuant to Rule 31.5, unless the Chair directs otherwise.

Contents of a Response to Review Request

31.11 A Responding Party's response to Review Request shall be entitled "Response to Review Request" and shall contain the following:

- a) a table of contents, listing each document contained in the Response to Review Request and describing each document by its nature and date;
- b) an overview of the Response to Review Request not to exceed 2 pages that contains specific reference to the Review Request's overview;

- c) a concise written argument contained in numbered paragraphs, giving a response to each argument in the Review Request, and include the following :
 - i. the applicable transcript or other evidence and exhibit attachments, if any, in support;
 - ii. any other applicable legislation, policy documents, By-laws or other material that is not provided for in the Review Request; and
 - iii. any other applicable authorities and copies thereof; and
 - iv. a statement as to the remedy requested.

Response to Review Request not to Exceed 20 Pages

- 31.12 Excluding the table of contents, case law and authorities, transcripts, by-laws, exhibits and other supporting Documents, a Response to Review Request shall not exceed 20 pages, double spaced, and written in 12-point font.

Responding Party Not to Raise New Issues

- 31.13 A Responding Party shall not raise any issues beyond those issues raised in the Review Request.

Reply to Response to Review Request

31.14 If the Requesting Party needs to reply to a Response to Review Request, that Party shall provide by Service on the Parties and the TLAB a Reply to Response to Review Request not to exceed 5 pages, double spaced, and written in 12-point font and no later than 5 Days from the Date of Service pursuant to Rule 31.10, unless the Chair directs otherwise.

Contents of a Reply to Response to Review Request

31.15 A Reply to Response to Review Request shall contain the following:

- a) a reply to facts, matters and Documents raised in the Response to Review Request;
- b)** list and attach the Documents used in the Reply to the Response to Review Request relating to those matters addressed in the Reply, including any case law or authorities raised in support.

Chair Authority

31.16 Following the timeline for the Service on all Parties and the TLAB of any Review Request, Response to Review Request and Reply to Response to Review Request, the Chair may do the following:

- a) seek further written submissions from the Parties;
- b) confirm the Final Decision or final order and dismiss the Review Request, with reasons;
- c) **vary or suspend the Final Decision or final order, with reasons,**

- d) cancel the Final Decision or final order, with reasons, and, where appropriate, direct a de novo Oral Hearing before a different TLAB Member.

Grounds for Review

31.17 In considering whether to grant any remedy the Chair shall consider whether the reasons and evidence provided by the Requesting Party are compelling and demonstrate the TLAB:

- a) acted outside of its jurisdiction;
- b) violated the rules of natural justice or procedural fairness;
- c) made an error of law or fact which would likely have resulted in a different Final Decision or final order;
- d) was deprived of new evidence which was not available at the time of the Hearing but which would likely have resulted in a different Final Decision or final order; or
- e) heard false or misleading evidence from a Person, which was only discovered after the Hearing, but which likely resulted in the Final Decision or final order which is the subject of the Review.

No Further Review Permitted

31.18 A Review decision may not be further reviewed by the TLAB.



REPORT FOR ACTION

2021 Schedule of Meetings

Date: November 10, 2020

To: Striking Committee

From: Interim City Clerk

Wards: All

SUMMARY

The purpose of this report is to establish the 2021 Schedule of Meetings for City Council and its committees.

RECOMMENDATIONS

The Interim City Clerk recommends that:

1. City Council approve the 2021 meeting schedule dates in Attachment 1 to the report (November 10, 2020) from the Interim City Clerk and that the published schedule serve as notice for these meetings.
2. City Council request the City Clerk to distribute the approved schedule to the City's agencies and special purpose bodies with a request that they:
 - a. avoid scheduling meetings, whenever possible, that conflict with the approved schedule; and
 - b. avoid scheduling public meetings, forums, public consultations and large scale meetings on days of cultural or religious significance as noted in the approved schedule.

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

Toronto Municipal Code Chapter 27, Council Procedures requires the City Clerk to recommend to the Striking Committee an annual schedule for regular meetings of City Council and committees.

The Chapter requires that the schedule:

- permit City Council to meet at least 10 times for at least 20 meeting days per year;
- enable committees to meet at different times whenever possible; and
- comply with the Council policy on respecting days of cultural or religious significance.

At its July 2020 meeting, City Council extended its electronic participation rules for one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency:

2020.EX15.21 - Impact of Bill 197 on Meeting Rules

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX15.21>

COMMENTS

City Council has authorized continued electronic participation in meetings

It is anticipated that meetings throughout 2021 will include electronic participation.

The technology and staff resources needed to stage meetings with electronic participation require coordination and scheduling. There is a limit on the number of meeting rooms equipped with the required combination of video-conferencing and internet streaming technology. To ensure that meetings can be well supported, the 2021 calendar spaces meetings apart.

The City's Boards and special committees need time to meet

The proposed calendar preserves days for the City's agency boards and special committees to hold their own meetings. While these are not the only dates on which boards and committees can meet, they should provide the boards and committees with more options to schedule their meetings.

Scheduling assumptions and principles

The proposed meeting schedule is guided by a number of scheduling assumptions and principles:

- Electronic participation in meetings will continue.
- Include regular meeting dates for the Board of Health.
- Include days for special committees, agencies and special purpose bodies to schedule their own meetings.
- Avoid meeting dates of the FCM Annual Conference. FCM is currently considering 2 dates for the 2021 Annual Conference. The proposed calendar reflects both.
- Meetings have been scheduled on FCM Board of Director meeting dates. FCM may be conducting some of these meetings virtually.
- Allow for a March, summer and winter holiday break.
- Leave enough time in the schedule for Members and staff to prepare and review meeting materials.
- Comply with the Council policy on respecting days of cultural or religious significance adopted by City Council on May 18, 19 and 20, 2004. (Attachment 2)

Features of the 2021 meeting schedule

- 18 Council meeting days over 10 meetings. Meetings will continue on additional days when necessary.
- A planning meeting cycle in February to enable City Council to consider planning items and other business before the March break.
- The Executive Committee meets at the end of the committee cycle.
- Standing Committees are scheduled one day each. Committees can schedule additional meetings if necessary.
- Compressed meeting cycles are avoided where possible.
- The week following a Council meeting is preserved for meetings of the City's agency boards and special committees. These bodies may schedule meetings on other days as needed.
- Regular Council meetings are scheduled for two days. The days following a Council meeting are kept clear, where possible, in case a Council meeting should continue.
- Council meeting times are as follows:
 - 9:30 a.m. to 12:30 p.m.
 - 2:00 p.m. to 6:00 p.m.
 - Committee meeting times are as follows:
 - 9:30 a.m. to 12:30 p.m.
 - 1:30 p.m. to 6:00 p.m.
 - 7:30 p.m. to 10:00 p.m.
- Meetings end before sundown where noted on the schedule, and meeting end times have been included on Fridays.

2021 Budget Dates are included

Dates for consideration and approval of the 2021 Tax Supported Capital and Operating Budgets have been included in the recommended schedule. These dates have been developed in consultation with the Chief Financial Officer and Treasurer. As in past years, the recommended dates provide for Budget Launch, Budget Committee review, public presentations and special meetings of the Executive Committee and City Council to consider and approve the Capital and Operating Budgets in February 2021.

CONTACT

Kelly McCarthy, Deputy City Clerk Secretariat, 416-392-8676,
Kelly.McCarthy@toronto.ca

SIGNATURE

John D. Elvidge
Interim City Clerk

ATTACHMENTS

Attachment 1 - Recommended 2021 Schedule of Meetings
Attachment 2 - Days of Cultural or Religious Significance

Attachment 2: Days of Cultural or religious significance

Days of cultural or religious significance when Council does not schedule Council or committee meetings:

Orthodox Christmas (Eastern)
 Lunar New Year
 Eid Al-Adha
 Eve of Passover
 First Day of Passover
 Good Friday (Western)
 Holy Friday (Eastern)
 Easter (Western) and
 Orthodox Easter (Eastern)
 Mawlid al Nabi
 National Indigenous Persons Day
 Eve of Rosh Hashanah
 Rosh Hashanah
 Eve of Yom Kippur
 Yom Kippur
 Diwali
 Eid Al-Fitr
 Christmas (Western)
 Kwanzaa

Holidays when Council does not schedule Council or committee meetings:

New Year's Day
 Family Day
 Good Friday
 Easter Monday
 Victoria Day
 Canada Day
 Civic Holiday
 Labour Day
 Thanksgiving Day
 Remembrance Day
 Christmas Day
 Boxing Day