



Agenda: November 16, 2021

Toronto Local Appeal Body Business Meeting No. 33

Meeting Date: Tuesday, November 16, 2021, 9:30 a.m.

Location: Electronic via City of Toronto Web Conferencing

Link to Join:

Q4: Toronto Local Appeal Body - Public Business Meeting

Hosted by Toronto Local Appeal Body

Tuesday, Nov 16, 2021 9:30 am | 7 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: **2463 513 1546**

Password: **Toronto**

<https://toronto.webex.com/toronto/j.php?MTID=mb7f218a9da962cd53754d1e786f261dc>

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Access code: 246 351 31546

Toronto Local Appeal Body - Public Business Meeting – November 16, 2021

Chair: Dino Lombardi

Contact: Tyra Dorsey, Acting Supervisor, Tribunal Operations

Phone: 416-392-4697

Toronto Local Appeal Body Panel Members

Dino Lombardi (Chair)

Ana Bassios

Sabnavis Gopikrishna

Sean Karmali

Christine Kilby

Justin Leung

Stanley Makuch

Shaheynoor Talukder (Vice Chair)

John Tassiopoulos

Ted Yao

This meeting of the Toronto Local Appeal Body will be held by electronic means and the proceedings of the Tribunal will be conducted publicly.

Members of the Toronto Local Appeal Body and Staff: Please keep this agenda and the accompanying material until the Panel Meeting dealing with these matters have ended.

Special assistance for members of the public: Toronto Local Appeal Body staff can arrange for special assistance with some advance notice. If you need special assistance, please call 416-392-7909, or email tribunalaccess@toronto.ca.

Closed Meeting Requirements: If the Toronto Local Appeal Body wants to meet in closed session (privately), a member of the panel must make a motion to do so and give the reason why the Toronto Local Appeal Body has to meet privately.

Public Deputations by Oral Presentation: A notice of intention to make a public deputation by oral presentation on a Business Meeting agenda item must be registered with the Secretary at least one (1) business day prior to the meeting by 12 p.m. (noon). Email requests can be submitted to tlab@toronto.ca. The date of the TLAB Business Meeting and the agenda item to be spoken to must be indicated in the subject line of the email. (Toronto Local Appeal Body By-law No.1-2017, Section 16(2))

Public Deputations by Written Submissions: Public deputations by written submission must be registered with the Toronto Local Appeal Body at least five (5) business days prior to the Business Meeting by 4:30 p.m. Written submissions can be submitted by email to tlab@toronto.ca. The date of the TLAB Business Meeting and the agenda item to be spoken to must be indicated in the subject line of the email. (Toronto Local Appeal Body By-law No.1-2017, Section 18(2))

Notice to People Writing to the Toronto Local Appeal Body: The City of Toronto Act, 2006 and the City of Toronto Municipal Code authorize the City of Toronto to collect any personal information in your communication or presentation to City Council or its committees.

The Toronto Local Appeal Body collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, emails, presentations or other communications to the Toronto Local Appeal Body, you should be aware that your name and the fact that you communicated with the Toronto Local Appeal Body will become part of the public record and will appear on the Toronto Local Appeal Body's website. The Toronto Local Appeal Body will also make your communication and any

personal information in it – such as your postal address, telephone number or email address – available to the public, unless you expressly request the Toronto Local Appeal Body to remove it.

This agenda and any supplementary materials submitted to the Toronto Local Appeal Body can be found online at www.toronto.ca/tlab. Visit the web page for access to all agendas, decisions and minutes of the Toronto Local Appeal Body.

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, September 24, 2021.

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

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33.1 – TORONTO LOCAL APPEAL BODY PANEL TRAINING & EDUCATION SESSION (In-Camera)

Summary

The Meeting is intended to be an 'in-camera' meeting training and education session for the Members as permitted by the TLAB's Procedural By-law 1-2017 and will consist of a series of information presentations from City staff in Community Planning and Urban Forestry.

In addition, Duxbury Law will provide a brief presentation at that Meeting of legal matters pertaining to the adjudication process relevant to the TLAB.

a. Chair Introduction

- i. 9:30 a.m. – 10:30 a.m.

In-Camera:

b. City Planning and Zoning Departments

- i. Presenter: Jeff Cantos (Manager Sipa, Infrastructure & Development Services) & Kyle Knoeck (Manager Zoning City Planning, Infrastructure & Development Services)
- ii. 10:05 a.m. – 12:05 p.m.

c. Urban Forestry

- i. Presenter: Daniel Boven (Manager Zoning City Planning, Infrastructure & Development)
- ii. 1:05 p.m. – 2:30 p.m.

d. Duxbury Law

- i. Presenter: Brian Duxbury
- ii. 2:45 p.m. – 4:35 p.m.

Supporting Documents

- Presentations (under separate cover)
- Procedural By-law 1-2017, To govern the meetings of the Toronto Local Appeal Body (TLAB)

Motion

THAT the Q4 2021 November 16, 2021, Business Meeting of the Toronto Local Appeal Body be moved 'in camera' in order to allow for the 'education and training' of the TLAB Panel Members as permitted by Section 11(1)(f) of the TLAB's Procedural By-law 1-2017.

33.2 - CLOSING BUSINESS AND REMARKS

Confirmation of the next (Q5) 2021 TLAB Business Meeting.

Adjournment

**ATTACHMENT 1 –
TLAB Procedure By-Law**

Procedure By-law 1-2017
To govern the meetings of the Toronto Local Appeal Body (TLAB)

Whereas Section 189(2) of the City of Toronto Act, 2006, c. 32, Sched. B, s. 41(1-3) as amended provides that the City and every local board of the City shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

Whereas the Toronto Local Appeal Body (TLAB) wishes to ensure that its Procedure By-law reflects the principles of accessibility, accountability and responsiveness to local community interests and fairness, respect and full debate in the conduct of its meetings.

Whereas the TLAB wishes to ensure that the application and interpretation of the procedural rules within this By-Law are consistent with those principles;

Now therefore the TLAB hereby enacts as follows:

A. Interpretation

1. Definitions

Business Meeting – A gathering of Members convened under this by-law to discuss items of interest to the TLAB and at which a majority of Members are present. A Business Meeting shall not include any form of hearing or proceeding conducted by a Member or Members of TLAB in the exercise of a statutory power of decision on a matter appealed to it under the City of Toronto Act, the Planning Act, or any other applicable statute.

Chair – Chair of the TLAB as appointed by Council, and also a Member.

City – The Corporation of the City of Toronto.

City Officials – The City Manager, the Deputy City Managers and Chief Financial Officer, the Treasurer, the City Clerk, the City Solicitor, and any executive director, general manager, or director, reporting to any of these positions.

Closed Meeting – A meeting from which the public has been excluded in accordance with Subsection 190(2) of the City of Toronto Act, 2006 and this procedure by-law.

Council – The Council of the City of Toronto.

Meeting – A business meeting of the TLAB.

Member – A Member of the TLAB, including the Chair and Vice Chair.

Motion to Defer – A motion to delay a decision on a matter by postponing consideration of the matter:

- (1) Indefinitely,
- (2) Until, or within, some specified time or time period,
- (3) Until a specified event happens, or
- (4) Until a report or communication is presented.

Motion to Receive for Information – A motion to acknowledge a matter or part of a matter including the main motion or amendment, to take no current action on the matter, and to place the matter in the Secretary's records for future reference.

Motion to Refer – A motion to send a matter, including a main motion or amendment, to a Committee or person for more information or recommendation.

Open Meeting – A meeting from which the public has not been excluded.

Point of Order – Bringing to the attention of the Chair and Members that a person has broken a rule or made an error in procedures and asking that the TLAB meeting follow the rules or that the error in procedure be corrected. A point of order can only be requested by a Member.

Point of Privilege – A request to the Chair and to the TLAB to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Members or the TLAB, despite other pending business currently before the TLAB. A point of privilege can only be requested by a Member.

Point of Procedure – A question directed to the Chair to obtain information on the rules of the TLAB meetings, bearing on the business at hand in order to assist a Member to make an appropriate motion, raise a point of order or understand the effect of a motion. A point of procedure can only be requested by a Member.

Procedure By-law – This by-law as amended from time to time.

Quorum – The number of Members to be present at a meeting to lawfully conduct business at the meeting.

Recorded Vote - A vote for which the Secretary records all Members present and how they voted.

Secretary – Employee of the City's Court Services Division responsible for providing administrative support to the TLAB.

Special Business Meeting - A TLAB meeting other than a regular Business Meeting, a continued meeting, or a reconvened meeting.

Vice Chair – Vice Chair of the TLAB as elected by the TLAB in accordance with Section 7 and the procedures in Appendix A, and also a Member.

B. Conduct of Business

2. Principles of the Procedure By-law

- (1) The following rights are the principles upon which the procedure by-law is based:
 - (a) All Members have the right to vote;
 - (b) All Members have the right to be heard;
 - (c) The majority of Members have the right to decide;
 - (d) All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - (e) All Members have a right to an efficient meeting;
 - (f) All Members have the right to be treated with respect and courtesy;
 - (g) All Members have equal rights, privileges and obligations;
 - (h) The public has the right to attend and contribute to meetings; and
 - (i) The public has the right to be treated with respect and courtesy.
- (2) The procedure by-law is interpreted in accordance with the principles set out in Subsection 2(1).

3. Business conducted according to the by-law

The TLAB shall observe the rules in this by-law in its Business Meetings.

4. Chair's Use of Robert's Rules of Order

If there is a conflict between two or more rules in this procedure by-law, or if there is no specific rule on a matter, the Chair shall rule. The Chair may use Robert's Rules of Order and the TLAB's practices and former decisions, including previous rulings, as aids in ruling.

5. Duties of the Chair

The Chair of the TLAB:

- (1) Shall preside at all meetings of the TLAB;
- (2) May cancel and/or reschedule a regular meeting of the TLAB or call a Special Business Meeting or a Special Emergency Meeting as necessary;
- (3) Rules on all procedural matters at a meeting;
- (4) Establishes agendas for meetings;
- (5) Maintains decorum at meetings; and
- (6) Performs any duty that may be assigned by the TLAB from time to time.

6. Duties of the Vice Chair

The Vice Chair of the TLAB:

- (1) Shall chair the Business Meeting in the absence of the Chair.
- (2) Shall perform any duty pertaining to the operation of Business Meetings assigned to Chair through this procedure by-law provided that the Chair has delegated the authority to the Vice Chair.

7. Election of the Vice Chair

(1) Election frequency

An election for Vice Chair shall be held:

- i. Annually during the first Business Meeting of the calendar year,
- ii. When a vacancy in the Vice Chair position arises, or;
- iii. Any other time TLAB Members deem an election necessary.

(2) Election notification

The Chair shall notify TLAB Members of a Vice Chair election by email. This notification shall occur at least ten days before the election date. All Vice Chair elections will take place during TLAB Business Meetings.

(3) Balloting procedures

The Vice Chair election shall be facilitated by the Chair and done by ballot in accordance with the procedures in Appendix A.

(4) **Confirmation of Election Results**

Vice-Chair election results shall be confirmed by the Chair through a motion.

C. TLAB Business Meetings

8. Schedule

(1) **Number of Business Meetings**

The TLAB shall hold at least two (2) Business Meetings per year.

(2) **Regular schedule of Business Meetings**

The TLAB shall establish a schedule of regular Business Meetings for a one-year period and shall adhere to such schedule unless otherwise cancelled by action of the Chair.

(3) **Public notice of regular Business Meeting schedule**

- (a) The Business Meeting schedule shall be posted on the TLAB website at least seven (7) calendar days before the first meeting of the TLAB in each calendar year and shall include the date, time and location of the Business Meetings.
- (b) Any change to the Business Meeting schedule shall be posted on the TLAB website as soon as possible to provide the public with sufficient advance notice.

9. Conflict of Interest

(1) **Members to declare conflicts of interest at the start of Business Meetings**

A request for conflict of interest declarations on the agenda items shall be made by the Chair at the start of each Business Meeting. Members are responsible for making conflict of interest declarations.

(2) **Members to excuse themselves if there is a conflict of interest**

If a Member declares a conflict of interest, he or she shall excuse themselves from participating in the discussion of or voting on the agenda item in conflict.

10. Special Business Meetings

(1) No other business considered

The TLAB only considers the business on the agenda and no other business at a Special Business Meeting.

(2) Special Business Meeting called by the Chair

The Chair may call a Special Business Meeting of the TLAB provided that:

- (a) Members are notified at least 24 hours before the scheduled beginning of a Special Business Meeting;
- (b) The notice for the Special Business Meeting must include the time, date, location and purpose of the meeting;
- (c) The notice is delivered either in person or sent by email to each Member.

(3) Special Business Meeting by written request of the Members

If the Chair receives a written request for a Special Business Meeting requested by the majority of the Members, the Chair shall call a Special Business Meeting.

(4) Special Emergency Meetings

Despite Subsection 10(2), the Chair may call a Special Emergency Meeting of the TLAB without giving notice as required under Subsection 10(2) whenever he or she considers it necessary to do so if:

- (a) All Members are notified of the meeting either personally, by electronic mail, or by any other means necessary; and
- (b) A majority of the Members agree to the meeting by giving written consent to the Secretary either personally or by email before the beginning of the meeting.

11. Closed Business Meetings

- (1) The TLAB may close a Business Meeting to the public to discuss the following:

- (a) Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (b) Security of property;
- (c) Personal information about an identifiable individual;
- (d) Labour relations or employee negotiations;
- (e) Litigation or pending litigation, including matters before administrative tribunals;
- (f) Education or training of the Members;
- (g) A matter for which the TLAB has authorized a Business Meeting to be closed under another Act; or
- (h) A request under the Municipal Freedom of Information and Protection of Privacy Act.

(2) **Support during closed business meetings**

The Secretary, and any other staff member or City Official as directed by the Chair, shall support the TLAB during closed Business Meetings.

(3) **Motion details for closed meetings**

Before holding a closed Business Meeting, the TLAB shall pass a motion to hold a closed meeting.

The motion must state:

- (a) That the meeting is a closed meeting;
- (b) The general nature of the matter the TLAB is considering at the closed meeting; and
- (c) The reason(s) the matter requires a closed meeting under Subsection 11(1).

- (3) All motions approved in the closed Business Meeting shall be moved and voted on when the TLAB moves to an open Business Meeting, with the exception of procedural matters.

- (4) Where a matter has been discussed in a closed Business Meeting, and where the matter remains confidential, TLAB Members shall not disclose the content of the matter or the substance of deliberations of the closed Business Meeting.

12. Quorum

- (1) A quorum of a Business Meeting of the TLAB is a majority of Members.
- (2) Quorum shall be maintained throughout the Business Meeting.
- (3) Members participating in the Business Meeting electronically are not counted towards quorum.
- (4) If no quorum is present fifteen minutes after the time appointed for a Meeting, the Secretary calls the roll and records the names of the Members present and the Meeting is adjourned until the next scheduled day of Meeting, or the next regular Meeting, or at the call of the Chair in accordance with Section 10.

13. Absence of Chair

In the absence of the Chair, the Vice Chair shall preside until the arrival of the Chair if a quorum is present. Should the Chair and the Vice Chair not be in attendance at the meeting the TLAB shall appoint one of the other Members as Acting Chair to preside and shall discharge the duties of the Chair during the meeting, or until the arrival of the TLAB Chair or Vice Chair.

D. Business Meeting Agenda

14. Agenda – General

(1) Chair to set the Business Meeting agenda

The Chair shall set the agenda for TLAB Business Meetings in consultation with the Secretary.

(2) Delivery of agenda to Members and the public

The Secretary shall distribute the agenda to the TLAB Members and post the agenda to the TLAB website at least seven (7) calendar days in advance of the meeting.

(3) Agenda order

Unless otherwise decided by the Members, the TLAB considers the items on the agenda in the order in which it is listed on the agenda.

(4) Changes to agenda

The TLAB, without debate and by a majority vote, may make any alteration to the order of the business but may not delete any item from the agenda. The TLAB Members may defer an agenda item to a future agenda.

(5) Introduction of new agenda items

Any item not included on the agenda may only be introduced by a Member at a Business Meeting with the consent of the majority of the TLAB Members present.

(6) Standard business meeting hours

Standard business meeting hours are 9:00am – 5:00pm. The meeting may be extended by way of motion and carried with a majority vote of the Members.

15. Agenda – Procedures

- (1) The Chair introduces the matter before the TLAB Members.
- (2) The TLAB hears public presentations from everyone who has registered a notice of intention to make a public presentation on the matter before the TLAB.
- (3) After the public presentation, a Member may ask the presenter any relevant questions.
- (4) After the TLAB hears all public presentations related to the matter, a Member may ask City Officials questions on the matter subject to the speaking order.
- (5) After hearing all public presentations on the matter and asking any related questions, the TLAB may immediately consider the matter or defer considering it to a future meeting.
- (6) After the TLAB debates the matter, the matter may be put to a vote.

16. Members' options for presenting communications

- (1) Members may present communications to the TLAB about:
 - (a) Any matter on the meeting agenda; or
 - (b) Matters not on the meeting agenda but within the TLAB's mandate.
- (2) In submitting communications under Subsection 16-1(b), Members must comply with any applicable notice requirements and must meet agenda deadlines.

E. Public Participation in Business Meetings

17. Business Meetings open to the Public

All TLAB Business Meetings are open to the public unless the Chair declares the meeting or a portion of the meeting closed in accordance with Subsection 11(1).

18. Public input on TLAB processes and procedures

- (1) The TLAB will accept public deputations by oral presentation or written submission when it is considering changes to rules, practice directions, or policies of the tribunal provided that requests are received within the timelines in Subsection 19(2) for oral presentations and Subsection 20(2) for written submissions.
- (2) Notice of any proposed changes to rules, practice directions, or policies of the tribunal will be provided according to the processes in Subsection 12(2) for the purpose of eliciting public feedback.
- (3) The TLAB may incorporate resident and stakeholder input through a range of engagement methods including public meetings, workshops, summits, surveys and social media as appropriate. From time to time the Chair may also invite presentations to the TLAB as per Chapter 27-13 of the Toronto Municipal Code Chapter 27, Council Procedures.

19. Public Deputations by Oral Presentation

(1) Any person may address the TLAB

Any member of the public may request to make a public deputation by oral presentation to the TLAB on a Business Meeting agenda item either on his/her own behalf or as a representative of an organization or group.

(2) Register to speak

A notice of intention to make a public deputation by oral presentation on a Business Meeting agenda item must be registered with the Secretary at least one (1) business day prior to the meeting by 12:00pm (noon). Email requests can be submitted to tlab@toronto.ca. The date of the TLAB Business Meeting and the agenda item to be spoken to must be indicated in the subject line of the email.

(3) Registration required in order to speak

The TLAB shall not hear public deputations by oral presentation from members of the public who have not registered prior to the meeting unless otherwise directed by the Chair.

(4) Public deputations (oral) on non-Business Meeting agenda items not accepted

Public deputations by oral presentation on non-Business Meeting agenda items shall not be accepted unless otherwise directed by the Chair.

(5) Time allotted for speaking

(a) A public deputation by oral presentation to the TLAB by a person shall be limited to five (5) minutes unless otherwise directed by the Chair.

(b) A public deputation by oral presentation on behalf of any organization or group may be made by more than a single representative but the entire deputation on behalf of an organization or group shall be limited to five (5) minutes unless otherwise directed by the Chair.

(6) Time for answering Member questions not included in time limit

The time involved in answering questions from the Members shall not be included in the time limit for the deputation.

(7) Public deputations by oral presentation to be relevant

A public deputation by oral presentation must be relevant to the registered agenda item. Irrelevant presentations will not be received by the TLAB and are subject to dismissal at the Chair's discretion.

20. Public Deputation by Written Submission

(1) Any person may submit a written public deputation to the TLAB

Any member of the public may provide a public deputation by written submission to the TLAB on a Business Meeting agenda item either on his/her own behalf or as a representative of an organization or group.

(2) Register a written submission

Public deputations by written submission must be registered with the TLAB at least five (5) business days prior to the Business Meeting by 4:30pm. Written submissions can be submitted by email to tlab@toronto.ca. The date of the TLAB Business Meeting and the agenda item to be spoken to must be indicated in the subject line of the email.

(3) Public deputations (written) on non-Business Meeting agenda items not accepted

Public deputations by written submission on non-Business Meeting agenda items shall not be accepted unless otherwise directed by the Chair. If the Chair directs otherwise, the matter may be deferred to the next scheduled Business Meeting.

(4) Registered written submissions will be posted on the TLAB website.

All registered public deputations by written submission on Business Meeting agenda items shall be posted on the TLAB website.

F. Minutes of TLAB Business Meetings

21. (1) Secretary submits minutes to next regular Business Meeting

The Secretary shall prepare the minutes for every Business Meeting for submission to the TLAB for confirmation or approval as amended, at the next meeting of the TLAB, or as soon as reasonably practicable. After the TLAB adopts the minutes, the Chair signs them.

(2) Member may request reading of the minutes

If any Member requests, the Secretary reads the minutes or any requested portion of the minutes, before the minutes are adopted or amended.

(3) Secretary to post minutes on TLAB website

The Secretary shall post the minutes on the TLAB website within seven (7) calendar days after confirmation by the Members.

G. Rules of Debate

22. (1) Order of speaking

For each matter under consideration, the Chair shall maintain a list of TLAB Members who have requested to speak and shall designate Members to speak in accordance with that list.

(2) Questioning – use of statements

Questions must be clear and concise. Statements will be allowed as long as they are related to a question.

(3) Every Member has a chance to speak before a second round

No TLAB member shall speak more than once until every Member who wishes to speak has done so.

(4) Member not to ask the same question

The Chair may rule a question out of order if a Member has already asked substantially the same question in the same form.

(5) Questions of Members

Members may question only:

- (a) The Chair;
- (b) City Officials;
- (c) The previous speaker, if that speaker has moved a motion, for clarification of the motion only; and
- (d) Members of the public, for clarification purposes.

23. General Rules on Making Motions

(1) Motions not requiring written notice or consent of Members

The following matters may be introduced by TLAB Members without written notice and without consent of the TLAB:

- (a) A point of order or procedure;
- (b) The presentation of petitions;
- (c) A motion to suspend or not follow a rule of procedure;
- (d) A motion to adjourn the meeting;
- (e) A motion that the vote on a matter be taken;
- (f) Any other motion of a purely procedural nature.

(2) **Secunder required**

A motion requires a seconder.

(3) **Withdrawing a motion**

After a TLAB Member has made a motion, the Member may only withdraw it with the consent of the TLAB.

(4) **Procedural motions and their order**

- (a) A Member may make procedural motions defined in Subsection (b) at any time when the Member has the floor.
- (b) The TLAB shall consider the following procedural motions in the following order:
 - (1) Motion to amend the agenda;
 - (2) Motion to adjourn;
 - (3) Motion to recess;
 - (4) Motion to end debate;
 - (5) Motion to extend debate;
 - (6) Motion to limit debate;
 - (7) Motion to fix a time for a reconvened meeting;
 - (8) Motion to reopen or reconsider;

- (9) Motion to refer; and
- (10) Motion to defer.

(5) **Procedural motions voted on first**

A procedural motion takes precedence over any other motion and shall be put immediately to a vote following its debate.

H. Voting

24. General Rules on Voting

(1) **Chair ensures that all Members who wish to speak have spoken**

The Chair shall ensure that all Members who wish to speak on a matter have spoken and that the Members are ready to vote and shall then put the matter to a vote.

(2) **Members present must vote**

Every Member present at a meeting must vote on every matter put to a vote, except any Member who declares a conflict of interest and removes themselves from the vote.

(3) **Not voting is a negative vote**

The Secretary records as voting in the negative any Member present at a meeting who does not vote, except a Member who has declared a conflict of interest.

(4) **Secretary records the vote when requested by a Member**

When a vote is taken, and a Member requests that the vote be recorded, the Secretary shall record each Member's vote.

(5) **Members participating electronically are not able to vote**

A Member participating in a Business Meeting electronically is not able to vote.

(6) **Matter put to a vote shall be in the form of a motion**

The matter put to a vote shall be in the form of a motion addressing the matter then under consideration.

(7) **Members may propose motions on items to be voted upon**

Any Member may propose a motion on the matter under consideration which the Secretary shall record in the minutes. The Member may restate the motion to ensure that the wording is recorded properly and the TLAB Members present understand the intent.

(8) **Multiple motions**

If there is more than one motion with respect to a matter, the Secretary shall record all motions in writing and read the various motions to the Members prior to the vote being taken.

(9) **Order of the vote**

When a vote is taken, the order of the vote shall be as follows:

- (a) Motion to refer;
- (b) Motion to defer;
- (c) Motion to receive;
- (d) Any amendments to a motion; and
- (e) Motion to adopt or Motion to adopt as amended, if any amendments have carried.

I. Points of Order and Procedure

25. General Rules on Points of Order and Procedure

(1) **Member may present**

A Member may present a point of order or privilege at any time and must relinquish the floor after doing so.

(2) **No debate or amendment**

The TLAB Members cannot debate or amend a point of order or privilege.

(3) **Chair to immediately rule**

The Chair immediately rules on the point of order or privilege and gives reasons for the ruling.

(4) **When a Member may appeal the Chair's ruling**

Immediately following a Chair's ruling, a Member may make a motion to appeal that ruling, despite another Member having the floor.

(5) **No debate or amendment on motion to appeal**

Members cannot debate or amend a motion to appeal.

(6) **Steps taken after motion to appeal**

When a Member makes a motion to appeal, the Chair:

- (a) Asks the Members, "Is the ruling of the Chair upheld?" and
- (b) Immediately puts the motion to appeal to a vote.

(7) **Chair's Statement of Authoritative Rules is Final**

If the Chair states or reads a rule from the procedures by-law or legislation, the Chair has not made a ruling and no Member shall make a motion to appeal.

J. Order and Decorum and Conduct of Members

26. Chair to maintain order

The Chair:

- (1) Maintains order and preserve the decorum of the meeting;
- (2) Rules upon points of order and points of privilege without debate or comment;
- (3) Rules upon all other procedural matters;
- (4) If considered necessary because of grave disorder, adjourning or recessing the meeting for a specified time;
- (5) Determines which Member has the right to speak;
- (6) Determines when all Members who wish to speak on a motion have spoken and that the Members are ready to vote, and then puts the vote;

- (7) Determines whether a person's public deputation by oral presentation is relevant to the registered agenda item;
- (8) Rules whether a motion or proposed amendment is in order; and
- (9) May call a Member to order.

27. Members' responsibilities during a Business Meeting

Members are responsible for:

- (1) Attending scheduled meetings;
- (2) Carefully considering and making decisions about meeting business;
- (3) Voting on motions put to a vote;
- (4) Respecting the rules of the procedure by-law;
- (5) Declaring conflicts of interest on agenda items at the start of each Business Meeting or at any other time as appropriate;
- (6) Speaking respectfully at all times;
- (7) Listening attentively, participating in a meeting, and not interrupting the proceedings;
- (8) Refraining from using any offensive, disrespectful, unparliamentary, or undermining language about any Member, any City officials or other City employee, the TLAB as a whole, or any public board, commission, or agency;
- (9) Speaking only on the matter under debate or related motions during debate;
- (10) Respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so; and
- (11) In the event of non-attendance, advising the Chair and the Secretary of the absence at least seven (7) calendar days before the meeting or at the earliest opportunity.

28. Removing and reinstating a disciplined Member

- (1) If a Member fails to adhere to these standards of conduct after being called to order by the Chair, the Chair may immediately move a motion, which shall not be subject to debate, amendment or adjournment, to expel the Member for the duration of the meeting.
- (2) The Member will be given an opportunity to apologize before the vote. If the Members vote to expel the Member, the Chair orders the Member to leave for the rest of the Business Meeting.
- (3) A Member who has been ordered expelled may remain at the meeting if the Member apologizes and, by a vote of the TLAB Members, is permitted to remain at the meeting.

K. Amendments to By-law

29. Voting Requirements and Notice

- (1) To pass a motion to amend or repeal this by-law requires approval from the majority of all TLAB Members.
- (2) The TLAB will only consider amendments or repeal of the procedures by-law at a Business Meeting if a previous regular Business Meeting received notice of the proposed amendment or repeal.

L. Effective Date

- (1) This by-law shall come into force on December 5, 2018.

Approved by: Toronto Local Appeal Body

Date: December 5, 2018

Appendix A

Balloting Procedures

The procedures for balloting are:

A. Call for nominations.

B. Nominations and no seconding.

Members may nominate candidates, including themselves, and nominations do not require seconding. If there are no nominations, the Chair appoints a Vice Chair at his or her discretion.

C. Chair calls three times, closes, and announces nominees.

The Chair calls three times for further nominations and, if no further nominations are made, the Chair declares nominations closed and announces the nominees.

E. Time limit and order for nominees to speak.

Each nominee, in alphabetical order by surname, may speak for up to five minutes.

F. More than one nominee requires ballots.

If there is more than one nominee, the Chair issues ballots to all members.

G. Members vote for one nominee and sign ballot.

Using the ballot, a member votes for only one nominee, signs the ballot and prints his or her name on the ballot.

H. Balloting results public.

All ballot results are public.

I. Ballot Counting

The Secretary, or any other staff member or City Official as directed by the Chair, shall count the ballots and inform the Chair of the results.

J. Announcing ballot results and members' votes.

The Chair announces the results of the ballot, and if requested, announces the individual ballot results and the name of the member casting the ballot.

K. When most votes do not make a majority.

If the nominee with the most votes does not receive the votes of a majority of the members present, the TLAB conducts another ballot in accordance with Subsections G, H, I and K.

L. Steps to exclude nominees with few or no votes or tie votes.

The next ballot excludes the nominees with the fewest votes and any nominee with no votes. If two or more nominees are tied with the fewest votes, the Chair selects the nominee or nominees who advance to the next ballot by the following method:

- A. The names of the tied nominees are placed on sheets of paper of equal size, and the paper are folded in half and placed in a box; and
- B. The Chair pulls one or more pages with the name or names of the nominee or nominees who advance to the next ballot from the box.

M. Votes to find a candidate with the most votes and then a majority vote.

Balloting continues in accordance with Subsections G., H, I and K until one nominee receives both the most votes and a majority of votes.

N. Steps for when remaining nominees are tied.

If after the steps set out in Subsection L only two nominees remain and the votes for the two remaining nominees are tied, the Chair selects the winner by the following method:

- A. The names of each of the two remaining nominees are placed on two sheets of paper of equal size, and the papers are folded in half and placed in a box; and
- B. The Chair pulls the name of one nominee from the box, and that nominee is declared the winner.