



# Minutes: June 28, 2022

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## Toronto Licensing Tribunal Business Meeting No. 34

Meeting Date: Tuesday, June 28, 2022

Time: 9:30 AM.

Email: [tlt@toronto.ca](mailto:tlt@toronto.ca)

Location: Electronic Business Meeting (WebEx)

Chair: Mary Lee

Contact: Pauline Chandarpaul

Phone: 416-392-3072

### Toronto Licensing Tribunal Panel Members

Mary Lee (Chair)

Anu Bakshi

Verlyn Francis

Melina Laverty

Edgar Montigny

Daphne Simon

Paula Turtle

#### **Staff Attendance:**

##### **Russ Brownell**

Acting Manager, Tribunal Operations, Court Services

##### **Pauline Chandarpaul** - Administrator

Supervisor, Tribunal Operations, Court Services

**Steven Debono, Denize Jalilpour – Tribunal Staff**

Support Assistant B, Toronto Licensing Tribunal, Court Services

**Michele Wright**

Practice Lead Legal Service, City Legal

**Kevin Lurkhur**

Manager, Municipal Licensing and Standards

**Brendan Nolan**

Corporate Management Policy Consultant, City Manager Services

**Regrets:**

**Fiona Chapman**

Director,

Business Licensing & Regulatory Services Infrastructure and Development Services,  
Municipal Licensing and Standards

**Marcia Stoltz**

Manager, Municipal Licensing and Standards

Chair Mary Lee - Welcome to everyone, confirmed Quorum

## **Aboriginal Land Acknowledgement**

## **Introduction of Meeting Participants**

## **Confirmation of Minutes – Business Meeting, September 14, 2021 Adoption of the minutes from 2021**

Request from D. Simon to attach Rules to 2021 minutes.

Vote to accept Minutes by: M. Lee, A. Bakshi, V. Francis, M. Laverty, E. Montigny, D. Simon and P. Turtle

## **34.1 – CHAIR’S UPDATE**

Virtual hearings will continue as the primary delivery method for managing the Tribunal's business. There are no plans to resume in-person hearings at this time. However, Tribunal members will consider requests for in-person hearings when and if they arise.

Since January 2022, there has been a significant decline in the number of full hearings where a decision from a Tribunal member is required. This is due to the fact that on a scheduled hearing date, the majority of matters have either been resolved by way of a Proposed Resolution or adjourned to a later date because matters are still before the courts.

Chair’s annual report was submitted to committee in April 2022 and it has been approved. The Chair submitted two recommendations set out below:

### **2021 Chair’s Recommendations:**

#### **1) Review of Hearing Documents and Submissions for Electronic Hearings**

With the transition to electronic hearings, it is important to ensure the relevant hearing documents and submissions are quickly and easily accessible. With the current document format, participants and members experience difficulty navigating between the various electronic documents referred to in a hearing. The Tribunal will collaborate with Court Services Staff and relevant stakeholders in improving and streamlining electronic hearing documents and submissions.

#### **2) Finalize the Review of Procedural Conferences (previously Pre-Hearing Conferences).**

With the completion and adoption of amended Tribunal Rules of Procedure, the Tribunal Supervisor, Members and MLS Staff will undertake this work with a view to continuing to enhance the efficiency and effectiveness of the Procedural Conference Process.

The Tribunal members made the following recommendations on how to enhance MLS report submissions and hearing efficiency:

- Schedule settlement conferences prior to the scheduled hearing date or hearing time, i.e., schedule settlement conferences at 9:00 a.m. and hearing at 10:00 a.m.;
- Re-organize MLS submissions whereby the Integrated Courts Offences Network (ICON) data be added as supporting documentation in an appendix; and
- Save MLS submission and supporting documentation in a zip file. Add a table of contents with hyperlinks to each report or supporting document.

- Reduce time spent on hearings for consent adjournment requests by increasing use of Rule 13.2 which states where an adjournment is on consent, the Tribunal administrator can reschedule matter. On the hearing day, Tribunal staff can notify the Member about consent adjournments.

The Tribunal Chair and Supervisor will meet with MLS to review and consider the suggested recommendations for improved accessibility and efficiency.

### Review of Hearing Statistics for period January to June 2022

Proposed Resolutions: Signed Prior vs. Day Of/Unsigned					Adjournments			Full Hearings vs. Non				
	Prior	Day Of	Unsigned	Total		Regular	Sine Die	Total		Full	Non	Total
January	3	2	2	7	January	8	0	8	January	2	15	17
February	1	2	0	3	February	10	1	11	February	0	18	18
March	2	3	1	6	March	5	1	6	March	0	20	20
April	3	2	0	5	April	9	0	9	April	0	18	18
May	2	0	1	3	May	5	0	5	May	0	9	9
June (16)	1	0	0	1	June (16)	4	1	5	June (16)	0	10	10
Total	12	9	4	25	Total	41	3	44	Total	2	90	92

#### Statistics Notes:

- Majority of Proposed Resolutions are resolved on the hearing day
- TLT does not track for statistics, the request for adjournments prior to a hearing date
- There is minimal case inventory at this time
- There are 12 sine dine cases waiting to be scheduled
- It appears unsigned PR's are day of PR's. Majority of PR's are resolved on the day of, approx. 13 total for the year to date
- Slight increase in cases involving driver training courses and more individuals applying for their licenses.

## 34.2 Rules of Procedure – One Panel Member Hearings

Given the reduced number of full hearings, starting in Quarter 3 (mid-August to end of September), only one Tribunal member will be scheduled on a given hearing day. On any given hearing day, should a Tribunal member identify a complex case that requires a full hearing, they have the option to adjourn to a new date in order to schedule a 3-member panel hearing. Tribunal staff will notify the Tribunal Chair if they know of a complex case and they will plan accordingly. If needed, additional support will be available for Tribunal members. Tribunal staff will continue to provide support on scheduled hearing days.

The Tribunal Chair and Tribunal Supervisor will monitor the hearings and report back at the next Business Meeting.

## 34.3 Supervisor Update

Building upgrades are underway at East York Civic Centre. Entry ways are being made more accessible and the ramp is under construction. In addition, the Council Chambers are being renovated. The main building door will be open and the staff door, near staff parking lot will be accessible and security can permit them entry. At this time there are no in person hearings in the Council Chambers. However, if an in-person

hearing is requested, a meeting room on the third floor can be arranged. Also, hearings can take place at the 40 Orchard View location if required.

The TLT Supervisor will review the feasibility of starting hearings at 10:00 a.m. to allow for settlement conferences to take place at 9:00 a.m. with MLS and legal services. In order for this happen the hearing notice would have to be amended accordingly. An update will be provided at the next Business Meeting.

### 34.4 Schedule of 2022 Business Meeting

The Toronto Licensing Tribunal confirmed Business Meeting is confirmed for October 18, 2022 at 9:30 a.m.

### 34.5 Closing Business and Remarks

The Tribunal received a written request for pardon to remove applicant/licensee name from the Tribunal website and related documents. The Tribunal Chair and Tribunal Supervisor will consult with Legal Services on how best to address this request and future requests.

## Adjournment

Motion to Adjourn Toronto Licensing Tribunal Business Meeting No. 34 (June 28, 2022)

Moved by V. Francis. Seconded by D. Simon

Meeting ended at 11:33 AM