

ATTACHMENT 1

38.1 – INFORMATION AND MOTION Toronto Local Appeal Body Chair's 2021 Annual Report

Link:

[The Toronto Local Appeal Body Chair's
2021 Annual Report](#)

ATTACHMENT 2

38.1 – INFORMATION AND MOTION Toronto Local Appeal Body Chair's 2021 Annual Report

Link:

[Report for Action from the Director, Court Services regarding the TLAB Chair's 2021 Annual Report, dated June 20, 2022.](#)

ATTACHMENT 3

38.2 – ADOPTION

PROPOSED REVISIONS TO THE Toronto Local Appeal Body's PROCEDURAL BYLAW 1-2017

Link:

[The Toronto Local Appeal Body's
Procedural By-law 1-2017](#)

ATTACHMENT 4

38.3 – ADOPTION REVISIONS TO THE WORDING IN THE TORONTO LOCAL APPEAL BODY'S RULES OF PRACTICE AND PROCEDURE

New Rule 12.2.1 to be added to the
Toronto Local Appeal Body's Rules of
Practice and Procedure & Amended
Wording to the Public Guide

AGENDA ITEM 38.4 (October 19, 2022, TLAB Business Meeting)

38.4 a) - The Toronto Local Appeal Body's Public Guide, as amended, should be further amended by deleting the bolded and underlined section below:

"What is a Party? A Party is a person or organization who is fully involved in the proceedings before the TLAB and who qualifies for the status either by election or other action. Under the TLAB *Rules*, Party status can accrue through individual election. **While normally the Applicant, the Appellant and the City are considered Parties to an appeal, the Rules require that such individuals or entities, or any other persons of interest, must self-identify the status sought, through specific filings.** This individual/entity who so elects must file a Form 12 – Party Witness Statement and present their submissions at the Hearing. Parties are obligated to both receive and provide Document Disclosure, including providing copies to all other individuals in the process who elect Party status."

The following new subRule be added to the Toronto Local Appeal Body's Rules of Practice and Procedure, as amended on December 2, 2020:

12.2.1 An Appellant is a Party, despite Rule 12.2

ATTACHMENT 5

38.3 – ADOPTION REVISIONS TO THE WORDING IN THE TORONTO LOCAL APPEAL BODY'S RULES OF PRACTICE AND PROCEDURE

**Revised Wording for Rule 24.3 of the
Toronto Local Appeal Body's Rules of
Practice and Procedure**

AGENDA ITEM 38.3 – October 19, 2022, TLAB Business Meeting

38.4 b) - Revision to the Wording of Rule 24.3 (Objection to Electronic Hearings) of the Toronto Local Appeal Body's Rules of Practice and Procedure:

Objection to an Electronic Hearing

- 24.3 A Party who objects to an Electronic Hearing shall bring a Motion **no later than 5 Days after the due date for Service of the Notice of Intention to be a Party or Participant has passed.** ~~within 5 Days of Service of the Notice of Electronic Hearing.~~

ATTACHMENT 6

38.4 – ADOPTION REVISIONS TO THE TORONTO LOCAL APPEAL BODY'S FORMS

**The Toronto Local Appeal Body's Forms 4
and 21**

Responding Expert Witness Statement Form 21

Part 4: Retaining Party Information

First Name

Last Name

- ☐ Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.

Single Name

Part 5: Responding Expert Witness Qualifications

Specify the area of expertise and attach a curriculum vitae.

Part 6: Responding Expert Witness Statement

Provide a full disclosure statement using numbered paragraphs of intended evidence in accordance with Rule 16.13 c), d) and e). The Applicant may have made revisions to the original application. Where applicable, relate and identify your opinion evidence to any application revisions identified in the Applicant's Disclosure (Form 3), the issues, Party Witness Statement(s) (Form 12) or Participant Witness Statement(s) (Form 13) filed and any reports or documents previously filed in accordance with Rule 16.2.

NOTE: In the case of an intended reference to a document contained in the 'Common Document Book' maintained on the TLAB website (www.toronto.ca/tlab), no electronic exchange is required provided the document is referenced and the parts, sections, pages or paragraphs are identified.

Responding Expert Witness Statement Form 21

Part 6: Responding Expert Witness Statement (Continued)

Provide a full disclosure statement using numbered paragraphs of intended evidence in accordance with Rule 16.13 c), d) and e). The Applicant may have made revisions to the original application. Where applicable, relate and identify your opinion evidence to any application revisions identified in the Applicant's Disclosure (Form 3), the issues, Party Witness Statement(s) (Form 12) or Participant Witness Statement(s) (Form 13) filed and any reports or documents previously filed in accordance with Rule 16.2. **(Continued from page 2)**

Notice of Intention (Election) to be a Party or a Participant Form 4

TLAB Case File Number

Questions or concerns about this form or process can be directed to the Toronto Local Appeal Body by telephone 416-392-4697 or by email at tlab@toronto.ca.

Information, including completed forms, disclosure documents and statements, you disclose to the Toronto Local Appeal Body (TLAB) in relation to a TLAB appeal is an adjudicative record that is a public record available to parties, participants and the general public. The legal authority to make the information public is section 1.0.1. of the Planning Act. As stated in Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, the provisions protecting individual privacy in Part 2 of that Act do not apply to any information collected in the TLAB's prescribed forms and associated filings for appeals.

Questions about this collection can be directed to the Manager of Tribunal Operations, Court Services, 40 Orchard View Boulevard, 2nd Floor, Suite 253, Toronto Ontario M4R 1B9 or by telephone at 416-392-3261.

Part 1: Location Information

Street Number	Street Name	Postal Code
Legal Description of property subject to appeal		

Part 2: Party or Participant Information

First Name		Last Name	
<input type="checkbox"/> Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.			
Single Name			
Corporation Name or Association Name (Association must be incorporated), if applicable			
Position Title (if applicable)		Email	
Street Number	Street Name	Suite/Unit Number	
City/Town		Province	Postal Code

ATTACHMENT 7

38.7 – INFORMATION

Toronto Local Appeal Body – Legal Advice
from External Legal Counsel regarding
Rule 31 (Review of Final Decision or Final
Order) of the Toronto Local Appeal Body's
Rules of Practice and Procedure

Link:

[Rule 31 of the Toronto Local Appeal
Body's Rules of Practice and Procedure,
as amended on December 2, 2020.](#)

ATTACHMENT 8

CITY OF TORONTO SUBMISSION

Date: October 13, 2022

To: Toronto Local Appeal Body

From: Paul Johnson, Deputy City Manager, Community and Social Services

Re: Agenda Item 38.2: Adoption: Proposed Revisions to the Toronto Local Appeal Body's Procedure By-law 1-2017

This submission is related to Item 38.2 on the Toronto Local Appeal Body's (TLAB) Business Meeting agenda on October 19, 2022.

Sub-committees

The City suggests the following amendments to the Procedure By-law to allow for sub-committees that align with Municipal Code Chapter 27: Council Procedures.

1. Definitions

Subcommittee - A committee of Members that the Toronto Local Appeal Body establishes and that reports to the Toronto Local Appeal Body at its Business Meetings.

3. Business conducted according to the by-law

- (2)(a) The rules in this Procedure By-law apply to meetings of a Subcommittee with minor modifications as may be required and shall be observed by Members of a Subcommittee in its meetings.
- (b) The Toronto Local Appeal Body shall adopt terms of reference for any Subcommittee it establishes that include:
 - 1. The matters the Subcommittee deals with;
 - 2. The Members appointed to the Subcommittee; and
 - 3. The date the Subcommittee provides a final report to the Toronto Local Appeal Body and the date that it ends, unless the Toronto Local Appeal Body approves an extension.

TLAB's mandate as approved by City Council can be found in Chapter 142 of the Municipal Code. TLAB Member responsibilities include conducting mediations, presiding over hearings, and rendering a written decision on hearings based on the evidence presented in accordance with the TLAB's Rules of Practice and Procedure and the Statutory Powers Procedure Act. The Chair's responsibilities are associated with Member training and development, representing the TLAB, and annual reporting to Committee and Council on the TLAB's activities. Accordingly, TLAB can act on matters related to creating and improving its Rules, Procedure By-law, and Practice Directions.

The terms of reference for the sub-committee must be within the mandate and authority of the TLAB as set out by City Council in Chapter 142 of the City of Toronto Municipal Code. Sub-committees can only make recommendations to the TLAB. All final decisions must occur at the TLAB's Business Meetings.

All Business Meetings and sub-committee meetings of TLAB are public meetings as required under the City of Toronto Act, 2006.

Members will not receive remuneration for sub-committee meetings.

Schedule and Electronic Participation

At TLAB's May 2020 Business Meeting the tribunal amended its Procedure By-law to include a new provision permitting Members to participate in Business Meetings electronically. The provision is only in effect during a provincially declared emergency. The City's suggestion is to keep this provision and make it effective at all times, as follows:

8. Schedule and Electronic Participation

- (4)(a) TLAB may, despite any other provision of this Procedure By-law, hold a Business Meeting where some or all of the Members participate electronically and no physical meeting is held.
- (b) Where a Business Meeting is being held in accordance with subsection (4)(a):
 - 1. any Member participating in the meeting electronically will be deemed present for the purposes of quorum and will have the right to vote on any business before TLAB;
 - 2. any Member participating in the Business Meeting electronically will be entitled to participate in any portion of the Business Meeting closed to the public; and
 - 3. the Procedure By-law 1-2017 will apply to the meeting, with any other minor modifications as may be required.

This approach is consistent with the first amendment during the provincial emergency declaration as well as being clear and comprehensive.

As set out in Agenda Item 38.2 (d), subsection 12(3), which restates a now repealed provision of the City of Toronto Act related to electronic Business Meetings and quorum, should be deleted.

While the earlier amendment to permit Members to participate in Business Meetings electronically was not consolidated into the Procedure By-law, the suggested deletion above will ensure this occurs.

The deletion of Section 29(2) (Voting Requirements and Notice) of Procedure By-law 1-2017.

As set out in subsection 29(2) of the Procedure By-law, the TLAB can only consider amendments or repeal of the Procedure By-law at a Business Meeting if a previous regular Business Meeting received notice of the proposed amendment or repeal.

If this is deleted, the City's suggestion is to add that subsection 14(5) does not apply to any amendment or repeal of the Procedure By-law. This ensures that there is notice by means of posting the agenda and a change to the Procedure By-law cannot occur by means of adding an agenda item at the Business Meeting with no prior notice.

14. Agenda – General

(5) Introduction of new agenda items

- (a) 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.
- (b) Despite paragraph 14(5)(a), an item with respect to amending or repealing the Procedure By-law may not be added to the agenda at a Business Meeting.

Additional consideration for revisions to the TLAB Procedure By-law: City Officials' deputations by written submission

The City suggests that the TLAB include in its Procedure By-law a provision that allows City Officials to register written submissions with the TLAB one business day prior to the Business Meeting. This aligns with Municipal Code Chapter 27: Council Procedures.

Sincerely,



Paul Johnson
Deputy City Manager, Community and Social Services
City of Toronto

Contacts

Karen Jones, Director Corporate Intergovernmental and Agency Relations, 416-397-4429, karen.jones@toronto.ca

Susan Garossino, Director Court Services, 416-392-3835, susan.garossino@toronto.ca

Russ Brownell, Acting Manager, Court Operations - Tribunals, Court Services, 416-392-5546, russ.brownell@toronto.ca

Matthew Cowley, Acting Manager, Public Appointments, City Clerk's Office, 416-392-4389, matthew.cowley@toronto.ca