



Minutes: February 15, 2023

Toronto Local Appeal Body Business Meeting No. 41

Toronto Local Appeal Body – Public Business Meeting

Meeting Date: Wednesday, February 15, 2023

Location: Electronic via City of Toronto Web Conferencing

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 (Vice-Chair)

Sabnavis Gopikrishna

Stanley Makuch

John Tassiopoulos

Ted Yao

Carissa Wong

Gerald Swinkin

Ron Kanter

Trevor Kezwer

Blair Martin

Meeting started at 9:30 a.m.

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, December 16, 2022

Motion to adopt meeting minutes of Business Meeting held, December 16, 2022.

(No moving party recorded)

Dino Lombardi (Chair)	Yes
Ana Bassios (Vice-Chair)	Yes
Sabnavis Gopikrishna	-
Stanley Makuch	Yes
John Tassiopoulos	Yes
Ted Yao	Yes
Carissa Wong	Yes
Gerald Swinkin	Yes
Ron Kanter	Yes
Trevor Kezwer	Yes
Blair Martin	Yes
Sean Karmali	

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

None

Message from Member Kilby (retired) read by Dino Lombardi

Message from Member Turtle (retired) ready by Dino Lombardi

Chair Lombardi thanks Members Kilby and Turtle for their service on behalf of the Toronto Local Appeal Body as they both have resigned effective as of the end of the year.

Member Swinkin asks for the Chair to provide a status update on the reappointment of Members Karmali and Tassiopoulos. Chair Lombardi advises that the nomination panel that oversees the appointments begins anew after the November 2022 elections with public appointments being the first point of business for the City to undertake. Russ Brownell agrees with the sentiments provided by the Chair and advises that the recruitment process and proposal will be put forward for the May City Council meeting.

Public Deputations to the Toronto Local Appeal Body

Oral presentation given by Veronica Wynne, CORRA Secretary/Membership on behalf of the Confederation of Resident & Ratepayer Associations in Toronto, Mr. Roberts being the CORRA Chair, but not in attendance.

Email read from Geoff Kettel of the Federation of North Toronto Resident Association (FoNTRA).

Motion THAT the Toronto Local Appeal Body receive both the written presentation from the Confederation of Resident and Ratepayer Associations in Toronto (CORRA) dated February 13, 2023 and the e-mail from the Federation of North Toronto Residents Association (FoNTRA) dated December 15, 2022 respectively, regarding Bill 23 – The More Homes Built Faster Act 2022, for information.

Supporting Documents

Written Presentation of the Confederation of Resident & Ratepayer Associations in Toronto (CORRA)
 Email from the Federation of North Toronto Resident Association (FONTRA)

Moved by Member Makuch, Seconded by Member Tassiopoulos (carried)

Dino Lombardi (Chair)	Y
Ana Bassios (Vice-Chair)	Y
Sabnavis Gopikrishna	Y
Stanley Makuch	Y
John Tassiopoulos	Y
Ted Yao	Y
Carissa Wong	Y
Gerald Swinkin	Y
Ron Kanter	Y
Trevor Kezwer	Y
Blair Martin	Y
Sean Karmali	X

41.1 – MORE HOMES BUILT FASTER ACT 2022 – UPDATE FROM LEGAL COUNSEL (IN-CAMERA)

Summary

The Toronto Local Appeal Body will go into closed session to receive information from external legal counsel as permitted by S. 11(1) (a) of the Tribunal’s Procedural By-law 1-2017 - Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Supporting Documents

- i. Confidential Memorandum from Duxbury Law to the TLAB Chair dated January 24, 2023 – Distributed under separate cover.
- ii. The Toronto Local Appeal Body’s Rules of Practice and Procedure

Motion to go into closed session to receive information from external legal counsel as permitted by S. 11(1) (a) of the Tribunal’s Procedural By-law 1-2017 - Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding Bill 23 – The More Homes Built Faster Act 2022.

Moved by Member Gopikrishna, seconded by R. Kanter (carried)

Dino Lombardi (Chair)	Y
Ana Bassios (Vice-Chair)	Y
Sabnavis Gopikrishna	Y
Stanley Makuch	Y
John Tassiopoulos	Y

Ted Yao	Y
Carissa Wong	Y
Gerald Swinkin	Y
Ron Kanter	Y
Trevor Kezwer	Y
Blair Martin	Y
Sean Karmali	Y

CLOSED SESSION

Motion to return to public session.

Moved by Chair Lombardi, seconded by Member Tassiopoulos (carried)

Dino Lombardi (Chair)	Y
Ana Bassios (Vice-Chair)	Y
Sabnavis Gopikrishna	Y
Stanley Makuch	Y
John Tassiopoulos	Y
Ted Yao	Y
Carissa Wong	Y
Gerald Swinkin	Y
Ron Kanter	Y
Trevor Kezwer	Y
Blair Martin	Y
Sean Karmali	Y

Vice Chair Bassios provides an update stating that the TLAB is not making any changes to its Rules of Practice and Procedure at this time and that the TLAB will collectively work towards reflecting only the changes necessitated by Bill 23 – *More Homes Built Faster Act 2022*, to the Rules and Forms of the Toronto Local Appeal Body.

41.2 – INFORMATION

Toronto Local Appeal Body Chair’s Update

Summary

The Toronto Local Appeal Body Chair to provide an update(s) on Tribunal matters.

Chair Lombardi advises the membership of the possibility of transitioning back into in-person or hybrid meetings at 40 Orchard View Blvd. The City of Toronto introduced a hybrid work program. TLAB hearings continue to be held virtually. As of March 20, 2023, eligible City staff opting for the hybrid work program

will have a minimum of 2-3 days per week in-office. It may be appropriate for TLAB to consider a plan and time frame to transition into in-person or hybrid.

Any plan that TLAB Members construct and consider will be dependent on the cooperation and availability of members and TLAB staff.

41.3 – MANAGER & SUPERVISOR’S UPDATE

Summary

Tribunals, Local Appeal Body Supervisor and Court Operations, Tribunals, Manager to provide administrative updates.

Tyra Dorsey, Acting Supervisor for TLAB advises that Hybrid hearings are not yet available. In-person Business Meetings will be planned for any meetings scheduled after June 2023, advising by March or April of this timeline. The City of Toronto is no longer working in a state of emergency, Tribunal Rules are to be updated to reflect the current virtual hearing standard.

Russ Brownell, Acting Manager, Tribunal Operations, Court Services, advised that effective February 1st, 2023, all TLAB decisions will be available on CANLII. Furthermore, TLAB decisions must be formatted in a very specific way and recommends that Members use Microsoft Word, as there are formatting issues when using Apple products.

Finally, he confirms that the TLAB Schedule and Decisions webpage has been updated.

Motion THAT the Toronto Local Appeal Body receive for information the update from the Toronto Local Appeal Body Chair and from the Manager and Supervisor, Tribunal Operations.

Moved by Member Makuch, seconded by Member Kezwer (carried)

Dino Lombardi (Chair)	Y
Ana Bassios (Vice-Chair)	Y
Sabnavis Gopikrishna	Y
Stanley Makuch	Y
John Tassiopoulos	Y
Ted Yao	Y
Carissa Wong	Y
Gerald Swinkin	Y
Ron Kanter	Y
Trevor Kezwer	Y
Blair Martin	Y
Sean Karmali	Y

41.4 – CLOSING BUSINESS AND REMARKS

Adjournment

This meeting is open to the public pursuant to the Statutory Powers Procedure Act, R.S.O. 1990, Chap. S.22, s.9 (1) and in accordance with The City of Toronto Act, 2006, as amended, Toronto Municipal Code, Chapter 545, 545-3 and Chapter 546.