



## Agenda: October 27, 2023

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### Toronto Local Appeal Body Business Meeting No. 44

Meeting Date: Friday, October 27, 2023, 9:30 a.m.

Location: Electronic via City of Toronto Web Conferencing

Link to Join:

#### **Q3 - TLAB Business Meeting - October 27, 2023**

Hosted by Toronto Local Appeal Body

**Friday, October 27, 2023 9:30 AM** | 7 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: **2631 121 5910**

Password: **Toronto**

<https://toronto.webex.com/toronto/j.php?MTID=m9fb577f997030c1f1a6a851cb92ee8e1>

#### **Join by video system**

**Dial** 26311215910@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: **263 112 15910**

Toronto Local Appeal Body - Public Business Meeting – October 27, 2023

**Chair:** Dino Lombardi

**Contact:** Claire Holloway, Acting Supervisor, Tribunal Operations

**Phone:** 416-392-4697

### Toronto Local Appeal Body Panel Members

Dino Lombardi (Chair)

Ana Bassios (Vice-Chair)  
Stanley Makuch  
John Tassiopoulos  
Ted Yao  
Carissa Wong  
Gerald Swinkin  
Ron Kanter  
Trevor Kezwer  
Blair Martin

**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](mailto: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](mailto: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](mailto: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](http://www.toronto.ca/tlab). Visit the web page for access to all agendas, decisions, and minutes of the Toronto Local Appeal Body.

### **Land Acknowledgement for Toronto**

"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, June 23, 2023.

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

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## **44.1 – INFORMATION**

Toronto Local Appeal Body – *The Toronto Local Appeal Body Chair's 2022 Annual Report*

### **Summary**

The Toronto Local Appeal Body (TLAB) Chair prepares and submits a report of the operations of the TLAB on an annual basis to City Council which provides a summary of the activities of the Tribunal over the past year.

The TLAB Chair's 2022 Annual Report was considered by the City's Planning and Housing Committee on September 28, 2023, and by City Council on October 12, 2023. The 2022 Annual Report was accompanied by a Report For Action, prepared by senior City Staff, dated September 14, 2023, which transmits the Chair's Annual Report from the TLAB Chair to City Council for information purposes. The Report For Action included a recommendation for Council's consideration.

The TLAB Chair brings forward the 2022 Annual Report and City Staff's Report For Action for the information of its Members.

### **MOTION FOR CONSIDERATION**

*"THAT the Toronto Local Appeal Body (TLAB) receive the TLAB Chair's 2022 Annual Report dated July 14, 2023, for information, and that staff upload the Chair's 2022 Annual Report to the TLAB website."*

## **Supporting Document(s)**

1. The Toronto Local Appeal Body Chair's 2022 Annual Report, dated July 14, 2023
2. City Staff's Report For Action – TLAB Chair's 2022 Annual Report and New Arrangements for Legal Support, dated September 14, 2023.

## **44.2 – INFORMATION**

Toronto Local Appeal Body – *City of Toronto Committee of Adjustment Benchmarking Study, dated July 21, 2023, prepared for the Building Industry and Land Development Association (BILD) by the Altus Group.*

### **Summary**

The City of Toronto Committee of Adjustment Benchmarking Study provides an analysis of the City's Committee of Adjustment timelines for decisions on minor variances. The Study also proffers comparative assumptions and conclusions concerning disposition timelines for appeals to the Toronto Local Appeal Body (TLAB) for variance applications.

The Chair of the Toronto Local Appeal Body brings forward the Study for information and discussion purposes.

## **MOTION FOR CONSIDERATION**

*"THAT the Toronto Local Appeal Body (TLAB) receive the Altus Group's City of Toronto Committee of Adjustment Benchmarking Study, dated July 31, 2023, for information purposes."*

## **Supporting Document(s)**

City of Toronto Committee of Adjustment Benchmarking Study, dated July 21, 2023, prepared by Altus Group Economic Consulting.

## **44.3 – INFORMATION**

Toronto Local Appeal Body – *Proposed Draft Revisions the Toronto Local Appeal Body's Practice Direction No. 3 – Document Referencing*

### **Summary**

The proposed draft revisions to the wording of Practice Direction No. 3 of the Toronto Local Appeal Body (TLAB) are intended to incorporate additional procedures for Persons filing documents with

the TLAB to assist in reducing the time required by Members to conduct hearings and to review and reference pre-filed documents.

## **MOTION FOR CONSIDERATION**

*“THAT the Toronto Local Appeal Body modify the wording of Practice Direction No. 3 as proposed in Agenda Item 44.3 of the October 27, 2023, Business Meeting, and amend Practice Direction No. 3 accordingly.”*

### **Supporting Document(s)**

Revised Draft Toronto Local Appeal Body Practice Direction No. 3.

## **44.4 – TORONTO LOCAL APPEAL BODY CHAIR’S UPDATE**

Toronto Local Appeal Body – *Chair’s Update*

### **Summary**

The Toronto Local Appeal Body Chair will provide an update on the following matters:

- i. The TLAB Chair’s attendance at the Ontario Professional Planners Institute’s (OPPI) 2023 Annual Conference on September 21, 2023.
- ii. Province of Ontario’s Bill 134 – *Affordable Homes and Good Jobs Act, 2023*.

## **44.5 – SUPERVISOR AND MANAGER'S UPDATE**

### **Summary**

The Court Services Tribunal Supervisor and Manager to provide an update on Administrative Matters:

- TLAB Forms Updates to align with Bill 23 changes
- Updated AIC Website - Brief User Overview for Members
- The possibility of Hybrid TLAB Hearing/Business Meetings in 2023
- Trends in Hearing Assignments
- Announcement of New Director of Court Services

## **44.6 - MEMORANDUM DISCUSSION (IN-CAMERA)**

## Summary

The Toronto Local Appeal Body will move into a closed session to discuss and review a confidential memorandum from the Chair and to receive information from its external legal counsel that is subject to solicitor-client privilege, including communications necessary for that purpose, as permitted by Subsection 11(1)(a) of the Toronto Local Appeal Body's Procedure By-law 1-2017.

MOTION FOR CONSIDERATION:

*“THAT the Toronto Local Appeal Body move into a closed session to consider and discuss a confidential memorandum from the Chair and receive information from its external legal counsel which is subject to solicitor-client privilege, including communications necessary for that purpose, as permitted by Subsection 11(1)(a) of its Procedure By-law 1-2017.”*

### **Supporting Document(s)**

Confidential Memoranda (under separate cover).

## 44.7 - 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.