



## Agenda: December 12, 2023

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### Toronto Local Appeal Body Business Meeting No. 45

Meeting Date: Tuesday, December 12, 2023, 9:30 a.m.

Location: Hybrid Meeting - Electronic via City of Toronto Web Conferencing and East York Civic Centre (850 Coxwell Ave)

Link to Join:

#### **Q4 - TLAB Business Meeting - December 12, 2023**

Hosted by Toronto Local Appeal Body

**Tuesday, December 12, 2023 9:30 AM** | 7 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: **2631 647 5204**

Password: **Toronto**

<https://toronto.webex.com/toronto/j.php?MTID=m9a9b9c2abafe6b5e2732807ed1e942d3>

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

Dial [26316475204@toronto.webex.com](tel:26316475204)

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: **263 164 75204**

Toronto Local Appeal Body - Public Business Meeting – December 12, 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, October 27, 2023.

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

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## **45.1 – TORONTO LOCAL APPEAL BODY PANEL MEMBER ORIENTATION**

### **Summary**

An orientation by way of presentations to the newly appointed Members of the Toronto Local Appeal Body, as directed by City Council:

- City of Toronto Office of the Integrity Commissioner
- Mr. Jonathan Batty, Integrity Commissioner
  - 9:40 a.m. – 10:30 a.m.

### **Supporting Documents**

TBD

## **45.2 – INFORMATION**

### **Toronto Local Appeal Body – Proposed Amendment to the TLAB's Decision-Writing Template**

### **Summary**

The Toronto Local Appeal Body will consider incorporating the proposed additional wording under the subheading – **The Legislative and Policy Framework** - in the Decision-Writing template.

The subheading ‘Legislative and Policy Framework’ in the template already includes **s. 3 – Provincial Policy**, as well as the requisite four-part tests in s. 45 and the criteria in s. 53 of the *Planning Act, R.S.O. 1990. C. P.13 (Act)*.

The proposed amendment would add new wording referencing **s. 2 – Provincial Interest** – in the *Act*. The intent of incorporating this new section under the above-referenced subheading in the template is to address the directive in the *Act* that tribunals such as the Toronto Local Appeal Body shall have regard to matters of provincial interest, enumerated in **s. 2** as (a) – (s).

## Supporting Documents

Proposed Amendment to the Toronto Local Appeal Body’s Decision-Writing Template.

## MOTION FOR CONSIDERATION

“That the Toronto Local Appeal Body amend the Decision-Writing template by incorporating the following section under the subheading – **The Legislative and Policy Framework**, which references s. 2 in the *Planning Act*.

*“A decision of the Toronto Local Appeal Body (TLAB) shall have regard to, among other matters, matters of provincial interest, enumerated as (a) – (s) in the Planning Act, R.S.O. 1990, c. P.13.”*

## Supporting Document(s)

## 45.3 – INFORMATION

### **The Toronto Local Appeal Body – Impacts of Bill 23 – *The More Homes Built Faster Act, 2022*, on the current workload of the Toronto Local Appeal Body Panel Members**

#### **Summary**

Since the introduction of Bill 23 – *The More Homes Built Faster Act, 2022*, which eliminated ‘third-party’ appeals to the Toronto Local Appeal Body (TLAB), the Tribunal has experienced a significant decrease in the number of appeal files received from the Committee of Adjustment.

While the TLAB has also seen a reduction in its Panel Member complement in the interim due to resignations, the assignment of files to the sitting Members continues to decline well below the expected two (2) hearings per week standard described in the position description.

The City of Toronto has posted the intention to fill four current vacancies in the TLAB Panel complement.

The TLAB Members submit that the City of Toronto should pause the process to fill these four vacancies until an understanding of the impacts of the reduced caseload resulting from the Committee of Adjustment (COA) Appeals can be established.

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

Chart – Files received from the COA by month.

### **MOTION FOR CONSIDERATION**

*“THAT the Toronto Local Appeal Body (TLAB) direct that the TLAB Chair engage senior City of Toronto officials in expressing the Membership’s collective position recommending that the City pause the nominating process to fill the four (4) current vacancies at the TLAB until the 3<sup>rd</sup> quarter of 2024, and after a further analysis of the workload impacts on the Tribunal of Bill 23 – The More Homes Built Faster Act, 2022.”*

## **45.4 – INFORMATION**

### **ELECTION OF THE TORONTO LOCAL APPEAL BODY VICE-CHAIR, 2023**

#### **Summary**

The Toronto Local Appeal Body will consider candidates and elect a Vice Chair for 2023. Appendix A to the Procedure Bylaw passed by TLAB will govern the election of the Vice Chair.

#### **Supporting Documents**

Procedure By-law 1-2017, To govern the meetings of the Toronto Local Appeal Body – Appendix A.

## **45.5 – INFORMATION**

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

#### **Summary**

The Toronto Local Appeal Body Chair will provide an update on the following two (2) items:

- i. Chair’s Presentation to the Building Industry and Land Development (BILD) Association
- ii. An Update regarding Bill 134 – Affordable Homes and Good Jobs Act, 2023.

## 45.6 – INFORMATION

### **TORONTO LOCAL APPEAL BODY – Supervisor's and Manager's Update.**

#### **Summary**

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

## 47.7 – INFORMATION

### **TORONTO LOCAL APPEAL BODY - SCHEDULE OF BUSINESS MEETINGS, 2024**

#### **Summary**

The Toronto Local Appeal Body will set the dates of their 2024 Public Business Meetings.

Subsection 8(1) of the Toronto Local Appeal Body's Procedure By-law 1-2017 requires that the Tribunal hold at least two (2) Business Meetings per year.

The Toronto Local Appeal Body will consider dates for four (4) Business Meetings in 2024.

## 44.8 - 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.