



Minutes: April 24, 2024

Toronto Licensing Tribunal Business Meeting No. 39

Meeting Date: Wednesday April 24, 2024, 9:30 a.m. to 1:00 p.m.

Location: City of Toronto, 850 Coxwell Ave. Council Chambers & Web conferencing.

Email: lt@toronto.ca

Chair: Mary Lee

Contact: Tribunal Secretariat

Phone: 416-392-3072

Toronto Licensing Tribunal Panel Members

Chair, Mary Lee [Present]

Member Verlyn Francis [Present]

Member Joanne Lau [Present]

Member Peter Harris [Present]

Member Marc Bhalla [Virtual]

Member Edgar Montigny [Virtual]

Attendees:

Pauline Chandarpaul - Supervisor, Tribunal Operations, Court Services (Secretariat)

Ann Harricharan, Steven Debono, Phillip Cheung – Court Services staff, Toronto Licensing Tribunal

Brian Halloran, Acting Manager, Court Operations, Court Services

Kevin Lurkhur, Manager, Business Licensing and Regulatory Services, Municipal Licensing and Standards

Scott Nowoselski, Solicitor, Legal Services

Allyson Amster, Solicitor, Legal Services

Chair Mary Lee – Confirmed Quorum and welcomed all attendees.

Indigenous Land and African Ancestral acknowledgements read.

Introduction of all Meeting Participants.

Declaration of Interest under the Municipal Conflict of Interest Act.

- No declarations of conflict.

Confirmation of Minutes of Meetings – June 30 and October 30, 2023

Motion: Accepting the Minutes of Business Meeting #37 (June 30, 2023) and #38 (October 30, 2023)

- **Motion forwarded by Member Harris**
- **All Members voted to adopt**

Motion carried and Minutes of the June 30 and October 30, 2023 Business Meetings Adopted.

39.3 – MUNICIPAL LICENSING AND STANDARDS UPDATES

Summary

1. Municipal Licensing and Standards (MLS)
 - a. Discussion on proposed MLS hearing submissions, Tribunal Report Template

The Members and Municipal Licensing and Standards (MLS) Manager discussed the revised Tribunal Report Template submitted by MLS.

Action Item: MLS to review the final submission recommendations with MLS Staff and City Legal, on reporting requirements and provide a response prior to the next Business Meeting.

Motion: To adopt the New Hearing Submission format put forth by Municipal Licensing and Standards, where staff be requested to implement these changes asap and report back on further improvements.

- **Motion moved by Member Lee, Chair**
- **Approved by Members Francis, Lau, Montigny and Bhalla**
- **Opposed by Member Harris**

Motion carried.

39.4 – MEMBER CORRESPONDENCE

Summary

1. Submission by Member Harris
 - a. A Toronto Licensing Tribunal Modernization Project – Discussion Paper

Member Harris presented a discussion paper requesting MLS to discontinue the use of the report as submission of evidence. Member Harris suggests the Report as it presently exists, is an obstacle to protecting the rights of the applicant to fully participate in the Hearing process.

Member Harris formally put forth a Motion to discontinue the report and open discussions.

The Tribunal Members agreed this matter will be addressed at a future Business Meeting, the forum will be determined for in camera session as part of member training or be discussed in public session. The

Chair requested a review with the Secretariat and City Legal regarding this motion as a future training item.

Motion: To receive Member Harris' Paper as Information

- **Motion moved by Member Francis**
- **Approved by Members Lee, , Harris, Lau and Bhalla**
- **Not Recorded: Member Montigny**

Motion carried.

39.1 – CHAIR'S UPDATE

Summary

1. Toronto Licensing Tribunal – Chair's Update and Chairs Annual Report
 - a. Rules and Council Directives

The draft Chairs Annual Report for 2023 has been finalized. A copy has been distributed to Members for final review and feedback by Friday April 26, 2024, at which time the report will be shared with Court Services Director, City Legal and MLS in preparation for Committee review.

Morning Break

39.2 – RULES OF PROCEDURE GOVERNING TLT BUSINESS MEETINGS

Summary

1. Legal Services and member discussion on Draft Rules of Procedure
 - a. Amendments to include Business Meeting processes for the Toronto Licensing Tribunal Rules of Procedure as amended on September 30, 2021.

In follow up to a request from The Chair, to outline a formal structure and process for the Tribunal Business Meetings to be incorporated into the current Rules of Procedure; a draft procedure was submitted for review by City Legal and The Secretary. City Legal presented the rules for members approval as an amendment to the Rules of Procedure as Business Meeting Procedure - Rule #24.

City Legal advised that Business Meetings are operated as a City Board and should function similar to meetings of City Council, with less formalities and further commented this is a guidepost, along with the City of Toronto Act; highlighting details included the general rules, electronic participation, agenda and topic flow, and participation of the public.

Member Harris commented on Section 24.13, Subsection 2 of the draft Rules of Procedure; The Recording of a member that refuses to vote implies it is a negative vote instead of a neutral vote. City Legal advised this is a practice that other Tribunals, Local Boards and City Council follow as per the City of Toronto Act, (Section 194 Subsection 5) and the Province of Ontario has legislated it.

Reference: [City of Toronto Act, 2006, S.O. 2006, c. 11, Sched. A \(ontario.ca\)](#)

Motion: To Amend the Rules of Procedure to add Business Meeting Procedure - Rule #24.

Motion forwarded by Member Lee, Chair

- **Approved by Members Francis, Harris, Lau and Bhalla**
- **Not Recorded: Member Montigny**

Motion carried.

39.5 – SUPERVISOR'S UPDATE

Summary

1. Court Services Management updates on Operations and Administrative matters.
2. Discussion on TLT draft forms – submission of Application for a hearing at Toronto Licensing Tribunal, Disclosure requests from the parties.

The Supervisor of Tribunals reported that the office renovations are complete, and staff returned in January of 2024, in addition we welcomed the new Multi Tenant House Licensing Tribunal staff.

In consultation with Legal Services, the revised Rules of Business Meeting Procedures has been drafted and distributed for review along with the TLT's existing forms, modified to reflect current state procedures and practices. Members may submit any feedback by Friday April 26, 2024.

Action: In agreement, the above items will be added to the agenda for discussion at the next Business Meeting. City Legal will facilitate the review of the forms, members will discuss the Discussion Paper and submission of evidence as part of Member training.

The Supervisor canvassed dates for the next Business Meeting; The Members confirmed availability for Wednesday June 19, 2024.

39.6 – CLOSING REMARKS

Adjournment

Motion: To Adjourn Toronto Licensing Tribunal Business Meeting No. 39 April 19, 2024.

Motion moved by Member Lee, seconded by Members Francis, Lau, Harris and Bhalla

Meeting concluded at 11:32 a.m.