

Attachment 01

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Circulated
Notice/
Advisory

ATTACHMENT

Consideration to Return to 'In-Person' Hearings

Background and Context

At its inception in early 2017, the Toronto Local Appeal Body's *Rules of Practice and Procedure (Rules)* contemplated holding its hearing in person at its offices on the 2nd floor at 40 Orchard View Boulevard. This became the default for all TLAB Hearings as of February 2017.

However, in March 2020, the world experienced a global pandemic in the form of COVID-19. On March 16, 2020, the Government of Ontario passed an Emergency Order (O.Reg. 73/20) under the Emergency Management and Civil Protection Act, which effectively impacted the proceedings before the TLAB causing the Tribunal to suspend and not schedule any hearing event, including in-person, or teleconference hearings.

The Government of Ontario extended this Emergency Order on several occasions during 2020, until electronic or 'virtual' proceedings were permitted later that year. As a result of its all-electronic format for the filing of documents, the Toronto Local Appeal Body was able to pivot to 'virtual' or 'remote' hearing events to continue hearing appeals for decisions of the four Panels of the City of Toronto's Committee of Adjustment.

The Toronto Local Appeal Body amended its Rules accordingly to accommodate this type of hearing approach. Virtual Hearings have continued to be the default form of hearing event at the Toronto Local Appeal Body since 2020.

In the interim, the City of Toronto has undertaken improvements to its facilities, including at the Toronto Local Appeal Body's offices at 40 Orchard View Boulevard in response to the impacts and challenges on public meetings presented by the COVID-19 virus. In late 2021, City Staff advised the Toronto Local Appeal Body that it was able to support in-person hearing events at its 40 Orchard View offices on a limited basis with physical distancing still in place and a requirement for masks to be worn.

Since then, administratively, City Staff have advised the Toronto Local Appeal Body full in-person and/or a hybrid model are supportable for hearings at its 40 Orchard View offices, without limitations.

At its Meeting on July 24/25, 2024, City Council considered the Toronto Local Appeal Body Chair's 2023 Annual Report and adopted a three-part Motion. Part 2 of the Motion adopted by Council reads as follows:

"2. City Council request the Chair of the Toronto Local Appeal Body to hold in-person hearings as standard, despite the current Rules and Practice Direction."

As a result, the Toronto Local Appeal Body will be discussing the request by City Council to return to 'in-person' Hearings as the default, going forward, for all proceedings before the Tribunal at its upcoming December 13, 2024, Business Meeting.

Your input is appreciated.

Dino Lombardi, RPP, MCIP, MLAI
Chair, Toronto Local Appeal Body

Attachment 02

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Motion Adopted
by City Council on
July 24, 2024

Item - 2024.PH14.3

Tracking Status

- City Council adopted this item on July 24, 2024 with amendments.
- This item was considered by the Planning and Housing Committee on July 11, 2024 and adopted without amendment. It will be considered by City Council on July 24, 2024.
- See also PH13.10

City Council consideration on July 24, 2024

PH14.3 - Toronto Local Appeal Body - Chair's 2023 Annual Report

Decision Type: ACTION

Status: Amended

Wards: All

City Council Decision

City Council on July 24 and 25, 2024, adopted the following:

1. City Council request the Chair of the Toronto Local Appeal Body to consider:
 - a. reviewing the current Toronto Local Appeal Body Rules and Practice Direction on the exchange of documents and notification of change in a party's representative to ensure the Toronto Local Appeal Body's rules and practices are in accordance with principles of procedural fairness and transparency to the parties, and whether Toronto Local Appeal Body members could receive additional information and training in relation to this recommendation.
2. City Council request the Chair of the Toronto Local Appeal Body to hold in-person hearings as standard, despite the current Rules and Practice Direction.
3. City Council request Chairs of other City Tribunals to hold in-person hearings as a best practice for all Tribunals.

Background Information (Committee)

(May 30, 2024) Report from the Director, Court Services on Toronto Local Appeal Body- Chair's 2023 Annual Report

<https://www.toronto.ca/legdocs/mmis/2024/ph/bgrd/backgroundfile-246929.pdf>

Attachment 1 - Toronto Local Appeal Body Chair's 2023 Annual Report

<https://www.toronto.ca/legdocs/mmis/2024/ph/bgrd/backgroundfile-246930.pdf>

Communications (Committee)

(June 12, 2024) Letter from Geoff Kettel and Cathie Macdonald, Co-Chair, Federation of North Toronto Residents' Associations (FoNTRA) (PH.Main)

<https://www.toronto.ca/legdocs/mmis/2024/ph/comm/communicationfile-180954.pdf>

(July 9, 2024) Letter from Linda Kalafatides, Claudia Aenishanslin, and Kim Hull (PH.New)

<https://www.toronto.ca/legdocs/mmis/2024/ph/comm/communicationfile-181505.pdf>

(July 11, 2024) Letter from Geoff Kettel and Cathie Macdonald, Co-Chair, Federation of North Toronto Residents' Associations (FoNTRA) (PH.New)

<https://www.toronto.ca/legdocs/mmis/2024/ph/comm/communicationfile-181712.pdf>

Motions (City Council)

1 - Motion to Amend Item moved by Councillor Paula Fletcher (Carried)

That:

1. City Council request the Chair of the Toronto Local Appeal Body to consider:
 - a. reviewing the current Toronto Local Appeal Body Rules and Practice Direction on the exchange of documents and notification of change in a party’s representative to ensure the Toronto Local Appeal Body’s rules and practices are in accordance with principles of procedural fairness and transparency to the parties, and whether Toronto Local Appeal Body members could receive additional information and training in relation to this recommendation.
2. City Council request the Chair of the Toronto Local Appeal Body to hold in-person hearings as standard, despite the current Rules and Practice Direction.
3. City Council request Chairs of other City Tribunals to hold in-person hearings as a best practice for all Tribunals.

Planning and Housing Committee consideration on July 11, 2024

Source: Toronto City Clerk at www.toronto.ca/council

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Attachment 03

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Correspondence
received from the
public



Mailing Address: PO Box 48525 Long Branch
Toronto, ON M8W4Y6 LongBranchNATO@gmail.com

Ref: Dec 13 TLAB Business Meeting – Consideration to return to in person TLAB hearings as a default

Dear Chair Lombardi

Thank you for reaching out to solicit stakeholder opinions on the potential return to in-person hearings as a default for the Toronto Local Appeal Body (TLAB).

The Long Branch Neighbourhood Association (LBNA) **does not support** returning to in-person hearings as a default for TLAB. The LBNA has been actively involved in over 30 TLAB hearings since it was incorporated. We have participated in hearings both at 40 Orchard Park and various satellite locations throughout the Greater Toronto Area (GTA). While we recognize the value of in-person interaction, particularly in public consultations where individuals and groups need to be identified and can clarify their interests, we believe a TLAB hearing is very different from these forums.

In our experience, TLAB hearings generally involve smaller groups of fewer than 15 participants, all of whom are required to submit evidence and statements in advance through TLAB's forms online. Moreover, TLAB rules mandated the submission of evidence electronically long before the pandemic made virtual hearings the norm. Therefore, it is unclear what tangible benefit there would be in requiring parties to attend in person when all evidence and administrative tasks are already handled online.

As an association, we have adapted to the shift toward virtual hearings. We regularly coach residents on how to engage effectively in this environment. We believe that reverting to in-person hearings as the default would be a step backward towards providing an equitable hearing for the following reasons:

- **Minimizing Travel Time and Costs:** Many parties and participants, particularly Long Branch residents, live outside of central Toronto. For example, the commute from Long Branch to 40 Orchard Park takes over an hour by car and even longer via public transit. Long Branch is not on a subway line and one must navigate a number of transit connections with frequent delays. With significant construction projects underway across the city, commuting by car and finding parking nearby is even more time-consuming and stressful. If in-person hearings were to be reinstated, we would request a more local venue, such as at Etobicoke City Hall, which would

reduce the travel time and costs burden on participants and parties from the West end of the city.

- **Improved Accessibility for Residents:** Virtual hearings enable parties and participants to join from various locations if they are out of town, and enable them to pick up children after school, etc. This flexibility has made it easier for participants to attend hearings that might not otherwise fit them into their schedules. The online format has also allowed TLAB members to participate remotely, enhancing availability and consistency.
- **More Efficient Use of Time:** Virtual hearings eliminate the risk of delays caused by travel disruptions, and they provide the option to extend hearings to accommodate delays or additional discussion, all without the logistical issues of in-person meetings. Furthermore, the online format allows for greater flexibility in scheduling, particularly for those with full-time jobs, making it easier for more people to engage in the process.
- **Technology as a Tool, Not a Barrier:** While some participants may find technology challenging, it is a skill that can be learned. As an association, we have invested time in helping residents navigate online tools. Why can't additional resources be provided to support first-time WebEx users, ensuring that no one is left behind?

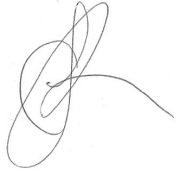
We were initially confused by the suggestion of returning to in-person hearings. We did take the time to listen to Councillor Fletcher's comments at the Planning and Housing Committee on July 11, 2024 expressing her concerns with the recent TLAB experience of her constituents. While we are sympathetic to the Craven Road residents' concerns regarding the costs incurred due to the Applicant's withdrawal from a hearing, there was no connection for how returning to the in-person forum would have changed that particular outcome. The residents' complaints were focused on procedural issues with the Applicant, not the virtual nature of the hearing. It is unclear how reverting to in-person hearings would address the issues they raised.

The pandemic forced many institutions, including TLAB, to adapt in ways that, in our view, have led to a more accessible and efficient system. TLAB's hearings can take place remotely, but the office can remain centralized. We believe the benefits of virtual hearings far outweigh the disadvantages. For a residents' association, run by volunteers who typically work full time, the virtual format being used by TLAB now respects the time of residents, who are often the only ones not compensated for their time in Appeals they did not and can no longer initiate.

In conclusion, we believe that TLAB has already successfully transitioned and that virtual on-line hearings should remain the default. To improve the experience, robust training tools can be developed for residents to learn how to more effectively use the virtual forum. An in-person hearing could be offered as a rare optional format for those who require it. Additionally, in the rare instances where it is required, in person hearings should be offered in the COA district where the application is being proposed so it remains as accessible as possible.

Thank you for requesting and considering our perspective on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine Mercado', with a stylized, cursive script.

Christine Mercado

Chair,
Long Branch Neighbourhood Association



Federation of
South Toronto
RESIDENTS'
ASSOCIATIONS

November 27, 2024

Tyrel Bissoo
Support Assistant
Court Services
Toronto Local Appeal Body
40 Orchard View Boulevard
Second Floor, Suite 253 | Toronto, ON
M4R 1B9
tlab@toronto.ca

Re: City Council Request To Return To In-Person Hearings

Dear S.A. Bissoo,

The Federation of South Toronto Residents' Associations (FoSTRA) is a federally incorporated not-for-profit organization representing 29 residents' associations across Wards 4, 9, 10, 11, and 13, containing over 600,000 residents in downtown Toronto.

With respect to the motion by City Council of July 24/25, to wit
"City Council request the Chair of the Toronto Local Appeal Body to hold in-person hearings as standard, despite the current Rules and Practice Direction."

FoSTRA would urge that **TLAB meetings continue to offer the option for residents to participate via virtual means**. Long travel distances, residents who are mobility-challenged and/or at health risk from gatherings should not be marginalized by offering in-person-only meetings.

We understand that the Annex Residents' Association (ARA) has already expressed similar concerns, and we add our voice to that appeal.

City staff have confirmed that they are able to fully support hybrid (in-person/virtual) sessions.

"...City Staff have advised the Toronto Local Appeal Body full, in person and/or a hybrid model are supportable for hearings at its 40 Orchard View offices, without limitations".



**Federation of
South Toronto
RESIDENTS'
ASSOCIATIONS**

We submit that the Chair respectfully decline the City Council's request.

Sincerely yours,

Chair

cc. Annex Residents' Association
Mayor Oliva Chow
City Councillors Ward 4, 9, 10, 11 and 13

Attachment 04

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The Current 14.1
of the TLAB's
Rules of Practice
and Procedure

13.8 A Participant to a Proceeding may not:

- a) call witnesses and cross-examine witnesses;
- b) bring Motions, except a Motion to seek Party status;
- c) participate in Mediation, unless permitted to do so by the TLAB;
- d) make opening and closing submissions; and
- e) claim costs.

14. REPRESENTATIVES

Parties and Participants may be Represented



14.1 A Party or Participant may be represented by a Representative. Representatives must confirm authorization to act for a Party or Participant by either indicating on Form 1 that he or she is duly authorized, or by Filing a Form 5. If authorization changes, the Party, Participant or newly authorized Representative shall immediately notify the TLAB and all other Parties of such changes in representation by Serving and Filing a Form 5.

14.2 Where a Party or Participant has a Representative all communications shall be through the Representative.

Representatives Permitted to call Witnesses

14.3 A Representative may call witnesses and give evidence in accordance with the Rules.

Representative may not be an Expert in same Proceeding

14.4 An expert witness cannot be a Representative in the same Proceeding.

15. REQUIREMENT TO CONSULT WEBSITE FOR LIST OF PARTIES AND PARTICIPANTS

Duty to Consult Website to identify Parties and Participants for Service

15.1. All Parties and Participants shall consult the TLAB's Website in order to determine the Parties and Participants for the purpose of all Service requirements provided in these Rules.

Attachment 05

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Proposed New
Form 5A – Change
in Authorized
Representative



Change in Authorized Representative Form 5A

TLAB Case File Number(s)

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.

For inquiries about this data collection or information you have submitted to the Toronto Local Appeal Body (TLAB), you can contact the Manager of Tribunal Operations by telephone at 416-392-5546. For questions about the form or processes, you can contact the TLAB general line by telephone at 416-392-4697 or by email at tlab@toronto.ca.
Office Location: 40 Orchard View Boulevard, 2nd Floor, Suite 253, Toronto, Ontario M4R 1B9

We adhere to the Accessibility for Ontarians with Disabilities Act, 2005. For accessibility needs, contact our Accessibility Coordinator at tribunalaccess@toronto.ca.

Part 1: Location Information

Address and/or Legal Description of Property subject to Appeal

Street Number	Street Name	Suite/Unit Number
City/Town	Province	Postal Code

Part 2: Party or Participant Information

First Name	Last Name
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☐ 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

Part 3: Rescind Authorization

I hereby rescind the authorization for [previously named individual] to act on my behalf.

First Name

Last Name

☐ I will represent/act for myself.

Address and contact for service

Telephone Number

Email

Street Number

Street Name

Suite/Unit Number

City/Town

Province

Postal Code



I acknowledge that I am either licensed by the Law Society of Ontario (LSO) to provide legal services or that I am an unlicensed representative covered by an exemption allowed by the LSO.

Signature

Date (yyyy-mm-dd)

Part 4: Mandatory for Appellants

Choose either A or B below:

☐ A. (If the rescinding person wishes to continue) I understand that I must comply with the rules of the Toronto Local Appeal Body and all its deadlines and undertake that I will appear at the Hearing(s).

☐ B. (If the rescinding person does not wish to continue) My first and only action in acting on my own behalf is to withdraw from the appeal. I understand that if I check this box, the Toronto Local Appeal Body will issue a decision to dismiss my appeal.

NOTE: A Party or Participant must confirm an authorized Representative to act on their behalf by indicating such on Form 1 or by filing Form 5. If authorization changes, the Representative or person appointing the Representative must notify TLAB immediately by completing and filing a Form 5A. Representatives acting on behalf of a Party or Participant may give evidence under oath or affirmation except in the capacity of an 'Expert Witness'. Generally, with the exception of a family member or close acquaintance, a Representative requires qualifications recognized under the Law Society Act.

NOTE: Where a Party or Participant has appointed a Representative, service of documents, notices or materials on the Representative is deemed service on the Party or Participant, as the case may be.

Attachment 06

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Draft Practice Direction
No. 8

Effective Date: December 13, 2024

Number: 8

PRACTICE DIRECTION: Protocol for Filing Revised Plans and Other Requirements After a Hearing

Following the completion of a Hearing before a Toronto Local Appeal Body (TLAB) Member, a Party or Participant, their counsel or Representative may undertake or be required, on their own initiative or at the request of the Member, to supply additional documentation, correcting or revised plans, documents or other revisions that have been discussed in the context of the Hearing and in the Proceeding (Undertaking).

This Practice Direction is intended to clarify the obligations of the Undertaking.

It is the responsibility of the Party or Participant, counsel or Representative:

1. To identify with clarity the expectations of the Undertaking;
2. Provide a specific timeframe and method for delivery to all Parties, Participants and the TLAB Secretary for the fulfillment of the Undertaking;
3. Accept that as a consequence of the failure to meet the Undertaking (or any TLAB authorized extension thereof on a request with a Notice to the Parties), the Member may, in his or her discretion, render any Decision and Order in the absence of the fulfillment of the Undertaking as if no Undertaking was given.

Approved by the Toronto Local Appeal Body on this 13th day of December, 2024.


Dino Lombardi

Chair

Attachment 07

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Amended Wording in
Decision Writing
Template Re S.3 -
Provincial Policy - New
Provincial Planning
Statement 2024

	
Toronto Local Appeal Body	40 Orchard View Blvd, Suite 253 Toronto, Ontario M4R 1B9

Date:	2024-01-01
File Number(s):	23 175820 S45 08 TLAB
Citation:	ONTLAB 1 (CanLII)

DECISION AND ORDER

Issuance Date:	January 1, 2024
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PROCEEDING COMMENCED UNDER Section 53, subsection 53(19), Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")	
Appellant(s):	
Applicant(s):	
Property Address:	
COA File No.:	
TLAB Case File No.:	

Hearing Date(s):	
Deadline Date for Closing Submissions/Undertakings:	
Decision Delivered By:	TLAB Chair/TLAB Vice-Chair/ TLAB Panel Member

REGISTERED PARTIES AND PARTICIPANTS:		
People Type	First Initial. Last Name	Representative

INTRODUCTION AND CONTEXT

REMINDER: It is the author's responsibility to ensure grammar, spelling, syntax and semantics are suitable for public presentation before requesting its review and before signing.

[1]

THE LEGISLATIVE AND POLICY FRAMEWORK

[2] Provincial Interest - S. 2

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.

[3] Provincial Policy – S. 3

A decision of the Toronto Local Appeal Body ('TLAB') must be consistent with the 2020 Provincial Policy Statement ('PPS') and conform to the Growth Plan for the Greater Golden Horseshoe for the subject area ('Growth Plan').

[4] Consent – S. 53

TLAB must be satisfied that a plan of subdivision is not necessary for the orderly development of the municipality pursuant to s. 53(1) of the Act and that the application for consent to sever meets the criteria set out in s. 51(24) of the Act. These criteria require that " regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2 of the Planning Act;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

[5] Variance – S. 45(1)

In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet all of the four tests under s. 45(1) of the Act. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;
- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

[6] Section 45(2)

Upon Appeal, the TLAB, upon any such application where any land, building or structure, on the day the pertinent by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit:

[7] Legal Non-Conforming Use And Other Relief Applications– S. 45(2)(a)

i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause

(ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or

(ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or

[8] Uses Defined Generally by the By-Law – S. 45(2)(b)

Where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the Panel, conforms with the uses permitted in the by-law.
R.S.O. 1990, c. P.13, s. 45 (2).

[9]

SUMMARY OF EVIDENCE

[10]

ISSUES AND ANALYSIS

[11]

CONCLUSION

[12]

DECISION AND ORDER

[13] Schedule A: Standard Consent Conditions

The Consent Application is approved on Condition

The TLAB has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The TLAB, therefore, consents to the transaction as shown on the plan filed with the TLAB or as otherwise specified by this Decision and Order, on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the Planning Act, the applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

(1) Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official as outlined in Condition 6.

(2) Municipal numbers for the subject lots, blocks, parts, or otherwise indicated on the applicable registered reference plan of survey shall be assigned to the

satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services.

(3) One electronic copy of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services.

(4) One electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services shall be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment.

(5) Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the Planning Act if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.

(6) Once all of the other conditions have been satisfied, the applicant shall request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment issue the Certificate of Official.

(7) Within TWO YEARS of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions.

[14]

First Initial, Last Name
Panel Member

Attachment 08

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

Appendix A

Balloting Procedures

The procedures for balloting are:

A. Call for nominations.

B. Nominations and no seconding.

Members may nominate candidates, including themselves, and nominations do not require seconding. If there are no nominations, the Chair appoints a Vice Chair at his or her discretion.

C. Chair calls three times, closes, and announces nominees.

The Chair calls three times for further nominations and, if no further nominations are made, the Chair declares nominations closed and announces the nominees.

E. Time limit and order for nominees to speak.

Each nominee, in alphabetical order by surname, may speak for up to five minutes.

F. More than one nominee requires ballots.

If there is more than one nominee, the Chair issues ballots to all members.

G. Members vote for one nominee and sign ballot.

Using the ballot, a member votes for only one nominee, signs the ballot and prints his or her name on the ballot.

H. Balloting results public.

All ballot results are public.

I. Ballot Counting

The Secretary, or any other staff member or City Official as directed by the Chair, shall count the ballots and inform the Chair of the results.

J. Announcing ballot results and members' votes.

The Chair announces the results of the ballot, and if requested, announces the individual ballot results and the name of the member casting the ballot.

K When most votes do not make a majority.

If the nominee with the most votes does not receive the votes of a majority of the members present, the TLAB conducts another ballot in accordance with Subsections G, H, I and K.

L. Steps to exclude nominees with few or no votes or tie votes.

The next ballot excludes the nominees with the fewest votes and any nominee with no votes. If two or more nominees are tied with the fewest votes, the Chair selects the nominee or nominees who advance to the next ballot by the following method:

- A. The names of the tied nominees are placed on sheets of paper of equal size, and the paper are folded in half and placed in a box; and
- B. The Chair pulls one or more pages with the name or names of the nominee or nominees who advance to the next ballot from the box.

M. Votes to find a candidate with the most votes and then a majority vote.

Balloting continues in accordance with Subsections G., H, I and K until one nominee receives both the most votes and a majority of votes.

N. Steps for when remaining nominees are tied.

If after the steps set out in Subsection L only two nominees remain and the votes for the two remaining nominees are tied, the Chair selects the winner by the following method:

- A. The names of each of the two remaining nominees are placed on two sheets of paper of equal size, and the papers are folded in half and placed in a box; and
- B. The Chair pulls the name of one nominee from the box, and that nominee is declared the winner.