



February 12, 2017

Hsing Yi Chao,
Committee Secretary
Toronto Local Appeal Body
tlab@toronto.ca

RE: Toronto Local Appeal Body (TLAB) Implementation

Dear Chair Ian Lord and Members, TLAB

This is to congratulate you and the members of the TLAB on your appointments. Several representatives of FoNTRA members attended the Orientation Meeting on February 10, 2017, and noted the open and transparent nature of the meeting. We believe that the conduct of and progress made at this first meeting augers well for the future success and public satisfaction with the TLAB.

We believe that the key driving force in the Province's decision to enable the TLAB and subsequently the City's decision to proceed with the establishment of the TLAB was the public's concern about fairness and equity of decision-making by the OMB. FoNTRA has expressed its concerns with the OMB rules and procedures during each of the recent iterations of OMB reform; FoNTRA's submission to the most recent OMB Review is attached for your information.

It is apparent that the rules and procedures under which the TLAB operates need to be much improved, from a fairness and equity point of view, from those of the OMB, otherwise the value of establishing the new local appeal body will be questioned.

We note that according to the "Guiding Principles for LAB Implementation" the TLAB is required to "determine its own hearing practices and procedures in accordance with relevant legislation such as the SPPA¹". We understand that some of the suggested reforms to the OMB, such as eliminating "de novo" hearings" must first be established for the OMB, and then adopted by the TLAB. However, some of the other changes to OMB practices and procedures that FoNTRA recommends include the following:

¹ Appendix 4 to Follow-Up report on a Local Appeal Body (LAB) for Toronto, February 26, 2016

- Fairer weighting given to evidence, by decreased weight given to “opinion” by those with professional credentials but without local knowledge, and increased weight given to local information and knowledge;
- Encouragement of site visits for better understanding of the context of the appeal (currently forbidden by the OMB);
- Establishment of a uniform methodology for establishing neighbourhood boundaries (and/or encouragement of the City to incorporate guidelines in zoning by-laws);
- Recognition of the importance of built form history, urban design and architectural style in assessing “neighbourhood character and fit”.

In addition we strongly recommend that you arrange to hear from the public in the development and approval of the hearing practices and procedures.

We appreciate your attention to these comments and suggestions, and we look forward to contributing to the successful implementation of the TLAB that is fair and equitable in carrying out its mission and mandate.

Yours truly,

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Attachment: FoNTRA submission to OMB Review, December 18, 2016

c.c. Barry Randell, Director, Court Services,

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not *whether* Toronto will grow, but *how*. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.