

Toronto Local Appeal Body Suspension of Hearings

This Circular addresses all TLAB Appeal Files with proceedings and filings scheduled on dates from March 16, 2020 **PROVIDED THAT** the suspension period, to May 29, 2020, ends on that date.

Due to the ongoing COVID-19 closures of non-essential services, the Toronto Local Appeal Body (TLAB) has postponed all hearings and suspended all filing deadlines between March 16, 2020 and May 29, 2020. As a result, TLAB will be rescheduling all hearings originally scheduled between March 16, 2020 and June 26, 2020, to accommodate necessary timelines detailed in the Rules of Practice and Procedure.

As long as social distancing and directives remains in effect, the schedule and conduct of hearings may be further affected by health and safety precautions, including service cancellations.

TLAB has suspended and will not schedule any hearing events, including electronic hearings, with the following exceptions:

- Settlement hearings – Parties wishing for a Settlement Hearing must send their Hearing request, the terms of the settlement and the consent of all Parties thereto, along with an affidavit attesting to the application of provincial policy and the statutory tests pertaining to the appeal, to tlab@toronto.ca, for their request to be considered. The person who swears the affidavit must be available for the hearing.
- Single Party Applicant/Appellant (uncontested) variance only appeals – Matters for which the election period in the Notice of Hearing has passed, and for which no other Parties or Participants have elected status, may be considered for electronic hearing if all other disclosure requirements have been fulfilled. A request may be made by email to tlab@toronto.ca.
- Electronic hearings on agreement– Where all Parties to a matter have agreed to an electronic hearing, and where the Panel Member overseeing the matter consents, an electronic hearing may be considered. All disclosure requirements detailed in a Notice of Hearing must have been fulfilled. A request may be made by email to tlab@toronto.ca.

Otherwise, all hearing events scheduled in the TLAB's hearing calendar, between March 16, 2020 and June 26, 2020 will be adjourned to a future date. The TLAB may make exceptions where compelling circumstances warrant.

If your appeal involved a direction that prescribes timelines related to filings, the exchange of witness statements, or similar directions, these timelines are suspended. When service resumes, a **new Notice of Hearing** will be issued which will detail new deadlines for each affected file. The new due dates will allow sufficient time for the completion of disclosure filings in advance of the hearing, as detailed in the Rules of Practice and Procedure.

In the meantime, any period of time for a person to initiate a proceeding with the TLAB, or take a step in the proceeding, as set out in a statute, regulation or the Rules of the TLAB is suspended by authority of O. Reg. 73/20 and for the period between March 16, 2020 and May 29, 2020. This includes but is not limited to Requests for Review and Motions.

Once regular services resume, additional details will be provided to affected persons by a **new Notice of Hearing**, as to how and when such resumption of service will take place. Service will accommodate any requirements detailed by Toronto Public Health and the Medical Officer of Health to ensure safe physical distancing and that health and safety standards are maintained.

At this time, the TLAB's offices remain closed.

Staff of the TLAB are receiving electronic submissions and conducting other communications on a limited basis; however, any postings or responses may be delayed.

If this is an urgent request, please contact tlab@toronto.ca

Parties and Participants are reminded that the Rules of the TLAB require constant monitoring of Appeal files through the following website: www.toronto.ca/tlab

For more information, please visit www.toronto.ca/covid19, for a full list of COVID-19 related City cancellations and closures.

The TLAB regrets any inconvenience and appreciates your patience and understanding during this time.

Dated at Toronto: April 24, 2020.