

**Date:** 2023-11-16

**Subject:** Housekeeping Amendments to Brampton Appeal Tribunal By-law 48-2008

**Contact:** Peter Fay, City Clerk, Legislative Services

**Report Number:** Legislative Services-2023-900

**Recommendations:**

1. That the report from Peter Fay, City Clerk, Legislative Services, re. Housekeeping Amendments to Brampton Appeal Tribunal By-law 48-2008, to the City Council Meeting of December 6, 2023, be received; and
2. That amendments to Brampton Appeal Tribunal By-Law 48- 2008, as generally set out in Appendix 1 to this report, be approved to adjust the quorum provisions of the Tribunal and require in-person attendance of Tribunal members for a meeting.

**Overview:**

- **In September 2023, City Council authorized the integration of the Brampton Appeal Tribunal with the former Property Standards Committee, into one administrative tribunal.**
- **The current quorum for the Tribunal is a majority of the members (i.e., 6 of 10). For effectiveness, and to ensure quorum issues do not occur, it is recommended that quorum be reduced to a minimum of 3 members. Recent issues with remote participation for members also necessitates a change to the Tribunal by-law to require in-person attendance by the members for a meeting.**

**Background:**

In September 2023, Council received a [staff report](#) and made a decision to integrate the Brampton Appeal Tribunal and Property Standards Committee. The Tribunal's first meeting was held on October 16, 2023. Unfortunately, quorum for the Tribunal was lost during the afternoon session. The current Tribunal composition is 10 members, with quorum being a majority (i.e., 6 members). The second meeting of the Tribunal on November 16, 2023, resulted in some quorum issues and connection issues from members participating remotely.

In order to ensure quorum is in place to adjudicate various appeal matters, this report recommends an adjustment to the Tribunal quorum provisions and implementing a requirement for in-person attendance at meetings.

**Current Situation:**

Appendix 1 includes a draft by-law to amend Brampton Appeal Tribunal By-law 48-2008, to change the quorum provisions to a minimum of 3 members of the Tribunal and require in-person attendance, for participation and decision-making regarding a hearing matter.

Quorum for the Tribunal to hear an appeal on a matter is to be changed from a majority of the membership to the following, as set out in the proposed by-law amendment:

"**Quorum**" means the minimum number of members of the Tribunal, required to be present in-person to convene a meeting and Hearing of an Appeal, and shall be comprised of at least three (3) members of the Tribunal who shall be present in-person at all times during a Hearing of an Appeal and only those members hearing an Appeal shall be party to making a Decision regarding the Appeal;

**Corporate Implications:**

Financial Implications: nil

Other Implications: nil

**Strategic Focus Area:**

This report achieves the Strategic Focus Area of Government and Leadership by enabling an effective functioning citizen-based adjudicative tribunal to hear appeals from decisions and orders issued pursuant to the City's various by-laws and facilitates effective governance by enhancing the efficiency of municipal operations.

**Conclusion:**

It is recommended that Council adopt a housekeeping amendment to the Brampton Appeal Tribunal By-law to adjust the quorum provisions and require in-person attendance by members to ensure the continued effectiveness of the Tribunal.

Authored by:

Reviewed and Approved by:

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Peter Fay, City Clerk

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Sameer Akhtar, City Solicitor and Acting  
Commissioner, Legislative Services

Submitted by:

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Marlon Kallideen,  
Chief Administrative Officer

**Attachments:**

Appendix 1 - By-Law to Amend the Brampton Appeal Tribunal By-Law 48-2008