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**Official Report
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(Hansard)**

A-24

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des débats
(Hansard)**

A-24

**Standing Committee on
Government Agencies**

Intended appointments

1st Session
42nd Parliament
Tuesday 10 December 2019

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

1^{re} session
42^e législature
Mardi 10 décembre 2019

Chair: John Vanthof
Clerk: Jocelyn McCauley

Président : John Vanthof
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GOVERNMENT AGENCIES**

**COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX**

Tuesday 10 December 2019

Mardi 10 décembre 2019

The committee met at 0900 in committee room 1.

The Chair (Mr. John Vanthof): I'd like to call this meeting to order. Good morning, everyone.

COMMITTEE BUSINESS

The Chair (Mr. John Vanthof): The first item of business this morning is a motion moved by Mr. Natyshak at our meeting on December 3, 2019. A copy of the motion was distributed electronically to your offices, and hard copies are available on your desks before you.

Mr. Natyshak, I will now ask that you read the motion into the record.

Mr. Taras Natyshak: I move that those intended appointees selected for review by the committee be permitted to appear before the committee in person, via teleconference or by video conference.

The Chair (Mr. John Vanthof): Is there any debate on the motion?

Mr. Taras Natyshak: Sure. Yes, I'd like to speak to it.

Since the government was elected and this committee was formed, I think it's fair to say that there has been some concern around appointees attending and being given the opportunity to attend this committee. It's something that has frustrated not only us, as members of the Legislature, but I think the general public, because we've seen some appointments go through this committee without the proper review and scrutiny that the committee is duty bound to provide.

I think this committee has also set a record in terms of not extending or not granting extensions to those certificates so that all measures and accommodations could be given to intended appointees to actually come and provide deputation to this committee. It's really, really important that we hear from them. We've heard some really interesting things. We've heard some contentious things. To say that there have been some maybe less-than-qualified candidates appointed to the committee is an understatement.

In fact, I asked a question of the Premier yesterday about two appointments that were made through his office, that were given to partisans or people who were connected to the Premier—

Mr. Will Bouma: Point of order, Chair.

The Chair (Mr. John Vanthof): Mr. Bouma.

Mr. Will Bouma: I was wondering if we could discuss the motion before us.

The Chair (Mr. John Vanthof): In my opinion, he is discussing the motion—

Mr. Will Bouma: Regarding the ability of candidates to—

The Chair (Mr. John Vanthof): It's regarding the ability of candidates to be interviewed at this committee. I believe that is within the motion.

Mr. Taras Natyshak: Thank you, Chair. I think I understand why the interjection from my colleague was made, because when we point out those who never got to see the light or the scrutiny of this committee, the government tends to get a little up in arms. They don't like being reminded that some of their nominees have been less than stellar and certainly have provided concern for taxpayers as to their credentials and experience, so it's a part of this.

I say this in all sincerity, Chair: I wish this didn't have to happen. I wish we were a committee that operated at status quo, as it has in the past for decades and decades, where the government allowed and gave full consideration to all of their nominees. That has changed drastically. We haven't run the numbers on it, but we're upwards of 99% of the time when an intended appointment certificate is put before us that members of the government vote against extending that certificate.

That is the impetus for this motion here that we as New Democrats have put forward, to say to the government, "Look, if these deputants, who are coming from all quadrants of the province, have a hard time getting here to Toronto and their schedules don't match up with when the committee sits, then let's allow them to use technology like the telephone, like video conferencing."

These are things that I believe were mentioned in a recent bill by the government to start to enhance the ability of members to use technology in the House. Well, let's extend it to committee. It's not something novel; it's something that we've done and that we do in this House. We have had deputations by phone. We have had video conferences. We have the ability to do that. I think even in this room—I'm looking over to the corner there; there's a video camera there. So it could be a dual thing. The deputants can see us; we can see them, or we can hear from them.

It is incumbent upon us as elected officials—I say this in a non-partisan way; this is your job. It isn't to rubber-stamp people. It is to ensure that constituents, taxpayers and members of civil society get to review the people who will be representing them on these boards and agencies. If you're not going to do that, then you're doing a disservice to taxpayers, and we'll continue to point it out.

I think that's pretty straightforward, Chair. I look forward to a vote. I will ask for a recorded vote on this motion. It is my hope that my colleagues see the merit in it, because we're definitely not doing all that we could do to protect taxpayers and to maintain the integrity of the appointments process.

The Chair (Mr. John Vanthof): Any further debate? Seeing none, I would like to call for a vote on this motion. I believe a recorded vote has been requested.

Ayes

Bouma, Coe, Cuzzetto, Gill, Natyshak, Nicholls, Stiles, Thanigasalam.

The Chair (Mr. John Vanthof): The motion carries. We will now move on to the—

Interjection.

The Chair (Mr. John Vanthof): Ms. Stiles.

Ms. Marit Stiles: I don't believe I need a motion to do this, but I would like to request that the subcommittee meet sometime, hopefully, in the next few days or few weeks to discuss the opportunity we may have now to conduct meetings in the interim between now and when the House resumes in February.

The Chair (Mr. John Vanthof): We will send an email to try to schedule something.

Ms. Marit Stiles: Okay. I just want to put it on the record—and again, I didn't bring a motion; I don't think that's necessary. But I did want to make a request to the government members present to consider even some attempt at gender parity in this committee. I've noticed I'm the only woman here, and I think it's kind of unfortunate that as we review these very important appointments there's only one woman present.

The Chair (Mr. John Vanthof): Thank you.

SUBCOMMITTEE REPORT

The Chair (Mr. John Vanthof): We will now move on to the subcommittee report dated December 5, 2019. We have all seen the report in advance, so could I please have a motion? Mr. Natyshak.

Mr. Taras Natyshak: I move adoption of the subcommittee report on intended appointments dated December 5, 2019.

The Chair (Mr. John Vanthof): Any discussion? I'll call a vote. All those in favour? Opposed? The motion carries.

INTENDED APPOINTMENTS

MR. ANTHONY TAMBURRO

Review of intended appointment, selected by government party: Anthony Tamburro, intended appointee as member, Human Rights Tribunal of Ontario (Tribunals Ontario).

The Chair (Mr. John Vanthof): Our next order of business is review of intended appointments. First, we

have Anthony Tamburro, nominated as member of the Human Rights Tribunal of Ontario.

Could you please step forward, sir? As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning, we will start with the official opposition, followed by the government, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government. Thank you for being here. The floor is yours, sir.

Mr. Anthony Tamburro: Thank you, Mr. Chair, and members of the committee. Good morning. I'd like to begin by thanking you for inviting me to be here this morning, and to say what an honour it is to be under consideration for this appointment.

My interest in human rights really began in 1997 as I was preparing to go to Bosnia as a member of the Canadian Forces. My job in Bosnia was to conduct liaison and negotiations with members of the international community, non-governmental agencies and, more importantly, with the provincial and local governments in the area. That meant that I had to acquire a quite detailed knowledge of the factions involved in the conflict and of the history of the conflict itself. The more I read, the more appalled I became over what had gone on there.

The nature of my job overseas meant that I was constantly involved with negotiations and mediation, and I was fortunate enough to receive some training in alternative dispute resolution before going to Bosnia.

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Upon arriving there in 1998, I saw numerous ethnically cleansed villages and I had occasion to witness the exhumation of mass graves. These are not the sort of sights that are easily forgotten. I also met families who were not able to obtain health care or education for their children or even to rely on the police for protection simply because they belonged to the wrong ethnic group and lived on the wrong side of a line on a map.

These experiences led me to better understand the fragility of the rule of law and the importance of basic human rights—rights that many Canadians simply take for granted.

When I returned to Canada, I immediately applied to Osgoode Hall Law School. I was accepted and began my legal studies in September 1999. In the intervening year, I was appointed as the principal staff officer in my unit responsible for career administration. Final administrative decisions were made by my commanding officer, but it was my job to prepare files, to ensure that the affected members received disclosure and were given the opportunity to make representations, and finally, to prepare written reasons that reflected my commanding officer's administrative decisions. In other words, it was my job to make sure that the principles of procedural fairness were followed. I also used that year to take courses and obtain qualifications such as diversity facilitator and harassment adviser.

After being called to the bar, I was chosen by the Office of the Judge Advocate General for a project precisely because of my previous experience with administrative decision-making. I was assigned to help write a manual on administrative law as it applied to the Canadian Forces. Throughout the manual, we stressed the importance of maintaining procedural fairness in the administrative process.

Much of my time as a lawyer was spent serving as a military prosecutor, which is the military equivalent of an assistant crown attorney. Indeed, in 2009 and 2010, I was seconded to the Ottawa crown attorney's office as an assistant crown and prosecuted cases in the Ontario Court of Justice and youth court. As a military prosecutor, I prosecuted at courts martial and argued appeals at the Court Martial Appeal Court of Canada and, on two occasions, the Supreme Court of Canada.

One of my most interesting assignments as a legal officer, however, was the time that I spent working in the directorate responsible for providing legal advice on human rights issues of a strategic nature. Indeed, this was a directorate that I eventually led. Our files included issues related to gender identity, disability and bona fide occupational requirements, and the elimination of harmful and inappropriate sexual behaviour. During this time, I was also involved in a quasi-judicial environment, as I had occasion to advise the Military Police Credentials Review Board on matters of procedural fairness. It also gave me the opportunity to further my training by attending several human rights and accommodation courses held here in Toronto. I also received training in legislative drafting and the government of Canada's Gender-Based Analysis Plus program.

Once again, I thank you for inviting me here today. I would be pleased to answer any questions that you might have.

The Chair (Mr. John Vanthof): Thank you very much. The first round of questioning will go to the official opposition. Mr. Natyshak.

Mr. Taras Natyshak: Thank you so much, Mr. Tamburro, for being here. Can I ask what your rank was?

Mr. Anthony Tamburro: I retired as a lieutenant colonel, sir.

Mr. Taras Natyshak: Thank you so much for your service. What an amazing career and unfortunate circumstances in which you served.

I'm just briefly familiar, in a small capacity, with the history around the war and the conflict in Bosnia-Herzegovina. I can't imagine what you witnessed. I thank you for the role that you played. The devolution of that society there must have been striking to you.

Mr. Anthony Tamburro: Yes, sir, it was. The former Yugoslavia was quite an advanced country as eastern Europe went through the Cold War, so to see it go from where it was to what happened during the conflict was just horrible.

Mr. Taras Natyshak: Could you imagine that and the conditions and—do you see any warning signs happening in other developed, advanced countries?

Mr. Anthony Tamburro: Sir, I don't see that happening and I hope it doesn't, but, frankly, a lot of people

didn't see it happening there either until it was in progress. I hope that we don't see anything like that again.

Mr. Taras Natyshak: Those are some pretty heavy questions for this committee. They're just for my own personal interest and really don't relate to the task that you are about to embark on.

I believe you're definitely a suitable candidate and have the experience and the credentials to serve in this capacity. Just a couple of pro forma questions that this committee, or at least us on the opposition side have been forced to ask—and please don't take offence to them. Sir, have you ever been a member of the Progressive Conservative Party of Ontario?

Mr. Anthony Tamburro: No, sir, I haven't. As a member of the military, it was important that we maintain neutrality, so I've never had any political involvement whatsoever.

Mr. Taras Natyshak: Then that makes the rest of my questions not important or significant.

That being said, we appreciate your willingness to serve on the tribunal and look forward to the work that you'll do on behalf of Ontarians. Thank you again for being here this morning.

Mr. Anthony Tamburro: Thank you, sir.

The Chair (Mr. John Vanthof): No further questions? We would like to go to the government side. Mr. Bouma.

Mr. Will Bouma: Mr. Chair, through you: Thank you so much for being here today and thank you for your service to our country. It's quite a read, to go through all of your qualifications. I agree with member Natyshak that you seem very, very qualified for this.

How did you hear about this opening? With your experience, what do you think specifically you can bring to the table in this new position?

Mr. Anthony Tamburro: Well, sir, I first saw the appointment advertised on the public appointments website. I filled out the application there and applied through that means. What I think I can bring is: I have quite a fair history of administrative and human rights experience and also quite a lot of experience as a prosecutor and doing appeal work, which meant that, especially at the appellate level, it caused me to be forced to write in what I hope is a clear and concise fashion when I was preparing appellate facts. I think that would help me, if I were to be appointed, because I think an important thing to do as a member of a tribunal is to write clear, concise decisions in plain language that everybody can understand. I think my previous experience would help me do that.

Mr. Will Bouma: Thank you.

The Chair (Mr. John Vanthof): Further questions? Seeing none, thank you very much. You may step down.

Mr. Anthony Tamburro: Thank you, sir.

MR. BRYAN TUCKEY

Review of intended appointment, selected by official opposition party: Bryan Tuckey, intended appointee as member, Local Planning Appeal Tribunal (Tribunals Ontario).

The Chair (Mr. John Vanthof): Next we have Bryan Tuckey, nominated as member of the Local Planning Appeal Tribunal.

You may come forward. Once again, I hope I got your name close?

Mr. Bryan Tuckey: Perfect. Thank you.

The Chair (Mr. John Vanthof): Okay. As you may be aware, you have the opportunity, should you choose to do so, to make an initial statement. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time you take in your statement will be deducted from the time allotted to the government.

Welcome. The floor is yours.

Mr. Bryan Tuckey: Thank you very much, Mr. Chair, and members of the standing committee. It is an honour and privilege to be considered for an appointment to the Local Planning Appeal Tribunal. I appreciate the opportunity to provide the committee with some insight on my career and how I could provide a positive contribution to LPAT and building communities in Ontario.

As you are aware, LPAT is an independent administrative tribunal responsible to adjudicate and resolve appeals on a variety of municipally related matters. It plays a critical role in the municipal planning and city-building process in the province of Ontario. Planning, by its nature, is a very public process, and the way LPAT is structured allows individuals or groups who have an interest in a planning matter to be fully engaged. It is a forum to articulate their differing perspectives while exploring potential common ground and resolution to disputed issues. LPAT carries out an important role for the province, its businesses and the public.

I will provide a brief summary of my experience and how it prepares me to be a very effective member on this tribunal.

Academically, I have an undergraduate and a master's degree in urban and regional planning from the University of Waterloo. I was honoured to be the planner in residence at Waterloo in 2005 and have continued my involvement with this institution as a guest lecturer and mentor to students and staff. I was the recipient of an alumni achievement award in 2017.

I have been a professional planner for more than 35 years, and most of this experience is at a senior level. I have been employed at all three levels of government in Ontario and then in the private sector as a chief executive officer of a non-profit association. This diversity of experience allows me to see issues from a variety of different perspectives, with a unique understanding of the planning system and how public policy is made and implemented.

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I will briefly outline for the committee the range of my professional experience. I began as a planner in the then township of Westminster, facing issues of a rural community on the fringe of the city of London.

I then moved to face the challenges of city building in the city of North York, as it was rapidly changing from a suburban to an urban municipality. One of the main take-aways from my time at North York was the importance of the public in the planning process and the skills needed to effectively work in a public forum.

I had the pleasure to work for a short time at the province of Ontario as a director and assistant deputy minister, where a dedicated team of professionals created lasting and important public policy. This experience provides me with the necessary insight on how the province operates and the role LPAT plays and how it fits into the provincial system.

Then, I was the commissioner of planning and development services at York region for 11 years when it was facing rapid growth and challenges related to the construction of the critical infrastructure to accommodate this growth. During my time as commissioner, the region was the recipient of many awards, provincially and nationally, for its innovative and far-reaching public policy. The region was very proud as the 2007 sustainability strategy was recognized with an international award.

After leaving the public sector, I was asked to use my skills in the private sector as an advocate of the development industry in the greater Toronto area. I was the president and CEO of the Building Industry and Land Development Association. In my advocacy with this association, I was a planner first and acted in the public interest.

Throughout my public sector career, I have been involved in the LPAT process by providing strategic direction, assisting municipal staff or as a witness. I was a discipline committee vice-chair for the Ontario Professional Planners Institute for 10 years. I was involved in many committee matters, which gives me considerable experience in pre-hearing conferences, mediation of issues and the authoring of committee reports on the matters before them.

In Ontario, there are few planners with the breadth of experience and level of accountability that my experience brings to LPAT. Working in the public forum has provided me with the required skills to sensitively deal with the issues and challenges of planning and community building, including unrepresented members of the public. I have the skills to provide fair and balanced hearings while understanding the critical importance of respecting the views of all those involved in the process.

This appointment also provides me with the opportunity to give back to the province and the profession that has been so good to me over the years.

Mr. Chair, I thank you for the opportunity to address this committee and would welcome any questions that the members may have.

The Chair (Mr. John Vanthof): Thank you very much. The first round of questioning will go to the government. Mr. Bouma.

Mr. Will Bouma: Mr. Chair, through you: Mr. Tuckey, I appreciate you being here today. You were correct, looking through your resumé, that it's rather impressive.

I have a little bit of experience on a committee of adjustment, a little bit on council, and from that, what I've

learned is that good planners are able to look at all sides of a situation and try to find out what's best for the community. I really appreciate that you have some big-city experience but also some small-town experience and how that all blends together, especially in a role like this.

I was wondering how you would respond if someone would have said, "You spent so many years working for the development industry. How can you take a fair approach to a job with the LPAT?"

Mr. Bryan Tuckey: I thank you for that question. When you look at my history and my career, you'll find that I've always been a planner first. A planner, by statute, has to act in the public interest and articulate good planning and good public policy.

When I worked with BILD, when I was hired, I told them clearly that I was going to work as a planner first. With that, I always acted, wrote and articulated any position that I felt was in the public interest of the province of Ontario and the residents who live in the province of Ontario. My integrity is all I have, and if that would not have been allowed of me, I would not have continued working in that organization.

Mr. Will Bouma: Thank you very much for that response.

The Chair (Mr. John Vanthof): Mr. Coe.

Mr. Lorne Coe: Chair, through you: Thank you, sir, for being here today. Your background really straddles all aspects, doesn't it? Thank you for your service as a public servant as well, both within the Ontario government and in the upper-tier government of York region, and also with the lower-tier government.

You talked about the development of public policy and you talked about the implementation of that in your presentation; but in looking at your resumé as well, more specifically, I'd like you to speak a little bit about your approach and the approach that you've used in those sectors—upper-tier, lower-tier and also as a senior civil servant with BILD—and how you mediated particular issues that arose.

Mr. Bryan Tuckey: I think one of the most important things as a senior person in any role and responsibility is the ability to listen. Through my career, I've been told the higher up you are in any organization, the less you have to speak. I really did take that to heart, because I've always been very, very blessed with extremely competent and extremely committed staff during my time in both the public and the non-profit sectors. They were the ones that gave me what I could write on my introductory statement. So I feel that from an adjudicative standpoint, I can see the whole spectrum of planning.

At York region, we did a considerable amount of public policy, really good public policy, and that's not my skill. I was much better at the implementation side.

With the local municipalities in North York, we built a city in the 12 years that I was there—a very difficult time, a very challenging time. People were generally not too enamoured to the change that the then council was advocating. You went out to public meetings with very, very many people, and you had the opportunity to hone your skills in listening to people, educating people and moving

them along the planning continuum so that they could actually understand where they fit and where the application in front of them, or the public policy in front of them, fit within that continuum. It's a very important job from the education side, to help the public through these processes.

Mr. Lorne Coe: Thank you very much for that answer and thank you for your public service to the province of Ontario.

The Chair (Mr. John Vanthof): Mr. Nicholls.

Mr. Rick Nicholls: Chair, through you: Again, good morning, Mr. Tuckey. It's nice to have you here with us this morning. I'm very impressed with your background.

A quick question for you, though: I noticed that the tribunal at one point in time had a backlog of about 1,200 cases, which as I'm sure you would agree is not healthy. They've since picked up the pace and there's about 900 outstanding cases now, but the Auditor General noticed that some of the LPAT members were taking longer than normal with regard to their target times to issue decisions.

So I guess my question to you is just a very straightforward one: How would you ensure that this just doesn't happen to you? In other words, what can you do to expedite this process, doing it thoroughly but, again, ensuring that these cases are dealt with?

Mr. Bryan Tuckey: Thank you very much. The speed in which you can actually provide decisions, and well-considered decisions, is important. My entire career, the view that I have taken towards my own activities and my own work is that I do things relatively quickly. I always find that the best time to follow up, write or do any activity related to my job was the day I did it, so all of my experience is to get things done quickly.

You can see from my outline and my resumé that if I wasn't able to manage that in a relatively rapid time, I would not have been continuing on the career path I was. To me, the whole thing is to get things done quickly. Do it quickly. It's easier; it's in front of you; it's while it's at the top of your mind. You're able to actually complete the decision more quickly and more effectively.

Mr. Rick Nicholls: I think it's important that when we're working with people that we have that skill set and ability to instill a sense of urgency, and that we have it ourselves but instilling that sense of urgency in other people as well.

0930

Mr. Bryan Tuckey: Well, Mr. Nicholls, instilling the sense of urgency in all of what I've done has been instilled in me from my very first council and superior in the then township of Westminster, because most of my career is in the public sector and as a leader in the public sector you must always, as one of the rules of engagement with your staff, just say everything is urgent, is important and the work they do is important.

Mr. Rick Nicholls: Thank you very much for your time. I appreciate it.

The Chair (Mr. John Vanthof): Any further questions from the government? Seeing none, I'd like to switch to the official opposition. Ms. Stiles.

Ms. Marit Stiles: Thank you and welcome, Mr. Tuckey. As my colleague mentioned when—I think you were here during the previous applicant.

Mr. Bryan Tuckey: Yes.

Ms. Marit Stiles: You heard we've had some issues previously around appointments with this government and in this committee, so I hope you won't be offended by some of my questions. They are things that we really do need to ask, for transparency and accountability for the people of the province.

You mentioned, when you were talking about your previous experience, being a CEO and president of a non-profit association. By that, were you referring to BILD, the Building Industry and Land Development Association?

Mr. Bryan Tuckey: Yes, I was.

Ms. Marit Stiles: Okay. That is an association that really is, I think, the voice of the development industry in the greater Toronto region.

Mr. Bryan Tuckey: Yes, it is.

Ms. Marit Stiles: Okay. What is it that prompted you, as a former advocate for developers in that sense in this region, to seek out this appointment?

Mr. Bryan Tuckey: For me, it was important to give back. As I said in my opening statement, the longest part of my career was in the public service. I really do believe I'm a public servant at heart. I want to continue in this role to lend my experience, my considerable experience and expertise, in the adjudicative process to assist in building cities. That's what I do. That's what I enjoy doing.

I'm quite sincere when I say—I am retired, basically. I give a little bit of help to people if they ask me to. But it's a real chance to give back. I'm a farm boy from Exeter and I never once dreamt that I'd be sitting in this chair, or sitting in any of the chairs in my career.

I think what you find when you're advocating for a group like BILD is that they too want to be good city builders, and they did want to work in a partnership arrangement with all those people who were involved in the city-building process. I always spoke and acted as a planner first, which, if you read about planning ethics and responsibility, means you act in the public interest, and that's all there was.

Ms. Marit Stiles: Thank you. Can I ask you, with respect, if you've ever been a member of the PC Party of Ontario or the Conservative Party of Canada?

Mr. Bryan Tuckey: No, I have not.

Ms. Marit Stiles: Have you ever donated to any candidates for the Conservative Party or the PC Party of Ontario? That would include things like tickets to fundraisers.

Mr. Bryan Tuckey: As a president and CEO of the Building Industry and Land Development Association, during that time I did contribute to a variety of different associations and organizations. During that time I would expect that the association or myself, depending on the rules of the time, would have contributed to all major political parties in our efforts to maintain a partnership with them.

Ms. Marit Stiles: I appreciate that. I ask this in part because some of us will recall that back in 2014, the

integrity commissioner here in the city of Toronto released a report—this was before your time at BILD, albeit—that BILD had inappropriately lobbied the former mayor of Toronto, Rob Ford, by hosting a fundraiser for him at the home of the BILD chair at the time, back in 2011. Now, that was before your time, but BILD has had some record here of a close relationship, shall we say, with the Ford family. On that, do you have a relationship with Premier Ford or any member of his staff?

Mr. Bryan Tuckey: No, I do not.

Ms. Marit Stiles: Were you approached to apply for this position?

Mr. Bryan Tuckey: No, I was not—not from a political standpoint.

Ms. Marit Stiles: But from others?

Mr. Bryan Tuckey: How it came about is I was golfing with some friends and they said that this job was up for applications, so I went into the Public Appointments Secretariat application and I applied.

Ms. Marit Stiles: Okay. I wasn't entirely clear; I saw two conflicting references. Is this a part-time role that you're intending to fill or a full-time?

Mr. Bryan Tuckey: My understanding is, it's a part-time job.

Ms. Marit Stiles: And do you know what you'll be earning in that part-time role?

Mr. Bryan Tuckey: I'm sorry?

Ms. Marit Stiles: Do you know what you'll be earning in that part-time role?

Mr. Bryan Tuckey: No.

Ms. Marit Stiles: My understanding is, it's around \$50,000 or \$60,000 a year, I would assume. We should confirm that.

Mr. Bryan Tuckey: My understanding is that it's a daily per diem rate. I'm not honestly sure what that is. To be quite frank with the committee, if it was the financial gain that I was looking for, with my credentials, I don't think it would be as a part-time adjudicator on the land tribunal.

Ms. Marit Stiles: I have to say, we've seen this government bring in what some of us would see to be very developer-friendly changes in legislation and regulation. In my experience as a representative of my community, the criticism of the former OMB was always that it was historically more in favour of the interests of developers in decisions, particularly about zoning. I have to say, it's concerning. I appreciate all of your experience on the planning side of things, but I wonder whether you feel you could be truly objective when it comes to the interests of local communities around some of the decisions that are presented before you, having worked as an advocate for the development industry.

Mr. Bryan Tuckey: I'll go back to my experience. First of all, I am not at all familiar with this government's approach to any of the legislation. I have not been involved with BILD. When leaving BILD, I stepped back. There was another president and CEO, and out of respect to him and respect to the organization, I would never be involved

in the day-to-day operations or the strategic directions that organization does choose to take.

As an adjudicator in this position, the one that is in front of us today, you look at the existing legislation; you look at the existing plans, the ones that are in place; you hear evidence from professionals; and you use that information and your experience to create decisions. I don't feel that I would be any more likely to take a view—I am very unbiased and professional in all that I take from the development industry or my past colleagues in the municipal sector, which are greater than they are in the development sector, frankly.

Ms. Marit Stiles: In 2017, in an op-ed that you wrote for the Toronto Star, you were criticizing Bill 139, which, I believe, was the Building Better Communities and Conserving Watersheds Act, 2017. One of the things that you pointed out was that you felt that Bill 139 would have a negative impact on what you called “the highly successful mediation model of the OMB.” The OMB, I think, historically, for many people across Ontario, was seen to favour the interests of developers to a great extent. In fact, I wonder if you still think today that the OMB had what you would call a “highly successful mediation model.”

Mr. Bryan Tuckey: We're talking about mediation versus maybe the adjudication of hearings in that case. One of the things that I'll always feel is important is, if you can bring people together—and I think the legislation related to LPAT is much more clear and forthcoming in that model to bring people together, to find common ground and to find areas where you can resolve disputes outside of the adjudicative function. For everyone, it's less stressful. It's a positive—

Ms. Marit Stiles: If I may, one of the things that the government has done, speaking about how we make this run more smoothly for everyone, let's just say—the current government, this spring, shut down the Local Planning Appeal Support Centre, which was, I have to say, for some pretty major developments happening in my community, a significant opportunity for residents and for community to find some guidance and support through an extraordinarily complex process. What's your feeling about the government's shutting down of the support centre?

Mr. Bryan Tuckey: Again, in this role, I believe that the adjudicator would take advantage and I think the role—part of the process that's still available is the case management meeting. I think a very skilled and knowledgeable adjudicator in that form would be able to guide the unrepresented parties through the process very well.

I think it would be probably the most important part of a hearing to explain to the public roles, responsibilities, and what the legislative requirements are, to ensure that they feel comfortable with the process.

Ms. Marit Stiles: How much more time do we have, Mr. Chair?

The Chair (Mr. John Vanthof): About four and a half minutes.

Ms. Marit Stiles: I'm going to wrap it up there. Thank you.

Mr. Bryan Tuckey: Thank you very much.

The Chair (Mr. John Vanthof): No further questions? Seeing no further questions, thank you very much for your time. You may step down, sir.

Mr. Bryan Tuckey: Thank you.

The Chair (Mr. John Vanthof): We will now consider the intended appointment of Anthony Tamburro, member for the Human Rights Tribunal of Ontario. Mr. Cuzzetto.

Mr. Rudy Cuzzetto: I move concurrence in the intended appointment of Anthony Tamburro, nominated as a member of the Human Rights Tribunal of Ontario.

The Chair (Mr. John Vanthof): Thank you. Concurrence in the appointment has been moved by Mr. Cuzzetto.

The Clerk of the Committee (Ms. Jocelyn McCauley): Mr. Cuzzetto has to read the end, as well.

The Chair (Mr. John Vanthof): Oh, okay. I have to read—does he have to do that too?

The Clerk of the Committee (Ms. Jocelyn McCauley): Just him.

The Chair (Mr. John Vanthof): Okay, so we'll have to redo it and also read what's in brackets. My apologies. I didn't read what was in brackets, so you followed me.

Mr. Rudy Cuzzetto: I move concurrence in the intended appointment of Anthony Tamburro, nominated as a member of the Human Rights Tribunal of Ontario (Tribunals Ontario).

The Chair (Mr. John Vanthof): Thank you, and once again, my apologies.

Concurrence in the appointment has been moved by Mr. Cuzzetto. Any further discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? Seeing none, that carries.

We will now consider the intended appointment of Bryan Tuckey, member for the Local Planning Appeal Tribunal (Tribunals Ontario). Mr. Cuzzetto.

Mr. Rudy Cuzzetto: I move concurrence in the intended appointment of Bryan Tuckey, nominated as a member for the Local Planning Appeal Tribunal (Tribunals Ontario).

The Chair (Mr. John Vanthof): Thank you. Concurrence in the appointment has been moved by Mr. Cuzzetto. Any discussion? Seeing none, I would like to call a vote. All those in favour? Opposed? That carries.

The meeting is adjourned.

The committee adjourned at 0943.

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