



Ontario Land Tribunals

Annual Report

2020-21

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Note: As of June 1, 2021, the Local Planning Appeal Tribunal, Environmental Review Tribunal, Board of Negotiation, Conservation Review Board and the Mining and Lands Tribunal were merged into a new single tribunal called the “Ontario Land Tribunal”.

Ontario Land Tribunal

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June 30, 2021

The Honourable Doug Downey
Attorney General of Ontario
Ministry of the Attorney General
720 Bay Street, 11th Floor
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey:

Re: Ontario Land Tribunals 2020-21 Annual Report

It is our pleasure to submit to you the 2020-21 Annual Report for Ontario Land Tribunals.

This report reflects the activities of Ontario Land Tribunals for the fiscal year ending March 31, 2021.

Since the creation of Ontario Land Tribunals in July 2020, we have sought ways to make the land use dispute process more streamlined, effective and accessible for people, and will continue to do so in our next chapter as the new Ontario Land Tribunal.

We look forward to continue working with your ministry in the upcoming year.

Yours sincerely,

Marie Hubbard
Chair
Ontario Land Tribunal

Joe Whitehead
Executive Director
Ontario Land Tribunal

Ce document est également disponible en Français.

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Executive Chair's Message

Upon its creation in July 2020, I was given the honour to lead Ontario Land Tribunals as its Executive Chair, and I am pleased to report on our recent successes within this Annual Report.

Amidst the challenges of this first operating year, I am proud of the resiliency of our staff and members to continue delivering timely adjudicative services to the public.

In response to COVID-19, staff and members quickly worked together to find solutions to hold digital hearing events, and began hearing appeals by videoconference as early as July 2020. Building on the success of our innovative pilots, complex multi-day and multi-week hearings are also now taking place online. This is a significant achievement that ensures our hearings continue to be conducted in an expeditious and cost-effective manner.

As a new organization, we are taking the opportunity to seek ways to streamline our processes in order to more quickly and efficiently serve Ontarians. This past year has presented many opportunities for us to modernize and improve our operations.

June 1, 2021 marked the establishment of the integrated Ontario Land Tribunal. Through our adjudication of land use planning and related matters, the Ontario Land Tribunal will continue to be an economic engine, driving growth and prosperity in Ontario. The passing of this legislation places our modernization efforts front and centre enabling our organization to work collaboratively across our areas of jurisdiction in harmony and unity.

As one integrated Tribunal, the organization is taking important steps to eliminate the unnecessary overlap between cases, streamlining our processes and finding efficiencies in our specialized adjudication and mediation expertise.

I thank all of our members and staff for continuing to ensure the delivery of timely, fair and principled resolutions for the matters that come before us, and I look forward to continue working together to serve the people of Ontario.

Sincerely,



Marie Hubbard

Chair, Ontario Land Tribunal
Former Executive Chair, Ontario Land Tribunals

“We are taking the opportunity to seek ways to streamline our processes in order to more quickly and efficiently serve Ontarians.”

Executive Director's Message

Within this annual report, I am pleased to share the accomplishments of our staff and members during this past operating year as Ontario Land Tribunals.

Since the creation of Ontario Land Tribunals in July 2020, much work has been done to establish our organization moving out from Tribunals Ontario, and I thank everyone who has worked to make this transition as smooth as possible.

With the ongoing pandemic, we have continued to find ways to meet our clients' needs, while keeping the safety of our staff, members and the public top-of-mind and following the recommendations of our health officials. We have transitioned from in-person hearings to fully digital hearing events and will continue to shift our processes to be digitally-focused and build on our successes.

Staff and members worked together to prepare for the further evolution of our organization with the establishment of the integrated Ontario Land Tribunal on June 1, 2021.

Our organization continues to find ways to modernize our services to more efficiently address the needs of those that come before our tribunals and boards, and we remain committed to developing a workplace that exemplifies diversity, inclusion and accessibility. We look forward to continuing these priorities in the future as the new Ontario Land Tribunal.

Thank you to our staff and members for their work and accomplishments over this past year, and I look forward to continue our work improving our services for the public.

Sincerely,



Joe Whitehead
Executive Director

“We remain committed to developing a workplace that exemplifies diversity, inclusion and accessibility.”

About Ontario Land Tribunals

In July 2020, the Ontario Land Tribunals was created to bring the Ministry of the Attorney General's five land tribunals into one organization under the leadership of a dedicated Executive Chair. These tribunals included the Local Planning Appeal Tribunal, Environmental Review Tribunal, Board of Negotiation, Conservation Review Board, and Mining and Lands Tribunal.

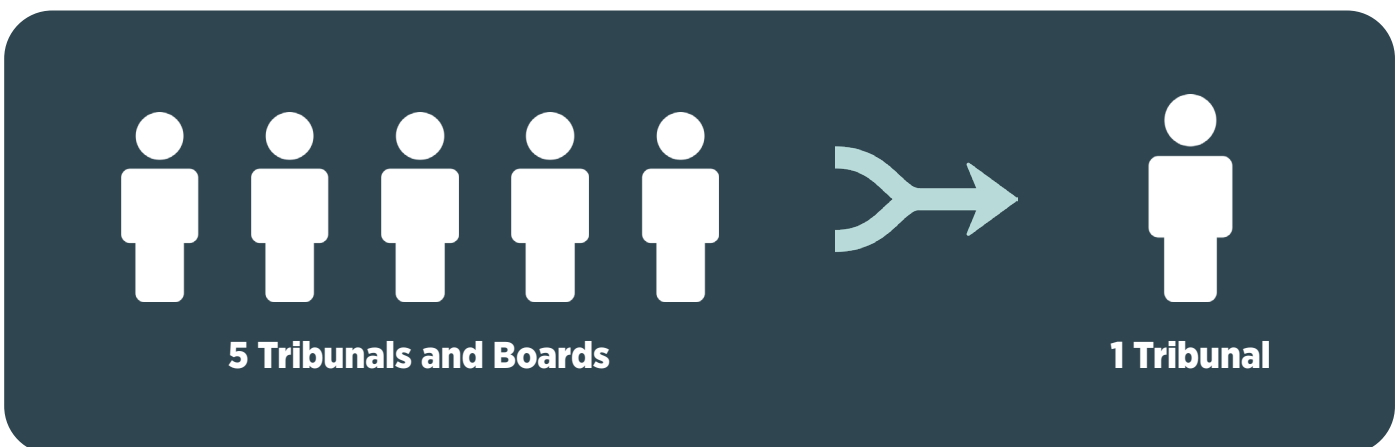
Ontario Land Tribunals adjudicates and mediates matters related to land use planning, environmental and heritage protection, expropriated land valuation, mining and other matters. It focuses on land-related dispute resolution to help increase the housing supply in the province, while balancing the needs of environmental protection and conservation.

Ontario Land Tribunals is responsible for five boards and tribunals that fall under the Ministry of the Attorney General:

- Board of Negotiation
- Conservation Review Board
- Environmental Review Tribunal
- Local Planning Appeal Tribunal
- Mining and Lands Tribunal

Ontario Land Tribunals holds proceedings throughout the province and promotes the early resolution of a multitude of matters using a variety of dispute resolution methods. It processes files from intake to closure, which may include issuance of decisions, orders and recommendations arising from pre-hearings and mediations, settlement conferences and if required, a formal hearing.

On April 19, 2021, the Ontario Legislature passed the *Accelerating Access to Justice Act, 2021* (Bill 245), with a proclamation date of June 1, 2021. Through this Act, as of June 1, 2021, the Local Planning Appeal Tribunal, Environmental Review Tribunal, Board of Negotiation, Conservation Review Board and the Mining and Lands Tribunal merged into a new single tribunal called the Ontario Land Tribunal. The new Ontario Land Tribunal will help reduce delays and make the land dispute resolution process more efficient by creating a single forum to resolve disputes faster by eliminating unnecessary overlap between cases.



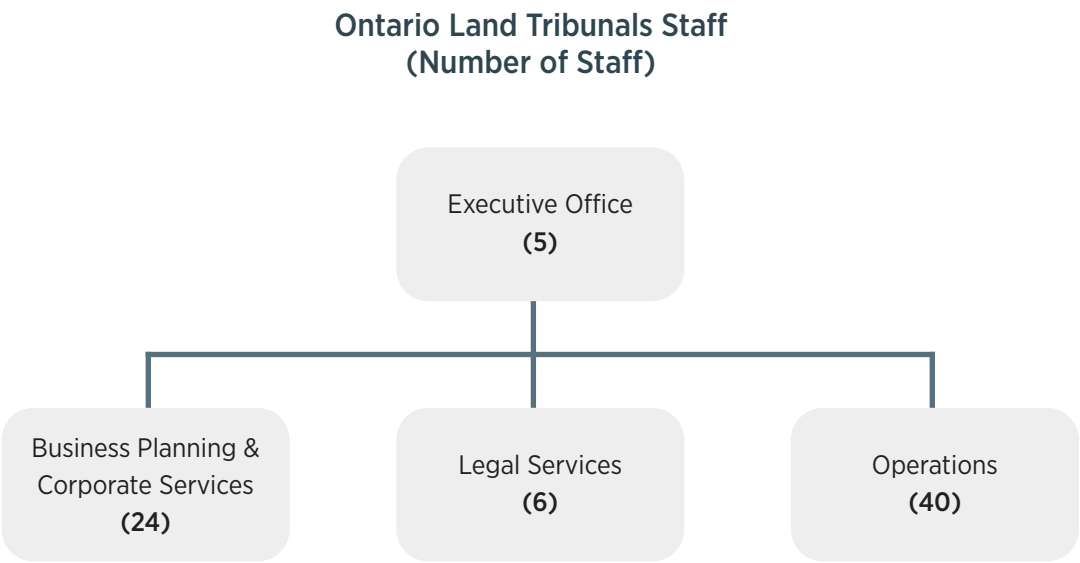
About Ontario Land Tribunals

Organizational Structure

Ontario Land Tribunals was led by an Executive Chair, who also assumes the powers, duties and functions legislatively assigned to the chair of each constituent tribunal. The Executive Chair was accountable to the Minister (Attorney General) for the performance of Ontario Land Tribunals in fulfilling its mandate. While under the leadership of the Executive Chair, each tribunal maintains its legislative mandate and remains independent in its decision-making. However, all tribunals benefit from the coordination and sharing of resources, expertise, best practices, processes, and administrative and professional development support. Decisions of tribunals are made by adjudicators who are appointed for fixed terms by Orders-In-Council made by the Lieutenant Governor-In-Council on the recommendation of the Executive Chair, Minister and Cabinet. Adjudicators report to the Executive Chair.

The organization is also led by an Executive Director, who is responsible for supporting the Executive Chair in the implementation of Ontario Land Tribunals’ policies and operational decisions. The Executive Director is accountable to the Deputy Attorney General for the management of Ontario Land Tribunals’ operations. Staff are Ontario Public Servants and report to the Executive Director.

Ontario Land Tribunals has a total of 75 allocated staff positions as outlined below.



Ontario Land Tribunals has a total of 31 full-time members and nine part-time members. Some members are appointed to more than one board or tribunal (see Appendix for a full list of members).

Operational Highlights

Harmonization of Rules

- Ontario Land Tribunals developed a new set of Rules of Practice and Procedure to harmonize and simplify its practices and procedures, which were posted to the OLT website for consultation in January 2021.
- The new Rules are intended to maximize efficiencies and facilitate the timely adjudication and mediation of disputes related to land use planning, environmental or heritage protection, expropriated land valuation or any other matter considered before it.

Going Digital

- In response to COVID-19, Ontario Land Tribunals took immediate action to safeguard the health and well-being of staff, members and Ontarians.
- To comply with physical-distancing direction from public health authorities, most staff and adjudicators are working remotely, and all in-person service counters are closed until further notice. At this time, appeals are heard by video conference. In-person hearings or hearings involving both in-person and electronic means are not currently available.
- As the situation develops, Ontario Land Tribunals continues to ensure minimal service disruption for Ontarians, while keeping Ontarians safe.

Access to Justice

- As an organization, Ontario Land Tribunals places access to justice at the centre of everything it does. COVID-19 has accelerated the pace at which the public sector is harnessing technology, and Ontario Land Tribunals strives to provide the appropriate supports to those who appear before the tribunals and to empower people to be active participants.
- Over the last fiscal year, Ontario Land Tribunals embarked on finding new ways of providing and developing additional resources, including a video hearing guide to prepare participants for their electronic hearings. Ontario Land Tribunals has also offered test sessions to parties and participants, in advance of their digital hearing events.
- In alignment with these initiatives, Ontario Land Tribunals also developed a live-streaming policy. In cases where Ontario Land Tribunals determines that a specific hearing event will be live-streamed, it is made publicly accessible via a YouTube link provided to observers.



Harmonization of Rules



Going Digital



Access to Justice

Diversity, Inclusion and Accessibility

Ontario Land Tribunals is committed to building a diverse, inclusive and accessible environment to reflect the public we serve and respond to the needs of diverse stakeholder groups. Diversity objectives and outcomes in policies, processes and services ensure the public, staff and Order-in-Council (OIC) members have access to a space that is free from harassment and discrimination.

Mandatory Training

Staff are trained on their responsibilities to provide diverse, inclusive and accessible services and have completed the following courses:

- *San'yas Indigenous Cultural Safety Training Program* to increase knowledge, enhance self-awareness and strengthen the skills of those who work directly and indirectly with Indigenous people
- Accessibility training modules to provide accessible services

Employee Wellness and Supports

Supporting the mental health of our employees and their family members continues to be a priority. Staff are encouraged to access the *AbilitiCBT* program which supports employee wellness by providing assistance to manage mental health and well-being.

Staff have completed a mandatory e-module training program focusing on vicarious trauma. This training is designed to:

- Educate and raise awareness about vicarious trauma
- Support managers to effectively address vicarious trauma in the workplace
- Provide workplace assistance to employees to cope with vicarious trauma

To further support staff well-being, they are also encouraged to participate in weekly programming that supports physical and mental health.

Staying Connected

In response to the pandemic and working remotely, Ontario Land Tribunals has made efforts to stay connected through virtual activities, workshops and quarterly newsletters:

- Workshops and group discussions (e.g. coping strategies during the pandemic)
- Quarterly newsletter that highlights staff and member achievements and stories

Professional Development

Professional development is an integral part of the organization. Training ensures Order-In-Council (OIC) members and staff have the knowledge and support to meet legislatively mandated timelines, the most relevant knowledge in legislation, administrative justice tools, and operational functions.

Across the organization, we have provided new member onboarding and tribunal specific training sessions, conducted through remote platforms. Training is done collaboratively with other units throughout the organization and is facilitated internally by the Executive Chair, Associate Chairs, Vice Chairs, Members, Registrar and Legal Counsel, externally with guest presenters, through interactive platforms such as Microsoft Teams, online modules and self-directed study and job shadowing. The onboarding and training plan ensure that OICs are properly onboarded and trained to fulfill their roles as public servants.

In 2020, the Professional Development and Training Unit, under the Vice-Chair of Professional Development and Manager of Legal Counsel, developed a comprehensive training program that was delivered virtually. This intensive program consists of two series of training sessions: the New Member Training (NMT) series and the Continuing Professional Development (CPD) series. These series focus on conducting fair and efficient hearing events, writing well-reasoned decisions, collaborating with colleagues, and the legal and policy frameworks applicable to common types of appeals.

The NMT series is a combination of substantive and experiential learning sessions to prepare newly appointed OICs for their first hearing assignments. The CPD series consists of several sessions designed for OICs as they handle more complex appeals. Both the NMT and CPD series include skills-based, collaborative learning opportunities.

To address one of the challenges of remote work, there are ongoing initiatives to deliver sessions where staff and OICs have opportunities to collaborate in a virtual environment.

A comprehensive electronic library supports professional development across Ontario Land Tribunals. New content is developed on an ongoing basis to assist adjudicators and staff in their work and to address legislative and policy changes.



Tribunal Highlights

Board of Negotiation

The Board of Negotiation (BON) conducts mediations of disputes over the value of land expropriated by a public authority and negotiates compensation.

The BON was created under the former 1964 *Expropriations Procedures Act*. The current law for expropriations, the *Expropriations Act*, came into effect on January 1, 1970.

Operational Highlights

As in-person meetings were paused due to public health and safety measures related to COVID-19, the BON adapted quickly at the onset of the pandemic to provide its mediation services by videoconference. Staff and members were trained on Microsoft Teams to schedule and conduct virtual mediation sessions. Processes were developed to test the system with the parties, which allowed the BON to troubleshoot technical issues prior to the mediation to ensure the successful completion of the event.

The BON successfully completed 39 mediations by videoconference in the past fiscal year. By adapting to the challenges brought on by the pandemic, the BON resolved more cases than it opened and decreased its active caseload by 15%.

Statistics

Table 1: BON Performance Results (Service Standards)

Performance Measures	Target	2020-21 Actual	2019-20 Actual	2018-19 Actual	2017-18 Actual
Cases in which the BON scheduled a negotiation meeting within 180 days	85%	99%	85%	87%	77%
Cases will be resolved within 18 months of filing	85%	99%	98%	N/A	N/A

Tribunal Highlights

Table 2: BON Caseload

Caseload	2020-21	2019-20	2018-19	2017-18
Opening Caseload Balance	60	63	67	83
Caseload Received	78	101	89	69
Total Caseload for Year	138	164	156	152
Resolved Caseload	87	104	93	85
Balance at end of Fiscal	51	60	63	67

Table 3: BON Caseload Resolution Results

Result	2020-21	2019-20	2018-19	2017-18
Tribunal Resolved	45	54	34	39
Parties Resolved	13	17	4	23
Filed with LPAT	2	7	5	7
Administratively Closed	27	26	50	16
Total	87	104	93	85

Tribunal Highlights

Conservation Review Board

Through the facilitation of settlement or a recommendation report to the final government decision maker, the Conservation Review Board (CRB) resolves disputes over properties that may demonstrate cultural heritage value or interest and disputes that involve archaeological licensing.

The CRB’s jurisdiction and authority are derived from the *Ontario Heritage Act* (OHA) and the *Statutory Powers Procedure Act*.

Operational Highlights

Despite the challenges brought on by the COVID-19 pandemic, the CRB continued to receive new cases and process them without significant disruptions. Appeal intake decreased slightly as the CRB received five fewer cases this year compared to the previous fiscal year.

The development of digital processes to support remote work and virtual hearings allowed the CRB to continue its operations without disruption. Virtual hearings were held by Microsoft Teams and supported through the development of a videoconference guide. Testing sessions were also held with the parties to troubleshoot technical issues prior to the event.

The CRB successfully closed more cases this year than it received for the first time in the past three fiscal years. This resulted in a 23% decrease in the CRB’s active caseload by the end of this fiscal year.

Statistics

Table 1: CRB Performance Results (Service Standards)

Performance Measures	Target	2020-21 Actual	2019-20 Actual	2018-19 Actual	2017-18 Actual
Cases in which the CRB issued a report or order within 30 days of the hearing event	85%	80%	90%	100%	86%

Tribunal Highlights

Table 2: CRB Caseload

Caseload	2020-21	2019-20	2018-19	2017-18
Opening Caseload Balance	59	57	35	24
Caseload Received	19	25	42	27
Total Caseload for Year	78	82	77	51
Resolved Caseload	32	23	20	16
Balance at end of Fiscal	46	59	57	35

Table 3: CRB File Types

Year	2020-21		2019-20		2018-19		2017-18	
File Type	Cases	Appeals	Cases	Appeals	Cases	Appeals	Cases	Appeals
Intention to designate property by municipality	17	33	20	27	42	160	24	71
Designation by-law amendment	0	0	3	10	0	0	1	1
Designation by-law-request for repeal by owner	0	0	1	1	0	0	0	0
Designation by-law-objection to repeal	2	15	1	2	0	0	1	4
Alternation of heritage designation property	0	0	0	0	0	0	1	1
Archaeological licensing	0	0	0	0	0	0	0	0
Total	19	48	25	40	42	160	27	77

Tribunal Highlights

Table 4: CRB Case Results

Caseload	2020-21	2019-20	2018-19	2017-18
Reports Issued	1	0	2	3
Orders Issued	15	10	5	15
Withdrawals*	30	22	18	13

***Note:** Withdrawals are often the result of settlement of the issues among the parties.

Tribunal Highlights

Environmental Review Tribunal

The Environmental Review Tribunal (ERT) hears applications and appeals under 15 different environmental and land use planning statutes in Ontario. The ERT also functions as the Niagara Escarpment Hearing Office to hear development permit appeals and Plan amendment applications in the Niagara Escarpment area. It also serves as the Office of Consolidated Hearings to hear applications for a Joint Board hearing under the *Consolidated Hearings Act*.

The ERT's jurisdiction and authority are derived from the following statutes:

- *Clean Water Act*
- *Consolidated Hearings Act*
- *Environmental Assessment Act*
- *Environmental Bill of Rights, 1993*
- *Environmental Protection Act*
- *Environmental Review Tribunal Act, 2000*
- *Greenbelt Act, 2005*
- *Niagara Escarpment Planning and Development Act*
- *Nutrient Management Act, 2002*
- *Oak Ridges Moraine Conservation Act*
- *Ontario Water Resources Act*
- *Pesticides Act*
- *Resource Recovery and Circular Economy Act, 2016*
- *Safe Drinking Water Act, 2002*
- *Statutory Powers Procedure Act*
- *Toxics Reduction Act, 2009*

Tribunal Highlights

Operational Highlights

The past fiscal year has been marked by significant challenges due to the COVID-19 pandemic. Appeal intake decreased by 22% compared to the past few fiscal years. This is largely a result of a decrease in the appeal of Director's Orders, which can be attributed to the COVID-19 impact on the Ministry of the Environment's operations.

As with all of the Ontario Land Tribunals' boards and tribunals, the ERT quickly adapted to the situation and incorporated more digital processes to continue its operations. Most notably, the ERT developed and implemented videoconferencing to replace in-person events. The ERT began holding events by videoconference using Microsoft Team to support this move into the digital space, a videoconferencing guide, system-testing and staff support protocols were developed to ensure these events were conducted.

Videoconferencing, as well as other digital processes to support remote work, allowed the ERT to continue to receive new appeals, schedule pre-hearings, mediations and hearings, and issue decisions to resolve cases in a timely manner during the pandemic. As a result, the ERT closed more cases this year than it opened to maintain a steady caseload.

The ERT also made progress in resolving its oldest legacy cases. Three out of the nine legacy cases were closed during the past fiscal year. Furthermore, significant progress was made in the remaining six cases which are now anticipated to close during the next fiscal year.

Statistics

Table 1: ERT Performance Results (Service Standards)

Performance Measures	Target	2020-21 Actual	2019-20 Actual	2018-19 Actual	2017-18 Actual
Cases in which the ERT issued a decision within 60 days of the hearing	85%	86%	79%	97%	87%

Tribunal Highlights

Table 2: ERT File Types

Year	2020-21		2019-20		2018-19		2017-18	
File Type	Cases	Appeals	Cases	Appeals	Cases	Appeals	Cases	Appeals
<i>Environmental Bill of Rights, 1993</i>	2	20	10	9	3	3	2	2
<i>Environmental Protection Act</i>	9	14	17	37	18	31	16	34
<i>Environmental Protection Act – Renewable Energy Approval Appeals</i>	0	0	0	0	1	1	1	1
<i>Nutrient Management Act, 2002</i>	0	0	1	3	0	0	0	0
<i>Ontario Water Resources Act</i>	0	0	0	0	2	3	1	1
<i>Pesticides Act</i>	0	0	1	1	0	0	0	0
<i>Safe Drinking Water Act, 2002</i>	0	0	1	1	0	0	1	2
<i>Niagara Escarpment</i>	22	44	21	49	16	33	19	36
<i>Planning and Development Act</i>								
<i>Consolidated Hearings Act</i>	0	0	0	0	0	0	1	1
Total	33	78	51	100	40	71	41	76

Table 3: ERT Caseload

Caseload	2020-21	2019-20	2018-19	2017-18
Opening Caseload Balance	43	46	46	50
Caseload Received	33	51	40	41
Total Caseload for Year	76	97	86	91
Resolved Caseload	38	54	40	45
Balance at end of Fiscal	38	43	46	46

Tribunal Highlights

Local Planning Appeal Tribunal

The Local Planning Appeal Tribunal (LPAT) hears cases related to a range of municipal planning, financial and land matters, including official plans, zoning by-laws, and other issues assigned to the Tribunal by numerous Ontario statutes.

Legislative Authority

LPAT's jurisdiction and authority are derived from many different public and private statutes for individual municipalities, which give specific jurisdiction and authority to LPAT, including:

- *Local Planning Appeal Tribunal Act*
- *Planning Act*
- *Municipal Act*
- *Aggregate Resources Act*
- *Development Charges Act*
- *Expropriations Act*
- *Education Act*
- *Greenbelt Act*
- *Places to Grow Act*
- *Lake Simcoe Protection Act*
- *Oak Ridges Moraine Conservation Act*
- *Statutory Powers Procedure Act*
- *Ontario Heritage Act*
- *Consolidated Hearings Act*
- *Environmental Assessment Act*

Tribunal Highlights

Operational Highlights

In response to the COVID-19 pandemic, LPAT implemented a remote work option for all staff and transitioned to digital platforms. It has also leveraged digital tools to transition from paper to electronic files and has transformed how the LPAT conducts its business.

With the establishment of Ontario Land Tribunals, LPAT embarked on a number of projects, including:

- Updating appeal forms, notices and templates
- Continuous improvements to the website to improve access to information and to ensure clients have the best online experience possible
- The implementation of a new fee schedule and fee reduction protocol
- Implementation of a Digital by Default approach by leveraging technology, minimizing the amount of hard copies required; thereby, increasing efficiency in processing case files
- Beginning in July of 2020, LPAT began a new process for mediation using part-time mediators. Between July 2020 and March 2021, mediation was attempted with 17 cases, of these 16 were successfully mediated

Over the last year, LPAT quickly pivoted and established a new service delivery process to transition from in-person hearings to conducting electronic hearings by video or telephone.

LPAT is currently managing appeals under two different legislative processes.

LPAT continues to resolve legacy cases through ongoing proactive case management of the Tribunal's caseload and the number has been significantly reduced. Where appropriate, LPAT has delegated the clearance of conditions to the approval authority and established new criteria status to address inactive cases. There are currently 550 open cases and 375 are active. From September 2020 to the end of fiscal year, an additional 21% of legacy cases were closed or made inactive. This represents only 32.5% of the legacy cases remaining as active matters.

Of the total active cases, there are 17 Bill 139 cases remaining and will be closed by the end of 2021.

Tribunal Highlights

Statistics

Table 1: LPAT Performance Results (Service Standards)

Performance Measures	Target	2020-21 Actual	2019-20 Actual	2018-19 Actual	2017-18 Actual
% of LPAT decisions issued within 60 days of the end of a hearing	85%	85%	71%	72%	76%
A minor variance case (standalone) will be scheduled for a first hearing within 120 days of receipt of a complete appeals package	85%	24%	55%	42%	31%
Other cases will be scheduled for a first hearing within 180 days of receipt of a complete appeals package	85%	80%	67%	51%	73%

Table 2: LPAT Caseload*

Caseload	2020-21	2019-20	2018-19	2017-18
Opening Caseload Balance	1,330	1,704	1,864	1,642
Caseload Received	528	552	634	1,067
Total Caseload for Year	1,858	2,256	2,498	2,709
Resolved Caseload	560	926	794	845
Balance at end of Fiscal	1298	1,330	1,704	1,864

***Note:** minor variations in previously reported figures result from deferred entry of case information to systems.

Tribunal Highlights

Table 3: Caseload

Caseload	2020-21	2019-20	2018-19	2017-18
Appeals opened	973	992	1,017	2,100
Cases heard	748	1,308	1,446	1,470
Decisions rendered	953	1,205	1,153	1,195

Table 4: LPAT File Types

Year	2020-21		2019-20		2018-19		2017-18	
File Type	Cases	Appeals	Cases	Appeals	Cases	Appeals	Cases	Appeals
Minor Variances	155	162	209	215	204	217	329	340
Consents	123	126	148	151	123	138	160	166
Zoning By-laws	90	113	111	171	136	189	140	319
Official Plans and Amendments	112	276	90	148	118	171	251	434
Zoning Refusal or Inaction	139	139	110	110	120	120	377	380
Plans of Subdivision/ Condominium	20	20	30	30	60	62	130	135
Municipal and Miscellaneous (incl. site plans)	72	73	52	52	65	66	179	277
Development Charges	9	10	50	81	19	26	16	24
Land Compensation	52	54	33	34	27	28	33	33
Municipal Finance	0	0	0	0	0	0	2	2
Total	772	973	833	992	872	1,017	1,617	2,100

***Note:** minor variations in previously reported figures result from deferred entry of case information to systems.

Tribunal Highlights

Mining and Lands Tribunal

The Mining and Lands Tribunal (MLT) hears and decides matters under legislation administered by the Ministry of Energy, Northern Development and Mines and the Ministry of Natural Resources and Forestry.

The MLT has exclusive jurisdiction over most matters arising under the *Mining Act*, and proceedings involving private civil and property rights, relating to or arising out of matters governed by the *Mining Act*.

Over time, additional powers and duties were assigned to the MLT to make decisions on matters under the *Conservation Authorities Act*, the *Oil, Gas and Salt Resources Act*, the *Aggregate Resources Act*, the *Lakes and Rivers Improvement Act*, and the *Assessment Act*.

Operational Highlights

Over the last fiscal year, new administrative processes were established as a result of the changes to Ontario Land Tribunals. During the implementation of new processes, some inactive matters were removed from the caseload, more accurately reflecting the work of the MLT.

Similar to the other tribunals of Ontario Land Tribunals, COVID-19 has impacted the caseload of the MLT. Overall, it can be concluded that the pandemic has reduced the typical number of appeals before the MLT for the 2020-21 fiscal year. The pandemic also accelerated the use of electronic hearings and, as a result, Ontario Land Tribunals conducted the majority of its events electronically. Furthermore, COVID-19 affected the operations of the courts, which also impacted the documentation MLT requires. In some cases, this has resulted in a delay on moving existing files onto hearing events.

Statistics

Table 1: MLT Performance Measures

Performance Measures	Target	2020-21 Actual	2019-20 Actual	2018-19 Actual
Cases will be resolved within 18 months of filing	85%	83%	97%	N/A
A decision will be issued within 60 days of a hearing	85%	82%	97%	97%

Tribunal Highlights

Table 2: MLT File Types

File Type	2020-21	2019-20	2018-19	2017-18
<i>Mining Act</i>	8	17	21	19
<i>Conservation Authorities Act</i>	0	12	10	6
<i>Lakes and Rivers Improvement Act</i>	0	0	0	1
<i>Oil, Gas and Salt Resources Act</i>	1	0	0	1
<i>Assessment Act</i>	0	0	2	4
<i>Aggregate Resources Act</i>	0	0	0	0
Total	9	29	33	31

Financial Summary

In July 2020, Ontario Land Tribunals was created to bring the Ministry of the Attorney General's five land tribunals (i.e. Local Planning Appeal Tribunal, Environmental Review Tribunal, Board of Negotiation, Conservation Review Board, and Mining and Lands Tribunal) into a new cluster distinct from Tribunals Ontario.

Tribunals Ontario and Ontario Land Tribunals have worked to ensure a smooth transition, and work continues on the disentanglement of resources between Tribunals Ontario and Ontario Land Tribunals. For the 2020-21 fiscal year, Ontario Land Tribunals operated within the allocation and expenditures of Tribunals Ontario.

As part of this transition, Ontario Land Tribunals' financials for the 2020-21 fiscal year are reported for Tribunals Ontario below. Where possible, expenditures specific to the Ontario Land Tribunals for the time period of July 1, 2020 to March 31, 2021 have been summarized below as well.

Ontario Land Tribunals is committed to continuing to review its business practices, identify efficiencies, and modernize and streamline practices and processes to deliver better service for people across the province.

Statistics

Table 1: Comparison of Expenditures

Expenditures	Tribunals Ontario 2020-21*	Ontario Land Tribunals 2020-21**
Salary and Wages	\$55,913,912	\$5,717,299
Employee Benefits	\$8,173,465	\$691,339
Transportation and Communications	\$1,582,358	\$124,112
Services	\$16,967,922	\$1,460,034
Supplies and Equipment	\$447,767	\$91,549
Recoveries	-\$395,806	
Total	\$82,689,618	\$8,084,333

*For the period of April 1, 2020 to March 31, 2021 (includes expenditures for Ontario Land Tribunals).

**For the period of July 1, 2020 to March 31, 2021.

Financial Summary

Revenue in the form of filing fees received by the Local Planning Appeal Tribunal are transferred into the Government of Ontario's Consolidated Revenue Fund.

Table 2: Comparison of Revenue

	Tribunals Ontario 2020-21*	Ontario Land Tribunals 2020-21**
Total Revenue	\$11,516,867	\$603,695^

* For the period of April 1, 2020 to March 31, 2021 (includes revenue for Ontario Land Tribunals).

** For the period of July 1, 2020 to March 31, 2021.

^ Application filing fees for the Local Planning Appeal Tribunal (filing fees for the Local Planning Appeal Tribunal were increased on July 1, 2020).

Table 3: Remuneration of Appointees to Adjudicative Tribunals and Regulatory Agencies

Position	Full-Time Appointees (Annual Remuneration)			Part-Time Appointees (Per Diem Remuneration)			
	First 2 Years	Next 3 Years	Final 5 Years	First 2 Years	Next 3 Years	Final 5 Years	Prof & Labour*
Executive Chairs	\$200,780	\$212,564	\$224,349		\$858		N/A
Chairs	\$174,184	\$186,621	\$199,059		\$744		\$788
Associate-Chairs	\$174,184	\$186,621	\$199,059		\$744		\$788
Vice-Chairs	\$136,545	\$146,311	\$156,077		\$583		\$788
Members	\$110,482	\$118,378	\$126,273		\$472		\$788

Financial Summary

Table 4: Comparison of Remuneration Paid to Full-time and Part-time Members

	Tribunals Ontario 2020-21*	Ontario Land Tribunals 2020-21**
Full-time OIC Remuneration	\$17,220,889	\$2,458,657
Part-time OIC Remuneration	\$6,448,500	\$328,645
Total	\$23,669,389	\$2,787,302

* For the period of April 1, 2020 to March 31, 2021 (includes Ontario Land Tribunals).

** For the period of July 1, 2020 to March 31, 2021.

Financial Summary

Table 5: 2020-21 Tribunals Ontario Allocation

Salary and Wages	\$63,322,400
Employee Benefits	\$7,797,500
Transportation and Communications	\$3,262,400
Services	\$6,695,200
Supplies and Equipment	\$752,900
Transfer Payment	\$10,000,000
Recoveries	(\$457,300)
Total	\$91,373,100

Table 6: Ontario Land Tribunals Expenditures

Expenditures	2020-21
Salary and Wages	\$5,717,299
Employee Benefits	\$691,339
Transportation and Communications	\$124,112
Services	\$1,460,034
Supplies and Equipment	\$91,549
Recoveries	
Total	\$8,084,333

Financial Summary

Table 7: Ontario Land Tribunals Revenue

Application Filing Fees	2020-21
Local Planning Appeal Tribunal	\$603,695

Table 8: Remuneration Paid to Ontario Land Tribunals’ Full-time and Part-time Members

	2020-21
Full-time OIC Remuneration	\$2,458,657
Part-time OIC Remuneration	\$328,645
Total	\$2,787,302

Appendix: Ontario Land Tribunals Appointees

The *Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009* requires the selection process for the appointment of new board and tribunal members to be competitive and merit-based. It also requires that all new appointments have the support of the Executive Chair, who makes recommendations of new members to Ontario's Attorney General.

Ontario Land Tribunals' members have continued to contribute to the ongoing improvement of the organization, its tribunals and the administrative justice system in Ontario.

Tribunals Ontario, Environment and Land Division: April 1, 2020 – June 30, 2020 Ontario Land Tribunals: July 1, 2020 – March 31, 2021

Name	Board / Tribunal	Position and Classification	First Appointed Date	Last Appointment End Date
Andrews, Kurtis	LPAT	Full-Time Member	25-March-21	24-March-23
Arpino, Marianna	LPAT	Full-Time Member	17-Oct-19	16-Oct-22
Ballagh, Margot	LPAT	Full-Time Member	13-Sept-19	12-Sept-21
Beccarea, Robert ▪	BON	Part-Time Member	20-Nov-20	19-Nov-21
	LPAT	Part-Time Member	17-Oct-19	16-Oct-22
Bhullar, Jatinder	LPAT	Full-Time Member	10-Oct-19	09-Oct-22
Bishop, Gregory ▪	OLT: BON/ CRB/ ERT/ LPAT/ MLT	Full-Time Alternate Executive Chair	23-July-20	08-July-22
	ERT	Full-Time Associate Chair	01-July-20	08-July-22
Bradley, Janet	LPAT	Part-Time Member	05-Sept-19	04-Sept-20
Braun, Shannon	LPAT	Full-Time Member	05-Nov-20	04-Nov-21
Brown, David	LPAT	Full-Time Member	26-June-19	25-June-21
Bruce, Laurie	ERT	Part-Time Member	22-Oct-14	21-Oct-24

Appendix: Ontario Land Tribunals Appointees

Name	Board / Tribunal	Position and Classification	First Appointed Date	Last Appointment End Date
Bryson, Chantelle	LPAT	Full-Time Member	18-Apr-18	17-Apr-20
Burton, Gillian ▪	BON	Part-Time Member	09-July-20	08-July-21
	LPAT	Part-Time Member	17-Oct-19	16-Oct-22
Chipman, Dale	LPAT	Full-Time Member	17-Oct-19	16-Oct-22
Colbourne, Douglas ▪	BON	Part-Time Member	09-July-20	08-July-21
	LPAT	Part-Time Member	10-Oct-19	09-Oct-22
Cooke, Steven	LPAT	Full-Time Member	05-Sept-19	04-Sept-23
Douglas, John	LPAT	Full-Time Member	18-Apr-18	17-Apr-20
Helt, Maureen ○	BON/ CRB/ ERT/ LPAT/ MLT	Full-Time Vice-Chair	14-Dec-19	30-June-20
Hubbard, Marie ▪	OLT: BON/ CRB/ ERT/ LPAT/ MLT	Full-Time Executive Chair	01-July-20	31-Dec-21
	LPAT	Full-Time Associate Chair	21-Aug-19	20-Feb 22
Jackson, Helen	ERT	Full-Time Member	24-May-11	23-May-21
	LPAT	Full-Time Member	24-May-11	23-May-21
Jacobs, Sarah ▪	OLT: BON/ CRB/ ERT/ LPAT/ MLT	Full-Time Vice Chair	03-Dec-20	02-Dec-22
	LPAT	Full-Time Member	23-Jul-14	22-Jul-24

Appendix: Ontario Land Tribunals Appointees

Name	Board / Tribunal	Position and Classification	First Appointed Date	Last Appointment End Date
Jovanovic, Stephen ○	BON	Part-Time Associate Chair	14-Feb-19	30-June-20
	MLT	Part-Time Associate Chair	14-Feb-19	30-June-20
	CRB	Part-Time Vice-Chair	09-Jan-20	30-June-20
	ERT	Part-Time Vice-Chair	09-Jan-20	30-June-20
Joyner, Douglas	LPAT	Full-Time Member	13-Sept-19	12-Sept-21
Lanthier, David ▪	LPAT	Vice-Chair	27-Feb-20	26-Feb-22
	LPAT	Full-Time Member	04-May-16	03-May-21
Makuch, Richard, G.M.	LPAT	Full-Time Vice-Chair	07-Jun-17	06-Jun-24
Middleton, William	LPAT	Full-Time Member	24-April-20	23-April-22
Morris, Warren	BON	Part-Time Member	18-May-17	25-July-22
	ERT	Part-Time Member	10-May-17	25-July-22
Nelson, Daniel	CRB	Part-Time Member	22-Oct-14	24-Oct-21
Ng, Tee Fung	LPAT	Full-Time Member	10-Oct-19	09-Oct-22
Prevedel, Anthony	LPAT	Full-Time Member	08-Oct-20	07-Oct-21
Restoule, Karen ○	TO: BON / CRB / ERT / LPAT / MLT	Full-Time Alternate Executive-Chair of Tribunals Ontario	17-March-20	30-June-20

Appendix: Ontario Land Tribunals Appointees

Name	Board / Tribunal	Position and Classification	First Appointed Date	Last Appointment End Date
Robinson, Nicholas	LPAT	Full-Time Member	29-Oct-20	28-Oct-21
Russo, Mario	LPAT	Full-Time Member	17-Sept-20	16-Sept-22
Schiller, Susan ▪	LPAT	Full-Time Vice-Chair	04-Jan-11	03-Jan-22
	CRB	Part-Time Member	04-Feb-21	03-Aug-21
Sills, Mary-Anne ▪	LPAT	Full-Time Vice-Chair	25-Oct-19	25-Oct-22
	LPAT	Full-Time Member	03-July-07	24-Oct-20
Steinberg, Robert	BON	Part-Time Member	04-May-11	03-May-22
Swinkin, Gerald	LPAT	Part-Time Member	24-Aug-16	11-Sep-21
Taylor, Blair S.	LPAT	Full-Time Member	17-Oct-12	16-Oct-22
Tousaw, Scott	LPAT	Full-Time Member	31-May-17	30-May-24
Tucci, Carmine	LPAT	Full-Time Member	17-Jan-20	16-Jan-22
Tuckey, Bryan	LPAT	Part-Time Member	12-Dec-19	11-Dec-21

Appendix: Ontario Land Tribunals Appointees

Name	Board / Tribunal	Position and Classification	First Appointed Date	Last Appointment End Date
Vincent, Sharyn ▪	LPAT	Full-Time Associate Chair	01-July-20	08-July-22
	LPAT	Full-Time Vice-Chair	27-Feb-20	26-Feb-22
Weir, Sean ▲	TO: BON / CRB / ERT / LPAT / MLT	Full-Time Executive Chair of Tribunals Ontario	02-Dec-20	01-Dec-22
Wilkins, Hugh ▪	ERT	Part-Time Member	20-Nov-20	19-Nov-21
	LPAT	Part-Time Member	02-March-16	23-April-22
	LPAT	Full-Time Member	24-April-20	23-April-22

▲ Symbol indicates:

Appointment as Executive Chair of Tribunals Ontario has not ended, but the establishment of the new cluster on July 1, 2020 ended Appointee's role with Ontario Land Tribunals.

▪ Symbol indicates:

Appointees whose position at Ontario Land Tribunals changed in the 2020 – 2021 fiscal year.

○ Symbol indicates:

Appointees who as of July 1, 2020 were not Appointees of Ontario Land Tribunals or who were no longer Appointees of Ontario Land Tribunals as of March 31, 2021.