



Ontario Land Tribunal

Business Plan

2023/24 - 2025/26

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Section 1: Executive Summary

The Ontario Land Tribunal (OLT) produces an annual Business Plan, in accordance with the [*Adjudicative Tribunals Accountability, Governance and Appointments Act*](#). This Business Plan covers the next three fiscal years from April 1, 2023 to March 31, 2026.

The OLT adjudicates matters related to land use planning, environmental and natural features and heritage protection, land valuation, land compensation, municipal finance, and related matters. Because these disputes may have significant economic impacts and also affect the housing supply, it is critical that OLT resolve matters in a timely and fair manner.

The OLT was established on June 1, 2021, under the authority of [*section 2 of the Ontario Land Tribunal Act, 2021*](#). The Act amalgamates the Board of Negotiation under the *Expropriations Act*, Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal and continues them as the OLT. The history of the predecessor tribunals date back more than a century with the creation of the Ontario Railway and Municipal Board in 1906. The goal of the new OLT is to 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.

The OLT has developed several key products to integrate and create efficiencies in the appeal process of the predecessor tribunals. The new Rules of Practice and Procedure came into effect on June 1, 2021 to create a single set of rules and procedures for all OLT appeals/applications. A single appeal form, instructions

and checklists were created to streamline the appeal filing process. OLT guides were created to provide information and assist the public in navigating the various OLT's proceedings. The OLT continues its commitment to provide access to justice, as well as finding efficiencies in its processes, and has a number of initiatives planned for the coming years to improve its services to the public and allow for a more efficient appeals process.

Over the past two years, the OLT has improved its digital services for the public. In response to COVID-19, hearing events were moved online, and a live-streaming policy was developed to improve access to justice for the public. Looking forward, the OLT will continue to focus on its digital service delivery through its new case management system and public-facing website.

On March 30, 2022, the government announced an investment to increase resources at the OLT so homes can be built faster, addressing a key recommendation in the [*Report of the Ontario Housing Affordability Task Force*](#). The government further invested resources into the OLT following the introduction of *The More Homes Built Faster Act, 2022*, which received royal assent on November 28, 2022.

The OLT is committed to high quality, fair, expeditious and principled resolutions of the matters brought before it and aims to create a workplace culture of inclusion and acceptance. Professional development initiatives, including those focused on diversity and inclusion, have been implemented to support Members and staff.

Section 2: Overview & Mandate

The Ontario Land Tribunal (OLT) adjudicates and mediates matters related to land use planning, environmental and heritage protection, expropriated land valuation, mining and other matters. These disputes may have significant economic impacts and also affect the housing supply, it is critical that OLT resolve matters in a timely and fair manner.

The OLT resolves disputes on issues throughout the province and promotes the early resolution of a multitude of matters using a variety of dispute resolution methods. It processes disputes from intake to closure, which may include issuance of decisions, orders and recommendations arising from prehearings and mediations, settlement conferences and, if required, a formal hearing. Proceedings are heard by highly qualified members assigned to each matter.

Mandate

In accordance with the [Ontario Land Tribunal Act, 2021](#), the OLT will fairly, effectively and efficiently resolve disputes related to land use planning, environmental and natural features and heritage protection, land valuation, land compensation, municipal finance, and related other matters as authorized by statute and regulation.

Mission

We deliver modern, fair, responsive, accessible, effective and efficient dispute resolution services that support strong, healthy communities and the public interest.

Section 3: Environmental Scan and Risks

External Factors

Response to COVID-19

The Ontario Land Tribunal (OLT) took immediate action to safeguard the health and well-being of staff, Members and Ontarians while continuing to process and resolve matters. Currently, OLT hearings and mediations are conducted virtually by way of video conference call. In-person hearings may be requested if video hearings are not possible. The online secure email service, for the submission of documents to the OLT, will continue to be available to the public. As the situation develops, the OLT will continue to monitor and amend its services as needed to ensure minimal service disruption for Ontarians, while keeping Ontarians safe.

Housing Supply

The government is taking action to address the housing supply crisis. Development involves decisions to use land within the legislated framework, including the Provincial Policy Statement and Provincial Plans. These decisions often have impacts on the built and natural environments. The OLT plays a critical role in resolving disputes related to land development and associated environmental issues. In doing so, the work of the OLT supports Ontario's economic and environmental well-being, the health of its communities and citizens while providing a forum to resolve complex planning matters.

When governments adopt policies to invest in infrastructure projects to stimulate the economy, additional cases can be generated for the OLT in matters that involve the *Expropriations Act*. For example, large transportation projects, could require significant expropriation of land, which will result in a large increase of mediations and hearings under the *Expropriations Act*. Municipalities adopt a variety of methodologies to finance capital projects, some of which generate cases related to development charges, land compensation and municipal finance applications at the OLT.

Increase to OLT resources

On March 30, 2022 the government announced an investment of \$14.7 million over three years to increase resources at the Ontario Land Tribunal (OLT) so homes can be built faster, addressing a key recommendation in the [Report of the Ontario Housing Affordability Task Force](#).

The Investments at the OLT will support faster case resolution by:

- Funding fourteen (14) new OIC member positions and additional case processing staff including case coordinator - planners
- Creating flexibility to address caseload trends by appointing more part-time OIC members
- Increased funding for the use of expert land use planning mediators to help settle disputes earlier and narrow issues for faster adjudication
- Improving IT platforms to improve access to services online

The OLT recognizes that it plays an important role in the province's housing supply and remains committed to principled and timely resolutions of the matters before the Tribunal. The investment will allow the Tribunal to schedule hearing events and issue decisions quicker and more efficiently than before and allow us to provide an even higher quality of service to Ontarians.

More Homes Built Faster Act, 2022

On November 28, 2022, the *More Homes Built Faster Act, 2022* received royal assent. The Act supports Ontario's long-term strategy to increase the housing supply by 1.5 million homes over the next 10 years. Changes to the *Ontario Land Tribunal Act* will be proclaimed on a future date.

Building on the additional resources announced on March 30, 2022, the OLT received additional in-year investments of \$2.5M for OLT resources, to support faster dispute resolution and to help reduce the overall caseload at the Tribunal.

Internal Factors

Recruitment of new OIC Members

Adding to the Tribunal's OIC member complement is a key priority for the OLT. With additional funding for fourteen (14) new full-time OIC member positions and greater flexibility to appoint part-time members, the OLT is focused on the recruitment of members and is determined to quickly fill vacancies to reduce time to hearing and so that decisions can be issued faster.

Appointments & Succession Planning

A full membership is critical for the timely issuance of OLT decisions and resolution of cases. OLT decisions are made by OIC members who are appointed for fixed terms by Orders-In-Council made by the Lieutenant Governor-In-Council on the recommendation of the Chair, Minister and Cabinet. The OLT continues to account for succession planning and the continual recruitment of Members to quickly fill vacancies as they arise to minimize disruption in the hearing of and resolution of the matters before it.

Section 4: Strategic Directions and Implementation Plan

The Ontario Land Tribunal (OLT) and all who work within it are committed to providing access to justice and to high quality, independent, timely, fair and principled resolutions of the matters brought before them. To achieve this, the OLT has developed the following four pillars and initiatives to improve its services to the public.

Access to Justice

The OLT is committed to improving access to justice for those that come before it and is seeking ways to better improve these resources to improve public understanding of the OLT and its processes. The OLT currently provides resources regarding the appeals process on its website, and staff are available for public inquiries and to provide additional assistance. The OLT tries to clearly explain its processes for the public. In addition, OLT seeks to remove systemic barriers in its processes.

- **Development of Resources:** Creation of additional resources, such as video tutorials and guides, regarding the appeals process to assist the public in managing their case before the OLT.
- **Improved Customer Service:** Additional resource allocation and modernization efforts to public inquiry and communication services to allow for faster service when contacting the OLT.
- **Addressing Systemic Barriers:** Through training on diversity, inclusion and anti-racism, OLT seeks to remove systemic barriers.

Digital Service Delivery

The OLT has recently introduced a number of digital services to the public, including the implementation of video hearings and a new secure online submission of documents service for the tribunal. As the need for digital services continues to grow, OLT will strive to expand and improve its online services to the public and is seeking to increase its digital offerings to the public.

- **Improved Web Experience:** Revised public facing website to enhance the user experience and provide users with easy access to information on the OLT's cases and processes through improved content design.
- **Online Appeal Filing and Fee Payments:** OLT will plan and develop a web based option for submission of appeals and fees.
- **Video hearings:** OLT will monitor trends and technology across the OPS and more broadly in the public sector to ensure appropriate technology is in use for video hearings.

Funding Efficiencies

The creation of the new OLT has allowed for increased efficiencies in its dispute-resolution processes, and it continues to find ways to improve its services and where appropriate allow for a more efficient appeals process.

- **LEAN:** In 2021-22, OLT began training all staff on LEAN principles and practices. OLT will continue to train staff and apply LEAN methodologies to improve processes and shorten timelines.
- **Mediation:** In 2020-21, OLT began a pilot of a new approach to mediation. Moving forward OLT will continue to expand and refine its mediation processes.
- **Key Performance Indicators:** In 2021-22 OLT implemented a new case management system for the integrated tribunal. In 2022-23, OLT developed new reporting tools and has established two public facing performance measures. OLT will continue to develop and refine further performance indicators.

People & Culture

In its efforts to develop a workplace culture of inclusion and acceptance, the OLT is dedicated to providing the necessary resources to improve the health and wellness of its Members and staff.

- **Diversity, Inclusion and Anti-Racism:** Facilitate equity and inclusionary professional development and training to build diversity and inclusion and anti-racism competencies.
- **Fair Hiring Practices:** Improved recruitment processes, including resume redaction to reduce potential biases, to support inclusive and fair hiring practices.
- **Professional Development:** OLT is committed to the ongoing training and professional development of its members and staff. OLT will be establishing new processes to identify and deliver training and to track the completed training of all staff and members.
- **French Language Services:** Following the establishment of the Tribunal, OLT will review, refine and expand its French Language Services.

Strategic Directions and Implementation Plan Table

The following table summarizes the initiatives under the four pillars:

Initiative	Activity	2023-24	2024-25	2025-26
Access to Justice	Video Guides	Monitor and Refine	Monitor and Refine	Monitor and Refine
	Improved Customer Service	Expand and Refine	Monitor and Refine	Monitor and Refine
	Addressing Systemic Barriers	Monitor and Refine	Monitor and Refine	Monitor and Refine
Digital Services	Improved Website	Monitor and Refine	Monitor and Refine	Monitor and Refine
	Case Status	Monitor and Refine	Monitor and Refine	Monitor and Refine
	Online Appeal Filing & Payment	Implement	Monitor and Refine	Monitor and Refine
	Video Hearings	Monitor and Refine	Monitor and Refine	Monitor and Refine
Modernization and Efficiency	LEAN approach	Expand and Refine	Expand and Refine	Monitor and Refine
	Mediation	Expand and Refine	Monitor and Refine	Monitor and Refine
	Key Performance Indicators	Implement	Monitor and Refine	Monitor and Refine
People and Culture	Diversity, Inclusion & Antiracism	Expand and Refine	Monitor and Refine	Monitor and Refine
	Hiring Practices	Monitor and Refine	Monitor and Refine	Monitor and Refine
	Professional Development & Culture of Learning	Expand and Refine	Monitor and Refine	Monitor and Refine
	French Language Services	Monitor and Refine	Monitor and Refine	Monitor and Refine

Section 5: Staffing and Human Resources

The Ontario Land Tribunal (OLT) is led by the Chair, who is accountable to the Minister (Attorney General) for the performance of the OLT in fulfilling its mandate.

OLT decisions 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 Chair, Minister and approved by Cabinet. Adjudicators report to the Chair.

The organization is also led by an Executive Director, who is responsible for supporting the Chair in the implementation of the OLT's policies and operational decisions. The Executive Director is accountable to the Deputy Attorney General for the management of OLT's operations. Staff are Ontario Public Servants and report to the Executive Director. As of April 1, 2023 the OLT has a total of 106 allocated staff positions, 45 full-time members.

Ontario Land Tribunal Human Resource Allocation (as of December 31, 2022)

Group	Number of Positions
Executive Management Group	1
Crown Counsel (CC5)	1
Association of Law Officers of the Crown (ALOC)	5
Management Compensation Plan (MCP)	9
Association of Management, Administrative and Professional Crown Employees	30
Ontario Public Service Employees Union (OPSEU)	60
Excluded	N/A
Sub-Total Staff	106
Order-in-Council (OIC) Full-time Members	45
Total	151

Section 6: Information Technology (IT) Electronic Service Delivery (ESD) Plan

The Ontario Land Tribunal (OLT) prioritizes the fair, timely and efficient resolution of disputes. The COVID-19 pandemic accelerated the pace at which the public sector is harnessing technology, and the OLT strives to provide the appropriate supports to those who appear before the Tribunal and to empower people to be active participants.

Hearings

In response to the COVID-19 pandemic, the OLT allowed for appeals to be heard by video conference and will continue to ensure access to justice for its clients. With ongoing re-opening in Ontario, the OLT will explore options for hybrid and in-person events including technology installed in the OLT's hearing and mediation rooms.

The OLT will also maintain its live-streaming policy - in cases where the OLT determines that a specific hearing event will be livestreamed, it is made publicly accessible via a YouTube link provided to observers.

The OLT is continuing to review advancements in technology in these areas. Where possible the OLT will look to improve the technology in use to simplify administration and to increase ease of use for the public.

Website

In 2022-2023 the OLT launched a revised public website with a focus on enhancing the user experience and providing users with a better understanding of the OLT's cases and processes through improved content design. The website is essential for enhancing communication with the public and providing information on OLT processes, cases and hearings. The OLT will continue to develop and expand the website services and functionality.

Case Management System

The OLT has launched a new case management system that integrates and modernizes the case management systems utilized by its predecessor tribunals. Work continues on the case management system, including development of business intelligence reporting and facilitating e-services within the public facing website. In 2022-2023 an online case status service was launched. In 2023-2024 a new online appeal filing service will be launched. The OLT will look to further development of the case management system leveraging additional automation to improve timeliness and efficiency.

Section 7: Communications Plan

The Ontario Land Tribunal (OLT) is committed to providing a high quality of service to the public in keeping with its core values of accessibility, diversity, fairness, transparency and timeliness.

Consultation Policy

The OLT has established a Consultation Policy that outlines how the OLT will consult with the public when it is considering changes to its rules, practice directions or policies, and invites ongoing feedback on the impact of such changes. The OLT will use its website to provide notice of proposed changes to the public and stakeholders, giving reasonable time periods for comments to be submitted on proposals for changes initiated by the OLT.

Public-Facing Website

The OLT is committed to delivering initiatives that educate the public, stakeholders and self-represented parties on the role and processes of the OLT in a clear, open and understandable way. In this regard, the OLT website is a key communication portal to provide information to those accessing the OLT's services. News updates are regularly posted on the website to inform the public of any major changes pertaining to the Tribunal or recent updates on the website, such as the posting of accountability documents, updates to Tribunal processes, or important legislative changes.

The website also contains a number of information products to assist the public with understanding the OLT's processes, including appeal and video hearing guides, and continues to review these products to ensure they are accurate and accessible.

Public Inquiries

The OLT provides multiple avenues for members of the public to contact the Tribunal. Members of the public can contact the OLT via its general inquiry lines or its Citizen Liaison for information on the Tribunal and its processes. Inquiry lines are staffed during business hours, while messages can be left after hours to be returned the following business day. Persons involved in a matter before the Tribunal also have access to the Tribunal via their Case Coordinator. Members of the media have a dedicated media inquiry email for any inquiries. The OLT maintains service standards to ensure that all inquiries received by the OLT are responded to in a timely manner.

The OLT has a dedicated Complaints Coordinator to facilitate complaints received through the OLT's Complaints Policy. This policy sets out how complaints about the OLT's services and/or the conduct of an adjudicator or staff person are to be made, reviewed and resolved. The OLT also has dedicated channels for inquiries regarding accessibility and French Language Services.

Internal Communications

In response to the pandemic and working remotely, the OLT has made efforts to stay connected through virtual activities, workshops and quarterly newsletters.

To address one of the challenges of remote work, there are ongoing initiatives to deliver sessions where staff and OIC members have opportunities to collaborate in a virtual environment. A comprehensive electronic library supports professional development across the OLT, and virtual professional development events and opportunities are also made available. New content is developed on an ongoing basis to assist adjudicators and staff in their work and to address legislative and policy changes.

As the majority of staff and OIC members continue to work remotely, the OLT will continue to seek ways to improve its internal communications to allow for a collaborative and supportive work environment.

Section 8: Diversity and Inclusion Plan

The Ontario Land Tribunal (OLT) is committed to building a diverse and inclusive 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.

Anti-Racism Action Plan

In alignment with the Ontario Public Service Anti-Racism Policy, the OLT has implemented an Anti-Racism Action Plan to support the advancement of anti-racism work across government, which will be updated every fiscal year. The plan currently focuses on six initiatives:

- 1. Anti-racism competency and capacity training for all OLT managers:** Executive and senior management team to complete anti-racism competency training.
- 2. Review of hiring practices:** Executive management to review hiring practices for alignment with OPS diversity initiatives.
- 3. Review of on-boarding materials:** Ensure that new staff take anti-racism competency training as part of onboarding.
- 4. Review of succession planning:** Senior management to review succession planning for opportunities to enhance planning to reflect OPS diversity initiatives.
- 5. Model expectations and behaviours through performance management commitments for all levels of the organization:** Review performance management templates to ensure they include commitments to behaviours that reflect anti-racism initiatives.
- 6. Management to consult with staff on further development of the Anti-Racism Plan for OLT:** Management to consult with staff on further developing the OLT Anti-Racism Action Plan.

The OLT is ensuring accountability by outlining specific accountability metrics, timelines for results, and monitoring accomplishments throughout the year. The OLT will continue to review and revise the plan at the beginning of each fiscal year to ensure meaningful progress and results.

French Language Services

The OLT is committed to offering French language services in accordance with the [*French Language Services Act*](#) (FLSA), and has established a [*French Language Services Policy*](#) to comply with the provisions of the FLSA in guaranteeing all persons and corporate entities the right to receive services in French.

Inquiries regarding French language services and French language services requests can also be made through the OLT Coordinator.

Section 9: Accessibility Plan

Ontario Land Tribunal (OLT) supports the full inclusion of persons with disabilities as set out in the Canadian Charter of Rights and Freedoms, Ontario Human Rights Code, the [*Ontarians with Disabilities Act \(ODA\), 2001*](#) and the [*Accessibility for Ontarians with Disabilities Act \(AODA\), 2005*](#).

Accessibility Policy

The OLT is committed to providing services in accordance with the Accessibility Standards for Customer Service made under the AODA. In keeping with this commitment, the OLT will continue to review and update its [*Accessibility Policy*](#) to ensure alignment and compliance with the AODA.

Mandatory Training

New staff are trained on their responsibilities to provide inclusive and accessible services and are expected to complete accessibility training modules accordingly.

Accessibility Requests

Inquiries regarding accessibility and accessibility requests can be made through the OLT's Accessibility Coordinator. The OLT also ensures that its website and any publicly available documents are readily available in accessible formats.

Procurement of Services

In procuring services, the OLT ensures that vendors meet the required accessibility standards in the products and services it provides.

Section 10: Financial Plan

The chart below outlines the budget and forecast for the Ontario Land Tribunal (OLT) for the 2022-23 fiscal year, for the time period of April 1, 2022 to March 31, 2023. It also includes the budget for the following three fiscal years (2023 to 2026). OLT filing fees are anticipated to remain unchanged until 2026-2027.

Revenue in the form of filing fees received by OLT are transferred into the Government of Ontario's Consolidated Revenue Fund.

Expense Category	2022-23 Budget ¹	2022-23 YE Forecast ²	Explanation of Variance	2023-24 Budget	2024-25 Budget	2025-26 Budget
Operating						
Salaries and Wages (S&W)	12,430,700	9,307,500	Savings due to delay in staff hiring and OIC appointments	13,512,800	13,593,500	13,593,500
Benefits	1,530,500	1,275,100	Benefits funded is a percentage of salaries. Saving in salaries would result in a minor saving in benefits	1,686,500	1,683,700	1,683,700
ODOE						
Transportation and Communications (T&C)	439,400	75,700	Reduction in travel costs due to travel restrictions	439,400	439,400	439,400
Services	3,156,900 ³	2,030,500	Savings due to delay in recruitment of part-time OIC members and reduction in Fee For Service spending	3,727,000 ³	4,828,000 ³	4,828,000 ³

Expense Category	2022-23 Budget ¹	2022-23 YE Forecast ²	Explanation of Variance	2023-24 Budget	2024-25 Budget	2025-26 Budget
Supplies and Equipment (S&E)	90,900	108,200	Minimal pressure will be offset by saving from T&C	90,900	90,900	90,900
TOTAL Operating	17,648,400	12,797,000		19,456,600	20,635,500	20,635,500

Capital

<u>Revenue</u>	996,000	1,450,000	Forecast adjusted as per actual and expected revenue	1,051,000	1,051,000	1,051,000
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1. Treasury Board (TB) / Management Board of Cabinet (MBC) approved in-year funding of \$2.0394M in October 2022 for fiscal 2022-23 to increase staffing resources that will reduce the time to resolve disputes by facilitating earlier hearing dates and faster decision issuance. OLT also received \$1.99M to fund additional FTEs for fiscal 2023-24 and on going. In addition, OLT received a one time increase of \$1.40M each year for fiscal 2024-25 and in 2025-26 to upgrade their Case Management System, Website and Infrastructure Technology.
2. Forecast as of December 31, 2022
3. Allocation in Services has been reduced by \$189,400 on account of User Seat costs.

Section 11: Performance Measures and Targets

In our previous year's Business Plan, the Ontario Land Tribunal (OLT) noted it planned to develop new performance measures and targets to ensure its services and programs are achieving intended objectives.

The OLT has now developed two public performance measures. The first will track the time from receipt of a case until the first hearing event. The targets for the next three fiscal years are as follows:

- **2023-24:** reduce the time to the first hearing event to 120 days for 75% of cases
- **2024-25:** reduce the time to the first hearing event to 120 days for 85% of cases
- **2025-26:** reduce the time to the first hearing event to 100 days for 90% of cases

The second performance measure relates to time from the end of a hearing until the issuance of a decision. Targets:

- **2023-24:** 70% of decisions issued within 30 days and 90% within 60 days
- **2024-25:** 80% of decisions issued within 30 days and 90% within 50 days
- **2025-26:** 90% of decisions issued within 30 days and 95% within 40 days

These performance measures are designed to assess the OLT's core business of resolving disputes in an accessible, fair and efficient manner, including whether cases are proceeding through the system in a timely manner and resources are effectively utilized. Results of the new measures will be included in the 2023-24 Annual Report. The OLT will continue to refine and expand its performance measures in subsequent years and identify additional metrics and benchmarks as necessary.

