

March 8, 2021

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

Dear Minister Downey,

Re: Bill 245, Schedule 6, Ontario Land Tribunal Act

The Moore Park Residents Association (MPRA) represents a significant number of residents of Moore Park, a neighbourhood in mid-town Toronto. We are very concerned about a number of aspects of Bill 245, Schedule 6, (the “Bill”) which seeks to amalgamate the activities of some five fairly disparate tribunals into one – the Ontario Land Tribunal.

While we fully recognize and support the Ontario Government’s intent to streamline processes and improve efficiency, we believe the Bill goes too far in several areas. The five tribunals being merged cover a wide swath of disparate planning activity. It is essential that the adjudicators for the new tribunal have the relevant expertise to be able to fairly assess each application. We do not agree that the five tribunals should be merged into one entity, however if they are merged together into one Ontario Land Tribunal, we strongly recommend that the merged tribunal be set up with five divisions, each with its own adjudication staff with the relevant expertise. Administration could be centralized to achieve the efficiency goals.

Bill 245, as it stands, would remove the right to a judicial review or appeal of an adjudicator’s decision, except in the most unusual circumstances. It is a fundamental right in a democracy to be able to appeal the decision of an unelected government official to the courts. This full right of appeal must be retained.

The appointment of adjudicators should be recommended by an independent body and, even then, should be subject to scrutiny and confirmation by an all-party committee of the legislature. These positions will have very substantial powers and should only be awarded to the most qualified and should never be political appointees.

We hope you will give due consideration to our concerns and improve the Bill accordingly.

Sincerely,

MOORE PARK RESIDENTS ASSOCIATION



Gordon J. Bogden
President

cc: Jessica Bell, MPP University-Rosedale