

March 10, 2021

To the Standing Committee on the Legislative Assembly of Ontario,

As a concerned resident of Ontario, I am requesting that you withdraw Schedules 6 and 10 from Bill 245.

Regarding Schedule 6, there is no evidence-based justification for the proposed merger of the five tribunals into one entity to be known as the Ontario Land Tribunal. Nor will a merger reduce bureaucratic red-tape or unnecessary over-lap of cases, and the provisions in both of these Schedules 6 and 10 will:

1. inhibit access to environmental justice in Ontario;
2. impair accountability for environmental decision-making;
3. adversely affect the quality and credibility of Tribunal proceedings and outcomes;
4. eliminate existing specialized and knowledgeable environmental expertise;
5. allow the Ontario Land Tribunal to favour procedures that promote fast-tracked outcomes at the expense of ensuring purposeful decision-making;
6. unduly restrict appeals including those to the Minister on both policy and facts (and just prior to the introduction of Bill 245, the cost of filing an appeal to the Local Planning Appeal Tribunal for official plan and zoning by-law amendments was significantly increased from \$300 to \$1100 which could create a financial barrier to the public and deter them from even beginning an appeal);
7. arbitrarily allow written or electronic hearings for the sake of expediency rather than maintain the long-standing procedure of holding in-person hearings in the community where the dispute has arisen;
8. deprive non-parties, such as witnesses or citizen groups, of the right to make oral submissions, answer questions, and provide relevant evidence to the Ontario Land Tribunal; public participation rights are a vital part in the decision-making process;

9. give broad discretion to the Ontario Land Tribunal to dismiss a proceeding without holding a public hearing as required by law and before evidence has even been submitted.

The provincial government should have been open and transparent about Bill 245 and had meaningful public consultation with all persons who are interested or potentially affected by these changes. Given that the government did not do this, it's essential that they do this now. To date, they have not posted any public notice on the Environmental Registry of Ontario in relation to Bill 245 which speaks to the lack of transparency.

Amalgamating the Local Planning Appeal Tribunal, the Environmental Review Tribunal, Mining and Lands Tribunal, the Conservation Review Board and the board of negotiation into a single one is unnecessary, not supported by evidence, and unjustifiable from a public perspective. Proposing amendments in Schedule 10, including the existing rights of appeal, will force disputes into the courts. Schedules 6 and 10 should be removed from Bill 245.

Thank you,
JoAnne Hunter