



Ontario Land Tribunal

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# Business Plan

2022/23 – 2024/25

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# Section 1: Executive Summary

The Ontario Land Tribunal (OLT) will produce 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, 2022 to March 31, 2025.

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. 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, and continues the Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal, as the OLT. The new OLT 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.

In response, the OLT developed several key products to integrate 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, and a single appeal form and document checklist was created to streamline the appeal filing process. An OLT Appeal Guide was also created to provide information and assist the public in navigating the various OLT's proceedings. The OLT continues its commitment to access to justice for those that come before it, 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 year, 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, as well as the creation of a revised public facing website.

The OLT is committed to high quality, fair and principled resolutions of the matters brought before them and aims to create a workplace culture of inclusion and acceptance. Professional development initiatives, as well as those focused on diversity, inclusion and anti-racism, are among some of the initiatives planned to contribute to the development and wellness of its Members and staff going forward.

# 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 holds proceedings 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.

## Mandate

In accordance with the [Ontario Land Tribunals 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

### COVID-19

In response to COVID-19, the Ontario Land Tribunal (OLT) 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, staff and adjudicators may work remotely, and all in-person service counters are closed until further notice. At this time, appeals are heard by video and telephone conference. In-person hearings or hearings involving both in-person and electronic means are not currently available, and the online secure submission of documents to the OLT is also now available. 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.

### Planning & Development

With continuing pressure on the government to address Ontario's economic challenges, development remains a government priority. 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 resolves 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, and municipal revenue streams.

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 likely 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.

## Internal Factors

### Appointments & Succession Planning

A full membership is critical for the timely issuance of OLT decisions and resolution of cases. 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 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:** Reviewing resource allocation and modernization efforts to public inquiry 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:** Revise 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.
- **Access to OLT Documents:** Providing better access to information through the online viewing of documents.
- **Online Fee Payments:** OLT will plan and develop a web-based option for submission of appeal 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.

## Finding 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.
- **Mediation:** In 2020-21, OLT began a pilot of a new approach to mediation. Based on early success, OLT expanded the pilot in 2021-22. Moving forward, OLT will continue to expand and refine its mediation processes.
- **Cheque Scanning:** OLT is planning a cheque scanning solution to streamline the processing of fee payments received by cheque.
- **Key Performance Indicators:** In 2021-22, OLT implemented a new case management system for the integrated tribunal. In 2022-23, OLT will establish a series of Key Performance Indicators supported by reports from the case management system.

## 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:** With the establishment of the new integrated Tribunal, OLT will review, refine and expand its French Language Services.

# Implementation Plan

Initiative	Activity	2022-23	2023-24	2024-25
<b>Access to Justice</b>	Video Guides	Implement	Monitor and Refine	Monitor and Refine
	Simplified Appeal Form	Implement	Monitor and Refine	Monitor and Refine
	Addressing Systemic Barriers	Expand and Refine	Monitor and Refine	Monitor and Refine
<b>Digital Services</b>	Improved Website	Implement	Monitor and Refine	Monitor and Refine
	Online File Viewing	Explore and Design	Implement	Monitor and Refine
	Online Fee Payment	Explore and Design	Implement	Monitor and Refine
	Video Hearings	Monitor and Refine	Monitor and Refine	Monitor and Refine
<b>Modernization and Efficiency</b>	LEAN Approach	Expand and Refine	Expand and Refine	Monitor and Refine
	Mediation	Expand and Refine	Monitor and Refine	Monitor and Refine
	Cheque Scanning	Implement	Monitor and Refine	Monitor and Refine
	Key Performance Indicators	Explore and Design	Implement	Monitor and Refine
<b>People and Culture</b>	Diversity, Inclusion & Anti-Racism	Expand and Refine	Monitor and Refine	Monitor and Refine
	Hiring Practices	Implement	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 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. The OLT has a total of 75 allocated staff positions, 31 full-time members and eight part-time members as outlined below.

## Ontario Land Tribunal Human Resource Allocation (as of December 31, 2021)

Group	Number of Positions
Executive Management Group	1
Crown Counsel (CC5)	1
Association of Law Officers of the Crown (ALOC)	3
Management Compensation Plan (MCP)	8
Association of Management, Administrative and Professional Crown Employees of Ontario (AMAPCEO)	15
Ontario Public Service Employees Union (OPSEU)	47
Excluded	N/A
Sub-Total Staff	75
Order-in-Council (OIC) Full-time Members*	31
Total	106

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

As an organization, the Ontario Land Tribunal (OLT) places access to justice at the centre of everything it does. The COVID-19 pandemic has 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.

## Video 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. As the situation develops, the OLT continues to ensure minimal service disruption for Ontarians, while keeping Ontarians safe.

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.

## Modernized Website

The OLT is creating a revised public facing website that reflects its new role as an integrated organization. The website will center on enhancing the user experience and providing users with a better understanding of the OLT's cases and processes through improved content design. It will be designed to align with Ontario Public Service (OPS) Digital Service Standards, adhere to Accessibility for Ontarians with Disabilities Act (AODA), and meet Web Content Accessibility Guidelines (WCAG) 2.0, Level AA.

## 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 the migration of data from the previous case management systems, and facilitating e-services within the public facing website.

# 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 which 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 change initiated by 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. The OLT is also in the process of developing a revised website to further support its commitment to accessibility and efficiency.

## 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. 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 OICs 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 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

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 created 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 & 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

The 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 be updating its [Accessibility Policy](#) to reflect the new Tribunal and ensure continued 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 2021-22 fiscal year, for the time period of April 1, 2021 to March 31, 2022. It also includes the budget for the following three fiscal years (2022 to 2025).

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

<b>Expense Category</b>	<b>2021-22 Budget</b>	<b>2021-22 YE Forecast +</b>	<b>Explanation of Variance</b>	<b>2022-23 Budget</b>	<b>2023-24 Budget</b>	<b>2024-25 Budget</b>
<b><u>Operating</u></b>						
Salaries and Wages (S&W)	9,079,800	8,660,700	Savings due to delay in staff hiring and OIC appointments	9,118,400	9,171,100	9,251,800
Benefits	1,110,900	1,212,500	Structural deficit/ underfunded in benefits allocation	1,118,400	1,123,600	1,120,800
<b>ODOE</b>						
Transportation and Communications (T&C)	439,400	89,400	Reduction in travel costs due to travel restrictions	439,400	439,400	439,400
Services	545,000*	1,602,100	Structural deficit/ underfunded in Services allocation	545,100*	545,200*	545,300*



<b>Expense Category</b>	<b>2021-22 Budget</b>	<b>2021-22 YE Forecast +</b>	<b>Explanation of Variance</b>	<b>2022-23 Budget</b>	<b>2023-24 Budget</b>	<b>2024-25 Budget</b>
Supplies and Equipment (S&E)	90,900	100,900	Minimal pressure will be offset by saving from T&C	90,900	90,900	90,900
TOTAL Operating	11,266,000	11,665,600		11,312,200	11,370,200	11,448,200
<b><u>Capital</u></b>						
<b><u>Revenue</u></b>	996,000	850,000	Forecast adjusted as per actual and expected revenue	996,000	1,051,000	1,051,000

\*Allocation in Services has been reduced by \$189,400 on account of User Seat costs.

+Forecast as of December 31, 2021

# Section 11: Performance Measures and Targets

As a newly-formed tribunal, the Ontario Land Tribunal (OLT) is developing new performance measures and targets to ensure its services and programs are achieving intended objectives. These performance measures will be designed to assess the OLT's core business of resolving disputes in an accessible, fair, efficient and timely manner, and determine if cases are proceeding through the system in a timely manner and whether resources are effectively utilized. An initial set of measures will be developed by March 31, 2023 for inclusion in the 2022-2023 Annual Report. The OLT will continue to refine and expand the measures in subsequent years.

The OLT will continue to re-evaluate and amend its performance measures, or identify additional metrics and benchmarks as necessary.

