



## Ontario Land Tribunal

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[olt.gov.on.ca](http://olt.gov.on.ca)

# Appeal Form Instructions: Preparing and filing the OLT Appeal Form (A1)

This document is intended to assist with the completion of the OLT Appeal Form (A1) when filing an appeal, application or objection with the Ontario Land Tribunal (OLT or Tribunal).

Please note, the OLT has jurisdiction to conduct proceedings under varied provincial legislation across land use planning, environmental and heritage protection, land valuation, mining and other matters. Depending on the legislation, the matter may be called an appeal, application, notice, objection or referral. For the purposes of this guide, these will all be referred to generally as an “appeal”.

Appeals filed with the Tribunal are allowed by specific legislation. To ensure compliance with legislative requirements, please review the relevant legislation under which you are bringing your appeal. The notice of the decision you are appealing should include reference to the relevant legislation that provides you with a right to appeal. It should also include the appeal deadline and note with whom the appeal must be filed with (e.g. specific officials like the Secretary-Treasurer, the Clerk, a Minister, the Director, or the Registrar of the Ontario Land Tribunal). Please keep these details in mind when completing the form.

For more information on the OLT appeals processes, practices and procedures, visit our website <http://olt.gov.on.ca>.

Should you need more room to further expand on any section(s) of the form, please attach a separate page to the back of the form, with the relevant section number(s) clearly marked.

## Section 1 – Contact Information

This section **must** be completed in full. At the end of the section, you **must** insert the legislation and section number that provides the right of appeal to the OLT. If you intend to appeal more than one decision you must complete a separate line for each appeal.

OLT communicates primarily by e-mail. For prompt communication, please include your e-mail address in the space provided on the appeal form.

Please be sure to specify if the appeal is being made by a Company or Association by inserting the Company or Association Name. For an Association, a letter of incorporation must be attached to the complete form.

Professional representation (i.e. lawyer or paralegal) is not required, but please advise the OLT if you retain a representative after the submission of this form.

## Section 2 – Appeal Type

This section **must** be completed. Please select the type of appeal you are filing by checking the relevant box based on the legislation that allows you to file the appeal. You should select every box that is applicable, if you are appealing more than one decision.

Appeals to the OLT may be required by legislation to be filed with a separate authority who will later forward the appeal to the OLT. It is essential that the appeal be filed with the correct authority as the OLT cannot accept an appeal that is required by legislation to be filed with another authority.

**Example** - If you are filing multiple appeals that fall under the same Form Section, you should select the single box and file accordingly:

Filing a Minor Variance under the *Planning Act* (Section 3A) as well as a Severance under the *Planning Act* (Section 3A), which would be submitted to the Municipality or Approval Authority.

**Example** - If you are filing multiple appeals that fall under different Form Sections, you should select all boxes that are applicable to your appeals and file accordingly:

Referring an application for Site Plan approval under the *Planning Act* (Form Section 3A), which would be submitted to the Municipality or Approval Authority, as well as filing an appeal under the *Ontario Heritage Act* subsection 33.(4) (Form Section 3B), which would be filed directly with the OLT.

In the example above, as you have completed a Section from 3A which would be submitted to the Municipality or Approval Authority and Section 3B, which would be filed directly with the OLT, in this scenario you would send a copy of your appeal to BOTH the municipality/approval authority as well as the OLT. You would have to split the fees and send one for Section 3A to the municipality/approval authority, and the Section 3B fee to the OLT.

### Important Information:

Which of the remaining sections you complete will depend on the legislation under which you are filing the appeal. For example, if you are filing under the *Planning Act*, you should complete Section 3A and/or Section 3B. If you are filing under the *Environmental Protection Act*, you should complete Section 4A.

If you have an appeal to an act/legislation that has not been listed in Sections 3A, 3B, 4A, 4B, 5A, 5B or 6, please contact the OLT directly about your intended appeal and what Section you should complete in order to file. Contact early to avoid missing a legislated deadline. If you miss a legislated filing deadline, the OLT may not be able to process your appeal.

## Section 3A – Planning Matters

Section 3A sets out appeals filed under the legislation which formerly allowed appeals to the Local Planning Appeal Tribunal (LPAT) and the Conservation Review Board (CRB).

Please complete this section in its entirety **only** if you are filing an appeal under:

- *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments, Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances;  
and/or
- *Development Charges Act, Education Act, Aggregate Resources Act, Municipal Act* matters;  
and/or
- *Ontario Heritage Act* matters **only** under subsections 29, 30.1, 31, 32, 33, 40.1 and 41.

Complete all fields as applicable.

If you are completing this section, you will be required to file the form and documents directly with the Municipality or Approval Authority and other authorities/persons as required by the legislation under which you are filing the appeal. If you are filing under the *Ontario Heritage Act*, please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the OLT as well.

## Section 3B – Other Planning Matters

Section 3B sets out appeals filed under the legislation which formerly allowed appeals to the Local Planning Appeal Tribunal (LPAT) and the Conservation Review Board (CRB).

Please complete this section in its entirety **in addition to completing Section 3A** if you are filing an appeal under:

- *Planning Act* (subsection 33(4), 33(10), 33(15), 36(3)), *Municipal Act* (subsection 223(4)), *City of Toronto Act* (subsection 129(4)), and/or *Ontario Heritage Act* (subsection 34.1(1), 42(6)) matters.

Complete all fields as applicable.

If you are completing this section, you will be required to file the form and documents directly with the OLT and other authorities/persons as required by the legislation under which you are filing the appeal. Please use the [Section 3B Checklist](#) for the list of required materials to be submitted along with the Appeal Form.

## Section 4A – Appeals under Environmental Legislation

Section 4A sets out appeals filed under the legislation which formerly allowed appeals to the Environmental Review Tribunal (ERT).

Please complete this section in its entirety if you are filing an appeal under:

- *Clean Water Act, Environmental Protection Act, Nutrient Management Act, Ontario Water Resources Act, Pesticides Act, Resource Recovery and Circular Economy Act, Safe Drinking Water Act, Toxics Reduction Act or the Waste Diversion Transition Act*

Complete all fields as applicable.

If you are completing this section, you will be required to file the form and documents directly with the OLT and other authorities/persons as required by the legislation under which you are filing the appeal. Please use the [Section 4A Checklist](#) for the list of required materials to be submitted along with the Appeal Form.

## Section 4B – Environmental Application for Leave to Appeal

Section 4B sets out applications filed under the legislation which formerly allowed applications to the Environmental Review Tribunal (ERT).

Please complete this section in its entirety if you are filing an application for leave under:

- *Environmental Bill of Rights.*

Complete all fields as applicable.

If you are completing this section, you will be required to file the form and documents directly with the OLT and other authorities/persons as required by the legislation under which you are filing the appeal. Please use the [Section 4B Checklist](#) for the list of required materials to be submitted along with the Appeal Form.

## Section 5 – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act*

Section 5A sets out applications filed under the legislation which formerly allowed applications to the Environmental Review Tribunal (ERT).

Please complete this section in its entirety if you are filing an appeal under:

- *Niagara Escarpment Planning and Development Act (NEPDA).*

Complete all fields as applicable.

If you are completing this section, you will be required to file the form directly with the **Niagara Escarpment Commission**. They will accept your request and then will forward the request to the OLT along with any required documentation.

## Section 6 – Mining Claim and Conservation Matters

Section 6 sets out appeals filed under the legislation which formerly allowed appeals to the Mining and Lands Tribunal (MLT).

Please complete this section in its entirety if you are filing an appeal under:

- *Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, Oil, Gas and Salt Resources Act.*

Complete all fields where applicable.

If you are completing this section, you will be required to file the form and documents directly with the OLT and other authorities/persons as required by the legislation under which you are filing the appeal. Please use the [Section 6 Checklist](#) for the list of required materials to be submitted along with the Appeal Form.

## Section 7 – Filing Fee

This section is for any appeal being filed with the OLT that has an associated filing fee. The individual filing must check the [Fee Chart](#) to determine the total fee that is required to be filed with the appeal. Also, please note only select payments methods are accepted by the OLT. Please review the payment options or see below for more information.

Only include one payment method per Appeal Form.

The filing fee **must** be paid by credit card, certified cheque or money order, in Canadian funds, payable to the **Minister of Finance**. Do not send cash. **Do not include your credit**

card information on this form. You will be contacted to complete your payment over the phone.

If you are represented by a lawyer, the filing fee may be paid by a solicitor's general or trust account cheque.

If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the [Fee Reduction Request Form](#).

## Section 8 - Declaration

This section is mandatory for any appeal being filed with the OLT. The individual filing the appeal is to complete this section to declare that the statements and information provided as well as supporting documents are true, correct and complete.

## Section 9 – Filing Checklists

This section is mandatory for any appeal being filed with the OLT. The authority/person with whom you will file the appeal is determined by the legislation under which you are bringing your appeal. If you are filing multiple appeals that fall within different Sections of this Appeal Form, you will need to complete separate forms and submit them to the appropriate authorities/persons.

Submit the documents listed on the checklist(s) via electronic format on a USB key, or submit the documents via the [Secure Email service](#). Electronic documents are to be provided in portable document format (pdf) with searchable text and tabbed electronic bookmarks indexed to a table of contents. If a document cannot be submitted at this time, please provide comments, additional information or details in the space provided at the end of the checklist.

If you are to submit directly with the Registrar of the OLT:

- Submit the completed appeal form(s) with the checklist(s) and the required documents including the filing fee(s) if applicable, to the OLT by the filing deadline at the contact listed on the first page of the Appeal Form.
- The checklist(s) of required supplementary documentation is included at the end of the form and **must** be submitted in the order listed in the checklist(s) along with the appeal form and where applicable, the filing fee.

If you are to file a package with the Municipality/Approval Authority (such as the Secretary-Treasurer, the Clerk, a Minister or school board):

- **Important: Do not send the appeal directly to the Ontario Land Tribunal (OLT). If you do file with the OLT directly, it will be returned to you and the appeal may fail to meet the required deadline.**
- Submit the completed appeal form(s) and filing fee(s), if applicable, by the filing deadline to either the Municipality or the Approval Authority/School Board, as applicable. The notice of decision provided by the Municipality/Approval Authority/School Board will indicate the proper authority to whom you must send the form and appeal fee, where applicable.
- The Municipality/Approval Authority/School Board will then forward the appeal(s) and fee(s), if applicable, to the OLT.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible at:

Toll free: 1-866-448-2248; or

TTY: 1-800-855-1155 via Bell relay

E-mail: [OLT.Coordinator@ontario.ca](mailto:OLT.Coordinator@ontario.ca)

Links to the legislation referred to above are available on the [OLT website](#).