



Tribunals Ontario

Conservation Review Board

**Rules of Practice and Procedure
of the
Conservation Review Board**

Effective: January 27, 2020

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PART I – GENERAL

Rule 1 – Application of Rules

- 1.01 The Conservation Review Board has made these Rules in accordance with the *Ontario Heritage Act* and *Statutory Powers Procedure Act*. Sections 4.3 - 4.6, 5.1, 5.2, 5.4, 6 - 16, 17.1, 21, 21.1, 22, 23, 25.0.1 and 25.1 of the *Statutory Powers Procedure Act* apply to the Review Board and its hearings.
- 1.02 These Rules apply to every matter referred to the Review Board, including further steps taken in a matter that was commenced before the effective date January 27, 2020.

Rule 2 – Interpretation of Rules and Powers of the Review Board

- 2.01 These Rules shall be liberally construed to produce the just, most expeditious and cost-effective determination of every matter on its merits. The Review Board may exercise any of its powers on its own initiative or at the request of a party.
- 2.02 The Review Board may waive or vary the application of any of these Rules as appropriate. Where any of these Rules, directions, or orders made by the Review Board conflict with any statute, the provisions of the statute shall prevail. The Review Board may at any time correct a typographical error, error of calculation, or similar error made in any direction, order, or report.

Rule 3 – Definitions

- 3.01 In these Rules,

“Act” means the *Ontario Heritage Act*;

“document” includes:

- (a) a notice, form, order, direction, correspondence, memorandum, file, book of account, agreement, report, chart, graph, and any other written or pictorial communication;
 - (b) a sound recording, videotape, photograph, map, plan, survey or like thing;
 - (c) information recorded or stored by means of any device, including a computer file;
- and,
- (d) a facsimile or a copy of a document;

“day” means a calendar day;

“electronic hearing” means the format of a hearing held by telephone conference call, video, or other form of electronic technology allowing persons to communicate with one another;

“hearing” means a hearing event held before the Review Board in which a party has the opportunity to participate in any of written, oral, or electronic formats, and includes pre-hearing conferences and motions;

“holiday” means

- (a) any Saturday or Sunday,
- (b) any day when the Review Board is not open during its regular hours of business,
- (c) New Year’s Day,
- (d) Family Day,
- (e) Good Friday,
- (f) Easter Monday,
- (g) Victoria Day,
- (h) Canada Day,
- (i) Civic Holiday,
- (j) Labour Day,
- (k) Thanksgiving Day,
- (l) Remembrance Day,
- (m) Christmas Day,
- (n) Boxing Day, and
- (o) Any day fixed as a holiday by proclamation of the Governor General or the Lieutenant Governor, and where New Year’s Day, Canada Day or Remembrance Day falls on a Saturday or Sunday, the following Monday is a holiday, and where Christmas Day falls on a Saturday or Sunday, the following Monday and Tuesday are holidays, and where Christmas Day falls on a Friday, the following Monday is a holiday;

“Minister” means the Minister of Tourism, Culture and Sport;

“motion” means a request for an order or decision from the Review Board;

“objector” means a person who has served a notice of objection in accordance with the Act;

“oral hearing” means the format of a hearing at which the parties attend in person;

“owner” means the person registered on title in the proper land registry office as owner;

“participant” means a person granted status by the Review Board to participate in a hearing by making a statement in relation to the matter on such terms as determined by the Review Board;

“party” means a person who is made a party by the provisions of the Act or who is specified as a party by the Review Board;

“proceeding” means all steps taken in a matter that is referred to the Review Board for a hearing, beginning when the Review Board receives the referral of the matter and ending when the Review Board makes a report or dismisses, discontinues or otherwise disposes of the matter;

“public record” includes any documents filed with the Review Board as part of a proceeding, but does not include documents ordered to be held in confidence, documents and materials filed in furtherance of settlement, or Review Board Members’ notes;

“representative” may be a lawyer, paralegal, or other person authorized under the *Law Society Act* to represent a person in a proceeding;

“Review Board” means the Conservation Review Board;

“service” means the delivery of a document to a person or their representative in accordance with these Rules;

“SPPA” means the *Statutory Powers Procedure Act*;

“written hearing” means the format of a hearing held by means of the exchange of documents including submissions and evidence.

Rule 4 – Language of Proceedings

- 4.01 Review Board proceedings may be conducted in English, in French, or bilingually in accordance with Tribunals Ontario’s *French Language Services Policy*.
- 4.02 A person who wishes a proceeding to be conducted in French, or partly in English and partly in French should make the request to Tribunals Ontario with as much notice as possible before the hearing.
- 4.03 The Board will not generally translate documents provided by a person, but may order that the documents be translated if it considers it necessary for the fair determination of the matter.

Rule 5 – Calculation of Time

- 5.01 To calculate time for the purposes of these Rules:
- (a) when calculating the number of days between two events, the day on which the first event happens is not counted and the day on which the second event happens is counted; and,
 - (b) when the time expires on a holiday, the act may be done on the next day that is not a holiday.

Rule 6 – Extending or Reducing Time Periods

- 6.01 The Review Board may extend or reduce the time specified for the performance of anything before or after the expiration of a time period and on such conditions as it considers appropriate.
- 6.02 Where a party cannot meet a time limit, the party shall promptly request an extension from the Review Board and notify every other party of the request.

Rule 7 – Recordings and Transcripts of Proceedings

- 7.01 No person shall make an audio or visual recording of any part of the proceeding without the permission of the Review Board. The Review Board may permit the recording of all or part of the proceeding, subject to conditions as it considers appropriate.
- 7.02 A party seeking to make a recording of any part of a proceeding shall make a request to the Review Board at least 14 days in advance. If the Review Board grants the request, the party seeking to make the recording shall make the recording at the party's own expense.
- 7.03 A recording made by a party does not become part of the Review Board's record. If a transcript of the recording is made, a copy of the transcript shall be filed with the Review Board and may form part of the Review Board's public record.

Rule 8 – Format of Hearing Events

- 8.01 The Review Board may direct that any hearing event, including a pre-hearing conference and a hearing, include any combination of electronic, oral and written formats. The Review Board may direct that a party set up an electronic hearing.

- 8.02 The Review Board shall not hold an electronic hearing if a party satisfies the Review Board that holding an electronic hearing, rather than an oral hearing, is likely to cause the party significant prejudice, unless the only purpose of the hearing is to deal with procedural matters.
- 8.03 In determining the format for any part of a proceeding the Review Board may consider:
- (a) the suitability of the format for a fair and accessible process, considering the subject-matter of the hearing and nature of the evidence;
 - (b) the cost, efficiency and timelines of the proceeding;
 - (c) public interest in the proceeding; and,
 - (d) any other relevant factors.

Rule 9 – Communications with the Review Board and Parties

- 9.01 Written communications to the Review Board shall be done through the Registrar or the Case Coordinator, after one is assigned, and shall be copied to all parties.
- 9.02 All communication to a panel of the Review Board about a proceeding shall occur only in the presence, or with the consent, of all Parties.

PART II – PARTIES, PARTICIPANTS, AND REPRESENTATIVES

Rule 10 – Attendance in Person or by Representative

- 10.01 A party may attend a hearing event or participate in a proceeding in person or through a representative. A representative or party shall file, upon request of the Review Board, a *Form 1, Representative of a Party – Commencement of Authorization* found in the Appendix to these Rules. Any document served on a representative is deemed to have been served on the party whom the representative represents.
- 10.02 Where a representative intends to cease representing a party, the representative and the party shall promptly, and no later than 24 hours before the start of any step in the proceeding, file with the Review Board a *Form 2, Representative of a Party – Cessation of Authorization* found in the Appendix.
- 10.03 Where a party to a proceeding before the Review Board becomes aware of a change in ownership for a property that is the subject of a matter before the Review Board, the party shall give notice of the change to the Review Board and to the other parties within 14 days of becoming aware of the change in ownership.

Rule 11 – Requesting Party Status

- 11.01 A person who wishes to be a party to the proceeding shall request in writing that the Review Board grant him or her party status.
- 11.02 In deciding whether to grant party status, the Review Board may consider:
- (a) the nature of the proceeding, issues, and interests;
 - (b) whether the person has a genuine interest in the issues;
 - (c) the potential contribution to the understanding of the issues;
 - (d) any delay or prejudice to the parties; and,
 - (e) any other relevant matter.

Rule 12 – Requesting Participant Status

- 12.01 Upon request, the Review Board may name persons to be participants, in all or part of a proceeding, on such conditions as the Review Board considers appropriate. The Review Board may require participants who have similar interests to coordinate their submissions, or to designate a spokesperson.
- 12.02 In deciding whether to allow a person to participate in all or part of the proceeding, the Review Board may consider:
- (a) the nature of the proceeding, issues, and interests;
 - (b) the potential contribution to the understanding of the issues;
 - (c) any delay or prejudice to the parties; and,
 - (d) any other relevant matter.
- 12.03 A participant does not have the rights and obligations of a party to the proceeding, but may make a presentation at the hearing and be cross-examined on it by other parties, subject to any other direction of the Review Board.

PART III – COMMENCEMENT AND TERMINATION OF PROCEEDINGS

Rule 13 – Commencement of Proceeding

- 13.01 A proceeding commences when the Review Board receives a referral of a matter from the council of a municipality or from the Minister in accordance with the Act. The Review Board may decide not to process the referral if the documents are incomplete or there is some other technical defect until such time as the deficiencies are remedied.

13.02 The Review Board will notify the party whose documents are incomplete if the referral cannot be processed and will set out the reasons and requirements for resuming processing.

Rule 14 – Notice of Hearing

14.01 The Review Board shall notify parties and other individuals taking part in a hearing event of the date, time, place, purpose, and format of events in accordance with the Act.

14.02 The Review Board may direct another party to publish a notice of a hearing event to the public in accordance with the Act and the SPPA. The party responsible for publishing notice shall file an affidavit or statement of service indicating how and when notice was published with the Review Board no later than the commencement of the hearing.

Rule 15 – Dismissal of Proceeding Without a Hearing

15.01 The Review Board may, on its own initiative or at the request of a party, dismiss a proceeding without a hearing if:

- (a) the proceeding is frivolous, vexatious, or is commenced in bad faith;
- (b) the proceeding relates to matters that are outside the jurisdiction of the Review Board; or,
- (c) some aspect of the statutory requirements for bringing the proceeding has not been met.

15.02 The Review Board shall not dismiss a proceeding until it has given notice of intention to dismiss setting out the reasons for dismissal and considered the parties' submissions.

Rule 16 – Compliance with Directions and Orders

16.01 To allow for the proper conduct of proceedings, control of its process, or to prevent an abuse of process, where a party or its representative has:

- (a) not complied with a requirement of these Rules;
- (b) not complied with an order, direction, or request for information from the Review Board; or,
- (c) caused undue delay, or otherwise prevented the fair, just, or expeditious resolution of the matter;

the Review Board may:

- i. direct that the proceeding be stayed until the Review Board is satisfied that the direction, order, or request has been complied with;
- ii. dismiss the proceeding; or,
- iii. make any other order it considers appropriate.

Rule 17 – Withdrawal of Objection

- 17.01 At any time before the conclusion of the hearing, a party may withdraw from a proceeding by filing a notice of withdrawal with the Review Board, and serving the notice on the clerk of the municipality, or the Minister as the case may be. Notices of withdrawal will not include conditions of the withdrawal.
- 17.02 Where the Review Board has received notice of withdrawal for all notices of objection, the Review Board will not hold a hearing into the matter, or, if a hearing is in progress, will discontinue the hearing. A report will not be provided where a hearing is not held or is discontinued.
- 17.03 If a municipality withdraws a notice issued under the Act, the Review Board will not hold a hearing into the matter, or, if a hearing is in progress, will discontinue the hearing. A report will not be provided where a hearing is not held or is discontinued.

PART IV – SERVICE AND FILING OF DOCUMENTS

Rule 18 – Service of a Document

- 18.01 A document shall be served by one of the following methods:
- (a) personal service;
 - (b) mail to the last known address of the person to whom delivery is required to be made;
 - (c) commercial courier to the last known address of the person to whom delivery is required to be made;
 - (d) email, if the party receiving the document agrees; or,
 - (e) as otherwise directed by the Review Board.
- 18.02 A document is deemed to be served by:
- (a) personal delivery, when given to the party;
 - (b) regular mail, five days after the postmark date, not including holidays;
 - (c) commercial courier, two days after the day the commercial courier received it; and,
 - (d) electronic mail, on the day sent, but if the document is sent after 5:00 p.m., the document is deemed to be served on the following day.
- 18.03 Despite Rule 18.02, if the person on whom service is being made establishes that the person did not, acting in good faith, through absence, accident, illness, or other cause beyond the person's control, receive the document until a later date, the document may be deemed to be served on such later date as the Review Board may determine.

18.04 A person who has served a document shall file with the Review Board an affidavit or a statement of service that indicates how, when, and on whom service was made, unless the Review Board directs otherwise.

Rule 19 – Filing of a Document with the Review Board

19.01 Any document filed with the Review Board shall include the name, address, email address, and telephone number of the person and representative filing the document. Upon request of the Review Board, any electronic documents filed with the Review Board must also be provided in hard copy.

19.02 A document may be filed by personal delivery, regular mail, registered mail, commercial courier, or email to the Review Board at:

Tribunals Ontario, Conservation Review Board
655 Bay Street, Suite 1500
Toronto, Ontario M5G 1E5
conservation.review.board@ontario.ca

19.04 A document is deemed to be filed by:

- (a) personal delivery, courier, email, regular or registered mail on the date of receipt stamped on the document by the Review Board; and,
- (b) electronic mail, on the same day where the email indicates a transmission time before 5:00 p.m., but if the email indicates a transmission time after 5:00 p.m., the document is deemed to be filed on the day following.

PART V – MOTIONS

Rule 20 – Procedure on Motions

20.01 A party bringing a motion shall deliver a notice of motion to the Review Board and all other parties setting out:

- (a) the order that the party is requesting from the Board;
- (b) the grounds to be argued;
- (c) the facts relied upon in support of the motion; and,
- (d) any request to have the motion heard in a format other than in writing, and the reasons for the request.

20.02 Upon receipt of a notice of motion, the Review Board will set out for the parties the date of, and format for, the hearing of the motion; and the dates for exchange of evidence and submissions. A motion may be made at an oral hearing event only if permitted by the Review Board.

20.03 Where a motion will be heard in writing, evidence must be by affidavit, and include transcripts of any cross-examination on those affidavits, unless the Review Board directs otherwise.

Rule 21 – Requesting an Adjournment

21.01 A hearing will take place on the scheduled date unless the Review Board agrees to an adjournment. As soon as a party becomes aware of the need for an adjournment, it shall notify every other party of its request and seek their consent for the adjournment.

21.02 A party seeking an adjournment shall file a written request with the Review Board that includes:

- (a) the reasons for the adjournment request;
- (b) the proposed new date;
- (c) a statement by the requesting party that it has notified, and obtained the consent of, every other party to the adjournment; and,
- (d) at least three alternative dates that are agreeable to all parties, and that are within 30 days of the hearing event date to be adjourned.

21.03 In determining whether to grant an adjournment, the Review Board may consider:

- (a) the circumstances giving rise to the request and the timeliness of the request;
- (b) the position of the other parties and the impact of the adjournment on parties and other persons;
- (c) whether the adjournment is necessary to ensure the parties have an opportunity for a fair and timely hearing;
- (d) whether the purpose of the adjournment is to help to resolve the matter through settlement;
- (e) whether the issue giving rise to the request could be addressed by a short break, post-hearing submissions, altering the order of proceedings, or any other appropriate direction; and,
- (f) the public interest in access to justice, cost-effective services, the timely resolution of disputes, and fulfillment of the Review Board's mandate.

PART VI – PRE-HEARING CONFERENCES AND SETTLEMENT

Rule 22 – Purpose and Conduct of a Pre-hearing Conference

- 22.01 A pre-hearing conference is conducted in accordance with section 67.1 of the Act and these Rules.
- 22.02 The Review Board may direct the parties to participate in a pre-hearing conference for the purposes of:
- (a) settling or simplifying any or all of the issues;
 - (b) determining whether a Pre-hearing Settlement Conference (PHSC) should be convened;
 - (c) identifying facts or evidence that may be agreed upon;
 - (d) identifying and resolving preliminary issues and procedural matters;
 - (e) determining requests for party or participant status;
 - (f) setting the date, time, duration, place, purpose, and format of the hearing; and,
 - (g) any other matter that may assist in the just, most expeditious, and cost-effective disposition of the hearing.
- 22.03 A pre-hearing conference will be open to the public unless the Review Board directs otherwise. To preserve the confidentiality of settlement discussions, Pre-hearing Settlement Conferences will involve only parties to the proceeding and will not be open to the public.

Rule 23 – Pre-hearing Settlement Conferences

- 23.01 The Review Board may direct parties to take part in a Pre-hearing Settlement Conference (PHSC). Parties may request a PHSC by writing to the Case Coordinator. Provision for a PHSC may be included in procedural orders.
- 23.02 Prior to scheduling a PHSC, a Board Member will evaluate the suitability of using a PHSC to resolve some or all of the issues. The Review Board will consider the following factors in its assessment:
- (a) consent of the parties;
 - (b) sufficiency of information disclosed and exchanged;
 - (c) legal issues raised in the proceeding;
 - (d) results of any prior attempts to negotiate a settlement or resolve the matter;
 - (e) resources available to the parties to participate in a PHSC and/or hearing;
 - (f) any public interest issues raised in the proceeding; and,
 - (g) any other relevant considerations.

- 23.04 Unless otherwise ordered, at least 14 days before the date set for the PHSC, the parties shall exchange with each other and file with the Review Board:
- (a) concise statements describing the nature of the objection, the issues, the evidence expected to be called at the hearing, and applicable legal principles;
 - (b) experts' reports intended to be relied upon or, if the expert reports have not yet been prepared, a statement describing the anticipated opinion of the expert, the facts upon which the opinion is based, and the qualifications of the expert; and,
 - (c) any other relevant materials that will assist in resolution of the dispute.
- 23.05 All documents created solely for the PHSC, any statements made without prejudice for the purpose of resolving the dispute in a PHSC and any offer to settle shall be confidential, and cannot be introduced into evidence in the same or other proceeding without the consent of all parties. The Review Board shall destroy or return to the parties any documents provided by them for the purpose of the PHSC.
- 23.06 At PHSCs, the following may apply:
- (a) all PHSC discussions are confidential and to be held *in camera*;
 - (b) the Member presiding has the discretion to determine how the PHSC will be conducted and may:
 - i. facilitate discussion between the parties;
 - ii. make any order that can be made under these Rules;
 - iii. direct parties to exchange the documents/information on a without prejudice basis;
 - iv. meet with any party without the other parties present;
 - v. adjourn or cancel the PHSC; or,
 - vi. refer any matter at issue to be scheduled for a hearing event.

A Member who presides at a PHSC shall not preside at the hearing unless the parties consent.

PART VII – EVIDENCE, WITNESSES, AND EXPERTS

Rule 24 – Disclosure

- 24.01 A party shall, at least 14 days before the next scheduled hearing date, disclose to every other party the existence of every document and thing that the party intends to refer to or rely on as evidence at the hearing and serve a copy of each document on the other parties unless the Review Board directs otherwise.
- 24.02 Where a party does not provide every other party with access to information it intends to refer to or rely on as evidence at the hearing, the party may not refer to or rely on that information unless the Review Board directs otherwise.

24.03 Documents filed with the Review Board under this rule shall be filed in duplicate, or as many copies as the Review Board directs, with each page being numbered, subdivided with tabs as appropriate, and shall include colour images where appropriate.

Rule 25 – Witnesses

25.01 At least 14 days before the next scheduled hearing date, or as otherwise directed by the Review Board, a party shall serve on every other party and file with the Review Board a list of anticipated witnesses, including expert witnesses, that the party intends to call at a hearing in electronic or oral format and a brief description of each witness' anticipated testimony.

25.02 If a party seeks to call more than two expert witnesses, the party shall provide an explanation of the necessity of calling more than two expert witnesses to provide opinion evidence.

25.03 The Review Board may limit the presentation of evidence by:

- (a) excluding any evidence that it considers irrelevant or unduly repetitious; and,
- (b) reasonably limiting examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

25.04 If a party fails to comply with any Rules, directions, or orders with respect to witnesses, including providing witness lists, witness statements and/or reports, that party may not rely on that information or evidence, or call the witness to give evidence unless the Review Board directs otherwise.

Rule 26 – Expert Witnesses and Reports

26.01 At least 14 days before a proposed expert witness is called, a party who intends to rely on the written report of an expert shall serve on every other party and file with the Review Board, a signed copy of the report containing the name, address, and qualifications of the expert, witness statement, as well as a copy of all the documents to which the expert witness will refer.

26.02 It is the duty of every expert, engaged by or on behalf of a party, who is to provide opinion evidence at a proceeding under these Rules to acknowledge either prior to, or at the proceeding, that they are to provide:

- (a) opinion evidence that is fair, objective, and non-partisan;
- (b) opinion evidence that is related only to the matters that are within the expert's area of expertise; and,

- (c) additional assistance as the Review Board may reasonably require to determine a matter in issue.

These duties prevail over any obligation owed by the expert to the party by whom or on whose behalf he or she is engaged. The expert shall file with the Review Board *Form 6, Acknowledgement of Expert's Duty* found in the Appendix to these Rules.

- 26.03 If a party fails to comply with any Rules, directions, or orders with respect to expert witnesses, including providing witness lists, expert witness statements and/or expert reports, that party may not rely on that information or evidence, or call the witness to give evidence unless the Review Board directs otherwise.

Rule 27 – Site Visits

- 27.01 The Review Board may direct that a site visit take place to examine the subject property. Site visits will typically occur on the day of the hearing, prior to the start of the hearing.
- 27.02 When the Review Board visits a subject property, the attendees may only enter the property with the owner's consent.

PART VIII – PUBLIC ACCESS TO HEARINGS AND DOCUMENTS

Rule 28 – Public Access to Hearings

- 28.01 Oral hearings shall be open to the public unless the Review Board orders otherwise. At the request of a party or on its own initiative, the Review Board may order that all or part of a hearing be held in the absence of the public if the Review Board considers that:
- (a) matters involving public security may be disclosed; or,
 - (b) intimate financial or personal matters or other matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public.

Rule 29 – Confidentiality of Documents and Information

- 29.01 Documents filed with the Review Board will be placed on the public record, unless they were provided solely for the purposes of settlement discussions, or it is ordered that it should be treated as confidential in accordance with Tribunals Ontario’s *Access and Privacy Policy*.
- 29.02 At the request of a party or on its own initiative, the Review Board may order that all or part of a document be treated as confidential and that it not be disclosed to the public, where it is of the opinion that:
- (a) matters involving public security may be disclosed; or,
 - (b) intimate financial or personal matters or other matters contained in the record are of such a nature that the public interest or the interest of a person served by avoiding disclosure outweighs the desirability of adhering to the principle that the record be available to the public.
- 29.03 Where the Review Board orders that all or part of a document be held in confidence, the portion of the hearing that deals with the document or part thereof shall be held in the absence of the public.

PART IX – COSTS

Rule 30 – Request for Costs

- 30.01 Where a party reasonably believes that the conduct or course of conduct of another party has been unreasonable, frivolous or vexatious, or the other party has acted in bad faith, that party may make a request to the Review Board for costs.
- 30.02 The Review Board may deny or grant a request for costs, or award a different amount than requested. In determining whether to order costs, and the amount of costs, the Review Board shall consider all relevant factors, including:
- (a) whether the party failed to comply with a direction, order, or rule;
 - (b) whether or not a party’s behaviour interfered with a fair, efficient and effective process, or caused undue delay; and,
 - (c) the prejudice to the other parties.
- 30.03 A party seeking costs shall support its request by providing receipts, invoices, or other documents, to the Review Board and other parties as directed.
- 30.04 An order for the payment of costs bears interest in the same manner as an order made under section 129 of the *Courts of Justice Act*.

APPENDIX



Tribunals Ontario

Conservation Review Board

655 Bay Street, Suite 1500
Toronto, ON M5G 1E5
Tel: 416-212-6349 | 1-866-448-2248
Fax: 416-326-5370
Web Site: www.elto.gov.on.ca

Tribunaux décisionnels Ontario

Commission des biens culturels

655, rue Bay, suite 1500
Toronto (ON) M5G 1E5
Tél. : 416 212-6349 | 1 866 448-2248
Télééc. : 416 326-5370
Site web : www.elto.gov.on.ca

Form 1 – Representative of a Party - Commencement of Authorization

Submit to the Conservation Review Board

I, _____, hereby authorize _____ to act
Name of Party Appointing Representative Name of Representative

as my representative in all matters for the purposes of a proceeding before the Conservation Review Board, concerning Conservation Review Board File No. _____.

Signature of Party

Date (yyyy/mm/dd)

Representative's Contact Information

Name of firm or organization (if applicable): _____

Address: _____

Telephone Number: _____

Fax Number: _____

E-mail Address: _____

Representative's Declaration

I declare that the information provided above is truthful, complete and correct. I acknowledge that I am either licensed by the Law Society of Ontario (LSO) to provide legal services or that I am an unlicensed representative covered by an exemption allowed by the LSO. I have been authorized by the appointing party to represent him/her/it throughout the proceeding before the Conservation Review Board and have the authority to bind the party with respect to withdrawal and all other issues.

Signature of Representative

Date (yyyy/mm/dd)



Tribunals Ontario

Conservation Review Board

655 Bay Street, Suite 1500
Toronto, ON M5G 1E5
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Tribunaux décisionnels Ontario

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Toronto (ON) M5G 1E5
Tél. : 416 212-6349 | 1 866 448-2248
Télééc. : 416 326-5370
Site web : www.elto.gov.on.ca

Form 2 – Representative of a Party – Cessation of Authorization

Submit to the Conservation Review Board

I, _____ hereby announce that I intend to
Name of Representative

cease acting as a representative for _____
Name of Party

as of _____ in a proceeding before the Conservation Review Board
Date (yyyy/mm/dd)

concerning Conservation Review Board File No. _____.

Signature of Representative

Date (yyyy/mm/dd)

Party's Declaration

I declare that the information above is truthful, complete and correct. I acknowledge that I am aware that _____
Name of Representative

intends to cease acting as my Representative as of _____
Date (yyyy/mm/dd)

Signature of Party

Date (yyyy/mm/dd)



Tribunals Ontario

Conservation Review Board

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Commission des biens culturels

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Form 3 – Summons (Oral Hearing)

Submit to the Conservation Review Board

Statutory Powers Procedure Act

(Title of Proceeding)

SUMMONS TO A WITNESS BEFORE THE CONSERVATION REVIEW BOARD

TO: *(name and address of witness)*

YOU ARE REQUIRED TO ATTEND TO GIVE EVIDENCE at the hearing of this proceeding on *(day)*, *(date)*, at *(time)*, at *(place)*, and to remain until your attendance is no longer required.

YOU ARE REQUIRED TO BRING WITH YOU and produce at the hearing the following documents and things:

IF YOU FAIL TO ATTEND OR TO REMAIN IN ATTENDANCE AS REQUIRED BY THIS SUMMONS, THE ONTARIO SUPERIOR COURT OF JUSTICE MAY ORDER THAT A WARRANT BE ISSUED FOR YOUR ARREST, OR THAT YOU BE PUNISHED IN THE SAME WAY AS FOR CONTEMPT OF THAT COURT.

Date _____

CONSERVATION REVIEW BOARD

Name

NOTE: You are entitled to be paid the same fees or allowances for attending at or otherwise participating in the hearing as are paid to a person summoned to attend before the Ontario Superior Court of Justice.



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Form 4 – Summons (Electronic Hearing)

Submit to the Conservation Review Board

Statutory Powers Procedure Act

(Title of Proceeding)

SUMMONS TO A WITNESS BEFORE THE CONSERVATION REVIEW BOARD

TO: *(name and address of witness)*

YOU ARE REQUIRED TO PARTICIPATE IN AN ELECTRONIC HEARING on *(day)*, *(date)*, at *(time)*, in the following manner:

IF YOU FAIL TO PARTICIPATE OR TO REMAIN IN ATTENDANCE AS THIS SUMMONS REQUIRES, THE ONTARIO SUPERIOR COURT OF JUSTICE MAY ORDER THAT A WARRANT FOR YOUR ARREST BE ISSUED, OR THAT YOU BE PUNISHED IN THE SAME WAY AS FOR CONTEMPT OF THAT COURT.

Date _____

CONSERVATION REVIEW BOARD

Name

NOTE: You are entitled to be paid the same fees or allowances for attending at or otherwise participating in the hearing as are paid to a person summoned to attend before the Ontario Superior Court of Justice.



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Form 5 – Acknowledgement of Expert’s Duty

Submit to the Conservation Review Board

Case Number	Municipality

1. My name is (name)
 I live at the (municipality)
 in the (county or region)
 in the (province)

2. I have been engaged by or on behalf of
 (name of party/parties) to provide evidence in relation to the above-noted Review
 Board proceeding.

3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as
 follows:

- a. to provide opinion evidence that is fair, objective and non-partisan;
- b. to provide opinion evidence that is related only to matters that are within my
 area of expertise; and
- c. to provide such additional assistance as the Review Board may reasonably
 require, to determine a matter in issue.

4. I acknowledge that the duty referred to above prevails over any obligation which I may
 owe to any party by whom or on whose behalf I am engaged.

Date _____

Signature