

On behalf of all Members and staff, I am pleased to present the 2012-2013 Environment and Land Tribunals Ontario (ELTO) Annual Report. This report covers the fiscal year ending March 31, 2013.

ELTO brings together five Ontario tribunals and boards which adjudicate matters related to land use planning, environmental and heritage protection, property assessment, land valuation and other matters. ELTO 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.

ELTO operates under the authority of the Adjudicative Tribunals Accountability, Governance and Appointments Act, 2009 which was enacted to ensure that tribunals are accountable, efficient and transparent in their operations as well as remain independent in the decision-making process. The governance and public accountability framework are laid out in ELTO's: Mandate and Mission Statement, Consultation Policy, Service Standard Policy, Ethics Plan, and Member Accountability Framework, which includes position descriptions and a Code of Conduct. These documents can be viewed on the ELTO website: www.elto.gov.on.ca. The Business Plan and Memorandum of Understanding are also available for viewing.

During the 2012-2013 fiscal year, ELTO established an Advisory Committee consisting of members of ELTO's stakeholder community to assist its constituent tribunals in the development and implementation of policies, practices, rules and services in keeping with ELTO's mission to deliver modern, fair, accessible, effective and timely dispute resolution. The input from stakeholders and the public whether informally or through formal consultation is important for optimizing our service to the public within our resources and in identifying what works well and what should be changed. This year, ELTO held a number of public consultations which provided a framework for developing Rule changes, Practice Directions, and revisions to case management techniques and procedures.

Reflecting our commitment to public transparency, we continued to post quarterly statistics on the tribunal websites and information on review of decisions on the Ontario Municipal Board (OMB) website.

ELTO consulted with the Assessment Review Board (ARB) stakeholders to develop an Appeals Streaming Strategy for the 2013-2016 Assessment Cycle, as well as rule amendments to simplify the appeal process and Practice Directions to make the process more transparent and accessible. This Streaming Strategy supports the Board's commitment to resolve 90 per cent of its current and new caseload within the next four-year property assessment cycle ending in the 2016 taxation year.

Early in 2013, we began a Growth Plan consultation that involved meetings with a number of stakeholders who had participated to date in Growth Plan hearings before the OMB. These stakeholders provided us input on hearing and pre-hearing processes that the OMB has successfully used and should be highlighted as best practices. The ERT has announced a consultation with stakeholders concerning potential revisions to the procedure for Renewable Energy Approval appeals.

We have begun work on an Alternative Dispute Resolution (ADR) Initiative. The first step underway in this initiative is to internally review and develop recommendations concerning enhancing the availability of alternative dispute resolution mechanisms including settlement hearings and mediations throughout ELTO. ELTO is looking at ways to increase the access to ADR by creating a roster of members throughout the cluster constituent tribunals. We are also looking at building consistent processes for ADR across the cluster, according to the mandates.

The clustering of tribunals in ELTO has eased the logistics of organizing joint training sessions of members on topics of common applicability. ELTO has continued to provide an expanded professional development program, with a training program on the Intranet and in-person, covering a range of substantive and procedural issues. Tribunal specific training has been conducted to enhance substantive area expertise in each tribunal, and where applicable, specialized training offered by third parties has been used to supplement ELTO training, particularly in orientation of new members. We have been fortunate to have the support of speakers from outside ELTO including Environmental Commissioner of Ontario Gord Miller on Biodiversity Issues in Ontario, Ontario Integrity Commissioner Lynn Morrison on Disclosure of Wrongdoing, and the Honourable Mr. Justice Todd Archibald of the Superior Court of Justice on court processes used to address issues of timeliness, cost effectiveness, efficiency and use of resources in trials.

An additional benefit of clustering is the opportunity to recommend cross-appointment of tribunal members whose personal skill, knowledge and expertise will enhance another tribunal's services. In 2012-2013, Marc Denhez was cross-appointed to the OMB and Conservation Review Board (CRB) and Robert Steinberg to the BON and ARB.

As Executive Chair of ELTO, I would like to take this opportunity to thank the members of the public, the ELTO adjudicators, the representatives of stakeholders and staff for their support and willingness to talk to me about ELTO's continued leadership as a centre of excellence in the tribunal justice system. I also want to thank you all for your comments on how services could be improved at the tribunals. We are committed to building our competencies and processes to fulfill the mandates entrusted to us in accordance with our mission statement.

I would also like to acknowledge the important contributions of those Members and staff who have left ELTO. We are grateful for their work on behalf of the people of Ontario. In particular, I want to acknowledge Peter Zakarow. As a former Chair of the CRB as well as the Associate Chair, he was key to integrating the tribunals into the cluster and to successfully transitioning the CRB into ELTO.

I look forward to working with members, staff, stakeholders and the broader community throughout the 2013-2014 fiscal year and beyond to refine and enhance the services provided by ELTO.

Sincerely,

Lynda Tanaka

Executive Chair - Environment and Land Tribunals Ontario

March 2013