

Editorial ? OMB could use replacing

It was announced a couple of weeks ago that the Province is planning to introduce legislation that would see the Ontario Municipal Board (OMB) replaced by local planning tribunals.

We believe there is a lot of merit in such a plan, although the exact make-up of such tribunals is not yet known. Mayor Allan Thompson was quite right to point out ?the devil's in the details.?

It is true, however, that a new system needs to be put in place, a system that respects the concept that the planning of communities has to be based at the local level. That means the people who live or work there, those who have invested substantial portions of their net worth in homes or businesses, those who have well and long-established vested interests in the community must carry a certain amount of clout, perhaps more than they have in the past. And maybe the person who has the deepest pockets and can afford the high-priced experts and counsel should have to defer, to an extent, to the local will.

When we refer to the ?local will,? we of course are thinking of the decisions made by the local and duly-elected councils in a municipality, decisions usually based on the good professional advice offered by well-trained and paid municipal staff. These people (both councillors and staff) are employed by and are accountable to the people closest to the ground and most impacted by municipal planning.

Such judgement must always carry some weight, but that clout cannot ever be unlimited.

We always have to be mindful of the fact that staff, being human, can sometimes get things wrong, just as councils can get them wrong, too. And yes, OMB hearing officers are just as capable of ?blowing it,? as well. There has to be a balance and we wait to see what the government at Queen's Park is going to come up with.

One of the proposed changes would see the removal of ?de novo? hearings for most planning appeals. It has been a practice at OMB hearings to treat appeals of land use planning decisions ?de novo,? meaning as if the municipality had made no previous decision. That has gone on for some time and begs the question of what's the point of having elected councils in the first place, if their decisions are going to be ignored in the event of an appeal?

Pending what the details of the proposal contain, we think it does represent a refreshing change in the Province's attitude toward municipalities. Over the years, there have been clear indications the people at Queen's Park hold the local level of government in contempt, and it's not just the Liberals who have been guilty of that. It was after all, the Progressive Conservatives under Mike Harris who amalgamated six municipalities in Metro Toronto into one ?megacity,? opposition and public opinion be damned. Any change to such attitudes is welcome, and we are hopeful.