

'It's time for Toronto to get the keys to the city'

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As former chief planner of Toronto, Paul Bedford knows all about the Ontario Municipal Board. He appeared before it on numerous occasions and had to live with the consequences of many of its decisions.

Now, he says, the time has come for the city to break free of the OMB and take control of its destiny.

Bedford argues that Toronto should begin the process by implementing some of the new powers it received through recent amendments to the City of Toronto Act. The bill recognizes that the city is a "mature" level of government and that it should be able to "determine the appropriate mechanisms for delivering municipal services."

No service is more basic than that of urban planning; indeed, it is essential.

The OMB, which was created in 1897, is a quasi-judicial body that has final say over all development issues in the province. Despite the fact that its members are unelected and unaccountable, the board's word is law. Though intended as a means of appeal, it has become the de facto planning agency throughout Toronto and Ontario.

According to the new City of Toronto Act, however, "The City may by by-law constitute and appoint one appeal body for local land use matters, composed of such persons as the City considers advisable."

The act stipulates that this appeal body "has all the powers and duties of the Ontario Municipal Board," except where the provincial interest is involved.

In a case such as the Queen West Triangle, where the OMB ignored the submissions of both the city and local residents to deliver the neighbourhood to a trio of developers, the creation of a Toronto appeal body could have made all the difference. There was no provincial interest involved in the decision and, theoretically at least, a better outcome might have followed.

"The problem," Bedford insists, "is that the OMB is not a mechanism that leads to a great city. The planning process in Toronto is focused on litigation rather than on city-building. The planning department must devote enormous resources to preparing for the board, which means it can't do the kind of proactive work it should be doing.

"There's nothing like the OMB anywhere else in the civilized world," Bedford continues. "Too often it leads to lousy results. It's time for Toronto to get the keys to the city."

Keeping in mind that Toronto was incorporated in 1834, Bedford may have a point.

Though he makes it clear "there are good people at the board," he's adamant that "it's the wrong mechanism to build a great city."

Though so far the city has said only that it's interested in studying the option of setting up its own appeal

body, it really has no choice in the matter. It must happen.

Certainly, there will be councillors who would rather have the OMB around to blame for their reluctance to do the right thing, but the fact is that the infantilizing presence of the OMB is one reason the city has refused to grow up.

"It's time for the city to stop complaining and seize the opportunity presented by the new City of Toronto Act," Bedford says.

"We have to take action, be prepared to make the hard decisions and be held accountable. That also means we have to dedicate the necessary resources to planning. Final decisions should be up to council, but there could also be an advisory body with the authority to make recommendations on all local planning matters.

"At least the city should step up to the plate and start to implement some of the new powers it has under the act. We will never change council's behaviour until we get serious about these new powers. Until we do that, we will never know."

Bedford wants a larger debate about what kind of planning Torontonians want.

He recalls that after David Crombie was elected mayor in 1972, the planning department opened 12 site offices around the city.

He also remembers that, back then, the OMB was "very friendly to neighbourhood demands."

He points out, too, that the OMB ruled in favour of the city several years ago when it appealed Home Depot's plans to build a big box store on the waterfront.

"We miss so many opportunities in Toronto," he laments. "It's been that way for a long time. But the principles enshrined in the new act are powerful. We should act on them now."

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