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## `Outrageous' OMB move proves board must go

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"It's outrageous," says an angry Toronto Mayor David Miller. And he's right.

His Worship was talking about plans now afoot to construct a 7-hectare big-box retail complex on Eastern Ave. at Leslie St. Though city council has already rejected the proposal, the Ontario Municipal Board agreed to hear the case. And to add insult to injury, the OMB also agreed to piggyback another property, just east of the original, to the hearing. If the first is approved, so is the second.

As Miller says, this is outrageous. The proposal, from an outfit called SmartCentres, calls for a typical suburban big-box centre. Wal-Mart is a frequent anchor tenant in the company's developments, and in this case would sit in an ocean of parking big enough for 2,000 cars.

When SmartCentres presented its case in 2004, the city said no. The site in question, occupied by Toronto Film Studios, has been designated as employment land, not to be confused with retail or commercial. But in a textbook example of OMB arrogance, the quasi-judicial body decided it knows better than the city about how growth should occur here. Is it any wonder so many feel so much anger against the OMB, a shadowy unelected body that should have been abolished decades ago?

Of course, lawyers will argue the case before an OMB member functioning as a judge. There will be a winner and a loser, decided by someone whose name we don't know, whose face we've never seen.

In its own way, the story sums up everything that's wrong about the state of planning and city-building in Ontario. Council may be bad, ineffectual and dysfunctional, but for better or worse its members are elected and are accountable. In fact, these councillors *have* made a decision about the site – and it doesn't include big-box retail.

Aided and abetted by the OMB, SmartCentres and Wal-Mart are able to give the finger to city council and all Torontonians. They can tell us to get lost with impunity, and carry on their own merry way.

"I also think it's outrageous," says local councillor Paula Fletcher. "Everyone is quite shocked that the OMB agreed to include the second property in the ruling. Last week I tabled a motion to appeal the addition of the second site. I think this shows where the

gaping holes are in the planning process. This is the studio district. Filmmaking is one of our strategic industries; it's worth \$750 million annually and employs 25,000 people. Everybody's worried this will kill the studio district."

The city has also asked Queen's Park to declare a provincial interest in the case, which would mean it could overrule the OMB. So far the silence has been deafening.

From every point of view, a Wal-Mart would be a disaster for the neighbourhood and the larger city. It would increase traffic levels and drive out good-quality jobs. With its predatory pricing techniques and minimum-wage mentality, Wal-Mart doesn't belong in any city, let alone a downtown district that's reinventing itself.

Even more important is Toronto's right to control its own destiny. As poorly as we have fared in that regard, this takes precedence over the OMB. Formed in the late 1800s, the board has become an anachronism and an obstacle throughout Ontario. Not only does it stand in the way of decent planning and managed growth, it leads to the infantilizing of municipal councils. Toronto is no exception.

Miller and Fletcher are understandably furious with the OMB. We should be, too. The board's actions are a slap in the civic face. The sooner it is dismantled, the better, for Toronto and Ontario.

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