

Expert sounds alarm over OMB

Says province, minister have some explaining to do after board vetoes council on Manotick plan

BY MOHAMMED ADAM, THE OTTAWA CITIZEN APRIL 14, 2009

OTTAWA The City of Ottawa should demand an explanation from the provincial government on how the Ontario Municipal Board can overrule city council on a massive expansion of Manotick despite promises three years ago that Ontario cities would control how they grow, one of Ottawa's leading urban planners says.

Barry Wellar, professor emeritus of urban planning at the University of Ottawa, says if the OMB, a provincial agency whose members can override city planning decisions, can ride into town and repudiate elected representatives on growth that could cost taxpayers millions of dollars, there's no point in doing long-term planning in Ontario. Wellar says Ottawa council should demand answers from the government, particularly Municipal Affairs Minister Jim Watson, a former Ottawa mayor who represents Ottawa West-Nepean.

"What Dalton McGuinty said a few years ago, what other ministers said, was that the government was going to reform the OMB and give cities the power to control their own futures. Then council makes a decision on how it wants to grow and the OMB comes to town and repudiates it", Wellar said.

"It seems like fraud. You are the government and you are saying to municipalities, 'Control your destinies, plan what you can afford', and then the OMB walks in and says, 'We don't care, we will do it our way. Jim Watson has to explain this'".

"If AMO, the Association of Municipalities of Ontario, is not worried about this, they should. It makes planning a waste of time".

Neither AMO president Peter Hume who is also the Ottawa councillor for Alta Vista and chairman of the planning committee nor senior city officials could be reached for comment because of the Easter Monday holiday.

The development at the heart of the controversy is the 1,400-house Mahogany subdivision planned by Minto Communities Inc. In February 2008, council rejected the project because not only did it not fit with the rural character of Manotick, it fell short of the city's official plan and the village secondary plan.

Minto appealed to the OMB and, last week, the board overruled the city and gave the developer the green light for a plan that could double Manotick's population by 2020.

The city spent \$638,000 in a futile bid to stop the development, which was initially approved by its planners.

Area Councillor Glenn Brooks just can't understand the board's lack of regard for council's decision.

Wellar said planning changes were supposed to empower towns and cities to make final decisions on growth. He said Bill 51, which became law in 2006, was sold to the public as the legislation that would take major planning decisions out of the hands of the OMB and hand them back to elected politicians.

"We want to put land-use planning decisions back where they belong in the hands of municipal decision-makers. We want to give Ontario municipalities more power to determine what is best for their communities", then Municipal Affairs minister John Gerretsen said in 2005.

But the Minto decision, Wellar said, shows that "the law is a failure".

He said with the development likely to cost millions of dollars in new services and maintenance costs over several decades, the city should make sure that the developer pays "every single cent for every piece of road, sidewalk, pipe" that is required.

"The public should not be stuck with paying millions for this", he said.

One of the problems councillors faced was that their planners backed the development and Wellar said the city should review the principles by which staff approve such projects.

"This contradicts everything the city has been saying about smart growth. It is inconceivable that city staff and politicians should be on different sides of the ledger on this", he said.

Barry Padolsky, an Ottawa architect and urban planner, said he hasn't read the OMB's decision and couldn't say whether it is a one-off or sets a precedent that would erode the city planning authority. But he noted that across Ontario, and Canada, the overwhelming view is that towns and cities must have the last word on major planning decisions.

"There is a consensus that in the field of municipal planning, we should be moving towards removing decisions from provincial tribunals", Padolsky said. "Municipal

governments have matured and people expect that in matters of planning, the buck stops at the municipality.”

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