

MAKEOVER NEEDED: Reforming the Ontario Municipal Board (OMB)

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What is the OMB?

It is the highest planning appeals body in Ontario. That is, the OMB gets the final say on all development proposals in Ontario cities and towns.

Why the controversy?

- Opponents argue that because OMB members are **unelected**, they are **unaccountable** and **undemocratic**
- OMB decisions have disproportionately favoured development interests
- 90 day appeal rule is too short of time frame to do comprehensive planning
 - OMB adjudicative process is too legalistic and adversarial



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Research Question

Are these criticisms of the OMB well-founded? If so, how can the OMB be reformed?

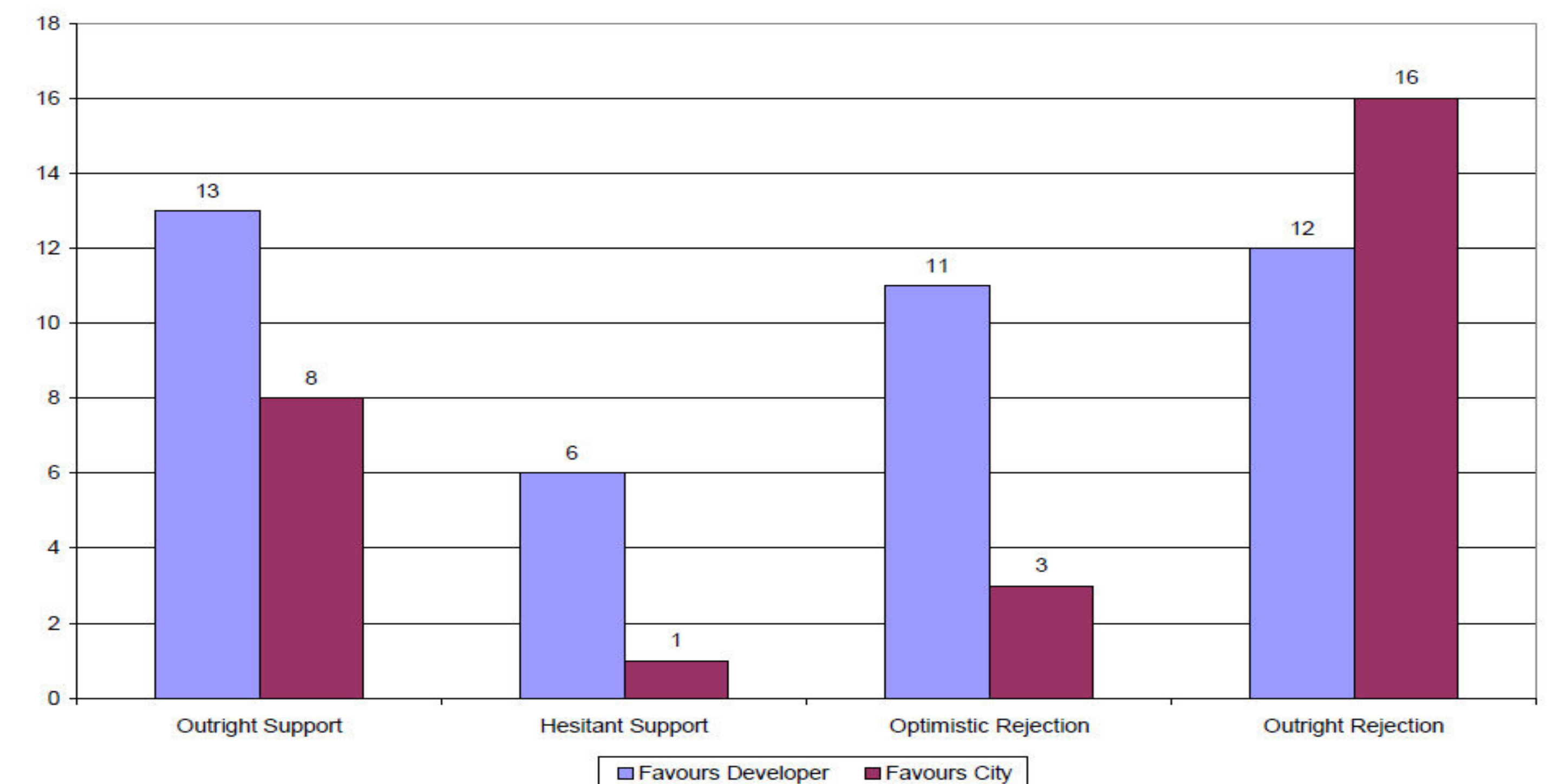
Recommendations

The OMB's powers should be scaled back so that it provides a **true review function**, rather than taking on the role of de facto planning decision-maker. Municipalities' Official Plans and planning decisions **should carry more weight**, with the OMB only able to overturn them in cases of clear error or impropriety.

Findings

- OMB adjudicative process is expensive and time-consuming, placing local residents and neighbourhood groups at a disadvantage
- OMB makes decisions that undermine local Official Plans created through public consultation

Chart 2: City Planning's Opinion and OMB's Verdict



Taken from Moore (2009)

- OMB has shown at times that it can adjudicate holistically
- Kumar (2005) found that urban design principles were well-adhered to in OMB decisions made on six development proposals in Toronto