

Guelph Mercury
EDITORIAL
Wal-Mart ruling truly appealing

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Any hint that the Residents for Sustainable Development were pursuing a frivolous court appeal in their battle against a Wal-Mart in Guelph's north end was dispelled in spectacular fashion yesterday.

In a ruling out of Toronto, Ontario Superior Court Justice Ellen Macdonald gave the green light to the Guelph residents' group to challenge an Ontario Municipal Board ruling that approved the establishment of a Wal-Mart big-box outlet at Woodlawn Road and Woolwich Street. And Macdonald says the question of religious freedoms raised in this case is one that must be explored because of the broad public implications.

This comes as a welcome tonic to the dismissive attitude displayed in the January OMB ruling, which sniffed that if the Ignatius Jesuit Centre's religious freedoms were infringed, that infringement was "trivial and unsubstantial."

There's something satisfying in this showdown, which crassly stated pits God against Wal-Mart, or more broadly against the gods of rampant commercialism which, for better or for worse, have altered the social landscape of North America.

Sunday shopping has now become a fixture. What was once a day of rest has, for many, now become just another day at the shopping mall.

Now, a religious centre has raised the very legitimate concern that the peace and tranquility offered at its retreat will be jeopardized if customers begin streaming to a nearby big-box store on Sunday and every other day of the week. What makes Judge Macdonald's decision to grant the residents' group the right to appeal the OMB ruling so intriguing is the introduction of Charter of Rights dimensions to a process that normally limits itself to land use policy.

As communities continue to expand, development will begin to encroach more and more into areas that once appeared sacrosanct, such as suburban or rural religious retreats or cemeteries. Entrepreneurs will continue to eye these sites as prime real estate that can accommodate heavy consumer traffic. But they should also keep an eye peeled to the very real religious and cultural sensibilities of the community.

Those who want Wal-Mart to set up shop in Guelph sooner rather than later will have to wait until a court rules on these important issues. It's a small price to pay, because a ruling in favour of religious freedoms could indeed have a wide-ranging effect on future planning debates in communities across Ontario, and possibly across Canada.