

*Toronto Island Airport*

City of Toronto which surround the Toronto Island Airport. One of our major objections with respect to Bill C-76—one which we have had from the outset—is that it is not clear whether this particular lease arrangement is still in force. In fact, in committee we made amendments in this regard and each and every one was defeated. One of the first amendments we proposed was that in respect of the interpretation of this piece of legislation, it should be specified clearly, in black and white, and in simple English, that the terms of the agreement, and the conditions embodied therein, should be in force in the guiding principles of Bill C-76. The amendment was rejected.

Clause 7 of the Bill states:

—the Commissioners shall, in accordance with the terms of any agreement entered into by them, and where there is no such agreement, may . . . make by-laws for the regulation and control of the Airport and all persons engaged in the operation of aircraft at the Airport, including by-laws prohibiting the landing or taking off of

(a) jet-powered aircraft, and

(b) aircraft of any kind on the grounds that aircraft of that kind generate an excessive level of noise on landing or taking off.

This piece of legislation enables the commissioners to draft by-laws, including by-laws which would prohibit jet planes and other planes which make excessive noise. Conversely, it is clear that they could also make by-laws allowing those jet planes which were not permitted in the previous agreement to operate from the Toronto Island Airport.

When one considers that the conditions of the lease arrangement are not specified in any part of the Bill, and when one couples that with the powers which the commissioners will be granted to draft by-laws, one realises that that is why I say the Bill is faulty and, perhaps, sneaky. The confusion in the Bill provides a window which will allow the commissioners, at some time in the future, the ability to draft by-laws which would permit these types of planes to operate. I am not saying that this would happen this year or next, but it is something that could happen in five years' time.

**Mr. Robichaud:** They won't be here in five years.

**Mr. Marchi:** My hon. friend says not in five years because they will not be in government. That is a very true statement.

What I have pointed out is a serious part of the legislation. While we are proposing to transfer responsibility from the City of Toronto to the federal Government to operate the airport, we are losing some conditions which, in 1983, the citizens fought very hard to include in the lease arrangement in order that their communities and interests would be protected. The Bill is very wishy-washy on those terms and on those conditions.

There is another issue to which we in the Liberal Party took exception, that is to say, that the Government did not permit the right of occasional access for individuals living on the Island. Witnesses who appeared before the committee said that during certain times in winter the ferry they take to get to the Island is not permitted to dock at the regular place and it therefore docks at the Toronto Island Airport. These residents would get off the ferry at that point, cross some airport land

and go into their communities and homes. What the witnesses basically said is that they would like some kind of agreement that when they disembark at the Toronto Island Airport, they are permitted to cross those lands to get to their homes. We put that suggestion into the form of an amendment. That amendment was turned down. We still do not know why. What would be so wrong if we were to allow the right of way, if you will, of these individuals during a particular part of the year to travel a few feet across that land in order to get to their homes? By refusing this, what we have done is to have left this very important tradition, if you will, to the good will of the commissioners, which then becomes simply a discretionary favour. We in this Party cannot explain why the Government did not extend that courtesy to individuals who have already made this their practice over the last number of years.

● (1420)

There is also the question of expropriation. Here again is an indication of the fuzziness and confusion of this particular piece of legislation. In Clause 5(1) there are provisions for the commissioners to extend expropriatory powers, and in Clause 5(2) those powers are removed. Therefore, witnesses came forward to the committee saying that if Clause 5(2) says we do not have these powers, then why bother having Clause 5(1)? The other important question is, why introduce those new powers? It goes back to the terms of the lease. One of the conditions was that the Toronto Island Airport was not permitted to expand beyond its present capacity. Therefore, we would not need the powers of expropriation. For what purpose would you need expropriatory powers if in fact the airport, by the terms and conditions of the lease, was not permitted to expand? Therefore, when individuals living on the Island and interest groups look at Clause 5(1), they are alarmed, and for good reason. They feel that the condition that the airport was not permitted to expand will be undermined. Once again, we made suggestions in committee and the Hon. Member for Davenport (Mr. Caccia) during second reading drew to the attention of the House and the Minister—I believe it was the Solicitor General (Mr. Beatty) who introduced second reading for the Government—the suggestion that he should take a close look at the whole question of expropriation. He enforced that by saying that there was no mention in the Bill of an appeal process for those citizens. The whole question of expropriation is one which gives a very alarming signal to Torontonians, particularly those individuals who live on the Island.

Another aspect of the issue with which this Party cannot agree is with respect to the consulting process which the Government undertook. It was a struggle to get witnesses to come before the committee because Conservative members of the legislative committee who looked at Bill C-76 did not want to hear witnesses.

**An Hon. Member:** Order.

**Mr. Marchi:** They agreed reluctantly to hear only a number of witnesses in a very hurried-up process.