

# The Spadina

## The lengthening tail of the world's shortest expressway

By Paul Reinhardt

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The unprecedented 2 to 1 verdict of the Ontario Municipal Board, approving Metro's request for additional funds, has been a stunning blow to everyone in the anti-Spadina movement.

Were we wrong in thinking that the expressway and the type of growth it implies would be harmful to the city?

If we are still convinced that the expressway should not be built and that our criticisms of the project are valid, then how do we interpret the rejection of those criticisms by the two vice-chairmen?

It appears that Shub and McGuire, along with the majority of Metro politicians, see the Spadina as a basic element in the growth of Metro Toronto, an element so basic that we can readily sacrifice valuable neighborhoods and ravine land for it.

Moreover, all these gentlemen seem very concerned that Metro remain "reliable" in its development patterns.

In other words, once Metro starts a major project, and investors start buying up land for development, the investors want assurance that they won't be left holding a bag full of worthless property.

### Who wants it?

The Shub and McGuire decisions must assume that the Metro politicians, as duly elected representatives, speak for the majority of people in their constituencies, and that the "pro-expressway" position represents a "majority" sentiment in Metro.

We know, however, that the appearance of public support for the Spadina has largely been the work of a few politicians, such as North York Controller Irving Paisley, Webb & Knapp, who built Yorkdale, and Simpson's and Eaton's who have stores there.

Contrast Paisley's boast that he could

get "thousands" of signatures on a pro-Spadina petition with the more than 16,000 signature "stop-and-review" petition given to the Metro Transportation Committee last spring.

Contrast the few pro-expressway briefs received by that committee with the more than 200 "stop-and-review" briefs.

In contrast to the "Stop-and-Review" sentiment, the "Go Spadina" movement has done nothing to even suggest it is an expression of popular support for the expressway.

### Assume a majority

Both Shub and McGuire not only assume that the majority wants the Spadina, but conclude that the Spadina would benefit the majority of citizens as well, while stopping the expressway and undertaking a transportation review would benefit only a few people.

When we consider the widespread opposition to the expressway which crosses regional, class and generational boundaries, we might well question who is the majority and who the minority on this issue.

Furthermore, given Metro Council's enthusiastic support of the project, we might ask Metro councilmen to tell us who among their constituents is asking for the expressway. (The Willowdale Enterprise took an opinion survey of its readers last spring and discovered an even split for and against the expressway.)

Given the support of Webb & Knapp, Simpson's and Eaton's in 1963, and the post-OMB decision comment by Paisley that the go-ahead will give a boost to urban development in the Northwest Metro corridor, we might well begin to ask ourselves whether the Metro politicians, and indeed Shub and McGuire, are not more interested in serving the minority needs of developers and investors than in serving the needs of the majority of citizens in Metro.

Rather than assuming that the majority of citizens in Metro want the expressway, Shub and McGuire would have done well to ask Metro politicians how they came to vote for the project in the first place.

As we will see later, Shub and McGuire disagree with OMB chairman Joseph Kennedy, as to the validity of the technical arguments for and against the project. An important consideration for them, was the simple fact that Metro has already begun work on the project.

### A landmark

Although Kennedy was out-voted by his colleagues, his dissenting opinion can be seen as a landmark in the anti-Spadina fight and the history of the OMB. A recognition of all the major points of the anti-Spadina, anti-expressway position can be found in the Kennedy brief.

In voting against Metro's request for further funds, Kennedy accepted many of the arguments against the expressway

which have been ignored or ridiculed by Metro politicians and planners. He acknowledged that

"A great many important factors had changed" since the OMB last considered the Spadina project, namely our awareness of "social costs" and the dangers from "air and noise pollution."

Inner-city residential areas and ravines are considered "unique on this continent," a "priceless heritage" and strong efforts should be made to preserve them.

"Majority needs should prevail over minority and individual rights only if the project proposed in the public interest can be justified and supported."

The OMB Chairman considers Metro Council squarely to blame for not adopting an official plan as is required under the statutes of Metro Corporation. He suggests that if Metro Council had gone to the board five years ago when the unofficial plan was prepared, the question of Spadina Expressway could have been fought out then, through the channels of citizen involvement provided for in the official plan process as set up by the Province.

Perhaps most important for Kennedy, the expressway could then have been discussed in the proper context, taking full consideration of proposed land use and development densities. Furthermore the Official Plan Procedure would have encouraged public discussion and approval of the project.

Metro Planning Commissioner Wojciech Wronski was criticized on two counts by Kennedy. First for not pushing for the adoption of the official plan, and for his weak excuse that outside municipalities objected to a Metro plan governing their land use. Indeed, if Wronski's argument were taken to its logical conclusion, there could be no integration of planning between municipalities, and the rationale for a Metro-wide planning staff or even Metro-wide government, would be lost.

### Study suppressed

Wronski was also criticized for his role in suppressing the controversial Kates, Peat, Marwick & Co. 1965 Travel Demand Study, which was submitted to his department in March of 1970 but was never made available to the Metro Planning Board or Council or even Sam Cass, commissioner of roads and traffic.

The Kates, Peat, Marwick study calculated average 1965 travel speed as 12 miles per hour and the average trip time as 56 minutes and called into question the adequacy of the road system of which the Spadina Expressway is a vital link.

### No more roads

Kennedy feels that the present

inadequacies of the transportation system in Metro cannot be solved simply by building more roads.

He makes a simple comparison of the capacity and cost of rapid-transit vis a vis expressways and concludes that there are major advantages to building rapid-transit facilities.

He suggests that Metro undertake a cost-benefit study of public transit, rapid transit alternatives before any more expressways are built.

In giving his preliminary instructions to his colleagues and to the counsels, he stressed that Metro's application would be treated as a new application, and full consideration would be given to "necessity and expediency" despite the fact that work had already been done on the project.

### Should not halt Spadina

In contrast, Shub argues that he is primarily concerned with discerning whether Metro Council, in 1963 and 1969, had established in its own mind that the facility was needed, and would not cause undue harm to the community.

Shub and McGuire share a strong belief that the OMB should not halt a project of the size and magnitude of the Spadina Expressway once it has begun.

This can be understood as a concern that the planning process of municipal government be "reliable," that projects develop in an orderly fashion without major alterations. Shub characterizes this "reliability" as a basic right of the public.

Kennedy, whose request that Metro adopt an official plan shows his concern with an orderly, planning process, places his emphasis on the preservation of inner-city residential neighborhoods and the natural beauty of ravine land.

### The Bad Trip

Let us look back to the early days of the Spadina. The following summary is taken almost verbatim from *The Bad Trip* by Nadine and David Nowlan:

In 1956 our elected representatives shelved the plans for the construction of a northwest artery into the city in what is now known as the Spadina Corridor when a Planning Board Report showed that there was very little need for a facility in that area. But two years later the project was again being discussed, in terms of improving transportation for the northwest part of Metro. In 1959 Metro Council approved the \$1,000,000 construction of a cloverleaf at Highway 401 between Dufferin and Bathurst. Reliable reports at that time indicated that it had been given to Eaton's and Simpson's who were considering construction sites in North York, that the Spadina Expressway would

be built to assist in the development of this area in spite of the fact that the cost of the project was not known, the Metro Council had not approved it, nor had the Ontario Municipal Board been asked to approve the rapid transit portion of the project. It was over a year later that the general public learned of the plans, when Metro Chairman Frederick Gardiner announced that the construction of the "Spadina Expressway" should start as soon as Eaton's and Simpson's begin construction of their new North York stores.

A stated commitment to provide transportation to the North York community was actually preceded by a commitment to the two retail giants to provide easy access to their new stores.

In regard to the appeal to the Cabinet, we have some important advantages. There is a provincial election approaching, and if the Cabinet attempts to ignore our request for a halt to construction and a full scale review of transportation, they must face the consequences that will have at the polls.

### Here comes Yorkdale

The Metro politicians involved might well argue that developments such as Yorkdale benefit all of us, if not directly as property owners, then indirectly through increased tax revenues, through the creation of jobs, and through the increased availability of goods and services. Such arguments have some validity, for such benefits, though indirect, are still benefits, and reach more people than simply those few who made the major financial profit from Yorkdale.

But we must also point out that a great many of the North York community and in Metro at large either choose not to shop at Yorkdale, or are unable to shop there because they lack transportation or find it inconvenient or too expensive.

To argue that a segment of the community benefits through jobs, and another segment benefits through shopping at Yorkdale should not cause us to forget that the major benefits from Yorkdale accrue to the wealthy few who own the land and major concessions.

We should also remind the advocates of development that the taxes of all Metro citizens went into constructing the cloverleaf and expressway which now serve Yorkdale. Whether or not we receive benefits, we have paid indirectly for the development of the area.

### Can we do anything

If we are still convinced that the Spadina should not be built, if we want a city in which the politicians listen to the people and not just to developers and big business, what can we do now that the OMB has ruled against us?

Should we conclude that the political process has run its course, that we have had our chance and failed? No.

First of all, there are a number of legal channels still open to us. There is the possibility of appealing the decision on procedural grounds to the provincial court

of appeals. This could lead to the granting of a new hearing before the OMB.

There is also the possibility of appealing to the Cabinet. A Cabinet appeal could lead either to a new hearing before the OMB or to a complete reversal of the decision.

Finally, there are many legal procedures which individuals might take, such as fighting appropriation of their house by bringing suit against the Metro Corporation or the construction companies.

### Our advantages

In regard to the appeal to the Cabinet, we have some important advantages. There is a provincial election approaching, and if the Cabinet attempts to ignore our request for a halt to construction and a full scale review of transportation, they must face the consequences that will have at the polls.

Furthermore, the logic and steps necessary for a stop-and-review cannot be overlooked as easily now that they have been articulated by the chairman of the OMB, who gave the go-ahead in '63.

### Will they li listen?

There are some of the anti-Expressway forces who expect the Cabinet not to listen to our appeal, and therefore think that the battle has been lost. They should ask themselves one question: Do you still believe that the expressway should not be built? If so, then we should waste no time in letting the Cabinet know that we have not given up.

We must do everything possible to show the Cabinet that the fight to stop Spadina and save our city, far from being over, has just begun. In the words of OMB Chairman Kennedy: "The situation simply cries out for an agonizing reappraisal."

