

*Relocation of Railway Lines*

ties, on the other hand, is owned 100 per cent by Canadian Pacific Investments Ltd. which has holdings in a host of companies including Cominco, MacMillan-Bloedel and others. Strictly speaking under the law, when we are dealing with Metro Centre what we are really dealing with is a firm called Metro Centre Developments Ltd., and this firm is owned by subsidiaries of the two railways. The railways, as far as their financial relationship with the development is concerned, are several times removed from it.

How would it be possible for us or for the commission to follow the letter of this bill, which will be an act it is presumed, and be able to indicate that the railways benefit or do not benefit? The railways can say, "You have moved our tracks, it has not cost us anything to establish north of Toronto, so it is not up to us to worry what is done with the land". Then under the shell game which corporations can play it will be very difficult for the commission or the public to indicate just who does benefit. Some tightening up must be done in the two camps. The "no win, no loss" provision could be a stumbling block in the actual relocation of railway lines. We should determine just what is meant by this provision. Just what do we mean by a "railway," and what do we mean by the corporation which benefits in this particular application?

I think it is important to understand that, surprisingly enough, this act may work, although perhaps inadvertently, more to the benefit of the railways than to the benefit of the public or urban centres in general. I will give an example of what I mean. It could suit the railway to move operations from downtown Toronto. It may be preferable for them to establish their passenger traffic north of the city, where the terminal is, to coincide with the major developments of freight rail traffic there in the last few years. Under this act the public would be paying for a relocation which the railway desires in any case. Even after all the compensation factors have been taken into consideration, and even after we had considered net benefits and so on, assuming we can sort out the benefits to the railways, what we might be doing is performing a favour for the railways of Canada. I am a little suspicious of this. Surely if this act were doing its stuff it would cause the railways to move for the sake of the national interest; and if such moves were to have a serious effect on their operations, surely we would have heard about it.

There is another item which is rather disturbing to some of us in this part of the House, and it concerns clause 5(2) on page 6 of the bill. The subsection provides that after the commission has received an application in good order and has checked it according to the provisions of this bill, it may hold hearings thereon if it considers this desirable in the public interest. This hearing provision is repeated with regard to grade crossings on page 12, clause 16(3)(e). There again there is the possibility of holding a hearing. When the bill comes to committee of the whole we in this part of the House shall move an amendment to make a hearing mandatory. The amendment will have the effect of forcing the commission to hold a hearing to which the public shall be invited and at which it can make representations.

I will give an example of the importance of such a provision. First of all, a general example. There will be in

[Mr. Harney.]

many communities duly elected municipal governments which will see fit, according to their best lights, to agree to place an application before the commission, in co-operation with the railways, for a certain relocation plan. But even though the municipal government and perhaps even the provincial government in question may put forward this application, there may, nevertheless, be a significant part of the citizenry of that community which will not like the particular development plan. We know from the recent history of this country of the popular demand for hearings at which the people can make an input, at which people in urban communities are given a chance to have their say.

I come now to a particular example. A very few years ago it was the full intention of the province of Ontario and the council of metropolitan Toronto to proceed with the construction of the Spadina expressway. Most elected politicians were in favour of it but there was a small and growing section of the community in Toronto which began to object. Finally, after struggling for a long time and with great effort, they were allowed a preliminary hearing. This hearing led to another and to fuller hearings, until finally enough pressure was put on the municipality of Toronto and the government of Ontario that the decision originally taken by both levels of government to proceed with the building of the expressway was reversed.

● (1740)

Why do we not include a provision in the bill to make a hearing in each application mandatory? If there is no public interest, hardly anybody will turn up at the hearing and the commission will have spent money on an ad or two in the local newspaper; but if there is public interest, people should be heard. I think the time has come in this country for citizens to raise their voices in order to be heard.

Members on both sides of the House, NDP members as well as Conservative members, have pleaded with the government, particularly the Minister of Transport (Mr. Marchand), to allow a new, full hearing on the building of Pickering Airport. This sort of thing need not be done every time; but why not provide in the bill for it to be done automatically? If an application is brought forward which would involve major change and disruption or dislocation of the life of the community, that community would be given the chance to have its say, to provide its input.

Let me hold up Toronto, my community, as an example. There are enormous differences of opinion in this city as to how the Metro Centre development should proceed. When we speak of Metro Centre we are speaking of the spending of billions of dollars; we are speaking of the future shape of our city; we are speaking of a decision which will change and alter forever the very shape and nature of our city. There are enormous differences of opinion within Toronto about it and, we must allow these different opinions to be heard.

Let me repeat, for the benefit of the minister and of the House, that we intend to bring in amendments. I hope my friends to my right have heard me. I do not see any of them nodding, although I see some of them looking.

Mr. O'Sullivan: I am nodding.