

Supply—Public Works

Mr. Scott (Danforth): Would the hon. member permit a question. Is he asserting by the suggestion he has made that Mr. McCallum deliberately withheld communication of that letter until that time?

Mr. Cowan: I am not responsible for the deductions any hon. members may make from facts which I put forward. I am reading from the *New Toronto Advertiser*, and this has never been denied.

Mr. Scott (Danforth): I suggest that that is a slur against Mr. McCallum. My hon. friend should either make a specific charge or withdraw the slanderous insinuation he has just made. He should make that statement outside the house, not inside.

Mr. Cowan: My hon. friend is welcome to his own opinions. I should now like to read a letter, Mr. Chairman, dated June 28, 1965, sent by the Department of Public Works. The house was adjourned on June 30. This letter is with regard to fill going on the property of Millgate Park Investments. The Minister of Public Works writes regarding fill in lake Ontario to the secretary of the Long Branch Lakeshore Property Owners Association:

I wish to acknowledge your letter of June 3, 1965, and also refer to your letter of June 7, 1965, addressed to the Prime Minister.

I do realize what a vexing and frustrating problem you have in your area created by the dumping of fill into Lake Ontario, and the construction of high rise buildings which mar the skyline. I also realize that sympathy does not help to solve your problem.

The construction of high rise buildings comes under the jurisdiction and is the responsibility of local government who issue the building permit and enforce local bylaws. The federal government has no authority in this particular field.

An hon. Member: Hear, hear.

Mr. Cowan: They never asked for that information; it was given to them gratuitously. The letter continues:

The Department of Public Works, as administrator of the Navigable Waters Protection Act, can be concerned with Millgate Park Investments Limited proposed development only in so far as it relates to navigation. It is the opinion of the officials of this department that once Millgate Park Investments Limited construct a retaining wall to contain the fill and place navigation lights, the project will not substantially interfere with navigation.

You can see from the letter, Mr. Chairman, dated January 21 that an employee of the department is instructing them to take immediate steps to correct the situation and to report to him what they are doing or he will order removal of the fill at the expense of the

[Mr. Cowan.]

people who put the fill in there. On June 28 the Minister of Public Works himself says:

It is the opinion of the officials of this department that once Millgate Park Investments Limited construct a retaining wall to contain the fill and place navigation lights, the project will not substantially interfere with navigation.

Despite the fact that in answer to one of my questions one of the ministers said that this fill does not interfere with navigation, the minister turns around and under date of June 28 says they should put up lights. The letter continues:

Millgate Park Investments Limited have requested a delay in submitting their plans for the retaining wall as the type of wall will depend on the kind of buildings to be constructed. This request has been granted.

I want you to note, Mr. Chairman, the word "immediately" in the letter under date of January 21, because in the letter under date of June 28 the minister himself writes:

Millgate Park Investments Limited have requested a delay in submitting their plans for the retaining wall as the type of wall will depend on the kind of buildings to be constructed. This request has been granted.

I understand that Millgate Park Investments Limited are negotiating at the present time with the local authorities as to the type of building to be constructed on their site.

I wish to assure you that this department does not consider your problem to be a small one, and as requested you will be advised when a definite decision on the Millgate Park Investments Limited project is made by this department.

And now, Mr. Chairman, this problem of Millgate is further made interesting by the fact that the deed to the waterlot granted by the province of Ontario to a Mr. Thomas J. Wilkie in 1889 has in it a clause seldom found in a land grant from the Crown. This matter was discussed in detail with two of the highest officials in the Department of Lands and Forests of the province of Ontario, who were amazed to find a handwritten clause in the body of the deed. As I say, it is handwritten and says in the last paragraph:

This grant is accepted by the grantee upon the condition and understanding that should any claim be made or preferred to the above premises or any part thereof by the government of Canada or its grantee, or otherwise as to the validity of this grant, the grantee hereof shall not be entitled to claim compensation from Her Majesty or the government of this Province by reason thereof.

The title to the land is in jeopardy, and it is so stated here on the title. But no effort has ever been made to prove title. It has been allowed to be transferred to Millgate Park Investments and they are filling in a waterlot which the ablest lawyers we have been able