

and then the privy council take the opposite stand, but I believe in the past there have been occasions on which buildings have been erected in inopportune locations near the federal district driveway and which were not approved of by the commission. It is possible that some of those buildings were erected by the government as well as by private individuals and they have interfered with the proper zoning and the proper intentions of the commission so far as the driveway is concerned. In the case of the dominion government deciding to build a building in a certain location and not being able to get the approval of the federal district commission, this section would give the governor in council the power to pay no attention, as it were, to the federal district commission. But I think this section goes even farther, it gives the governor in council the right to overrule any power which may be given to the federal district commission by section 4, which will be the new section 6A. I think it is desirable that there be a limit upon the power of the governor in council to disregard the commission's findings. Has the minister any particular reason for wanting that there? If the governor in council does overrule the federal district commission, it should be in direct and specific terms rather than by implication or necessity, as it might be here.

Mr. ST. LAURENT: If the hon. member reads the section he will find that the bill has not purported to take away from the municipal authorities their rights with respect to zoning and has not proposed to substitute the authority of the federal district commission for the rights of the local autonomous bodies; and until something has been worked out with them, and to which they will have agreed, it would probably be looked upon as an undue interference with their autonomous powers. This section 6A provides in subsection 1 that the commission shall coordinate construction and development work in the national capital district in accordance with general plans approved from time to time under the act. That is the general principle, and to carry out that principle the following provisions are made:

(2) Proposals for the location, erection, alteration or extension of a building or other work by or on behalf of the government of Canada or by any person on lands owned, leased or otherwise controlled by the government of Canada in the national capital district shall be referred to the commission prior to the commencement of the work.

(3) No building or other work shall be erected, altered or extended by or on behalf of the government of Canada in the national capital district unless the site, location and plans thereof have first been approved by the commission.

(4) No person shall erect, alter or extend a building or other work on land in the national capital district owned, leased or otherwise controlled by the government of Canada unless the site, location and plans thereof have first been approved by the commission.

(5) Every person who contravenes or fails to comply with subsection four of this section is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars.

So it is only the activities of the government of Canada, or the placing of buildings on land owned or controlled by the government of Canada, that come, under this section and has to be submitted to the federal district commission for approval. It is only in such cases that section 6A applies. It would seem that the matter has to go before the federal commission before the government can act. The federal commission has full opportunity to investigate it and to make its recommendations. If these recommendations are such that the governor in council feels they should not be complied with, it does not seem unreasonable that he should overrule. But it is only the activities of the government of Canada or the activities carried on on land controlled by the government that are dealt with in these provisions.

Mr. BOUCHER: My main concern about this section arose out of the proposal that was dealt with by the committee that sat about a year or a year and a half ago to deal with federal district commission matters. At that time it was brought to our attention—I forget the details—that the dominion government had erected a building, unwittingly I believe, that did interfere with the federal district commission's scheme, I felt that if we are to set up a federal district commission to deal with federal district land it would not seem necessary for the government to have an overriding power, except to a limited degree, and by specific enactment rather than by implication.

Mr. ST. LAURENT: I do not think this means merely implication. In any case where the commission does not give its approval under this section, the governor in council may give such approval. It is something that is normally within the control of the government. All agencies of the government will have to go to the commission. If the commission feels that something should not be done and the government agency feels it is a proper thing to do, the government can overrule the commission in that respect. That I believe is a provision that will avoid any unwitting interference with the plans of the commission. No government agency, after this is adopted, will be able to go ahead