

What the Minister Said About Expropriation

Minister MacKinnon's positions on landowner rights, compensation, and property freezes for Canada's high-speed rail network — as stated before the Standing Committee on Finance

February 2, 2026 | FINA Committee, 45th Parliament | Bill C-15

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The corridor width the Minister repeatedly cited to minimize concerns

No expiry date on work prohibition notices that freeze land use along that corridor

SIX KEY POSITIONS

MacKinnon's answers on expropriation, summarised

Over nearly two hours of questioning from Conservative MP Dan Albas and Bloc Québécois MP Jean-Denis Garon, Minister MacKinnon staked out six main positions on how the bill's expropriation powers will work in practice.

"Common sense will predominate"

MacKinnon's most-repeated phrase. Alto and the government intend to approach landowners with prior notice and negotiate fair market value in good faith — on a "no surprises" basis.

Response to Albas, first round

The bill mirrors provincial law

The framework draws directly from Quebec's *Act respecting expropriation* and Ontario's *Building Transit Faster Act, 2020*. The Minister argued this is not new legal territory.

Opening statement & responses to Leitão

Appeals go to the Federal Court

Landowners can challenge decisions through the Federal Court of Appeal — the same avenue available for any federal matter. MacKinnon described this as equivalent to the Quebec Superior Court route.

Response to Garon, first round

Work prohibitions protect landowners

The freeze on improvements is framed as a courtesy: preventing owners from investing in upgrades to land that will ultimately be expropriated, saving them from wasted expenditure.

Response to Albas, first round

Fair market value is the governing principle

Compensation should first be settled through negotiation. If formal expropriation proceeds, it is the Minister of PSPC — not Alto — who acts, and landowners may obtain their own independent appraisal at eligible cost.

Robitaille / MacKinnon, second round

Central tension: MacKinnon's assurances rest on promised good faith conduct rather than enforceable statutory rights. Critics from both the Conservative and Bloc benches argued that "common sense" cannot substitute for legislated protections.

KEY EXCHANGES

Six flashpoints from the committee record

01

The CTA Review Was Eliminated to Prevent Delays

Conservative MP Albas asked why the bill removes the independent Section 98 Canada Transportation Act review — a process that allows communities and landowners to challenge whether a proposed rail line is reasonable. MacKinnon's answer was a single sentence: "It would delay the project." When pushed on a 90-day expedited review as a compromise, MacKinnon reiterated that the project is for the general benefit of Canada and that speed is essential.

"It would delay the project."

— Minister MacKinnon, in response to whether a 90-day CTA review could be restored

02

No Statutory Notice Period for Landowners

Albas pressed for a mandatory 120-day advance notice before land is frozen, so that farmers, homeowners and small businesses can plan. MacKinnon replied that the existing Expropriation Act provisions — including prior notice — remain in force since the bill only amends specific sections. Deputy Minister Robitaille confirmed prior notice exists but was unable to specify its duration during the hearing. MacKinnon insisted the process would proceed on a "no surprises" basis.

03

Land Freezes: Indefinite, With No Expiry

Albas raised the absence of any expiry date on work prohibition notices, which can depress property values indefinitely. MacKinnon defended the freeze as a protection for landowners, arguing it prevents them from making costly improvements to land in the identified 60-metre corridor. He did not respond to Albas's proposal that freezes be capped at 18 months unless a judge approves an extension — the hearing time expired before an answer was given.

04

Compensation and Independent Appraisals

Albas challenged whether landowners would receive compensation based on independent appraisals and "highest and best use" valuation, or whether Alto simply sets an opening number that owners must fight in Federal Court. Robitaille clarified that landowners may obtain their own independent appraisal and that its cost is an eligible reimbursable expense. He also confirmed that the principle of expropriation does account for different land uses. However, the formal expropriation process would be run by the Minister of PSPC, not Alto.

"The first principle of fair market value ought to be established in a very common-sense conversation between Alto and the landowner."

— Minister MacKinnon

05

The Mirabel Airport Comparison

Bloc MP Garon invoked Mirabel airport — a 1969 federal expropriation that took 97,000 acres while claiming a need for only three — and argued that the legal rights now embedded in Canadian expropriation law around notice and impact assessments exist precisely because of that trauma. MacKinnon acknowledged Mirabel as a mistake and said he had personally met with Union des producteurs agricoles members there. He then accused Garon of "spreading fear and instrumentalizing symbols of past mistakes." Garon did not back down, noting that several Mirabel-area mayors learned about the proposed corridor route from his Facebook page rather than from Alto or the government.

"I would suggest a different approach. Instead of spreading fear and instrumentalizing symbols of past mistakes—"

— Minister MacKinnon to MP Garon, cut off mid-sentence

06

Whose Job Was It to Notify Mayors?

Garon asked directly whether it was the Minister's responsibility or Alto's to inform municipal mayors when the proposed corridor route was released. MacKinnon said it was Alto's responsibility — Alto is the company commissioned to conduct consultations. He noted ten documented interactions between Alto and the municipality of Mirabel alone. Garon countered that closed-door meetings with public servants are not the same as meaningful disclosure to elected officials and communities.

"It's the company that was commissioned to carry out the consultations."

— Minister MacKinnon, on who bears responsibility for notifying mayors

What the Minister promised — and what the bill does not guarantee

MacKinnon's Assurances

- ▶ Landowners approached on a "no surprises" basis
- ▶ Fair market value through negotiated agreement
- ▶ Common sense will guide the process
- ▶ Landowners can get independent appraisals at eligible cost
- ▶ Decisions appealable to Federal Court of Appeal
- ▶ Prior notice required before expropriation begins
- ▶ Project modelled on established provincial frameworks

What the Bill Does Not Enshrine

- ▶ No mandatory advance notice period for landowners
- ▶ No statutory right to two independent appraisals
- ▶ No expiry date on land-use freeze notices
- ▶ No independent CTA review of route reasonableness
- ▶ No direct right of appeal — only general Federal Court access
- ▶ No guaranteed coverage of legal costs in disputes
- ▶ No automatic payment in lieu of taxes on expropriated land

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No one's rights are being taken away. We introduced a process to accelerate the completion of this linear infrastructure project, while upholding the rights and principles already in use in Quebec and Ontario.

— Minister Steve MacKinnon, February 2, 2026, Finance Committee

WHAT REMAINS UNANSWERED

Five questions the hearing did not resolve

How long is the prior notice period?

Deputy Minister Robitaille said prior notice exists under the Expropriation Act and is "well in advance" of expropriation — but declined to state a specific number of days when pressed. The committee did not receive a written follow-up before this briefing was prepared.

2

How long can a work prohibition last?

The bill imposes no expiry date on work prohibition notices. MacKinnon was cut off before addressing Albas's proposal of an 18-month cap with judicial review. The indefinite freeze window remains unresolved.

3

Who bears legal costs when landowners dispute compensation?

The cost of an independent appraisal is listed as eligible, but no one confirmed whether legal fees for Federal Court appeals are recoverable. For landowners without resources, the practical access to remedy is in question.

4

Is agricultural land treated differently?

Bloc MP Garon asked whether farmland in Quebec's CPTAQ agricultural zones could receive a shorter 120-day freeze period rather than the extended timeline in the bill. MacKinnon began an answer but time ran out. No commitment was made.

5

Will municipalities receive payments in lieu of taxes?

Crown corporation land is exempt from municipal property tax. The bill does not address legislated payments in lieu of taxes (PILT) for expropriated land. No committee member raised this directly, but it remains a central fiscal concern for affected municipalities.