

argumentation about a phrase as vague, as broad and as extensive as that will be never ending and this is an example of the folly, in my judgment, of trying to pin down everything in this way.

I was interested in reading what followed. The minister took part in the discussion, as did the hon. member for Hamilton West (Mr. Alexander), the hon. member for New Westminster (Mr. Hogarth), and others. I do not intend to speak for them, but there seemed to be a fair amount of support for the position put forward by the hon. member for Greenwood, namely, that the language of clause 24(9)(c) is a little too broad. That is why the hon. member's amendment proposes that the last few words of this subparagraph be deleted. I notice, from reading the Minutes of Proceedings of the committee, that the hon. member for Calgary North (Mr. Woolliams) proposed that the whole of clause 9 be struck out; but that is another amendment, and I think it goes too far. So, on the basis of the argument put forward by the hon. member for Greenwood, who said that in a modern society this kind of language is too broad, I present this motion to the House in the hon. member's name.

Mr. Turner (Ottawa-Carleton): Mr. Speaker, may I, to save the time of the House, reply to the hon. member for Winnipeg North Centre (Mr. Knowles) about amendment No. 10 and, immediately after, reply to the hon. member for Calgary North (Mr. Woolliams) about amendment No. 11.

This is a new proposal put forward by the hon. member for Greenwood (Mr. Brewin). It was not a proposal that reached the committee in concrete form in the form of an amendment, although he referred to the point in committee. We thought about it a good deal, but I am afraid we cannot agree to it because clause 3 of the bill authorizes the expropriation of land for public works or other purposes. If the amendment proposed by the hon. member for Greenwood were accepted, clause 24(9)(c) would apply where the expropriation was for a public work but not where it was for a public purpose other than a public work. In other words, if the purpose of the expropriation were for a greenbelt or something like that, it would not be for a public work but would be for a public purpose.

Undoubtedly some will suggest, as did the hon. member for Winnipeg North Centre tonight, that clause 24(9)(c) is too broad in its wording and in some cases it will deprive an owner of compensation because of the increase in value of his property by virtue of

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there being contemplation on the part of some people of the expropriation. I have no doubt, however, that the courts and indeed the Crown will apply this provision only in those circumstances where the problem it is intended to remedy actually exists. There may be difficulty in distinguishing a purpose that is a public work and a purpose that is not a public work, because the expropriation itself may be for recreational purposes, planning purposes or purposes that are not reflected merely in the erection of a building or other material construction. For that reason I submit that the House ought to reject motion No. 10.

Motion No. 11 which the hon. member for Calgary North moved or brought forward this evening suggests that clause 24(9) be deleted completely. If I may, I should like to recall to the House the wording of clause 24(9). It provides:

(9) In determining the value of an expropriated interest, no account shall be taken of (a) any anticipated or actual use by the Crown of the land at any time after the expropriation;

This paragraph is designed to overrule or override a case of the Supreme Court of Canada. If there is no demand for the property other than the demand or requirement of the Crown for those purposes for which the Crown proposes to use the land, those purposes would not be taken into consideration under this paragraph in determining the value of the property. Paragraph (b) reads:

any value established or claimed to be established by or by reference to any transaction or agreement involving the sale, lease or other disposition of the interest or any part thereof, where such transaction or agreement was entered into after the registration of the notice of intention to expropriate;

We introduced that paragraph because we wanted to avoid any change in value after the registration of the notice of intention to expropriate had set in process the expropriation procedure. We want to avoid speculation or artificial transactions based on the anticipation of an expropriation. Paragraph (c) reads in part:

any increase or decrease in the value of the interest resulting from the anticipation of expropriation by the Crown—

Here again, this paragraph is designed to meet the problem which arises when prior to an expropriation there is public knowledge that there will be an expropriation. We do not want to penalize the interest of an owner in land by any decreasing in value of the land