

## Expropriation

The Ontario Ministry of Transportation (MTO) is proceeding in accordance with the provisions of the *Expropriations Act* to acquire all property required for the full construction of The Windsor-Essex Parkway. MTO is working with property owners to reach amicable agreements during the expropriation process. If you are one of the hundreds of property owners with whom we are currently negotiating, or if you already have a signed agreement that has not yet closed, the start of the expropriation process does not change the negotiations. We will continue working with you to finalize our negotiations and the agreement. If we haven't yet started to negotiate, now is the perfect time to get that conversation going.

### What is expropriation?

Expropriation is the transfer of lands to a government authority for government required works. While a property owner's consent is not required for the transfer of lands under expropriation, the property owner is compensated for lands required and reasonable out-of-pocket expenses. Moving and other entitlements continue to be negotiated throughout the expropriation process.

### What are my rights?

Owners' rights will be fully explained by MTO Real Estate Officers. Owners should obtain independent legal advice if they feel it is necessary. Property owners have the right to be treated fairly and equitably, receive market value for their lands, receive reasonable out-of-pocket expenses and request mediation and/or arbitration.

### What are the steps for expropriation?

- MTO will continue to negotiate with property owners to seek amicable agreements during the expropriation process.
- Owners, including those in negotiations with MTO, will be notified of our intention to proceed under the *Expropriations Act*.
- The Minister of Transportation will be requested to approve the expropriation by signing the Certificate of Approval to Expropriate.
- An Expropriation Plan along with the Certificate of Approval to Expropriate will be registered in the Land Registry Office.
- Where MTO and the property owner have not reached an amicable agreement after the registration of these documents, MTO must, within three months, provide an offer of full compensation and an offer of immediate payment of 100 per cent of the market value of the property as estimated by MTO. This offer must be made before MTO can take possession of the required property.
- The date of possession will be a minimum of three months after the registration of the Expropriation Plan and the Certificate of Approval to Expropriate and after an offer has been made.
- The *Expropriations Act* enables MTO and/or the property owner to seek mediation (through a Board of Negotiation) and arbitration (through the Ontario Municipal Board).

### Correspondence over the next three to ten months will include the following:

- a copy of the appraisal completed for your property
- an offer of full compensation based on the appraisal should an amicable agreement not be reached to be provided after the Certificate of Approval to Expropriate has been registered in the Land Registry Office
- a notice of the date MTO will take possession of your property through the expropriation process

### Additional information:

*Expropriations Act* [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

The Windsor-Essex Parkway [www.weparkway.ca](http://www.weparkway.ca)

The Ministry of Transportation – Windsor office – 519-973-7367