

MTO also includes other entitlements under the *Expropriations Act* as part of compensation, such as moving cost for residential and business owners that are displaced.

Each property and situation is unique and this is why MTO works on a case-by-case basis, rather than a one size fits all approach. After completion of the appraisal, a Ministry real estate officer will present an offer of compensation based on the appraisal report. Every effort will be made to reach an amicable agreement at that time.

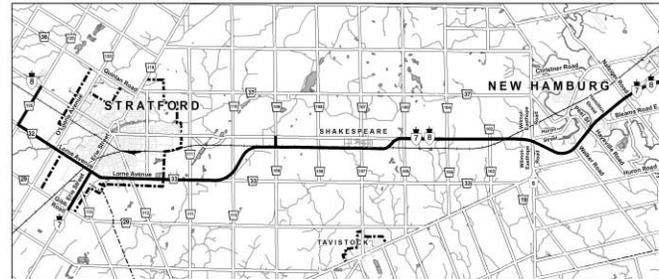
What If I Disagree With The Compensation Offered for My Property?

If a property owner is not satisfied with the offer of compensation, and cannot reach a mutually agreeable offer, they can make a request to bring the case before the Board of Negotiation, which conducts informal hearings into compensation matters. Although the recommendations for settlement are not binding on either party, their independent opinion can be helpful in resolving the difference between the parties.

If an agreement is not reached, the Ontario Municipal Board (OMB), Land Compensation Office can be asked to determine the compensation. The decision of the OMB is binding, unless appealed by either party to the Divisional Court within six weeks of the decision of the board.



Highway 7&8: Recommended Plan



Detailed mapping of the Recommended Plan for Highway 7&8 is available for review at local municipal offices, local libraries and on the study website (www.7and8corridorstudy.ca),

For Further Information

MTO is committed to working with property owners to make sure they understand the property acquisition process and their rights. More information on expropriation can be viewed at www.e-laws.gov.on.ca.

If you have more questions about the Highway 7&8 study or are unsure if your property is affected, please contact

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This brochure has been prepared to provide basic information regarding the designation of highway right-of-way on title of private properties, and acquisition of property following completion of the Class Environmental Assessment (Class EA) process for provincial highway planning projects. In dealing with property owners, the Ministry of Transportation (MTO) respects and protects their rights as individuals under the laws of Ontario.

How Is The Need for A Highway Alignment Or Widening Determined?

Plans for a new highway alignment or highway widening are developed to address transportation needs in compliance with the requirements of the 'Class Environmental Assessment for Provincial Transportation Facilities'.

The Class EA study process is based on a sequence of staged decision-making in which alternatives are assessed at an increasing level of detail as they become more focused, starting with a broad study area perspective, and narrowing to a more focused perspective as the study progresses. Depending upon study specifics, these stages of decision-making may include corridors, routes and highway widening, ending with preliminary design and a recommended plan.

Consultation with stakeholders is a key component of the Class EA process and Public Information Centres (PICs) are held at study milestones to present the study recommendations and provide an opportunity for members of the public to provide feedback.

How Will I Know MTO Requires My Land?

MTO makes every effort to contact impacted landowners to inform them of the opportunity to participate in provincial highway planning studies. Public input, suggestions or concerns are always welcome and the general public and all property owners are encouraged to participate in the study and to provide feedback at any time.

PICs are held during each Class EA study to provide information to the public and obtain feedback. In addition to the PICs, other methods of communication and consultation (e.g. workshops, meetings, newsletters and study websites) are typically utilized to inform and involve local stakeholders.

Once a recommended planning solution (highway route/alignment, areas of highway widening) has been identified and developed to an appropriate level of design, MTO will identify potentially impacted landowners and contact them to inform them of the recommended solution and invite them to provide input to the study.

The selected design for the recommended solution identifies property impacts and is documented in a Transportation Environmental Study Report (TESR) which is filed for public review at the completion of the study. The design is also presented at the final PIC for a study to inform the public and obtain feedback.

Detailed mapping of the Recommended Plan (solution) for Highway 7&8 is available for review at local municipal offices, local libraries and on the study website (www.7and8corridorstudy.ca),



What Is Typical Timing For Highway Right-of-Way Designation and Property Acquisition?

MTO can proceed with designation of the right-of-way on title of the required properties once a highway planning study receives “environmental clearance” at the completion of the Class EA study. Prior to the receipt of environmental clearance, provincial highway planning projects are typically not part of the current MTO five-year construction plan, and have no timeline or funding for implementation. Once funding is received, detail design and property acquisition are initiated, typically 2 to 3 years in advance of project construction.

Can I Continue To Use My Property After Highway Right-Of-Way Designation?

Designation of the right-of-way under the Public Transportation and Highway Improvement Act provides the basis for MTO to protect current and future highway safety and capacity through a permit application process for development and building proposals on or adjacent to the right-of-way, and for access to the highway. The uses of property that were in effect prior to its designation can typically continue until property acquisition.



Will MTO Consider Owner Requests For Advance Property Purchase?

Owners can request the advance purchase of their property on a willing buyer / willing seller basis if the seller can demonstrate hardship caused by the MTO project. Advance purchase requests are dealt with on a case-by-case basis and are subject to the availability of funding.

To discuss the potential for advance purchase of your property as a result of direct property impacts caused by the Recommended Plan for the Highway 7&8 study, please contact:

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What Is The Basis Of Compensation For The Property Required?

MTO is required to compensate a property owner according to the provisions of the *Expropriations Act*. Compensation is based on the market value of a property or the loss in market value to a property, in the case of a partial acquisition. The market value is based on what similar land might be expected to sell for if sold on the open market by a willing seller to a willing buyer.

If MTO requires only a portion of the property, compensation considers the land area required; loss/replacement of buildings; loss/replacement of other infrastructure such as wells, septic systems and farm field tile and irrigation systems; interference with special considerations such as approved farm nutrient management plans; and the effect of the acquisition on the rest of the property.