

OVERVIEW

If your property has been identified as being impacted by the project, the enclosed overview will provide guidance on the ministry's property acquisition process.

Property requirements are typically identified during the planning stages of a highway project, through the Environmental Assessment and Preliminary Design processes, and verified during the detail design phase of the project. **If you are unsure as to whether your property is impacted, please contact us.**

PROPERTY OFFICE

Early in the acquisition process, affected property owners are contacted by a ministry real estate officer.

The ministry real estate officer is part of a multi-functional team that includes staff and consultant engineers, project managers, environmental officers, geomatics specialists, and others as needed based on the scope of the project. Together, the team gathers data and stakeholder input throughout the *planning* stages of the project.

Engagement with you as a property owner is important and helps to provide the necessary background and local knowledge essential to planning of highway improvements. Your input is also critical to support discussions and information gathering about your property and the associated impacts. You will be engaged throughout the project via the ministry real estate officer, project manager, consultants, public meetings, or online project sites. However, the ministry Real Estate Officer is the property owner's main point of contact with the project team.

COMPENSATION

Property owners are entitled to fair compensation which is intended to compensate them for all losses as a result of the acquisition or taking.

Compensation may include:

- Market value for the land itself
- business losses
- direct costs such as reasonable legal and appraisal costs incurred by the landowner
- costs associated with the removal or relocation of items such as signs, landscape items or structures directly impacted by the proposed works
- damages to the remaining lands as a result of the construction or the works.

The types of compensation owing to a landowner can vary depending on the interest and duration of rights acquired by MTO, as well as the type or use of the land acquired.

The right to compensation is not limited to the landowner and may include mortgagees, tenants, estate trustees and creditors in certain cases.

ACQUISITION PROCESS

Each property and the associated situation is unique and because of this we work on a case-by-case basis with each owner.

The value of the Ministry's property requirement and other related damages are determined by an independent professional property appraiser who inspects each property individually and considers various factors that influence market value, including recent sales and current listings of similar properties. All of this information is compiled to provide an offer that reflects the specific characteristics of your property.

Compensation is based on market value being what a similar property might be expected to sell for on the open market by a willing seller to a willing buyer. When the appraisal is ready, a

ministry Real Estate Officer will explain the appraiser's findings to you and present an offer of compensation.

When a mutually agreeable offer has been accepted by the property owner, a Property Purchase Agreement is prepared for signature. A minimum of 90 days is required for closing and this timeframe can be further negotiated if required to meet your individual needs.

IF AN AGREEMENT IS NOT REACHED

At times, it is necessary to use legislated processes to ensure that the property rights required for construction of ministry projects are available prior to starting construction activities. In Ontario this process is directed by the Expropriations Act which defines the process and rights of the property to compensation. If it becomes necessary to use the legislated process to acquire the property rights, the real estate officer will continue to work with the property owner towards a negotiated agreement throughout the process.

Whether the land or interest is acquired by agreement with the owner or expropriated, **compensation is based on the same entitlements.**

FOR MORE INFORMATION

MTO is committed to working with property owners to make sure they understand the property acquisition process and their rights. If you are an impacted owner and have questions about the property acquisition process, please contact:

Tyler Andress, Real Estate Officer
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Jen Molleson, Property Supervisor
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