

Property Acquisition

The Ministry of Transportation (MTO), along with its partners, is continuing to investigate methods and design options to avoid or reduce impacts of a new crossing, plaza and access route to the community as part of the Detroit River International Crossing (DRIC) study. The process to date has relied heavily on a combination of technical studies, field work, modelling studies, mitigation studies and community consultation. These analyses, and others, will continue until the end of the Environmental Assessment (EA) process.

Because options are still being studied and evaluated, the ministry is not in a position to identify exact property requirements at this time. Once the project has received EA approval, the ministry will actively approach homeowners and business owners to acquire property in a mutually agreeable way.

Representatives of the ministry will contact you if any part of your property is required. They will carry identification that you should insist on seeing. They will explain the procedures for the acquisition of the property by the ministry under the Expropriations Act.

This may involve:

- A survey crew obtaining your approval to enter on to your property to determine grades for entrances, ditches and to survey the property requirements
- A real estate appraiser estimating the market value or the compensation for the property to be acquired by the ministry
- A ministry real estate officer explaining the appraiser's findings, the ministry's proposed construction plans, your rights as a property owner, and presenting an offer of compensation.

Absentee owners will be contacted by mail.

However, prior to this, owners may initiate the sale of their property on a willing buyer/willing seller basis.

We recognize the uncertainty felt by people whose homes and businesses are potentially affected by one or more of the Practical Alternatives. In response to feedback from the community, the ministry will consider requests to purchase property from owners currently having direct access to existing Highway 3 (Talbot Road) or Huron Church Road between Highway 401 and E.C. Row Expressway. By providing this opportunity to landowners who wish to sell their properties before the completion of the environmental assessment, we are able to address some of your property concerns and ease your uncertainty. Other residential and commercial properties may also qualify for purchase. These will be considered on a case by case basis and if you wish to discuss whether your property may qualify please contact the Ministry of Transportation, Windsor Border Initiatives Implementation Group at 519-973-7367 or 1-800-265-6072 ext. 4800 or email detroit.river@ontario.ca.

Compensation is based on the market value of your property or the loss in market value to your property in the case of a partial purchase. The market value is based on what similar property might be expected to sell for if sold on the open market by a willing seller to a willing buyer. There is also a provision for payment of other reasonable out-of-pocket expenses actually incurred, upon final settlement.

Property values will be appraised by a real estate appraiser estimating the current market value or the compensation for your property in the local general area. After the appraisal is completed, a ministry real estate officer will present an offer of compensation.

In situations involving a business, an independent business valuation may be necessary to determine the fair market value of the business should it not be feasible to relocate the business. In cases where it is feasible to relocate the business there may be special entitlements associated with relocation. If the business is operated from a home, the business component is generally easily transported to a replacement residence, so a business valuation is not usually necessary. However every situation is unique and ministry staff will meet individually with business owners to fully discuss compensation and entitlements.

The ministry searches all land titles to ensure every person with an interest in the property is aware of the property acquisition. If the title search reveals a mortgage, or other registered interest, special release forms will be sent to all interested parties with the necessary instructions.

You may request that your case be considered by the Board of Negotiation, although recommendations for settlement are not binding on either party. A Board opinion is often helpful in resolving the differences between the parties.

If you are not satisfied with the offer of compensation presented, there is a legislated appeal process available to you. Your rights will be fully explained to you by the ministry's real estate officer.

The public has a major role to play in the planning for this new border crossing capacity in the Windsor-Detroit Gateway. We have asked – and will continue to ask – the public to review, comment on and provide input to the work being done as part of the EA process. We rely on your knowledge of regional issues, history, and business to give us a local perspective and help us determine how a new transportation system will best fit into your community. Your comments and views have, and will, influence the direction of the study and the recommendations that are made at the end of the study process.

For more information, contact the Ministry of Transportation, Windsor Border Initiatives Implementation Group at 519-973-7367 or 1-800-265-6072 ext. 4800 or email detroit.river@ontario.ca. For more information on land acquisition, please refer to the Government of Ontario's Public Transportation and Highway Improvement Act:

[http://www.search.e-laws.gov.on.ca/en/isysquery/84e6c86f-d360-4b20-97f7-0150ba0b10e3/4/frame/?search=browseStatutes&context=.](http://www.search.e-laws.gov.on.ca/en/isysquery/84e6c86f-d360-4b20-97f7-0150ba0b10e3/4/frame/?search=browseStatutes&context=)