ONTARIO EXPROPRIATION FRAMEWORK

Expropriations Act, RSO 1990, c E26.

Expropriation Authority applies for approval to the approving authority

Expropriating Authority serves notice to registered owners, publishes notice weekly for three weeks in local newspaper

Any owner who wants a hearing must notify approving authority in writing

Inquiry Officer will be appointed, consider the evidence, and prepare a report

Approving Authority will consider the report and will approve, or not approve, the proposed expropriation, giving written reasons for the decision

Where proposed expropriation has been approved, Expropriating Authority registers approval with land registry office

Owner elects valuation date of compensation

Before compensation is paid in full, the Expropriation Authority may abandon expropriation by serving notice on owner. Owner may elect in writing to take the land back, or require the Expropriation authority to retain the land for the full value of compensation

Section 30 Agreement

Where all owners agree to expropriate the property for compensation, the Expropriating Authority can avoid the formal expropriation process completely

Compensation

Expropriating Authority will offer 100% of the appraised value of the land within three months of filing the Plan of Expropriation. Owner may take full and final amount and terminate right to seek further compensation, or accept partial payment without prejudice to rights to pursue additional compensation

Compensation for settlement is usually reached by negotiation

Either party may bring the matter of compensation before the Board of Negotiation to attempt to settle expropriation claims

If the matter cannot be settled at the Board of Negotiation, or parties agree to waive attendance, either party may file for binding arbitration before LPAT

Owner may also be entitled to Disturbance damages, damages for Injurious Affection and Special Difficulties in Relocation amounts