

PUBLIC SERVICE ANNOUNCEMENT

Friday, January 29, 2021



CITY PROVIDES INFORMATION ON LAND EXPROPRIATION PROCESS

Welland, ON –The City of Welland adopted the City Official Plan in 2010 which speaks to the promotion and protection of employment lands and ensures the availability of sufficient supply of these lands to promote the City’s economic growth objectives. Also, included is the designation of certain parts of the City as a Gateway Economic Centre.

The Gateway Economic Centre designation ensures Welland will work in partnership with all levels of government to ensure attractive lands are provided and protected which will create job opportunities and economic diversity. In addition, Welland will support and promote the growth of transportation and logistics and the advanced manufacturing sector by strategically locating employment lands in close proximity to Highway 406 and Highway 140 corridors.

With six Industrial Parks nearly sold out and little employment land available, the need to acquire more City land is evident. The act of acquiring land follows a natural progression that starts with an offer of fair market value to the owner, if accepted, the land is then purchased by the City. If the offer of fair market value is not accepted, in some situations a municipality will move forward with expropriation. The Expropriation Act is intended to allow a municipality to purchase needed land where a property owner is unwilling to sell. Property owners are fairly compensated through this process.

The expropriation process starts with a decision of Council, usually when an amicable transfer of land is not possible. The first formal step is to apply for approval from the expropriating authority (in this case, municipal Council itself). An application is approved by resolution of Council, upon applying for approval, Council is required to:

1. Serve Notice of Application upon each registered owner of the lands to be expropriated
2. Publish the Notice of Application once a week for three consecutive weeks in a newspaper having a general circulation in the area

Once Notice of Application to Expropriate has been served and published, an owner (**registered owners** and **non-registered owners**) may request a hearing. If a request for a hearing is made, the Attorney General will appoint a chief inquiry officer and other officers. The expropriating authority must demonstrate, to the satisfaction of the inquiry officer, that the proposed taking “fair, sound, and reasonably necessary” is to achieve Council’s objectives.

The inquiry officer will prepare a non-binding report containing recommendations to be considered by Council, then Council must consider the report of the inquiry officer and render a decision to approve or disapprove. If Council approves the proposed expropriation, the expropriation plan must be registered with the proper land registry office. The timeline for an approved expropriation process can range from several months to several years.

At the February 2, 2021 Council meeting, Staff will present further background on the expropriation process. All meetings commence at 7:00 p.m. (unless indicated otherwise on the agenda) and are available for livestreaming via www.welland.ca.

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