

Expropriation

At the best of times, the expropriation of land is a long and complex process. Governments and certain quasi-governmental bodies – such as hospitals, universities and utilities – have the statutory authority to expropriate private property for defined purposes. Experienced counsel can ensure the legal, appraisal, planning and engineering aspects of expropriation are addressed fairly and expeditiously. Owners and developers require a partner that has extensive experience in applying statutory powers of expropriation on behalf of their clients to limit their risks while working in strict accordance with the Ontario *Expropriations Act*.

WeirFoulds has a rich history in the expropriation field. We have provided well-rounded and innovative expropriation solutions to our clients for decades. We have worked for all levels of government and other public sector entities – including transit agencies, health care facilities, municipalities, universities and colleges – that have found themselves in need of land for public purposes where the landowner is unwilling to sell. We have also worked for landowners, businesses and tenants affected by expropriations.

Our lawyers advise clients on their rights, negotiate the terms of compensation, initiate hearings, and represent clients in arbitration or litigation proceedings in contentious expropriation disputes. They are well versed at drafting by-laws, pleadings, and notices.

WeirFoulds' expropriation practice group works closely with members of related areas of law such as commercial real estate and infrastructure specialists, environmental, and municipal law, to ensure that our clients have access to a full suite of creative services to suit their needs.

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Areas of Expertise

- Expropriations advice
- Hearings of necessity
- Arbitration proceedings under the *Expropriations Act*
- Land use planning
- Appraisals
- Negotiation

- Litigation
- The assessment of costs

Representative Experience

We are involved in virtually every major expropriation of land in Ontario, acting for either the expropriating authority or the land owner.

- Our engagements have included numerous expropriations for infrastructure and city-building projects, the largest expropriation of land in Ontario's history (the Province of Ontario's expropriation of over 45,000 acres of land for the planned community of Seaton), and the expropriation of land for most — if not all — of Ontario's major highways.
- Our lawyers acted as counsel for the successful landowner on Canada's leading expropriation case: ***Toronto Area Transit Operating Authority Dell Holdings Ltd.***, [1997] 1 S.C.R. 32.
- Chris Tzekas and Sean are past Presidents of the Ontario Expropriation Association; Sean Foran is a current member of its Board of Directors.
- We acted for York Region on expropriation issues arising out of the construction of the extension of the subway north of Steeles Avenue to Vaughan.
- We acted for York Region on the expropriation of various interests from approximately 30 properties along Highway 7 for the purpose of construction of bus rapid transit lanes.
- We acted for the City of Brampton on the expropriation of multiple property interests for the widening of Goreway Drive.
- We acted for the Region of Peel on expropriation issues arising out of the widening of Dixie Road from Steeles Avenue to Clark Boulevard in the City of Brampton.
- We acted for Hydro One Networks Inc. on expropriation issues arising out of its construction of a transmission line between Bruce and Milton, Ontario.
- We have acted for numerous municipalities on road widening, infrastructure and city building projects, including: the Region of Peel, the Region of York, the Region of Durham, the Region of Waterloo, the City of Brantford, the City of Sarnia, the City of London, the City of Guelph, the City of Greater Sudbury, the City of Oshawa, the City of Hamilton, and the City of Brampton.
- We acted for numerous owners, tenants and businesses on expropriation issues arising out of various transit projects, including the Eglinton-Crosstown, the Union-Pearson Express train, Ottawa LRT, Hamilton LRT, and the Ontario Line.

WeirFouldsLLP

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