

**GTA West Corridor Planning and Environmental Assessment (EA) Study
Project Team's Responses to Questions at Halton Hills Residents Meeting
June 23, 2011**

1. When will you decide on where the new highway will be located?

- The technical work for the next stage of route planning EA could take approximately 3 to 5 years to complete. The Ministry of Environment's review and approval would likely take another 1-2 years.
- The decision to start the next Stage of the EA will be made by the Province once the current Strategy has been finalized.

2. When will the new highway be constructed?

- The construction is estimated to be at least 10 to 12 years away.
- In addition to the completion of the EA for route planning (5-7 years away including approval), detailed design and property acquisition could take 3-5 years.

3. If part or all of my property is required for the new highway, what is the process for the Province acquiring it and how do you ensure that I am fairly compensated?

- Upon completion of Stage 2 of the EA (Route Planning and Preliminary Design), the preferred alignment and right-of-way requirements for the new corridor will be determined.
- Property acquisition will proceed once the project is approved and funding is committed.
- It is the Ministry of Transportation's (MTO) policy to provide fair and equitable compensation for any property required.
- Where property is required, owners would be compensated at fair market value at the time of purchase.
- Market value assessment considers several factors such as comparable sales, location and attributes of the property.
- MTO typically acquires property a few years prior to construction.
- There is also compensation for reasonable legal, moving and other non-recoverable expenditures incurred in acquiring other premises.
- During the appraisal process, the appraiser will also determine if there is injurious affection compensation payable as a result of the works. Injurious affection is defined as damages or a reduction in market value to the remainder of a property where only a partial taking was required, versus a full buy-out.

4. Under what authority can the government expropriate property? What is the process and recourse for a property owner?

- If a property cannot be purchased on a willing-seller-willing-buyer basis, the Province does have the authority to expropriate land under the Public Transportation & Highway Improvement Act.
- Owners will be compensated at fair market value for any property required.

- The Expropriations Act governs the process the Ministry must follow to take title to a property and outlines the entitlements that must be provided to the owner.
- Owners who have not yet reached an amicable settlement will receive a Notice of Expropriation by registered mail. Anyone who has not reached an agreement as of the date the Expropriation Plan has been registered with the land Registry Office will receive a formal offer of compensation not more than 90 days from the date the plan was registered. This is known as a Section 25 Offer as required by the Expropriations Act.
- There is also an appeal process through the Ontario Municipal Board if the owner disagrees with the Section 25 Offer of Compensation. This entails a mediation hearing and/or arbitration hearing, if necessary.

5. If my property is adjacent to the new highway, but not directly required for the highway, how are you going to compensate me for any negative impacts associated with the project, including decreases in property value?

- When a new transportation facility is located in the vicinity of private properties, there are a number of factors considered in terms of impact on property values.
- Some of these factors have positive effects on property value (i.e. improved access, reduced congestion, etc.) and some of these factors could have negative effects (i.e. proximity effects).
- The benefits are sometimes reduced due to increased ‘proximity effects’ on properties (i.e. noise, air quality, visual aesthetics, etc.).
- Current Provincial government policy is to mitigate, not compensate for these ‘proximity effects’. In general, proximity effects such as noise, air quality and visual aesthetics, will be avoided and minimized where possible, however there are limits to what can be done.
 - These potential effects will be identified during the generation and evaluation of route alternatives and in the preliminary design of the preferred route.
 - Where proximity effects cannot be avoided, MTO will examine the technical and economic feasibility of mitigation measures, such as noise walls, berms, landscaping, road profile changes, access improvements, etc., to further minimize adverse effects.
- The effects on commercial properties may also differ from those on residential properties.

6. My property is included in the study area. How are you going to address the impact on my property value before the highway location is determined?

- We recognize that planning for major transportation infrastructure takes time, and we understand that there will be uncertainties until a preferred route is selected and right-of-way is determined.
- However, we are required by law to follow a structured and open process to generate and evaluate alternatives to assist in identifying a preferred route.
- The Ontario Ministry of Transportation (MTO) will work as quickly as possible to identify a preferred route.

- 7. In the event that I want to sell my property, do I have to disclose that my property is included in the study area?**
- The Project Team is studying future transportation requirements for the GTA West Corridor. The identification of a Preliminary Route Planning Study Area as part of the Transportation Development Strategy is within an on-going study, but at this stage in the process, no options for any future route alignments have been examined or identified.
 - The rules of disclosure should be discussed with your legal counsel and/or your listing agent.
- 8. Should I proceed with proposed property renovation/investment plans given the uncertainty about where specifically a new highway would be located?**
- Where property is required, owners would be compensated at fair market value at the time of purchase. Therefore the investment and upgrade-related increase in property value would be reflected in the purchase.
 - In addition, the timing for construction is in the longer term.
- 9. Fuel costs are up –food prices are increasing –does it make sense to pave over usable farm lands and force production further out of the GTA corridor which will only serve to drive the cost of produce to the consumers higher How will agriculture be protected and further reduction of valuable farmland be stopped between Georgetown and the 401 if a new highway brings in more population that would seem to lead to more development of those lands?**
- It should be noted that the footprint (or, right-of-way) for the proposed facility is estimated to be 170 metres (550 ft) for highway and transitway, and the study area we have shown is approximately 3 to 5 km (2-3 miles) wide.
 - The impact to specific agricultural operations and rural communities can be mitigated through the route location process by avoiding encroachment on rural communities and by following lot lines where possible. Adequate connections (i.e. wider underpasses or overpasses, large culverts) across the corridor can be provided to allow farm equipment and animals to move between fields.
 - The expansion of urban development into agricultural lands has to be first justified based on land use planning policies in the provincial plans and municipal official plans including meeting intensification targets, land budget, etc.
 - Future land use changes can be controlled by limiting access/interchange locations and proper land use planning policies that would restrict the introduction of non-agricultural uses into the area.
- 10. The study area is huge, during the study phase my property value is compromised as is the marketability of my home. How does the MTO assess financial losses to individuals through devalued homes and the inability to sell and in the event my home is to be paved over what is the process and does the MTO treat homeowners with fairness – how do they determine fair market value at a point in time where the value has been diminished? What is the timing of the final decision and should I sell now if I can?**

- As per Section 14 (4) of the Expropriations Act, the appraiser is aware that “in determining the market value of the land, no account shall be taken of any increase or decrease in the value of the land resulting from the development, or the imminence of the development in respect of which the expropriation is made or from any expropriation or imminent prospect of expropriation.”
- In simpler terms, the property is appraised in a manner that ignores the imminence of the highway. Therefore, the property will be valued as if exposed on the open market with no outside influences such as a future highway or a major Official Plan Amendment which could influence, positively or negatively, the market value.

11. The large number of rural residents were not aware of the study or proposal and only found out about it very recently. What is the legal obligation of the Ministry about informing affected residents given the huge impacts to them?

- MTO is required under the EA Act to consult with anyone who has an interest in the project.
- Although there are no specific requirements for how notification is to be performed, MTO has developed a broad program of consultation for this study to notify the affected citizens and stakeholders in a way that is practical and meaningful. Given the very large original study area, spanning approximately 70 km and 25-30 km's wide, the most practical means was considered to be advertising in local and regional newspapers and through direct mailings to known interest groups, individuals and government agencies.
- Public Information Centres (PIC) were also held throughout the study area at four points in the study.
- All property owners within the smaller Preliminary Route Planning Study Area will receive a direct mailing of the initiation of the next stage of the route planning EA.
- It should be noted that during the next stage of the EA, comments and input can still be provided on all aspects of the study including the recommended Strategy (i.e. the need & justification, corridor alternatives, corridor selected). These comments will be considered among all of the input received by the Minister of the Environment when the EA is submitted to the Ministry of Environment for approval at the conclusion of the route planning stage.

12. If the highways are being built to ease congestion and allow for growth –how can you accurately predict the growth given the current economy and the congestion only occurs during peak rush hour periods? Does it not make more sense to look at alternatives such as our partners to the south who restrict truck travel during peak commute times –currently the roads are busy during morning and evening rush hours –is it fiscally responsible to spend billions to ease congestion for a relatively short period of time before all alternative ways of moving people more efficiently are examined such as rail expansion or innovative planning such as that currently underway with the Windsor-Essex Parkway? Why not just widen the 401 between the areas of concern to ease the traffic problems which would seem to be a much more cost effective way of dealing with the problem? At night the highway is sparsely travelled - is there a possibility of the EA being amended if the growth projections are released

**past the current 2031 timeframe and if it shows a retraction in growth what then?
How have you justified the costs to build?**

- The study planning horizon is based on the year 2031 as population and job targets have been established for that year in the Province's Growth Plan and allocations established in the municipal plans.
- The study examined travel demand and operations for both peak periods and for 24 hours. Given the significant growth forecasted for the Greater Golden Horseshoe (GGH) and in the study area, congestion is anticipated to extend beyond peak hour periods.
- Beyond 2031, there is an expectation of continued growth and so providing flexibility now to accommodate an increase in road and transit capacity later is appropriate.
- Many alternative ways of moving people and goods have been examined in the study and several types of improvements are proposed.
- The study has been carried out within the framework of current government policies. Restriction of trucks during the day on provincial highways is not the current policy of the government and would have an economic impact on the entire Region.
- Widening of Highway 401 has been included in the Transportation Development Strategy recommendations, e.g. from 6 to 12 lanes from Mississauga westerly to James Snow Parkway, and then from 6 to 10 lanes further west to Highway 6 in Guelph. If widened further, there would be significant impact to adjacent land uses through Milton and no flexibility to increase capacity in the more distant future.
- The redundancy to the Highway 401 corridor is also important – as this highway functions as Ontario's more important trade corridor, carrying 22,000 trucks a day through the GTA West Study Area, worth a value of \$900 million.
- The conclusions and recommendations of an approved EA study, can be amended if the basic assumptions, such as traffic conditions and/or policies are found to have changed over time.
- The full study documentation on need, justification and the consideration of alternatives is available for review on the study website as are sample documents that were made available at public meetings.
- An economic analysis has been carried out in the study. The findings are documented in the Transportation Development Strategy report and indicate that:
 - The recommended improvements are estimated to add approximately \$1.0 billion (in 2010 dollars) annually to the regional economy in the Greater Golden Horseshoe (GGH) by 2031.
 - Direct transportation related benefits are estimated to be in the order of \$2.2 billion per year (in 2010 dollars) by 2031.
 - The transportation benefits include savings in vehicle operating costs, truck crew costs, passengers' costs and reliability benefits, as a result of mobility improvements created by the proposed GTA West improvement projects.
 - The proposed transportation improvements are also estimated to support 11,000-12,000 new jobs in the GGH.
- The cost of implementing the new corridor and widening existing highways is estimated to be in the range of \$5 to 6 billion.

13. Route 4-4 was consistent with the provincial Growth plan and yet the current focus appears now to be on 4.2 and 4.3 –do these options conform to the provincial growth plan and discussed and approved by both the Ministry of Municipal Affairs and Housing, and the Ministry of Infrastructure and do they require amendments? Should 4.4 not remain as an option to be a possible ring road for easing traffic congestion on 401 and QEW Toronto to Niagara corridors and be designated as an area of further study which is consistent with the adjacent Area of Further Study in the NGTA Draft Transportation Strategy?

- The Growth Plan does not show a specific location of the transportation corridor. It notes the need to complete a study to develop an approach to improve linkages between the GTA and Guelph to address planned growth and support economic development.
- This study is supporting that need and is recommending a multi-modal transportation development strategy to meet the planning objectives of the Growth Plan.
- Both the Ministry of Municipal Affairs and Housing (MMAH) and the Ministry of Infrastructure (MOI) have been involved in the GTA West EA study and the draft Strategy has been reviewed and supported by those two ministries.
- 4-4 is not recommended because the preferred alternative can provide similar transportation benefits with a better balance of effects to the natural environment and individual property owners.