



City of Winnipeg Land Acquisition

Planning, Property & Development Department

The City of Winnipeg undertakes a wide range of projects every year to serve the needs of residents and accommodate the future growth of the city in accordance with *OurWinnipeg*, the City's municipal development plan that sets the vision for the next 25 years. To help you gain a better understanding of the land acquisition process, the following information explains how property plays a key role in being able to undertake new projects to help our city continue to grow and prosper.

New projects such as overpasses, roadways expansions, and public buildings may require land that cannot be accommodated within existing City-owned property. As a result, it may be necessary for the City to purchase private property to make these projects happen.

How does the City acquire property?

The City acquires land through two methods:

1. Purchase and Sale
 - a mutual agreement is made between the City and the landowner.
2. Expropriation
 - the City takes the land without the consent of the landowner.

The City prefers to acquire private property by way of purchase and sale whenever possible. In cases where project timelines do not allow the City and landowner to reach a mutual agreement, the City may need to acquire private property through expropriation. Expropriations are performed in a fair manner, with the land being necessary for a project to proceed.

How is the City allowed to take land?

The City of Winnipeg Charter allows City Council to expropriate private property in accordance with [The Expropriation Act](#). The Act outlines the City's requirements and responsibilities during an expropriation, as well as a property owner's rights.

What if I don't think an expropriation is fair or necessary?

Within 30 days of receiving notice of intended expropriation, a landowner may object to the expropriation in writing to the City of Winnipeg and the Minister of Justice. Once an objection is filed, the Minister of Justice appoints an Inquiry Officer to determine if the expropriation is fair and reasonably necessary. Landowners are provided the opportunity to provide testimony at an inquiry.

Can the City choose not to hold an inquiry?

No; but the City has the right to request a waiver of the inquiry from the Province. A waiver may be granted if the City has completed extensive consultations with affected landowners.

What happens after an inquiry?

The recommendations of an inquiry are forwarded to City Council, who then determines whether to amend the expropriation, abandon the expropriation, or keep the original plan.

If the City is interested in acquiring my land, how will I be contacted?

Property owners are typically contacted months before expropriations commence; most often during the planning phase of the project (i.e. open houses, stakeholder meetings, etc.).

Does the City take land as soon as an expropriation has been declared?

No. The City cannot take possession of expropriated land until after the owner is served with a Notice of Possession. This Notice occurs several months after the expropriation process is initiated. Landowners have 30 days to vacate the property after they receive a Notice of Possession.

Would the City expropriate my whole property or just parts of my property?

Both options are possible. The City makes every effort to minimize the amount of property taken.

How much money will I get for my property?

Whether the property is purchased or expropriated, the landowner will receive an offer based on current market value.

Can I negotiate the value of my property with the City?

Yes. Negotiations are part of most purchases and expropriations.

What if my land is being expropriated and I cannot agree on the value with the City?

Landowners are entitled to file a claim at the [Land Value Appraisal Commission](#) if they oppose the City's offer of compensation.

If I am prepared to settle with the City for an expropriation, who approves the settlement?

Although the property owner and City representative may agree to terms, the settlement requires approval by City Council.

Should I continue to do renovations or other improvements to my property once it has been expropriated, or once an expropriation has been declared?

Property owners are compensated for the value of their property up to the date that the Declaration of Expropriation is approved by City Council.

What happens if the expropriation causes damage to my property?

The City is obligated to pay for reasonable costs arising out of the expropriation, for example, relocation of a fence.

The expropriation process seems complicated. Am I entitled to a lawyer?

Yes. The City is obligated to pay for reasonable legal fees arising out of the expropriation.

I don't know what my property is worth. Am I entitled to a real estate appraiser?

Yes. The City is obligated to pay for reasonable appraisal costs arising out of the expropriation.

How does an expropriation affect my property zoning?

Section 35 of the City's [Zoning By-law](#) identifies the effects on property zoning when an expropriation or street widening occurs.