

THIS LAND IS OUR LAND!!!

So let's all keep asking a question Cabinet Ministers and bureaucrats keep refusing to answer:

"What's the total acreage of private land in Ontario now under government designation?"

A great deal of Queen's Park legislation over the past 50 years has severely compromised use, title, mortgage worth and market value of privately owned rural land in Ontario. Many owners and lessees of affected properties are confused by, or totally unaware of, the extent, complexity and long term consequences of arbitrary regulations that adversely impact their lives and assets. Some examples of statutory intrusion by the provincial government are briefly listed as follows:

1. Under one or more descriptive labels, private land deemed "provincially significant" is first "identified" by one of several Queen's Park agencies without owner notification or consent in advance, recorded accordingly in local tax rolls for assessment purposes and then officially "designated" at provincial direction in local Official Plans.
2. Many Real Estate Boards in Ontario now require a Disclosure Statement that requires a seller to report any government prohibitions on lands listed for sale thus leaving him or her wholly liable for loss of equity later claimed by a purchaser to arise from alleged vendor failure to reveal such designations in advance.
3. By this process appraisers, purchasers and mortgage lenders of "designated" land are alerted to the existence as well as to future implications of a government lien that encumbers the property thereby affecting level of buyer interest as well as final negotiations concerning its purchase and financing conditions.
4. By a 2003 MNR decree, freehold in close proximity to specified government properties and subsequently acquired by pre-approved lobby groups can be legally registered as "conservation land" thus relieving its new owners of municipal property taxes, in effect, proportionally increasing that burden for less favoured taxpayers in the area.
5. The Natural Heritage Information Centre, an MNR satellite partnered with the Nature Conservancy of Canada and the Ontario Federation of Naturalists, maintains a massive database at Peterborough where sightings on private lands of allegedly endangered plant, animal, bird or aquatic life are recorded without owner prior notice.
6. Many land use prohibitions in Ontario apply only to a portion of specific properties rather than the entire parcel, a reduction in asset use rather than an assault on asset ownership designed to evade compensation under the Expropriation Act, thus creating hundreds of landowner losers in a government game of regulatory roulette.

Suggested landowner response to each of the land value manipulations numbered above:

1. Copy property description carried in municipal tax rolls and note data entry date and details.
2. Obtain sample copy of listing agreement Disclosure Statement from your local Realtor.
3. Seek mortgage lender opinion re: financing rural property that's under government designation.
4. Ask your local municipality for acreage, location and adjacent owner(s) of its untaxed lands.
5. Contact your MPP for written information as to whether your land is now on the NHIC database.
6. Appeal your property tax assessment since all designations clearly affect property market value.

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"to protect, and entrench in law, landowner rights and responsibilities"