

Transports Québec offers Black Cape property owners much less than minimum market value

GILLES GAGNÉ

NEW RICHMOND – A New Richmond couple, Léonel Tremblay and Christine Laroche, is raising concerns about the expropriation methods employed by the Quebec Ministry of Transport in relation to the offer they received for a portion of their land where the railway track is slated to be relocated in the Black Cape area. Transports Québec's offer falls nearly eight times less than the lowest value of recent transactions in New Richmond.

On May 18, Mr. Tremblay was approached by an approved appraiser from Transports Québec's acquisition division to discuss a "permission to occupy" part of his land for the relocation of the railway, a little less than 10 metres northward, in order to distance the track from the cliff overlooking the Bay of Chaleur.

"He never used the term expropriation. He says the ministry is going to buy part of my land, about 25 feet on average. The next day, he sent me occupancy permission documents to allow them to begin the work even if we did not agree on compensation," says Mr. Tremblay.

"He sent us documents that were not legible, a poor resolution photocopy of an engineer's or surveyor's plan. Already there, things are going badly, an illegible document," recounts Mr. Tremblay.

Powerless in front of a powerful department

Léonel Tremblay, a retired forestry engineer, and his wife obtained a legible copy of the Transports Québec plan, allowing them to contemplate the ministry's proposal.

"You have the impression that your land is your only leverage. If you sign the occu-

pation permit, even without an agreement on the price, you no longer have any control over what happens on your property, over the work that the ministry will have undertaken," states Mr. Tremblay.

As early as May 18, the Ministry of Transport appraiser informed the couple that time was running out, because the work was scheduled to begin on July 1.

"The first offer came in on June 27, at one dollar per square metre. The appraiser told us: 'We give you \$7,100 for the land, plus \$200 each for the inconvenience and loss of use and \$200 each to go to the notary.' That's \$7,900. I wasn't too wrong. Before he came to see us, I had calculated, based on the municipal assessment, that he was going to offer us between \$7,000 and \$8,000," explains Mr. Tremblay.

The Laroche-Tremblay couple had, however, done more homework. Ms. Laroche found the average value of recent land transactions within the boundaries of New Richmond.

"My partner checked five transactions. The cheapest transaction was made at a price of \$7.86 per square metre, in Saint-Edgar, where there is no bay view," says Léonel Tremblay.

The portion expropriated by Transports Québec is equivalent to a strip spanning approximately 300 metres in length, parallel to the existing railway line, with a depth of 22 to 23 metres.

"That gives 7,015 square metres. This represents 15% of our property. I requested \$30,000 from the ministry. At \$100 per linear metre of railway track, and considering the 22-23 metre strip, it comes to \$4.25 per square metre, or the equivalent of two Tim Horton's coffees per square metre," summarizes Mr.

know that our land is not a cliff. It looks like it's messy, like it's done carelessly. I found the process abusive. They do business with people without expropriation experience, with the weight of the Ministry of Transport. Expropriation is new to most people. It doesn't happen twice in a lifetime. I would have expected respect," concludes Mr. Tremblay.

Transports Québec was initially talking about a construc-



Photo: G. Gagné

Léonel Tremblay expresses concerns over what he considers Transport Quebec's disrespectful expropriation approach.

Tremblay.

Expressing dissatisfaction with the negotiation methods employed by the ministry's evaluator, particularly the pressure to make the land available to Transports Québec and to hastily sign the two offers presented as soon as possible, the couple opted to enlist the services of an independent appraiser.

"I toured our land with the appraiser we hired to determine its commercial value. When do you sell something without knowing its value?" asks Mr. Tremblay.

"They (people from the ministry) say that the land has no value, that it is a steep slope. We say that we have a seaside, southern exposure, therefore, light, sunsets, a beautiful place. We are going to lose part of our woodland, and the place where we pick fiddleheads," he describes.

The contemplation by Christine Laroche and Léonel Tremblay regarding the value of what Transports Québec ex-

propriates also extended to what they could obtain if they fragmented their property into three, or if they subdivided it for residential development purposes.

"If we divided the land into three, with one piece to the east and one to the west of the house, we could obtain \$60,000 to \$70,000 for each of the two lots, not counting that of the house," says Léonel Tremblay, noting that an owner living nearby refused \$100,000 for a relatively similar sized property.

Two of the couple's neighbours are also negotiating with Transports Québec.

On July 13, the Transports Québec assessor appraiser made an offer one last time. "He offered me \$9,100 and \$300 for occupation permission, telling me: 'I don't think the ministry will go any higher.' Including my neighbours, I conclude that they do not want to spend \$100,000 on the purchase of land for a (track relocation) contract of

\$8.4 million," says Mr. Tremblay.

"At \$9,100, that gives us only \$1.33 per square metre, while the lowest transaction in New Richmond is \$7.86. In addition, the amount you receive will be taxed at 25% as a capital gain!" he emphasizes.

Although the couple did not intend to accept this latest offer, on November 23, they signed the occupancy permission requested by Transports Québec.

"This is the third form that the ministry evaluator sent me. As an expropriated person, what shocks me is that we have no choice; if we want to have a reasonable value for our land, it will be worth going to explain ourselves to the judge," he deduces.

Considering that Transports Québec is investing \$872 million in the refurbishment of the entire Matapédia-Gaspé section, that this operation was launched in

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EXPROPRIATION:

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May 2017, and that in principle, the upgrading of the Matapédia-Caplan portion, including New Richmond, should have been completed months ago, Léonel Tremblay is not impressed by the ministry.

"During the first call, the appraiser had no plans, no land dimensions. He hadn't looked at the field. He didn't

tion site that would start on July 1 or so. However, the call for tender process was launched on August 16. The bidding process closed on October 4, and the contract was awarded on November 15 to New Richmond-based LFG Construction for \$8,466,173.

The ministry's short response

Transports Québec's spokesperson Sophie Gaudreault hasn't answered the

numerous questions asked by the SPEC.

"The acquisition process remains individual and confidential at all times. The Ministry will not comment on the specific file. Each file is unique and that is why the owners are met individually. At any time, people affected by acquisitions can contact the Department to obtain information on the acquisition process," she replies in writing.