

Drastic reduction

Peel Bldg. Bk. Dec 6-84 MN
**Expropriation blues:
Supreme Court ruling
costs ex-MP a bundle**

By JOHN STEWART
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An Ontario Supreme Court ruling has drastically reduced the value former Peel MP Hyl Chappell and his wife could receive for lands expropriated from them by the province of Ontario.

In Aug. 1983 an Ontario Municipal Board decision granted Hyl and Grace Chappell \$1,724,725 for the expropriation of 4.3 acres of lands which were used in the construction of Highway 403 across the Credit River.

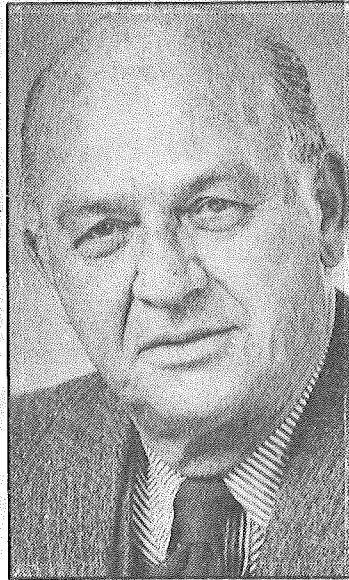
The award also compensated the Chappells for loss of value for an additional 65 acres of land they own on the east side of the Credit River at Burnhamthorpe Rd. That land was placed in the province's parkway belt, where development is not permitted.

After an appeal by the Ontario Ministry of Government Services, the Divisional court has ruled that the compensation should be reduced to \$247,980 from the \$1.7 million.

The matter of how much the Chappells should be paid for "injurious affection" because of the effect of the expropriation on the remaining lands has been referred back to the Ontario Municipal Board for a hearing.

It is expected that the former Liberal MP and his wife will ask for leave to appeal the recent decision to the Ontario Court of Appeal.

The court ruling, in effect, determined that the Chappells should not have been entitled to any compensation merely because their lands were placed in the parkway belt. Many other landowners, including neighbors of the Chappells have successfully sought to be excluded from the parkway belt, which was design-



HYL CHAPPELL

ed to provide a buffer zone along major highways and between urban developments.

The Chappells' property is designated as an Environmental Protection Area in the city of Mississauga's Official Plan, meaning any development which is permitted will be carefully controlled. The city would like to eventually acquire the property owned by the lawyer and his wife.