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**TO:** GENERAL COMMITTEE

**SUBJECT:** ACQUISITION OF PROPERTY FOR VARIOUS INFRASTRUCTURE PROJECTS

**WARD:** 2 AND 8

**PREPARED BY AND KEY CONTACT:** A. KILEY, MANAGER OF LINEAR INFRASTRUCTURE, EXT. 4759

**SUBMITTED BY:** B. ARANIYASUNDARAN, P. ENG., DIRECTOR OF INFRASTRUCTURE

**GENERAL MANAGER APPROVAL:** A. MILLER, RPP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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### **RECOMMENDED MOTION**

1. That staff be directed to complete the property acquisitions (the "Subject Properties") described in Appendix "A" to Staff Report INF002-20.
2. That the Director of Legal Services be authorized to commence negotiations and/or expropriation proceedings to acquire fee simple interests or easements in the Subject Properties subject to capital budget approval of the associated projects.
3. That The Corporation of the City of Barrie make an application to City Council, as approving authority, for approval to expropriate the Subject Properties, and that the City Clerk be authorized to execute the necessary forms of application.
4. That the "Notice of Application for Approval to Expropriate" be served and published, and that any requests for inquiries received, pursuant to the "Notice of Application for Approval to Expropriate", be forwarded to the Chief Inquiry Officer, and that the Chief Inquiry Officer be requested to report to Council with respect to any such request.
5. That the Director of Legal Services be delegated authority to settle any expropriations or negotiated agreements relating to the Subject Properties, and that the City Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services.

### **PURPOSE & BACKGROUND**

#### **Report Overview**

6. This staff report is being put forward to provide staff with authorization to proceed with negotiations and/or expropriation of the Subject Properties for multiple projects to ensure that property acquisitions are completed in a timely manner to facilitate construction timelines.
7. For the Gunn Street Right of Way Replacement - Peel to St. Vincent, the property acquisition is required as current property is a nonstandard ROW road allowance. The property is needed to provide AODA and accessibility compliant pedestrian facilities. The design will consider the impacts of the property taking and minimize the impact by only taking what is necessary.

8. For Lovers Creek Channel Rehabilitation - Adjacent to Brunton Park, Council Motion 15-G-029 accepted the preferred alternative outlined within Staff Report ENG002-15 Lovers Creek Channel Rehabilitation/Slope Stabilization Remedial works Environmental Assessment
9. For Dyments Creek Culvert Expansion - Bradford St., Dyments Creek Channel Improvements - Sanford to Bradford, Council Motion 19-G-134 accepted the preferred alternative as detailed in the Drainage Master Plan outlined within Staff Report ENG006-19 Infrastructure Master Plans.
10. For Bunkers Creek Culverts and Watercourse Improvements - Innisfil to Lakeshore, Council Motion 19-G-134 accepted the preferred alternative as detailed in the Drainage Master Plan outlined within Staff Report ENG006-19 Infrastructure Master Plans.
11. For #47 Alfred Street, Allandale A Neighbourhood Reconstruction, Council Motion 19-G-134 accepted the preferred alternative as detailed in the Drainage Master Plan outlined within Staff Report ENG006-19 Infrastructure Master Plans.
12. For #50 Alfred Street the property acquisition is required as current property is a nonstandard ROW road allowance. The property is needed to provide AODA and accessibility compliant pedestrian facilities. The design will consider the impacts of the property taking and minimized the impact by only take what is necessary.
13. For Queens Park B Neighbourhood Reconstruction, #22 and #27 Thomson Street, Council Motion 19-G-134 accepted the preferred alternative as detailed in the Drainage Master Plan outlined within Staff Report ENG006-19 Infrastructure Master Plans.
14. For Bell Farm Road Widening Reconstruction, Council Motion 17-G-150 accepted the preferred alternative as detailed in the Bell Farm Road Class Environmental Assessment outlined within Staff Report ENG005-17 Infrastructure Master Plans.
15. Project funding for the associated projects is included as part of current and future Capital Business Plans.

#### **ANALYSIS**

16. Staff have been requested to acquire the Subject Properties as soon as possible in order to facilitate construction timelines. Construction is scheduled to commence as follows:
  - a) Gunn Street Right of Way Replacement - Peel to St. Vincent – 2022
  - b) Lovers Creek Channel Rehabilitation - Adjacent to Brunton Park – 2022
  - c) Dyments Creek Culvert Expansion - Bradford St., Dyments Creek Channel Improvements - Sanford to Bradford – 2023
  - d) Bunkers Creek Culverts and Watercourse Improvements - Innisfil to Lakeshore – 2023
  - e) Allandale A Neighbourhood Reconstruction – 2023-2024
  - f) Queen's Park B Neighborhood Reconstruction – 2023-2025
  - g) Bell Farm Road Widening and Reconstruction – 2021-2022

17. Negotiated agreements of purchase and sale are the preferred method of property acquisition and will be the initial approach for property acquisition. In certain circumstances, that is not always possible and as such expropriation proceedings may become necessary to acquire the Subject Properties.
18. Should expropriation become necessary, staff will continue in their efforts to negotiate agreements of purchase and sale concurrently with expropriation proceedings, until such time as the expropriations have been completed and it is no longer feasible to do so.

#### **ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

19. The following environmental and climate change impact matters have been considered in the development of the recommendation:
  - a) Improvements to the Lovers Creek will reduce erosion resulting in reduced sediment and phosphorus loadings in Lake Simcoe as well as protecting cold water fish habitat.
  - b) Dyments Creek watercourse improvements will provide an increased flow capacity reducing the flooding risk around the City of Barrie's Wastewater Treatment facility.
  - c) Bunkers Creek watercourse improvements will provide an increased flow capacity reducing the flooding risk around and within the City's urban growth centre.
  - d) Included as part of the Allandale Neighbourhood Reconstruction, the Hotchkiss Creek watercourse improvements will provide an increased flow capacity reducing the flooding risk downstream of the culvert.
  - e) Included as part of the Queens Park B Neighbourhood Reconstruction, the Kidd's Creek watercourse improvements will provide an increased flow capacity reducing the flooding risk downstream of the culvert.
  - f) Included as part of the Bell Farm Road Widening and Reconstruction, the installation of a centralized Low Impact Development Infiltration facility will decrease the flows leaving the site as well as provide water quality improvements and in turn reduce the flooding risk downstream on Sophia Creek.

#### **ALTERNATIVES**

20. The following alternative is available for consideration by General Committee:

##### **Alternative #1**

General Committee could amend the recommendation by removing the ability for staff to commence expropriation and direct staff to complete all the required acquisitions through negotiated agreements of purchase and sale.

This alternative is not recommended given the City's timely requirement for the Subject Properties and the potential for unsuccessful negotiations which could project delays.

#### **FINANCIAL**

21. The estimated costs for Gunn Street Right of Way Replacement - Peel to St. Vincent associated with the acquisition of the property will be included in the 2022 Capital Budget. Capital expenditures related to the recommendation are included in account EN1172.23.60.

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22. The estimated costs for Lovers Creek Channel Rehabilitation - Adjacent to Brunton Park associated with the acquisition of the property were included in the 2019 Capital Budget. Capital expenditures related to the recommendation are included in account EN1285.21.34.
  23. The estimated costs for Dyments Creek Culvert Expansion - Bradford Street associated with the acquisition of the property were included in the 2018 Capital Budget. Capital expenditures related to the recommendation are included in account EN1168.21.20.
  24. The estimated costs for Dyments Creek Channel Improvements - Sanford to Bradford associated with the acquisition of the property will be included in the 2021 Capital Budget. Capital expenditures related to the recommendation are included in account EN1241.21.34.
  25. The estimated costs for Bunkers Creek Culverts and Watercourse Improvements - Innisfil to Lakeshore associated with the acquisition of the property will be included in the 2023 Capital Budget. Capital expenditures related to the recommendation are included in account EN1274.21.20.
  26. The estimated costs for Allandale A Neighbourhood Reconstruction associated with the acquisition of the property were included in the 2020 Capital Budget. Capital expenditures related to the recommendation are included in account EN1282.21.10.
  27. The estimated costs for Queens Park B Neighbourhood Reconstruction associated with the acquisition of the property will be included in the 2021 Capital Budget. Capital expenditures related to the recommendation are included in account EN1336.21.60.
  28. The estimated costs for Bell Farm Road Widening and Reconstruction associated with the acquisition of the property were included in the 2018 Capital Budget. Capital expenditures related to the recommendation are included in account EN1164.21.10.

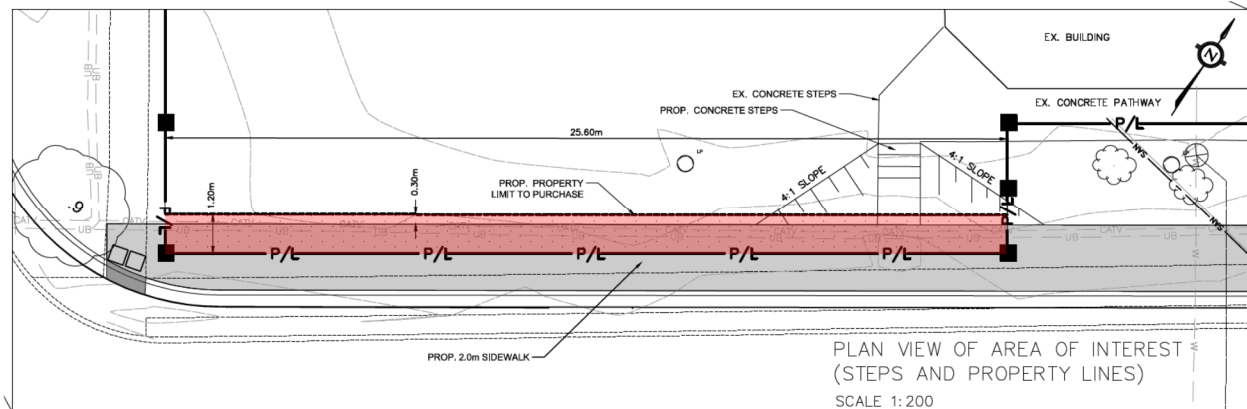
**LINKAGE TO 2018–2022 STRATEGIC PLAN**

29. The recommendation(s) included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
  - ☒ Fostering a Safe and Healthy City
  - ☒ Building Strong Neighbourhoods
  - ☒ Improving the Ability to Get Around Barrie
30. Acquisition of the Subject Properties will allow the projects to proceed in a timely manner and when completed, will help continue to build strong neighborhoods and improve the ability to get around by improving upon both the condition of our roads and provide a more accessible sidewalk for the community.
31. Acquisition of the Subject Properties will allow the projects to proceed in a timely manner and when completed, will help foster a safe and healthy city by improving storm water runoff, improving the water quality in our creeks and reduce the flood risks improving community safety.

## APPENDIX "A"

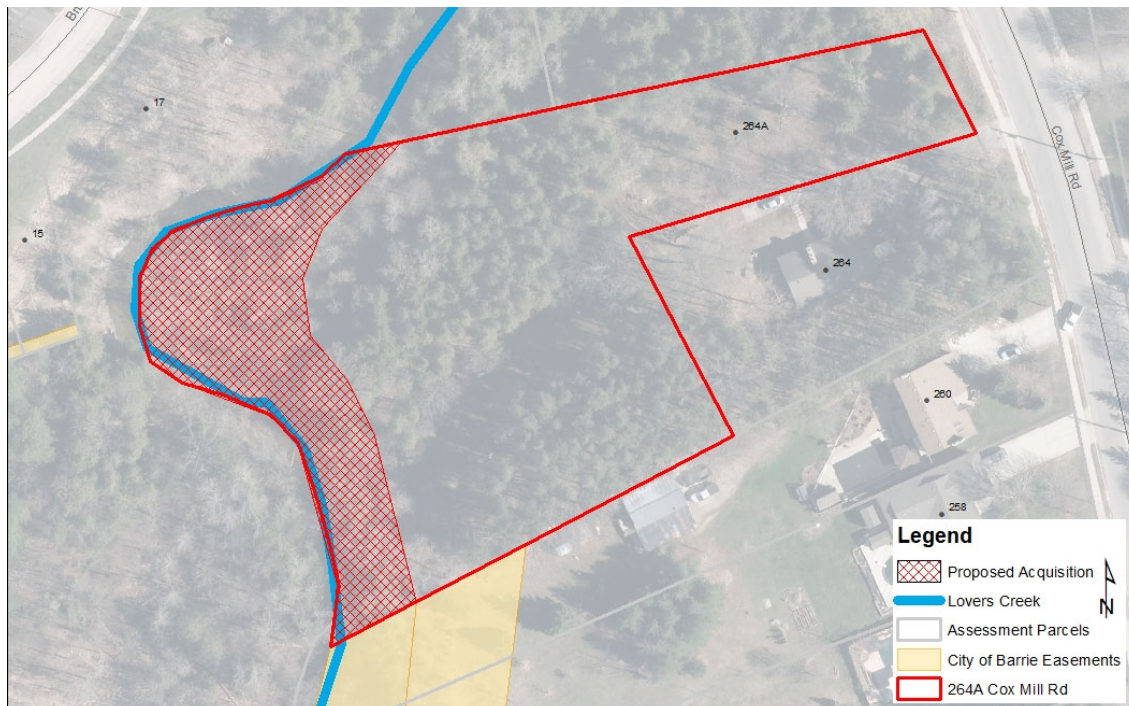
### Subject Properties and Proposed Property Acquisition

**Figure 1 : #8 Gunn Street**



Fee Simple interest from a portion of #8 Gunn Street, Barrie, necessary for the expansion of the road right of way as approximately represented above.

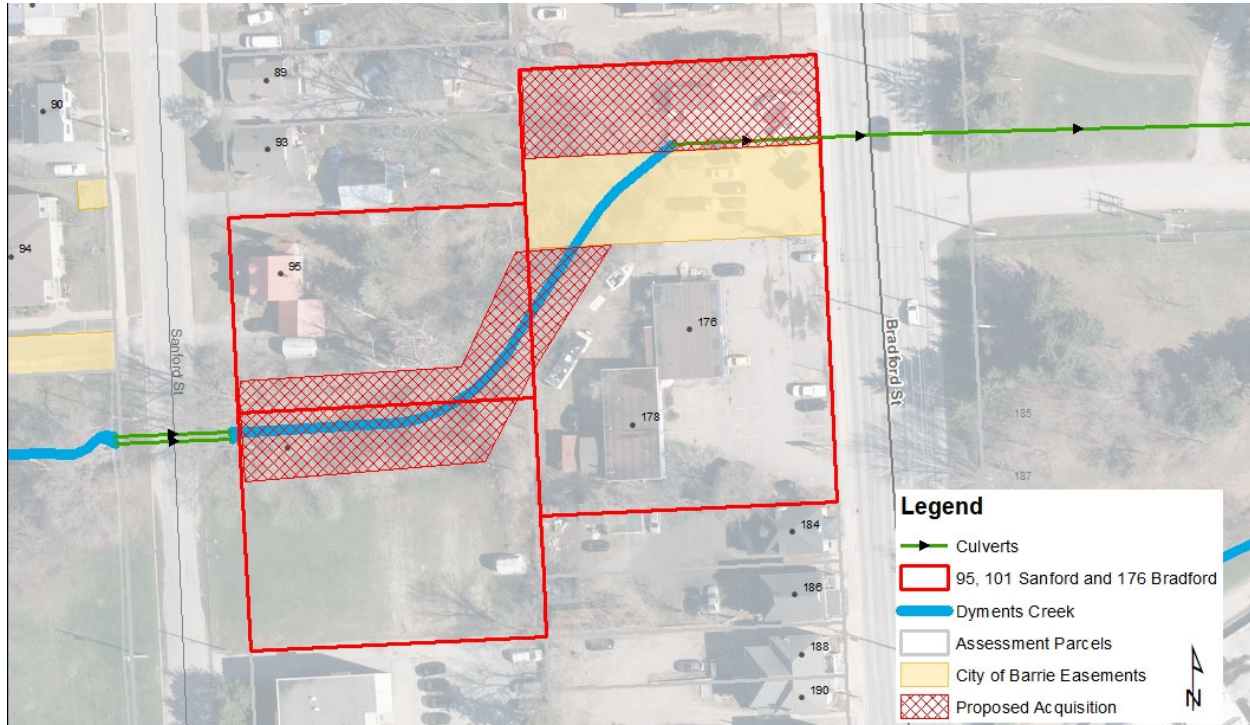
**Figure 2 : #264A Cox Mill Road**



Fee Simple interest from a portion of #264A Cox Mill Road, Barrie, necessary for the restoration of Lover's Creek and the construction of a retaining wall for Brunton Park as approximately represented above.



**Figure 3 : #101 Sanford Street, #95 Sanford St and #176 Bradford St**

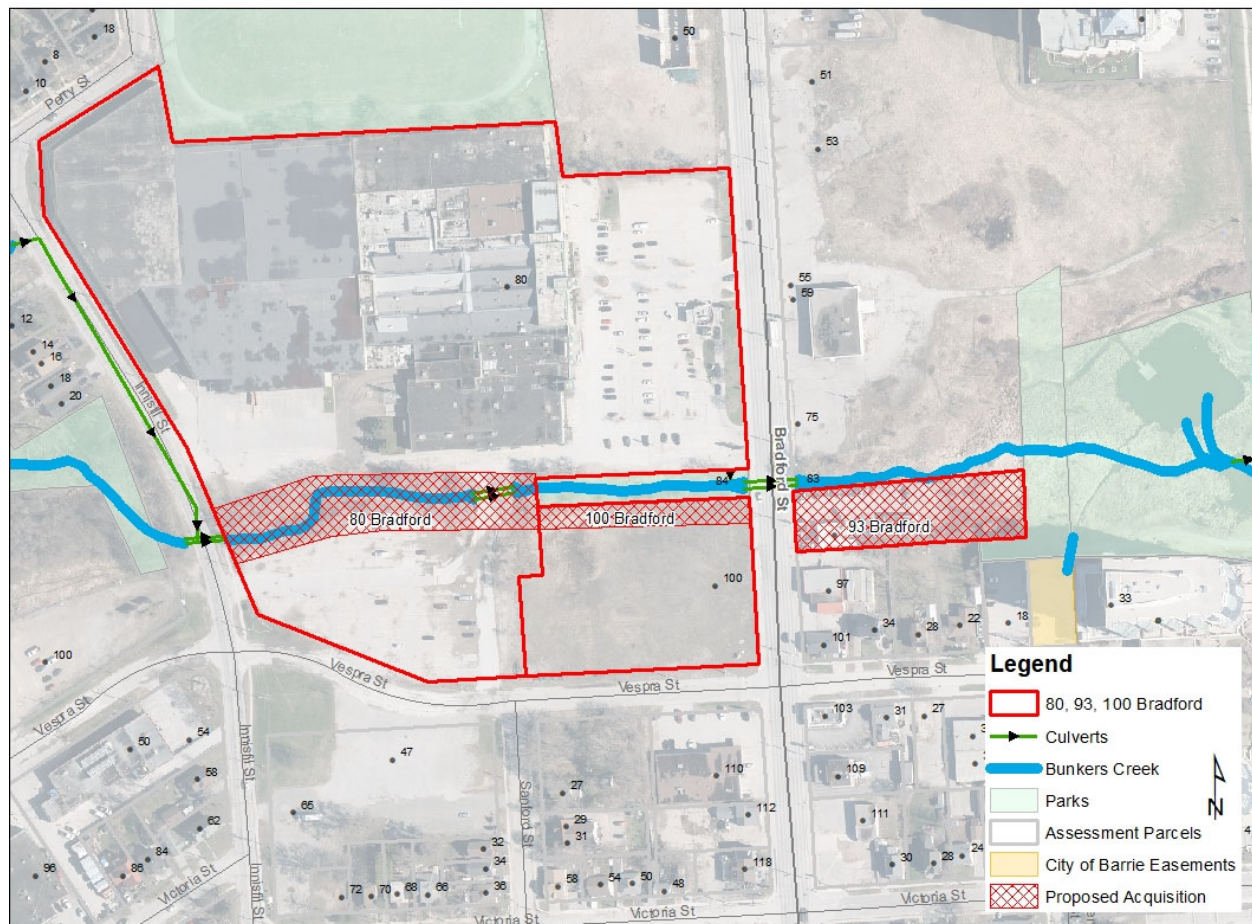


An easement over a portion of #101 Sanford Street, Barrie, necessary for the replacement of the Sanford at Dyments Creek culvert and channel improvement to Dyments creek from Sanford to Bradford Street as approximately represented above.

An easement over a portion of #95 Sanford Street, Barrie necessary for the replacement of the Sanford at Dyments Creek culvert and channel improvement to Dyments creek from Sanford to Bradford Street as approximately represented above.

An easement over a portion of #176 Bradford Street, Barrie, necessary for the replacement of the Sanford at Dyments Creek culvert and channel improvement to Dyments creek from Sanford to Bradford Street as approximately represented above.

Figure 4 : #80, #93 and #100 Bradford Street



An easement over a portion of #80 Bradford Street, Barrie, necessary for the replacement of the Innisfil Street culvert across Bunkers Creek and channel improvement to Bunkers creek from Innisfil to Lakeshore Street as approximately represented above.

An easement over a portion of #100 Bradford Street, Barrie, necessary for the replacement of the Bradford Street Culvert across Bunkers Creek and channel improvement to Bunkers creek from Innisfil to Lakeshore Street as approximately represented above.

Fee Simple acquisition of all of #93 Bradford Street, Barrie, necessary for the replacement of the Bradford Street Culvert across Bunkers Creek and channel improvement to Bunkers creek from Innisfil to Lakeshore Street as approximately represented above.

**Figure 5: #47 and #50 Alfred Street**

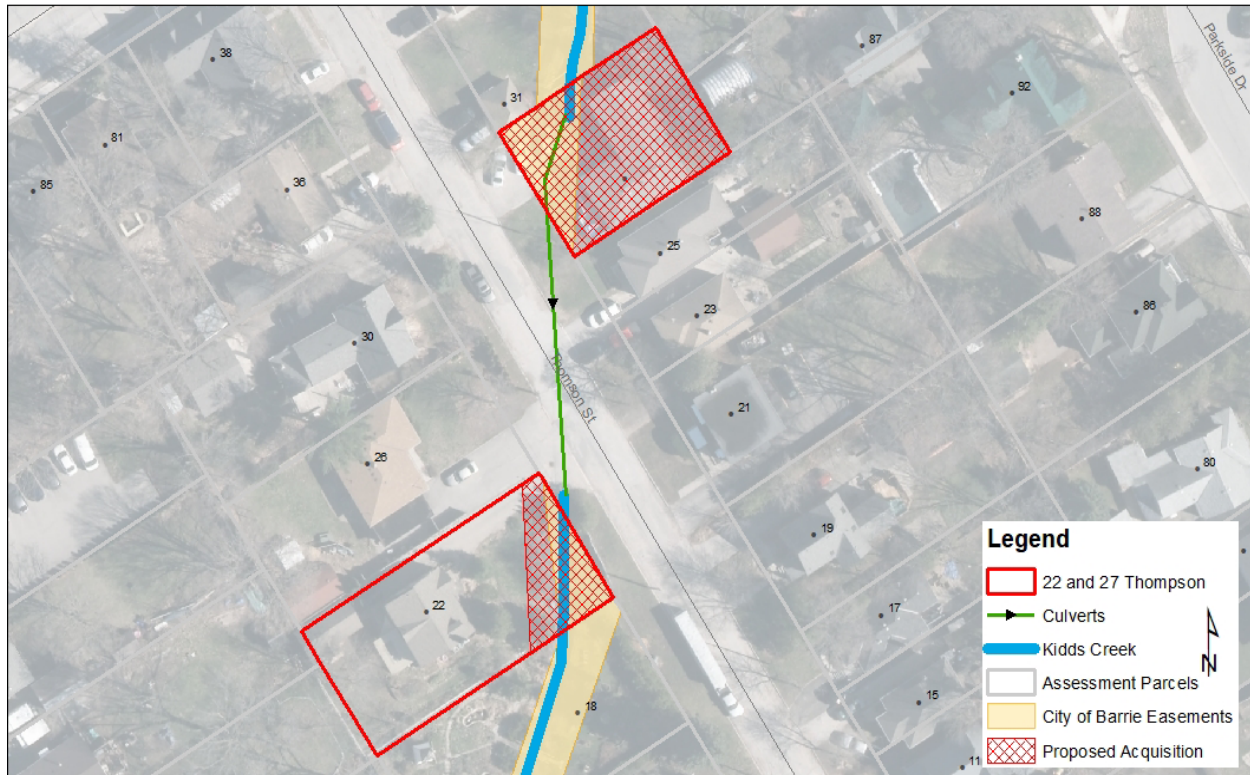


Fee Simple Interest from a portion of #50 Alfred Street, Barrie necessary for the expansion of the road right of way as approximately represented above.

Fee Simple Interest of all of #47 Alfred Street, Barrie, necessary for the replacement of the Hotchkiss Creek Culvert crossing of the Barrie Collingwood Railway as approximately represented above.



**Figure 6: #22 and #27 Thomson Street**



An easement over a portion a portion of #22 Thomson Street, Barrie, necessary for the expansion of the replacement of the Kidd's Creek Culvert and roadway expansion as approximately represented above.

Fee Simple Interest of all of #27 Thomson Street, Barrie, necessary for the replacement of the Kidd's Creek Culvert and roadway expansion as approximately represented above.

Figure 7: #115 Bell Farm Road



An easement over a portion of #115 Bell Farm Road, Barrie, necessary for the construction of drainage improvements associated with the roadway expansion identified as Part 1 on reference plan 51R-42230.