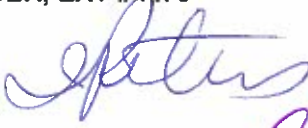


TO: GENERAL COMMITTEE


SUBJECT: EXPROPRIATION OF VARIOUS PROPERTIES-ROYAL OAK DRIVE/BAY LANE/TIFFIN STREET/DUNLOP STREET WEST/MAPLEVIEW DRIVE EAST

WARD: 5,6,8,9

PREPARED BY AND KEY CONTACT: E. EMBACHER, SENIOR REAL ESTATE OFFICER, EXT #4479

SUBMITTED BY: I. PETERS, DIRECTOR OF LEGAL SERVICES 

GENERAL MANAGER APPROVAL: P. ELLIOTT-SPENCER, MBA, CPA, CMA
GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That the Director of Legal Services be authorized to commence expropriation proceedings to acquire the following property interests for the purposes of:
 - a) Easements for construction of a new Lover's Creek culvert crossing Mapleview Drive East and for storm water drainage improvements on lands municipally known as 387 Mapleview Drive East and 340 Mapleview Drive East, designated as Part 1 on Plan 51R-40209 and Part 1 on Plan 51R-40208 shown in Appendix "A".
 - b) Easements for construction of sanitary and water servicing for the Bay Lane, Cottage Lane and Royal Oak Drive area on lands municipally known as 26 Royal Oak Drive and Bay Lane Estates, designated as Part 9 on Plan 51R-39502 and Part 4 on a draft Reference Plan to be deposited, shown in Appendix "B".
 - c) Fee simple for widening & intersection improvements for Tiffin Street and Dunlop Street West on lands municipally known as 642 Dunlop Street West, 599 Dunlop Street West, 551 Tiffin Street and 557 Tiffin Street, designated as Parts 1,2,3,4,5 on Plan 51R-40157 shown in Appendix "C"
2. That The Corporation of the City of Barrie make an application to City Council, as approving authority, for approval to expropriate the indicated interests in land and that the City Clerk be authorized to execute the necessary forms of application.
3. 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 Inquiring Officer and the Chief Inquiring Officer be requested to report to Council with respect to any such request.
4. That the Director of Legal Services have delegated authority to settle the expropriations or any negotiated agreements in an amount up to the maximum amount budgeted for property acquisitions for each respective project 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

5. This Staff Report is being put forward to provide staff with the authorization to proceed with expropriation of the aforementioned interests in land to expedite acquisition of the required property prior to spring 2016 to facilitate construction timelines.

- a) Construction of a new Lover's Creek culvert crossing Maplevue Drive East and area storm water drainage improvements were approved as part of the 2013 Business Plan by motion 13-G-019. Realignment of Lover's Creek and construction of a new culvert is required beside the existing culvert to accommodate environmental timeline restrictions and allow for reduced construction costs. Storm water drainage improvements are required to convey storm water runoff into Lover's Creek due to the widening and urbanization of Maplevue Drive East which will eliminate the present ditch system, allow the road widening to 5 lanes and provide sidewalks.

One easement has been successfully acquired with two easements remaining. Due to strict environmental timeline restrictions relating to in-water works, immediate commencement of expropriation proceedings is necessary to ensure construction timelines are maintained. Appendix "A" provides an illustration of the easements required.

- b) Construction of sanitary and water servicing for the Bay Lane, Cottage Lane and Royal Oak Drive area was approved as part of the 2012 Business Plan by motion 12-G-010. The Municipal Class EA preferred design alternative was approved by motion 10-G-200 which included the construction of a sanitary sewer and watermain to provide municipal services to the presently unserviced area.

Easements are required from two landowners and negotiated agreements are being pursued by staff. Due to construction timelines, it is necessary for immediate commencement of expropriation proceedings in order to ensure construction timelines are maintained. Appendix "B" provides an illustration of the easements required.

- c) Widening & intersection improvements for Tiffin Street and Dunlop Street West were approved as part of the 2013 business plan by motion 13-G-019. The design & construction is complementary to the reconstruction of County Road 90 from Barrie to Angus by the County of Simcoe which is currently underway.

Fee simple acquisitions are required from four properties in order to accommodate the proposed construction. Negotiated agreements are being pursued with property owners, however commencement of expropriation proceedings is required to ensure that construction timelines are maintained. Appendix "C" provides an illustration of the properties required.

6. Legal Services staff will continue to pursue negotiations with the owners of the required properties until such time as expropriation proceedings have been completed and it is no longer feasible to negotiate the required acquisitions.

ANALYSIS

7. Staff have been requested to obtain the required property acquisitions as soon as possible to facilitate construction timelines and relocation of utilities.
8. The only way in which the required lands can be obtained with certainty within requested timelines is to immediately commence expropriation.

ENVIRONMENTAL MATTERS

9. There are no environmental matters related to the recommendation.

ALTERNATIVES

10. There is one alternative available for consideration by General Committee:

Alternative #1

General Committee could reject the recommendations and direct staff to continue to complete the acquisitions through negotiations.

This alternative is not recommended given the City's immediate requirement for these lands and the potential for unsuccessful negotiations which could significantly delay construction.

FINANCIAL

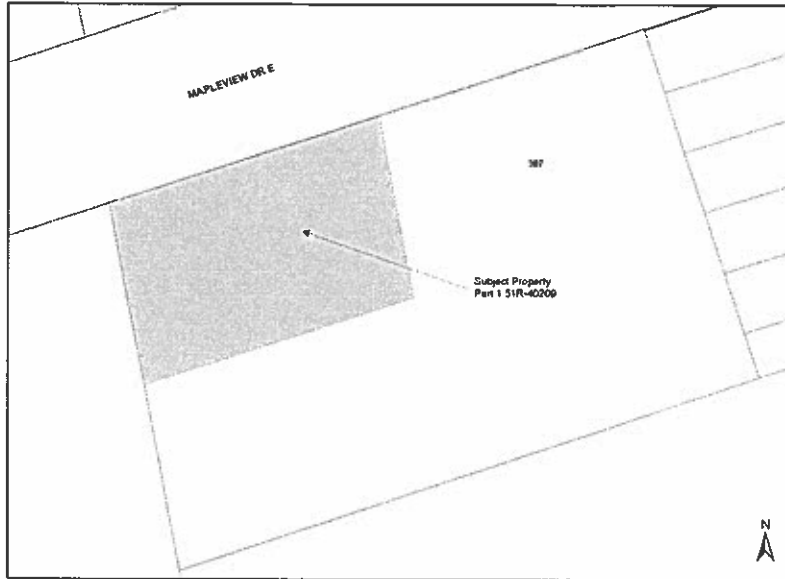
- 11.
- a) The Maplevue Drive East- (Huronvia to Country Lane) Road Reconstruction project was approved as part of the 2013 Business Plan. The estimated funds required to acquire the remaining easements including all legal and other costs is \$89,250 and available in account 14-16-2510-1135-4100.
 - b) The Bay Lane & Royal Oak Drive Area Servicing project was approved as part of the 2012 Business Plan. The estimated funds required to acquire the easements including all legal and other costs is \$147,500 and available in accounts 14-16-2515-1385-4100 (50%) and 14-16-5235-1385-4100 (50%)
 - c) The Dunlop Street-Miller Drive-Tiffin Street Intersection Improvements project was approved as part of the 2013 Business Plan. The estimated funds required to acquire property including all legal and other costs is \$222,400 and available in account 14-16-2510-1400-4100.

LINKAGE TO 2014-2018 STRATEGIC PLAN

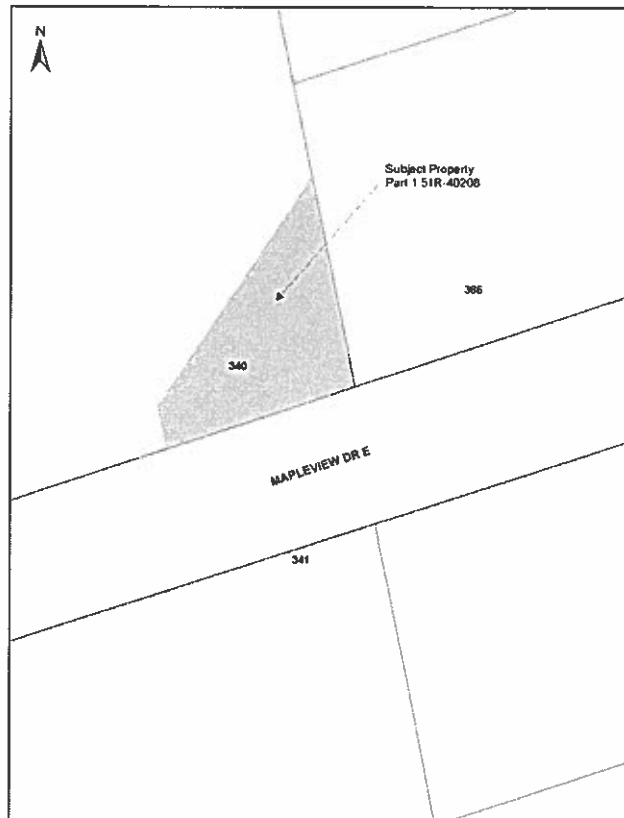
12. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
- Well Planned Transportation
13. Acquisition of the property interests identified in Schedules "A" and "C" will allow the projects to proceed in a timely manner and when completed will improve upon both the road network and the overall safety of the roads.

APPENDIX "A"

387 Maplevue Drive E- Part 1 on 51R-40209

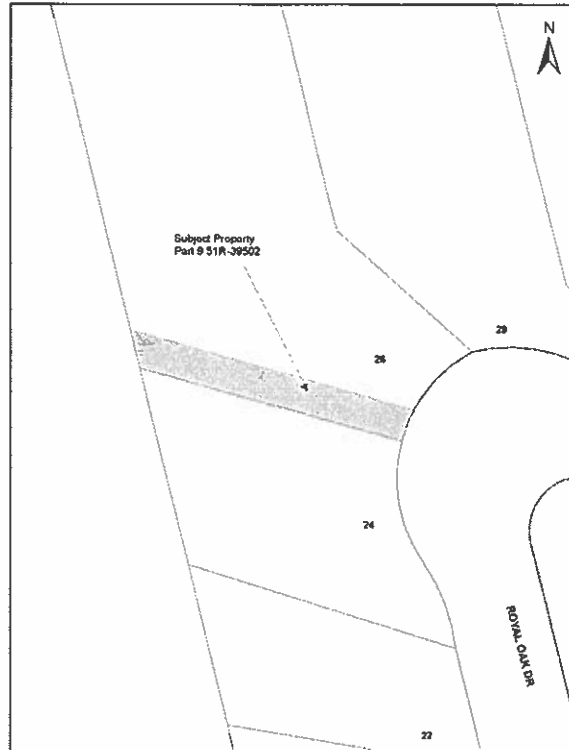


340 Maplevue Drive E- Part 1 on 51R-40208

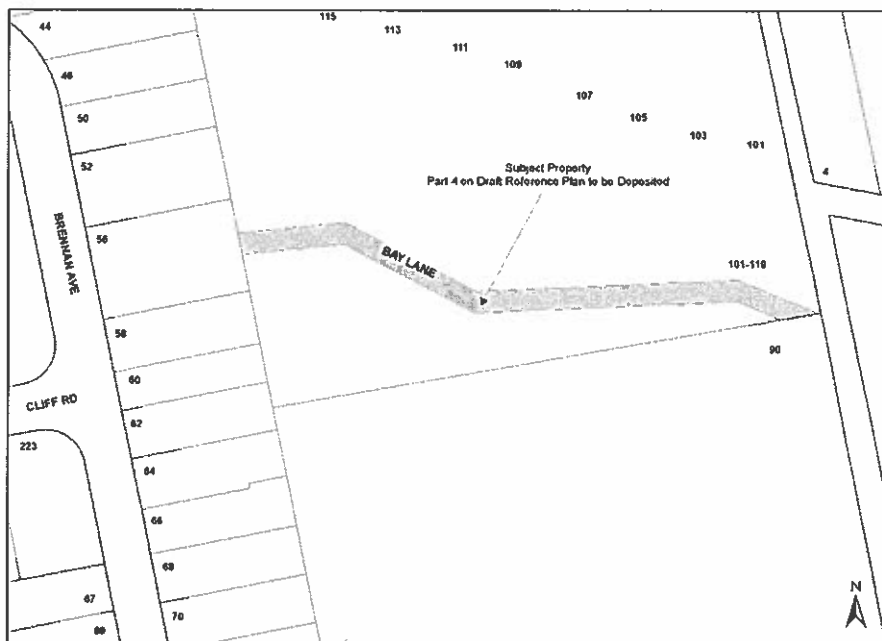


APPENDIX "B"

26 Royal Oak Drive- Part 9 on 51R-39502



Bay Lane Estates- Part 4 on Draft Reference Plan to be deposited



APPENDIX "C"

642 Dunlop Street West, 599 Dunlop Street West, 551 Tiffin Street and 557 Tiffin Street –
Parts 1 to 5 on 51R-40157

