
TO: GENERAL COMMITTEE

SUBJECT: EXPROPRIATION – MAPLEVIEW DRIVE EAST ROAD EXPANSION – EAST OF YONGE TO PRINCE WILLIAM, PROJECT EN1271

WARD: 9 AND 10

PREPARED BY AND KEY CONTACT: A. MILLS, MANAGER OF LEGAL SERVICES, EXT. 5051
A. TOTH, ENGINEERING PROJECT MANAGER, EXT. 4362

SUBMITTED BY: I. PETERS, DIRECTOR OF LEGAL SERVICES
S. DIEMERT, DIRECTOR OF INFRASTRUCTURE

GENERAL MANAGER APPROVAL: B. ARANIYASUNDARAN, P. ENG., GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

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

RECOMMENDED MOTION

1. That the Director of Legal Services be authorized to commence expropriation proceedings to acquire the property requirements necessary to facilitate the construction of Mapleview Drive East between Yonge Street and Prince William Way, being Parts 1 and 2 on Reference Plan 51R-43564, Parts 1 and 2 on Reference Plan 51R-43562, Parts 1 to 5 on Reference Plan 51R-45363, Part 1 on Reference Plan 51R-43592 and Parts 1 to 4 on Reference Plan 51R-45393 as identified in Appendix “A” of Staff Report INF004-22 (the “Subject Properties”)
2. 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.
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 Inquiry Officer and that the Chief Inquiry Officer be requested to report to Council with respect to any such request.
4. That the Director of Legal Services be delegated authority to settle the expropriations or any 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

5. This Staff Report is being put forward to provide staff with authorization to proceed with expropriating the Subject Properties, in the event that negotiated Agreements of Purchase and Sale are not in place by January 17, 2023, in order to meet the construction timelines of construction of Mapleview Drive East between Yonge Street and Prince William Way.

6. To support growth within the Hewitt's Secondary Planning Area in south Barrie, the City undertook a Class Environmental Assessment for Hewitt's Secondary Plan Area Transportation Improvements and reported on this assessment in Staff Report ENG009-17 on June 12, 2017.
7. On June 19, 2017, City Council adopted motion 17-G-155 regarding Hewitt's Secondary Plan Transportation Improvements Municipal Class Environmental Assessment Phases 3 and 4 (Ward 9 And 10) as follows:
 - a) That the Preferred Design Alternative for the arterial roadway corridors within the Hewitt's Secondary Plan as assessed in the Municipal Class Environmental Assessment Phases 3 and 4, be adopted as outlined in Staff Report ENG009-17.
 - b) That, in accordance with the requirements of the Class Environmental Assessment process, the Hewitt's Secondary Plan Transportation Improvements Municipal Class Environmental Assessment Phases 3 and 4 be approved and staff file the Environmental Study Report (ESR) for public review.
 - c) That based on the successful conclusion of this Class Environmental Assessment, the Engineering Department proceed with the detailed design of the preferred alternative design for roadways and municipal servicing within the Hewitt's Secondary Plan study, as presented in this Class Environmental Assessment.
 - d) That the Director of Legal Services be delegated authority to settle the expropriations or any negotiated agreements in an amount up to the maximum amount budgeted for property acquisition and the City Clerk be authorized to execute all associated and required documents in a form approved by the Director of Legal Services. (ENG009-17) (File: T05-HE)
8. Completion of the Maplevue Drive East expansion will serve as a critical transportation corridor supporting the expansion development within the Hewitt's Secondary Planning Area. The strategy was to complete this roadway in phases based on development demands.
9. Maplevue Drive East is identified as an arterial road as part of the 2019 Transportation Master Plan Update.
10. Through evaluation of impacts to the physical, natural, social, economic, and cultural environments as well as comments and responses received from the Public Consultation the preferred design alternative selected for Maplevue Drive East from Yonge Street to Prince William Way included a four (4) through lanes (two per direction), a raised concrete separator median in a varying Right-Of-Way with a Multi-Use Pathway on both sides, plus various intersection improvements. See Appendix "B."
11. The first significant acquisition of property necessary to construct Maplevue Drive East was approved pursuant to motion 17-G-155. This transaction has now closed, and the City obtained title to the property on August 3, 2021.
12. Some property required along the frontage of development areas have been acquired by way of conveyance through Site Plan Approvals.

ANALYSIS

13. Since the approval of the Environmental Study Report in October 2017, the City continued to the detailed design stage of the preferred design alternative towards the development of an Issued for Tender (IFT) package.

14. The design for Mapleview Drive East is 90% complete and City staff are currently coordinating pre-works, pertaining primarily with property acquisition and utility relocations.
15. Staff have been requested to acquire the Subject Properties as soon as possible in order to facilitate construction timelines for Mapleview Drive East which is scheduled to commence in 2024.
16. Negotiated Agreements of Purchase and Sale and Conveyance through Site Plan Approval are the preferred methods of property acquisition. In certain circumstances, that is not always possible and, as such, expropriation proceedings may become necessary to acquire the Subject Properties.
17. 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

18. This project has followed the guidelines for a Municipal Class EA, and physical, natural, social, cultural/heritage and economic environmental matters have been considered in the development of the recommendations and subsequent detailed design. Environmental matters have been considered in the development of the final design for Mapleview Drive East.
19. There are no environmental and climate change impact matters related to this project.

ALTERNATIVES

20. There is one alternative 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 of 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 significantly delay construction.

FINANCIAL

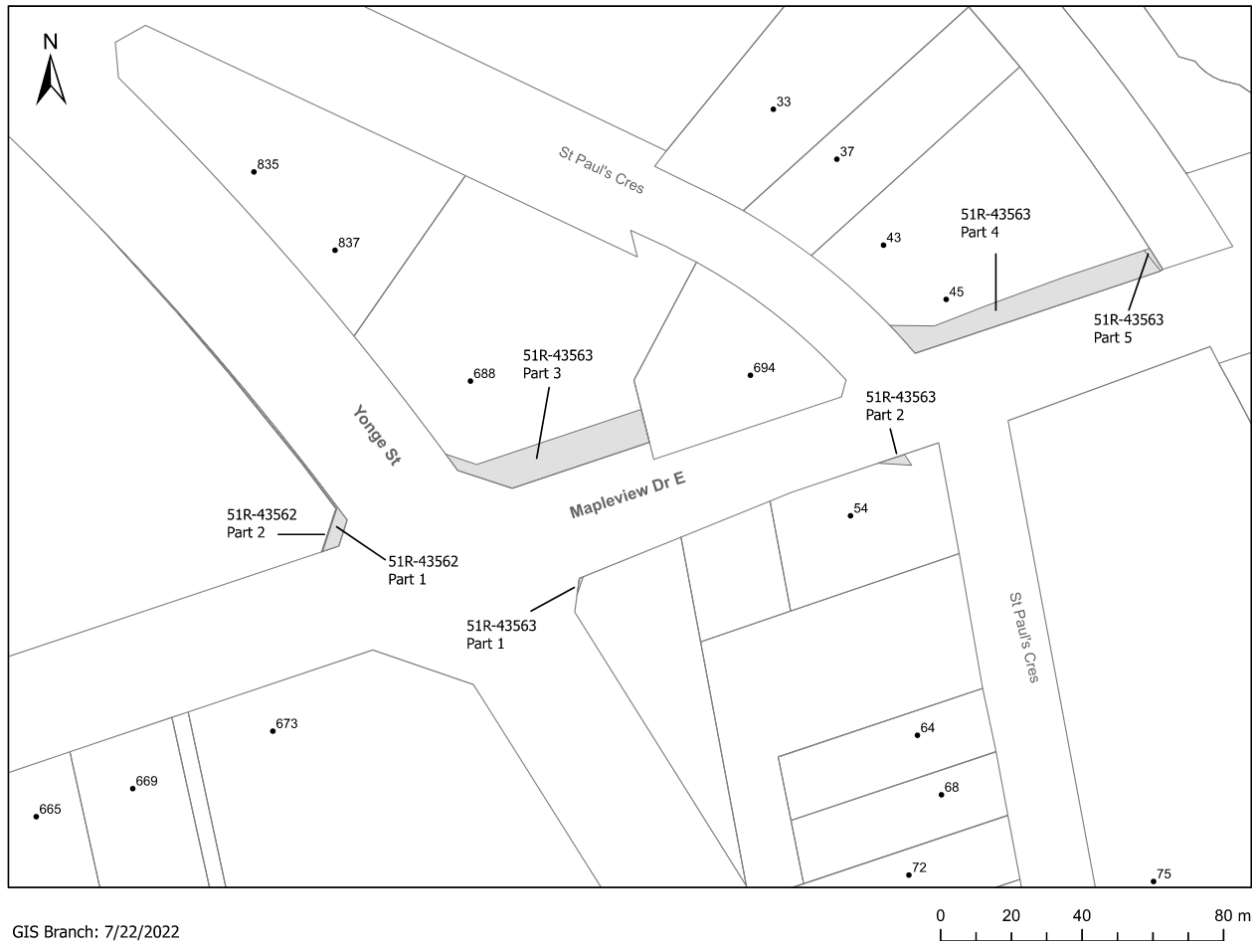
21. The costs associated with EN1271 have been included in the 2022-2031 Business Plan. EN1271 was included in the 2022 Capital Plan.

LINKAGE TO 2018–2022 STRATEGIC PLAN

22. The recommendation(s) included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
- ☒ Growing Our Economy
 - ☒ Fostering a Safe and Healthy City
 - ☒ Improving the Ability to Get Around Barrie
23. The recommendations support the Hewitt's Secondary Planning Area by providing a more complete area roadway network.
24. The implementation of Maplevue Drive East Expansion between Yonge Street and Prince William Way will improve traffic flow in south Barrie and provide the necessary transportation improvements to support the ongoing development in the area while improving motorist, cyclist, and pedestrian safety.

APPENDIX "A"

Subject Properties



GIS Branch: 7/22/2022



GIS Branch: 7/21/2022



APPENDIX "B"

Mapleview Dr E Cross Section

