



TO: GENERAL COMMITTEE

SUBJECT: EXPROPRIATION – YONGE STREET ROW EXPANSION – MAPLEVIEW TO LOCKHART

WARD: 9

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 Yonge Street between Mapleview Dr E and Lockhart Rd being Parts 1 to 27 on Reference Plan 51R-43676 as identified in Appendix “A” to Staff Report INF006-22 (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 June 1, 2023, in order to meet the construction timelines of construction of Yonge St between Mapleview Dr E and Lockhart Rd.

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6. To support the 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 (EA) 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. The completion of the Yonge St Right-Of-Way (ROW) 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. Yonge St is identified as an arterial road in the 2018 City of Barrie Official Plan.
 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 Yonge St from Mapleview Dr E to Prince William Way included four (4) through lanes (two per direction), a two-way left turn lane or raised concrete separator median barrier within a varying Right-Of-Way with a Multi-Use Pathway on the West side and a concrete sidewalk on the East side.
 11. The scope of this project is to provide a roadway widening and associated municipal services to the section of Yonge St between south of Mapleview Dr E and Lockhart Road. The extent of the roadway improvements includes, reconstruct road to urban standards, 4 travel lanes and a 4.2m median (raised or painted, depending on adjacent land use), 2m sidewalk on the east side, 3m multiuse pathway on the west boulevard, Local watermain services, Local sanitary services, stormwater drainage improvements and street lighting upgrades. Also included in this project is the relocation of the intersection of Yonge St with St. Paul's Crescent (South) and the provision of municipal services (watermain and sanitary sewer) along St. Paul's Crescent to south of Mapleview Dr E. No roadway surface improvements are proposed on St. Paul's Crescent.
 12. Some property required along the frontage of development areas have or will be 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 Yonge St is 90% complete and construction is anticipated in 2027.
15. Negotiated Agreements of Purchase and Sale and Conveyance though 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.
16. 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

17. 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 Yonge St.
18. There are no environmental and climate change impact matters related to this project.

ALTERNATIVES

19. 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 requirement for the Subject Properties and the potential for unsuccessful negotiations which could delay construction.

FINANCIAL

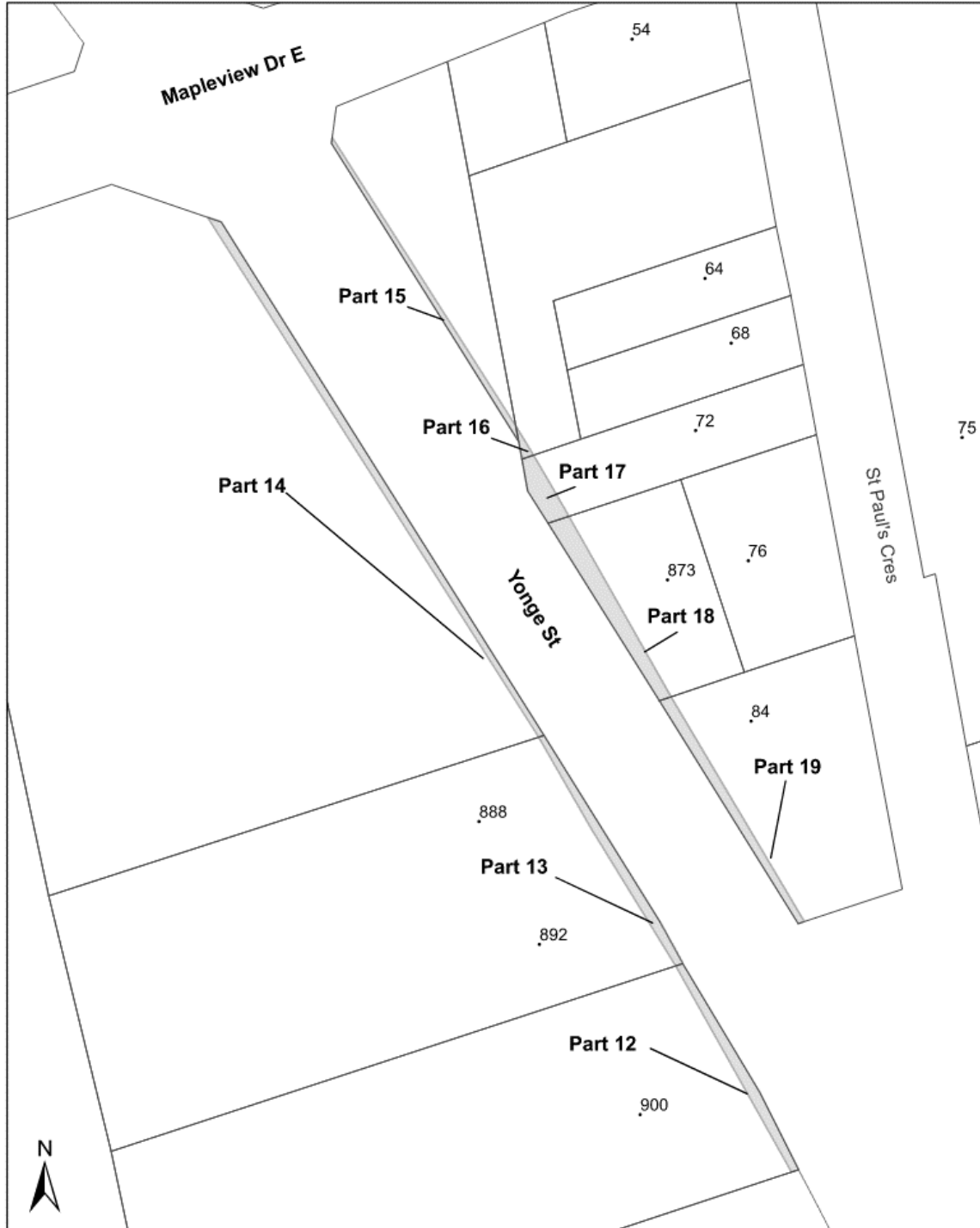
20. The costs associated with EN1261 have been included in the 2022-2031 Business Plan. EN1261 was included in the 2022 Capital Plan.

LINKAGE TO 2022-2026 STRATEGIC PLAN

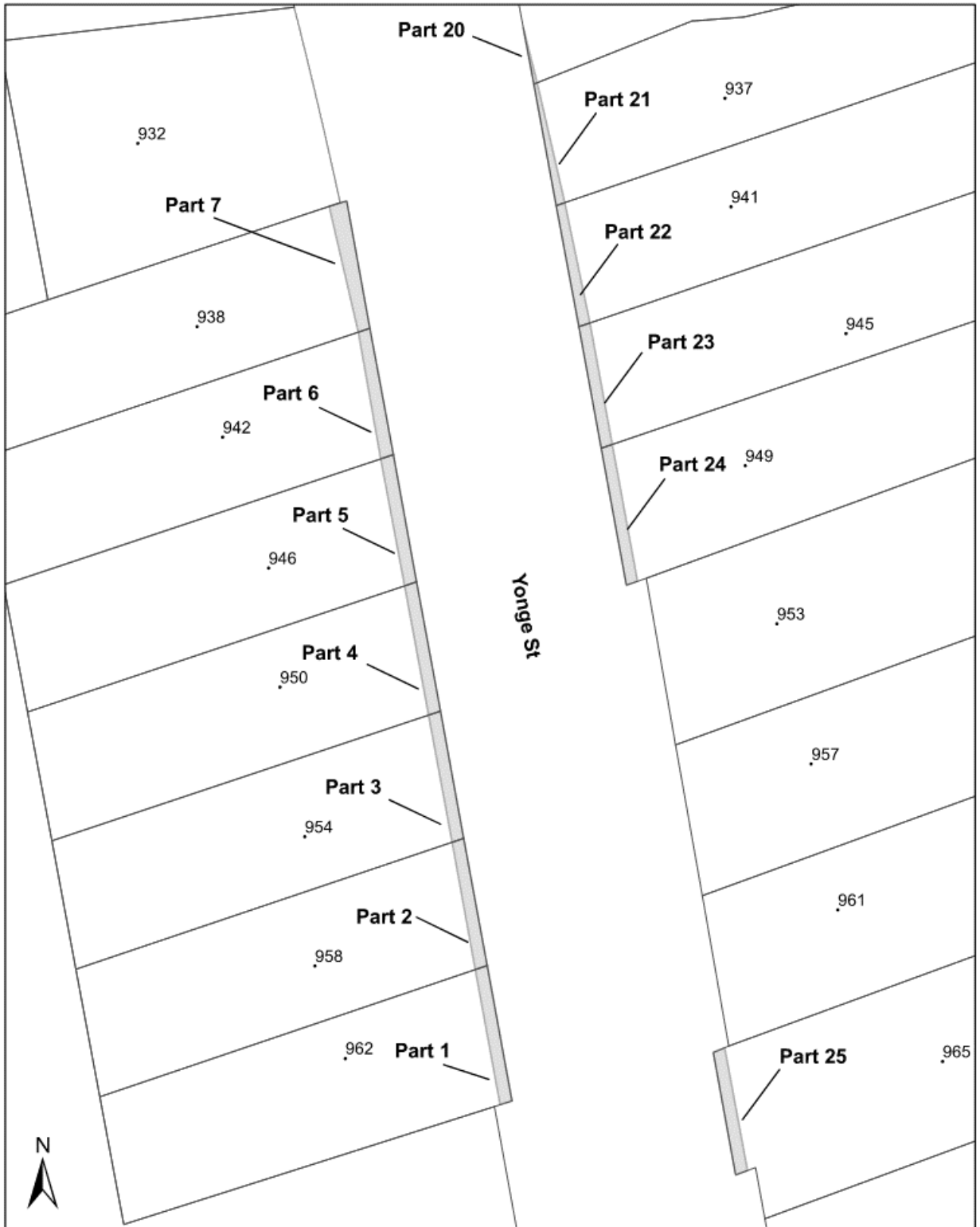
21. The 2022-2026 Strategic Plan has not been completed at the time that this Report is being presented.
22. The recommendations support the Hewitt's Secondary Planning Area by providing a more complete area roadway network.
23. The implementation of Yonge St ROW Expansion between Maplevue Dr E and Lockhart 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.

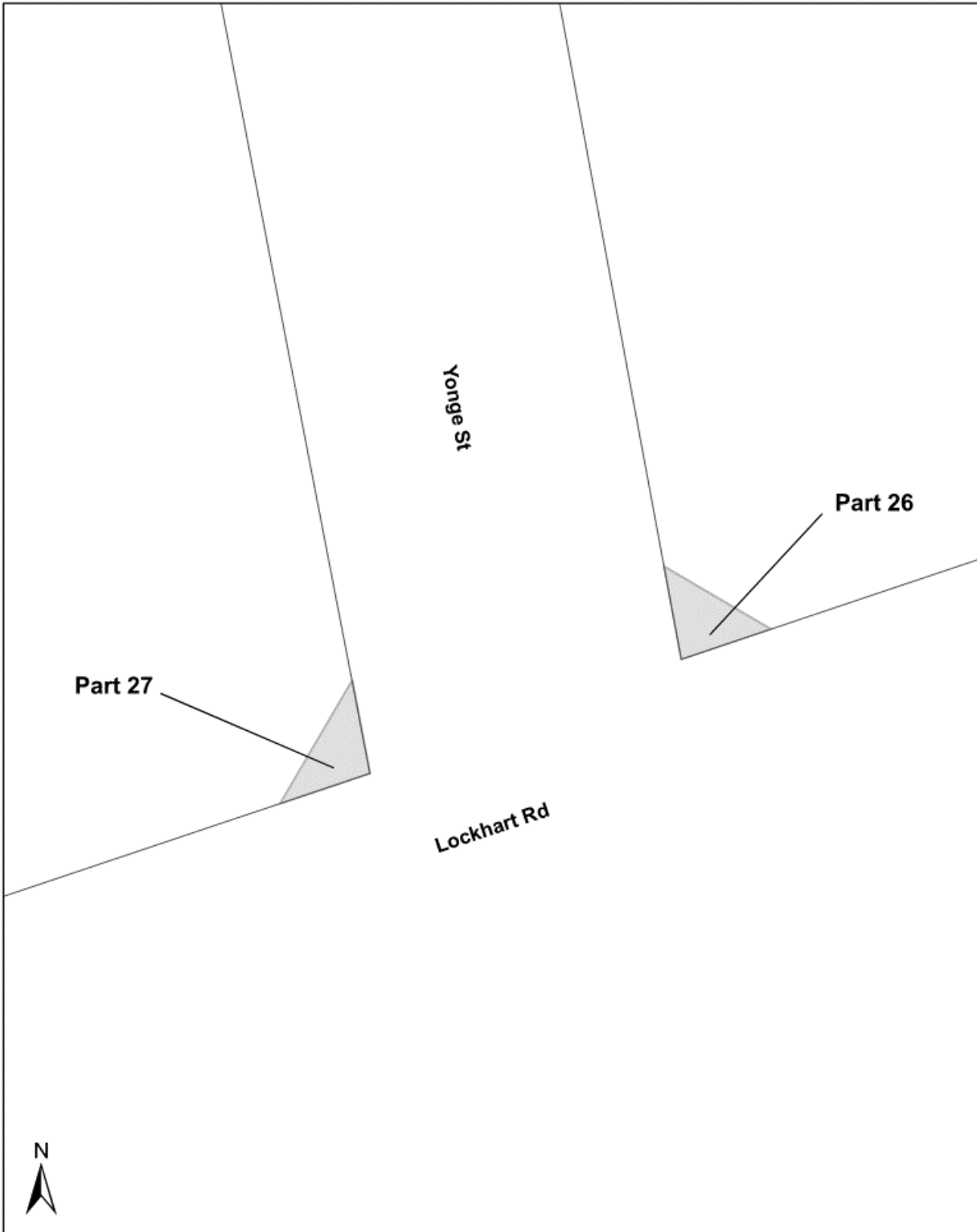
APPENDIX "A"

Subject Properties









APPENDIX "B"

Yonge St Cross Section

