
TO: GENERAL COMMITTEE

SUBJECT: EXPROPRIATION OF ROAD WIDENINGS- MAPLEVIEW DRIVE EAST

WARD: 9

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

SUBMITTED BY: I. PETERS, DIRECTOR OF LEGAL 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 fee simple interests in land to facilitate the reconstruction of Mapleview Drive East between Bayview Drive and Yonge Street on lands municipally known as 423, 624, 628, 632, 658 and 662 Mapleview Drive East, designated as Part 1 on 51R-40668, Parts 1, 2 and 3 on 51R-40667 and Parts 1 and 2 on 51R-40669 respectively, indicated in Appendix "A" to Staff Report LGL001-17 (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 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

5. This Staff Report is being put forward to provide staff with the authorization to proceed with expropriation of the Subject Properties to expedite and ensure acquisition of the required property prior to fall 2017 to facilitate construction timelines.
6. Reconstruction of Mapleview Drive East (Bayview Drive to Yonge Street) was approved by Council motion 07-G-365 and the selection of the Municipal Class EA Preferred Design Alternative which included widening Mapleview Drive East in 3 phases. Phase 3 of the reconstruction project is from Stunden Lane/Country Lane to Yonge Street and is to include the widening of the road to a five lane cross section, installation of sidewalks, curb and gutter, street lighting and storm and sanitary servicing.
7. The Subject Properties are located within Phase 3 of the associated road reconstruction project and project funding was included as part of the 2016 Capital Budget by motion 16-G-104.

8. City staff have been working with the land owners of the Subject Properties in an effort to come to a negotiated agreement but so far have been unable to do so.

ANALYSIS

9. Staff have been requested to obtain the Subject Properties as soon as possible to facilitate construction timelines and relocation of utilities.
10. One of the Subject Properties has significant property liens against its title which will require expropriation in order to provide clear title to the City required land.
11. The only way in which the Subject Properties can be obtained with certainty within requested timelines is to immediately commence expropriation.
12. Legal Services staff will continue to pursue negotiations with the owners of the Subject Properties concurrently until such time as expropriation proceedings have been completed and it is no longer feasible to negotiate the required acquisitions.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

14. 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 short term requirement for the Subject Properties, the potential for unsuccessful negotiations which could significantly delay construction and the issue of significant liens encumbering one of the Subject Properties.

FINANCIAL

15. Funding for the Mapleview Drive East (Stunden Lane/Country Lane to Yonge Street) road reconstruction project was approved as part of the 2016 Capital budget. The funds required to acquire the Subject Properties are available in Capital project account 14-16-2510-1589-4100. Staff estimates the costs to be approximately \$228,500 plus any associated expropriation costs.

LINKAGE TO 2014-2018 STRATEGIC PLAN

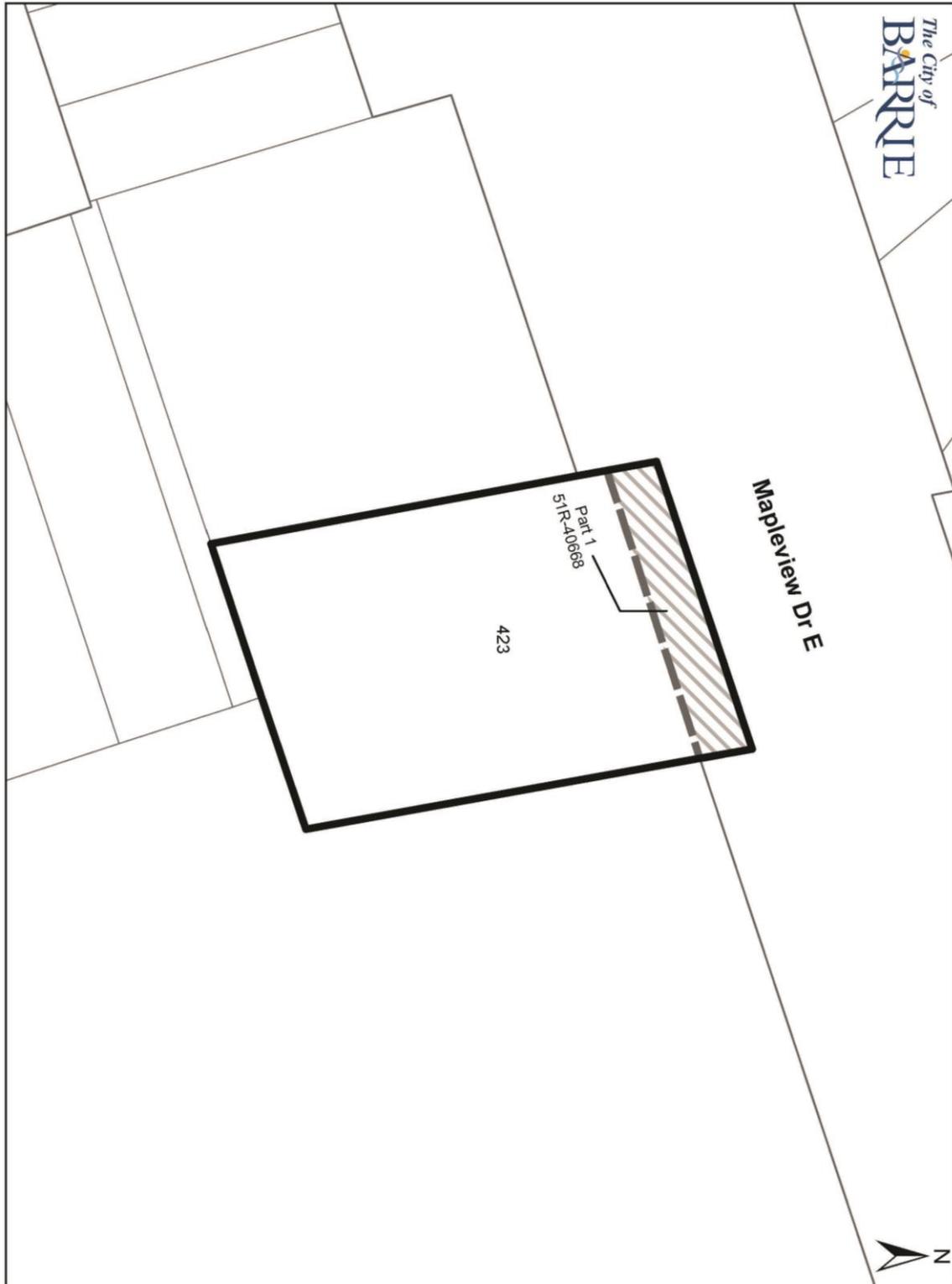
The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:

- Well Planned Transportation

16. Acquisition of the indicated property interests will allow the associated road reconstruction project to proceed in a timely manner and when completed will improve upon both the road network and the overall safety of the roads.

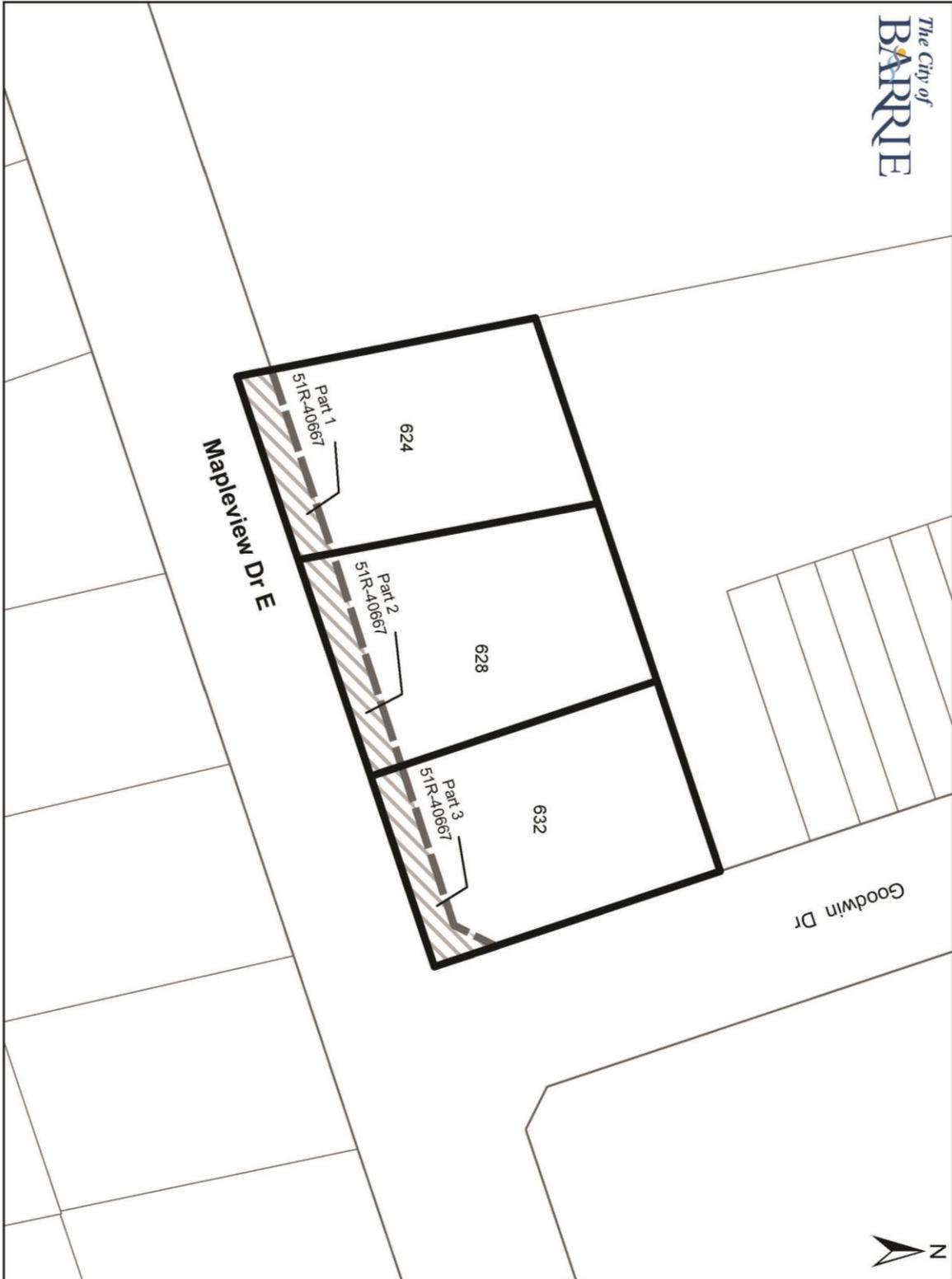
APPENDIX "A"

Part 1 on Plan 51R-40668



APPENDIX "A" cont'd

Parts 1, 2 and 3 on Plan 51R-40667



APPENDIX "A" cont'd

Parts 1 and 2 on Plan 51R-40669

