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<b>TO:</b>	<b>GENERAL COMMITTEE</b>
<b>SUBJECT:</b>	<b>ACQUISITION OF PROPERTY FOR THE CURRIE EAST STORMWATER MANAGEMENT IMPROVEMENTS</b>
<b>WARD:</b>	<b>2</b>
<b>PREPARED BY AND KEY CONTACT:</b>	<b>A. KILEY, P. Eng. SUPERVISOR OF ENGINEERING – DESIGN, EXT #4759</b>
<b>SUBMITTED BY:</b>	<b>B. ARANIYASUNDARAN, P. Eng., PMP DIRECTOR OF ENGINEERING</b>
<b>GENERAL MANAGER APPROVAL:</b>	<b>A. BOURRIE, RPP ACTING GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT</b>
<b>CHIEF ADMINISTRATIVE OFFICER APPROVAL:</b>	<b>M. PROWSE, CHIEF ADMINISTRATIVE OFFICER</b>

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#### **RECOMMENDED MOTION**

1. That staff complete the property acquisitions necessary for the expansion of the Currie East Storm Water Management Facility identified as Parts 1, 2 and 3 on Reference Plan 51R-41941, being part of 364 St. Vincent Street, Barrie as represented in Appendix "A" (the "Subject Properties") to Staff Report ENG004-19.
2. That the Director of Legal Services be authorized to commence negotiations and/or expropriation proceedings to acquire fee simple interests in the Subject Properties in accordance with the Sophia Creek Watershed and Mulcaster Drainage Area Municipal Class Environmental Assessment Phases 1 and 2.
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 have 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**

6. This staff report is being put forward to provide staff with authorization to proceed with negotiations and/or expropriation of the subject properties to ensure that property acquisitions are completed in a timely manner to facilitate construction timelines.

7. Council Motion 17-G-262 accepted the preferred alternative outlined within Staff Report ENG014-17 Sophia Creek Watershed and Mulcaster Drainage Area Municipal Class Environmental Assessment (Class EA) Phases 1 and 2.
8. The Class EA identifies the need for the City to improve and upgrade the Currie East Stormwater Management Facility (SWMF). Additional property is required to facilitate these improvements.
9. Part 1 on Reference Plan 51R-41941 is required to expand the capacity of the existing stormwater retention pond.
10. Parts 2 and 3 on Reference Plan 51R-41941 currently have easements in favour of the City of Barrie for storm drain purposes, however limit opportunities to operate and maintain the associated pond within the current easement terms. Furthermore, these parts will no longer be accessible from 364 St. Vincent Street following the acquisition of Part 1 on Reference Plan 51R-41941. As a result, the fee simple purchase is recommended.
11. Project funding for the associated stormwater management facility was included as part of the 2019 Capital Budget approved under Motion 19-G-016.

### **ANALYSIS**

12. Staff have been requested to acquire the subject properties as soon as possible in order to facilitate construction timelines. Construction is scheduled to commence in 2020, following the 2020 business plan approval.
13. Negotiated agreements of purchase and sale are the preferred method of property acquisition. In certain circumstances, that is not always possible and as such expropriation proceedings may become necessary to acquire the subject properties.
14. 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 MATTERS**

15. The following environmental matters have been considered in the development of the recommendation:
  - a) Improvements to the Currie East SWMF will increase the storage volume of stormwater and reduce the risk of flooding downstream.
  - b) The improvements will reduce phosphorous from the Sophia Creek drainage system as required under the Lake Simcoe Phosphorous Reduction Strategy.

### **ALTERNATIVES**

16. The following alternatives are 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.

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**FINANCIAL**

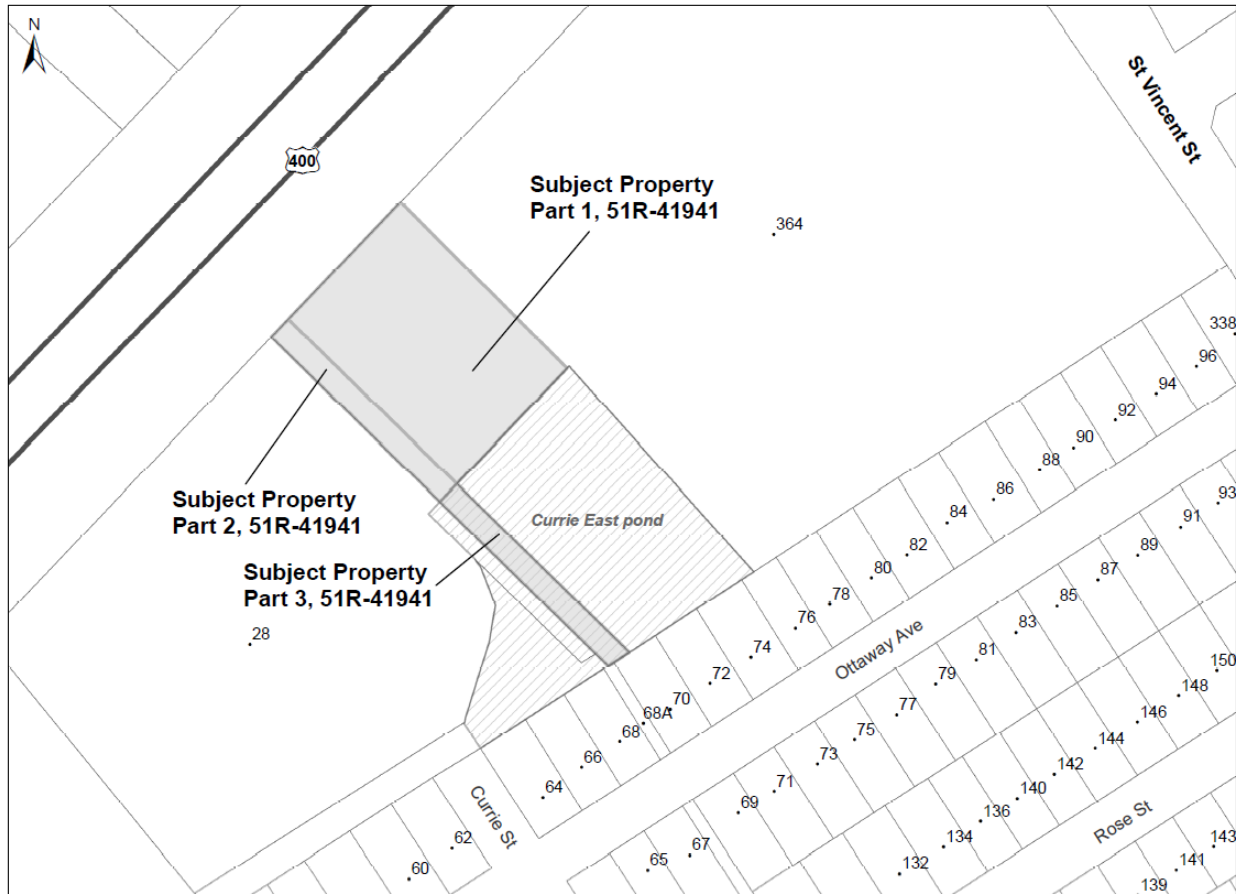
17. The estimated costs associated with the acquisition of the property have been included in the 2019 Capital Budget. Capital expenditures related to the recommendation are included in account 01-EN1269.18.24.

**LINKAGE TO 2018-2022 STRATEGIC PLAN**

18. 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
19. Acquisition of the subject properties will allow the associated Currie East SWMF project to proceed in a timely manner and when completed, will improve upon both the Sophia Creek watershed and the overall quality of the stormwater runoff.

APPENDIX "A"

Subject Properties Sketch



364 St Vincent St

GIS Branch: 2019-03-21