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**TO:** GENERAL COMMITTEE

**SUBJECT:** ACQUISITION OF ROAD WIDENINGS- DUCKWORTH STREET

**WARD:** 1 & 2

**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

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**RECOMMENDED MOTION**

1. That Staff complete the property acquisitions necessary for the Duckworth Street (Bell Farm Road to St. Vincent Street) transportation improvements as identified in Phases 3 and 4 of the Municipal Class EA Preferred Design Alternative, indicated in Appendix "A", (the "Subject Properties").
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 to facilitate the reconstruction of Duckworth Street between St. Vincent Street and Bell Farm Road.
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 the Chief Inquiry Officer be requested to report to Council with respect to any such request.
5. 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**

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. The Duckworth Street (Bell Farm Road to St. Vincent Street) Class EA Preferred Design Alternative was adopted by Council motion 15-G-151 as outlined in Staff Report ENG009-15. The right of way configuration is to be separated into three segments as follows:

**Segment 1- St. Vincent Street to Wellington Street**

- 2 vehicles lanes- north/south.
- 1.5m bike lanes on both sides of street.

- 2.0m boulevard widths on both sides of street.
- 1.5m sidewalks on both sides of street.
- 10.0m pavement width and 20.1m right of way width.

#### **Segment 2- Wellington Street to Davies Crescent**

- 2 vehicles lanes- north/south, 3.3m wide.
- Continuous two way left turning lane 3.8m wide.
- 1.5m bike lanes on both sides of street plus 0.5m buffer.
- Variable boulevard width on east side of the street; 2.0m boulevard width from Wellington Street to Howard Crescent and 1.5m boulevard from Howard Crescent to Highview Road.
- 2.0m boulevard widths on both sides of street.
- 14.4m pavement width.
- Maintain existing right of way width.
- Additional 2m of property required at taper on east side between Melrose Street and Wellington Street plus daylighting triangles at intersections.

#### **Segment 3- Davies Crescent to Bell Farm Road**

- 4 vehicles lanes- two north and two south, 3.3m wide
- Continuous two way left turning lane 4.2m wide.
- 1.5m bike lanes on both sides of street plus 0.5m buffer.
- 1m boulevard width on both sides of street.
- 2.0m boulevard widths on both sides of street.
- Centre medians at Grove Street, Rose/Bernick and Bell Farm Road. The median on the north approach of Grove Street will be extended to the north to restrict movements at the south commercial access to right-in/right-out.
- 21.4m pavement width and 28.8m right of way width.
- Additional 2.1m to 4.2m of property required plus daylighting triangles at intersections.

8. Project funding for the associated road reconstruction project was included as part of the 2017 Capital Budget by Motion 17-G-024.

#### **ANALYSIS**

9. Staff have been requested to acquire the Subject Properties as soon as possible in order to facilitate construction timelines, commencing with the relocation of utilities in 2018.
10. 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.
11. The property required from 261 Rose Street and 2 Bernick Drive is held under condominium ownership. The Condominium Act provides that 80% approval is required from individual owners and mortgage holders of a condominium in order to sell any portion of the common elements of a condominium corporation. Given this complex approval process, it is a standard practice when acquiring property from condominium corporations to proceed directly to expropriation in order to ensure a timely property acquisition.
12. 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.

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**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 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**

15. The 2017 Capital Budget allocated \$450,000 for property costs to account 14-16-2510-1799-4100. Preliminary estimates by Staff indicate that an additional \$250,000 maybe required to complete the property acquisitions. Should additional funding be required, staff will seek it through a capital status report.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

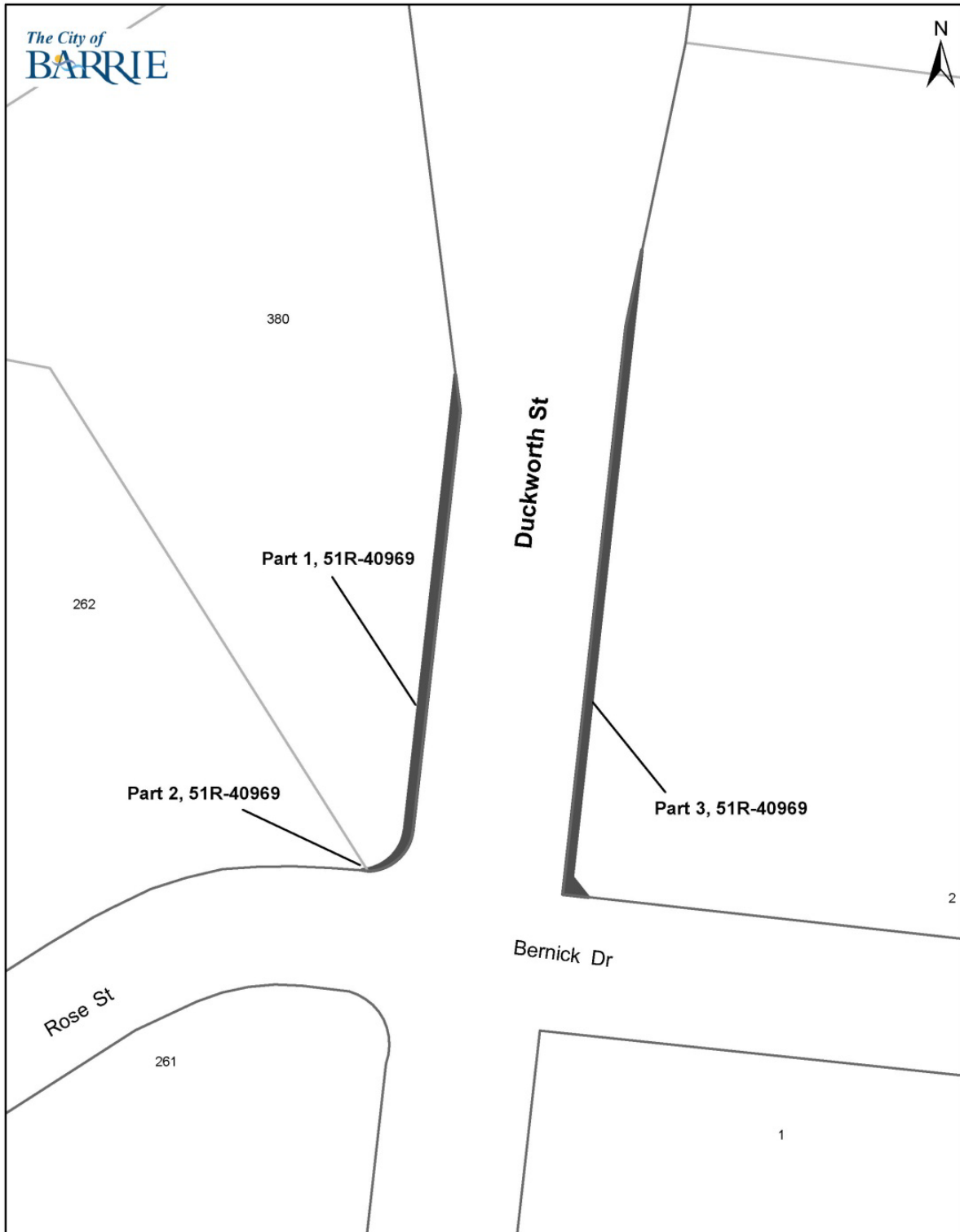
The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:

- Well Planned Transportation

16. Acquisition of the Subject Properties 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 road.

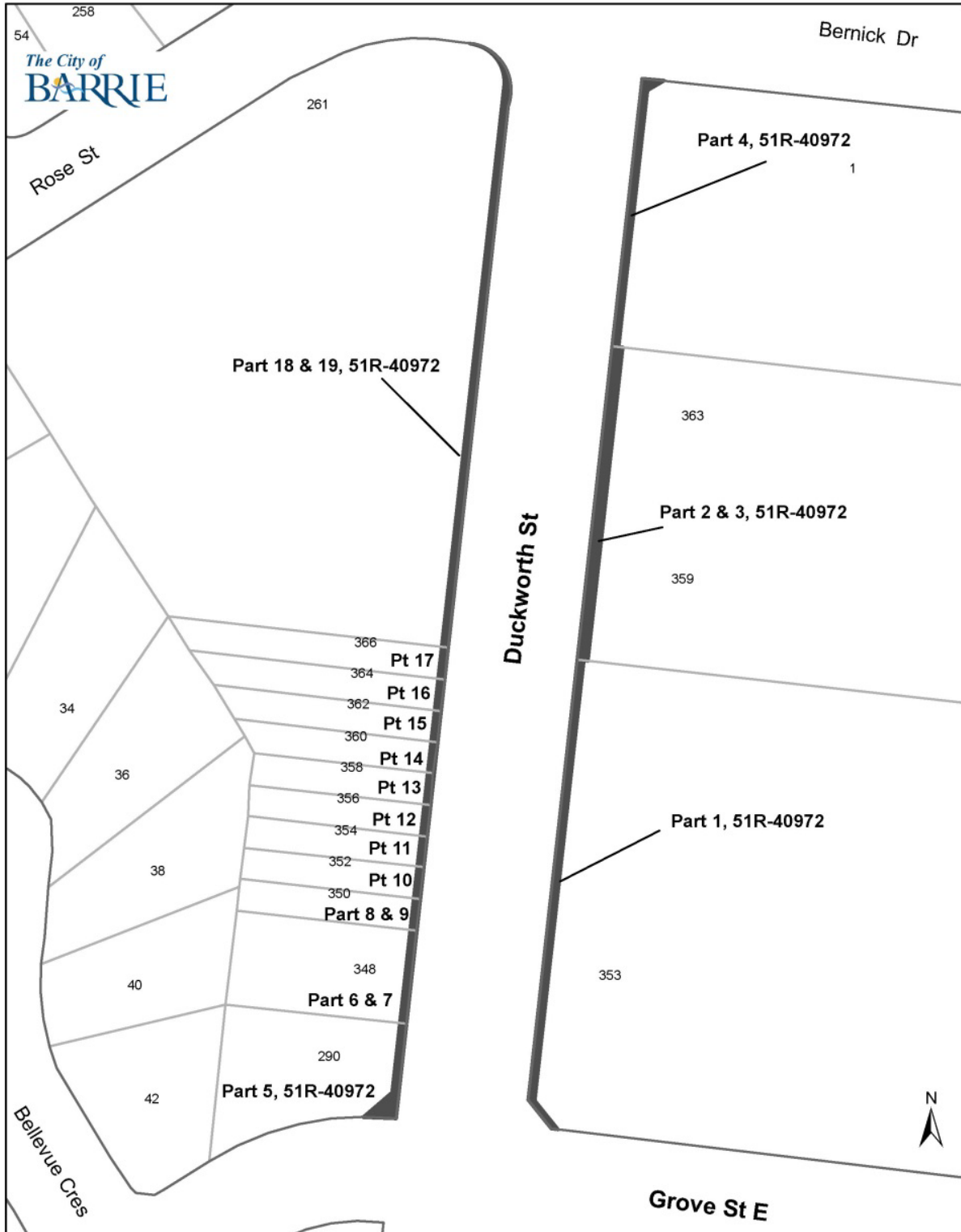
APPENDIX "A"

Plan 51R-40969



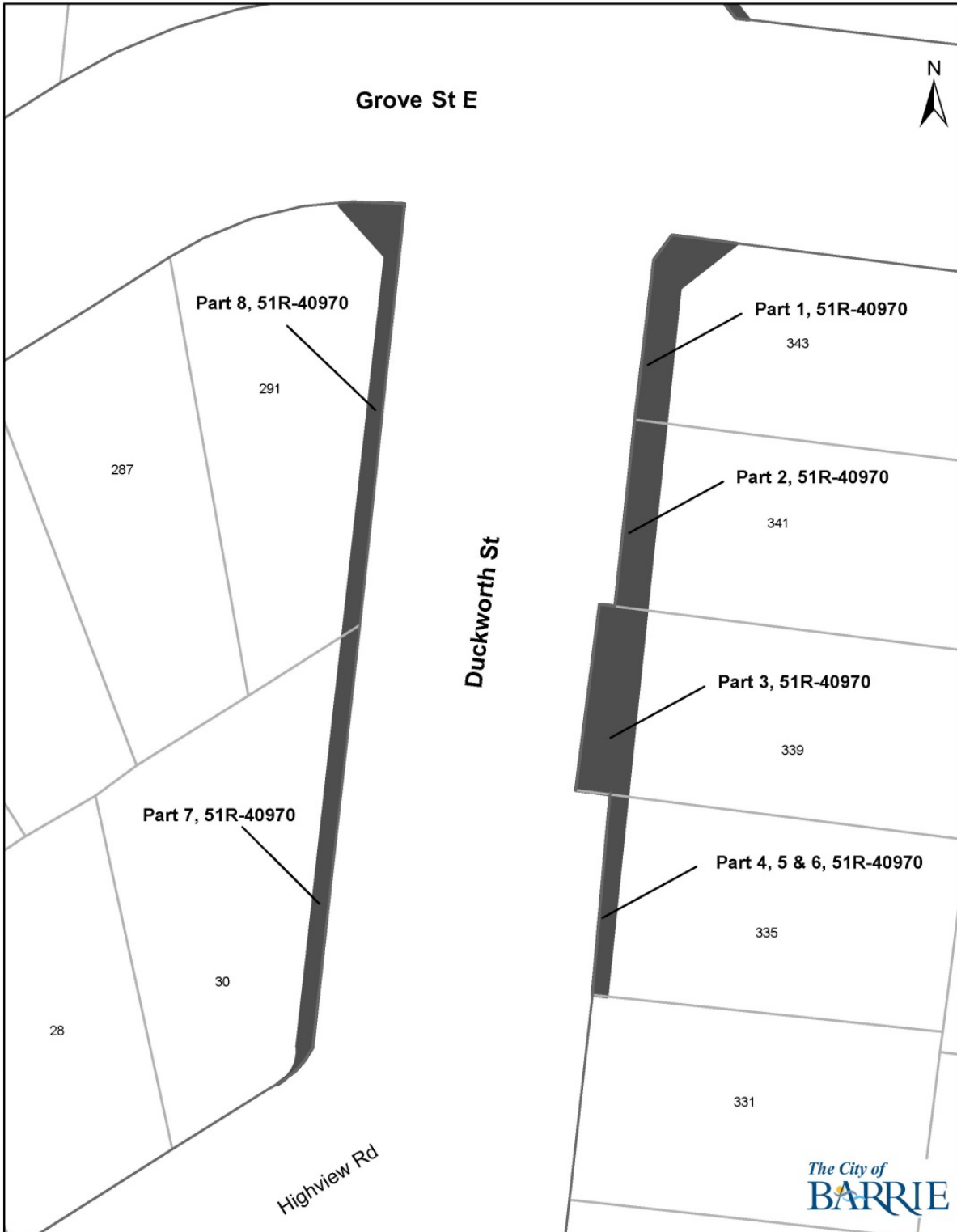
APPENDIX "A" cont'd

Plan 51R-40972



APPENDIX "A" cont'd

Plan 51R-40970



APPENDIX "A" cont'd

Plan 51R-40971



APPENDIX "A" cont'd

Plan 51R-40967





APPENDIX "A" cont'd

Plan 51R-40966



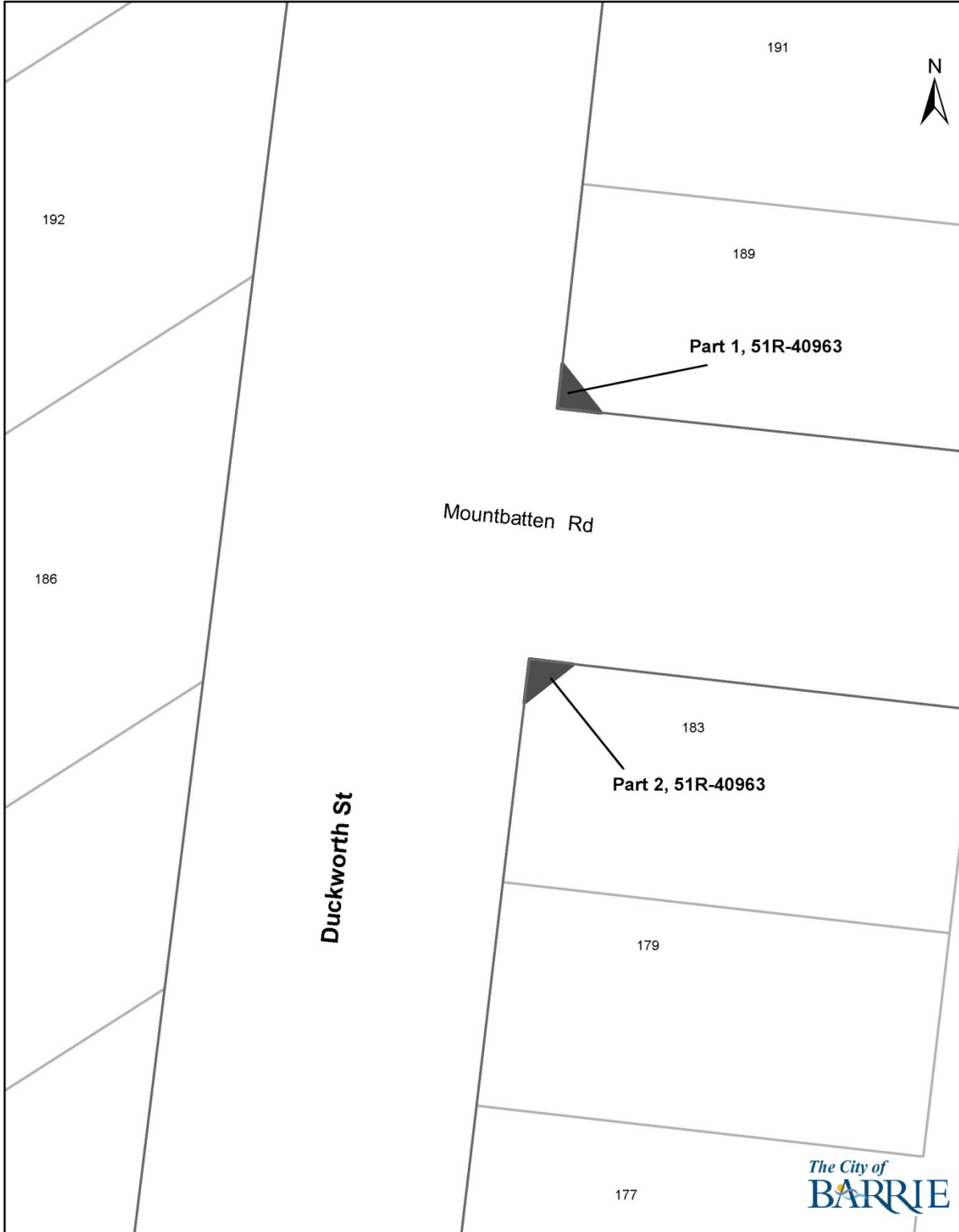
APPENDIX "A" cont'd

Plan 51R-40968



APPENDIX "A" cont'd

Plan 51R-40963



APPENDIX "A" cont'd

Plan 51R-40964

