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## ADVANCE PROPERTY PURCHASE

Policy Category/Section: A09

Approval Date and Motion: January 27, 2020; Motion 20-G-019

Effective Date: January 28, 2020

Last review date:

### 1. Policy Statement:

The City of Barrie will receive and consider requests to advance full property purchases for properties identified in completed environmental assessment studies. Properties that meet the criteria outlined in this policy will proceed for purchase with funds allocated in the subsequent capital plan.

### 2. Purpose/Application:

The City of Barrie's infrastructure projects sometimes result in the need for the City to acquire a portion of or an entire property. This is usually done by purchase or expropriation once the appropriate studies and design are done to narrow down exactly what our property requirements are and when they will be required. In some instances a delay in the timing of the acquisition, once identified, may create a hardship or the perception of hardship, for the landowner.

This policy will allow landowners to approach the City to make a request to have their property purchase expedited.

This policy will provide a framework to receive these requests and assess the merits of advance property purchases.

The Policy is intended to:

- Outline the steps required to assess an advance purchase request.
- Provide a mechanism to consider/determine eligibility and assess the merits of an advance purchase request.

### 3. Definition(s):

**Environmental Assessments** – A study completed under the Municipal Class Environmental Assessment process which is a standardized planning process for municipal infrastructure project. This policy covers environmental assessments completed by the City of Barrie.

**Completed Environmental Assessments** – When a Notice of Completion has been filed, and no Part II orders are received, the project requires no further environmental approvals under section 5 of the Environmental Assessment Act.

**Advance property purchase** - Approval of funding through a capital plan and initiation of property acquisition for properties where timing is accelerated from the typical infrastructure project delivery model.

**Residential** – A property is considered residential if under the current zoning bylaw it is classified as RH, R1, R2, R3, R4, RM1, RM1-SS and RM2. Properties meeting this zoning and where the existing structure has 3 or less dwelling units are deemed to be eligible.

**Compensation** – Compensation to landowners for the purchase of their property to the City will be determined as it normally would for any other property. The compensation is being treated as a voluntary sale.

#### 4. Specific Policy Requirements:

A property owner may make a written request to have the City advance the property purchase if the following criteria are met:

- a. **Completed Environmental Assessment:** The property has been identified in a completed Environmental Assessment as being required for full acquisition by the City of Barrie.
- b. **Land Use:** A property will be eligible for advance purchase property if it is residential. This means it is detached, semi-detached townhouse or other form of ground related residential. The owner is the primary resident or one of the primary residents.
- c. **Capital Plan Timing:** The current approved capital plan will be consulted to determine when the property purchase is anticipated to proceed. If the property phase of the project is forecast within the first five years, the advance purchase will be considered (e.g. if it is 2020, properties identified from 2020 to 2024 inclusive would be considered). Properties that are in the second 5 years of the capital plan or not in the capital plan would not be considered.

##### 4.1 Funding:

The advance purchase budget request will be considered during the next revision of the capital plan. No in-year modifications to the capital plan will be considered through this policy. Final approval of funding will be through Council's approval of a capital plan.

##### 4.2 Timing:

For 2020, the preferred cutoff date for consideration in the next year's budget is May 31. Requests received after May 31 will not be able to be accommodated into the next budget cycle (e.g. a request received October 2020 would need to wait to be considered for the 2022 plan). The timing could change annually and members of the public contemplating requesting advance purchase are advised to contact the City to determine the current timing.

Once the budget to purchase the property has been approved, the City will engage in negotiation with the property owner for purchase of the property.

#### 5. Limitations

This policy is limited to properties identified through municipal class environmental assessments for purchase by the City of Barrie for implementing infrastructure projects. Properties identified through other processes or for other agencies are not considered.

The advancing of the funds for property purchase will be done through the City's budget prioritization project. The prioritization committee will receive the request and report to Council on funding being advanced or if the funding is not advanced, a rationale for not adhering to this policy will be provided.

#### 6. Responsibilities

The Infrastructure and Growth Management Division will lead the implementation of this policy with support from Finance and Legal Services. Requests will be made to the Director of Infrastructure if the project design is underway or the Manager of Corporate Asset Management if the project hasn't yet started.

#### 7. Related Policies, Legislation and By-laws

There are no related policies, legislation or by-laws.