



To: Richmond City Council

Date: August 25, 2006

From: Christine McGilvray
Manager, Lands and Property

File: 06-2275-20-297-012/Vol
01

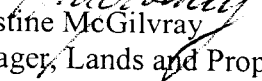
Re: 21000 Westminster Highway - Expropriation

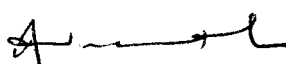
Staff Recommendation:

That the Council of the City of Richmond pursuant to Section 18 of the Expropriation Act, R.S.B.C. 1996, c.125, as the approving authority for the expropriation contemplated in the Expropriation Notice dated August 11, 2006 registered in the New Westminster/Vancouver Land Title Office under number BA312484 does approve that expropriation.

And further, that the Director, City Clerk's Office, is authorized and directed to:

- (a) sign and seal the Certificate of Approval in the form attached to this resolution as Schedule A;
- (b) notify or cause to be notified the expropriating authority and each owner (as defined in the *Expropriation Act* of the City's approval of the expropriation;
- (c) make the advance payment or payments as required under Section 20(1)(d) of the *Expropriation Act* and serve the Notice of Advance Payment in Form 8 along with a copy of the appraisal report(s) on which the advance payment is made;
- (d) file or cause to be filed in the Land Title Office a Vesting Notice under Section 23 or the *Expropriation Act*;
- (e) sign and seal the Notice of Advance Payment and Vesting Notice.


 Christine McGilvray
 Manager, Lands and Property (4005)
 Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
CONCURRENCE OF GENERAL MANAGER		
		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

At the June 26, 2006 closed Council meeting, an expropriation process for a portion of the lands at 21000 Westminster Highway commenced. A further resolution was passed by Council in open meeting on July 24, 2006 authorizing staff to serve the Notice of Expropriation and take other necessary steps.

Before the expropriation can be completed, Council must approve of the expropriation in its capacity of "Approving Authority" under the Expropriation Act. In addition, a resolution is required to authorize the remaining steps (including payment) to complete the expropriation.

Findings Of Fact

The expropriation appraisal has now been completed. The suggested total value of the expropriated interest is \$338,000 (see the letter from the appraiser - Attachment 1). This is the basis of the City's payment to the owners.

Payment to the owners will be apportioned between the strata units according to the loss in value attributed to each. A copy of the appraisal relevant to their own unit will be given to the owners when payment is made.

Analysis

Before the expropriation can be completed, Council must approve of the expropriation in its capacity of "Approving Authority" under the Expropriation Act. In addition, a resolution is required to authorize the remaining steps (including payment) to complete the expropriation.

It is anticipated that the payment and filing of the Vesting Notice will take approximately seven working days, after which time the City will be able to access the land.

Financial Impact

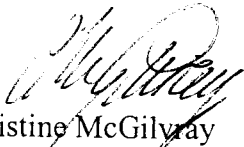
The initial payment to the owners will be \$338,000. The owners will have one year in which to file claims under the expropriation to either challenge the value or prove other business losses.

In addition, the City will be compensating the owners for the loss of their landscaping from the site; for use of a temporary working space required for the duration of the project; and paying for the cost of sign relocation. These additional costs are estimated at \$38,600.

Capital funding for the acquisition/expropriation is available in 2006 approved capital projects.

Conclusion

The resolution of the Approving Authority and the resolution of Council authorizing the Certificate of Approval, the making of the advance payment and the filing of the vesting order, each as set out on the cover page of this report, are necessary in order to complete this expropriation.



Christine McGilvray
Manager, Lands and Property
(4005)

CMG:

Expropriation Act
Form 5
(Section 18(2))

Certificate of Approval of Expropriation

TO: City of Richmond
6911 No. 3 Road, Richmond, B.C. V6Y 2C1

The Owners, Strata Plan LMS1095
c/o Dorset Realty Corp.
Suite 280 – 8211 Ackroyd Road, Richmond, B.C. V6X 3K8

British Columbia Golf Association
210 – 21000 Westminster Highway, Richmond, B.C. V6V 2S9

Cullen Construction Ltd.
3590 – 40th Street, Delta, B.C. V4K 3N2

Everybody's T-Shirt Company Ltd.
#2115 – 21000 Westminster Highway, Richmond, B.C. V6V 2S9

Tail Wind Cycles Ltd.
200 – 5611 Cooney Road, Richmond, B.C. V6X 3J6

Farrell Estates Ltd.
211 – 8171 Park Road, Richmond, B.C. V6Y 1S9

Donna June Wild
6467 Knight Drive, Delta, B.C. V4E 1S3

Wilfit Holdings Inc.
6467 Knight Drive, Delta, B.C. V4E 1S3

William Raymond Slater
12245 – 99A Avenue, Surrey, B.C. V6V 2R3

James Rosyln Lenville
6383 Thorne Avenue, Burnaby, B.C. V3N 2V2

Artex Screenprint Ltd.
Unit 12 – 1520 Cliveden Avenue, Delta, B.C. V3M 6J8

Sarup Singh Puni
8311 Williams Road, Richmond, B.C. V7A 1G4

Surinder Pal Puni
 8311 Williams Road, Richmond, B.C. V7A 1G4
 Harvir Puni
 8311 Williams Road, Richmond, B.C. V7A 1G4

Dardel Inc.
 2170, 21000 Westminster Highway, Richmond, B.C. V6V 2S9

693972 B.C. Ltd.
 18298 – 21A Avenue, Surrey, B.C. V3S 9W2

Valk Enterprises Ltd.
 18298 – 21A Avenue, Surrey, B.C. V3S 9W2

456235 B.C. Ltd.
 1000 – 21000 Westminster Highway, Richmond, B.C.

Mill & Timber Products Ltd.
 Suite 330, 522 – 7th Street, New Westminster, B.C. V3M 5T5

British Columbia Hydro and Power Authority
 333 Dunsmuir Street, Vancouver, B.C. V6B 5R3

Telus
 555 Robson Street, Vancouver, B.C. V6B 3K9

Montreal Trust Company
 c/o Bank of Nova Scotia
 510 Burrard Street, Vancouver, B.C. V6C 3A8

Coast Capital Savings Credit Union
 200 – 11911 Cambie Road, Richmond, B.C. V6X 1L6

The Toronto-Dominion Bank
 #237 – 610 Sixth Street, New Westminster, B.C. V3L 5V1

Business Development Bank of Canada
 Main Floor, One Bentall Centre
 505 Burrard Street, Vancouver, B.C. V7X 1V3

Ray Wild
 6467 Knight Drive, Delta, B.C. V4E 1S3

Donna June Wild
6467 Knight Drive, Delta, B.C. V4E 1S3
Royal Bank of Canada
10215 King George Highway, Surrey, B.C. V3T 2W6

Theodore Leonard Lenville
#308 – 7368 Royal Oak Avenue, Burnaby, B.C. V5J 4J6

Richard Peter Dyck
9371 Seagrave Road, Richmond, B.C. V7A 3Y7

Gulf and Fraser Fishermen’s Credit Union
2735 East 41st Avenue, Vancouver, B.C. V5R 2W8

Vancouver City Savings Credit Union
183 Terminal Avenue, 11th Floor, Vancouver, B.C. V6A 4G2

Bank of Montreal
220 – 5300 No. 3 Road, Richmond, B.C. V6X 2X9

TAKE NOTICE that the City of Richmond, 6911 No. 3 Road, Richmond, B.C. V6Y 2C1 has approved the expropriation contemplated in the Expropriation Notice dated August 11, 2006 registered in the New Westminster/Vancouver Land Title Office under number _____ and affecting the land legally described as Common Property of Strata Plan LMS1095, Section 9 and 10, Block 4, North Range 4 and having a civic address at 21000 Westminister Highway, Richmond, B.C.

AND FURTHER TAKE NOTICE that the expropriating authority is required under section 20(1) of the *Expropriation Act*, within 30 days after approval, to pay to an owner the amount the expropriating authority estimates is or will be payable to that owner as compensation, other than for business loss referred to in section 34(3).

DATED at Richmond, B.C. this _____ day of _____, 2006.

City of Richmond, 6911 No. 3 Road,
Richmond, B.C. V6Y 2C1, (604) 276-4000

By: _____
Acting Director,
City Clerks Office

HOOKER CRAIG LUM GARNETT

REAL ESTATE ADVISORS LTD.

DALE C. HOOKER A.A.C.I. P. App. Ri
 BRAD HOOKER A.A.C.I. P. App.
 RANDY D. CRAIG A.A.C.I. P. App.
 EDRIC G.Y. LUM A.A.C.I. P. App. Ri
 BRETT A. GARNETT A.A.C.I. P. App.
 JASS SARAN B.A. A.A.C.I. P. App.
 STAN WONG A.A.C.I. P. App. Ri

Suite 303 • 15127 100th Avenue, Surrey, BC V3R 0N9 • t 604.584.9573 • f 604.587.0060 • www.hcig.ca

September 1, 2006

HCLG File No.: 07-06-05920 and 08-06-06343 to 06357
 City of Richmond File No.: 2275-20-297-012

City of Richmond
 Finance and Corporate Services Division
 6911 No. 3 Road, Richmond, BC
 V6Y 2C1

Attention: **Ms. Christine McGilvray, Manager Lands & Property**

Re: **Appraisal of a Partial Taking of an Industrial Strata Titled Property
 Located at 21000 Westminster Highway, Richmond, BC**

Dear Ms. McGilvray,

In accordance with your request, we have prepared appraisal reports estimating market value for a proposed partial taking of the fee simple interest in Strata Plan LMS1095. It is our opinion that the market value for the proposed taking, within our terms of reference and subject to the assumptions and limiting conditions herein, as of August 27, 2006, is:

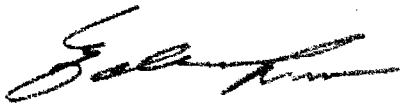
UNIT NO.	S.L. NO.	STRATA UNIT SIZE (M ²)	STRATA UNIT SIZE (FT ²)	Unit Entitlement	Statutory Calculation	Before & After
2105	1	318.6	3,429	7.34%	\$18,600	\$25,000
2110	2	220.2	2,370	5.07%	\$12,900	\$17,000
2115	3	220.2	2,370	5.07%	\$12,900	\$17,000
2120	4	220.2	2,370	5.07%	\$12,900	\$17,000
2125	5	216.3	2,328	4.98%	\$12,600	\$17,000
2130	6	216.3	2,328	4.98%	\$12,600	\$17,000
2135	7	216.3	2,328	4.98%	\$12,600	\$17,000
2140	8	207.6	2,235	4.78%	\$12,100	\$16,000
2145	9	213.4	2,297	4.92%	\$12,500	\$17,000
2150	10	213.4	2,297	4.92%	\$12,500	\$17,000
2155	11	213.4	2,297	4.92%	\$12,500	\$17,000
2160	12	213.4	2,297	4.92%	\$12,500	\$17,000
2165	13	213.4	2,297	4.92%	\$12,500	\$17,000
2170	14	309.0	3,326	7.12%	\$18,100	\$24,000
2175	15	555.1	5,975	12.79%	\$32,400	\$42,000
1000	16	572.4	6,161	13.19%	\$33,400	\$44,000
		4,339.2	46,708	99.97%	\$253,600	\$338,000

Based on our research and analysis, the aggregate value of \$338,000 based on the Before and After Method is higher than the aggregate value of \$253,600 based on the Section 40(3) Statutory Calculation. Accordingly, the aggregate value of **THREE HUNDRED AND THIRTY-EIGHT THOUSAND (\$338,000) DOLLARS** derived by the Before and After Method will form the basis of our final estimate of market value for the proposed taking.

We hereby certify that we have no interest, present or contemplated, in the subject property and that this report has been prepared to meet the requirements of the Canadian Uniform Standards of Professional Appraisal Practice.

Yours truly,

HOOKER CRAIG LUM GARNETT
REAL ESTATE ADVISORS LTD.



Edric G.Y. Lum, AACI, P.App, RI
Partner / Senior Appraisal Consultant