



## City of Richmond

## Report to Council

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**To:** Richmond City Council  
**From:** Christine McGilvray  
Manager, Lands and Property  
**Re:** **Authority to Expropriate and  
Adoption of Expropriation Bylaw 7736**

**Date:** August 23, 2004  
**File:** 06-2275-20-236/Vol 01

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### Staff Recommendation

- (1) 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 5, 2004 registered in the Lower Mainland Land Title Office under number BW393347 approve that expropriation;

and further

- (2) That the City Clerk 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 of the City's approval of the expropriation;
  - (c) make the advance payments to the owner as required under Section 20(1)(d) of the *Expropriation Act* and to serve the owner with a copy of the appraisal report and any other reports on which the advance payment is based and with the Notice of Advance Payment in Form 8;
  - (d) file or cause to be filed in the Land Title Office a Vesting Notice under Section 23 of the *Expropriation Act* in Form 9; and
  - (e) sign and seal the Notice of Advance Payment and Vesting Notice.

and

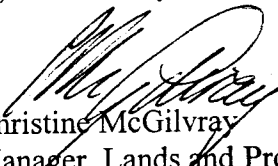
- (3) That the Council of the City of Richmond, pursuant to Section 18 of the *Expropriation Act*, R.S.B.C. 1996, c.125, as the approving authority for the expropriation contemplated in the Expropriation Notice dated August 5, 2004 registered in the Lower Mainland Land Title Office under number BW393348 approve that expropriation;

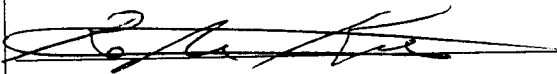
and further

- (4) That the City Clerk 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 of the City's approval of the expropriation;
  - (c) make the advance payments to the owner as required under Section 20(1)(d) of the *Expropriation Act* and to serve the owner with a copy of the appraisal report and any other reports on which the advance payment is based and with the Notice of Advance Payment in Form 8;
  - (d) file or cause to be filed in the Land Title Office a Vesting Notice under Section 23 of the *Expropriation Act* in Form 9; and
  - (e) sign and seal the Notice of Advance Payment and Vesting Notice.

and further:

- (5) That Bylaw 7736 to expropriate portions of 4200 and 4260 No. 3 Road be adopted;

  
 Christine McGilvray  
 Manager, Lands and Property  
 (4005)  
 Att. 1

FOR ORIGINATING DIVISION USE ONLY					
ROUTED TO:		CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
Law .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>				
Transportation .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>				
REVIEWED BY TAG	YES <input type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

## **Staff Report**

### **Origin**

At the Council meeting of July 26, 2004, Council gave 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to Bylaw 7736, being a bylaw to expropriate portions of lands located at 4200 and 4260 No. 3 Road which are required to complete the easterly extension of Browngate Road from No. 3 Road to Hazelbridge. Council also authorized the Mayor and Clerk to carry out certain other requirements with respect to delivery of the Expropriation Notices.

### **Findings Of Fact**

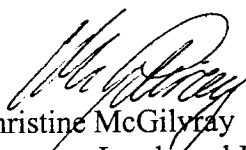
The Notices of Expropriation was subsequently delivered according to the requirements of the Expropriation Act; they have been posted on the sites; and they have been registered at the Land Titles Office. The Bylaw authorizing the expropriations must now be adopted, and the Council, as expropriating authority, is required to pass a resolution to carry out the necessary steps to complete the expropriation process.

### **Financial Impact**

Funds for the expropriation and the road construction project are available from 2004 Road DCCs, 2004 Capital Reserve, and 2001 Infrastructure Land account.

### **Conclusion**

In order to proceed with submitting advance payment to the owners, serving the owners with a copy of the appraisal report, issuing the vesting notice and serving it on the owners, Council, as expropriating authority, should resolve to approve the expropriations of portions of the properties at 4200 and 4260 No. 3 Road, and the Expropriation Bylaw should be adopted.



Christine McGilvray  
Manager, Lands and Property  
(4005)

*Expropriation Act*  
Form 5  
(Section 18(2))

*Schedule A to*  
*Resolution (2)*

**Certificate of Approval of Expropriation**

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

Yin Wan Enterprises Ltd.  
6809 Neal Street, Vancouver, B.C. V6P 3N4

British Columbia Hydro and Power Authority  
Property Rights Management  
12430 – 88<sup>th</sup> Avenue, Surrey, B.C., V3W 3Y1

TELUS Communications Inc.  
Telus Right of Way Dept.  
1<sup>st</sup> floor, 15079 – 64<sup>th</sup> Avenue, Surrey, B.C. V3S 1X9

Citibank Canada  
123 Front Street West, Toronto, Ontario M5J 2M3

The Manufacturers Life Insurance Company  
200 Bloor Street East, Toronto, Ontario M4W 1E5

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 5, 2004, registered in the Lower Mainland Land Title Office under number BW393347 and affecting PID: 000-468-975 Lot 92 Section 33 Block 5 North Range 6 West New Westminster District Plan 54877.

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 a business loss referred to in section 34(3).

DATED at Richmond, B.C. this \_\_\_\_ day of \_\_\_\_\_, 2004.

CITY OF RICHMOND, 6911 No.3 Road,  
Richmond, B.C. V6Y 2C1, (604) 276-4000

By: \_\_\_\_\_  
CITY CLERK

*Expropriation Act*  
Form 5

*Schedule A to*  
*Resolution (4)*

(Section 18(2))

**Certificate of Approval of Expropriation**

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

Yin Wan Enterprises Ltd.  
6809 Neal Street, Vancouver, B.C. V6P 3N4

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TELUS Communications Inc.  
Telus Right of Way Dept.  
1<sup>st</sup> floor, 15079 – 64<sup>th</sup> Avenue, Surrey, B.C. V3S 1X9

Canadian Tire Corporation Ltd.  
2500 – 595 Burrard Street, Vancouver, B.C. V7X 1L1

The Manufacturers Life Insurance Company  
200 Bloor Street East, Toronto, Ontario M4W 1E5

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 5, 2004, registered in the Lower Mainland Land Title Office under number BW393348 and affecting PID: 003-907-465 Lot 1 Section 33 Block 5 North Range 6 West New Westminster District Plan 58627.

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 a business loss referred to in section 34(3).

DATED at Richmond, B.C. this \_\_\_\_ day of \_\_\_\_\_, 2004.

CITY OF RICHMOND, 6911 No.3 Road,  
Richmond, B.C. V6Y 2C1, (604) 276-4000

By: \_\_\_\_\_  
CITY CLERK



**To Expropriate Lands at 4200 and 4260 No. 3 Road**

The Council of the City of Richmond enacts as follows:

1. The Council of the City of Richmond hereby takes and expropriates fee simple title to the portions of the following properties:

PID: 000-468-975  
Lot 92 Section 33 Block 5 North Range 6 West  
New Westminster District Plan 54877  
known by civic address as 4200 No. 3 Road, and

PID: 003-907-465  
Lot 1 Section 33 Block 5 North Range 6 West  
New Westminster District Plan 58627  
known by civic address as 4260 No. 3 Road

which are shown outlined in heavy black on the reference plan prepared by Stephen Campbell, B.C.L.S. and certified correct on the 14th day of April, 2004, a reduced copy of which is attached as Schedule A and forms a part of this bylaw.

2. The land described in Section 1 is required for the purposes of establishing, constructing and operating a public highway.
3. The Council of the City is hereby authorized to enter on the land described in section 1 to establish, construct, operate and maintain a public highway, and to alter and improve the land described in Section 1 as a public highway.
4. This Bylaw is cited as "Expropriation of parts of 4200 and 4260 No. 3 Road Bylaw No. 7736".

FIRST READING

JUL 26 2004

SECOND READING

JUL 26 2004

THIRD READING

JUL 26 2004

ADOPTED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

CITY OF RICHMOND	
APPROVED as to content only	
Dept. Head	
APPROVED as to form only	
Solicitor	
DATE OF COUNCIL APPROVAL (if applicable)	

*Expropriation Act*

**Form 1**

(Section 6(1))

*Expropriation Notice*

Expropriation Notice No. ....  
(to be filled in by Land Title Office)

TO: Yin Wan Enterprises Ltd.  
6809 Neal Street, Vancouver, B.C. V6P 3N4

AND TO: [List other Chargeholders]

AND: City of Richmond  
6911 No. 3 Road, Richmond, BC V6Y 2C1

AND: Registrar  
Lowermainland Land Title Office

TAKE NOTICE that:

1. The City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1, telephone no. 604-276-4000, (the "expropriating authority") intends to expropriate land or an interest in land in respect of which Yin Wan Enterprises Ltd. is the registered owner, the particulars of which are as follows:

That portion of the land legally described as PID: 000-468-975 Lot 92 Section 33 Block 5 North Range 6 West New Westminster District Plan 54877, civic address 4200 No. 3 Road, shown outlined in heavy black on the reference plan prepared by J. Stephen Campbell, B.C.L.S. and certified correct on the 14th day of April, 2004 (a reduced copy of which is attached as Schedule A).

2. The nature of the interest in the land intended to be expropriated is the fee simple estate.

NOTE: Where an interest less than the fee simple is indicated, the Expropriation Notice must be accompanied by a written instrument in form and substance capable of registration as a charge under the *Land Title Act*.

3. The work or purpose for which the interest in the land is required is for the establishment, construction and operation of a public highway.

4. The approving authority for this expropriation is the City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1, telephone no. 604-276-4000.
5. Where an owner is eligible under section 10 of the *Expropriation Act* to request an inquiry, the Expropriation Compensation Board and the expropriating authority must be served with a Notice of Request for Inquiry (Form 2), a copy of which is attached hereto, within 30 days after the date this Expropriation Notice is served on the owner.
6. Where less than an entire parcel is affected by the expropriation and a fee simple interest is intended to be expropriated a copy of a reference or explanatory plan must be attached to this Expropriation Notice and the application to file the notice in the Land Title Office must be accompanied by a plan package that complies with section 67(s) of the *Land Title Act*.

Dated at Richmond, BC this \_\_\_\_ day of \_\_\_\_\_, 2004.

City of Richmond, by

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PLAN BCP

REF. No.

SECTION 107 LAND TITLE ACT  
AND SECTION 6 EXPROPRIATION ACT

2007-02-27

DATE OF PLAN: 15 JAN 2012  
DATE OF APPROVAL: 15 JAN 2012

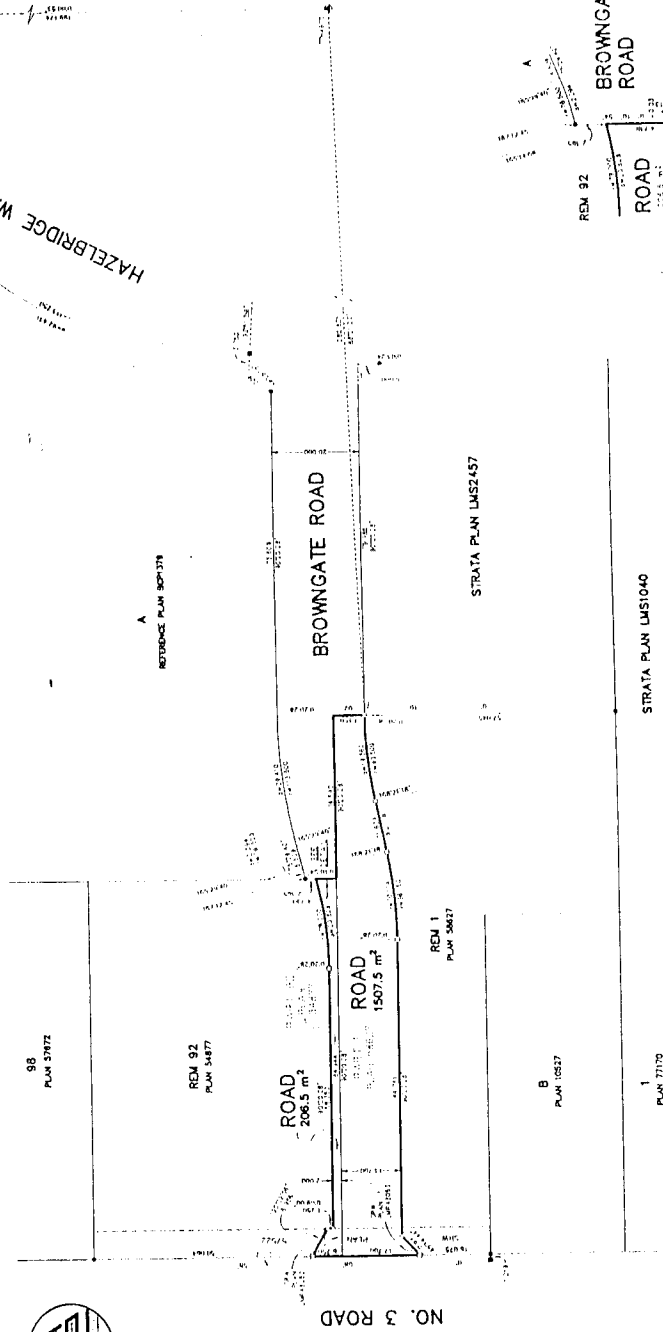
REFERENCE PLAN OF PART OF SECTION 33 BLOCK 5 NORTH  
RANGE 6 WEST NEW WESTMINSTER DISTRICT

B.C.G.S. 92G.015

PURSUANT TO SECTION 107 LAND TITLE ACT  
AND SECTION 6 EXPROPRIATION ACT

LANDS DEALT WITH:

PART OF LOT 92 SECTION 33 BLOCK 5 NORTH RANGE 6 WEST N.W.D. PLAN 54877  
PART OF LOT 1 SECTION 33 BLOCK 5 NORTH RANGE 6 WEST N.W.D. PLAN 58627



SECTION 107 LAND TITLE ACT  
AND SECTION 6 EXPROPRIATION ACT

ROAD  
DETAIL  
NOT TO SCALE

BROWN GATE  
ROAD  
ROAD  
ROAD

STRATA PLAN LMS1040

PLAN 77170

SCALE 1:500

LEGEND

1. LOT 1

2. LOT 2

3. LOT 3

4. LOT 4

5. LOT 5

6. LOT 6

7. LOT 7

8. LOT 8

9. LOT 9

10. LOT 10

11. LOT 11

12. LOT 12

13. LOT 13

14. LOT 14

15. LOT 15

16. LOT 16

17. LOT 17

18. LOT 18

19. LOT 19

20. LOT 20

WATSON PECK & TOPLESS

SURVEYORS & ENGINEERS

REGISTERED PROFESSIONAL ENGINEERS

REGISTERED PROFESSIONAL SURVEYORS

REGISTERED PROFESSIONAL ENGINEERS

REGISTERED PROFESSIONAL SURVEYORS

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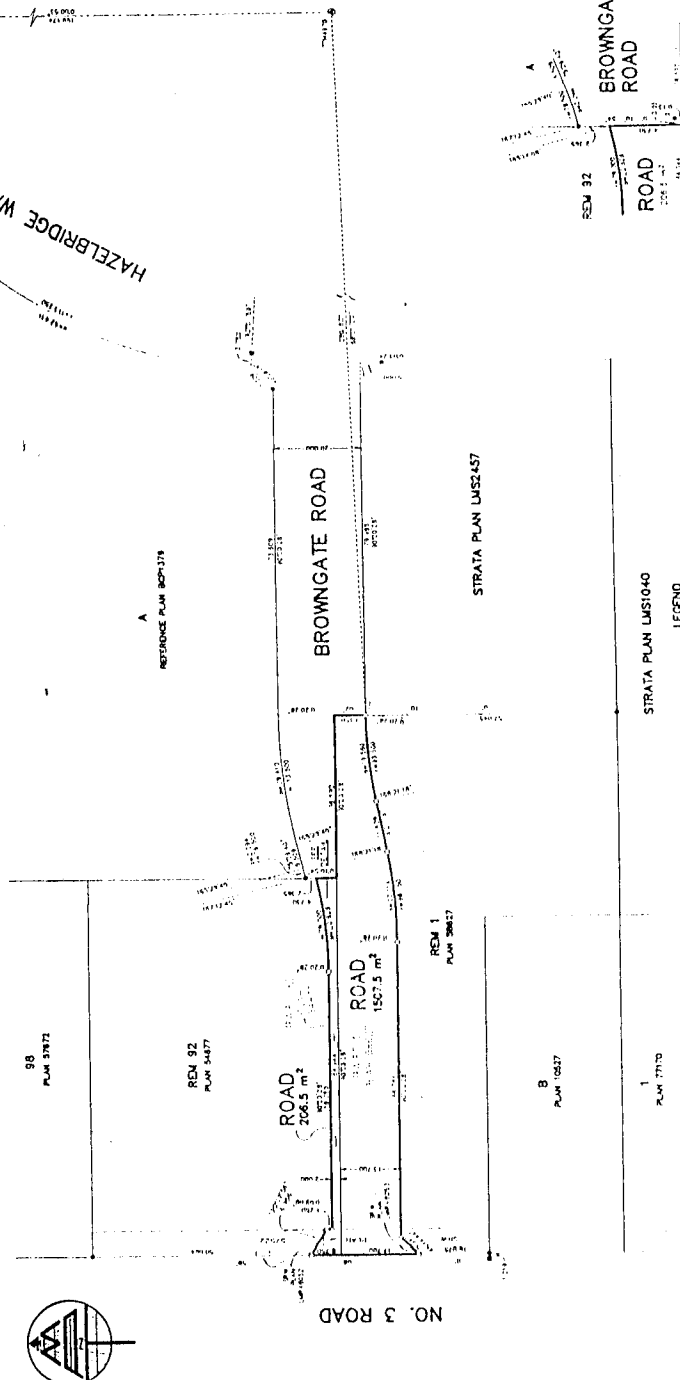
REFERENCE PLAN OF PART OF SECTION 33, BLOCK 3, NORTH

B.C.G.S. 92G.015

PURSUANT TO SECTION 107 LAND TITLE ACT  
AND SECTION 6 EXPROPRIATION ACT

LANDS DEALT WITH-

LANDS DEALING W/H.

Schedule "A" to Form 1  
Expropriation Notice

WATSON PECK & TOPLESS  
SURVEYORS & ENGINEERS  
205 - 11th Avenue South  
Birmingham, Alabama 35203  
205-921-1111

TOTAL AREA OF ROAD DEDICATED ON THIS PLAN IS 1714.3 SQ

200-06601-06

10

[illegible][illegible]

A detailed street map showing the intersection of Brown Gate Road and Road 32. The map includes street names, a scale bar (0 to 500 feet), and a north arrow. The intersection is marked with a red 'X' and labeled 'DETAIL NOT TO SCALE'.

***Expropriation Act***

**Form 1**

(Section 6(1))

***Expropriation Notice***

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AND TO: [List other Chargeholders]

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2. The nature of the interest in the land intended to be expropriated is the fee simple estate.

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4. The approving authority for this expropriation is the City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1, telephone no. 604-276-4000.
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Dated at Richmond, BC this \_\_\_\_ day of \_\_\_\_\_, 2004.

City of Richmond, by

\_\_\_\_\_

PLAN BCP

REF. NO.

DATE OF THE PLAN

DATE OF THE PLAN

DATE OF THE PLAN

Schedule "A" to Form 1  
Expropriation Notice

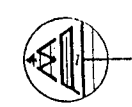
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B.C.S. 92-0-015

PURSUANT TO SECTION 107 LAND TITLE ACT  
AND SECTION 6 EXPROPRIATION ACT

LANDS DEPT. WITH

PART OF LOT 92 SECTION 33 BLOCK 5 NORTH RANGE 6 WEST N.W.D. PLAN 54877  
PART OF LOT 1 SECTION 33 BLOCK 5 NORTH RANGE 6 WEST N.W.D. PLAN 58627



92  
PLAN 54877

REN 92  
PLAN 54877

ROAD  
206.5 m

REN 1  
PLAN 54877

B  
PLAN 10527

1  
PLAN 77179

BROWNGATE ROAD

STRATA PLAN LUS2457

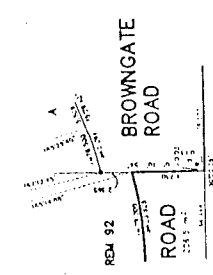
STRATA PLAN LUS1040

LEGEND  
SCALE 1:500

- 1. ALL RIGHTS ARE RESERVED
- 2. ALL RIGHTS ARE RESERVED
- 3. ALL RIGHTS ARE RESERVED
- 4. ALL RIGHTS ARE RESERVED
- 5. ALL RIGHTS ARE RESERVED
- 6. ALL RIGHTS ARE RESERVED
- 7. ALL RIGHTS ARE RESERVED
- 8. ALL RIGHTS ARE RESERVED
- 9. ALL RIGHTS ARE RESERVED
- 10. ALL RIGHTS ARE RESERVED

TOTAL AREA OF ROAD ADJACENT ON THIS PLAN IS 1714.0 m<sup>2</sup>

HAZELBRIDGE WAY



1. ALL RIGHTS ARE RESERVED

