

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER ENGINEERING
SUBJECT: **HOLDOM OVERPASS PROJECT – APPROVING AUTHORITY
APPROVAL OF THE EXPROPRIATION OF 5595 ROY STREET**
PURPOSE: To obtain approving authority approval of the expropriation of portions of 5595 Roy Street necessary to facilitate the Holdom Overpass project and to authorize completion of this expropriation.

RECOMMENDATION

THAT Council, in its capacity as “approving authority” under the *Expropriation Act (British Columbia)* and pursuant to Section 18 of the *Expropriation Act*, approve of the expropriation commenced by the expropriation notice dated July 25, 2024 and filed in the New Westminster Land Title Office under number CB1473280; and

THAT the Corporate Officer be authorized and directed to:

- a. sign and seal the Certificate of Approval in the form prescribed under the *Expropriation Act General Regulation*;
- b. notify or cause to be notified the expropriating authority and each owner (as defined in the *Expropriation Act*) of the Council’s approval of the expropriation as approving authority;
- c. make the advance payments as required under section 20(1)(d) of the *Expropriation Act* and serve the Notices of Advance Payment in the form prescribed under the *Expropriation Act General Regulation* with a copy of all appraisal and other reports on which each advance payment is based;
- d. file or cause to be filed in the Land Title Office the Vesting Notice under section 23 of the *Expropriation Act* in the form prescribed under the *Expropriation Act General Regulation* and then serve a copy of the Vesting Notice on each owner (as defined in the *Expropriation Act*); and
- e. sign and seal the Notices of Advance Payment and the Vesting Notice.

BACKGROUND

In connection with the Holdom Overpass Project, the City initiated the expropriation of certain interests in 5595 Roy Street by completing the following steps:

- Filed an expropriation notice under section 6 of the Expropriation Act in the Land Title Office.
- Served the expropriation notice and a copy of the *Expropriation Act* on the owner and registered charge holders and on the approving authority (by serving the City);
- Posted on the land to be expropriated, a sign containing a summary of the contents of the expropriation notice

The next steps in this expropriation are (i) for, Council, as approving authority, to approve the expropriation in accordance with section 18(2) of the *Expropriation Act* and (ii) for the City to take the steps necessary to complete the expropriation as set out in the recommendation contained in this report.

COMMUNICATION AND COMMUNITY ENGAGEMENT

- Served the expropriation notice and a copy of the *Expropriation Act* on the owners and the approving authority (the City);
- Posted on the land to be expropriated, a sign containing a summary of the contents of the expropriation notice; and
- Filed a copy of the expropriation notice in the Land Title Office (see **Attachment 1**).

Respectfully submitted,

May Phang, P.Eng., General Manager Engineering

ATTACHMENTS

Attachment 1 – Expropriation Notice

REPORT CONTRIBUTORS

This report was prepared by Chris Stacey, P. Eng., Director Engineering Projects, and reviewed by May Leung, City Solicitor.