

## EXPROPRIATION OF LAND

### RESOLUTION OF THE VANCOUVER CITY COUNCIL

MOVER: Councillor \_\_\_\_\_

SECONDER: Councillor \_\_\_\_\_

#### WHEREAS:

A. The City of Vancouver requires a portion of:

Parcel Identifier No. 015-684-440  
Lot 21 of Lot 2, Block K, District Lot 182, Plan 176;

shown heavily outlined on Plan EPP28720 prepared by Fred Wong, B.C.L.S.  
completed on February 26, 2013, a reduced print of which is attached as a  
Schedule to this resolution (the "Site")

for the altering of a linear development, namely, the Powell Street Grade Separation  
Project;

B. In the exercise of its powers of acquiring real property for this purpose, the City has  
failed to come to an agreement with the owners of the Site;

C. The *Vancouver Charter* provides that if, in the exercise of any of its powers of  
acquiring real property, the City fails to come to an agreement with its owner as to  
the terms of acquisition, the City may, by by-law or resolution of its Council,  
expropriate such real property;

D. The *Expropriation Act*, R.S.B.C. 1996, C. 125, provides that an "expropriating  
authority" means a person empowered under an enactment to expropriate land;

E. On March 12, 2013, Vancouver City Council passed a resolution authorizing the City as  
expropriating authority to commence expropriation proceedings under the  
*Expropriation Act* to acquire the Site; and

F. Under the *Expropriation Act*, the "approving authority" for an expropriation under  
the *Vancouver Charter* is the Vancouver City Council, unless the Lieutenant Governor  
in Council has designated the Minister of Municipal Affairs as the approving authority  
for the purpose of expropriations under the *Vancouver Charter* or any particular  
expropriation under the *Vancouver Charter* which designation has not been made;

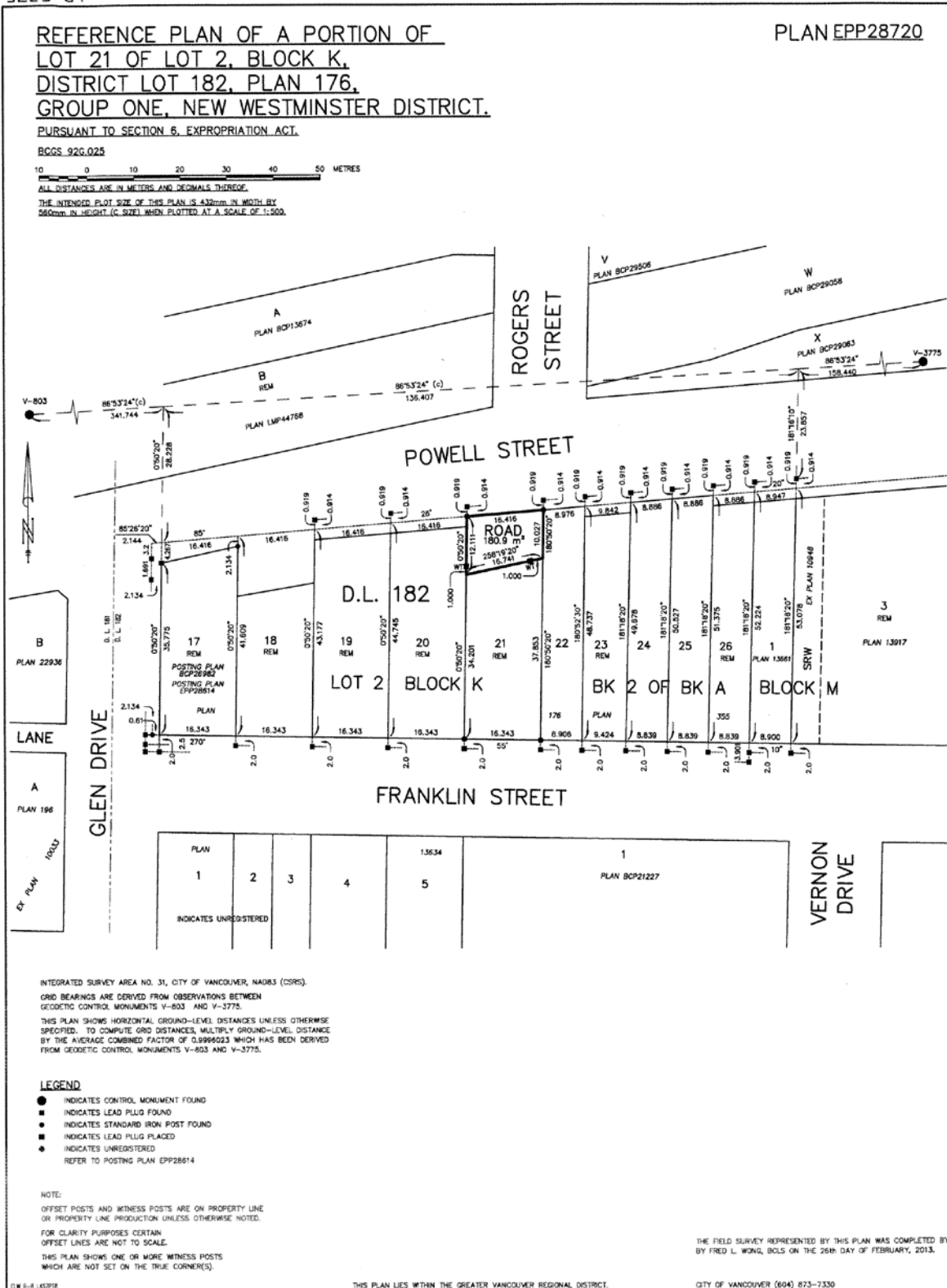
BE IT RESOLVED that the Vancouver City Council, as the approving authority under the *Expropriation Act*:

1. approve the expropriation of the Site, and
2. authorize the Director of Legal Services to execute on behalf of Vancouver City Council and deliver to the owners a Certificate of Approval of Expropriation evidencing such approval.

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(Expropriation of a portion of property for the Powell Street Grade Separation Project, as per March 12, 2013 Council authority)

LD 5375



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