



# British Columbia Expropriation Association

[www.bcexpropriationassociation.ca](http://www.bcexpropriationassociation.ca)



## 2012 FALL CONFERENCE

The British Columbia Expropriation Association invites you to attend our 20th Annual Fall Conference. We have gathered an excellent group of presenters who will discuss a variety of expropriation topics. You will obtain up-to-date information and be able to network with others who practice in the fields of acquisition and expropriation of land for public purposes. This event is very popular, so register early to ensure your attendance.

### **DATES:**

Friday November 2, 2012

Saturday November 3, 2012

### **LOCATION:**

Terminal City Club, 837 West Hastings St.,  
Vancouver, British Columbia

### **ACCOMMODATION:**

The Terminal City Club has made available a limited number of rooms until October 1, 2012 at a rate of \$155 for Deluxe Rooms and \$185 for City View Suites. For those who want to stay at the Terminal City Club, please make your reservations as soon as possible directly with the Club at 604-488-8606 or book by email to [jprice@tclub.com](mailto:jprice@tclub.com). Remember to ask for the "BC Expropriation Association Group Rate".

### **PROGRAM CREDITS:**

This year's Conference qualifies for Continuing Professional Development program credits from the Appraisal Institute of Canada, the Law Society of BC and the International Right of Way Association.

# 2012 FALL CONFERENCE

## 8:00 AM REGISTRATION & CONTINENTAL BREAKFAST

## 9:00 AM WELCOME & INTRODUCTION

*The Master of Ceremonies for this year's Conference is Emily Mak, Legal Counsel, Metro Vancouver*

## 9:15 AM THE ECONOMIC OUTLOOK & BC'S REAL ESTATE MARKET

*Cameron Muir, Chief Economist, British Columbia Real Estate Association*

Mr. Muir will present his insights on economic forces impacting the real estate market in British Columbia.

## 10:15 AM BREAK

## 10:30 AM RECOVERY OF PROFESSIONAL COSTS UNDER THE EXPROPRIATION ACT

*J. Bruce Melville, LLB, Peterson Stark Scott*

Mr. Melville has considerable experience in cost recovery under the *Expropriation Act*. He will review the legal principles of cost recovery and discuss some of the practical problems which arise from the perspective of owners, expropriating authorities and professionals engaged in the expropriation process.

## 11:15 AM WHEN WHAT YOU SAY CAN BE USED AGAINST YOU – DEFAMATION AND PRIVACY

*Heather Maconachie, Owen Bird Law Corporation*

Ms. Maconachie will speak on the privacy and defamation issues that arise in the course of a project, including dealings between owners impacted by a project and those acting on behalf of the project.

## 12 NOON LUNCH

## 1:00 PM 20TH ANNUAL GENERAL MEETING

All Association Members are encouraged to remain in the room to attend our annual meeting and meet the Directors.

## 1:30 PM GRAVEL AND FORESTRY VALUATION ISSUES

*Paul D. McEwen, CA•IFA, CBV, Partner, Ernst & Young LLP*

Public works projects, especially highway developments, occasionally affect forestry and gravel operations, triggering compensation entitlement. This session will address common issues that arise in the assessment of value, compensation and damages in the context of these types of businesses and assets, including the interplay among

experts, the impact of relevant statutes, some specific considerations of forestry and gravel pit operations, and some common methodologies in assessing value.

## 2:15 PM USE OF APPRAISAL REVIEW IN THE EXPROPRIATION CONTEXT

*D. Allan Beatty, AACI, P.App, Kent Macpherson*

Appraisal review reports are commonly utilized in negotiations related to the acquisition/expropriation of property, however the opinions appraisers can provide under these types of reports are strictly limited. Join Allan Beatty for a discussion on what appraisers can provide in an appraisal review and some common issues that, in the expropriation context, crop up in such reports.

## 3:15 PM LIVING BESIDE THE INFORMATION HIGHWAY

*Susanna Reardon, PEng, Planetworks Consulting Corporation*

With the ubiquity of mobile phones, and now smart phones and tablet computers, there is relentless pressure on mobility operators to build and upgrade their networks to provide the level of service consumers demand. The resulting increase in the construction of antenna towers and telecommunications structures can be challenging for landlords, neighbourhood residents and local governments. Learn about cellular site leasing issues and the potential health hazards associated with radio frequency emissions.

## 4:00 PM HIGHWAYS CROSSING PIPELINES – WHO PAYS?

*Anthony Capuccinello, Assistant City Solicitor, City of Surrey*

The new cost allocation formula under the Pipeline Crossing Regulation and recent related amendments to the *Expropriation Act* and the *Oil and Gas Activities Act* will be reviewed in the context of highway infrastructure projects that affect high pressure natural gas pipelines. Pipeline-related costs that must be incurred to accommodate highway projects can be substantial and costs exceeding a million dollars are not uncommon. The real question is “who pays”?

## 4:45 PM ANNOUNCEMENTS

## 5:00 PM COCKTAILS – no host bar

## 6:30 PM DINNER, FOLLOWED BY MONTE CARLO & MIDWAY GAMES NIGHT WITH PRIZE GIVEAWAYS

# 2012 FALL CONFERENCE

## 8:00 AM CONTINENTAL BREAKFAST

9:00 AM OPENING REMARKS — *Emily Mak*

## 9:15 AM EXPROPRIATION EVOLUTION

*Chief Justice Robert Bauman,  
Supreme Court of British Columbia*

As one of the founding members of the Association, we are very fortunate to have Chief Justice Bauman available to offer his insight and perspective on how the world of expropriation has evolved over the past 20 years.

## 10:30 AM INJURIOUS AFFECTION, NO LAND TAKEN

*Phong Phan, Assistant City Solicitor,  
City of Victoria  
and*

*Graham Rempe, Solicitor,  
City of Toronto Legal Services*

In the world of expropriation, few topics cause as much controversy! Messrs. Phan and Rempe will be reviewing the current jurisprudence regarding injurious affection with no land taken and will make special reference to the *Antrim Truck Centre Ltd. v. The Province of Ontario* case that is to be heard by the Supreme Court of Canada later this year.

## 11:15 AM CASE LAW REVIEW

*Evan A. Cooke,  
Borden Ladner Gervais LLP*

Mr. Cooke will discuss recent expropriation cases decided by our courts. The presentation will focus on developments that will be noteworthy to Association members.

11:45 AM CLOSING REMARKS — *Emily Mak*

## DOOR PRIZES – STAY TO PLAY!

Bring your business card to enter the draws for great prizes. You have to be present at the time of the draw to win, so be sure to “Stay to Play” to be eligible. Our fabulous Grand Prize is sure to be one that is highly coveted!

## BOOK EARLY

Online registration and payment are available. This year we are offering an EARLY BIRD saving of \$30 for those who register for the conference on or before October 12, 2012. To simplify administration and ensure your place at the conference, use of our online system is highly recommended. Go to [www.bcexpropriationassociation.ca](http://www.bcexpropriationassociation.ca).

## SPONSORS

The Directors of the Association wish to recognize and extend sincere thanks to the following sponsors who have so generously contributed funds to help make our annual conferences a continuing success:

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SATURDAY, NOVEMBER 3, 2012





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## 2012 FALL CONFERENCE

<b>MEMBER</b>	Full Programme including 2 breakfasts, lunch and dinner EARLY BIRD registration – \$365 if registering on or before October 12, 2012.	\$395 X _____	\$ _____
<b>NON-MEMBER</b>	Full Programme including 2 breakfasts, lunch and dinner EARLY BIRD registration – \$440 if registering on or before October 12, 2012.	\$470 X _____	\$ _____
<b>NON-MEMBER</b>	Dinner only (Friday, Nov. 2)	\$ 50 X _____	\$ _____

**TOTAL:** \$ \_\_\_\_\_

### ACCOMMODATION:

Registrants should make hotel reservations directly with the Terminal City Club at 604-488-8606 and ask for the “BC Expropriation Association Group Rate” or book by email to [jprice@tclub.com](mailto:jprice@tclub.com).

### REGISTRATION & PAYMENT:

Register and pay online or complete this form and mail it with your cheque to the address below. Go to [www.bcexpropriationassociation.ca](http://www.bcexpropriationassociation.ca).

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Enclosed is my cheque payable to the B.C. Expropriation Association in the amount of \$ \_\_\_\_\_

Full refunds (less a \$25 administration charge) will be available until October 26, 2012. No refunds will be available after October 26, 2012.

I will be attending the dinner on Friday.

- Yes                       No

I will be accompanied by a dinner guest.

- Yes                       No

### PLEASE RETURN TO:

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