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# 30<sup>th</sup> Anniversary

**BC Expropriation Association  
Annual Fall Conference**

***October 21 & 22, 2022***

***Terminal City Club  
837 West Hastings Street,  
Vancouver, BC***

 **British Columbia  
Expropriation Association**

# 2022 BC Expropriation Association Annual Fall Conference

The British Columbia Expropriation Association invites you to our 30th Annual Fall Conference. Enlightening presenters and panelists will offer practical guidance and continuing professional education on a variety of topics related to expropriation. You will also have opportunities to network with other professionals who are involved with the acquisition and expropriation of land for public purposes.

To commemorate the Association's 30th anniversary, we are pleased to present a number of special events. Among others, there will be an extraordinary discussion with founding member Carl Nilsen who will reflect on his experiences over the last 50 years of expropriation practice. Attendees are also invited to bring a guest to celebrate at an evening banquet that will feature a sumptuous feast and general merriment.

## Cost

### Members

\$475

There is an EARLY BIRD discount of \$30 for registering on or before September 30, 2022.

### Non-Members

\$550

Visit [www.bcexpropriationassociation.ca](http://www.bcexpropriationassociation.ca) to register and pay electronically. You can also renew your Association membership at the same time.

## Program Credits

Continuing Professional Development program credits are expected from the International Right of Way Association, the Appraisal Institute of Canada, the Royal Institution of Chartered Surveyors, and the Law Society of British Columbia.

October 21, 2022  
**FRIDAY**

8:00 AM

*Registration and Breakfast*

9:00 AM

*Welcome and Opening Remarks*

Emily Mak,  
Southern Railway of British Columbia Limited

9:10 - 10:10 AM

*Economic Outlook*

Ken Peacock, BC Business Council  
Mr. Peacock, Chief Economist, will provide his insights as to the past, present and future economic trends in BC, with insights into the real estate sector.

10:10 - 10:30 AM

*Networking Break*

10:30 - 11:15 AM

*Expropriation Inquiries and Judicial Reviews:  
A Primer in the Context of Expropriation*

Sukhbir (Sukh) Manhas,  
Young Anderson Barristers & Solicitors  
Evan Cooke, Eyford Partners

Messrs. Manhas and Cooke will review the expropriation inquiry and judicial review processes, including strategic approaches to both from the perspective of authorities and owners.

11:15 - 12:00 PM

*Crossing the Line: Avoidable Missteps by  
Litigation Practitioners*

Dan Yaverbaum, Harper Grey LLP

Mr. Yaverbaum will share examples of how lawyers and expert witnesses have gone astray during the course of litigation, and the lessons learned.

12:00 PM

*Lunch*

Friday, October 21, 2022 continued

1:00 PM

**30th Annual General Meeting**

1:30 - 2:15 PM

**Long Term Leasehold Interests**

Neil Hahn, Garnett Wilson Realty Advisors Ltd.

While not new, long term leasehold interests are seeing growing acceptance in the marketplace. In this presentation, Mr. Hahn will provide an overview of these leasehold interests, discuss their importance in the marketplace and consider the implications of these interests in an expropriation context.

2:15 - 3:00 PM

**Annual Case Law Review**

Salim Hirji, Hirji Law Corporation

After a pandemic hiatus, the case law update returns with Mr. Hirji who will provide his critical insights into expropriation decisions over the past two years. A seasoned expropriation professional and litigator, Mr. Hirji will offer his perspective on the wins, losses, and takeaways from the recent trials of the takers and the taken, including his own clients.

3:00 - 3:20 PM

**Coffee**

3:20 - 4:30 PM

**Wisdom, Wit, and Wine**

Join us for a fireside chat as we wind down the first day of the conference with a recounting of battle stories and knowledge acquired from the legend himself, Carl Nilsen. With almost 50 years in the appraisal trenches and a founding member of the BC Expropriation Association, we welcome attendees to join Mr. Nilsen for a glass of wine and casual conversation.

4:30 PM

**Cocktails and Networking**

6:00 PM

**30th Anniversary Banquet**

## October 22, 2022 **SATURDAY**

8:00 AM

**Breakfast**

9:05 - 9:10AM

**Opening Remarks**

9:10 - 10:10 AM

**Bright Lights, Big City: Spotlight on the Broadway Corridor**

Doug Fourchalk,  
DM Fourchalk Property Consultants Ltd.

Mr. Fourchalk will provide a general overview of property acquisition for and construction of the Broadway Subway Project, as well as an update on future extensions.

10:10 - 10:30 AM

**Networking Break**

10:30 - 11:15 AM

**The Bright Line: When does government regulation become de facto expropriation?**

Phong Phan, BC Ministry of Attorney General

Aurora L. Faulkner-Killam, Cox Taylor

Mr. Phan and Ms. Faulkner-Killam will present on the current landscape of "de facto expropriation" by discussing recent developments in the law – including a proposed change to the legal test at the Supreme Court of Canada – as well as emerging contexts which may give rise to de facto expropriation claims.

11:15 - 12:00 PM

**Agreeing to Disagree**

Sarah McCalla, Norton Rose Fulbright Canada LLP

Section 3 Agreements represent a relatively unusual opportunity to come to an agreement to transfer an interest in land without an agreement on price. Ms. McCalla's presentation will go beyond drafting tips (though there will be some of those) to consider how Section 3 Agreements can become as varied as the parties, projects, and lands to which they relate and when there may be opportunities to move from boilerplate to bespoke.

12:00 PM

**Closing Remarks and Grand Prize Draw**

*The Directors of the Association wish to recognize and extend sincere thanks to the following sponsors whose generosity helps to make the annual conference a continuing success:*

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If you are interested in becoming a sponsor of next year's conference, please contact Neil Hahn at [neil@garnettwilson.ca](mailto:neil@garnettwilson.ca).

