

KITS POINT RESIDENTS ASSOCIATION

PRESS RELEASE

October 5, 2022

Kits Point Residents Association has today filed in the Supreme Court of British Columbia a Petition challenging by way of judicial review the City of Vancouver decision, as passed by Mayor and Council, to approve the services agreement dated May 25, 2022 with Squamish Nation in respect of the Senakw real estate development.

Orders sought are as follows:

1. A declaration that the *in camera* resolution passed by Council of the City of Vancouver (the “**City**”) on or before 25 May 2022 authorizing the execution of a services agreement dated 25 May 2022 with Squamish Nation (the “**Services Agreement**”) is unlawful, unreasonable and contrary to the provisions of *Vancouver Charter* S.B.C. 1953, c. 55 (the “**Vancouver Charter**”).
2. A declaration that the City breached the rules of procedural fairness and natural justice by passing a resolution at an *in camera* meeting authorizing the execution of the Services Agreement without first providing residents affected by the development contemplated in the Services Agreement with an opportunity to be heard and to make representations to Council.
3. An order quashing City Council’s *in camera* resolution authorizing the execution of the Services Agreement;
4. An order quashing the Services Agreement executed by the City pursuant to Council’s *in camera* resolution.

Our case raises issues of, among others, the duty of fairness owed by the City to its citizens in respect of its negotiation and approval of the Services Agreement, the use by Mayor and Council of *in camera* (secret)

proceedings and the City's jurisdiction or authority to impose conditions, acting within its mandate of governing in the best interests of its citizens, on a development that is not subject to City bylaws but requires City services and access to, and use of, City lands.

A copy of the Petition as filed is attached.

For more information contact KPRA at towers@kpra.ca.