



This is the 1st affidavit
of Vivien Hsu in this case
and was made on July 2, 2026

NO. S-240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING
CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY
KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES
LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD.,
INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS
ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO
YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL
VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN
YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND
HEUNG KEI SUNG

RESPONDENTS

AFFIDAVIT

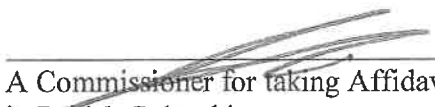
I, Vivien Hsu, Paralegal, of 4th Floor, 500 Sixth Avenue, in the City of New
Westminster, in the Province of British Columbia, MAKE OATH AND SAY THAT:

1. I am a paralegal employed by Hamilton & Company, Solicitors for The Owners,
Strata Plan EPS 5801, The Owners, Strata Plan EPS 5802, The Owners, Strata Plan EPS 5803,
and The Owners, Strata Plan EPS 5804, (the "Strata Corporations") and as such have personal
knowledge of the matters and facts herein set forth in this Affidavit, save and except where same
are stated to be based upon information and belief and, where so stated, I verily believe same to
be true.

2. Now produced, shown to me, attached hereto and marked as **Exhibit “A”** to this my affidavit is a true copy of the Application Response filed by our office on January 7, 2026.
3. Now produced, shown to me, attached hereto and marked as **Exhibit “B”** to this my affidavit is a true copy of the Notice of Application filed by our office on January 23, 2026 (the “Application”).
4. Now produced, shown to me, attached hereto and marked as **Exhibit “C”** to this my affidavit is a true copy of Affidavit #1 of Katherine Hadzipetros, made January 21, 2026.
5. Now produced, shown to me, attached hereto and marked as **Exhibit “D”** to this my affidavit is a true copy of an email from legal counsel for the Receiver requesting that the hearing of the Application be adjourned to a date in March 2026 on the basis that the Receiver was still awaiting an expert report.
6. Now produced, shown to me, attached hereto and marked as **Exhibit “E”** to this my affidavit is a true copy of Affidavit #2 Denglin Liu, made March 19, 2026.
7. Now produced, shown to me, attached hereto and marked as **Exhibit “F”** to this my affidavit is a true copy of an email received from the legal counsel for 1483610 BC Ltd. (“148”), the new owner of the Hotel Property as described in 148’s Notice of Application filed in this proceeding on June 26, 2026, enclosing the registered Form C – Release discharging the Valet Parking Easement.
8. Now produced, shown to me, attached hereto and marked as **Exhibit “G”** to this my affidavit is a true copy of an invoice received from Architecture Planning Interior Design Ltd.
9. Now produced, shown to me, attached hereto and marked as **Exhibit “H”** to this my affidavit is a true copy of an email from Watson & Barnard BC Land Surveyors (“W&B”) to a member of the Strata Council, providing a quotation for the preparation of a survey sketch plan. The Strata Corporations are still awaiting the final invoice from W&B.

10. Now produced, shown to me, attached hereto and marked as **Exhibit "I"** to this my affidavit is a true copy of the Strata Corporations' draft Bill of Costs.

SWORN BEFORE ME in the City of)
New Westminster, in the Province of)
British Columbia on this 2 day of July,)
2026)

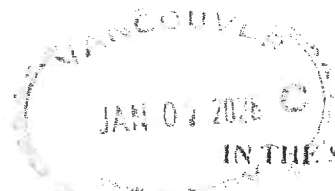


A Commissioner for taking Affidavits)
in British Columbia)



VIVIEN HSU

G. Stephen Hamilton
Barrister & Solicitor
Hamilton & Company
4th Floor, 500 Sixth Avenue
New Westminster, BC V3L 1V3
604.630.7462



NO. S-240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING CO., LTD.

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AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD., INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS ENTERPRISE LTD., MO YFUNG CHING also known as MICHAEL CHING, MO YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND HEUNG KEI SUNG

RESPONDENTS

APPLICATION RESPONSE

Application response of: The Owners, Strata Plan EPS 5801, The Owners, Strata Plan EPS 5802, The Owners, Strata Plan EPS 5803, and The Owners, Strata Plan EPS 5804 (the "Application Respondents")

THIS IS A RESPONSE TO the Notice of Application of Deloitte Restructuring Inc., in its capacity as Court-appointed Receiver, filed December 31, 2025.

The Application Respondents estimate that the application will take 1 day.

Part 1: ORDERS CONSENTED TO

The Application Respondents consent to the granting of the orders set out in Part 1 of the Notice of Application: none.

Part 2: ORDERS OPPOSED

This is Exhibit "A" referred to in the affidavit of Vivien Hsu sworn before me at New Westminster this 2nd day of July 2026

A Commissioner for taking Affidavits for British Columbia

The Application Respondents oppose the granting of the orders set out in Part 1 of the Notice of Application: all.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The Application Respondents take no position on the granting of the orders set out in Part 1 of the notice of application: none.

Part 4: FACTUAL BASIS

Section 219 Covenant/Reciprocal Easement

1. In or around May 2019, the developer of the Strata Corporations entered into a reciprocal easement with the City of Richmond (the "City"), which granted easements among parcels of land, including the Strata Corporations' lands.
2. On May 24, 2019, the reciprocal easement was registered in the Land Title Office as charge numbers CA7519726 to CA7519836 (the "Reciprocal Easement").
3. The Reciprocal Easement contains, inter alia, the following definitions:

1.1.1 "Access" has the following meanings:

(b) with respect to Access to Vehicular Access Routes, "Access" means to enter, go, pass and repass in, over and upon all or any part of the Vehicular Access Routes as the respective Dominant Owner may reasonably require, on foot and with respect to parts thereof designated for use by vehicles, with vehicles (including bicycles), for the purpose of obtaining access to and egress from the Parkade;

1.1.67 "Modification to this Agreement" means any change, addition to or reduction of the easements, covenants and Section 219 covenants granted herein and includes all new and subsequently granted easements, covenants and Section 219 covenants granted by the Servient Owners from time to time to and for the benefit of the respective Dominant Tenements and the Dominant Owners thereof, or to and for the benefit of the City, as the case may be;

1.1.107 "Vehicular Access Routes" mean those parts of the Parcels at, above or below street level which are from time to time designated by the Owners of the Parcels, respectively, for, or are used or intended to be used for ramps and circulation lanes for vehicular entrance, movement and exit to and from the Parkade, provided however that the Loading Bays and any other truck parking areas and loading bays shall not be part of a Vehicular Access Route;

4. Clause 3.1.3 of the Reciprocal Easement provides as follows:

3.1.3 No Parking on Vehicular Access Routes – The Project Easements that are granted herein for Access to Vehicular Access Routes do not include the right to park and have not been granted for the purpose of parking vehicles on the Vehicular Access Routes; and

5. Clause 4.3 of the Reciprocal Easement provides as follows:

4.3 Additional Easements

Each Servient Owner agrees with the Other Owners to execute and deliver any Modifications of this Agreement as may be necessary to grant such additional easements over their respective Servient Tenements as one or more of the Other Owners may reasonably require, by a written request to the respective Servient Owners, in order to permit the use and enjoyment of the Developments within the Parcels as an integrated development as contemplated hereby, provided that:

- (a) no compensation or valuable consideration shall be paid to the Servient Owners that grant such additional easements;*
- (b) the Modifications of this Agreement required to grant and register such additional easements shall be in a form and on such terms as the respective Servient Owners and Dominant Owners shall agree, each acting reasonably; and*
- (c) the additional easements granted pursuant to such Modifications to this Agreement shall interfere as little as possible with the use and enjoyment of the respective Servient Tenements by the respective Servient Owners and shall be consistent with the general scheme of the easements, covenants and allocation of Shared Costs contemplated pursuant to this Agreement.*

6. Schedule A attached to the Reciprocal Easement describes the easement area of the Vehicular Access Routes as "Blanket".
7. The owners and occupants of the Strata Corporations use the Vehicular Access Routes to enter and exit the parkade.

Parking on the Vehicular Access Routes

8. In or around July 2021, Hotel Versante located on ASP2 (the "Hotel") made an inquiry regarding the Hotel's ability to operate temporary valet parking in front of the building. This request was denied by the Strata Corporations' agent.
9. Between 2021 and 2022, the Strata Corporations' agent reminded the Hotel that no parking was allowed in front of the building.
10. In or around mid/late 2022, the Hotel painted solid blue lines in front of the building to create several valet parking spaces (the "Valet Parking"), without consulting the Strata Corporations. Prior to this, there were no valet parking spaces in front of the building.
11. Between 2023 and 2025, owners and/or occupants of the Strata Corporations complained to the Strata Corporations' agent regarding the Hotel's operation of the Valet Parking, causing access issues to and from the parkade.

The October 23, 2025 Application

12. By court application of the Receiver on October 23, 2025 (the “October 23 Application”), this Court authorized the Receiver to execute an easement for valet parking in front of the Hotel (the “Order”).
13. In the Valet Parking Easement Agreement (as defined in the Order), an easement was granted to Air Space Parcel 2 (i.e. the Hotel) to operate the Valet Parking.
14. The Valet Parking was constructed on the Vehicular Access Routes, which modified the Reciprocal Easement.
15. The Valet Parking interferes with the reasonable use of the Vehicular Access Routes, and may interfere with fire-safety or emergency service bylaws for the City.
16. Despite the Strata Corporations having an interest in the Valet Parking Easement Agreement and its impact on the Vehicular Access Routes, the Strata Corporations were not served with the October 23 Application and did not have the opportunity to advise this Court of the effects of the Valet Parking Easement Agreement on the Strata Corporations.
17. The Strata Corporations learned of the Order on the evening of October 23, 2025, and attended a court hearing in this proceeding on October 24, 2025. At the court hearing, the Strata Corporations expressed their concern about the Valet Parking Easement Agreement to this Court and was advised by this Court to seek legal advice.
18. Following the October 24, 2025 court hearing, the Strata Corporations tried to search out lawyers to give the Strata Corporations advice, however, some of the lawyers the Strata Corporations contacted did not have the necessary time or were in conflicts of interest. It took several weeks before the Strata Corporations located appropriate legal assistance. The Strata Corporations eventually retained the Strata Corporations’ current lawyer on or around November 26, 2025.

Events Post-Order

19. On December 17, 2025, Mr. John Sandrelli, counsel for the Receiver, sent an email to Mr. Stephen Hamilton, counsel for the Strata Corporations, that the Receiver would bring an application (the “Amendment Application”) in January for an order amending the order of October 24, 2025 which *inter alia*, approved the purchase agreement between the Receiver and Citation Property Holdings Limited.
20. On December 17, 2025, Mr. Sandrelli further advised Mr. Hamilton of the following:

“The judge advised she is available for such application on January 8 or 9, 2026. In doing so, it was also suggested that if your clients wish to bring their own application to set aside the October 23, 202[5] Order approving the Valet Easement, they ought to do so at the same time.”

21. On December 17, 2025, Mr. Sandrelli confirmed that the application(s) were set to be heard on January 9, 2026.
22. Since December 17, 2025, the Strata Corporations are actively trying to engage third party consultants to provide expert advice regarding the Valet Parking Easement Agreement.
23. On December 18, 2025, the Strata Corporations contacted Thinkspace Architecture Planning Interior Design Ltd. ("Thinkspace") to request an opinion regarding whether the Valet Parking is permitted under applicable municipal bylaws, development permits and/or planning policies.
24. On December 19, 2025, the Strata Corporations contacted Watson & Barnard Land Surveying ("W&B") to request survey documents regarding the location, boundaries and configuration of the Valet Parking and its surrounding areas.
25. Since December 22, 2025, the Strata Corporations have continued to correspond with W&B and are expecting to receive survey documents shortly.
26. On December 22, 2025, Thinkspace advised the Strata Corporations that its team was out of the office for the remainder of the year and that they would contact the Strata Corporations in the New Year.
27. On December 31, 2025, the Receiver served by email the Amendment Application on the Strata Corporations.
28. On January 5, 2026, the Strata Corporations requested an adjournment of the Amendment Application. On January 5, 2026, Mr. Sandrelli advised that the Receiver was not agreeable to an adjournment.
29. On January 6, 2026, Thinkspace advised the Strata Corporations that the contact person for the work requested by the Strata Corporations was out of the office and would reach out the next day.
30. On January 7, 2026, W&B provided a sketch survey plan of the Valet Easement to the Strata Corporations.

Part 5: LEGAL BASIS

1. The Strata Corporation relies upon:
 - a. Rules 8-1, 13-1(17) and 22-7 of the *Supreme Court Civil Rules* (the "Rules"); and
 - b. The inherent jurisdiction of this Court.
2. The Strata Corporations were served with the Amendment Application on December 31, 2025.

3. The Receiver breached Rule 8-1(8) of the Rules by failing to serve the Strata Corporations with the Amendment Application "at least 8 business days before the date set for the hearing of the application".
4. The Strata Corporations are not parties to these proceedings and have not participated until recently. Given the complexity of these proceedings and the volume of materials, including the 21-page Amendment Application, the Strata Corporations have been unable to respond to the Amendment Application in a fulsome manner.
5. The Strata Corporations submit that the Amendment Application should be adjourned.
6. Alternatively, the Strata Corporations submit that the Amendment Application should be dismissed because the Order should be set aside as a nullity.
7. The Strata Corporations were entitled to receive notice of the October 23 Application under Rule 8-1(7) of the Rules as they "may be affected by the orders sought".
8. The Receiver failed to comply with Rule 8-1(7) by failing to serve the Strata Corporations with the October 23 Application. The Strata Corporations were affected by the Order because the Valet Parking Easement Agreement modified the Reciprocal Easement by allowing the Valet Parking to be constructed on the Vehicular Access Routes, thus interfering with the Strata Corporations' reasonable use of the Vehicular Access Routes.
9. The Strata Corporations had a direct interest in the outcome of the October 23 Application.
10. In *446697 B.C. Ltd. (Re)*, 2023 BCSC 2146 ("446697"), this Court confirmed that an order becomes a nullity if it was made in circumstances where a person (who may be affected by the orders sought) was deprived of the right to be heard, contrary to the rules of natural justice: see *446697* at paras. 48-49.
11. An order made in a proceeding by way of application without service of the application as required by Rule 8-1(7) of the Rules, is a nullity. This is consistent with the foundational principle that the failure to serve proceedings results in any consequent order being a nullity which entitles a party to have it set aside as of right. At this Court has repeatedly held:
 - (a) "[R]equirements for service must be strictly adhered to; service improperly effected is no service";
 - (b) [E]vidence that the proceedings have come to the attention of the other party is not a substitute for proper service";
 - (c) "[F]ailure to service proceedings results in any consequent order being nullity"; and
 - (d) [T]he opposing party is entitled to have such an order set aside as of right".

(See: *Wright v. Czinege*, 2008 BCSC 1292 at para. 44; *Thatcher v. Lowe*, 2019 BCSC 1874 at para. 7; *William v. Lake Babine Indian Band*, 1999 CanLII 6121 (BCSC) at paras. 26

and 37-42; and McLachlin & Taylor, *British Columbia Practice* ("McLachlin & Taylor"), Rule 22-7)

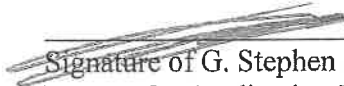
12. As confirmed by this Court and the leading practice authority in British Columbia, the law is clear that "[a] nullity cannot be waived by acquiescence, delay or the lapse of time, and therefore, delay in applying for a declaration of nullity is not a bar to that relief." This follows from the general principle that courts cannot breathe life into nullities: see *McLachlin & Taylor*, Rule 22-7 and *Skrastins v. Kelowna (City of)*, 1992 CanLII 1301 (BCSC) at p. 8).

Part 6: MATERIAL TO BE RELIED ON

1. Affidavit #1 of Denglin Liu made January 7, 2026.

[x]	The Application Respondents have filed in this proceeding a document that contains the application respondents' address for service.
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Date: January 7, 2026


 Signature of G. Stephen Hamilton
 Lawyer for Application Respondents



NO. S-240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

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YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND
HEUNG KEI SUNG

RESPONDENTS

NOTICE OF APPLICATION

Name of applicant: The Owners, Strata Plan EPS 5801, The Owners, Strata Plan EPS 5802,
The Owners, Strata Plan EPS 5803, The Owners, Strata Plan EPS 5804, (the "Strata
Corporations")

To: The Service List attached hereto as **Schedule "A"**

TAKE NOTICE that an application will be made by the applicant to the Honourable Madam
Justice Fitzpatrick at the courthouse at 800 Smithe Street, Vancouver, BC, on 24/FEB/2026 at
10:00 a.m. for the orders set out in Part 1 below.

The applicant estimates that the application will take 1 day.

This is Exhibit "B" referred to in the
affidavit of..... Vivian Hsu.....
sworn before me at New Westminster
this 2nd day of July..... 2026

[] This matter is within the jurisdiction of an associate judge.

.....
A Commissioner for taking Affidavits
for British Columbia

[x] This matter is not within the jurisdiction of an associate judge.

Part 1: ORDERS SOUGHT

1. To vacate or set aside the Order Made After Application pronounced in this proceeding on October 23, 2025 (the “Order”), which authorized Deloitte Restructuring Inc., in its capacity as court appointed receiver (the “Receiver”), to execute a valet parking easement agreement in the form attached to the Order;
2. An Order that the Receiver prepare and submit all necessary documents to the land title office to discharge the valet parking easement registered under CB2495606 (the “Valet Parking Easement”);
3. Further, or in the alternative, an Order cancelling the Valet Parking Easement; and
4. Special costs, or alternatively, ordinary costs payable by the Receiver to the Applicants at Scale B.

Part 2: FACTUAL BASIS

Section 219 Covenant/Reciprocal Easement

1. In or around May 2019, the developer of the Strata Corporations entered into a reciprocal easement with the City of Richmond (the “City”), which granted easements among parcels of land, including the Strata Corporations’ lands.
2. On May 24, 2019, the reciprocal easement was registered in the Land Title Office as charge numbers CA7519726 to CA7519836 (the “Reciprocal Easement”).
3. The Reciprocal Easement contains, *inter alia*, the following definitions:

1.1.1 “Access” has the following meanings:

(b) with respect to Access to Vehicular Access Routes, “Access” means to enter, go, pass and repass in, over and upon all or any part of the Vehicular Access Routes as the respective Dominant Owner may reasonably require, on foot and with

respect to parts thereof designated for use by vehicles, with vehicles (including bicycles), for the purpose of obtaining access to and egress from the Parkade;

1.1.67 "Modification to this Agreement" means any change, addition to or reduction of the easements, covenants and Section 219 covenants granted herein and includes all new and subsequently granted easements, covenants and Section 219 covenants granted by the Servient Owners from time to time to and for the benefit of the respective Dominant Tenements and the Dominant Owners thereof, or to and for the benefit of the City, as the case may be;

1.1.107 "Vehicular Access Routes" mean those parts of the Parcels at, above or below street level which are from time to time designated by the Owners of the Parcels, respectively, for, or are used or intended to be used for ramps and circulation lanes for vehicular entrance, movement and exit to and from the Parkade, provided however that the Loading Bays and any other truck parking areas and loading bays shall not be part of a Vehicular Access Route;

4. Clause 3.1.3 of the Reciprocal Easement provides as follows:

3.1.3 No Parking on Vehicular Access Routes – The Project Easements that are granted herein for Access to Vehicular Access Routes do not include the right to park and have not been granted for the purpose of parking vehicles on the Vehicular Access Routes; and

5. Clause 4.3 of the Reciprocal Easement provides as follows:

4.3 Additional Easements

Each Servient Owner agrees with the Other Owners to execute and deliver any Modifications of this Agreement as may be necessary to grant such additional easements over their respective Servient Tenements as one or more of the Other Owners may reasonably require, by a written request to the respective Servient Owners, in order to permit the use and enjoyment of the Developments within the Parcels as an integrated development as contemplated hereby, provided that:

- (a) *no compensation or valuable consideration shall be paid to the Servient Owners that grant such additional easements;*
 - (b) *the Modifications of this Agreement required to grant and register such additional easements shall be in a form and on such terms as the respective Servient Owners and Dominant Owners shall agree, each acting reasonably; and*
 - (c) *the additional easements granted pursuant to such Modifications to this Agreement shall interfere as little as possible with the use and enjoyment of the respective Servient Tenements by the respective Servient Owners and shall be consistent with the general scheme of the easements, covenants and allocation of Shared Costs contemplated pursuant to this Agreement.*
6. Schedule A attached to the Reciprocal Easement describes the easement area of the Vehicular Access Routes as “Blanket”, which is defined to mean “an easement over all of the Servient Tenement”.
 7. The owners and occupants of the Strata Corporations use the Vehicular Access Routes to enter and exit the parkade.
 8. The Reciprocal Easement establishes three loading bays on the north side of the access road in front of the building, as shown on the plan attached as Schedule B to the Reciprocal Easement.

Parking on the Vehicular Access Routes

9. In or around July 2021, Hotel Versante located on ASP2 (the “Hotel”) made an inquiry regarding the Hotel’s ability to operate temporary valet parking in front of the building. This request was denied by the Strata Corporations’ agent.
10. Between 2021 and 2022, the Strata Corporations’ agent reminded the Hotel that no parking was allowed in front of the building.

11. In or around mid/late 2022, the Hotel painted solid blue lines in front of the building to create several valet parking spaces (the “Valet Parking”), without consulting the Strata Corporations. Prior to this, there were no valet parking spaces in front of the building.
12. Between 2023 and 2025, owners and/or occupants of the Strata Corporations complained to the Strata Corporations’ agent regarding the Hotel’s operation of the Valet Parking, causing access issues to and from the parkade.

The October 23, 2025 Application

13. By court application of the Receiver on October 23, 2025 (the “October 23 Application”), this Court authorized the Receiver to execute an easement for valet parking in front of the Hotel (the “Order”).
14. In the Valet Parking Easement Agreement (as defined in the Order), an easement was granted to Air Space Parcel 2 (i.e. the Hotel) to operate the Valet Parking.
15. Pursuant to the Order, the Receiver executed the Valet Parking Easement Agreement and submitted documents to the land title office to register the Valet Parking Easement.
16. The Valet Parking was constructed on the Vehicular Access Routes, which modified the Reciprocal Easement.
17. Despite the Strata Corporations having an interest in the Valet Parking Easement Agreement and its impact on the Vehicular Access Routes, the Strata Corporations were not served with the October 23 Application and did not have the opportunity to advise this Court of the effects of the Valet Parking Easement Agreement on the Strata Corporations.
18. The Strata Corporations learned of the Order on the evening of October 23, 2025, and attended a court hearing in this proceeding on October 24, 2025. At the court hearing, the Strata Corporations expressed their concern about the Valet Parking Easement Agreement to this Court and was advised by this Court to seek legal advice.
19. Following the October 24, 2025 court hearing, the Strata Corporations tried to search out lawyers to give the Strata Corporations advice, however, some of the lawyers the Strata

Corporations contacted did not have the necessary time or were in conflicts of interest. It took several weeks before the Strata Corporations located appropriate legal assistance. The Strata Corporations eventually retained the Strata Corporations' current lawyer on or around November 26, 2025.

20. The Valet Parking interferes with fire department access and is non-compliant with provincial and municipal fire safety requirements.
21. The Strata Corporations contend that the Valet Parking monopolizes the Vehicular Access Routes and restricts access for other users.
22. The Strata Corporations contend that using the Vehicular Access Routes for the Valet Parking exceeds and contradicts the Reciprocal Easement's original intended purpose.

Part 3: LEGAL BASIS

1. The Strata Corporations rely upon:
 - (a) Rules 8-1, 13-1(17) and 22-7 of the *Supreme Court Civil Rules* (the "Rules");
 - (b) The provisions of the *Bankruptcy and Insolvency Act*, including section 243;
 - (c) Section 35 of the *Property Law Act*; and
 - (d) The inherent jurisdiction of this Court.

Order as Nullity

2. The Strata Corporations submit that the Order should be set aside as a nullity.
3. The Strata Corporations were entitled to receive notice of the October 23 Application under Rule 8-1(7) of the Rules as they "may be affected by the orders sought". The Receiver breached Rule 8-1(7) by failing to serve the Strata Corporations with the October 23 Application.
4. The Strata Corporations had a direct interest in the outcome of the October 23 Application. The Valet Parking Easement Agreement modified the Reciprocal Easement by allowing

the Valet Parking to be constructed on the Vehicular Access Routes, thus interfering with the Strata Corporations' reasonable use of the Vehicular Access Routes.

5. In *446697 B.C. Ltd. (Re)*, 2023 BCSC 2146 ("446697"), this Court confirmed that an order becomes a nullity if it was made in circumstances where a person (who may be affected by the orders sought) was deprived of the right to be heard, contrary to the rules of natural justice: see *446697* at paras. 48-49.
6. An order made in a proceeding by way of application without service of the application as required by Rule 8-1(7), is a nullity. This is consistent with the foundational principle that the failure to serve proceedings results in any consequent order being a nullity, which entitles a party to have it set aside as of right. As this Court has repeatedly held:

- (a) "[R]equirements for service must be strictly adhered to; service improperly effected is no service;
- (b) [E]vidence that the proceedings have come to the attention of the other party is not a substitute for proper service;
- (c) [F]ailure to serve proceedings results in any consequent order being nullity; and
- (d) [T]he opposing party is entitled to have such an order set aside as of right"

(See: *Wright v. Czinege*, 2008 BCSC 1292 at para. 44; *Thatcher v. Lowe*, 2019 BCSC 1874 at para. 7; *William v. Lake Babine Indian Band*, 1999 CanLII 6121 (BCSC) at paras. 26 and 37-42; and *McLachlin & Taylor, British Columbia Practice* ("*McLachlin & Taylor*"), Rule 22-7).

7. As confirmed by this Court and the leading practice authority in British Columbia, the law is clear that "[a] nullity cannot be waived by acquiescence, delay or the lapse of time, and therefore, delay in applying for a declaration of nullity is not a bar to that relief." This follows from the general principle that courts cannot breathe life into nullities: see *McLachlin & Taylor*, Rule 22-7 and *Skrastins v. Kelowna (City of)*, 1992 CanLII 1301 (BCSC) at p. 8.

Unreasonable and Unlawful Interference with Vehicular Access Routes

8. In addition, the Strata Corporations submit that the Receiver should not have requested or been granted authority to execute the Valet Parking Easement Agreement because the Valet Parking unreasonably interferes with the Strata Corporation's use of the Vehicular Access Routes under the Reciprocal Easement, and violates the British Columbia Building Code and municipal bylaws.
9. Receivers are officers of the court whose "sole authority is derived from...Court appointment and from the directions given [to them] by the Court". Given the breadth of powers under section 243(1) of the *Bankruptcy and Insolvency Act*, court-appointed receivers are necessarily subject to close judicial oversight and have a fiduciary duty to act honestly and in the best interests of all interested parties: see *Peace River Hydro Partners v. Petrowest Corp.*, 2022 SCC 41 at paras. 56-58.
10. In *Redcorp Ventures Ltd. (Re)*, 2016 BCSC 188 [*Redcorp*], this Court considered requirements under provincial and federal legislation and the interest of other parties in declining to grant authority to the receiver to destroy company records: see *Redcorp* at para. 38.
11. Similarly, this Court should have considered the impact of the Valet Parking Easement Agreement on the Vehicular Access Routes and declined to grant the Order. The Strata Corporations submit that the Valet Parking is contrary to the Reciprocal Easement's original intended purpose, and does not comply with provincial and municipal fire safety requirements.
12. The Strata Corporations submit that, under section 243(1)(c) of the *Bankruptcy and Insolvency Act*, this Court has authority to order the Receiver to take any action that this Court considers just and advisable to do so. Therefore, in consideration of the Valet Parking's unreasonable and unlawful interference with the Vehicular Access Routes, this Court should order the Receiver to discharge the Valet Parking Easement.

Cancellation of Valet Parking Easement

13. Section 35 of the *Property Law Act* provides as follows:

35 (1) A person interested in land may apply to the Supreme Court for an order to modify or cancel any of the following charges or interests against the land, whether registered before or after this section comes into force:

(a) an easement;

(2) The court may make an order under subsection (1) on being satisfied that the application is not premature in the circumstances, and that

(a) ...

(b) the reasonable use of the land will be impeded, without practical benefit to others, if the registered charge or interest is not modified or cancelled,

...

14. This Court only needs to find that one of the five grounds set out in section 35(2) is met in order to grant the relief sought: see *BC Transportation Financing Authority v. Rastad Construction Ltd.*, 2020 BCSC 2064 [*BC Transportation*] at para. 19.

15. In order to succeed on an application under s. 35, the Strata Corporations must demonstrate the following:

- 1) the application is not premature;
- 2) the application fulfils one of the five criteria set out in subsections (a)–(e) of section 35(2); and
- 3) considering all of the circumstances, this Court should exercise its discretion in favour of granting the application

(See: *Watermark Developments Ltd. v Kelowna (City)*, 2024 BCSC 2188 at para. 71, citing *676604 B.C. Ltd. (Re)*, 2010 BCSC 1624 at para. 22).

16. The Strata Corporations submit that it is not premature for this Court to consider this application under section 35(2) because considerations material to the determination of whether any ground exists under subsections (a) to (e) have materialized and are not pending on future events. There is no reason to defer to a later date for this Court to determine the issues raised by this application: see *BC Transportation* at para. 21.
17. The Strata Corporations submit that the Valet Parking Easement should be cancelled under subsection (b) of section 35(2) because the Valet Parking impedes the reasonable use of the Vehicular Access Routes under the Reciprocal Easement. There is no practical benefit of the Valet Parking because it interferes with fire department access and violates provincial and municipal fire safety requirements.
18. The Strata Corporations further submit that the Valet Parking Easement is invalid because it violates provincial and municipal fire safety requirements.
19. The Strata Corporations submit that this Court should exercise its discretion to cancel the Valet Parking Easement, considering the Valet Parking's unreasonable and unlawful interference with the Vehicular Access Routes.

Part 4: MATERIAL TO BE RELIED ON

1. Affidavit #1 of Denglin Liu, filed January 7, 2026;
2. Affidavit #1 of Katherine Hadzipetros, made January 21, 2026; and
3. Expert Report of Katherine Hadzipetros dated January 20, 2026.

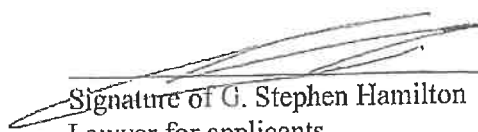
TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to the application, you must

- (a) file an application response in Form 33 within 5 days after the date of service of this notice of application or, if the application is brought under Rule 9-7 of the

Supreme Court Civil Rules, within 11 days after the date of service of this notice of application, and

- (b) at least 2 days before the date set for the hearing of the application, serve on the applicant 2 copies, and on every other party one copy, of a filed copy of the application response and the other documents referred to in Rule 9-7 (12) of the Supreme Court Civil Rules.

Date: January 22, 2026



Signature of G. Stephen Hamilton
Lawyer for applicants

NO. S240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE
HOLDING CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (formerly known as 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD, INTERNATIONAL TRADE CENTER PROPERTIES LTD., SUNWINS ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, HEUNG KEI SUNG, RCC HOLDINGS LTD.

RESPONDENTS

SERVICE LIST

As at December 09, 2025

Receiver's Website: <https://www.insolvencies.deloitte.ca/en-ca/Pages/Hotel-Versante-Ltd.aspx>

DLA Piper (Canada) LLP Barristers & Solicitors Suite 2700 - 1133 Melville Street Vancouver, BC V6E 4E5 Tel. No. 604-687-9444 Attention: Colin Brousson Anthony Mersich Email: colin.brousson@ca.dlapiper.com anthony.mersich@ca.dlapiper.com ashley.kumar@ca.dlapiper.com <i>Counsel for Petitioners, Fox Island Development Ltd. and Advanced Venture Holding CO., Ltd.</i>	Deloitte Restructuring Inc. 410 West Georgia Street, Vancouver, British Columbia, V6B 0S7, Canada Tel. No. 604-235-4197 Attention: Jeff Keeble Aveshin Govender Sally Bao E-mail: jkeeble@deloitte.ca avegovender@deloitte.ca sbao@deloitte.ca <i>Court Appointed Receiver and Manager</i>
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Dentons Canada LLP 20th Floor, 250 Howe Street Vancouver, BC V6C 3R8 Tel. No. 604-687-4460 Attention: John R. Sandrelli Afshan Naveed Cassandra Federico E-mail: john.sandrelli@dentons.com afshan.naveed@dentons.com cassandra.federico@dentons.com avlc.arenas@dentons.com chelsea.denton@dentons.com <i>Counsel to the Receiver, Deloitte Restructuring Inc.</i>	Bridgehouse Law LLP 9th Floor, 900 West Hastings Street Vancouver, British Columbia Canada V6C 1E5 Tel No.: 604.684.2550 Attention: H.C. Ritchie Clark, K.C. Benjamin La Borie Email : rclark@bridgehouselaw.ca blaborie@bridgehouselaw.ca cwilson-cole@bridgehouselaw.ca <i>Counsel for Kensington Union Bay Properties Nominee Ltd. (formerly known as 34083 Yukon Inc.), Kensington Union Bay Properties Limited Partnership, Kensington Union Bay Properties GP Ltd., International Trade Center Properties Ltd., SFT Digital Holdings 30 Ltd., Hotel Versante Ltd., Sunwins Enterprise Ltd., Mo Yeung Ching also known as Michael Ching Mo Yeung Properties Ltd., Club Versante Management Ltd. and 1212429 B.C. Ltd.</i>
Pryke Lambert Leathley Russell LLP Suite 500-North Tower 5811 Cooney Road Richmond, BC V6X 3M1 Attention: Thomas W. Russell Email: Trussell@pllr.com	Owen Bird Law Corporation 2900 – 733 Seymour Street, P.O. Box 1, Vancouver, B.C. V6B 0S6. Tel. No: 604-688-0401 Attention: Alan A. Frydenlund K.C. Scott Stephens Email: afrydenlund@owenbird.com sstephens@owenbird.com <i>Counsel for Beem Credit Union</i>
Fasken Martineau DuMoulin LLP 550 Burrard Street, Suite 2900 Vancouver, BC V6C 0A3 Attention: Kibben Jackson Email: klackson@fasken.com	Michael Ching #1205 - 8400 West Road Richmond, BC V6X 0S7 Email: michael@sunwins.ca

Rita Zhang #1205 - 8400 WEST ROAD RICHMOND BC V6X 0S7 Email: rita@versantehotel.com	Nathanson, Schachter & Thompson LLP 750 – 900 Howe Street, Vancouver, BC V6Z 2M4 Tel. No. (604)662-8840 Attention: Peter Reardon Email: preardon@nst.ca nwalnicki@nst.ca <i>Counsel for Bygenteel Capital Inc. and Chun Lin (Linda) Ching</i>
Owen Bird Law Corporation 2900 – 733 Seymour Street, P.O. Box 1, Vancouver, B.C. V6B 0S6 Tel. No: 604-688-0401 Attention: Email: <i>Counsel for Broadway Camera Investments Ltd., Kangaroo Investments Ltd., John Lo, and Kandy Du,</i>	Poulus Ensom Smith LLP One Bentall Centre 505 Burrard Street Suite 1560, Box 15 Vancouver, BC V7X 1M5 Tel No. 778.727.3500 Attention: Hein Poulus, KC, Sahell Sodhi & Edith Chen Email: hpoulus@peslitigation.com ssodhi@peslitigation.com echen@peslitigation.com
Lawrence Wong & Associates 210 – 2695 Granville Street, Vancouver, BC V6H 3H4 Tel. No.: (604) 739-0118 Attention: Lawrence Wong Email: lwong@lwacorp.com <i>Counsel for Ms. Heung Kei Sung (Second Mortgagee)</i>	Blakes Cassels and Grayden LLP 1133 Melville Street, Suite 3500, The Stack Vancouver, BC V6E 4E5 Tel. No.: 604-631-3300 Attention: Peter Bychawski Email: peter.bychawski@blakes.com <i>Counsel to Citatlon Property Holdings Limited</i>
CAMPBELL FROH MAY & RICE LLP 200-5611 Cooney Road, Richmond, BC V6X 3J6 Tel: (604) 273-8481 Attention: Katherine E. Ducey and Mark Standerwick Email: Kducey@cfmrlaw.com mstanderwick@cfmrlaw.com <i>Counsel for Fortis BC</i>	Hamilton & Company 4th Floor, 500 Sixth Avenue New Westminster, BC V3L 1V3 Tel: (604) 630-7472 Attention: G. Stephen Hamilton / Mahbuba Nazaryar Email: SHamilton@hamiltonco.ca MNazaryar@hamiltonco.ca <i>Counsel for The Owners, Strata Plan EPS 5801, The Owners, Strata Plan EPS 5802, The Owners, Strata Plan EPS 5803, The Owners, Strata Plan EPS 5804</i>

EMAIL SERVICE LIST

colin.brousson@ca.dlapiper.com; lkeebie@deloitte.ca; avegovender@deloitte.ca; sbao@deloitte.ca;
john.sandrelli@dentons.com; afshan.naveed@dentons.com ; cassandra.federico@dentons.com;
avic.arenas@dentons.com ; chelsea.denton@dentons.com; Trussell@pll.com;
afrydenlund@owenbird.com; sstephens@owenbird.com; kiackson@fasken.com; michael@sunwins.ca;
rita@versantehotel.com; rclark@bridgehouselaw.ca; blaborie@bridgehouselaw.ca; preardon@nst.ca;
hpoulus@peslitigation.com; lwong@lwacorp.com; peter.bychawski@blakes.com;
echen@peslitigation.com; ssodhi@peslitigation.com; cwilson-cole@bridgehouselaw.ca;
mstanderwick@cfmrlaw.com ; Kducey@cfmrlaw.com; wilson@bccamera.com; johnlo649@gmail.com;
kangalooinvestments@gmail.com; ashley.kumar@ca.dlapiper.com; joel.robertson-taylor@ca.dlapiper.com; anthony.mersich@ca.dlapiper.com; SHamilton@hamiltonco.ca;
MNazaryar@hamiltonco.ca; nwalnicki@nst.ca

This is the 1st affidavit
of Katherine Hadzipetros in this case
and was made on January 21, 2026



NO. S-240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING
CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY
KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES
LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD.,
INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS
ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO
YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL
VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN
YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND
HEUNG KEI SUNG

RESPONDENTS

AFFIDAVIT

I, Katherine Hadzipetros, Planner, c/o 4th Floor, 500 Sixth Avenue, in the City of
New Westminster, in the Province of British Columbia, MAKE OATH AND SAY THAT:

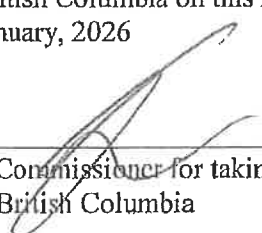
1. I am a Planner employed by Thinkspace Architecture Planning Interior Design Ltd.
located at 300 – 10190 152A Street, Surrey, BC ("Thinkspace"). Thinkspace is a building design
consulting firm.

This is Exhibit "C" referred to in the
affidavit of Vivian Hsu
sworn before me at New Westminster
this 2nd day of July, 2026.

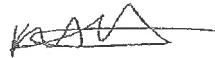
.....
A Commissioner for taking Affidavits
for British Columbia

2. Now produced, shown to me, attached hereto and marked as **Exhibit "A"** to this my affidavit is a true copy of an expert report that I prepared to provide my opinion on whether a valet parking easement is permitted under the zoning and applicable municipal policies.

Surrey
 SWORN BEFORE ME in the City of)
 New Westminster, in the Province of)
 British Columbia on this 21th day of)
 January, 2026)



 A Commissioner for taking Affidavits
 in British Columbia)



KATHERINE HADZIPETROS

Eve Shan
 Barrister & Solicitor
Hamilton & Company
 4th Floor, 500 Sixth Avenue
 New Westminster, BC V3L 1V3
 604.630.7462

January 20, 2026

8477 Bridgeport Road Zoning Compliance Expert Report

Prepared for: Strata Plan EPS 5804, c/o Hamilton & Company
Prepared by: Katherine Hadzipetros, RPP, MCIP, Planner
Firm: Thinkspace Architecture Planning Interior Design Ltd.
Address: 10190 152A St #300, Surrey, BC V3R 1J7
Phone: (604) 581-8128
Project number: 261163

This is Exhibit "A" referred to in the
 Affidavit of Katherine Hadzipetros
 sworn (or affirmed) before me
 this 21 day of January, 2026

A Commissioner/Notary Public for the
 Province of British Columbia

EXPERT'S CERTIFICATION

In preparing this expert opinion, I certify that I am aware of the Supreme Court Civil Rule 11-2 Duty of Expert Witnesses. I have prepared this report in conformity with that duty, which is to give opinion evidence to assist the Court, and not be an advocate for any party. I confirm that, if called upon to give oral or written testimony, I will give that testimony in conformity with that duty.

QUALIFICATIONS

I, Katherine Hadzipetros, am a Planner at Thinkspace Architecture Planning Interior Design Ltd. ("Thinkspace") in Surrey, British Columbia. I hold an undergraduate degree in Urban Planning from the University of Waterloo (graduated in 2020) and a master's degree in Urban Design from the University of British Columbia (graduated in 2022). I am a Registered Professional Planner (RPP) with the Planning Institute of British Columbia, and a Member of the Canadian Institute of Planners (MCIP).

My area of expertise at Thinkspace includes policy review and interpretation, campus master planning, and space planning. Prior to Thinkspace, I gained experience in both the private and public sector, where I have been responsible for reviewing and interpreting zoning by-laws, official community plans, site plans, and provincial plans and policies.

INSTRUCTIONS

Thinkspace was retained by Hamilton & Company to prepare an expert opinion report for a commercial strata development in Richmond, BC. The report will focus on assessing whether a valet parking easement is permitted under the zoning and applicable municipal policies.

thinkspace

architecture planning interior design ltd.
 300 - 10190 152A St. | Surrey, BC | V3R 1J7
 t 604.581.8128 | w thinkspace.ca

ASSUMED FACTS

Located at 8477 Bridgeport Road in Richmond, BC, the site is surrounded by commercial uses to the south and light industrial uses to the north, east and west. Bridgeport Road runs along the southern edge of the lot. The site is comprised of a series of air parcels and includes three (3) towers of 9, 12, and 14-storey building height with a shared five-storey podium. The development includes general retail, restaurant, hotel, and office uses.

The site is within a ZC33 (High Rise Office Commercial – City Centre), with a total of 327 parking spaces provided in an underground parking garage beneath the buildings. This includes 131 parking spaces for hotel use, 122 parking spaces for office use, and 73 parking spaces for commercial use.

As part of the development and division into strata parcels, an easement was established (EPP37735). The intent of this easement in part, was to be for public passage and vehicular access for all strata lots. Recently, a new easement was established (EPP73985) to be used solely by the hotel for valet parking easement.

LIST OF DOCUMENTS

In preparing this report, the following documents were reviewed and relied on in forming the opinion:

- City of Richmond Zoning By-law 8500, 2009
- Registered Strata Plan EPS 5804
- Report to Development Permit Panel, DP 12-624180, dated January 10, 2015
- CA7519726, Air Space Subdivision Agreement
- Sketch Showing 'Easement Lands' over a portion of Lot 1, Section 21, Block 5 North, Range 6 West, New Westminster District, Plan EPP37734, Except Air Space Plan EPP73985, dated January 7, 2026

ISSUES

Zoning Authority for Valet Easement on Site (ZC-33)

Under ZC-33 (High-Rise Office Commercial in Richmond), "parking, non-accessory" is listed as a permitted principal use. However, the zoning bylaw does not specifically address valet parking or valet operations. The use of these stalls for valet purposes constitutes short-term parking, which is not regulated under the zoning bylaw.

Fire Truck Access & Drive Aisle Width

The City of Richmond adheres to the British Columbia Building Code which requires a minimum unobstructed fire department access route of 6.0 m in width. There are three loading bays located along the north edge of the drive aisle, immediately adjacent to the building (see Appendix B attached to this opinion report and page 88 of Easement Agreement CA7519726). The presence of these stalls, in addition to the valet easement, which encroaches 2.829 m into the drive aisle, reduces the remaining drive aisle to approximately 2.9 m. This reduced width is insufficient for fire department access, failing to meet the minimum 6.0 m requirement, and is therefore non-compliant both provincial and municipal fire safety requirements.

Public Passage and Reasonable Easement Use

Easements granting public passage are generally understood to be exercised reasonably, with the intent that all users should have access to the area. The easement area appears to function as common space for the development, with shared use and access by all. It is my opinion that the operation of the valet service that reserves the drive aisle for the sole use by one dominant tenement, while limiting movement by others, does not align with the original intended purpose of the easement and would not ordinarily occur in a share space of this kind.

Easement Agreement CA7519726

Section 3.1.3 of the Air Space Subdivision Agreement (CA7519726) for the original easement (EPP37735) states:

“The Project Easements that are granted herein for Access to Vehicular Access Routes do not include the right to park and have not been granted for the purpose of parking vehicles on the Vehicular Access Routes”

The express prohibition on parking within the vehicular access routes has direct implications for valet operations. Valet services typically require vehicles to stop, stand, or queue to facilitate passenger drop-off, key transfer, and vehicle staging. In this case, sections of the public access easement have been used for valet parking and related staging activities.

While valet operations may be characterized as short-term stopping rather than parking, their practical effect can be similar to parking when vehicles occupy the access area and limit movement. Even brief or operational stopping can disrupt continuous access where it delays or obstructs other users. In this context, the use of the public access easement for valet activities does not appear to align with the stated purpose of the easement and may affect the ability of other entitled users to exercise their access rights.

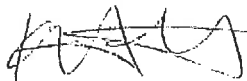
CONCLUSION

1. Zoning (ZC-33) does not explicitly grant valet easements; a formal amendment or registered instrument may be required.
2. The 2.9 m driveway width is insufficient for fire department access, which requires a minimum 6.0 m wide drive access
3. The valet parking operation monopolizes and restricts access for other users.
4. Using the public access easement for valet parking exceeds the easement's original intended purpose, as the easement agreement expressly prohibits parking on vehicular access routes.

If the valet operation is not contemplated by the easement, or if it conflicts with access, safety, or reasonable use requirements, additional approvals such as a variance or amendment may be necessary. In the absence of such approvals, adjustments to, or cessation of, valet operations may be required to ensure compliance.

Yours truly,

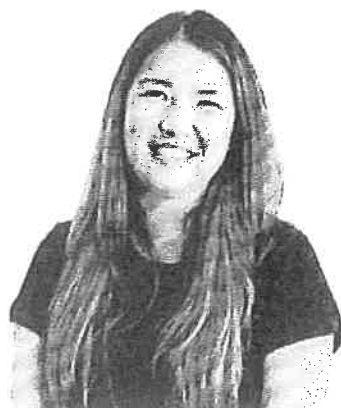
Thinkspace Architecture® Planning Interior Design



Katherine Hadzipetros, RPP, MCIP
Planner

Appendix A: Curriculum Vitae

Appendix B: Markup on Sketch Showing 'Easement Lands' over a portion of Lot 1, Section 21, Block 5 North, Range 6 West, New Westminster District, Plan EPP37734, Except Air Space Plan EPP73985, dated January 7, 2026



KATHERINE HADZIPETROS

RPP, MCIP

PLANNER

EDUCATION

2022

Master of Urban Design,
University of British Columbia,
Vancouver, BC

2020

Bachelor of Environmental
Studies, Honours Planning, Co-op,
University of Waterloo, Waterloo,
ON

PROFESSIONAL AFFILIATIONS

Member, Canadian Institute of
Planners

Registered Professional Planner,
Planning Institute of British
Columbia

Originally from Toronto, Katherine completed her undergraduate degree at the University of Waterloo in Urban Planning. With an interest in how the design of the built environment can affect human emotions and behaviour, she decided to pursue a Master of Urban Design from the University of British Columbia.

Katherine's passion for planning and design stems from her desire to create successful spaces in both form as well as function. She believes in the built environments power to create a strong public realm and respond to its context with good design, creating spaces for people to live, work, play, learn, and connect. Katherine's unique background in urban planning and urban design allows her to use her expertise to offer a unique perspective to design problems. She believes in the integration of planning and architecture, and that capturing the synergies between these intersecting fields is imperative in order to offer the best possible solutions for clients and stakeholders.

SELECTED EXPERIENCE

- Smith Campus Middle and Secondary School, Langley BC
- University of Alberta Strategic Campus Plan Figures, Edmonton, AB
- Northern Lights College, Space Study and Future Planning, Fort St John, BC
- Hazel Trembath ES PDR, Port Coquitlam, BC
- RE Mountain SS PDR, Langley, BC
- Alpha SS PDR, Burnaby, BC
- Keyano College, Facilities Master Plan and Implementation, Fort McMurray, AB
- Northwestern Polytechnic Master Plan, Grande Prairie, AB
- Northeast Coquitlam Middle School Project Request Fact Sheet, Coquitlam, BC
- Stella'ën First Nation Youth Centre Feasibility Study, Stellako, BC
- Kwantlen Park Secondary School Addition, Surrey, BC
- Lakeland College Farm Master Plan, Vermillion, AB
- City of West Kelowna, Community Centre Study, West Kelowna, BC
- Mackenzie Daycare Feasibility Study, Mackenzie, BC
- BCIT Guichon Pavilion Feasibility Study, Burnaby, BC
- St. Michael's Centre Feasibility Study, Burnaby, BC
- LifeSpring Church Feasibility Study, Abbotsford, BC
- Our Lady of Sorrows Campus Master Plan & Business Case, Vancouver, BC
- Our Lady of Fatima Elementary Portable and CMP, Coquitlam, BC
- Yorkson Community Park Fieldhouse Study, Langley, BC

SKETCH SHOWING 'EASEMENT LANDS' OVER A PORTION OF LOT 1, SECTION 21, BLOCK 5 NORTH, RANGE 6 WEST, NEW WESTMINSTER DISTRICT, PLAN EPP37734, EXCEPT AIR SPACE PLAN EPP73985

B.C.G.S. 92G-015

SCALE: 1:300

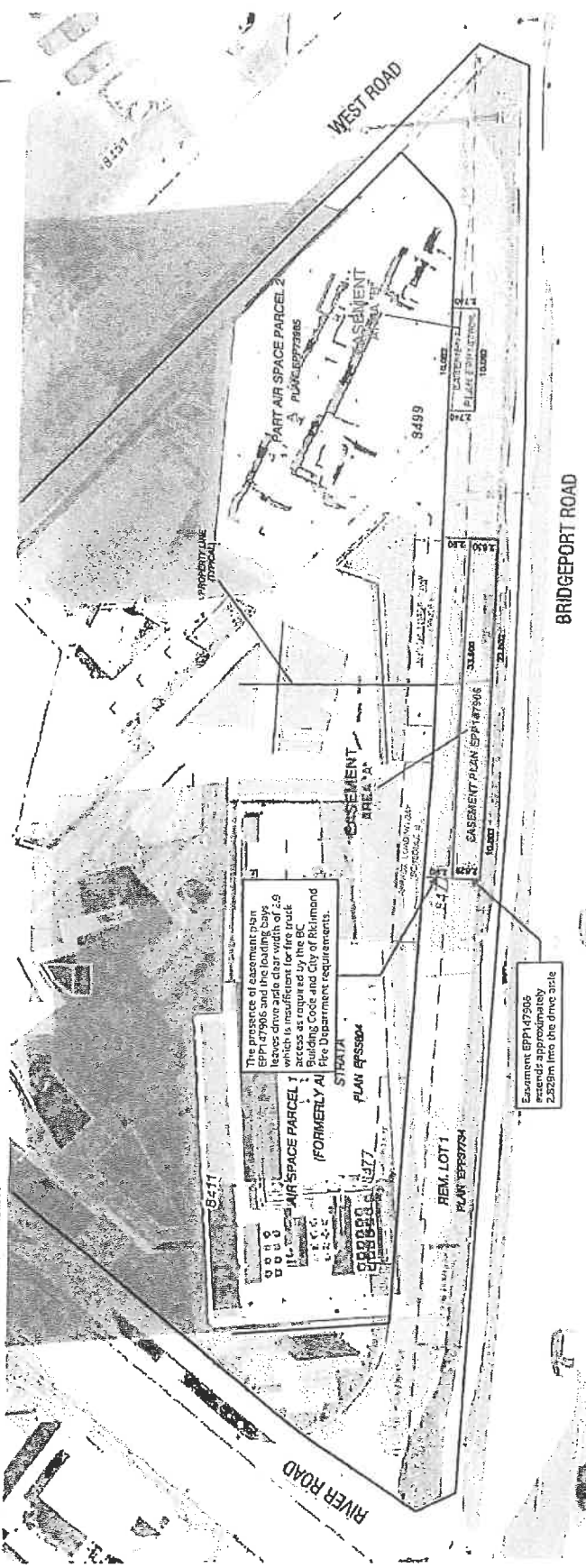


THE INTENDED PLOT SIZE OF THIS PLAN IS 4320m IN HEIGHT BY 5800m IN WIDTH WHEN PLOTTED AT A SCALE OF 1:300 (C SIZE)

NOTES:

- ALL DISTANCES ARE SHOWN IN METERS.
- INTEGRATED SURVEY AREA No. 18, CITY OF RICHMOND, VANCOUVER REGIONAL DISTRICT.
- THIS PLAN SHOWS THE RELATIVE POSITION OF PART OF AIR SPACE PLAN EPP73985 AND EASEMENT PLAN EPP74706.
- THIS PLAN HAS BEEN ASSEMBLED ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS ONLY.
- ALL POSITIONS SHOWN HEREIN MUST BE FIELD SURVEYED FOR CONFIRMATION.
- IMAGERY SHOWN HEREIN IS TAKEN FROM CITY OF RICHMOND'S INTERACTIVE MAP.

PARCEL BOUNDARIES ARE SHOWN AT
ELEVATION 1.0m FOR
REAL LOT 1
AND SPACE PARCEL 1
AND SPACE PARCEL 2



SEC. 21 B5N. R6W. NWD

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT
CITY OF RICHMOND

WATSON & BARNARD
B.C. LAND SURVEYORS
1524 56th STREET
DELTA, B.C., V4L 2A8
P: 604 643 9403

FILE: 416525X
PLOT: 2026101.06
MAP: RICHMOND

J:\035\11562\1\HAWK\GCS\SH\ETC\W\16025025\K\06\g 1000 JK

From: Sandrelli, John <john.sandrelli@dentons.com>
Sent: Tuesday, February 3, 2026 8:58 PM
To: Hamilton, Stephen <SHamilton@hamiltonco.ca>; Eve Shen <EShen@hamiltonco.ca>
Cc: Federico, Cassandra <cassandra.federico@dentons.com>
Subject: Hotel Versante and Easement Applications

Stephen and Eve,

Unfortunately, we too have been stalled in obtaining our expert code consultant in response and we still do not have the material we are seeking or evidence. We reached out a while ago to the original developer code consultant to obtain the material leading to the design and more background on the potential fire access road issues. He has indicated a willingness to cooperate, but he still has not provided the material despite our demands. Accordingly, we will require extensions to deliver material and the adjournment of the hearing.

We would appreciate the courtesy of an adjournment given the lack of urgency now, please let us know when you can. I anticipate we can reschedule the hearing in March at some point, not a long delay. I was before justice Fitzpatrick today on another matter and she indicated she has pretty good availability in march and April.

We look forward to hearing from you.

Regards,

John R. Sandrelli
National Practice Group Leader, Restructuring, Insolvency and Bankruptcy

My pronouns are: He/Him/His

☐ +1 604 443 7132 | ☐ +1 604 889 3792
john.sandrelli@dentons.com | Bio | LinkedIn | Website
Dentons Canada LLP | 20th Floor, 250 Howe Street, Vancouver, BC, V6C 3R8, Canada



Our Legacy Firms | Client Experience (CX)

This lawyer practices through a law corporation.

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This is Exhibit "D" referred to in the
affidavit of Nivon Hsu
sworn before me at New Westminster
this 2nd day of July 2026.
.....
A Commissioner for taking Affidavits
for British Columbia

This is Exhibit "E" referred to in the
 affidavit of Vivien Hsu
 sworn before me at New Westminster
 this 2nd day of July 2026



This is the 2nd affidavit
 of Denglin Liu in this case
 and was made on March 19, 2026

A Commissioner for taking Affidavits
 for British Columbia

NO. S-240493
 VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING
 CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY
 KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES
 LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP LTD.,
 INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS
 ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO
 YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL
 VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP., CHUN
 YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD. AND
 HEUNG KEI SUNG

RESPONDENTS

AFFIDAVIT

I, Denglin Liu, Property Manager, c/o 4th Floor, 500 Sixth Avenue, in the City of
 New Westminster, Province of British Columbia, MAKE OATH AND SAY THAT:

1. I am a strata council member of The Owners, Strata Plan EPS 5801, 5802, 5803
 and 5804, and as such have personal knowledge of the matters and facts herein set forth in this
 Affidavit, save and except where same are stated to be based upon information and belief and,
 where so stated, I verily believe same to be true.

2. I am authorized to swear this Affidavit on behalf of The Owners, Strata Plan EPS
 5801, The Owners, Strata Plan EPS 5802, The Owners, Strata Plan EPS 5803, The Owners, Strata
 Plan EPS 5804 (the "Strata Corporations"). I have been a member of the strata council for the
 Strata Corporations from their inception.

3. On February 17, 2026, I emailed Richmond Fire-Rescue (the “Fire-Rescue”) to seek guidance regarding how the current valet parking operation may impact the emergency vehicle access route at the strata building. On the same day, I received a response from Mr. Andrew Lovett (the “Captain”), Captain Fire Prevention Services, who was willing to discuss the options.

4. On February 19, 2026, I met with the Captain to inspect the emergency vehicle access route at the strata building. The Captain advised me that the valet parking issue was brought to the Fire-Rescue’s attention in or around 2024. At the time, the Fire-Rescue did not take action because it was not aware of the existence of the loading bays. With that misunderstanding, the Fire-Rescue believed there was sufficient width for fire truck access. The Captain also advised me that the circumstances cause serious concerns and it is his belief that there are no alternative access routes at the strata building. The Captain asked me to forward all relevant documents including but not limited to any easements, and that he would “escalate” the matter when he returns to his office.

5. On March 3, 2026, the Captain provided a detailed review of the circumstances and took the position that the conclusions reached by Katherine Hadzipetros at Thinkspace Architecture Planning Interior Design Ltd. are consistent with the BC Fire Code requirements and the City of Richmond Fire Protection and Life Safety Bylaw No. 8306.

6. Attached hereto and marked as **Exhibit “A”** to this my Affidavit is a true copy of the email thread between February 17, 2026 and March 3, 2026 between me and the Fire-Rescue.

SWORN BEFORE ME in the City of New
Westminster, in the Province of British
Columbia on this 19th day of March, 2026


A Commissioner for taking Affidavits
in British Columbia


DENGLIN LIU

Eve Shen
Barrister & Solicitor
Hamilton & Company
4th Floor, 500 Sixth Avenue
New Westminster, BC V3L 1V3
604.630.7462

Bagsic, Stephanie

From: Lovett, Andrew <ALovett@richmond.ca>
Sent: March 3, 2026 2:14 PM
To: woshiliudenglin@hotmail.com <woshiliudenglin@hotmail.com>
Subject: RE: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hello Douglas,

Thank you once again for contacting Richmond Fire-Rescue regarding your concerns about vehicles parking within the designated fire lane.

RFR has reviewed the drawings and photographs you provided, as well as the report prepared by Thinkspace regarding the fire lane. The conclusions outlined in the Thinkspace report are consistent with the requirements of the BC Fire Code and the City of Richmond Fire Protection and Life Safety Bylaw No. 8306.

In summary, the Thinkspace report indicates that the current valet operation may not comply with zoning, easement, and fire access requirements for the following reasons:

- The zoning does not clearly permit valet easements.
- The 2.9 m driveway width is insufficient for the required 6.0 m fire department access.
- The valet operation restricts access for other users.
- Use of the public access easement for valet parking appears to exceed its intended purpose and conflicts with prohibitions on parking within access routes.

For reference, the **BC Fire Code (2021), Division B, Article 2.5.1.4**, requires that fire department access routes be maintained and kept clear of obstructions at all times and states that vehicles shall not be parked in a manner that obstructs fire department access to buildings or fire routes.

Additionally, **City of Richmond Fire Protection and Life Safety Bylaw No. 8306, Section 5.9 (Emergency Access Routes)** provides that:

- Section 5.9.2 requires emergency access routes to be clearly marked with signage reading "FIRE LANE – NO PARKING."
- Section 5.9.4(a) states that a person must not park a vehicle in an emergency access route.
- Section 5.9.4(b) prohibits interfering with, hindering, or obstructing access to an emergency access route by Richmond Fire-Rescue apparatus unless authorized by the Fire Chief and in accordance with any direction or conditions imposed.

You have also advised that the company in question has received authorization from the court permitting valet parking in this location. As this matter has been determined by, or is currently before, the court, it is now within the judicial process. Richmond Fire-Rescue must respect the authority of the court and cannot override or contradict a court order. Any determination regarding the permissibility of parking in this location under a court order rests with the court.

Kind regards.

Andrew Lovett

Captain Fire Prevention Services | Richmond Fire-Rescue
 6960 Gilbert Road | Richmond BC | V7C 3V4
 Office 604.303.2751 | Cell 604.341.6892
alovett@richmond.ca | <https://firerescue.richmond.ca>
Tuesday to Friday 08:00 to 17:15

This is Exhibit "A" to the Affidavit of
 Denglin Liu
 sworn (or affirmed) before me at
 New Westminster, B.C.
 this 19 day of March, 2026.

A Commissioner/Notary Public for the
 Province of British Columbia

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: Tuesday, March 3, 2026 10:07 AM
To: Lovett, Andrew <ALovett@richmond.ca>
Subject: Re: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe..

Good Morning Captain

just wanted to briefly follow up regarding the emergency access review at 8477 Bridgeport Road. I understand the matter has been escalated within your office, and I appreciate the time your team is taking to assess it.

The court hearing is currently scheduled for April 8, 2026. If there is any preliminary clarification or guidance your office anticipates being able to provide prior to that date, it would be very helpful for our planning purposes.

Please let me know if any further information from our end would assist.

Thank you again for your attention to this matter.

From: Lovett, Andrew <ALovett@richmond.ca>
Sent: February 26, 2026 2:54 PM
To: Douglas Liu <woshiliudenglin@hotmail.com>
Subject: RE: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hi Douglas,

They are more than welcome to submit an official complaint to By Laws who oversee parking issues. Not sure how much it would help, but it certainly wouldn't harm.

Andrew.

Andrew Lovett
Captain Fire Prevention Services | Richmond Fire-Rescue
 6960 Gilbert Road | Richmond BC | V7C 3V4
 Office 604.303.2751 | Cell 604.341.6892
alovett@richmond.ca | <https://firerescue.richmond.ca>
Tuesday to Friday 08:00 to 17:15

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: Thursday, February 26, 2026 1:43 PM
To: Lovett, Andrew <ALovett@richmond.ca>
Subject: Re: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

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Hello Captain

i heard there might be a owner wants to make a complaint to City hall due to the very bad driving experience shortly, not sure if that helps... any advise?

Thanks

From: Lovett, Andrew <ALovett@richmond.ca>
Sent: February 25, 2026 9:05 AM
To: Douglas Liu <woshiliudenglin@hotmail.com>
Subject: RE: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hi Douglas,

Thank you for the video and update. Just wondering at this stage if you have reached out to any other City of Richmond departments regarding this issue?

Thank you.

Andrew Lovett
Captain Fire Prevention Services | Richmond Fire-Rescue
 6960 Gilbert Road | Richmond BC | V7C 3V4
 Office 604.303.2751 | Cell 604.341.6892
alovett@richmond.ca | <https://firerescue.richmond.ca>
Tuesday to Friday 08:00 to 17:15

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: Tuesday, February 24, 2026 3:35 PM
To: Lovett, Andrew <ALovett@richmond.ca>
Subject: Re: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe..

Hello Captain

The lawyer has just informed me that the application is adjourned to April 8, 2026.

and FYI, the short video I took this morning...

Thanks

From: Lovett, Andrew <ALovett@richmond.ca>
Sent: February 24, 2026 3:02 PM
To: Douglas Liu <woshiliudenglin@hotmail.com>
Subject: RE: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hello Douglas,

Just a brief update to inform you that this has been escalated in our office and we are speaking with different departments to figure out if and how we can help you. I will be in touch as soon as I have some information. Did the court case happen?

Thank you.

Andrew Lovett

Captain Fire Prevention Services | Richmond Fire-Rescue

6960 Gilbert Road | Richmond BC | V7C 3V4

Office 604.303.2751 | Cell 604.341.6892

alovett@richmond.ca | <https://firerescue.richmond.ca>

Tuesday to Friday 08:00 to 17:15

From: Douglas Liu <woshiliudenglin@hotmail.com>

Sent: Thursday, February 19, 2026 4:13 PM

To: RFR - Fire Prevention Captain - Operations <RFR-FirePreventionCaptain-Operations@richmond.ca>

Subject: Re: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

You don't often get email from woshiliudenglin@hotmail.com. [Learn why this is important](#)

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe..

Hello Captain

Further to our site discussion, below is a brief background summary to provide context regarding how the current valet easement and operations arose.

Receivership of Hotel and Remainder Parcel

The hotel property and associated remainder parcel were placed under Court-appointed receivership around mid of 2025. The Receiver was authorized to manage and operate the hotel business during the insolvency process.

October 23, 2025 – Court Order Permitting Valet Easement

As part of hotel operations, the Receiver applied to the Court for authority to execute and register a valet parking easement permitting temporary vehicle staging along the vehicular access lane in front of the building. The Court granted that order.

The affected Strata Corporations were not served prior to the granting of that order and became aware of it after operations commenced.

Late October 2025 – Implementation of Valet Operations

Following the Court order, vehicles began being staged along portions of the designated access lane before being moved by valet staff.

This lane historically functioned as a Vehicular Access Route serving multiple parcels within the development.

November 2025 – Strata Review and Consultant Engagement

After observing how the staging was occurring in practice, Council became concerned about the impact on emergency vehicle access.

An independent code consultant was retained to assess the configuration relative to fire access requirements.

January 23, 2026 – Court Application Filed by Strata

Based on those concerns, the Strata filed an application seeking to vacate or cancel the valet easement order.

Please see the attachments for the relative documents, feel free to let me know if you have any question.

Thanks ~

From: Douglas Liu <woshiliudenglin@hotmail.com>

Sent: February 18, 2026 10:52 AM

To: RFR - Fire Prevention Captain - Operations <RFR-FirePreventionCaptain-Operations@richmond.ca>

Subject: Re: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hello Andrew

thanks very much for your time.

As discussed, please see the attachments for your information.

See you tomorrow at 2pm ~

From: RFR - Fire Prevention Captain - Operations <RFR-FirePreventionCaptain-Operations@richmond.ca>

Sent: February 17, 2026 4:15 PM

To: woshiliudenglin@hotmail.com <woshiliudenglin@hotmail.com>

Subject: RE: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Hi Douglas,

Thank you for the email. I am familiar with this location and the access lane that runs in front of the buildings.

Please feel free to give me call when it is convenient to you and we can discuss the options.

Kind regards.

Andrew Lovett

Captain Fire Prevention Services | Richmond Fire-Rescue

6960 Gilbert Road | Richmond BC | V7C 3V4

Office 604.303.2751 | Cell 604.341.6892

alovett@richmond.ca | <https://firerescue.richmond.ca>

Tuesday to Friday 08:00 to 17:15

From: Fire <Fire@richmond.ca>

Sent: Tuesday, February 17, 2026 3:06 PM

To: RFR - Fire Prevention Captain - Operations <RFR-FirePreventionCaptain-Operations@richmond.ca>

Cc: Fire <Fire@richmond.ca>

Subject: Emergency Vehicle Access Inquiry - 8477 Bridgeport Road - Douglas Liu

Good afternoon Fire Prevention Captain,

Please see below inquiry regarding emergency vehicle access routes.

Thank you,

Jennifer Cheng | Department Associate

Richmond Fire-Rescue | Brighthouse Fire Hall No. 1 | 6960 Gilbert Road Richmond BC V7C 3V4

Reception: 604.278.5131|Local: 3610 | firerescue.richmond.ca



From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: Tuesday, February 17, 2026 3:04 PM
To: Fire <Fire@richmond.ca>
Subject: Request for guidance – emergency access route

You don't often get email from woshiliudenglin@hotmail.com. [Learn why this is important](#)

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe..

Dear Sir/ Madam

My name is Douglas Liu, the president of Strata Council EPS 5804.

I am writing on behalf of a strata corporation located at 8477 Bridgeport Road, Richmond, Strata Plan EPS 5804.

We would like to seek guidance from Fire Prevention regarding emergency vehicle access along a designated vehicular access route on the property. A valet parking operation currently occurs along this route, and the council would like to understand the applicable fire access expectations and whether this is something your department would typically review.

At this stage, we are not requesting enforcement action — only clarification on the appropriate process and whether a review or site visit would be appropriate.

Please let us know the proper contact person or next steps. I would be happy to provide additional information if helpful.

Thank you for your time and assistance.

From: Brousson, Colin <colin.brousson@ca.dlapiper.com>
Sent: Tuesday, April 7, 2026 11:44 AM
To: Hamilton, Stephen
Cc: Mahbuba Nazaryar; Kumar, Ashley; Sandrelli, John; Lord, Richard; Robertson-Taylor, Joel
Subject: RE: [EXTERNAL] Fox Island Development Ltd. et al v. Kensington Union Bay Properties Nominee Ltd. et al (58473) - WITH PREJUDICE
Attachments: Form C Release of Easement CB2495606.pdf

Hi Stephen,

I can advise that our client is executing the attached Form C discharge within the next two hours. We will send you an updated title search once complete. There is no need for any court order at all concerning discharge.

We will agree that the costs aspect of your application can be adjourned generally by consent if that helps us all to avoid a court hearing tomorrow. One of us would likely attend just to speak to that aspect for 15 minutes before Justice Fitzpatrick.

Our client remains of the view that representatives of our respective clients should meet soon to discuss a resolution which works for all long term. Lawyers attending would be optional.

Yours truly,

Colin Brousson
 Partner

T +1 604.643.6400
 F +1 604.605.4875
 E colin.brousson@ca.dlapiper.com

This is Exhibit " F " referred to in the
 affidavit of Nivren Hsu
 sworn before me at New Westminster
 this 2nd day of July 2026

.....
 A Commissioner for taking Affidavits
 for British Columbia



Land Title Act
Release
 General Instrument – Part 1

NEW WESTMINSTER LAND TITLE OFFICE
 APR 07 2026 15:10:35.001
CB2720445

1. Application

Document Fees: \$33.53

Richard Lord, DLA Piper (Canada) LLP
Barristers & Solicitors
1133 Melville Street, Suite 2700
Vancouver BC V6E 4E5
604.687.9444

117708-00001 (jqj)

2. Description of Land

PID/Plan Number Legal Description

029-611-598 **LOT 1 SECTION 21 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN EPP37734**
EXCEPT AIR SPACE PLAN EPP73985

3. Nature of Interest Being Released

Number Type

CB2495606 **EASEMENT**

Additional Information

Dominant Lands:
PID: 030-795-851, AIR SPACE PARCEL 2 SECTION
21 BLOCK 5 NORTH RANGE 6 WEST NEW
WESTMINSTER DISTRICT AIR SPACE PLAN
EPP73985

4. There is no Part 2

The charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. Transferor(s)

1483646 B.C. LTD., NO.BC1483646

6. Transferee(s)

REGISTERED OWNER

7. Execution(s)

This instrument releases or discharges the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

Richard Lord
Barrister & Solicitor
 Suite 2700 - 1133 Melville Street
 Vancouver BC V6E 4E5

YYYY-MM-DD

2026-04-07

1483646 B.C. LTD.
 By their Authorized Signatory

Print Name: SHU WANG

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this document under section 168.41 (4) of the Act, and that an execution copy, or a true copy of that execution copy, is in your possession.

Richard John
Lord UFSR72

Digitally signed by
 Richard John Lord UFSR72
 Date: 2026-04-07
 15:07:43 -07:00

Invoice Number 261163-1
 Invoice Date Jan 31, 2026

Page Number 1

Strata Plan EPS 5804
 C/O Hamilton & Company
 4th Floor, 500 Sixth Avenue
 New Westminster, BC V3L 1V3

Contract Number 261163
 GST Number 76072 3502 RT

Stephen Hamilton

For Professional Services Re: Bridgeport Road Opinion Letter
 Strata Plan EPS 5804

Charges to January 31, 2026

Professional Fees

	Hours	Rate	Amount
Planner	17.00	150.00	2,550.00
Junior Planner	14.00	120.00	1,680.00
Administration	0.50	100.00	50.00
Professional Fees subtotal	31.50		4,280.00

Invoice subtotal 4,280.00

GST 214.00

Invoice total 4,494.00

Less Retainer 2,500.00

Balance Owing 1,994.00

Approved by

Henk Kampman, Architect AIBC, AAA, ALEP
 Principal

This is Exhibit "G" referred to in the
 affidavit of Vivien Hu
 sworn before me at New Westminster
 this 2nd day of July 2026

A Commissioner for taking Affidavits
 for British Columbia

thinkspace

architecture planning interior design ltd.
 300 - 10190 152A St. | Surrey, BC | V3R 1J7
 t 604.581.8128 | w thinkspace.ca

From: Connor Embleton <connor@wbsurveys.ca>
Sent: Monday, January 5, 2026 9:09 AM
To: Douglas Liu
Subject: RE: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Good morning, Douglas

A Happy New Year to you as well.

Thanks for your patience - I did my best to stay away from any work-related items over the break.

I'll be working on this item over the next 1-2 days to provide the material we discussed.

Please budget \$600 (3 hours) for the research component of this scope.

If field surveying is required, we'll identify the scope and provide pricing as needed. We won't know the full extent until we narrow the scope and survey area based on the desktop review.

Please let me know if you have any questions or comments.

Thank you,

Connor Embleton
P.Eng., BCLS, P.Surv., Partner

Watson & Barnard Land Surveying
604-943-9433

This is Exhibit "H" referred to in the
affidavit of Vivien Hu
sworn before me at New Westminster
this 2nd day of July 2026
.....
A Commissioner for taking Affidavits
for British Columbia

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: January 2, 2026 9:47 AM
To: Connor Embleton <connor@wbsurveys.ca>
Subject: Re: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Hello Connor

Happy New Year ~

I just wanted to follow up on this. Is there any update?

Thanks

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: December 23, 2025 9:44 AM
To: Connor Embleton <connor@wbsurveys.ca>
Subject: Re: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Hello Connor

Please see below in RED.

Please also let me know the approximate fees for this, then I can report to the rest of the councils.

Thank you very much and have a nice Holiday~

From: Connor Embleton <connor@wbsurveys.ca>

Sent: December 23, 2025 8:59 AM

To: Douglas Liu <woshiliudenglin@hotmail.com>

Subject: RE: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Thanks, Douglas

We will get this moving for you. I believe the scope is clear for the first portion (desk exercise), and we can mobilize to collect site data in the new year, whenever needed.

To start, could you please fill out the table below so we can get this item onboarded and moving?

Please reach out should you have any questions.

Billing Entity:	Strata Plan EPS 5804
Billing Address:	8477 Bridgeport Road, Richmond, BC
Contact Name:	Douglas Liu
Contact Phone:	778-6884006
Contact Email:	woshiliudenglin@hotmail.com
Survey Address:	8477 Bridgeport Road, Richmond,(EPP 147906)
PID:	029-611-598

Service Estimate :	BCLS Consultation – Title & Document Research & Retrieval Field Survey to As-Built Easement Area
--------------------	--

Connor Embleton

P.Eng., BCLS, Partner

Watson & Barnard Land Surveying

604-943-9433

Upcoming Schedule Alert: Please note, our office will be closed for the holidays, beginning December 24th, and reopening on January 5th, 2026. Emails will not be monitored over the holidays. If you need to speak with me before the holidays, please call our office.

From: Douglas Liu <woshiliudenglin@hotmail.com>

Sent: December 22, 2025 11:13 AM

To: Connor Embleton <connor@wbsurveys.ca>

Subject: Re: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Thank you — yes, that aligns with our request.

By way of brief background, our legal counsel intends to rely on input from a code consultant and a transportation engineer to assess whether the recently registered valet easement has had a practical impact on strata owners' access and circulation within the building. Their opinions may ultimately require support from a survey showing the location and configuration of the easement on site.

As Marc noted, if timing does not permit a full field survey before the January 9 hearing, an initial desktop review based on the original Land Title Office survey materials would still be very helpful as a starting point.

We would appreciate it if your team could obtain the relevant original survey plans and reference plans from the Land Title Office as part of this desktop review. As we are not familiar with the process of identifying or

retrieving the appropriate LTO survey materials ourselves, we would prefer to rely on your expertise to ensure the correct documents are obtained and reviewed.

Kind regards

Douglas Liu

From: Connor Embleton <connor@wbsurveys.ca>
Sent: December 22, 2025 10:13 AM
To: Douglas Liu <woshiliudenglin@hotmail.com>
Subject: RE: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Good morning, Douglas

Thanks for reaching out. I've removed Marc from this email, as he is now on holidays and I don't want to take him away from his time with family.

I've gotten up to speed on the items below and think we're in a position to help you with the desktop exercise ahead of your January 9th date.

We can prepare a list of documents and provide a high-level overview of their function and effect on the site.

As your proceedings advance, we can arrange a field survey to collect and prepare a detailed survey outlining the registered easement lands within the building for reference.

Have I captured the full extent of your conversation with Marc and your request?

Please let me know if you have any questions or comments.

Thank you

Connor Embleton

P.Eng., BCLS, Partner

Watson & Barnard Land Surveying

604-943-9433

Upcoming Schedule Alert: Please note, our office will be closed for the holidays, beginning December 24th, and reopening on January 5th, 2026. Emails will not be monitored over the holidays. If you need to speak with me before the holidays, please call our office.

From: Marc Wallace <marc@wbsurveys.ca>

Sent: December 19, 2025 1:52 PM

To: Douglas Liu <woshiliudenglin@hotmail.com>; Connor Embleton <connor@wbsurveys.ca>

Subject: Re: Strata EPS 5804 — Request for Survey re Registered Valet Easement (Urgent)

Importance: High

Hi Douglas,

I've copied Connor Embleton on this email. He is currently away from the office, but if he has availability to take this on, he will reach out and introduce himself. This would be based on the assumption that the LTO registered survey plans and documents can be reviewed and commented on before January 9th.

I'll be out of the country over the holiday break and won't be able to commit in the interim.

In the meantime, could you please provide the required contact and billing information?

Regards,

Marc Wallace

BCLS

604-943-9433

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: Friday, December 19, 2025 11:57 AM
To: Marc Wallace <marc@wbsurveys.ca>
Subject: Re: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Hi Marc,

Thank you for letting me know, and I understand the holiday shutdown constraints.

Given the timing, would it be possible for you, in the interim, to obtain and review any survey plans or reference plans on file at the Land Title Office relating to the registered valet easement? Even a desktop-level review of the original registered survey materials would be very helpful.

Our intent is to have those materials reviewed by a code consultant and/or transportation engineer to assess the configuration and potential impacts of the easement, pending any field work that may be required later.

Please let me know if this is something you could assist with, and what information you would need from us to proceed.

Thank you,
Douglas Liu

From: Marc Wallace <marc@wbsurveys.ca>
Sent: December 19, 2025 11:36 AM
To: woshiliudenglin@hotmail.com <woshiliudenglin@hotmail.com>
Subject: Re: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Hi Douglas,

Thank you for the email. Before proceeding with my review of the request and field survey requirements, I do want to share that our field operations shut down December 22nd for the holiday break and will return January 5. Our availability may not support your immediate needs.

I understand if you need to look elsewhere for survey support given our holiday closure.

Let me know if this will be an issue.

Marc Wallace

BCLS

604-943-9433

Upcoming Schedule Alert: Please note, our office will be closed for the holidays, beginning December 24th, and reopening on January 5th, 2026. Emails will not be monitored over the holidays. If you need to speak with me before the holidays, please call our office.

From: Douglas Liu <woshiliudenglin@hotmail.com>
Sent: December 19, 2025 11:02 AM
To: WB Surveys Contact <contact@wbsurveys.ca>
Subject: Strata EPS 5804 – Request for Survey re Registered Valet Easement (Urgent)

Hello Marc

Thank you for taking the time to speak with me today.

I am writing to briefly explain the background and purpose of the survey work we are requesting.

I represent Strata Plan EPS 5804. The Strata is currently involved in ongoing court proceedings concerning a recently registered valet easement affecting the building. The Strata has objected to the easement and intends to bring an application before the Court in early January 2026.

As advised by our legal counsel, the Court requires clear, objective evidence regarding the location, configuration, and physical impact of the valet easement. In particular, the survey is needed to:

- Confirm the exact location and boundaries of the registered valet easement in relation to the property, loading bay, drive aisles, and other relevant areas;
- Clarify how the easement is situated relative to existing site features and circulation routes;
- Provide an accurate plan that can be relied upon by the Court and by other consultants (e.g. transportation or code consultants).

This survey will form a foundational piece of evidence for the Strata's court application and for any expert opinions that may follow.

Given the upcoming court hearing scheduled for January 9, 2026, timing is important. Please let us know what information or materials you would require from us to proceed, and your availability to attend the site as soon as possible.

Thank you again, and I look forward to your guidance.

Kind regards,
Douglas Liu
778-6884006
Representative, Strata Plan EPS 5804

This is Exhibit "I" referred to in the
affidavit of Vivian Hsu
sworn before me at New Westminster
this 2nd day of July 2016

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~~.....~~
A Commissioner for taking Affidavits
for British Columbia

NO. S-240493
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

FOX ISLAND DEVELOPMENT LTD. and ADVANCED VENTURE HOLDING
CO., LTD.

PETITIONERS

AND:

KENSINGTON UNION BAY PROPERTIES NOMINEE LTD. (FORMERLY
KNOWN AS 34083 YUKON INC.), KENSINGTON UNION BAY PROPERTIES
LIMITED PARTNERSHIP, KENSINGTON UNION BAY PROPERTIES GP
LTD., INTERNATIONAL TRADE CENTRE PROPERTIES LTD., SUNWINS
ENTERPRISE LTD., MO YEUNG CHING also known as MICHAEL CHING, MO
YEUNG PROPERTIES LTD., SFT DIGITAL HOLDINGS 30 LTD., HOTEL
VERSANTE LTD., BEEM CREDIT UNION, MORTEQ LENDING CORP.,
CHUN YU LIU, 1307510 B.C. LTD., JEFFREY RAUCH, RCC HOLDINGS LTD.
AND HEUNG KEI SUNG

RESPONDENTS

**BILL OF COSTS OF THE OWNERS, STRATA PLAN EPS 5801, THE OWNERS,
STRATA PLAN EPS 5802, THE OWNERS, STRATA PLAN EPS 5803, and THE
OWNERS, STRATA PLAN EPS 5804,**

Tariff scale: B		Unit value: \$110.00	
Item	Description	Number of Units	
		Claimed:	Allowed:
<i>Instructions and investigations</i>			

- 2 Correspondence, conferences, instructions,
investigations or negotiations by a party after the
start of the proceeding to the completion of the trial
or hearing, for which provision is not made
elsewhere in this tariff.

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Item	Description	Number of Units	
		Claimed:	Allowed:
3	Correspondence, conferences, instructions, investigations or negotiations by a party after the trial or hearing to enforce any final order obtained in that trial or hearing, for which provision is not made elsewhere in this tariff.	5	
<i>Expert Evidence and Witnesses</i>			
17	All process and correspondence associated with retaining and consulting all experts for the purposes of obtaining opinions for use in the proceeding	5	
<i>Applications, Hearings and Conferences</i>			
28	Preparation for a hearing referred to in Item 22 (b), 25 or 27 (b), which hearing was initially contested but for which no attendance was required as a result of an agreement reached as to the issues that would have been the subject of the hearing	2	
	(a) for a hearing referred to in Item 22 (b)		
	- Notice of Application – Cancelling Valet Parking Easement		
29	Preparation for attendance referred to in Item 30, for each day of attendance	2	
30	Attendance before a registrar to settle an order or to assess costs, for each day	2	
Total number of units:		26	
Multiply by unit value:		110	
Subtotal:		\$ 2,860.00	\$
P.S.T. (\$2,860.00 x 7%)		200.20	
G.S.T. (\$2,860.00 x 5%)		143.00	
Total:		\$ 3,203.20	\$

Item	Description	Number of Units	
		Claimed:	Allowed:
TAXABLE DISBURSEMENTS:			
	Description	Claimed:	Allowed:
	Photocopies and Laser Prints (2,220 copies @ \$0.25 per copy)	\$ 555.00	\$
	Scans (24 pages @ \$0.25 per page)	6.00	
	West Coast Agent's Fees	258.50	
	LTSA Charge	19.61	
	Architecture Planning Interior Design Ltd. Expert Report Fee	4,280.00	
	Watson & Barnard BC Land Surveyors Survey Plan approximate fee (waiting for final invoice from Watson & Barnard BC Land Surveyors)	600.00	
	Postage	1.44	
	Subtotal:	\$ 5,720.55	
	P.S.T. (\$5,720.55 x 7%)	400.44	
	G.S.T. (\$5,720.55 x 5%)	286.03	
	Total:	<u>\$ 6,407.02</u>	<u>\$</u>
NON-TAXABLE DISBURSEMENTS:			
	Description	Claimed:	Allowed:
	West Coast Agent's Fees to file Notice of Application	\$ 80.00	
	Total:	<u>\$ 80.00</u>	<u>\$</u>
	TOTAL FEES:	\$ 3,203.20	\$
	TOTAL DISBURSEMENTS	\$ 6,487.02	\$
	TOTAL FEES AND DISBURSEMENTS:	<u>\$ 9,690.22</u>	<u>\$</u>

Date of assessment: _____

Signature of assessing office