

Developer Files Suit Siting Non-Disclosure of UXO

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Vancouver, British Columbia A Canadian developer is suing the Canadian Government for allegedly not disclosing that a parcel of land it purchased may contain UXO. The Developer reportedly paid \$15 million for a 546-hectare parcel of land with beautiful lakeside views in 2005 with plans to develop the property into multiple residential home sites.

By 2011, however, the plans were put on hold after the company discovered the land potentially contained UXO. The site is adjacent to the former Vernon Military Camp that was used from 1939 to 1945 to train Canadian soldiers in weapons deployments. The lawsuit alleges that during those operations some of the explosives used ended up on the land that was eventually sold to the developer years later.

The lawsuit further alleges that since 1945, eight people have been killed and three wounded by explosives left on the nearby land, including two boys who died while trying to pry open a military shell in 1963. At the time of the incident, the government swept the area looking for more shells. Then again in 2007, two years after developers bought the land, the government used a helicopter mounted mag system to scan the countryside looking for UXO.

The lawsuit was filed alleging the Canadian Government violated the Explosives Act by abandoning the UXO and not informing the land owners of the hazards. The case is expected to be heard in British Columbia Supreme Court in the fall of 2014.