

## COURT OF APPEAL FOR BRITISH COLUMBIA

Citation: *Shuswap Association for Eco Development  
and Fairtrade v. Olympia Trust Company  
(A50545),  
2025 BCCA 264*

Date: 20250729  
Docket: CA50158

Between:

**Shuswap Association for Eco Development and Fairtrade**

Appellant  
(Respondent)

And

**Olympia Trust Company (A50545) and Peter Barry Kerr**

Respondents  
(Petitioners)

Before: The Honourable Mr. Justice Willcock  
The Honourable Justice Donegan  
The Honourable Justice Warren

Supplementary Reasons to: *Shuswap Association for Eco Development and  
Fairtrade v. Olympia Trust Company (A50545), 2025 BCCA 217,  
Vancouver Docket CA50158).*

Appearing as Representative on behalf of  
the Appellant Company:

I. Zbarsky

Counsel for the Respondents  
(via videoconference):

A.A. Edwards

Place and Date of Hearing:

Vancouver, British Columbia  
May 12, 2025

Place and Date of Judgment:

Vancouver, British Columbia  
May 13, 2025

Written Submissions Received:

May 14, 2025

Place and Date of Supplementary  
Judgment:

Vancouver, British Columbia  
July 29, 2025

**Supplementary Reasons of the Court**

**Summary:**

*The Court awards lump sum costs to the respondent and dispenses with the applicant's approval of the form of order.*

**Supplementary Reasons for Judgment of the Court:**

[1] At the conclusion of the hearing of this application to review a judgment of a single justice in chambers, the successful respondent sought an order for costs to be assessed as a lump sum and an order dispensing with the approval of the form of the order by the appellant. The appellant at that point was no longer present. The Division invited submissions in writing from the parties.

[2] We have received the respondent's submissions, but none from the appellant. We agree with the respondent that the speedy, just, and efficient resolution of the outstanding order for costs calls for an award of costs pursuant to Rule 69(7) of the *Court of Appeal Rules*, assessed at scale A, reflecting a matter of ordinary complexity, in the lump sum of \$1,770.00 plus GST and HST, for a total claim of \$1,982.40. The approval of the form of the order dismissing the application and for costs by the appellant is dispensed with.

“The Honourable Mr. Justice Willcock”

“The Honourable Justice Donegan”

“The Honourable Justice Warren”