



FOR IMMEDIATE RELEASE

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MONTROSE PROPERTIES APPEALS COURT REFUSAL TO RE-OPEN COWICHAN TRIBES CASE AND GRANT IT PARTY STATUS

RICHMOND, BC—Montrose Properties has filed an appeal of Justice Barbara Young’s June 29, 2026 decision denying its application to be added as a party in the case of *Cowichan Tribes v. Canada*, and to re-open the trial.

“We are going to do everything we can to ensure our interests are heard and our rights are respected,” said Ken Low, President and CEO of Montrose Properties. “And we do not feel they have been to date.”

The 513-day Cowichan Tribes trial took place without any private landowners participating. In 2017 the BC Supreme Court specifically rejected an application by the government of Canada to direct the Cowichan Tribes to provide formal legal notice to private landowners, so they could decide whether to participate. The decision was based on the fact that the Cowichan Tribes were not seeking to invalidate the land title of private citizens at this time.

In August 2025 Justice Young found aboriginal title over approximately 300 acres of Montrose lands, as well as other private lands in the area. While she did not “invalidate” Montrose’s title, she did hold that its fee simple interests “may not be exercised in their fullest form” and that the aboriginal title is a “senior and prior interest.” Montrose was surprised to see these findings made in a case to which it was not even a party.

After the August 2025 decision, Montrose applied to have the trial re-opened and to be added as a party. Justice Young rejected that request on June 29, 2026.

“It is disturbing that private landowners were excluded from this case given the finding and declarations the court ultimately made. We are left with no choice but to do everything we can to protect our rights and investments,” said Mr. Low. “Especially when the New Brunswick Court of Appeal has firmly stated that courts should not be making declarations of aboriginal title over private land, saying that would be the ‘death knell of reconciliation’.”

Montrose expects its appeal on party status and trial re-opening to be heard well before the main appeal of the August 2025 decision (which all the parties have already appealed).

Further information on the specific grounds of appeal and substantive arguments will be filed as the appeal proceeds.

About Montrose Properties

Montrose Properties is a privately held Richmond-based real estate company that specializes in the development of high quality industrial real estate. Montrose's Richmond Industrial Centre (RIC) in southeast Richmond currently provides over 1.3 million square feet of leasable space within a master-planned 179-acre industrial site and is home to leading brands like Coca-Cola Bottling, Canadian Tire, Wayfair, Ademco and Worldpac.

Montrose's operations play a role in driving B.C.'s economy, supporting the efficient flow of goods through the Port of Vancouver, and creating hundreds of jobs across development, logistics, and manufacturing sectors, contributing to local communities and the economic resilience of the region.

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A copy of the Montrose Notice of Appeal can be found [here](#).