COURT OF APPEAL FOR THE YUKON TERRITORY

Citation: *Knapp v. Town of Faro*,
2010 YKCA 7

Date: 20100819
Docket: 09-YU635

Between:

Angelika Knapp dba A. Knapp Accounting Services and North Star Adventures, a partnership between Angelika Knapp and Eric Dufresne

Appellants
(Petitioners)

And

Town of Faro, Town of Faro Board of Variance and Town of Faro Licensing Appeal Board

Respondents
(Respondents)

Before: The Honourable Madam Justice Saunders
The Honourable Madam Justice Bennett
The Honourable Madam Justice Garson

On Appeal from: Supreme Court of Yukon, April 29, 2009
(*Knapp et al. v. Town of Faro et al.*, 2009 YKSC 34,
Whitehorse Registry No. 08-A0125)

Counsel for the Appellants:	S. Roothman
Counsel for the Respondents:	D. Hoffman
Place and Date of Hearing:	Whitehorse, Yukon Territory May 17, 2010
Place and Date of Judgment:	Vancouver, British Columbia August 19, 2010

Written Reasons by:
The Honourable Madam Justice Saunders

Concurred in by:
The Honourable Madam Justice Bennett
The Honourable Madam Justice Garson

Reasons for Judgment of the Honourable Madam Justice Saunders:

[1] The Town of Faro has zoned certain lands as "Hinterland". Ms. Knapp and Mr. Dufresne own property within this designation. The property is on Johnson Lake and includes a float plane base. Ms. Knapp and Mr. Dufresne, operating a wilderness tourism business from the property under the name North Star Adventures, were denied a business licence and a development permit in 2007 and 2008, largely on the basis they were occupying the property as their residence. Residential use is said by the Town to be outside permitted uses for property zoned as Hinterland.

[2] Ms. Knapp and North Star Adventures filed a petition challenging decisions and actions taken by the Town. In the petition they sought declarations that:

1. the Zoning Bylaw of the Town of Faro is in conflict with the Official Community Plan of the Town of Faro;
2. the Hinterland Zone as set out in the Zoning Bylaw does not prohibit a residence or caretaker residence;
3. the Town of Faro dealt with the Petitioners in a discriminatory manner;
4. the Town of Faro dealt with Petitioners in a procedurally unfair manner;
5. the Town of Faro dealt with the Petitioners in an oppressive manner;
6. the Town of Faro dealt with the Petitioners in a biased manner;
7. the Town of Faro dealt with the Petitioners in an arbitrary manner and abused its discretionary authority; and
8. the Petitioners have the right to enjoy their property pursuant to the *Canadian Bill of Rights,* S.C., 1960, c. 44.

The petition continued, seeking orders that:

9. the Town of Faro review the Zoning Bylaw to resolve the conflict with the Official Community Plan;
10. the Town initiate rezoning of the relevant land if applicable;

11. the decisions of the Board of Variance dated June 13, 2008 and July 28, 2008 be set aside;
12. the decision of the Licensing Appeal Board dated June 27, 2008 be set aside;
13. the Town of Faro issue a business licence to North Star Adventures forthwith;
14. the Town of Faro issue a development permit to Angelika Knapp and Eric Dufresne forthwith; and
15. the Town of Faro issue a business licence to A. Knapp Accounting Services forthwith.

[3] In the Supreme Court of Yukon Mr. Justice Groberman dismissed the applications for declarations, but made orders quashing the decisions of the Board of Variance and the Licensing Appeal Board as sought in items 11 and 12 of the petition set out above. However, rather than substituting orders for those decisions as sought in items 13-15 above, he remitted the matters to the relevant bodies for fresh determination. The entered order provides that the matter of the business license is remitted "for fresh consideration in accordance with the Reasons for Judgment", and the matter of the development permit is remitted "to be dealt with in accordance with the Reasons for Judgment". The judge considered success was divided and so did not make an order as to costs. Nor did he make orders expressly dealing with items 9 and 10 above.

[4] Ms. Knapp and North Star Adventures appeal the order. They contend the judge erred in:

1) dismissing the appellants' application for declarations without providing reasons or adequate reasons for the dismissal;

2) deciding that the use of the land as a 'full-time residence' by the appellants is not a permitted use and in doing so, deciding an issue that was not brought before him by the parties;

3) making premature decisions on issues still to be decided by the Town;

4) giving a narrow interpretation to the Zoning Bylaw in conflict with the provisions of the OCP;

5) finding that the Town has not exercised its discretion to allow residential use in Hinterland; and

6) finding that the Appellants have not applied for residential use in Hinterland.

[5] In their factum under "Nature of the Order Sought", the appellants request:

a) the decision to dismiss the application for all declarations be set aside; and

b) the decision that use of the land as a full-time residence by the appellants is not a permitted use, be set aside on the basis that it was not before the Court below or on the basis of prematurity; or in the alternative that

c) the findings of fact that the Town has not exercised its discretion regarding residential use of the Property and that the appellants can apply for residential use of the Property be set aside.

[6] The last two requests for relief contest the reasons for judgment in the Supreme Court of Yukon, likely because the entered order directs that the matters be resolved "in accordance with the reasons for judgment". However, an appeal may only be brought from an order, and not from reasons for judgment: see *Lake v. Lake,* [1955] 2 All E.R. 538 (C.A.); *Morrison v. Coulter* (1991), 82 D.L.R. (4th) 568, 3 B.C.A.C. 24. Further, an order ought not to recite or include either arguments or

reasons. This well established proposition is expressed by Mr. Justice Martin in *The Bishop of Victoria (City) v. Victoria (City)*, [1933] 4 D.L.R. 524, [1933] 3 W.W.R. 332 (B.C.C.A.), and is applied in *Bauer v. Insurance Corp. of British Columbia* (1989), 38 B.C.L.R. (2d) 232, 41 C.C.L.I. 45 (S.C.) and *British Columbia (Attorney General) v. Lindsay*, 2009 BCCA 159.

[7] In this case the entered order directs the matters be resolved "in accordance with the Reasons for Judgment". It may be thought that this direction makes the reasons for judgment part of the order and therefore appealable on a stand alone basis, but such a conclusion, in my respectful view, is not correct. It offends against the two principles I have just set out above. This train of reasoning, however, illustrates why it is not sound practice to include in an entered order reference to reasons for judgment. It is to be assumed that any decisions made on remission of a matter to a court, board, tribunal or council will be in accordance with the law as it is understood to be, including as it may be elucidated by reasons for judgment, and so the order should direct what is to be done, not the thought process that must be taken by the body to whom the matter is remitted.

[8] In their second and third requests for relief, the appellants seek to challenge the reasoning of the judge, but not the orders to quash the decisions and remit the matters to the appropriate bodies. These requests, in my respectful view, are beyond the scope of an appeal, and this Court may not give relief in the form sought in those requests.

[9] What, then, is before us? I return to the relief sought in the petition replicated in my para. 2 above. As to the orders sought in the petition, items 9 and 10 are not engaged in this appeal, and were bound to fail in any event, it being readily apparent a court would not direct the municipal council to rezone the land or to modify either a zoning bylaw or an Official Community Plan. Two of the orders requested, in items 11 and 12 replicated above, were granted and are not appealed. The other orders sought, in items 13-15, were resolved through the unchallenged order referring the permit and licence issues to the Town for reconsideration. This leaves as the substance of the appeal the judge's refusal to make any of the declarations sought, and I have addressed the appeal focussing upon this aspect of the petition. I would note that while, as I have explained, the reasons for judgment are not, by themselves and unrelated to an order, appealable, to the extent that the appellants' objections to the reasons concerning the permissibility of residential use relate to the application for declarations, they may be engaged on appeal.

The Circumstances

[10] With these preliminary comments on the substance of the issues properly before us in mind, I turn in greater detail to the circumstances giving rise to the litigation.

[11] Sometime after 2000 Ms. Knapp and Mr. Dufresne decided they wished to operate a wilderness tourism business. The judge found their goal "was to purchase a remote piece of land where they could live year-round, and from which they could operate their proposed business". In the spring of 2002 Ms. Knapp and Mr. Dufresne

located the property in issue in this appeal, on Johnson Lake within the Town of Faro. The property was leased from the Yukon Territory by the operator of a float plane business, and included a water lease and a small cabin. The cabin had been used occasionally as overnight accommodation by pilots.

[12] The Yukon Territory was prepared to accept an assignment of the lease, and was further prepared to grant title to the property provided the owner obtained the support of the Town, First Nations and neighbours.

[13] Ms. Knapp took over the lease of the land in May or June 2002, and purchased the dock, the cabin and a shed on the property. She registered North Star Adventures as a sole proprietorship and obtained a business licence from the Town permitting North Star Adventures to operate outdoor recreation tours and rentals. She then sought to obtain title to the property, advancing what the judge described as "a very rudimentary business plan". The plan included what was described by the trial judge as "a vague suggestion" that North Star Adventures might team up with other operators in the future to provide additional services, such as horseback riding, fly-in fishing, and dog sledding.

[14] The judge described the Town's response to Ms. Knapp's application as "lukewarm". The Town wished to ensure the proposed business was viable and that Ms. Knapp did not use the property primarily for residential purposes. The Town opposed the granting of title until North Star Adventures had run a commercial operation on the land for a few years. Ms. Knapp's application for a grant of the land was denied.

[15] Having taken over the lease of the land and purchased the structure, Ms. Knapp commenced renovations, including replacing the roof of the cabin which was not up to the current building code. She decided to modify the cabin at the same time by adding a loft and sleeping quarters. For this she required a building permit. In order to obtain a building permit she was required to apply for a development permit from the Town. Ms. Knapp made such an application requesting alterations to the buildings and a change of use to include "outdoor recreation tours and rentals". The Town's Development Officer approved the application for a development permit, listing "float plane base" as the "existing use of land and building on property".

[16] Ms. Knapp again applied for a land grant in late 2002. This application was accompanied by a more detailed business plan, but the planned enterprise, as the judge observed, was still small in nature, projecting by the third year of operation, $8,800 in total annual revenue and less than $3,000 profit. The Town, sceptical of Ms. Knapp's sincerity as a prospective business operator and concerned she intended to acquire the land for residential purposes, withheld its consent for a grant of the land. It agreed, instead, to a lease with an option to purchase on terms. The Yukon Territory then denied the application for a land grant, but allowed the lease to be renewed, with an option to purchase on meeting certain conditions including that the property "has been zoned to appropriate commercial zoning".

[17] Ms. Knapp and Mr. Dufresne next re-registered North Star Adventures as a partnership and started operations, focusing on canoe rentals, living at times on the property and at times in Whitehorse.

[18] In June 2004 the Town Council considered rezoning the property to commercial designation, and decided rezoning was not necessary. At that meeting Ms. Knapp expressed her intention to move to the property on a full-time basis, probably in 2006. However in August 2004 Ms. Knapp obtained confirmation from the Land Branch of the Yukon Territory that it did not consider residence on the property to violate the lease. Consequently, in December 2004, Ms. Knapp and Mr. Dufresne took up residence on the property.

[19] Ms. Knapp then applied to exercise the option to purchase the property. The Town was asked to confirm that it did not require the property rezoned to commercial designation. The Town's response discussed the zoning and set out a number of concerns. The Town expressed its scepticism of the reason North Star Adventures acquired the property, saying the Town "feels that this property has been acquired under a business pretence but shall be used solely as a residential property". The Town advised it did not favour a residential property in close proximity to a campground, and commented the Town was not convinced there was a business operation on the property.

[20] In subsequent correspondence the Town retracted some of the comments doubting there was a business on the property. In the correspondence the Town referred to the issue of residential use of the property, saying Hinterland zoning did not permit such use.

[21] North Star Adventures contested the Town's view that Hinterland zoning did not permit residential use. In 2007, after further correspondence, and without

resolving the issue of residential use of the property, the Yukon Territory granted title to the land.

[22] In 2007, while issues concerning the application for a grant of land were under consideration, North Star Adventures applied for renewal of its business licence. The application was refused on the basis the property was being used for residential purposes in contravention of the Hinterland zoning designation. An appeal of that decision to the Licensing Appeal Board was denied. Also in 2007 North Star Adventures applied for a development permit to construct a structure to cover the well on the property. The Town refused the permit on the same basis as the business licence, i.e., the property was being used for residential purposes beyond the uses prescribed in the Hinterland zoning designation. North Star Adventures appealed that decision to the Board of Variance. Citing the continued use of the property for residential purposes, the Board of Variance upheld the Town's decision to deny the development permit.

The Reasons for Judgment

[23] In his reasons for judgment the judge first considered whether full-time year-round residential occupation of the property was contrary to the zoning bylaw. He concluded that any residential use connected with the North Star Adventures' business was not a permitted use but was, at most, a discretionary use that the appellants could apply to make of the property.

[24] The judge next addressed the denial of the business licence and development permit. He held the Town was wrong to deny the business licence on

the basis of unlawful use of land by the petitioners, quashed that decision and remitted the matter back for consideration.

[25] On the application for a development permit the judge observed it was not clear the proposed developments were contrary to the zoning bylaw. He found that there was a breach of procedural fairness by the Board of Variance in both rendering its decision without hearing from the petitioners and in taking into account submissions that were not provided to the petitioners. He quashed the decision on the application for a development permit and remitted the matter to the Town, through its Development Officer.

[26] Concerning the several declarations sought, the judge said:

> [61] The petitioners raise a number of other arguments, seeking various declarations. In my view, none of those arguments are sustainable. The zoning bylaw does not conflict with the Official Community Plan, nor has it been shown that the Town is taking steps to frustrate the OCP or taking insufficient steps to encourage outdoor recreation use in the Town. The treatment of the petitioners is not discriminatory in the municipal law sense. The Town is perfectly entitled to impose different standards when dealing with the Hinterland zone than it applies in commercial zones. Finally, the argument that the *Canadian Bill of Rights* prohibits restrictions on the use of property is not arguable.

Discussion

1. The Order Dismissing the Application for Declarations

[27] The appellants contend the reasons for judgment dismissing the application for declarations are inadequate, and fail to comply with the standard for reasons for judgment expressed in *R. v. Sheppard,* 2002 SCC 26, [2002] 1 S.C.R. 869, applied in a civil context in *Gibson v. Insurance Corporation of British Columbia*, 2008 BCCA 217, 255 B.C.A.C. 98. They contend, as well, that on a correct analysis, the zoning

bylaw is in conflict with the Official Community Plan, that there has been discrimination by the Town against them, and that the Town dealt with them in a discriminatory, procedurally unfair, oppressive, biased, and arbitrary manner. They ask this Court to make declarations to these several effects.

[28] The respondents urge us to find that the reasons for judgment were adequate in the circumstances. They observe that the judge provided a remedy for the failure to provide procedural fairness in the matter of the development permit, and also provided a remedy in the matter of the business licence. They say, as well, that certain declarations were not sustainable because the judge found the Town properly interpreted and applied the zoning bylaw in respect to a residential occupation of the subject properly. As such, they contend the judge could not be said to have discriminated against the appellants in a municipal law sense, or otherwise have acted improperly on that substantive issue. They say the appellants simply failed to make their case that the Town was motivated by something other than a desire to bring the appellants into compliance with the zoning bylaw.

[29] Declaratory relief is a discretionary remedy. Even where the foundation for a declaration is established, a court may decline to make a declaration. Where other remedies are provided, a court often declines to issue a declaration.

[30] In the case before us, the judge made positive orders setting aside the two decisions that were directly in issue, the refusal to renew the business licence and the refusal to issue a development permit, and remitted these decisions to the appropriate decision makers. In these circumstances it would not be useful, in a

legal sense, to make the declarations applied for in items 3-7 of the petition (reproduced at my para. 2 above), and the judge's decision not to do so was well within the proper realm of judicial discretion.

[31] I will examine the various declarations sought in greater detail. The appellants, in particular, contest the judge's conclusion the Town did not discriminate against them in a municipal law sense, and they challenge the interpretation of the zoning bylaw by the judge, saying he was wrong to ignore the earlier overnight accommodation provided for the float plane operation.

[32] The judge, in considering the issue of discrimination, was required, as a starting point, to first determine whether the zoning bylaw permitted fulltime residential use. The bylaw, as the judge observed, set out the various zones for the Town, and included these definitions:

> [ACCESSORY], when used to describe a use or a building, means a use or building naturally and normally incidental, subordinate and exclusively devoted to the principal use or building and located on the same lot or site.
>
> DISCRETIONARY USES are those which are considered on their own individual merits and circumstances by the Council, and may be permitted, with or without conditions, on a specific site within a zone provided that the use conforms to all regulations of the particular zone to which the use applies and provided Council has given due consideration to adjoining land uses.
>
> PERMITTED USES are those uses which are unconditionally allowed in a particular zone, provided that the use conforms to the regulations of the particular zone to which the use applies.
>
> PRINCIPAL USE means the main purpose for which a lot or building is being used.

[33] He next referred to the Hinterland zone, saying:

> [44] The Hinterland Zone is quite restrictive in terms of the uses that are allowed. The permitted uses are: "Cemetery; Communication Installations; Public Parks; Public Utilities and Uses; and Accessory Buildings and Uses". The Discretionary Uses are "Aircraft Sales/Service/Rentals; Airport; Fishing, Forestry and Agriculture; Float Plane Base; Mining or Quarrying; Solid Waste Dump & Sewage Lagoons; Accessory Buildings and Uses; Temporary Construction Accommodation Camp; Education Facility; and Outdoor Recreation Pursuits."

[34] He then reasoned:

> [45] It is evident that residential use of dwellings is not per se a permitted use in the Hinterland Zone. In zones where residential occupation is a permitted use, it is explicitly set out. The only residential type of use that is specifically set out in the Hinterland Zone, in contrast, is "Construction Accommodation Camp," which is a discretionary use.
>
> [46] This does not mean that no residential accommodation can exist in the Hinterland Zone. The parties agree that "Accessory Uses" may, in some cases, include residential accommodations. It is important to note, though, that "Accessory Buildings and Uses" is listed both as a permitted use and as a discretionary use. The only sensible interpretation, it seems to me, is that uses that are accessory to permitted uses are themselves permitted uses, while uses that are accessory to discretionary uses are themselves discretionary uses. Thus, residential accommodations for a cemetery caretaker might be a permitted accessory use in the Hinterland Zone while residential accommodations for students of an Educational Facility might be a discretionary accessory use.
>
> [47] If I am correct in this regard, then any residential use connected with the Petitioners' business must be discretionary, since the Outdoor Recreational Pursuits is itself a discretionary use.
>
> [48] There is no evidence before me to suggest that Town Council has ever exercised its discretion to allow residential use of the lands in question in this case. Accordingly, such use is, at best, a use which the petitioners can apply to make of the property.

[35] In my view the judge was entirely correct in this analysis. The Town, in seeking to limit residential occupancy on this land, absent an application for residential use, was not acting improperly.

[36] The appellants challenge the judge's conclusion that they had not applied for permission to use the property for full-time residential use. It is self evident in the materials, and in their submission, that the appellants did not apply to use the

property for residential use, taking instead the position that they were entitled to use the property in that fashion, absent express authority. I see no proper basis upon which to interfere with the judge's conclusion on this factual matter.

[37] But, say the appellants, there was some residential use of the property before they acquired it. On this the judge said:

> [49] In saying this, I do not ignore the fact that there is some evidence of occasional use of the cabin as overnight accommodation for float plane pilots prior to the petitioners taking possession of the land. There is no evidence as to when that use commenced, nor is there any evidence as to the nature of the authority for such use. It is possible that such a use predated the zoning bylaw, and so that it is a legal non-conforming use. It is equally possible that Council may have, at least at some stage, exercised its discretion to make occasional overnight use of the cabin an approved discretionary use. Finally, it is possible that such use of the cabin was simply unlawful. Whichever of these scenarios is the case, however, it would not support the use of the cabin as a permanent full-time residence.

Again, this conclusion is, in my view, entirely correct.

[38] The appellants have applied to adduce new evidence in support of their submission that residential use of the property is permitted. One of the new exhibits they seek to adduce is a letter from the building inspector from the Yukon Territorial Government advising that the Town allowed three-season residential use of the property so as to permit a pilot to stay there "because of all the items kept there that [were] directly related to the float plane business and security". The new evidence also includes evidence that the Town has reiterated its position with respect to full-time residential use of the property, correspondence from the Town declining to advise the appellants how to proceed, and evidence relating to the operation of and licensing of other tourism businesses in Faro.

[39] The test for admission of fresh or new evidence is set out in *Palmer v. The Queen,* [1980] 1 S.C.R. 759, 106 D.L.R. (3d) 212, and engages an enquiry into the diligence of the party seeking to adduce it, its relevance, the effect its admission may have on the disposition of the case, the credibility of the evidence, all considered in the context of the interests of justice.

[40] In this case I do not consider the new or fresh evidence is capable of affecting the result. Further, none of the evidence, apart from the letter concerning past use, is directly relevant to the issues before us. As to the evidence of past permission to have some residential use, it is clear that use was for three seasons, not full-time, and was connected to the particular needs of the float plane business that previously operated from the property. Accordingly, I would dismiss the application to adduce new evidence.

[41] The appellants complain that the attempts by the Town to limit full-time residential occupancy of the property has impaired their ability to develop a wilderness tourism business, contrary to the objectives of the Official Community Plan. They further contend the zoning bylaw is inconsistent with the Official Community Plan.

[42] No doubt the Town's failure to renew the business licence would limit development of the business. The business licence issue, however, has been fully and adequately dealt with by the judge.

[43] As to the issue of consistency between the zoning bylaw and official Community Plan, the appellants' complaint, here again, relates to the Town's view of

permitted uses under the zoning bylaw and a broad view of the effect of the Official Community Plan that was not accepted by the judge.

[44] The Official Community Plan lists as one of the anticipated economic activities "Wilderness Tourism", described thus:

> **Wilderness Tourism**
> There is a growing emphasis on wilderness tourism activities in Faro. With the development of hiking trails, such as the Dena Cho Trail, gold panning activities, canoeing and other potential Pelly River development, fly-in fishing operations, hunting, cross-country skiing, and even the possibility of alpine skiing as well as wildfire viewing, (Fannin sheep, bears, birds and salmon) there is great potential for Faro to be a hub for wilderness adventure operations in the Yukon.

[45] Under "Goals" the Plan says Faro will focus on development in areas including "Wilderness Tourism":

> 3.4.2. Wilderness Tourism
> Based on the community's proximity to wildlife viewing opportunities, and to wilderness adventure (e.g. canoe trips, back country and cross-country skiing holidays, snowmobiling holidays, fly-in fishing and hunting) as well as the surplus supply of accommodations to house tourists that would be interested in these activities, this economic opportunity should be co-promoted with Robert Campbell Highway Tourism attractions. Given that numerous recreational canoeists paddle down the Pelly River each summer, the Town will initiate projects, such as building a secure riverfront campsite, to encourage these river travellers to stop over in Faro.

[46] Last, the Plan sets as a policy in this area, the following:

> 4.2.2. Wilderness Tourism
> The Town of Faro will encourage the development of wilderness tourism businesses in Faro through zoning and policy developments, and through work with other governments, such as Yukon Government's Department of Tourism and Heritage and Department of Environment, and Canada's Canadian Tourism Commission, and other organizations. Examples of how this could work include helping businesses co-promote the wildlife viewing opportunities along the Robert Campbell Highway along with those in and around Faro, or working with the Wilderness Tourism Association of the Yukon and/or

> Yukon College to provide training to Faro residents interested in providing wilderness tourism services.

[47] The judge held the zoning bylaw does not conflict with the Official Community Plan. I agree.

[48] In my view, there is nothing inconsistent between the zoning bylaw in its provisions for Hinterland zoning, and the Official Community Plan. The Official Community Plan is a broad policy statement by the Town, to be used as a guide, but requiring implementation through specific resolutions of council and bylaws enacted through the public processes required by the *Municipal Act*, R.S.Y. 2002, c. 154. The declaration sought in item 1 of the petition (reproduced above at my para. 2), therefore, on its merits, is not available to the appellants.

[49] The appellants also sought a declaration in item 2 of the petition (reproduced above at my para. 2) that the zoning bylaw does not prohibit a residence, and contend the judge answered a question not asked, whether full-time residential use was within the Hinterland zoning. The question posed by the petition required the judge to interpret the zoning bylaw, which he did in the passages replicated above. On this reasoning there is no clear answer to the question posed in the petition, as it is possible a discretionary ancillary residential use may be permitted. It follows that a declaration in the terms sought also was not available to the appellants.

[50] It follows from these reasons I would not interfere with the judge's order dismissing the application for declarations.

[51] As I have earlier explained, I do not consider an appeal of the reasons for judgment relating to the orders quashing the decisions on the applications for a licence and a development permit is available to the appellants.

[52] In conclusion, I would dismiss the application to adduce new evidence and I would dismiss the appeal. The respondents, as the successful parties, are entitled to their costs of the appeal.

The Honourable Madam Justice Saunders

I AGREE:

The Honourable Madam Justice Bennett

I AGREE:

The Honourable Madam Justice Garson