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October 22, 2026

Mayor-elect Rishi Sharma
Councillors-elect Lorne DeLarge, Nancy Di Castri, Laurie Lidstone, Matt McGeachie and Graham Wright

By email

Re: Bylaw injustice at 938 Ambassador Avenue. What you are about to be told, and what you can do instead

Congratulations on your win. You promised Saanich transparency and accountability, and I look forward to both. I am writing because one file is already on its way to your table, and you should hear about it from me before you hear about it from the people who built it.

Mr. Sharma, thank you for answering my two questions on October 10, and for answering them plainly. This letter is about the file behind both of them. It is not a regular bylaw call. It is a four-year enforcement file that has produced a Supreme Court decision, six acquittals, a provincial Registrar's investigation, five court and tribunal proceedings, and a $777,000 cost to the District that no Council has ever been shown.

I have enclosed the application you will be asked to decide, so that you can read it before anyone summarises it for you. Everyone named in this letter is copied on it. Unlike them, I operate with full disclosure.

Where the file stands

1. On November 20, 2023 the previous Council put a notice on the title to my home under section 57 of the Community Charter. I was out of the country. The notice of the meeting went by registered mail to the house and came back unclaimed nine days after the vote. The District had known since April 2023 that I had a lawyer. Nobody told him. On July 14, 2025 the same Council refused to lift the notice, 9 to 0, after the CAO told them "there's been procedural fairness afforded."

2. The District then prosecuted me on nine counts. On February 19, 2026 the Provincial Court acquitted me on all five Building Bylaw counts and on the Zoning Bylaw count for the accessory building. Two Zoning Bylaw convictions remain, for a second dwelling and a secondary suite. Since June 2024 the Zoning Bylaw permits a secondary suite in every RS zone, subject to conditions. Those two convictions are under appeal in the Supreme Court of British Columbia the week of November 23, 2026. I will win that appeal.

3. In the same trial the judge applied Saanich v. Kinney, 2025 BCSC 1132, to the District's Manager of Inspection Services: "it is not enough for a building inspector such as Mr. Thomassen to make conclusory statements." In Kinney the Supreme Court had already found his evidence "conclusory and without an evidentiary foundation." Every one of the three bylaw officers who entered my home testified that he is not a registered building official. The Registrar under the Building Act has that question before it in file BA-026-2026.

4. The civil side: Supreme Court action S262461 against five of the District's officers; action S252067 against the District; action S251545 over the sale of my home that collapsed after a bylaw officer "contacted the Realtor and advised of an open building and plumbing file"; petition S259553 to cancel the notice; Human Rights Tribunal complaint CS-009036 against the District and the officer who swore the warrant. A new application to cancel the notice under section 58(2) is coming to you, with a request that the councillors and staff who made this record declare their conflicts and step aside.

5. The District's own disclosure is not complete. The call-for-service log on my file was produced with the entries that matter redacted and was left off the District's list of documents. The most damaging material is still in the District's hands, and it will come out in examinations for discovery whether the District likes it or not.

6. The cost. This file has cost the District $777,000. The District's own Statements of Financial Information show $346,005 paid to Geofrey Simair, the barrister who prosecuted me and argued Kinney, in 2022 to 2025, and $380,145 to Stewart McDannold Stuart in the same years. Add the staff time, including every day staff spent in court, the police and locksmiths on the warrant, the in-house legal time, and the 2026 counsel bills that have not been published yet. The District refused to release the invoices; that refusal is before the Information and Privacy Commissioner. None of this has ever appeared in a financial plan.

The advice you will receive

7. It will come from the people whose record this is. I have read every word they have said at the council table since 2017. Here is what each of them will tell you, and why.

8. Brent Reems, CAO. Liability and exposure: a notice protects the District, lifting it exposes the District. He told the last Council an owner who was never told of his hearing had been afforded procedural fairness, and told a councillor this year that a resident's appeal "is really to court." He will tell you the matter is before the courts and Council should wait. He has run this department since 2020, sold Council the enforcement model, and has never been reviewed. Every dollar of it was spent on his advice.

9. Angila Bains, Corporate Officer. Process was followed: registered mail and regular mail. She approved the report that put the notice on title, put the matter in front of Council on November 20, 2023 without confirming I had received it, and told Council on June 23, 2025 that the notice was there because of contraventions "that impact life and safety on the property." The report she approved alleges no safety condition at all, and the Court found none. She is a defendant in S262461.

10. Roy Thomassen, Manager of Inspection Services. Work was done without permits; the photographs show it. He wrote the report. Two courts have now described his evidence as conclusory. He is a defendant in S262461.

11. Andie Britton-Foster, Municipal Solicitor. Say nothing, the matter is sub judice, let the courts decide, do not meet the owner or his lawyer. She was in the room on November 20, 2023 and acts against me at the Human Rights Tribunal for the District and for the officer who swore the warrant.

12. Geofrey Simair, outside counsel. The prosecution was properly brought and the appeal will be defended. He prosecuted this file, argued Kinney for the District and lost it, and is the District's counsel on the appeal. The District has paid him $559,054 since 2019. He has the strongest interest of anyone in this file continuing.

13. Katherine Reilly, Stewart McDannold Stuart, civil counsel. Do not answer the owner. On October 7, 2026 she wrote to my lawyer that "Mayor, Council and staff will not be responding to any communications from Mr. Caddell regarding any matters related or adjacent to the ongoing litigation." The last Council was told not to speak to me; the first thing you will be told is the same. Her firm defends the officers and the District in three Supreme Court actions and bills the District for it.

14. Brian Hoffmann, Carfra Lawton, litigation counsel for the District. The claim against the District should be discontinued, and the owner should be reminded of the cost of continuing. On September 15, 2026 he wrote to my lawyer contemplating discontinuance of action S252067, asserting its factual basis is incorrect, and raising my cost exposure. Ms. Reilly's letter of October 7 directs all communications to her "or Brian Hoffman, as appropriate".

15. Five lawyers now act for the District on this one property: Mr. Simair, Ms. Reilly, Mr. Hoffmann, and the District's two Municipal Solicitors, Ms. Britton-Foster and Heidi Boudreau. Together they cost the District $1,450 an hour.

16. Councillors Plant, Chambers and Phelps Bondaroff. They moved, seconded and voted for every decision on this file. Mr. Plant will ask what the District's liability would be if the notice were lifted; he has asked it three times about other owners and never once asked what the enforcement department's liability is. Mr. Phelps Bondaroff will say the constitutional issues are outside Council's jurisdiction and wish me luck in court; he said exactly that on July 14, 2025. Ms. Chambers will call the material compelling and vote with staff; she did on September 28, 2020 and again on July 14, 2025 after saying she would personally be willing to remove the notice.

17. The pattern is in the record. Twenty titles encumbered since 2020. Three owners asked Council to lift one. All three refused. No Council has ever rejected a staff recommendation on a notice. The people above are not advising you; they are defending themselves, and they will do it with your votes.

If you take that advice

18. The appeal proceeds and the convictions fall. The remaining findings go into the civil actions, where the District's officers will be examined under oath on the file notes they withheld, on a complaint policy that required two complaints and was run on one, and on a warrant sworn by an officer who knew the complainant was a tenant I had asked to leave on September 27, 2022 after a personal dispute between us, who filed his complaint as he was moving out, and did not say so.

19. A claim for malicious prosecution is added. Six acquittals, a sworn information that left out what the officer knew, and a file note that the warrant should move "ASAP" because the house was for sale are the materials for it.

20. Every day the notice stays on title, the damages grow: carrying costs on a home I cannot sell or refinance, legal fees on five proceedings, and four years of a life on hold. They are being recorded daily and they will be claimed in full.

21. The District's own advisers have told it where the line is. Stewart McDannold Stuart, the District's civil counsel, published on March 6, 2024 that municipalities "will be immune from liability if they contemplate bylaw enforcement in good faith", and that the claim in that case failed because the plaintiffs "alleged no bad faith" and the district had not "stepped outside of its regulatory role". My pleadings allege both. Young Anderson, who act for municipalities across this region, wrote on November 21, 2025 that a municipality "must first ensure that it has the capacity to properly enforce its own building regulation", that "municipalities should ensure that building bylaws accurately reflect the capacity and expertise of their staff", and that "if an operational act is performed carelessly, liability may arise for resulting damage." Three officers who are not building officials decided what required a permit at my home. That is the warning, from the District's own side of the bar, and the District has gone past it.

22. The outside counsel bill keeps running. The Registrar's file proceeds. The next twenty owners get the same treatment, and your names are on the minutes beside the last Council's. The performance review you promised becomes a review of decisions you yourselves have now made.

The alternative

23. Call my lawyer. Dan Griffith, ATAC Law Corporation, 604-239-4997, dgriffith@ataclaw.ca. He can tell you what it takes to cancel the notice under section 58, and what it takes to settle the rest. The call costs nothing and commits you to nothing. The advice you are about to get has cost the District $777,000 so far and has lost every time it has been tested in court.

24. The section 58(2) application will be before you at the first meeting at which it can be heard. I ask only that you read it before you are told what it says.

Yours truly,

Christopher D Caddell

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cc: Brent Reems, Angila Bains, Roy Thomassen, Andie Britton-Foster, Councillors Colin Plant, Nathalie Chambers and Teale Phelps Bondaroff, Geofrey Simair, Katherine Reilly, Brian Hoffmann

Enclosures:

1. Application to Council under section 58(2) of the Community Charter, October 22, 2026.
2. Colin Plant: You Didn't Do the Work.

3. Teale Phelps Bondaroff: Your Promises Mean Nothing, with Councillor Phelps Bondaroff's comments.
4. Nathalie Chambers: You Claim Civic Engagement, Until Residents Engage.
5. Meet the Man Who Really Runs Saanich, September 23, 2026, revised October 10, 2026.
6. To the Mayor and Council and the Chief Administrative Officer, September 25, 2026.