CONFIDENTIAL

Prepared for in camera discussion by the Colwood Council under COD 002 Council Code of Conduct

Report

of the Fairness Advisor

On the Complaint of

s. 22(1) [redacted] (Complainant)

concerning

Councillor Kim Jordison (Respondent)

s. 22(1) [redacted]

Jessica McDonald

Fairness Advisor

August 10, 2026

Contents

Executive Summary

This report addresses a Complaint submitted by [redacted] under the City of Colwood Council Code of Conduct (COD 002) concerning Councillor Kim Jordison and interactions with a representative of [redacted] regarding [redacted] property opportunities.

The Complaint is best understood as a reporting or whistleblower-type Complaint. The [redacted] was not a direct participant in the conduct. [redacted] brought forward information that had been reported to [redacted], expressly stating that [redacted] was not prejudging the accuracy of the information, Councillor Jordison's intent, or the outcome.

The conduct accepted for review was whether Councillor Jordison may have contacted the developer representative regarding property within [redacted], including [redacted], and whether those interactions:

- may have related to a personal interest in property within [redacted] or related lands;
- may have overlapped with Council matters involving [redacted] matters, or related development issues; and
- may have raised a perception of a conflict of interest which engaged sections 4.3 or 4.4 of the Code of Conduct, requiring disclosure of the interaction by Councillor Jordison to Council and then the recusal of Councillor Jordison from Council's consideration of the [redacted] matters.

I have concluded that these interactions did raise a perception of a conflict of interest that required disclosure and recusal under both the previous Code of Ethics and the current Code of Conduct.

My conclusion is based on the following findings.

Councillor Jordison had a genuine personal interest in future [redacted] opportunities during the period under review. This finding is based on several pieces of evidence: her acknowledged comments that it would be "nice to live" in [redacted] or [redacted]; references to colleagues on Council about [redacted] and an interest in finding a realtor; that she was "looking at selling [her] house and purchasing property" in the "[redacted] area"; and casual comments on more than one occasion wondering whether she "would ... be able to get a better deal on a piece of property because [she was] a councillor."

During the same period, [redacted] matters, including the [redacted] and rezoning associated with the same [redacted] parcel in question, were before Council. Councillor Jordison participated in those matters. No conflict declaration or recusal was recorded.

The evidence establishes that Councillor Jordison repeatedly discussed future opportunities associated with [redacted] with the developer representative. The developer representative stated that she "quite often" asked what [redacted] plans were for the property, including whether [redacted] would sell "houses" or "lots" or "sell off a lot." [redacted] stated that [redacted] repeatedly explained that [redacted] did not intend to subdivide or sell individual lots itself. The developer representative was concerned about the appearance created by those interactions, which [redacted] expressed to Councillor Jordison and then raised with the City.

The concern is that a reasonable observer could question whether a councillor with a personal interest in future opportunities connected to a development should repeatedly discuss those opportunities with a representative of the developer while continuing to participate in related Council matters[1].

Councillor Jordison's decision to repeatedly raise questions relating to a potential personal interest with the developer representative, and her failure to disclose her interactions to Council and then recuse herself from Council's consideration of the [redacted] and rezoning relating to [redacted] is a serious failure of conflict recognition, boundary management, and sensitivity to the role of a Council Member, as required both under the previous Code of Ethics and the current Code of Conduct.

A separate process-integrity concern arose during the review. After receiving the Notice of Complaint and before the developer representative's formal interview, Councillor Jordison participated in a lengthy discussion with the developer representative about the Complaint and related matters. She also sought Complaint-related information outside the Fairness Advisor process and speculated about the Complainant and others involved.

I elaborate below on my findings for consideration by Council, along with recommendations for how this matter might be addressed by Council.

[1] It should be noted that Councillor Jordison's participation did not affect the outcome of the Council votes reviewed for this report. The relevant [redacted] and rezoning decisions were unanimous.

1. Note Regarding Identities

To reduce unnecessary collateral impact on witnesses and third parties, this report refers to non-party witnesses by role rather than by name. The City's confidential file contains the witness identities, interview records, and supporting materials. This approach is not intended to obscure the evidentiary basis for the findings, but to protect privacy as stipulated by COD 002 and to limit unnecessary conflict or reputational exposure, particularly if the report becomes circulated beyond its intended confidential purpose.

2. First Complaint Under the New Code of Conduct

This is the first Complaint to be fully processed under the City of Colwood Council Code of Conduct (COD 002), the policy adopted by Council on November 24, 2025, which established the formal Complaint process and the independent Fairness Advisor role. The matter has therefore also served, in part, as the first practical test of the new framework.

Working with the new policy has illuminated a number of areas in which the Code would benefit from clarification or refinement — for example, how the 60+30 day filing period applies where awareness of a possible breach arises only later; how the member-to-member preliminary-resolution step in section 5.2 applies to a reporting or whistleblower-type Complaint; the Complaint terminology itself; its application to conduct during the term but prior to the introduction of the policy; and a number of additional drafting and numbering matters.

The Code of Conduct suggests a review upon recommendation of the Fairness Advisor for continuous improvement. A separate memorandum will be developed and submitted following this report to assist Council in strengthening the framework for future matters, based on the experience of this first application.

3. Mandate and Role of the Fairness Advisor

The Fairness Advisor is appointed under section 5.1 of COD 002 to receive and consider Complaints brought under the Code, to make determinations on the matters raised, and to provide a written report to Council under section 5.7. The Fairness Advisor acts independently and in accordance with the Procedural Fairness Framework set out in Appendix A to the Code.

The Fairness Advisor role is designed to be multi-faceted. Section 6.2 of the Code identifies the Fairness Advisor's broader role in providing advice and administering the Code. Under section 5.5, the Code also contemplates a role for the Fairness Advisor in resolving Complaints informally, where suitable, facilitating informal discussion, mediation, or other collaborative means of resolving a Complaint without proceeding to formal investigation.

Several of these functions are engaged in this matter, as described in Part 4 below: the Fairness Advisor first provided pre-complaint advice to [redacted] and the (current) Chief

Administrative Officer, took a limited exploratory step toward informal resolution, and subsequently undertook a formal review on receipt of a written Complaint.

4. Background

[redacted] in the City of Colwood, built out in stages over a number of years through successive Council approvals. Because the development has proceeded incrementally, matters relating to [redacted] lands have come before Council on a recurring basis, and the developer has maintained a continuing relationship with the City throughout.

The development is associated with [redacted] that appear in the record, [redacted] and [redacted]. As described by the developer representative, [redacted]: [redacted] For clarity, this report refers to the organization as the developer and to the individual involved as the developer representative.

During the period under review, two related [redacted] matters were before Council. The first was a [redacted] affecting [redacted], described in the City's [redacted]) and made subject to conditions that included the rezoning of [redacted], official community plan and zoning amendments to [redacted] the acquisition of approximately [redacted], and a [redacted]. The second was the rezoning of [redacted] itself: as set out in the City's public [redacted]

These were the Council matters in relation to which the conflict-of-interest and use-of-influence questions in this report arise. They are also the matters in which Councillor Jordison expressed an interest in future property/housing opportunities, as discussed in Part 11.

5. How This Matter Came Forward

This matter did not originate as a formal Complaint under the Code of Conduct.

The information that ultimately gave rise to the Complaint emerged gradually through a series of discussions involving the development representative, senior City administration, [redacted], and the Fairness Advisor over a period of several months.

The matter came to a head on February 5, 2026, when [redacted] spoke directly with the development representative during a broader discussion on municipal matters. During that conversation, the development representative provided information to [redacted] regarding past interactions with Councillor Jordison relating to [redacted] opportunities and explained that [redacted] had previously been uncomfortable with those interactions. [redacted] (current)

Chief Administrative Officer subsequently concluded that procedural advice should be sought regarding whether the matter required any further consideration.

On February 10 and 11, 2026, the (current) Chief Administrative Officer discussed the matter with the Fairness Advisor in the Fairness Advisor's advisory capacity under section 6.2 of the Code. At that stage, no formal Complaint existed. The purpose of the discussions was to determine what procedural options might be available if the concern was to be addressed.

The advice provided at that time was that the issue should be documented, that informal member-to-member resolution under section 5.2 of the Code did not appear suitable to the nature of the concern, and that the cleanest governance pathway would be for [redacted] to submit a written request for confidential advice under the Code before any decision was made regarding a formal Complaint.

On April 14, 2026, [redacted] submitted a written request for confidential advice to the Fairness Advisor. [redacted] expressly stated that [redacted] was not drawing conclusions regarding the accuracy of the information [redacted] had received and was seeking advice only as to whether the circumstances, if true, might engage sections 4.3 or 4.4 of the Code and whether any further steps should be considered.

Following receipt of that request, the Fairness Advisor considered whether the matter could be readily clarified before advice was provided. As part of that limited preliminary step, an informal discussion was held with Councillor Jordison on April 21, 2026. No formal Complaint existed at that time. The discussion was not investigative in nature and no findings were made. Its purpose was solely to assist in determining whether the concern could be readily clarified or whether a formal process would be required.

Following that review, the Fairness Advisor advised [redacted] on April 27, 2026 that the matter could not be responsibly assessed through an informal advisory process and that, if the concern was to proceed further, it should do so through the formal Complaint process established by Council under COD 002 to provide structure and preserve procedural safeguards.

An initial Complaint by [redacted] was subsequently submitted on May 4, 2026. That document did not satisfy the information requirements of the Code and was not accepted for processing. Following further discussion regarding the requirements of section 5.3, a revised Complaint was submitted on May 12, 2026.

The revised Complaint was then screened and assessed under the intake provisions of COD 002 before a decision was made regarding whether it should proceed to formal review.

Key Timelines – Complaint Process

Jan 22–23, 2025	In a meeting between the developer representative and the (current) CAO, as part of on-boarding introductions, concerns are mentioned regarding past discussions with Councillor Jordison. The (current) CAO notes this and [redacted] No further action taken at the time.
Nov 24, 2025	Council adopts the Council Code of Conduct (COD 002) with a formal Complaint process and appoints the Fairness Advisor.
Feb 5, 2026	On a periodic check-in call, [redacted] asks the developer representative about the earlier reference. The developer representative confirms that Councillor Jordison had approached [redacted] about [redacted] property and that [redacted] had been uncomfortable with the contact. The Mayor and the (current) CAO decide the Fairness Advisor should be asked for procedural advice.
Feb 10, 2026	The (current) CAO and Fairness Advisor discuss the matter, identifying it as a possible conflict-of-interest concern that cannot responsibly be ignored, but recognizing that it remains untested.
Feb 11, 2026	Follow-up conversation. The Fairness Advisor advises that section 5.2 informal resolution is not suitable here, and that the cleanest pathway is a written advisory request from [redacted] under section 6.2.
Mar 2026	A private conversation between [redacted] and another Councillor raises further concern on the part of [redacted] regarding the matter.
Apr 14, 2026	[redacted] sends a confidential email to the Fairness Advisor copying the (current) CAO requesting written advice on whether the circumstances could engage sections 4.3 or 4.4 of the Code, and on next steps. [redacted] expressly does not draw conclusions.
Apr 27, 2026	Following a non-investigative review, the Fairness Advisor writes [redacted] the (current) CAO advising that, if substantiated, the matter could potentially engage sections of the Code, that it cannot be resolved through an initial review, and to preserve fairness any further consideration should proceed through the formal Complaint process under the Code.
May 4, 2026	Received initial Complaint from [redacted] via the (current) CAO; did not meet information requirements.
May 12, 2026	[redacted] submits the formal written Complaint to the CAO, who forwards it to the Fairness Advisor.
May 14, 2026	The Fairness Advisor concludes initial screening and intake review and commences formal investigation process under the Code.

6. The Complaint

On May 12, 2026, [redacted] submitted a formal Complaint under the City of Colwood Council Code of Conduct (COD 002), naming [redacted] as Complainant and Councillor Jordison as Respondent.

The Complaint was submitted following the events described in Part 3 of this report and after the Fairness Advisor advised that any further consideration of the matter should proceed through the formal Complaint process established by Council to provide structure and preserve procedural safeguards.

The Complaint was not framed as a personal grievance by [redacted]. Rather, it was presented as a concern regarding information that had been reported to [redacted] and which, in [redacted] view, warranted independent review under the Code. Throughout the process, [redacted] maintained that [redacted] was not drawing conclusions regarding the accuracy of the information [redacted] had received, the intent of the conduct, or whether any breach had occurred.

In summary form, the Complaint alleged that Councillor Jordison may have communicated with a representative of [redacted] regarding property opportunities within [redacted] while matters relating to [redacted] were before Council. The Complaint further raised the possibility that those communications may have involved an attempt to obtain a preferential opportunity or arrangement and questioned whether the circumstances engaged the conflict-of-interest or use-of-influence provisions of the Code.

The Complaint identified sections 4.3 (Use of Influence) and 4.4 (Conflicts of Interest) as the provisions potentially engaged.

The Complaint did not identify a specific date for the alleged conduct. As discussed later in this report, the timing and scope of the alleged conduct became one of the issues requiring clarification through the review process.

The Complaint was subsequently screened under the intake provisions of COD 002 to determine whether it should proceed to formal review.

7. Intake Screening and Acceptance

Upon receipt of the May 12, 2026 Complaint, the screening and intake review was completed as required by sections 5.3 and 5.5 of COD 002.

The purpose of intake screening is not to determine whether a breach occurred. Rather, it is to determine whether a Complaint falls within the jurisdiction of the Code, contains sufficient information to permit meaningful notice to the Respondent, and should proceed to formal review.

The intake assessment considered each of the requirements set out in section 5.3 of the Code, together with the screening criteria in section 5.5.

COD 002 Section 5.3 Complaint Requirements

Code Requirement	Intake Assessment
Complaint must be in writing	Met. A written Complaint was submitted by s. 22(1) [redacted] on May 12, 2026.
Name of Complainant	Met. The Complaint identified s. 22(1) [redacted] as Complainant.
Name of Respondent	Met. The Complaint identified Councillor Jordison as Respondent.
Conduct alleged to be in breach of the Code	Met. The Complaint identified alleged communications between Councillor Jordison and a representative of s. 22(1) [redacted] concerning s. 22(1) [redacted] opportunities and raised concerns regarding conflict of interest and possible use of influence.
Date of alleged conduct	Partially met. The Complaint did not identify a precise calendar date. However, it identified the general subject matter and circumstances sufficiently to permit the issue to be investigated. Whether the conduct was a specific date or occurred over a period, and whether it related to matters before Council at the present time was itself one of the factual issues requiring clarification.
Code provisions allegedly engaged	Met. The Complaint identified sections 4.3 (Use of Influence) and 4.4 (Conflicts of Interest).
Basis of knowledge	Met. The Complaint identified that s. 22(1) [redacted] knowledge arose from information reported to s. 22(1) [redacted] by a third party. The Code requires the basis of knowledge to be identified. It does not require the Complainant to have direct personal knowledge of the conduct.
Preliminary resolution efforts	s. 22(1) [redacted] had already been advised that section 5.2 informal resolution is not suitable in this case.

Although the Complaint did not identify a precise date for the alleged conduct, section 5.3(d) expressly permits acceptance of a Complaint where there has been substantial compliance with the filing requirements or where the circumstances otherwise warrant acceptance. The issue requiring review was readily identifiable and of sufficient seriousness, the Respondent could be given meaningful notice of the allegations, and the factual uncertainty regarding timing was one of the matters requiring investigation.

Jurisdiction

Section 5.5 requires the Fairness Advisor to determine whether a Complaint falls within the jurisdiction of the Code.

At intake, the Complaint was found to fall within jurisdiction because:

- the Respondent was a sitting member of Council;
- the allegations concerned conduct said to have occurred while acting in the role of a Council Member;
- the allegations related to communications with a representative of a developer having matters before Council; and
- if substantiated, the allegations were capable of engaging sections 4.3 and 4.4 of the Code.

No determination was made regarding whether those allegations were true. The question at intake was whether the allegations, if established, could engage the Code. It was concluded that they could.

Frivolous or Vexatious Assessment

Section 5.5 also requires consideration of whether a Complaint is frivolous or vexatious.

The Complaint was assessed as not frivolous or vexatious.

The Complaint originated from information reported through multiple levels of City governance and administration before any formal Complaint was submitted. The concern had been sufficiently serious that procedural advice had been sought from the Fairness Advisor months before the Complaint was filed. The allegations related to core Code provisions concerning conflicts of interest and use of influence and could not reasonably be dismissed without further review.

Preliminary Resolution Requirement

Section 5.2 provides that a Council Member who becomes aware of conduct that may breach the Code must attempt to resolve the matter directly with the other Council Member, if possible, before submitting a formal Complaint.

It was concluded that direct informal resolution was not appropriate in this case. The reasons are set out in section 10.5.

Timing Considerations

The most significant issue identified at intake concerned timing.

Section 5.3 provides that a Complaint must generally be submitted within 60 days of the alleged breach, subject to a limited 30 day extension where the circumstances are sufficiently serious.

The initial Complaint was received within 90 days of [redacted] receiving first-hand knowledge of the issues and was corrected and resubmitted without delay.

At the time of intake, however, several important facts remained unclear:

- the precise timing of the alleged conduct;
- the duration of the conduct;
- whether the conduct was relevant to [redacted] matters continuing before Council; and
- how the timing provisions should be interpreted where the Complainant was not a participant in the conduct and could only act after information was reported to [redacted].

In my view, those questions could not responsibly be resolved at the intake stage.

The Complaint raised issues that, if substantiated, could engage core Code provisions concerning use of influence and conflicts of interest. In those circumstances, it was concluded that the proper course was to allow the facts to be developed through a procedurally fair process before any final determination regarding timeliness was made.

Procedural Fairness Considerations

It was also considered whether the matter could proceed fairly given the earlier advisory period and the limited informal discussion undertaken with Councillor Jordison. The basis for proceeding fairly in the context of the Fairness Advisor's earlier advisory and informal involvement is addressed in section 10.6.

To preserve all fairness, information shared in the informal discussion was not carried forward into the formal Complaint process. Councillor Jordison was advised that, if the Complaint were submitted, the matter would proceed on a “fresh start” basis. No findings were made from the earlier discussion, and the information shared was not brought into the formal process or relied on as evidence in making findings.

The formal process proceeded on a separate record, with Notice of Complaint, defined scope, interview opportunity, disclosure of material information, and an opportunity for Councillor Jordison to respond before findings were made.

Intake Determination

Having reviewed the Complaint against the requirements of COD 002, it was concluded that:

- the Complaint fell within the jurisdiction of the Code;
- the Complaint substantially complied with the filing requirements;
- the Complaint contained sufficient information to permit meaningful notice to the Respondent;
- the Complaint was not frivolous or vexatious;
- direct informal resolution was not suitable;
- the timing issue required further factual and interpretive analysis; and
- the matter warranted formal review under the process established by Council.

The Complaint was therefore accepted for formal processing under COD 002.

This intake determination was not a finding that the allegations were true, nor was it a final determination regarding timeliness, scope, or the application of the Code. It was solely a determination that the Complaint met the threshold necessary to proceed to formal review.

8. Formal Process

Following acceptance of the Complaint for formal review, the matter proceeded under sections 5.5 through 5.7 of COD 002.

Notice of Complaint

On May 13, 2026, a Formal Notice of Complaint was provided to Councillor Jordison. The Notice advised that a formal Complaint had been received and accepted for review and described the nature of the allegations, the scope of the review, the Code provisions potentially engaged, and the procedural protections available throughout the process.

The Notice expressly confirmed that no findings had been made. It also confirmed that the earlier informal discussion would not be treated as evidence or findings in the formal Complaint review.

The Notice identified the issues under review to be: whether discussions may have occurred relating to a personal interest in property within [redacted] or related development lands; whether any such discussions may have overlapped with Council matters involving [redacted], or related development issues; and whether the circumstances may engage sections 4.3 or 4.4 of the Code.

The Notice also described the scope of review, including interviews with relevant individuals, review of Council records and development-related materials, review of communications or chronology information where relevant, consideration of any witnesses and relevant documents Councillor Jordison wished to provide. It also outlined her entitlement to a reasonable opportunity to review and respond to material information that may be uncovered and relied upon during the process.

Councillor Jordison was instructed to maintain confidentiality of all materials and communications received through the process. An interview was requested and timing extensions were provided to her following requests.

Complainant Identity and Treatment Under Section 5.4

The Notice of Complaint initially did not identify the Complainant by name. That approach was taken because this matter was being treated as a reporting or whistleblower-type Complaint under section 5.4 of COD 002, and because the Complaint arose from information reported through others rather than from an interpersonal dispute between the Complainant and Respondent.

The Complainant's identity was later disclosed to Councillor Jordison during the process.

That decision was made after it became known that Councillor Jordison had contacted the (current) Chief Administrative Officer seeking the identity of the Complainant, was asking for a copy of the Complaint after already being advised in writing that the Complaint document itself would not be provided, and was speculating about the involvement of several possible individuals. Similar speculation later arose in her interview and in her May 18, 2026 discussion with the developer representative.

In those circumstances, continued withholding of the Complainant's identity risked increasing collateral implications for other individuals who might be suspected of initiating the Complaint. [redacted], unlike other potential witnesses or third parties, was in a [redacted] and had submitted the Complaint in a reporting capacity after information had come to [redacted] through [redacted]. In the Fairness Advisor's judgment, [redacted] could withstand [redacted] identity being disclosed as the reporting individual, and disclosure might reduce speculation about others.

The disclosure of [redacted] identity did not change the nature of the Complaint. It remained a reporting or whistleblower-type Complaint under section 5.4. The decision was made to protect the integrity of the process, reduce unnecessary collateral impact on others, and provide clarity to the Respondent while maintaining the broader confidentiality obligations applicable to the review.

Investigation Within the Scope

Once the scope of review had been established, the investigation proceeded by gathering information relevant to the issues identified in the Notice.

The review began with a limited number of interviews and records requests. As information emerged, additional witnesses and records were identified as potentially relevant to the issues already under review. The purpose of this approach was not to expand the scope of the Complaint, but to ensure that the facts relevant to the accepted issues were fully understood before findings were made.

The investigation was therefore evidence-driven rather than assumption-driven. Witnesses and records were identified because they appeared capable of assisting in understanding the issues already under review, not because new allegations were being added to the Complaint.

Interviews were initially requested with:

- [redacted] as Complainant
- Councillor Jordison, as Respondent
- the developer representative

Subsequent interviews were requested and held with:

- Councillor Y, a colleague of Councillor Jordison
- the (current) Chief Administrative Officer
- the (now former) Chief Administrative Officer
- the Corporate Officer

The following documents were requested and obtained during the course of the review:

- a spreadsheet of the dated record of the matters concerning [redacted] that came before Council, and the agendas, minutes, and motion records for those matters from 2022 through 2026
- the Council record of any recusals or declarations of conflict of interest on the above matters
- Council orientation and conflict-of-interest training materials: the orientation PowerPoint on the Code of Conduct co-delivered with external counsel (Young Anderson); the Young Anderson publication titled “Conflict of Interest” circulated to all members; and the

Local Government Management Association (LGMA) newly-elected-officials training materials

Throughout the process, the review was bound by the scope set out in the Notice of Complaint and by the obligation to ensure that any information ultimately relied upon would be disclosed to Councillor Jordison and addressed through the material-information process before findings were finalized.

Material Information Process

Following completion of the principal interviews and review of relevant records, a Material Information document was prepared and provided to Councillor Jordison.

The purpose of that document was to identify the information that might be relied upon in support of findings and to provide a meaningful opportunity for response before any conclusions were finalized. The document summarized the relevant evidence, identified areas of agreement and disagreement, and highlighted information that appeared potentially material to the ultimate findings.

Councillor Jordison provided a written response to that material information, which also included documents provided for information. Her response was reviewed and considered before reaching findings.

The findings, conclusions, and recommendations contained in this report reflect consideration of the Complaint, the defined scope accepted for review, the interviews conducted, the documentary record, the material information process, and Councillor Jordison's response.

This report does not reproduce full interview detail. The information obtained through interviews and documents has been reviewed and considered, and the report refers to that information only to the extent necessary to explain the findings and recommendations.

9. Issues for Determination

9.1 Conduct Issues

The principal conduct issues for determination are:

1. Whether Councillor Jordison had a genuine personal interest in s. 22(1) [redacted] property opportunities during the period when matters relating to s. 22(1) [redacted], were before Council.
2. Whether Councillor Jordison engaged in discussions with the developer representative regarding s. 22(1) [redacted] opportunities and, if so, the nature and extent of those discussions.
3. Whether the developer representative became sufficiently concerned about those interactions that s. 22(1) [redacted] raised the matter with senior City administration, and the significance of that fact.

4. Whether conflict-of-interest, perceived-conflict, or recusal concerns were raised with Councillor Jordison and, if so, how those concerns were understood and addressed.
5. Whether Councillor Jordison sought, attempted to seek, or obtained any special arrangement, concession, preferential opportunity, discount, promise, or other personal benefit through her communications with the developer representative.
6. Whether Councillor Jordison participated in Council matters relating to [redacted] while having a personal interest in [redacted] opportunities and, if so, whether those circumstances engaged section 4.4 of the Code.
7. Whether the evidence establishes a contravention of section 4.3 (Use of Influence).
8. Whether the evidence establishes a contravention of section 4.4 (Conflicts of Interest).

9.2 Procedural Issues

The Complaint also raises several procedural issues requiring determination.

These issues do not relate to whether the alleged conduct occurred, but rather to whether the Complaint was properly accepted and processed under COD 002.

The principal procedural issues are:

1. Whether the conduct under review, which occurred before the adoption of COD 002, should be reviewed under COD 002 or under the former Code of Ethics (COD 001).
2. Whether the Complaint met the intake requirements established by sections 5.3 and 5.5 of COD 002.
3. Whether the Complaint was submitted within the time contemplated by the Code, and how the timing provisions should be interpreted where the Complainant was not a participant in the alleged conduct and became aware of the concern only after information was reported to [redacted].
4. Whether the Complaint should properly be regarded as a reporting or whistleblower-type Complaint and, if so, what significance that has for the interpretation and application of the timing provisions.
5. Whether the pre-Complaint advisory steps taken under section 6.2 of the Code, including the April 21, 2026 discussion with Councillor Jordison, affected the procedural fairness of the formal process.
6. Whether any process-integrity concerns arose during the review and, if so, what significance should be attached to them in assessing the evidence and making findings.

The conduct issues and procedural issues are addressed separately in the analysis that follows.

Additional Procedural Concerns Raised by the Respondent

Throughout the review, Councillor Jordison raised a number of additional procedural concerns relating to the Complaint, the intake process, the interpretation of COD 002, the scope of the review, disclosure obligations, the conduct of interviews, confidentiality, and the overall fairness of the process.

Not all of those concerns require separate determination in order to resolve the Complaint. However, they have each been carefully considered throughout the process and have informed the procedural decisions described in this report.

To the extent that a procedural concern was capable of affecting the scope of the review, the admissibility or weight of evidence, the interpretation of the Code, or the fairness of the process, it has been specifically addressed. To the extent that a concern did not affect those matters, it has nevertheless been preserved in the record and taken into account in assessing procedural fairness overall.

10. Procedural Determinations

Before turning to the substantive conduct issues, it is necessary to address several procedural issues raised during the review. These issues concern whether the Complaint was properly accepted and processed under COD 002 and whether the process complied with the requirements of procedural fairness.

10.1 Intake Acceptance and Substantial Compliance

The Respondent questioned whether the Complaint satisfied the requirements of section 5.3 of COD 002.

As described earlier in this report, the Complaint was screened against each of the requirements set out in section 5.3 before it was accepted for formal review. While the Complaint did not identify a precise date of the alleged conduct, it identified the Complainant, the Respondent, the conduct alleged, the provisions of the Code potentially engaged, the basis for the Complainant's knowledge, and the reasons why direct informal resolution had not been pursued.

The Complaint therefore substantially complied with the requirements of section 5.3.

Section 5.3(d) expressly permits acceptance of a Complaint notwithstanding non-compliance with every requirement where there has been substantial compliance or where the circumstances otherwise warrant acceptance.

The Complaint was therefore properly accepted for review under sections 5.3 and 5.5 of the Code based on the information it contained.

10.2 Application of COD 002 to Conduct Pre-Dating Its Introduction

A procedural concern has been raised that the conduct under review occurred before COD 002 was adopted and therefore should be considered only under the former Code of Ethics.

The Complaint was submitted after COD 002 came into force. Council had already repealed the former Code of Ethics and replaced it with COD 002 as the City's governing framework for Council conduct complaints.

If the Complaint about this conduct had been made while the Code of Ethics had been in effect, it would have been dealt with under the previous Code.

However, the Complaint was made after the Code of Ethics had been replaced by the Code of Conduct which includes procedural requirements for the investigation of the Complaint that were not in the Code of Ethics.

In light of the fact that the Complaint was raised after the Code of Ethics had been replaced by the Code of Conduct, it is my view that the Complaint should be investigated under the procedure set out in the Code of Conduct.

It should be noted that given the findings discussed below, Councillor Jordison's conduct was also in breach of the previous Code of Ethics. Therefore, the conclusion that the Code of Conduct is applicable does not result in a different substantive finding. It only provides for the process in the Code of Conduct to be applied.

10.3 Timeliness of the Complaint

The conduct under review occurred before the adoption of COD 002 on November 24, 2025 and before the formal Complaint was submitted on May 12, 2026.

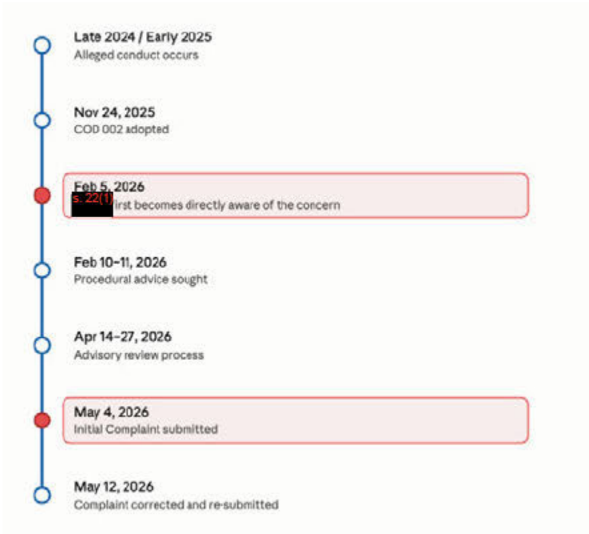
The Respondent submits that the Complaint is out of time because the conduct under review occurred well before the Complaint was filed.

This interpretation is not accepted.

This matter is unusual because the Complainant was not a participant in the alleged conduct. [redacted] could not have reported the concern when the conduct occurred because [redacted] was unaware of it at the time. The evidence establishes that [redacted] first became sufficiently aware of the concern on February 5, 2026, when information was discussed directly with [redacted] by the developer representative.

Within days, [redacted] (current) Chief Administrative Officer sought procedural advice from the Fairness Advisor regarding the appropriate course of action. That advice process began on February 10 and 11, 2026 and ultimately led to the recommendation that any further consideration proceed through the formal Complaint process established by COD 002.

A formal Complaint was then submitted on May 4, 2026. Although that document did not satisfy all of the information requirements of section 5.3, the deficiency was corrected without delay through the submission of a revised Complaint on May 12, 2026.



In these circumstances, it is more reasonable to conclude that the relevant timing analysis begins when the reporting individual became sufficiently aware (i.e. first-hand information of concern) to permit responsible use of the Complaint process. Measured from February 5, 2026, the matter falls within the combined 60-day filing period and 30-day extension contemplated by section 5.3.

The circumstances can be reasonably regarded as sufficiently serious to justify use of the Fairness Advisor's 30-day extension authority under the Code. [redacted] sought procedural guidance almost immediately after becoming aware of the concern and proceeded through the steps recommended by the Fairness Advisor. There is no evidence of strategic delay or inactivity.

Because the matter was acted on promptly following first-hand awareness of the concern, and because any filing deficiency was corrected without delay, the Complaint was determined to be properly accepted and not barred by the timing provisions of COD 002.

10.4 Eligibility of a Third-Party to Make a Complaint

Procedural concerns have also been raised based on the fact that [redacted] was not a direct participant in the alleged conduct and was not personally present for the communications under review, and therefore could not be considered a "Complainant".

This issue matters because the Complaint was based on information reported to [redacted] by others, rather than on conduct [redacted] witnessed directly. It also affects how the timing provisions and preliminary-resolution requirement should be understood in this case.

This Complaint is properly understood as a reporting or whistleblower-type Complaint.

[redacted] role was to bring forward information that had been reported to [redacted] and to request that it be independently assessed under the process established by Council. [redacted] did not present the Complaint as a personal grievance, political dispute, or allegation based on [redacted] own direct observations. [redacted] expressly stated that [redacted] was not drawing conclusions regarding the accuracy of the information, the intent of the conduct, or whether any breach had occurred.

COD 002 does not require a Complainant to have direct first-hand knowledge of the alleged conduct. To the contrary, COD 002 explicitly contemplates that possible breaches may be reported by elected officials who are not themselves direct participants in the conduct. It also requires the Complainant to identify the basis for their knowledge. That requirement was met.

10.5 Preliminary Resolution Requirement

Procedural concerns have also been raised regarding section 5.2 of the Code, which contemplates an attempt at informal resolution “if possible” between Council Members before a formal Complaint is submitted.

Section 5.2 was not applicable in any meaningful sense in the circumstances of this matter.

This was not an interpersonal disagreement between two Council Members. It involved information reportedly received from a third-party development representative regarding potential conflict-of-interest and use-of-influence concerns. [redacted] was not in a position to test the information personally and any attempt at direct resolution would have required [redacted] to confront the Respondent regarding information [redacted] had not witnessed [redacted].

10.6 Prior Advisory Role and Informal Discussion

Concerns have been raised regarding the Fairness Advisor's prior involvement in the matter before the formal Complaint was submitted.

Those concerns have been carefully considered.

The Code contemplates a broader role for the Fairness Advisor than simply conducting formal investigations. Section 6.2 expressly authorizes the Fairness Advisor to administer the Code and provide advice. The Code also contemplates a role in facilitating informal resolution where appropriate. The discussion was undertaken as a limited, non-investigative step to determine whether the concern could be readily clarified instead of requiring a more formal process.

Once it was determined that a formal process should be followed to explore the matter any further, to preserve procedural fairness, the discussion did not form part of the evidentiary record and Councillor Jordison was advised that any formal review would proceed on a fresh-start basis.

No findings were made from that discussion and no information from it has been taken into account or relied upon in reaching the findings contained in this report.

The prior advisory involvement and informal discussion to explore potential resolution were appropriate steps defined under COD 002 and not contemplated to compromise the judgement of the Fairness Advisor.

10.7 Scope of Review and Material Information

The Respondent also raised concerns regarding the scope of the review and disclosure obligations.

The nature of the Complaint and scope of the review were defined in the Notice of Complaint, and remained unchanged throughout the process. The investigation was evidence-driven within that scope. Additional witnesses and records were identified because they appeared capable of assisting in understanding the issues already under review, not because new allegations were added to the Complaint.

Following completion of the investigation, a Material Information document was provided to Councillor Jordison identifying the information that might be relied upon in support of findings. Councillor Jordison was given a full opportunity to respond to that information before findings were finalized.

11. Findings Analysis

The development, the parties, and the underlying [redacted] and rezoning are described in the Background section. The following sets out key reference dates in the chronology of the conduct under review.

Key Timelines – Conduct Under Review

May 2024 onward	[redacted] is under Council consideration relating to [redacted].
Late 2024	Councillor Jordison contacts the developer representative numerous times during the time period of the rezoning process about [redacted], asking whether the developer will build and sell houses or sell off individual lots. [redacted] answers consistently that the developer is not doing so; she returns to the same questions repeatedly. [redacted] attempts to gain Councillor Jordison's cooperation in not continuing to press the issue with [redacted].
Late 2024	Councillor Jordison tells a fellow councillor on more than one occasion that she wonders whether she might be able to get a better deal on [redacted] property because she is a councillor, in reference to "(the developer representative) at [redacted]."
Late 2024	The developer representative raises [redacted] discomfort with (now former) Chief Administrative Officer in an attempt to avoid any reputation consequences if a perception of conflict arises. The CAO reportedly speaks with Councillor Jordison; her response, per the developer representative, is in substance that she does not care what the CAO says and can speak with [redacted] if she wants. Councillor Jordison recalls this conflict discussion but, in her own account, dates it to October 10, 2023; for the reasons set out in section 11.4, an October 2023 meeting cannot account for the conflict concerns arising from the late-2024 [redacted] discussions.

June to October 2024	Council considers the s. 22(1) [redacted] through a series of in-camera resolutions [redacted]
s. 22(1) [redacted]	[redacted]
[redacted]	[redacted]
January 2, 2025	A new CAO is in the role.
s. 22(1) [redacted]	[redacted]

11.1 Personal Interest in s. 22(1) [redacted] Opportunities

The threshold question is whether Councillor Jordison had a genuine personal interest in s. 22(1) [redacted] opportunities during the period when s. 22(1) [redacted] matters were before Council.

The evidence establishes that she did.

s. 22(1) [redacted] recalled that Councillor Jordison had previously spoken with s. 22(1) [redacted] about "looking at moving into s. 22(1) [redacted]," had asked s. 22(1) [redacted] opinion on specific homes there, and later purchased a home in Langford.

Councillor Y recalled that, around this period, Councillor Jordison was "looking at selling [her] house and purchasing property" in the "s. 22(1) [redacted]." Councillor Y also recalled introducing Councillor Jordison to a realtor, whom Councillor Jordison worked with for a period of time.

Councillor Y also recalled that, on "more than" one occasion and in casual terms, Councillor Jordison asked whether she "would … be able to get a better deal on a piece of property because [she was] a councillor," in reference to speaking with the developer representative at s. 22(1) [redacted]. Councillor Y described the comments as "light" in nature, and was "not aware" if Councillor Jordison had in fact approached the developer representative on that basis.

The developer representative described Councillor Jordison making repeated inquiries about s. 22(1) [redacted], what the developer's plans were for the property, and whether housing opportunities might become available there.

Councillor Jordison acknowledged making casual comments to the effect that it would be "nice to live" in s. 22(1) [redacted]. She characterized those comments as ordinary remarks about a desirable area and stated that she had no actual intention, plan, financial interest, ability, proposed transaction, or interest in acquiring s. 22(1) [redacted] property.

Councillor Jordison disputes that this evidence establishes anything more than a general interest in a desirable neighbourhood. She emphasizes that she had no identified property, transaction, agreement, financial commitment, or ability to purchase property connected to [redacted]. She also states that she did not begin actively exploring housing options until March 2025 and that certain statements concerning realtor introductions and discussions with Councillor Y and [redacted] are mistaken, misunderstood, or overstated.

I have accepted that at the time of the discussions with the developer representative, Councillor Jordison had no concrete plans for acquiring property in the [redacted] project. However, the evidence as described above establishes that she did have a personal interest in acquiring property in [redacted], at the time she had these discussions.

11.2 Communications with the Developer Representative Regarding [redacted] Opportunities

The developer representative stated that Councillor Jordison initiated contact — by text or call — and “quite often” asked about [redacted] and “what [redacted] plans were for it.” [redacted] described the inquiries as including whether [redacted] would sell “houses” or “lots,” and whether it would “sell off a lot.”

[redacted] described [redacted] as a rezoning of a [redacted] to approximately [redacted] homes. [redacted] stated that [redacted] “never had the intention of subdividing it” or selling individual lots itself. Rather, its plan “from the beginning” was to rezone the parcel and ‘[redacted]

The developer representative stated that [redacted] was “constantly explaining” this to Councillor Jordison, but that she “didn't seem to grasp” it or “didn't believe [redacted].” [redacted] described the contact as a persistent curiosity that “tapered off” as the rezoning process advanced.

[redacted] also stated that [redacted] told Councillor Jordison words to the effect that it was “probably best we don't talk about this” and asked her to stop asking about the property.

Councillor Jordison accepts that she had discussions with the developer representative regarding [redacted] and other [redacted], but disputes that these communications related to any personal interest in property or land availability.

Her position is that the conversations formed part of broader discussions regarding [redacted] concerns, public open houses, neighbourhood form and character, park dedication, road access, rezoning, [redacted] context, and efforts to identify a future purchaser for the property. She also points to documentary evidence showing that she communicated with the developer representative on a wide range of ordinary Council and community matters unrelated to any personal housing interest.

The evidence supports the conclusion that Councillor Jordison and the developer representative had many legitimate discussions over the years concerning municipal, development, and community matters. The evidence does not support a finding that every interaction between them related to property opportunities. Councillor Jordison's documentary materials and the legitimate topics she identifies — including her efforts to help identify a future purchaser for the parcel and her advocacy on behalf of residents — have been considered.

However, those points do not negate the evidence that Councillor Jordison had a number of discussions with the developer representative about future housing or lot opportunities at [redacted] which was a matter of personal interest to her.

On that issue, the developer representative's evidence was clear and specific. [redacted] evidence was not merely that Councillor Jordison asked general questions about planning, rezoning, or community impacts. [redacted] evidence was that she repeatedly returned to whether houses or lots would become available through the future development of [redacted], despite being told that [redacted] did not intend to sell individual lots or homes itself.

The most persuasive evidence is not the existence of a single conversation. It is the pattern described by the developer representative: repeated inquiries about future property opportunities, repeated explanations that [redacted] was not selling lots or houses, and an eventual request that the subject not continue to be discussed.

It is therefore concluded that Councillor Jordison engaged in repeated discussions with the developer representative concerning future opportunities associated with [redacted] about which she had a personal interest and that those discussions went beyond ordinary Council business or general community planning matters.

11.3 Concern Raised by the Developer Representative and Escalation to the (now Former) Chief Administrative Officer

The developer raised concerns about Councillor Jordison's communications with [redacted] regarding the project.

The developer representative stated that [redacted] concern was not that Councillor Jordison had asked for anything illegal, morally improper, a concession, or a deal. [redacted] repeatedly emphasized that [redacted] did not believe she was breaking any rule.

Rather, [redacted] concern was one of perception. [redacted] described the repeated discussions about future opportunities associated with [redacted] as creating an appearance problem that could reflect poorly on both [redacted] and the development company if they became public.

[redacted] described the situation as one that "looked terrible." [redacted] stated that [redacted] wanted to be "above board," that "good ethics" mattered to [redacted] and that [redacted] did not want the discussions to create reputational issues for [redacted] or for [redacted].

[redacted] also stated that [redacted] discussed the situation with [redacted] at [redacted] before raising it with the (now former) Chief Administrative Officer. [redacted] explained that [redacted] wanted to be "above board," that "good ethics" mattered to [redacted] and that [redacted] was concerned about the reputational consequences for [redacted] and the company if the interactions later became public. [redacted] evidence was that this internal discussion reinforced [redacted] view that the situation created an appearance problem that should not simply be ignored.

The developer representative stated that, in about late 2024, [redacted] approached the (now former) Chief Administrative Officer about Councillor Jordison's repeated calls, telling [redacted] words to the effect of: "Can you talk to Kim — I don't like the look of this … I want you to know this conversation is happening."

[redacted] said that the (now former) Chief Administrative Officer spoke with Councillor Jordison — in the developer representative's words, "[redacted] did talk to her, because [redacted] told me [redacted] did." [redacted] further stated that "Kim phoned me one day and said that [redacted] had approached her to talk to her," and said something to the effect of: "I don't [expletive] care what [redacted] says, I can talk to you if I want to talk to you."

The (now former) Chief Administrative Officer independently recalled the developer representative raising the matter with [redacted]. [redacted] account was that the developer representative reported Councillor Jordison "may have an interest" in the [redacted] "should that transaction occur."

The (now former) Chief Administrative Officer described the discussion as unusual, noting that it was "uncommon" for [redacted] and the developer representative to discuss the "individual actions" of an elected official. That was part of why the discussion "stood out" in [redacted] memory. [redacted] characterized the developer representative as sharing information rather than making a specific request.

The (current) Chief Administrative Officer recalled that, in approximately January 2025, the developer representative referred to prior "issues" involving Councillor Jordison and stated that she had previously "asked [redacted] for some things." The (current) Chief Administrative Officer recalled asking what [redacted] meant by that comment. According to [redacted] evidence, the developer representative indicated that [redacted] did not really want to get into it, referred generally to prior issues involving Councillor Jordison, and did not provide further particulars. As a result, the (current) Chief Administrative Officer did not obtain any direct information regarding what those requests may have involved.

[redacted] separately had a direct conversation with the developer representative regarding the matter during their February 5, 2026 discussion. It was that conversation that ultimately led to the request for procedural advice and, eventually, the Complaint.

Councillor Jordison disputes aspects of these accounts. She notes that there is no contemporaneous documentation of the discussions and that the accounts rely on recollections of conversations occurring more than a year before the interviews. Those are legitimate considerations and have been taken into account.

However, the broader alignment of the evidence is difficult to ignore.

The developer representative recalls raising the concern with the (now former) Chief Administrative Officer. The (now former) Chief Administrative Officer recalls receiving that concern. The (current) Chief Administrative Officer recalls later hearing about prior "issues" involving Councillor Jordison and asking for clarification, but the developer representative did not elaborate. [redacted] separately had a direct discussion with the developer representative regarding the matter in February 2026.

The precise wording used in each conversation is uncertain. The fact that the developer representative repeatedly raised concerns about the interactions is not.

This is the most persuasive evidence in the matter, and it is worth being explicit about why.

The developer representative raised the concern at the time the interactions were occurring, not after a Complaint existed. [redacted] discussed it internally with [redacted] [redacted] raised it with the (now former) Chief Administrative Officer, later referred to it with the (current) Chief Administrative Officer, and ultimately discussed it directly with [redacted]. [redacted] did so despite having no obvious personal benefit in doing so and despite the potential reputational consequences for [redacted] and [redacted] company if the issue became known. [redacted] was managing an ongoing relationship with a sitting councillor who would continue to vote on matters affecting [redacted] organization.

A developer representative does not ordinarily take that step about conduct [redacted] believes is harmless. That [redacted] did so, more than once and against [redacted] own interest, is the strongest single indication that the appearance concern was genuine and significant at the time.

I therefore conclude that the developer representative became sufficiently concerned about the appearance created by [redacted] interactions with Councillor Jordison that [redacted] escalated the matter.

11.4 Conflict Awareness, Advice, and Recusal Considerations

The next issue is whether conflict-of-interest, perceived-conflict, or recusal concerns were raised during the relevant period and, if so, how those concerns were understood and addressed.

The evidence establishes that they were.

The developer representative stated that [redacted] told Councillor Jordison at least once words to the effect that [redacted] "wanted [her] to be able to vote" and did not want there to be a reason she could not vote. [redacted] described this as a diplomatic way of flagging that her repeated inquiries could create the perception of a conflict. On [redacted] account, Councillor Jordison responded to the effect that she could "make up [her] own decision."

The significance of this evidence is not that the developer representative gave formal conflict advice. [redacted] did not. Its significance is that the concern was being recognized at the time by someone directly affected by the interactions.

This point is reinforced by Councillor Jordison's own evidence. During her interview, she acknowledged that, in her May 18, 2026 discussion with the developer representative, [redacted] raised again the fact that [redacted] had previously told her [redacted] wanted her to be able to vote on the matter. When asked how that statement fit with her characterization of the interactions as ordinary discussions that did not engage conflict considerations, she was unable to reconcile the two. The May 18 discussion is addressed further in section 11.7. The significance here is simply that both participants acknowledge that the "I want you to be able to vote" concern was raised.

The developer representative also stated that, after [redacted] raised the matter with the (now former) Chief Administrative Officer, Councillor Jordison later called [redacted] and said that the (now former) Chief Administrative Officer had approached her to talk to her. On [redacted] account, she said something to the effect of: “I don’t [expletive] care what [redacted] says, I can talk to you if I want to talk to you.”

That evidence, if accepted, suggests that conflict or boundary concerns were not merely raised internally within City administration. They were communicated to Councillor Jordison and strongly rejected.

The (now former) Chief Administrative Officer did not specifically recall a direct conversation with Councillor Jordison about a [redacted] interest. However, he recalled the developer representative reporting that Councillor Jordison “may have an interest” in [redacted]” [redacted] also said it was “entirely possible” that a conversation with Councillor Jordison occurred.

The (now former) Chief Administrative Officer described, as context rather than legal advice, the questions [redacted] would normally weigh in such a situation: whether Councillor Jordison intended to pursue an interest, whether the Council decision would create the opportunity, and whether participating in the rezoning could create the possibility for her to exercise that interest.

Councillor Jordison’s own evidence is particularly significant.

She stated that she had “one, and only one meeting” with the (now former) Chief Administrative Officer while he was CAO, which she dated to October 10, 2023. She said she went to [redacted] as a new councillor “asking all [her] questions” and trying to understand “[redacted].”

She stated that she did not go to the meeting to talk about [redacted], but that [redacted] came up when she made a casual comment that “it’d be nice to live in [redacted], like everybody else says.” According to Councillor Jordison, the (now former) Chief Administrative Officer responded that if she “pursued that route” or ever wanted to live there, she “might want to consider declaring a conflict” on related matters.

Councillor Jordison said she “responded quite strongly,” disagreed that the comment created any real, perceived, or potential conflict, and described the suggestion as “quite crazy” and “very odd.” She likened it to saying she “like[d] the color blue” and then being told she “can’t make decisions on something about that.” She said she briefly considered disclosure or recusal but decided it was unnecessary.

Councillor Jordison places this discussion on October 10, 2023. That timing creates a difficulty.

On the evidence as a whole, an October 2023 meeting cannot account for the conflict concerns at issue in this report. Those concerns arose from the late-2024 [redacted] discussions. The [redacted] and rezoning were not before Council until 2024, and the developer representative’s decision to raise [redacted] discomfort with the (now former) Chief Administrative Officer is placed by the evidence in late 2024. A conversation cautioning

Councillor Jordison about a conflict on [redacted] voting matters could not have occurred in response to those circumstances before those circumstances existed.

The developer representative's own account of timing points the same way. [redacted] tied the conversations to the [redacted] rezoning process itself, placing them "towards maybe the beginning of it, when the conversations were happening." [redacted] said that the process then "went on for six or eight months longer" and described [redacted] contact with Councillor Jordison as having "tapered off" as the zoning process advanced. On [redacted] evidence, the discussions belong to the life of the rezoning, which was before Council in 2024 and 2025, and not to a period before that process existed.

Councillor Jordison may well recall a meeting with the (now former) Chief Administrative Officer on October 10, 2023. Nothing in this finding turns on what was said at that meeting. The point is narrower: an October 2023 meeting cannot account for the conflict concerns described in this report because those concerns arose from the late-[redacted] discussions, which had not yet taken place.

The precise day on which conflict-related concerns were communicated to Councillor Jordison cannot be fixed. The broader significance of the evidence is nevertheless clear.

The developer representative attempted to signal that [redacted] wanted Councillor Jordison to be able to vote. Councillor Jordison herself acknowledges that this concern was raised again in the May 18 discussion and could not reconcile that statement with her own characterization of the interactions. The developer representative raised the matter with the (now former) Chief Administrative Officer. The (now former) Chief Administrative Officer recalled the concern being brought to [redacted] and described the conflict questions such a situation would raise. Councillor Jordison herself recalls being told that, if she pursued living in [redacted], she might want to consider declaring a conflict, and recalls strongly disagreeing with that suggestion.

Viewed together, this evidence establishes that conflict-related concerns were not merely identified in hindsight. The possibility of a conflict or perceived conflict was recognized and discussed during the period when the events were occurring.

The evidence also establishes that Councillor Jordison considered the issue and rejected the suggestion that disclosure or recusal was required. Her position, both at the time and during this review, has consistently been that there was no actual property interest, transaction, agreement, promise, benefit, or arrangement capable of giving rise to a conflict.

That position is important and has been fully considered. However, it does not alter the conclusion that conflict implications were raised, recognized, and discussed.

It is therefore concluded that concerns regarding conflict, perceived or potential conflict, and recusal were identified and discussed during the relevant period, but were ultimately rejected by Councillor Jordison, who concluded that no disclosure or recusal was required.

11.5 Perception of a Conflict of Interest

Both the previous Code of Ethics and the present Code of Conduct require the disclosure of conflicts of interests regarding a matter before Council and recusal of the member from Council's consideration of that matter.

I have found that Councillor Jordison had a personal interest in acquiring property in s. 22(1) [redacted] and that she engaged in discussions with the developer in furtherance of that interest.

While Councillor Jordison did not ask the developer for a special benefit or preference regarding the acquisition of property in that project, the circumstances of her discussions with the developer representative about the project raises a perception of a conflict of interest that should have been disclosed by her to Council and caused her to recuse herself from Council's consideration of the project. That is required to protect the confidence of the public in the procedures of Council in dealing with matters before it.

Councillor Jordison did not do that, which is in breach of the conflict of interest requirements in the previous Code of Ethics, as well as the current Code of Conduct.

The previous Code of Ethics defines conflict of interests as follows:

> Mayor and Councillors are expected to make decisions and take actions based on the best interests of the City of Colwood, as a whole, and not based on personal relationships or benefits. Generally, a "conflict of interest" is an activity that is inconsistent with or opposed to the best interest of the City of Colwood or one which gives the appearance of impropriety, such as mayor or Councillors obtaining a benefit for themselves, friends or family members. Conflicts of interest can compromise the ethical behaviour of elected officials, therefore they should be avoided.
>
> If an elected official has a conflict of interest or potential conflict of interest in a matter and is present at a meeting at which that matter is considered, then the elected official:
>
> 1. must disclose at the meeting the official's pecuniary interest (see definition under "Conflict of Interest" – Pecuniary Interests) and the general nature of the pecuniary interest;
>
> 2. must not remain or attend at any part of a meeting during which the matter is under consideration and must leave the room in which the meeting is taking place;
>
> 3. must not take part in the discussion of or vote on any question in respect of the matter; and

4. must not attempt in anyway, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

Section 4 of the current Code of Conduct deals with standards of conduct. Sections 4.3 and 4.4 state as follows:

> 4.3 Use of Influence
>
> Members must not use their position for personal gain or to influence staff or contractors improperly.
>
> 4.4 Conflicts of Interest
>
> Members must identify and disclose real, perceived or potential conflicts and comply with the requirements of the Community Charter.

The evidence raises a question as to whether Councillor Jordison's conduct also contravened section 4.3. It is not necessary for the purposes of this report to determine that question. Regardless of whether section 4.3 was also contravened, the evidence establishes a contravention of section 4.4 for the reasons set out below.

As discussed above, the evidence establishes that Councillor Jordison had a personal interest in [redacted] opportunities and engaged in repeated discussions with the developer representative about the project. These discussions created a perceived or potential conflict of interest concern that required disclosure and recusal under both the previous Code of Ethics and the current Code of Conduct.

11.6 Participation in Council Matters Relating to [redacted]

The evidence establishes that Councillor Jordison participated in Council's consideration of the [redacted] matters and did not disclose a conflict or recuse herself.

Council records reviewed during this investigation confirm that matters relating to [redacted], and related [redacted] and rezoning matters came before Council during the relevant period. The records further confirm that Councillor Jordison participated in those matters and that no declaration of conflict of interest or recusal was recorded.

This aspect of the evidence is largely undisputed.

Councillor Jordison acknowledged that she did not disclose a conflict and did not recuse herself from any [redacted] matter. Her position is that no disclosure or recusal was required because she had no actual property interest, financial interest, transaction, agreement, promise, benefit, or arrangement capable of giving rise to a conflict.

The evidence also establishes that Councillor Jordison considered the issue. By her own account, she briefly reflected on whether disclosure or recusal might be appropriate following a discussion with the (now former) Chief Administrative Officer, but concluded that neither step was necessary.

Accordingly, this is not a case in which a potential conflict issue was overlooked. Rather, the evidence establishes that the possibility was considered and rejected.

It is therefore concluded that Councillor Jordison participated in Council matters relating to [redacted] during the relevant period, that she did not disclose a conflict or recuse herself from those matters, and that this reflected her view that no conflict existed requiring disclosure or recusal[2].

The concern is not that Councillor Jordison obtained a benefit. The concern is that a reasonable observer could question whether a councillor with a personal interest in future opportunities connected to a development should be repeatedly discussing those opportunities with a representative of the developer while continuing to participate in related Council matters.

This concern was not theoretical. It was recognized by the developer representative, who raised it internally and then with senior City administration. It was recognized by the (now former) Chief Administrative Officer as the kind of situation that could require conflict analysis. It was recognized by Councillor Jordison herself, who recalled briefly considering whether disclosure or recusal was required and deciding that it was not.

The evidence also supports that Councillor Jordison had been equipped to understand that conflict concerns are not limited to actual financial gain or actual influence.

The November 9, 2022 Council orientation devoted a substantial section to conflict of interest. The presentation expressly stated that “conflict of interest law is about appearances” and is “aimed at avoiding the potential for a council member to be influenced by personal interest.” It also stated that “a court will ask whether a reasonably well-informed person would conclude that the council member's personal interest in a matter might influence the councillor in the exercise of his or her duty.”

The same training further stated that “it does not matter whether the council member believes that he or she can remain impartial” and “it does not matter whether the council member is not in fact influenced.”

The training addressed the importance of considering conflicts broadly, and the importance of preserving public confidence. The seminar agenda also confirms that conflict of interest was one of the principal legal training topics delivered to the newly elected Council.

To be clear, the failure identified in this report is not a failure to avoid personal gain. It is a failure to recognize and appropriately manage a perceived or potential conflict once the circumstances giving rise to that concern had become apparent.

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[2] It should be noted that Councillor Jordison’s participation did not affect the outcome of the Council votes reviewed for this report. The relevant [redacted] rezoning decisions were unanimous.

For those reasons, it is concluded that Councillor Jordison did not adequately identify, disclose, or manage a perceived or potential conflict of interest in relation to s. 22(1) [redacted] matters, contrary to the requirements in the previous Code of Ethics and the current Code of Conduct.

11.7 Process Integrity and Confidentiality During the Review

A separate set of concerns arose during the review process itself.

These concerns do not relate directly to the underlying s. 22(1) [redacted] conduct. Rather, they concern interactions with witnesses and participants, efforts to obtain Complaint-related information outside the Fairness Advisor process, confidentiality expectations, and the overall integrity of the review process established by Council.

During her interview, Councillor Jordison disclosed that on May 18, 2026, after receiving the Notice of Complaint and before the developer representative's formal interview, she participated in a lengthy telephone conversation with the developer representative concerning the Complaint and matters connected to it.

The existence of the conversation is not disputed. The parties differ in their characterization of it.

Councillor Jordison stated that the call was initiated by the developer representative, not by her. She acknowledged that the discussion touched on the existence of the Complaint, possible complainant identity, the nature of the underlying interactions, the (now former) Chief Administrative Officer, the (current) Chief Administrative Officer, and possible motivations behind the Complaint. She also stated that she recognized during the discussion that the matter was supposed to be confidential and recalled commenting that she probably should not be discussing it.

The concern is not that the discussion establishes wrongdoing in relation to the underlying conduct under review. The concern is that it was participated in, despite the confidentiality bounds that were set out.

At the time of the call, the review was active. The developer representative was a key witness. The purpose of the confidentiality requirements contained in the Notice and the Code is to protect the integrity of the process, the independence of witnesses, and the reliability of evidence.

The conversation therefore creates an unavoidable question regarding the extent to which the participants may have influenced one another's recollections, consciously or unconsciously, before the developer representative's interview took place two days later. That question cannot now be resolved.

The evidence does not establish that either participant deliberately attempted to influence the review. Nor is it possible to conclude that the conversation materially altered the evidence ultimately provided.

However, the existence of the discussion necessarily affects the weight that can be attached to certain aspects of the evidence and introduces an element of uncertainty that would not otherwise exist.

The May 18 call does not affect all of the evidence equally. It matters most for the developer representative's account of what was actually said between [redacted] and Councillor Jordison in late 2024 — particularly on the question of whether she sought or was offered any benefit. It does not change the fact that [redacted] raised [redacted] concerns with the (now former) Chief Administrative Officer, that the (now former) Chief Administrative Officer independently recalls receiving those concerns, that Councillor Jordison acknowledges repeated contact with the developer representative, or that she continued to participate in [redacted] matters without declaring a conflict or recusing herself. The findings in this report rest primarily on those more firmly established facts.

A broader concern also arose regarding efforts to obtain Complaint-related information outside the Fairness Advisor process.

The Notice of Complaint initially did not identify the Complainant by name. That approach was taken because the matter was being treated as a reporting or whistleblower-type Complaint under section 5.4 of COD 002. At that stage, preserving confidentiality was considered important both to protect the reporting process and to minimize unnecessary collateral impact on others.

Following receipt of the Notice, Councillor Jordison sought information from City staff regarding the identity of the Complainant and continued to seek a copy of the Complaint itself after already being advised in writing that the Complaint document would not be provided. During the process she also speculated about the involvement of various individuals and, in the May 18 discussion, engaged in discussion regarding possible complainant identity and motivations.

[redacted] identity was subsequently disclosed as Complainant to Councillor Jordison. That decision was made because continued speculation risked increasing collateral consequences for other individuals who might be suspected of involvement. In the Fairness Advisor's judgment, [redacted], acting in a reporting capacity and occupying a [redacted], could withstand [redacted] identity being known as the reporting individual. Disclosure was therefore intended to reduce speculation regarding others, while maintaining the confidentiality protections applicable to witnesses, third parties, and the process itself.

These events led to the need for a precautionary step to be taken to advise Council of the general existence of a Complaint involving Councillor Jordison and [redacted], with no findings having yet been made, and a reminder that there should be no discussions on the matter.

During the review, Councillor Jordison referred to having made a records request relating to the (now former) Chief Administrative Officer and raised questions about its possible relationship to the Complaint or Complainant.

No finding is made in this report regarding that request. It is a separate statutory process and has not been reviewed or determined in this proceeding.

However, the fact that it arose in the context of discussions about the Complaint is relevant to the broader process-integrity concerns described in this section. To the extent that any records request, inquiry, or other step is used to identify, test, challenge, pressure, investigate, or gather information about witnesses, reporting individuals, or participants in this review outside the Fairness Advisor process, that would raise serious process-integrity and non-retaliation concerns.

This observation is not directed at the validity of any particular records request. Rather, it reflects the broader principle that participants in a Code of Conduct review should not be subjected to collateral investigation or inquiry outside the process established by Council while the review remains active.

It is not necessary, for the purpose of this report, to determine whether these events amount to a separate breach of COD 002. They are significant in any event.

They reveal a pattern of attempting to obtain information about the Complaint, the Complainant, witnesses, or participants outside the structured process established by Council. Whether viewed individually or collectively, those steps increased the risk of collateral impact on others and created avoidable process-integrity concerns.

More broadly, the discussion is relevant because it reflects a theme that appears elsewhere in this matter.

The underlying conduct involved repeated interactions that created concern regarding conflict and perception. Those concerns were communicated to Councillor Jordison but were ultimately rejected. Similarly, during the review process, confidentiality and process-integrity boundaries existed for a reason. Although there is no evidence that Councillor Jordison acted with improper intent, she nevertheless participated in discussions and inquiries that created avoidable risk to the integrity of the process.

This raises significant process-integrity concerns that affect the assessment of the evidence, the conclusions reached in this report, and the recommendations that follow. Nothing in this report should be read as minimizing the seriousness of confidentiality, witness-independence, or non-retaliation obligations during a Code review.

12. Conclusions

As discussed above, I have concluded that Councillor Jordison’s discussions with the developer representative raised the perception of conflict of interest that required disclosure on her part and recusal from Council’s consideration of the s. 22(1) [redacted].

The detailed findings are set out in Part 11 and are not repeated here.

It is accepted that Councillor Jordison genuinely believed disclosure or recusal was unnecessary because she had no actual property interest, transaction, agreement, or financial commitment. Her assessment was too narrow. The Code requires attention to perceived and potential conflicts, not only actual financial interests. The overlap between her personal housing interest, her repeated property-related inquiries to the developer representative, and her participation in related Council decisions created a perceived or potential conflict that should have been recognized and managed.

This finding should not be softened into a mere communications issue. Conflict and recusal implications were recognized at the time and were raised directly with Councillor Jordison, who nevertheless continued to participate in related Council matters without disclosure or recusal. Conflict rules exist to protect the integrity and perceived integrity of Council decision-making before any benefit is obtained, and the reputational and governance risks here were real: they affected a development representative with business before the City, engaged the judgment of senior administration, and had the capacity to affect public confidence.

There is a common thread between the underlying conduct and the later process-integrity concern. In both, Councillor Jordison was slow to recognize boundaries that mattered to others and to the integrity of the process — the developer representative's signals of discomfort and the former CAO's conflict advice in the underlying matter, and, during the review, seeking Complaint information outside the Fairness Advisor process and continuing a lengthy discussion with the developer representative after several confidentiality reminders. No member of Council is expected to be perfect, and the intersection of a councillor's personal life with matters before Council is not misconduct in itself. The obligation is to recognize when that intersection becomes significant enough that disclosure, recusal, or another management step is required to protect public confidence.

In reaching these conclusions weighting has been given to the age of the events, the limits of historical recollection, the absence of contemporaneous documentation on some points, and the fact that several witnesses were recalling conversations from a year or more earlier. Those considerations affect the weight of the evidence but do not change the overall findings.

12.1 Recommendations

If the Council determines that Councillor Jordison should have disclosed the perceived conflict and recused herself from Council's consideration of the s. 22(1) [redacted], I recommend that the Council consider the following steps to deal with this breach:

1. That Council request a written acknowledgment from Councillor Jordison, together with a renewed commitment to identify and disclose real, perceived, and potential conflicts of interest and to seek guidance where personal interests may overlap with Council matters.
2. That Council direct Councillor Jordison to complete a mentorship session to develop an improved understanding of conflict-of-interest management, with particular attention to perceived and potential conflicts, and contacts with parties who have business before Council. Satisfactory completion should be recorded by the CAO or Corporate Officer consistent with section 6.4 of the Code.
3. That Council formally caution Councillor Jordison regarding confidentiality and non-retaliation in the following terms:

Councillor Jordison must not contact, question, confront, criticize, pressure, or take any adverse action toward any person connected to this review regarding their participation, the information they provided, or the outcome of the process. She must not disclose, discuss, summarize, quote, forward, or characterize, to any Council member, staff member, former staff member, witness, developer representative, or other person, any confidential information related to the review. These requirements do not prevent ordinary, unrelated communications in the normal course of Council or municipal business. They prohibit contact or conduct connected to a person's participation in this review, the information they provided, or the outcome of the process. Any violation should be treated as a separate Code matter.

4. That Council consider making the report, the findings, and the recommended outcome confidential, with no public release.

5. That, if Council considers any public communication now or in the future, affected parties be given meaningful advance notice and an opportunity to understand the proposed disclosure before it occurs.

13. Publication and Confidentiality

Section 5.7(c) of the Code provides that, unless confidentiality is required by law or recommended by the Fairness Advisor, the report will be included in the materials of an open Council meeting. Section 5.7(c)(i) provides that a summary of the Complaint, the investigative process followed, the findings, and any recommended sanctions shall be made public to promote transparency and accountability. Section 5.7(c)(ii) requires the redaction of personal information protected under FOIPPA, information that could identify third parties who provided information in confidence, and matters subject to solicitor-client privilege. Section 5.7(c)(iii) provides that the Fairness Advisor shall identify in the report which portions, if any, should be considered in-camera and provide reasons consistent with the Community Charter.

Out of an abundance of caution, the Fairness Advisor recommends that Council consider whether this matter be dealt with by Council in camera with no public release of the report or its findings, for the following reasons.

Most importantly, public release would carry a real risk of serious and unfair collateral consequences for the developer representative and for s. 22(1) [redacted]. s. 22(1) [redacted] has continuing business relationships with the City, operates in a small market in an election year, and has expressed a reasonable concern about being publicly named in connection with a Council member who continues to serve. Any public release of this report would be likely to identify the developer representative in practical terms, given the limited number of major developers in Colwood and the documentary record of which property and which time period are at issue. That risk is unacceptable in circumstances where the developer representative has acted properly throughout for the purposes of promoting ethical behaviour, and would bear the public consequences of a process s. 22(1) [redacted] did not initiate.

Public release would also have a chilling effect on the willingness of future witnesses to raise concerns in the way the developer representative did. The integrity of the Code of Conduct process depends on third parties — developers, contractors, community members, City staff — being willing to come forward with concerns about possible conflicts of interest at the time they arise. If those who do so find themselves publicly named in a Council report years later, in connection with a Council member's conduct, the practical consequence will be that future concerns are not raised. That would weaken the very mechanism by which the City protects itself, and weaken the position of members of Council who have an interest in being able to demonstrate that they are operating within the Code.

The Code of Conduct itself contains the following Whistleblower Protection provisions:

> 5.4 Whistleblower Protection
>
> a) Any employee, elected official, volunteer, or member of the public who, in good faith reports a suspected or actual possible breach of the Code of Conduct Policy… shall be protected from retaliation, including but not limited to dismissal, demotion, discipline, harassment, discrimination, or any other adverse employment or personal consequence, as further detailed in Section 45.8 of this policy.
>
> b) The identity of whistleblowers shall be maintained in strict confidence and disclosed only on a need-to-know basis, and only where required to conduct a thorough and fair investigation or as required by law.

The Code of Conduct did not exist at the time that the developer representative first came forward, and the developer representative clearly did not expect [redacted] request for assistance in the initial instance to be treated as a whistleblower complaint. However, the current Code of Conduct's spirit and intent should be given serious consideration in this case. The Fairness Advisor therefore considers this a sufficient and independent reason for confidentiality.

Stated well in the developer representative's own words:

> *"...it'd be nice if like there's a…process that allows people to feel like they can be honest and report things without having negative consequences happen as a result..."*

These reasons, taken together, are sufficient to recommend confidentiality consistent with section 5.7(c)(iii). The particular facts of this matter and the public-interest considerations that ordinarily favour disclosure under section 5.7(c)(i) are outweighed by the fairness considerations relating to the developer representative and by the institutional interest in preserving a functioning channel for future concerns.