



Report Date: January 9, 2026

VanRIMS No.: 08-3000-30

[Submit comments to the Board](#)

TO: Park Board Chair and Commissioners  
FROM: Assistant Director Civil Litigation, Legal Services, City of Vancouver  
SUBJECT: Integrity Commissioner Investigation - Report Decision

### RECOMMENDATIONS

- A. THAT the Vancouver Park Board resolve to review the Investigation Report issued by the Integrity Commissioner on December 1, 2025, (the "Investigation Report") attached as Appendix "A" to this report.
- B. THAT the Vancouver Park Board endorse the recommendation on sanctions in relation to Commissioner Bastovanszky made by the Integrity Commissioner in the Investigation Report or, alternatively, decide on the appropriate measures, if any, which the Board considers warranted and appropriate in the circumstances.
- C. THAT the Vancouver Park Board endorse the recommendation on sanctions in relation to Commissioner Viridi made by the Integrity Commissioner in the Investigation Report or, alternatively, decide on the appropriate measures, if any, which the Board considers warranted and appropriate in the circumstances.

### PURPOSE AND SUMMARY

This report brings forward the recommendation of the Integrity Commissioner made in the [Investigation Report](#) and recommends that the Park Board review the Investigation Report and make a final determination on whether to accept the recommendation by the Integrity Commissioner or reject the recommendation and take such measures, if any, that the Board determines is appropriate in the circumstances.

### BOARD AUTHORITY / PREVIOUS DECISIONS

The Board has previously considered an Investigation Report issued by the Integrity Commissioner in which the Integrity Commissioner found a Park Board Commissioner in breach of the [Code of Conduct Policy](#) (the "Policy").

On May 24, 2024, the Integrity Commissioner issued an [Investigation Report](#) into a complaint by Commissioner Christensen against Commissioner Viridi.

On July 8, 2024, the Board [resolved](#) to review the May 24, 2024 Investigation Report and request that Commissioner Viridi issue a letter of apology to Commissioner Christensen.

## CONTEXT AND BACKGROUND

On December 1, 2026, the Integrity Commissioner issued the Investigation Report.

On December 1, 2026, the Integrity Commissioner delivered a copy of the Investigation Report to the Board.

Staff are bringing forward the recommendations of the Integrity Commissioner for the Board's determination.

## DISCUSSION

Section 5.32 of the Policy provides that where the Integrity Commissioner determines that a member violated the Policy, the Integrity Commissioner is required to make recommendations as to the appropriate sanctions for the breach.

Section 5.34 of the Policy requires the Board to decide on the appropriate measures, if any, that are warranted by the breach of the Policy, and to take such actions as the Park Board considers appropriate in the circumstances.

Section 5.35 of the Policy requires the Board to give the respondent the opportunity to comment on the Investigation Report, and the recommendation made therein, prior to the Board making a final determination on whether to impose a sanction.

In respect to a Park Board Commissioner, the sanctions that may be imposed for violating the Policy include:

- a) a letter of reprimand from the Park Board addressed to the Member;
- b) a request from the Park Board that the Member issue a letter of apology;
- c) the publication of a letter of reprimand and a request for apology by the Integrity Commissioner, and the Member's written response;
- d) a recommendation that the Member attend specific training or counselling;
- e) suspension or removal of the appointment of a Commissioner as the Park Board Chair or Park Board Vice Chair;
- f) suspension or removal of the Commissioner from some or all committees and bodies to which the Commissioner was appointed by the Park Board;
- g) public censure of a Member.

In the Investigation Report, the Integrity Commissioner determined that Commissioner Bastyovanszky breached the Policy and recommended the following sanction:

A request from the Park Board that Commissioner Bastyovanszky issue a letter of apology for suggesting self-interest by Commissioner Viridi in his role as Park Board Commissioner.

In the Investigation Report, the Integrity Commissioner determined that Commissioner Viridi breached the Policy and recommended the following sanction:

The publication of a letter of reprimand and a request for an apology, and the publication of Commissioner Viridi's response to that request.

**FINANCIAL CONSIDERATIONS**

There are no financial implications associated with this report's recommendations.

**CONCLUSION AND NEXT STEPS**

This process is authorized by the Policy.

The Park Board may accept the recommendation of the Integrity Commissioner but is not required to do so. The Board may reject the recommendation and take such measures as it determines is appropriate, if any, including any of the sanctions set out above.

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**INVESTIGATION REPORT OF  
AD HOC INTEGRITY COMMISSIONER JAMIE PYTEL  
FOR THE CITY OF VANCOUVER  
AS REPRESENTED BY  
THE BOARD OF PARKS AND RECREATION**

**JENSEN COMPLAINT**

<b>Complainant:</b>	Commissioner Scott Jensen
<b>Date of Complaint:</b>	April 15, 2025
<b>Respondent:</b>	Commissioner Jas Virdi
<b>Type of Complaint:</b>	Defamation, false allegation of discrimination

**VIRDI COMPLAINT**

<b>Complainant:</b>	Commissioner Jas Virdi
<b>Date of Complaint:</b>	May 26, 2025
<b>Respondent:</b>	Commissioner Scott Jensen
<b>Type of Complaint:</b>	Harassment, defamation, and discrimination
<b>Respondent:</b>	Commissioner Brennan Bastyovanszky
<b>Type of Complaint:</b>	Harassment, disrespectful treatment, differentiated treatment, discrimination, And defamation.

<b>Report Date:</b>	December 1, 2025
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## I. INTRODUCTION

1. This is the report of Jamie Pytel of Kingsgate Legal (the “investigator”). The investigator was retained by the City of Vancouver as Represented by the Board of Parks and Recreation (“Park Board”) to provide ad hoc Integrity Commissioner services with respect to two complaints. The first complaint was submitted by Park Board Commissioner Scott Jensen on April 15, 2025 (the **Jensen Compliant**) against Commissioner Jas Virdi. The second complaint was submitted by Commissioner Virdi on May 5, 2025 (the **Viridi Complaint**) against Commissioner Jensen and Commissioner Brennan Bastyovanszky. Both complaints were submitted pursuant to the Park Board *Code of Conduct Policy* PB-23-01(the **Code**).
2. Park Board Integrity Commissioner Lisa Southern carried out the preliminary assessment of the scope of both complaints and decided to consolidate the investigations given the similarity of the subject matter. She then referred these matters to the investigator to complete the investigations.
3. Commissioner Jensen alleges that Commissioner Virdi defamed him when he falsely accused Commissioner Jensen of discriminating against him at an April 14, 2025 Park Board meeting. This accusation arose when Commissioner Virdi introduced a Member’s Motion and asked that it be referred to Committee. The Member’s Motion proposed that Vancouver Parks and Recreation initiate public engagement and explore the feasibility of installing an indoor and outdoor pool at the Sunset Community Centre in Vancouver. Referral to Committee would result in speakers from the general public being permitted to speak to the motion.
4. The Board Chair, Commissioner Laura Christensen, called for a vote on whether Commissioner Virdi’s motion would be referred to Committee. Commissioner Virdi objected saying in the past items just went to Committee if a Commissioner so requested. Chair Christensen called for a vote and the referral to Committee was defeated.
5. Commissioner Virdi repeated his objections throughout the meeting, saying 10 times he was being discriminated against and 1 time that Sunset community members were being discriminated against. He repeatedly stated that he was being treated differently from other Commissioners who were allowed to simply ask that their Member’s Motion be referred to Committee, without a vote taking place. Commissioner Virdi declined to answer questions about his Member’s Motion and left the meeting before the vote on his motion, which motion was defeated.

6. As a result of Commissioner Virdi's comments at the April 14, 2025 meeting, Commissioner Jensen submitted the Jensen Complaint alleging defamation by Commissioner Virdi for falsely accusing him of discrimination.
7. On May 26, 2025, Commissioner Virdi submitted his response to the Jensen Complaint saying he was indeed discriminated against by Commissioner Jensen and that this was part of a pattern of differentiated and discriminatory treatment by both Commissioners Jensen and Bastiovanszky. He submitted the Virdi Complaint at the same time, which in many respects mirrored his response to the Jensen Complaint. His complaint included allegations going back to March of 2023, which he said was evidence of a pattern of conduct that violates the Code.
8. Commissioners Jensen, Virdi and Bastiovanszky all deny the allegations made against them.

## **II. SCOPE OF JENSEN COMPLAINT INVESTIGATION**

9. The Jensen Complaint says:

Commissioner Virdi objected to his motion to refer his Member's motion to committee being voted down 4-3. He was unaware that his motion required a vote. When corrected by the Park Board Chair, the Park Board meeting assistant, Park Board Meeting Clerk and Park Board General Manager, Commissioner Virdi claimed their decision was discriminatory and alleged the decision was made against him because they are discriminating against him.

He further alleged that the four Commissioners that voted against his motion were discriminating against him.

In light of all the past decisions that were shared with him showing this was professional practice of the Board, Commissioner Virdi did not accept the opportunity to apologize and move forward with the motion. He begrudgingly stayed for a portion of the discussion of his motion, but left the meeting before he could cast a vote.

I do not appreciate being accused of discriminating against a Commissioner.

10. When submitting his complaint, Commissioner Jensen indicated he was open to informal resolution.
11. Upon review of the Jensen Complaint, the investigator advised Commissioner Jensen that the scope of the investigation would not include alleged treatment of other Commissioners or staff members. Commissioners could engage the process and make a complaint if they so chose. If staff had concerns about possible mistreatment, it was up to them to raise those concerns through the process available to them.

### III. SCOPE OF VIRDI COMPLAINT INVESTIGATION

12. In Ms. Southern's preliminary assessment of the Virdi Complaint, she determined that some of the allegations did not meet the time requirements set out in s. 5.9 of the Code, which says:

The Integrity Commissioner must reject a Complaint received more than 180 days after the Complainant knew or reasonably ought to have known of the alleged breach of this policy.

13. However, Ms. Southern indicated that "these matters may still be considered as context to the aspects of [the Virdi Complaint] that are within the timelines of the Code".

14. The allegations in the Virdi Complaint **against Commissioner Jensen** deemed to be **within the scope** of the investigation include:

- a. Treating Commissioner Virdi differently and discriminating against him at the April 14, 2025 Park Board meeting;
- b. Falsely accusing Commissioner Virdi of mistreating staff at the April 14, 2025 meeting, which Commissioner Virdi says Commissioner Jensen has done before; and
- c. Working with other Commissioners to limit Commissioner Virdi's ability to participate in Park Board meetings and activities.

15. The allegation made by Commissioner Virdi **against Commissioner Jensen** deemed **outside of the scope** of the investigation, but **considered for context** is:

- a. In March 2023, when Commissioner Jensen was Park Board Chair, Commissioner Virdi says Commissioner Jensen required him to fill out



a form to submit a notice of motion, when no other Commissioner was required to fill out that form before or since. He felt this was a way to delay the motion and was differentiated treatment.

16. The allegations made **against Commissioner Bastyovanszky** deemed to be **within the scope** of the investigations included:

- a. Treating Commissioner Viridi differently and discriminating against him at the April 14, 2025 Park Board meeting;
- b. Targeting Commissioner Viridi, publicly mischaracterizing events, making misleading and damaging statements about Commissioner Viridi in a post on Commissioner Bastyovanszky's X account on April 15, 2025 [See post in **Appendix A**].
- c. Making disrespectful and defamatory comments about Commissioner Viridi during an interview on the *Jas Johal Radio Show* on April 21, 2025. Commissioner Viridi says Commissioner Bastyovanszky made defamatory, inappropriate insinuations suggesting unfounded allegations of self-interest and corruption. He says that Commissioner Bastyovanszky was also trying to insinuate that because Commissioner Viridi is Indian he was trying to help the population in the Sunset area, the majority of which he says are Indian;
- d. Working with other Commissioners to limit Commissioner Viridi's ability to participate in Park Board meetings and activities.

17. Allegations by Commissioner Viridi **against Commissioner Bastyovanszky** deemed to be **outside of the scope** of the investigations, but **considered for context** included the following allegations when Commissioner Bastyovanszky was Park Board Chair in 2024:

- a. Excluding Commissioner Viridi from participating as liaison to Community Centre Associations (CCAs);
- b. Not allowing Commissioner Viridi to submit photos for the Chair's Report, which is published on the Park Board web-site, and applying different criteria for submitting photos than what was applied to other Commissioners; and
- c. Differentiated treatment when Commissioner Viridi attempted to speak to staff during Park Board meetings, and allowing questions to be asked of staff as was allowed when Commissioner Jensen was Chair.

18. Commissioner Virdi challenged Ms. Southern's ruling that his complaints about not being assigned to CCAs and having his photos not included in the Chair's Reports were out of time. He asserted that they should be investigated. He stated that he was not aware of the deadline to submit complaints. For the CCAs, he says he only became aware in late December 2024 that one of the CCAs, Sunset, had wanted him to remain on as liaison. He further says he was only aware of the differentiated treatment around inclusion of photos in the Chair's Reports when he reviewed this issue in late December 2024 and early January 2025.
19. The investigator finds that the time to submit a complaint regarding CCAs had expired by the time Commissioner Virdi submitted his complaint on May 26, 2025. The investigator declines to use discretion to extend this time. Commissioner Virdi knew as of January 17, **2024** that he was not appointed as liaison for any of the CCAs and had emailed his objections to Park Board staff and Commissioner Bastyovanszky when this happened. He knew or ought reasonably to have known he could make a complaint at that time, or could have done his due diligence sooner than about 14 months later when he submitted the Virdi Complaint. Further, in the investigator's view, a fair compromise was reached in this regard as this information was allowed to be potentially used as context to understand the current complaints submitted within the time limit.
20. Regarding the Chair's Report, Commissioner Virdi's concerns were initially raised when some of his photos were not included in the Chair's Reports for April and May, 2024. Commissioner Virdi says that due to his "demanding work schedule" he had limited time to thoroughly review not having his photos being included in the Chair's Report in 2024. However, during a break in early January 2025, he was able to review the Chair's Reports and it was then his earlier concerns were confirmed that "certain rules and expectations were being applied solely" to him. He says he had no "solid evidence" until his January 2025 review that these rules were not being enforced consistently and they were only being applied to him.
21. However, Commissioner Virdi had already expressed his objections in April and May, 2024. Then, he did not submit any photos after May 2024 for inclusion in the Chair's Report. This was also after Guidelines were published by Park Board staff on May 22, 2024 to all Commissioners regarding photos for submission in the Chair's Report. To include within the scope of this investigation the suggestion that the rules were different for him when he had not even submitted any photos would be unfair and a misuse of this process.

22. Further, if Commissioner Virdi had concerns of a potential breach of the Code in April or May of 2024, he knew or ought to have known that the time limit for bringing those concerns was 180 days. The investigator declines to use discretion to extend this time and declines to include this allegation in the scope of this investigation. A fair compromise was reached, allowing this information to be used as potential context to understand the current complaints submitted within the time limit.
23. The investigator also notes that Commissioner Virdi provided allegations of differentiated treatment for inclusion of photos in the Chair's Report during 2025, when Commissioner Christensen was Chair. Those submissions were considered outside of the scope of this investigation as they did not relate to conduct by either Commissioners Jensen or Bastyovanszky.

### **Other Allegations - Dismissed by the Investigator**

24. Commissioner Virdi made other allegations that were dismissed either at intake or after further information was gathered, including:
- a. Commissioner Virdi alleged that there was a disproportionate response to a May 24, 2024 Integrity Commissioner Report when Commissioners Digby, Jensen and Bastyovanszky voted in favor of requiring Commissioner Virdi to issue an apology despite the Integrity Commissioner not recommending a sanction. Commissioner Virdi alleges this was "disproportionate, targeted, and felt more like an attempt to damage [his] reputation than to address the actual content of the report." He says this is an example of a pattern of differentiated treatment by Commissioners Jensen and Bastyovanszky.

That investigation dealt with a complaint made by Commissioner Christensen that Commissioner Virdi had made a "slandorous and untrue comment" about Commissioner Christensen suggesting she made a discriminatory comment about children with autism. Ms. Southern found that the balance of evidence fell short of establishing that Commissioner Christensen made the alleged discriminatory comment and, to the contrary, the balance of evidence supported that she did not make the comment. Ms. Southern recommended that the public record be corrected through the publication of her report. She made no recommendation on sanction, noting that Commissioner Christensen sought a correction of the record and this outcome achieved the remedy sought.

At the meetings discussing Ms. Southern's report, Commissioner Jensen moved and Commissioner Digby seconded, that Commissioner

Virdi be required to issue a letter of apology to Commissioner Christensen. After discussion and submissions were made on his behalf by Commissioner Virdi's lawyer, Commissioners Jensen, Bastyovanszky and Digby voted in favour of requiring Commissioner Virdi to issue an apology, which motion was carried.

The investigator reviewed Ms. Southern's May 24, 2024 report and the two meetings discussing her report. The investigator agrees with comments made at those meetings by Commissioner Digby, namely, that the Park Board is not required to accept an Integrity Commissioner's recommendations on sanction.

Further, in the investigator's view, issuing a written apology in the circumstances was not disproportionate, and did not indicate disproportionate or targeted treatment of Commissioner Virdi by Commissioners Jensen or Bastyovanszky.

- b. Commissioner Virdi says further evidence of differentiated treatment is found at the beginning of the October 7, 2024 Park Board Committee Meeting. He says this is an example of how a Commissioner is allowed to introduce a motion for a second time with a simple request. At this Committee meeting, Commissioner Christensen was Chair and allowed Commissioner Digby to introduce his motion entitled "Preservation and Protection of the Green Space at the Corner of Gore and Union", which had previously been referred to Committee at the September 24, 2024 Park Board Meeting.

Previously, when Commissioner Bastyovanszky was Chair of the September 24, 2024 Park Board Meeting, Commissioner Digby briefly introduced his motion, noting that he hoped there would be a robust discussion of this topic at the October 7, 2024 Committee Meeting.

The investigator's review of this concern did not support a finding of differentiated treatment by Commissioners Jensen or Bastyovanszky. It was Commissioner Christensen who made the ruling at a Committee Meeting to allow Commissioner Digby to introduce his motion. No one, including Commissioner Virdi, challenged this ruling at the meeting. Commissioner Digby had only given a brief explanation of his motion at the September 24, 2024 meeting. It seems reasonable that before hearing from speakers on the motion, that he be allowed to introduce it.

The investigator did not view this as a possible example of differentiated treatment by Commissioners Jensen and Bastyovanszky towards Commissioner Virdi.

- c. Late in the present investigation process, Commissioner Virdi also asked the investigator to do a review of all Code of Conduct complaints made against him by other Commissioners, which he said would support his allegations. The investigator declined to add such a review into the scope of this investigation for the following reasons:
- this was added months after the Virdi Complaint was submitted and would broaden the scope quite widely and unfairly; and
  - the time for challenging prior investigations has long since passed.

#### IV. INVESTIGATION PROCESS

25. Commissioners Jensen and Virdi were interviewed for this investigation, with Commissioner Virdi also being interviewed a second time. Their interviews were audio recorded with their knowledge. Interview statements summarizing their information were prepared based on the interviews and they were given a full opportunity to review, add to and edit their statements. Commissioner Bastyovanszky declined to be interviewed but provided a written response to Commissioner Virdi's allegations through his legal counsel. Follow-up questions were sent to the Commissioners via email.
26. All Commissioners co-operated fully, respectfully and appropriately in this investigation.
27. Information in this report was edited for relevancy, confidentiality, length, and clarity, as appropriate.
28. Records and information were provided by the participants, plus obtained from Park Board staff and on-line. All information and records provided or obtained were considered before making investigation findings.
29. Investigation findings were made **objectively**, considering context and the surrounding circumstances, and whether there was sufficient information on a **balance of probabilities** that the conduct had occurred and was a breach of the Code.
30. If considering the credibility of the participants, the following factors were assessed where applicable:
- External information
  - Corroborating information
  - Motivation to be dishonest

- The plausibility of what was said
- Whether information provided was rational and logical
- Noting what participants failed to say
- Contradictions or inconsistencies in what was said or discovered
- Whether they were being evasive, vague, deflecting or exaggerating
- Whether their memory was poor when it suited them

31. Findings were made as follows:

- **Substantiated** – there was sufficient information to make the finding
- **Unsubstantiated** – there was insufficient information to make the finding
- **Unfounded** – there was sufficient information that the allegation was not true

## V. PROCESS CONCERNS RAISED BY COMMISSIONER BASTYOVANSZKY

32. On October 15, 2025, through his legal counsel, Commissioner Bastyovanszky raised “preliminary issues” about the process and stated the following issues justified dismissal of the Viridi Complaint:

- a. he received disclosure of the Viridi Complaint about 4 months after it was submitted;
- b. he had not been provided the full text of the Viridi Complaint;
- c. he had not been advised whether or when the investigator decided to proceed with the formal investigation; and
- d. he had not been advised why an informal resolution was not attempted.

33. The investigator notes that had Commissioner Bastyovanszky agreed to the initial meeting and interview, these matters would have been explained and questions would have been answered.

34. The investigator declined to dismiss the Viridi Complaint and advised Commissioner Bastyovanszky’s legal counsel that:

- a. The Viridi Complaint was originally received by Integrity Commissioner Lisa Southern’s office on May 5, 2025 and contained numerous allegations involving a number of Commissioners. Ms. Southern assessed that some of the allegations warranted investigation and confirmed that assessment on May 22, 2025.

- b. In the intervening period, the investigator determined the scope of the allegations and received confirmation of what allegations related to Commissioner Bastiovanszky. This assessment took some time and it was not until the Disclosure was provided to Commissioner Bastiovanszky on September 18, 2025 that the investigator fully understood what allegations were being made against Commissioner Bastiovanszky and the nature of the allegations.
- c. Integrity Commissioner Southern and the investigator had explored possible informal resolution with Commissioner Virdi, Ms. Southern more generically as the complaint was not fully understood, and the investigator once the scope of Commissioner Virdi's concerns were understood. However, Commissioner Virdi did not wish to participate in informal resolution.
- d. The full text of the Virdi Complaint contained information that was irrelevant to the allegations against Commissioner Bastiovanszky, or deemed outside of the scope of this investigation. The Disclosure provided to Commissioner Bastiovanszky contained all information the investigator would be relying on or referring to as it related to Commissioner Bastiovanszky.

## VI. CODE OF CONDUCT

35. Below is the section of the Code that is relevant to this investigation:

- 2.4 Without limiting the ability of a Commissioner to hold a position on an issue and respectfully express their opinions, a Commissioner must:...
- c. ensure that all communications by, and on behalf of a Commissioner, including communications made via social media, are respectful and do not discriminate, harass, or defame any person, recognizing that free and open debate is guaranteed under the Charter of Rights and Freedoms.

## VII. VIRDI COMPLAINT

36. The relevant sections of the **Viridi Complaint** are:

As a Park Board Commissioner, I have increasingly felt that I am being subjected to different and unfair treatment compared to my fellow board members. This pattern of exclusion and discrimination has taken various forms over time and has contributed to an increasingly hostile and toxic working environment.

The first notable incident occurred when I attempted to submit a notice of motion regarding the Moberly field. At that time, Chair Scott Jensen repeatedly instructed staff not to accept my motion unless it was submitted using a specific form. Also, when I tried using the form, the link to the form was broken. Despite this, no other commissioner – before or since – has been required to use this form. This requirement was uniquely imposed on me. As a result, my motion was delayed by several weeks.

Additionally, I was subjected to a different set of criteria for submitting photographs for inclusion in the Chair's report. Under Chair Brennan Bastyovanszky, several of my submitted photos were rejected, while photos from other commissioners — which did not meet the criteria I was given — were accepted without issue. During this same period, I was also excluded from participating in committee groups related to Community Centre Associations (CCAs) and certain advisory groups, further isolating me from standard commissioner duties.

More recently, I was publicly targeted on social media by Brennan Bastyovanszky, who posted an image of me with a caption implying performative politics and misrepresentation. The post referenced a meeting during which Commissioner Howard, experiencing technical issues, called me for help. I clarified the situation at the meeting, but rather than being offered assistance by staff or the board, I was asked to end the call. This public mischaracterization of events was both misleading and damaging. The post reads “when Jas calls Ken and it goes straight to voicemail” with a following comment “here’s the clip from last night. ABC trying to pit neighbourhood against neighbourhood. ABC caught out doing performative politics. Again.”

In a separate instance, during a radio interview on the *Jas Johal Show*, Commissioner Bastyovanszky made a statement accusing me of focusing solely on one neighbourhood — specifically the area near my business. This insinuation was inappropriate and suggests an unfounded allegation of self-interest or corruption.

Furthermore, during board meetings, I am regularly denied equal opportunities to participate. I am frequently interrupted or spoken



over, and given significantly less time to speak — often limited to 1–2 minutes, compared to 5 minutes or more granted to others. While other commissioners are routinely allowed multiple rounds of questions for their motions, mine are typically limited to one. These inequities in speaking time and recognition have occurred on numerous occasions, some of which are documented in the meeting recordings.

Collectively, these actions have created an environment where I feel persistently marginalized and silenced. The unequal treatment I am experiencing not only undermines my ability to fulfill my duties as a commissioner but also appears to violate principles of fairness, equity, and the Charter right to free expression. I raise these concerns in the hope that they will be taken seriously and addressed accordingly.

37. In response to Ms. Southern’s letter to Commissioner Virdi asking some follow-up questions about his complaint, Commissioner Virdi responded, in part:

I do not know if I am being discriminated based on race or not. All I know is I’m being discriminated against and being treated differently.

During Board meetings, I have also experienced limited opportunities to speak or engage with staff. I am frequently interrupted or cut off, and often receive significantly less time than other Commissioners to ask questions or make comments when it’s regarding a motion I submitted. For instance, while others may speak for five minutes or more, I am regularly restricted to one or two minutes, and not permitted multiple rounds of questions.

[Commissioner Virdi then provided a list of links to meetings and examples which he says demonstrate these disparities, such as examples when he says he was not allowed to ask staff a question, whereas other commissioners are “always allowed” to ask staff questions without issue].

While I acknowledge that there is some variability in how motions are directed to committee, it is worth noting that every motion in our entire term has ultimately gone to committee when requested. Nonetheless, the inconsistent application of rules, particularly in my case, raises serious concerns.

Collectively, these experiences have led to a sense of persistent marginalization. The differential treatment I have encountered not only

hampers my ability to perform my duties but also undermines basic principles of fairness, equity, and freedom of expression. This context is important to understanding why, on a recent occasion, I felt compelled to walk out of a meeting. That action was not taken lightly but was the culmination of repeated experiences where I have felt silenced and disrespected.

Lastly, I want to be clear: I have not made any accusations against Park Board staff. Any such claims misrepresent my actions. In the [April 14, 2025 meeting at 10:39] the Clerk clarified that she was unaware of how the things were handled as she came back from a long leave of absence, but there is no rule on how things are referred to committee and that the decision ultimately falls under the Chair's discretion. I find it inappropriate and unfounded that Commissioner Jensen continues to suggest I have spoken inappropriately about staff, which I categorically deny.

I do not believe it is appropriate to ask me to apologize for raising concerns about discrimination. I am bringing these matters forward because I believe in accountability and equality, and because I want this boardroom to be a respectful and inclusive space for all commissioners. I hope these concerns are taken seriously and lead to a constructive resolution. I find it very discouraging that people who speak up about being discriminated against are often shamed publicly.

38. Below are relevant excerpts from **Commissioner Virdi's interview statement** regarding **allegations against Commissioner Bastyovanszky**

- a. You see me question staff at the April 14, 2025 meeting on whether we vote on going to Committee or we don't. They were unable to answer because it's been a loose process. Sometimes it just goes to Committee when the motion mover asks for it to go to Committee. Sometimes there was a vote in the past, but every time everything during our term has always gone to Committee. This was the first time it didn't.
- b. It was also at the April 14, 2025 meeting that Commissioner Bastyovanszky took a photograph of me on my cell phone. This was also the day I was trying to help my colleague Commissioner Howard who was having technical difficulties and I was trying to assist her as she called me.
- c. Commissioner Bastyovanszky later turned this photograph into a meme and posted it on social media on April 15, 2025. In reality, I was

on the phone with Commissioner Howard, who was experiencing technical difficulties, and I was attempting to assist her. Despite this, I was told by Commissioners and staff to get off the phone. All Commissioners were aware at the time of the reason I was on the call.

- d. When Commissioner Bastiovanszky Chaired meetings, I would get shut down and not be allowed to speak. There are hours and hours of meeting video. It's very difficult to go back and pick out examples, but I know I've lived this and it has continued to today.
- e. One of the photos that was not included in Commissioner Bastiovanszky's Chair Report was taken at Sunset Community Centre when Prime Minister Trudeau came to the Community Centre. I was involved in arranging that visit with two other Ministers. I took some photos of the event. It was during that time that Commissioner Bastiovanszky said only photos of events that other Commissioners have all been invited to will be included in the Chair's report. He came up with these rules, which we never had before. Two or three times I tried to submit photos and they were blocked for different reasons. I think one time it was because Chair Bastiovanszky wasn't at the event. Another time, the photo had the Mayor in it, so it wasn't used.
- f. In December 2024 to January 2025, I started going through some of the photos after Commissioner Bastiovanszky made those rules and none of the other Commissioners followed any of those rules. There are photos of Commissioner Bastiovanszky riding his bike at the seawall that was included in the Chair's report. He attended a wedding and photos of that were included in the Chair's report. None of this followed the same rules. I feel like those rules were set for me personally because he didn't want my photos to be submitted. At that time, I submitted a lot of photos as I was going to a lot more events. He set out these rules and completely stopped accepting any of my photos.
- g. When I questioned staff why it was up to Commissioner Bastiovanszky, they said he's the Chair. He's allowed to rule on whatever and they would follow whatever rules he sets out. The rule about photos being non-partisan was something new brought in by Commissioner Bastiovanszky. But the photos that I submitted were at a community centre and the community centre was hosting Prime Minister Trudeau. I'm not a part of the Prime Minister's party, so I don't see how that's partisan in any way. A part of that visit was also to recognize the installation of the senior centre at Sunset. That has everything to do with the community centre and not just the Prime

Minister coming to visit. Any of the other Commissioners could have come to this event, although I don't know if they were invited. Commissioner Jensen was the liaison for Sunset at the time, but I don't know if anyone reached out to him.

- h. After that, nobody followed the rules set by Commissioner Bastovanszky and everyone was allowed to submit photos as they wanted. There were a lot of personal photos submitted. There are a lot of photos of events that not everyone was invited to, such as a wedding in which none of the rest of the Commissioners were invited. It made me feel singled out. I look very different from everybody else on the Park Board. To be singled out made me feel like I didn't belong. I am required to follow those rules, and he's not. It's differential treatment.
- i. Another example where I was invited, in my capacity as a Park Board Commissioner, to the Vancouver International Airport alongside other city colleagues. This was not included in the Chair's report. Similarly, the proclamation for Sikh Heritage Month was not included when I first submitted it. I had to push back and resubmit it with reasoning before it was eventually added to a later Chair's report.
- j. Regarding the CCAs, the list came out and my name wasn't on it. There was no vote. Usually, we vote on who gets what community centre. There was just a list sent out. In January 2024, there was a CCA president that reached out asking why I wasn't their liaison this year, and said that they really wanted me again. It wasn't until that point where I realized Commissioner Bastovanszky was lying. There was no message or email from community centres saying that I wasn't wanted.
- k. In past years, my recollection is we voted and everyone, including Commissioner Digby, who was with the opposition at that time, was consulted. Everyone was consulted on which CCAs they would like. Then we drew numbers and whoever got a lower number would go first in picking their CCAs. I've been a Commissioner for three years. This was how it was done the first year. The second year is when this happened. In the third year, Commissioner Christensen gave us a couple of days to email her if we wanted a certain CCA. I didn't respond to the email because I felt so upset with not being a part of the process the year before. I didn't want it to be covered up. I didn't want it to be like "this year you get to choose". I wanted to bring the point up about the prior year.
- l. Commissioner Bastovanszky's statement [contained in an email exchanges at the time] that it was the first time I had expressed an

interest in chairing a committee is not true. We were not even given the heads up. We were just told that this is the list. If I was not interested, why would I have emailed staff asking why I wasn't on the list? I had been on 4-5 of these committees in the past, then I was on none of them.

- m. Regarding the social media post, it was posted on Commissioner Bastiovanszky's X account on April 23, 2025. It contains a photo of me on the phone during the Park Board meeting on April 14, 2025. He is referring to me trying to call Mayor Ken Sim but it's going to voicemail. This photo was during an important part of the April 14th meeting. Commissioner Howard called me because her connection dropped and she was off-line. Everyone in the meeting knew this is what happened. Everyone was asking what happened to her. She called me saying there was a connection problem and asked if I could help get her back into the meeting. Commissioner Bastiovanszky's post is disrespectful, harassing and untrue.
- n. In Commissioner Bastiovanszky's comments on the *Jas Johal Show*, he suggests that I was focusing solely on Sunset because it's a short walk to my business. This is disrespectful and erroneous. My business is way further away. It's about 10 blocks away. These comments were defamatory because they were not true. I think he was trying to insinuate that because I'm Indian I was trying to help the population in the Sunset area, the majority of which are Indian.
- o. I don't know if all of this is happening because of race, but it's only happening to me. There are other ABC Party Commissioners, but it's me they are totally singling out. It's always been that way, although things are a little better now. In the past, if I put a motion forward and everyone knew it was a good motion, they would vote it down. They wouldn't just vote it down, they would reduce the speaking time to a minute and only one round of speaking and only one round of questions, then that was it. Whereas, with other Commissioners' motions, it was a full three minutes, and it was fully discussed. For example, the sensory park motion that I brought forward was a good motion. Everybody knew it was a good motion and wanted to support it. But they only gave me one minute to explain my motion and then one minute of questions. I was only allowed to respond once and then they could say whatever they wanted after that.

39. In response to follow-up questions sent to Commissioner Virdi about his allegations against Commissioner Bastiovanszky, Commissioner Virdi stated:

- a. I sent the investigator emails from April and May, 2024 relating to The Proclamation Presentation for Sikh Heritage Month. This shows that the invitation was sent to all Commissioners. It says pbinvites on it.
- b. That was a case where everyone was invited, and then I was told by the Chair that nobody was invited. So then I had to send it in, and then they included the pictures on the next Chair's Report.
- c. I'm the only one that always required some sort of proof or something. Only I'm being targeted for my pictures not being included. At that time, I was told that there are no rules, and it's the Chair's Report. The Chair has full discretion on what gets included and what doesn't.
- d. I was told that Commissioner Bastyovanszky put together the rules and they didn't come from staff. That's something I think should be confirmed with staff. I'm not sure if it came from staff or if it came from him, but from my understanding, there was nothing before those rules were put together.
- e. I gave several examples where some of the other Commissioners didn't have to follow those rules.
- f. I didn't submit photos for the Chair's Report between June and December 2024, because every time I submitted something there was an issue. I just got fed up. I stopped because nobody else was dealing with this. It was just me. Even the other ABC people didn't have to deal with the situation that I did. So I was really upset and I felt like I'm really being singled out because I'm the only one. It wasn't fair. So I just stopped.
- g. It used to be so easy. You submit the pictures and that's it. They put them in. This became a battle every time I wanted to submit pictures. So I just stopped. It was getting to the point where it's like, okay, I'm the only one that's not allowed to submit certain pictures, but everyone else doesn't get scrutinized, as you can see from the examples of the other Commissioners that were submitted.
- h. Regarding the picture that Commissioner Bastyovanszky took of me and himself on the barge, I told staff that I do not want it posted. The reason for that is I'm not allowed to post what I want to post when I send it in. There's a difference of rules. Commissioner Bastyovanszky was using that situation to legitimize him rejecting my pictures. It would've given him an example to say, Hey, look, this was posted.

- i. I didn't want to be at the whim of him. I didn't want him to have that power over me where he can take a picture of us together and submit it, and I have to battle if I want to do it myself. I didn't want to give him a chance to legitimize what he was doing, because if that was able to be submitted and shown, then it just looked like, oh, he didn't do anything wrong.
- j. When he took that picture, he asked if he could include it in the Chair's Report. I said, no. He took it as a selfie. I wasn't even prepared. He just jumped in beside me and took it. I told him I don't want that in the Chair's Report because of the issues that are going on right now. When he submitted it to staff, I told staff I don't want it in the report.
- k. Those pictures were submitted and they were refused specifically by the Chair, and it wasn't staff that rejected those pictures. I was told it's always at the discretion of the Chair. He has final say.

40. Below are relevant excerpts from **Commissioner Virdi's interview statement** regarding **allegations against Commissioner Jensen**:

- a. Regarding the notices of motion allegation, there is a form that we are supposed to use when submitting a motion. Nobody has ever used it before or since. When I submit a motion now, I just submit the Word file. That's how everybody has done it. This was the only time where I was singled out to use that form. It was a tactic to delay the motion. I didn't even have access to the file, because the link was broken. I was asked to use that specific form, but nobody was ever asked to use that specific form.
- b. From the beginning to now, we still don't use that form. Commissioner Jensen was behind this. I had a phone call with the staff member because the link was broken and nobody was fixing the link. During a phone call, the staff member explicitly told me that Commissioner Jensen had called and instructed that my motion must be submitted on the correct form. Meetings are every two weeks. I missed the first one and then tried to resolve the issue. I missed the second one. It was almost a month in delays. When I asked the staff member why I have to use the form and nobody else does, she said it was a direction given to her by Commissioner Jensen, who was the Chair at the time. I think this was done to delay my motion and it was Commissioner Jensen telling staff to do this. It was specifically only for me, and it's never happened before or since.

- c. Commissioner Jensen asking me to apologize at the April 14th meeting adds to the oppression. It discourages me from complaining. I feel like I can't even say that I'm being discriminated against because they will get me. That's why I haven't complained about certain things in the past. If I do say something, then they're going to say in public that I'm saying I'm being discriminated against and it's baseless. They're going to accuse me of throwing the race card out there. So, it oppresses me from even saying that I've been oppressed.
  - d. At the April 14, 2025 meeting nothing was ever said against staff. I just said I was feeling discriminated against. That was in reference to the Commissioners. The Clerk was there to clarify things and to answer questions, but ultimately it's always up to the Chair.
41. Commissioner Virdi included in his interview statement the following further comments about his concerns:
- a. Not a single motion during our term was denied from proceeding to Committee. Yet motions related to Southeast Vancouver consistently face additional, unnecessary barriers, which contributes to my cumulative sense of being discriminated against.
  - b. It has become apparent that anything related to South Vancouver is consistently met with unnecessary obstacles—from integrity complaints, to blocking the Pool motion from reaching committee, thereby preventing residents from voicing their views.
  - c. I strongly feel that whenever an initiative concerns Southeast Vancouver, it is unfairly subjected to challenges and resistance.

## **VIII. COMMISSIONER JENSEN'S COMPLAINT and RESPONSE TO THE VIRDI COMPLAINT**

42. Commissioner Jensen says he was defamed at the April 14, 2025 Park Board Meeting when Commissioner Virdi repeatedly accused him of discrimination, in particular because he voted with other Commissioners to not refer Commissioner Virdi's Member's Motion to Committee. He states that given the past decisions that were shared with Commissioner Virdi showing this was the practice of the Board, Commissioner Virdi did not accept the opportunity to apologize and move forward with the motion. Commissioner Jensen says he did not appreciate being accused of discrimination.



43. Below are relevant excerpts from **Commissioner Jensen's interview statement**:

- a. Commissioner Virdi defamed my character at the April 14, 2025 Park Board Meeting by alleging that I was discriminating against his position based upon something other than the motion he raised. I do not understand where he would assume that my decision was anything other than the fact that I didn't wish to move forward with the motion to go to Committee.
- b. There was no intent to quash anything. He had an opportunity to present the motion himself at that meeting. He was given an opportunity to present it himself. He was hopeful to move it to Committee, which would therefore move that issue to a following meeting where the public could come and speak to the issue. Personally, I didn't think that we needed any sort of input from the public on that issue because we had a robust amount of information about that issue already. I think that there was sufficient information for us to vote on. At the meeting, I said why I thought the motion should not go to Committee. Keeping it as a Member's Motion would allow us to discuss and consider the motion and to move forward with it. To delay for another meeting to me didn't really meet the needs of the community, didn't meet the needs of the Member Motion, and would just delay our opportunity to move forward with issues as a Park Board.
- c. Whether the referral should go to a vote] was discussed at that meeting. That's when the Chair requested assistance from our Clerk. The Clerk verified that the request for a vote was the proper procedure. They shared past instances where an issue was requested to move to Committee, and we voted on it. Some of those examples were examples where Commissioner Virdi participated in the votes.
- d. I don't recall a time when we did not vote on whether a motion should go to Committee. Our clerks are pretty procedurally driven, so that would have been corrected that if it happened.
- e. At the April 14, 2025 meeting I asked Commissioner Virdi to apologize for claiming that he's been discriminated against. My hope was that he would ensure that staff did not feel that they were being discriminatory. I don't think that's fair for anyone to do that. I can't speak to his lived experience, so I won't speak to that. But I will say that in my day job I'm an educator. I believe in the policy that when we acknowledge and we apologize, that allows us to heal and move forward.

- f. As elected Commissioners we have the ability and the responsibility to speak our position. Through the course of my role as a Commissioner, I've always spoken my truth. I've come to meetings and learned how our decisions can potentially positively or negatively affect our community. When I'm speaking to the public in my role as a Commissioner, I take it extremely seriously that my responsibility is not to direct my comments towards one or a group of Commissioners. My job is to communicate my positions on certain issues effectively to the Vancouver community and residents. That's what I do. I don't do this because I'm looking at Commissioners through a different lens.
- g. I'm looking at each issue through the information presented and then trying my best to make the best decision that meets the community's needs and aligns with my values. I see Commissioner Virdi as just another Commissioner. I don't see him any differently than any other Commissioner. In the end, he has the same authority as I do to speak his position and to pass his vote. If we don't align on those votes or in those spoken words, it's nothing personal. It is simply that we don't see an issue through the same eyes. We're both given an opportunity to represent ourselves in that vote.
- h. My vote at the April 14, 2025 meeting to not send Commissioner Virdi's motion to Committee had nothing to do with race. As I stated in that meeting, as an Indigenous person, if somebody was basing their decisions on my race I would be disappointed. That's not what we're here to do. We're not here to drive our decisions forward because of a personal vendetta against another individual or due to our own shortsightedness.
- i. I'm not going to say I don't recognize Commissioner Virdi's lived experience. I do. I recognize all of my Commissioners' lived experiences. I appreciate what they speak to, especially when they talk about those lived experiences. I learn from that, but I don't use my vote as a way to punish them for their experiences. I look at my role ideally as a way to help improve the communities that many of these people come from.

[Regarding Commissioner Virdi's suggestion that some Commissioners are seeing him and the motions he brings forward as just related to Sunset or communities where there might be a higher Indian community, suggesting that he and members of the community are being discriminated against...]

- j. I'm disgusted by that comment. The fact that I would actively work against Vancouver residents based upon their colour or their religion offends me greatly. I was a liaison at the Sunset Community Centre. I worked diligently with the Sunset Community Association to have them come together with our Board and sign the Joint Operating Agreement during my time as a liaison. My grandparents are from South Vancouver. I'm a member of Legion Number 39 on Victoria and Fraser. This is as much my community as it is any other Commissioner's community.
- k. I find it completely disgusting that somebody would say that I don't care about somebody based upon the colour of their skin or their religion. I would never look at Commissioner Virdi voting against me and say, you did that because I'm Indigenous. I would never say that.

[Regarding the allegation of asking, through Park Board staff, that Commissioner Virdi complete a form to submit Notices of Motion in March 2023...]

- l. I don't recall asking for a form. I would be interested to know if there's a form that he was provided. I'd be interested to see what that form looks like. When I was initially the Chair, the expectation for Commissioners was to submit motions to staff four weeks prior to the meeting. That would allow staff time to look into the motion and provide feedback to make it more substantial. That was what I communicated to all Commissioners. There was no form. They would simply attach their motion as a Word document to an email to the Park Board General Manager. I do not recall telling staff that a form would need to be filled out.

[Regarding allegedly preventing Commissioner Virdi from participating in meetings...]

- m. When we first were elected and were running the meetings, we had lots of support from staff. But, it was a little more casual and informal, especially because we had six ABC members and Commissioner Digby was our lone Green Party member. We were also new and everything was a little bit more fluid. But after we had our second Integrity Commissioner workshop, it was made abundantly clear that we need to make sure that everyone has the same amount of time to speak. At that time, the Chairs and Vice-Chairs started making it very clear before we even started discussion how much time everyone gets, and how many rounds of discussion we're going to get. That's also when it was discussed using words like "weaponize" and that it's our role to

call point of orders on things like that to ensure non-accusatory language is being used in our meetings.

- n. Today, it is not the same as when we first started. We don't want accusations about being fair. When I Chair, I'm very clear about who's speaking, who's already spoken, who's next in line, and everyone gets the same amount of time. There's no question. In fact, I will remind other Commissioners when they're at the end of their time. I think we're told to communicate that it's three minutes per question. But, as Chair, you have discretion, as long as it's being given equally to all in advance of the discussion. I'll even say if we need more rounds, we'll do it.
- o. Subsequent to the Integrity Commissioner workshop, Commissioner Virdi has had the same opportunity to present his feelings, just as well as everybody else. He had the same amount of time and the same number of rounds. That's what we do to ensure that people don't feel discriminated against.
- p. I don't recall Commissioner Virdi being allotted less time by Chair Christensen when he presented his Sensory Park motion. I sat next to Commissioner Christensen during that year. I would often be the eyes for her looking around making sure that if there was a mic that got activated while she was looking aside, that she knew that someone else has chimed in while she was reading something or doing something else. I feel that Commissioner Christensen ran her meetings fairly.
- q. Regarding Commissioner Bastiovanszky, I know that he and Commissioner Virdi don't seem to have a cordial working relationship. But, each person was allotted the same time and opportunities as every other Commissioner when Commissioner Bastiovanszky was Chair.
- r. Our decisions in meetings align with our political values. If we don't agree with Commissioner Virdi, it's not personal. We are simply looking at an issue through different lived experiences, through different lenses. It doesn't make either of us more right or smarter. It just simply means that at the end of that decision, whoever has the most votes, their position will move forward. The ones without the most votes will have to go back and consider alternate ways to achieve their goals. I've been on the wrong end of a vote a few times. That's just part of being an elected official.

- s. Each time I vote, I think of those people that stood in line and used their time to consider trusting in me. I would never throw away that trust because of a petty disagreement that I may have with one of my fellow colleagues. My job is bigger than that and bigger than me. I would hope that Commissioner Virdi would understand that this is what politics is about, and it's not personal. It's just about us trying to move forward in a way that makes sense to us and the people at the time who have the most votes. That's how we do things.
- t. I feel disappointed that Commissioner Virdi would think that I would look at him beyond his intellectual capabilities. I hope that we can move past this so that he can understand that I trust him as an individual and I value his opinion, just sometimes I don't agree with the direction that he puts forward.
- u. I think many times the Park Board gets along quite well. There are some issues that I think each of us bring to the table that is personal to us, that we would love to see move forward. It's on those issues that I think when we cast our votes and make our arguments you can see people getting personal and feeling that it's personal. I would highlight that our disconnect is probably 10% or less. At most of our meetings, we talk, we vote, we move on, we talk, we vote, we move on, and at the end of the meeting, we leave.
- v. It's been a handful of meetings that have had some challenges. One would be certainly the Sensory Park motion. That was a big issue. Commissioner Virdi wanting to move something to Committee, that was a big issue. There was another one that Commissioner Virdi moved – his home run motion - in the fall to the end of the year. We talked about whether it should move to Committee. I said I think we can move ahead with the motion. But then we voted to move it to Committee. He said he truly wanted to hear from the baseball players. We agreed, and then he came back and said he's not going to be there for the Committee Meeting. He asked if we could move that meeting to when he's going to be in attendance, and we did that.
- w. I think there are a lot of things that we do that are productive and thoughtful. It's just on occasion there are issues. If I feel that somebody's acting in a way that I do not find acceptable, I'm going to call them out. It's part of my role and responsibility to make sure that we're having the utmost integrity in our conversation. If somebody calls me out for my language, if I speak out of turn or if I do something, I have no problem apologizing. Sometimes we may not run the meetings perfectly, but the intent is always to run it perfectly, to respect each

other, and ultimately to make sure that the Park Board is able to meet the needs and to show we've earned the trust of the voters that put us there.

44. In response to providing Commissioner Jensen with what appears to be the form that Commissioner Virdi says he was required to use in March 2023, and noting that the process appears to have been imposed by the previous Park Board General Manager, Commissioner Jensen responded that this highlights the process of the Park Board that he was not involved in creating. He states that this process was not provided solely to Commissioner Virdi. This was what the Commissioners were provided in the Park Board's during the initial on-boarding process. He was "simply the messenger" of the policy. He says he did so within his capacity as the Board Chair and "not due to any ill feelings" towards any of the Commissioners. The expectation he shared with Commissioner Virdi at the time was that motions be submitted to staff four weeks in advance.
45. Commissioner Jensen emphasizes that this aspect of the Virdi Complaint relates to a time when they were both members of the ABC Party and was four months into their term as Park Board Commissioners. As Chair, he was providing to all Commissioners the expectations provided to him by staff and the General Manager. He says as Chair, he "did not have the authority nor the desire" to block/delay Commissioner Virdi from making a motion. As for the form, Commissioner Jensen does not believe that a single motion was brought to staff in that format.

## IX. COMMISSIONER BASTYOVANSZKY'S INFORMATION

46. Below is **Commissioner Bastyovanszky's response** to the allegations:
  - a. In response to [the allegations of discrimination and differentiated treatment at the April 14, 2025 meeting], a vote is required to move member motions to committee. This is not a discretionary process, but the standard process for any member motion. Furthermore, I was not the chair of the meeting on April 14, 2025, and therefore even if there was discretion of the chair to bring the motion to the vote or otherwise, the discretion would not have been mine. I am entitled to vote on a motion as I see fit in any event, as set out in section 2.4 of the Code. Commissioner Virdi seems to take issue with the manner in which I voted, which is inappropriate and not the valid substance of a complaint.

- b. In response to [the allegation of targeting Commissioner Virdi in the April 23, 2025 X post], I did not take the photo which was the subject of a meme. It appears that the 'photo' is actually a still shot from the public video recording of the board meeting. I did not create the meme. I did share the meme once but disagree that the meme or the sharing thereof constitutes harassment; it is a political meme shared in a political sphere protected by free speech. I acknowledge now that the sharing of the meme may have hurt Commissioner Virdi's feelings for which I am sorry.
- c. In response to [the allegation that disrespectful and defamatory comments were made on the *Jas Johal Show* on April 21, 2025], I did not make any inappropriate 'insinuations' regarding Commissioner Virdi. I spoke generally about ABC Vancouver and questioned whether there were any specific examples of disfunction as claimed by Commissioner Virdi to the reporter. I did not make any comments, veiled or otherwise, regarding self interest or corruption on the part of Commissioner Virdi. At its core, this interview was to discuss the functionality of the Park Board, which has been under scrutiny.
- d. The Virdi Complaint alleges that I, again through insinuation and not directly, stated that "because he is Indian, he was trying to help the population in the Sunset area, the majority of which are Indian". I do not believe this allegation is founded and I find it offensive. There is no insinuation to this effect, and I would never make this comment as it would be inappropriate, but it would also be inaccurate. I have championed many South Vancouver issues, including the Moberly Turf Field, the Ross Park Splash Pad, multilingual public engagement and the Moberly Park Walking Track- the point of my interview was to speak generally about the role of commissioners and their role in good governance.
- e. In response to [the allegation that I denied Commissioner Virdi an equal opportunity to participate in Park Board meetings by limiting his time to speak compared to the time permitted other Commissioners] I strenuously deny this allegation and find it procedurally unfair and irregular that no specific instances are cited. Further, I have not been the chair since December 31, 2024, and would not have had any discretion to manage individual commissioners speaking times, this would fall to the present chair. I disagree that Commissioner Virdi is frequently interrupted or spoken over, given less time to speak; that is not my impression or recollection of Park Board meetings.

- f. While I believe that the remainder of the allegations are out of time and should not be considered in the investigation, I have provided my response to these allegations in the interest of transparency and cooperation.
- g. In response to [the allegation that I excluded Commissioner Virdi from participating as CCA liaison], the appointment of liaison CCA's is a decision within the discretion of the Park Board Chair. There is no mandatory requirement that every commissioner be appointed as a liaison. Furthermore, my decision regarding the appointments was impacted by the request I received from the CCA's expressing their preference to not work with ABC Commissioners.
- h. In response to [the allegation of not allowing Commissioner Virdi to submit photos for the Chair's Report and applying different criteria for submitting photos than what was applied to other Commissioners], all photos for the Chair's Report are selected based on specific criteria provided by staff. Photos which do not meet the criteria, including but not limited to Commissioner Virdi's photos, are filtered out by staff. [Here, Commissioner Bastyovanszky provided a copy of the email that was sent to all Commissioners on May 22, 2024 - see **Appendix B** - and said this] is the photo criteria compiled and imposed by staff. I understand that this criterion was applied to all photos received, not just Commissioner Virdi's.
- i. I have not refused photos from Commissioner Virdi. On the contrary, I have submitted a photo of Commissioner Virdi, with me, to staff for inclusion in the Chair's Report. In response Commissioner Virdi advised staff that "You do not have my consent to use any picture of me in the chairs report". [See email dated September 9, 2024 in **Appendix B** which] is the email I received from staff confirming that Commissioner Virdi denied staff consent to use any photo of him in the Chair's Report. Respectfully, I find this allegation baffling considering Commissioner Virdi's request to not appear in the Chair's report.
- j. In response to [the allegation that Commissioner Virdi experienced differentiated treatment when he attempted to speak to staff during Park Board meetings], the process of members motions is that once they are brought by the Commissioner, questions are posed to that Commissioner. Questions are not posed to staff. In the April 9, 2024, meeting cited by Commissioner Virdi, I explained this process to Commissioner Virdi. Commissioners are entitled and should be making the relevant inquiries to staff regarding members motions, before the motion is tabled, and only questions to members are raised



in the discussion of that motion. I was following the established procedure for Commissioner's motions, there was no personal slight intended.

- k. In my role as chair, I followed the motions procedure. I cannot comment on why previous chairs did not follow motions procedure.
  - l. As evidenced by the above, I have not discriminated, harassed, or defamed Commissioner Viridi. I have not contributed to unfair or exclusionary treatment of Commissioner Viridi as alleged. Commissioner Viridi has excluded himself from the Chair's Report, and in the complaint appears to have taken what I understand as necessary procedure or policy as a personal mistreatment.
47. When the investigator asked for further detail on the April 9, 2024 meeting in which Commissioner Viridi says he was precluded from speaking to staff, Commissioner Bastiovanszky provided the following explanation, through his legal counsel:

Commissioner Viridi's question in the April 9, 2024, meeting under review which was directed to staff was whether the motion was out of order. Whether a motion is out of order is not a staff decision it is a chair decision in accordance with the *Procedure Bylaw*. As can be heard in the dialogue of this meeting Commissioner Bastiovanszky advised that the motion was not out of order. Mr. Viridi posed no further question on the main motion and accordingly there was nothing further to refer to staff (or a commissioner). Commissioner Bastiovanszky agrees that a commissioner can ask staff questions on a main motion in accordance with the *Procedure Bylaw*, but the question posed was not on the main motion and therefore it was inappropriate to refer to staff. Commissioner Bastiovanszky's position is that question regarding the motion being out of order was properly addressed by the chair and ensured the continued smooth running of the meeting.

Further, Commissioner Bastiovanszky notes that the GM has issued oral advice to the board in the board room to avoid issuing questions to staff which are partisan or inappropriate and put staff in an uncomfortable position without necessity. Commissioner Bastiovanszky's answer to Commissioner Viridi's question on the motion being out of order was made in this context also, which the GM may be able to provide further details on.

## X. DISCUSSION

48. When making findings in this investigation, the issue is whether, objectively and on a balance of probabilities, there is sufficient information that the Code has been breached.
49. Commissioner Virdi asked the investigator to investigate events that occurred prior to the 180-day period for submitting complaints. The investigator reviewed these earlier events for context and to see if they inform the current investigations or support the allegation of a pattern of conduct. A full investigation of these prior events was **not** done.
50. Below is a discussion of the events reviewed for context, followed by a discussion and findings of the allegations deemed within the scope of this investigation.

## XI. VIRDI COMPLAINT - CONTEXTUAL EXAMPLES OF AN ALLEGED PATTERN OF CONDUCT

### a. Notice of Motion – March 2023

51. Commissioner Virdi says the “first notable incident” of differentiated treatment towards him occurred when Commissioner Jensen was Park Board Chair in March 2023 when he was told he needed to fill out a form to submit a notice of motion. He says no other Commissioner was required to fill out that form before or since and the form was not available to him, thus delaying his motion. He says that Commissioner Jensen repeatedly instructed staff not to accept his motion unless it was submitted using a specific form.
52. A review of the Park Board records and events at this time reveal that it was the General Manager at the time and staff who had developed a process for submitting motions using a form on a SharePoint site. Commissioner Jensen encouraged Commissioners to follow whatever process was established by staff, and emphasized that motions needed to be submitted four weeks in advance.
53. From reviewing the Park Board records, it appears that in the first instance Commissioner Virdi made an incomplete submission to staff by only including the title of the motion and not the content of the motion. This took him outside of the 4-week requirement that is reflected in the Park Board *Procedure Bylaw*. A Park Board staff member provided Commissioner Virdi with a link to a form, which link did not work. The broken link was not the responsibility of Commissioner Jensen, but when he heard about it he asked

staff to fix it. The form was not the specific requirement of Commissioner Jensen and in fact was not used by any of the Commissioners.

54. Commissioner Virdi's motion did proceed, it was just delayed by several weeks. There was no prejudice revealed or proven with respect to this delay. There was no reason provided for why Commissioner Jensen would want this delayed, and he denies having any ability or reason to delay the motion.
55. The investigator does not find that this event is compelling context of a possible pattern of differentiated or discriminatory conduct by Commissioner Jensen.

**b. Allegedly being prevented from asking staff questions at Park Board Meetings**

56. Commissioner Virdi suggests a pattern of differentiated treatment by Commissioner Bastiovanszky towards him compared to how other Commissioners are permitted to interact with staff at meetings. Commissioner Virdi provided the following examples of this alleged pattern:

- a. At the April 9, 2024 Park Board Meeting, in which Commissioner Bastiovanszky was Chair, Commissioner Digby made a motion for increased compensation for Park Board staff. Commissioner Virdi asked whether Commissioner Digby's motion was out of order and whether staff were technically employees of the City of Vancouver or the Park Board. Commissioner Bastiovanszky ruled that Commissioner Digby's motion was not out of order and that, as this was a Member's Motion, questions could not go to staff.

However, Commissioner Digby volunteered to answer Commissioner Virdi's question and explained that the City acts as agent of the Park Board, but staff are employed by the Park Board. Commissioner Virdi then asked Commissioner Bastiovanszky if he (Commissioner Virdi) could still confirm this directly with the Park Board Clerk who was present at the meeting. Commissioner Bastiovanszky declined on the basis that it was a Member's Motion and there had been plenty of opportunity for Commissioner Virdi to approach staff with his questions in advance of the meeting.

Commissioner Bastyovanszky then said Commissioner Virdi could ask questions of Commissioner Digby, who had made the motion. Commissioner Virdi responded by saying:

Why aren't you just letting staff say whether it's true or not? Is there something that you're trying to hide? I don't understand.

Commissioner Bastyovanszky responded that when there's a Member's Motion, it's the Member that answers questions. Commissioner Virdi again asked Commissioner Bastyovanszky to let staff answer his question, and Commissioner Bastyovanszky said he had already ruled on this and the question would not be asked of staff. Commissioner Virdi then suggested there was bias by the Chair and that he was being ignored.

- b. At an October 30, 2023 Park Board Meeting Chaired by Commissioner Jensen, Commissioner Haer made a motion directing that Park Board staff begin the engagement and design process for an inclusive and accessible spray park at Ross Park. Commissioner Digby commented that there had already been community engagement around this and Commissioner Haer then, through the Chair, asked if staff could comment on what had already been done on community engagement. Later in the discussion, Commissioner Bastyovanszky was permitted to ask through the Chair if staff understood where the money was coming from or if they needed to amend the Motion to make that clear. Staff said they were okay either way. Commissioner Bastyovanszky was later permitted to ask questions around how the motion was written.
- c. At a May 29, 2023 Park Board Meeting in which Commissioner Jensen was Chair, Commissioner Virdi made a Member's Motion which was amended by Commissioner Bastyovanszky and Commissioner Christensen seconded the amended motion, that staff undertake community engagement of the Sunset neighbourhood regarding recreational facilities. Commissioner Bastyovanszky asked Commissioner Virdi about the funding for this motion and whether the allocation to this field would impact other fields or projects. Commissioner Virdi said they would have to ask staff, which Chair Jensen permitted. Staff answered

these questions and a further question by Chair Jensen around whether the Park Board had done sufficient planning for this site and affected communities for this proposal.

57. Of this concern raised by Commissioner Viridi, Commissioner Bastiovanszky said that the process for Member's Motions is that once they are brought by the Commissioner, questions are posed to that Commissioner. Questions are not posed to staff. In the April 9, 2024 meeting, he explained this process. In his view, Commissioners are entitled and should be making the relevant inquiries to staff regarding members motions before the motion is tabled, and only questions to Members are raised in the discussion of that motion. He says he was following the "established procedure" for Commissioner's motions and there was no personal slight intended. He says he followed the motions procedure.

58. Regarding posing questions to staff, the *Procedure Bylaw* says:

6.6 Any Commissioner may ask staff questions about a matter before the Board, except that:

(a) The question must be in relation to a report on the agenda, a presentation on a matter, **a motion being considered by the Board**, or enquiries and other matters;

59. The investigator accepts and agrees with Commissioner Bastiovansky's explanation of why Commissioner Viridi was not permitted to ask questions of staff in this context. Commissioner Bastiovanszky had ruled that the motion was not out of order (which effectively answered Commissioner Viridi's question about who employs staff). Further, once Commissioner Digby answered the question, there was no reason for Commissioner Viridi to persist with this line of questioning. As well, Commissioner Viridi could have appealed Commissioner Bastiovanszky's ruling during the meeting, but he did not.

60. Further, it appears Commissioner Viridi was effectively trying to ask staff to provide a legal determination of whether they were staff of the City or the Park Board. This does not fairly compare to the examples provided, when Commissioners were asking more neutral questions about what had previously been done and whether motions as drafted were understandable by staff.

61. Generally, the investigator does not think Integrity Commissioners should be second guessing rulings made by Board Chairs when there is a process in

place within the *Procedure Bylaw*, which includes an appeal process. It does not serve the public interest to be second-guessing the discretion that Chairs invoke when chairing meetings. Chairs are also not bound to follow the rulings made by previous Chairs.

62. The suggestion that Commissioner Virdi was treated in a differential way at the April 9, 2024 Park Board meeting by Commissioner Bastyovanszky or there was some kind of misuse of authority was not supported by the information.

63. The investigator does not see this as compelling context or support for a pattern of differentiated treatment towards Commissioner Virdi that would inform the in-scope allegations.

### c. CCAs

64. Commissioner Virdi says that when Commissioner Bastyovanszky was Park Board Chair, Commissioner Bastyovanszky excluded him from participating as liaison in CCAs, which isolated him from standard Commissioner duties. He says Commissioner Bastyovanszky's explanation that Commissioner Virdi was not wanted by the presidents of the CCA's was not supported by the facts.

65. According to the materials provided, the role of a Commissioner Liaison is to attend CCA Board meetings, provide pertinent Park Board updates, listen to Association questions and concerns, and support staff in upholding Park Board values. Commissioners may attend portions of CCA Board meetings, are expected to attend Annual General Meetings and conduct swearing-in of new Board members if requested by the CCAs.

66. In response to these concerns, Commissioner Bastyovanszky said the appointment of CCA liaisons is within the discretion of the Park Board Chair. There is no mandatory requirement that every Commissioner be appointed as a liaison. His decision was impacted by the request he says he received from the CCAs expressing their preference to not work with ABC Party Commissioners who were advocating for the abolishment of the Park Board.

67. It's important to note that this concern was not fully investigated to confirm what was communicated by CCA's to Commissioner Bastyovanszky or to Commissioner Virdi. The investigator understands Commissioner Virdi's upset by being excluded without notice from being a liaison in 2024. However, the investigator also finds this allegation hard to reconcile as when the Chair changed to Commissioner Christensen in 2025 and Commissioner

Virdi was invited to express an interest in being a CCA liaison, he declined to put his name forward.

68. The investigator understands how Commissioner Virdi may feel with how Commissioner Bastiovanszky handled CCA appointments in 2024, but also accepts that there may have been CCAs who did not want representation by a commissioner who was supporting the abolishment of the Park Board. This also seems more about the views of those who support or do not support the abolishment of the Park Board, than a personal slight against Commissioner Virdi.
69. The investigator does not see a sufficient nexus between what happened in January 2024 regarding CCAs and the allegations raised that are within the scope of this investigation.

#### **d. Chair's Report – Exclusion of Photos**

70. Commissioner Virdi says there was differentiated and discriminatory treatment towards him by Commissioner Bastiovanszky in 2024 when his photos were not included in Commissioner Bastiovanszky's Chair's Reports.
71. The investigator notes that certain of Commissioner Virdi's photos were not included in the Chair's Reports for April and May, 2024. In particular, photos of him with Prime Minister Trudeau at the Sunset Community Centre. They were deemed as political at a time when Commissioner Bastiovanszky was saying that the photos in the Chair's Report should be apolitical. Other photos submitted by Commissioner Virdi were at first rejected, but were then included in the Chair's Report.
72. Commissioner Virdi says:

I look very different from everybody else on the Park Board. To be singled out made me feel like I didn't belong. I am required to follow those rules, and he's not. It's differential treatment.

...

Up until May 6, 2024, my photos were consistently included in the Chair's report — in fact, I had the most pictures featured. However, after that date, you will see none of my photos. These actions have made me feel unwanted, unvalued and excluded. This sudden change feels targeted and discriminatory, as I am being singled out in a way that others are not.

73. Commissioner Bastyovanszky says photos for the Chair's Report were selected based on criteria compiled and imposed on all Commissioners by Park Board staff, per the Guidelines found in **Appendix B**.
74. One of Commissioner Viridi's specific concerns was a photo included in the Chair's Report for May 6, 2024. It showed a couple getting married in the park with the notation that Commissioner Bastyovanszky was invited after connecting the couple with the process for wedding permits in parks. Commissioner Bastyovanszky is not in the photo. Commissioner Viridi says this does not follow the rules as not everyone was invited to the wedding. However, this was before the Guidelines were issued by staff on May 22, 2024. Notably, the Chair's Report that month also contained 8 photos of Commissioner Viridi. It is also notable that the Park Board Chairs generally get invited to and attend more events as Chair than their Commissioner colleagues.
75. From a review of Park Board records, it was Park Board staff (not Commissioner Bastyovanszky) who developed and issued Guidelines to all Park Board Commissioners stating the criteria for submitting photos for inclusion in the Chair's Report.
76. Commissioner Viridi provided a long submission of how other Commissioners did not have to follow the Guidelines for submitting photos, which he said were just applied to him. He includes photos from 2024 and 2025 submitted by other Commissioners. It may be that there were photos that did not comply with the Guidelines, as it was plainly stated in the Guidelines that going forward staff **would assume** that Commissioners are abiding by the Guidelines.
77. As well, in September 2024 when Commissioner Bastyovanszky tried to submit a photo of himself and Commissioner Viridi, Commissioner Viridi objected saying he did consent to any photos being used of him in the Chair's Report. Commissioner Viridi stopped submitting photos in May 2024. Accordingly, there is no information supporting the suggestion that Commissioner Bastyovanszky applied the rules differently towards him compared to other Commissioners.
78. The investigator does not see this as supporting a possible pattern of exclusion or differentiated treatment towards Commissioner Viridi by Commissioner Bastyovanszky. It is also not context that informs the in-scope allegations.



## **XII. VIRDI COMPLAINT – SUMMARY OF CONTEXTUAL INFORMATION**

79. Overall, the contextual information provided by Commissioner Virdi was not compelling evidence of a pattern of discriminatory or differential treatment, nor was there a nexus established between the prior conduct and the in-scope allegations.

## **XIII. VIRDI COMPLAINT – WITHIN SCOPE ALLEGATIONS**

### **a. Opportunity to participate in Park Board Meetings**

80. Commissioner Virdi alleges that he was regularly denied an equal opportunity to participate in Park Board meetings and he had limited time to speak compared to the time permitted for other Commissioners. He says Commissioners Jensen and Bastyovanszky worked collectively against him with respect to his ability to participate in Park Board activities and meetings.
81. While this allegation was included within the scope of the investigation, the only example Commissioner Virdi provided was the Park Board Committee meetings held on January 22 and 23, 2024 dealing with Commissioner Virdi's Sensory Park Motion. These meetings were Chaired by Commissioner Christensen, except when she passed the Chair to Commissioner Jensen while she introduced a motion to strike and replace Commissioner Virdi's motion.
82. The Sensory Park Motion was a deeply personal motion brought by Commissioner Virdi. It related to the construction of Vancouver's "first inclusive and accessible sensory park, designed to accommodate the unique needs and preferences of neurodiverse children, those with Autism Spectrum Disorder, and those with mobility challenges".
83. Commissioner Virdi says he was only given one minute to explain his motion and then one minute of questions. However, a review of this shows that when Chair Christensen introduced this item on January 22, 2024 she gave Commissioner Virdi five minutes to introduce his motion. Commissioner Virdi then introduced his motion for 3:28 minutes, without interruption. When Chair Christensen asked if there were any questions about the motion, there were none.
84. The investigator observed that throughout the 38 speakers' presentations that followed, Commissioner Virdi was permitted to quite freely make comments and ask questions.

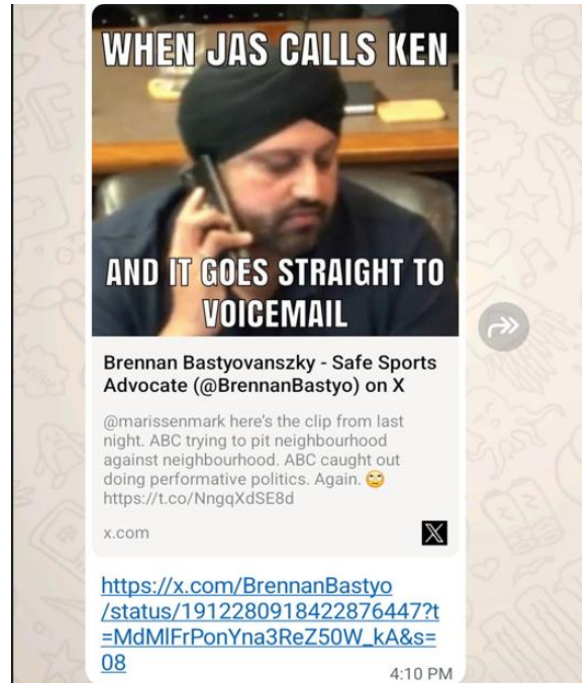
85. Commissioner Christensen then passed the Chair to Commissioner Jensen and Commissioner Christensen made a motion to strike and replace Commissioner Virdi's motion, which was seconded by Commissioner Bastovanszky. Her motion focussed more on providing accessible options within a number of parks and not having one new flagship sensory park.
86. Later, Commissioner Bastovanszky introduced an amendment to Commissioner Christensen's replacement motion to add a requirement for the Board Chair to write to Vancouver's Mayor and City Council requesting up to \$5 million in funding for capital and ongoing costs to implement Commissioner Christensen's motion.
87. From the investigator's review of these two meetings, the questions and discussion that ensued did not reveal that Commissioner Virdi was given less, unfair or inadequate time to discuss his motion, Commissioner Christensen's replacement motion or Commissioner Bastovanszky's amendment to the replacement motion.
88. What is revealed is a Park Board that was divided on the path forward for this motion, where the majority of the Board concurred with Chair Christensen's replacement motion on the basis that there was already work in progress by Park Board staff following accessible and inclusive design guidelines for playgrounds. Similar topics had previously been discussed at a July 4, 2022 Park Board meeting. There were also concerns raised about a lack of funding available for the flagship project being proposed by Commissioner Virdi.
89. What the investigator observed in these meetings was Commissioner Virdi being given the chance to clearly oppose Commissioner Christensen's replacement motion. No doubt he was upset by this new motion, which he made clear was not what he was seeking. Commissioner Virdi at times was stopped from participating when he tried to speak while others had the floor.
90. While Commissioner Jensen had assumed the Chair, Commissioner Virdi raised Points of Order regarding further rounds of questions and Commissioner Jensen advised they would continue with comments, but Commissioners could ask questions via Points of Information. When the Chair challenged his own ruling on this, the challenge was lost with the majority supporting the ruling. When the Board then moved to providing comments on the amended motion, Commissioner Virdi raised a Point of Order regarding there being only one round of comments on the amendment. Chair Jensen said he was using his discretion to proceed with one round of questions. This was appealed by Commissioner Howard, which appeal was lost. The Board continued with one round of comments on the amendment

and one round of questioning, after which a vote was taken and the amendment was carried.

91. From the investigator's view, while acknowledging Commissioner Virdi's upset with wanting more time to challenge the amended motion, the process was followed and appeals were launched about the process. Practically, Commissioner Virdi appears to have been allowed to explain his position on the replacement amendment, which he repeatedly stated.
92. The Sensory Park Motion was the only example provided by Commissioner Virdi on this allegation. It is unfair to Commissioners Jensen and Bastiovanszky that these allegations about being prevented from participating in meetings were raised without any level of detail and which were clearly outside the time for submitting complaints. It was also not the investigator's obligation to do an audit of the time allotted Commissioner Virdi to participate in Park Board meetings over the years.
93. This concern also appears to be more about dis-alignment than collectively working against Commissioner Virdi. It appears there is a divide on the Park Board, political and philosophical, and Commissioner Virdi's motions are not always successful. There is a difference between not succeeding with a motion and being prevented from participating in the Park Board activities.
94. The investigator finds there is **insufficient information** that Commissioner Virdi was regularly denied an equal opportunity to participate in Park Board meetings by Commissioners Jensen and Bastiovanszky and he had limited time to speak compared to the time permitted other Commissioners. This allegation is **unsubstantiated**.

#### **b. Social Media Post**

95. Commissioner Virdi alleges that he was publicly targeted on social media by Commissioner Bastiovanszky, who he says posted the below meme of him on April 15, 2025.



96. Commissioner Viridi says the post references the April 14, 2025 Park Board meeting during which he was speaking on the phone with Commissioner Howard who was experiencing technical issues with accessing the meeting. He was not calling Vancouver Mayor Ken Sim. Therefore, the post contains a public mischaracterization of events which was both misleading and damaging. He also says the post implies performative politics.

97. The investigator notes that immediately below this post, Commissioner Viridi posted the following reply:



98. Commissioner Bastyovanszky says he did not take the photo (or screenshot) that is in this post and he did not create the meme. He did share the meme once and says:

...it's a political meme shared in a political sphere protected by free speech". I acknowledge now that the sharing of the meme may have hurt Commissioner Viridi's feelings for which I am sorry.

99. In the investigator's view, the meme when read literally contains information that is not true about what Commissioner Virdi was doing when the image is captured. But the investigator thinks that the reasonable reader would not read the post literally and would see the meme as political commentary of sorts regarding the ABC party. A reasonable person reading the post would not think that Commissioner Virdi was actually trying to call Mayor Sim and was being sent to voicemail. However, even if taken literally, the alleged damage is not apparent.
100. The meme also contains someone else's commentary about performative politics. This seems more about expressing a view about the ABC party, for which Commissioner Virdi and Mayor Sim are members, than directly about Commissioner Virdi.
101. The investigator is of the view that whether someone creates a post themselves or merely shares someone else's post, the content must still not violate the Code. If the person sharing a post that contains potentially offensive content does not disassociate their views from the views expressed in the post, they can be seen as agreeing with or even endorsing the content of the post.
102. Here, the investigator thinks the post lowers on-line commentary to something that is undesirable, but not out of the norm these days. Potential damage due to misinformation (which seems negligible) was mitigated when Commissioner Virdi made his post immediately thereafter. The investigator does not find that Commissioner Bastiovanszky's April 15, 2024 post sharing the meme was offensive or disrespectful to the level of breaching the Code.
103. The investigator notes that Commissioner Bastiovanszky has offered an apology for sharing this meme, which the investigator suggests is an appropriate resolution to this concern.
104. The investigator finds that the April 15, 2025 post did not amount to a Code breach. This allegation is **unsubstantiated**.

### **c. Jas Johal Radio Show**

105. Commissioner Virdi accuses Commissioner Bastiovanszky of making disrespectful and defamatory comments about him during an April 21, 2025 interview on the Jas Johal Show. He says Commissioner Bastiovanszky made inappropriate insinuations suggesting unfounded allegations of self-interest and corruption. He says Commissioner Bastiovanszky suggested that he was focusing solely on Sunset because it's a short walk to his business. He says his business is much further away, about 10 blocks. He

says these comments were untrue and defamatory. He thinks Commissioner Bastyovanszky was trying to insinuate that because Commissioner Virdi is Indian he was trying to help the population in the Sunset area, the majority of whom are Indian.

106. Commissioner Virdi points to the part of the interview where Commissioner Bastyovanszky said [emphasis added by the investigator]:

At the golden age of the Park Board, that was what we did. We had a global budget that could be allocated and protected and invested in parks. The current City Council has decided to politicize everything and pit neighborhood against neighborhood. **I find it really suspicious when a Commissioner is only focusing on one neighborhood and trying to invest in parks that are within a short walk of their business.** Those kinds of things are really not what the Park Board is about. The Park Board is meant to be looking at making decisions across the city. One of the things that I find to be disingenuous and inauthentic from Commissioner Virdi is that at the meeting two or three weeks earlier, he had voted to get a report on VanSplash that would update that strategy to be more equitable, which would include a pool in South Van. The Board had already supported the idea that we should look at where the pools and the aquatic centres should be. But there are also neighborhoods like Mount Pleasant, Kerrisdale, Marpole and Kitsilano that have also had been on the plan for a pool and aquatics centre. The Park Board is waiting for City Council to fund it and ABC continues to take money out of the Park Board. So, the longer ABC is in office, the less likely it is that there will be new pools in the city.

107. In response to this allegation, Commissioner Bastyovanszky says he did not make any inappropriate insinuations regarding Commissioner Virdi and just spoke generally about the ABC Party. He denies making any comments, veiled or otherwise, regarding self interest or corruption by Commissioner Virdi. He says the interview was to discuss the functionality of the Park Board, which was under scrutiny. He is also offended by the suggestion that his comments were made because Commissioner Virdi is Indian or that the majority of people in Sunset are Indian. He says he would never make this comment as it would be inappropriate and inaccurate. He says the point of the interview was “to speak generally about the role of Commissioners and their role in good governance”.

108. The investigator is of the view that Commissioner Bastyovanszky’s comments on the *Jas Johal Show* are stating an opinion that he thinks Commissioner Virdi is focussing on one area and not other neighbourhoods.

Commentary that the Park Board must look at the City's needs as a whole are a common thread in Park Board discourse and is fair comment.

109. Contextually, at this time Commissioner Virdi brought a motion that focussed on getting aquatic facilities for the Sunset area and was upset when he perceived the Board was preventing consultation with Sunset residents when the motion was not referred to Committee. It is true that his motion was about this area.

110. However, the part of the interview that concerns the investigator is the statement:

I find it really suspicious when a Commissioner is only focusing on one neighborhood and trying to invest in parks that are within a short walk of their business.

111. This comment casts Commissioner Virdi in a negative light in his role as a Park Board Commissioner. The type of business is not mentioned in the interview nor what benefit may be gleaned by the investment of pool facilities in the area, but the comment implies self-interest and questions Commissioner Virdi's integrity. From the point of view of the objective, reasonable person listening to this interview, the implication is Commissioner Virdi is making motions in his role as a Park Board Commissioner that could personally benefit him. This goes beyond expressing an opinion on governance.

112. The Code says when expressing an opinion, the Commissioner must do so respectfully and without defaming anyone. In the investigator's view, the comment has the ability to lower people's estimation of Commissioner Virdi. While Commissioner Bastiovanszky is entitled to talk about how the Park Board is functioning, he should avoid these kinds of personal, negative insinuations of self-interest. This is especially so, as being found in a conflict of interest could lead to disqualification of a Commissioner.

113. Balancing the right to express an opinion and the freedom to participate in open debate, the investigator finds that the noted statement made on the *Jas Johal Show* by Commissioner Bastiovanszky suggesting self interest had the potential to lower people's estimation of Commissioner Virdi. This contravenes the Code provisions which permit freedom of expression, but to do so without defaming someone. The investigator finds that this allegation is **substantiated**.

114. However, the investigator does not accept Commissioner Virdi's suggestion that Commissioner Bastiovansky's comments were made

because of Commissioner Virdi's race or the demographics of the Sunset Community. The investigator accepts Commissioner Bastyovansky's response to this allegation. The investigator finds that this part of the allegation is **unfounded**.

115. The investigator notes that while this allegation was reviewed within the context provided, it was also looked at in isolation. On its own, it met the threshold for a breach of the Code. Commissioners are free to attack the issues, but should be careful not to impugn the integrity of another Commissioner.

#### **XIV. VIRDI AND JENSEN COMPLAINTS**

##### **April 14, 2025 Park Board Meeting**

116. Commissioner Jensen complains that Commissioner Virdi defamed him at the April 14, 205 meeting by accusing him of discrimination. Commissioner Virdi responded to this by saying he was discriminated against at this meeting and that this is an ongoing pattern of conduct by Commissioners Jensen and Bastyovanszky.
117. Considering allegations of discrimination is complicated. Rarely is discrimination done in an overt or even conscious manner. Understanding how people are treated and feel they are treated is difficult to discern.
118. The investigator typically looks at whether there is direct or indirect (circumstantial) evidence related to the alleged conduct. This can include:
- a. comments or behavior suggesting bias (including microaggressions)
  - b. the use of euphemisms, references or a focus on characteristics associated with race or stereotypes about those of that race or origin
  - c. evidence that processes or procedures are applied inconsistently
  - d. exclusionary or isolating actions that negatively impact the person
  - e. unequal or differentiated treatment when circumstances are the same and there's no logical explanation for the treatment
  - f. a lack of or denial of opportunities
  - g. decisions that consistently work against the person and for which there is no logical explanation
  - h. excessively negative or harsh treatment compared to others
  - i. proof of a nexus or link between the action complained about and the person's race, causing them to be negatively impacted



119. The investigator distinguishes between reasonable actions made in good faith while carrying out one's duties, versus conduct for which the only explanation is some kind of discrimination or bias, or where it can reasonably be inferred.

120. The investigator recognizes that discrimination may be carried out in subtle ways as a result of conscious or unconscious bias or stereotypes. That is why considering context matters.

121. At the April 14, 2025 Park Board meeting, Commissioner Virdi moved that the Park Board initiate public engagement on the feasibility of installing an indoor or outdoor pool at the Sunset Community Centre and that public engagement findings be reported back to the Park Board. When he introduced his motion, Commissioner Virdi asked that it be referred to Committee.

122. Commissioner Christensen, who was Chair of the meeting, called for a seconder for the motion to move the item to Committee. Commissioner Virdi then stated that in previous instances a commissioner could just ask that an item go to Committee and it went to Committee. The Chair proceeded to call a vote on the motion to go to Committee, which was defeated 4-3, with Commissioners Bastyovanszky, Christensen, Digby and Jensen opposing the motion.

123. Chair Christensen then asked for discussion on Commissioner Virdi's Member's Motion, but he continued to object to the process saying:

It has never been the case. The person moving the motion just says, I'd like to refer to Committee and it's been done like that since today.

124. Park Board staff were then consulted and they indicated that it was up to the Chair as to whether the matter goes to a vote, as they did not (at that time) find guidance in the Bylaw regarding how to move a motion to Committee from the Board.

125. Chair Christensen then searched *Robert's Rules of Order* on-line and stated she believed it required a vote and she would go with *Robert's Rules*. Commissioner Virdi then raised a point of order and stated:

This is discrimination. This is the first time we're doing this. In the past, the Commissioner moving the motion just says, "Hey, I would like it to go to Committee" and that's what we've done. That's what I've done in the past. That's what

everyone's done. So this feels very discriminatory that it's happening to my motion for the first time ever.

126. The Chair then noted that Commissioner Virdi felt this way [which notation was included in the Minutes for this meeting]. Chair Christensen then confirmed her ruling on the procedure and welcomed Commissioner Virdi to introduce his motion. Commissioner Virdi responded by saying:

This is very discriminatory. I am just going to walk out. This is supposed to be a place of people being able to speak, people coming down to speak and why it's being changed just for me. I'm definitely going to go to the media with this because this is very discriminatory and it's the first time it's happening. I don't know why and it's just ridiculous. So, I'm going to take my leave right now.

127. Then when Commissioner Virdi was invited to provide an example of when a prior motion went to Committee, Commissioner Virdi stated:

Every single motion until today that was referred to Committee was never voted on. So this is very discriminatory. You talk about this Board being a place where everyone can come and share their opinions.

...

This is so undemocratic.

...

I'm actually going to go to the media with this. This is discriminatory. I think maybe it's how I look. I don't know. I hope not, but I really feel this way. There's a lot of things that have gone on in the past.

128. Chair Christensen then gave Commissioner Virdi the option to withdraw his Member's Motion or she would call a vote on it. A staff member interjected and indicated they had located the relevant section of the *Procedure Bylaw* and read it aloud, which confirmed that a motion was needed for an item to go to Committee.

129. Commissioner Virdi then asked:

So why haven't we been following the rules up to now?

130. The staff member noted that on a recent motion about revitalization there was a vote to refer the matter to Committee. The staff member noted

that in the past the Board did vote to refer items to Committee.  
Commissioner Virdi replied:

This is just ridiculous.

131. The Chair again asked Commissioner Virdi if he would like to introduce his motion or withdraw it, and he replied:

No, I mean there's no point. You guys aren't going to let me refer to Committee. You don't want to hear what people have to say about it and you guys are being discriminatory. It's beyond ridiculous.

132. Commissioner Digby then raised a point of order, saying:

I'd like to request that the Commissioners around the table do not impugn mine or anyone's integrity regarding the intentions and motivations behind the way that they vote at the table. I find it extremely offensive the allegations made by the Commissioner about improper conduct by myself or any other Commissioner.

133. Commissioner Christensen then asked Commissioner Virdi if he would like to withdraw his comments, and he replied:

No, I do not. I'm being treated differently and we can go look in the past so we can look at every single motion.

134. Commissioner Bastiovanszky then stated:

I appreciate the Commissioner's frustration of having to get the vote to refer to Committee. I had to go through the very same process with the revitalization motion and I also was worried that I wouldn't be supported on that occasion. I was following the exact same process. I could appreciate why my colleague is frustrated, but we followed the same procedure for both members' motions. I'm sorry that yours did not pass and did not go. If I may offer some advice. I think that when you move a motion, if you don't get your way, you should still follow through to explain what the purpose of the motion is.

135. Commissioner Virdi replied:

I guess we're doing comments and it is very discriminatory. I continue to say that because every single motion thus far, every mover has just said I'd like to move it to Committee. In this case, I don't know why you

guys decide to have a vote. I think there shouldn't be different rules for different people. This is a table that you so declare that it's where everyone can speak fairly and be treated fairly and that's just not the case. In my case, we have to vote. In everyone else's cases, we don't have to vote.

136. The Chair said that the staff member had clarified that in the past they have voted to move items to Committee, and they would follow that procedure. Discussion then ensued on Commissioner Virdi's motion, and the Chair then called on Commissioner Virdi to speak during the second round, to which he replied:

Before I was discriminated against...For reasons obviously at this Board there's a reason why we don't look at Sunset neighbourhood. When someone brings up a motion about something to Sunset, we find ways to not even let the public speak. It's very discriminatory and I'll continue to use that word because that's what it is. I mean, we changed the rules just so we don't have to hear people from that neighborhood. It's ridiculous to me that we can all sit here and look at each other and say, Hey, we listen to everybody, we don't discriminate. But this is just a case of discrimination against the Sunset community.

137. Chair Christensen then asked Commissioner Virdi to not imply that his fellow Commissioners were discriminating and noted that his prior motion regarding Sensory Park was referred to Committee through a vote by the Board. He disagreed, but she confirmed that the Minutes reflected that his prior Member's Motion was referred to Committee by a vote. Commissioner Virdi continued with his objections saying the Board was not being consistent.

138. The Chair then noted that staff had checked the three prior motions that were referred to Committee and all three were done by resolution. After more discussion, Commissioner Virdi exited the meeting. Further discussion ensued, including Commissioner Bastyovanszky stating he was disappointed in Commissioner Virdi's behaviour at the meeting, that he had an opportunity to represent the motion "in a respectful way" and he welcomed an apology from Commissioner Virdi.

139. Commissioner Virdi's motion was then defeated. He had left the meeting before the vote, with Commissioners Bastyovanszky, Christensen, Digby and Jensen voting against the motion.

140. From the investigator's review of the *Procedure Bylaw*, for a matter to go to Committee, there must be a motion and majority vote in favour of the

item being referred to Committee. This is made clear in the *Procedure Bylaw* [emphasis added]:

- 1.2 “Committee” means a committee appointed **by resolution** of the Board to deal with specific business specified by the Board.

“Committee Meeting” means a meeting of the Committee held on such dates and at such times **as the Board determines by resolution** and which is open to the public and at which Speakers will be permitted.

“Committee Meeting” means a meeting of the Committee held on such dates and at such times **as the Board determines by resolution** and which is open to the public and at which Speakers will be permitted.

- 8.2 When a main motion, motion to amend or substitute motion is under consideration, no motion shall be received other than **a motion to:**

(a) **Refer the motion** to staff for additional information or **to the Committee** to hear from Speakers.

141. The *Procedure Bylaw* also provides in s.1.5 that if a situation is not contemplated by the *Procedure Bylaw*, *Robert’s Rules of Order* will apply. While the investigator is of the view that the *Procedure Bylaw* is clear that a motion to refer to Committee is required, Chair Christensen did consult *Robert’s Rules of Order* and confirmed her ruling that a motion would be needed.

142. Regardless of the *Procedure Bylaw* and *Robert’s Rules of Order*, it’s possible that **the practice of the Park Board** had been to allow Commissioners to simply ask that an item be referred to Committee without the need for a resolution, as alleged by Commissioner Viridi.

143. A review of prior Member’s Motions brought to the Park Board and referred to Committee reveals that they were **all referred to Committee through a resolution**, as follows:

- a. September 24, 2024 Park Board Meeting

Chair – Commissioner Bastiovanszky

Motion to refer re: Motion entitled “Preservation and Protection of the Green Space at the Corner of Gore and Union” to refer to Committee made by Commissioner Digby, to hear from speakers, followed by debate and decision.

Referral moved by Commissioner Digby  
Seconded by Commissioner Jensen  
Motion to refer to Committee carried unanimously.

**\*There was no discussion regarding moving it to Committee. Commissioner Viridi was present and voted in favour of the motion to refer it to Committee.**

b. July 22, 2024 Park Board Meeting

Chair – Commissioner Bastiovanszky

Motion to refer re: Motion titled “Governance of Facilities Management and Capital Maintenance” to refer to Committee made by Commissioner Digby, to be referred to the Committee Meeting on September 9, 2024 in order to hear from speakers, followed by debate and decision.

Referral moved by Commissioner Bastiovanszky  
Seconded by Commissioner Digby  
Motion to refer to Committee carried 4-2.

**At first, Chair Jensen did not call for a vote, but when reminded by staff of the process, he called for a vote for the matter to go to Committee. There was no discussion around whether it should go to Committee.**

**Commissioner Viridi was present and voted against the referral to Committee.**

c. December 11, 2023 Park Board Meeting

Chair – Commissioner Jensen

Motion to refer re: Motion titled “Creating Vancouver’s First Inclusive and Accessible Sensory Park for Children” be referred to the Committee Meeting of January 22, 2024, in order to hear from speakers, followed by debate and decision.

**Referral moved by Commissioner Virdi**

Seconded by Commissioner Howard

Motion to refer to Committee carried unanimously.

144. Commissioner Virdi did not identify instances in which a referral to Committee was made without a resolution. The investigator did not find an example of a matter being referred to Committee without a resolution.
145. Given the above sections of the *Procedure Bylaw* and prior referrals to Committee by resolution, all involving Commissioner Virdi in some capacity, it’s fair to say that Commissioner Virdi ought to have known that the procedure for referring a matter to Committee was by resolution. If he had forgotten the procedure, it was confirmed during the April 14, 2025 meeting.
146. The investigator comments that it is good governance for a Board to be in control of its process. Referral to Committee can be more expedient or efficient, but can also be cumbersome and expensive. The investigator notes that during the April 14, 2025 Park Board meeting explanations were given by other Commissioners that explained their views on why the motion should not go to Committee. This included that there was an overall plan already being implemented (VanSplash), a lot of information was already available, moving to Committee would delay the work already underway, and consideration should be broader than having a committee meeting just regarding facilities at Sunset.
147. The investigator is of the view that it is not fair for Commissioner Virdi to repeatedly suggest that matters were referred to Committee without a resolution, when he was present and participated in all prior votes to send matters Committee. In fact, he voted against Commissioner Bastyovanszky’s motion to refer a motion to Committee on July 22, 2024, although the motion was carried 4-2. Clearly, if others had voted as he had, Commissioner Bastyovanszky’s referral to committee motion would have been defeated.
148. The investigator is of the view that making an allegation of discrimination against anyone, but especially a public figure for whom the electorate should have confidence in their representation, is a very serious allegation. It’s particularly damaging as it questions the person’s values. It is

also difficult to undo these kinds of comments and they can have a negative, lasting impact on the person's reputation, even if ultimately determined to be unfounded.

149. Conversely, proving discrimination is very difficult. However, it should be based on something more tangible than a feeling that the rules might be different, especially when there are alternate explanations for the conduct and there is clear evidence that there was not differentiated treatment.

150. In this case, a quick review of the *Procedure Bylaw* shows that to refer a matter to Committee it must be by motion. That's the way it was done in the past and how it must be done. Further, it was Chair Christensen who made this ruling, not Commissioners Jensen and Bastyovanszky, who merely voted against referring the motion to Committee, which is their prerogative.

151. During the April 14, 2025 Park Board Meeting, Commissioner Viridi stated 10 times he was being discriminated against and one time the Sunset community was being discriminated against. Commissioner Viridi persisted through this investigation with his allegations of discrimination relating to the April 14, 2025 meeting. However, what happened at that meeting seems more about differing opinions on the proper path forward.

152. Suggesting Commissioner Jensen and Commissioner Bastyovanszky were discriminating against him because they voted as they did at the April 14, 2025 meeting was defamatory of them given the fact of how motions were moved to Committee in the past and given the clear language in the *Procedure Bylaw*.

### **Findings re April 14, 2025 Park Board Meeting**

153. With respect to the **Viridi Complaint**, the investigator finds that the allegations of differentiated or discriminatory treatment of Commissioner Viridi by Commissioners Jensen and Bastyovanszky at the April 14, 2025 meeting are **unfounded**.

154. With respect to the **Jensen Complaint**, the investigator finds that Commissioner Viridi's comments at the April 14, 2025 Park Board meeting that the requirement to have his Member's Motion be referred to Committee by a resolution was discriminatory treatment towards him and members of the Sunset community were defamatory statements that could reasonably impugn Commissioner Jensen's reputation.



155. These comments are not protected by the sections of the Code which says the Code will not limit the ability of a Commissioner to hold a position on an issue and respectfully express it, and which recognizes a Commissioner's ability to free and open debate. This was not the statement of an opinion or part of political debate. It was the repeated misstatement of how matters are referred to Committee and the repeated suggestion that if Commissioner Virdi's motion did not go to Committee without a vote or if the vote was unsuccessful, this conduct was discriminatory.
156. The allegation that Commissioner Virdi defamed Commissioner Jensen at the April 14, 2025 meeting by falsely accused him of discrimination against Commissioner Virdi and residents of Sunset is **substantiated**.
157. Commissioner Virdi also alleges that Commissioner Jensen falsely accused him of mistreating staff at the April 14, 2025 meeting.
158. In the Jensen Complaint, Commissioner Jensen says Commissioner Virdi harassed Park Board staff by accusing them of discrimination at the April 14, 2025 Park Board meeting.
159. The investigator notes that advice was given throughout the April 14, 2025 meeting by staff about process while at the same time Commissioner Virdi was repeatedly saying he was being discriminated against. At one point, when a staff member noted that a recent motion was voted on to refer to Committee and that in the past the Board voted to refer items to Committee, Commissioner Virdi immediately replied, "This is just ridiculous".
160. While the investigator thinks that Commissioner Virdi's above comment was likely directed at the Park Board and not staff, the opposite conclusion could just as easily be reached. Accordingly, the investigator does not find that Commissioner Jensen raising the concern about how staff were treated at this meeting amounted to making a false allegation about the mistreatment of staff. There was sufficient information for Commissioner Jensen to raise the concern.
161. Commissioner Virdi also complained that in the past Commissioner Jensen asked him to apologize for using the word "weaponize" at a meeting related to work being done by Park Board staff. This was already reviewed by Integrity Commissioner Southern. No findings were made and the investigator does not find that this supports a pattern of making false allegations about mistreatment staff.

162. In fact, the documents and information provided by Commissioner Virdi in this investigation reveal that he will sometimes involve staff in his concerns about how he feels he's being treated by other Commissioners. This is awkward for staff who are to remain neutral and apolitical, and should be avoided.

163. The allegation that Commissioner Jensen made a false allegation against Commissioner Virdi of mistreating staff is **unsubstantiated**.

## **XV. SUMMARY OF FINDINGS**

164. The investigator notes that the volume and breadth of the allegations did not impact the impartial, objective review of each of them. Normally, a lot of the individual allegations would have been dismissed at intake and not included in this report. However, to respect the possibility of a pattern of conduct this information was considered and included. Commissioners Jensen and Bastiovanszky provided their information on the contextual information, which stretched the fairness of the process, but will now hopefully put these issues to rest.

165. The investigator finds:

- a. There is **insufficient information** that Commissioners Jensen and Bastiovanszky regularly denied Commissioner Virdi an equal opportunity to participate in Park Board meetings or that he had limited time to speak compared to the time permitted other Commissioners. This allegation is **unsubstantiated**.
- b. Commissioner Bastiovanszky's April 15, 2025 social media post did not amount to a Code breach. This allegation is **unsubstantiated**.
- c. A comment made on the *Jas Johal Show* on April 21, 2025 by Commissioner Bastiovanszky about Commissioner Virdi was defamatory as it suggested self-interest which questioned his integrity in his role as Park Board Commissioner. This allegation is **substantiated**.
- d. The comments made on the *Jas Johal Show* on April 21, 2025 by Commissioner Bastiovanszky were not discriminatory and this allegation is **unfounded**.

- e. The allegation that Commissioner Virdi defamed Commissioner Jensen at the April 14, 2025 meeting by falsely suggesting that he discriminated against Commissioner Virdi and residents of Sunset is **substantiated**.
- f. The allegation that Commissioner Jensen made a false allegation against Commissioner Virdi of mistreating staff is **unsubstantiated**.

## XVI. RECOMMENDATIONS FOR SANCTION

166. The investigator did not find that any of the allegations fell within the following section of the Code which says:

5.32 If after reviewing all material information the Integrity Commissioner determines that a Member did violate this policy then:...

c) if the Integrity Commissioner determines that a Member did breach this policy, but that the Member took all reasonable steps to prevent it, or that it was trivial or done inadvertently or because of an error in judgment made in good faith, the Integrity Commissioner will so state in the investigation report and may recommend that no sanction be imposed;

167. When there is a finding of a breach of the Code, the investigator suggests that the following factors are reasonable when considering sanction:

- a. The nature, extent and gravity of the contravention;
- b. The consequences and impact of the contravention;
- c. Whether the Commissioner has previously contravened the Code;
- d. The principles and intent of this Code;
- e. The presence of any legitimate mitigating circumstances;
- f. The need to deter future contraventions; and
- g. The public interest, including the need to promote the public's confidence in the integrity of the Park Board.

168. If the Park Board chooses to sanction, the possible sanctions found in the Code include:

- a. a letter of reprimand from the Park Board addressed to the Member;
- b. a request from the Park Board that the Member issue a letter of apology;

- c. the publication of a letter of reprimand and a request for apology by the Integrity Commissioner, and the Member's written response;
- d. a recommendation that the Member attend specific training or counselling;
- e. suspension or removal of the appointment of a Commissioner as the Park Board Chair or Park Board Vice Chair;
- f. suspension or removal of the Commissioner from some or all committees and bodies to which the Commissioner was appointed by the Park Board; and
- g. public censure of a Member.

169. The following factors impact the investigator's **sanction recommendation regarding Commissioner Virdi**:

- a. Commissioner Virdi was co-operative throughout the process;
- b. Commissioner Virdi previously accused another Park Board Commissioner of discriminating, which allegation was found by the Integrity Commissioner to not be supported by the evidence. He was then required by the Park Board to issue an apology;
- c. The negative impact on elected officials when they are falsely accused of discrimination and the difficulty in undoing those accusations;
- d. Commissioner Virdi continuing with the assertion that having something go to Committee was done as a matter of right without a vote, when he knew or ought to have known the opposite was true, then he repeatedly stated that he was being discriminated against in this regard;
- e. That Commissioner Virdi was given an opportunity to apologize for these comments during the April 14, 2024 meeting which would have likely brought this matter to a conclusion, but he refused;
- f. Informal resolution was proposed, but he refused.

170. The investigator thinks that sanctions should be progressive and impactful. Here, the investigator recommends an appropriate sanction for Commissioner Virdi's breach of the Code is:

The publication of a letter of reprimand and a request for an apology, and the publication of Commissioner Virdi's response to that request.

171. The following factors impact the investigator's **sanction recommendation regarding Commissioner Bastyovanszky**:

- a. Commissioner Bastyovanszky was co-operative throughout the process;
- b. This was one statement made during a live interview on a radio show;

- c. There is not an established pattern of similar Code breaches or conduct;
- d. The negative impact on elected officials when the suggestion is made of self interest and the difficulty with undoing that suggestion; and
- e. Informal resolution was not available to Commissioner Bastyovanszky as Commissioner Viridi had refused that as an option.

172. The investigator recommends an appropriate sanction for Commissioner Bastyovanszky is:

A request from the Park Board that Commissioner Bastyovanszky issue a letter of apology for suggesting self-interest by Commissioner Viridi in his role as Park Board Commissioner.

## **XVII. POTENTIAL PREVENTATIVE AND RESTORATIVE ACTIONS**

173. Arising out of this investigation, preventative and restorative actions that the Park Board may consider include:

- a. Guidance be given to future Park Board Chairs about the relatively neutral role that should be carried out by Chairs, regardless of political affiliation or ideology.
- b. Park Board Commissioners be given intermittent training and information on the importance of treating staff with respect and being careful not to pull them in the middle of disputes between Park Board Commissioners. This includes the important reminder that this is staff's workplace and it must always be a safe, respectful place for them to carry out their duties, regardless of the fact that it is also a political arena.
- c. Guidance on the use of social media as it relates to Code requirements, including commentary on how sharing and liking a post could lead to a Code breach if the content of the post that is shared or liked violates the Code.

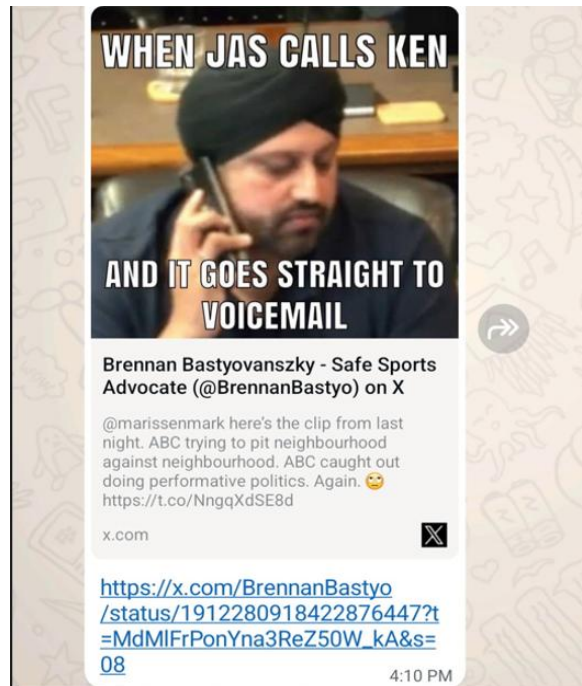
## **XVIII. CLOSING COMMENTS**

174. The concern is sometimes raised that the Code of Conduct process is capable of misuse or abuse. Integrity Commissioners watch for evidence of misuse or bad faith motives. However, when a political opponent asks that Commissioner's conduct be reviewed for a potential Code violation, that

does not necessarily mean the process has been misused. If the conduct is found to be off-side the Code, **it is the accountability of the Commissioner who behaved that way**, regardless of who brought the complaint.

175. The enforcement of the Code should be viewed as something that is **in the public interest**, which includes holding elected officials accountable for their conduct. Codes can support efficient and good governance at the municipal level when they are properly followed and not misused.
176. In this case, there were reams of allegations and information included in the investigation, which issues seemed to keep coming up over the years. It included allegations of interference with a commissioner's ability to act in their role (which would defeat the democratic process) and the suggestion of ongoing and systemic issues. These issues seemed to be impacting the Park Board's ability to function. The April 14, 2025 meeting was a demonstration of that, where seemingly more time was spent debating how a motion proceeds than dealing with the actual motion.
177. The investigator hopes that this investigation puts some of these accumulated issues to rest. It's a reasonable aspiration to not have any further matters of this kind need investigating for the remainder of this Park Board's term. The investigator encourages people to work these issues out directly or take advantage of the informal resolution processes available in the Code.
178. The investigator also encourages the approach of not looking for winners and losers at the end of these processes. Consideration is best given to how this process may improve how the Park Board functions in the future.

## XIX. APPENDIX A – April 15, 2025 Social Media Post



**Jaspreet Virdi** @JaspreetVirdi19 · Apr 15

Shame on you @BrennanBastyo you know I was calling commissioner Howard because she got logged off our meeting



## XX. APPENDIX B – Emails, Guidelines and Information re Chair’s Report

**From:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>  
**Sent:** Wednesday, April 10, 2024 10:11 AM  
**To:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>  
**Cc:** Jensen, Scott <[Scott.Jensen@vancouver.ca](mailto:Scott.Jensen@vancouver.ca)>; Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>  
**Subject:** Re: Chair’s report

Dear Chair,

You have had several discriminatory conversations with me and have shown me no respect. I would like to see a letter from every CCA and advisory committee that shows they do not want me as their liaison. Sunset community centre reached out to me because they wanted me to continue being their liaison. This is just one example of the lies you continue to share. The picture that was not included in the chairs report is another example. The senior centre at sunset was announced by elected officials. That is a park board facility. Talking to you just ends up as you yelling at me and not listening. Angela Haer supports the dissolution of the park board and yet you put her on the ethnic advisory. I am tired of being singled out and talking to you just makes things worse. You told me as long as I am on the side of abolishing the park board, you would make sure the south Vancouver turf field would not happen and that my motion for a sensory park will not pass. I am entitled to have my opinion and equal rights as a commissioner.

Thanks,

Commissioner Virdi

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**From:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>  
**Sent:** Wednesday, April 10, 2024 9:07:00 AM  
**To:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>  
**Cc:** Jensen, Scott <[Scott.Jensen@vancouver.ca](mailto:Scott.Jensen@vancouver.ca)>; Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>  
**Subject:** Re: Chair’s report

Hello Commissioner Virdi

To clarify, the guidelines for the chair's report applies fairly and consistently across all commissioners. In this instance I can't comment on the nature of the specific photo you submitted, as I haven't seen it.

Generally, the focus of the chairs report is that events should either be public events or events that all commissioners have an opportunity to attend (with the exception of events that only the chair attends in my capacity as chair).



With the federal and provincial election cycles starting up, I'd like to keep the chairs report non-partisan and focused on Park board related community activities for the commissioners photos.

If commissioners send photos that are of them at federal or provincial or City political party functions or announcements that are not about parks and recreation, we can leave those out of the report.

Seeing as you were invited to the Sunset Community Center announcement because you were part of ABC, and it was a political event that Commissioners weren't invited to, it seems fair that staff applied the guidelines.

Commissioners are all invited to Park Board events, which is administered by pbinvites. Otherwise commissioners can visit with community groups in their capacity as a commissioner and submit photos of their participation.

As for liaison roles, the overwhelming community feedback was they did not want to have a commissioner as a liaison that was actively trying to dismantle the Park Board, which was why the appointments did not include those commissioners opposing Park Board's existence.

One exception is Commissioner Haer was appointed to a City Committee. Commissioner Haer proactively expressed interest to the Chair in working with a committee as a liaison and offered to volunteer for her appointed liaison role.

This email thread is the first time you have expressed any interest to the Chair to be on a committee. In fact, you were offered the honourable role of being Committee Vice Chair, but you turned it down.

Lastly, which events do you feel you weren't invited to?

Thank you

Brennan

Park Board Chair

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**From:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>

**Sent:** Monday, April 8, 2024 3:29 pm

**To:** Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>

**Cc:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>

**Subject:** Re: Chair's report

This event included the announcement of the senior centre and so it pertains to Sunset community centre. I have been left out of all CCA liaison positions and now my photos are being omitted from the chairs report. I am not invited to several events that I see in the chairs report photos. This is not right.

Commissioner Virdi

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**From:** Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>  
**Sent:** Monday, April 8, 2024 11:35:59 AM  
**To:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>; Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>  
**Cc:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>  
**Subject:** RE: Chair's report

Hello Commissioner Virdi,

At the request of the Chair, we are not able to add events to the Chairs Report that are of a political nature, and for which not all Commissioners were invited to.

**From:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>  
**Sent:** Saturday, April 6, 2024 12:58 PM  
**To:** Park Board Invitations <[pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca)>  
**Subject:** Chair's report

Commissioner Virdi with prime minister Justin Trudeau, finance minister Christian Freeland and minister of emergency preparedness's Harjit Sajjan for housing and the Sunset Senior centre announcement at the Sunset community centre.

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**From:** Park Board GM's Office <[pbgmo@vancouver.ca](mailto:pbgmo@vancouver.ca)>  
**Sent:** Wednesday, May 22, 2024 4:22 PM  
**To:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>; Park Board GM's Office <[pbgmo@vancouver.ca](mailto:pbgmo@vancouver.ca)>; Park Board Commissioners - DL <[PBCDL@vancouver.ca](mailto:PBCDL@vancouver.ca)>; Jackson, Steve <[Steve.Jackson@vancouver.ca](mailto:Steve.Jackson@vancouver.ca)>  
**Subject:** RE: Invitations & Chair's Report Guidelines

Hi Commissioner Virdi,

As it is the "Chair's" Report, the Chair does have more opportunity for input. Additionally, as the Chair is the only member of the Board that may speak on behalf of the Board, the Chair may be invited to events that Commissioners are not invited to.

As noted in the email below, if a Commissioner receives an invitation to an event they would like to attend, and that invitation was not sent from [pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca), we ask that invitation please be forwarded to pbinvites so that staff can reach out to the organizers to ask if the invitation can be shared with all Commissioners.

In regards to your comment about photos the Mayor and Council, my understanding is that photos would be included if all Commissioners were invited.

Please direct any further feedback regarding the Chair's Report Guidelines to Chair Bastyovanszky.

Thank you kindly,

**From:** Virdi, Jas <[Jas.Virdi@vancouver.ca](mailto:Jas.Virdi@vancouver.ca)>

**Sent:** Wednesday, May 22, 2024 10:54 AM

**To:** Park Board GM's Office <[pbgmo@vancouver.ca](mailto:pbgmo@vancouver.ca)>; Park Board Commissioners - DL <[PBCDL@vancouver.ca](mailto:PBCDL@vancouver.ca)>; Jackson, Steve <[Steve.Jackson@vancouver.ca](mailto:Steve.Jackson@vancouver.ca)>

**Subject:** Re: Invitations & Chair's Report Guidelines

Hi,

So just to confirm, none of the rules apply to the chair? In the last chairs report I saw a picture of a rugby game in Burnaby and a wedding I was not invited to included. I am not invited to a majority of these events. I was also not given any liaison opportunities thanks to the chair. Basically, I have no opportunities to include any of my pictures. Also, if the picture includes, they Mayor, it is not to be included? Is that correct? This seems very discriminatory as many of my pictures are excluded and other commissioner's pictures are not and they do not follow the same guidelines.

Thanks,

Commissioner Virdi

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**From:** Park Board GM's Office <[pbgmo@vancouver.ca](mailto:pbgmo@vancouver.ca)>

**Sent:** Wednesday, May 22, 2024 10:21:45 AM

**To:** Park Board Commissioners - DL <[PBCDL@vancouver.ca](mailto:PBCDL@vancouver.ca)>; Jackson, Steve <[Steve.Jackson@vancouver.ca](mailto:Steve.Jackson@vancouver.ca)>

**Subject:** Invitations & Chair's Report Guidelines

Hello Commissioners,

To ensure everyone is on the same page, we thought it would be helpful to circulate the below information re: invitations and Chair's Report.

## INVITATIONS

If you receive an invitation to an event you would like to attend that was not sent to you by [pbinvites@vancouver.ca](mailto:pbinvites@vancouver.ca), or [pbgmo@vancouver.ca](mailto:pbgmo@vancouver.ca), please forward the invitation to us (this also helps us with the Chair's Report, outlined below.). For items received, that are not intended for just the Chair, staff will reach out to the organizer to confirm if the invitation can be shared with all commissioners.

## CHAIR'S REPORT GUIDELINES

Items included:

- Photos from events in which all commissioners (or just the Chair) were invited.
- Photos associated with your liaison roles.
- Photos of you at Park Board events.

- Photos of the Chair in the community.

Items not included:

- Photos not related to Park Board business, such as Civic events with Mayor and Council that all Commissioner weren't invited to through pbinvites.
- Photos of a political nature, such as partisan events, and events that all commissioners weren't invited to through pbinvites.

Your email submission must include:

- Description of each separate item.
- Which photo(s) correspond to which item.
- List of folks in each photo.
- Reminder that photo's of children must have a waiver signed by their parent, if waiver not provided, the photo will not be included.

Staff Process

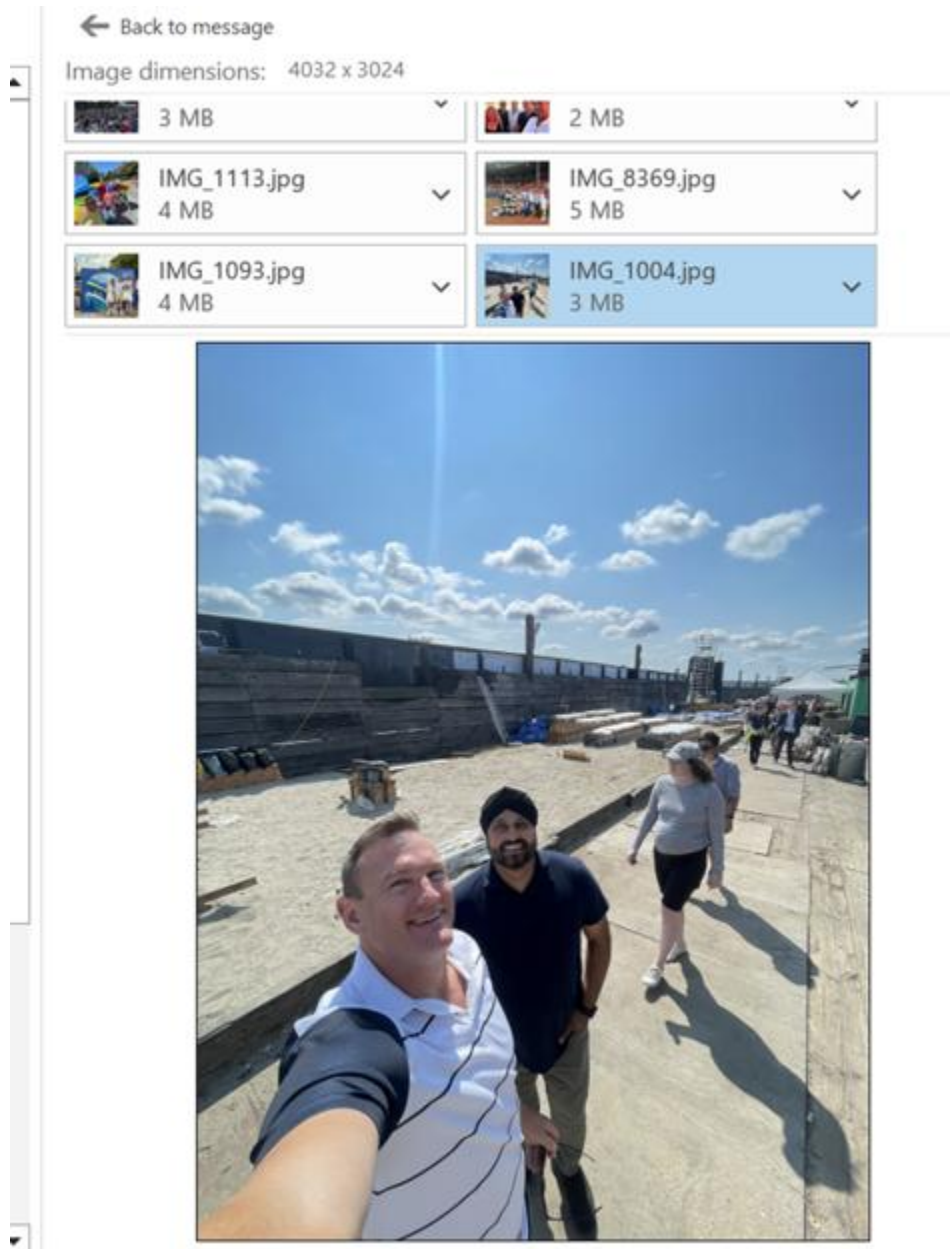
- Going forward, staff will assume all commissioners are abiding by the above and will include all items received.
- All items to be included in the Chair's report **must be received by 9am on meeting Mondays.**
- The Chair's Report will be sent to the Chair for review at noon.
- If there are any items the Chair feels do not align with the guidelines above, the Chair will advise staff to remove.

Thank you kindly,

Acting Manager, Board Relations

Strategic Operations & Board Relations | Vancouver Park Board

## Commissioner Virdi withdraws consent for use of photos in the Chair's Report



**From:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>

**Sent:** Tuesday, September 10, 2024 6:50 am

**To:** Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>

**Subject:** Re: \*FOR REVIEW\* Chair's Report - September 9/24

Thank you for letting me know

Brennan Bastyovanszky

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**From:** Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>  
**Sent:** Monday, September 9, 2024 1:35:59 PM  
**To:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>; Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>  
**Subject:** RE: \*FOR REVIEW\* Chair's Report - September 9/24

Commissioner Virdi advise the following today “You do not have my consent to use any picture of me in the chairs report.”

Please follow up with him if you would like the picture to include him.

Regards,

**From:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>  
**Sent:** Monday, September 9, 2024 1:31 PM  
**To:** Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>  
**Subject:** Re: \*FOR REVIEW\* Chair's Report - September 9/24

Thank you

It’s hard to see but looks like Cmr Virdi face is blurred in the picture from the barge. I got permission from him at the time to include the photo with him. Did he request not to be in the report?

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**From:** Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>  
**Sent:** Monday, September 9, 2024 12:58:08 PM  
**To:** Bastyovanszky, Brennan <[Brennan.Bastyovanszky@vancouver.ca](mailto:Brennan.Bastyovanszky@vancouver.ca)>  
**Cc:** Park Board Meetings <[pbmeetings@vancouver.ca](mailto:pbmeetings@vancouver.ca)>  
**Subject:** \*FOR REVIEW\* Chair's Report - September 9/24

Hello Chair Bastyovanszky,

See attached the Chair’s Report for your review in advance of the meeting tonight. Please let us know if there are any items you would like moved.

Unless we hear otherwise, this is what will be presented this evening.

**From:** [Park Board Staff]  
**To:** Viridi, Jas; Park Board GM's Office  
**Cc:** Jackson, Steve  
**Subject:** RE: Chairs report  
**Date:** Monday, September 9, 2024 1:05:00 PM  
Sure.

**From:** Viridi, Jas <Jas.Viridi@vancouver.ca>  
**Sent:** Monday, September 9, 2024 1:01 PM  
**To:** [Park Board Staff]  
**Subject:** Re: Chairs report

Hi,  
I am talking about the rules the chair implemented. As you can see by the last several chairs report,  
the rules do not apply to non-ABC commissioners. I would like to be removed completely.  
Not  
blurred or replaced. You do not have my consent to use any picture of me in the chairs report.  
Thanks,  
Jas Viridi

**From:** [Park Board Staff]  
**Sent:** Monday, September 9, 2024 2:29:18 PM  
**To:** Viridi, Jas <Jas.Viridi@vancouver.ca>; Park Board GM's Office <pbgmo@vancouver.ca>  
**Subject:** RE: Chairs report  
Hi Commissioner,  
The Chair's report rules haven't changed recently... I think the last email sent about the chair's report was a while ago.  
If we have time we'll send to you in advance for review and approval to include... however if we don't have time, or if we don't hear from you in time – please advise what you would like us to do – an emoji over your face? Blur it out?

**From:** Viridi, Jas <Jas.Viridi@vancouver.ca>  
**Sent:** Monday, September 9, 2024 10:23 AM  
**To:** [Park Board Staff]  
**Subject:** Chairs report  
Hi,  
I do not want any of my pictures included in the chairs report without my consent. New rules have  
been implemented and it seems like I am the only one that is required to adhere to them.  
Therefore, I do not want any of my pictures in the chairs report without my consent.

Thanks,  
Jas Viridi