



BRITISH
COLUMBIA

VIA EMAIL

June 16, 2021

Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6
Email: mayorandcouncil@victoria.ca

Dear Mayor Helps and Council:

**Re: City of Victoria (the "City") Supportive Housing Projects – British Columbia
Housing Management Commission ("BC Housing") Statutory Exemption**

As the City is aware, BC Housing is actively engaged in planning for the use and development of the following four sites located in the City and owned by Provincial Rental Housing Corporation for supportive housing:

- **865 Catherine Street;**
- **959 and 953 Balmoral Road;**
- **1053 and 1075 Meares Street; and**
- **1176 Yates Street**

(together, the "**Supportive Housing Sites**")

Given the urgent need for supportive housing in the City, we confirm that the City and BC Housing are in agreement that BC Housing will not apply for rezoning, a development permit, or a building permit in connection with the use and development of the Supportive Housing Sites. BC Housing will apply for a demolition permit for 959 Balmoral Road to satisfy certain Provincial statutory requirements.

In order to proceed unilaterally in the use and development of the Supportive Housing Sites, we confirm that the City and BC Housing are in agreement that BC Housing will rely on the Statutory Immunity provided by Section 14(2) of the *Interpretation Act* which reads:

Government bound by enactments; exception

14 (1) Unless it specifically provides otherwise, an enactment is binding on the government.

.../2

14 (2) Despite subsection (1), an enactment that would bind or affect the government in the use or development of land, or in the planning, construction, alteration, servicing, maintenance or use of improvements, as defined in the Assessment Act, does not bind or affect the government [emphasis added].

We appreciate the ongoing support and cooperation that you and the City's council have provided as we work to address the urgent housing crisis in the City.

Yours truly,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing