LOWER MAINLAND
LOCAL GOVERNMENT ASSOCIATION

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November 24, 2025

The Honourable David Eby
Premier of British Columbia
PO Box 9041 STN PROV GOVT
Victoria, BC V8W 9E1
Sent via e-mail: premier@gov.bc.ca

Dear Premier Eby,

Proposed Legislation Re: Professional Reliance Act (Bill M216)

On behalf of the Lower Mainland Local Government Association (LMLGA) which represents thirty (30) Local Governments and three (3) Regional Districts, from Pemberton to Hope, we submit the following response with serious concerns about the erosion of Local Government autonomy relative to the building of our unique communities.

While we acknowledge the housing crisis, this proposed legislative change will not accomplish the intended outcome. It does, however, open the door to development that will not meet the minimum standards that each local government has put in place to protect our infrastructure and residents for today, tomorrow and future generations. To blindly accept work by Qualified Professionals will put our invaluable infrastructure in jeopardy and could negatively impact the communities that our members have worked so hard to build for our residents.

Each community in our Local Government Association is unique and has servicing standards that vary. While they follow general professional standards each community has subtle differences that make them unique. The briefing mentions that some local governments use the *Professional Reliance Act*, but we note that those communities use it in very limited situations and we question the actual success of its use in those communities.

Considering that some communities use Professional Reliance already it is clear that Bill M216 mandates what Local Governments can already adopt, if they choose to implement, as a practice in their development process and is therefore redundant and unnecessary.

To fully understand the potential consequences of this bill, it is essential to assess how its provisions may impact various facets of local government planning and governance. The following sections offer some examples of potential impacts of this Bill.

1. Ambiguity in its Language and Definitions

There are various terms and definitions in this piece of legislation missing or defined strangely. Some terms that are missing include a Zoning Bylaw, a Development Variance Permit, and a Temporary Use Permit. The draft legislation defines a development permit area and an official community plan, but it is silent on the other tools that are used by municipalities. However, the term "submission" is defined to include a technical submission that is required to be provided under a development approval process. Does this include a subdivision application process, or is it limited to just the land use approval process only?

The proposed bill also includes other items such as: "No Limitations" and
"4. Nothing in this Act limits a local government's ability to establish zoning bylaws, development permit areas, or official community plans."

This contradicts the *Local Government Act*, so the question becomes has this proposed law limited or invalidated the ability of a local government to create any or all of the following: Development Approval Information Bylaws, Development Procedures Bylaws, Boards of Variances, and Advisory Planning Commissions. If this is true, it may invalidate established practices, requiring significant changes to administrative procedures, retraining of personnel, or even legal disputes to resolve conflicting requirements.

If the terms or requirements outlined in the current draft of Bill M 216-2025 remain vague, local governments, courts, developers, and professionals may interpret them differently. This ambiguity may result in protracted legal challenges, increased administrative burden, and the necessity for additional clarifying regulations or amendments. Stakeholders and users of the proposed legislation may experience uncertainty in compliance, leading to hesitation in implementation and investment decisions.

The last issue associated under the concept of ambiguity is found is section 2 of the proposed law. The wording in this section is outlined below.

"2. A local government must accept, as meeting permit or bylaw requirement, any submission certified by a PGA professional acting within their regulated scope of practice, unless…."

There is some confusion as to what is meant by a "meeting permit," and there is no definition for this term within this proposed law.

2. Impact on Existing Policies and Regulations

Bill M 216-2025 could potentially overlap with or supplant current laws, creating regulatory confusion. For example, if any provisions duplicate existing regulations, businesses and public agencies may face redundant compliance processes, increasing operational costs and complexity. On the other hand, if the bill contradicts current statutes, it may invalidate established practices, requiring significant changes to administrative procedures, retraining of personnel, or even legal disputes to resolve conflicting requirements.

With respect to section 3 of the proposed legislation, the only ones who can launch a complaint have to be a *Professional Governance Act* professional employed at the local government level. This is limited to the following professional bodies; the British Columbia Institute of Agrologists, the Applied Science Technologists and Technicians of British

Columbia, the College of Applied Biology, the Association of Professional Engineers and Geoscientists of British Columbia, the Association of British Columbia Forest Professionals, and the Architectural Institute of British Columbia.

Have these associations been consulted about their capacity to oversee this legislation and do they have dispute mechanisms in place for when they occur?

Will these associations provide a list of approved or suspended practitioners to inform local governments of their ability to provide reliable professional recommendations?

3. Financial and Economic Implications

The fiscal effects of Bill M 216-2025, when coupled with various sections of the *Professional Governance Act*, could be far-reaching. For example, Section 4.4 allows the Office of the Superintendent the ability to utilize consultants and other experts, or the charging of annual fees as outlined in section 22.1. The question becomes are these costs going to be passed onto the developer or the municipality?

In either situation, developers and the municipality may need to allocate resources to upgrade systems, revise workflows, or hire compliance specialists, leading to an increased overhead. For small and medium-sized *Professional Governance Act* enterprises, such costs could be particularly burdensome.

Additionally, if the bill places new taxes or requires fees to be charged, or if the municipality must increase their local property tax rates, it may indirectly affect consumer prices and economic competitiveness.

Another issue with the Office of the Superintendent is the staff level is currently set at eight (8) and there is no indication whether there will be any additional funding for this office. If this staffing level stays at eight (8), this will slow down any dispute resolution reviews.

4. Social Equity and Accessibility

If the bill is not carefully crafted, it could unintentionally widen existing social disparities. Certain provisions might disproportionately affect rural communities, either by limiting access to services or imposing costs that are harder for these communities to absorb.

5. Enforcement and Compliance Challenges

Insufficient mechanisms for oversight and enforcement could undermine the effectiveness of the bill. If regulatory bodies are under-resourced or lack clear authority, compliance rates may be low, and violations could go unchecked. This not only diminishes the intended benefits of the legislation but also may erode public trust in governmental processes. Additionally, inconsistent enforcement across jurisdictions may create unequal standards and opportunities.

6. Conflict of Interest

Notwithstanding their PGA status, any professional will have an inherent pecuniary interest that favour the applicant that has hired them. The requirement for local governments to accept the findings of PGA professionals with such pecuniary interests,

ahead those of professionals hired by the local government to represent the interests of the community, is inconsistent with concepts of conflict of interest already enshrined in the *Community Charter and Local Government Act.*

7. Local Government and Public Consultation and Transparency

A lack of comprehensive stakeholder engagement can lead to the adoption of measures that do not reflect the needs or realities of affected communities. Insufficient transparency in drafting or implementation may foster suspicion and resistance, reducing the likelihood of successful outcomes. On the other hand, robust public consultation can identify potential pitfalls in advance, facilitate smoother adoption, and increase the legitimacy of the legislative process.

In closing, we acknowledge the housing crisis, but we are also very concerned about the implications for the vital infrastructure that we as local governments are responsible for maintaining as well as how effectively they will serve our growing and unique communities now and into the future without review by Local Government staff expertise.

The Lower Mainland Local Government Association and our membership have serious concerns about this proposed new legislation. Therefore, we recommend that Bill M216 be set aside.

Thank you for your time and consideration.

Sincerely,

Councillor Paul Albrecht
Lower Mainland Local Government Association President

Cc:
-The Honourable Brittny Anderson, Minister of State for Local Government and Rural Communities
-The Honourable Christine Boyle, Minister of Housing and Municipal Affairs
-Cori Ramsay, UBCM President
-Gary MacIsaac, UBCM Executive Director
-The Planning Institute of BC
-AVICC
-SILGA
-NCLGA
-AKBLG