

December 9, 2025

Select Standing Committee on Private Bills and Private Members' Bills
c/o Parliamentary Committees Office
Room 224, Parliament Buildings
Victoria, BC V8V 1X4

Dear Chair Amna Shah:

Re: Town of Osoyoos concerns with the proposed *Professional Reliance Act* (Bill M216)

On behalf of the Council of the Town of Osoyoos, I am writing to express concerns regarding the recently introduced *Professional Reliance Act* (Bill M216), currently before the Legislative Assembly as a private member's bill.

While we support provincial efforts to streamline development approvals and improve housing delivery, several aspects of the proposed legislation raise substantial governance, risk management, and operational issues for local governments. More specifically, Council's concerns relate to the following matters:

1. Loss of Local Government Flexibility and Oversight

The Bill proposes to prohibit local governments from requiring peer reviews of professional reports certified under the *Professional Governance Act*, except with authorization from the Office of the Superintendent of Professional Governance (OSPG). As drafted, this restriction applies broadly to "submissions" provided under a development approval process, including rezonings, OCP amendments, development permits, variances, temporary use permits, phased development agreements, heritage permits, and building permit-related assessments.

This approach would effectively impose a one-size-fits-all approval framework across B.C. and remove an important tool that local governments rely on to ensure that professional reports are complete, reliable, and consistent with local bylaws, development guidelines, environmental protection measures, and hazard mitigation standards. Even though the Town of Osoyoos has not historically required third-party reviews, maintaining the authority to do so remains essential to ensure due diligence and uphold public interest.

2. Risk of Increased Delays to Development

Contrary to the Bill's stated intention of accelerating development, the proposed dispute-resolution mechanism—relying on the OSPG to assess disagreements over professional findings—poses a significant risk of introducing new delays. The OSPG is not currently mandated or resourced to adjudicate such disputes, and local governments may experience extended application stalls while awaiting provincial direction. This outcome would be inconsistent with the Province's recent efforts to streamline land-use approvals and increase housing supply.

3. Liability and Risk Exposure

Although the Bill asserts that local governments will be shielded from liability for relying on certified submissions, it does not prevent local governments from being named in legal claims. In cases where the responsible professional is unavailable or underinsured, local governments may face joint and several liability exposure. This represents a material financial risk for the public sector and contradicts the Bill's stated purpose of reducing administrative burdens.

4. Loss of Local Government Flexibility and Oversight

The Union of British Columbia Municipalities (UBCM) has advised that the proposed Act was not subject to the typical policy development or consultation processes associated with government bills. System-wide changes to local government approval authority should not be advanced without meaningful engagement with the municipalities and regional districts who will be responsible for administering the resulting framework. Early consultation ensures policies are practical, aligned with public expectations, and grounded in operational realities.

5. Proposed Mandatory Timelines for Development Processing

The Town is also concerned by the Bill's enabling provisions to establish mandatory processing timelines for development applications through regulation. In other jurisdictions, failure to issue a decision within a prescribed timeline results in deemed approvals. Such an approach does not account for the significant variation in resources, complexity of applications, and statutory obligations across B.C.'s diverse local governments, and may lead to sub-optimal or unsafe development outcomes.

In light of these issues, the Town respectfully requests that:

1. The Province suspend further consideration of Bill M216 pending comprehensive consultation with local governments and UBCM;
2. The Ministry undertake a detailed review of potential liability impacts, dispute-resolution timelines, and operational implications; and
3. Any future professional-reliance reforms be developed collaboratively with local governments to ensure they support both efficient development and public safety.

Thank you for your attention to these concerns and please know that the Town of Osoyoos would welcome the opportunity to participate in further dialogue on this matter and that I can be reached at 250-498-1857 or by email at smckortoff@osoyoos.ca.

Yours truly,



Sue McKortoff, Mayor
Town of Osoyoos

Enclosure(s)

C: The Honourable Christine Boyle, Minister of Housing and Municipal Affairs

CC: Union of British Columbia Municipalities