

January 6, 2026

Jennifer Arril
Clerk of Committees
Select Standing Committee on Private Bills and Private Members' Bills
Legislative Assembly of British Columbia
Parliament Buildings
Victoria, BC V8V 1X4

Submitted via email: PMBCCommittee@leg.bc.ca

Subject: Submission from the Professional Governance Act Regulators on Bill M216, the Professional Reliance Act

Dear Committee Members,

On behalf of the six regulatory bodies governed by the *Professional Governance Act* - Engineers and Geoscientists BC, the Architectural Institute of BC, the Applied Science Technologists and Technicians of BC, the College of Applied Biologists, the BC Institute of Agrologists, and Forest Professionals BC - we appreciate the opportunity to provide our observations on Bill M216, the *Professional Reliance Act*.

We welcome the Committee's review of this proposed legislation. Our organizations are committed to efficient, accountable decision-making grounded in professional expertise, public safety, and environmental stewardship. Attached is a submission outlining our collective observations and perspectives.

We appreciate the intent of the Bill is to streamline approvals, but as currently drafted it does not adequately account for the spectrum of technical and discretionary aspects of development permits across BC, which require balancing technical requirements, design standards, and regulatory oversight. We believe the best path forward is a pause for collaborative consultation with local governments, Indigenous peoples, the Office of the Superintendent of Professional Governance, and other interested parties. This dialogue could help government gain a clearer perspective on the development project approval process in BC. Focusing on specific amendments to the current Bill without thorough analysis of this complexity risks unintended consequences. A pause would give time to assess impacts, identify safeguards, and co-develop evidence-informed solutions that uphold the public interest. Our organizations are ready to contribute expertise and work in partnership toward a system that protects British Columbians.

During a December 10, 2025 meeting, MLA George Anderson shared with us some potential ideas for amendments to the Bill that he was considering. While our submission reflects observations and perspectives on the original text of the Bill, we have included our response to MLA Anderson's potential amendments as an addendum to the submission. MLA Anderson shared updated ideas with us via email on December 24, 2025 however, given the timing of the email, we were not able to provide comment on the communication in time for the committee consultation deadline.

We would welcome the opportunity to appear before the committee to provide further context for our submission. Please feel free to contact any of the undersigned to arrange an appearance or to request further information.

Sincerely,

Theresa McCurry, BSc, PMP
Chief Executive Officer, Applied Science Technologists and Technicians of BC

Mark Vernon, CPA, CA, CPA (IL)
Chief Executive Officer & Registrar, Architectural Institute of British Columbia

Jennifer Lawrence, MAL
Chief Executive Officer & Registrar, BC Institute of Agrologists

Christine Houghton
Chief Executive Officer, College of Applied Biologists

Heidi Yang, P.Eng., FEC, FGC (Hon.)
Chief Executive Officer, Engineers and Geoscientists of BC

Christine Gelowitz, RPF
Chief Executive Officer & Registrar, Forest Professionals BC

Observations and Perspectives on Bill M216, the Professional Reliance Act

The six regulatory bodies governed by the *Professional Governance Act* (PGA) - Engineers and Geoscientists BC, the Architectural Institute of BC, the Applied Science Technologists and Technicians of BC, the College of Applied Biologists, the BC Institute of Agrologists, and Forest Professionals BC - are responsible for upholding public safety, environmental stewardship, and public confidence in professional regulation. In response to the tabling of Bill M216, the *Professional Reliance Act*, these organizations, which regulate more than 65,000 professionals, provide the following observations and perspectives, based on their experience administering professional standards and regulatory processes in the province.

Engineers', geoscientists' and architects' participation in the approval of development projects is fairly well known as they relate to land hazards and building development. However, the development permit process requires a team of professionals with their own area of expertise. Alongside engineers and architects, professional agrologists, forest professionals, technologists and technicians applied biology professionals play a key role. For example, they conduct biological assessments and prepare environmental reports to comply with development bylaws, and ensure compliance with provincial and federal legislation, such as the Riparian Areas Protection Regulation, the Water Sustainability Act, the Wildlife Act, Migratory Birds Convention Act, and the Fisheries Act. They also identify ecological features on a site, evaluate potential impacts from the proposed development, and recommend mitigation measures or design adjustments to help the project meet regulatory requirements. These critical steps happen before the construction phase and are often of high public interest.

We have included an appendix to this document further outlining involvement of other PGA professionals.

Local/First Nations Government Authority and Clarity of "Technical Submission"

Bill M216 introduces changes to the delegation of decision-making authority from local/First Nations governments ("Authorities") to PGA professionals. Under current frameworks, Authorities manage risk tolerance and make decisions that reflect local priorities and conditions. The proposed legislation introduces ambiguity around these delegated authorities and may limit the Authorities' discretion. For example, because the term "technical submission" is not clear (unlike more common concepts – "form of character" or "conditional development permitting"), the Bill could remove Authorities' ability to manage risk tolerance and make context-sensitive decisions, which are essential for addressing local conditions and community objectives. This shift could result in inefficiencies and misalignment with local priorities. In-house professionals employed by Authorities, who have local, context-specific expertise, may also find their ability to exercise independent judgment restricted, which could affect the quality and appropriateness of decisions.

Peer review is a commonly used tool by Authorities to resolve disputes and validate submissions. It serves as a practical and effective mechanism for maintaining professional standards and protecting public interest. The Bill does not define 'peer review' and interpretations of this term can vary among parties, professions, and disciplines. However, the language eliminates the ability to require peer review, removing a safeguard that helps identify and resolve issues before they escalate. Peer review provides an additional layer of scrutiny, when required, and has proven to be an important component of permitting processes, ensuring submissions meet technical and safety standards.

The Certified Professional Program

The Certified Professional Program (CP Program) is an alternative building permit pathway used by participating local governments and First Nations in British Columbia. It has been referenced in relation to the Bill, including during legislative discussions suggesting it could apply at the development permit stage.

Under this program, Certified Professionals, who are architects or engineers who have completed specialized training, passed an exam, and met specific continuing education requirements, coordinate code compliance and provide assurances that a project's design and construction substantially meet Part 3 of applicable codes, including the BC Building Code and the Vancouver Building By-law. Authorities rely on these assurances to issue building permits and occupancy permits, streamlining the process for projects that meet technical requirements.

The CP Program applies to code compliance and building permit processes. It does not apply to development permits, which are land-use approvals grounded in a local government's Official Community Plan and the *Local Government Act*. The CP Program is only applicable to Part 3 Buildings (e.g., hospitals and schools of any size, or residential and commercial buildings exceeding three stories in height) and is not applicable to Part 9 Buildings (e.g., single-family homes and small apartment buildings). Development permits address community objectives and environmental hazards. Development permits often require technical reports, such as geotechnical, environmental impact, or flood hazard assessments, prepared by qualified professionals. These permits precede any related building permit and differ significantly from building permit processes.

Applying CP-like mechanisms to development permits would conflate two distinct regulatory regimes. Building permits involve compliance with technical codes, while development permits address land-use decisions and hazard management under local policy frameworks. The CP Program's emphasis on professional assurance for code compliance is fundamentally different from the broader considerations involved in land-use approvals. This distinction is especially important because development permitting processes currently lack precision, consistency, and certainty – forms and expectations vary by jurisdiction and may include non-technical elements such as 'form and character' or 'conditional development permits.' While a CP-style model might be appropriate if clear, consistent, code-like rules for development permitting were implemented provincially, these foundational prerequisites are not present in Bill M216 as currently drafted. PGA professionals could only provide CP-like assurances under a legislative model with consistent, 'code-like' rules for development permitting.

Submission Evaluation and Technical Completeness

Bill M216 introduces uncertainty regarding how technical submissions will be evaluated for completeness. The legislation does not avoid the risk of inconsistent or overly rigid interpretations. Without clear criteria, minor deficiencies could result in rejection, adding delays and administrative burden rather than streamlining approvals as intended. Ensuring the establishment of practical tools, such as a standardized completion checklist, could help provide clarity and consistency in determining completeness.

Objective measures, such as standardized checklists and assurance statements, are commonly used in permitting systems to provide transparency, consistency, and meet the shared public protection mandate. Clear expectations for completeness are essential to avoid delays and

ensure that submissions meet both technical and safety requirements. Ensuring the publication of comprehensive completion checklists, and possibly province-wide assurance forms, could help ensure permitting processes operate efficiently.

Changes to Risk Profile

Bill M216 would grant Authorities a degree of statutory protection in the context of development project approvals, introducing potential liability considerations for registrants. Under current permitting models, Authorities share responsibility for decisions related to development approvals. Moving this responsibility entirely to professionals changes the risk profile of their work and may discourage practice related to development permits in some professions. In line with the proposed pause, it would be helpful to take additional time to review the potential implications of Sections 7 and 8 to ensure clarity and avoid unintended outcomes.

Clarity Around Regulated Scope of Practice

The delineation of professional practice scopes established under provincial law is a critical factor in the protection of the public. The Bill's language requiring acceptance of certified submissions from PGA professionals "acting within their regulated scope of practice" does not adequately account for these distinctions. Ambiguity in scope interpretation, including by Authorities at the intake stage of applications, could lead to disputes between professionals and local/indigenous governments, increasing administrative complexity, delays, complaints and legal exposure.

Dispute Resolution Structure

The original wording of Bill M216 proposes that disputes between PGA professionals employed by local/indigenous governments and those retained by applicants be referred to the Superintendent of Professional Governance. As stated in our introductory letter, we understand that MLA Anderson intends to propose amendments to this section. Our response to those proposed amendments that were shared verbally with us on December 10 is contained in our letter to MLA Anderson which is included as an addendum to this submission. The paragraphs below represent our feedback on the original wording of Bill M216.

Mediating disputes in the context of this bill is outside the statutory mandate and expertise of the Superintendent's office. Centralizing dispute resolution in this way could overwhelm the office and distract from its intended focus, which is a broad oversight mandate of professional regulations.

Regulatory bodies are also not positioned to mediate or otherwise resolve these disputes to the extent they are related to completeness of applications or matters outside the PGA mandate. Regulatory bodies are authorized and equipped to address complaints related to professional conduct, competence, and compliance with standards, not to arbitrate permitting disagreements or make planning decisions delegated to local governments under the *Local Government Act*. Expanding the regulators' role into dispute resolution would blur these mandates, create uncertainty about impartiality, and erode trust in regulatory credibility. Moving planning 'completeness' complaints to the regulators or to the OSPG for resolution would require amendments to the PGA to expand regulatory authority into this new area.

Consultation and Collaboration

Engaging Authorities, the Office of the Superintendent of Professional Governance, PGA regulators, and other interested parties in a collective assessment of the Bill's provisions will help ensure that legislative changes are evidence-informed and aligned with statutory duties.

Previous reviews of professional reliance highlighted the importance of transparency, independence, and quality assurance—principles that remain essential today. Significant investment has already been made to address vulnerabilities identified in those reviews, and any expansion of professional reliance should be measured against those findings.

The six regulatory bodies are committed to contributing expertise and working in partnership to achieve solutions that protect British Columbians, uphold professional standards, and advance shared objectives.

Conclusion

Bill M216 represents a significant change to development permitting processes and impacts the regulation of professional practice in British Columbia. The issues of authority, submission evaluation, dispute resolution, liability, and the distinction between building and development permits are central to understanding the Bill's implications. The six regulatory bodies under the Professional Governance Act remain dedicated to supporting processes that protect the public interest and maintain the integrity of professional standards. We support policy discussions related to more consistent and codified development project requirements across the province as a foundation for professional reliance and are happy to engage with government on that issue.

Addendum: Letter to MLA Anderson on proposed amendments to Bill M216

January 6, 2026

George Anderson
Member of the Legislative Assembly for Nanaimo-Lantzville
Parliament Buildings
Victoria, BC V8V 1X4

Sent by email: George.Anderson.MLA@leg.bc.ca

RE: Proposed Amendments to Private Member Bill M216 (Professional Reliance Act)

Dear MLA Anderson,

Thank you for sharing the December 10, 2025 amendments you are considering for the *Professional Reliance Act*. We appreciate your intent to address delays and inefficiencies in the development approval process to accelerate housing. We acknowledge the constructive intent behind your amendments, but at the same time we remain concerned that the bill, even as amended, would introduce added bureaucracy without achieving the objective of faster approvals.

Based on our experience with regulated practice across BC, we expect the bill, on its own, may deliver modest improvements rather than a substantial system-wide impact. The most significant causes of delay tend to be structural and substantive. We suggest that addressing those root causes of permit delay alongside professional reliance will better achieve the Bill's aims. Therefore, as we have stated since the introduction of this Bill, we recommend a pause to engage in further dialogue and collaboration with all relevant parties to develop an approach that will deepen the intended impact of creating streamlined pathways for housing development.

However, as you requested, we are providing our perspective on the potential amendments you shared with us. We have no comments on sections three, five, and six. Our primary feedback relates to section 2(b), which is proposed to read: "a complaint regarding competency made to the applicable regulator." While we acknowledge that under the *Professional Governance Act* anyone may submit a complaint to the regulator at any time, our understanding of the intent behind this amendment is that such a complaint would trigger the ability of the local government/First Nations to "not accept" the submission from the regulated professional.

Here is a list of things to consider:

- Establish a clear, province-wide definition "incomplete" submissions;
 - The definition of 'incomplete' could include language related to issues of competency and/or professional misconduct within the submission that would necessitate a complaint to the regulator which may remove the need for the proposed amended 2(b)
- Require local government/First Nations to publish their pre-submission standards and use them as the basis for completeness checks;
- Clarify that 2(b) can only be activated by local governments/First Nations;
- Specify who within local government/First Nations may bring a complaint to a regulator (e.g., the permitting authority or an authorized official) and on what grounds (evidence related to competence, conduct, or ethics);

- Encourage complaints to be made at an appropriate decision-maker level who has direct knowledge of matter;
- Clarify that routine technical disagreements should first be addressed through the permit review process, with complaints reserved for issues that plausibly engage professional misconduct or incompetence under the PGA; and,
- Consider what happens to the acceptance of the submission under section 2 once the regulator has received and reviewed the complaint, particularly in a case where the complaint has been dismissed at intake or is dismissed as no issues of competency or professional misconduct has been found.

Once again, we appreciate your efforts to address concerns through amendments and remain available to contribute our expertise and work in partnership toward a system that protects the public interest while supporting timely housing delivery.

Sincerely,

Theresa McCurry, BSc, PMP
Chief Executive Officer, Applied Science Technologists and Technicians of BC

Mark Vernon, CPA, CA, CPA (IL)
Chief Executive Officer & Registrar, Architectural Institute of British Columbia

Jennifer Lawrence, MAL
Chief Executive Officer & Registrar, BC Institute of Agrologists

Christine Houghton
Chief Executive Officer, College of Applied Biologists

Heidi Yang, P.Eng., FEC, FGC (Hon.)
Chief Executive Officer, Engineers and Geoscientists of BC

Christine Gelowitz, RPF
Chief Executive Officer & Registrar, Forest Professionals BC

Appendix: PGA Professionals participation in the development project approval process

Applied Biologists

Typically, a biologist's role varies by the stage of development, and below is a general overview of those roles:

For a rezoning/land use change application a biologist will typically:

- Perform a desktop assessment to review what environmental federal, provincial and municipal legislation applies to the site (i.e. Fisheries Act, Migratory Bird Convention Act, Water Sustainability Act, Riparian Area Protection Regulation, municipal environmental protection bylaws, etc.).
- Perform a desktop assessment to review what environmental features are known to be on the site (raptor nest database, fisheries sensitivity databases, ecosystem classification databases, species at risk databases, etc.)
- Perform a preliminary site assessment. This is typically a short site assessment to determine presence/absence of environmental features found in the desktop assessment, and to look for anything that may not be inventoried in the online databases.
- Provide a preliminary environmental assessment report with the above noted information.

For a subdivision application a biologist will typically:

- Perform all the same work as above.
- Prepare a Riparian Area Protection Regulation report to show the impact on new and existing lots in the parts of the province the regulation applies.

For a development/construction permit application, a biologist will typically:

- Perform all the same work as above.
- Perform a more intensive environmental assessment of the site and focus on how the proposed building plans will impact the environmental features.
- Prepare a report to accompany the development application that lists the environmental features inventoried and includes mitigation, compensation, and environmental monitoring plans for the impacted environmental features.

For the development/construction phase, a biologist will typically:

- Ribbon off environmental exclusion zones for the construction crew.
- Perform any fish/wildlife salvages required on the site
- Perform environmental monitoring for the construction phase, including reporting on mitigation and compensation measures.
- Perform post-construction monitoring of compensation measures to monitor the effectiveness of the measures.

Engineering Technologists and Technicians

Typically, it is a technologist that will be working within a municipality's department. Their involvement is procedural, not discretionary. They ensure compliance with bylaws and standards. Also, their roles vary from municipality to municipality.

As part of the planning and development team engineering technologists in British Columbia are deeply embedded in the machinery of how development projects get approved. Their

participation is technical, and not obvious to the public, but development approvals do move more quickly with their involvement.

Developers, planners, and consultants produce drawings and concepts; technologists work to establish proof of concept and progress those ideas to detailed code-compliant designs. They prepare and review technical submissions - OCP compliance, site grading plans, servicing layouts, stormwater designs - ensuring they meet municipal bylaws, subdivision requirements, environmental standards, and utility regulations.

Inside local governments, technologists will review development applications prior to being passed to an engineer. They establish infrastructure requirements, screen submissions for completeness, flag non-compliance, run calculations, prepare reports for Mayor and Council, and provide a link coordinating the bulk of correspondence to applicants and other stakeholders.

British Columbia's 161 municipalities all have their own engineering design manuals, development servicing bylaws, and unique local constraints - floodplains, steep slopes, groundwater sensitivity, and aging infrastructure. Technologists navigate this complexity daily and guide applicants through what is locally feasible.

Once a project is conditionally approved, technologists are actively involved during construction to inspect roads, drainage systems, utilities, sediment control, and other works required as part of subdivision or development permit conditions and to ensure compliance with development services agreements. They verify that what was approved on paper is being built correctly on the ground.

Private developers, consulting engineers, consulting technologists, and builders typically work day-to-day with technologists. Technologists answer technical questions, negotiate revisions, coordinate with the registered professionals of record, and manage workflows that determine how quickly an application advances.

Professional Agrologists

Agrologists may be involved in the municipal permitting process if their skills and knowledge relate to:

- Land evaluation, classification, mapping, and management
- Water resources, planning and management (including riparian & flood hazard areas)
- Protection, conservation and management of environmental resources that sustain or have the potential to sustain the cultivation or production of aquatic or terrestrial plants or animals
- Land restoration, reclamation and remediation

E.g. hydrologists, practitioners in physiogeologic (water & terrain) assessments, wastewater management, land use planners, soil specialists

The process typically involves:

- Review of soils and agricultural capability maps prior to site assessment
- Site assessment including confirmation of soils & capability maps, soil sampling, identification of additional features (e.g. slope, terrain features, on site or adjacent topographical or infrastructure issues of concern)

- May include further soil investigation (e.g. soil pits, sampling, and/or treatment recommendations) and/or topographic modelling where site assessment results do not match soils and/or agricultural capability mapping

Professional Agrologists are also involved Farm Development Permit Areas by Region (this is unique to specific regions/municipalities).