

**REGULAR MEETING OF COUNCIL
AGENDA**

DATE: December 15, 2025
TIME: 4:30 p.m.
LOCATION: Council Chambers, Enderby City Hall

The public may attend this meeting in person or by means of electronic facilities.

The City of Enderby uses Zoom for its electronic facilities and encourages those who are unfamiliar with the application to test it in advance; for technical support, please contact Zoom.

The access codes for this meeting are:

*Meeting ID: 833 2735 5784
Passcode: 443886*

If you would like to attend this meeting by means of electronic facilities and do not have a computer or mobile phone capable of using Zoom, please let us know and we can provide you with a number that you can call in from a regular telephone.

*When applicable, public hearing materials are available for inspection at
www.cityofenderby.com/hearings/*

1. LAND ACKNOWLEDGEMENT

We respectfully acknowledge that we are on the traditional and unceded territory of the Secwepemc.

2. APPROVAL OF AGENDA

THAT the December 15, 2025 Council Meeting agenda be approved as circulated.

3. ADOPTION OF MINUTES

3.1 Meeting Minutes of December 1, 2025

THAT the December 1, 2025 Council Meeting minutes be adopted as circulated.

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4. CONTINUING BUSINESS AND BUSINESS ARISING FROM COMMITTEES AND DELEGATIONS

5. REPORTS

5.1 Mayor and Council Reports

5.2 Area F Director Report

5.3 Chief Administrative Officer Report

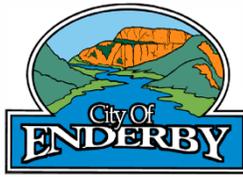
5.3.1 Council Inquiries

5.4 RDNO Building Permit Report – November 2025

Page 8

THAT the RDNO Building Permit Report – November 2025 be received and filed.

- 5.5 Council Strategic Plan Scorecard 2025 Page 9
Staff report prepared by Manager of Strategic Priorities and Community Services dated December 9, 2025
THAT Council receives and files the memorandum, “Council Strategic Plan Scorecard 2025”.
- 6. NEW BUSINESS**
- 6.1 Early Budget Approval for King Avenue Renewal Page 14
Staff report prepared by Chief Administrative Officer dated December 11, 2025
THAT Council grants early budget approval to proceed with the renewal of King Avenue between George Street and Vernon Street in 2026, with an estimated value of \$1,342,525, to be funded through a combination of reserves, Community Works funds, and annual contributions from taxation to asset management.
- 7. CORRESPONDENCE AND INFORMATION ITEMS**
Mayor or Chair will provide an opportunity for any Council member to request that a Correspondence and Information Item be discussed separately.
THAT Council receives and files all Correspondence and Information Items.
- 7.1 Feedback on Bill M216 – 2025 Professional Reliance Act Page 18
Correspondence from Stuart Horn, Chair, Board of Directors, Municipal Insurance Association of British Columbia dated November 27, 2025
- 8. PUBLIC QUESTION PERIOD**
- 9. ADJOURNMENT**



THE CORPORATION OF THE CITY OF ENDERBY

Minutes of a **Regular Meeting** of Council held on Monday, December 1, 2025 at 4:30 p.m. in Council Chambers.

Present: Mayor Huck Galbraith
Councillor Tundra Baird
Councillor Roxanne Davyduke
Councillor David Ramey
Councillor Brian Schreiner
Councillor Shawn Shishido
Councillor Sarah Yerhoff

Staff: Chief Administrative Officer – Tate Bengtson
Chief Financial Officer – Jennifer Bellamy
Manager of Planning, Community Safety and Bylaw Compliance – Kurt Inglis
Manager of Strategic Priorities and Community Services – Kelsey Campbell
Clerk-Secretary – Andraya Imrich

Other: Director Allysa Hopkins
Press and Public

LAND ACKNOWLEDGEMENT

We respectfully acknowledge that we are on the traditional and unceded territory of the Secwepemc.

APPROVAL OF AGENDA

Moved by Councillor Ramey, seconded by Councillor Davyduke
THAT the December 1, 2025 Council Meeting agenda be approved as circulated.

CARRIED

ADOPTION OF MINUTES

Meeting Minutes of November 17, 2025

Councillor Shishido noted a typographic error on page 2 of the minutes of the meeting of November 17, 2025. He also requested to amend the minutes by changing the description of his position on the matter of Zoning Amendment Application #0007-24-RZ-END to indicate that his intention was to improve transparency.

Moved by Councillor Shishido, seconded by Councillor Yerhoff
THAT the November 17, 2025 Council Meeting minutes be adopted as amended.

CARRIED

REPORTS

Mayor and Council Reports

Councillor Schreiner

Attended the Play for Truth Basketball Game at Splatsin Centre. Gave kudos to Councillors Shishido, Councillor Baird, and Mayor Galbraith for their participation in the game.

Attended the Chamber of Commerce Business Excellence Awards Gala.

Will be attending a Rail Trail meeting next week. Reported that there are three new kilometres of trail open south of Enderby. There is also erosion mitigation starting near North Enderby Timber.

Councillor Yerhoff

Attended the Chamber of Commerce Business Excellence Awards Gala and reported that it was very well attended.

Attended the Play for Truth Basketball Game at Splatsin Centre.

Attended the Lions Christmas Auction.

Looking forward to the upcoming Christmas festivities in Enderby.

Councillor Davyduke

Kept score for the Play for Truth Basketball Game at Splatsin Centre.

Councillor Ramey

Attended an Enderby & District Arts Council meeting and reported they are looking for volunteers.

Attended an Okanagan Regional Library Meeting.

Reported that he has spoken with community members about the Legacy North basketball program at Splatsin and has heard very positive things about the program.

There are also youth programs in the community put on by the Enderby Library and the Enderby & District Arts Council.

Reported that there has been some offensive vandalism at the shelter near the new pool construction site and at the steps down to the river near Riverside Park.

Councillor Baird

Attended the Play for Truth Basketball Game at Splatsin Centre.

Requested that the City purchase a re-usable giant cheque for donations.

Attended the Crafty Christmas event at the Senior Centre.

Will be meeting with M.V. Beattie students at the breezeway downtown tomorrow for cookies and hot chocolate with Santa.

Asked if there has been confirmation from M.V. Beattie of a date for the pancake breakfast.

Mayor Galbraith confirmed that the Pancake Breakfast is scheduled for December 19th.

The Legion Meat Draw is scheduled for this Saturday.

Councillor Shishido

Attended the Play for Truth Basketball Game at Splatsin Centre and reported that it was great to see Splatsin, Area F, and Enderby come together for the event.

Mayor Galbraith

Attended the Play for Truth Basketball Game at Splatsin Centre. Spoke with Ben Eby of Legacy North Academy who confirmed the basketball program will continue next year at Splatsin Centre.

Volunteered at Santas Workshop.

Area F Director

Read out a letter from the City of Vernon regarding their position on Bill 216.

Attended the Play for Truth Basketball Game at Splatsin Centre.

Attended a Hospital Board meeting.

Attended the groundbreaking ceremony for the new Shihya School.

Chief Administrative Officer

Pool construction is ongoing. Work is continuing on the roof structure and plumbing. For some of the construction happening over the winter, there will be a hose connection to the hydrant across King Avenue, which will be placed on an as-needed basis by the construction contractor. It will be removed at the end of the day and during snow clearing operations.

Staff have provided comments from Public Works back to the design engineer on the King Avenue road works and are exploring coordination opportunities in the hopes of expediting the road construction timeline to the spring of 2026. The City will realize some savings on temporary service connections if this timeline can be achieved. If all goes according to plan, staff intends to bring a design and budget forward at the next Council meeting in order to seek early budget approval.

Lower reservoir construction is continuing. Backfilling around the reservoir is progressing and a crane is expected to arrive shortly to load the interior piping into the individual cells. Once installed, the remaining items are the valve chamber door and apron, finishing the parking area,

installing the fence, and installing the mixing system valves. The latter are delayed but it is hoped that they arrive for the middle of December. Once installed, the reservoir will be brought online.

There will be a power outage from 10 p.m. on Thursday December 4th to 8 a.m. on Friday, December 5th. Staff have completed response plans for various City departments to ensure critical service continuity during the outage while managing for impacts and consequences.

Enderby will be the scene of another movie. A full proposal from the production team is forthcoming, but some disruption to the downtown area on December 8th and potentially December 9th is expected. On December 8th, Public Works will be temporarily removing the Christmas tree from in front of the Library, which is why it is on a palette this year. It will be reinstated the following day.

Staff are working on the Official Community Plan update with the consultant. The depth of the review is more involved than anticipated and referrals are still required following the review, so it is likely that Council will next consider this in early 2026.

Thanked Public Works for adding Christmas cheer downtown. In addition to the stars and trees installed last week, they are putting up the Christmas tree this week and are wrapping the tops of all of the light standards on Cliff Avenue, which will enhance the downtown spirit.

The Barnes Park Public Engagement Survey is expected to launch shortly. Requested Council help to circulate it to anybody who wants to contribute to the vision for this space.

Councillor Ramey noted that the film production team has approached the Enderby & District Arts Council and will be temporarily re-locating the bottlecap mural to use it for the film.

Councillor Davyduke asked if there are plans to re-seed the dirt that was used for leveling near the Arena.

Chief Administrative Officer responded that there are plans to aerate and re-seed in the spring.

NEW BUSINESS

Ratification of Contribution to the Play for Truth: Splatsin Monument Fundraiser

Moved by Councillor Baird, seconded by Councillor Shishido
THAT Council ratifies its decision to contribute \$3,000 to the Play for Truth: Splatsin Monument Fundraiser, to be funded through the relationship-building and donations budget line items.
 CARRIED

Appointments to the Okanagan Regional Library Board for 2026

Moved by Councillor Baird, seconded by Councillor Ramey
THAT Council appoints Councillor Ramey as Library Trustee and Mayor Galbraith as Alternate Trustee to serve on the Okanagan Regional Library Board for 2026.
 CARRIED

CORRESPONDENCE AND INFORMATION ITEMS

Councillor Shishido asked how Bill M216 has progressed to this point.

Chief Administrative Officer explained that Bill M216 is a private members bill that has passed second reading. There has been very strong opposition to the bill from local governments. Explained that although the intention is to streamline the development approval process, if Bill M216 were to pass, it would likely have the opposite effect. A local government’s only option to ensure safe and balanced development proposals would be to go through dispute resolution on every single application.

Moved by Councillor Baird, seconded by Councillor Shishido

THAT Council receives and files the correspondence and information items titled:

- Bill M216, 2025, Bulletin from Lidstone & Company dated November 19, 2025.
- Bill M 216 – 2025 Professional Reliance Act, Correspondence from Mayor Meghan Lahti, City of Port Moody dated November 24, 2025.
- Bill M216 Professional Reliance Act – Planning Institute of British Columbia Preliminary Comments, Correspondence from Kenna Jonkman RPP, MCIP, President, Planning Institute of British Columbia dated November 14, 2025.
- Concerns Regarding Bill M 216 – 2025 Professional Reliance Act, Correspondence from Nicole MacDonald, Mayor, City of Pitt Meadows dated November 26, 2025

CARRIED

PUBLIC QUESTION PERIOD

There were no questions from the public.

CLOSED MEETING RESOLUTION

Moved by Councillor Baird, seconded by Councillor Shishido

THAT pursuant to Section 92 of the Community Charter, the regular meeting convene In-Camera to deal with matters deemed closed to the public in accordance with Section 90 (1) (k) of the Community Charter.

CARRIED

ADJOURNMENT

Moved by Councillor Davyduke, seconded by Councillor Baird

THAT the regular meeting of December 1, 2025 adjourn at 5:21 p.m.

CARRIED

MAYOR

CORPORATE OFFICER

RDNO Building Permits Issued Comparison for Year/Month - Summary

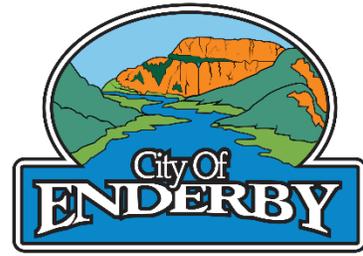
Area: CITY OF ENDERBY

Category: BUILDING PERMITS

Year: 2025 **Month:** 11

Folder Type	2025 / 11		2024 / 11		2025 to 11		2024 to 11	
	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created	Building Value	Permits Issued	Res. Units Created
ACCESSORY BUILDING	0	0	0	0	0	0	1	0
AGRICULTURAL BUILDING	0	0	0	0	0	0	0	0
COMMERCIAL BUILDING	0	0	0	0	0	0	0	0
DEMOLITION	0	0	0	0	0	0	0	0
END - ACCESSORY BUILDING	0	0	0	0	4	201,632	1	0
END - COMMERCIAL BUILDING	1	0	75,000	10,000	4	1,385,000	5	5
END - DEMOLITION	0	0	0	0	1	0	2	0
END - INDUSTRIAL BUILDING	0	0	0	0	1	700	0	0
END - INSTITUTIONAL	0	0	0	0	0	0	1	0
END - MANUFACTURED HOME	0	0	0	0	0	0	1	1
END - MODULAR HOME	0	0	0	0	0	0	0	0
END - MULTI FAMILY DWELLING	1	0	9,682	0	5	386,682	3	8
END - PLUMBING	0	0	0	0	0	0	0	0
END - POOL	0	0	0	0	1	4,000,000	0	0
END - RETAINING WALL	0	0	0	0	0	0	0	0
END - SFD W/SUITE	0	0	0	0	1	540,000	3	5
END - SIGN	1	0	2,000	0	2	2,000	1	0
END - SINGLE FAMILY DWELLING	0	0	0	0	6	835,596	7	3
INDUSTRIAL BUILDING	0	0	0	0	0	0	0	0
INSTITUTIONAL	0	0	0	0	0	0	0	0
MANUFACTURED HOME	0	0	0	0	0	0	0	0
MODULAR HOME	0	0	0	0	0	0	0	0
MULTI FAMILY DWELLING	0	0	0	0	0	0	0	0
OLD PIMS PERMITS	0	0	0	0	0	0	0	0
PLUMBING	0	0	0	0	0	0	0	0
POOL	0	0	0	0	0	0	0	0
RETAINING WALL	0	0	0	0	0	0	0	0
SIGN	0	0	0	0	0	0	0	0
SINGLE FAMILY DWELLING	0	0	0	13,500	0	0	4	1
SOLID FUEL BURNING APPLIANCE	0	0	0	0	0	0	0	0
Report Totals	3	0	86,682	23,500	25	7,351,610	29	23
								5,521,776

Staff Report



Date: December 9, 2025
To: Chief Administrative Officer
From: Kelsey Campbell, Manager of Strategic Priorities and Community Services
Subject: Council Strategic Plan Scorecard 2025

RECOMMENDATION

THAT Council receives and files the memorandum, “Council Strategic Plan Scorecard 2025”.

DISCUSSION

At its regular meeting of February 3, 2025, Council adopted Strategic Plan 2023-26 - Update 2025 (“the Plan”). As described in the document, the Plan:

provides direction so that the resources are spent on the right objectives at the right time. A strategic plan also creates efficiency and effectiveness by providing clarity and alignment on decision-making and resource allocation throughout the entire municipal corporation.

The Plan identified strategic priorities and classified them as Critical, Important, or Desirable. The classifications are defined as follows:

CRITICAL priorities are essential objectives for which it is not possible to change the timeline – meaning that resources may need to be drawn from other objectives in order to complete the task.

IMPORTANT priorities are also objectives that provide significant positive value, but it is acceptable to extend the timeline in order to keep the resource costs fixed.

DESIRABLE priorities also provide positive value, but it is acceptable for both resources and timeline to be adjusted to balance the demands of higher priorities.

Attached is a scorecard showing progress related to the Plan’s 2025 objectives, as well as progress on objectives that were accomplished ahead of schedule. Progress was achieved on all 2025 objectives.

In accordance with the process described in the Plan, early in 2026, Council will meet for a strategic planning session to ensure that the Plan continues to meet the evolving and emerging

priorities of Council and the broad community. This meeting will aid staff in developing a budget that funds Council's priorities.

ATTACHMENTS

- 2025 Strategic Plan Scorecard

Approved for Inclusion by..... Tate Bengtson, Chief Administrative Officer
AgendaCouncil, Regular, December 15, 2025

COMMITMENT	PRIORITY	ACTION	PROGRESS
STRATEGIC PRIORITY #1 - CITIZEN ENGAGEMENT			
Assess opportunities to implement a volunteer engagement and coordination program that will increase the annual volunteer hours contributed to the community.	Desirable	Partner	In progress. Assessing options to help raise awareness among prospective volunteers about opportunities.
Host a “Coffee with Mayor & Council” event.	Desirable	Provide	Completed. Hosted the event on October 8, 2025.
Increase recognition of community volunteers.	Desirable	Provide	In progress. Call for Submissions active for new recognition card designs. Ongoing recognition for community event volunteers.
Commission at least one new design for community recognition cards.	Desirable	Provide	In progress. Call for Submissions deadline is January 15, 2026.
Approve an implementation plan for public art.	Important	Provide	Completed. Adopted at Regular Meeting on January 20, 2025. Initiatives are at varying stages of implementation or have been completed.
STRATEGIC PRIORITY #2 - HEALTH AND WELL-BEING			
Partner with the Garden Club or another community organization on at least one food security initiative.	Desirable	Partner	In progress. Staff working with Garden Club to locate suitable space for community garden and exploring opportunities for collaboration.
Develop a vision for the future use of the old pool location (2026 objective).	Important	Partner	In progress. Currently in public engagement phase of Barnes Park Concept Planning.

STRATEGIC PRIORITY #3 - ECONOMIC PROSPERITY

Continue to enhance holiday lights at City square intersection.	Important	Provide	Completed. Enhanced holiday lights on light standards along the Cliff Avenue from George Street to the Bridge.
Explore with the Area F Director opportunities to enhance collaboration and partnership.	Important	Partner	Ongoing progress. Joint UBCM meetings, shared support for Splatsin's Play for Truth basketball fundraiser, new outdoor pool and several other initiatives.
Hold at least one Community to Community meeting with Splatsin to explore opportunities to enhance collaboration and partnership.	Important	Partner	Completed. City of Enderby hosted meeting on June 16, 2025. Collaboration and partnership includes joint UBCM meeting, as well as support for recreation, infrastructure, healthcare, economic development, and public art initiatives.
Hold at least one meeting with School District #83 officials to discuss public use of school facilities and joint use agreements.	Important	Partner	In progress. Proposals to streamline implementation of recreation joint use agreement underway at technical level. Outreach and dialogue has occurred on non-recreation joint use opportunities.
Support Community Futures' Rail-Trail business readiness initiative.	Important	Partner	In progress. First Business Rail Trail Readiness Workshop with consultant is on January 20, 2026.
Plant 10 semi-mature trees by 2026. (2026 objective)	Desirable	Provide	Ahead of schedule. Eight trees planted in 2025.

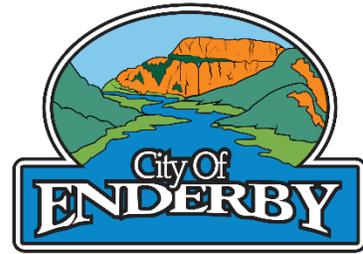
STRATEGIC PRIORITY #4 - ATTAINABLE AND AFFORDABLE HOUSING

Align Official Community Plan and Zoning Bylaw with Interim Housing Needs Report.	Critical	Provide	In progress. Council will consider the revised OCP in early 2026. Consequential Zoning Bylaw amendments, if any, will be brought forward later in 2026.
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STRATEGIC PRIORITY #5 - WELL-MANAGED INFRASTRUCTURE

Continue to invest in asset management annually.	Critical	Provide	Completed. Financial plan for 2025 included asset management investments.
Create a grant-ready expansion and upgrade plan for the Water Treatment Plant.	Critical	Provide	Completed. Grant application submitted and borrowing bylaw authorized.
Complete construction of a replacement Reservoir #1.	Critical	Provide	Completion date is January 15, 2026.
Develop a grant-ready plan for improving community fire flows.	Important	Provide	In progress. Targeting 2026 for project initiation.
Fulfill the requirements for the City to be eligible under the Province's allocation-based FireSmart funding model.	Important	Provide	Completed.

Staff Report



Date: December 11, 2025
To: Mayor and Council
From: Tate Bengtson, Chief Administrative Officer
Subject: Early Budget Approval for King Avenue Renewal

RECOMMENDATION

THAT Council grants early budget approval to proceed with the renewal of King Avenue between George Street and Vernon Street in 2026, with an estimated value of \$1,342,525, to be funded through a combination of reserves, Community Works funds, and annual contributions from taxation to asset management.

DISCUSSION

Staff are advancing a concept design for reconstructing King Avenue between George Street and Vernon Street. The proposed road project was identified as a candidate for reconstruction a number of years ago due to age and condition.

Advance planning and cooperation has created an opportunity to proceed with the project early in 2026, with the road construction contractor coordinating with the pool construction manager. This opportunity will benefit the new pool by providing an opportunity to establish the necessary road service level as of the pool's opening day, while reducing the capital costs for both the pool and the road.

Project Identification

Like most municipalities, the City of Enderby possesses a significant infrastructure deficit. This means that many of its roads and pipes have been prolonged beyond the end of useful life while remaining in service. This increases operating costs and the risk of failures that require costly repairs and service disruptions, without improving the City's infrastructure deficit position.

As there are more assets requiring renewal than the City can afford to complete, Staff use a road renewal identification process that considers a variety of factors in determining the timeline for rebuilding a road. These factors include:

1. Priority, or importance to the overall network of linear utilities (e.g. roads, water, sewer, and storm);

2. Condition assessment and rate of deterioration;
3. Financial capacity; and
4. Relationship to other infrastructure projects objectives that may create significant opportunities or efficiencies.

Infrastructure Service Level and Condition

King Avenue connects Vernon Street to George Street (Highway 97A). Running east-west, it provides access and parking for:

- Barnes Park (south side of road)
- Various residential and commercial properties (north side of road)

This portion of King Avenue features a relatively deep gravel boulevard on its south side that is used for Barnes Park parking, as well as a sidewalk on the north side adjacent to parallel parking.

The geotechnical report characterizes the road base as non-homogeneous layers of highly frost-susceptible materials, including highly plastic and silty clays that have a high potential for volume change with changes in moisture contents. The report describes the asphalt surface as “very poor” with “severe fatigue cracking due to base failure, cracking, rutting and ravelling along its length.”

The new outdoor pool is being built at a different location inside of Barnes Park that is adjacent to King Avenue. It is expected to open for the summer 2026 season. Given the new location, and an effective change in the road service level, there will be more parking and pedestrian demand on the south side of King Avenue. In addition, the water, storm, sanitary sewer, power, telephone/cable, and district heating connections for the new pool will come off of King Avenue.

Concept Design

The proposed concept design is circulated separately.

Design changes to the service level include:

- Paved perpendicular parking stalls on south side, with a buffer to improve sightlines for backing out safely;
- Two parking stalls reserved for accessibility on the south side, in close proximity to the entrance path to the pool;
- Paved parallel parking stalls on the north side;
- Asphalt paving from curb to curb;
- New sidewalks along the north and south sides, with the south side inside of Barnes Park and possessing extra width (2.10m versus the standard 1.50m width), to encourage

pedestrians to walk in front of the perpendicular parking area and offer additional room for mobility needs;

- New storm, sanitary and water mains, including an upsized water main (from 100mm diameter to 150mm diameter) to improve fire flows;
- Renewed service connections to the property line;
- Additional hydrant at the west end to improve fire protection in the vicinity.

Due to limited room in the King Avenue road dedication, and the fact that the City owns both the road and the park, the parking area has been designed to straddle the property line, which minimizes the impact to available open space inside of Barnes Park while creating more parking opportunities and enhancing road safety in a way that would otherwise be unavailable.

Funding Analysis

The total estimated project cost for the King Avenue renewal from George Street to Vernon Street is \$1,342,525. The estimate includes contingency and engineering. The total estimated project cost is lower than what was anticipated in the 2025-2029 Financial Plan.

Funding for the project is proposed to occur through a combination of reserves, Community Works funds, and annual contributions from taxation to asset management. No increase to taxation is required.

Timing

In anticipation of the new outdoor pool, steps were taken with the prior year's road procurement process, as well as advance coordination with the pool construction contractor, to position the King Avenue construction for early start and completion dates, in order to execute the projects concurrently while ensuring that the bulk of the road project is completed prior to the start of the pool season. This approach will avoid approximately \$40,000 in pool capital costs by eliminating temporary service connections as well as a further \$40,000 in road capital costs by completing the parking area on the south boulevard of King Avenue at the same time as the rest of the road project.

It is anticipated that road works will start in early to mid-February, subject to weather, and will substantially conclude in early May, with landscape tie-ins and clean-up to follow.

Procurement

In order to provide coordination and cost certainty, the 2024 Granville Avenue procurement document included a provision for the City to negotiate additional work with the successful proponent in 2026, provided it is of a similar nature, given satisfactory performance and mutual agreement. This was included to create the early certainty necessary to schedule and coordinate the involved parties.

Subject to Council’s early budget approval, Staff intend to exercise this option. The contractor has worked in the City of Enderby on numerous road projects in the past and has consistently delivered projects on time, on budget, and to specification. Preliminary meetings have occurred between the City, the pool construction manager, the road contractor, and the road engineer to ensure alignment on schedules and land use.

Strategic Plan Alignment

This matter is related to Council’s fifth strategic priority:

We are committed to providing well-managed infrastructure that supports the needs of our community in a fiscally responsible way.

It supports an objective under Council’s second strategic priority:

Complete construction of a new pool.

ATTACHMENTS

- King Avenue Reconstruction Plans (circulated under separate cover)

Approved for Inclusion by..... Tate Bengtson
AgendaCouncil, Regular, December 15, 2025

**Municipal Insurance
Association of British Columbia**

200 - 429 West 2nd Ave.
Vancouver, BC V5Y 1E3
Toll-Free: 1-855-683-6266
E-mail: AskUsAnything@miabc.org

miabc.org



November 27, 2025

The Honourable David Eby
The Honourable Christine Boyle, Minister of Housing and Municipal Affairs
MLA George Anderson
Amna Shah, Chair, Select Standing Committee on Private Bills and Private Members' Bills
Trevor Halford, Deputy Chair, Select Standing Committee on Private Bills and Private Members' Bills

Dear Premier Eby, Minister Boyle, Mr. Anderson, Ms. Shah, and Mr. Halford:

Re: Feedback on Bill M 216 – 2025 Professional Reliance Act

We write on behalf of the Board of Directors and executive leadership of the Municipal Insurance Association of British Columbia (the "MIABC") in response to your invitation to provide feedback on Bill M 216 - 2025 Professional Reliance Act ("Bill M 216"). While the MIABC does not typically engage in lobbying on behalf of local governments, we do hold a unique vantage point from which we provide the following feedback. We insure 90% of the municipalities and regional districts in British Columbia, and we have extensive experience assessing how legislative changes affect local governments' civil liability, risk exposure, and insurance outcomes. It is in that context that we offer the following observations and concerns.

Scope and Intent of the Bill

Bill M 216 appears to pursue a narrow objective of reducing perceived duplication in local government oversight of new construction. Based on MLA Anderson's first reading remarks, the Bill aims to prevent local governments from conducting second reviews of submissions prepared by professionals regulated under the *Professional Governance Act*, SBC 2018, c. 47 ("PGA professionals"). The intended effect is to give precedence to PGA professionals' submissions over local government review.

However, Bill M 216 contains significant ambiguity. The legislation does not clearly define its scope, and the only direction provided relates to the definition of "submission." It is unclear whether Bill M 216 is intended to apply solely to development permits or also to building

permits. MLA Anderson's briefing materials suggest an intent to include building permit approvals, yet the statutory language does not make this explicit.

Local government review of new construction is discretionary. If a local government chooses to undertake a review, Bill M 216 would render that review largely meaningless. Under the Bill, a local government could only reject a certified submission by filing a complaint with the Superintendent of Professional Governance. This shifts local governments into an unsuitable role. They would be expected to act as *de facto* competency assessors of PGA professionals, despite not being mandated or equipped to carry out such a function.

Bylaw Compliance and Practical Consequences

Section 2 of Bill M 216 requires that a local government must accept as meeting permit or bylaw requirements any submission certified by a PGA professional. This requirement assumes that PGA professionals possess detailed knowledge of the local bylaws that apply to land use and construction. Local government bylaws are complex, extensive, and unique to each jurisdiction. Proficiency in municipal bylaw interpretation is not a competency promoted or required under the *Professional Governance Act*.

A PGA professional working in a new jurisdiction will rarely be familiar with the full range of relevant bylaws. Many local governments have dozens of bylaws, each with provisions that affect land use, servicing, parking, subdivision, and building matters. Even experienced municipal staff require time and training to develop adequate bylaw fluency.

Local governments routinely receive submissions that are not fully compliant. Municipal approval is often an iterative process supported by pre-application meetings that reduce delays and improve the quality of submissions. If Bill M 216 prevents local governments from rejecting non-compliant plans at the permit stage, the consequence will be the construction of buildings and infrastructure that do not comply with municipal bylaws.

The implications of the above noted issues are substantial. If a building official identifies non-compliant elements in a certified set of plans, Bill M 216 would prevent the municipality from refusing the permit. Months later, during final inspection, the building official must reject the completed work if it violates bylaw requirements. The builder would then face significant costs to remove and redo the work which costs could have been avoided had the initial review been allowed to proceed as intended.

Peer Reviews and Public Safety

It is also important to address the matter of peer reviews. It is rare for a local government to request a peer review based solely on submissions from an engineer. In our experience, peer reviews are almost always mandated only when a project has gone seriously off-track during construction and significant public safety concerns have emerged. Two of the largest claims ever handled by the MIABC involved construction based on designs of PGA professionals which led to disastrous stability issues. In both cases, the local government required a peer review to restore confidence from a life and safety perspective. One claim resulted in several property owners being required to abandon their one-million-dollar homes. The other resulted in the abandonment and projected demolition of a recently constructed social housing building that had been home to many vulnerable residents.

In our experience, local governments do not order a peer review in the absence of clear and serious safety concerns. A mandated peer review is a significant and unusual step that local governments do not take lightly. It is typically taken only after the local government has obtained legal advice. We also cannot recall a situation where a mandated peer review did not result in significant changes to the project design.

We agree that any order for a peer review should be accompanied by a report to the superintendent appointed under the *Professional Governance Act*. However, neither the public nor the developer is well served by delaying the peer review until after the superintendent has completed a review and made a determination. Local governments need the ability to require a peer review promptly when safety issues surface, to protect residents, mitigate risk, and prevent further harm.

Civil Liability and Insurance Considerations

Section 8 of Bill M 216 appears to limit local government liability, but the protection is narrow and ambiguous. British Columbia courts have consistently expanded local governments' duties and standards of care in matters relating to building safety, inspections, and approvals. It is unclear whether section 8 would apply to duties to warn, to building inspections, or to other operational decisions. This ambiguity leaves room for litigation to proceed in circumstances the legislature may not have intended.

Shifting liability to PGA professionals offers limited protection for additional reasons. Most carry modest limits of liability insurance written on a "claims made" basis. This type of policy provides coverage only if the professional has an active policy when the claim is discovered and reported, which could be many years after the error was made. This structure differs from

“occurrence based” insurance, which responds as long as the policy was in place at the time the work was performed. Claims made coverage is significantly more restrictive for long-tail risks such as construction defects. Many building deficiencies, especially those involving foundations, structural elements, or building envelopes, develop slowly and may not become evident for five, ten, or even fifteen years.

By the time the defect becomes known, several things may have occurred. The professional may have changed insurers, reduced the scope of their insurance, retired or left practice, or allowed their coverage to lapse entirely. They may no longer carry insurance at all. Even if they remain insured, the policy terms might not respond to a claim arising from work completed many years earlier. Once the insurance has lapsed or changed, the original project is no longer protected.

In these situations, injured parties will often seek recovery from local governments, which are viewed by courts as stable, well-resourced defendants with ongoing duties related to building safety. Given the ambiguity in section 8, courts may be inclined to allow claims to proceed against local governments, especially where evidence shows the local government became aware of a deficiency but was prevented from acting by statute.

Conclusion

Our overarching concern is that Bill M 216 restricts local governments from addressing bylaw compliance issues at the start of a project while leaving open the possibility of local government liability for deficiencies discovered after construction. Many of the bylaws at issue relate to life and safety matters. Following a serious incident, neither the courts nor the public will be comforted by an explanation that the local government knew of a deficiency but was prevented from acting by the proposed legislation.

We respectfully submit that Bill M 216 as currently drafted, is too broad, too vague, and too likely to create unintended consequences for builders, local governments, and the public they serve. We encourage further consultation with local governments, building officials, and professional regulatory bodies to ensure a legislative approach that reduces duplication while preserving essential safeguards.



Thank you for the opportunity to comment. We would be pleased to discuss these concerns further.

Sincerely,

A handwritten signature in black ink, appearing to be "Stuart Horn", with a long horizontal line extending to the right.

Stuart Horn

Chair, Board of Directors

Municipal Insurance Association of British Columbia

A handwritten signature in black ink, appearing to be "Megan Chorlton", with a long horizontal line extending to the right.

Megan Chorlton

Chief Executive Officer

Municipal Insurance Association of British Columbia