



## Vol: VII – Issue 3 – March 2025

### QS News

#### Early Consolidations Now Highlighted

Quickscribe routinely publishes early consolidations of laws, showing how they will read when upcoming changes come into force. You may access these through the [Special Early Consolidations](#) page via the left navigation menu.

To ensure clarity, these documents are readily distinguished from current laws by displaying their text in red. With our new feature, sections that contain future changes are highlighted. We are confident this enhancement will help you swiftly identify which sections are subject to future changes.

#### Quickscribe Alerts Now Include Summaries of Bills

We are excited to announce an enhancement to your Quickscribe Alerts. Previously, summaries of Bills were accessible only via the [Supplemental Note](#) directly adjacent to a Bill on Quickscribe's [Bills page](#).

Starting today, these summaries will also be included in the BC Legislative Digest and Quickscribe Reporter. This new feature ensures you receive timely notifications of newly introduced legislation, while providing you concise insights into each Bill's intent, helping you quickly assess its potential impact on your area of interest. You may sign up to receive these and other customizable alerts at any time via [My Alerts](#).

#### New Housing Policies, Finance Tools and Guidance

Quickscribe has expanded the [Policy Manuals and Guidelines](#) page by adding new resources [published by the province](#) to help local governments with the implementation of legislative changes aimed at providing more homes for British Columbians.

The following documents are now available, which focus on new and updated tools for enacting bylaws that support proactive planning to build more housing.




- The new [Inclusionary Zoning and Density Bonusing Comprehensive Guidance](#) outlines the requirements and provides technical information and best practices to support the new inclusionary zoning tool and the updates to the density bonus tool. The inclusionary zoning tool enables local governments to require that new residential developments include affordable housing units, while the density bonus tool provides the option to a developer to build to a higher density in exchange for providing amenities or affordable housing.
- The [Tenant Protection Bylaws Provincial Policy Manual](#) provides an overview of the legislative authority for municipalities to develop tenant protection bylaws, as well as a detailed outline for implementing and enforcing these bylaws. The tenant protection bylaws enable municipalities to require owners to provide added support for tenants who are displaced in cases of redevelopment, including financial assistance, moving assistance, help to find a new place to live, or the right to enter into a new tenancy agreement with the owner in another building.
- The [Proactive Planning Guidance](#) provides detailed explanations and implementation guidance related to the [Local Government Act](#) changes that support proactive planning. Included is specific information on Housing Needs Reports, OCPs and Public Hearings.

For further support with the new and updated development finance tools, links to PDFs have been added for the [Amenity Cost Charge Best Practices Guide](#) and the [Development Cost Charge Best Practices Guide](#).

### New Bills

The following bills were recently introduced:

#### Government Bills

-  [Bill 5](#) – Budget Measures Implementation Act, 2025
- [Bill 6](#) – Supply Act (No. 1), 2025
-  [Bill 7](#) – Economic Stabilization (Tariff Response) Act
-  [Bill 8](#) – Carbon Tax Amendment Act, 2025

#### Members' Bills

- [Bill M203](#) – Free Trade and Mobility Within Canada Act
- [Bill M204](#) – Perinatal and Postnatal Mental Health Strategy Act

- [Bill M205](#) – Mental Health Amendment Act, 2025
- [Bill M206](#) – Interpretation (Pacific Daylight Time) Amendment Act, 2025
- [Bill M207](#) – Greenhouse Gas Industrial Reporting and Control Repeal Act

For more information on the status of these or any other bills, visit our dedicated [Bills page](#), located on the left navigation. If you wish to be notified when these or other changes come into force, check out Quickscribe's customizable alerts via the [My Alerts](#) page. Quickscribe alerts are included with your subscription so feel free to select the alerts that work best for you!

## New Annotations

New Annotations have been added to Quickscribe:

- [Guy Patterson](#), Young Anderson – [Local Government Act](#)

If you wish to be alerted when new annotations are published by our contributors, select " [My Alerts](#) " via the top navigation, then select the "View Expert Annotators". Here you can view and "follow" any contributor from the list.

**Tip:** [Log in](#) to [Quickscribe Online](#) prior to clicking Reporter links.



View the [PDF version](#) of the Reporter.

## Quickscribe Alerts

Are you looking for a more custom notification that will advise you about important developments that impact your specific area of interest? Quickscribe offers numerous customizable alerts – visit the [My Alerts Page](#). Quickscribe alerts are included with your subscription, so feel free to select the alert that works best for you!

## Want to Track Federal Laws?



For notification of federal amendments, we recommend using our Section Tracking tool to keep informed on changes to federal laws. Look for the paw icon adjacent to the sections you wish to track.

## Looking for Previous Reporters?

We have archived the Quickscribe Reporter going back to 2004. Visit the historical [Reporter archives page](#).

## Reporter Categories

[LOCAL GOVERNMENT](#)  
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[MOTOR VEHICLE & TRAFFIC](#)

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[PROPERTY, REAL ESTATE & CONSTRUCTION](#)



## LOCAL GOVERNMENT

### Local Government News:

#### Approving Officers' Corner: Providing Relief from the Requirement for Highway Access

When it comes to the subdivision of land, approving officers likely know the default rule for highway access under [section 75 of the Land Title Act](#) (the "LTA"): "to the extent of the owner's control, there must be a sufficient highway to provide necessary and reasonable access" to all new parcels. However, an approving officer may grant relief from this requirement in certain circumstances, which this article will review.

The LTA defines "subdivision" as "the division of land into 2 or more parcels, whether by plan, apt descriptive words or otherwise". Before a subdivision plan is filed, [s. 83 of the LTA](#) requires that it be examined and approved by the local government's approving officer. [Section 86 of the LTA](#) gives the approving officer the ability to refuse to approve a subdivision plan for various reasons, including, under s. 86(1)(c)(ii), if they consider that "the plan does not comply with the provisions of this Act relating to access and the sufficiency of highway allowances shown in the plan, and with all regulations of the Lieutenant Governor in Council relating to subdivision plans". Read the [full article](#) by Serge Grochenkov, published in the March 2025 issue of the Young Anderson Barristers & Solicitors newsletter.

#### Two Recent Vancouver Municipal Integrity Reports Highlight Need for Provincial Legislation, BC Ombudsperson Says

BC Ombudsperson Jay Chalke is urging the provincial government to take legislative action following two recent reports out of Vancouver that underscore the limitations of BC's optional approach to municipal integrity oversight. In a [letter](#) to Minister of Housing and Municipal Affairs Ravi Kahlon, sent on March 26, 2025, Chalke calls on the province to introduce legislation that would ensure independent and enforceable ethics and integrity oversight of local officials.

"Two recent reports from Vancouver highlight the pressing need for this legislation," said Chalke. "The findings demonstrate the serious risks of relying solely on local oversight. Without a provincial framework, local ethics and integrity bodies are only established by local by-law and thus lack the protection needed to operate independently and effectively. As a result, public accountability suffers." Read the [full news release](#) on the Office of the Ombudsperson website.

### **Understanding No Duty of Care Clauses in Municipal Professional Services Agreements**

Recently, a number of municipalities in BC have incorporated "no duty of care" clauses ("NDCC") in their engineering services agreements ("ESAs"). For frame of reference, ESAs are typically executed between municipalities and consulting engineering companies for the provision of specialized engineering or project management services that the municipalities choose not to complete "in-house."

The municipality will usually have its own engineers that facilitate the work completed by the consultant, which may involve providing information or making certain representations before or after the execution of the ESA. The intended purpose of the NDCCs appears to be to shield the municipalities and the professionals they employ from liability in these circumstances. In this post, we review the clause, consider its effects, and recommend to consultants how to approach the work under an ESA that includes such a clause. Read the [full article](#) by Dorsa Izadi and Jordan Graham with Whitelaw Twining.

### **BCSC Quashes Censure Decision on Procedural Fairness Grounds**

In the recent decision *Paull v. Quesnel (City)*, [2025 BCSC 347](#), the Supreme Court of British Columbia considered the lawfulness of three resolutions adopted by Council that censured and sanctioned the City's Mayor. These reprimands flowed from allegations relating to a book that disputed some of the findings of the Truth and Reconciliation Commission; particularly that the Mayor's wife distributed this book, the Mayor condoned this distribution, and the Mayor attempted to distribute the book to members at a Regional District board meeting. The BCSC ultimately quashed the resolutions on procedural fairness grounds, noting that the staff report underlying the resolutions was ambiguous and confusing and the decision to censure and sanction the Mayor was based on alleged misconduct different from that set out in the staff report. Read the [full article](#) by Jack Wells, Nick Falzon and Reece Harding with Young Anderson Barristers & Solicitors.

### **Victoria's Message to Local Authorities: Don't Tell People to Shelter in Parks**

*The message is aimed mainly at public agencies like Island Health, rather than social-service providers, says the mayor*

The City of Victoria is making it clear it doesn't want other local governments or authorities directing people to take refuge in its parks, or transporting anyone who is homeless to the city without first finding them shelter.

City council has endorsed bylaw amendments that are intended to better clarify the city's stance on sheltering in public parks, while signalling they're not a dumping ground to be used by public agencies when there is no alternative housing available. Read the Times Colonist [article](#) (paywall).

### **Take Notice: Builders Lien Act Notices of Interest**

When reviewing title to property that a local government owns or wishes to acquire, it is understandable that seeing the words "Builders Lien" may cause concern. However, digging further into the nature of that interest in the land may calm those feelings. Such a notation on title may not, in fact, relate to a claim of builders lien from an unpaid claimant.

While a claim of builders lien would be shown on title under the heading "Charges, Liens and Interests", there is an entirely different type of filing called a "Notice of Interest, [Builders Lien Act](#) (S.3(2))" that, when registered, is shown on title under the heading "Legal Notations". Legal notations are registered for informational purposes. However, their impact on a property can be substantial. In the case of Builders Lien Act Notices of Interest, these notices serve as a benefit to the property owner. Read the [full article](#) by Jacob Lewin, published in the March 2025 Young Anderson Barristers & Solicitors newsletter.

### **UBCM Executive Calling for Local Infrastructure Stimulus Funding in Face of Trade War**

UBCM Executive is in Victoria this week to meet with the Premier, Cabinet Ministers, the Leader of the Opposition and other MLAs to [discuss core priorities](#) for the coming year. As the trade war with the United States continues, UBCM is making the case for local infrastructure stimulus spending to support the economy. UBCM board members are also highlighting the need for additional investments to expand affordable and supportive housing, and targeted spending to increase mental health and complex care facilities.

The trade war with the United States is a threat to BC's economy, but we aren't without options. Public investment in local infrastructure is a proven tool for economic growth: Every \$1 spent on infrastructure generates \$1.14 in gross domestic product, creates good jobs and stimulates new business spin-offs. Read the UBCM [article](#).

### **The Governments of Canada and British Columbia Finalize an Agreement for the Canada Housing Infrastructure Fund**

The governments of Canada and British Columbia have finalized an agreement under the Canada Housing Infrastructure Fund (CHIF).

The agreement provides \$250 million in federal funding over five years for Phase 1 of the Iona Island Wastewater Treatment Plant project to enable more homes and improve densification. The funding is an equal cost match of the Province's contribution toward the project in 2023 and helps secure the funding required for phase one of the project. The funding will support the Metro Vancouver Regional District to improve the facility for the health and safety of the residents in Metro Vancouver and the surrounding coastal waters. Read the government [news release](#).

### **PLN Upcoming Webinar April 30, 2025**

PIBC's Peer Learning Network (PLN) will be hosting a new webinar entitled *The Cold Hard Truths About Housing Development and the Art of the Possible* on April 30, 2025. Visit the [PLN website](#) for more information, including how to register for this event.

Act or Regulation Affected	Effective Date	Amendment Information
Electrical Safety Regulation (100/2004)	Mar. 4/25	by <a href="#">Reg 118/2025</a>
Home Owner Grant Regulation (100/2002)	<b>RETRO</b> to Jan. 1/25	by <a href="#">Reg 31/2025</a>
Union of British Columbia Municipalities Act	Apr. 1/25	by 2024 Bill 4, c. 3, section 9 only (in force by Royal Assent), <a href="#">Union of British Columbia Municipalities Act</a>
Victoria Regional Transit Commission Regulation No. 46-2025 (37/2025)	<b>NEW</b> Mar. 31/25	see <a href="#">Reg 37/2025</a>



## COMPANY & FINANCE

### Company and Finance News:

#### Federal Companies' Creditors Arrangement Act Added to Quickscribe

While Quickscribe is primarily known as a BC legislation service provider, you may be surprised to know that we do include a growing list of [federal laws](#) as a convenience to our clients. We are pleased to report that we recently added the [Companies' Creditors Arrangement Act](#). This Act facilitates compromises and arrangements between companies and their creditors. It defines key terms, outlines procedures for companies seeking to restructure their debts, and specifies the powers and responsibilities of the court. The Act also addresses issues such as cross-border insolvencies, the treatment of Crown claims, and the rights and obligations of various stakeholders, including employers, directors, and secured creditors. Quickscribe also includes the [Canada Business Corporations Act](#) and the [Bankruptcy and Insolvency Act](#). Federal laws are normally added by request, so please feel free to reach out if you have any other suggestions.

#### A Critical Alert for Businesses – Significant Amendments to Consumer Protection and Arbitration Laws in BC

The legal landscape for consumer businesses operating in British Columbia is poised for significant changes.

On March 13, 2025, the BC legislature passed the third reading of [Bill 4](#), the *Business Practices and Consumer Protection Amendment Act, 2025*, a proposed amendment to the [Business Practices and Consumer Protection Act](#), SBC 2004, c 2 (the "BPCPA").

Once passed into law, Bill 4 will introduce critical changes that directly affect consumer contracts, with notable implications for arbitration clauses and the retroactive application of the law. [Some sections of Bill 4 have already come into force, while most of these changes are expected to come into force by regulation at a future date. For your convenience, Quickscribe has published an [early consolidation](#) of the Act as it will read once all the remaining amendments come into force at that time.] Read the [full article](#) by Craig A.B. Ferris and Scott Lucyk with Lawson Lundell.

#### Alert: Changes to Canadian AML Regime Affecting Cheque Cashing, Factoring and Financing and Leasing Businesses in Effect April 1, 2025

Canada's [Proceeds of Crime \(Money Laundering\) and Terrorist Financing Regulations](#) are being amended to introduce anti-money laundering and anti-terrorist financing obligations for factoring, financing and leasing, and cheque cashing businesses. These amendments ("Regulatory Amendments") were initially scheduled to come into force on October 1, 2025 but have been accelerated by six months. They are now coming into force on April 1, 2025.

The Regulatory Amendments also introduce obligations with respect to import and export of goods and reporting of material discrepancies with beneficial ownership registries, as well as information sharing between reporting entities. Read the [full article](#) by Ramandeep K. Grewal, Meaghan Obee Tower and Irena Ninkovic with Stikeman Elliott LLP.

#### Canadian Securities Administrators Proceed with Delegation of Registration and Oversight Functions to Canadian Investment Regulatory Organization

On March 18, 2025, the Canadian Securities Administrators ("CSA") announced they are proceeding with delegating additional registration and oversight functions to the Canadian Investment Regulatory Organization ("CIRO"). In an effort to keep market participants informed of developments, the CSA has launched an [online resource](#) where readers can find up-to-date information on the delegation process in their jurisdiction.

#### Background

In November 2024, the CSA announced that it was considering delegating certain registration functions to CIRO, in an

effort to create efficiencies and reduce regulatory burden. As CIRO currently performs registration functions under delegated authority in some Canadian jurisdictions, the further delegation would create a consistent and harmonized approach across the country.

The proposed delegation is likely to relate solely to investment dealers and mutual fund dealers, while portfolio managers, investment fund managers, exempt market dealers, restricted dealers, restricted portfolio managers and scholarship dealers will remain under the oversight of their principal regulator.

Read the [full article](#) by [Jarrod Isfeld](#) and [Brendan Smith](#) with DLA Piper LLP.

### **Not All Financial Reporting Requirements Are Equal: A Tale of Two Statutes**

Spring is typically a busy season for many not-for-profit organizations ("NFPs") that have fiscal periods ending in December or March. This is the time when organizations close their financial books, finalize year-end financial statements, and prepare financial reports for members and other stakeholders.

NFPs must also consider the legal requirements when fulfilling their annual financial reporting obligations. These requirements may depend on different factors, such as an NFP's governing statute, the nature and amount of funding it receives, and its contractual commitments.

This article reviews the financial reporting obligations, from a legal perspective, for two popular forms of NFPs in Canada:

- BC societies ("BC NFPs") under the [Societies Act](#) (British Columbia) (the "BC Act"); and
- federal not-for-profit corporations ("Federal NFPs") under the [Canada Not-for-profit Corporations Act](#) (Canada) (the "Federal Act").

Read the [full article](#) by Daniel Szeto with Miller Thomson.

### **New Public Transparency Register for BC Companies Expected by Early Summer 2025**

As first announced in 2023, the B.C. government will introduce a public register for the disclosure of significant individuals by late spring or early summer 2025.

Since October 2020, private companies in British Columbia have been required to maintain transparency registers, which disclose "significant individuals" who, directly or indirectly, have substantial shareholdings in a B.C. company or who have the ability to exercise control or significant influence over a B.C. company.

This bulletin provides a brief summary of the new rules related to transparency registers in British Columbia. For more detailed discussion concerning these new rules, please see our bulletin: [Deeper Down the Rabbit Hole – British Columbia Corporate Transparency Register Will Become Accessible to the Public](#). Read the [full article](#) by Dierk Ullrich and Carmen Loh with Fasken.

### **Why It's Time to Tackle the Income Tax Act**

With Canadians in the throes of an election campaign and the income tax filing deadline approaching, it's no surprise that the party leaders are talking money.

But while Liberal leader Mark Carney and Conservative leader Pierre Poilievre tout their respective tax cut promises to voters on the campaign trail, Heather Evans, CEO of the Canadian Tax Foundation, says politicians should tackle taxes differently.

Instead of receiving targeted tax cuts, Canadians would be far better off if a government promised significant tax reforms.

"We have a situation right now where, frankly, the complexity in the [Income Tax Act](#), especially given Canada's challenging economic performance, suggests that tax reform is overdue as a way of perhaps enhancing productivity," she tells Alison Crawford on the third episode of *Modern Law: Verdicts and Voices*. Read the [full article](#) by Madalyn Howitt with *CBA National*.

### **Tax Court Strikes Minister's Pleadings of Inconsistent Assumptions and New Penalties**

In *Uppal Estate v The King*, [2025 TCC 34](#), the Tax Court of Canada (the "Tax Court") concluded that the respondent (the "Crown") must accurately state assumptions of fact made by the Minister of National Revenue (the "Minister") in assessing the taxpayer. The Crown cannot add assumptions of fact at the appeals stage that are inconsistent with the Minister's primary assessment position. While the Crown can add additional facts for alternative positions, it must do so elsewhere in its reply pleading and not in the "Assumptions" section. The onus is on the Crown to prove those additional facts, while assumptions are presumed accurate (if no evidence is introduced to contradict them). In addition, the Tax Court concluded that the Crown cannot, as an alternative basis for assessment, ask the court to impose a penalty that was not assessed by the Minister.

This case is important because it makes it clear that the Crown cannot, under the guise of an alternative argument, try to craft assumptions of its own or impose penalties that were not previously imposed. Read the [full article](#) by Al-Nawaz Nanji, Dominic Bédard-Lapointe and Erich Schultze with McCarthy Tétrault.

### **Updates to BC Sales Taxes**

The following updates to sales taxes were recently posted:

#### **Provincial sales tax (includes municipal and regional district tax)**

##### **• March 4, 2025**

The provincial government announced its 2025 Budget on March 4, 2025. Programs administered by the Consumer Taxation Programs Branch are amended as a result. Learn more at [B.C. Provincial budget tax changes](#).

- **March 5, 2025**

The following have been updated to clarify the types of motor vehicles that qualify as zero-emission vehicles:

- [Bulletin PST 308, PST on Vehicles \(PDF, 400KB\)](#)
- [Bulletin PST 116, Motor Vehicle Dealers and Leasing Companies \(PDF, 430KB\)](#)
- [Bulletin PST 117, Motor Vehicle Dealer-Use and Manufacturer-Use Formulas \(PDF, 300KB\)](#)
- [List of zero-emission vehicles available in Canada](#)

- **March 17, 2025**

[Bulletin PST 142, Online Marketplace Facilitators and Sellers, and Online Marketplace Services \(PDF, 360KB\)](#), has been revised to add information about the penalty for failing to file an online marketplace facilitator annual information return.

- **March 19, 2025**

[Bulletin PST 116, Motor Vehicle Dealers and Leasing Companies \(PDF, 430KB\)](#), has been updated to clarify how we classify trucks and vans, including zero-emission trucks and vans, as passenger or non-passenger vehicles for the purpose of calculating PST.

- **March 21, 2025**

Bulletin PST 005, Buying and Selling a Business, is now web content. Find the new web page at [Buying and selling a business](#). Please update your bookmarks to the new location on our website. This page has also been updated to include a link to the [online Clearance application](#).

- **March 24, 2025**

Bulletin PST 002, When to Charge and Collect PST, has been incorporated into web content. You can now find this information on our [Charging and collecting PST](#) web page.

- **March 31, 2025**

[PST exemptions and documentation requirements](#) has been updated to:

- Correct that the [Certificate of Exemption – Purchase of Vehicle or Aircraft for Use Outside B.C. \(FIN 440\) \(PDF, 190KB\)](#) is for use by purchasers, not lessees
- Remove data backup services from the list of exempt items under **Telecommunication services**
- Clarify the requirements when additional documentation is required under **Affixed machinery and improvements to real property**

- **April 1, 2025**

PST Bulletins 500, 501, 502, 503, 504 and 506, comprising the Real Property Contractors series, have been incorporated into web content. You can now find this information on our [PST for Real Property Contractors](#) website.

#### Motor fuel tax and carbon tax

- **March 28, 2025**

Fuel sellers will be required to submit carbon tax inventory returns along with documentation that supports the inventory amounts reported. Fuel sellers will use their inventory returns to claim refunds on security-paid fuel they own, or are deemed to own, as of the end of the day March 31, 2025. For more information, see our updated [Additional security payment or security refunds when tax rates change](#) page.

- **April 2, 2025**

#### Carbon tax eliminated as of April 1, 2025

B.C. has passed legislation to eliminate the B.C. carbon tax effective April 1, 2025.

For more information, visit the BC government [website](#).

#### BC Securities – Policies & Instruments

The following policies and instruments were recently published on the BCSC website:

- [81-101](#) – Mutual Fund Prospectus Disclosure
- [41-101](#) – General Prospectus Requirements
- [BC Notice 2025/02](#) – Proposed amendments to National Instrument 94-101 Mandatory Central Counterparty Clearing of Derivatives
- [25-313](#) – 2024 Annual Activities Report on the Oversight of Canadian Investment Regulatory Organization and Canadian Investor Protection Fund

For more information, visit the BC Securities [website](#).

Act or Regulation Affected	Effective Date	Amendment Information
Acting Conflict of Interest Commissioner Continuation Act	<b>NEW</b> Mar. 31/25	c. 1, SBC 2025, <a href="#">Bill 2</a> , whole Act in force by Royal Assent
Business Number Regulation (388/2003)	Mar. 17/25	by <a href="#">Reg 39/2025</a>
Business Practices and Consumer Protection Act	Mar. 31/25	by 2025 Bill 4, c. 3, sections 1 to 3, 20, 28 to 35 and 37 to 39 only (in force by Royal Assent), <a href="#">Business Practices and Consumer Protection Amendment Act, 2025</a>



Income Tax Act	Apr. 1/25	by 2025 Bill 8, c. 5, section 10 only (in force by Royal Assent), <a href="#">Carbon Tax Amendment Act, 2025</a>
National Instrument 41-101 <i>General Prospectus Requirements</i> (59/2008)	Mar. 3/25	by <a href="#">Reg 22/2025</a>
National Instrument 81-101 <i>Mutual Fund Prospectus Disclosure</i> (1/2000)	Mar. 3/25	by <a href="#">Reg 22/2025</a>
National Instrument 81-106 <i>Investment Fund Continuous Disclosure</i> (218/2005)	Mar. 3/25	by <a href="#">Reg 22/2025</a>
Payday Loans Regulation (57/2009)	Mar. 4/25	by <a href="#">Reg 29/2025</a>
Securities Regulation (196/97)	Mar. 3/25	by <a href="#">Reg 28/2025</a>
	Mar. 6/25	by <a href="#">Reg 35/2025</a>



## FOREST & ENVIRONMENT

### Forest and Environment News:

#### Province to Strengthen Invasive Species Legislation

The Province is proposing key amendments to the [Wildlife Act](#) in this Spring's legislative session to address the spread of aquatic invasive species. Once enacted, the proposed amendments will enable the Province to create regulations under the *Wildlife Act* to:

- Prohibit the transport of watercraft over land with the drain plug in place.
- Require inspection of all watercrafts entering BC from another jurisdiction prior to being launched in provincial waters.
- Require vehicles transporting watercraft to stop at designated inspection stations.

Read the [full article](#) from UBCM.

#### When, Where, and Why Does FPBC Take Action on Unlawful Practice?

A recent story in the media has drawn attention to Forest Professionals BC's enforcement actions against an ecologist in Whistler. The story was prompted when another party shared a copy of a cease and desist letter FPBC sent following repeated complaints the ecologist is infringing on a reserved practice that is protected by the [Forest Professionals Regulation](#). The complaints also expressed a concern for the safety of the public, given that the ecologist is publicly advocating for alternative fuel management that is inconsistent with established and proven practices.

FPBC's review of the circumstances substantiated these concerns and identified that the ecologist is not simply expressing a personal opinion but is actively providing professional advice to community organizations in a manner that contravenes provincial law. Given the potential risk to public safety, the concern for the use of appropriate science in the protection of interface communities, and the protection of our reserved practice, this case created an elevated cause for concern.

But before we review the specifics of the matter, it's important to understand the legal context that guides our decisions as a regulator. Our profession has always had protections in place regarding the practice of professional forestry; however, those protections were made more specific at the passing of the [Professional Governance Act](#) (PGA). Read the [full article](#) by Casey Macaulay and Garnet Mierau in the *BC Forest Professional* Spring 2025 issue.

#### Federal Government Publishes State of PFAS Report and Risk Management Approach

The Government of Canada published the final "State of per- and polyfluoroalkyl substances (PFAS) report" ([State of PFAS Report](#)), the "Risk management approach for per- and polyfluoroalkyl substances (PFAS), excluding fluoropolymers" ([Risk Management Approach](#)) and a proposed Order adding a toxic substance (the class of PFAS excluding fluoropolymers) to Part 2 of Schedule 1 of the [Canadian Environmental Protection Act, 1999](#) (CEPA) ([Proposed Order](#)) in the *Canada Gazette* on March 8, 2025. These documents are open for public consultation until May 7, 2025.

The State of PFAS Report concludes that the class of PFAS, excluding fluoropolymers, are entering or may enter the environment in a quantity or concentration or under conditions that have or may have immediate or long-term harmful effects on the environment or its biological diversity, and that constitute or may constitute a danger in Canada to human life or health. The publication of the State of PFAS Report and Risk Management Approach follows drafts of these reports originally published in May 2023 and updated in July 2024. Read the [full article](#) by Sarah Gilbert, Julia Schatz and Samantha Chenatte with Bennett Jones LLP.

#### Pest Management Regulatory Agency Opens Pre-Consultation Period on Proposed Changes to the Pest Control Products Regulations

On March 7, 2025, Health Canada's Pest Management Regulatory Agency (PMRA) published two consultation documents as part of

its ongoing work to clarify which categories of pest control products are subject to the [Pest Control Products Act](#) (PCPA) and the [Pest Control Products Regulations](#) (PCPR) passed under it, which products are exempt and which may be authorized (without registration being required). The PMRA is seeking further stakeholder input on the amendments being proposed. The comment period is open until May 6, 2025. Read the [full article](#) by Julia Schatz and Samantha Chenatte with Bennett Jones LLP.

### The BC Cumulative Effects Framework: A Guide for Forest Professionals

Every tree harvested, road built, forest burned, or stream crossed leaves an impact on the land. These impacts may seem isolated at first, but over time they accumulate and can lead to cumulative effects that shape ecosystems, wildlife habitats, and BC's natural resources. But how do we measure these complex cumulative effects? And how can forest professionals use this information to provide advice and make informed decisions?

BC's Cumulative Effects Framework (CEF) was developed to address these needs. Since its establishment in 2016, it has become a leading framework that proactively assesses, reports, and supports the management of cumulative effects from human activities and natural processes using the best available public information. Forest professionals can utilize CEF information including reports, data, and tools to better understand cumulative effects and to incorporate this information into practice.

This article serves as a guide for forest professionals on the use and application of the CEF within your practice. It will explore the key components of the CEF, what type of information is available, and how forest professionals can apply this in their work. Read the [full article](#) by Melissa Lucchetta and Darcie Fodor in the Spring 2025 *BC Forest Professional*.

### Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

#### [Environmental Management Act](#)

- [Consolidated Envirowaste Industries Inc. \(The Answer Garden\) v. Director, Environmental Management Act](#) [Final Decision – Allowed In Part]
- [Kask Venture Corp. v. Director, Environmental Management Act](#) [Settlement Order – Appeal Abandoned Without Costs]

#### [Water Sustainability Act](#)

- [Glenda Centrone v. Assistant Water Manager](#) [Dismissal Order – Appeal Dismissed]
- [Paradise Hixon Motel Ltd. v. Assistant Water Manager](#) [Summary Dismissal Decision – Appeal Dismissed]
- [Nicholas Vanderveen, Nelliese Klop, Anna Klop & Luke Neels v. Assistant Water Manager](#) [Dismissal Order – Appeal Dismissed]

#### [Wildlife Act](#)

- [Xin Yue Xiao v. Regional Manager, Wildlife Act](#) [Dismissal Order – Appeal Dismissed]

Visit the Environmental Appeal Board [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Agricultural Land Reserve Use Regulation (30/2019)	Mar. 17/25	by <a href="#">Reg 38/2025</a>
Carbon Tax Act	Mar. 31/25	by 2025 Bill 8, c. 5, section 6 only (in force by Royal Assent), <a href="#">Carbon Tax Amendment Act, 2025</a>
	Apr. 1/25	by 2025 Bill 8, c. 5, sections 1 to 5, 7 and 8 only (in force by Royal Assent), <a href="#">Carbon Tax Amendment Act, 2025</a>
Protected Areas of British Columbia Act	Mar. 31/25	by 2025 Bill 3, c. 2, sections 1 to 5 only (in force by Royal Assent), <a href="#">Protected Areas of British Columbia Amendment Act, 2025</a>



## HEALTH

### Health News:

#### Ottawa, BC Sign Pharmacare Agreement for Contraceptives, Diabetes, HRT

The federal and British Columbia governments have signed a pharmacare agreement that will address the healthcare needs of nearly two million residents in the province.

The agreement will see an investment of more than \$670 million over four years to provide universal access to contraceptives,



diabetes medications, devices and supplies for BC residents.

"This national pharmacare agreement with BC is a significant milestone in building a stronger public healthcare system for Canadians," said Canada's Minister of Health Mark Holland. Read the [full article](#) by Jim Wilson in the *Canadian HRReporter*.

### **New Guidance on Involuntary Care under the Mental Health Act Published**

On March 12, Dr. Daniel Vigo, the Chief Scientific Advisor on Psychiatry, Toxic Drugs, and Concurrent Disorders, published the "General guidance for physicians on the use of the [Mental Health Act](#) when treating adults with substance use disorders" document. The guidance is intended to clarify for clinicians how the *Mental Health Act* relates to involuntary treatment, particularly to clarify when people with substance use disorders can be involuntarily detained under [section 22](#) and receive treatment under [section 31](#) of the Act. Read the [guidance](#).

### **Beyond Statutory Immunity: British Columbia Supreme Court Case Exposes New Civil Liability Risks for Regulators**

Unfair regulatory investigations and decisions now present more than just judicial review risks – the regulator may be exposing themselves, their staff and even legal counsel to civil liability. In [Thmbran v. The British Columbia College of Nurses and Midwives](#) (Thmbran), the British Columbia Supreme Court permitted tort claims against both the College of Nurses and Midwives (College) and individual staff members to proceed, establishing that statutory immunity offers limited protection where there is bad faith handling of regulatory complaints.

#### **Case background**

The dispute arose from a complaint alleging that a registered nurse failed to respond appropriately to reports of resident-on-resident sexual misconduct at a long-term care facility. The College's investigation exhibited many troubling irregularities that ultimately drew judicial criticism. The appointed inspector allegedly misrepresented key facts in a way that implicated the nurse, including changing material details such as the date and location of the alleged incident, with no clear explanation, ultimately leading the College to find her conduct unsatisfactory.

Read the [full article](#) by Ivy Yang and Morgan Camley with Dentons.

### **Health Canada Consults on Pathway for Health Products Containing CBD**

Health Canada recently announced that it is exploring a regulatory pathway that would allow products containing cannabidiol ("CBD") to be purchased without a prescription. Under the current regulatory scheme, all health products containing CBD or other cannabinoids are regulated as prescription drugs, and this consultation aims to explore potential other pathways including regulation as natural health products.

In considering a new pathway, Health Canada's goal is to protect the health and safety of Canadians while enabling access to safe, effective and high-quality products for human and animal use to treat specific or minor ailments. Interested parties have until June 5, 2025 to submit feedback to Health Canada. Read the [full article](#) by Sara Zborovski, Ian Trimble and Sandra Elashmouny with Stikemant Elliott LLP.

### **Ottawa Expanding Canadian Dental Care Plan Coverage**

More working age Canadians will soon be able to enjoy the benefits of the Canadian Dental Care Plan (CDCP).

Starting May 2025, all remaining eligible Canadians aged 18 to 64 years old will be able to apply for the CDCP, according to the government. This is the final group of Canadians who will become eligible for the program. Read the [full article](#) by Jim Wilson with *Canadian HRReporter*.

### **British Columbia is Taking Action to Attract Doctors, Nurses from U.S.**

The Province is taking new steps to attract more doctors and nurses from the U.S. by fast-tracking credential recognition and launching a co-ordinated, targeted recruitment campaign.

In 2024, B.C. connected more people to a primary care provider than ever before.

"With the uncertainty and chaos happening south of our border, we have an unprecedented opportunity to attract skilled health-care workers interested in moving to Canada," said Josie Osborne, Minister of Health. "Our message to doctors and nurses working in the U.S. is that now is the time to come to British Columbia. We will welcome you to our beautiful province where together we can strengthen public health care, deliver services for people and build healthy communities." Read the government [news release](#).

Act or Regulation Affected	Effective Date	Amendment Information
Fur Farm Regulation (8/2015)	Apr. 1/25	by <a href="#">Reg 295/2021</a>
Hospital Act	Mar. 17/25	by <a href="#">Reg 40/2025</a>
Hospital Insurance Act Regulations (25/61)	Mar. 17/25	by <a href="#">Reg 40/2025</a>



## LABOUR & EMPLOYMENT

### Labour and Employment News:

#### The Rise of Section 107 [Canada Labour Code]

Last year saw unprecedented use of Section 107 of the [Canada Labour Code](#) to end labour disputes, raising questions about just how much unfettered power the section gives the federal minister of labour.

Labour unions are challenging the use of the provision at the Canada Industrial Relations Board (CIRB) and in Federal Court, particularly when the Board says it has no discretion but to implement the minister's orders.

Section 107 states that the labour minister, where expedient or necessary to secure industrial peace, may refer questions to the CIRB or direct the Board to do things the Minister deems necessary. It has been part of the Code since 1984 and largely went unused until 2011 when then-labour minister Lisa Raitt used it when Air Canada flight attendants had twice voted down collective agreements. Read the [full article](#) by Dale Smith in the *CBA National*.

#### BC Court of Appeal Allows Ex-Employees to Amend Pleadings Alleging Pre-Contractual Dishonesty

The British Columbia Court of Appeal has allowed an appeal [[2025 BCCA 57](#)] to the extent of setting aside an order certifying common issues relating to the breach of the duty of honest performance. However, it permitted an amendment of the relevant pleadings.

Ocean Pacific Hotels Ltd. – the appellant in this case – operated the Pan Pacific Hotel in Vancouver. It could not offer regular shifts to multiple employees after the COVID-19 pandemic seriously impacted its hotel operations. The respondents in this case were former employees who, in summer 2020, signed offers of casual employment replacing their existing regular employment contracts. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer* magazine.

#### Turbulence Ahead: BC's Replacement Worker Rules May Shake Up Strike Contingency Planning and Labour Disputes

Unionized employers in British Columbia that operate across multiple provinces should take note of a recent decision of the Supreme Court of British Columbia (the "Court") in *Gate Gourmet Canada Inc. v Unite Here, Local 40*, [2024 BCSC 1528](#). The Court, in upholding the decision of the British Columbia Labour Relations Board (the "Board"), affirmed that replacement worker restrictions in the provincial [Labour Relations Code](#) (the "Code") apply even when work is transferred outside the province. This ruling has significant implications for employers who operate across multiple jurisdictions and underscores the extra-territorial reach of the Code's replacement worker restrictions.

Gate Gourmet Canada Inc. ("Gate") is a single corporate entity that operates an airline catering business in British Columbia, Alberta, and Ontario. Gate is provincially regulated in these provinces for the purposes of labour relations. Notably, of the three provinces Gate operates in, British Columbia is the only one that restricts the use of replacement workers (under section 68 of the Code). Section 68 does not impose a blanket ban on the use of replacement workers. Instead, it restricts their use in specific circumstances. For example, under Section 68(1)(b), an employer is prohibited from using the services of a "person (...) who ordinarily works at another of the employer's places of operations." A violation of these restrictions constitutes an unfair labour practice under the Code. Read the [full article](#) by Kris R. Noonan, Justina Sebastianpillai and Aiden Raff with Stikeman Elliott LLP.

#### Federal Minimum Wage to Increase on April 1, 2025

The Government of Canada has recently announced that the minimum wage for federally regulated employees will increase to \$17.75 per hour – a 2.4 percent increase from the current rate. Employers must adjust their payroll information accordingly to ensure that federally regulated employees are paid at least the new minimum hourly wage as of April 1, 2025.

According to the federal government, the minimum wage increase will better ensure that "salaries for workers in federally regulated private sectors are keeping pace with year-over-year cost of living increases and help Canadians working in part-time, temporary and low or minimum wage jobs earn more." Read the [full article](#) by Brooke Stewart and Brianne Upshaw with DLA Piper.

#### Administrative Updates to OHS Regulations under the Canada Labour Code

The federal government has amended six occupational health and safety ("OHS") regulations under Part II of the [Canada Labour Code](#), (R.S.C., 1985, c. L-2) (the "Code"). These administrative changes aim to streamline the language of OHS regulations to better align with amendments that were made to the Code in recent years. The following regulations have been amended by Regulation [SOR/2025-79](#):

- [Canada Occupational Health and Safety Regulations, SOR/86-304](#);
- [Aviation Occupational Health and Safety Regulations, SOR/2011-87](#);
- [On Board Trains Occupational Health and Safety Regulations, SOR/87-184](#);
- [Maritime Occupational Health and Safety Regulations, SOR/2010-120](#) ("Maritime Regulations");
- [Oil and Gas Occupational Safety and Health Regulations, SOR/87-612](#);
- [Policy Committees, Work Place Committees and Health and Safety Representatives Regulations, SOR/2015-164](#) ("PWHS Regulations").

These amendments came into force on March 26, 2025, and apply to federally regulated employers. Read the [full article](#) by Ben Ratelband, Justine Lindner, Alexander Steele and Sheren Kamaei with McCarthy Tétrault LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	Mar. 31/25	by <a href="#">Reg 283/2024</a>



## MOTOR VEHICLE & TRAFFIC

### Motor Vehicle and Traffic News:

#### Carbon Tax Cancelled

[Bill 8](#), the *Carbon Tax Amendment Act, 2025*, received royal assent on March 31, and amended the [Carbon Tax Act](#) to cancel the carbon tax by reducing its rate to \$0 on April 1, 2025.

The amendments are expected to reduce motor fuel costs by about 17 cents per litre and save residential natural gas users approximately \$30 per month. In addition, the [Income Tax Act](#) will be amended to eliminate the climate action tax credit beginning July 2025, which helped offset impacts of the carbon tax on people.

Large industrial emitters will continue to pay based on BC's output-based carbon pricing system, which supports decarbonization efforts and incentives for lowering emissions to avoid paying the tax.

The government introduced the bill on March 31 and expedited the passage of the bill within the same day to align the provincial carbon tax rate with the new federal rate which takes effect on April 1.

#### BC Court of Appeal Raises Compensation for Woman Injured in Rear-End Collision

The British Columbia Court of Appeal [[2025 BCCA 55](#)] increased a woman's damages for future loss of earning capacity after finding that the trial judge did not correctly consider expert economic evidence and underestimated her future earnings.

The woman was injured in a rear-end collision near Victoria, BC while slowing at an intersection. She was 27 years old and working in a fast-paced role in media and public relations. She had been steadily advancing in her career and planned to pursue further education at a local university. Read the [full article](#) by Angelica Dino in the *Canadian Lawyer*.

#### Non-compliant Cylinders in Welding Kits

The purpose of this safety advisory is to advise the public of the risks and dangers associated with an influx of non-compliant gas cylinders coming into Canada. These non-compliant cylinders have not been approved for use in Canada and can pose a significant danger as they have not been designed, constructed, inspected and tested in accordance with Canadian requirements. From: [Transport Canada](#).

#### CVSE Bulletins & Notices

The following documents were posted recently by CVSE:

- [NSC Bulletin 02-2023](#) – Publication of Carriers Cancelled for Cause
  - [CT Notice 01-2025](#) – Discontinuation of Fax Machine at the Provincial Permit Centre
  - [NSC Bulletin 01-2024](#) – Safety Rating Certificate and Status for B.C. Carriers
  - [CVSE1000](#) – General Permit Conditions to 4.4 m OAW ([Guide to Using the CVSE1000](#))
    - Category A: Term & Single Trip Permits to 3.2 m Wide\*
    - Category B: Term & Single Trip Permits to 3.8 m Wide\*
    - Category C: Single Trip Permits to 4.4 m Wide\*
- \*See form for height and length limits
- [CVSE0037](#) – Authorized Inspector Change Request Form
  - [CVSE0036](#) – Inspection Facility Change Request Form

For more information on these and other items, visit the [CVSE website](#).

#### Passenger Transportation Board Bulletins

The following updates were recently published by the BC Passenger Transportation Board:

#### News and Updates

- **2025 Vancouver Cruise Ship Schedule for Transportation Network Services and Taxi Companies**  
Taxi and Transportation Network Service (TNS) operators are reminded to review the terms and conditions (T&C) of their licence as the 2025 cruise ship season begins in Vancouver. Read the [full update](#).

#### Applications Received

- [22051-24](#) – Western Educational Adventures Incorporated
- [21890-24](#) – Dara's Dolphins Transportation Services Ltd.

- [21112-24](#) – Alex Pettinati-Cadotte (Big Bear Limousine)
- [21101-24](#) – Pacific Western Charters Ltd. (Ebus, Red Arrow)
- [21410-24](#) – Transfer of Licence PDVA (Limo)

#### Application Decisions

- [21587-24](#) – Connect Airport Transfers [Approved]
- [22763-25 TOP](#) – Dara's Dolphins Transportation Services Ltd. [Approved]
- [20869-24](#) – Bhana Transport Ltd. [Approved in Part]
- [20859-24](#) – Energetic Taxi Cab [Approved in Part]
- [20647-24](#) – Comox Taxi Ltd. [Approved]
- [21737-24](#) – Now Shuttle Limited [Approved]
- [21315-24](#) – Ucluelet Taxi [Approved in Part]
- [20548-24](#) – Z's Limo Service (ZLS) Ltd. [Refused]
- [21265-24](#) – Avantu Charters and Transfers Services Limited [Refused]

Visit the Passenger Transportation Board [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Motor Fuel Tax Act	Mar. 31/25	by 2025 Bill 8, c. 5, section 13 only (in force by Royal Assent), <a href="#">Carbon Tax Amendment Act, 2025</a>
	Apr. 1/25	by 2025 Bill 8, c. 5, sections 11 and 12 only (in force by Royal Assent), <a href="#">Carbon Tax Amendment Act, 2025</a>
Special Direction IC2 to the British Columbia Utilities Commission (307/2004)	Mar. 4/25	by <a href="#">Reg 33/2025</a>
Victoria Regional Transit Commission Regulation No. 46-2025 (37/2025)	<b>NEW</b> Mar. 31/25	see <a href="#">Reg 37/2025</a>
Violation Ticket Administration and Fines Regulation (89/97)	Apr. 1/25	by <a href="#">Reg 295/2021</a>



## OCCUPATIONAL HEALTH & SAFETY

### Occupational Health and Safety News:

#### Workplace Safety and Criminal Negligence

Most construction projects are inherently risky and failure to adhere to safety protocols can result in criminal liability. In 2004, the [Criminal Code](#) was amended to modernize the criminal law's approach to establishing criminal liability of corporations and employees for workplace deaths and injuries. This amendment came into place after 26 miners lost their lives in an explosion in Nova Scotia. Pursuant to these amendments, corporations can be convicted of criminal negligence when:

1. a representative or representatives of the organization acting within the scope of their authority were a party to the offence; and,
2. a senior officer responsible for the aspect of the organization's activities relevant to the offence, departed markedly from the standard of care that could reasonably be expected to prevent the representative from being a party to the offence.

Consequences of criminal negligence include fines for both the individual and the corporation, and up to life in prison. Since 2004, a construction company and its employees have only been charged with criminal negligence three times in BC. A criminal negligence trial was recently heard in BC Supreme Court. Read the [full article](#) by Satinder Sidhu and Simon Wu with Clark Wilson LLP.

#### 2025 New or Revised ACGIH Threshold Limit Values and BC Exposure Limits (January)

from WorkSafeBC:

The [Occupational Health and Safety Regulation](#) provides that, except as otherwise determined by WorkSafeBC, an employer must ensure no worker is exposed to a substance exceeding the Threshold Limit Values (TLVs) prescribed by the [American Conference of Governmental Industrial Hygienists](#) (ACGIH).

Twice a year, the ACGIH publishes a list of substances for which they have set new or revised TLVs. When WorkSafeBC adopts the new or revised ACGIH TLVs as regulatory exposure limits for chemical substances, these exposure limits are referred to as B.C. Exposure Limits (ELs).

An EL is the maximum allowed airborne concentration for a chemical substance for which it is believed that nearly all workers may be exposed over a working lifetime and experience no adverse health effects. ELs may be set out as an 8-hour time-weighted average concentration, a 15-minute short-term exposure limit, or a ceiling limit. Read the [full news release](#) by WorkSafeBC.

### Emergency Planning for Hazardous Substances

Amendments to Part 5 of the [Occupational Health and Safety Regulation](#) came into effect on February 3, 2025. These amendments provide clarity and specify what emergency plans must include. "Emergencies can happen suddenly and without warning," says Diana Janke, senior prevention advisor. "The more prepared you are for them, the better you'll be able to respond in a way that reduces the chance of injury."

#### What it means for employers

BC's employers are already required to develop response plans for emergencies involving hazardous substances. The amendments now require them to:

- Prepare a written emergency response plan that is appropriate to the hazards of the workplace and clarifies roles and responsibilities during an emergency.
- Conduct training and drills annually or when a plan is revised.
- Engage staff in the emergency response plan process.

Read the [full article](#) by Steven Gilstead, published in the Spring 2025 WorkSafeBC Magazine.

### OHS Advisor: New Support for Employers and Workers

WorkSafeBC has created a new occupational health and safety (OHS) advisor role to expand services for employers and workers.

OHS advisors will assist employers and workers in understanding their requirements under the Workers Compensation Act and the Occupational Health and Safety Regulation and guide them to available tools and resources designed to assist in the development and maintenance of effective health and safety policies and programs.

An OHS advisor can offer guidance and advice on identifying hazards, assessing risks, and implementing compliant health and safety controls in your workplace. They can also help you prepare for new regulatory requirements. OHS advisors are there to provide support and guidance, and unlike WorkSafeBC prevention officers, they do not conduct workplace inspections or issue orders. Read the [full article](#) in the March 2025 issue of Forest Safety News.

### OHS Policies/Guidelines – Updates

#### OHS Policies – Occupational Health and Safety Regulation

March 14, 2025

OHS Policy R5.48-1 has been amended (effective March 14, 2025) to reflect the current exposure limits for substances listed on the new or revised Threshold Limit Values for January 2025 from the American Conference of Governmental Industrial Hygienists.

- [R5.48-1 Controlling Exposure – Exposure Limits](#)

#### Guidelines – Occupational Health and Safety Regulation

March 14, 2025

- Part 5 Chemical Agents and Biological Agents
  - [Table of Exposure Limits for Chemical and Biological Substances](#)  
The table has been updated to reflect changes to OHS Policy R5.48-1 (amended March 14, 2025). Deletions are shown as strikethrough; additions and revisions are highlighted in green.

#### OHS Regulation: Three-point seat belts on mobile equipment

The following amendments to the [Occupational Health and Safety Regulation](#) are in effect March 31, 2025 [[B.C. Reg. 283/2024](#)].

Part 16 Mobile Equipment

- [16.2 Application](#) (amended)
- [16.21 Seat belts](#) (amended)
- [16.21.1 When minimum 3-point seat belts required](#) (enacted)

Visit the [WorkSafeBC website](#) to explore this and previous updates.

Act or Regulation Affected	Effective Date	Amendment Information
Electrical Safety Regulation (100/2004)	Mar. 4/25	by <a href="#">Reg 118/2025</a>
Occupational Health and Safety Regulation (296/97)	Mar. 31/25	by <a href="#">Reg 283/2024</a>



## PROPERTY, REAL ESTATE & CONSTRUCTION

## Property, Real Estate & Construction News:

### **\$6,000,000 of Additional Property Transfer Tax Levied on Property Owned by Two British Columbia Companies**

On March 7, 2025, the British Columbia Court of Appeal released [its decision](#) to uphold the ruling of the lower court. In this unanimous decision, the Court of Appeal agreed with both the Minister of Finance and the Supreme Court of British Columbia on the interpretation of "control" in the BC [Property Transfer Tax Act](#), finding that the owner of the property in question remains liable to pay \$6,000,000 in additional property transfer taxes on an acquisition of a property with a purchase price of \$30,000,000.

This case underscores the importance of carefully assessing potential tax implications when structuring corporate ownership of real estate investments in BC. Read the [full article](#) by Lisa Harder and Xue Zhang with Lawson Lundell LLP.

### **Unexplained Wealth Orders: Show Me the (Source of) Money [[Civil Forfeiture Act](#)]**

Recent unexplained wealth orders offer another good reason to keep proper documentation that explains the source of money and reasons for its transfer.

The introduction of unexplained wealth orders in British Columbia has given the government the power, where the province has reasonable grounds to suspect that a person or company, or their affiliate, is involved in unlawful activity, to require owners to prove that there is no illegality to their money or the assets acquired with such money. Unexplained wealth orders can be far reaching and can apply even to funds transferred to spouses and relatives.

On September 9, 2024, Mike Farnworth, Minister of Public Safety and Solicitor General (the "Minister") released a statement regarding filing of the fourth unexplained wealth order application. This article aims to provide an overview of past unexplained wealth order applications and law surrounding unexplained wealth orders in British Columbia.

#### **What They Do**

Once the court grants an unexplained wealth order, a respondent or a responsible officer must provide particulars about the nature of the interest that the respondent has in a property (both real and personal) located in British Columbia, particulars of the respondent's acquisition and maintenance of the property or the interest or the portion of the interest in the property, and if the respondent is a corporation, trustee or partnership, additional particulars about the entity as specified by the court.

Read the [full article](#) by [Jack Yong](#), [Kayla Siu](#) and [Xue Zhang](#) with Lawson Lundell LLP.

### **Discharging a Section 219 Covenant Without the Grantee's Permission: An Application of Section 35 of the [Property Law Act](#)**

[Section 219 of the \*Land Title Act\*](#) permits special covenants to be registered in the Land Title Office on title to land. These covenants (known as "Section 219 Covenants") can only be granted in favour of specific organizations and entities. Section 219 Covenants must be in respect of the use of land or a building on or to be erected on land and, unlike common law covenants can impose positive obligations as well as restrictions on the landowner. These covenants are often used in connection with developments and subdivisions – an approving officer or municipality's council may, as a condition of subdivision or rezoning, respectively, require the landowner to grant the municipality a Section 219 Covenant to secure, for example, the provision of access or the construction of works. Read the [full article](#) by Kai Hsieh with Civic Legal LLP.

### **Restrictive Covenants: A Barrier to Housing Developments in British Columbia**

A complicating factor in the recent push to increase available housing in British Columbia are historical restrictive covenants that are registered on title to the properties that are the subject of proposed developments. These restrictive covenants are sometimes overlooked in the course of owners and developers purchasing properties for development, which can result in disputes before breaking ground on a development.

The landscape that has brought restrictive covenants to the forefront are Bills 441 and 472, which were introduced by the provincial government in 2023 to facilitate the creation of more homes in British Columbia. The new regime mandates that local governments update their zoning regulations to allow for "small-scale multi-unit housing" by June 30, 2024. This is a type of housing that maintains the ground-oriented design of single-family homes, while accommodating more units. Examples of these are secondary suites, duplexes and laneway homes (rather than larger condo towers or apartment complexes). Read the [full article](#) by Emma Irving, Andrew Mollard and Jasmine Der with Dentons.

### **British Columbia Introduces New Provincial Short-Term Rental Registry**

A significant update is coming to the short-term rental landscape in British Columbia with the introduction of the provincial Short-Term Rental Registry, set to come into effect on May 1, 2025.

This registry will require all short-term rental hosts, platforms and strata hotel platforms operating in the province to register. Hosts will need to display a registration number on their listings and short-term rental platforms will be required to validate these numbers against the registry to ensure compliance with the provincial rules. This new registry marks a key part of the government's ongoing efforts to regulate short-term rentals and address the ongoing housing crisis.

Below is an overview of key aspects from the [Short-Term Rental Accommodations Act](#) and its regulatory framework, including implications for the new registration requirements. Read the [full article](#) by Andrew Mollard and Jasmine Der with Dentons.



**Amending an Annual Budget****Dear Tony:**

At our recent AGM, we approved an annual operating budget of \$414k which resulted in my unit fees increasing by \$28. We received an email a month later stating that the CRF allocation had not been included in the budget's total or the unit fees and that the new budget was actually \$465k and my fees were going up by \$52. There are many owners, myself included, that would not have approved such a significant fee increase had the budget been correct when voted upon. Our property manager believes this to be a simple correction on a spreadsheet while I believe that the original budget of \$414k cannot be adjusted or increased without an SGM to approve the revised total. Thanks for the help. – Ryan M., Vernon BC

**Dear Ryan:**

We frequently encounter situations where a "correction" has been made to bylaws, rules, or budgets after a meeting was adjourned, due to a technical error or omission of notice. A strata corporation general meeting approved the resolutions or proposed budgets that were included in the notice as issued or amended at the time of the meeting. If there is an omission, the strata council calls for a special general meeting to approve any changes or amendments. Neither the strata council nor the property manager has authority to edit or correct the error.

Read the [full article](#) by Tony Gioventu on Condo Smarts, published by CHOA.

**Adaptable-dwelling, Seismic Provisions Take Effect March 10**

New BC Building Code (BCBC) 2024 provisions for adaptable dwellings and seismic design come into effect Monday, March 10, 2025, with adaptable-dwelling requirements being gradually implemented.

After consulting the home-building community and recognizing current economic uncertainty, such as the recent U.S. tariff threat, the adaptable-dwelling requirements will be introduced in a phased approach, starting at 20% of units in large residential buildings, as opposed to the previously proposed 100%. This will help reduce potential costs associated with these changes, allowing for a balanced approach to phasing in adaptability requirements, while meeting the need for suitable, affordable housing. It will also allow the Ministry of Housing and Municipal Affairs to continue collaborating with key partners to help enable more adaptable housing in the province. Read the government [news release](#).

**Condo Smarts: Are Canvassers Allowed Access to Building During an Election?****Dear Tony:**

A signage bylaw that prohibits election signs anywhere on the property is causing dispute in my building. The council message this week: "It doesn't say anything in the *Strata Act*." Please write about the *Elections Act* so this group of bullies stops harassing owners. – John W.

**Dear John:**

While the [Strata Property Act](#) may be specifically silent on election signs and canvassing, it does clearly define bylaws and rules must comply with all enactments of law and the BC [Human Rights Code](#). The [Canada Elections Act](#), Provincial [Election Act](#) and [Local Government Elections Act](#) apply to all strata corporations in BC. Owners are being told they cannot place election signs in their windows, no signs on the common property, no signs on balconies and no signs in car windows in parking lots. The bylaws of a strata corporation are limited by the provisions of the legislation.

Read the [full article](#) by Tony Gioventu in the *Vancouver Sun*.

Act or Regulation Affected	Effective Date	Amendment Information
There were no amendments this month.		

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