Data centres have become essential infrastructure as businesses across all sectors undergo digital transformation and embrace artificial intelligence technologies.

National and provincial governments are positioning Canada as a key jurisdiction for data centre development, supported by competitive power costs, strong natural gas and renewables bases, naturally cool and low-risk climates, abundant fibre connectivity, availability of industrial land and water resources, and a competitive corporate-tax environment. Successfully developing and operating data centres across Canada requires navigating complex legal and regulatory requirements across multiple domains.

Our national Data Centres and Digital Infrastructure group brings together specialists across our corporate, real estate, indigenous, construction, infrastructure, energy, and regulatory practices to deliver comprehensive legal services to developers, operators, hyperscalers, investors, and tenants throughout the project lifecycle—from initial site evaluation through construction, financing, operation, and disposition. We understand the technical, commercial and regulatory challenges specific to data centre development across Canada.

Whether you're establishing your first Canadian presence, expanding existing operations, developing greenfield facilities, or acquiring existing assets, we deliver practical, innovative and cost-effective legal advice to ensure your project's success.

Real Estate & Land Use Planning

- KDDI Canada on its $1.35 billion acquisition of a major urban data centre portfolio in Toronto, including real estate structuring, corporate, land use planning, regulatory compliance, tax, employment, and litigation matters.
- Advising on strategic acquisition of a significant portfolio of carrier hotel data centres in Toronto.
- Advising on site selection, zoning analysis and municipal approvals for major data centre developments across Alberta.

Development & Construction

- Defence Construction (1951) Limited (Government of Canada) in its $322 million agreement with a contractor to design, build, finance, operate and maintain a data centre at Canadian Forces Base Borden, Ontario.
- Negotiating construction and engineering contracts for hyperscale data centre facilities.
- Providing ongoing legal support for design-build and EPC arrangements, including representing clients in data centre operations disputes.

Power & Energy

- Representing clients in regulatory connection applications and interconnection negotiations.
- Representing clients in applications for utility commission approval of electricity generation and transmission infrastructure.
- Structuring power purchase agreements (PPAs) and virtual power purchase agreements (VPPAs) with generators and utilities; advising on clean-energy mandates or carbon programs.

Indigenous Consultation

- Leading comprehensive Indigenous consultation processes for major infrastructure projects requiring land access across Alberta.
- Developing consultation frameworks and impact benefit agreements with First Nations and Métis communities.
- Providing strategic advice on Treaty rights and consultation obligations under Alberta and federal frameworks.

Mergers & Acquisitions

- Modine Manufacturing Company on its $257 million acquisition of Scott's Springfield MFG Inc., a manufacturer serving hyperscale and colocation data centre markets.

Corporate & Finance

- Schedule 1 Canadian Bank on its participation in a $750 million financing of Alberta-based data centre.
- ATB Financial in ongoing negotiations with Rogers Communications Canada Inc. regarding procurement of data centre, cloud, and colocation services.
- Caisse de dépôt et placement du Québec on its $80 million co-led financing of eStruxture Data Centers.

Disputes

- Advising data centre operator on tenant disputes.

Related Expertise

Commercial Real Estate

Indigenous Law

Energy – Power

Infrastructure

Construction

Cybersecurity, Privacy & Data Protection

Information Technology

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