# New legislation alert: Streamlined approval processes for major projects in B.C. and Canada

**June 25, 2025**

In recent months, the government of British Columbia introduced a suite of legislative reforms that mark a significant shift in how major infrastructure and energy projects are regulated and approved. At the same time, the federal government introduced a bill to streamline approvals for certain major projects. British Columbia's Bills 7, 14, and 15, together with the federal government's Bill C-5, signal a move toward faster and more centralized processes for major projects.

In our article *Regulation of Renewable Energy Projects in B.C.: Streamlined Approval Processes for Project Development*, we examined the Province's policy commitment to modernize and simplify the approval process for certain renewable energy projects. At that time, the Province had announced its intention to centralize regulatory oversight and permitting through legislative change. This new suite of legislation is, in part, a materialization of the Province's policy intention. This article outlines the key features of these new laws and explores what they reveal about the evolving regulatory landscape for major projects in B.C.

If you have questions about these legislative changes or how they may apply to you, please contact the authors below or any member of BLG's Energy, Resources and Renewables, Environmental, or Infrastructure groups.

## Overview of the Bills

Bill 7, the *Economic Stabilization (Tariff Response) Act* (Bill 7), Bill 14, *Renewable Energy Projects (Streamlined Permitting) Act* (Bill 14), and Bill 15, *the Infrastructure Projects Act* (Bill 15) were each passed on May 28 and received royal assent on May 29. Bill 7 passed with 48 to 44 votes while Bills 14 and 15 narrowly passed with B.C. Conservatives, B.C. Greens, and three Independent MLAs voting against the Bills, and Speaker Raj Chouhan casting the tiebreaking vote in favour.

### Bill 7 – the *Economic Stabilization (Tariff Response) Act*

Bill 7 enacts the *Economic Stabilization (Tariff Response) Act*. As the name suggests, Bill 7 is part of the B.C. NDP's response to the uncertainty caused by the tariffs imposed by the Trump administration.

Bill 7 has four parts:

- Part 1 creates mechanisms to reduce barriers to interprovincial trade;
- Part 2 gives the Lieutenant Governor in Council authority to issue directives relating to government procurement of goods and services;
- Part 3 gives the Lieutenant Governor in Council the power to issue regulations to impose tolls, fees, and charges for the use of various "provincial undertakings"; and
- Part 4 contains general provisions for the administration of the Act.

When first introduced, Part 4 of the Bill granted provincial cabinet broad powers to create exemptions or modifications to any other provincial legislation, regulation, order, or other instrument for up to two years. Following criticism of these broad powers, the B.C. NDP removed Part 4, but Premier Eby indicated a revised version will be introduced to the legislature at a later date for consideration.

## Bill 14 – the *Renewable Energy Projects (Streamlined Permitting) Act*

Bill 14 is aimed at streamlining the permitting process for renewable energy projects by consolidating oversight of certain projects under the British Columbia Energy Regulator (BCER). The projects captured by Bill 14 are the nine wind energy projects selected by B.C. Hydro through its 2024 call for power, the North Coast Transmission Line project, and other renewable energy projects to be prescribed by regulation. Bill 14 defines renewable energy as energy derived from a "renewable resource", which includes "biomass, biogas, geothermal heat, hydro, solar, ocean, wind or a prescribed resource". This definition is foundational to the bill as it delineates the types of energy projects eligible for streamlined permitting processes under the new legislation.

Depending on the categorization of a project as either a level 1, level 2, or level 3 streamlined project, it will be exempt from several requirements under the *Energy Resources Activities Act*, S.B.C. 2008, c. 36, the *Environmental Assessment Act*, S.B.C. 2018, c. 51, the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, and the *Safety Standards Act*, S.B.C. 2003, c. 39. Notably, level 2 streamlined projects are exempt from permit requirements, rules relating to dormant sites and orphan sites, and public requests for investigations under the *Energy Resources Activities Act*. Currently, the only identified level 2 streamline project is the North Coast Transmission Line.

In addition, Bill 14 sets the groundwork for subsequent regulations which, if enacted, will replace current regulators with the BCER. In effect, Bill 14 promotes a 'one window' approach to projects by giving more powers and oversight to the BCER. The consolidation of regulatory oversight within the BCER is intended to allow project developers to engage primarily with a single regulator, potentially shortening approval timelines and streamlining compliance requirements. The authors' experience suggests this streamlining is good in the long term, but there may be some growing pains along the way.

## Bill 15 – the *Infrastructure Projects Act*

Bill 15 is marketed as legislation to advance and expedite infrastructure projects that are in the public interest.

The Bill applies to infrastructure projects designated by the Lieutenant Governor in Council as either category 1 or category 2 projects. Projects which may be designated as category 1 projects are those delivered by core government, such as hospitals and schools by the Ministry of Infrastructure. Category 2 projects are those designated as "provincially significant", which is determined on a project-by-project basis. The Bill does not define what it means to be a "provincially significant" project, but, when introducing the Bill, Minister of Infrastructure Ma stated that these projects are those which will provide economic, environmental, or social benefits to the Province.[1]

Among other key features, Bill 15 creates the following powers in relation to category 1 and 2 projects:

- the Lieutenant Governor in Council may issue regulations (i) authorizing designated projects to be put first in line for review for the purpose of provincial permits, and (ii) establishing an environmental assessment process to expedite the review of designated projects;
- the Minister of Infrastructure may (i) require a regulator to prioritize a designated project, including by requiring the project be prioritized for permitting, and (ii) order the automatic authorization of provincial permits following the issuance of an Environmental Assessment Certificate for designated projects; and
- local governments can expedite their own permitting processes by passing resolutions to request that the Lieutenant Governor in Council issue regulations to create exemptions or modify provincial requirements relating to planning and land use management.

### Bill C-5 – the *Building Canada Act*

*Bill C-5, An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act* (Bill C-5) was introduced in the House of Commons on June 5, 2025. After an accelerated review through the House of Commons and Senate, Bill C-5 was enacted and received Royal Assent on June 26, 2025.

Part 2 of Bill C-5 enacts the *Building Canada Act*. The *Building Canada Act* streamlines federal regulatory processes for projects deemed to be in the national interest by having them proceed through a new streamlined oversight process. This new process has two steps: First, the federal government designates the project as in the public interest and, second, the federal government issues a new single federal authorization for the designated project which replaces the requirement to obtain other federal permits, decisions, and authorization under certain federal legislation.

The federal government's goal through this new process is to shorten decision timelines for designated projects from current timelines of around five years (or more) to two years.[2]

## Opposition from Indigenous and environmental groups

Bills 7, 14, 15, and C-5 have faced criticism from a number of Indigenous groups and environmental organizations, many of which view the legislation as a step backward for meaningful engagement, Indigenous jurisdiction, and environmental oversight.

Indigenous groups argue that efforts to streamline the approval process for infrastructure and energy project will narrow the scope of consultation typically associated with Crown approvals of major projects.[3]

They have also criticized Canada and B.C. for failing to explain how expediting approval processes for major projects aligns with earlier federal or provincial commitments to the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation, including the notion that the governments should seek "free, prior, and informed consent" from Indigenous groups for various matters.

Removing the need for an environmental assessment, for example, theoretically means that there will be less need and opportunity for Indigenous consultation or engagement. The irony is that the Bills may generate less legal certainty for proponents if Indigenous groups take an adversarial position because of the new frameworks, independent of substantive concerns with the project itself.

These legislative reforms also exist alongside a growing policy emphasis on Indigenous equity participation. Both the federal and B.C. governments have promoted or supported initiatives that encourage or, in some cases, require Indigenous ownership in major infrastructure and energy projects. The intersection of faster project approvals and expanded Indigenous participation raises intriguing questions and possibilities. Will governments prioritize and streamline the approval process only for projects that have Indigenous participation? How will governments approach projects that do not have Indigenous equity participation – or explicit Indigenous support – but which otherwise meet the criteria for streamlined approval processes?

In addition to Indigenous groups, prominent environmental organizations Ecojustice and West Coast Environmental Law have also come out against Bills 14 and 15. They criticize the Bills for giving the Province overly broad and undefined powers to expedite projects, rolling back environmental protections, ignoring Indigenous rights, and leaving important matters for regulations.

Despite vocal opposition and the risks these new frameworks raise, the Province passed Bills 7, 14, and 15, leaving the question open as to how the Province and Canada will treat a project that does not have support or participation from affected Indigenous groups.

# Implications for proponents

The following are important implications for proponents of projects for which these Bills may apply.

### 1. Faster approvals, subject to Government discretion

These Bills aim to accelerate permitting and approvals, but require government discretion, particularly for designating a project to be eligible to be streamlined. This

means that proponents may need to engage with government officials earlier and more strategically to define and navigate approval processes.

### 2. Exemptions

Projects for which Bills 7, 14, and/or 15 apply will benefit from exemptions from a number of potentially costly and time-consuming obligations. Notably, Bill 14 exempts certain projects from the environmental assessment process under the *Environmental Assessment Act*. Similarly, Bill 15 allows Cabinet to expedite the environmental assessment process for certain projects.

### 3. Proactive engagement with Indigenous groups remains critical

Although the new legislation exempts certain projects from permitting requirements and aims to accelerate approvals, it does not relieve the Crown from its constitutional duty to consult with Indigenous groups. Proponents should view early and proactive engagement with Indigenous governments as essential. Early engagement not only helps the Crown fulfil its duty to consult, but it also creates opportunities for Indigenous groups to participate in some form, which could enhance the chances of a project being designated for the streamlined approval process.

## Conclusion: What's next?

Together, B.C.'s Bills 7, 14, and 15 and the federal Bill C-5 reflect a broader trend toward centralizing and accelerating decision-making for major infrastructure and energy projects in Canada.

The full scope of Bills 7, 14, and 15 will not be known until future regulations are issued. This means that, for the foreseeable future, proponents will be operating in a transitional period with limited insight into how the new approaches will function in practice. Until regulations are released, procedural requirements, timelines, and the extent of agency discretion is unclear.

BLG will continue to monitor legislative and regulatory developments in this space and is ready to assist proponents in navigating this evolving framework.

To discuss the implications of these Bills or for further analysis of the regulatory landscape for major projects in British Columbia, please contact the authors below or any member of BLG's Energy, Resources and Renewables, Environmental, or Infrastructure groups.

## Footnotes

[1] British Columbia, *Official Report of Debates of the Legislative Assembly (Hansard)*, 43rd Parl, 1st Sess (1 May 2025) (Hon B Ma).

[2] Canada, Parliament, *House of Commons Debates*, 45th Parl, 2st Sess (16 June 2025) at 1730 (Hon R Turbull).

[3] See, for example, press releases from Lilwat Nation, Xatsúll First Nations, Tsartlip First Nation, the Union of BC Indian Chiefs, and the BC Assembly of First Nations in opposition to Bills 14 and 15.

By

Rick Williams, Chris Roine, Roark Lewis, Dalal Tubeishat

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## BLG Offices

**Calgary**
Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

**Ottawa**
World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

**Vancouver**
1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

**Montréal**
1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

**Toronto**
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749