



City of Delta
COUNCIL REPORT
Regular Meeting

To: **Council**

From: **Corporate Services Department**

Date: **May 22, 2025**

Implications of Bills 13, 14 and 15

The following report has been reviewed and endorsed by the City Manager's Office.

▪ **RECOMMENDATIONS:**

- A. THAT the Mayor on behalf of Council send a letter to the Premier, and the Minister of Infrastructure, requesting clarification on the concerns outlined by the Union of BC Municipalities and the First Nations Leadership Council regarding Bills 14 and 15.
- B. THAT a copy of the letter be sent to the Hon. Ravi Kahlon, MLA for Delta North, and Ian Paton, MLA for Delta South.

▪ **PURPOSE:**

The purpose of this report is to provide Council with an overview of the legislative changes proposed under Bill 13 – Miscellaneous Statutes Amendment Act, Bill 14 – Renewable Energy Projects (Streamlined Permitting) Act, and Bill 15 – Infrastructure Projects Act, recently introduced in the BC Legislature by the Provincial Government, and to assess their implications to the City of Delta.

▪ **BACKGROUND:**

The BC Government has introduced three pieces of legislation, Bills 13, 14 and 15, that have gained public attention due to perceived overreaching powers that the legislation would grant the provincial government regarding land use planning, a power that has been delegated to local governments. According to the Province, Bill 13 is an omnibus bill that aims to enhance procedural fairness, clarify legal definitions and improve regulatory frameworks across various sectors in British Columbia; Bill 14 expands the authority of the BC Energy Regulator (BCER) to oversee renewable-energy projects; and Bill 15 aims to expedite approval and implementation of provincially significant infrastructure projects by granting greater powers to the Provincial Cabinet to expedite the approval of projects it deems a matter of provincial significance.

▪ **DISCUSSION:**

In relation to Bills 13, 14 and 15 the following outlines the effect on local governments, and, if applicable, Delta.

1. Bill 13 – Summary of Local Government Impacts

Greater Vancouver Sewerage and Drainage District Act

These amendments temporarily extend instream protections for development charges from 12 to 24 months for Metro Vancouver Regional District and its Greater Boards (Greater Vancouver Water District and Greater Vancouver Sewerage and Drainage District) for developers that have submitted completed applications prior to March 22, 2024. As such, applications that were submitted prior to the application date above will continue to have access to the lower rates of development charges for an additional year until March 22, 2026. Many developers have been advocating for these changes in order to allow them to ensure their project pro forma is unaffected by changing Development Cost Charges for the Metro Vancouver Regional District. These changes minimally impact Delta from an administrative point of view.

Housing Supply Act

Under the *Housing Supply Act* enacted in 2023, the Province can prescribe compliance measures to municipalities that do not meet their provincially mandated housing target orders. The proposed amendment rectifies complications related to compliance efforts due to Vancouver being governed by the Vancouver Charter, as opposed to the Community Charter which governs other municipalities throughout the province. These proposed amendments bring the City of Vancouver in line with all other municipalities. There will be no additional effects on the City of Delta.

Local Government Act

These amendments are being proposed to clarify the rules concerning election administration in local elections with respect to endorsement documents, nomination documents, mail ballot returns and election orders. The Act will also be amended to provide an exception to regional district service establishment rules to allow regional districts to establish the service of designating fire inspectors and investigators as required under the new *Fire Safety Act*. Further amendments will require a municipal collector to give notice to each registered owner of the fee simple property before the property may be sold at tax sale, as well as establishing requirements in relation to the notice.

The City of Delta will ensure that the City's local election administration is updated as per Elections BC regulations to ensure the City complies with these changes. Additionally, the City will ensure all other processes in place adhere to any updated legislation in the *Local Government Act*.

Local Elections Campaign Financing Act

These proposed amendments clarify the requirements for the use of a shorter name, abbreviation or acronym other than that included in the register of elector organizations. Other changes include authorizing the BC Chief Electoral Officer to suspend the registration of an elector organization if the elector organization does not file a notice 60 days after the authorized principal official becomes aware of the Chief Election Officer's use of the shorter name and to make

publicly available information about the financial agent of a candidate or electoral organization for at least 5 years after general voting day.

The City of Delta will ensure that the City's local election administration is also updated to ensure the City complies with these changes.

Islands Trust Act

These proposed amendments allow for the appointment of acting local trustees in specified circumstances. The *Islands Trust Act* has no jurisdiction over Delta, and as such, there are no impacts to the City of Delta.

Vancouver Charter

These proposed amendments add a new provision to establish that the City of Vancouver can regulate in areas also governed by the Province in the same manner as other municipalities under the Community Charter. Other amendments clarify rules respecting local elections, in relation to endorsement documents, nomination documents, mail ballot returns and election orders. As the Vancouver Charter is specific to the City of Vancouver, these amendments do not have any impacts on the City of Delta.

2. Bill 14 – Renewable Energy Projects (Streamlined Permitting) Act

The *Renewable Energy Projects (Streamlined Permitting) Act* proposes to accelerate the development of renewable energy infrastructure across the province. The bill proposes to designate the BC Energy Regulator (BCER) as the central permitting authority for wind and solar energy projects as well as designated transmission lines, such as the North Coast Transmission Line (NCTL). By consolidating oversight and approvals under a single regulator, the Act aims to eliminate inter-ministerial bottlenecks, reduce permitting timelines, and fast-track key clean energy projects to meet growing energy demands, address climate change, and strengthen energy independence.

Bill 14 also includes provisions to exempt certain priority wind energy and transmission projects from standard environmental assessments. The bill commits BCER to developing a new regulatory framework in consultation with First Nations and other participants, ensuring projects adhere to environmental standards while streamlining processes. Bill 14 would also give BCER the power to approve renewable energy development on Agricultural Land Reserve (ALR) lands, subject to consultation with potentially affected parties, including First Nations and local governments, before authorizing non-farm use. The Province notes that Bill 14 is aligned with the broader Clean Power Action Plan, also recently announced by the Province, which plans to double BC's clean electricity supply by 2050.

The direct implications of Bill 14 – Renewable Energy Projects (Streamlined Permitting) Act – for local governments in the Lower Mainland, including the City of Delta, would depend on the likelihood of such projects being proposed within our region. The legislation primarily targets renewable energy developments and infrastructure projects located in other regions of the province, notably the

Cariboo, North Coast, Nechako, and Northeast regions. Should a significant renewable energy project be proposed within the Lower Mainland in the future, the provisions of Bill 14 may become applicable.

It is also important to note that the legislation enables the BC Energy Regulator (BCER) to authorize non-farm use of Crown land within Agricultural Land Reserve (ALR) boundaries for the purposes of renewable energy projects and associated transmission lines. While this authority represents a shift in permitting control, the Act maintains that BCER must undertake consultation with potentially affected parties, including First Nations and local governments, prior to granting approvals for non-farm uses.

In summary, while Bill 14 introduces a significant transformation to the regulatory framework for renewable energy in British Columbia, few such projects are anticipated in the region in the near term, and changes with respect to ALR lands apply only to Crown land within the ALR. Staff would continue to monitor the implementation of the new legislation, if adopted.

3. Bill 15 – Infrastructure Projects Act

The *Infrastructure Projects Act* proposes to significantly increase the authority of the provincial Cabinet, specifically the Minister of Infrastructure, in expediting infrastructure projects deemed of "provincial significance." This includes both public projects (like schools and hospitals) and private or partnership projects involving First Nations, local governments, crown corporations, and private entities. The legislation would empower the Minister of Infrastructure (and possibly other Ministers if applicable) to intervene in municipal regulatory processes, such as Official Community Plan (OCP) amendments, zoning bylaws, and subdivision approvals, if these are seen as causing unnecessary delays to provincially designated projects.

The proposed legislation identifies two classes of categories of Provincially Significant Projects to be considered for streamlining:

1. Provincial Projects – All Ministry of Infrastructure Projects (vertical infrastructure providing provincial services) including schools, post-secondary housing, hospitals and health facilities. Provincial Projects could include projects led by other ministries (e.g. Ministry of Transportation and Transit).
2. Private Projects – On a project-by-project and tool-by-tool basis for projects designated by Order in Council as 'provincially significant' and projects delivered by other partners, such as crown agencies, local governments, First Nations and private proponents.

Importantly, Bill 15 recognizes provincial permitting systems as a major barrier in the delivery of significant projects. To address this, Bill 15 proposes a system of more effective and efficient provincial permitting implementation via prioritized provincial permitting and the development of a "qualified professional reliance framework" to expedite some provincial decisions where deemed appropriate.

With this framework, qualified professionals will be able to certify compliance within government standards on some permits.

Additionally, Bill 15 proposes two options to expedite the environmental assessment process.

1. Automatic authorization of low-risk provincial permits following the issuance of an Environmental Assessment Certificate. An example given is the issuance of a tree cutting permit on a mine site that has been issued an Environmental Assessment Certificate.
2. An alternative, expedited assessment process for designated projects, reducing the time involved for overlap in permit processes.

Both options are allowable on a case-by-case basis as approved by an Order in Council.

Under Bill 15, all designated projects will be required to uphold the government's commitment to the Declaration of the Rights of Indigenous Peoples Act (UNDRIP).

A slide deck supplied by the Minister of Infrastructure outlining the above information is provided as Attachment A. The slide deck was presented to municipal Mayors and CAOs at a virtual session about Bill 15 which was held on May 16.

Bill 15's Impacts to Local Governments and Delta

Under Bill 15, local governments are permitted to request the deferral of provincial requirements to update OCPs for designated projects. However, this deferral authority does not extend to health and safety-related requirements such as building permits, occupancy permits, and sewer or stormwater management systems.

Additionally, where a local government process results in what the provincial Cabinet determines to be a lengthy or unnecessary delay, the Province will begin a process to resolve the issue in collaboration with the local government. This process includes:

1. Consultation with the local government;
2. Seeking a written agreement that could include a mutually agreed-upon alternative authorization;
3. If no resolution is reached, the Minister of Infrastructure may intervene and implement measures to address the delays for the designated project.

For the City of Delta, this legislation could directly affect significant ongoing or future infrastructure developments. Key projects such as the Fraser River Tunnel Project (FRTTP) and Roberts Bank Terminal 2 expansion could be designated as provincially significant and thus fall under the provisions of Bill 15. In these cases, Delta's regulatory processes may be subject to provincial override if deemed to be contributing to project delays.

During the May 16 virtual session noted above, Mayor Harvie directly asked if Bill 15 could be applicable to the F RTP; however, the Ministry's response was unclear as to whether the project could or would be considered under the Bill. As such, staff will connect with the Minister's Office to clarify if the Ministry of Transportation and Transit could utilise the tools supplied by Bill 15 to expedite the process for permitting approval of the F RTP.

Union of BC Municipalities (UBCM) Concerns Regarding Bill 15

UBCM has responded to Bill 15 with support for some of the principles, however they have identified significant concerns. While UBCM acknowledges the growing infrastructure needs of B.C.'s expanding population and welcomes the Province's focus on accelerating the approval process for essential public facilities such as schools and hospitals, it criticizes the rushed development of the legislation and the lack of meaningful consultation with local governments. Many other Mayors have also made note that this legislation has been rushed. UBCM emphasizes that while speeding up approvals is necessary, past experiences have shown that bypassing consultation often leads to unintended and problematic outcomes.

Another central concern is the sweeping authority Bill 15 would grant Cabinet to override local government processes, including Official Community Plans (OCPs), zoning bylaws, and subdivision approvals. Although the legislation claims to maintain the integrity of provincial permitting standards, UBCM highlights uncertainty about whether local permitting processes would be equally safeguarded. Additionally, UBCM questions whether local governments would be financially compensated if ministerial overrides directly impact municipal budgets. UBCM also notes that liability may be a concern. If local governments are asked to fast-track projects in accordance with provincial direction and errors occur, the legislation does not clearly state whether the Province would assume liability.

A concern that many members of UBCM had was whether Bill 15 could be used to override a local government's decision regarding a housing development. Minister Ma has stated that this is not the goal of the legislation, and that this legislation is to be used in special circumstances. This is also noted on page 16 of Attachment A which states that projects of provincial significance do not include "pipeline projects, LNG facilities, low-barrier housing or overdose prevention sites".

For Council's awareness, UBCM's written commentary is included as Attachment B.

First Nations Leadership Council (FNLC) Opposition to Bills 14 and 15

In a May 6 press release, (Attachment C) the First Nations Leadership Council (FNLC) expressed strong opposition to British Columbia's recently introduced *Infrastructure Projects Act* (Bill 15), calling it "regressive" and part of a "deeply troubling pattern" for the Province, "circumventing proper consultation and engagement with title and rights holders".

Additionally, in a May 15 press release, the FNLC called on the government to also immediately withdraw Bill 14 in addition to Bill 15 (Attachment D).

The FNLC criticized the government for failing to conduct meaningful consultation with First Nations during the development of the bills in direct violation of the provincial governments own Interim Approach on the Alignment of Laws and the Declaration on the Rights of Indigenous Peoples Act.

Status of the Bills

The final vote on Bill 13 was held on May 13, while it is anticipated that a final vote for Bills 14 and 15 will be held before 8:00pm on May 28, 2025.

As a next step for Delta, it is recommended that the Mayor send a letter on behalf of Council to the Premier and the Minister of Infrastructure, requesting clarification on the concerns outlined by the Union of BC Municipalities and the First Nations Leadership Council regarding Bills 14 and 15, as these have the potential to have the most impact on Delta.

Given the anticipated timeline for the remaining two bills to proceed to the legislature, the letters would be prepared and sent prior to May 28, subject to Council adopting the recommendations of this report.

Implications:

Financial Implications – There are no financial implications at this time. Staff will continue to monitor the progress of Bills 13, 14 and 15 for financial implications if they arise.

Intergovernmental Implications – Staff will follow proceedings on Bills 13, 14 and 15 and will report to Council if there are any recommended actions or next steps.

▪ CONCLUSION:

Bills 13, 14 and 15 present important implications for local governments across British Columbia, including the City of Delta. While the changes introduced through Bill 13 primarily require administrative adjustments to local election procedures, the Bill also includes minor updates to regulatory compliance (mostly for the City of Vancouver) and updates for Metro Vancouver's collection of Development Cost Charges.

Bill 14 establishes a streamlined regulatory framework for renewable energy projects, primarily targeting large-scale wind and solar developments in the northern and resource-rich regions of the province. Although staff note the immediate relevance to Delta is likely minimal, the Act introduces a precedent for consolidated provincial oversight through the BC Energy Regulator.

Bill 15 introduces a broader shift in provincial powers, by centralizing authority over major infrastructure projects. As such, Bill 15 has the potential to affect the City's

autonomy in land use planning and project approvals, particularly for provincially designated projects.

It is recommended that the City of Delta write to the Premier and Minister of Infrastructure seeking clarification and requesting consultation by the Province on these important pieces of legislation prior to moving forward.



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▪ **ATTACHMENTS:**

- A. Bill 15 Infrastructure Legislation Briefing Deck
- B. UBCM – Bill 15
- C. FNLC NR Bill 15
- D. FNLC Oppose Bills 14 and 15