



# Quickscribe Reporter

Civic Laws

## Vol: VII – Issue 5 – May 2025

### QS News

#### Spring Legislative Session

The spring legislative session wrapped up on May 29 with a total of 14 new bills passed, including two members' bills, the [Eligibility to Hold Public Office Act](#) and [Perinatal and Postnatal Mental Health Strategy Act](#). Three of the bills introduced this session – the [Health Care Costs Recovery Amendment Act, 2025](#), the [Attorney General Statutes Amendment Act, 2025](#) and the [Motor Vehicle Amendment Act, 2025](#) – were not passed but are slated for debate in the fall. The fall session is set to begin on October 6..

### New Bills

The following bills were introduced in May:

#### Members' Bills

- [Bill M213](#) – Drug Use Prevention Education in Schools Act
- [Bill M214](#) – Firefighters' Health 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!

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## LOCAL GOVERNMENT

### Local Government News:

#### When Tax Collection Goes Wrong

The collection of property taxes from ratepayers is a core function of British Columbia municipalities. Most of the time, taxes are imposed and collected without much fuss. On occasion, a municipal collector might discover that the municipality has made a mistake. This mistake could be a miscalculation in a tax notice, a misapplied payment or a misdirected refund. A larger error, such as an improperly imposed tax, could impact hundreds or thousands of ratepayers. Some mistakes can be more easily and cheaply addressed than others. This paper will discuss several scenarios involving municipal missteps in tax collection. A municipality is

statutorily obliged to issue a tax notice to “each owner of property subject to tax” under section 237(1) of the [Community Charter](#), R.S.B.C. 2003, c. 26. The tax notice must include a statement of the taxes imposed for the current year, including property value taxes. Although contemporary software can significantly reduce the frequency of errors, it remains possible that a tax notice states an incorrect amount of taxes owing because of an arithmetic mistake, a data entry error or a failure to properly apply a tax exemption. Read the [full article](#) by Michael Moll and Aidan Andrews with Civic Legal LLP.

### **What is a “Transmission Line”? Supreme Court of Canada Confirms that Telecom Companies must Negotiate with Local Governments to Install 5G Wireless Technology on Public Land**

Under Canada’s constitution, telecommunication is a matter of exclusive federal jurisdiction. Neither the Province nor local governments have regulatory authority over telecommunications. The federal i gives telecom carriers (phone companies) a qualified right of access to construct and operate their transmission lines using local government property such as road right of ways. If a telecom carrier wants to attach a telephone wire to the flagpole outside city hall, or a bus shelter on a suburban street, and cannot get the local government’s approval, the carrier can apply to the Canadian Radio-television and Telecommunications Commission (CRTC) for permission, despite local government objections. In *Telus Communications Inc. v. Federation of Canadian Municipalities*, [2025 SCC 15](#), the Supreme Court of Canada had to decide whether the same access regime applies to wireless telecommunications infrastructure, specifically “5G small cell antennas.” The Court concluded it did not and that to install small cell equipment on local government infrastructure, telecom carriers must secure the local government’s agreement. Read the [full article](#) by Ramon Dabiryan and Lynda Stokes with Young Anderson Barristers & Solicitors.

### **Update on The Proposed Bill 15 – 2025 Infrastructure Projects Act**

We previously reported on the proposed [Bill 15: Infrastructure Projects Act](#), [here](#), aimed to expedite the construction of infrastructure projects in BC deemed provincially significant, including hospitals, schools, housing, and resource developments in BC. Over the last few weeks, the Bill faced mounting criticism from local governments, First Nations, opposition MLAs, and environmental organizations in response to the Bill, including concerns with respect to potential risks if the proposed law was passed (such as pushing through projects without proper consultation or adequate oversight). Read the [full article](#) by Kim Do and Roy Nieuwenburg, K.C. with Clark Wilson LLP.

### **Province’s Announces New Electricity Roadmap**

On May 5, 2025, the Province released a new [Clean Power Action Plan](#) to outline how it intends to address anticipated increases in electricity demand from population growth, economic development, and electrification. The plan outlines new investments in renewable electricity and places a strong emphasis on collaboration with First Nations to develop new energy projects, and introduces measures aimed at increasing the electricity supply. It also includes initiatives to upgrade infrastructure, improve energy efficiency and enhance system flexibility. These measures aim to support BC’s transition to a lower-carbon economy while maintaining a stable and resilient power grid. Read the UBCM [article](#).

### **\$295,000: BC City Fires Worker over 'Unreconciled' Gift Card Purchases**

The British Columbia city of Richmond has fired an employee over a case of theft that spanned a couple of years, according to media reports. The city confirmed the termination after a routine audit uncovered significant discrepancies in its gift card program, which had issued gift cards to employees as rewards for performance, long service, retirement, and participation in charitable activities, reports the Vancouver Sun. An internal review revealed that the city purchased approximately \$446,000 worth of gift cards between 1 January 2022 and 31 December 2024. Of that amount, \$121,000 was properly distributed, and another \$31,000 remains in the custody of the human resources department. Read the [full article](#) published by Canadian HRReporter.

### **It’s Time to Deliver: Mayors Call for Mature, Pragmatic Coordination across All Governments to Meet Canada’s Housing Goals**

Canada’s pledge to build 500,000 homes each year will only succeed if federal, provincial, territorial, and municipal governments are working together—aligning investments, focusing on shared priorities, and resourcing the levers that deliver results. That’s the message from the Federation of Canadian Municipalities’ (FCM) Big City Mayors’ Caucus as local leaders gather in Ottawa for FCM’s Annual Conference and Trade Show. “We agree with the Prime Minister—it’s time to build. But we can’t build without delivery—and delivery happens when governments are aligned; resources are targeted, and municipalities are equipped to do the work on the ground. Delivery happens when governments are aligned, resources are targeted, and municipalities are equipped to do the work on the ground.” said FCM President Rebecca Bligh. Read the full [news release](#) posted by the Federation of Canadian Municipalities.

Act or Regulation Affected	Effective Date	Amendment Information
Assessment Authority Act	June 1/25	by 2025 Bill 5, c. 10, section 2 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
Cannabis Control and Licensing Act	May 1/25	by 2024 Bill 17, c. 16, sections 174 and 175 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Community Charter	May 1/25	by 2024 Bill 17, c. 16, section 146 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Community Charter Bylaw Enforcement Ticket Regulation (425/2003)	May 1/25	by <a href="#">Reg 48/2025</a>

Density Benefits Zoning Bylaws Amendment Deadline Regulation (62/2025)	<b>NEW</b> May 5/25	see <a href="#">Reg 62/2025</a>
Disposal of Property in Police Possession Regulation (366/2003)	May 1/25	by <a href="#">Reg 48/2025</a>
Eligibility to Hold Public Office Act	<b>NEW</b> May 29/25	c. 9, SBC 2025, <a href="#">Bill M202</a> , whole Act in force on Royal Assent
Emergency Communications Corporations Act	May 1/25	by 2024 Bill 17, c. 16, section 146 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Gas Safety Regulation (103/2004)	May 1/25	by <a href="#">Reg 51/2025</a>
Housing Supply Act	May 29/25	by 2025 Bill 13, c. 7, sections 1 to 7 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>
Housing Supply Regulation (133/2023)	May 29/25	by <a href="#">Reg /2025</a>
Information Management Systems (Digital Evidence Management System) Regulation (309/2021)	May 1/25	by <a href="#">Reg 48/2025</a>
Infrastructure Projects Act	<b>NEW</b> May 29/25	c. 13, SBC 2025, <a href="#">Bill 15</a> , section 2 only (in force by Royal Assent)
Liquor Control and Licensing Act	May 1/25	by 2024 Bill 17, c. 16, sections 174 and 175 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Liquor Control and Licensing Regulation (241/2016)	May 20/25	by <a href="#">Reg 66/2025</a>
Local Government Act	<b>RETRO to</b> Apr. 25/24	by 2025 Bill 13, c. 7, section 45 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>
	May 29/25	by 2025 Bill 13, c. 7, sections 38, 39 and 41 to 44 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>
Local Government Transit-Oriented Areas Regulation (263/2003)	May 2/25	by <a href="#">Reg 60/2025</a>
Provincial Symbols and Honours Act	May 1/25	by 2024 Bill 17, c. 16, section 166 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Railway Act	May 1/25	by 2024 Bill 17, c. 16, section 176 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Safety Standards Act	May 1/25	by 2024 Bill 17, c. 16, section 169 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
School Act	May 29/25	by 2025 Bill 5, c. 10, section 33 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
South Coast British Columbia Transportation Authority Act	May 29/25	by 2025 Bill 5, c. 10, section 34 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
Taxation (Rural Area) Act	May 29/25	by 2025 Bill 5, c. 10, section 40 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
	<b>RETRO to</b> Apr. 25/24	by 2025 Bill 13, c. 7, section 65 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>

Vancouver Charter	May 29/25	by 2025 Bill 13, c. 7, sections 47, 61 to 64 and 66 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>
Vancouver Charter By-law Enforcement Ticket Regulation (189/2007)	May 1/25	by <a href="#">Reg 48/2025</a>



## COMPANY & FINANCE

### Company and Finance News:

#### Get ready: BC's new Commercial Liens Act Comes into Force June 30, 2025

British Columbia's commercial lien regime is set for a significant transformation. The [Commercial Liens Act](#) (the "CLA") and [Commercial Liens Regulation](#) will come into force on June 30, 2025, following the deposit of the supporting regulations on May 12, 2025. Liens are a key tool for service providers to secure payment for the work they perform. They generally grant businesses, such as repairers, warehousemen, and common carriers, a legal right to retain a customer's property as security for payment or performance of an obligation. The CLA replaces a patchwork of outdated statutes and common law principles with a unified, modern framework. It repeals the [Repairers Lien Act](#), [Warehouse Lien Act](#), [Livestock Lien Act](#), [Tugboat Worker Lien Act](#), [Woodworker Lien Act](#), and common law possessory liens that secure payment for services. Liens under the [Builders Lien Act](#) and the [Forestry Service Providers Protection Act](#) remain unaffected. Read the [full article](#) posted by Miller Thomson LLP.

#### CSA Bring the Markets Back to LIFE

In connection with the Canadian Securities Administrators' ("CSA") recent [measures to support the competitiveness of Canada's capital markets](#), the CSA have announced an increase to the amount of funds that may be raised under the listed issuer financing exemption ("LIFE" or the "Exemption"). This relief has been implemented through [Coordinated Blanket Order 45-935 Exemptions from Certain Conditions of the Listed Issuer Financing Exemption](#) (the "Blanket Order"). The Blanket Order is in effect and will expire on November 15, 2026, in Ontario. As we discussed in a [previous post](#), the Exemption came into force in November 2022 and provides issuers with listed equity securities that meet certain qualification criteria with an efficient method of raising capital on a prospectus-exempt basis. An attractive feature is that securities issued pursuant to a LIFE offering are freely tradeable. The CSA have indicated that while feedback regarding the Exemption has been positive, market participants have noted that the capital raising limits have restricted the use of LIFE offerings. Prior to the Blanket Order, issuers relying on the Exemption were limited to raising the greater of: (i) C\$5 million; and (ii) 10% of the aggregate market value of the issuer's listed securities to a maximum of C\$10 million; during a 12-month period. Read the [full article](#) posted by Stikeman Elliott.

#### Amendments to the Business Practices and Consumer Protection Act: What Businesses Need to Know

On February 25, 2025, the British Columbia provincial government introduced [Bill 4](#), the *Business Practices and Consumer Protection Amendment Act, 2025*, which proposes significant changes to the BC [Business Practices and Consumer Protection Act](#) (the "BPCPA"). On March 31, 2025, Bill 4 received Royal Assent and came into force, with the exception of certain provisions, which are pending activation by regulation of the Lieutenant Governor in Council. Bill 4 seeks to strengthen consumer rights and align BC's consumer protections laws with those of Ontario and Quebec. Amendments include prohibitions on certain arbitration clauses, places certain restrictions on automatic renewals for subscription services, enhanced disclosure requirements for businesses, and provides consumers with expanded rights to cancel contracts.

##### Key Amendments

The changes outlined in Bill 4 are extensive and will require businesses to adapt the way they approach consumer contracts. The following list highlights the key amendments proposed by Bill 4 that businesses will need to consider going forward:

Read the [full article](#) by [Rebecca von Rüti](#), [Tyson Gratton](#) and [Jason Lin](#) with DLA Piper LLP.

#### Buying Canadian: Recent Developments in Canadian Public Procurement

Canada is currently facing an erratic and expansive trade disruption with its closest trading partner. The first executive order signed by the President of the United States on Feb. 1, 2025, set out a blanket tariff rate of 10 per cent on all imports from Mexico and Canada. The President has since imposed higher rates on certain goods, including a 25 per cent rate on non-CUSMA compliant Canadian vehicles and on steel and aluminium products. Following this latest imposition, tariffs have been paused, altered, and expanded to encompass most of the world's economies and several countries, including Canada, have imposed their own tariffs on the U.S. Against this rapidly fluctuating economic backdrop, Canada's federal, provincial and municipal governments have signalled key policy shifts, targeting reductions on barriers to internal trade and shifting public sector procurement priorities and procedures to an approach favouring Canadian suppliers. These policy shifts have thus far culminated in numerous changes to public procurement at all levels of government, raising questions of which entities qualify as a U.S. or a Canadian supplier, how the changes impact entities from other countries and whether these changes are likely here to stay. Read the [full article](#) by [Marin Leci](#), [Christian Halt](#), [Erin Cutts](#) and [Bailey Collins](#) with Borden Ladner Gervais LLP.

#### Supreme Court of Canada to Decide Scope of "Material Change" with Far-Reaching Consequences for Securities Class Actions

The Supreme Court of Canada (SCC) is set to issue its decision in *Lundin Mining Corporation v Dov Markowich* (Markowich). This

highly anticipated SCC decision regarding disclosure obligations could alter the landscape for securities-based class actions by allowing more investors to meet the leave test, subjecting public issuers to increased litigation. Below is a summary of the key arguments made by the parties during the SCC appeal hearing, and the points to which the SCC paid close attention to during oral argument. Read the [full article](#) by Douglas Fenton, Marshall Torgov, Josephine Bulat and Kanwar Brar with Bennett Jones.

### BC Court of Appeal Upholds Damages Award of \$6 Million in Trust Breach Case

In a case alleging breaches of two trusts, the British Columbia Court of Appeal affirmed the damages awarded by a judge, who assessed them at the highest trading value of the shares involved to deter faithless fiduciaries. The discounted EVC units trust claim involved EVC units, which were shares in Electrameccanica Vehicles Corp., a BC company with attached warrants. The respondents in *Zhang v. Zhang*, [2025 BCCA 143](#), alleged they suffered loss due to the appellants' refusal to sell shares and warrants that the appellants held in trust for the respondents at a favourable time. Read the [full article](#) by Bernise Carolino with Canadian Lawyer.

### CSA Blanket Orders and the Rise of Alternative Fundraising

On April 17, 2025, the Canadian Securities Administrators ("CSA") published a series of [coordinated blanket orders](#) (the "Blanket Orders") in recognition of the current uncertainty of global markets and to support Canada's capital market activity in particular. The Blanket Orders consist of: (1) Coordinated Blanket Order 41-930 Exemptions from Certain Prospectus and Disclosure Requirements ("First Blanket Order"); (2) Coordinated Blanket Order 45-930 Prospectus Exemption for New Reporting Issuers ("Second Blanket Order"); and (3) Coordinated Blanket Order 45-933 Exemption from the Investment Limit under the Offering Memorandum Prospectus Exemption to Exclude Reinvestment Amounts ("Third Blanket Order"). The Blanket Orders aim to enhance the attractiveness of the Canadian capital markets by fostering a more dynamic and competitive market environment that streamlines regulatory requirements for issuers (including reducing the time and costs associated with preparing disclosures related to prospectus filings, restructuring transactions and bids). Read the [full article](#) by Clemens Mayr, Andrew Parker, Patrick Boucher, Hadrien Montagne, Geena Lee and Brianna A. Bernhardt 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)

- **May 29, 2025**  
[Bulletin PST 206, Grocery and Drug Stores \(PDF, 460KB\)](#), has been updated to clarify that dealcoholized beer, cider and wine are exempt from PST.

#### Motor fuel tax and carbon tax

- **May 23, 2025**  
Carbon tax was eliminated on April 1, 2025. Check out the new [Carbon tax elimination page](#) for information, including:
  - Transitional information about refunds
  - Special rules for natural gas sellers
  - What to do if you collect the tax in error

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

### BC Securities – Policies & Instruments

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

- [45-935](#) – Exemptions from Certain Conditions of the Listed Issuer Financing Exemption [CSA Notice]
- [23-334](#) – Proposed Amendments to National Instrument 23-101 Trading Rules and Proposed Changes to Companion Policy 23-101 Trading Rules.

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

Act or Regulation Affected	Effective Date	Amendment Information
Economic Stabilization (Tariff Response) Act	<b>NEW</b> May 29/25	c. 11, SBC 2025, <a href="#">Bill 7</a> , sections 6 to 22 (in force by Royal Assent)
Income Tax Act	<b>RETRO to Various Dates</b>	by 2025 Bill 5, c. 10, sections 3 to 22, 24, 25, 28 and 29 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
	May 29/25	by 2025 Bill 5, c. 10, sections 23 and 27 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
Provincial Sales Tax Act	May 29/25	by 2025 Bill 5, c. 10, sections 30 and 32 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>
Provincial Sales Tax Exemption and Refund Regulation (97/2013)	May 1/25	by <a href="#">Reg 207/2022</a> as amended by <a href="#">Reg 56/2025</a>

Provincial Sales Tax Regulation (96/2013)	May 1/25	by <a href="#">Reg 207/2022</a> as amended by <a href="#">Reg 56/2025</a>
Speculation and Vacancy Tax Act	<b>RETRO to</b> Jan. 1/19	by 2025 Bill 5, c. 10, sections 35 and 38 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act, 2025</a>



## FOREST & ENVIRONMENT

### Forest and Environment News:

#### **B.C. Court Clarifies Limits on Forestry Licence Rights Amid Reconciliation and Ecosystem-Based Management Efforts**

The British Columbia Supreme Court's decision in *Teal Cedar v British Columbia* [2025 BCSC 595] provides new guidance as to the limited nature of rights that forest licences in British Columbia convey to the licensee. The case also rejects novel arguments put forward respecting "partial constructive taking" where licenses may be affected in some way by changes to the regulatory landscape and confirms that an additional factor, reconciliation with Indigenous peoples, is indeed contemplated by B.C.'s forestry regime.

While the case explores many issues in expropriation law and the legal character of forest licences, questions remain to be answered in future cases as to the precise legal character of bodies established under government-to-government arrangements between Indigenous governments and the Crown. Read the [full article](#) by Lydia Young, Paul Seaman, Quinn Rochon and Wynona Klemt with Gowling WLG.

#### **BC Court of Appeal Upholds Orders Requiring Disclosures About Oil Shipments**

The British Columbia Court of Appeal has affirmed a judgment determining that orders issued under s. 91.11 of division 2.1 of BC's [Environmental Management Act, 2003](#) (EMA) – a provision focusing on spill planning, preparedness, and response – were operative.

The EMA, an environmental protection statute, regulates the intentional or accidental release of potentially harmful substances into the environment. In *Canadian National Railway Company v. British Columbia (Environmental Management Act)*, [2025 BCCA 156](#), the appellants were interprovincial railways transporting petroleum products across borders. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer*.

#### **B.C. Appoints Council to Improve Forest Sector, and the Forestry Ecosystem**

A council made of forestry professionals, educators, union and former industry officials has been brought together to find a balance between healthy forests and a prosperous industry.

The B.C. government announced the Provincial Forest Advisory Council on Thursday, appointed under the co-operation agreement it has with the two provincial Green Party members.

The council is expected to provide recommendations to support forest ecosystems at the same time as helping the forestry sector.

It comes amid a push to save more old-growth trees and a flagging industry as the United States threatens even further levies on Canadian softwood exports. Read the *Financial Post* [article](#).

#### **Overview of the Federal Plastics Registry**

The [Notice with respect to reporting of plastic resins and certain plastic products for the Federal Plastics Registry for 2024, 2025 and 2026](#) (the "Notice") was published, in the Canadian Gazette on April 20, 2024. The Notice established the Federal Plastics Registry (the "Registry") which requires companies to report annually on the quantity and types of plastic manufactured, imported and placed on the Canadian market. It also requires generators of packaging and plastic waste at industrial, commercial and institutional premises, as well as service providers who collect and manage those wastes, to report to the Registry. Reporting is mandatory, and companies that fail to meet their reporting requirements could face significant penalties. Read the [full article](#) by Cindy Vaillancourt and Gwenyth Wren with McCarthy Tétrault.

#### **Are You Wildfire Ready? How BC Forestry Operations Can Prepare for the 2025 Fire Season**

Last year, wildfires burned more than one million hectares across British Columbia. As of May 23, 2025, eleven fires are burning out of control in several regions across the province and the BC Wildfire Service is forecasting yet another intense year.

With summer just around the corner, BC forestry operations are strongly encouraged to take proactive measures now by planning ahead, preparing crews and equipment, and being ready to respond swiftly if conditions escalate. Wildfires pose significant risks to workers, equipment, forest resources and surrounding communities and being prepared is essential to safeguarding lives, livelihoods and infrastructure from the growing threat of wildfires. Read the [full article](#) in the June 2025 issue of [Forest Safety News](#).

#### **Wildlife Habitat Areas**

[Notice is hereby given](#) that the areas and General Wildlife Measures (GWMs) associated with Wildlife Habitat Areas (WHAs) 1-028 and 1-028a established by Government Action Regulation (GAR) Order signed on January 15, 2003 and May 1, 2015, respectively, in the South Island Forest District and WHAs 1-183 established on December 4, 2006 and WHAs 1-315 and 1-380 established on March 23, 2018 in the North Island Central Coast Forest District are cancelled. Notice is hereby given that the areas and General



Wildlife Measures for WHAs 1-028, 1-686, 1-692, 1-684, 1-687, 1-776, 1-685, 1-689 and 1-777 in the South Island Forest District and WHAs 1-183, 1-315, 1-380, 1-779, 1-782, 1-785, 1-788, 1-279, 1-360, 1-384, 1-780, 1-783, 1-786, 1-789, 1-305, 1-366, 1-778, 1-781, 1-784, 1-787, and 1-790 in the North Island Central Coast Forest District were established for Marbled Murrelet (*Brachyramphus marmoratus*) on May 4, 2025, by order made under the authority of sections 9(2) and 10(1) of the [Government Actions Regulation](#) (B.C. Reg. 582/2004). Details of the GAR Order may be obtained from the Ecosystems Section, West Coast Region, Ministry of Water, Land and Resource Stewardship, 2080 Labieux Road, Nanaimo, BC V9T 6J9, or from the following website:

[http://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show\\_approved](http://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show_approved) [my22]

[Notice is hereby given](#) that Wildlife Habitat Area (WHA) 6-291 in the Nadina Natural Resource District, is established for Southern Mountain Caribou in the Skeena Region. The Orders were signed on May 13, 2025 under the authority of sections 9(1), 9(2) and 10(1) of the [Government Actions Regulation](#) (B.C. Reg. 582/2004) for the [Forest and Range Practices Act](#) and section 30 of the [Environmental Protection and Management Regulation](#) (B.C. Reg. 200/2010) of the [Energy Resource Activities Act](#). Details of the Orders may be obtained from the Caribou Recovery Program, Skeena Region, Ministry of Water, Land and Resource Stewardship, 3726 Alfred Avenue, Smithers, BC V0J 2N0.

The Government Action Regulation Orders, accompanying map, and spatial files may also be obtained from [https://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show\\_approved](https://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show_approved) [my15]

### Environmental Appeal Board Decisions

The following Environmental Appeal Board decision was made recently:

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

- [Kochel Cattle & Timber Inc. v. Water Manager](#) [Preliminary Stay Application Decision – Denied]

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

### Forest Appeals Commission Decisions

The following Forest Appeals Commission decision was made recently:

#### [Wildfire Act](#)

- [Jaikle Contracting Limited v. Government of British Columbia](#) [Application for Extension of Time to Appeal – Granted]

Visit the Forest Appeals Commission [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Conservation Officer Service Authority Regulation (318/2004)	May 1/25	by <a href="#">Reg 48/2025</a>
Fish and Seafood Act	May 1/25	by 2024 Bill 17, c. 16, section 175 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Livestock Identification Act	May 1/25	by 2024 Bill 17, c. 16, section 174 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Metal Dealers and Recyclers Act	May 1/25	by 2024 Bill 17, c. 16, section 160 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Professional Governance Act	May 29/25	by 2025 Bill 13, c. 7, sections 73 to 77 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>
Wildfire Act	May 29/25	by 2025 Bill 13, c. 7, sections 1 to 6 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act, 2025</a>



## HEALTH

### Health News:

#### BC Supreme Court Lets Civil Claims Proceed against Doctors and Others Despite Delay

The British Columbia Supreme Court found it in the interests of justice for civil claims alleging defamation, negligent investigation, and breaches of the Canadian Charter of Rights and Freedoms against multiple defendants, including two doctors, to move forward despite lengthy delays. In *Dawson v Vancouver Coastal Health Authority (Vancouver General Hospital)*, [2025 BCSC 862](#), the plaintiff alleged that somebody reported her to the Vancouver Police Department (VPD) for being suicidal and a possible threat to

herself and others in October 2015. The plaintiff alleged the events that occurred that day. Read the [full article](#) by Bernise Carolino with Canadian Lawyer.

### **Executive Order Aimed at Reducing Prescription Drug Prices Could Affect Prescription Drug Prices in Canada**

On May 12, 2025, President Donald Trump signed an Executive Order (EO) titled "Delivering Most-Favored-Nation Prescription Drug Pricing to American Patients" aimed at reducing prescription drug prices for Americans by ensuring they do not pay more than the lowest prices set in other developed nations. This EO could have an effect on drug prices and availability globally, including in Canada. If Canada is included as a reference country for Most Favoured-Nation pricing, this may lead pharmaceutical companies to raise Canadian drug prices to align with U.S. levels notwithstanding regulatory controls that apply in Canada. The Patented Medicine Prices Review Board ("PMPRB") is a quasi-judicial body charged with a regulatory mandate to prevent pharmaceutical patentees from charging consumers excessive prices during the statutory monopoly period provided for patented medicines. Should the PMPRB intervene to prevent any price increases in Canada, pharmaceutical companies may withdraw products from the Canadian market, leading to reduced drug availability in the country. Read the [full article](#) by [Noam Goodman](#), [Cristina Mihalceanu](#) and [Nicole Nazareth](#) with DLA Piper LLP.

### **Class-action Lawsuit Filed in BC over 2009 Interior Health Data Breach**

British Columbia's Interior Health Authority has been hit with a class-action lawsuit over a data breach in 2009 that allegedly compromised thousands of employees' personal information that ended up being sold on the dark web. The lawsuit filed in B.C. Supreme Court on Thursday [May 22] says the data breach occurred in December 2009, exposing "highly sensitive" personal information belonging to people who worked for the health authority between 2003 and 2009. Court documents say the information was accessed by "cybercriminals and other malicious actors," and the "full extent" of the hack still hasn't been disclosed by Interior Health in the 16 years since. Former employee Rae Fergus, one of the lead plaintiffs, says her personal information has been used since 2022 to fraudulently get a car loan and a credit card, and to open a bank account without her "knowledge or consent." Read the BIV [article](#).

### **Howard Levitt: Think the Issue of Workplace Vaccine Mandates Is Long-settled? Not Quite, Say Courts**

*There must be a sufficient connection between a worker's responsibilities and the vaccination requirement to justify imposing 'the ultimate penalty'*

Some employers (and employees) might believe that firing workers for non-compliance with vaccine mandates is settled law. After all, vaccines were the best response to a public health emergency and all levels of government both imposed and supported them. So, when an employee refuses to get vaccinated, one would think the employer has a pretty clear case for discharge. Now that the acute phase of COVID-19 has essentially ended, this topic may seem of little relevance. But the wheels of justice spin slowly and many cases are still winding their way through the courts. Read the [full article](#) by Howard Levitt with the Financial Post.

### **The End of Doctor's Notes? Proposed Changes to Short-Term, Health-Related Leaves in British Columbia**

Recently proposed amendments to British Columbia's [Employment Standards Act](#) may eliminate, or significantly alter, the right of employers to require their employees to produce medical notes for short-term, health-related leaves in British Columbia. Employers commonly request medical documentation when employees take short-term leaves due to illness or injury ("health-related leaves"). As we discussed in a previous post, provincially-regulated employers in British Columbia must provide eligible employees with five days of paid leave and three days of unpaid leave, annually, for absences related to health, illness or injury. If requested by an employer, employees currently must provide reasonable proof of entitlement to such leaves, typically in the form of a medical note. On April 15, 2025, the Ministry of Labour introduced [Bill 11](#), the *Employment Standards Amendment Act, 2025*, which may change an employer's right to request medical notes. If enacted, Bill 11 will prohibit employers from requesting, and relieve employees from having to provide, medical notes (in certain, yet-to-be-determined "specified circumstances") in connection with short-term leaves for health, illness, or injury of an employee or prescribed individuals. Under Bill 11, the specifics regarding the "specified circumstances" and "prescribed individuals" covered by this prohibition will be established in the future through new regulations. Read the [full article](#) by Erin Jackes with McCarthy Tétrault.

Act or Regulation Affected	Effective Date	Amendment Information
Mental Health Act	May 1/25	by 2024 Bill 17, c. 16, section 159 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Perinatal and Postnatal Mental Health Strategy Act	May 29/25	c. 8, SBC 2025, <a href="#">Bill M204</a> , whole Act in force by Royal Assent
Pill Press and Related Equipment Control Act	May 1/25	by 2024 Bill 17, c. 16, section 175 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>



## **LABOUR & EMPLOYMENT**

### **Labour and Employment News:**



## **New Prohibition on Use of Replacement Workers Coming to Federally Regulated Workplaces**

[Bill C-58](#), *An Act to amend the Canada Labour Code and the Industrial Relations Board Regulations* ("Bill C-58"), received Royal Assent on June 20, 2024. Bill C-58 implemented various amendments to the [Canada Labour Code](#) and [Canada Industrial Relations Board Regulations, 2012](#) (the "Regulations") to expand the scope of the prohibition on employers' use of replacement workers during legal strikes and lockouts.

Both the *Canada Labour Code* and the Regulations apply to federally regulated workplaces in Canada, which include banks, telecommunications companies, and airlines. They do not apply to provincially regulated workplaces, which are instead governed by provincial employment and labour laws.

This article summarizes some of the key impacts of Bill C-58 on federally regulated workplaces starting June 20, 2025. Read the [full article](#) by Giovanna Di Sauro, David McDonald and Nella Garofalo with DLA Piper.

## **Not So Dependable? BC Court Says Employers May Not Expect Dependent Contractors to Get Less Reasonable Notice than Employees**

In the recent decision of *Ursic v Country Lumber Ltd.*, [2025 BCSC 970](#) (*Country Lumber*), the Supreme Court of British Columbia held that there is no presumption that dependent contractors ought to receive less reasonable notice of termination than employees, distinguishing from prior case law suggesting otherwise. Rather, a dependent contractor's notice period must "reflect where a relationship falls on the continuum between employee and independent contractor".

### **A Distinction Without a Difference? *Country Lumber* Finds No Presumption of Reduced Reasonable Notice Period for Dependent Contractors**

At common law, there is a longstanding principle that employees are entitled to reasonable notice of termination or damages in lieu thereof (subject to a valid agreement ousting that right). Independent contractors do not enjoy this entitlement. However, courts have recognized that workplace relationships may exist on a "continuum" between pure employee and pure independent contractor, with an intermediate category of "dependent contractor" that may only be terminated upon reasonable notice. In *Country Lumber*, the Court examined the question of whether dependent contractors should receive the same or less notice as an employee would receive.

Read the [full article](#) by David M. Price and Cameron Penn with Bennett Jones.

## **BC's New Minimum Wage Takes Effect June 1**

On June 1st, 2025, British Columbia's lowest paid workers received a 2.6% pay hike to \$17.85, up from \$17.40. The amount is based on last years average inflation rate. The increase also applies to minimum-wage rates for resident caretakers, live-in home-support workers, live-in camp leaders and app-based delivery and ride-hail service workers.

## **Mental Health Accommodation Policies and Procedures in the Workplace: Practical Guidance for Employers**

With an estimated one in three Canadians being affected by a mental illness in their lifetime, mental health challenges can have a significant impact on the Canadian workforce, and it is crucial that employers address these challenges effectively.

A solid accommodation policy is essential for every workplace, especially since many provinces lack clear legislation on the accommodation process. Creating a policy sets clear expectations, reducing confusion and ensuring everyone knows their roles. It's also important that the policy aligns with human rights laws, which can vary by province.

In addition to the policy, establishing clear accommodation procedures is crucial. A step-by-step process helps employers respond quickly and consistently to requests. Formal procedures ensure fairness and consistency in evaluating requests and determining whether accommodations can be made without undue hardship. It is vital that managers and HR staff are well-informed and aligned. Read the [full summary](#) of an online guidance session, hosted by lawyers Shelley-Mae Mitchell, Kailey Hubele, Laura Mensch, Jessica Wuergler, Dan Palayew, Kate Agyemang and Catherine Pronovost with Borden Ladner Gervais LLP.

## **Upcoming Deadlines for Complying with Federal Pay Equity Legislation**

Another compliance deadline is approaching under the federal [Pay Equity Act](#) – federally regulated employers are required to file an annual statement with the Office of the Pay Equity Commissioner on or before June 30, 2025, if they posted a pay equity plan in the previous year. This annual reporting obligation continues to apply every year thereafter.

The *Pay Equity Act* (the Act), which came into force on August 31, 2021, requires federally regulated employers to proactively address systemic gender-based discrimination in compensation practices by determining whether there are gaps in pay between employees in predominantly female job classes and those in similarly valued predominantly male job classes.

Most subject employers should have posted their final pay equity plans and notices of pay increases by September 3, 2024, unless a filing deadline extension was authorized by the Office of the Pay Equity Commissioner (the Pay Equity Office). Below, we will discuss upcoming deadlines and other information relevant to employers subject to the Act. Read the [full article](#) by Jennifer Hodgins with Norton Rose Fulbright.

## **Privacy in the Remote Workplace**

Hybrid or remote work arrangements become increasingly common, bringing with it benefits such as more flexible work schedules for workers, and a wider potential talent pool and decreased overhead for employers. Meanwhile, organisations may have concerns about how to protect sensitive or proprietary information and ensure their policies are being followed in a hybrid workplace, and take steps to further these objectives. As companies adapt to this relatively new model of work, it is important for employers to know how to implement policies and procedures respectfully and lawfully, just as it is for employees to understand their privacy rights in the workplace.

**Privacy legislation in BC**

In BC, the law that applies to your workplace varies depending on what type of organization you or your employer are:

- [Personal Information Protection Act](#) (PIPA): Applies to private sector employers in BC.
- [Personal Information Protection and Electronic Documents Act](#) (PIPEDA): Applies to federally-regulated employers (e.g. banking, aviation).
- [Freedom of Information and Protection of Privacy Act](#): Applies to BC government employers.
- [Privacy Act](#): Applies to federal government employers.

Read the [full article](#) from Overholt Law LLP.

**Government Refuses to Fix Known Unfairness in Pandemic Worker Benefit, Ombudsperson Finds**

BC Ombudsperson Jay Chalke has released a new report finding that the provincial government unjustly required some workers to repay the \$1,000 BC Emergency Benefit for Workers (BCEBW) – and later refused to correct the unfairness, despite previously fixing another nearly identical problem.

The BCEBW was introduced by the province in 2020 to support people who lost their job due to the COVID-19 pandemic. Initially, to qualify, recipients had to be receiving the Canada Emergency Response Benefit (CERB), a pandemic-specific federal benefit. To move quickly, the province used eligibility for CERB as a proxy for determining who should get the BCEBW, but it was unaware that some people who had lost their job due to COVID-19 were being routed by the federal government to two other federal benefits. Read the [full article](#) from the Office of the Ombudsperson.

**B.C. Releases Second Annual Pay Transparency Report**

Government has released its second annual [Pay Transparency Report](#), showing modest improvements to the gender pay gap in the province.

The biggest improvements in the gender pay gap since 2023 were noted in three sectors, analyzed using Statistics Canada data categorized by the North American Industry Classification System. In agriculture, forestry, fishing and hunting, there was an improvement from a gap of 45% down to 36%. The gap shrank from 24% to 17% in mining, quarrying and oil-and-gas extraction. Wholesale trade saw a positive shift from 18% down to 11%. Read the [government news release](#).

Act or Regulation Affected	Effective Date	Amendment Information
Criminal Records Review Act	May 1/25	by 2024 Bill 17, c. 16, sections 149 and 150 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Security Services Act	May 1/25	by 2024 Bill 17, c. 16, section 176 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Security Services Regulation (207/2008)	May 1/25	by <a href="#">Reg 48/2025</a>


**MOTOR VEHICLE & TRAFFIC**
**Motor Vehicle and Traffic News:**
**Dangerous Goods Marks on a Small Means of Containment**

This document does not change, create, amend or suggest deviations to the [Transportation of Dangerous Goods Regulations](#) (TDG Regulations).

This document is an overview of the requirements for using dangerous goods marks, which identify dangerous goods. It is for anyone who imports, offers for transport, handles or transports dangerous goods in small means of containment.

From: [Transport Canada](#).

**BC Court of Appeal Sees Error in Finding of Failure to Mitigate Symptoms After Car Accident**

The British Columbia Court of Appeal partly allowed an appeal upon agreeing with an injured man's argument that a judge erred by decreasing his non-pecuniary damages on the ground that he failed to mitigate his psychological injuries.

The case of *McPhail v. Ross*, [2025 BCCA 139](#), arose from a motor vehicle accident in Vancouver in December 2012. The appellant was driving on West 4th Avenue when the respondent ran a stop sign, pulled out from a side street, and drove into the appellant's path. Though the appellant swerved, the front and right side of his vehicle struck the respondent's car. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer* magazine.

**Plan to Help Stop Overpass Strikes in Metro Vancouver Unveiled**

A large working group, including TransLink, is trying to fix a major problem on Metro Vancouver roads – trucks hitting overpasses and downing trolley wires.

TransLink is outlining new standards for heavy trucks on Friday, and it hopes the new measures will reduce the overall number of strikes.

The plan, which is currently in the process of being fully adopted by local cities, includes:

- Standardizing the definition of "heavy truck" across most local municipalities in Metro Vancouver to vehicles with a Gross Vehicle Weight of over 11,793 kilograms.
- Aligning oversized and overweight truck standards throughout the region to make permitting more efficient for carriers.

Dave Earle, president and CEO of the BC Trucking Association, explains what the changes actually mean for the industry. Read the [CityNews article](#).

#### **Requirements Regarding Variable Identification Plates for Modified Tank Cars**

This advisory serves as a reminder to industry stakeholders of their responsibilities regarding the installation of a variable identification plate following a modification to a tank car. This includes, but is not limited to, the retrofit and re-stenciling of Class 111 tank cars (legacy or enhanced) to specification 117R.

From: [Transport Canada](#).

#### **BC Court of Appeal Confirms *Privacy Act* Damages May Be Awarded Without Proof of Loss**

The British Columbia Court of Appeal recently confirmed an aggregate damages award under the [Privacy Act](#) of \$15,000 per class member, without proof of individualized harm. The decision *Insurance Corporation of British Columbia v. Ari*, [2025 BCCA 131](#) establishes that in actions for breaches of privacy, courts may award more than nominal damages even where the plaintiff does not prove they suffered any harm beyond the privacy breach itself.

An employee of the Insurance Corporation of British Columbia (ICBC) intentionally accessed the private information of 78 ICBC policy holders, and sold the information of at least 45 policy holders to criminals. Some of these policy holders were later targeted in arson and shooting attacks.

The affected policy holders sued ICBC in a class action. After ICBC was found liable for its employee's wrongful acts, the court held a summary trial to determine aggregate damages for the class as a whole. The plaintiffs did not adduce evidence relating to particular harms experienced by individual class members: the issue was what damages were appropriate for the breach of privacy itself. Read the [full article](#) by Connor Bildfell, Nico Rullmann and Kyra McGovern with McCarthy Tetrault.

#### **CVSE Bulletins & Notices**

The following documents were posted recently by CVSE:

- [NSC Bulletin 01-2024](#) – Safety Rating Certificate and Status for B.C. Carriers
- [NSC Bulletin 02-2023](#) – Publication of Carriers Cancelled for Cause

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:

##### **Applications Received**

- [22398-25](#) – Premium Rides Limited
- [22418-25](#) – Mantri G. Limousine & Chauffeur Ltd.
- [21888-24](#) – Taylor Dean Dzaman (Royal Limousine)
- [22160-24](#) – Thomas Henry (Surrey Charter Bus Grove)
- [22418-25](#) – Mantri G. Limousine & Chauffeur Ltd.
- [22499-25](#) – Lower Mainland Holdings Ltd. (Kavanagh Limousine Service)

##### **Application Decisions**

- [23015-25](#) – Leah Marie Jones (LJ LimoRide Co.) [Approved]
- [23235-25](#) – Vanride Shuttle Services Ltd. [Approved]
- [23256-25 PS TOP](#) – Luxury Life Limousine Inc. [Approved]
- [23363-25 PS TOP](#) – Modern Limousine Ltd. [Approved]

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

Act or Regulation Affected	Effective Date	Amendment Information
Commercial Transport Act	May 1/25	by 2024 Bill 17, c. 16, sections 144 and 145 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>

Emergency Vehicle Driving Regulation (133/98)	May 1/25	by <a href="#">Reg 48/2025</a>
Enhanced Accident Benefits Regulation (59/2021)	May 1/25	by <a href="#">Reg 54/2025</a>
Income Replacement and Retirement Benefits and Benefits for Students and Minors Regulation (60/2021)	May 1/25	by <a href="#">Reg 54/2025</a>
Insurance (Vehicle) Regulation (447/83)	May 1/25	by <a href="#">Reg 54/2025</a>
Minor Injury Regulation (234/2018)	May 1/25	by <a href="#">Reg 54/2025</a>
Motor Vehicle Act	May 1/25	by 2024 Bill 17, c. 16, section 174 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Motor Vehicle Act Regulations (26/58)	May 1/25	by <a href="#">Reg 48/2025</a>
Offence Act	May 1/25	by 2024 Bill 17, c. 16, sections 163 and 165 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Passenger Transportation Regulation (266/2004)	May 1/25	by <a href="#">Reg 48/2025</a>
Permanent Impairment Regulation (61/2021)	May 1/25	by <a href="#">Reg 54/2025</a>
Transportation Act	May 1/25	by 2024 Bill 17, c. 16, section 176 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Violation Ticket Administration and Fines Regulation (89/97)	May 1/25	by <a href="#">Reg 48/2025</a>



## OCCUPATIONAL HEALTH & SAFETY

### Occupational Health and Safety News:

#### Technical Safety BC Warns Cost-cutting Is Jeopardizing Safety

Technical Safety BC is warning growing [efforts to save money are putting workers and the public at increased risk](#), as outlined in its 2024 State of Safety report. The report highlights a disturbing trend: organizations and individuals opting for short-term savings at the expense of long-term safety – a practice president and lead executive officer Phil Gothe calls a “false economy” or the “grey market.” “We are seeing it in folks not hiring licensed contractors. They’re not working with people who have all the right qualifications,” says Gothe. “That’s resulting in incidents like carbon monoxide exposure, electrical shocks, or fires.” Read the full Canadian Occupational Safety [article](#).

#### BOD Decision: Activity-related Soft Tissue Disorders (ASTDs) of the Limbs

from [WorkSafeBC](#):

On April 25, 2025, WorkSafeBC’s Board of Directors approved changes to policy to provide greater clarity and to consolidate guidance on the issue of whether the ASTD is due to the nature of the worker’s employment, for ASTDs adjudicated as an occupational disease. The proposed amendments also clarify the relationship between the legislation’s requirement that the ASTD is due to the nature of the worker’s employment, and the separate requirement that the ASTD be recognized as an occupational disease. These amendments are informed by recommendations #36 and #37 in Paul Petrie’s *Restoring the Balance: A Worker-Centred Approach to Workers’ Compensation Policy*, as well as recommendations regarding work causation for ASTDs from Janet Patterson’s *New Directions: Report of the WCB Review 2019*. The amended policies apply to all decisions, including appellate decisions, made on or after July 14, 2025. You can also review the complete [Resolution](#).

#### BC Employer Fined for Gas Leak

British Columbia employer Bay Hill Contracting Ltd. has been fined \$98,695.31 following a gas leak at one of its worksites. The incident occurred in Surrey, where the firm’s excavator struck and damaged an underground gas line, resulting in a leak. WorkSafeBC inspected the site after the incident and determined that the firm had not reviewed the BC 1 Call documentation. “Important infrastructure, including telecommunication cables, electricity wires, natural [gas](#) lines, water mains and sewer lines, are often buried underground,” according to the [BC government](#). “By clicking or calling BC 1 Call before beginning any excavation project, British Columbians can ensure safety and prevent possible interruption of services.” Read the full Canadian Occupational Safety [article](#), by [Jim Wilson](#).

#### WorkSafeBC ‘Considering Appropriate Enforcement Action’

### against BC Wildfire Service

WorkSafeBC is “now considering appropriate enforcement action” against the BC Wildfire Service in relation to a 2023 planned burn operation in British Columbia. The operation by the wildfire service could have killed or injured multiple [firefighters](#) during an operation in the 2023 fire season, according to a recent report. During the burn in the Shuswap region on Aug. 17 that year, a team of Brazilian [firefighters](#) became trapped by “extreme fire behaviour” following a controlled burn operation conducted by the BC Wildfire Service, CBC noted, citing a report from WorkSafeBC. Read the [full article](#) by [Jim Wilson](#), with Canadian Occupational Safety.

### 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 Forest Safe Magazine, June 2025.

Act or Regulation Affected	Effective Date	Amendment Information
Gas Safety Regulation (103/2004)	May 1/25	by <a href="#">Reg 51/2025</a>
Safety Standards Act	May 1/25	by 2024 Bill 17, c. 16, section 169 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>



## PROPERTY, REAL ESTATE & CONSTRUCTION

### Property, Real Estate & Construction News:

#### No Signature, No Sale: The Emoji that Couldn’t Seal the Deal

In *Ross v. Garvey*, [2025 BCSC 705](#), the British Columbia Supreme Court was asked to determine whether a thumbs-up emoji was a valid electronic signature to a contract. This case follows closely on the heels of the “emoji case” *South West Terminal Ltd. v. Achter Land*, 2023 SKKB 116, in which in Saskatchewan courts found that a contract was “signed” using a thumbs-up emoji via text message ([read our article discussing Achter Land here](#)).

#### Background

The plaintiff, Daniel Ross, is a real estate developer and licensed realtor. He alleged that he had entered into a binding agreement to purchase a residential property from the defendants, brothers Kyle and Matthew Garvey. The Garveys had listed the property privately and were communicating with Ross via text and email. Ross emailed the Garveys a signed formal offer using a standard real estate contract, which the Garveys initially rejected. Days later, Kyle Garvey emailed Ross a modified version of Ross’s offer detailing changes to the price, deposit, and brokerage fees. Although Kyle Garvey referred to this as a “counteroffer” in the email and attached a marked-up version of the standard contract sent by Ross, the Garveys did not sign it.

Read the [full article](#) by Jake Cabott and Matthew G. Swanson with Borden Ladner Gervais LLP.

#### Commercially Reasonable and Diligent Efforts at the Earliest Possible Date: A Novel Contract Clause Unpacked

The recent case of *Epix Developments Ltd. v. Bonnis Development Union Street Limited Partnership* (*Epix*) addressed the interpretation of a novel compound contractual clause following the termination of an agreement due to a repudiatory breach in a real property transaction.

#### Background

The plaintiffs, Epix Developments Ltd. and Epix Main Street Limited Partnership (Plaintiff), and the defendant, Bonnis Development Union Street Limited (Defendant) entered into two agreements wherein the Plaintiff sought to purchase from the Defendant three adjacent lots located in Vancouver’s Chinatown with significant history and development potential (Property).

Read the [full article](#) by Greg Umbach with Blakes.

### Tenant Due Diligence Essentials in British Columbia

Corporate and property searches are an essential starting point for tenant due diligence when negotiating a commercial lease. Due diligence search results can provide tenants with a clearer picture of the property, the parties involved, potential restrictions on the land and the liabilities that may arise. I had the privilege of co-chairing a roundtable on the topic of due diligence for tenants at the recent ICSC+Canadian Law conference. We discussed the importance of tailoring due diligence searches to those most applicable to the asset class of the property, the surrounding area and any other impacts to the intended use and occupation of the premises. Tenants should ask the following questions regarding the condition of the property:

- Will the leased premises be a new build or is it situated in an established development complex or similar?
- Will the premises be constructed, perhaps on a turnkey basis by the landlord?
- What sort of appurtenant rights (drive-thrus, garden centres, truck courts) are essential to the business operations?

Here are the key steps we discussed and how they can help tenants enter into stronger leases and avoid uncertain risks. Read the [full article](#) by Michelle F. Yung with Bennett Jones LLP.

### Recent Cases Address Application of BC Foreign Buyers Tax

The BC Court of Appeal and the BC Supreme Court have issued two recent judgments regarding the application of the additional property transfer tax ("ATT"), commonly called the BC foreign buyers tax, imposed under the [Property Transfer Tax Act](#), RSBC 1996, c 378 (the "PTTA"). In *British Columbia v. 1084204 B.C. Ltd.*, [2025 BCCA 110](#), the Court found that property transfer taxes, including the ATT, are payable by the person to whom legal title is transferred, even if that person is acting as an agent. In *Chuang v. British Columbia*, [2024 BCSC 2422](#), the Court found that, where a transfer of property is subject to ATT due to a recipient of the transfer being a "taxable trustee", the fair market value ("FMV") of the entire property is used to calculate the ATT payable on the transfer, regardless of whether the property is beneficially owned by multiple owners (including Canadian citizens or permanent residents). Read the [full article](#) by Kurt Haunsperger with Thorsteinssons LLP.

### Do You Know Your Voting Rights?

**Dear Tony:**

I am a commercial property owner of a strata lot in a mixed-use development. Our strata corporation recently defeated a special levy to replace our hot and cold domestic water where each unit would be paying approximately \$25,000 depending on the size of the unit. Every owner registered for the meeting and received a voting card for each strata lot they represented issued by the management company and some voters had multiple cards representing residential proxies of other units. As the owner of the largest property, I feel it is unfair I have only one vote, pay the largest amount, and a proxy holder can come into the room with 10 proxies and control the decision by 2 votes, forcing a secret ballot. How do we stop this? The building has constant water leaks, claims and damages. – Florence C.

**Dear Florence:**

A strata corporation cannot limit or restrict the number of proxies a person holds. The bylaws of each strata determine the methods of voting and in your case, in-person meetings can be controlled by one person requesting a secret ballot. There is no advanced voting and the instructions on the proxy are for the proxy holder, not the strata manager or chairperson to record the votes. The proxy holder must vote when the vote is called and only that person will know how the votes are exercised. The chairperson of the meeting must be able to identify the votes are being cast by an eligible voter.

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

### Prompt Payment Legislation Advancing for BC Construction

In response to widespread concerns about delayed payments to contractors and subcontractors on construction projects, several jurisdictions—including Alberta, Saskatchewan, Manitoba, Ontario, Quebec, and the federal government (for federal projects)—have enacted prompt payment legislation. Other provinces are considering similar measures. In British Columbia, Bill M-233 (Prompt Payment (Builders Lien) Act, 2019) was introduced in May 2019 but did not pass into law. However, in April 2025, the Attorney General directed Ministry staff to prepare a proposal for prompt payment legislation for the government's consideration. As a result, it now appears likely that BC will introduce prompt payment legislation, and soon. Read the [full article](#) by Mark Danielson with Pushor Mitchell LLP.

### Bare Lots and the Speculation and Vacancy Tax

This is the next in a series of articles Pushor Mitchell is producing on the Speculation and Vacancy Tax (the "Spec Tax"), aimed at helping property owners understand how the tax affects them. Our last article addressed the expansion of the Spec Tax to new communities in 2025 and the increased Spec Tax rate for Canadian citizens starting in 2026. This article discusses an exemption relevant to property owners unexpectedly charged Spec Tax on bare lots in communities like Peachland, Penticton, and Lake Country. Many British Columbians have purchased bare lots in Okanagan communities, with plans to build retirement homes or relocate for the Okanagan lifestyle, but have not yet built on their land. When purchased, these properties were outside the reach of the Spec Tax. However, as the tax has expanded, owners are now required to file annual declarations and, in many cases, pay significant tax bills—even without a completed residence or speculative intent. Read the [full article](#) by Kyle Ramsey with Pushor Mitchell LLP.

### Default Payments

**Dear Tony:**

I received a notice from my management company that my strata fees were in arrears and a lien would be filed if I did not pay the balance owing. Our strata have authorized direct payments each month and I checked my statements and all payments have been withdrawn with no issues. The management company advised that our payment authorizations



include fines for penalties and damages, so they applied my strata fees to fines without providing notice. They advise the form authorizes them to apply funds to any outstanding amounts owing. The strata council advised that we had an unauthorized alteration in our unit and they have been imposing fines of \$200 / week for the last 3 months. We purchased our unit in 2023 and nothing has been changed and we are unaware of any alterations. This is really unfair without any opportunity to dispute these claims. – JL Marks, Abbotsford

**Dear JL:**

A strata corporation cannot divert funds that were scheduled and intended for the payment of strata fees or designated for special levies to resolve claims of penalties or damages. These even include the late payment of strata fees. While the bank approval form may have included the ability to charge fines or damages, it does not replace your authorization for strata fees or override the requirements of the [Strata Property Act](#).

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

Act or Regulation Affected	Effective Date	Amendment Information
Land Act	May 1/25	by 2024 Bill 17, c. 16, section 176 only (in force by <a href="#">Reg 48/2025</a> ), <a href="#">Police Amendment Act, 2024</a>
Residential Tenancy Regulation (477/2003)	May 1/25	by <a href="#">Reg 48/2025</a>

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