

14 May 2025

By email to: SpecialEconomicZones@Ontario.ca

Re: ERO-025-0391 – Special Economic Zones Act, 2025 – Schedule 9 of Bill 5

Dear Sirs:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve, and restore riverine ecosystems across the province. The ORA advocates for effective policy and legislation to ensure that development affecting Ontario rivers is environmentally and socially sustainable.

ORA strongly opposes the proposed Special Economic Zones Act, 2025, as outlined in ERO 025-0391 and introduced through the omnibus Protect Ontario by Unleashing Our Economy Act, 2025 (Bill 5). The legislation enables vast regulatory rollbacks and consolidates decision-making power in the provincial Cabinet, bypassing vital environmental, democratic, and Indigenous consultation mechanisms.

The SEZ framework constitutes a radical departure from Ontario's long-standing legal tradition of environmental stewardship, public participation, and transparent land-use planning. The proposed Act undermines the public interest in favour of unchecked industrial expansion.

2. Key Concerns

2.1. Unrestricted Ministerial Authority

The Act empowers the Lieutenant Governor in Council and the Minister to:

- Designate Special Economic Zones (SEZs) without mandatory public notice, consultation, or oversight.
- Unilaterally exempt or override environmental regulations, permits, and approvals.
- Define and approve "vetted projects" and "trusted proponents" based on undisclosed criteria.

This sets a dangerous precedent, effectively creating zones of legal immunity where developers and industry can operate free from established environmental and planning law.

2.2. Environmental Deregulation and Risk to Watersheds

Projects within SEZs could be exempted from:



- *Environmental Assessment Act*
- *Environmental Protection Act*
- *Ontario Water Resources Act*
- *Endangered Species Act*
- *Planning Act*

Such exemptions would allow for large-scale infrastructure, mining, or energy projects to proceed without cumulative effects assessment or watershed-level planning. This threatens freshwater ecosystems, drinking water sources, species at risk, and community health.

2.3. Violation of Indigenous Rights

The SEZ framework fails to embed any obligations under Section 35 of the Constitution Act, 1982 or the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The absence of legally binding requirements to consult, accommodate, or obtain Free, Prior, and Informed Consent (FPIC) is a direct affront to Indigenous sovereignty and legal precedent.

Streamlining development cannot and does not absolve the Crown of its constitutional obligations to Indigenous Peoples.

2.4. Loss of Public Oversight and Due Process

The Act lacks any requirement for:

- Independent review or appeals process
- Environmental tribunal oversight
- Third-party science or expert input
- Transparent rationale for zoning or exemptions

This centralization of power dismantles Ontario's environmental rule of law and replaces it with opaque political discretion.

3. Recommendations

ORA strongly recommends the following actions:

1. Withdraw the Special Economic Zones Act, 2025, in its entirety.
2. Reject all legislative and regulatory mechanisms that enable environmental deregulation through geographic zoning.
3. Require full application of all environmental laws, including cumulative impact assessment and watershed-level planning, to all strategic infrastructure and energy projects.
4. Mandate Indigenous co-governance, consultation, and consent in any development planning affecting their lands, waters, or rights.
5. Ensure public transparency, scientific integrity, and democratic accountability in all zoning, permitting, and development decisions.



4. Conclusion

The Special Economic Zones Act, 2025 represents a sweeping attempt to circumvent Ontario's environmental and democratic protections in favour of unregulated development. Its enactment would pave the way for high-risk industrial activity, with no recourse for affected communities or Indigenous Nations.

ORA calls on the Ontario government to withdraw this proposal immediately and recommit to a transparent, evidence-based, and inclusive approach to economic development that centres ecological sustainability and reconciliation.

Respectfully,

Linda Heron
Chair, Ontario Rivers Alliance
(705) 866-1677