

May 14, 2025

Honourable Minister of Energy and Mines  
Ministry of Energy and Mines  
77 Grenville St. , 10th Floor  
Toronto, ON M7A 2C1

Dear Honourable Sir,

**Re: Submission on Bill 5 - Protect Ontario by Unleashing our Economy Act, 2025**

Thank you for the opportunity to provide comments on Bill 5 - *Protect Ontario by Unleashing our Economy Act, 2025*.

The Town of Niagara-on-the-Lake ("NOTL") appreciates the Province's commitment to strengthening Ontario's economy during these uncertain times. Promoting economic development is important; however, so is ecological and environmental protections upon which sustainable and thriving economies depend.

Bill 5 is an omnibus Bill which proposes significant changes to a number of Acts to streamline process related to development approvals. Changes proposed that may have the most impact to the Town include:

- Significant changes to the species-at-risk requirements and environmental protections;
- The potential to designate "special economic zones" for geographic areas, "trusted proponents" or projects that would be exempt from provincial legislation and regulations, and from municipal by-laws; and,
- Streamline the archaeological assessment and artifact protection process for developments where archaeological sites are present, and potentially exempt prescribed projects that advance Provincial priorities.

The comments provided below summarize input to NOTL Town Council on May 13, 2025. Council endorsed the report and directed Staff to submit comments on this ERO posting.

**SCHEDULE 1: Electricity Act, 1998 and SCHEDULE 6: Ontario Energy Board Act, 1998**

The Town notes support for procuring Canadian goods and services.

**SCHEDULE 2: Endangered Species Act, 2007 and SCHEDULE 10: Species Conservation Act, 2025**

The Town notes that the changes proposed significantly weaken environmental protections and process in Ontario. The proposed repeal of the Endangered Species Act (ESA) and its replacement with the Species Conservation Act (SCA) represents a fundamental shift away from science-based conservation.

The proposed changes impact protections for Ontario's more than 270 species at risk by replacing evidence-based assessments with Cabinet discretion, turning species protection into a political decision rather than a scientific one. The Bill also proposes to dissolve key conservation bodies, such as the Species Conservation Action Agency and the Species at Risk Conservation Fund, which are administered by the Committee on the Status of Species at Risk in Ontario (CASSARO) and support habitat protection and recovery planning.

Staff do not support the update to the definition of "Habitat." The proposed change narrows the definition to exclude essential ecosystems like forests and wetlands, which removes protections vital for species recovery. To support biodiversity and protect ecosystems, the definitions must continue to include these references. Further, eliminating "recovery" as a goal contributes to the continued decline or extinction of at-risk species, rather than assisting with its protection.

Regarding permits and enforcement, it is believed that these changes would strengthen enforcement by giving provincial officers clearer inspection and investigation powers and new order powers; however, the amendments could allow for the issuance of certain permits with fewer conditions and less enforcement options (i.e. less stop orders, more mitigation measures).

Finally, the Town notes concern with the introduction of a self-serve, online registration system for developers, replacing expert review and potentially enabling immediate habitat destruction without oversight. The updated legislation also proposes to remove "harassment" from the list of prohibited activities. This registration system will create loopholes and exemptions that undermine accountability and weaken enforcement tools essential to sustainable development.

While it is understood that the Province is seeking ways to support economic growth and prosperity, the changes should not be at the expense of our natural environment, climate, and at-risk species.

### **SCHEDULE 3: Environmental Assessment Act**

While these changes do not affect the Town, the exemption from full environmental assessment for the Eagle's Nest mine is concerning. This project may have impacts to climate-critical peatlands and Indigenous territory, undermining both Canada's climate commitments and reconciliation efforts.

### **SCHEDULE 7: Ontario Heritage Act**

The Town supports the protection of cultural artifacts and the return of Indigenous artifacts to the communities in which they belong.

The proposal for exemption to Archaeological Assessments to advance Provincial priorities is concerning, as both the Town and Region have approved Archaeology Management Plans. Niagara-on-the-Lake is rich with archaeological resources from many Indigenous communities to the very early settlers of Upper Canada. Archaeological assessments help us to understand our past. By waiving these requirements, important artifacts could be lost forever. The requirement for archaeological assessments is better suited at the local level. It is noted that the review for process improvements to the *Ontario Heritage Act* is already underway. The Town requests that the Province consult with local municipalities on the updating and streamlining of the process for archaeological approvals, rather than providing the opportunity for exemption.

### **SCHEDULE 9: Special Economic Zones Act, 2025**

The proposed Special Economic Zones Act, 2025, would grant Cabinet authority to exempt entire areas or projects from environmental, municipal, and Indigenous rights laws, for select developers or “trusted proponents.” The Bill references that the Minister would be authorized to make regulations designating trusted proponents and projects. It is currently unknown what criteria, or process will be utilized for this designation; however, it is imperative that local municipalities be consulted on these details should this be advanced.

As noted earlier in the report, these SEZs would also by-pass environmental protections, with the potential to threaten the environment, biodiversity, and ecosystems. The Town has concerns about the impact SEZ's could have on our natural environment, climate, and ecosystems.

### **Concluding Remarks**

While the Town recognizes the intent of the Bill to support Ontario's economy, many of the changes proposed will have unintended impacts at the local level. While streamlining the development process is important, local municipalities must consider good planning principles with a balanced approach to conserving and protecting our natural and cultural resources. It is important that growth, development and economic prosperity be grounded in sustainability and accountability.

As referenced in this letter, the Province should reconsider some of the changes proposed through Bill 5. The Town respectfully requests that the Province consult further on the changes proposed to understand the implications at the local level.

Kind Regards,



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Town of Niagara-on-the-Lake



Kirsten McCauley, MCIP, RPP  
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Town of Niagara-on-the-Lake