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Submission to Environmental Registry Ontario

Ontario Bill 5 – “Protect Ontario by Unleashing Our Economy Act, 2025”

ERO# 025-0391 and ERO# 025-0380

Copies:

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Hon. Todd McCarthy, Minister of Environment, Conservation and Parks

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This is a submission regarding elements of Ontario Bill 5 – “Protect Ontario by Unleashing Our Economy Act, 2025”, posting of April 17, 2025. The Friends of the Tay Watershed Association have concerns with changes proposed in the Bill, including in:

- Schedule 9 – *Special Economic Zones Act, 2025* (ERO# 025-0391) and,
- Schedule 10 - Proposed Changes to the *Endangered Species Act, 2007* and a Proposal for the *Species Conservation Act, 2025* (ERO# 025-0380)

In the opinion of this association, these actions could hazard aspects of sustainable environmental management of rural areas and, also, protection of species at risk. They are also inconsistent, in the first case, with the stated *Role of Provincial Planning Statement* (Page 2) and, in the second, with Section 4.1 (Protection of natural heritage systems) of *Provincial Planning Statement, 2024*. The explanation follows.

The Friends of the Tay Watershed Association is an incorporated not-for-profit organization that has supported programs for 25 years in the 95km long Tay watershed, in cooperation with government, community and environmental agencies, for the protection and enhancement of water and related natural resources, for the present and future needs of the community. The watershed crosses seven municipalities and three Counties (Lanark, Frontenac and Leeds Grenville).

Schedule 9

The *Special Economic Zones Act, 2025* would authorize the Lieutenant Governor to make regulations designating special economic zones and authorize the Minister to make regulations designating trusted proponents and projects exempt from requirements under an Act, regulation or other instrument under an Act, including by-laws of a municipality or local board.

These proposed actions would override municipal Official Plans and By-Laws, and the traditional community-based development planning process, replacing them with development and planning decisions from an external authority. It is our understanding that the current

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‘Minister Zoning Orders MZO’s system has been criticized in the past. The proposed system could have the same potential weaknesses, and, perhaps, even greater negative impact. Further, the proposal to make designated ‘trusted proponents’ and projects exempt from controls provided for in the Act raises serious questions about the potential for commercial and political interference in the construction sector.

These proposals appear to ignore the Government’s Provincial Planning Statement, 2024, which directs that “Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning.” (“Role of the Provincial Planning Statement”, Page 2). The foregoing changes would degrade this policy statement.

Schedule 10

This Schedule would make immediate amendments to the *Endangered Species Act* (ESA) and, later, would repeal, and replace it, with a new *Species Conservation Act, 2025* (SCA).

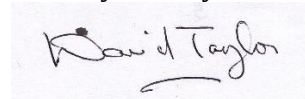
A change of serious concern in this action includes the **adoption of a registration process** that would eliminate reviews of planned activities, and requirements for mitigation plans where needed, of potential impacts on species and habitat. The loss of this input by experienced, neutral government professionals, such as in the Ministry of Environment, Conservation and Parks (MECP), has potential for downplaying the dangers posed by a given development, hazarding protection of an already threatened species.

A second area of concern is the considerable **reduction of the defined area of a species’ habitat** to its ‘dwelling’ place, or, for plants, the critical root zone. According to conservation organizations, habitat loss and degradation are the leading threats to most species at risk. The proposed legislation would eliminate the natural area that an animal depends on for food, and other critical needs, and a plant for sustenance.

Finally, the **discretion to remove protected species** from the list should be reserved for the *Committee on the Status of Species at Risk in Ontario*, to pre-empt the possibility of decisions being made, or appearing to be made, based on commercial expediency. The Tay watershed region of eastern Ontario contains unique ecosystems, which include species at risk of both northern and southern Ontario. The above-mentioned changes will put these in danger.

The Friends of the Tay Watershed Association propose that the above-noted changes in Schedules 9 and 10 do not support the intention and spirit of Provincial Planning Statement 2024, including its Role’, Page 2, and Section 4.1, Protection and biodiversity of Natural Heritage Systems, and requests that they be withdrawn from the legislation.

Thank you for your consideration.

A handwritten signature in black ink, reading "David Taylor". The signature is written in a cursive, flowing style. The first name "David" is written in a larger, more prominent script, and "Taylor" follows in a similar but slightly smaller script. The signature is positioned above the printed name and title.

David Taylor
President