



November 10, 2025

Submitted online and via email to SpecialEconomicZones@Ontario.ca

Ministry of Economic Development, Job Creation and Trade

Re: Consultation on proposed Special Economic Zones Criteria (ERO 025-1077)

The City of Markham appreciates the opportunity to provide feedback on the proposed Criteria for Designations Regulation to enable implementation of the *Special Economic Zones Act (SEZA), 2025*. This submission provides City of Markham staff comments and recommendations for consideration by the Ministry. Please note that additional or revised comments that may be provided by the Council of the City of Markham will be forwarded to the Ministry further to this submission.

Comments

While the concept of special economic zones is supported in principle for critical mineral and major infrastructure projects that are of strategic importance to Ontario's economy, the designation of zones and projects should not be applied more broadly to projects or development applications that would conflict with municipal authority and decision making where significant tools are already available to facilitate development approvals (e.g., ministerial authorities under the *Planning Act, Development Charges Act, etc.*).

The Criteria for Designations Regulation as currently drafted retains broad flexibility for the Province to designate zones, projects and proponents and provides no information on the process the Province will undertake to consult municipalities when designating zones and projects or granting exemptions to projects from legislative requirements or by-laws.

For example, the Regulation for designating zones, while stating it must be in the opinion of the Provincial Government that the area contains activities that are or will be economically significant or strategically important to the Ontario economy, there is no criteria to limit the potential designation of zones geographically, in size, and relation and proximity to other potential zones within the Province. A zone can be designated in any area of the province.

Similarly, while the Regulation for designating projects provides additional detail and clarity with respect to the matters the Minister will consider, nearly any project could meet the threshold for an economic benefit or community benefit if it is in the opinion of the Minister these criteria are satisfied.

The regulations should ensure that a transparent and rigorous process is provided with requirements to consult with municipalities and ensure standards will be applied to address potential impacts to communities and the environment. In particular, the City's authority to plan for the Markham Innovation Exchange ("MiX") district in north Markham, intended for high value



industry and employment, innovation and related activities should be maintained.

In considering the broad authority granted under the SEZA, regulations should include requirements to formally notify, request comments and seek support from affected municipalities on proposed zones and projects potentially impacting municipal authority or by-laws in their jurisdictions.

As the SEZA provides significant authority to the Ontario Cabinet and Minister to exempt projects and proponents from meeting requirements under any legislation, including municipal by-laws, the details of all decision-making processes to be undertaken to designate specific zones, projects and proponents should be made available prior to finalizing regulations.

Recommendations:

- Prior to designating zones and projects, the province should undertake further consultation to clarify how projects will be listed, evaluated and selected and that the process includes requirements to notify the public and municipalities of designation proposals and seek municipal support for designations and exemptions where they potentially impact a municipal authority or by-law.
- The Criteria for Designations Regulation for designating zones and projects should include a criterion requiring confirmation that consultation with the affected municipality has been undertaken and municipal support for the designation has been confirmed through a municipal support resolution.
- The province amend Ontario Regulation 681/94 under the Environmental Bill of Rights, 1993 to expressly require that regulations designating zones and projects be subject to Part II of the Environmental Bill of Rights, 1993 to provide additional opportunity for the public to review specific designation proposals and provide feedback.

We appreciate the opportunity to provide our comments on these proposals. Should you have any questions please reach out to either myself at jyeh@markham.ca or Mark Head, Manager, Natural Heritage at mhead@markham.ca.

Sincerely,

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