



November 11, 2025

Public Input Coordinator – Species at Risk Protection  
Species at Risk Branch  
40 St. Clair Ave West  
Toronto, ON M4V 1M2

**Re: Proposed legislative and regulatory amendments to enable the Species Conservation Act, 2025**

**ERO Number: 025-0909**

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Primont Homes supports the proposed legislative and regulatory amendments to enable the *Species Conservation Act, 2005* (SCA) as outlined in Environmental Registry of Ontario posting number 025-0909.

We recognize and understand the importance of protecting Species at Risk in Ontario and we applaud the government for the legislative changes that have been made for the new SCA. The timelines associated with obtaining permits under the Endangered Species Act (ESA) resulted in substantial delays to much-needed residential and employment development in the province. The changes brought forth by the SCA, specifically the use of a registration-based approach, will provide certainty to the development industry on project timelines, greatly reduce the amount of time it takes to address species at risk requirements while still ensuring that species at risk and important habitat elements are appropriately protected.

We understand the current proposed legislative and regulatory amendments that are subject of this ERO posting are necessary elements required before the SCA can come into force. We have reviewed the information provided in the ERO posting and support what is being proposed. Based on our review of the ERO posting, we note the following:

- We support removal of the identified species from the proposed Protected Species in Ontario List regulation. Removal of the 64 species classified as special concern will have no material impact since these species are not subject to prohibitions under the ESA or proposed SCA. Removal of the 42 aquatic species and migratory birds that are protected by existing federal legislation will remove duplication associated with permitting processes to facilitate more efficient project delivery for the industry.

- We generally support the Proposed Registration Regulation, as we believe that the transition to a proponent-led registration process is the key proposed regulatory change to avoid the significant delays associated with previous permitting processes under the ESA. With respect to this proposed regulation:
  - We encourage the government to provide sufficient clarity in the ultimate regulation to allow proponents to easily confirm whether registration is required for their activity;
  - We encourage the government to ensure that the definitions of habitat for individual species meet the intent of the revised definition of habitat in the amended ESA. The various Interim Habitat Descriptions that have been released on an ad hoc basis by representatives of the Ministry of Environment, Conservation and Parks (MECP) staff since the ESA was amended have provided clarity, but in some cases, don't seem to meet the intent of the revised habitat definition's references to the area "immediately around a dwelling place". For example, the interim habitat description provided by MECP for species at risk bats includes reference of the area within 1000 m of the dwelling place, which could have significant implications for activities adjacent to wooded areas, depending on interpretation of this description.
  - With respect to actions to be taken in a Conservation Plan for the species that may be required through the registration process, we encourage the government to consider cash-in-lieu options (such as the previous Species Conservation Fund). In our experience, mitigation and beneficial action conservation options may not be feasible in certain circumstances (e.g., when no species conservation actions are available on a particular property and the owner does not have access to other properties where actions could be completed). A cash-in-lieu option would provide flexibility for project proponents to ensure that appropriate species conservation actions can be implemented.
- With respect to the Proposed Permit Regulation, we request that the government clarify the parameters where introducing or reintroducing a protected species to an area where it does not currently occur would require a permit. Specifically, we note that, if species reintroductions are proposed as part of a species Conservation Plan under a registration (e.g., as a tool to mitigate impacts on the species), such an action should not then trigger the requirement for a permit under the SCA.



- We support the Proposed Exception Regulation, which provides clarity and avoids unnecessary requirements for the exempted activities.
- We support the Proposed Transition Regulation which we expect to provide clarity on transition from the ESA to the SCA. With respect to this proposed Regulation:
  - We understand the need to maintain the original definition of habitat that was in place at time the regulatory instrument was formalized.
  - We support the provision of an option to seek the cancellation of certain permits, agreements or registration already in place to allow proponents to proceed under a new registration or permit under the SCA and we encourage the regulation to provide clarity on when this could be implemented.
  - We also suggest that provisions to allow proponents to cancel any existing in-process applications under the current ESA and proceed under a new registration under the SCA should be clearly outlined in the Proposed Transition Regulation.
  - We support the approach that conditions of previously issued permits, agreements or registrations would not apply to species no longer subject to the SCA (e.g., migratory birds and aquatic species).

Therefore, overall, we support the proposed legislative and regulation changes to species at risk protections in Ontario. We appreciate the Government's approach to maintaining appropriate protections while reducing permitting timelines, uncertainty and complexity so the development industry can deliver on the critical home building and employment initiatives the province requires.

We encourage the government to act quickly to advance the development of these regulations such that the SCA can come into force as soon as possible, so the development industry can start delivering on the homes and employment growth the province requires in these challenging economic times.

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