

## **ERO Posting 025-0391 – the Special Economic Zones Act**

Thank you for the opportunity to provide comments on the *Special Economic Zones Act*. Town staff understand that due to current economic challenges, including those pertaining to international trade, it is important that the Province of Ontario strives toward continuing to be a center of innovation, economic growth and activity within Canada. Town staff offer the following comments for the proposed Act:

### **General Comments:**

Municipal Official Plan policies and Zoning By-law requirements are based on local conditions, serving as both a guide for development, while providing protections for, and/or mitigating impacts on surrounding land uses. The Town has robust Natural Heritage System policies to ensure the long-term protection of the environment. The Town has prepared a number of local scoped subwatershed studies for specific secondary plan areas which identify key natural heritage features, natural hazards such as floodplains and environmental constraints and opportunities. The Special Economic Zones Act, as proposed, would restrict a municipality's ability to implement such policies within a designated Special Economic Zone. Criteria for designating Special Economic Zones, Trusted Proponents and Vetted Projects should continue to comply with local planning, policies and requirements in areas where this status is sought.

It is unclear what, if any, public consultation would be required under this Act. If designated Special Economic Zones, Trusted Proponents and Vetted Projects are exempt from certain provisions of applicable legislation, including consultation requirements, the proposed Act should identify which provisions are exempt, along with criteria for such exemptions. This information would help local planning officials better inform their Councils and the public on how Special Economic Zones, Trusted Proponents and Vetted Projects are identified, and what legislative requirements are imposed.

To better assist municipalities in understanding and commenting on the Special Economic Zones Act, draft regulations which identify the criteria used to determine Special Economic Zones, Trusted Proponents and Vetted Projects should be circulated by way of a separate ERO posting. This would help municipalities prepare for and anticipate the impacts of the forthcoming legislation.

Due to the limited timelines provided to review the proposed legislative changes, the comments provided are to be considered preliminary. Further comments may be provided once staff has an opportunity to complete their review and report to Council. In the future, providing a longer comment period would be helpful for municipalities to provide meaningful comments on ERO postings of this nature. For instance, a 60-day period would be beneficial where the ERO posting review requires coordination between multiple departments. Longer comment periods also allow for municipal staff to bring the proposals to their Councils for review and consideration before comments are due. This also gives municipal staff the opportunity to provide comments which are endorsed by Council, and considered final.

### **Special Economic Zones**

Town staff request more information as to what criteria are going to be used by the Province to determine what will be defined as a Special Economic Zone. There is the potential for a wide variety of

land uses which, based on the current ERO posting, could be considered as such depending on what the established criteria will be. As the Town is currently undergoing its' Official Plan Review process; it would be beneficial for the Town to understand what, if any, lands within the Town could be constituted as being of "critical or strategic importance" to the provincial government. Town staff also request more information on what the public process is proposed to look like with establishing Special Economic Zones. Town staff encourage the provincial government to require that the process to designate a Special Economic Zone be done in collaboration/consultation with the local municipality in which the proposed Zone would be located.

The Town does not support the designation of Special Economic Zones in environmentally sensitive areas such as the Niagara Escarpment Area, Greenbelt Plan Area and rural prime agricultural area. If lands located within the Town were to be designated as a Special Economic Zone, Town staff would recommend that the Zone be used to attract industries such as advanced manufacturing, food & beverage processing, agribusiness and clean technology/renewables which would align with the industries the Town has targeted for economic growth and which could also help with the growth of the Ontario economy as a whole. Town staff would point to the Premier Gateway Employment Area in the Town as being an area that could see benefit to a Special Economic Zone designation to help attract new investment to the Province, particularly in advanced manufacturing. It is important to note, however, that the Town has completed the required Secondary Plan for the area including detailed scoped Subwatershed Studies. Protection for key environmental features as per the recommendation of these studies should be maintained.

### **Vetted Projects**

Town staff request more information as to what criteria are going to be used by the Province to determine what will be defined as a Vetted Project. It is difficult to provide comments or feedback on such projects until that information is provided.

### **Trusted Proponents**

Town staff request more information as to what criteria are going to be used by the Province to determine what will be defined as a Trusted Proponent. Town staff would also find it beneficial to understand if there are any proposed proponents that will be located within the Town.

### **One-Window Services**

Town staff request more information as to the proposed One-Window Services that are mentioned in the ERO posting. The wording of the posting indicates that there may be a tiered system with regards to the One-Window Services and Town staff would like to know to what extent these services are going to be used under the planning legislation umbrella of the Province.

**ERO 025-0380 Proposed interim changes to the Endangered Species Act, 2007 and a proposal for the Species Conservation Act, 2025**

**Notice type**

Act

**Act**

Endangered Species Act , R.S.O. 2007

**Posted by**

Ministry of the Environment, Conservation and Parks

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## Town of Halton Hills Comments

Thank you for the opportunity to provide comments on the proposed changes to the *Endangered Species Act, 2007* and a proposal for the *Species Conservation Act, 2025*. Town staff understand that due to current economic challenges, including those pertaining to international trade, it is important that the Province of Ontario strives toward continuing to balance economic objectives with ensuring that future generations have a healthy environment. Town staff offer the following comments to the Province to gain clarity on how the changes may affect the implementation of Town policy, particularly around natural heritage. The Town of Halton Hills Strategic Plan recognizes and values the importance of biodiversity and includes protecting and enhancing biodiversity as part of one of four strategic objectives.

Considering the proposed changes to the Species at Risk permitting process, Town staff look forward to reviewing proposals for future regulations which will outline the associated requirements for registering activities.

Due to the limited timelines provided to review the proposed legislative changes, the comments provided are to be considered preliminary. Further comments may be provided once staff has an opportunity to complete their review and report to Council. In the future, providing a longer comment period would be helpful for municipalities to provide meaningful comments on ERO postings of this nature. For instance, a 60-day period would be beneficial where the ERO posting review requires coordination between multiple departments. Longer comment periods also allow for municipal staff to bring the proposals to their Councils for review and consideration before comments are due. This also gives municipal staff the opportunity to provide comments which are endorsed by Council, and considered final.

The comments below are based on the need for clarification on how the changes proposed in Bill 5 might affect natural heritage planning and future capital projects.

## **Municipal Policies**

Due to amendments made to the Planning Act through the passing of Bill 185, the Town is responsible for implementing the Region of Halton Official Plan (ROPA49), which includes several policies guiding land use within and adjacent to the habitat of endangered and threatened species, which is a component of the Regional Natural Heritage System (NHS). The Town of Halton Hills Official Plan also includes provisions for land use changes that may affect endangered and threatened species and their habitats (including B.1.2.5, B1.3.1.1 and C.2.2).

### *Policy / Official Plan*

1. *Component of the Natural Heritage System:* In line with the Provincial Planning Statement (2024) section 4.1, the Regional Official Plan section 115.2(3) and 115.3(1) contemplates that the habitat of endangered and threatened species is considered a key component of the Natural Heritage System, which is identified in the Town according to Provincial Planning Statement 4.1.3. The Province should confirm any implications of these changes on the interpretation of the natural heritage policies of the Provincial Planning Statement.
2. *Prohibition of development:* In accordance with section 4.1.7 of the Provincial Planning Statement (2024) and the Regional Official Plan (ROP) section 118(2)(a), the Town does not support applications for site alteration or development within significant habitat of endangered or threatened species, unless in accordance with Provincial and federal requirements. Noting the Provincial recommendation to avoid duplication in regulations, it is recommended that the Province clarify which agency and department the Town will now refer applicants to for direction around migratory birds and aquatic species.
3. *Species occurrence mapping:* In accordance with section 4.1.8 of the PPS (2024), lands adjacent to the NHS may be subject to further study, including lands adjacent to species at risk habitat. The Province should confirm that species occurrence databases and range mapping will continue to be managed and made available for public agencies and proponents of development.
4. *Mitigations:* Section 118(3) of the ROP includes that an environmental study will outline any requirements for mitigating impacts to endangered and threatened species. The

Province should clarify from whom and how applicants will be informed on best management practices and current mitigations to ensure policy conformance is demonstrated.

5. Survey Methodology: An environmental study is required to support planning applications at the Town if certain criteria are met (ROP 118.3.1) and can be requested to support refinements to the Towns NHS designations or zoning maps through ROP116.1. The Province should confirm responsibility for maintaining and updating survey methodology for species at risk to ensure that policy related to the identification and assessment of the NHS can be completed according to the most up to date science informed survey methodology available. Having standard methodologies will improve consistency and help streamline both data collection and study, as well as the review of those studies.

## **General**

6. Noting that the Province anticipates increasing compliance enforcement, it is recommended that the Province develop species specific and/or project-specific best management guidelines for proponents to follow to ensure compliance with legislation. This will help ensure that Town projects comply with Provincial requirements.
7. Given the proposed changes to stewardship funding frameworks the Province should confirm if the local government agencies including the Town will remain eligible for stewardship funding to enhance endangered and threatened species habitat in line with ROP 118(4) and 114.1(12) .

**ERO 025-0418 - Proposed Amendments to the *Ontario Heritage Act*, Schedule 7 of the *Protect Ontario by Unleashing our Economy Act*, 2025**

**ERO POSTING: 025-0418 - Proposed Amendments to the *Ontario Heritage Act***

**Summary of Changes**

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- The proposed legislative amendments to the *Ontario Heritage Act* have been made with regards to the enforcement and compliance of protection of artifacts and archaeological sites, as well as the allowance for exemption from archaeological responsibilities.
- The proposed amendments would:
  - Expand the existing inspection authorities to allow the Minister to direct an inspection for the purpose of assessing whether archaeological sites are on any land, or under water;
  - Establish authority for the Minister to order that an archaeological assessment must be undertaken;
  - Enhance the Minister's existing authority to seize artifacts from licensees in contravention of their license OR from a person that is not a licensed archaeologist where they are in possession of artifacts. This would also allow the Minister to direct seized artifacts to public collections OR with Indigenous communities;
  - Broaden the ability to authorize investigations under the OHA;
  - Set out a limitation period of two-years from when the offence first comes to the attention of a provincial offences officer;
  - Authorize court orders to prevent, eliminate, or ameliorate damage connected to the commission of an offence; and,
  - Establish that certain instruments, including regulations and orders made by the Lieutenant Governor in Council, do not entitle persons to compensation.
- Moreover, the proposed amendments would allow for the exemption from archaeological requirements, if in the opinion of the Lieutenant Governor in Council the exemption could advance the following provincial priorities: transit, housing, health and long-term care, and other infrastructure.
  - The amendments would include an authority to establish criteria that must be met for a property to be eligible for an exemption; however, it has not been concluded whether or not criteria will be developed by the Ministry.

**General Comments**

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Thank you for the opportunity to provide comments on the proposed changes to the *Ontario Heritage Act*. Town staff understand that due to current geopolitical events, it is important that the province of Ontario strives toward continuing to be a center of

innovation, economic growth and activity within Canada. Town staff offer the following comments for the proposed *Act*:

Staff have reviewed the proposed legislative amendments to the *Ontario Heritage Act (OHA)* and have no significant concerns with the majority of the proposed changes.

However, concerns have been raised with the introduction of new section 66.1, which would allow for provincial priority projects to be exempt from archaeological assessment. While the proposed amendments would not directly impact current Town projects, Town staff are concerned that the exemption process could undermine the protection of significant cultural heritage resources. Additionally, Town staff have concerns regarding the insufficient engagement and consultation with Indigenous communities in relation to the proposed amendments.

Given these concerns, Town staff recommend that the Province reconsider the proposed amendment to exempt provincial priority projects from archaeological assessment. Should the proposed amendment be adopted, it is further recommended that the Province establish criteria to ensure that any future exemptions do not inadvertently affect potential Indigenous artifacts, and that meaningful consultation with Indigenous groups is undertaken as part of the exemption process and the development of the criteria.