November 6, 2025

Ministry of Economic Development, Job Creation and Trade
18th Floor, 777 Bay Street
Toronto, ON
M5G 2N4

Re: ERO #025-1077 - Consultation on Proposed Special Economic Zones Criteria

We, the 87 undersigned organizations, continue to have significant concerns with the *Special Economic Zones Act, 2025*. These concerns are not addressed by the proposed criteria for the creation of Special Economic Zones (SEZs) under the Act, as proposed in ERO #025-1077.

Regarding the Draft Policy Intent for SEZ criteria, we note that the criteria for projects focuses on economic benefits, to the detriment of equally important outcomes such as environmental protections, Indigenous rights and labour standards. Ontario's economic competitive advantage rests on the maintenance of strong environmental and social regulatory standards, not reducing standards under opaque processes.

Regarding Indigenous Communities consultation feedback, we are deeply alarmed by the explicit exclusion of free, prior and informed consent (FPIC) in the section titled "Feedback Not Reflected in the Current Draft Proposed Regulations":

> *feedback from Indigenous communities emphasized the importance of explicitly including references to Indigenous Peoples' rights, including Aboriginal and Treaty rights, as well as references to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and Free, Prior, and Informed Consent (FPIC) in the Regulations…* ***these references have not been included*** [emphasis added]

FPIC is recognized as a foundational principle in the *United Nations Declaration on the Rights of Indigenous Peoples*, which was ratified by the Government of Canada in 2021.

Regarding the draft SEZ Regulation, the disproportionate reliance on the "opinion of the Minister" to make key determinations fundamentally undermines the purpose of developing criteria in the first instance. It is imperative that criteria for designating SEZs is clear, transparent and evidence-based, not the subjectivity of the Minister. The draft SEZ Regulation should be revised to clearly identify:

- how trusted proponents will be evaluated, including metrics for assessing compliance records, and criteria to avoid conflict of interest;
- how the designated project will not significantly impact ecosystem health, water quality, or undermine Ontario's climate objectives; and,
- a more transparent decision-making process that is not solely subject to the "opinion of the Minister."

Beyond these specific concerns, we would like to reiterate our opposition to exempting any entities from environmental, labour and other provincial standards, whether via SEZs or any other mechanism. These standards are decades in the making and reflect the values of Ontarians. Specifically, at a minimum, the zone criteria should be updated to specifically state that no SEZ shall impact lands regulated under the *Provincial Parks and Conservation Reserves Act*, provincial plans such as the Greenbelt, Niagara Escarpment, Oak Ridges Moraine, or other provincially significant designations such as provincially significant wetlands.

Based on global experiences with SEZs, the many instances of short term gains for companies or developers came at the expense of long term public well-being, often resulting in polluted waters, land dispossession and poor working conditions.

Responsible development requires clear standards, meaningful community input, and public trust. For these reasons, we urge the Government of Ontario to repeal the *Special Economic Zones Act* or significantly amend the Act and the proposed regulations to ensure Indigenous rights are respected, social and environmental standards are upheld, and evidence-based transparent decision-making is followed.

Sincerely,

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