



## **Written Submission on Bill 5: Protecting Ontario by Unleashing our Economy Act, 2025**

Dear Committee Members,

The Ontario Society of Professional Engineers (OSPE) appreciates the opportunity to comment on Bill 5, Protecting Ontario by Unleashing our Economy Act, 2025. As the professional association representing Ontario's engineers, OSPE is committed to ensuring that legislative changes consider the technical, environmental, and infrastructure implications vital to the province's long-term sustainability and economic resilience.

### **Context and Overview:**

Bill 5 proposes amendments to the Endangered Species Act and introduces the new Species Conservation Act. According to the Legislative Assembly of Ontario and the Environmental Registry of Ontario (ERO 025-0409), the bill's stated aim is to streamline approvals and reduce barriers to economic growth by adjusting how species at risk are protected and how development proposals affecting habitat are handled.

The bill allows for:

- Greater discretion by government in classifying and protecting species at risk.
- New mechanisms, such as conservation funds, enabling developers to pay into pooled programs rather than directly mitigate harm to species and habitats.
- Accelerated processes to support housing and infrastructure expansion, even in ecologically sensitive areas.

While OSPE recognizes the importance of enabling timely infrastructure and development projects, we emphasize that such initiatives must be grounded in science-based, transparent decision-making that protects Ontario's natural systems—systems that are foundational to resilient infrastructure, public safety and the well-being of our communities.

### **Key Issues Identified:**

#### **Reduced Scientific Oversight:**

Bill 5 shifts critical decisions about species protection from independent scientific assessments to government-appointed bodies and decision-makers. This reduces the role of objective, evidence-based analysis in ensuring that ecosystems and biodiversity are safeguarded.

### Facilitating Habitat Disruption:

The bill allows developers to pay into conservation funds in lieu of direct mitigation. While such funds can have merit if managed effectively, this approach risks detaching conservation efforts from the specific ecosystems that could be harmed, undermining ecosystem integrity.

### Increased Risk to Infrastructure Resilience:

Ecosystems provide essential services such as flood mitigation, erosion control, and climate regulation. Weakening habitat protections increases risks to public infrastructure, exacerbating vulnerabilities to extreme weather events and climate change impacts—issues that engineers work to anticipate and mitigate in project design.

### Potential for Land-Use Conflicts and Legal Ambiguity

By easing pathways for development in ecologically sensitive or previously protected areas, Bill 5 increases the risk of long-term land-use conflicts and introduces significant legal and regulatory ambiguity. Rather than accelerating development, this uncertainty could have the opposite effect: delaying projects as approvals are contested, community opposition grows, and legal challenges arise.

Engineers, infrastructure planners, and even responsible developers rely on **clear, consistent, and science-based regulatory frameworks** to plan and deliver safe, efficient, and cost-effective projects. When the policy landscape becomes unpredictable or politically driven, it undermines confidence in long-term investment, complicates risk assessment, and raises costs for all stakeholders, including the public.

### Transparency and Accountability Concerns:

The Environmental Registry (ERO 025-0409) highlights that while the bill introduces some new processes, it reduces clarity around enforcement and oversight, making it more difficult for the public and professionals to assess the cumulative impacts of habitat disruptions.

### Recommendations:

- Reinstatement of Independent Scientific Oversight: Maintain a strong role for independent scientific assessments to guide decisions on species protection and habitat conservation.
- Require Site-Specific Mitigation Measures: Ensure that developers prioritize direct, site-specific conservation efforts over generalized payment-in-lieu schemes to maintain ecosystem integrity.
- Safeguard Infrastructure and Public Safety: Incorporate mandatory risk assessments—led by qualified engineers and environmental scientists—before any development is approved in areas that provide natural hazard mitigation (e.g., floodplains, wetlands).

- Ensure Policy Stability and Clarity: Work with the engineering community to establish clear, predictable regulatory frameworks that allow infrastructure projects to proceed safely, sustainably, and with minimized legal risk.
- Enhance Transparency and Reporting: Strengthen reporting requirements to ensure that conservation outcomes, habitat losses, and mitigation efforts are fully transparent and regularly evaluated.

## Conclusion:

Ontario's growth and prosperity depend on sustainable and resilient infrastructure, which must be designed in harmony with the natural environment. OSPE believes that Bill 5, in its current form, does not strike the necessary balance between economic development and environmental protection. We urge the government to reconsider key aspects of the bill and to collaborate with engineers, environmental scientists, and other stakeholders to ensure that Ontario's future is both prosperous and sustainable.

We look forward to contributing further technical expertise and participating in constructive dialogue as this process advances.

## References:

Legislative Assembly of Ontario. Bill 5: Protecting Ontario by Unleashing our Economy Act, 2025. <https://www.ola.org/en/legislative-business/bills/parliament-44/session-1/bill-5>

Environmental Registry of Ontario (ERO). ERO Notice 025-0409: Proposed Amendments to the Endangered Species Act, 2007. <https://ero.ontario.ca/notice/025-0409>

Ontario Nature. [Bill 5: A Moment to Mobilize for Nature in Ontario - Ontario Nature](#)

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Canadian Environmental Law Association (CELA). Analysis: Bill 5 and its Impact on Environmental Protections in Ontario. [Will Bill S-5 amendments undermine Canada's international biodiversity commitments? - Canadian Environmental Law Association](#)

Toronto and Region Conservation Authority (TRCA). Natural Hazard Mitigation and Infrastructure Resilience: The Role of Protected Lands. [TRCA Infrastructure Projects - Toronto and Region Conservation Authority \(TRCA\)](#)