

June 3, 2025

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, Ontario M7A 1A1

Sent by email to: Premier@ontario.ca

Honourable Stephen Lecce
Minister of Energy and Mines
Ministry of Energy and Mines
77 Grenville St., 10th Floor
Toronto, Ontario M7A 2C1

Sent by email to: stephen.lecce@pc.ola.org

Honourable Todd McCarthy,
Minister of Environment, Conservation and Parks
Ministry of Environment, Conservation and Parks
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Sent by email to: todd.mccarthy@pc.ola.org

Honourable Graham McGregor
Minister of Citizenship and Multiculturalism
Ministry of Citizenship and Multiculturalism
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Sent by email to: graham.mcgregor@pc.ola.org

Dear Premier Ford, Minister Lecce, Minister McCarthy and Minister McGregor:

**Re: Amendments to Bill 5, Protect Ontario by Unleashing our Economy Act, 2025
Government Amendments do Not Address the Dangers of Bill 5**

We are experts and non-partisan advocates with knowledge and mandates spanning the legal, environmental, health, archaeology, faith and business sectors. Most of our organizations have

already spoken out regarding the extraordinary dangers that your government's proposed "**Bill 5, Protect Ontario by Unleashing our Economy Act, 2025**" would pose to the rule of law in Ontario, to species at risk, to our public health and safety, to Indigenous and Treaty rights, and to labour and employment rights, if it comes into force. We are writing now to echo what you've been told by the *Canadian Civil Liberties Association*, multiple indigenous nations, and many others: despite your suggestions to the contrary, your government's tabled amendments to Bill 5 *do not* remove, or even mitigate, the extraordinary dangers that it poses to the rule of law in Ontario, to species at risk, to our public health and safety, to Indigenous and Treaty rights, and to labour and employment rights.

Through written and oral testimony before the Standing Committee on the Interior, through submissions to the Environment Registry of Ontario, through direct outreach to Members of Provincial Parliament, and through public statements, we have warned you that Bill 5 is not, in fact, a targeted emergency law focused on speeding up project approvals in the far north and for particular infrastructure and special critical industries required to decouple our economy from the United States. On the contrary, with Bill 5, your government is using *rhetoric* about the threat of U.S. "economic force" as a cynical pretext for an across the board dismantling of species at risk protections, and an across the board transfer of power to the Premier and Cabinet that is in *no way* restricted to measures that would "protect Ontario".

The "*Special Economic Zones Act*" would give the Premier and Cabinet a substantively unfettered power to exempt a person or business they want to favour from any provincial or municipal law they want, in as much of the province as they like, for any purpose whatsoever. This would effectively replace the rule of law with arbitrary favour-granting, turning citizens and businesses into supplicants who must cultivate the good-will of partisan politicians. The same *Act*, contained in Schedule 9 of Bill 5, would also let the Premier and Cabinet rewrite laws without the legislature's approval, and even single out people or companies the government doesn't like for harsher or more restrictive treatment.

These grave consequences for the rule of law and democracy are in no way limited to Ontarians whose rights might conflict with plans to accelerate new mines or nation-building infrastructure. They would extend to every corner of Ontario society.

- Bill 5 would empower the Premier and Cabinet to strip anyone in any part of the province, including all of our towns and cities, of the **basic health and safety protections** that we all take for granted, like the prohibitions against contaminating or diverting drinking water supplies, and against emitting toxic gases into neighbourhoods where people live.
- Bill 5 really does, contrary to what your government has claimed, allow the Premier and his hand-picked Cabinet to exempt anyone in any part of the province from any any and

all provincial **employment and labour protections** - like the ones that prohibit bosses from punishing workers who try to unionize or to report safety risks.

- Bill 5 would allow the Premier and Cabinet to strip away **protections with no obvious connection to development or the economy**, like *Trespass to Property Act* protections against trespassing on private backyards, or *Highway Traffic Act* protections against dangerous speeding.
- Bill 5 would provide the Provincial Cabinet with extraordinary powers to destroy Ontario's **archeological heritage** and permanently erase both settler and Indigenous history.
- Bill 5 is designed to let the Premier and Cabinet effectively sidestep their **duty to consult and obtain free, prior and informed consent from Indigenous nations** by simply eliminating the specific government permit and approval decisions that Indigenous nations would consent to or about which they would be consulted.

Bill 5 would also repeal the *Endangered Species Act, 2007* altogether, and replace it with fig-leaf legislation that would **eliminate virtually all meaningful protection for endangered and threatened species and their habitat**. This would be devastating for Ontario's biodiversity and for First Nations rights.

Despite Ontarians' warnings, your government has refused to introduce or accept amendments that would mitigate the harms posed by Bill 5. You have refused to include checks and balances, or clear objectives. You have refused to exclude key labour, health, property and environmental legislation from the powers in the *Special Economic Zones Act*. You have even refused to safeguard out the most extreme excesses that Bill 5's language would permit. For example:

- Your government has refused to introduce amendments to require that "special economic zones", "designated projects" and "trusted proponents" be used only for the purpose of responding or adapting to the new threat against Canada, or even for projects of exceptional economic urgency.
- Your government has refused to introduce amendments to prevent exemptions from even the most fundamental labour and employment laws that protect workers.
- Your proposed amendments do not even purport to remove the language that would strip protection from almost all endangered species habitat - or even to limit the removal of protections to portions of habitat in the path to nation-building projects.
- There is nothing in the government's amendments to stop the suspension in any region of Ontario of protections for private property, like the law against trespassing on private backyards, or the *Expropriation Act*.
- The government has refused to fix the provisions that would allow the Premier and Cabinet to apply sweeping exemptions to health and safety, labour, even road safety laws to the towns and cities where we live - or even to target individuals and businesses they don't like.

- The government has refused, even, to introduce a sunset clause for these authoritarian powers, or to commit that they won't be used to benefit the government that is threatening us, or other hostile powers.

Your government's proposed amendments would not reverse Bill 5's attack on indigenous and treaty rights, the duty to consult, and the right of free, prior, informed consent. Amending the preamble of a law does nothing to change the law itself. Your last minute amendments to the text of the Bill are designed, not to prevent Bill 5 from being used to circumvent indigenous governments' consent, but to make it harder for Indigenous nations to act in advance to prevent breaches of their rights from happening. In particular, the proposed, free-standing assertion of consistency with aboriginal and treaty rights seems to be a cynical attempt to force Indigenous nations to challenge decisions about their land and actions that undermine their interests *after the fact*. An amendment to actually conform with Indigenous inherent and treaty rights would make the consent of affected Indigenous nations and governments a mandatory criteria for designation of any special economic zone, designated project, or trusted proponent, and for any exemption from or modification to specific laws under the *Special Economic Zones Act*.

Particularly at this late stage, there is no path to "fixing" Bill 5 before Provincial Parliament rises for the summer break. We urge you to use this week's Committee or House votes to effect a withdrawal of Bill 5 in its entirety, and to use the coming months to consult with us - and obtain the consent of indigenous nations - on a very different Bill that is actually scoped and rationally connected to the government's stated objectives.

Sincerely,

Phil Pothen

Counsel and Ontario Environment Program
Manager, Environmental Defence

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Co-Founder, Democracy Watch

Laura Bowman

Staff Lawyer, Ecojustice

Aaron Detlor

Delegate, Haudenosaunee Development
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Ian Borsuk	Executive Director, Environment Hamilton
Jeannine d'Entremont	Trillium Team Lead, Halton Hills Climate Action
Margaret Prophet	Executive Director, Simcoe County Greenbelt Coalition
Ron Corkum	Coordinating Committee, Seniors for Climate Action Now!
Penny Young	Board Member Ontario Archaeological Society
Kevin Thomason	Vice-Chair, Grand River Environmental Network
Lyn Adamson	Co-chair, Ontario Climate Emergency Campaign
Julee Boan	Partnership Director, Natural Resources Defense Council
Allie Mayberry	Senior Wildlife Biologist, Mayberry Environmental
Robert Brown	Co-Chair, STORM Coalition
Anne Moore	Guelph Climate Action Network
Mary Love	representing Save Our Streams Hamilton
James Pagé	Canadian Wildlife Federation
Claire Malcolmson	Rescue Lake Simcoe Coalition & Alliance for a Liveable Ontario, York Region
Michael Van Dusen	Anglican Deacon, member, Faith & Climate Action

