

**From:** Roberta Cory

**To:** CWC <[cwc@london.ca](mailto:cwc@london.ca)>

**Subject:** [EXTERNAL] Request to present a resolution to the Civic Works Committee

Members of the London Civic Works Committee:

London Council of Canadians requests a date to present a resolution to the Civic Works Committee.

The resolution is from the Demand the Right Coalition of Ontario Municipalities giving Ontario Municipalities the “Right to Approve” landfill developments in their own communities. London Council of Canadians seeks to convince London City Council that just as they have the right to approve a cannabis retail outlet, a nuclear waste dump, or a casino, they ought to have the right to say yes or no to a private company outside London demanding to put their landfill within our jurisdiction.

To obtain a copy of the Motion, or to learn more about the campaign, please visit: [demandtheright.ca](http://demandtheright.ca)

Roberta

Roberta Cory  
London Chapter, Council of Canadians  
[londoncouncilofcanadians.ca](http://londoncouncilofcanadians.ca)



Audrey Pascual, Committee Support Clerk  
City Clerk's Office  
City of London

February 13, 2020

Dear Audrey,

I am writing on behalf of the Upstream Committee of the London Chapter of The Council of Canadians. Please see the following three additional attached documents.

**MOTION** for the City of London, Ontario to call on the province to ensure its "Made-In-Ontario Environmental Plan" includes municipal "Right to Approve" landfill developments (Demand the Right City Council Motion.pdf)

**BRIEFING NOTE** (Demand the Right Briefing Note.pdf)

**LETTER TO MAYOR AND COUNCIL** (Demand the Right Letter.pdf)

Sincerely,

Roberta Cory  
Upstream Committee  
London Chapter, Council of Canadians



## LONDON CHAPTER

Mayor & Members of Council, City of London  
300 Dufferin Avenue  
PO Box 5035  
London, ON. N6A 4L9

February 13, 2020

RE: Giving municipalities the authority to say yes or no to landfill projects in their communities

Dear Mr. Mayor and Members of Council:

We are writing to request your support for a growing campaign to **give municipalities the right to approve or reject landfill** developments within in their own communities.

While municipalities have authority for a variety of issues, including zoning by-laws and land use planning, municipalities do NOT have the authority to make decisions regarding whether or not they wish to host a private sector landfill. In 2019, we think **that needs to change** – we need council's help to make it happen.

The Demand the Right Coalition is made up of over 150 municipalities that have passed motions in their councils that call upon the provincial government to give municipalities the right to say yes or no to hosting landfill projects in their communities. The OPAL Alliance and other **grassroots groups support this effort**. While some municipalities may want to host these projects, and others may not, the current system put the decision in the hands of bureaucrats in Toronto, rather than our municipal leaders here in London.

As our elected leaders, we are asking that you pass the Demand the Right motion to grant municipalities the right to approve or reject landfill developments. Several municipalities across Ontario have already passed the motion, including Thunder Bay, Ottawa, Peel Region, Durham, Sarnia, in every corner of the Province. London has not yet done so; now is the time.

Having the authority to **make decisions** about hosting or rejecting garbage dumps ensures that these decisions will be local decisions, and **in the best interests of residents and of future generations**.

Thank you for your attention to this important issue.

Sincerely,

Roberta Cory, Upstream Committee, London Chapter, Council of Canadians  
193 Duchess Ave. London, Ontario N6C 1P2

## BRIEFING NOTE DEMAND THE RIGHT COALITION OF ONTARIO MUNICIPALITIES

### GIVING ONTARIO MUNICIPALITIES THE “RIGHT TO APPROVE” LANDFILL DEVELOPMENTS IN THEIR OWN COMMUNITIES

#### PURPOSE

The purpose of this briefing note is to provide background information on an emerging issue for municipalities, and a campaign to change provincial legislation that would give municipalities the right to approve (or reject) future private sector landfill developments in their communities.

#### OVERVIEW

Ontario has a garbage problem, and it could soon be coming to your community.

Consider the following:

- Ontario’s landfill capacity (both public and private landfills) will run out of space by 2028-2032, depending on whether U.S. States continue to accept our waste<sup>1</sup>;
- Ontario’s overall diversion rate has stalled over the last 15 years, with only 30% of waste diverted to recycling, composting or re-using, and 70% going to landfills<sup>2</sup>;
- Based on Ontario Ministry of Environment data, Ontario generates over 8 million tonnes of waste annually that goes to landfill<sup>3</sup>.

To put this into context, 8 million tonnes of garbage would fill Toronto’s Rogers Centre to the roof over 90 times a year.

This garbage has to go somewhere. Based on current waste volumes, and Ontario’s remaining capacity, we estimate that **there will need to be five to ten “mega dumps”** identified, sited and approved in Ontario municipalities in the very near future. Some private sector companies are already targeting potential sites.

#### THE ISSUE

Under Ontario’s current Environmental Assessment legislation, municipal governments do not have the right to approve (or reject) landfill developments. The current process is in the hands of the Province and favours private sector waste companies over the rights of municipalities. Whether an impacted municipality wants to host a future landfill, or not, makes little difference.

Municipalities DO have the right to approve most developments in their communities. In fact, **municipalities have exclusive authority to approve:**

- Casino gaming facilities, O.Reg 81/12
- Nuclear waste storage, via the federal NWMO’s siting principles
- Hosting cannabis retail

However, when it comes to landfill projects, **municipalities do not have the right to say yes or no** if they are identified by a private sector waste company.

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<sup>1</sup> 2019. Ontario Waste management Association. [State of Waste in Ontario: 2018 Report](#), p.34.

<sup>2</sup> 2019. Ministry of Environment, Conservation & Parks. [Reducing Waste & Litter in Our Communities: Discussion Paper](#).

<sup>3</sup> Ibid.

## WHICH COMMUNITIES ARE BEING TARGETTED?

Municipalities that have quarry or mining operations (440 sites), or existing landfills (880 sites) are the most likely targets, but **any municipality outside the City of Toronto to the provincial border is a potential host for new landfill developments**, whether they like it or not. Several “mega dumps” will need to be approved in the very near future to accommodate the volume of waste that is coming, with at least five to ten in the near future.

The current system allows private landfill operators to essentially ignore the concerns of local residents and municipal Councils, essentially placating them with consultations, but no real role in the process. The existing system is based on a 1950’s view of municipalities. We believe this needs to change.

## ABOUT THE CAMPAIGN: THE DEMAND THE RIGHT COALITION

It is time Ontario passes legislation that gives municipalities the right to approve landfill projects.

The ***Demand the Right Coalition of Ontario Municipalities*** includes municipal leaders across Ontario and is calling on the Province to pass legislation that will give municipalities the right to approve landfill development as part of a modernized EA process. Campaign highlights include:

- Over 140 municipalities have formally approved a motion in their Councils, representing over six million Ontarians, calling on the Province to act (please see our website for the current list: [www.demandtheright.ca](http://www.demandtheright.ca));
- Support from the Ontario PC Party, and Ontario NDP Party, including a letter from Ontario PC Leader Doug Ford committing to implementation of this policy (please see attached);
- The Ministry of Environment’s Waste Discussion Paper (2019) identifies this issue, and states that the government is considering policy options to give municipalities greater authority when it comes to landfill development.

## TAKING ACTION – POLICY RECOMMENDATIONS

This campaign is NOT opposed to landfill development, as landfills will be part of Ontario’s future. It is aimed at levelling the playing field, and ensuring impacted municipalities have the right to say yes or no to these projects, and that these decisions be respected.

We believe municipalities should have the right to approve or reject landfill projects and assess whether the potential economic benefits outweigh environmental concerns. A new process must ensure that both a comprehensive EA process is completed, **AND** that impacted municipalities have the right to choose whether to accept these projects, or not.

The Campaign’s submission to the Ministry (January 2019) provides a detailed policy proposal that addresses three issues:

1. Defining “impacted municipalities”: within 5km of project site, and/or municipalities that shares the same watershed (within 15km of project site);
2. Two-tier municipalities: both upper-tier, and impacted lower tiers required;
3. Policy framework: Amendments to the *Environmental Assessment Act* and the *Environmental Protection Act*.

 **LANDFILL APPROVAL**  
 **We Demand the Right**

demandtheright.ca

**MOTION  
COUNCIL FOR THE CITY OF LONDON, ONTARIO**

**MUNICIPALITIES CALL ON PROVINCE TO ENSURE ITS “MADE-IN-ONTARIO ENVIRONMENT PLAN”  
INCLUDES MUNICIPAL “RIGHT TO APPROVE” LANDFILL DEVELOPMENTS**

**WHEREAS** municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

**AND WHEREAS** this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

**AND WHEREAS** Ontario’s proposed “Made-in-Ontario Environment Plan” states that the province will grant municipalities a “greater say in siting of landfills”;

**AND WHEREAS** municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, whether to host cannabis retail in their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

**AND WHEREAS** the recent report from Ontario’s Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

**AND UNLESS** significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

**AND WHEREAS** municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

**AND WHEREAS** other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

**AND WHEREAS** municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades’ worth of in-house expertise in managing waste, recycling, and diversion programs;

**AND WHEREAS** municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

**THEREFORE BE IT RESOLVED THAT** the **CITY OF LONDON, ONTARIO** calls upon the Government of Ontario, as part of its “Made-in- Ontario Environment Plan” to formally entrench the right of municipalities to approve or reject landfill projects in or adjacent to their communities;

**AND THAT** in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

**AND FURTHER THAT** the **CITY OF LONDON, ONTARIO** call other municipalities in Ontario to consider this motion calling for immediate provincial action;

**AND THAT** the **MOTION** adopted by Council be forwarded to the **DEMAND THE RIGHT COALITION OF ONTARIO MUNICIPALITIES**.