



# City of London

## **Review of Current W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP) (September 2020)**

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## **1.0 PURPOSE OF THIS REPORT AND BACKGROUND**

### **Purpose of this Document**

This document has been designed to seek stakeholder feedback on potential changes to the Community Enhancement and Mitigative Measures Program (CEMMP) for the W12A Landfill. The CEMMP is not part of the current Environmental Assessment (EA) for the expansion of the W12A Landfill that is currently under way. It is considered a parallel or complimentary process in addressing issues associated with the expansion of the landfill.

This report has been designed to provide initial ideas on possible changes, where available.

City staff recently contacted other large municipal and private landfills in southern Ontario to update information collected on community enhancement and mitigative measures in 2006 when the City's first CEMMP began development. The updated information is summarized in Section 3.0 of this document with additional details found in Appendix A. Additional work is underway to obtain any further information that will be beneficial to the review.

### **Background**

The W12A Landfill began operation in 1977. It has capacity to continue to accept waste until approximately the end of 2023 or early 2024 based on current disposal rates and approved capacity (volume-based).

In the last 20 years, the City has invested millions of dollars to enhance and upgrade the infrastructure at the landfill. These upgrades have included improvements to the stormwater management ponds, leachate collection system, expansion of landfill gas collection and flaring system and the supply of municipal water to the landfill. The City is committed to continue to improve the operation of the landfill by taking reasonable efforts to reduce or address negative effects of the W12A Landfill Site for the remainder of the approved capacity.

As part of the design features for the proposed expansion of the W12A Landfill Site, additional technical features are being proposed including enhanced control of leachate mounding via installation of finger drains; enhanced landfill gas and odour control via the use of horizontal landfill gas collectors during the active phase of landfilling followed by installation of permanent vertical landfill gas extraction wells once areas of the expanded site are completed; additional onsite leachate storage capacity to provide more control on how much leachate is pumped for disposal during periods of extended precipitation; and additional onsite berms to better control noise emissions for nearby sensitive receptors.

In the mid-2000s, it was determined that developing a community enhancement and mitigative measures program as part of the City's overall efforts to help reduce or address the negative effects of the landfill on the local community was a key step as part of the W12A Landfill Area Study (2005-2006). The W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP) was developed over a three year period between 2006 and 2009. The program was approved by Municipal Council in May 2009. The steps in the development of the CEMMP included:

- Review comments of area residents
- Review other landfill policies
- Preparation of Draft Guiding Principles
- Preliminary input from the community
- Revisions to Draft Guiding Principles
- Stakeholder meetings
- Updates on other landfill policies
- Additional stakeholder meetings
- Preparation of alternative Draft Mitigative Measures and Policies
- Review of additional comments
- Selection of Preferred Mitigative Measures and Policies
- Several public meetings at Environment & Transportation Committee (a Standing Committee of Council, now called the Civic Works Committee)
- Additional direction from Council and final Council approval

## **2.0 CURRENT W12A LANDFILL COMMUNITY ENHANCEMENT AND MITIGATIVE MEASURES PROGRAM (CEMMP)**

The CEMMP is part of the City's overall effort to reduce and address the negative effects of the W12A Landfill on neighbouring properties surrounding the W12A Landfill. Work on developing the CEMMP began in 2006 and was approved by Council in 2009. The Program was updated in 2010 and again 2014. The program consists of five programs or actions:

1. Property Value Protection Plan
2. "Right of First Refusal" Program
3. Community Mitigative Measures Fund
4. No Charge Waste Disposal
5. Public Liaison Committee (PLC)

### 1. Property Value Protection Plan

The property value protection plan requires the City to buy properties in the vicinity of the landfill at fair market value inclusive of a hypothetical assumption that the property is not in proximity to the W12A Landfill or alternatively pay the difference between the fair market value and a bona fide offer. The City has purchased seventeen properties under the property value protection plan. Six properties near the landfill were purchased prior to the establishment of the CEMMP. An additional 21 properties in the vicinity of the landfill remain eligible for the property value protection plan.

### 2. "Right of First Refusal" Program

Property owners who are part of the "right of first refusal" program are obligated to allow the City to match any bona fide offers received for the property from others. In return these property owners receive an annual payment from the City which varies depending on the distance of their home from the landfill and the amount of garbage received at the landfill in the previous year. About 33 properties are currently eligible for the program.

### 3. Community Mitigative Measures Fund

The Community Mitigative Measures Fund is used to address special circumstances in the community that are not covered by the other sections of the Community Enhancement and Mitigative Measures Program.

The fund started with an initial balance of \$350,000 in 2009. This represents the amount of money (including inflation and interest) the City would have paid to the former Township of Westminster between 1993 and 2008 had the City not amalgamated the Town less funds already spent on community initiatives from the Sanitary Landfill Reverse Fund (i.e., funding connection to the municipal water system in Glanworth). Beginning in 2009, the fund received \$0.25 per tonne (adjusted for inflation annually) for each new tonne of waste buried at the landfill. The fund currently has a balance of approximately \$900,000. The per tonne fee in 2019 was \$0.30.

Funds in the Community Mitigative Measures Fund can be used to cover the expenses of the W12A Landfill Public Liaison Committee (PLC) and on projects recommended by the W12A Landfill PLC.

### 4. No Charge Waste Disposal Program

Residents in the rural portion of southern London are not subject to fees or charges for the disposal of residential waste from their property up to 200 kg per week at the landfill.

### 5. Public Liaison Committee (PLC)

The W12A Landfill PLC serves as a focal point for dissemination, review and exchange of information and monitoring results relevant to the operation of the landfill. The majority of PLC members is made up of persons living near the landfill. The PLC meets regularly and meetings are open to the public.

The PLC is responsible for recommending projects or undertakings to the City that are paid for from the Community Mitigative Measures Fund. The PLC may disburse up to \$15,000 per year from the fund without Council approval on certain items (e.g., technical consultants related to landfill matters, community projects that enhance local social and/or recreational facilities or programs). Projects over \$15,000 must be approved by Council.

**COMMENTS, FEEDBACK, IDEAS REGARDING THE CURRENT W12A  
LANDFILL COMMUNITY ENHANCEMENT AND MITIGATIVE MEASURES  
PROGRAM (CEMMP)**

### 3.0 REVIEW OF OTHER COMMUNITIES IN SOUTHERN ONTARIO

Staff contacted other large municipal and private landfills in southern Ontario to update information collected on community enhancement and mitigative measures in 2006 when the City’s CEMMP was developed. The updated information is summarized in Table 1. Further details are provided in Appendix A.

**Table 1: Community Enhancement and Mitigative Measures Programs at Landfills in Southern Ontario**

Municipality/ Company	Landfill	Most Recent Approval for Landfill Capacity	Property Value Protection Plan	Direct Payments to Residents	Community Trust Fund (or Equivalent)
<b>Publically–owned (Municipal) Landfill Sites (large)</b>					
City of London	W12A	1976	✓	✓	✓
City of Brantford	Mohawk Street	1974	x	x	x
Essex-Windsor Solid Waste Authority	EWSWA Regional	1997 (expansion)	✓	✓	x
Region of Halton	Halton	1989	x	x	x
City of Hamilton	Glanbrook	1979	x	x	x
Region of Niagara	Humberstone	2015 (expansion)	x	x	x
	Road 12	2007 (expansion)	✓	x	x
City of Ottawa	Trail Road	2005 (expansion)	-	-	-
County of Oxford	Salford	1983	x	x	x
City of Peterborough	Bensfort Road	2002 (expansion)	✓	✓	x
City of Toronto	Green Lane	2006 (expansion)	✓	x	✓
Region of Waterloo	Waterloo	1991 (expansion)	✓	x	x
<b>Private (large) Landfill Sites</b>					
GFL Environmental	Moose Creek	1999, EA underway	-	-	-
Taggart Miller	Ottawa	2017	✓	✓	✓
Terrapure	Stoney Creek	2019 (expansion)	x	x	✓
Waste Management	Twin Creeks	2008 (expansion)	✓	✓	✓
Waste Connections	Ridge	1998 (expansion) EA submitted	✓	✓	✓
	Navan Road	2007 (expansion)	✓	x	✓
Walker Industries	South	2008 (expansion)	✓	✓	x
	Southwestern	EA underway (proposed)	✓	✓	To be determined

**COMMENTS, FEEDBACK, IDEAS REGARDING THE REVIEW OF OTHER COMMUNITIES IN SOUTHERN ONTARIO (INCLUDING APPENDIX A)**

## 4.0 REVIEW OF CURRENT W12A LANDFILL COMMUNITY ENHANCEMENT AND MITIGATIVE MEASURES PROGRAM (CEMMP)

Key aspects of the City’s CEMMP are summarized below and potential revisions to the program discussed.

### 4.1 Measuring Distance from the W12A Landfill

#### Current Program

The CEMMP provides access to the Property Value Protection Plan and the “Right of First Refusal “ program based on distance from the landfill property boundary. The distance from the landfill property boundary is determined by combining the approved disposal area for the landfill (the area where waste is permitted to be disposed of) and the onsite buffer area (the area that includes ancillary features such as the buildings, screening berms, etc.). The on-site buffer varies from 30 to 90 metres.

#### Potential Revisions

For the proposed landfill expansion, the on-site buffer between the waste footprint and the property boundary will vary from 90 metres (west, east and south sides) to 330 metres (north side). Given that most of the nuisance impacts from a landfill come from the approved disposal area, it may not be appropriate to determine access to programs based on distance from the landfill’s property boundary. Options for determining access to programs are listed in Table 2.

**Table 2: Current (Italics) and Options for Revising Measuring Distance from the Landfill**

<b>Option</b>	<b>Comments</b>
<i>Distance from original landfill property boundary</i>	<i>No change to current policy. Consistent with historical measurements (on-site buffer ranges from 30 metres to 90 metres).</i>
Distance from landfill’s new (proposed) property boundary	No change to current policy except the buffer range distances have changed from 30 to 90 metres to 90 metres to 330 metres.
Distance from landfill’s waste disposal area	Most of the nuisance impacts from within waste disposal area (no on-site buffer used in measuring the overall distance).
Distance from landfill’s new property boundary or 100 metres whichever is less	Results in similar on-site buffer to current program (ranges from 90 metres to 100 metres) and consistent with recommended minimum buffer by MECF.

### **COMMENTS, FEEDBACK, IDEAS REGARDING MEASURING DISTANCE FROM THE EXANDED W12A LANDFILL**

## 4.2 Property Value Protection Plan

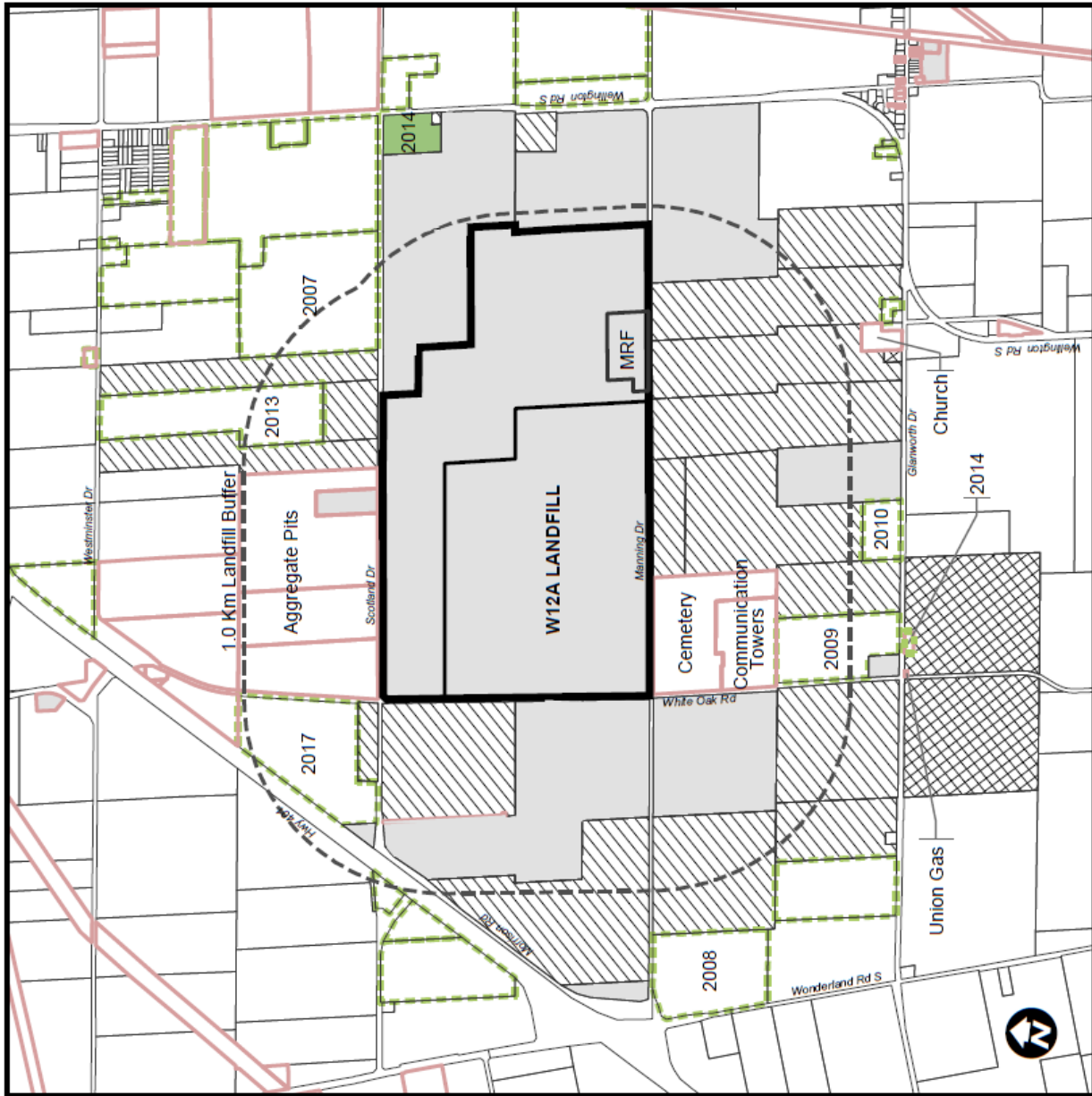
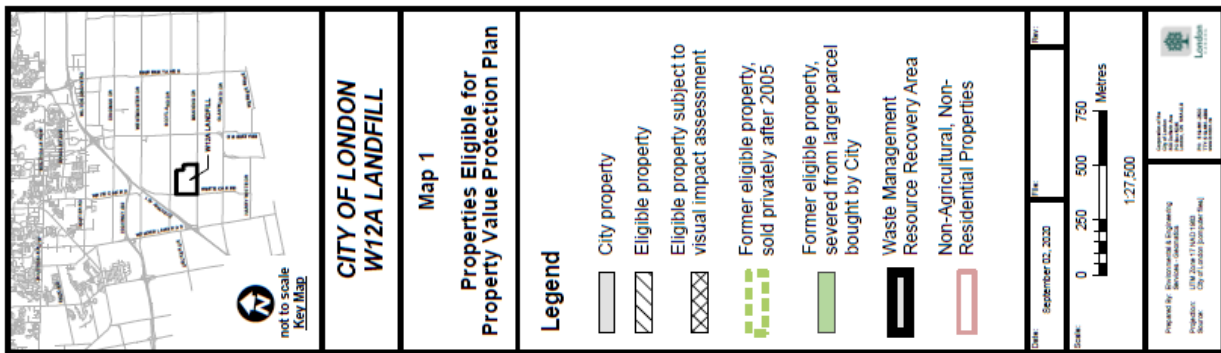
### Current Program

The City offers property value protection to properties purchased prior to September 2006 and in the following context (eligibility criteria):

1. properties within the block of land bounded by White Oak Road, Manning Drive, Scotland Drive and Wellington Road;
2. residential or agricultural properties that are south of the 401, within a kilometre of the landfill; and,
3. residential or agricultural properties within 1.5 kilometres of the landfill with a residence having a significant visual impact.

There are currently 21 eligible properties (3 of which are eligible subject to determining if a significant visual impact exists) for the Property Value Protection Plan. When the program started the number was 44 properties. Eligible properties are shown in Map 1.

**Map 1: Properties Eligible for the Property Value Protection Program**





Potential Revisions

Eligibility to the property value protection program should continue to be restricted to persons who purchased their residential or agricultural property before August 31, 2006. Persons purchasing their property before that date may have bought their property expecting that the W12A Landfill would have closed in 2006 based on historical agreements between the City and the former Town of Westminster. By August 31, 2006 the City Council confirmed it planned to keep the landfill open and was in the process of completing an Area Study to provide for long term waste management planning in the area.

Persons purchasing properties after August 31, 2006 would have had the benefit of any price reduction resulting from being near the landfill and would have bought their property knowing about the likely continued existence of the landfill.

Consideration could be given to increasing the area where properties purchased before August 31, 2006 qualify for the property value protection plan given the increased height of the landfill and the potential for a greater visual impact. Only properties which have a house would be considered since properties without a house are considered not to have visual impacts.

It is recommended that there be no change to the first and second condition of eligibility for property value protection and the plan continue to include all properties within the block of land bounded by White Oak Road, Manning Drive, Scotland Drive and Wellington Road and all residential and agricultural properties within one kilometre of the landfill

Potential options for revising the third condition of eligibility to the property value protection that would enlarge the eligible area are listed in Table 3.

**Table 3: Current (Italics) and Options for Revising Area Eligible for Property Value Protection Program (Within 1.5 Kilometres of the Landfill)**

Option	Comments	# of Properties Added/Removed from Program
<i>Residential or agricultural properties within 1.5 kilometres of the landfill with a residence having a significant visual impact.</i>	<i>Current policy in use</i>	<ul style="list-style-type: none"> <li>• 21 properties currently eligible</li> </ul>
Properties south of the 401 with a residential dwelling within 1.5 kilometres of a landfill	Will remove properties that are within 1.5 kilometres but whose house is more than 1.5 kilometres from the program. Eliminates the visual impact requirement for access to program.	<ul style="list-style-type: none"> <li>• 1 removed</li> <li>• 6 added</li> <li>• Net change of plus 5</li> </ul>
Properties south of the 401 within 1.5 kilometres of a landfill with residential dwelling	Eliminates the visual impact requirement for access to program. This is similar to the wording currently used for the right of first refusal payments (right of first refusal does not exclude properties north of the 401).	<ul style="list-style-type: none"> <li>• 12 added</li> </ul>
Properties south of the 401 with a residential dwelling within 1.5 kilometres of a landfill which have an increased visual impact	Will remove properties that are within 1.5 kilometres but whose house is more than 1.5 kilometres from the program. Reduces visual impact requirement for access to program.	<ul style="list-style-type: none"> <li>• 1 removed</li> <li>• 5 added</li> <li>• Net change of plus 4</li> </ul>
Properties south of the 401 within 1.5 kilometres of a landfill with residential dwelling which have an increased visual impact	Reduces the visual impact requirement for access to program.	<ul style="list-style-type: none"> <li>• 11 added</li> </ul>

## COMMENTS, FEEDBACK, IDEAS REGARDING PROPERTY VALUE PROTECTION PLAN

### 4.3 Right of First Refusal Program

#### Current Program

The City offers to pay an annual fee for the “right of first refusal” on the sale of:

- properties within the block of land bounded by White Oak Road, Manning Drive, Scotland Drive and Wellington Road;
- residential or agricultural properties within 1.5 kilometres of the landfill with a residence; or,
- agricultural properties within 1.0 kilometres of the landfill.

Homeowners who purchased their home after August 2006 do not qualify.

The annual fee paid is based on distance from the landfill and the amount of waste being received. Payments are increased the closer the house is to the landfill and increased as the amount of waste going to the landfill increases. The level of payments range from approximately \$2,900 (Group 3) to \$8,800 (Group 1) per year.

Based on details until the end of 2019, there are currently 32 eligible properties and the majority have joined the program (Table 4). The current total annual payments are about \$78,500 based on the properties that are participating. Eligible properties are shown in Map 2.

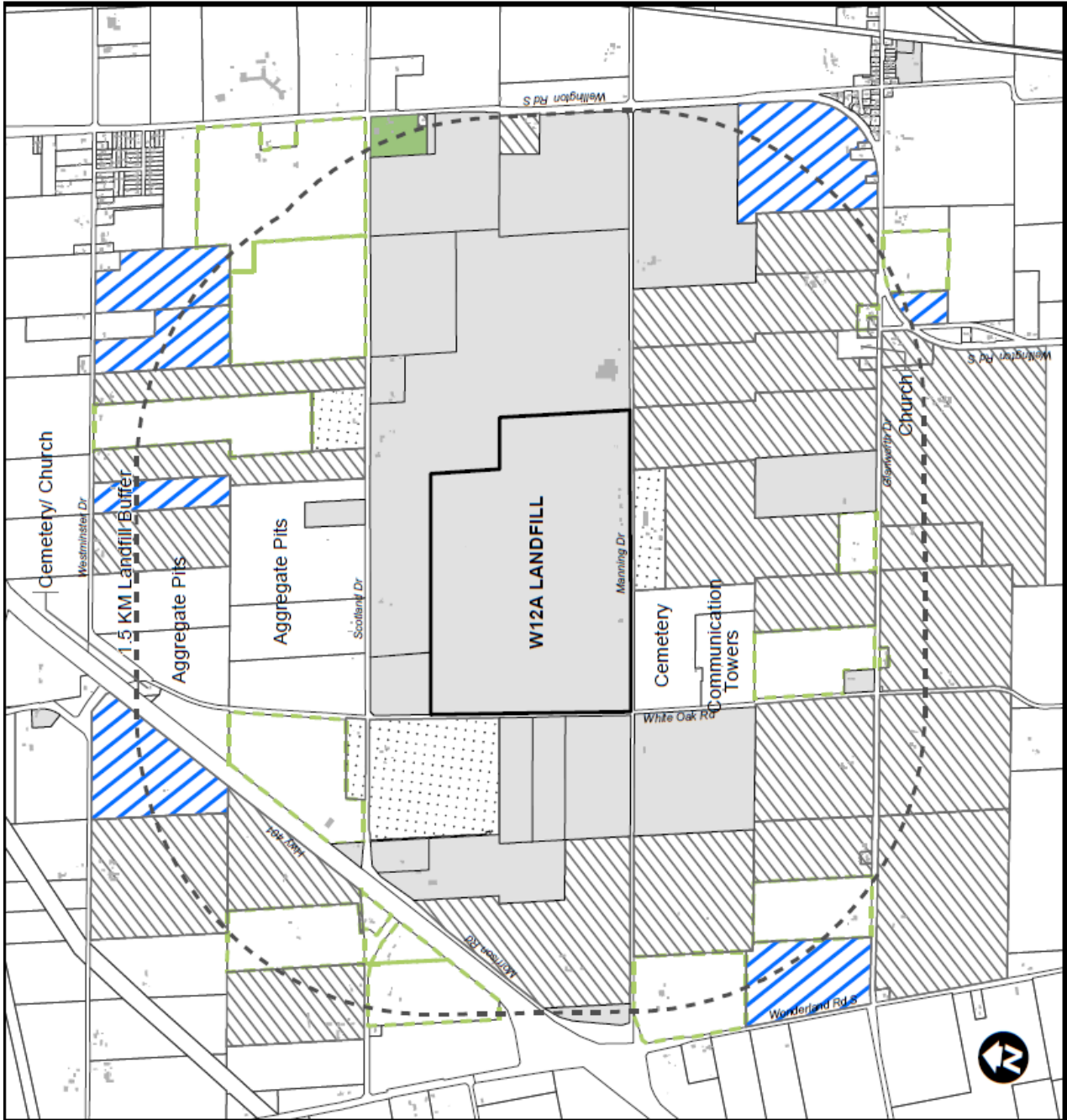
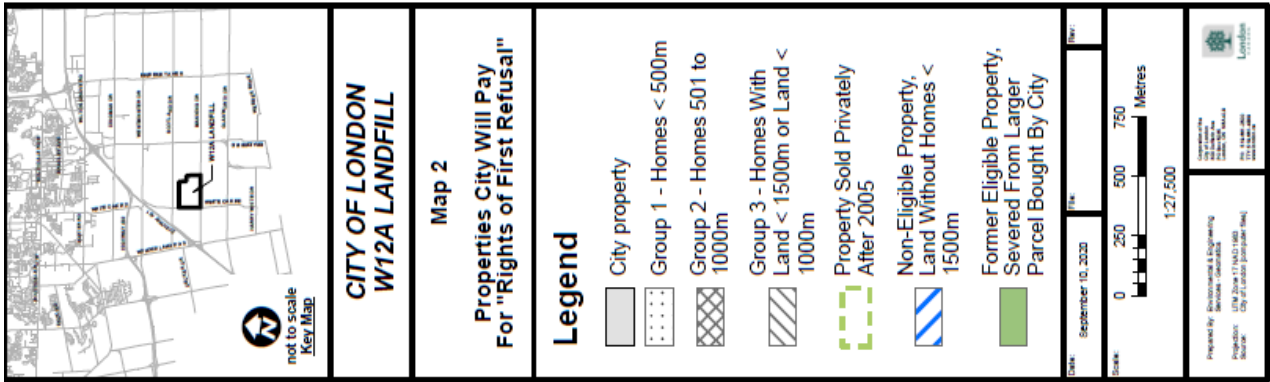
**Table 4: “Right of First Refusal” Program (2020)**

Group	Eligible Properties		Properties Currently Participating	Approximate Annual Payment
	Program Start	Currently Eligible		
1. House within 500 m	10	3	2	\$8,800
2. House between 500 & 1,000 m	3	0	0	\$5,900
3. House between 1,000 & 1,500 m	46	29	21	\$2,900
Total	59	32	23	

#### Other Programs in Southern Ontario

Most private landfills, but only a few municipal landfills, provide annual payments to property owners in the vicinity of the landfill. The current City program provides funds to property owners further from the landfill than most other landfills. The level of funding is generally higher than payments in other programs.

## Map 2: Properties Eligible for Right of First Refusal Program



### Potential Revisions

The current approach seems reasonable but consideration could be given to adjusting the payment to two groups of home owners.

The program could include all homeowners who live on Manning Drive prior to August 2006 as Group 1 homes. In 2016, the City amended its Environmental Compliance Approval to allow waste collection vehicles to use the new intersection at Highway 401 and Wonderland Road South to access Manning Drive and approach the landfill entrance from the west. Waste collection vehicles were previously prohibited from this road. There are two residential properties on the new haul route and both properties are currently considered Group 3 homes which receive the lowest annual payment for their "right of first refusal". Consideration could be given to making these Group 1 properties given the increase in traffic due to the landfill.

Homeowners who purchased their home after August 2006 do not qualify for the “right of first refusal”. Obtaining “right of first refusal” on these properties may be warranted given the continuation of the landfill. Consideration could be given to making these Group 3 properties or creating a new Group 4 level.

**COMMENTS, FEEDBACK, IDEAS REGARDING RIGHT OF FIRST REFUSAL PROGRAM**

**4.4 Community Mitigative Measures Fund**

Current Program

The Community Mitigative Measures Fund is to address any real or perceived nuisances that may not be reasonably mitigated. Nuisance impacts include odours, noise, dust, litter and traffic. The Fund:

- has a current balance of about \$900,000 and received approximately \$0.30 per tonne in 2019. The payment per tonne increases with inflation. Table 5 contains Fund payment details over the last five years; and,
- future payments (in today’s dollars) will total approximately an additional \$3,000,000 over 25 years.

**Table 5: Annual Payments to the Community Mitigative Measures Fund (2015 to 2019)**

Year	Number of Tonnes Managed at W12A Landfill	Fee Paid Per Tonne	Total
2015	214,950	\$0.28	\$60,186
2016	237,391	\$0.28	\$66,496
2017	271,566	\$0.29	\$78,754
2018	287,230	\$0.30	\$86,169
2019	301,357	\$0.30	\$90,407

As previously noted, the PLC is responsible for recommending projects or undertakings above the annual allocation of \$15,000 to the City that are paid for from the Community Mitigative Measures Fund. To date, approximately \$195,000 has been spent on two projects. Approximately \$180,000 towards a Point of Source Water Treatment Program in 2016 and \$15,000 towards the Glanworth Library in 2013.

Other Programs in Southern Ontario

Most private landfills, but only one other municipal landfill, have a Community Trust Fund (or Equivalent) like London. The level of funding is consistent with the level of funding at other landfills that have local community trust funds.

It is noted that most private landfills provide funding directly to the local municipality which is not applicable to municipal landfills.

Potential Revisions

Consideration could be given to increasing the per tonne fee.

Concerns have been expressed by some members of the PLC that the money from Community Mitigative Measures Fund could hypothetically be spent on initiatives anywhere. Consideration could be given to placing geographical restrictions on where the money could be spent. This could be within a set distance of the landfill (e.g., 2 kilometres) or within an area such as shown on Map 3.

**COMMENTS, FEEDBACK, IDEAS REGARDING COMMUNITY MITIGATIVE MEASURES FUND**

**4.5 No Charge Waste Disposal**

Current Program

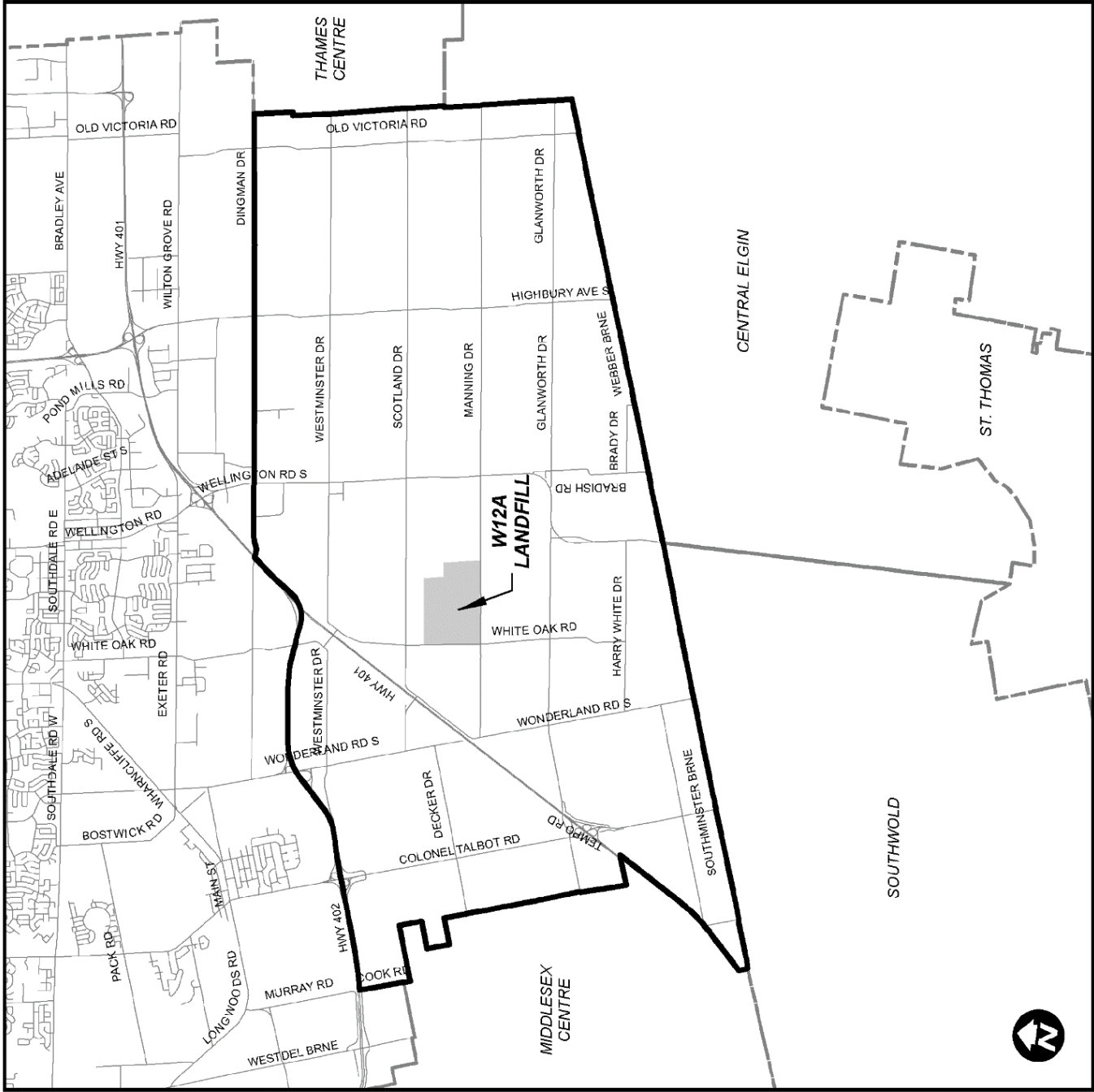
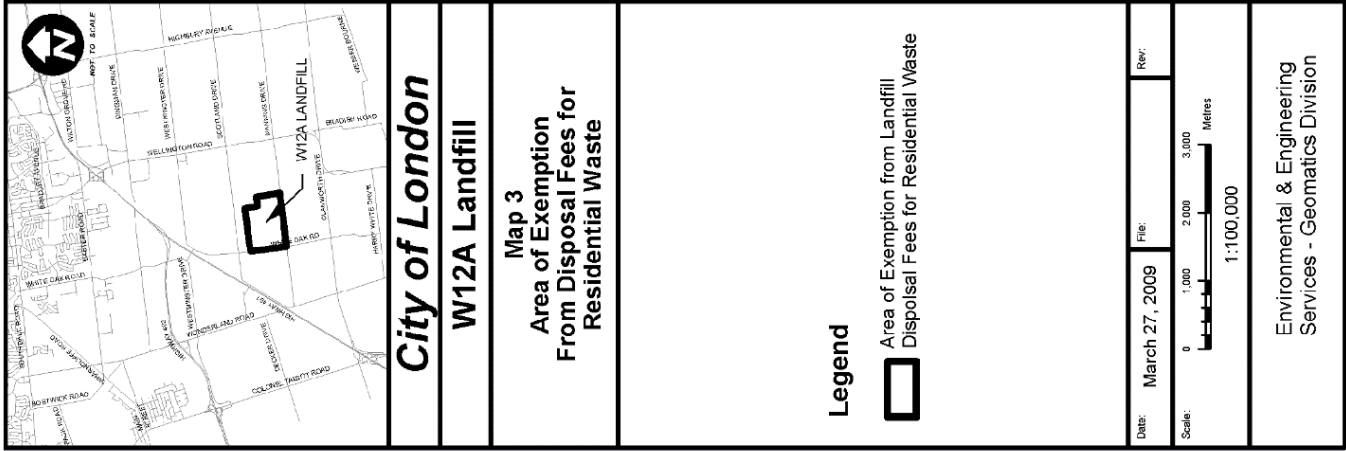
Residents in the area outlined in Map 3 are not subject to fees or charges for the disposal of residential waste from their property up to 200 kg per week at the landfill. These same households also have access to the curbside garbage collection program and all other waste management services.

Potential Revisions

The area eligible for free disposal and the quantity eligible seem reasonable. No revisions are proposed to this initiative.

**COMMENTS, FEEDBACK, IDEAS REGARDING NO CHARGE WASTE DISPOSAL**

**Map 3: Area Exempt from Disposal Fees for Residential Waste**



**4.6 Public Liaison Committee (PLC)**

Current Program

An effective PLC can serve as a focal point for dissemination, review and exchange of information and monitoring results relevant to the operation of the landfill. The W12A Landfill PLC has a Terms of Reference that governs its operation (Appendix B). The PLC is open to anyone in the City but the majority of members must be made up of residents living close to the landfill.

### Potential Revisions

No revisions are proposed to the program.

## **COMMENTS, FEEDBACK, IDEAS REGARDING THE PLC**

### **4.7 Potential Additions to the CEMMP and/or Landfill Operating Commitments**

#### Broader Community Enhancements

Currently the broader area around the W12A Landfill Site has access to free disposal up to 200 kg per week. The area is best defined as being south of Highway 401 (see Map 3). Within this area and potentially outside this area, community members and/or businesses can make requests to the PLC to access the existing Community Mitigative Measures Fund.

Some private sector landfill sites provide funds that go beyond the immediate area of the landfill and support community based projects (e.g., parks projects, not-for-profit group projects, leisure events, etc.). In some cases these funds are used for projects that benefit people well beyond the immediate area of a landfill.

Should further enhancements be desired and/or supported in a broader area, ideas and criteria could include:

- Supporting projects that benefit the maximum number of residents and businesses south of Highway 401 (e.g., beautification projects along Wellington Road South; community projects that enhance community pride, etc.);
- Supporting partnership projects whereby funds are provided by others to create larger, more impactful projects;
- Ensuring that geographic boundaries as to where projects can occur is defined along with other criteria
- Funding could be obtained as a per tonne fee in a similar manner as the Community Mitigative Measures Fund which generally is focused on projects in close proximity to the W12A Landfill;
- Approval of the projects in a new category could be undertaken by the Civic Works Committee and Council twice per year as these initiatives are part of the broader community more so than neighbours of the landfill;

#### Potential Nuisance Control Measures

There are a number of nuisance control measures that have been discussed at the PLC over the years (Table 5). Some of these nuisance control measures could be included in the CEMMP.

**Table 5: Potential Neighbourhood Nuisance Control Measures**

<b>Program</b>	<b>Current</b>	<b>Comments/ Potential Revisions</b>
Off-site litter control	<ul style="list-style-type: none"> <li>• Twice daily inspections of White Oak/Scotland/ Wellington/Manning block</li> <li>• Daily inspections: Manning from White Oak to Wonderland and White Oak from Scotland to Church</li> <li>• Litter pick-up as required</li> </ul>	<ul style="list-style-type: none"> <li>• Consider increasing the roads being monitored.</li> </ul>
Bird Control – Gulls	<ul style="list-style-type: none"> <li>• Bring in hawk as required</li> </ul>	<ul style="list-style-type: none"> <li>• Bring hawk on a regular/permanent basis.</li> <li>• Consider additional bird control measures such as noise-makers.</li> </ul>
Bird Control - Vultures	<ul style="list-style-type: none"> <li>• No service in place</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed pilot project to test ways to protect buildings on private property rejected by PLC.</li> <li>• Consider building habitat in on-site buffer area to keep nesting off private property.</li> </ul>
Area Roadway Maintenance (grass cutting)	Responsibility of Transportation, Roadside and Forestry Division	<ul style="list-style-type: none"> <li>• Area receives same level of service that other rural areas receive.</li> </ul>
Management of City properties and roadways	Responsibility of Realty Services Division	<ul style="list-style-type: none"> <li>• Area receives same level of service that other rural areas receive.</li> <li>• Proposal for development of plan to enhance the area that would be jointly funded by the City and the Community Mitigative Measures Fund was rejected by the PLC.</li> </ul>
Management of Private Properties	Responsibility of Licensing and Municipal Law Enforcement - By-Law Enforcement Division	<ul style="list-style-type: none"> <li>• Area receives same level of enforcement that other rural areas receive.</li> </ul>

**COMMENTS, FEEDBACK, IDEAS REGARDING POTENTIAL ADDITIONS TO THE CEMMP AND/OR LANDFILL OPERATING COMMITMENTS**



## 5.0 NEXT STEPS, PROPOSED TIMELINE AND HOW TO PROVIDE FEEDBACK

### Next Steps and Timeline

It is proposed to seek feedback from stakeholders and report back to CWC at a future meeting in 2021. Stakeholder feedback would include:

- Discussion with the W12A Landfill PLC;
- Information on the potential revisions included in the fourth Open House for the Environmental Assessment for the proposed expansion of the W12A Landfill;
- Information on the City website and GetInvolved website; and
- Direct mailings to residents in the vicinity of the W12A Landfill.

The proposed timeline for this review is between six and nine months, in part, depending on how challenging it is to solicit feedback, answer questions, conduct any new research, etc. during the pandemic.

CWC report	September 22, 2020
Council direction	September 29, 2020
Stakeholder engagement and feedback	October 2020 to March 2021
Update report to CWC	April 2021
Additional stakeholder engagement and feedback (if required)	Spring 2021
Final report to CWC	Spring/Summer 2021

## How to Provide Feedback

Feedback, comments and/or questions on this document can be directed to:

In writing, by email to: [wroberts@london.ca](mailto:wroberts@london.ca) (Will Roberts)

In writing, by mail to: Will Roberts, Technician, Solid Waste  
City of London  
300 Dufferin Avenue  
P.O Box 5035  
London, Ontario N6A 4L9

By telephone: 519 661-2489, ext. 7364 (Will Roberts)

Project Website: <https://getinvolved.london.ca/whywastedisposal>

## Appendix A – Summary of Programs at Other Southern Ontario Landfills

### Property Value Protection Plans

Community/ Landfill	Who qualifies	Method of Determining Value of Property	How the Process Works
Essex-Windsor EWSWA Regional	<ul style="list-style-type: none"> <li>▪ Property within 1km.</li> <li>▪ Residential property owner within 1.6 km or on haul road.</li> <li>▪ Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ EWSWA and property owner obtain appraisals at EWSWA expense.</li> <li>▪ If the difference is &lt;10%, higher value.</li> <li>▪ If the difference is &gt;10%, appraisers select 3<sup>rd</sup> appraiser and the average of 3 appraisals paid.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Property owner places on market.</li> <li>▪ Offer higher – no compensation.</li> <li>▪ Offer lower - Landfill has the option of buying at appraised price or paying difference.</li> <li>▪ EWSWA has first right of refusal in any sale.</li> </ul>
Niagara Region Road 12 Landfill	<ul style="list-style-type: none"> <li>▪ Property owners within 700 metres of landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Region obtains appraisals.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Homeowner places on market.</li> <li>▪ Offer higher – no compensation.</li> <li>▪ Offer lower – Region has the option of buying at appraised price or paying difference.</li> </ul>
City of Peterborough Bensfort Road	<ul style="list-style-type: none"> <li>▪ Property owners with 500 metres.</li> <li>▪ Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Median of three appraisals plus 10%.</li> <li>▪ All appraisals paid for by City.</li> <li>▪ City selects 1<sup>st</sup> appraiser, landowner selects 2<sup>nd</sup> appraiser, appraisers select 3<sup>rd</sup> appraiser.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Written offers with price adjustments will be given by City to homeowners for a period of five years (after expansion).</li> </ul>

### Property Value Protection Plans

Community/ Landfill	Who qualifies	Method of Determining Value of Property	How the Process Works
City of Toronto Green Lane	<ul style="list-style-type: none"> <li>▪ Property owners within 1 km.</li> <li>▪ Residential property owners within 2 km.</li> <li>▪ Owned land prior to expansion.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Landfill gets 1<sup>st</sup> appraisal.</li> <li>▪ Homeowner can accept or obtain 2<sup>nd</sup> appraisal.</li> <li>▪ Landfill can accept higher of two appraisals or get a third appraisals and pay average.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Homeowner places on market.</li> <li>▪ Offer higher – no compensation.</li> <li>▪ Offer lower - City has the option of buying at appraised price or paying difference.</li> </ul>
Waterloo Region Waterloo Landfill	<ul style="list-style-type: none"> <li>▪ Residential property owner within 750 metres.</li> <li>▪ Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Region and homeowner each get an appraisal, paid for by Region.</li> <li>▪ If within 10%, the average price is used.</li> <li>▪ If difference is &gt; 10%, the average will be used (if acceptable to both parties) or a third appraisal will be obtained by the Region. The average of the two closest appraisals will be used.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Region purchases property for fair market value, less 6% for real estate commission.</li> <li>▪ Region then lists property for sale; current homeowner can stay in the house for \$1/month until the property is sold.</li> </ul>
Taggart Miller Ottawa (proposed)	<ul style="list-style-type: none"> <li>▪ Residential property owner within 5 kilometres.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Taggart Miller obtains 1<sup>st</sup> appraisal.</li> <li>▪ Homeowner can accept or get 2<sup>nd</sup> appraisal (cost split).</li> <li>▪ Average appraisals if &lt; 10% apart.</li> <li>▪ If &gt; 10%, the two appraisers select a third appraiser.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Homeowner places on market.</li> <li>▪ Offer higher – no compensation.</li> <li>▪ Offer lower – Taggart Miller has the option of buying at appraised price or paying difference.</li> </ul>
Waste Management Twin Creeks Landfill	<ul style="list-style-type: none"> <li>▪ Land owners within predicted significant visual impact zone.</li> <li>▪ Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Waste Management obtains appraisal.</li> <li>▪ If disagreement, second appraisal conducted, at landfill expense, and average taken of two.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Landowner places on market for 12 months.</li> <li>▪ Waste Management can buy property at fair market value or pay the difference between highest offer and identified market value.</li> </ul>

### Property Value Protection Plans

Community/ Landfill	Who qualifies	Method of Determining Value of Property	How the Process Works
Waste Connections Ridge (Proposed)	<ul style="list-style-type: none"> <li>▪ Properties determined to have highest potential (level 1) for off-site impact as the result of a socioeconomic impact assessment.</li> <li>▪ All properties are residential properties within 500 metres.</li> <li>▪ May add level 2 properties.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Independent property value assessment based on comparable properties not in proximity to the landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ First right of refusal on property purchase.</li> <li>▪ Waste Connections has the option of buying at appraised price or paying difference between market value and assessed value if necessary.</li> </ul>
Waste Connections Navan Landfill	<ul style="list-style-type: none"> <li>▪ Residential property owners within a specified area (all properties within 500 metres).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Independent property value assessment based on comparable properties.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Waste Connections has the option of buying at appraised price or paying difference between market value and assessed value if necessary.</li> </ul>
Walker Industries Niagara South Landfill <sup>a</sup>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>
Walker Industries Proposed Southwestern Landfill (Proposed in EA Documents)	<ul style="list-style-type: none"> <li>▪ Residential or agricultural property owners within 500 metres.</li> <li>▪ Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Property owner obtains an appraisal from certified appraiser.</li> <li>▪ If Walker doesn't agree with the property owner's appraisal, Walker gets its own appraisal.</li> <li>▪ If property owner doesn't agree with Walker's appraisal, a third and independent appraisal is obtained and the value of the property determined by averaging all three appraisals.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Walker has option to purchase the property or property owner markets the property.</li> <li>▪ If property owner doesn't get appraised value from the market, Walker will pay the difference.</li> </ul>

Notes a) There are other operations on the same property (including a quarry and organics management facility) that potentially create nuisance effects.

### Direct Payments to Property Owners

Community/ Landfill	Who qualifies	Amount of Payment	How the Process Works
Essex-Windsor EWSWA Regional	<ul style="list-style-type: none"> <li>▪ Property owners within 0.5 km.</li> <li>▪ Residential property owners with 1km or on haul route.</li> </ul>	<ul style="list-style-type: none"> <li>▪ \$0.30/tonne landfilled in 2020.</li> <li>▪ Indexed to inflation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fund divided equally among all qualifying properties.</li> <li>▪ Subsequent owners and owners of new residences share in the fund.</li> </ul>
City of Peterborough Bensfort Road	<ul style="list-style-type: none"> <li>• Landowners with 1.0 km.</li> <li>• Owned land prior to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ \$5,000/year per landowner if within 0.5 km.</li> <li>▪ \$2,500/year per landowner if within 1.0 km.</li> <li>▪ Long term tenants of land acquired or expropriated may be compensated (no fixed amount).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Owner must provide a release from any nuisance related claims.</li> </ul>
Waste Management Twin Creeks Landfill	<ul style="list-style-type: none"> <li>• Homeowners within impact zone for 2 or more nuisance impacts (dust, noise, odour).</li> <li>• Total of 15 properties all located within 1 kilometre of landfill and/or on primary haul route.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>
Waste Connections Ridge (Proposed)	<ul style="list-style-type: none"> <li>▪ Properties determined to have potential for off-site impact as the result of a socioeconomic impact assessment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ \$X/tonne landfilled.</li> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Residents are divided into high, medium and low potential impact based on socioeconomic study. Higher tiers gets a higher percentage of payment.</li> </ul>
Niagara South Landfill <sup>a</sup>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details not provided.</li> </ul>

### Direct Payments to Property Owners

Community/ Landfill	Who qualifies	Amount of Payment	How the Process Works
Walker Industries Proposed Southwestern Landfill (Proposed in EA Documents)	<ul style="list-style-type: none"> <li>▪ Envisioned where residual nuisance effect can't be mitigated (one property).</li> <li>▪ Details to be determined at a later date.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details to be determined at a later date.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Details to be determined at a later date.</li> </ul>

Notes a) There are other operations on the same property (including a quarry and organics management facility) that potentially create nuisance effects.

### Community Trust Fund (or Equivalent)

Community/ Landfill	Amount of Funding	Method for Determining Use of Funds	Other
Toronto Green Lane	<ul style="list-style-type: none"> <li>▪ 5% of gross landfill revenue.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local directors decide how money will be spent.</li> </ul>	<ul style="list-style-type: none"> <li>▪ -</li> </ul>
Taggart Miller Ottawa (proposed)	<ul style="list-style-type: none"> <li>▪ \$0.47 per tonne.</li> </ul>	<ul style="list-style-type: none"> <li>▪ To be administered by a new community based group.</li> </ul>	<ul style="list-style-type: none"> <li>▪ -</li> </ul>
Terrapure Stoney Creek Landfill	<ul style="list-style-type: none"> <li>▪ \$0.44 per tonne.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fund is administered by a third-party group (Heritage Green Community Trust) who determined allocation of funding in the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>
Waste Connections Ridge (Proposed)	<ul style="list-style-type: none"> <li>▪ Amount is determined by X/tonne landfilled minus direct payments to property owners.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fund is administered by a third-party group of residents who determined allocation of funding in the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ -</li> </ul>

**Community Trust Fund (or Equivalent)**

Community/ Landfill	Amount of Funding	Method for Determining Use of Funds	Other
Waste Connections Navan Landfill	<ul style="list-style-type: none"> <li>▪ \$0.44 per tonne.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fund is administered by a third-party group (Friends of Mer Bleue) who determined allocation of funding in the community.</li> </ul>	<ul style="list-style-type: none"> <li>▪ -</li> </ul>
WM – Twin Creeks Landfill	<ul style="list-style-type: none"> <li>▪ \$ provided annually.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Funds administered through Community Fund Committee.</li> </ul>	<ul style="list-style-type: none"> <li>▪ -</li> </ul>
Walker Industries Proposed Southwestern Landfill	<ul style="list-style-type: none"> <li>▪ To be determined.</li> </ul>	<ul style="list-style-type: none"> <li>▪ To be determined.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Not noted in the EA document but will be considered as the EA process moves forward.</li> </ul>

**COMMENTS, FEEDBACK, IDEAS REGARDING APPENDIX A**

# Appendix B

## Terms of Reference for the W12A Landfill Public Liaison Committee



City of London W12A Landfill  
London, Ontario

Public Liaison Committee

### ***TERMS OF REFERENCE***

#### **1. BACKGROUND**

##### 1.1. Establishment of a Public Liaison Committee (PLC, Committee)

This is a Terms of Reference for the establishment and operation of a Public Liaison Committee (PLC) to advise the City of London (Owner) on the operation of the W12A Landfill Site (Site), located at 3502 Manning Drive, London, ON.

Establishment and operation of the PLC is a component of the W12A Landfill Site Community Enhancement and Mitigative Measures Program, adopted by the City of London, which is committed to a positive and constructive relationship with the general public and with the owners and tenants of properties located in the vicinity of the Site.

##### 1.2. Approval of Terms of Reference

This Terms of Reference and any future amendments thereto, shall be subject to review by the PLC and in consultation with the Owner.

#### **2. NAME OF COMMITTEE**

The PLC shall be named the W12A Landfill Public Liaison Committee.

#### **3. MANDATE**

3.1. The purpose of the PLC will be to provide for regular communication between the major stakeholders, to identify and remedy issues in a timely and cooperative manner, to enable development of goodwill initiatives with the community, and to recommend projects or undertakings to the Owner that funds in the Community Mitigative Measures Fund should be spent on.

The PLC shall not exercise any supervisory, regulatory or approval functions in connection with the Site or its operation.

For the purposes of carrying out its mandate, members of the PLC shall have reasonable access to the Site during regular business hours, subject to health and safety requirements and the fair and reasonable availability of representatives of the Owner to accompany PLC members while on-Site. Members are asked to confirm their intention to visit the Site ahead of time.

3.2. The PLC's responsibilities shall include:

- Hearing deputations from any member of the public pertaining to Site operations.
- Reviewing for its purpose necessary technical documents pertaining to the operation of the Site.
- Acting as a liaison between and among the public (including owners/tenants of properties around the Site), the Owner and the Ministry of the Environment, Conservation and Parks.
- Reviewing and providing comments on the Annual Operating Report submitted by the Owner to the Ministry of the Environment, Conservation and Parks.



- Carrying out their responsibilities under Section 3.0 of the W12A Landfill Community Enhancement and Mitigative Measures Program.
- Initiating neighbourhood enhancement/mitigation projects.
- Implementing public input procedures/participation for area residents.
  - Welcoming the public as observers at meetings.
  - Providing a brief window at the end of meetings for non-member input.
  - Advertising meetings and developing a distribution system to keep interested persons informed.

## **4. MEMBERSHIP**

### 4.1. Composition of PLC

PLC seats shall be available on the following basis:

- A maximum of 12 members, plus a Chair (13 total).
- When applicable, a Vice-Chair may be appointed.
- Seats are open to any resident of the City of London.
- Members will be selected by the City of London to provide broad representation based on:
  - Reasons for wanting to join
  - Geographical location, and
  - Background.
- The 7 residents or property owners closest to the W12A Landfill (measured from the landfill property boundary) who apply for membership are automatically appointed to the PLC and not subject to term limits.
- All persons applying are automatically appointed to the PLC if 13 or fewer apply.

City staff are a resource to the PLC and will attend meetings as required.

Ministry of the Environment, Conservation and Parks representatives will attend as a resource when available.

### 4.2. Voting

Voting will occur by simple majority. Simple majority requires a single vote more than half of the votes cast. All members, including the Chair and Vice-Chair, are allowed to participate in all votes. Recorded voting will be used at the request of a member of the committee. Proxy voting will not be allowed.

### 4.3. PLC Chair and Vice-Chair

A member of the PLC will be elected to serve as the Chair of the Committee. The members of the PLC shall, by vote of a majority of members, elect the Chair of the Committee from the nominated candidate members. The Chair shall serve at the pleasure of a majority of PLC members and the term of office shall coincide with his/her one-year term of membership, at which time it will be subject to renewal by a vote of a majority of PLC members. In accordance with Section 4.4, the Chair may serve for a maximum of three consecutive terms. In the interim, the Chair may be replaced at any time by a vote of the majority of PLC members. The responsibilities and functional conduct of the Chair include:

- To act as a facilitator for the Committee (i.e. call meeting to order, organize meeting conduct, etc.).
- To monitor issues to ensure adequate input and discussion by members.
- To remind the Committee of its mandate, purpose and mission.
- To give clear direction to staff concerning the Committee's priorities.

The Chair may speak to a motion brought forth by a member, but cannot place a motion on the floor themselves. Should the Chair wish to place or move a motion, they must first appoint a member to act as the Chair in their place. Once the vote has taken place, the Chair will resume their responsibilities.

In the interest of sharing administrative responsibilities and allowing PLC members with a potential interest in serving as Chair to gain experience, a position of Vice-Chair shall be established. The filling of the Vice-Chair position is not a mandatory requirement for the function of the PLC and shall be filled on an ad-hoc basis if it is requested. The Vice-Chair position shall be filled by vote of majority of the PLC members.

#### 4.4. Terms of Office

The Terms of Office shall be enforced in accordance with the two scenarios outlined below.

4.4.1 All PLC seats are filled and additional interested potential members are known.

All PLC members shall serve for one year from their initial date of appointment. Members will be able to serve for a maximum of three consecutive terms. Under this scenario the Chair and Vice-Chair positions shall operate as outlined in Section 4.3.

4.4.2 All PLC Seats are not filled and there is no perceived strong public interest

All PLC members shall preserve their seats until the appropriate public interest is regained in order to operate the PLC in accordance with Section 4.4.1. Under this scenario the Chair and Vice-Chair shall maintain their positions unless voted out by a majority of the PLC members.

#### 4.5. Replacement of Members

Members may be replaced on an as-needed basis as a result of resignation or incapacity. Vacancies will be advertised to the public through the local newspaper, City website, current members and local libraries. Members may be removed from the PLC by a vote of a majority of PLC members.

Should the situation arise where all current PLC members are due to be replaced at the same time as the result of maximum terms of office, three members nominated by the PLC shall be permitted to extend their term of office by a maximum of one year to preserve the PLC's knowledge and continuity.

#### 4.6. Removal of Members in the Instance of Non-Participation

In the event that during the term of a sitting member and/or members of the PLC does not attend three consecutive meetings, the City at the request of the Chair will contact the absent member and/or members by mail to request their attendance or written notification of special circumstances which prevent them from attending. If the member and/or members do not respond, and following a fourth missed consecutive meeting, the City will advise the member in writing of the PLC's intention to entertain a motion to declare the aforementioned absent member and/or member's seat(s) vacant.

### **5. FREQUENCY AND NOTICE OF MEETINGS**

#### 5.1. Schedule

The PLC shall meet on the third Thursday of the month, every two months (6 meetings per year) or at the call of the Chair. The PLC may determine an appropriate meeting frequency which may be adjusted over the term, but in any event shall be no less than once per operating year.

Notice of meetings will be communicated to members of the PLC via email and/or by postage addressed mail. Agendas and minutes of meetings will be disseminated to PLC members by email and/or by postage addressed mail 1.5 weeks prior to any scheduled meeting.

## 5.2. Agenda

An agenda will be prepared prior to each meeting by a City of London designate. The agenda will contain a general outline of all matters to be discussed at the upcoming meeting. No motions can be brought forward on business not listed in the agenda.

## 5.3. Minutes

Meeting minutes will be recorded by a City of London designate. The minutes will include a brief description on the outcome of agenda topics, any arising action items and voting outcomes.

## **6. CONDUCT OF MEETINGS**

6.1. A quorum shall consist of at least half of the current voting members of the PLC.

6.2. Respect and courtesy shall be observed by all PLC members at all times during meetings. Discussion and debate shall be confined to the agenda and those matters that are within the mandate of the PLC.

6.3. If any member of the PLC or the public is disruptive at a meeting, the Chair has the authority to ask that person to leave the meeting place. If the person refuses to leave, the Chair shall terminate the meeting and, at his/her discretion, call for assistance from the police. Examples of this type of behavior include:

- Interrupting fellow members during discussions
- Intimidation/bullying of other members
- Dominating the discussion on the floor.

6.4. Members are generally allowed to speak to a maximum of five minutes on an individual agenda item. The Chair has the option to extend this time period, depending on the circumstance.

## **7. AMENDMENT TO THESE TERMS OF REFERENCE**

These terms of Reference may be amended from time to time by approval of a majority of members of the PLC and with approval of the Owner.

## **8. ADMINISTRATIVE COSTS FOR THE OPERATION OF THE PLC**

The Owner shall provide for administration costs of operating the PLC including the cost of meeting places and clerical services.