

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON SEPTEMBER 22, 2020
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR - ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER
SUBJECT:	REVIEW OF THE W12A LANDFILL COMMUNITY ENHANCEMENT AND MITIGATIVE MEASURES PROGRAM

RECOMMENDATION

That on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the Review of the Current W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP) document (Appendix A) **BE APPROVED** for release for stakeholder feedback.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Relevant reports that can be found at www.london.ca under City Hall (Meetings – Advisory and other Committees) include:

- Establishment of W12A Landfill Public Liaison Committee Point of Source Water Treatment Program Civic Works Committee (CWC) Meeting on November 3, 2015, Agenda Item 12
- W12A Landfill Public Liaison Committee Proposed Water Supply Fund CWC Meeting on December 16, 2014, Agenda Item 10
- Minor Revisions to W12A Landfill Site Community Enhancement and Mitigative Measures Program CWC Meeting on October 6, 2014, Agenda Item 10
- W12A Landfill Community Mitigative Measures Fund – Glanworth Library CWC Meeting on May 27, 2013, Agenda Item 5
- Updates to W12A Landfill Site Community Enhancement and Mitigative Measures Program, Environment & Transportation Committee (ETC) Meeting on May 10, 2010, Agenda Item #12
- W12A Landfill Community Enhancement and Mitigative Measures Program, ETC Meeting on May 11, 2009, Agenda Item #12
- W12A Landfill Community Enhancement and Mitigative Measures Program, ETC Meeting on January 12, 2009, Agenda Item #15
- Draft W12A Landfill Community Enhancement and Mitigative Measures Program, ETC Meeting on November 10, 2008, Agenda Item #3
- Voluntary Property Acquisition Plan, Draft Guiding Principles for a W12A Community Mitigative Measures & Compensation Policy, ETC Meeting on September 11, 2006, Agenda Item #5
- Draft Guiding Principles for a W12A Community Mitigative Measures & Compensation Policy, ETC Meeting on June 19, 2006, Agenda Item #1

COUNCIL'S 2019-2023 STRATEGIC PLAN

Municipal Council has recognized the importance of solid waste management in its 2019-2023 - Strategic Plan for the City of London as follows:

Building a Sustainable City

London has a strong and healthy environment

- Build infrastructure to support future development and protect the environment

Growing our Economy

London is a leader in Ontario for attracting new jobs and investments

- Build infrastructure to support future development and retain existing jobs

Leading in Public Service

Londoners experience exceptional and valued customer service

- Increase community and resident satisfaction of their service experience with the City

BACKGROUND

PURPOSE:

This report seeks approval from CWC and Council 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 but can be considered a parallel or complimentary process in addressing issues associated with the expansion of the landfill.

CONTEXT

Current CEMMP

The CEMMP is part of the City's overall efforts 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 in 2014.

The current CEMMP 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)

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.

"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 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.

Community Mitigative Measures Fund

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

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 had 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 to connect 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.

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

No Charge Waste Disposal

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.

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.

DISCUSSION

City of London - Review of Current W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP)

Contained in Appendix A is a report entitled City of London - Review of Current W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP). This report can be used to engage stakeholders in the fall of 2020 and likely early 2021.

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

City 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 Section 2.0 of the report found in Appendix A.

The City of London is currently the only publically-owned large landfill site in southern Ontario that has Property Value Protection Plan, Direct Payments to Residents and a Local Community Trust Fund. The review also indicates that currently the City of London meets or exceeds most programs offered by private sector (for profit) landfill owners.

Additional work is underway to obtain any further information that will be beneficial to the review.

Next Steps and Proposed Timeline

It is proposed to seek feedback from stakeholders and report back to CWC at a future meeting. 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
- Direct mailings to residents in the vicinity of the W12A Landfill

The proposed timeline (table below) 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

PREPARED BY:	
MIKE LOSEE, B.SC., DIVISION MANAGER SOLID WASTE MANAGEMENT	
PREPARED AND SUBMITTED BY:	RECOMMENDED BY:
JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER

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c Wesley Abbott, Technical Project Manager

Appendix A City of London - Review of Current W12A Landfill Community Enhancement and Mitigative Measures Program (CEMMP)