

REQUEST TO SUPPORT CITY OF ST. CATHARINES RESOLUTION

OWMA is a not-for profit organization representing both private sector companies and municipal stakeholders in the Ontario waste management sector

A Request

- Support of the City of St. Catharines' request to: (1) endorse their position on Bill 197; and (2) pass a supporting motion.

Background to Bill 197

- Bill 197, the COVID-19 Economic Recovery Act, 2020 deals with COVID-19 issues, but obscured in a Schedule to the Act is a significant change to the Environmental Assessment Act impacting municipalities.

Municipal Autonomy Compromised

- The Environmental Assessment Act change, while dealing with landfill development, undermines municipal autonomy and establishes the principle that municipalities can 'veto' a development outside, and adjacent to, their own municipal boundaries.
- Bill 197 would empower multiple municipalities to 'veto' development – currently a landfill development - within a 3.5 km zone **inside** the boundary of an adjacent municipality - **even if the host municipality supports the development**.
- This veto empowerment to adjacent municipalities is **overreach**.

Overreach Consequences

- The potential consequences are real and substantial.
- The overreach is a dangerous precedent – the 'thin edge of the wedge'.
- It is landfill development today, but if the principle remains unchallenged, what next? Consider the implications for: other waste management infrastructure like organics processing, composting and recycling facilities; agricultural developments and activities; transit infrastructure; waste water treatment facilities; etc.
- The overreach compromises the autonomy and the authority of elected officials to make decisions in the best interest of their communities and taxpayers.
- It will cause political entanglements between local municipal neighbours.

Bill 197 Does Contain Supportable Change

- Bill 197 does change the landscape around landfill developments and environmental assessment.
- In the past, while local municipalities were intimately involved in the process, the province made the final decision on development.
- Bill 197 now establishes that the province cannot issue a positive development decision without the approval/support of the 'host' municipality.
- While this will make it more challenging to get new landfill developments approved and potentially exacerbates our current landfill capacity crisis, it is a reasonable and supportable change.

The Solution

- The City of St. Catharines' resolution accurately reflects the issues and concerns around the 'adjacent municipality' overreach.
- The answer is a simple amendment to Schedule 6 in Bill 197, removing the reference to adjacent municipalities while maintaining the ultimate right of host municipalities to have the final say.