

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 waste¹;
- 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 landfills²;
- Based on Ontario Ministry of Environment data, Ontario generates over 8 million tonnes of waste annually that goes to landfill³.

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.

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

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

³ 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);
- 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