



# **Council Deputation**

## *Amendments to the Environmental Assessment Act*

## **Who is OWMA?**

OWMA is a not-for profit organization representing stakeholders in the Ontario waste management sector – 64 private sector companies and 65 municipalities (upper & lower tier).

## **Why are We here?**

- OWMA is deputing in support of the City of St. Catharines request to endorse their position on Bill 197 and pass a supporting motion.
- Make available to council our experience and knowledge about this issue if there are any questions.

## **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 their municipal boundary in an adjacent municipality.
- Bill 197 would empower multiple municipalities to 'veto' development of a landfill development within a 3.5 kilometer 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? Other waste management infrastructure like organics processing, composting recycling facilities? Agricultural development, Transit infrastructure? Waste water treatment facilities? Etc.
- The overreach does compromise the autonomy and the authority of elected officials to make decisions in the best interest of their communities and taxpayers.
- 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 that removes the reference to adjacent municipalities while maintaining the ultimate right of host municipalities to have the final say.