

ONTARIO MUNICIPAL BOARD

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Walker Environmental Group Inc.
Subject:	Proposed Official Plan Amendment No. 197
Municipality:	Upper Tier of Oxford
OMB Case No.:	PL160706
OMB File No.:	PL160706
OMB Case Name:	Walker Environmental Group Inc. v. Oxford (County)

PARTICIPANT STATEMENT OF OXFORD PEOPLE AGAINST THE LANDFILL ALLIANCE COMMUNITY ORGANIZATION

**Prepared by
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A. Background, Interest and Issues

Who is OPAL?

1. The Oxford People Against the Landfill Alliance Community Organization (OPAL) is an incorporated non-profit community group in Oxford County with an elected board consisting of 12 members. All board members live in Oxford County. It represents community volunteers and members.

What is the OPAL Alliance?

2. OPAL is linked with other groups in an official alliance. Members from the Oxford Coalition for Social Justice and the Ingersoll District Nature Club are appointed by those groups, sit on the OPAL board, and reflect their support for OPAL's mandate. OPAL is also unofficially allied with other community groups.

What is OPAL's mandate?

3. OPAL's mandate is based on the community's awareness of threats to water, air and quality of life to people in the surrounding community.
4. OPAL's mission statement reads as follows: *OPAL Alliance acts to protect our community and to ensure that Oxford County remains a great place to live and grow. As concerned*

citizens, we are engaged in the fight to stop locally unwarranted land uses. Our mission is to stop the dump Walker Industries would impose.

5. OPAL has also participated in consultations undertaken by the provincial Ministry of the Environment and Climate Change (MOECC) around the *Waste-Free Ontario Act* and Strategy to reduce waste and recover resources in Ontario and therefore in Oxford County.
6. While OPAL has been engaged in the environmental assessment process for a large landfill being proposed by Walker Environmental Group (WEG) in Zorra Township in Oxford County, OPAL's activities have expanded to encompass public education, outreach, and projects involving various environmental causes, local issues and sustainability initiatives. In addition, OPAL's objects of incorporation include "assuring protection and enhancing appreciation of the natural environment" by various means, as noted below.

How does the community view OPAL?

7. In addition to the formal and informal alliances of OPAL in the community, OPAL enjoys broad-based community support as expressed in the community's presence at events organized by OPAL or in response to OPAL's call to action around other community events. In 2017, a survey was conducted by OPAL that reveals strong support for OPAL's position on municipal rights, environmental stewardship and waste management. This local support is also quantified in the 100, 943 letters signed by members of the public, mostly from within Oxford County, in support of OPAL's calls to the government of Ontario at Queen's Park to recognize our community's interests.

What is OPAL's position on the issues on appeal?

8. The purpose of this participant statement is to provide OPAL's perspective on the issues raised in this appeal and outlined in the Board's procedural order dated October 19, 2017. OPAL agrees with Oxford County that Official Plan Amendment (OPA) 197: (i) represents good planning; (ii) aligns with the Provincial Policy Statement (PPS); and (iii) dovetails appropriately with the overall provincial regime for assessing proposed waste disposal sites. In addition, OPAL monitored and participated in the public consultations that led up to the passage of OPA 197, and OPAL did not observe any bad faith or discrimination in the County's decision-making process under the *Planning Act*.
9. In expressing these views, OPAL does not purport to offer opinion evidence (or legal opinions) to the Board, but instead relies upon the professional opinions contained in the witness statements filed by the County in this appeal. OPAL has also reviewed and considered the witness statements filed by the appellant in this hearing.

B. Summary of Evidence

Why does OPAL support OPA 197?

10. Like the 77% of people in Ontario who in a recent “Public Square” poll asserted the right to make local decisions around major projects, people in Oxford County have indicated that progress towards zero waste is a priority for them. 85% declare themselves unwilling hosts to a dump on a survey across Oxford County conducted by a researcher for OPAL, citing loss of value and enjoyment of their property, opposition to having one of Ontario’s largest dumps and to the importation of 17.4 million tonnes of mixed wastes. Similarly, OPAL’s mission statement, affirmed by its members and its founding by-laws, support the zero waste amendment to the County’s Official Plan. The relevant OPAL by-laws include:

2.4 Rendering assistance to the government by supplying information collected as a result of research carried on under the auspices of the corporation;

2.5 Coordinating activities of the corporation with those of similar organizations, societies and individuals in Canada;

2.6 Developing and fostering community spirit;

2.7 Gathering and exchanging ideas, data, and statistical and scientific information;

2.8 Assuring protection and enhancing appreciation of the ecology of natural environment by promoting waste management education; and other such complementary purposes not inconsistent with these objectives.

11. OPAL believes that “Zero waste is a goal that is ethical, economical, efficient, and visionary.”¹ The OPAL Alliance has worked assiduously to inform municipal, provincial and federal governments of its concerns about waste management and its impacts on human and environmental health.

How has OPAL supported the objectives of OPA 197?

12. OPAL has made multiple presentations to the municipalities within Oxford County and to the County Council itself in order to provide information regarding waste management and the public’s concerns with the movement of trash into the County from external sources. In particular, OPAL’s presentations on the following dates indicates OPAL’s history of supporting the Official Plan’s goals of zero waste:

¹ <http://zwia.org/standards/zw-definition/>.

<u>Title</u>	<u>Audience</u>	<u>Date</u>
Right to say approve Rally	Public	November 12, 2017
Right to approve presentation	Tillsonburg Council	November 13, 2017
Right to approve presentation	Ingersoll Council	November 13, 2017
Right to approve presentation	East-Zorra Tavistock	November 15, 2017
Right to approve presentation	Woodstock Council	November 16, 2017
Right to approve presentation	Zorra Township	November 20, 2017
Right to approve presentation	South-West Oxford	November, 20, 2017
Report to Council	County of Oxford	January 13, 2016
OPA 197 Support	County of Oxford	May 25, 2016
Response to Walker's Challenge	County of Oxford	June 8, 2016
How to stop a Dump Conference	Public	May 1, 2015
401 Garbage Chute	Ingersoll Council Zorra Council Tillsonburg Council East Zorra-Tavistock Woodstock	November 18, 2015 December 1, 2015 March 14, 2016 March 16, 2016 April 20, 2016
A River Runs Through Us Conference	Public	April 26, 2014
Leachate ban	County of Oxford	September 10, 2014
OPAL Info Water! Water!Water! Charlie Angus and Guests	Public	October, 19 2013
Zeliznak's CAW Hall	Public	November 14, 2012
OPAL Rally	Public	March 26, 2012

Why does OPAL support OPA 197?

13. A copy of OPAL's presentation to County Council in support of OPA 197 is attached below. OPAL believes that OPA 197 helps to implement the *Waste-Free Ontario Act*, including the *Resource Recovery and Circular Economy Act, 2016*. Further, OPAL believes that the County has duly considered the provincial interest in section 2(f) of the *Planning Act*, namely "the adequate provision and efficient use of... waste management systems", since the County's initiative was accompanied by an active and well-considered examination of waste

management systems including waste reduction, waste diversion and waste treatment both by County staff and by the Zero Waste Oxford committee. OPAL believes that OPA 197 represents good environmental and land use planning in that it advances or reflects: (i) provincial waste reduction/diversion initiatives from the MOECC; (ii) community desire as witnessed in the Community Sustainability Plan consultations; (iii) the results from the Canadian Index of Well-Being survey conducted in Oxford County where 88% of the population identify a personal commitment to the environment; and (iv) public will as expressed in OPAL's survey conducted in 2017 and in the OPAL Alliance's public meetings.

14. OPAL applauds any effort to move from a wasteful economy to a circular economy, to reduce the volume and mass of garbage produced, deposited, or transported into Oxford County to zero, and to prevent loss of reputation, water, land, air quality or quality of life through dumping of trash of any kind or origin in Oxford County. OPAL believes that a Waste-Free Ontario should start in Oxford.
15. OPAL is opposed to Walker's proposed landfill, but is aware that Oxford County's land use planning considerations are broader, and that OPA 197 is about zero waste in ways that are supported by current legislation and policy. Some members of the public have expressed frustration that the OPA 197 does not specifically exclude Walker's landfill proposal, but OPAL supports OPA 197 in its current form.

What are OPAL's overall views about waste in Ontario and Oxford County?

16. As evidenced in OPAL's statements and action, OPAL believes that there should be massive reductions in waste generated in Ontario and Oxford County. That means that other regions' waste solution should not be sent to Oxford, any more than Oxford should send its waste to other unwilling hosts. With Alliance partners and others, OPAL has hosted spring and fall waste diversion events where goods are upcycled, reused and in some percentages sent for reprocessing or to retail charities.
17. OPAL believes that the legislation, regulations, policies and actions under the *Waste-Free Ontario Act* need to move forward swiftly and efficiently. OPAL believes that Oxford County could and should be a leader in the implementation of zero waste policies under that and other legislation. OPAL also is assisting Oxford County in the implementation of zero waste through its offering of information and education to the public and through concrete action in the form of waste diversion events.

March 15, 2018

**A PRESENTATION
TO
OXFORD COUNTY COUNCIL
BY
OPAL**

OXFORD PEOPLE AGAINST THE LANDFILL



OPAL'S GOAL

OPAL is dedicated to the prevention of a proposed landfill in our community which we believe sincerely poses a threat to our social, economic and environmental health.

OFFICIAL PLAN

OPAL recognizes

- Our previous commitment to informing the public and municipal councils has met with positive response
- Our participation in the Community Sustainability Plan consultation provided a voice for community members
- Our opposition to a proposed dump is founded on science, social good and practical policies.

AMENDMENTS TO THE PLAN

OPAL, therefore, applauds any effort to

- move out of wasteful economy into a resourceful one
- reduce the volume and mass of garbage produced, deposited, transported into Oxford County to zero
- prevent loss of reputation, water, land, air quality or quality of life through dumping of trash of any kind or origin in Oxford County

A Waste-Free Ontario should start in Oxford.

WHAT SHOULD BE OUR FUTURE?

A Wasteful Economy



A Resourceful Economy



IMPORTED WASTE OR LOCAL SOLUTIONS?

Garbage In?



Zero Garbage



WHAT ABOUT THE MOECC?

The drafts of the Waste-Free Ontario and of the Circular Economy and Resource Recovery Acts call for

- Waste reduction
- Banning of certain products which cannot recycle
- Recovery of resources from waste-streams
- Creation of markets for recovered resources
- A cultural shift in our thinking about the planet.

OPAL encourages this future thinking and thinks it unreasonable to continue 4000 year old practices which have become a cumulative threat to human health.

WHAT ABOUT THE MMAH?

The Ministry of Municipalities and Housing has responsibility for the Provincial Policy Statement 2014 which states:

“The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term”.

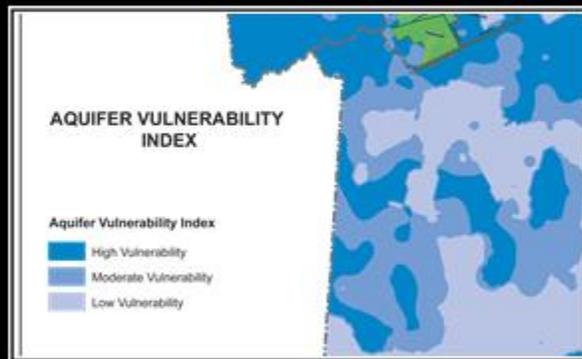
Therefore the PPS 2014 recognizes community sustainability and interests as overarching principles.

WHAT ABOUT MMAH AND DUMPS?

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. [...] Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety²².

The MOECC has recognized the risk to public health posed by the leakage of leachate from the Richmond landfill into surrounding wells.

HIGHLY VULNERABLE AQUIFER



Oxford County with the dump site indicated

THE FUTURE IS NOW!

The PPS also states that

“Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives”

while the Waste-Free Ontario Act moves to reduce future requirements such that current 20-year capacity in dumps is extended significantly, allowing for reuse and recycling of current dumps’ recoverable and recyclable contents.

Dumps are a 4 000 year old technology incapable of dealing with 20th C content and unthinkable in the 21st.

CONCLUSION



People in Oxford County oppose the dump strongly and support the Official Plan.
64 505 letters to Queen's Park say so clearly.

CONCLUSION



Provincial and municipal representatives of Oxford County oppose the dump, thus support the Official Plan.

CONCLUSION



Ministers Leal, McMeekin (above) and Wynne all reject the imposition of projects on "unwilling hosts" and therefore support the Official Plan amendments.

CONCLUSION



OPAL supports the Official Plan Amendments.

THANK YOU

Questions



Comments

- The PPS protects natural heritage features and functions.
- The PPS is to be read in its entirety and used wisely.
- The PPS is to be read in light of Minister McMeekin's written endorsement of the Community Sustainability Plan.
- The dump is not a done deal.