

Media Release

CELA Lawyers to Represent Residents' Group at Tribunal Hearing on Controversial Asphalt Plant in Napanee

June 6, 2022

Town of Greater Napanee – Keep Napanee Great (KNG), a non-profit residents' advocacy group, today announced that it has retained staff lawyers with the Canadian Environmental Law Association (CELA) to represent the group in an upcoming Ontario Land Tribunal hearing about a proposed hot mix asphalt plant in Napanee.

“Our group has participated extensively in the land use planning process for this proposal because serious concerns remain about the plant’s potential negative impacts upon air and water quality and the residents’ health and safety,” said Vicki Stewart, Vice-President of KNG. “We are thrilled to have CELA’s expertise in helping us address our concerns at the Tribunal hearing.”

For over 50 years, CELA has provided legal assistance to individuals, groups, communities, and First Nations in Ontario who cannot afford counsel in court proceedings or administrative hearings involving issues affecting the environment or public health.

In this case, the proponent R.W. Tomlinson Ltd. requested the Town of Greater Napanee to rezone a portion of its quarry property to permit a permanent asphalt plant to be constructed and operated. However, on April 5, 2022, the Town council voted unanimously to deny the requested rezoning, citing that it “is not in the best interests of the community, does not adequately protect drinking water sources and groundwater and may result in unacceptable adverse impacts on nearby residents due to dust, odour, traffic and noise emissions, and is generally not compatible with the existing uses in the area.” The company then appealed the Town’s refusal to the Tribunal under the *Planning Act*.

“CELA looks forward to working with KNG in presenting evidence and argument at the Tribunal hearing in support of the Town’s refusal to grant the requested rezoning,” said CELA lawyer Richard Lindgren, who now represents KNG. Another CELA lawyer, Jacqueline Wilson, will be co-counsel for KNG.

On behalf of KNG, the CELA lawyers have requested that the Tribunal grant KNG party status so that the group can fully participate in the hearing. At present, it is unknown when the Tribunal will rule on the KNG request, or when the appeal hearing will be held.

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For more information, or to arrange an interview, please contact:

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Canadian Environmental Law Association