



Alberta community establishes precedent for Property Value Protection

Ward 5 Councilor and City Solicitor to lead Ottawa negotiations for Host Community Agreement and Property Value Protection for new landfill on Carp Rd.

For Immediate Release

November 4, 2014 (Ottawa) – In a letter sent this week to Eli El Chantiry - Councilor for Ward 5 West Carleton March, the Mayor of Ottawa and the City Solicitor, the Don't Let Ottawa Go To Waste (DLOGTW) campaign is asking the City to use an agreement between the Township of Thorhild, Alberta, a community of about 3,500 people north of Edmonton and Waste Management of Canada (WM) as a template for negotiating property value protection (PVP) and a new Host Community Agreement (HCA) related to WM's proposed new landfill on Carp Rd. The group is also asking the City of Ottawa to adopt a more transparent process for the negotiations than was the case in 2001, when the Host Community Agreement for the old Carp landfill was negotiated behind the scenes and voted on by City Council in camera.

Property owners in Thorhild, Alberta who live near a very large and new WM landfill serving the Edmonton area are eligible for pre-defined PVP as well as annual financial compensation for living near the landfill. The details of the plan are included as part of the HCA between the Township of Thorhild, Alberta and WM. In Thorhild the Township and residents were able to negotiate a fixed annual impact benefit, a defined property value protection plan for properties within 1.5 miles (2.4 km.) of the landfill, as well as annual testing of water wells and financial compensation to the community.

Presently the City of Ottawa is or will be negotiating a HCA with WM for the new landfill on Carp Road. The HCA is supposed to include Property Value Protection, a condition imposed by the Minister of Environment when the Environmental Assessment (EA) was approved in August 2013. To date, there is no pre-determined plan for annual compensation or well testing in the PVP proposed by WM in the EA.

In addition, the PVP described in the EA only provides property value protection to homes defined by WM as eligible. However, what determines eligibility was not explained in the PVP and the EA does not identify any homes or properties as being eligible.

Distribution of homes in proximity to the new Carp Rd. landfill

Distance from landfill	Approximate No. of Homes
500 m	7 (5 owned by WM)
1000m	34
1500m	120
2000m	200
2500m	500+ part of Timbermere
3000m	1000+ part of Timbermere and Jackson Trails

“In our opinion, the City of Ottawa and the Ontario government should look at what was negotiated with the community in Thorhild. We’d rather not have a landfill at all, but if we have to live with another giant dump in our back yard it’s only right that property owners be fairly protected and compensated,” says DLOGTW volunteer, Harold Moore. “It’s well documented that the value of property near a landfill is impacted. The degree of impact will vary depending on the size of the landfill, how well it is operated and how close you are to it. There’s also a negative stigma associated with living near a landfill. These factors all affect property values.”

The group is also asking the City of Ottawa to negotiate a fairer host community fee, the fee per tonne of garbage dumped in the landfill that is paid by the landfill operator to the host City or Township as compensation for having the landfill. The 2001 agreement between the City of Ottawa and WM identifies a host community fee of \$1 per tonne. Meanwhile, the Township of Warwick Ontario, home to WM’s Twin Creeks landfill, receives approximately \$3.20 per tonne of garbage and Essex-Windsor Ontario receives \$6.30 per tonne.

In August 2013, WM received approval for its EA to proceed with a new landfill on Carp Rd. In July 2014, the City of Ottawa conditionally approved WM’s request to rezone affected properties for the new landfill. In order to proceed further, WM must obtain a Site Plan approval from the City of Ottawa and Environmental Compliance Approvals from the MOE. These approvals are expected in the coming months. For more information on the DLOGTW, visit www.nodump.ca.

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***Supporting information can be found below.
The Thorhild, Alberta agreement is available on www.nodump.ca.***



TALE OF TWO DUMPS

Characteristic	Ontario	Alberta
Landfill Name	West Carleton Environmental Centre Landfill	Thorhild Landfill
Location	Ottawa	County of Thorhild No. 7
Province	Ontario	Alberta
Owner	Waste Management of Canada Corp.	Waste Management of Canada Corp.
Distance from Urban Area	1.5 km. (Ottawa)	98 km. (Edmonton)
Site		
Capacity	400,000 tonnes / yr.	500,000 tonnes / yr.
Height	32 m.	45 m.
Liner system	Double HDPE/clay liner	Double synthetic layer over a clay layer
Geology	Sand & till / fractured limestone	Clay till / shale
Property Value Protection	No properties not even property 400 m. from the footprint	All property within 1.5 miles (2.41 km.) from any quarter section with any part of the landfill footprint
Moving expense	None	\$10,000
Impact Benefits	None	\$15,000/yr within 0.5 miles (0.8 km.) \$10,000/yr within 1.0 miles (1.61 km.) \$5,000/yr within 1.5 miles (2.41 km.)
Groundwater	No testing of private wells	Testing of all private well and surface water ponds in the vicinity of the landfill
Geotechnical	Landfill cells will be built over sand and gravel	Will not build landfill cells over areas of continuous sand lens



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Information on the Thorhild PVPP is available at: <http://www.thorhildproject.ca/about-the-project/property-protection-program.jsp>

The following information is from minutes of the Thorhild Community Advisory Committee available at: <http://www.thorhildproject.ca/documents/2011-09-15%20WM%20Thorhild%20CAC%20Meeting%20Notes.pdf>

What is WM doing to compensate Thorhild near neighbours?

In response to concerns expressed by residents living near the Landfill, a Property Value Protection Plan (PVPP) has been developed to address these concerns and ensure that eligible residents do not suffer financial loss if their land values are affected during the operational life of the landfill.

The PVP Program is a voluntary program that will cover landowners within 1.5 miles immediately adjacent to the landfill lands who resided there prior to the announcement of the Landfill Project. Those landowners will be compensated for any demonstrable loss of land value should they decide to sell their property (actual loss must be demonstrated based on independent appraisals and offers to purchase). The application of the PVPP to individual landowners will be determined on a case-by-case basis. The general principles of the PVPP program are:

- land within 1.5 miles of the landfill will be guaranteed fair market value (FMV) by Waste Management should landowners wish to sell their land – for any reason;
- properties must be listed based on at least one certified appraisal by a licensed, third party appraiser, with the assumption that the landfill does not exist;
- should the property and improvements generate offers during a pre-set period of time lower than the appraised FMV, Waste Management will ensure that the landowner receives the FMV difference from the sale; and
- the PVP Program will take effect if and when the site is developed and will continue for as long as the landfill remains open.

The Impact/Benefit Program (I/BP) has been established to compensate immediate neighbours for any nuisances that they experience as a result of landfill operations. All residents whose homes were there prior to the announcement of the project within 1.5 miles of the boundary of the landfill lands will be eligible to participate in an “Impact/Benefit Program” as near neighbours. There will be three amounts of compensation provided, depending on the distance a household is from the landfill lands.

