

Full Grounds Supporting The Petition

Maintaining Responsible Green Waste Management in Métis-sur-Mer

Request to Pause the Closure of the Municipal Green Waste Site

Introduction

The Municipality of Métis-sur-Mer has announced that the municipal green waste site will close effective August 1, 2026.

It is our understanding that the Municipality's position is that closure is required by applicable law.

We support environmental protection. We support full compliance with the law. We support transparency and responsible municipal management.

However, based on the information made available to date and the answers provided concerning the decision, we believe that permanent closure is premature, that the legal and practical alternatives may not have been fully considered, and that the financial, environmental, operational, and community consequences have not been adequately assessed.

The timing is also unreasonably sudden. Closing the site in the middle of the busy summer season provides residents, seasonal property owners, contractors, and the Municipality itself with insufficient time to prepare, adjust, or establish workable alternatives.

We therefore request that the Municipality pause the implementation of the closure while it completes a transparent legal, operational, environmental, and financial review and conducts a meaningful public consultation.

This pause is particularly important because section 359 of the REAFIE is framed around an activity that was already underway on December 31, 2020 and may be permitted to continue. The cessation of the continuous operation may prevent the Municipality from relying on section 359 in the future. A permanent or indefinite closure before that issue is resolved therefore risks prejudicing, weakening, or eliminating transitional rights or protections that may otherwise be available. The prudent course is to preserve the legal and factual continuity of the operation until the Municipality has obtained qualified legal advice and, potentially confirmation from the Ministry regarding the site's transitional status and the effect of any interruption or closure.

If the Municipality has received a binding legal notice, order, directive, or other written requirement compelling it to close the site by August 1, 2026, we request that the document be made public, subject only to lawful redactions.

We also support the associated formal request for access to information seeking the principal legal, regulatory, financial, environmental, and operational records underlying the decision.

The Important Legal Distinction

The fact that the site's current method of operation may require modification does not necessarily mean that every possible municipal green waste service is prohibited.

These are two different propositions:

- the present operation may not comply fully with all applicable legal requirements; and
- no lawful, practical, and economically viable operating model is available.

The first proposition does not establish the second.

The Municipality should therefore not treat the issue as an all-or-nothing choice between continuing the present operation unchanged and permanently eliminating the service.

The proper question is whether the historical operation may benefit from a transitional provision or, alternatively, whether a modified and controlled service can lawfully continue under an exemption, declaration of compliance, ministerial authorization, or another applicable legal pathway.

The Historical Operation

It is our understanding that the municipal site has operated for many decades and that, on and before December 31, 2020, the materials permitted at the site were limited to:

- leaves
- branches
- clean soil; and
- possibly grass clippings and other organic landscaping debris

It is also our understanding that:

- construction materials were expressly prohibited
- household garbage was expressly prohibited
- other unrelated waste was expressly prohibited; and
- the nature of the permitted operation has not materially changed since December 31, 2020.

Occasional improper dumping may have occurred because the site was not continuously supervised. However, isolated violations by individual users are not the same as a municipal policy authorizing construction debris, household garbage, or other prohibited waste.

The relevant legal analysis should be based on the authorized and intended operation of the site, together with the steps reasonably available to improve enforcement and compliance.

A Possible Transitional Exception Under Section 359 of the REAFIE

The transitional provisions in section 359 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, commonly known as the REAFIE, may be relevant.

Section 359 may permit certain activities already underway on December 31, 2020 to continue, subject to the provision's conditions and limitations.

We do not claim that this exception conclusively applies.

Its application may depend on questions including:

- whether ministerial authorization was required for the activity on December 31, 2020
- the precise nature of the activity being carried out at that time
- whether the operation has since been expanded
- whether its capacity has materially increased
- whether the categories of accepted material have changed
- whether new equipment or processes have created additional environmental impacts; and
- whether the Ministry has previously addressed the legal status of the site.

However, given:

- the site's long history
- the limited range of permitted materials
- the express prohibition of construction material and other garbage; and

- the apparent continuity of the operation

we believe that section 359 raises a serious and credible transitional issue that must be properly analyzed before permanent closure is treated as legally unavoidable.

The Municipality should disclose any legal analysis, Ministry correspondence, inspection report, notice of non-compliance, warning, directive, demand, or order addressing the site's historical status or requiring its closure.

In particular, the Municipality should state clearly whether it has received any written notice requiring the site to cease operating immediately or permanently by August 1, 2026.

If no such binding requirement exists, that fact is highly relevant to whether the planned closure is necessary or premature.

Why Closure Risks Prejudicing Potential Transitional Rights

Section 359 does not expressly state what happens when a longstanding activity stops operating before its transitional status has been determined. We therefore do not claim that closure would necessarily extinguish any right or exemption. Equally, however, there is no basis at this stage to assume that cessation would be legally harmless.

The provision applies to an activity that was “in progress” on December 31, 2020 and provides that a qualifying activity may “continue” without further formalities. If the Municipality permanently or indefinitely ceases the operation before determining whether section 359 applies, the Ministry or a court could later take the position that a reopening is no longer the continuation of the historical activity, but instead the establishment or recommencement of an activity under the current regulatory regime.

Accordingly, closing the site now risks prejudicing, weakening, or eliminating transitional rights or protections that may otherwise be available to the Municipality. That risk has not been quantified or resolved, and the consequences could be irreversible. Closing first and analyzing the legal consequences afterward would therefore reverse the proper order of decision-making.

Unless a binding legal requirement compels immediate closure, the Municipality should preserve the site's present legal and factual continuity while it obtains:

- a qualified legal opinion on the application of section 359
- written confirmation from the Ministry concerning the site's transitional status
- written clarification of whether a temporary, indefinite, or permanent cessation would prejudice that status or the ability to resume the historical activity; and
- an assessment of whether continued limited operation, or a temporary compliance protocol, can preserve the status quo during the review.

This is not an argument for ignoring environmental requirements. It is an argument for avoiding a potentially irreversible step that could prejudice legal rights or protections before the Municipality has determined whether those rights exist and how cessation would affect them.

A Specific Authorization Exemption Under Section 280 of the REAFIE

Even if the historical operation does not benefit from the transitional provisions of section 359, the REAFIE contains a separate and concrete pathway that appears capable of preserving an important part of the service.

Section 280 of the REAFIE provides an exemption from ministerial authorization for a qualifying ecocentre where all applicable conditions are satisfied.

Among those conditions:

- the total volume of material present on the lot must remain below 100 cubic metres

- materials must be sorted at the source
- access to the site must be controlled
- the admissibility of incoming materials must be verifiable
- prohibited materials must not be accepted; and
- all other applicable conditions must be respected.

For organic material, the exemption expressly contemplates wood and leaves stored in bulk, subject to the other requirements of the provision.

Accordingly, Québec law does not appear to require the complete elimination of every municipal collection service for branches and leaves.

It expressly contemplates a qualifying ecocentre operating without ministerial authorization where:

- volumes are limited
- access is controlled
- incoming materials are verified; and
- only admissible materials are accepted.

This exemption may not preserve every element of the historical service.

However, it appears to provide a specific legal basis that may allow at least a controlled branch-and-leaf service to continue.

The Municipality should therefore not assume that the entire service must disappear merely because one material, activity, or aspect of the current operation may require different treatment.

Other Potential Legal Pathways

The applicable legal framework may also include:

- section 22 of the Environment Quality Act
- section 7 of the REAFIE
- declarations of compliance
- ministerial authorization procedures
- other regulatory exemptions
- other transitional provisions
- site-specific conditions
- Ministry guidance; and
- lawful arrangements with authorized regional facilities or service providers.

The Municipality should determine separately how each category of material may lawfully be managed.

Branches, leaves, grass clippings, and clean landscaping soil should not automatically be treated as a single all-or-nothing activity if different legal rules or operating models apply to different materials.

Even if the entire historical service cannot continue unchanged, every lawful and economically practical component should be preserved.

A Simple and Legally Compliant Operating Model

A compliant service may be achievable through a simple and practical operating model that does not require the site to be staffed full time.

The goal should not be to impose an elaborate system that a small municipality cannot reasonably administer.

A practical model could include:

- a locked gate

- controlled access to the lock
- video surveillance and electronic records of visits
- periodic inspections
- monitoring of material volumes
- clearly designated areas for permitted materials
- strict prohibition of construction debris, household garbage, and all other unauthorized waste
- if/when needed, periodic removal, chipping, transfer, or lawful processing of accumulated material; and
- suspension of intake before applicable volume or operating limits are exceeded.

Under one possible model, the Municipality could:

- keep the total volume of material at the site below 100 cubic metres
- accept only materials permitted under the applicable exemption or authorization
- monitor the site periodically rather than staff it continuously
- maintain clear signage and physical separation of materials
- use surveillance to identify violations
- if/when needed, remove or process material before regulatory limits are reached; and
- suspend acceptance of any material whose legal status has not been confirmed.

Such a system could provide substantially greater control and accountability than the present arrangement without creating a costly or labour-intensive municipal operation.

Municipal and Private Cost Must Be Considered Together

Closing the site will not eliminate the cost of managing leaves, branches, grass clippings, and landscaping soil.

It will transfer much of that cost directly to residents and property owners.

A decision should not be described as a municipal saving if it merely removes an expense from the municipal budget while imposing a substantially larger recurring expense on taxpayers.

The proper comparison is between:

- the complete cost of maintaining a lawful and controlled municipal service; and
- the complete public and private cost of closure.

That comparison must include not only the Municipality's direct operating costs, but also:

- costs transferred to residents
- contractor labour and travel costs
- fuel and vehicle expenses
- commercial disposal fees
- increased brown-bin collection costs
- illegal-dumping enforcement and cleanup
- additional transportation and emissions
- possible closure and remediation expenses; and
- long-term effects on property maintenance, municipal appeal, and property values.

Seasonal Property Owners and the Municipal Tax Base

Métis-sur-Mer has a large seasonal population and a significant number of seasonal properties.

Seasonal property owners contribute a substantial share of the Municipality's tax base while making comparatively limited year-round use of many municipal services.

The green waste site is one of the important municipal services on which many of them directly rely.

Many seasonal owners are not present during the spring and fall, when large quantities of leaves, branches, soil, and other landscaping material must be removed.

As a result, they depend on landscapers, caretakers, and other contractors to maintain their properties and transport green waste on their behalf.

Eliminating a key service relied upon by a major part of the tax base, without a full analysis of the consequences and practical alternatives, raises a basic issue of fairness.

An Unjust Transfer of Cost to Taxpayers

If contractors must transport material to another facility, residents will face additional charges for:

- labour and travel time
- fuel
- truck and trailer use
- vehicle wear
- loading and unloading
- waiting in line
- repeated annual trips; and
- commercial disposal fees.

Because contractors are acting commercially, material that a resident might otherwise be permitted to deliver without charge may instead be subject to substantial commercial fees.

We understand that these fees may be approximately \$200 per tonne, subject to final confirmation.

Some residents have already reportedly been quoted thousands of dollars per year in additional charges beginning August 1.

Given:

- the number of seasonal homes
- the size of many properties
- the quantity and weight of green waste generated each year
- the number of annual trips required; and
- the combination of labour, transportation, and disposal charges
- the total recurring cost transferred to residents could potentially reach into the hundreds of thousands of dollars per year for the foreseeable future (totalling millions of dollars over time).

If closure is motivated in whole or in part by municipal cost savings, we believe it would be unjust and ill-considered to impose such a large recurring cost on taxpayers without first determining whether the Municipality can preserve the service at no additional cost or at a comparatively modest cost.

A small municipal saving that imposes a much larger recurring cost on taxpayers is not a genuine saving.

It is a transfer of cost.

Brown Bins Are Not a Practical Substitute

It has been suggested that residents can simply use brown bins because there is no fixed limit on the number of bins that may be placed for collection.

That is not a realistic substitute for the green waste site.

Many properties may generate the equivalent of:

- 30 or more brown bins at the beginning of the season;
- a dozen or more bins at the end of the season; and
- multiple bins per week of grass clippings during the summer.

Branches, soil, large seasonal volumes, and other landscaping material may also be unsuitable or impractical for ordinary brown-bin collection.

A major increase in the number and weight of brown bins would almost certainly increase:

- collection time
- labour requirements
- truck capacity demands
- fuel use
- transportation costs
- processing costs; and
- the overall cost of the municipal organics program.

The Municipality may therefore save little or nothing by closing the site.

It may instead replace a relatively inexpensive local service with:

- higher brown-bin collection costs
- increased processing costs
- more vehicle use
- increased illegal dumping
- additional enforcement; and
- additional cleanup expenses.

The proposed closure may therefore be penny-wise and pound-foolish.

Closure May Not Be the More Environmentally Responsible Option

Closing the site may appear environmentally responsible at first glance.

However, the full environmental consequences should be assessed.

If closure results in:

- longer contractor trips
- more truck and trailer use
- greater fuel consumption
- additional vehicle emissions
- increased traffic to regional facilities
- substantially increased brown-bin collection
- more transportation to distant processing locations; or
- increased unauthorized dumping

the overall environmental impact may be worse than that of a properly controlled local service.

A local site with:

- restricted materials
- controlled access
- monitored volumes
- periodic inspections
- surveillance

- regular removal; and
- proper processing

may produce a better environmental outcome than dispersing the same material across longer transportation routes and less controlled disposal options.

Environmental protection requires an assessment of the actual consequences of each option.

It should not be assumed that closing a local site automatically produces the best environmental result.

Illegal Dumping and Other Municipal Costs

Removing a convenient legal disposal option is also likely to increase unauthorized dumping.

Branches, leaves, soil, grass clippings, and other material may be left:

- along rural roads
- on municipal land
- on private property
- in woodlots
- in ditches
- on isolated roads and ranges
- near waterways
- at the closed site entrance; or
- at other unauthorized locations.

This could create:

- environmental harm
- fire risks
- blocked drainage
- visual degradation
- burdens on private landowners
- municipal cleanup expenses
- transportation costs
- enforcement costs; and
- disputes over responsibility.

The Municipality should therefore compare the total cost of closure with the total cost of maintaining a compliant site, including all foreseeable secondary consequences.

It should not assume that closure will save money or produce a better environmental result without a rigorous and documented analysis.

Protecting the Character and Appeal of Métis-sur-Mer

Métis-sur-Mer is widely known as one of Québec's most beautiful and well-maintained historic villages.

Its landscaped properties, mature trees, gardens, historic homes, rural roads, riverfront and coastal setting, and overall appearance are central to its identity, reputation, and appeal.

Maintaining this standard requires substantial annual work, particularly on larger and seasonal properties.

Imposing a significant new recurring cost on property owners to maintain their land risks discouraging, reducing, or delaying necessary upkeep.

Over time, this could negatively affect:

- the appearance of properties
- the maintenance of gardens and historic homes

- the village's landscape and natural beauty
- property values
- tourism and seasonal visitation
- community pride
- the Municipality's reputation; and
- its long-term attractiveness to residents and property owners.

Eliminating an essential and long-standing service without a practical replacement risks undermining one of the Municipality's greatest strengths.

The consequences therefore extend beyond disposal fees.

They may affect the long-term beauty, heritage, desirability, and economic vitality of Métis-sur-Mer.

Community Funding and Practical Capital Improvements

Members of the community may be willing to contribute voluntarily toward practical capital improvements that would help preserve a controlled and compliant service, if such improvements are in fact required.

Potential contributions could support:

- a gate
- fencing
- cameras
- signage
- monitoring equipment
- access-control equipment
- a wood chipper
- professional studies; or
- other approved capital improvements.

Any such initiative should be transparent and subject to proper municipal accounting, procurement, and governance.

Voluntary contributions would not transfer the Municipality's legal or regulatory responsibilities to residents.

The Municipality would remain responsible for ensuring that the site operates lawfully.

However, the possibility of community support further demonstrates that permanent closure should not be treated as the only available option before practical alternatives have been explored.

Transparency and Access to Information

The public is entitled to understand the principal legal, factual, financial, environmental, and operational basis for the decision.

We therefore request that the Municipality disclose, in accordance with the Act respecting Access to documents held by public bodies and the Protection of personal information, all releasable records concerning:

- the legal and regulatory basis for the closure, including any notice, warning, directive, order, Ministry communication, legal opinion, or analysis
- the historical operation and legal status of the site, including any analysis of sections 280 and 359 of the REAFIE
- any analysis, opinion, Ministry communication, or internal discussion concerning whether a temporary, indefinite, or permanent cessation could affect the site's transitional status or the ability to resume the historical activity;
- the alternatives considered, including possible compliant operating models;

- the financial analysis supporting the decision, including closure costs, compliance costs, brown-bin impacts, illegal-dumping costs, and costs transferred to residents; and
- the environmental and operational consequences of closure.

A separate and more detailed access-to-information request identifies the requested documents with greater specificity.

[\[Read the full Access-to-Information request\]](#)

The purpose of that request is not to burden the Municipality unnecessarily.

It is to establish the facts, understand the basis for the decision, and allow residents and taxpayers to evaluate whether closure is legally necessary, financially responsible, environmentally sound, and practically justified.

Public Consultation

The Municipality should conduct a meaningful public consultation before permanently limiting or eliminating the service.

That consultation should occur during the month of August, while the many seasonal residents and property owners who rely upon the service are present and able to participate.

The consultation should include:

- publication of the principal legal analysis
- publication of any binding notice or order requiring closure
- publication of the main financial and environmental analyses
- presentation of the alternatives considered
- an opportunity for residents and contractors to ask questions
- an opportunity to submit written comments
- a clear explanation of the proposed replacement services; and
- a public response to the principal concerns raised.

Consultation should occur before the decision becomes irreversible and before any potential transitional position is prejudiced by an unnecessary cessation of continuous operation.

What We Are Asking Council to Do

We, the undersigned, respectfully request that the Municipal Council of Métis-sur-Mer:

- Stay or postpone the closure scheduled for August 1, 2026, and preserve the legal and factual continuity of the existing operation while its status is examined, unless the Municipality is subject to a binding legal notice, order, directive, or other written requirement compelling closure by that date.
- Make public any such legal notice or requirement, subject only to lawful redactions.
- Publish the precise legal and factual basis for the decision, including the principal Ministry communications, reports, warnings, directives, demands, orders, or legal analyses on which it relies.
- Recognize and properly analyze the historical factual position that the site accepted clean landscaping soil, leaves, branches, and grass clippings on and before December 31, 2020, prohibited construction materials and other garbage, and has not materially changed the nature of its permitted operation since that date.
- Obtain and publish a qualified legal analysis of section 359 of the REAFIE, including whether the historical operation may benefit from its transitional provisions.
- Obtain written clarification of whether a temporary, indefinite, or permanent cessation could affect any transitional protection or the Municipality's ability to resume the historical activity.
- Avoid taking an irreversible step that could prejudice a potentially valuable legal status before that analysis and clarification have been completed.

- Determine whether the Municipality can operate an ecocentre exempt from ministerial authorization under section 280 of the REAFIE, including a facility that:
 - keeps the total volume of material below 100 cubic metres
 - accepts only admissible materials
 - controls access
 - verifies incoming materials; and
 - complies with all other applicable conditions.
- Investigate every other potentially applicable exemption, declaration-of-compliance process, authorization pathway, or transitional provision.
- Determine separately the lawful treatment available for each material, rather than treating branches, leaves, grass clippings, and clean landscaping soil as a single all-or-nothing activity.
- Develop and evaluate a simple controlled operating model using:
 - a locked gate
 - controlled access
 - video surveillance
 - electronic records of visits
 - periodic inspections
 - volume monitoring
 - material separation
 - strict exclusion of unauthorized waste; and
 - periodic removal or processing.
- Calculate and publicly compare the total cost of maintaining a compliant service with the total cost of closure, including:
 - costs transferred to residents
 - commercial disposal fees
 - contractor labour and transportation costs
 - increased brown-bin collection and processing costs
 - illegal-dumping cleanup
 - enforcement costs
 - closure and remediation expenses
 - environmental consequences; and
 - all other foreseeable municipal and private costs.
- Disclose the relevant municipal records and financial-impact analyses, subject only to lawful protections for confidential information.
- Respond fully to the associated formal Access-to-Information request.
- Assess the full environmental consequences of closure, including transportation, emissions, increased collection, and illegal dumping.
- Consider the long-term effect on the beauty, heritage, reputation, property values, and appeal of Métis-sur-Mer.
- Hold a meaningful public consultation during August, while the many seasonal residents and property owners who rely on the service are present and able to participate.
- Maintain every component of the municipal green waste service that can lawfully, practically, and economically be preserved.

Conclusion

This petition does not ask the Municipality to ignore applicable law.

It asks the Municipality to pause an abrupt and potentially costly decision that appears not to have been fully and transparently considered.

The current operation may require changes.

That is not the same as proving that no lawful and economically viable service can continue.

The site's long history and apparent continuity raise a serious transitional question under section 359 of the REAFIE. **Because that provision concerns an activity already underway that may continue, permanently or indefinitely stopping the operation before its status is determined risks prejudicing, weakening, or eliminating transitional rights or protections that may otherwise be available.** The regulation does not expressly establish automatic forfeiture upon interruption, but neither does it establish that cessation would be harmless. That unresolved risk is itself sufficient to justify preserving the legal and factual continuity of the operation while the issue is examined.

Québec law also expressly provides an exemption from ministerial authorization for a qualifying ecocentre holding less than 100 cubic metres of admissible material, including wood and bulk leaves, where access and incoming materials are properly controlled.

That exemption may not preserve every element of the historical service, but it demonstrates that permanent elimination of the entire service is not the only possibility that deserves consideration.

Before permanently eliminating a long-standing service relied upon by a substantial part of the municipal tax base, the Municipality should:

- establish the actual legal requirements
- determine whether a transitional exception applies
- determine whether the section 280 exemption can preserve part of the service
- assess other simple and practical compliance options
- disclose the relevant records
- calculate the true public and private costs
- consider the impact on brown-bin collection and illegal dumping
- evaluate the full environmental consequences
- consider the long-term effect on the beauty, heritage, reputation, and appeal of Métis-sur-Mer
- determine whether cessation could prejudice any transitional status before allowing the operation to stop; and
- consult the community while seasonal residents are present.

Permanent closure may transfer hundreds of thousands of dollars in annual recurring costs to residents for the foreseeable future.

It may fail to produce any real municipal savings.

It may increase municipal collection, enforcement, and cleanup costs.

It may also produce environmental and community consequences greater than those associated with a properly controlled local service.

We therefore request a pause in the closure while this work is completed.

RELATED DOCUMENTS

[\[Return to the petition summary and signature page\]](#)

[\[Read the full Access-to-Information request\]](#)