

FOOD AND YARD WASTE DIVERSION: BYLAW 20M2001 AMENDMENTS

EXECUTIVE SUMMARY

Council approval is required to amend the Waste and Recycling Bylaw 20M2001 (Bylaw) to support food and yard waste diversion in the Single Family (SF), Multi-family (MF), and the Industrial, Commercial and Institutional (ICI) sectors.

Previous Bylaw amendments have facilitated diversion of recyclable material in SF (2009), MF (2014) and ICI (2015). The next major step in meeting The City's waste diversion goals is to remove food and yard waste material from the garbage stream.

Recent surveys, as well as feedback from the ICI Working Group, have indicated stakeholder support for the implementation of Green Cart city-wide and the introduction of mandatory food and yard waste diversion across all sectors.

In order to provide program clarity, amendments to the Bylaw are required. Attachment 1 is a Summary of the Bylaw amendments and Attachment 2 is the Proposed Wording for the Amending Bylaw, as supplied by Law. A majority of the bylaw amendments will come into effect on 2017 November 1, a year after approval, allowing sufficient time for MF and ICI industry stakeholders to prepare and adapt for the implementation of food and yard waste diversion. The remaining amendments will come into effect on the date the Bylaw is passed; these include some housekeeping amendments and prepare the Bylaw for incorporation of green cart program rates during the Mid Cycle Adjustment process in November 2016. Attachment 3 provides a timeline of previous and upcoming bylaw changes.

ADMINISTRATION RECOMMENDATION:

That the SPC on Utilities and Corporate Services recommends that Council give three readings to the proposed Bylaw to amend the Waste and Recycling Bylaw 20M2001.

RECOMMENDATION OF THE SPC ON UTILITIES AND CORPORATE SERVICES, DATED 2016 OCTOBER 19:

That Council give three readings to **Proposed Bylaw 40M2016** to amend the Waste and Recycling Bylaw 20M2001.

Excerpt from the Minutes of the Regular Meeting of the SPC on Utilities and Corporate Services, Held 2016 October 19:

"And further, that the Administration Distribution received with respect to Report UCS2016-0692 be attached to the Report prior to being forwarded to Council."

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PREVIOUS COUNCIL DIRECTION / POLICY

On 2015 October 5, Council approved Report UCS2015-0690 (Industrial, Commercial, and Institutional (ICI) Organics Diversion Strategy), and directed Administration to:

1. Implement the ICI Organics Diversion Strategy; and
2. Return to Council with amendments to the Waste & Recycling Bylaw (20M2001) no later than Q4 2016 with implementation scheduled for Q4 2017.

BACKGROUND

Food and yard waste make up 65 per cent of the waste generated by the SF sector, 39 percent of the waste generated by the MF sector and 24 per cent of the waste generated by the ICI sector, or in total, approximately 227,500 tonnes sent to City of Calgary landfills annually. Food and yard waste material in a landfill produce greenhouse gases (GHG) and leachate, take up valuable space in the landfill, and eliminate the opportunity to produce a value-added, marketable compost product. Composting of food and yard waste materials reduces the production of GHGs and leachate, produces a commercially marketable product, is essential to achieving Council approved diversion strategy and avoids future costs by extending the life of existing landfill space.

The Bylaw requires amendments for SF homeowners to utilize their Green Carts properly; owners and occupants of MF residences to implement food and yard waste diversion; and owners and occupants of ICI establishments to implement food and yard waste diversion. Waste & Recycling Services (WRS) is deliberately targeting all three waste generation sectors simultaneously in order to have consistency across the city. All Calgarians will have access to food and yard waste diversion whether at home or at work. To simplify this goal, the food and yard waste material list to be diverted are the same for all three sectors.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

The proposed changes to the Bylaw introduce new sections designed to require food and yard waste diversion, and to enable enforcement with fines consistent with the existing Bylaw fine schedule. It is intended that infractions will initially be addressed with communication and education strategies, with enforcement only considered as a last resort.

The proposed amendments were developed in consultation with the Law Department and include:

- Definitions: New definitions including *“compostable bag”*, *“food and yard waste material”* and *“food and yard waste material recovery facility”*.
- General Rule 6: Add *“an automated collection container”* to General Rule 6. General Rule prohibits the depositing of waste in any container without the consent of the property owner. The added wording now covers all types of waste containers.
- Collection of Waste in Automated Collection Containers: The Bylaw now specifies that if *“waste”* is set out for collection in an *“automated collection container”* at a single family residence, the owner must place *“garbage”* in their black cart, *“residential recyclable material”* in their blue cart, and *“food and yard waste material”* in their green cart.

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- Expanded Sections: “Food and yard waste material” added to Section 42.2 (Residential Recycling Services), Section 42.4 (Recycling at Multi-Residential Complexes¹) and Section 42.5 (Recycling Waste at Non-residential parcels).
- Mandatory Education: In Sections 42.4 and 42.5, the property owner will be required to provide information to occupants on what materials need to be source separated and the proper method of preparing and sorting waste material for collection.
- Waste Generation: In Section 42.6, a non-residential parcel that does not routinely generate recyclable materials or food and yard waste materials may apply to the Director, Waste and Recycling Services to be exempted from the requirements of section 42.5.

These amendments outline the responsibilities of residential and non-residential property owners and occupants in the collection and storage of food and yard waste apart from garbage and recyclable material. Clauses in these sections will ensure that the separated food and yard waste material are sent to a facility that reuses, repurposes or processes the material, but do not prohibit the use of on-site composting.

- Schedule A – Fines and Penalties: Fines were added for new food and yard waste material diversion requirements. The new fines are consistent with the existing fines.
- Schedule E – Food and Yard Waste Material: Food and yard waste material that is accepted in the Green Cart Program for SF and required to be diverted by haulers and processors serving the MF and ICI sectors. These materials are suitable for composting.

There are a variety of MF complexes and commercial properties in the city, which means the adequacy of food and yard waste material containers will vary depending on the property size, volume of food and yard waste material generated, and collection service schedule. The Bylaw provides the property owner with discretion to determine how to best address the food and yard waste material diversion needs, including adequate containers, at any given site.

Stakeholder Engagement, Research and Communication

WRS has been conducting a Green Cart pilot program in four Calgary communities since 2012. Surveys of participants and waste characterization studies have shown high participation and low contamination in the Green Cart program.

WRS has been engaging external MF and ICI stakeholders since 2012. Current engagement is conducted with an ICI Working Group consisting of businesses and organizations (waste generators), MF and ICI waste hauling service providers, processors, and associations/NGOs on a regular basis. The Working Group sessions provided a venue to inform stakeholders about the upcoming food and yard waste Bylaw changes and obtain feedback. Through the Working Group engagement process both ICI and MF stakeholder groups have been supportive of the introduction of mandatory food and yard waste diversion. From a recent Ipsos Reid survey

¹‘Multi-residential complexes’, as referred to in the Waste and Recycling Bylaw is commonly referred to as ‘multi-family recycling’. These two terms can be used interchangeably.

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completed this year, 80 percent of MF respondents are supportive of the implementation of a MF food and yard waste strategy. The survey respondents were also supportive, at 85 percent, of the implementation of a MF food and yard waste strategy if it is rolled out similarly to recycling.

A survey of food and yard waste processors indicated there is sufficient capacity in the Calgary area to handle MF and ICI food and yard waste. SF food and yard waste will be processed by The City of Calgary Composting facility at Shepard.

To support the amendments to the Bylaw, WRS consulted with internal stakeholders including: WRS operations, Law, Calgary Community Standards, City-Wide Policy and Integration, Environmental & Safety Management, and the Corporate Planning Applications Group. This consultation was to ensure the Food and Yard Waste diversion amendments would not impact existing operations or other bylaws and would support the goals of The Corporation.

WRS will provide ongoing communication and education with stakeholders on food and yard waste diversion and the corresponding Bylaw amendments.

Strategic Alignment

Implementing food and yard waste diversion is one of Council's Outcomes in the 2015 to 2018 Action Plan – H1 (Implement the green cart program, and multi-family recycling strategy, and reduce industrial, commercial and institutional waste in our landfills).

Social, Environmental, Economic (External)

Social

Diverting food and yard waste from landfills requires changes in behaviour by Calgarians. Implementation of waste diversion programs, like food and yard waste diversion, will make Calgary a more attractive place to live and increase Calgary's reputation as an environmentally-friendly city.

Environmental

Diverting food and yard waste from landfills is a critical component of reducing Calgary's impact on land, air and water. Diverting food and yard waste redirects natural resources back into the economy and reduces future contamination and environmental liability.

Economic

Waste diversion supports an increase in jobs and stimulates economic growth. The City's diversion strategies and programs are supporting the growth of private businesses and fueling innovation in the industry. Waste haulers are expanding their operations to satisfy the demand for food and yard waste diversion. Infrastructure is being developed and jobs created because of the expansion of existing waste management companies, as well as the creation of new businesses.

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Financial Capacity

Current and Future Operating Budget:

Resources for the implementation of the Green Cart program are included in Action Plan 2015-2018.

Current and Future Capital Budget:

Amending the bylaw will not incur a capital cost.

Risk Assessment

If homeowners, property owners, occupants and service providers do not comply with the Bylaw amendments there is a risk that food and yard waste material will not be diverted from the waste stream.

Education and communication will be used to mitigate this risk. For MF and ICI property owners, approval of the Bylaw amendments in 2016 October will allow sufficient time to educate these property owners on their requirements to arrange for service contracts and containers, and for property owners to educate their occupants about these requirements prior to the bylaw amendments coming into effect on 2017 November 1.

REASONS FOR RECOMMENDATION:

Implementing food and yard waste diversion supports the Council Priority of a healthy and green city as part of the 2015-2018 Action Plan. The Bylaw amendments proposed will bring clarity to homeowners, property owners and occupants ensuring that all properties participate in food and yard waste diversion.

ATTACHMENTS

1. Amending Bylaw Summary
2. **Proposed Bylaw 40M2016**
3. Timeline of Recycling and Organics Bylaw Amendments
4. **Administration Distribution Received at the Meeting**