

## **INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL RECYCLING STRATEGY: BYLAW 20M2001 AMENDMENT**

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### **EXECUTIVE SUMMARY**

Council approval is required to amend the Waste and Recycling Bylaw 20M2001 (Bylaw) to support the Industrial, Commercial and Institutional (ICI)<sup>1</sup> recycling strategy, which is a part of the overall ICI Waste Diversion Strategy approved by Council on 2014 May 12 (Attachment 1).

In 2012, Waste & Recycling Services (WRS) developed an extensive and ongoing engagement process with stakeholders in the ICI sector, and the results show that there is strong support for a city-wide ICI recycling program. The stakeholders prefer a solution where the Bylaw establishes the requirements for recycling at ICI establishments. Property owners will be required to provide on-site storage and collection of recyclables. The City will assist property owners and occupants by providing communication, education and monitoring, and continued stakeholder engagement.

In order to provide program clarity and ease of implementation, amendments to the Bylaw (Attachment 2) are required. Bylaw amendments will come into effect on 2016 November 1, allowing sufficient time for property owners, occupants, and industry to prepare and adapt for the implementation of the ICI recycling strategy.

### **ADMINISTRATION RECOMMENDATION(S)**

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 to come into effect 2016 November 1.

### **PREVIOUS COUNCIL DIRECTION / POLICY**

On 2014 May 12, Council approved Report UCS2014-0259 (Industrial, Commercial, and Institutional (ICI) Waste Diversion Strategy), and directed Administration to:

1. Implement the ICI Waste Diversion Strategy, as outlined in Attachment 1;
2. Return to Council with amendments to the Waste & Recycling Bylaw (20M2001) no later than 2015 September; and
3. Return to Council with an ICI Organics Specific Diversion Strategy based on the timelines presented in Attachment 1, no later than 2015 September.

### **BACKGROUND**

The ICI sector is the largest of the four sectors in Calgary in terms of waste generated. In 2014, the sector contained over 160,000 businesses, employed 780,000 workers and produced 217,000 tonnes of waste, which is 38 per cent of the total waste disposed in City landfills. It is the most complex of the waste sectors due to the number and diversity of stakeholders, building sizes and types, variety of collection infrastructure, service provision and the uniqueness of the waste stream.

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<sup>1</sup> The waste management industry uses the term ICI; however the term “non-residential” has been used interchangeably to capture non-residential establishments that may not be strictly defined as industrial, commercial or institutional.

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The ICI Waste Diversion Strategy targeted the most common materials in the waste stream (i.e. paper, cardboard and organics). These Bylaw amendments address the recycling component of this strategy.

WRS collaborated with Land Use Planning to determine the appropriate bylaw amendments to support the new ICI recycling requirements. The Land Use Bylaw 1P2007 focuses on waste and recycling facility infrastructure, while the Waste and Recycling Bylaw covers the storage and removal of recyclable materials. Amendments to the Waste and Recycling Bylaw were deemed appropriate for supporting the ICI recycling program.

The Bylaw needs to be amended to include requirements for owners and occupants of ICI establishments to implement the ICI recycling program as part of the ICI Waste Diversion Strategy. Property owners of ICI establishments will be required to provide adequate onsite storage space and containers for recyclable materials. This provision has been added to the amended Bylaw, and other sections added or modified to provide clarity for the implementation of the ICI recycling program.

### **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The proposed changes to the Bylaw introduce new sections designed to impose ICI recycling requirements and to enable enforcement with fines, consistent with existing fines. It is intended that infractions will initially be addressed with communications and education strategies, with enforcement only considered after this support.

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

- Definitions: New definitions including “*construction and demolition waste*” and “*non-residential parcel*”. The term “*recyclable material*” was changed to reflect “*residential recyclable material*” and “*non-residential recyclable material*”. Revised definitions include “*material recovery facility*” and “*multi-residential complex*”.
- Changes to Section 42.4 – Recycling at Multi-Residential Complexes: The wording was changed to clarify the rules regarding mixed use (combined multi-residential and commercial) developments and commercial tenants of those developments.
- NEW – Section 42.5 – Recycling at Non-Residential Parcels: This is a new section that will outline the responsibilities of non-residential property owners and occupants in collecting and storing non-residential recyclable materials apart from other waste and ensuring that the separated non-residential recyclable materials are sent to a material recovery facility.

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- Schedule A – Fines and Penalties: Fines were added for new ICI recycling requirements. The new fines are consistent with the existing fines.
- Schedule D – Non-residential Recyclable Materials: Schedule D includes the materials found in Schedule C (residential) plus materials more prevalent in the ICI waste stream.

The Bylaw intentionally does not impose strict parameters around what constitutes adequate recycling containers at ICI establishments. There are a large variety of ICI establishments in the city, which means the adequacy of recycling containers will vary depending on the nature of any particular establishment, volume of recyclable materials and service schedule. In accordance the property owner of an establishment has some discretion to determine how to best address the recycling needs of that establishment.

### **Stakeholder Engagement, Research and Communication**

Waste & Recycling Services (WRS) has been engaging external ICI stakeholders since 2012. Current engagement is conducted with an ICI Working Group consisting of waste generators, waste hauling service providers, recycling processors, and associations/NGOs on a regular basis. The Working Group sessions provided a venue to inform stakeholders about the upcoming Bylaw changes and get input, especially on what materials should be included in ICI recycling.

To support the amendments to the Bylaw, WRS consulted with internal stakeholders including: WRS operations, Law, Animal and Bylaw Services, City-Wide Policy and Integration (Planning Development and Assessment), and the Corporate Planning Applications Group. This consultation was to ensure that the ICI recycling strategy would not impact existing operations or other bylaws' and would support the goals of The Corporation.

Environmental & Safety Management will lead the implementation of ICI recycling at City facilities. WRS is collaborating with Land Use Planning on the development of Design Standards to advise property owners on the provision of minimum volume and space requirements.

WRS will provide ongoing communication and education with stakeholders on the ICI recycling strategy and Bylaw amendments

### **Strategic Alignment**

Implementing the ICI Waste Diversion Strategy 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 materials from landfills requires changes in behaviour by Calgarians. Implementation of waste diversion programs like ICI recycling will make Calgary a more attractive place to live and increase Calgary's reputation as an environment-friendly city. An extensive engagement

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process found that private industry has the expertise, technology, and capacity to handle ICI recyclable materials.

### **Environmental**

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

### **Economic**

Diversion programs create jobs and business opportunities in the transportation and processing of these ICI establishment recycling materials. Programs in other cities have shown minor negative impact on generators, while some Calgary generators indicated positive impact on their business as a whole.

### **Financial Capacity**

#### **Current and Future Operating Budget:**

Resources for the implementation of ICI recycling are included in Action Plan 2015-2018.

#### **Current and Future Capital Budget:**

Amending the bylaw will not incur a capital cost.

### **Risk Assessment**

If ICI property owners, occupants and service providers do not comply with the Bylaw amendments there is a risk that recyclable materials will not be diverted from the ICI waste stream.

Education and communication will be used to mitigate this risk. Approval of the Bylaw in 2015 September will allow sufficient time to educate ICI 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 2016 November 1.

### **REASON(S) FOR RECOMMENDATION(S):**

Implementing the Industrial, Commercial and Institutional (ICI) Recycling Strategy is one of Council's priorities in the 2015-2018 Action Plan. The Bylaw amendments will bring clarity to ICI property owners and occupants ensuring that all ICI establishments participate in recycling.

### **ATTACHMENT(S)**

1. Industrial, Commercial and Institutional (ICI) Waste Diversion Strategy, As Approved 2014 May 12
2. Text of a Proposed Bylaw to amend Bylaw 20M2001, the Waste and Recycling Bylaw