

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016

Item 9, Report No. 7, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 16, 2016.

9 WASTE FREE ONTARIO LEGISLATION REVIEW - COMMENTS FROM CITY OF VAUGHAN – CITY-WIDE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager of Public Works and the Director of Environmental Services, dated February 2, 2016, be approved; and**
- 2) That the following be approved in accordance with Communication C2 from the Deputy City Manager, Public Works and Director, Environmental Services, dated January 27, 2016:**
 - 1. That Council endorse the staff objectives outlined in this communication, on the proposed Waste Free Ontario Act and draft Strategy;**
 - 2. That Council authorize the Deputy City Manager, Public Works to draft a letter of comment to the Ministry of the Environment and Climate Change (MOECC), Region of York and the Association of Municipalities of Ontario (AMO) regarding the potential legislative change and to incorporate the comments in this report and any additional comments made by Council into the letter; and**
 - 3. That staff be directed to continue to collaborate with the Region of York and AMO throughout the legislative process to ensure that the objectives outlined in this communication are appropriately addressed.**

Recommendation

The Deputy City Manager of Public Works and the Director of Environmental Services recommend:

- 1. That the Deputy City Manager of Public Works be requested to complete consultations and bring forward draft comments for Council's consideration in a communication at the February 2, 2016 meeting of Committee of the Whole.**

Contribution to Sustainability

Managing solid waste contributes to Green Directions Vaughan Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate.

Economic Impact

The economic impact associated with the potential legislative change is presently unknown. Draft comments for Council's consideration will be prepared using existing internal resources and input from professional associations to which City staff belong.

The proposed legislation transfers the responsibility of blue box collection from municipalities to producers. Currently, municipal Blue Box Collection service costs are partially recovered from Waste Diversion Ontario. The City receives approximately \$1,000,000 per year for the collection of Blue Box material. The sustainability of this funding is in question. The transfer of responsibility may also have an impact on the 2018 Residential Waste Collection contract.

CITY OF VAUGHAN

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Communications Plan

Council's resolution in this matter will be submitted to the Ministry of the Environment and Climate Change through the Environmental Registry (EBR) process.

Purpose

The purpose of this report is to introduce the new Waste Free Ontario legislation and possible implications to the City of Vaughan waste collection services and to seek Council approval to complete consultations and bring forward draft comments on the proposed legislation. This legislation could have implication to blue box collection services for the citizens of Vaughan.

Background - Analysis and Options

The Ministry of Environment and Climate Change introduced Bill 151 (The Waste Free Ontario Act) on November 26th, 2015

The Waste Free Ontario Act proposes to overhaul Ontario's current recycling system by enacting the *Resource Recovery and Circular Economy Act* and the *Waste Diversion Transition Act*. Both of these Acts will replace the current Waste Diversion Act (2002) which utilizes industry funding organizations and industry stewardship plans to fund Ontario's waste diversion programs, including funding for collection of residential Blue Box material. If passed, the Waste Free Ontario Act would significantly change how recyclables, organics, and residential waste are managed in Ontario.

The Waste Diversion Transition Act would replace the existing Waste Diversion Act until such time as existing waste diversion programs, including Blue Box, are wound up and/or transitioned to the new producer responsibility framework.

The draft Resource Recovery and Circular Economy Act proposes to establish a list of provincial interests and enables the provincial government to release policy statements in respect to resource recovery and waste reduction. The Act will also empower a new Resource Productivity and Recovery Authority, replacing the current Waste Diversion Ontario (WDO), which will have delegated authority for oversight, compliance and enforcement.

The cost of the City's Blue Box collection service is currently partially recovered from Waste Diversion Ontario

Currently, waste management in Ontario is governed by the Waste Diversion Act. This Act obligates stewards, companies or first importers who produce packaging and printed paper, to fund 50 per cent of the total cost of waste management for materials they manufacture. In order to be eligible for the funding, municipalities are required to complete a yearly survey called the Municipal Datacall which is administered by Waste Diversion Ontario (WDO). To complete this survey, York Region collects tonnage and financial information from the nine local municipalities and combines it into one Datacall submission.

Through the Waste Diversion Ontario Blue Box program, the City receives approximately \$1,000,000 per year for the collection of Blue Box material.

A draft strategy setting out key objectives with respect to waste recovery has also been posted to the EBR

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016

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A draft Strategy for a Waste Free Ontario: Building the Circular Economy was posted on the Environmental Registry with Bill 151. This strategy sets out the province's objectives in relation to waste recovery. These objectives include using resources more effectively to reduce waste, creating a more efficient recycling system, and creating conditions to stimulate end-markets for recovered materials.

The draft strategy sets out an action plan which recognizes the provincial interest in achieving specific outcomes and developing policy statements to coordinate decision making across multiple sectors and players. The strategy also proposes to expand producer responsibility by placing full responsibility on producers to be accountable for their products and packaging at end-of-life.

Changes to Regulation 101/94 to remove requirements for municipalities to collect materials at the curb will be part of Blue Box transition consultation

Municipal Blue Box collection is currently a legislative requirement under Ontario Regulation 101/94 of the Environmental Protection Act. This regulation currently requires municipalities to collect and process the recyclable materials designated in the regulation. Under the draft strategy, this regulation would continue until the Blue Box program is transitioned to the new producer responsibility regime.

The proposed legislation has the potential to impact municipalities in the following ways:

- Impact on citizens with respect to blue box services
- Funding for blue box services
- Impacts on collection contracts
- Impacts on solid waste processing services as provided by municipalities

City staff are specifically interested in the impact on blue box services to the residents of Vaughan, the funding for this service and possible impact on the 2018 waste collection contract.

City staff continue to work with the Region of York, York Region municipalities, industry associations, and the Association of Municipalities of Ontario to provide the province with comprehensive comments on the proposed legislation and draft strategy

City staff have been heavily involved with and will continue to be at the forefront of any and all consultations with respect to the draft strategy and legislation. City staff have attended meetings with the Ministry of Environment and Climate Change, industry associations and the Region to discuss the comments and implications of this legislation. City staff will attend a meeting on January 20, 2016 hosted by the Association of Municipalities of Ontario. This consultative meeting will provide city staff with comments for Council's consideration in a communication.

Comments on the legislation and draft strategy are due to the MOECC by February 24th, 2016

The Waste Free Ontario Act is posted on the Environmental Registry (EBR #012-5832) for public review with comments due by February 24th, 2016. Staff are participating in consultations with their professional associations to investigate the proposed Act and recommend potential comments for submission.

Based on these ongoing consultations, draft formal comments will be prepared and brought forward for Council's consideration in a communication at the February 2, 2016 meeting of Committee of the Whole.

CITY OF VAUGHAN

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Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the Term of Council Priority of continuing to cultivate an environmentally responsible city through the management of the City's waste collection programs.

Regional Implications

Regional implications associated with the report are unknown at this time, however, solid waste management is a shared responsibility of the Region of York and the local municipalities. The City of Vaughan is responsible for solid waste collection, and the Region of York is responsible for waste processing and disposal.

Conclusion

It is an important opportunity for the City of Vaughan to provide the Ministry of the Environment and Climate Change with constructive comments on Bill 151, the Waste Free Ontario Act. City Staff are conducting consultations through their municipal sector professional associations and groups. The results of these consultations will be brought to Council in association with formal draft comments for consideration at the February 2, 2016 meeting of Committee of the Whole.

Attachments

N/A

Report prepared by:

Stephanie Sidler, Manager, Solid Waste Management, ext. 6309



C 2
COMMUNICATION

memorandum

CW

February 2/16
ITEM - 9

DATE: January 27, 2016

TO: Honourable Mayor Maurizio Bevilacqua and Members of Council

FROM: Paul Jankowski, Deputy City Manager, Public Works
Jennifer Rose, Director, Environmental Services

RE: **COMMUNICATION – COMMITTEE OF THE WHOLE – FEBRUARY 2, 2016**
ITEM # 9, REPORT NO. 6 - WASTE FREE ONTARIO LEGISLATION
ADDITIONAL INFORMATION AND DRAFT COMMENTS

RECOMMENDATIONS:

The Deputy City Manager of Public Works and the Director of Environmental Services recommend:

1. Council endorses staff objectives outlined in this communication, on the proposed Waste Free Ontario Act and draft Strategy
2. Council authorize the Deputy City Manager, Public Works to draft a letter of comment to the Ministry of the Environment and Climate Change (MOECC), Region of York and the Association of Municipalities of Ontario (AMO) regarding the potential legislative change and to incorporate the comments in this report and any additional comments made by Council into the letter.
3. That staff be directed to continue to collaborate with the Region of York and AMO throughout the legislative process to ensure that the objectives outlined in this communication are appropriately addressed.

BACKGROUND:

An overview of the Waste Free Ontario Act was provided as Item 9, Report 6, at Committee of the Whole on February 2, 2016

City staff attended a meeting with the Association of Municipalities of Ontario on January 20, 2016 to find a common response to the MOECC where key priorities were identified

This meeting was attended by approximately 160 people representing municipalities across Ontario and three top priorities were identified to be used for advocacy efforts by municipalities. These three top priorities identified are:

1. No clear role for municipalities in:
 - a. Blue box collecting and processing
 - b. Decision-making on programs and schemes for designated materials that will impact municipal integrated waste management systems
2. No clear requirements for producers to pay for designated materials that end up in municipal waste streams
3. Act will change core municipal legislated responsibilities identified in Regulation 101/94, Municipal Act, and Environmental Compliance Approvals; these need to be addressed to ensure municipalities are not encumbered with legislated responsibilities they no longer control.

City of Vaughan staff supports the intent of the Waste Free Ontario legislation

The intent of the legislation is to increase resource productivity in Ontario and reduce waste, and to enable an effective and efficient recycling system. Specifically, staff supports the following:

- Designating full responsibility to producers
- Update of the 3R's regulations to improve Industrial, Commercial and Institutional (ICI) and multi-residential waste diversion
- Organics action plan to reduce and divert more food waste from landfills
- Current designated recycling materials remain and more may be added

City of Vaughan staff has identified the following objectives as a framework for comments to the MOECC which are due on February 29, 2016New legislation should not cost the residents of Vaughan more for solid waste collection services

Many paper and packaging products end up in the wrong stream (e.g. recyclable plastic in the garbage). The legislation proposes full producer responsibility; however, it is unclear if municipalities would be compensated for managing designated materials which end up in the residential organics/garbage streams.

New legislation should maintain current levels of service for collection of recyclables

Currently, the City provides weekly curbside collection of solid waste to all citizens of single-family households as well as collection in the 51 grandfathered multi-residential complexes. This collection is provided on the same day of the week as all other residential waste collection. A seamless transition to full producer responsibility for collection would be least disruptive to the citizens of Vaughan.

New legislation should provide for continuation of current municipal waste collection contracts

The City has an integrated waste collection system which provides residents with convenient access to recycling, organics, garbage and bulky item collection. Existing contracts should be grandfathered with the enactment of the new legislation.

New legislation should ensure that City of Vaughan diversion programs objectives are maintained

Producer responsibility of recycling programs may lead to some currently collected items entering the waste stream as producers may elect to implement other recycling options such as take-back programs similar to the LCBO's bottle return program, rather than curbside collection. Citizens may elect to put currently collected recyclable items in the garbage. As funding for recycling programs will no longer be provided to municipalities, the City will be responsible for the collection and disposal of these items.

It is important that the City of Vaughan continues to work collaboratively with York Region and AMO to advocate for a strong municipal role.

Staff will continue to advocate for municipal and City of Vaughan interests in ongoing consultations as details of the legislation roll out. A letter of comment will be submitted to the Ministry of the Environment and Climate Change through the Environmental Registry.



memorandum

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'PJankowski'.

for Paul Jankowski
Deputy City Manager, Public Works

A handwritten signature in cursive script, appearing to read 'JRose'.

Jennifer Rose
Director, Environmental Services

Copy To: Stephanie Sidler, Manager of Solid Waste Management

COMMITTEE OF THE WHOLE – FEBRUARY 2, 2016

WASTE FREE ONTARIO LEGISLATION REVIEW - COMMENTS FROM CITY OF VAUGHAN – CITY-WIDE

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Stephanie Sidler, Manager, Solid Waste Management, ext. 6309

Respectfully submitted,

Paul Jankowski
Deputy City Manager, Public Works

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