



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Environmental Services Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	April 29, 2019
<b>SUBJECT/REPORT NO:</b>	Amendment to Solid Waste Management By-Law #09-067 (PW19030) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Ryan Kent (905) 546-2424 Extension 7686
<b>SUBMITTED BY:</b>	Craig Murdoch Director, Environmental Services Division Public Works Department
<b>SIGNATURE:</b>	

**RECOMMENDATIONS**

- (a) That Report PW19030, respecting changes to the Solid Waste Management By-law #09-067 be received;
- (b) That the By-law, attached as Appendix "A" to Report PW19030, which amends Solid Waste Management By-law No. #09-67 to prohibit leaf and yard waste in organic waste collection, which has been prepared in a form satisfactory to the City Solicitor, be approved by Council.

**EXECUTIVE SUMMARY**

This report provides rationale to amend the Solid Waste Management By-law to temporarily designate grass and leaf and yard waste as unacceptable items in the Green Bin program. On June 24, 2018, the Central Composting Facility (CCF) was temporarily shut down due to odour concerns. On September 26, 2018, Council approved the temporary removal of grass and leaf and yard waste in the green bin in support of the successful re-start of operations at the CCF. By banning these materials from the green bin, the City can maintain the current Ministry of Environment, Conservation and Parks (MECP) approved capacity at the CCF, reduce the potential for odours and eliminate organics being disposed of at the Glanbrook landfill. The amendment to the by-law will not cause a service reduction to residents as the current curbside collection program includes unlimited weekly collection of leaf and yard waste in acceptable brown paper bags or open top rigid containers. In order to enforce the

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temporary removal of grass and leaf and yard waste which will come into effect April 1, 2019, staff is asking Council to approve the recommendations in this report.

**Alternatives for Consideration – See page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: There are no financial implications associated with the recommendations.

Staffing: There are no staffing implications associated with the recommendations.

Legal: There are no legal implications associated with the recommendations. Legal Services provided advice in the preparation of the amendments to the by-law.

**HISTORICAL BACKGROUND**

On June 24, 2018, City staff initiated a shutdown of the CCF in response to odour concerns by residents in the surrounding neighbourhood. As part of the shutdown, the City immediately stopped accepting organic material from both Hamilton's Green Bin program and other municipalities. During the shutdown all City generated organic material collected through the green bin program was going to the Glanbrook landfill for final disposal with a small amount being sent to a third party processor.

Report PW18088 included a recommendation to temporarily remove grass and leaf and yard waste as acceptable material within the City's Green Bin program. Removing grass and leaf and yard waste from the green bin program allows the City to operate within the new annual capacity of the CCF as approved by the MECF, reduces the potential for odours in the composting process, promotes waste diversion from landfill and supports the successful re-start of CCF operations. Report PW18088 was approved by Council on September 26, 2018 and the recommendation to remove grass and leaf and yard waste from the Green Bin program is scheduled to come into effect April 1, 2019. Approving the removal well in advance of that date allowed for time to communicate the change to residents. Since October 2018, staff have been communicating the impending program change to residents via direct mail such as a postcard and the annual recycling and waste calendar, the City's website and social media channels and numerous advertising tactics. In addition to communicating the removal of grass and leaf and yard waste from the green bin program staff are educating and advertising the use of the weekly unlimited curbside leaf and yard waste program.

On February 4, 2019, the CCF received Source Separated Organic material for the first time since the shutdown at a reduced rate and will continue to receive material up to an annual rate of 20,000 tonnes.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

There are no relevant corporate policies which may be affect if Council approves the recommendations.

## **RELEVANT CONSULTATION**

Public Works staff worked with staff from the Legal Services Division of the Corporate Services Department to draft the amendment to the by-law.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Report PW18088, approved by Council on September 26, 2018 included a recommendation to temporarily remove grass and leaf and yard waste as acceptable material within the City's Green Bin program. At that time, all organic waste from the curbside green bin program was being landfilled as the CCF was closed to incoming material with a small amount being sent to a third party processor.

Rationale for the temporary removal of grass and leaf and yard waste from the green bin includes limiting the amount of organic material going to landfill which will assist with the City's overall rate of waste diversion, meeting the CCF new maximum tonnage capacity as approved by the MECP, reducing the potential for odours from the composting process and to promote the current unlimited weekly leaf and yard waste collection program. By banning this material, staff have been and will continue to provide communication and education to residents to encourage the use of their green bin for food waste and soiled paper products and to use open top rigid containers, kraft paper bags or bushel baskets for curbside collection of leaf and yard waste.

There are three required amendments to Solid Waste Management By-law 09-067 to formally ban grass and leaf and yard waste in the green bin:

- (1) In the definition of Organic Waste in section 1.1, remove the word yard from the definition and remove item (b) so that the definition reads as follows:

Organic Waste means animal and vegetable waste, excluding household pet waste and including, but not limited to, the following kitchen and other source separated organic waste materials:

- (a) baked goods, bone, coffee filters and grounds, tea bags, dairy products, eggs, grains, meat, fish, poultry, pasta, vegetables, fruits, peelings and nut shells; or

(2) soiled newsprint, paper bags, greasy pizza boxes, paper towels and microwave popcorn bags;

In the definition of Unacceptable Organic Waste in section 1.1, insert in alphabetical order:

- (a) Leaf and Yard Waste;
- (b) Grass clippings;
- (c) Plants;
- (d) Leaves;
- (e) Flowers; and

(3) Vegetable Garden;

In section 8.4 Conditions for Leaf and Yard Waste Collection, remove item (iv) so that it reads as follows:

No Owner or Occupant shall set out for collection, or permit to be set out for collection, any leaf and yard waste except in accordance with subsections (a) to (f) inclusive.

- (a) The only permitted containers for leaf and yard waste are:
  - (i) a rigid, reusable container with the lid removed;
  - (ii) a kraft paper bag with the top folded over; or
  - (iii) a bushel basket.

## **ALTERNATIVES FOR CONSIDERATION**

If amending the Solid Waste Management By-Law #09-067 is not approved, Collection staff will continue to collect grass and leaf and yard waste placed in green bins at the curb and dispose of it as waste at the Glanbrook Landfill. Outreach staff will continue educating residents to use the curbside leaf and yard waste program for all leaf and yard waste. Landfilling would be required to maintain the new CCF operational capacity of 20,000 tonnes and to reduce the potential for odours in the composting process. Thereby maintaining the requirement of the Environmental Compliance Agreement with the MECP.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Clean and Green**

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” - Amendment to By-law 09-067

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