

**2. COMMENTS ON THE REDUCING LITTER AND  
WASTE IN OUR COMMUNITIES DISCUSSION PAPER**

**COMMENTAIRES SUR LE DOCUMENT DE TRAVAIL *RÉDUIRE LES  
DÉCHETS DANS NOS COLLECTIVITÉS***

**COMMITTEE RECOMMENDATIONS**

That Council endorse the draft comments contained in Document 1 and direct staff to submit report ACS2019-PWE-GEN-0024 to the Ministry of Environment, Conservation and Parks as the City's final comments.

**RECOMMANDATIONS DU COMITÉ**

Que le Conseil approuve les commentaires provisoires figurant au document 1 et demande au personnel de présenter le rapport ACS2019-PWE-GEN-0024 au ministère de l'Environnement, de la Protection de la nature et des Parcs au titre des commentaires finaux de la Ville.

**DOCUMENTATION / DOCUMENTATION**

1. General Manager's Report, Public Works and Environmental Services Department dated 13 June 2019 (ACS2019-PWE-GEN-0024).

Rapport du Directeur général, Travaux publics et services environnementaux daté le 13 juin 2019 (ACS2019-PWE-GEN-0024).

2. Extract of Draft Minute, 25 June 2019.

Extrait de l'ébauche du procès-verbal, le 25 juin 2019.

**STANDING COMMITTEE ON  
ENVIRONMENTAL PROTECTION,  
WATER AND WASTE MANAGEMENT**

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**COMITÉ PERMANENT DE LA  
PROTECTION DE  
L'ENVIRONNEMENT, DE L'EAU ET  
DE LA GESTION DES DÉCHETS  
RAPPORT 4  
LE 10 JUILLET 2019**

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**Report to  
Rapport au:**

**Standing Committee on Environmental Protection, Water and Waste Management  
Comité permanent de la protection de l'environnement, de l'eau et de la gestion  
des déchets**

**25 June 2019 / 25 juin 2019**

**and Council  
et au Conseil**

**10 July 2019 / 10 juin 2019**

**Submitted on June 13, 2019**

**Soumis le 13 juin 2019**

**Submitted by**

**Soumis par:**

**Kevin Wylie, General Manager / Directeur général, Public Works and  
Environmental Services Department / Travaux publics et services  
environnementaux**

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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2019-PWE-GEN-0024**

**SUBJECT: Comments on the Reducing Litter and Waste in our Communities  
Discussion Paper**

**OBJET : Commentaires sur le document de travail *Réduire les déchets dans  
nos collectivités***

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## REPORT RECOMMENDATIONS

That the Standing Committee on Environmental Protection, Water and Waste Management recommend that Council endorse the draft comments contained in Document 1 and direct staff to submit report ACS2019-PWE-GEN-0024 to the Ministry of Environment, Conservation and Parks as the City's final comments.

## RECOMMANDATIONS DU RAPPORT

Que le Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets recommande au Conseil d'approuver les commentaires provisoires figurant au document 1 et demande au personnel de présenter le rapport ACS2019-PWE-GEN-0024 au ministère de l'Environnement, de la Protection de la nature et des Parcs au titre des commentaires finaux de la Ville.

## BACKGROUND

On November 29 2018, The Ministry of Environment, Conservation and Parks (MECP) released [Preserving and Protecting our Environment for Future Generations: A Made in Ontario Environment Plan](#), which outlines the Province's plan to:

- protect air, lakes and rivers;
- address climate change;
- reduce litter and waste; and
- conserve land and green space.

The City supported the [Association of Municipalities Ontario Response to Preserving and Protecting Our Environment for Future Generations](#) on behalf of the M3R Collaborative, which is a partnership between the Association of Municipalities of Ontario, Municipal Waste Association and municipalities represented on the Regional Public Works Commissioners of Ontario (RPWCO). The purpose of the Municipal 3Rs Collaborative is to develop and promote policies and programs on behalf of all municipalities in Ontario to support the transition to a circular economy.

On March 6, 2019 the MECP released further details on the plan to reduce litter and waste in a document called [Reducing Litter and Waste in Our Communities: A](#)

[Discussion Paper](#). The discussion paper sets out specific areas for consultation related to waste management throughout the Province and stakeholders were asked to submit comments. The areas of focus include:

- Preventing and reducing litter in neighbourhoods and parks;
- Increasing opportunities for Ontarians to reduce and divert waste;
- Transitioning to full producer responsibility;
- Reducing and diverting food and organic waste;
- Reducing plastics in landfills or waterways;
- Providing clearer rules for products claiming to be compostable;
- Exploring opportunities to recover the value of resources in waste; and,
- Supporting competitive and sustainable end-markets.

The Province has identified transitioning to full producer responsibility and advancing organics waste management as the most critical components to focus on in order to achieve the best outcomes consistent with the discussion paper.

## **DISCUSSION**

The Province has indicated their intent to work with municipalities to reduce litter and waste and are seeking input on their approach outlined in the discussion paper. Staff submitted draft comments on behalf of the City before the deadline of April 20, 2019, pending Council endorsement. The draft comments are included in Document 1 - Comments Regarding Reducing Litter and Waste in Our Communities: Discussion Paper, EBR Registry Number: 013-4689.

Overall, much of the discussion paper reflects many aspects of the Made-in-Ontario Environment Plan, the previous government's Strategy for a Waste-Free Ontario released in March 2017, as well as the Food and Organics Waste Policy Statement issued by the Province in April 2018. While the high-level Plan and discussion paper indicate the Province's support of the move to Extended Producer Responsibility and increased organics waste diversion, the exact timelines for these transitions and implementation of new programs remains unclear. Throughout the discussion paper, the Province indicates their intent to conduct extensive consultations before putting in place

any new requirements, but there is currently no indication of timelines for the consultation.

The transition of the Blue Box program to full producer responsibility through a regulation under the Resource Recovery and Circular Economy Act is the highest priority for the City of Ottawa. Having the producers who design products and packaging responsible for the end of life management of these materials will increase the economic utility of these resources and result in innovative collection, processing and marketing strategies to increase the amount of this material diverted from landfill.

The following is an overview of the discussion topics and a summary of the draft comments submitted by staff to the Province as draft pending Council endorsement.

### **Prevent and Reduce Litter in Neighbourhoods and Parks**

The Province will coordinate an Ontario-wide day of action on litter, support programs that clean up litter in Ontario's green spaces, move to producer responsibility and where feasible, shift responsibility for diversion of recyclables in parks and public spaces to producers. Education and awareness campaigns around the impacts of litter and waste will be strengthened through partnerships with municipal, non-profit and private partners and the Province will work with municipal partners to take strong actions against those who illegally dump waste or litter.

### **Staff Comments**

When the Province is considering support for a day of action, it is important to consider waste diversion options as many recyclables can be found in litter. The Province should ensure the day of action against litter aligns well with existing programs and initiatives operated by municipalities such as the City of Ottawa's "Cleaning the Capital Program". We would also welcome the Province's support to create additional visibility to these efforts. For example, the Ministry could:

- Coordinate province-wide messaging and seek partnership opportunities with sponsors to help fund or support municipal clean-up efforts;
- Provide information about best practices in addressing litter;
- Provide greater recognition to community leaders; and,

- Initiate voluntary actions across the Province, especially related to problematic litter such as fast-food packaging, cigarette butts and chewing gum.

The City faces many challenges related to litter and illegal dumping as litter pervades all aspects of our communities. Larger volumes of waste are being generated and its changing composition to lighter weighted plastics makes it easier to leak into our environment. Products and packaging such as cigarette butts, chewing gum, drink containers, snack wrappers, fast food packaging, and beverage cups are some of the most problematic litter types.

Managing litter in our communities does have an impact on our municipal budget and ultimately the burden is borne by municipal taxpayer. Staff support the notion of the Province exploring options for producer responsibility in the area of collecting and diverting recyclables in parks and public spaces. We also support a stronger action plan for those who illegally dump waste or litter in neighborhoods and parks and suggest the Province consider strengthening litter and illegal dumping laws, especially related to roadside litter.

### **Increase Opportunities for Ontarians to Reduce Waste**

The Province intends to target the Institutional, Commercial & Institutional (IC&I) sector and multi-residential buildings to increase the provincial diversion rate and reduce waste. A harmonized list of materials accepted in to the Blue Box program will also be developed and the Resource Productivity and Recovery Authority will collect information on waste diversion so the right information is collected to inform decision making.

### **Staff Comments**

The City supports the Province's intent on taking more action on waste reduction & diversion for the IC&I sectors given they represent 60% of Ontario's waste stream. We recommend the Province set appropriate targets, require mandatory waste audits and focus on enforcement for the IC&I sector. These sectors should be considered for early implementation.

The City supports the Province's commitment to increase waste diversion in multi-unit residential buildings. In Ottawa, residents living in multi-residential buildings only divert

17% of their waste, representing huge opportunities to increase diversion in this sector. The City recommends the Province consider:

- Reviewing the Ontario Building Code to ensure multi-unit buildings are better designed to accommodate source separation for all diversion streams, make participation in diversion streams as convenient as garbage, and include design requirements for the safe and efficient delivery of waste diversion programs and collection services;
- Providing information about best practices in addressing litter;
- Considering a standardized approach for multi-residential properties to increase diversion and participation in recycling programs;
- Provide funding opportunities for research, innovation and infrastructure upgrades, such as chute diverters, building expansions/upgrades to accommodate proper recycling infrastructure/storage, that may drive resource recovery in existing buildings that were built before recycling programs existed, as well as mixed waste processing to recover resources from the waste stream;
- Lead an Ontario-wide promotion and education campaign targeted at lagging areas such as multi-unit residential buildings. Require multi-unit residential owners to provide and post waste diversion information to residents;
- Place more emphasis on the role multi-unit residential building owners play in improving diversion in their facilities – it is not solely the responsibility of the municipal government;
- Standardize the materials collected across the Province as part of the move to full producer responsibility for paper, plastic and packaging; and,
- Expand the designation of recyclables not covered under current diversion programs to include common IC&I items such as power tools, appliances, furniture, mattresses and carpets.

The City welcomes the Province's consideration of designating new materials that are currently not covered under any of the existing diversion programs. The City recommends when reviewing a harmonized list of materials accepted in the Blue Box Program across the Province, that they take in consideration:

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- How these materials would be collected. Some materials may not be supported in the regular curbside collection system or other municipal supported programs.
- That this will cause impacts to municipalities whose technology cannot handle material that they may be regulated to take, potentially, resulting in more contamination.

### **Make Producers Responsible for their Waste**

The Province is proposing that producers be responsible for the full waste cycle of their products to reduce the burden on taxpayers and promote a competitive market for diversion. The transition to full producer responsibility will be led by the Province and will include transitioning the Blue Box program, Municipal Hazardous or Special Waste, Electrical and Electronic Equipment, and Used Tires.

### **Staff Comments**

The City requires timeline and framework certainty as soon as possible in order to develop interim steps that will enable a smooth transition that is seamless and disruption-free for residents of Ottawa. The transition of this program should expand and enhance, not disrupt services to residents and should include a fully funded and extensive outreach campaign. Furthermore, the City has assets and contractual concerns that must be considered, and having advanced timeline and framework certainty will enable the City to best position itself and municipal taxpayers for the transition.

Staff also suggest the Ministry consider other products and packaging that are not captured in recycling or re-use programs, but have inadvertently ended up in the landfill. This could include:

- Any product or package with an electrical current;
- Compostable products and packaging;
- Construction and demolition waste;
- Durable plastics such as children's toys, play structures, outdoor patio furniture and like products; and,
- "Flushable" products.



Staff also recommend that the Province consider establishing a financial policy that directs a portion of the fines imposed on producers for missing targets to municipalities as the impact of missing a target will impact local waste management programs.

### **Reduce and Divert Food and Organic Waste**

Educational tools and resources will be developed to support standardized promotion and education on preventing food waste. The Province will support the safe donation and rescuing of surplus food and expand green bin programs to keep food waste out of landfills. A proposal for a ban on food waste in landfills is being developed.

### **Staff Comments**

The City support initiatives that would prevent food waste, and agree with the Ministry's recommendations to build a culture of food avoidance and support the safe donation and rescue of surplus food.

Staff recommend the Province consider developing and implementing a provincial food reduction campaign to drive awareness and behaviour change. The campaign should be collaborative across the entire supply chain. Staff also recommend that the Province engage with the federal government on food waste prevention and discuss labelling.

Staff recommend that the consideration of food and/or organics disposal restrictions/ban needs to take into account the geographic and population differences in Ontario. It should also take into account the work already taken by municipalities to fund infrastructure, collection and education programs to drive the majority of organics diversion in the province. The proposal to ban food waste from landfills must involve extensive consultations and be tailored to each community's specific needs.

Organics management programs are significantly more-costly than other waste management services and in the absence of any provincial funding, municipalities are reliant on property taxes or user fees to support these initiatives. Therefore, the Province should consider alternative sustainable funding mechanisms or incentive programs to help support these programs to ensure their longer term success.

The discussion paper also identifies a proposal to ban food waste from landfills. Although the implementation of a ban would be at the direction of the MECP, considerations such as where a ban is applied, how a ban is communicated/promoted and who/how a ban is enforced and funded still needs to be determined. Specifically, limited capacity to process organics in the province exists for the IC&I sector and will need to be addressed to allow sufficient time to accommodate such a significant shift in expected processing capacity requirements..

### **Reduce Plastic Waste Going into Landfills or Waterways**

The Province is proposing to work with other levels of government to develop a Canada-wide strategy on plastic waste. Transitioning the Blue Box program to producer responsibility will support further diversion of plastic waste as will including the IC&I sector in diversion programs.

### **Staff Comments**

The City supports seeking a stronger commitment from the federal and provincial governments on the development of a Canada-wide (or Provincial-wide) single-use plastics strategy and the development of national/provincial standards for recyclability to discourage the use of difficult-to-recycle plastics.

The Province should consider striving to 'build a culture of plastic waste avoidance' similar to food waste avoidance, with promotion and education efforts directed at changing the mindset of Ontarians.

The Province should consider developing guidelines for how companies can advertise materials as being recyclable in the province and consider working with the federal government to create national guidelines. Consumers may buy materials that are advertised as recyclable, with good intentions, but these materials may end up in landfills in different municipalities because they cannot be recycled. It is not enough to confirm that there are municipal or industry collection systems where the product is sold in order to make a claim of recyclable or compostable. There must also be facilities that are able to process the collected materials and reuse them as an input to another product that can be marketed and used.

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### **Provide Clear Rules for Compostables**

The Province will convene a working group with industry and municipalities to build consensus on how compostable products and packaging can be managed to ensure they do not go to landfill.

### **Staff Comments**

The City supports the Province working with industries to build consensus on how compostable products and packaging can be best managed to ensure they do not go to landfills, but rather are accepted in organics-processing facilities. This may include funding to change technology to accept existing non-compostable products or modifying regulations.

The City supports the concept of extended producer responsibility and believes that producers of compostable products and packaging should be responsible to meet the associated outcomes established under a Resource Recovery and Circular Economy Act regulation. Property taxpayers should not have to pay for a system when they have no influence over the types of materials entering the waste stream. Government policies should focus responsibility on those that can most effectively and efficiently drive change – that being producers.

Existing organic processing infrastructure has been primarily designed for treatment of food waste, leaf and yard waste and items like soiled paper products. Ensuring successful degradation of compostable products and packaging will require costly changes and upgrades to existing facilities. The impacts of the upgrades on beneficial end products such as biogas and compost are unknown and should be adequately tested and understood. These upgrades should not be funded by taxpayers.

### **Recover the Value of Resources**

The Province will explore opportunities for technologies that recover value from materials that would otherwise be waste and make it easier and safer to reuse excess soil and redevelop former commercial and industrial lands. Clear rules and limits to soil being sent to landfill will be developed and the Ministry of Environment, Conservation

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and Parks will revise the brownfields regulation to reduce barriers to redeveloping historically contaminated lands.

### **Staff Comments**

With respect to soil management, the City agrees that a clear set of rules and guidance for the management of excess soils is a benefit to everyone in Ontario.

The City noted that although the stated intention of the previously proposed excess soil regulations was to encourage beneficial reuse and reduce the amount of soil being disposed in landfills, the net result would actually be the opposite. The previously proposed regulation would make landfill disposal the most sensible option from a financial and administrative perspective. It would also result in additional disposal of soils in landfills, a reduction of capacity for solid waste facilities, and, ultimately, a considerable cost increase to deliver infrastructure projects.

Staff expect that additional regulation related to excess soils will result in a significant increase to the amount of excess soil trucked in Ontario and generation of greenhouse gases. The Province should consider the detrimental impact on municipal roads imposed by the significant increase in haulage that will result from the adoption of additional rules and regulation. The effective management and beneficial reuse of soils from heavy construction is very important, but the added greenhouse gas emissions from all of the added truck activity should be assessed to evaluate the net benefit.

The City is supportive of revising the brownfields regulation and the record of site condition guide to reduce barriers to redevelop and revitalize historically contaminated lands, putting vacant prime land back to good use, as long as the soil generators site is appropriately characterized to identify whether or not hazardous soils are present.

The role of the Ministry in the enforcement and the oversight in any future regulation has not been made clear, but the City strongly believes this is a Ministry obligation and should not be downloaded to municipalities through Site Alteration By-laws or the use of similar instruments.

### **Support Competitive and Sustainable End-Markets**

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The Province is proposing to support innovation in waste management by modernizing the regulatory environment to promote competitiveness in processing capacity. This will include reducing regulation.

### **Staff Comments**

The City supports making changes to the approval process to modernize and expedite processes where possible. However, it is important to emphasize that this is not about making it easier to get approvals. Waste management facilities do pose potential environmental risks so ensuring proper due diligence should not be compromised in expediting approval processes.

With respect to the Province recommending that municipal governments and the communities they serve will have a say in landfill siting approvals. The City strongly supports this local say and look forward to further discussions with the Province on the mechanisms that can be implemented to provide this, above and beyond what is currently provided through the Environmental Assessment process.

### **RURAL IMPLICATIONS**

There are no rural implications.

### **CONSULTATION**

There was no public consultation.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

This is a City-wide report.

### **ADVISORY COMMITTEE(S) COMMENTS**

Public Works and Environmental Services engaged the Environmental Stewardship Advisory Committee to review the Litter and Waste Discussion Paper and provide staff with their comments. The advisory committee was unable to formally approve these comments at an official meeting due to the timelines, however, the comments are a consolidation of the members input. The members comments are reflected in Document

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2 of this report and will be sent to the province along with the City's comments upon Council approval.

### **LEGAL IMPLICATIONS**

There are no implications to Committee and Council's approval of the recommendations of this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are no risks associated with this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications to Committee and Council's approval of the recommendations of this report.

### **ACCESSIBILITY IMPACTS**

There are no accessibility implications to this report.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **TECHNOLOGY IMPLICATIONS**

There are no technological implications associated with this report.

### **TERM OF COUNCIL PRIORITIES**

The draft comments outlined in this report align with the City's strategic priority of sustainable environmental services.

### **SUPPORTING DOCUMENTATION**

*(Previously distributed to all Members of Council and held on file with the City Clerk.)*

**Document 1:** Comments Regarding Reducing Litter and Waste in Our Communities: Discussion Paper, EBR Registry Number: 013-4689.

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**Document 2:** Comments from members of the Environmental Stewardship Advisory Committee on the provincial discussion paper 'Reducing Litter & Waste in Our Communities.'

**DISPOSITION**

Public Works and Environmental Services Department will submit Council's approved comments to the Ministry of Environment, Conservation and Parks, for consideration.