

## **REPORT NO. 17 OF THE WORKS COMMITTEE**

### **Clause No. 1 - "3Rs Implementation Plan for the City of Toronto".**

The Clause was amended by:

(1) amending Recommendation (A)(a) of the Works Committee to provide that Recommendation No. (1)(iii) embodied in the report dated September 1, 2000, from the Commissioner of Works and Emergency Services, be amended to read as follows:

"(1)(iii)retrofitting two rental apartments in the downtown core with automated chute systems for garbage, fibre, containers and organics to determine the impact on recycling levels, at a cost of \$80,000.00, and that full funding of \$80,000.00 be provided from the Corporate Contingency Account; the Waste Diversion Office be asked to participate in the funding; and further, such retrofitting be subject to the condition that the landlord not use the capital improvements grants in any above-guideline rent increase applications;"

(2) amending the report dated September 1, 2000, from the Commissioner of Works and Emergency Services by:

(a) deleting Recommendation No. (1)(ii) and inserting in lieu thereof the following new recommendation:

"(1)(ii) introducing year-round once per week curbside collection of recyclable materials and weekly summer time collection of yard waste, to begin in 2001, and that a detailed implementation plan be presented to the first meeting of the Works Committee to be held in 2001, for subsequent submission to City Council;"

(b) deleting from Recommendation No. (1)(v), the words "50 percent diversion target", and inserting in lieu thereof the words "the new diversion targets adopted by City Council", so that such recommendation shall now read as follows:

"(1)(v) continuing to seek opportunities to ensure that the City, through its own facilities and those of its agencies, is optimizing its waste diversion activity, and co-ordinating a corporate report as part of the 2001 Operating Budget process on the benefits of achieving the new diversion targets adopted by City Council, and on any financial implications; and"

(c) deleting from Recommendation No. (3)(i), the year "2002", and inserting in lieu thereof the year "2001", so that such recommendation shall now read as follows:

"(3)(i) completing the first phase of the Dufferin Mixed Waste Recycling and Organics Processing Facility for up to 25,000 tonnes of annual input capacity as soon as possible under the capital funding already approved, assessing its operation, developing recommendations of expansion of the facility up to 165,000 tonnes of input capacity and reporting to the Works Committee as part of the 2001 Capital Budget process thereon;" ; and

(d) deleting from Recommendation No. (3)(ii), the date "July 2001" and inserting in lieu thereof the date "January 2001", so that such recommendation shall now read as follows:

“(3)(ii) conducting a study, in co-operation with Enwave District Energy Limited, on the feasibility of siting an anaerobic digestion facility on City-owned property which would process municipal waste to generate biogas for the district energy needs of the downtown core, and report back to the Works Committee in January 2001, on the findings of the feasibility study and with recommendations on how to proceed further, subject to approval of funding for the study by the Federation of Canadian Municipalities’ ‘Green Municipal Enabling Fund’;” and

(3) adding thereto the following:

“It is further recommended that:

(a) the Province of Ontario be requested to:

(1) ban organic waste from landfills in Ontario;

(2) develop a system of extended producer responsibility which would require producers to take responsibility for waste they generate, as in Europe; and

(3) enact legislation requiring:

(i) all consumer goods packaging sold in Ontario to be returnable, recyclable or compostable; and further, that all beverage containers be subject to a provincial deposit/return system;

(ii) that all schools include in their curricula, recycling program education to reinforce existing environmental education programs; and

(iii) that all students in Grades 5 to 12 be requested to participate in community work by assisting in the clean-up of the neighbourhoods around their schools;

(b) City Council recommend to the new Council, that in its first year, a policy be adopted to achieve a phased-in 100 percent diversion plan for the City of Toronto, and that this target be achieved by the year 2010;

(c) Rail Cycle North be advised that the City of Toronto is committed to the development of programs which will recycle and compost 80 percent of its municipally collected waste by the year 2009, with the reduction scheduled to coincide with the next three terms of Council, as follows:

(1) 2001-2003 - recycle and compost 30 percent;

(2) 2004-2006 - recycle and compost 60 percent; and

(3) 2007-2009 - recycle and compost 80 percent,

and the Commissioner of Works and Emergency Services be requested to submit a report to the first regular meeting of the Works Committee, and Council, in 2001 on a budget and timeframe to give effect to the recycling and composting targets adopted by Council;

(d) (i) the waste diversion target approved by City Council include waste diversion for all waste generated by all City facilities and operations, as well as those of its agencies, boards, commissions and special purpose bodies, including Toronto Hydro and Enwave District Energy Limited;

(ii) the City of Toronto adopt a first-stage target of 25 percent waste diversion by March 31, 2001, for all waste generated by all City facilities and operations, as well as those of its agencies, boards, commissions and special purpose bodies, including Toronto Hydro and Enwave District Energy Limited; and

(iii) the Chief Administrative Officer be requested to submit a report to Council, through the Works Committee, on an annual basis by March of each year, on the progress made towards the waste diversion targets, including a report from each agency, board, commission and special purpose body, including Toronto Hydro and Enwave District Energy Limited;

(e) all City-owned agencies, boards and commissions be requested to institute recycling and diversion plans consistent with the diversion plans approved by City Council, and further, that staff from the City's Works and Emergency Services Department work with the School Boards to initiate recycling and diversion plans consistent with the goals of Council;

(f) the Board of Directors and the President of the Toronto Parking Authority be requested to install and maintain recycling containers at all of its municipal parking lots;

(g) recycling containers be placed in all City of Toronto parks in time for the 2001 summer season;

(h) the Commissioner of Economic Development, Culture and Tourism, in conjunction with the Commissioner of Works and Emergency Services:

(1) develop and implement a recycling program which includes a pilot reverse vending component for implementation at selected Parks and Recreation facilities, and that a status report on the program components, partnership funding and diversion achievements be submitted to the Economic Development and Parks Committee in the new year, and in the interim, staff install blue recycling containers in sufficient numbers in all City parks, particularly in the vicinity of vending services and picnic areas; and

(2) submit a joint report to the Works Committee during the new term of Council, on a permanent proposal for recycling in City parks, including a Request for Proposals;

(i) the Commissioner of Corporate Services be directed to implement forthwith, recycling receptacles for newspaper, office paper and beverage containers, with or adjacent to all garbage receptacles at all City facilities and operations so that recycling is as convenient as garbage disposal for City employees and members of the public; and

(j) the Commissioner of Corporate Services be requested to install forthwith, a composter at City Hall;

(k) the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture and Tourism be requested to submit a joint report to the Works Committee in January 2001, on the percentage of waste and recycling/diversion materials generated at all City corporate facilities, including Parks and Recreation facilities, with an analysis of trends over the past five years, to the extent possible, and with recommendations for additional initiatives to increase the rates of recycling and other forms of diversion from these facilities, and further that the necessary funding requests be submitted as part of the 2001 Capital and Operating Budget processes;

(l) all Members of the new City Council be requested to insert in their newsletters an educational article respecting recycling programs and/or environmental issues in order to increase public awareness of this important issue;

(m) City Council reaffirm its position respecting the strategy to remove and process organics, subject to the Province of Ontario providing some financial assistance in regard thereto; and that the Commissioner of Works and Emergency Services be requested to submit a report further thereon to the Works Committee for its first meeting in 2001;

(n) the following criteria be used when negotiating with an individual proponent of a diversion technology:

(i) the proponent's facility must be located within a reasonable haulage distance from the City of Toronto (maximum 805 kilometres);

(ii) the proponent's facility must be fully operational and have all necessary approvals in place, including a Certificate of Approval from the Ministry of the Environment;

(iii) the proponent must be willing to allow City staff access to the facility and to share the results of any and all product quality and residue analysis performed on City of Toronto material;

(iv) any commitment with an individual proponent of a diversion technology should not exceed six months time or 1,000 tonnes of material, or any amount of material deemed appropriate by the Commissioner of Works and Emergency Services, for the purpose of testing and research, unless dictated by pilot project requirements (e.g. testing of collection methods); and

(v) any negotiated contract between the Commissioner of Works and Emergency Services and a proponent of a diversion technology will be subject to approval by the City Solicitor and the Commissioner of Works and Emergency Services;

(o) the Commissioner of Works and Emergency Services:

(1) be directed not to place any maximum tonnage on diversion in contract negotiations;

(2) be requested to expedite the New and Emerging Technologies Request for Proposals;

(3) be requested to undertake an additional pilot project or projects to arrange for recycling or wet/dry separation to alternate with garbage disposal on a daily basis in targeted apartment buildings, with details of the program to be determined by the Commissioner;

(4) be given permission to provide special purpose packers to conduct pilot projects at locations such as Danforth Avenue and Gerrard Street East, to pick up recyclable and waste materials at the same time, six days per week, with \$200,000.00 to be provided from the Corporate Contingency Account for this purpose; and further, that the Commissioner be requested to:

(i) report to the Works Committee, if necessary, on any by-laws which are affected or required as a result of undertaking these pilot projects; and

(ii) conduct an evaluation of these pilot projects, and report thereon to the Works Committee no later than September 2001;

(5) be requested to report to the Works Committee as part of the 2001 Operating Budget process on the development of a detailed plan for a City-wide wet/dry system, including the cost and required phase-in cash flow to support such system;

(6) be requested to prepare and mail a flyer to every household in the City of Toronto, and to purchase advertising in local and daily Toronto newspapers, outlining the City's 3Rs Plan and Waste Management Strategy, and that a maximum of \$200,000.00 be provided from the Corporate Contingency Account for this purpose;

(7) be requested to meet with representatives of the plastics industry in order to seek a commitment for the establishment of a market place to allow the City of Toronto to add plastic food tubs and bags to its recycling program;

(8) be requested to meet with the following Business Improvement Areas to discuss ways by which the City of Toronto could assist in restoring the cleanliness of their Areas, including discussion of the composting pilot project or other possible alternatives:

- Bloor by the Park BIA;
- Bloor West Village BIA;
- Junction Gardens BIA;
- Parkdale Village BIA;
- Roncesvalles Village BIA; and
- any other individual Business Improvement Area that so requests;

(9) be requested to submit reports to the first regular meeting of the Works Committee to be held in 2001:

(i) in conjunction with Enwave District Energy Limited and Toronto Hydro, on any early findings regarding an anaerobic digester facility which would process municipal waste to generate biogas for energy needs; and

(ii) on any changes to the cost estimates for waste management systems outlined in Attachment 2 to this Clause, for achieving the diversion targets as approved by Council, in light of new cost information in any report from Enwave District Energy Limited, Toronto Hydro and/or the Works Department regarding an anaerobic digester facility, and that these cost estimates also be submitted as part of the 2001 Capital and Operating Budget processes;

(10) be requested to submit reports to the Works Committee on:

(i) the possibility of eliminating the twice per week garbage pick-up in the summer, and having instead a once per week pick-up year round;

(ii) any changes in the amounts of recyclable materials collected resulting from the implementation of weekly recycling pick-up, in one year's time;

(iii) the projected cost of distributing home composters to the public, at no charge, during the 2001 Environment Days;

(iv) a by-law for mandatory recycling for existing apartment buildings;

(v) the feasibility of the City of Toronto acquiring a three-compartment automated collection truck to collect any recyclable materials which were missed during regular pick-up, in order that such recyclables would not end up as mixed garbage; and

(vi) product stewardship options for the diaper industry, such report to address actions and programs which the City of Toronto can undertake, as well as advocacy possibilities for other levels of government and industry;

(p) the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services be requested to submit a joint report to the appropriate Committee, on ways in which packaging and product stewardship can be incorporated into tenders which are awarded by the City of Toronto;

(q) the Chief Planner and the Chief Building Official be requested to submit a report to the appropriate Committee(s) on how the City can use the Planning Act, the Ontario Building Code, the Municipal Act, and the City of Toronto Act, to require developers and builders in new construction, renovations or alterations of multi-residential, commercial and industrial properties to facilitate recycling and other forms of diversion;

(r) the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Works Committee on the progress being made by the TTC with respect to its recycling program on all TTC properties, and that any necessary funding requests be included as part of the 2001 Capital and Operating Budget processes;

(s) the joint communication dated September 30, 2000, from Councillors John Adams, Ila Bossons, Elizabeth Brown, Olivia Chow, John Fillion, Jack Layton, Anne Johnston, Irene Jones, Pam McConnell, Joe Mihevc, David Miller, Howard Moscoe, Frances Nunziata, Joe Pantalone, Michael Prue, Kyle Rae, Mike Tzekas, and Michael Walker, entitled 'A Workable Alternative Waste Management Strategy to the Adams Mine Disposal Option', be endorsed in principle, subject to the following amendments, and subject further to a report from the Commissioner of Works and Emergency Services to the first meeting of the Works Committee to be held in 2001, with a proposal on implementation plans for the Waste Management Strategy:

(1) amending the last line in the section headed 'The Collection Systems', under the subheading 'For Single Family Homes', so that such line shall now read as follows:

'- Household Hazardous Waste Collection (Red Box) or Special Waste Depots for toxics, batteries, solvents, etc.'; and

(2) amending the last line in the section headed 'The Collection Systems', under the subheading 'For Multi-Residential Buildings', so that such line shall now reads as follows:

'- Dry Collection for all other waste or mixed waste processing.';

(t) the following motion be referred to the Works Committee, for report thereon to the Budget Advisory Committee:

Moved by Councillor Cho:

'It is recommended that the following recommendations be forwarded to the Budget Advisory Committee for consideration as part of the 2001 Operating Budget process with a request that the necessary funds be approved to implement the actions outlined therein:

"It is recommended that:

(1) City Council authorize the Commissioner of Works and Emergency Services to provide free composters to those families who cannot afford to purchase one; and

(2) the Commissioner of Works and Emergency Services be authorized to hire six summer students in 2001 (one student for each Community Council area), such students to be actively involved in facilitating the recycling program by recruiting additional student volunteers to deliver free composters and other related materials, as required."';

(u) the following motions be referred to the Budget Advisory Committee for consideration during the 2001 Budget process:

Moved by Councillor Chow:

'It is recommended that composters be provided at no charge to all schools (public, French, Catholic and private) and all licensed child care centres, by spring 2001.'; and

Moved by Councillor Johnston:

'It is recommended that \$1.3 million be provided from the Corporate Contingency Account in order to provide composters to all schools and child care centres located in the City of Toronto.';

(v) the following motion be referred to the Commissioner of Works and Emergency Services with a request that he submit a report to the Works Committee on the feasibility of the user fee and bag limit proposals:

Moved by Councillor King:

'It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the benefits and possible implementation of a user fee for garbage collection, as well as a bag limit for garbage.'; and

(w) the following motions be referred to the Commissioner of Works and Emergency Services with a request that he submit a report thereon to the first meeting of the Works Committee to be held in 2001, such report to include suitable locations for the disposal of toxic waste and the cost to establish such locations:

Moved by Councillor Walker:

'It is recommended that centres be located at each municipal building to provide citizens the opportunity to deposit toxic waste.'; and

Moved by Councillor Flint:

'It is recommended that the foregoing motion by Councillor Walker be amended to include fire stations as suitable locations to develop deposit facilities for hazardous/toxic waste.' "

**Clause No. 2 - "Toronto Integrated Solid Waste Resource Management ("TIRM") Process - Category 2, Proven Disposal Capacity".**

Council adopted the following recommendations:

"It is recommended that:

(1) the confidential joint report dated October 2, 2000, from the Commissioner of Works and Emergency Services and the City Solicitor, wherein it is recommended that the City of Toronto:

'(1) execute a contract with Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LCC (doing business as Carleton farms), and Wilson Logistics Inc., substantially in accordance with the terms and conditions set out in Appendix "1" to this report and the negotiated contract document, which will be forwarded under separate confidential cover; and

(2) execute a contract with Rail Cycle North Ltd., Canadian Waste Services Inc., and Waste Management Inc., substantially in accordance with the terms and conditions set out in Appendix "2" to this report and the negotiated contract document, which will be forwarded under separate confidential cover.'

and the confidential report dated October 5, 2000, from the Commissioner of Works and Emergency Services, wherein it is recommended that:

'City Council authorize the execution of an amending agreement with Browning-Ferris Industries, Inc., BFI Waste Systems of North America Inc., Browning-Ferris Industries Ltd., Allied Waste Industries, Inc., Superior Arbor Hills Landfill, Inc., and Canadian Waste Services Inc. in relation to the current Waste Transport and Disposal Agreement for waste disposal at the Arbor Hills landfill site in Michigan, substantially in accordance with the draft agreement attached as an Appendix to this report.'

be adopted, subject to:

(a) amending the draft agreement attached as an Appendix to the confidential report dated October 5, 2000, from the Commissioner of Works and Emergency Services, by changing the effective date as set out in highlight (d) of the report to a date which is 180 days from the date of execution of the amending agreement; and

(b) further subject to the following amendments to the terms and conditions of the contracts:

(i) the Rail Cycle North (RCN) contract for the transport and disposal of Toronto's waste be terminated in the event the federal Minister of the Environment orders an Environmental Assessment of the Adams Mine landfill on or before February 15, 2001, and the Commissioner of Works and Emergency Services be authorized to redirect to Republic Services of Canada Inc. and/or BFI Canada and Superior Arbor Hills Ltd. (the Arbor Hills landfill) the municipal waste that would otherwise be delivered to RCN based on the best price and tonnage combination;

(ii) the Commissioner of Works and Emergency Services be authorized to further amend the current Waste Transport and Disposal Agreement with BFI Canada and Superior Arbor Hills

Limited (Onyx), as amended by the confidential report dated October 5, 2000, from the Commissioner of Works and Emergency Services, for a further term of five (5) years at the same or lower price and otherwise on the same terms and conditions;

(iii) deleting from Section 6.22, headed 'Keele Valley Closure and Equipment', of the RCN contract, the words 'as agreed to between RCN and the City. In the event that RCN and the City are not able to agree, the price shall be the lower of book value or', so that such Section shall now read as follows:

'6.22 Keele Valley Closure and Equipment

At the City's option, RCN shall purchase from the City any and all surplus landfill equipment, as listed in Schedule 6.22, resulting from the permanent closure of Keele Valley. The price of the surplus equipment shall be fair market value as determined by a mutually agreed upon third party, holding sufficient knowledge of the industry to make a fair and reasonable appraisal.';

(iv) adding to Section 7.2 of the RCN contract, the following words:

'The unavoidable cost provisions shall not be used in any way to require the City of Toronto to provide a minimum tonnage.';

(v) deleting Section 10.6 of the RCN Contract concerning unavoidable cost increases;

(vi) the execution of the contract with Rail Cycle North shall be conditional on the removal of Section 10.6, concerning unavoidable cost increases, and failing acceptance by Rail Cycle North of the removal of such Section within four (4) days of Council's decision on this matter, the contract not proceed and, in the event of failure by RCN to agree to this condition, the Commissioner of Works and Emergency Services be authorized to redirect the waste that would otherwise be sent to Rail Cycle North to:

(1) Republic Services of Canada Inc. under the contract before Council; and/or

(2) BFI Canada and Superior Arbor Hills Limited under the City's current waste transport and disposal agreement at the Arbor Hills landfill,

based on the best price and tonnage combination;

(vii) the contract with RCN contain language which makes RCN responsible for any costs associated with 'collapse';

(viii) the contract with RCN contain language which makes RCN responsible for any costs associated with earthquakes, as well as 'pop ups' (leaks) of the mine floor resulting from factors other than earthquakes, and any damages caused to ground and surface water resources as a result of failure, for any reason, of any of the engineered components of the landfill or the failure of the existing tailings containment structures;

(ix) RCN be required to obtain two approval permits to remove water from the pit from the Ministry of the Environment and a Section 53 sewage works approval under the Ontario Water Resources Act for discharge of water into the natural environment, prior to the execution of the contract;

(x) the contract with RCN be amended to permit the City of Toronto to consider all methods of diversion, including incineration, in the future, without penalty; the wording of the contract to reflect this change to be satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor;

(xi) a Clause be included in all three contracts (with Republic, Rail Cycle North and Browning-Ferris) that the parties agree to the public release of the contracts; and

(xii) the City Auditor or an independent third party audit the tonnage to be directed to Adams Mine;

(2) any revenues that will flow from the contracts with the proponents to the City of Toronto be dedicated to recycling programs; and

(3) a group of engineers from the City of Edmonton be invited to visit the City of Toronto and provide, for the information of City of Toronto Councillors, a slide presentation on the waste disposal process used by the City of Edmonton, such visit to take place prior to December 5, 2000.”

The balance of the confidential joint report dated October 2, 2000, from the Commissioner of Works and Emergency Services and the City Solicitor, and the confidential report dated October 5, 2000, from the Commissioner of Works and Emergency Services, to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they contain information related to the security of property interests of the municipality and are otherwise subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act.