

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE  
MEETING OF WEDNESDAY, OCTOBER 16, 2024**

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**SUBJECT**     **Regulating Curbside Organics Collection**

**ISSUE SUMMARY**

To present on the continued implementation of the organics diversion strategy and to evaluate and report on pathways for mandatory separation of curbside collection and diversion of organics.

**BACKGROUND**

The Solid Waste Management Plan (SWMP) was principally developed to reduce the amount of waste material sent to the Hartland Landfill, and guide how the region's solid waste is managed in a safe, secure and sustainable way now, and in the future. According to the 2022 Solid Waste Stream Composition Study, 16.7% of waste currently sent to Hartland Landfill is organic material (approximately 28,500 tonnes per year). A landfill ban on organics and soiled paper products was implemented at Hartland Landfill in January 2015. In addition to the ban on organics, the CRD has several programs in place to support the reduction and diversion of organic materials from the landfill, including operating a food scraps transfer station, receiving yard and garden material at rates lower than general refuse, funding the Victoria Compost Education Centre and partnering with Love Food Hate Waste Canada. It is anticipated that with continued programming, the downward trend in organic waste disposal (67kg/capita in 2021) will continue towards reaching the 2031 waste disposal target of 42kg/capita.

The CRD also established the Solid Waste Stream Collector Incentive Program, which began earlier this year. This program is designed to incent multi-stream waste collection, including organics. With the implementation of this new initiative, along with the other programs, it is anticipated that the downward trend in organic waste disposal will continue and accelerate. The next solid waste stream composition study, which will provide further insight into organics disposal trends, is scheduled for 2026.

At the November 8, 2023 Capital Regional District (CRD) Board meeting, staff were directed to *continue implementing the organics diversion strategy as currently outlined in the new Solid Waste Management Plan, and evaluate and report to committee on pathways to mandatory separation of curbside collection and diversion of organics* (staff report attached as Appendix A). In response to the Board's direction, staff sought a legal opinion, and the options are provided as Appendix B.

Overall, this review found that the CRD, as a regional district, has the authority under the *Environmental Management Act* to manage municipal solid waste or recyclable material for the purpose of implementing the SWMP. This is further supported by the *Local Government Act*, which allows regional districts like the CRD to provide a collection service, *by bylaw to regulate, store and manage municipal solid waste and recyclable material*. However, given that regulating mandatory organics collection is a departure from the strategies currently set out in the SWMP, implementing the above-mentioned measures would require amendments to the SWMP, further consultation with affected stakeholders and provincial approval.

## **ALTERNATIVES**

### *Alternative 1*

The Environmental Services Committee recommends to the Capital Regional District Board: That staff continue implementing the organics diversion strategy as currently outlined in the 2021 Solid Waste Management Plan.

### *Alternative 2*

The Environmental Services Committee recommends to the Capital Regional District Board: That staff accelerate the current organics diversion strategy by beginning the process to amend the Solid Waste Management Plan by conducting community-wide consultations with the intent of adopting a bylaw regulating curbside organics collection across the region.

### *Alternative 3*

The Environmental Services Committee recommends to the Capital Regional District Board: That this report be referred back to staff for additional information.

## **IMPLICATIONS**

### *Financial Implications*

Financial implications associated with regulating a mandatory curbside organics collection service include costs associated with enforcing the bylaw and the costs associated with delivering a curbside collection service. A market sounding and/or tender would be required to confirm current market pricing; however, it is expected that costs to operate a regional wide organics collection service are comparable to the cost to operate the blue box collection program (\$60-\$80 per household per year). Processing and marketing of collected materials would represent an additional expense and would vary depending on the quantity of material received but would be in the range of \$140 to \$170 per tonne. There would likely also be capital costs associated with providing collection containers to those being offered the service.

### *Service Delivery Implications*

If the Board wishes to further explore regulating mandatory curbside collection, the CRD would need to adopt a bylaw; however, to do so, the SWMP would need to be amended. Proposed amendments would require extensive community-wide consultation, beginning with municipalities to determine support for regulating mandatory curbside organics collection and preferences for a service delivery approach (e.g., service provided by municipalities, the CRD, or residents contracting for service directly with the private sector). The Regional District of Nanaimo (RDN), for example, has adopted a bylaw which requires owners or occupiers of a property, as of January 2025, to have separate containers for different types of solid waste and recyclable materials. A bylaw similar to the RDN's would make it mandatory for multi-family and industrial, commercial, and institutional property owners, as well as single-family homes who do not receive municipal collection services, to separate out organics and recyclable items from the waste (See Appendix B).

In 2021, it was determined that the CRD and the municipalities didn't control sufficient tonnages of organic waste feedstock to validate the business case to build a dedicated in-region organics processing facility. As a result, the decision to develop an in-region processing facility was tabled

until feedstock conditions or on-island private processing capacity changed. Regulation of a region-wide mandatory organic curbside collection service may change the business case for developing an in-region organics processing facility by providing further additional feedstock tonnages if this service were to be provided by the CRD and/or municipalities.

**CONCLUSION**

In response to the Board’s direction, Capital Regional District staff sought legal review on pathways for mandatory separation of curbside collection and diversion of organics. This review found that regulating and managing a region-wide curbside organics collection service can be done through the adoption of a bylaw; however, to do so, the Solid Waste Management Plan would need to be amended. Proposed amendments would require consultation with affected stakeholders and provincial approval. It is anticipated that with continued programming, the downward trend in organic waste disposal will continue towards the 2031 disposal target of 42kg/capita and no change in organics collection policy is deemed necessary at this time.

**RECOMMENDATION**

The Environmental Services Committee recommends to the Capital Regional District Board: That staff continue implementing the organics diversion strategy as currently outlined in the 2021 Solid Waste Management Plan.

Submitted by:	Tom Watkins, Acting Senior Manager, Environmental Resource Management
Concurrence:	Russ Smith, Acting General Manager, Parks, Recreation & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

- Appendix A: Staff Report to Environmental Services Committee: Implications of Regulating Curbside Organics Collection (October 18, 2023)
- Appendix B: Options for Mandatory Requirements for Organics Diversion and Collection