

The Corporation of the City of Kawartha Lakes

Council Report

Report Number WM2017-010

Date: October 24, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: 2

Subject: Preferred Waste Collection Option - Shadow Lake Road 2

Author Name and Title: David Kerr, Manager - Environmental Services

Recommendation(s):

RESOLVED THAT Report WM2017-010, **Preferred Waste Collection Option - Shadow Lake Road 2**, be received; and

THAT the preferred option for waste and recyclables collection for Shadow Lake Rd. 2 be Option 1 “**Status quo with expanded investigation and enforcement**” to be implemented immediately.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

This report addresses the options for dealing with current noncompliance issues related to residential waste set out on Shadow Lake Road 2. Shadow Lake Rd 2 is an approximate 1 km long private road located just east of Norland. There are approximately 37 residences on the road. The private road does have a limited service agreement for seasonal road maintenance. Service provided includes some grading and application of gravel but does not include winter maintenance. Snow plowing is undertaken by private contractors at the expense of the residents.

Currently waste and recyclables are collected from Shadow Lake 2 by City contracted services (Miller), however instead of curbside door to door collection waste and recyclables are picked up at a communal drop-off location at the entrance to the road. The drop-off location is a communal concrete vault that holds the bags of waste. Plastic roll-out bins are located adjacent to the vault to hold the recyclables. The concrete vault was first used for this purpose sometime prior to September 2011. It is believed the vault is utilized as a compromise with the residents to provide service as the road is private and does not meet the requirements of the waste collection by-law. Currently there is no turn around for collection vehicles so the road fails to meet accessibility requirements for equipment.

Although there are a number of residences that make efforts to oversee the good housekeeping practices for the drop-off area and comply with the city's waste management by-law there are issues with this particular collection area:

- Not using clear bags for waste
- Exceeding waste limits
- Contaminated recycling (i.e. waste mixed with the recyclables)
- Recycling set out in bags outside of the bins
- Waste set out numerous days before collection
- Illegal dumping
- Generally unkept drop-off location with litter and debris strewn around the vault and bins.

Both City Staff and Miller have spent considerable resources and labour over and above the normal labour expended for weekly waste and recyclables collection to deal with the above issues. According to discussion with some of the residents on the road it is likely that illegal dumping in the area from people not residing on Shadow Lake Road 2 is also contributing to the unsightliness of the drop-off location.

Letters from the City have been sent to all Shadow Lake Road 2 residents in August 2016 and July 2017 to inform them of the need to set out waste and recyclables in the proper manner and to ensure that litter is minimized. The letters further state that if improvement does not occur then the City may need to

take other actions such as halting collection from the centralized area. There has been no sustained improvement to the area as a result of the letters and Miller and Staff continues to expend additional resources to deal with these issues. Some residents have tried to better oversee this area and actually take the illegally dropped off waste to the landfill but it continues to be an issue and they have come forward appealing to the City to take some form of action that will hopefully solve these issues.

In order to better manage waste and recyclables more efficiently and reduce the nuisance and non-compliance issues staff have looked at several different options and after weighing the pros and cons of each option have come up with a preferred option which is further discussed in the Rationale section below.

Rationale:

In response to the recurring waste setout issues and illegal dumping at Shadow Lake Road 2 staff have reviewed several options to solve the issues.

Option 1: “Status quo with expanded investigation and enforcement” is the preferred solution and can be implemented immediately upon approval by Council. Letters would be provided to each resident notifying them of planned enhanced enforcement in an effort to support the enforcement process and gain compliance with the By-Law.

The review assessment is as follows:

- **Option 1 (Preferred) – Status quo with expanded investigation and enforcement** – The City has undergone efforts to promote compliance of the Waste Collection Bylaw over the last few years by sending letters to residents on two occasions yet the issues with Shadow Lake Road 2 continue. These letters and warning notes on the vault have not caused a sustained improvement to the situation and additional costs continue to be incurred for the City and Miller to properly maintain the drop-off locations. Stepped up efforts should be employed such as additional patrols and investigations to control illegal dumping. This effort will cause additional expenses and burden on City resources but is in alignment with the By-Law.
- **Option 2 – Terminate Waste Collection** – In accordance with the By-Law Section 6.02(b) which states, “Where, in the opinion of the Director of Public Works and his or her designate, there has been a failure to comply with the Notice provisions in subsection (a), or there is a subsequent contravention of the By-Law, the Director of Public Works and his or her designate may issue an Order to suspend, discontinue or revoke curbside collection services and/or disposal privileges to the user or owner for a fixed period of time”, the Director has the authority to discontinue collection services. While this is an option that is still viable and within the

provisions of the By-Law, Staff believe this should only be utilized as a last resort. This remains an alternative in the future if necessary.

- **Option 3 – Bag tags issued to Residences** – This option considers the current centralized area for drop-off be abandoned. Centralized pickup by Miller would cease and Residents would be issued bag tags (2 bag tags per week equaling 104 bag tags) to use per year. The residents would then bring their garbage and recyclables to any of the City's landfills within the scheduled operating hours at no cost. The Laxton landfill is within a reasonable driving distance to the site. The landfill is open Thursdays and Sundays.

This alternative is not a standard consideration within the existing By-Law and as such, Staff do not believe this is a reasonable alternative. The residents would likely perceive this as a reduction in existing service. The benefit of this option is elimination of the centralized drop off location that has been experiencing misuse, reduction of the potential of illegal dumping and control of additional cost of enforcement of the By-law.

- **Option 4 - Provide Curbside Collection to Residences** – This option considers the current centralized area for drop-off be abandoned. Centralized pickup by Miller would cease but would instead provide curbside pickup to all accessible residences on the road. Currently, the private road does not meet the requirement of Section 3.02 of the waste By-Law as there is no suitable turn around for collection vehicles. As a result, this alternative would require an additional agreement for access from private homeowner(s). The Owner(s) of the private road would have to ensure the road is in satisfactory shape as per standards in the Waste Management By-law and that there is an acceptable turnaround at the end of the road for the Miller trucks during all seasons or Staff would be forced to suspend collection services. In addition, Staff are discouraging this alternative as this option would also provide a perceived enhance level of service to private property.

The benefit of this option is Miller would only pickup the waste and recyclables from each home if it was properly set out. If the waste and recyclables did not meet the by-law the bags and or boxes would be tagged.

Other Alternatives Considered:

Different alternatives have been discussed in detail as part of the Rationale section and have been discounted in favour of the preferred Option 1.

Financial/Operation Impacts:

The preferred option will have costs related to investigation and enforcement of the By-Law. There will be a Staff cost to proactive enforcement and possibly an impact on response time for other enforcement matters. Costs are unknown at this time and will depend on the nature of the infraction(s).

For Options 2, 3 and 4, the City would incur costs for installation of signage in the previous drop-off location to warn the public about illegal dumping and there would be cost associated with the removal of the concrete vault from the road allowance. In this case there is also still a risk of costs associated with illegal dumping.

Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:

The Staff recommendation of Status quo with expanded investigation and enforcement contributes to the Council Adopted Strategic Plan, specifically with Goal 3 – A Healthy Environment. This recommendation contributes to this goal by:

- Reducing illegal dumping and litter
- Avoiding negative impacts of waste on surrounding environment
- Managing the natural environment as an important asset for tourism

Review of Accessibility Implications of Any Development or Policy:

None

Servicing Implications:

None

Consultations:

Miller Waste Systems Inc.

Attachments:

None

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson