

Authority: Executive Committee Item 3.2, adopted as amended, by City of Toronto Council on February 23 and 24, 2011 and Executive Committee Item 13.2, adopted as amended, by City of Toronto Council on November 29, 30 and December 1, 2011
Enacted by Council: December 1, 2011

CITY OF TORONTO

BY-LAW No. 1421-2011

To amend City of Toronto Municipal Code Chapter 844, Waste Collection, Residential Properties, Chapter 841, Waste Collection, Commercial Properties, Chapter 441, Fees and Charges, and Chapter 442, Fees and Charges, Administration of, with respect to the implementation of a revised solid waste rate fee and rebate for multi-residential curbside collection (subscription) customers, a new twice per week rate fee for premium organics collections and a new transfer station load weighing service and fee.

WHEREAS subsection 8(1) of the Act provides the City with the broad authority to provide any service or thing the City considers necessary or desirable for the public; and

WHEREAS City Council has the authority to pass by-laws respecting matters related to services and things that the City considers necessary or desirable to provide to the public under subsection 8(2) of the Act; and

WHEREAS the City provides solid waste management services to the citizens of Toronto as a necessary and desirable service; and

WHEREAS under section 259 of the Act, Council may pass by-laws imposing fees and charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS under section 83 of the Act, the City may make grants to any person for any purpose that Council considers to be in the interests of the City; and

WHEREAS City Council has amended various fees and charges and adopted new fees and charges through its annual budget process; and

WHEREAS it is necessary to update City of Toronto Municipal Code Chapter 441, Fees and Charges, to reflect the new fees and charges and changes to fees and charges; and

WHEREAS it is necessary to amend City of Toronto Municipal Code Chapter 844, Waste Collections, Residential Properties and Chapter 841, Waste Collections, Commercial Properties, and Chapter 442, Administration of Fees and Charges to amend the solid waste rate fee and rebate for multi-residential curbside collection (subscription) customers and to implement a new twice per week rate fee for premium organics collections and a new transfer station load weighing service and fee;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 441, Fees and Charges.

Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rate, Schedule 1, Solid Waste Management, of Municipal Code Chapter 441, Fees and Charges, is amended as follows:

- A. By deleting columns I, II, III, IV and V of Lines 124, 125 and 126 and substituting with the following:

	I	II	III	IV	V
Ref. No.	Service	Fee Description	Fee Basis	Fee	Annual Adjustment
124	Collections	Residential Curbside Collection for Subscription Properties – using extra-large garbage bins	Annual Base Collection Fee (per dwelling unit per year) - up to base of 1.917 cubic yards (per dwelling unit per year) of un-compacted garbage or up to base of 0.9585 cubic yards (per dwelling unit per year) of compacted garbage.	\$191.30	No
125	Collections	Residential Curbside Collection for Subscription Properties– using extra-large garbage bins	Excess Collection Fee (per cubic yard) of un-compacted garbage over base 1.917 cubic yards (per dwelling unit per year)	\$13.27	No
126	Collections	Residential Curbside Collection for Subscription Properties– using extra-large garbage bins	Excess Collection Fee (per cubic yard) of compacted garbage over base 0.9585 cubic yards (per dwelling unit per year)	\$26.55	No

B. By inserting the following after Line 126, as follows:

	I	II	III	IV	V
Ref. No.	Service	Fee Description	Fee Basis	Fee	Annual Adjustment
127	Collections	Residential Curbside Collection for Subscription Properties – bag only collection	Annual Base Collection Fee (per dwelling unit per year)	\$191.30	No
128	Collections	Commercial Organics Collections	Annual Fee - Frequency 2X/week - per year	\$320.00	No
129	Transfer & Disposal Operations	Load Weighing – Transfer Stations	Per use of transfer station weigh scales	\$10.00	No

2. Chapter 442, Fees and Charges, Administration of.

Chapter 442, Fees and Charges, Administration of, of The City of Toronto Municipal Code is amended as follows:

A. By adding the following:

§ 442-13.2. Use of transfer station weigh scales for weight information.

- A. Any person may use a weigh scale at any of the City transfer stations for the sole purpose of weighing the load being hauled by that person without disposing of the load at the transfer station.
- B. Any person who uses a weigh scale as set out in Section A shall pay the transfer station load weighing service fee set out in Schedule 1, Appendix A of Chapter 441, Fees and Charges, for collecting that information.

3. Chapter 841, Waste Collections, Commercial Properties.

Chapter 841, Waste Collection, Commercial Properties, of The City of Toronto Municipal Code is amended as follows:

A. By deleting § 841-6E and substituting it with the following:

- E. Owners receiving organics collection services, pursuant to § 841-4C, at a frequency greater than once per week shall be charged an annual fee for the increased organics collection at the appropriate rate set out in Chapter 441, Fees and Charges.

4. Chapter 844, Waste Collections, Residential Properties.

Chapter 844, Waste Collection, Residential Properties, of The City of Toronto Municipal Code is amended as follows:

- A. By deleting the definition of "Subscription Property" in § 841-1 and substituted with the following:

SUBSCRIPTION PROPERTY — A household residence, with seven or eight dwelling units, or a multiple-household residence that due to its design cannot store the appropriate regulation containers, described in §§ 844-10B and 844-11B, for residential bulk collection and must receive an increased frequency of residential curbside collection using the regulation containers described in §§ 844-10C and 844-11C.

- B. By deleting § 844-4D and substituting the following:

D. Despite Subsection A, the City shall collect garbage from subscription properties either bi-weekly, weekly or twice weekly as determined by the General Manager.

- C. By deleting § 844-4E and substituting the following:

E. Owners of subscription properties may request the General Manager to change the frequency of garbage collection, as set out in Subsection D, if the General Manager determines it is appropriate.

- D. By deleting § 844-10C and substituting the following:

C. Despite Subsection A, owners of subscription properties shall use a container described below for setting out garbage:

- (1) One or more extra-large garbage bins as provided to the owner of a household residence by the City under § 844-15B.1; or
- (2) If the City has not provided an extra large garbage bin to the owner under § 844-15B.1, the owner shall use:
 - (a) A plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted, provided that a garbage tag, either distributed directly to the owner of the subscription property by the City or purchased by the owner as described in § 844-32, is affixed to each bag; or
 - (b) Such other container provided by the City or designated by the General Manager as acceptable for setting out garbage.

- E. By deleting § 844-11C and substituting the following:
- C. Despite Subsection A, owners of subscription properties shall use a container described below for setting out recyclable materials:
- (1) One or more extra-large recycling bins as provided to the owner of a household residence by the City under § 844-15B.1; or
 - (2) If the City has not provided an extra-large recycling bin to the owner under § 844-15B.1, the owner shall use:
 - (a) A translucent plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted; or
 - (b) Such other container provided by the City or designated by the General Manager as acceptable for setting out recyclable materials.
- F. By deleting § 844-28.1 and replacing it with the following:

§ 844-28.1. Fees for subscription properties using extra-large garbage bins.

- A. An owner of a subscription property who receives residential curbside collection and who uses extra-large garbage bins under § 844-10C(1) shall pay the annual base collection fee for residential curbside collection per dwelling unit per year as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, up to 1.917 cubic yards of un-compacted garbage per dwelling unit per year or up to 0.9585 cubic yards of compacted garbage per dwelling unit per year.
- B. An owner of a subscription property who receives residential curbside collection and sets out more than 1.917 cubic yards per dwelling unit per year of un-compacted garbage shall pay the excess collection fee for un-compacted garbage as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for each additional cubic yard of un-compacted garbage set out.
- C. An owner of a subscription property who receives residential curbside collection and sets out more than 0.9585 cubic yards per dwelling unit per year of compacted garbage shall pay the excess collection fee for compacted garbage as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for each additional cubic yard of compacted garbage set out.
- D. The City shall use the following formula to determine the amount of excess un-compacted garbage or compacted garbage collected from an owner of a subscription property:

$$EG = AVC - ABV$$

Where:

AVC is the annual volume collected determined by the following formula:

$$AVC = [EB \times E_{CY}] \times FC$$

Where:

EB = number of extra large garbage bins at a subscription property

E_{CY} = cubic yard size of the extra large garbage bin

FC = frequency of collection per year, either biweekly (26 times per year), weekly (52 times per year) or twice a week (104 times per year)

ABV is the annual base volume for the subscription property determined by the following formula:

$$ABV = [\# \text{ of dwelling units in the subscription property} \times BV]$$

Where:

BV = Base volume of 1.917 for un-compacted garbage or 0.9585 for compacted garbage

- E. Despite Subsection A, if the owner of a subscription property who receives residential curbside collection garbage is compacting their garbage more densely than a 2:1 compaction ratio and, as a result, uses fewer garbage containers, the General Manager reserves the right to increase the residential curbside collection fees for the building to compensate for the compaction.
- F. For the first year during which this section is in force, the residential curbside collection fees shall be prorated on a daily basis.
- G. When the owner of a subscription property who receives residential curbside collection requests an additional garbage bin, or when there is a change in ownership of a subscription property, the residential curbside collection fees under Subsection A shall be prorated on a daily basis.
- H. The City shall bill each owner of a subscription property who receives residential curbside collection the residential curbside collection fee on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.

G. By adding the following:

§ 844-28.2. Subscription properties bag only fees.

- A. An owner of a subscription property who receives residential curbside collection and who uses garbage tags under § 844-10C(2) shall pay the bag-only curbside collection fee set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, in addition to the fees paid for garbage tags as described in § 844-32.
- B. When there is a change in ownership of a subscription property, the residential curbside collection fees under Subsection A shall be prorated on a daily basis.
- C. The City shall bill each owner of a subscription property under Subsection A the subscription properties bag-only curbside collection fee on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.

H. By deleting § 844-30B.1 and substituting it with the following:

- B.1 The City shall rebate to an owner of a subscription property who receives residential curbside collection the annual amount of \$185 per dwelling unit in the form of a credit on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.

5. In force date.

This by-law comes into force on January 1, 2012.

ENACTED AND PASSED this 1st day of December, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)