

Proposed Residential Solid Waste Collection By-law

(City Council on August 1, 2, 3 and 4, 2000, struck out and referred this Clause back to the Works Committee for further consideration.)

The Works Committee recommends the adoption of the report dated June 28, 2000, from the Commissioner of Works and Emergency Services.

The Works Committee reports, for the information of Council, having requested the Commissioner of Works and Emergency Services to submit a report directly to Council for its meeting on August 1, 2000, on the following motion, such report to include consideration of issues related to weight and storage space:

Moved by Councillor Shiner:

“That the following be deleted from the proposed by-law:

- (1) the requirement for the use of plastic bags for the collection of paper; and
- (2) the reference to bi-weekly recycling collection for Multiple Household Residences.”

The Works Committee submits the following report (June 28, 2000) from the Commissioner of Works and Emergency Services:

Purpose:

To summarize and address the comments received from stakeholders and present the proposed Residential Solid Waste Collection By-law for approval.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that:

- (1) the Residential Solid Waste Collection By-law, consolidating and harmonizing the residential components of the former Area Municipalities’ solid waste collection by-laws be enacted;
- (2) the following by-laws continue to be in effect, provided that in the event of a conflict between the Residential Solid Waste Collection By-law and a by-law referred to below, the Residential Solid Waste Collection By-law will prevail:

- Chapter 309, City of Toronto Municipal Code, as amended;
 - Chapter 149, Etobicoke Municipal Code, as amended;
 - By-law 1-86, as amended;
 - By-law 2890-78, as amended;
 - By-law 24478, as amended; and
 - By-law 21732, as amended;
- (3) authority be granted for the introduction of the necessary Bill to give effect thereto;
- (4) staff be authorized to take all steps necessary to enforce the Residential Solid Waste Collection By-law;
- (5) residents of the City of Toronto be advised accordingly;
- (6) the Commissioner of Works and Emergency Services be given full authority to discontinue solid waste collection services at any residential location due to non-compliance with the by-law, and only in the event that the Ward Councillor is of the opinion that the location should remain eligible for solid waste collection services while in contravention of the by-law, will the issue be sent to the Works Committee and Council for resolution; and
- (7) the Commissioner of Works and Emergency Services be directed to initiate site investigations at multiple household residential locations and authorize the adjustment of garbage and/or recycling collection service based on the protocol identified in this report.

Background:

Since amalgamation, solid waste collection in the City of Toronto has been regulated by six separate by-laws. Due to fundamental differences in collection policies and enforcement procedures, the need for a harmonized solid waste collection by-law has been critical to operational and service level consistencies.

The current solid waste collection by-laws deal with all services, however, due to the time required to properly research institutional and commercial eligibility issues and multiple household residential service fees, the attached by-law (Attachment 1), prepared in consultation with the Legal Department, deals only with residential curbside collection requirements and harmonizes collection policies and standardizes enforcement procedures across the City, while providing a fair and efficient collection system for our residential customers.

Upon approval by Council, all six current by-laws will remain in effect. However, in the event of a conflict between the new by-law and the former municipal by-laws, the new by-law will prevail. All existing by-laws must remain in effect for the purposes of enforcing multiple household bulk bin rental fees and commercial and institutional collection requirements. Following the harmonization of multiple residential household service fees and institutional and commercial issues, the approved residential by-law will be amended to encompass all services. At that time, all former municipal by-laws will be repealed.

In a report to each Community Council from the General Manager, Solid Waste Management Services, dated March 9, 2000, staff provided a copy of the proposed Residential Solid Waste Collection By-law and outlined the changes that may affect the residents in each Community Council Area (CCA) for review. For the convenience of members of the Works Committee and Council, a copy of the report has been attached as Attachment 2. Community Councils have provided their comments directly to the Works Committee as part of this agenda or, alternatively, requested staff to report on their comments as part of this report.

In addition to the consultation with each Community Council, newspaper advertisements were placed in each community newspaper(s) outlining the significant changes to collection services. A 24-hour response telephone line, in addition to an e-mail address was provided to allow residents and other stakeholders the opportunity to provide their comments and concerns. Community Councils also held public information sessions at their May meetings. Two public meetings at separate venues were also scheduled at the request of the Scarborough and Toronto Community Councils. A summary of the stakeholder consultation has been provided in Part C of the Comments section.

Staff were requested by Community Councils to report on the following items when the matter of the residential solid waste collection by-law is considered by Works Committee:

- (1) provide clarification for existing situations as to what constitutes health or safety issues, and who determines what is a health and safety issue as it relates to whether or not garbage will be collected from storage bins on private property owned by businesses or multiple residential buildings (as requested by East York Community Council);
- (2) include a recommendation on a protocol for implementing collection for multiple residential units from twice a week to once a week (as requested by Etobicoke Community Council);
- (3) in consultation with the City's recycling firms, report on the requirement that newspapers and magazines be bagged, given the concern of the Toronto Community Council that this requirement may reduce participation in recycling and make residents guilty of an offence for undertaking an activity which, in the past, was legal (as requested by Toronto Community Council); and
- (4) report on adding a new section to the proposed by-law which would ensure the proper setting out of garbage and proper recycling of materials for buildings with two or more dwelling units with an absentee landlord (as requested by Toronto Community Council).

Staff have provided the requested information in Part A in the Comments section.

In addition, the following are recommendations from the Community Councils respecting the Residential Solid Waste Collection By-law that have been included as part of this meeting's agenda as submissions from the Community Councils for the consideration of the Works Committee:

- (1)
 - (a) the retention of eight bags per collection, instead of the proposed six, having regard for the fact that the former City of Scarborough approved eight bags per collection when it adopted the once-a-week collection schedule (as requested by Scarborough Community Council); and
 - (b) the implementation of six bags per collection when garbage collection across the City has been harmonized (as requested by Scarborough Community Council);
- (2) as single family homes, townhouses, semi-detached homes and multi-residential developments, other than apartment buildings, are all taxed at the same rate, they should all receive the same level of service for waste collection and curbside collection, and that central point collection be eliminated at all properties except those that may wish to retain central point collection (as requested by North York Community Council);
- (3) Section 15.1(c) be amended to provide that only grey and green recycling boxes be used for the collection of newspapers, telephone directories, magazines and catalogues, and that all references to the use of bags for the collection of paper be deleted (as requested by North York Community Council);
- (4) the wording of the proposed Residential Solid Waste Collection By-law be amended to provide that the authority for ceasing of solid waste collection be only at the discretion of City Council (as requested by North York Community Council);
- (5) Section 2.5 of the proposed by-law attached to the report (March 9, 2000) from the General Manager, Solid Waste Management Services be amended to read:

“2.5 The Commissioner may determine that Owners of multiple household residences who do not participate fully in the City’s collection of Recyclable Materials or who sell or otherwise transfer Recyclable Materials to persons other than the City are not eligible to receive any Services.” (as requested by Toronto Community Council);
- (6) a Schedule of set fines be submitted to Council prior to the adoption of the by-law (as requested by Toronto Community Council); and
- (7) appropriate advertising and public education be undertaken to ensure residents are made aware of changes to their collection service upon approval of the by-law (as requested directly to staff by East York Community Council).

Discussion of each recommendation has been provided in Part B of the Comments section.

Comments:

A. Requests for Further Information:

The following addresses the requests from Community Councils as they pertain to the Residential Solid Waste Collection By-law:

(1) Health and Safety Issues:

If a health and safety issue arises related to whether or not garbage will be collected from storage bins on private property (excluding bulk or automated/rear bin), the existing by-law or requirements will be reviewed. If, as in the case of the East York CCA, the current by-law states that collection will not take place on private property or from a storage room, the Solid Waste Management Services supervisor will discuss changing the collection point with the property manager or owner. In turn, the collection method may change. Upon approval of this by-law, collection can be refused at any location that is deemed dangerous to City employees. In the case of storage bins, a health and safety audit done in the Toronto CCA in 1993 showed that significant health and safety concerns were identified that included rodents, sharps (syringes/needles), bin lids and packaging problems.

When staff feel that their work environment may pose a health and safety risk, under the Ontario Occupational Health and Safety Act, the immediate supervisor is responsible for calling in representatives from the designated Health and Safety Committee. The two representatives would be union staff and management staff respectively. These two representatives would determine if the situation is a health and safety issue. The staff member who originally lodged the complaint would then be informed of the Committee's decision. If the staff member is not satisfied with the decision, a representative from the Ministry of Labour would be called in to investigate. At that point, the Ministry of Labour decision is binding.

(2) Multiple Household Residence Protocol for Decreasing Current Twice/Week Service Levels:

It is proposed that every location that currently receives twice-per-week garbage collection will receive a site visit by Solid Waste Management Services staff. At that time, staff will review the site configuration and storage requirements with the property management company or a representative of the development. Based on estimated generation rates, we would require a minimum of approximately 1.2 cubic metres of space per unit on site to accommodate the storage of garbage and recyclables weekly and bi-weekly respectively. The storage area(s) should be ventilated and rodent proof and located internally within the actual building or in an enclosure on site.

If staff are satisfied from the site investigation that the storage requirements cannot be met, the location would be exempt from the once-per-week collection clause.

In conjunction with reducing curbside garbage collection service from twice per week to once per week, staff are reviewing the reduction of cart/toter collection service from the weekly collection of each product (paper/commingled) to the collection of one product on alternating weeks or both products bi-weekly (as is the current situation with single family households receiving once-per-week garbage collection). Additional carts/toters will be required at these locations to accommodate the additional storage needs. Again, if based on the site investigation, staff are satisfied that additional storage is not available, the recyclable collection service will remain status quo.

(3) Grey Box Requirements:

Currently, the proposed grey box requirements (i.e., newspaper, catalogues and magazines must be bagged and placed beside the grey box or on top of the other loose paper in the grey box) are currently practiced in the Toronto and Scarborough CCAs. This policy is based on an ergonomic study undertaken in the Toronto CCA which showed that lifting grey boxes full of newspapers/magazines and catalogues posed a health risk. In these two CCAs, newspapers must be bagged, which allows staff to lift each bag separately. The Etobicoke and York CCA currently require that all paper be bagged to avoid litter problems on windy days. As such, generation rates in these four Community Council Areas will not be affected by the provision in the new by-law. It should be noted that Community Council Areas with these restrictions still realized high diversion rates and it is anticipated that this requirement will not significantly reduce the capture rates of fibre materials in the North York and East York CCAs.

Calendars and advertisements will continue to promote the proper way of placing grey/green box material at the curb based on the approved by-law requirements. However, should staff determine that a resident is consistently placing out loose materials in the grey box and the boxes are deemed heavier than average, staff will visit the location and explain why newspapers, magazines and catalogues must be bagged. If the containers continue to be overfilled and heavy, staff will not collect the materials until they have been packaged correctly. Residents will be fined as a final option only.

(4) Multiple Household Set-Out Requirements:

A separate section is not required in the by-law to ensure the proper setting out of garbage and recycling materials for buildings with two or more dwelling units with an absentee landlord as the proposed by-law wording covers this issue.

Under the new by-law, enforcement staff have the power to issue tickets where garbage and recyclables have not been set out properly. Both the owner and occupant are responsible to ensure garbage and recyclables are placed out under the terms of the by-law. The City has the option of cutting off service to locations not participating in the recycling program and/or leaving materials behind due to by-law infractions. In these cases the City will have the ability to clean-up the boulevard and charge the owner directly on the taxes. As opposed to the full removal of services, the City also has the ability to take the owner to court for continued contravention of the by-law, whereby the owner may face a jail sentence. Both these enforcement procedures will ensure that an absentee landlord is responsible for his/her tenants' actions.

B. Community Council Recommendations:

(1) Bag Limits:

As stated in the report of March 9, 2000, it is anticipated that reducing the number of items allowed per collection day will not affect the majority of residents in the City of Toronto. It is anticipated that those residents who will be adversely affected by a six-bag limit do not regularly participate in the City's recycling program or put out illegal materials for collection (i.e., commercial waste).

Based on the item limit study undertaken in the Scarborough CCA, households put out approximately 2.15 items weekly. In addition, a phone survey undertaken in November 1999 for the purposes of evaluating summer twice-per-week collection, indicated that Scarborough residents felt that, on average, they put out 2.4 bags/containers on each collection day.

In the original study done for the purposes of this by-law, residents put out approximately 2.86 items weekly. Therefore, by setting a low but realistic item limit, it is anticipated that residents who normally place out less than six items will be further encouraged to increase their recycling and composting efforts and divert reusable items to a number of agencies located within the City. In addition, this item limit will allow staff the opportunity to identify households that may require additional blue/grey boxes and/or educational materials regarding recycling and other diversion options. Staff will also be able to identify locations that may be consistently putting out prohibited items such as trade waste for residential collection.

Approving an eight-item limit initially until all CCAs receive summer twice/week collection will ultimately cause confusion among residents when the bag limit is adjusted. While the North York CCA and some Toronto CCA residents are enjoying a higher level of service this summer, our studies have indicated that, on average, residents do not put out more than six items in total over the two collection days in each week. In addition, tonnage collected is generally 25 percent lower on the second day and only 47 percent of the residents typically use the second day. It is expected that the average resident will not abuse the twice-per-week collection system by placing more than six items out weekly.

(2) Central Point Collection:

As stated in the report entitled "Proposed Solid Waste Management Services Requirements for Developments and Redevelopments" from the General Manager, Solid Waste Management Services, dated March 9, 2000, to each Community Council, the proposed requirements recommend garbage and recycling collection services from central collection points (i.e., bulk lift collection or shared single point collection) at all new and applicable redevelopments where townhouses/rowhouses etc. face a private roadway. Factors that influenced the proposed requirement include liability issues, problems associated with roadways not built or maintained to City standards, lack of by-law enforcement capabilities on private property and the requirement that garbage collected in rigid containers or bags be collected from the public portion of the street allowance. Should door-to-door collection be requested, it is recommended that developers propose to provide roads in the development that can be assumed by the City. In addition, the proposed requirements set out by Urban Planning and Development Services (UPDS) in the draft document entitled "Design Guidelines and Development Standards for Infill Housing" recommend that freehold housing be developed on existing public streets where possible, or alternatively, on newly created public streets that are not deadended.

While it is realized that infill townhouse locations are taxed at the same rate as single family homes, the elimination of single point collection at all existing locations is not possible due to the issues that were factored in to the original decision to provide single point collection. Factors affecting the approvals included lack of appropriate storage facilities, private road widths and access issues. Many locations do not have storage in each individual dwelling unit, therefore, central storage facilities and collection points are critical. In addition, existing locations

currently not receiving door-to-door collection do not have sufficient road widths that will allow our existing vehicles access onto the site. In addition to the narrow roads, these locations may not have sidewalks which provide for the safety of residents and children when vehicles are moving through the site. Access is also a critical factor to collection on these narrow private roadways due to parked cars and snow banks, thereby resulting in missed collections; and, as stated previously, we have no by-law enforcement capabilities on private property. For example, should a resident choose to store their garbage at the private road allowance, we cannot issue tickets or clean up orders.

These factors, in addition to the fact that service levels have not changed at these locations as a result of amalgamation, staff are recommending that the collection method at all existing locations serviced by the City remain status quo. It is important to note that this is not governed by the by-law.

(3) Grey/Green Box Set Out:

Currently, all CCAs, with the exception of the North York and East York CCAs, require that newspapers, magazines and catalogues be bagged and placed beside or on top of other loose paper in the grey/green box due to health and safety issues and litter concerns. Loose paper tends to create serious litter problems on windy days. Heavier boxes, due to overloading or storage in wet weather conditions, have created a cause for concern with regards to back injuries due to the deeper bend required to lift recycling boxes in comparison to garbage cans. An ergonomics study was undertaken in the former City of Toronto when the grey box was first introduced and based on recent correspondence from the City's ergonomist, it is recommended that the set-out requirements in the proposed by-law be approved. Approval of all loose paper products in the grey/green box will compromise the City's efforts to maintain a safe working environment and a clean city.

(4) Removal of Collection Services:

By changing the authority for ceasing solid waste collection from the Commissioner to City Council, the time frame for enforcing the by-law and the requirement of monthly reports to the Works Committee and City Council will be onerous on both staff and Council. Currently, in the Scarborough CCA, staff ensure that Councillors are made aware of locations in their Ward that may be removed from our collection service due to the refusal of the property manager to implement or maintain a recycling program for residents. As such, Councillors are made aware well in advance of any notification of removal of services and have sufficient time to contact the property manager or Solid Waste Management Services staff regarding the location.

Staff are recommending that this procedure be established across the City upon approval of the by-law. Councillors will be copied on all correspondence relating to the potential removal of services at any residential location due to the mandatory recycling provision or health and safety violations. After staff have provided copies of all relevant documentation to support the removal of services, the Councillor has the opportunity to review the situation. If the Councillor does not oppose our recommendation, the Commissioner will have the authority to discontinue services. However, if the Councillor wishes to have a location exempt from the by-law, staff are proposing

that a report be provided to the Works Committee and Council in order to exempt the location from this by-law provision.

(5) Mandatory Recycling:

Staff have recommended that all single family and multiple family households be subject to the mandatory recycling by-law. While the by-law is critical to encouraging owners of multiple household residences to participate in the City's recycling program, it is also critical for addressing single family household residents who consistently do not recycle and are in constant contravention of the item limit. Staff are of the opinion that mandatory recycling is a powerful motivational tool. In addition, when fibre revenues increase significantly, some residents and property managers are willing to sell their paper to companies other than the City. In instances such as these, the City will realize a loss in revenues. Again, the mandatory recycling clause can be used to ensure we do not lose paper products to entrepreneurs during peak market prices. Staff are therefore recommending that the mandatory recycling clause remain as originally presented during the public consultation.

(6) Set Fines:

The proposed set fines that have been drafted and forwarded to the Legal Department for their review have been included as Attachment 3. Upon review and modification, where required, the proposed wording and fines will be submitted to the Ministry of the Attorney General for approval. However, the by-law must be approved by Council before the short form wording and suggested set fines are forwarded by the Legal Department to the Ministry. The Ministry has the opportunity to amend the set fines at that time.

(7) Public Education:

Solid Waste Management Services staff, in consultation with the Public Consultation and Community Outreach Unit, will create an appropriate public education plan to ensure that residents are made aware of any changes to their collection service as a result of the harmonized by-law. The plan will include newspaper advertisements and flyers delivered in conjunction with annual solid waste collection calendars. In addition, when a residential location is in violation of an infraction that has changed as a result of the by-law, staff will provide an education package highlighting changes to the by-law on the first infraction, as opposed to fining the resident. However, staff will undertake the normal enforcement procedure on any subsequent offences.

C. Results of Stakeholder Consultation:

In addition to each Community Council reviewing and commenting on the proposed by-law, residents and other stakeholders were given the opportunity to provide feedback. All ratepayer groups in the City and approximately 200 property managers were provided through the mail or via facsimile, with information on the proposed by-law and an invitation to attend their local public meeting. All stakeholders were given the opportunity to provide feedback at any public meeting and through a 24-hour comment line and via e-mail.

The following table summarizes comments received from stakeholders through one of the above means:

Comments	No. of Similar Responses	Solid Waste Management Services Recommendation
Elderly residents use the public litter bins for garbage disposal and, as such, should not be illegal.	1	The use of public litter bins is currently illegal across the City and must remain so due to the problems encountered with abuse.
Enforcement of the by-law of paramount importance to reduce unsightly garbage at the curb on non-collection days.	1	Solid Waste Management Services has increased the number of by-law enforcement officers to 25 (plus 2 supervisors) and will ticket all infractions that staff are aware of.
Increased enforcement required for people who dump household garbage in public litter bins.	1	The new by-law prohibits the use of public litter bins for household garbage. Enforcement staff regularly open bags left in the litter bins. However, tickets can only be issued if evidence is found.
Problems with automated bins in the North York CCA – unsightly.	3	A working committee made up of Councillors and staff is addressing the issue of automated bins and will recommend alternative methods of collection.
Lack of storage space a problem at some townhouses, therefore, twice-per-week garbage collection is necessary.	1	Staff have recommended criteria that will be used to determine if a multiple household residence receiving curbside garbage collection can be adjusted from twice per week to once per week. Locations with insufficient storage space will continue to receive twice-per-week collection.
Legislation should be in place to enforce the repair of electrical appliances as opposed to disposal.	1	Provincial/Federal mandate.
Concern of space requirements due to the mandatory recycling clause.	1	Staff assisted with identifying space and provided the cost of recycling containers.
Reduction in bag limit will result in more litter, dumping.	1	The majority of residents are in compliance with a six-item limit.

D. Other:

As a result of an extensive review of the proposed by-law during the consultation phase, minor wording changes have been made. However, these will not affect the service levels and

requirements originally presented during the consultation process, nor do they affect the purpose of the by-law. These changes allow for better enforcement capabilities.

Conclusions:

Based on comments received from all stakeholders during the public consultation process, staff are of the opinion that the attached by-law provides a fair and reasonable collection system to all residents of the City of Toronto. By making changes to bag limits or mandatory recycling, the City will be compromising its efforts to increase diversion and decrease the amount of unauthorized waste going to landfill.

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Attachments:

- (1) Residential Solid Waste Collection By-law.
- (2) Report to each Community Council entitled "Proposed Residential Solid Waste Collection By-law" (March 9, 2000).
- (3) Proposed Short Form Wording.

CITY OF TORONTO

BY-LAW No ****

To harmonize and regulate the handling and collection of Garbage and other Waste from Residential Properties within the City of Toronto

WHEREAS section 208.2 of the Municipal Act (the "Act") authorizes a municipality to pass by-laws to establish, maintain and operate a waste management system; and

WHEREAS section 208.6 of the Act authorizes a municipality to pass by-laws to prohibit or regulate the use of any part of a waste management system; and

WHEREAS the handling and collection of Garbage and other Waste from Residential Properties within the City of Toronto has, to date, been regulated by by-laws enacted by the councils of the former Corporation of the City of Toronto, the Corporation of the City of North

York, the Corporation of the City of Etobicoke, the Corporation of the City of York, the Corporation of the City of Scarborough and the Borough of East York (the “former municipalities”); and

WHEREAS it is desirable to consolidate and harmonize the waste collection by-laws of the former municipalities with respect to Residential Properties;

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

PART I - INTERPRETATION

1. Definitions

1.1 In this By-law and schedules forming part thereof, the following terms shall have the following respective meanings:

- (a) “Bulky Item” means a household item other than an item for which Special Collection Services are provided, which is larger than 1.2 metres in any one dimension or weighs in excess of 20 kilograms, including furniture of whatever size and weight as may be determined by the Commissioner;
- (b) “City” means the City of Toronto;
- (c) “City Council” means the Council for the City of Toronto;
- (d) “Collection Point” means the part of a property eligible to receive Services that has been designated by the Commissioner for the setting out and collection of Garbage, Recyclable Materials, Yard Waste and items eligible for Special Collection Services;
- (e) “Commissioner” means the Commissioner of the City’s Works and Emergency Services Department and includes his or her designate or successor, if any;
- (f) “Contamination” means the mixing of an item referred to in one subclause below with an item described in a different subclause:
 - (i) Recyclable Materials;
 - (ii) Garbage;
 - (iii) Yard Waste;
 - (iv) Restricted Items;
- (g) “Curbside Collection” means the collection of Garbage and Recyclable Materials in containers described in subsections 9.1 and 10.1 at a Collection Point which is at or near a curb;
- (h) “Daytime Collection Period” means a period of time during which the City provides Services which period commences at 7:00 a.m. on a specified day and concludes at 5:00 p.m. the same day;

- (i) “Department” means the City’s Works and Emergency Services Department;
- (j) “Dwelling Room” means a room used or designed for human habitation which has culinary or sanitary facilities, but does not include:
 - (i) a room in a Dwelling Unit or in a hotel, tourist or guest home;
 - (ii) a bathroom or kitchen; or
 - (iii) a windowless storage room that has a floor area of less than ten square metres;
- (k) “Dwelling Unit” means a living accommodation used or designed for habitation by one person or by two or more persons living together which consists of a room or suite of two or more rooms in which both culinary and sanitary facilities are provided for the exclusive use of the person or persons;
- (l) “Garbage” means waste other than Recyclable Materials, Yard Waste, items for which Special Collection Services are provided and Prohibited Waste;
- (m) “Garbage Collection Services” means those services provided by the City under this By-law for the removal of Garbage from Residential Property within the City;
- (n) “Garbage Container” means a container for setting out Garbage which meets the requirements contained in subsections 9.1 and 9.2;
- (o) “Household Residence” means a building containing Dwelling Rooms and/or fewer than eight Dwelling Units;
- (p) “Mechanical Collection” means the collection of Garbage and Recyclable Materials in containers described in subsections 9.2 and 10.2;
- (q) “Multiple Household Residence” means a building used mainly for residential purposes which contains eight or more Dwelling Units;
- (r) “Nighttime Collection Period” means a period of time during which the City provides Services which period commences at 8:00 p.m. on a specified day and concludes at 7:00 a.m. the next day;
- (s) “Owner” means an owner, occupant, lessee, tenant or any other person in charge or in control of a Residential Property in the City;
- (t) “Person with Disability” means a person who, in the opinion of his or her physician, is by reason of permanent or temporary disability, unable to comply with the requirements of this By-law with respect to setting out Regulation Containers at the appropriate Collection Point;

- (u) “Prohibited Waste” means the waste items referred to in Schedule “C” hereto;
- (v) “Recyclable Materials” means the waste items, other than Yard Waste, referred to in Schedule “B” hereto;
- (w) “Recycling Container” means a container for setting out Recyclable Materials which meets the requirements contained in subsections 10.1 and 10.2;
- (x) “Recycling Collection Services” means the Services provided by the City for the removal of Recyclable Materials from Residential Property within the City;
- (y) “Regulation Container” means a Garbage Container, a Recycling Container or a Yardwaste Container;
- (aa) “Regulation 347” means Regulation 347, R.R.O. 1990, under the *Environmental Protection Act*, as same may be amended or replaced from time to time;
- (bb) “Residential Property” means a Household Residence or a Multiple-Household Residence;
- (cc) “Services” means one or more of the services provided by the City under this By-law, including Garbage Collection Services, Recycling Collection Services, Yard Waste Collection Services and Special Collection Services;
- (dd) “Set Out” means the placement at a Collection Point of an item with respect to which the City provides Services;
- (ee) “Special Collection Services” means the services provided by the City under this By-law for the collection of items referred to in Schedule “A” hereto;
- (ff) “Specially Equipped Building” means a Multiple-Household Residence which has a stationary compactor unit and garbage container(s);
- (gg) “Street” means any public highway, road, street, lane, alley or square within the jurisdiction of the City;
- (hh) “Waste” means Garbage, Recyclable Materials, Yard Waste and Prohibited Waste;
- (ii) “Yard Waste” means those items referred to as yard waste in Schedule “B” hereto;
- (jj) “Yard Waste Collection Services” means those services provided by the City under this By-law for the removal of Yard Waste from Residential Property within the City; and

(kk) “Yard Waste Container” means a container for setting out Yard Waste which meets the requirements contained in subsection 11.1.

1.2 The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts, and individuals, male or female, and to include the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.

1.3 The insertion of headings and the division of this By-law into sections and subdivisions thereof is for convenience of reference only and shall not affect the interpretation thereof.

PART II - COLLECTION SERVICES

2. Eligibility for Services

2.1 Subject to the terms and conditions contained in this By-law and any directives issued by City Council from time to time, the City shall collect Garbage, Recyclable Materials, Yard Waste and items eligible for Special Collection Services from Residential Properties.

2.2 No Owner shall be eligible to receive Services unless the Owner complies with all relevant requirements contained in this By-law and in the City publication entitled “Requirements for Garbage and Recycling Collection Services at Developments and Redevelopments” as same may be amended from time to time.

2.3 The Commissioner may determine that Owners who do not participate fully in the City’s collection of Recyclable Materials or who sell or otherwise transfer Recyclable Materials to persons other than the City are not eligible to receive any Services.

3. Frequency of Garbage Collection Services

3.1 The City shall collect Garbage no more than once per week from Household Residences and Multiple Household Residences who receive Curbside Collection.

3.2 Notwithstanding the foregoing, City Council may direct the Commissioner to provide Garbage Collection Services twice per week to Household Residences and Multiple Household Residences who receive Curbside Collection subject to such terms and conditions as City Council deems appropriate.

3.3 The City shall collect Garbage no more than twice per week from Multiple Household Residences who receive Mechanical Collection.

4. Frequency of Recycling Collection Services

4.1 The City shall collect Recyclable Materials once every two weeks from Household Residences and Multiple Household Residences who receive Curbside Collection of Garbage.

4.2 The City shall collect Recyclable Materials no more than once per week from Multiple Household Residences who receive Mechanical Collection.

5. Frequency of Yard Waste Collection Services

5.1 The City shall collect Yard Waste from Household Residences and Multiple Household Residences approved by the Commissioner during the months of April, May, June, July, August, September, October and November on days specified by the Commissioner.

5.2 Notwithstanding subsection 5.1, if, in the opinion of the Commissioner, a Multiple Household Residence has a suitable location for on-site composting or if a private contractor is employed for the purposes of lawn and garden maintenance at the Multiple Household Residence, the Commissioner may elect not to provide Yard Waste Collection Services for the Multiple Household Residence.

6. Special Collection Services

6.1 The City shall provide Special Collection Services to an Owner with respect to the items referred to in Schedule "A" hereto provided that:

- (a) the Owner contacts the Department prior to setting out the item requiring Special Collection Services; and
- (b) the Owner complies with all directions of the Department with respect to the preparation of the affected item for setting out and collection.

6.2 An Owner shall ensure that the doors are removed from any appliance eligible to be collected under this section before setting out the appliance for collection.

6.3 Special Collection Services shall be provided by the City on a "first requested, first served" basis.

6.4 The Commissioner may refuse or limit the amount of Special Collection Services provided to an Owner.

7. Collection of Prohibited Waste

7.1 The City shall not collect Prohibited Waste.

7.2 No Owner shall set out Prohibited Waste for collection by the City, either on its own or mixed with any Waste with respect to which the City provides Services.

8. Collection Limits

8.1 No Owner of a Household Residence shall set out more than 6 Garbage Containers for collection.

8.2 There shall be no limit on the amount of Recyclable Materials or Yard Waste which may be set out by an Owner of a Household Residence provided that the Owner of the Household Residence complies with all relevant provisions of this By-law.

PART III - REQUIREMENTS FOR REGULATION CONTAINERS

9. Garbage Containers

9.1 Owners of Household Residences and Multiple Household Residences who receive Curbside Collection shall use a container described below for setting out Garbage:

- (a) a rigid container, in good working order with
 - (i) a capacity greater than 30 litres and less than 125 litres;
 - (ii) an external height no greater than 95 centimeters;
 - (iii) an internal width or diameter no greater than 60 centimeters;
 - (iv) a lid which may be easily and completely removed to facilitate collection;
 - (v) any device used to tie down the lid must be completely removed prior to collection; and,
 - (vi) handles must be set above the midpoint of the container; or
- (b) a plastic bag measuring approximately 66 centimeters by 90 centimeters and capable of supporting 20 kilograms when lifted.

9.2 Owners of Multiple Household Residences who receive Mechanical Collection shall use a container described below for setting out Garbage:

- (a) a properly covered watertight metal container, in sound and good working order with a capacity greater than of 1.76 cubic metres and less than 4.6 cubic metres which has a maximum weight of 1500 kilograms when full and is compatible with the equipment used by the City for the provision of Garbage Collection Services; or
- (b) any other container, in good working order designated by the Commissioner as acceptable for setting out Garbage.

10. Recycling Containers

10.1 Owners of Household Residence and Multiple Household Residences who receive Curbside Collection shall use a container described below for setting out Recyclable Materials:

- (a) a blue box or grey box which is provided by the City or which meets the requirements of the City; or
- (b) such other container provided by the City or designated by the Commissioner as acceptable for setting out Recyclable Materials.

10.2 Owners of Multiple Household Residences who receive Mechanical Collection shall use a container described below for setting out Recyclable Materials:

- (a) a 340 litre plastic bin equipped with wheels which is compatible with the equipment used by the City for the provision of Recycling Collection Services;
- (b) a fully covered, water-tight metal container with a capacity greater than 2.3 cubic metres and less than 4.6 cubic metres which is compatible with the equipment used by the City for the provision of Recycling Collection Services; or
- (c) such other container, in good working order, provided by the City or designated by the Commissioner as acceptable for setting out Recyclable Materials.

11. Yard Waste Containers

11.1 Unless otherwise required under this By-law, Owners of Household Residences and Multiple Household Residences approved by the Commissioner shall use a container described below for setting out Yard Waste:

- (a) a rigid open container in good working order with:
 - (i) a capacity of not less than 20 litres nor more than 125 litres;
 - (ii) an external height no greater than 95 centimeters;
 - (iii) an internal width or diameter no greater than 60 centimeters;
 - (iv) capable of supporting 20 kilograms when lifted; and
 - (v) handles set above the midpoint of the container; or
- (b) a kraft paper bag constructed of wet strength kraft paper specifically designed for yard waste material and:
 - (i) with a height no greater than 90 centimetres and no less than 85 centimetres;
 - (ii) with a width of no greater than 41 centimetres and no less than 37 centimetres;

- (iii) a depth of no greater than 31 centimetres and no less than 27 centimetres;
 - (iv) have the capability to be securely closed when filled; and
 - (v) be capable of supporting 20 kilograms when lifted; or
- (c) a clear plastic bag capable of supporting 20 kilograms when lifted.

11.2 Notwithstanding clause (c) of subsection 11.1, after March 1, 2001, no person shall set out Yard Waste in a clear plastic bag.

12. Multiple Household Residences

12.1 Owners of Multiple Household Residences shall provide, for the use of residents, sufficient separate Regulation Containers for Garbage, Recyclable Materials and Yard Waste, if the Multiple Household Residence receives Yard Waste Collection Services.

PART IV - SETTING OUT GARBAGE AND RECYCLABLE MATERIALS

13. General Requirements

13.1 No Owner shall set out Garbage, Recyclable Materials or Yard Waste for collection unless the Garbage, Recyclable Materials or Yard Waste is:

- (a) generated on the public or private portion of the property abutting the approved Collection Point;
- (b) placed as close as possible to the edge of the roadway without obstructing the roadway or sidewalk;
- (c) free from Contamination; and
- (d) in appropriate Regulation Containers which are clean, well maintained, in good working order and filled to a height no greater than their sides.

13.2 Subject to subsection 13.3, no Owner shall set out, nor shall the City be obliged to collect, any item, other than a Bulky Item, which weighs in excess of 20 kg, whether such item be a bundle, in a Regulation Container or loose.

13.3 Subsection 13.2 does not apply to a Regulation Container described in clause (b) of subsection 9.2 and clause (b) of subsection 10.2.

13.4 Owners shall ensure that the space on a sidewalk or Street occupied by Garbage, Recyclable Materials or Yard Waste set out for collection does not exceed the frontage of the property.

14. Times for Setting Out Garbage and Recyclable Materials

14.1 An Owner who receives Services during a Daytime Collection Period shall ensure that:

- (a) Garbage, Recyclable Materials and Yard Waste are set out at the Collection Point no earlier than 8:00 p.m. on the day before collection and no later than 7:00 a.m. on the day of collection; and
- (b) empty Regulation Containers and uncollected Garbage, Recyclable Materials and Yard Waste are removed from the Collection Point no later than 10:00 p.m. on the day of collection.

14.2 An Owner who receives Services during a Nighttime Collection Period shall ensure that:

- (a) Garbage, Recyclable Materials and Yard Waste are set out at the Collection Point no earlier than 8:00 p.m., and no later than 11:00 p.m. on the first day of the Nighttime Collection Period; and
- (b) empty Regulation Containers and uncollected Garbage, Recyclable Materials and Yard Waste are removed from the Collection Point no later than 10:00 a.m. on the second day of the Nighttime Collection Period.

14.3 At any time other than a time described in subsections 14.1 and 14.2, Owners shall ensure that Garbage, Recyclable Materials and Yard Waste are stored on their premises and contained in a manner that protects same from rodents, vermin, pests and other disturbances.

14.4 Every Owner shall make his best efforts to set out Garbage, Recyclable Materials and Yard Waste on each day that the City provides Garbage Collection Services, Recycling Collection Services and Yard Waste Collection Services, as the case may be, and in no case shall an Owner fail to set out an item eligible for collection under in this By-law for more than one collection period.

15. Preparation of Recyclable Materials for Collection

15.1 Owners of Household Residences and Multiple Household Residences who receive Curbside Collection of Recyclable Materials shall sort and set out Recyclable Materials as follows:

- (a) the following items shall be placed inside a Recycling Container loose and free of plastic bags or any other wrapping:
 - (i) glass bottles and jars;
 - (ii) metal food and beverage cans;
 - (iii) plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneteraphthalate (PET #1); and
 - (iv) aluminum foil trays.

- (b) the following materials shall be placed loose in a Recycling Container, separate from the items referred to in clause (a) of subsection 10.1:
 - (i) household paper;
 - (ii) paper egg cartons, rolls and bags;
 - (iii) gift wrap and cards; and
 - (iv) boxboard.

- (c) the following items shall not be placed in a Recycling Container, but shall be set out for collection in bags or bundles tied with string, not exceeding 20 kilograms in weight, and free of any wrapping:
 - (i) newspapers;
 - (ii) telephone directories;
 - (iii) magazines and catalogues; and

 - (iv) flattened clean, unwaxed corrugated cardboard, in bundles no larger than 75cm x 75cm x 30cm.

15.2 Owners of Multiple Household Residences who receive Mechanical Collection of recyclables shall place the following items loose in said containers, free of plastic bags or any other wrapping and separate from any other items:

- (a) household paper;
- (b) paper egg cartons, rolls and bags;
- (c) gift wrap and cards;
- (d) boxboard;
- (e) newspapers;
- (f) telephone directories;
- (g) magazines and catalogues; and
- (h) flattened clean, unwaxed corrugated cardboard, in bundles no larger than 75 cm x 75 cm x 30 cm .

15.3 Owners of Multiple Household Residences who receive Mechanical collection of Recyclables shall place the following items loose in said containers free of plastic bags or any other wrapping and separate from any other items including the items referred to in subsection 15.2:

- (a) glass bottles and jars;

- (b) metal food and beverage cans;

- (c) plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneteraphthalate (PET #1); and
- (d) aluminum foil trays.

16. Preparation of Yard Waste for Collection

16.1 Owners of Household Residences and Multiple Household Residences who receive Yard Waste Collection Services shall sort and set out Yard Waste as follows:

- (a) plant cuttings, roots, weeds and leaves shall be set out in a Yardwaste Container;
- (b) hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter shall be tied in bundles no greater than 1.2 metres in length and 0.6 metres in diameter; and
- (c) Christmas trees shall be free of all tinsel, nails, ornaments and plastic bags.

17. Specially Equipped Buildings

17.1 Owners of Specially Equipped Buildings shall ensure that Garbage is packed by means of a stationary compactor unit.

17.2 The Commissioner may require the Owner of a Specially Equipped Building to provide appropriate access, storage facilities, compactor equipment, collection locations and facilities for the implementation and/or continued receipt of Services.

17.3 Garbage Containers shall be collected from Specially Equipped Buildings as often as may be considered necessary by the Commissioner and in the event that the Commissioner determines that collection is required more than twice per week, the Owner shall arrange and pay for the extra collections.

18. Exemptions

18.1 Notwithstanding anything in this By-law, the Commissioner may exempt a Person With Disability who occupies a Dwelling Unit with an independent exterior entrance and who does not reside with an able-bodied person from the requirement to set out Garbage, Recyclable Materials and Yard Waste at the designated Collection Point provided that the Person with Disability completes all forms required by the Commissioner.

PART V - OFFENCES

19. Prohibited Acts

19.1 No person shall:

- (a) place, permit to be placed or permit to remain on or in any Street abutting the property which they own or occupy any Waste, except as expressly authorized by this By-law;
- (b) throw, cast or otherwise deposit or permit any contractor, agent or employee to throw, cast or otherwise deposit any Waste whatsoever on or in any Street or other public property, except as expressly authorized by this By-law;
- (c) pick over, interfere with, disturb, remove or scatter any Waste set out for collection unless authorized to do so by the Commissioner;
- (d) permit any animal owned by him or under his care or control to pick over, interfere with, disturb, remove or scatter any Waste set out for collection;
- (e) place Waste on public property for collection by a private agency, unless otherwise approved by the Commissioner;
- (f) deposit Waste generated on private property in Public Street Receptacles.

20. Charging of Expenses Against the Property

20.1 In this By-law where any person is directed or required to do any matter or thing within a specified period of time from the delivery of a written notice of non-compliance, in default of its being done by the person directed or required to do it, such matter or thing shall be done at his expense and such expense may be recovered in like manner as municipal taxes.

21. Penalties

21.1 Any person who commits an act prohibited under section 19 or contravenes any other provision of this By-law is guilty of an offence and upon conviction therefore:

- (a) is liable to a fine of not more than \$10,000.00 for a first offence and \$25,000.00 for any subsequent offence, except that where a corporation is convicted of an offence the maximum penalties shall be \$50,000.00 for the first offence and \$100,000.00 for any subsequent offence; and
- (b) is subject to the discontinuance of all services provided for in this By-law until the Householder or Owner demonstrates to the Commissioner that he or she is in compliance with this By-law.

21.2 In the event the Commissioner discontinues Services in accordance with subsection 21.1, the affected Owner shall obtain private collection services during the period in which the Services are discontinued, at the same or greater frequency at which the Services were provided prior to their discontinuance.

PART IV - GENERAL

22. Restrictions on City Collection

22.1 The City shall not make collections from, nor return Regulation Containers to any location which the Commissioner deems unreasonable, inefficient or dangerous to City employees.

22.2 No City employee shall enter any building, property or part of any building or property for the purpose of removing or returning any Regulation Container except as otherwise determined by the Commissioner.

22.3 Before any City employee enters a building, property or part of a building or property which the Commissioner has determined to be safe under subsection 22.2, the Owner shall enter into an agreement with the City to:

- (a) indemnify and keep indemnified the City against all actions, suits, claims and demands which may be brought against or made upon the City and its officers, employees and agents and against all loss, costs, charges, damages or expenses whatsoever which may be incurred, sustained or paid by the City in consequence of any employee of the City entering the building or part of it;
- (b) grant to the City full power and authority to settle any such actions, suits, claims and demands on such terms as the City may consider advisable; and
- (c) covenant and agree with the City to pay to the City on demand all moneys paid by the City pursuant to any such settlement and also such sum as shall represent the reasonable costs of the City or its solicitor in defending or settling any such actions, suits, claims or demands.

23. Powers and Duties of the Commissioner

23.1 The Commissioner shall:

- (a) determine the frequency and scheduling of the Services to be provided under this By-law;
- (b) designate the number and size of items allowable per collection, provided that the minimum number of acceptable items is never less than that set-out in subsections 8.1, 8.2, and 8.3 of this By-law;
- (c) designate Collection Points for Waste which is eligible for collection;

- (d) discontinue or refuse Services to an Owner whose property is, in the opinion of the Commissioner, unsafe for entry or egress by persons providing Services with respect to the physical layout, loading facilities and the method of handling Garbage and other Materials on the property;
- (e) where appropriate, require that the Owner of a Multiple-Household Residence distribute information relating to the Services to all individual Dwelling Units within the property;
- (f) provide information to the public with respect to the handling and disposal of Prohibited Waste;
- (g) provide information and services with respect to the diversion of Recyclable Materials from Garbage;
- (h) designate items to be included in Garbage, Recyclable Materials or Yard Waste Materials, as the case may be, and determine how same shall be collected;
- (i) in the event of inclement weather or other condition which renders the provision of the Services unsafe, suspend collection services in all or part of the City for a specified period of time; and
- (j) establish such other things as are necessary for the proper administration of this By-law.

24. Repeal

24.1 The following by-laws shall continue to be in effect, provided that in the event of a conflict between this By-law and a by-law referred to below, this By-law shall prevail.

Chapter 309, City of Toronto Municipal Code, as amended
Chapter 149, Etobicoke Municipal Code, as amended
By-law 1-86, as amended
By-law 2890-78, as amended
By-law 24478, as amended
By-law 21732, as amended

Mayor

Clerk

**SCHEDULE “A”
SPECIAL COLLECTION SERVICES**

1.1 The City shall provide Special Collection Services to Householders and Eligible Owners with respect to the following items:

- (a) refrigerators;
- (b) stoves;
- (c) freezers;
- (d) air conditioners;
- (e) dehumidifiers;
- (f) washing machines;
- (g) clothes dryers;
- (h) dishwashers;
- (i) barbecues;
- (j) large metal objects (e.g. aluminum door);
- (k) tires (maximum of 5); and
- (l) any other item designated by the Commissioner as eligible for Special Collection Services.

1.2 The Householder or Owner shall remove all doors from the appliances referred to above before they are set out for collection.

SCHEDULE “B”

1.1 The following items shall be deemed to be Recyclable Materials for the purposes of this By-law:

- (a) glass bottles and jars;
- (b) metal food and beverage cans;
- (c) plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneterephthalate (PET #1);
- (d) household paper (including junk mail, writing and computer paper and envelopes);
- (e) paper egg cartons, rolls and bags;

- (f) boxboard;
- (g) newspapers;
- (h) telephone directories;
- (i) magazines and catalogues; and
- (j) clean, unwaxed corrugated cardboard; and
- (k) any other item designated as a Recyclable Material by the Commissioner.

1.2 The following items shall be deemed to be Yard Waste for the purpose of this By-law:

- (a) plant cuttings, roots, weeds and leaves;
- (b) hedge and shrub trimmings, brush cuttings, twigs and branches under 7.5 centimetres in diameter;
- (c) Christmas trees; and
- (d) any other item designated as Yard Waste by the Commissioner.

SCHEDULE "C"
PROHIBITED WASTE

1.1 The following items shall be deemed to be Prohibited Waste for the purposes of this By-law:

- (a) acute hazardous waste chemical;
- (b) hazardous waste chemical;
- (c) corrosive waste;
- (d) hazardous industrial waste;
- (e) ignitable waste;
- (f) PCB waste;
- (g) radioactive waste;
- (h) reactive waste;
- (i) severely toxic waste;
- (j) leachate toxic waste;

- (k) pathological waste including biomedical waste, whether solid or liquid, including but not limited to any animal or human organ or part thereof; bone, muscle or other animal or human tissue or part thereof; used bandages, poultices, dressings, medicines, vitamins, drugs, vaccines, needles, syringes, vials or any other similar material or substance which contains or may contain pathogenic micro-organisms or which may be hazardous or dangerous and anything designated as pathological waste by Regulation 347;

- (l) any household product, material or item labeled as “corrosive”, “toxic”, “reactive”, “explosive”, “oxidizing”, “poisonous infectious” or “flammable”, including but not limited to the following:
 - (i) pool or photographic chemicals;
 - (ii) laundry bleach;
 - (iii) drain, oven, toilet and carpet cleaning solutions;
 - (iv) paint thinner and paint remover;
 - (v) rat and mouse poison;
 - (vi) flea collars and powders;
 - (vii) insect killers;
 - (viii) moth balls;
 - (ix) weed killers;
 - (x) fungicides;
 - (xi) wood preservatives;
 - (xii) oil-based and latex paints;
 - (xiii) engine oil;
 - (xiv) brake and transmission fluid;
 - (xv) antifreeze;
 - (xvi) automotive batteries;
 - (xvii) ni-cad rechargeable batteries;
 - (xviii) propane tanks;
 - (xix) other gas tanks, including lighters;

- (xx) aerosol containers; and
 - (xxi) fire extinguishers;
 - (m) waste generated as a result of construction, demolition or renovation, including but not limited to soil, plaster, drywall, masonry and tile, bricks, concrete, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass, shingles, scrap metal, insulation (such as fibreglass or styrofoam), asbestos, urea formaldehyde;
 - (n) scrap wood or carpeting, unless it is cut, broken or securely tied into bundles or pieces less than 120 centimetres by 80 centimetres by 80 centimetres and free of all nails and staples, or as may otherwise be designated by the Commissioner;
 - (o) hay, straw, manure or animal excrement;
 - (p) any waste in liquid form including but not limited to swill or other organic matter not properly drained and securely wrapped;
 - (q) sod;
 - (r) waste produced by a person or organization involved in the processing or fabrication of products;
 - (s) waste produced by a person or organization as a result of commercial or retail activity;
 - (t) any material which has become frozen to or otherwise attached to its Regulation Container which cannot be removed by shaking;
 - (u) broken glass, crockery and other sharp objects not packaged in a manner prevent injury to any person;
 - (v) designated materials and other items which have been banned from landfill or for which reasonable alternative disposal methods are available, as determined by the Commissioner; and
 - (w) any other item or thing designated as Prohibited Waste by the Commissioner.
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(Report dated March 9, 2000, from the General Manager,
Solid Waste Management Services,
addressed to each Community Council)

Purpose:

To provide each Community Council an opportunity to review and comment on the proposed Residential Solid Waste Collection By-law, prior to Council consideration.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that:

- (1) this report be received for information;
- (2) consultation with stakeholders be held at the next meeting of Community Council or, alternatively, at a separate open house; and
- (3) each Community Council notify the General Manager of Solid Waste Management Services of their preference with regards to Recommendation No. (2) to allow for appropriate planning; and
- (4) any comments be forwarded to the contact noted at the end of this report by May 12, 2000.

Background:

Since amalgamation, solid waste collection in the City of Toronto has been regulated by six separate by-laws. Due to fundamental differences in collection policies and enforcement procedures, the need for a harmonized solid waste collection by-law is essential.

The former solid waste collection by-laws deal with all services, however, due to the time required to properly research institutional and commercial eligibility issues and multiple household residential user fees, the draft by-law deals only with the curbside residential collection requirements. Solid Waste staff, in consultation with the Legal Department, have prepared a residential solid waste collection by-law that harmonizes collection policies and standardizes enforcement procedures across the City, while providing a fair and efficient collection system for our customers.

In conjunction with Community Council review, the proposed by-law is currently being presented to the public for comment. Upon completion of this consultation process, and approval by Council, all applicable portions of the six current by-laws will be repealed and

replaced with the harmonized City of Toronto Residential Solid Waste Collection By-law. All existing by-laws will remain in effect for the purposes of enforcing multiple household bin rental fees and commercial and institutional collection requirements. Following completion of the institutional and commercial issues, the approved residential by-law will be amended to encompass all services.

Comments:

The attached proposed by-law ensures that residents receive the same level of service across the City, provides a fair and efficient enforcement system and ensures that garbage and litter placed on public property is minimized.

The following summarizes key issues addressed in the proposed by-law that may affect the current service levels in each Community Council Area. In addition, Table 1 outlines the significant changes that will be realized in each Community Council Area due to the integration of services and restrictions recommended in the proposed by-law.

(a) Development and Redevelopment Requirements (Section 2.4):

This section deals with the requirements of all new developments and redevelopments to adhere to the solid waste requirements during the site plan approval process. This will ensure that all new and redevelopments plan for appropriate storage and collection locations. Adherence to this requirement will ensure that problems related to inadequate planning (including access issues) are addressed prior to construction and will ultimately allow for a smooth transition to city collection services. The draft document "Requirements for City of Toronto Garbage and Recycling Collection at Developments and Redevelopments" is presented for comment in a separate report on this agenda.

(b) Mandatory Recycling (Section 2.5):

This section deals with the ability of the City to withdraw waste management services to any single family or multiple household residence which does not participate fully in the City's recycling program. The purpose of this clause is two fold: (a) to encourage non-participating locations to participate in the City's recycling program; and, (b) to encourage locations which consistently put out contaminated materials for collection, to remove all contaminants prior to collection. The anticipated results will include an increase in multiple household recycling rates and an increase in revenues due to the additional materials generated combined with the absence of contaminants.

This clause is currently enforced under existing by-laws in Scarborough and Etobicoke. Generally, locations that are informed of this provision have chosen to participate in the City's recycling program. In addition, in February 1999, Council approved a staff recommendation that a mandatory recycling clause be included in any new waste management by-law.

(c) Frequency of Garbage Collection Services (Section 3):

This section summarizes the type and frequency of service provided to each class of property and includes a provision for summer twice-per-week collection.

Due to the importance of harmonizing service levels and encouraging waste reduction and recycling, the draft by-law stipulates that all locations receiving residential curbside garbage collection (including door-to-door and single point collection) will be eligible for once-per-week garbage collection unless there is a verifiable health risk associated with this frequency (i.e., limited storage space). This requirement will affect some multiple household locations, including townhouse locations and low and medium rise buildings. Multiple household locations currently receiving twice-per-week curbside collection have been enjoying an additional level of service not currently provided to other locations receiving curbside collection.

In addition, the provision of once-per-week collection at multiple household locations will reduce the number of potential days that garbage is placed at the curb. Currently, locations that receive twice-per-week collection potentially have garbage at the curb four days per week. Once-per-week collection will reduce that to a maximum of two days per week.

Prior to amalgamation, the Scarborough Community Council Area changed curbside garbage collection frequency at all multiple household locations from twice per week to once per week with no adverse affects on our customers. In addition, as a result of this change, many of the affected locations opted to participate in the City's recycling program. Locations that proved to have storage problems that could not be rectified still receive twice-per-week collection. Prior to enforcement of this clause, staff plan to recommend a policy that addresses issues associated with collection frequency such as storage space.

Approximately 653 multiple household locations in the City, with the majority located in the Toronto Community Council Area, receive twice-per-week curbside collection of garbage. It is estimated that, if all locations could easily be converted to once-per-week garbage collection, and once every other week recycling collection, an annual savings of almost \$250,000.00 may be realized.

Recycling collection frequency for multiple household locations will vary depending on the specific requirements of the building and whether the location receives curbside blue/grey box collection, cart collection or bulk lift collection. The minimum collection frequency for multiple household recycling is once every two weeks.

(d) Collection Limits (Section 8):

Section 8.1 limits the amount of items to be set out for residential curbside collection to a maximum of six per collection. Based on surveys done in various areas throughout the City, the average household puts out 2.86 items for collection on each collection day. Approximately 4 percent of the dwellings surveyed put out greater than six items on any collection day. Of these set outs, the average was approximately nine items with a maximum at one dwelling of 18. In many instances, these locations did not participate in the City's recycling program during the study period. Setting an item limit will encourage non-participating residents to recycle,

encourage residents to reduce the amount of waste they generate, increase current recycling rates and encourage the use of backyard composters.

(f) Weight Limits (Section 13.2):

It is recognized that all former municipalities, with the exception of the former City of Toronto, had a weight limit of 23 kg. However, an ergonomic study completed by the former City of Toronto showed that it was problematic for collection staff to collect garbage containers that are heavier than 20 kg. Studies have shown that the average household puts out containers that are less than 20 kg and, based on those results, a change in the weight limit would not significantly affect the current services residents receive, nor the amount of containers set out.

(g) Times for Setting Out Garbage and Recyclables (Section 14):

In an attempt to harmonize set out times, both the desire to maintain clean, aesthetically pleasing streets and the current set out times were evaluated. While Scarborough, East York, Etobicoke and York stipulated earlier times, the proposed by-law recommends a “no earlier than 8 p.m. on the day before collection” set out time. This will effectively prohibit the setting out of garbage at the curb during the evening rush hour and avoid creating an unappealing streetscape, particularly during the summer months. It is assumed that the change in set out times will not create a significant hardship on residents and will ultimately provide for a cleaner community.

(h) Preparation of Recyclable Materials for Collection (Section 15):

Recyclable material set out requirements have not changed in each Community Council Area, with the exception of grey box set outs. Based on studies undertaken for the purposes of this proposed by-law, it was determined that the average weight per grey box set out filled with paper was approximately 25 lbs. However, 8 percent of the set outs were over 40 lbs., with an average weight of approximately 51 lbs. Heavier boxes, due to overloading or storage in wet weather conditions, have created a concern about back injuries related to the deeper bend required to lift recycling boxes in comparison to garbage cans. Based on an ergonomics study undertaken in the former City of Toronto when the grey box was first introduced, and recent correspondence from the City’s ergonomist, it is recommended that residents be required to bag newspapers and magazines before placing them beside the grey box.

The draft by-law reflects these recommendations, however, in an attempt to make the set out easier for residents, prevent paper from blowing out of the boxes, maintain or increase productivity and to ensure that staff are not exposed to back injuries, it is proposed that annual collection calendars advertise that residents be required to bag their newspapers and magazines and place the bags on top of the loose paper in the grey box. The collector then has the option of picking up the paper in one lift, depending on the weight, or remove individual bags.

(i) Prohibited Acts (Section 19):

This section summarizes such activities as illegal dumping and any other type of disturbance of garbage and materials placed at the curb. In particular, this section deals with littering and the abuse of public litter bins.

(j) Charging of Expenses Against the Property (Section 20):

This policy was practised in the former Cities of Scarborough and Etobicoke and allows By-law Enforcement Officers to add the cost of clean-up orders to individual property taxes. In addition to using this as a punitive measure, this ensures that the City recoups all costs for clean-ups, and in the case of a rented dwelling, the owner will ultimately be responsible for their tenants' actions. Previous practice has shown that this is a deterrent for those that abuse the collection services and are in constant contravention of the by-law.

Conclusions:

The proposed residential solid waste collection by-law has been developed to provide a fair and equitable collection system for our customers and also addresses opportunities for improved service delivery, increased efficiencies and increased waste diversion. Comments received from each Community Council, coupled with comments received from our customers, will be incorporated into the draft by-law prior to submission to the Works Committee in June 2000.

Contact:

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Solid Waste Management Services, Works and Emergency Services, Metro Hall, 19th Floor
Phone: 392-4632; Fax: 392-4754; E-mail: daniels@city.toronto.on.ca

List of Attachments:

Table 1: Summary of Impacts on Community Council Areas
Draft Residential Solid Waste Collection By-law

Insert Table 1
Summary of Impacts on each Former Municipality

Attachment 3
CITY OF TORONTO BY-LAW NUMBER (To be determined)
PROPOSED SHORT FORM WORDING

	<u>Section</u>	<u>Fine</u>	<u>Victim Fine Surcharge</u>
1. Failure to contact the Department prior to setting out Special Collection items	6.1(a)	\$105.00	\$25.00
2. Failure to remove doors from special collection item	6.2	105.00	25.00
3. Setting out prohibited waste (for collection)	7.1	105.00	25.00
4. Setting out more than six (6) garbage containers for collection	8.1	105.00	25.00
5. Failure to set out garbage in regulation containers	9.1	105.00	25.00
6. Failure to maintain regulation garbage container in good working order	9.1(a)	105.00	25.00
7. Failure to set out garbage in regulation containers (mechanical collection)	9.2	105.00	25.00
8. Failure to set out recyclable material in regulation Container	10.1	105.00	25.00
9. Failure to set out recyclable material in regulation container (mechanical collection)	10.2	105.00	25.00
10. Failure to set out yard waste in regulation containers	11.1	105.00	25.00
11. Failure to maintain yard waste container in good working order	11.1(a)	105.00	25.00
12. Failure to provide sufficient regulation containers	12.1	105.00	25.00
13. Setting out (<u>Garbage, Recyclable, Yard Waste</u>) not generated on the private or public portion of the property	13.1(a)	105.00	25.00

	<u>Section</u>	<u>Fine</u>	<u>Victim Fine Surcharge</u>
14. Setting out contaminated (<u>Garbage, Recyclable, Yard Waste</u>)	13.1(b)	105.00	25.00
15. Setting out regulation containers filled to a height greater than their sides	13.1(c)	105.00	25.00
16. Setting out item weighing more than 20 kg.	13.2	105.00	25.00
18. Setting out (<u>Garbage, Recyclable Materials, Yard Waste</u>) prior to 8:00 p.m. on the day before collection	14.1(a)	105.00	25.00
19. Setting out (<u>Garbage, Recyclable Materials, Yard Waste</u>) after 7:00 a.m. on collection day	14.1(a)	105.00	25.00
20. Failure to remove (empty regulation container)	14.1(b)	105.00	25.00
21. Failure to remove uncollected (<u>Garbage, Recyclable Materials, Yard Waste</u>) prior to 10:00 p.m. on collection day	14.1(b)	105.00	25.00
22. Setting out (<u>Garbage, Recyclable Materials, Yard Waste</u>) prior to 8:00 p.m. on the first day of the nighttime collection period	14.2(a)	105.00	25.00
23. Setting out (<u>Garbage, Recyclable Materials, Yard Waste</u>) after 11:00 p.m on the first day of the nighttime collection period	14.2(a)	105.00	25.00
24. Failure to remove empty regulation containers prior to 10:00 a.m. on the second day of the nighttime collection period	14.2(b)	105.00	25.00
25. Failure to remove uncollected (<u>Garbage, Recyclable Materials, Yard Waste</u>) prior to 10:00 a.m. on the second day of the nighttime collection period	14.2(b)	105.00	25.00
26. Failure to keep (<u>Garbage, Recyclable Materials, Yard Waste</u>) on the premises between collections	14.3	105.00	25.00

	<u>Section</u>	<u>Fine</u>	<u>Victim Fine Surcharge</u>
27. Failure to contain (<u>Garbage, Recyclable Materials, Yard Waste</u>) in a manner that protects the same from disturbances	14.3	105.00	25.00
28. Failure to set out item eligible for collection for more than one collection period	14.4	105.00	25.00
29. Setting out contaminated regulation recycling Receptacle	15.1	105.00	25.00
30. Failure to bag or bundle all paper products and cartons	15.1(c)	105.00	25.00
31. Setting out contaminated regulation recycling receptacle (mechanical collection)	15.2	105.00	25.00
32. Failure to place out _____ in bundles no greater than 1.2 metres by 0.6 metres	16.1(d)	105.00	25.00
33. Failure to remove _____ from Christmas tree set out for collection	16.1(c)	105.00	25.00
34. Failure to pack garbage by means of a stationary compactor unit	17.1	105.00	25.00
35. Failure to provide _____ at a specially equipped building	17.2	105.00	25.00
36. Failure to arrange for extra collections at a Specially equipped building	17.3	105.00	25.00
37. Permitting waste to remain on street	19.1	105.00	25.00
38. Depositing or permitting anyone to deposit waste on or in any street or public property.	19.1(b)	105.00	25.00
39. Disturbing waste set out for collection	19.1(c)	105.00	25.00
40. Permitting an animal to disturb waste set out for collection	19.1(d)	105.00	25.00

	<u>Section</u>	<u>Fine</u>	<u>Victim Fine Surcharge</u>
41. Place waste on public property for collection by a private agency	19.1(e)	105.00	25.00
42. Deposit waste generated on private property in a public street receptacle	19.1(f)	105.00	25.00

The Works Committee also submits the following communication (May 29, 2000) from the City Clerk (Toronto Community Council):

Recommendations:

The Toronto Community Council recommends that:

- (1) Section 2.5 of the proposed by-law attached to the report (March 9, 2000) from the General Manager, Solid Waste Management Services, be amended to read:

“2.5 The Commissioner may determine that Owners of multiple household residences who do not participate fully in the City’s collection of Recyclable Materials or who sell or otherwise transfer Recyclable Materials to persons other than the City are not eligible to receive any Services.”; and

- (2) a Schedule of set fines be submitted to Council prior to the adoption of the by-law.

The Toronto Community Council reports, for the information of the Works Committee, having requested the Commissioner of Works and Emergency Services to report to the Works Committee, at its meeting at which this matter will be considered:

- (1) in consultation with the City’s recycling firms, on the requirement that newspapers and magazines be bagged, given the concern of the Toronto Community Council that this requirement may reduce participation in recycling and make residents guilty of an offence for undertaking an activity which, in the past, was legal;
- (2) on adding a new section to the proposed by-law which would ensure the proper setting out of garbage and proper recycling of materials for buildings with two or more dwelling units with an absentee landlord.

Background:

The Toronto Community Council, on May 23, 2000, had before it a report (March 9, 2000) from the General Manager, Solid Waste Management Services, respecting the Proposed Residential Solid Waste Collection By-law.

The following persons appeared before the Toronto Community Council in connection with the foregoing matter:

- Mr. Chris Kawalec, Parkdale/Liberty Economic Development Committee; and
- Ms. Kyla Dixon-Muir, Toronto.

The Toronto Community Council's recommendations are noted above.

The Works Committee also submits the following communication (May 30, 2000) from the City Clerk (North York Community Council):

The North York Community Council, on May 23, 2000:

- (1) received the report (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services; and
- (2) referred the following recommendations respecting the proposed Residential Solid Waste Collection By-law to the Works Committee for its consideration:
 - (a) that as single family homes, townhouses, semi-detached homes and multi-residential developments, other than apartment buildings, are all taxed at the same rate, they should all receive the same level of service for waste collection and curbside collection, and that central point collection be eliminated at all properties except those that may wish to retain central point collection;
 - (b) that Section 15.1(c) be amended to provide that only grey and green recycling boxes be used for the collection of the newspapers, telephone directories, magazines and catalogues, and that all references to the use of bags for the collection of paper be deleted; and
 - (c) the wording of the proposed Residential Solid Waste Collection By-law be amended to provide that the authority for the ceasing of solid waste collection be only at the discretion of City Council.

The North York Community Council also reports having requested the Commissioner, Works and Emergency Services to:

- (i) investigate and report on new vehicles and alternative methods that could be used in order to facilitate curbside collection in all townhouse developments and single family homes, including those on laneways and non-standard roadways; and
- (ii) bring a clean-up crew from downtown to the former City of North York area to undertake a one-time clean-up of litter, in areas where the flower pot bins are located.

Background:

The North York Community Council had before it the following reports:

- (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing each Community Council an opportunity to review and comment on the proposed Residential Solid Waste Collection By-law, prior to Council consideration and recommending that:
 - (1) this report be received for information;
 - (2) consultation with stakeholders be held at the next meeting of Community Council or, alternatively, at a separate open house;
 - (3) each Community Council notify the General Manager of Solid Waste Management Services of their preference with regards to Recommendation No. (2) to allow for appropriate planning; and
 - (4) any comments be forwarded to the contact noted at the end of this report by May 12, 2000; and
- (May 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing the North York Community Council with information requested as a result of the proposed Residential Solid Waste Collection By-law, and recommending that this report be received for information.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Ms. Charlotte Nowack, who also filed a written submission, a copy of which is on file in the office of the City Clerk, North York Civic Centre.
- Mr. Jack Goldberg, on behalf of York Condominium Corporation No. 5;
- Ms. Thelma Davidson;
- Ms. Sara Schneider; and
- Mr. Samuel Wilkes, on behalf of York Condominium Corporation No. 175.

(Report dated May 9, 2000, from the
General Manager, Solid Waste Management Services,
addressed to the North York Community Council)

Purpose:

To provide the North York Community Council with information requested as a result of the proposed Residential Solid Waste Collection By-law.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting of March 23, 2000, North York Community Council requested the General Manager, Solid Waste Management Services, to submit a report for consideration at the May 23, 2000 meeting on the following specific issues relating to the proposed Residential Solid Waste Collection By-law:

- (a) the proposed Residential Solid Waste Collection By-law containing a provision that requires a minimum of three days between garbage pick-ups;
- (b) identifying high compliance/use areas of recycling and the cost of providing once-per-week recycling pick-ups in those areas;
- (c) providing previously requested information regarding the cost of instituting once-per-week recycling pick-up City-wide; and
- (d) providing a copy of the provincial regulations regarding the frequency of recycling pick-up in relation to the frequency of garbage pick-up.

Discussion:

(1) Minimum of Three Days Between Garbage Pick-ups:

Staff have reviewed the feasibility of including a provision in the proposed by-law that requires a minimum of three days between garbage pick-ups. This type of provision does not affect once-per-week garbage collection. However, with respect to twice-per-week garbage collection, a number of factors limit our ability to ensure that there will be a minimum of three days between garbage pick-ups. In Community Council Areas currently provided with curbside collection on a four consecutive day schedule (North York, Scarborough, East York), collecting garbage from the same collection area at least three days apart is not viable. The four consecutive day schedule (Tuesday – Friday) was implemented to avoid shifting collection days on weeks with a statutory holiday on the Monday. In order to accommodate a three-day gap in these communities, collection would need to be scheduled on a Saturday or Sunday. This will create a disturbance in residential areas, and result in additional labour costs being incurred.

(2) High Recycling Compliance Areas:

Table 1 shows the recyclable tonnages collected in each calendar area in the North York CCA between January 1, 2000 and March 31, 2000.

Calendar Area	Tonnes Collected January 2000 – March 2000	Average Tonnes Collected Bi-Weekly	Average Kilograms Per Collection Per Household
2C	757.12	126.18	10.9
1D	636.60	106.32	9.6
1A	669.74	111.62	9.4
1C	619.54	103.36	8.6
1B	639.67	106.61	8.2
2D	434.77	72.46	6.9
2A	385.12	64.18	6.8
2B	524.05	87.34	6.5

As can be seen in Table 1, calendar areas 2C, 1A, 1B, 1C and 1D generate the highest amounts of recyclables.

The additional cost of providing once-per-week collection in high generation areas is dependent on the number of calendar areas receiving additional services and the associated number of vehicles and labour required. As such, it is not possible at this time to provide an actual dollar figure associated with providing additional services to specific areas.

(3) Cost of Once-per-Week Recycling Collection City-wide:

As stated in the November 1, 1999, staff report to North York Community Council, the estimated additional operating cost to increase the level of recycling pick-up city wide from once every second week to once per week is \$2.5 million per year. This does not include the capital cost requirements for new vehicles. The total estimated operating cost for providing once-per-week recycling is \$15 million per year. The additional driving time required for once-per-week collection would also increase vehicle emissions and associated greenhouse gas emissions.

(4) Provincial Regulations:

The Provincial Regulations pertaining to Blue Box waste management systems has been included as Attachment "A". Clause 7(5) deals specifically with the frequency of recyclable collection in relation to garbage collection which requires that recycling collection to occur at one half the frequency of garbage collection. Based on the current summer twice-per-week policy in the Toronto CCA, recycling continues to be collected bi-weekly, or at one-fourth the frequency of garbage collection. Ministry of the Environment staff have confirmed that this practice does not appear to conflict with the EPA regulation.

In addition, the Ministry of the Environment in a consultation paper dated June 2, 1998 entitled "Draft Regulation – General – Waste Management", promulgated under the EPA, proposes that only bi-weekly recycling collection will be required under the provincial regulation regardless of the frequency of garbage collection. However, to date, there has been no notice given with respect to when the draft regulation will be passed.

Conclusions :

This report addresses the issues raised at North York Community Council regarding the proposed Residential Solid Waste Collection By-law.

Contact:

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List of Attachments:

- (1) Ontario Regulation 101/94 – Part II: Systems Required in Municipalities – Blue Box Waste Management System.

Councillor Sherene Shaw, Scarborough Agincourt, appeared before the Works Committee in connection with the foregoing matter, and requested that she be recorded as being opposed to the foregoing Residential Solid Waste Collection By-law.

(A copy of the draft Residential Solid Waste Collection By-law appended to the report dated March 9, 2000, from the General Manager, Solid Waste Management Services, to each Community Council, and of the attachment to the report dated May 9, 2000, from the General Manager, Solid Waste Management Services, to the North York Community Council, has been forwarded to all Members of Council with the agenda for the Works Committee meeting of July 12, 2000, and a copy thereof is on file in the office of the City Clerk.)

(City Council on August 1, 2, 3 and 4, 2000, had before it, during consideration of the foregoing Clause, the following report (July 25, 2000) from the Commissioner of Works and Emergency Services:

Purpose:

To provide Council with an update on the staff investigation of alternative methods for curbside collection at townhouse developments, as requested by North York Community Council.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that this report be received for information.

Background:

At its meeting on May 23, 2000, North York Community Council requested the Commissioner of Works and Emergency Services to “investigate and report on new vehicles and alternative methods that could be used in order to facilitate curbside collection in all townhouse developments and single family homes, including those on laneways and non-standard roadways”.

In addition, at its meeting on July 18, 2000, North York Community Council requested that the above report “be forwarded and dealt with by City Council at the same time as the Proposed Residential Solid Waste Collection By-law which is scheduled to be considered by City Council at its meeting to be held on August 1, 2, and 3, 2000”.

Comments:

While a report has been requested at the same time as the proposed Residential Solid Waste Collection By-law, it is important to note that the proposed by-law does not govern the type of collection at townhouses (or any other type of developments). Only the frequency, based on the approved type of collection, is governed by the proposed by-law.

In an effort to research possible alternatives to the current collection system at townhouse locations not receiving door to door collection, staff are currently conducting site visits to review the existing situation and identify collection options. To ensure that a recommended alternative collection system will not negatively impact the solid waste collection operation or budget restrictions, staff require additional time to evaluate other municipal experiences, potential costs of the collection system and liability issues.

As this issue is not critical to Council approval of the proposed by-law, staff are continuing to research any potential curbside collection system alternatives for all townhouse locations not currently serviced door to door and will provide a report, with recommendations, to a future Works Committee. It is expected that the review will be completed by September, 2000.

Conclusion

Upon completion of the review and analysis of an alternative curbside collection system at all townhouse locations, a report will be forwarded to Works Committee in September, 2000.

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(City Council also had before it, during consideration of the foregoing Clause, the following report (July 27, 2000) from the Commissioner of Works and Emergency Services:

Purpose:

To provide Council with information relating to the collection of grey boxes and bi-weekly recycling collection for multiple household residences.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that:

- (1) the residential solid waste collection by-law require the use of plastic bags for the collection of newspaper, magazines and catalogues;*
- (2) the protocol outlined in the report to Works Committee from the Commissioner of Works and Emergency Services dated June 28, 2000 be approved; and*
- (3) in the event that Recommendation 2 is not approved, the following amendments be made to the proposed by-law:*
 - (i) in Section 3.1, the word “more” be changed to “less” so that the amended Section 3.1 would read “The City shall collect Garbage no less than once per week from Household Residences and Multiple Household Residences who receive Curbside Collection.”*
 - (ii) in Section 4.1, the word “more” be changed to “less” so that the amended Section 4.1 would read “The City shall collect Recyclable Materials no less than once every two weeks from Household Residences and Multiple Household Residences who receive Curbside Collection of Garbage.”*

Background:

At its meeting on July 12, 2000, Works Committee requested the Commissioner of Works and Emergency Services to submit a report directly to Council for its meeting on August 1, 2000 on the issues relating to weight and storage space, respectively, on the following motion:

“That the following be deleted from the proposed by-law:

- 1) the requirement for the use of plastic bags for the collection of paper; and,*
- 2) the reference to bi-weekly recycling collection for multiple household residences.”*

Comments:

(a) *Grey Box Set Out Requirements*

Staff have recommended, as outlined in Section 15.1 of the proposed by-law, that newspapers, magazines and catalogues be placed in shopping bags and placed beside the grey box (green box in the North York Community Council Area). All other paper and boxboard can be placed loose in the grey box.

This recommendation is based on a review of existing policies in each Community Council Area (CCA), in addition to a recommendation from the City's ergonomics consultant. Litter concerns were the basis for the Etobicoke and York CCA's policies. In addition, during the first year of green box collection in the former City of North York, staff received numerous complaints due to litter as a result of loose paper in the green box. Since then, staff in the North York CCA have advised residents in all promotional material that paper products should be bagged. The City's ergonomic consultant has stated that the lifting of overloaded grey boxes is problematic due to the deeper bend required to lift recycling boxes in comparison to garbage cans. As such, the weight of the grey box was directly related to the policy of the Scarborough and Toronto CCA's. Correspondence from Linda McIlwain, Senior Ergonomics Consultant is attached (Attachment 1).

In addition to the ergonomics consultant's recommendation, it is important to note that under Section 25.(2) of the Ontario Occupation Health and Safety Act (OHSA) "an employer shall take every precaution reasonable in the circumstances for the protection of a worker". In addition, Section 27.(2) states that a Supervisor responsible for recycling collection "shall advise a worker of the existence of any potential or actual danger to the health and safety of the worker of which the supervisor is aware". As such, under Part V of the OHSA, a worker has the right to refuse or to stop work where their health and safety is jeopardized.

While it is recommended that paper other than newspapers, magazines and catalogues be placed loose in the grey/green box, staff are cognisant of the litter concerns of those CCAs that asked residents to bag all paper. Therefore, all promotional material will state that residents should place their bagged material on top of their loose paper products. Collection staff will have the option of collecting the box if it is within the safe weight limit, or removing the bags individually prior to emptying the grey/green box.

(b) *Frequency of Recycling Collection at Multiple Household Residential Locations*

As discussed in the report from the Commissioner, Works and Emergency Services, dated June 28, 2000 to Works Committee, staff have recommended that multiple household locations receiving twice per week curbside garbage collection (defined in the by-law as a location that receives collection via a rear loading collection vehicle) be reviewed to determine if these locations have sufficient storage space to accommodate once per week garbage collection. In some cases, locations may have been originally designed to accommodate less frequent collection. The protocol for this review is presented in the above-mentioned report. It should be noted that the storage space required in the protocol (1.2 cubic metres) is a guideline only and

staff will exercise flexibility when reviewing locations and take into account factors such as recycling or separate areas for larger items.

In conjunction with any rationalization of garbage collection service, staff have proposed that, at locations that receive weekly garbage collection service, recycling collection be provided once every other week (or in the case of the Toronto CCA, alternating weekly collection of fibre and containers). Staff will only recommend a change in service levels if there is sufficient space available to accommodate any need for additional recycling containers.

This recommendation to change service frequency is not meant to hamper current recycling efforts. Collection of both garbage and recyclables at multiple household locations can easily be integrated into current single family residential collection routes. This integration will reduce CO2 emissions from our fleet, vehicle traffic and reduce the potential for accidents involving staff and the public by eliminating up to four (4) different vehicles weekly in each residential neighbourhood.

In the event Council chooses not to approve the staff recommendation or protocol, the by-law must be adjusted accordingly. However, the reference to bi-weekly recycling collection for multiple household locations must remain in the by-law as a number of locations receive blue box collection bi-weekly (Please refer to Recommendation 3).

Conclusion:

In an effort to keep the City clean and provide a safe work environment, the collection of newspapers, magazines and catalogues should be facilitated by placing them in grocery bags on top of other loose paper in the grey/green box or, alternatively, place them beside the grey/green box. In addition, by integrating the multiple household curbside collection routes with the single family household collection routes, truck traffic safety will be increased and environmental impacts will be reduced.

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Attachment:

- 1. Correspondence from Linda McIlwain, Senior Ergonomics Consultant)*

(City Council also had before it, during consideration of the foregoing Clause, a communication (July 14, 2000) from Mr. Glenn Napier forwarding comments with respect to the proposed Solid Waste Collection By-law.)