

Authority: Public Works and Infrastructure Committee Item 25.1,
adopted as amended, by City of Toronto Council on August 5 and 6, 2009
Enacted by Council: August 6, 2009

CITY OF TORONTO

BY-LAW No. 717-2009

To amend City of Toronto Municipal Code Chapter 844, Waste Collections, Residential Properties and Chapter 441, Fees and Charges, with respect to changes to the volume-based solid waste rate levy and to make the same changes to the future Chapter 844 as re-enacted by By-law No. 491-2009.

WHEREAS under subsection 8(2) of the *City of Toronto Act, 2006* (“Act”), Council may pass by-laws respecting services and things that the City considers necessary or desirable to provide to the public; and

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

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

WHEREAS Council at its meeting held on April 29 and 30, 2009, passed By-law No. 491-2009, “To amend City of Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties, Chapter 844, Waste Collection, Residential Properties, Chapter 545, Licensing and Chapter 849, Water and Sewage Services and Utility Bill to improve the readability and to reflect current solid waste management operations in the waste collection chapters”; and

WHEREAS section 1 of By-law No. 491-2009 re-enacts Chapter 844, but has not yet come into force; and

WHEREAS on August 5 and 6, 2009, Council adopted new volume-based fees for older multiple household residences that, due to their design, do not have the storage space for bulk containers and must receive garbage collection via extra-large garbage bins on a weekly or twice weekly collection schedule; and

WHEREAS at the same meeting, Council extended the grant program that the City considers in the interests of the City, which will appear as a rebate on the utility bill for these older multiple household residences;

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

1. Chapter 441, Fees and Charges.

Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rate, Schedule 1, Solid Waste Management, of Chapter 441, Fees and Charges, of The City of Toronto Municipal Code, is amended by inserting the following after Line 95, as follows:

Annual Residential Curbside Collection Fees for Subscription Properties						
(\$/dwelling /year)						
	I	II	III	IV		V
				Fee		
	Category	Activity	Fee Basis	Extra- Large Bin with Weekly Collection	Extra- Large Bin with Twice Weekly Collection	Annual Adjustment
96	Collections	Residential Curbside collection	Annual Collection Fee based on Number of Extra-Large Bin and Frequency of Collection	\$679.00	\$1241.00	No

2. Chapter 844, Waste Collections, Residential Properties

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

A. By adding the following to § 844-1 in alphabetical order:

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

B. By adding the following to § 844-4:

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

E. Owners of subscription properties who receive twice weekly collection of garbage may request the General Manager to change the frequency of garbage collection to weekly, if the General Manager determines it is appropriate.

- C. By adding the following to § 844-5:
- C. Despite Subsection A, the City shall collect recyclable materials from subscription properties on the same collection frequency as determined under § 844-4D.
- D. By adding the following to § 844-10:
- C. Despite Subsection A, owners of subscription properties shall use a container described below for setting out garbage:
- (1) One or more extra-large garbage bins as provided to the owner of a household residence by the City under § 844-13.1B.1; or
 - (2) Such other container provided by the City or designated by the General Manager as acceptable for setting out garbage.
- E. By adding the following to § 844-11:
- C. Despite Subsection A, owners of subscription properties shall use a container described below for setting out recyclable materials:
- (1) One or more extra-large recycling bins as provided to the owner of a household residence by the City under § 844-13.1B.1; or
 - (2) Such other container provided by the City or designated by the General Manager as acceptable for setting out recyclable materials.
- F. By adding the following to § 844-13.1:
- B.1. Despite Subsection B, owners of subscription properties may choose the quantity of extra-large garbage bins and extra-large recycling bins for the property, but if no choice is made, the General Manager shall select a default quantity of extra-large garbage bins and extra-large recycling bins.
- P. Despite Subsection O, owners of subscription properties shall not exchange the extra-large garbage or recycling bins for a bin of a smaller size.
- G. By adding the following section:
- § 844-25.1 Fees for subscription properties.**
- A. Despite § 844-25, an owner of a subscription property shall pay the applicable residential curbside collection fees based on the quantity of the extra-large garbage bins used by the subscription property and the frequency of garbage collection as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.

- B. For the first year during which this section is in force, the residential curbside collection fees shall be prorated on a daily basis.
- C. When the owner of a subscription property who receives residential curbside collection requests an additional garbage bin, or when there is a change in ownership of a residential property, the residential curbside collection fees under subsection A shall be prorated on a daily basis.
- D. The City shall bill each owner of a subscription property who receives residential curbside collection the residential curbside collection fee on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.
- H. By amending § 844-27 as follows:
- (1) By adding the following subsection:
- B.1 The City shall rebate to an owner of a subscription property who receives residential curbside collection the annual amount of \$157 per dwelling unit in the form of a credit on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.
- (2) By deleting § 844-27C and substituting the following:
- C. The rebate amount in Subsections A, B and B.1 shall be prorated based on the applicable billing frequency as set out in § 849-30 of Chapter 849, Water and Sewage Services and Utility Bill, to reflect the appropriate portion of a full-year rebate amount.
- (3) By deleting § 844-27D and substituting the following:
- D. If the rebate in Subsections A, B and B.1 represents a credit on the utility bill as set out in Article VIII of Chapter 849, Water and Sewer Services and Utility Bill, the credit shall be applied to any applicable fees related to water and sewage services that appear on the utility bill in accordance with Chapter 849, Water and Sewage Services and Utility Bill.
- I. By deleting § 844-29 and substituting the following:

§ 844-29. Garbage tags.

Owners receiving residential curbside collection who use garbage tags under § 844-10A(2), 844-10A(3)(a) or 844-10C(2) shall purchase garbage tags from designated City-run facilities or other authorized distributors of garbage tags, as determined by the General Manager, and at the rate set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.

3. Future Chapter 844, Waste Collections, Residential Properties, as re-enacted by By-law No. 491-2009.

Chapter 844, Waste Collections, Residential Properties, of The City of Toronto Municipal Code, as set out in as set out in Schedule “A” to By-law No. 491-2009, “To amend City of Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties, Chapter 844, Waste Collection, Residential Properties, Chapter 545, Licensing and Chapter 849, Water and Sewage Services and Utility Bill to improve the readability and to reflect current solid waste management operations in the waste collection chapters.”, is amended as follows:

A. By adding the following to § 844-1 in alphabetical order:

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

B. By adding the following to § 844-4:

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

E. Owners of subscription properties who receive twice weekly collection of garbage may request the General Manager to change the frequency of garbage collection to weekly, if the General Manager determines it is appropriate.

C. By adding the following to § 844-5:

C. The City shall collect recyclable materials from subscription properties on the same collection frequency as determined under § 844-4D.

D. By adding the following to § 844-10:

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

- (1) One or more extra-large garbage bins as provided to the owner of a household residence by the City under § 844-15B.1; or
- (2) Such other container provided by the City or designated by the General Manager as acceptable for setting out garbage.

- E. By adding the following to § 844-11:
- C. Despite Subsection A, owners of subscription properties shall use a container described below for setting out recyclable materials:
- (1) One or more extra-large recycling bins as provided to the owner of a household residence by the City under § 844-15B.1; or
 - (2) Such other container provided by the City or designated by the General Manager as acceptable for setting out recyclable materials.

- F. By adding the following to § 844-15:
- B.1. Despite Subsection B, owners of subscription properties may choose the quantity of extra-large garbage bins and extra-large recycling bins for the property, but if no choice is made, the General Manager shall select a default quantity of extra-large garbage bins and extra-large recycling bins.
- P. Despite Subsection O, owners of subscription properties shall not exchange the extra-large garbage or recycling bins for a bin of a smaller size.

- G. By adding the following section:

§ 844-28.1 Fees for subscription properties.

- A. Despite § 844-28, an owner of a subscription property shall pay the applicable residential curbside collection fees based on the quantity of the extra-large garbage bins used by the subscription property and the frequency of garbage collection as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.
- B. For the first year during which this section is in force, the residential curbside collection fees shall be prorated on a daily basis.
- C. When the owner of a subscription property who receives residential curbside collection requests an additional garbage bin, or when there is a change in ownership of a residential property, the residential curbside collection fees under Subsection A shall be prorated on a daily basis.
- D. The City shall bill each owner of a subscription property who receives residential curbside collection the residential curbside collection fee on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.
- H. By amending § 844-30 as follows:
- (1) By adding the following subsection:
 - B.1 The City shall rebate to an owner of a subscription property who receives residential curbside collection the annual amount of \$157 per dwelling

unit in the form of a credit on the utility bill issued under Article III of Chapter 849, Water and Sewage Services and Utility Bill.

(2) By deleting § 844-30C and substituting the following:

C. The rebate amount in Subsections A, B and B.1 shall be prorated based on the appropriate billing frequency as set out in § 849-30 of Chapter 849, Water and Sewage Services and Utility Bill, to reflect the appropriate portion of a full-year rebate amount.

(3) By deleting § 844-30D and substituting the following:

D. If the rebate in Subsections A, B and B.1 represents a credit on the utility bill as set out in Article VIII of Chapter 849, Water and Sewer Services and Utility Bill, the credit shall be applied to any applicable fees related to water and sewage services that appear on the utility bill in accordance with Chapter 849, Water and Sewage Services and Utility Bill.

I. By deleting § 844-32 and substituting the following:

§ 844-32. Garbage tags.

Owners receiving residential curbside collection who use garbage tags under § 844-10A(2), 844-10A(3)(a) or 844-10C(2) shall purchase garbage tags from designated City-run facilities or other authorized distributors of garbage tags, as determined by the General Manager, and at the rate set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges.

4. In force date.

A. Section 1 and 2 of this by-law comes into force on the date of passing.

B. Section 3 of this by-law comes into force on the day that By-law No. 491-2009 comes into force as set out in section 5 of By-law No. 491-2009 as follows:

“5. In force date.

A. This by-law comes into force on the 30th day after the date on which the application for the set fines of Chapter 841, Waste Collection, Commercial Properties and Chapter 844, Waste Collection, Residential Properties is approved under the *Provincial Offences Act*.”

ENACTED AND PASSED this 6th day of August, A.D. 2009.

GLORIA LINDSAY LUBY,
Deputy Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)