

Authority: Public Works and Infrastructure Committee Item 21.2,
as adopted by City of Toronto Council on April 3 and 4, 2013

CITY OF TORONTO

BY-LAW No. 473-2013

To amend Municipal Code Chapter 844, Waste Collection, Residential Properties and Municipal Code Chapter 441, Fees and Charges.

Whereas authority is given to Council to adopt by-laws respecting waste collection services for residential properties; and

Whereas it is necessary to amend Municipal Code Chapter 844, Waste Collection, Residential Properties and Municipal Code Chapter 441, Fees and Charges, to reflect current Solid Waste Management Services operations, help improve the readability of the Chapter, ensure consistent use of terminology in the Chapter and to clarify the duties and responsibilities of owners, residents and the General Manager under the Chapter.

The Council of the City of Toronto enacts:

1. Chapter 844, Waste Collection, Residential Properties, is amended as follows:
 - (a) By deleting the definition of "BULKY ITEM" from § 844-1. Definitions and replacing with the following:

"BULKY ITEM - A household item other than electronic waste, household hazardous waste or white or metal goods, 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 General Manager."
 - (b) By adding the following definition to § 844-1. Definitions:

"CITY AUTHORIZED BAG - A specially marked garbage bag acquired by the City and distributed through City authorized distributors."
 - (c) By adding the following definition to § 844-1. Definitions: "COMPACTED GARBAGE" - Garbage that has been compacted in accordance with § 844-21A."
 - (d) By adding the following definition to § 844-1. Definitions:

"ELECTRONIC WASTE - The waste items, other than household hazardous waste and white or metal goods, referred to in Schedule A at the end of this Chapter."
 - (e) By adding the following definition to § 844-1. Definitions:

"HOUSEHOLD HAZARDOUS WASTE - The waste items, other than electronic waste and white or metal goods, referred to in Schedule A at the end of this Chapter."

- (f) By adding the following definition to § 844-1. Definitions:

"REGULATION 393 - O. Reg. 393/04, under the *Waste Diversion Act*, as may be amended from time to time."

- (g) By adding the following definition to § 844-1. Definitions:

"REGULATION 542 - O. Reg. 542/06, under the *Waste Diversion Act*, as may be amended from time to time."

- (h) By deleting the definition of "RESIDENTIAL BULK COLLECTION" from § 844-1. Definitions and replacing it with the following:

"RESIDENTIAL FRONT-END COLLECTION - The collection of garbage and recyclable materials in the appropriate regulation containers described in §§ 844-10B and 844-11B."

- (i) By deleting the definition of "RESIDENTIAL BULK COLLECTION FEES" from § 844-1. Definitions and replacing with the following:

"RESIDENTIAL FRONT-END COLLECTION FEES - The fees imposed under § 844-29 on an owner who receives residential front-end collection services."

- (j) By deleting the definition of "SPECIAL COLLECTION SERVICES" from § 844-1. Definitions and replacing with the following:

"SPECIAL COLLECTION SERVICES - The services provided by the City under this chapter for the collection of bulky items, electronic waste, household hazardous waste and white or metal goods."

- (k) By deleting the definition of "SPECIALLY EQUIPPED BUILDING" from § 844-1. Definitions and replacing with the following:

"SPECIALLY EQUIPPED BUILDING - A multiple household residence which has a compactor unit and garbage container(s)."

- (l) By deleting the definition of "WASTE" from § 844-1. Definitions and replacing with the following:

"WASTE - Garbage, recyclable materials, organic materials, items for which special collection services are provided, yard waste and prohibited waste."

- (m) By adding the following definition to § 844-1. Definitions:

"WHITE OR METAL GOODS - The waste items, other than electronic waste and household hazardous waste, referred to in Schedule A at the end of this Chapter."

- (n) By adding the following definition to § 844-1. Definitions:

"UN-COMPACTED GARBAGE - Garbage that has not been compacted."
- (o) By deleting § 844-3B and adding a new § 844-3B:

"No owner shall be eligible to receive or continue to receive services unless the owner complies with all relevant requirements contained in this chapter and in the city publication entitled 'City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Redevelopments' as same may be amended from time to time."
- (p) By replacing throughout § 844-3G "residential bulk collection fees" with "residential front-end collection fees".
- (q) By deleting § 844-4A and adding a new § 844-4A:

"The City shall collect garbage from residential properties who receive residential curbside collection no more than once every two weeks."
- (r) By replacing throughout § 844-4C "residential bulk collection" with "residential front-end collection".
- (s) By replacing throughout § 844-5B "residential bulk collection" with "residential front-end collection".
- (t) By deleting § 844-5B and adding a new § 844-5B:

"The City shall collect recyclable materials no more than once per week from residential properties that receive residential front-end collection unless otherwise approved by the General Manager."
- (u) By adding a new section § 844-5B(1):

"Owners of residential properties who receive residential front-end collection services may request the General Manager to change the frequency of collection for recyclable materials set out in Subsection B."
- (v) By replacing throughout § 844-7B "residential bulk collection" with "residential front-end collection".
- (w) By deleting § 844-8. Special collection services and adding a new § 844-8. Special collection services:

"A. The City shall provide special collection services to an owner of a residential property who receives residential front-end collection with respect to bulky items and the items referred to in Schedule A of this chapter, provided that:

- (1) The owner contacts the Division prior to setting out the item requiring special collection services; and
 - (2) The owner complies with all directions of the Division with respect to the preparation of the special collection item for setting out and collection.
- B. The City shall provide special collection services to an owner of a residential property who receives residential curbside collection with respect to household hazardous waste, provided that:
 - (1) The owner contacts the Division prior to setting out the household hazardous waste; and
 - (2) The owner complies with all directions of the Division with respect to the preparation of the household hazardous waste for setting out and collection.
- C. The City shall provide special collection services to an owner of a residential property who receives residential curbside collection with respect to bulky items, electronic waste and white or metal goods, provided that:
 - (1) The owner shall comply with the general requirements for setting out items for which special collection services are provided, as described in § 844-16;
 - (2) The owner shall use a container described below for setting out electronic waste items which weigh less than 20 kilograms;
 - (a) A rigid open cardboard fibre container in good working order that is capable of supporting 20 kilograms when lifted; or
 - (b) A translucent plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted.
 - (3) An owner who receives services during a daytime collection period shall ensure that:
 - (a) Items for which special collection services are provided 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 containers and uncollected items for which special collection services are provided are removed from the

collection point no later than 10:00 p.m. on the day of collection; and

- (4) An owner who receives services during a night-time collection period shall ensure that:
 - (a) Items for which special collection services are provided are set out at the collection point no earlier than 6:00 p.m., and no later than 9:00 p.m. on the first day of the night-time collection period; and
 - (b) Empty containers and uncollected items for which special collection services are provided are removed from the collection point no later than 7:00 a.m. on the second day of the collection period.
 - D. The City shall provide special collection services to an owner of a residential property who receives residential curbside collection with respect to bulky items, electronic waste and white or metal goods at the same collection frequency as the owner receives for garbage collection services.
 - E. Owners shall ensure that the doors are removed from any appliance eligible to be collected under this section before setting out the appliance for collection.
 - F. No owner shall set out, nor shall the City be obligated to collect, any bulky item infested with rodents, vermin or pests unless that bulky item has been:
 - (1) Dismantled (where applicable), defaced or damaged as to make unusable; and
 - (2) Encased, enclosed and wrapped in plastic.
 - G. Where an owner is required to contact the Division prior to setting out an item requiring special collection services, special collection services shall be provided by the city on a "first requested, first served" basis.
 - H. The General Manager may refuse or limit the amount of special collection services provided to an owner."
- (x) By deleting § 844-10A(2) and adding a new § 844-10A(2):

"If an owner has excess garbage that cannot fit within the City-provided garbage bin(s) under Subsection A(1), an owner may use:

- (a) Any number of plastic bags measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted, provided that a garbage tag as described in § 844-32 is affixed to each bag; or
 - (b) A City authorized bag; or"
- (y) By deleting § 844-10A(3) and adding a new § 844-10A(3):
- "If the City has not provided a garbage bin to the owner under § 844-15, or if a City provided garbage bin has been lost or is otherwise inoperable, the owner shall use:
- "(a) Plastic bag measuring approximately 66 centimetres by 90 centimetres and capable of supporting 20 kilograms when lifted, provided that a garbage tag as described in § 844-32 is affixed to each bag; or
 - (b) A City authorized bag; or
 - (c) Such other container provided by the City or designated by the General Manager as acceptable for setting out garbage."
- (z) By replacing throughout § 844-10B "residential bulk collection" with "residential front-end collection".
- (aa) By replacing throughout § 844-11B "residential bulk collection" with "residential front-end collection".
- (bb) By deleting § 844-13. Organics containers and adding a new § 844-13. Organics containers:
- "A. Unless otherwise required in this chapter, owners of residential properties who receive residential curbside collection shall use a container described below for setting out organic materials:
 - (1) An organics container which is provided by the City; or
 - (2) Such other container designated by the General Manager as acceptable for setting out organic materials.
 - B. Owners of residential properties who receive residential front-end collection shall use a container described below for setting out organic materials:
 - (1) A 132-litre plastic bin equipped with wheels which is compatible with the equipment used by the City for the provision of organic collection services;

- (2) A fully covered, watertight container with a capacity greater than 0.75 cubic metres and less than 2.3 cubic metres which is compatible with the equipment used by the City in the provision of organic collection services; or
 - (3) Such other container, in good working order, designated by the General Manager as acceptable for setting out organic materials.
 - C. If an organics container provided by the City under Subsection A(1) is damaged, the owner to whom the organics container was issued may make a request to the Division to repair the organics container at no cost to the owner.
 - D. If an organics container provided by the City under Subsection A(1) is lost or stolen, the owner to whom the organics container was issued shall contact the Division to issue a new organics container."
- (cc) By replacing throughout § 844-13B "residential bulk collection" with "residential front-end collection".
- (dd) By deleting the title for Article IV and replacing it with a new title for Article IV:

"Setting out Garbage, Recyclable Materials, Organic Materials, Special Collection Services Items and Yard Waste".
- (ee) By deleting § 844-16A and adding new § 844-16A:

"No owner shall set out garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste for collection unless the garbage, recyclable materials, organic materials, items for which special collection services are provided or yard waste is:
 - (1) Generated on the public or private portion of the property abutting the approved collection point;
 - (2) Placed as close as possible to the edge of the roadway without obstructing the roadway or sidewalk;
 - (3) Free from contamination;
 - (4) In appropriate regulation containers which are clean, well maintained, in good working order and filled to a height no greater than their sides;
 - (5) Accessible and not hidden from view; and
 - (6) Free from tie downs."

- (ff) By adding between § 844-16A and § 844-16B a new § 844-16A.1:
"Subsection A does not apply to household hazardous waste."
- (gg) By deleting § 844-16B and adding a new § 844-16B:
"Subject to Subsection C, no owner shall set out, nor shall the City be obliged to collect, any item, other than an item for which special collection services are provided, which weighs in excess of 20 kilograms, whether such item be a bundle, in a regulation container or loose."
- (hh) By deleting § 844-16C and adding a new § 844-16C:
"Subsection B does not apply to a regulation container described in §§ 844-10B, 844-11B and 844-13B."
- (ii) By deleting § 844-21A and adding a new § 844-21A:
"Owners of specially equipped buildings shall ensure that all garbage is compacted by means of a compactor unit."
- (jj) By deleting § 844-21D and adding a new § 844-21D:
"Despite Subsection A, owners of specially equipped buildings who have been issued a permit to close the garbage chute under Article VIII are not required to compact their garbage by means of a compactor unit."
- (kk) By deleting § 844-22. Exemptions and adding a new § 844-22. Exemptions:
- "A. Notwithstanding anything in this chapter, the General Manager 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, organic materials and yard waste at the designated collection point, provided that the person with disability completes all forms required by the General Manager.
- B. The General Manager may exempt a person from the applicable residential curbside collection fee as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, for one (1) large garbage bin where:
- (1) The person resides in the residential property which receives residential curbside collection;
- (2) The person receives dialysis treatment at the residential property which receives residential curbside collection;

- (3) The one (1) large garbage bin shall be used only for the setting out of waste generated by the dialysis treatment received at the residential property; and
 - (4) The person shall make a request for the exemption in a form acceptable to the General Manager.
- (ll) By deleting § 844-27B and adding a § 844-27B:

"Designate collection points for waste which are eligible for collection;"
- (mm) By deleting the heading for § 844-29. Residential bulk collection fee and adding a new heading for § 844-29:

"Residential front-end collection fee".
- (nn) By replacing throughout § 844-29A "residential bulk collection" with "residential front-end collection".
- (oo) By replacing throughout § 844-29B "residential bulk collection" with "residential front-end collection".
- (pp) By replacing throughout § 844-29C "residential bulk collection" with "residential front-end collection".
- (qq) By replacing throughout § 844-29D "residential bulk collection fees" with "residential front-end collection fees".
- (rr) By replacing throughout § 844-29E "residential bulk collection fees" with "residential front-end collection fees".
- (ss) By replacing throughout § 844-29F "residential bulk collection" with "residential front-end collection" and "residential bulk collection fees" with "residential front-end collection fees".
- (tt) By replacing throughout § 844-29G "residential bulk collection" with "residential front-end collection" and "residential bulk collection fee" with "residential front-end collection fee".
- (uu) By adding § 844-29H:

"An owner of a specially equipped building who receives residential front-end collection services and who is required to compact garbage pursuant to § 844-21A and who, sets out for collection un-compacted garbage shall pay the following fees set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges, on both the compacted garbage and the un-compacted garbage:

- (1) The annual base collection fee for residential front-end collection per dwelling unit per year up to the base of 0.852 cubic yards (per dwelling unit per year) of compacted garbage; and
 - (2) The excess collection fee (per cubic yard) of compacted garbage over base 0.852 cubic yards (per dwelling unit per year)".
- (vv) By adding § 844-29I:
- "Despite Subsection H, an owner of a specially equipped building who has been issued a permit to close the garbage chute under Article VIII and is no longer compacting garbage by means of a compactor unit may make a request in a form acceptable to the General Manager that the owner be charged the annual base collection fee for residential front-end collection per dwelling unit per year for un-compacted garbage and the excess collection fee for un-compacted garbage, as set out in Schedule 1 of Appendix A of Chapter 441, Fees and Charges."
- (ww) By replacing throughout § 844-30B "residential bulk collection" with "residential front-end collection".
- (xx) By replacing throughout § 844-31A "residential bulk collection fees" with "residential front-end collection fees".
- (yy) By replacing throughout § 844-31B "residential bulk collection fees" with "residential front-end collection fees".
- (zz) By deleting Schedule A, Special Collection Services and adding a new Schedule A, Special Collection Services:
- "A. The following items shall be deemed to be electronic waste for the purposes of this chapter:
- (1) Information technology equipment, which includes any device listed under Schedule 2 of Regulation 393;
 - (2) Telecommunications equipment, which includes any device listed under Schedule 3 of Regulation 393;
 - (3) Audio-visual equipment, which includes any device listed under Schedule 4 of Regulation 393;
 - (4) Cell phones and home phones;
 - (5) Computer cables and accessories;
 - (6) Laptop computers;
 - (7) Keyboards;

- (8) VCR/DVD players;
- (9) Hand-held computers;
- (10) Pagers;
- (11) Radios;
- (12) Cameras and video recorders;
- (13) Televisions;
- (14) Desktop computers and monitors;
- (15) Printers and scanners;
- (16) Copiers;
- (17) Typewriters;
- (18) Fax machines;
- (19) Stereos, tuners and turntables;
- (20) Receivers and speakers; and
- (21) Any other item designated as electronic waste by the General Manager.

B. The following items shall be deemed to be household hazardous waste for the purposes of this chapter:

- (1) Municipal Hazardous or Special Waste, as defined by Regulation 542;
- (2) Any household product, material or item labelled as "corrosive", "toxic", "reactive", "explosive", "oxidizing," "poisonous infectious" or "flammable", including but not limited to the following:
 - (a) Pool or photographic chemicals;
 - (b) Laundry bleach;
 - (c) Drain, oven, toilet and carpet cleaning solutions;
 - (d) Paint thinner and paint remover;
 - (e) Rat and mouse poison;
 - (f) Flea collars and powders;
 - (g) Insect killers;
 - (h) Moth balls;

- (i) Weed killers;
 - (j) Fungicides;
 - (k) Wood preservatives;
 - (l) Oil-based and latex paints;
 - (m) Engine oil;
 - (n) Brake and transmission fluid;
 - (o) Antifreeze;
 - (p) Automotive batteries;
 - (q) Ni-cad rechargeable batteries;
 - (r) Propane tanks;
 - (s) Other gas tanks, including lighters;
 - (t) Aerosol containers;
 - (u) Fire extinguishers; and
 - (v) Fuels.
 - (3) Any other item designated as household hazardous waste by the General Manager.
- C. The following items shall be deemed to be white or metal goods for the purposes of this chapter:
- (1) Refrigerators;
 - (2) Stoves;
 - (3) Freezers;
 - (4) Air conditioners;
 - (5) Dehumidifiers;
 - (6) Washing machines;
 - (7) Clothes dryers;
 - (8) Dishwashers;
 - (9) Barbecues;
 - (10) Large metal objects (e.g., aluminum door); and
 - (11) Any other item designated as white or metal goods by the General Manager."

(aaa) By deleting Part A of Schedule B, Recyclable Materials, Yard Waste and Organic Materials and adding a new Part A of Schedule B, Recyclable Materials, Yard Waste and Organic Materials:

"A. The following items shall be deemed to be recyclable materials for the purposes of this chapter:

- (1) Glass bottles and jars;
- (2) Metal food and beverage cans;
- (3) Plastic bottles and jugs made of high density polyethylene (HDPE #2) or polyethyleneterephthalate (PET #1);
- (4) Household paper (including junk mail, writing and computer paper and envelopes);
- (5) Paper egg cartons, rolls and bags;
- (6) Boxboard;
- (7) Newspapers;
- (8) Telephone directories;
- (9) Magazines and catalogues;
- (10) Clean, unwaxed corrugated cardboard;
- (11) Aluminum foil trays;
- (12) Polycoat milk and juice cartons;
- (13) Aseptic drink boxes;
- (14) Empty paint cans;
- (15) Empty aerosol cans;
- (16) Plastic food jars, tubs and lids;
- (17) Spiral-wound containers (for example, orange juice, dough and potato chip containers);
- (18) Paper gift wrap and cards;
- (19) Plastic bags;

- (20) Expanded polystyrene;
 - (21) Mixed rigid post-consumer plastic containers and packaging (SPI codes #1-7) which may include plastic clam shell containers, thermoform packaging, plastic egg cartons, plastic pails up to 20 litres in size, compact disk cases, disposal plastic plates and drink cups and plastic food trays; and
 - (22) Any other item designated as a recyclable material by the General Manager."
- (bbb) By deleting Schedule C, Prohibited Waste and adding a new Schedule C, Prohibited Waste:
- "The following items shall be deemed to be prohibited waste for the purposes of this chapter:
- 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. 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;

- M. 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 General Manager;
- N. Hay, straw, manure or animal excrement;
- O. Any waste in liquid form including but not limited to swill or other organic matter not properly drained and securely wrapped;
- P. Sod, grass, grass clippings;
- Q. Tires;
- 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 to 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 General Manager; and
- W. Any other item or thing designated as prohibited waste by the General Manager."

2. Chapter 441, Fees and Charges, is amended as follows:

- (a) By replacing throughout Appendix A "Residential bulk collection" with "Residential front-end collection".

3. This by-law comes into force upon enactment.

Enacted and passed on April 4, 2013.

Frances Nunziata,
Speaker

(Seal of the City)

Ulli S. Watkiss,
City Clerk