



## STAFF REPORT ACTION REQUIRED

### Terminology and Clarification of Solid Waste Fees

<b>Date:</b>	June 6, 2016
<b>To:</b>	Public Works and Infrastructure Committee
<b>From:</b>	General Manager, Solid Waste Management Services
<b>Wards:</b>	All
<b>Reference Number:</b>	P:2016\ClusterB\SWM\June\009PW(AFS#23003)

#### SUMMARY

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This report requests that City Council authorize the amendment of various Code chapters to conform to new Solid Waste common terminology and that City Council clarify existing authority and provide new authority for various bin acquisition fees and haulage charges. The aforementioned changes will improve the readability of Solid Waste Management and fee chapters of the City of Toronto Municipal Code and allow for the implementation of fees and charges.

#### RECOMMENDATIONS

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**The General Manager, Solid Waste Management Services, recommends that:**

1. City Council amend Code Chapter 441, Fees and Charges, Chapter 442, Fees and Charges, Administration of, Code Chapter 841, Waste Collection, Commercial Properties, Code Chapter 844, Waste Collection, Residential Properties, Chapter 846, Waste Transfer Stations, to conform to the common terminology set forth in Appendix 1 and/or to make similar administrative changes, as more fully described in this report.
2. City Council clarify that the existing authority for Solid Waste Management Services to charge certain customers an acquisition fee for organic, garbage, and recycling bins acquisition requested by such customers, as indicated in Appendix 2 to this report, except for Residential curbside collection customers, Mixed Residential/Commercial Properties and eligible Non-Residential Properties

- (specifically Charities, Institutions and Religious Organizations (“CIROs”) properties, as defined in Section 841-1 and Section 844-1 of the Code.
3. City Council authorize Solid Waste Management Services to charge certain customers an acquisition fee for the purchase of the new Green Bin, as indicated in Appendix 2 to this report, except for Residential curbside collection customers, Mixed Residential/Commercial Properties and eligible Non-Residential Properties (specifically CIROs).
  4. City Council amend Code Chapter 441, Fees and Charges, Appendix A - Schedule 1, Solid Waste Management Services, to implement the fees and charges set forth in Appendix 2 to this report.
  5. City Council direct the City Solicitor to submit the necessary bills to City Council required to implement these recommendations.

### **Financial Impact**

There are no financial impacts arising from this report.

### **DECISION HISTORY**

At its meeting of June 19, 20 and 22, 2007, City Council adopted PW6.2 entitled “Cancellation of the Multi-Unit Waste and Recycling Container Rental Program and Sale of Assets” that informed City Council about Solid Waste Management Services Division’s effort to move from renting bins to selling bins and that provided Solid Waste with authority to charge for bins.

The City Council Decision document can be viewed at (refer to page 65):  
<http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-06-19-cc10-dd.pdf>

At its meeting of November 29, 30 and December 1, 2011, City Council adopted EX13.2 entitled “2012 Rate Supported Budgets - Solid Waste Management Services and Recommended 2012 Solid Waste Rates” that, among other things, exempted eligible Non-Residential properties from paying for additional bins.

The City Council Decision document can be viewed at:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX13.2>

At its meeting of December 9, 2015, City Council adopted EX 10.24 entitled “2016 Rate Supported Budgets - Solid Waste Management Services and Recommended 2016 Solid Waste Rates” which recommended among other fees a General Haulage Fee of \$88.00 per hour.

The City Council Decision document can be viewed at:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX10.24>

## **ISSUE BACKGROUND**

Solid Waste Management Services would like to replace outdated terminology contained with the Solid Waste Management Code and fee Chapters that will modernize definitions, types of services, material types and bin/cart asset types. In addition, this report will update existing and new bin acquisition fees for specified customers, and apply the approved haulage fee in the fees Chapter.

## **COMMENTS**

### **Update of Chapters with Common Terminology**

The recommended common terminology amendments can be found attached to the report as Appendix 1. This is only a sample of the terms that will be added or replaced, as the full bylaw amendment will contain all changes that are required in all or any of the Solid Waste Management and Fee Chapters. These amendments reflect terms that are already in use in the City's educational and communication pieces and include the addition and/or removal terms such as:

- replacing the former term "Mixed Commercial/Residential" with Residential Unit Above Commercial;
- broader use of "Non-Residential" to define not only Charities, Institutions and Religious Organizations (CIROs) but also to include "Commercial", "Divisions, Agencies and Corporations" and "Schools" properties; and
- expand the definition of Waste to include cigarette butts, cigar tips, electronic cigarettes and their components, and chewing gum.

Implementing the proposed common terminology will also clarify types of material collected and services provided among other administrative updates. Additionally, these revisions provide an opportunity to delete outdated provisions no longer in use.

### **Bin Acquisition Fees**

In June 2007, City Council approved the termination of the Multi-Residential Waste and Recycling Bin Rental Program in the former City of Toronto along with a policy that the provision of waste, recycling and any other applicable containers for all Multi-Residential buildings across the City of Toronto would be the responsibility of the Multi-Residential Property, effective January 1, 2008.

Solid Waste Management Services seeks to clarify in the fee chapter and waste collection chapters of the City of Toronto Municipal Code that all customers, except Residential curbside collection customers, Mixed Residential/Commercial Properties Charities, Institutions and Religious Organizations, are required to pay for the provision of any curbside garbage, recycling and organic bins that they are specified to use or request from the City of Toronto.

Moreover, Solid Waste Management Services seeks to clarify that such existing bin fees extends as well to City Divisions, Agencies and Corporations; Schools; Multi-Residential curbside collection and Multi-Residential Front-end customers for all container types (garbage, recycling and organic) and sizes (95 gallon and 35 gallon).

The recommended fees and charges that City Council clarify and/or authorize, depending on the circumstances, are outlined in Appendix 2 to this report. Should City Council adopt the recommendations, these fees and charges would be implemented through amendments to Schedule 1 of Appendix A to Chapter 441, Fees and Charges, as well as amendments to Chapter 841, Waste Collection, Commercial Properties, and Chapter 844, Waste Collection, Residential Properties.

The City is now rolling out the new Green Bin to Residential curbside customers for whom bins will be provided at no additional cost. However, Solid Waste Management Services is seeking City Council approval to charge a bin acquisition fee of \$50.00 to any Commercial, Divisions, Agencies and Corporations, Schools and all Multi-Residential customers (inclusive of those Front-end customers who do not have room for Front-end containers), as indicated in Appendix 2. The aforementioned customers who currently have the small residential curbside organics bin will have the small residential bin replaced by the new 26 gallon organics bin.

### **Haulage Fee**

Solid Waste Management Services provides haulage service for garbage and recyclable materials from select Divisions, Agencies and Corporations which is then dropped off at the City's Transfer Stations. The rate is \$88.00 per hour and includes the bin rental. Item EX 10.24 entitled "2016 Rate Supported Budgets - Solid Waste Management Services and

Recommended 2016 Solid Waste Rates” requested and received approval for this fee’s implementation in 2016. Although the rate received approval from City Council, it was not included in Appendix A - Schedule 1 of Chapter 441, Fees and Charges as such a technical update to this chapter is required as contained in Appendix 2.

## **CONTACTS**

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## **SIGNATURE**

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Jim McKay  
General Manager  
Solid Waste Management Services

## **ATTACHMENTS:**

Attachment 1 – Appendix 1- Sample of Common Terminology to be Replaced in Chapters 441, 442, 841, 844 and/or 846

Attachment 2 – Appendix 2 - Clarification of Cart Fees and Haulage Fee