

Feasibility of Expanding Eligibility Criteria for Food Banks to Access Waste Collection Fee Waiver Program

Date: November 20, 2025

To: Infrastructure and Environment Committee

From: General Manager, Solid Waste Management Services

Wards: All

SUMMARY

This report responds to City Council direction to report to the Infrastructure and Environment Committee on the feasibility of expanding the Charities, Institutions and Religious Organizations (CIRO) Rate Waiver Program eligibility criteria to allow for the collection of garbage, recycling and organics generated by food bank programs of non-residential properties.

Additionally, this report also includes information on the feasibility of expanding the fee waiver of tipping fees at the City of Toronto's transfer stations to include garbage, recycling, and organics generated by food bank programs of non-residential properties.

RECOMMENDATIONS

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

1. The Infrastructure and Environment Committee receive this report for information.

FINANCIAL IMPACT

There are no financial impacts resulting from the adoption of this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting on December 17 and 18, 2024, City Council adopted item MM24.10 entitled “Exploring the Feasibility of Expanding Eligibility Criteria to Increase Food Bank Access to the Charities, Institutions and Religious Organizations (CIROs) Waste Collection Fee Waiver Program”. City Council directed the General Manager, Solid Waste Management Services, to assess the feasibility of expanding the City’s eligibility criteria for waste collection services under Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties, to include the collection of garbage, recycling and organics generated by food bank programs located on non-residential properties, and to report back with a feasibility assessment and any proposed by-law amendments to expand waste collection eligibility and fee waiver eligibility criteria to include food bank programs, along with a program administered by Solid Waste Management Services that would allow non-residential properties with food banks to apply for waste collection services and waste collection fee waivers. City Council also provided direction to report back with the feasibility of expanding the fee waiver of tipping fees at the City’s transfer stations under Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties, to include garbage, recycling, and organics generated by food bank programs of non-residential properties as potentially exempt tipping customers.

The City Council decision can be viewed at:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.MM24.10>

At its meeting on July 8, 9, 10, and 11, 2014, City Council adopted item PW32.19 entitled “Waste Diversion Rate Waiver Program for Non-Residential Charitable Sector”. City Council approved the implementation of a Waste Diversion Rate Waiver Program for charities who are Non-Residential customers of the City’s Solid Waste Management Services.

The City Council decision can be viewed at:

<https://secure.toronto.ca/council/agenda-item.do?item=2014.PW32.19>

At its meeting on December 16, 17, and 18, 2013, City Council adopted with amendments item EX36.18 entitled “2014 Rate Supported Budgets – Solid Waste Management Services and Recommended 2014 Solid Waste Rates.” City Council requested the General Manager, Solid Waste Management Services, in consultation with the Executive Director, Social Development, Finance and Administration, to consider a Grant Program for Charities, Institutions and Religious Organizations that demonstrate an inability to pay Solid Waste Management Services fees, and report back with eligibility criteria, an appeals process, communications strategy and implementation plan. The General Manager, Solid Waste Management Services, in consultation with the City Solicitor, was also to report back on amending Municipal Code Chapter 841 to remove those conditions, such as the 500 square metres size restriction, that prevent more charities, institutions, not for profits, and religious organizations from becoming eligible to receive all the City’s waste collection services, and achieve greater waste diversion from landfill.

The City Council decision can be viewed at:
<https://secure.toronto.ca/council/agenda-item.do?item=2013.EX36.18>

COMMENTS

Background

Prior to the introduction of the Charities, Institutions and Religious Organizations (CIROs) Rate Waiver Program, Solid Waste Management Services (SWMS) had a non-residential customer base of approximately 1,100 customers. The non-residential customer base included charities, institutions, not-for-profit and religious organizations, along with a small number of for-profit nursing or retirement homes, as defined in Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties.¹

In 2013, City Council requested SWMS in consultation with Social Development, Finance and Administration (SDFSA, now Social Development) to consider a grant program for CIROs to help offset operating costs to the sector and encourage waste diversion practices that demonstrated an inability to pay solid waste fees.

In 2014, City Council approved the implementation of a Waste Diversion Rate Waiver Program for CIROs (CIRO Rate Waiver Program), whereby federally registered charities would receive 100 per cent credit/refund of the City of Toronto's (the City) waste fees funded by solid waste rates.

Registered charitable organizations who were Non-Residential customers and were in good standing with the Canada Revenue Agency (CRA) were eligible to have their solid waste fees waived through the CIRO Rate Waiver Program. The focus on charitable organizations allowed the City to rely on CRA's assessment and monitoring related to accountability practices and demonstrated public benefit.

Any non-residential property that was not a registered charity was required to pay the full City Council approved commercial rate. To qualify for the CIRO Rate Waiver Program, organizations had to pass a two-step approval process jointly administered by Social Development and SWMS.²

Presently, the CIRO Rate Waiver Program is administered solely by SWMS. Organizations that are on the CIRO Rate Waiver Program must comply by properly sorting garbage, recycling and organics that are set out for collection, along with meeting the accompanying eligibility criteria, detailed in Table 1. Of the 799 currently approved CIRO Rate Waiver Program participants, there are approximately ten (10) food banks, that are registered charities and that meet the eligibility criteria.

¹ See City of Toronto Municipal Code - Chapter 841 - https://www.toronto.ca/legdocs/municode/1184_841.pdf

² Organizations applying for the CIRO Rate Waiver Program had to be a federally registered charity eligible for Non-Residential collection services, and fully participate in the City's Waste Diversion programs, as demonstrated by annual Waste Inspection Compliance Audits.

Table 1: Eligibility Criteria for the CIRO Rate Waiver Program

Criteria	New Applicants
Building ground floor area less than 500m ² and less than 4 stories OR At least 1/3 of space is residential (no size restriction) and less than 4 stories	Eligible
Building ground floor area 500m ² to 1,250m ² and no residential component	Not Eligible
Building ground floor area greater than 1,250m ² and no residential component	Not Eligible
Industrial (property code in the 500 series)	Not Eligible
Residential (property code in the 300 series)	Not Eligible

Feasibility of Expanding CIRO Rate Waiver Program to allow for the collection of Garbage, Recycling and Organics from Food Bank Programs of Non-Residential Properties

Definition of a food bank program

The CIRO Rate Waiver Program relies on registered charitable organizations being in good standing with CRA. CRA defines a food bank as an "organization that accepts donated food and operates with the exclusive intent of feeding the hungry, and receives, holds, packages, repackages or distributes food to be consumed off the premises, but does not process or serve food."³

There is no standardized or shared definition of 'food banks' across the City Divisions. In consultation with Social Development, a food bank in Toronto is a free service, often offered by a not-for-profit or grassroots organization, that collects and redistributes food and other basic essentials to individuals and families that are food insecure. Some food banks act as distribution centres for their member agencies, others act as frontline providers, while some provide both functions.

Not all food banks in the city are registered charitable organizations. If the CIRO Rate Waiver Program were to be expanded to include food banks, the current criteria will need to be expanded to allow not-for-profit entities to apply. A formal definition of a food

³ See Government of Canada - Model Guidelines for Food Safety in Food Banks - October 6, 1999 - <https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/guidance-documents/model-guideline-food-safety-food-banks.html#B>

bank would have to be established and the eligibility criteria amended to include organizations meeting this definition, regardless of zoning location.

Uncertainties of types of waste generated and uncontrolled volumes of waste

Many food banks in Toronto operate in industrial units to store and distribute food and other items - such as toiletries, feminine hygiene products, cleaning supplies, baby wipes and diapers - and do not meet the eligibility criteria detailed in Table 1.

Provision of free waste collection services to food bank programs of non-residential properties may result in donors donating large quantities of surplus goods and foods that the food bank may not be sufficiently prepared to store or distribute to the community. This could result in large volumes of spoiled foods, products and other waste requiring disposal. How much waste generated solely through the organization's food bank programs is unknown and cannot be estimated.

The potential type and quantity of waste the City could receive from food banks remains unknown; and, if the quantities are substantial, the individual transfer station site's Environmental Compliance Approval (ECA) limits may be exceeded, resulting in the need for amendments. Amending ECAs requires engagement with the Ministry of the Environment, Conservation and Parks (MECP), which can take up to one year to complete. Furthermore, the MECP may choose to impose new operating conditions on City transfer stations during this process, which presents operational risk.

It is also unclear where food banks are receiving donations from, and if such donations are coming only from entities within the boundaries of the city. Donations to food banks within the city from entities outside the city-proper, even with the intent of providing food to residents in Toronto who are food insecure, would result in greater volumes of waste being collected via City services and disposed of at City facilities that did not originate within the city, and would ultimately be financed by City ratepayers. For example, A large grocery chain or food producer may donate pallets of canned food from their manufacturing facility outside of Toronto. Any donations that cannot be distributed would now be disposed at an increased cost to existing Toronto SWMS ratepayers.

Impact to collection operations

Currently, as shown in Table 1 above, CIROs that operate in properties zoned by the Municipal Property Assessment Corporation (MPAC) as industrial (MPAC property code in the 500 series) or residential (MPAC property code in the 300 series) are not eligible for the CIRO Rate Waiver Program.

If the CIRO Rate Waiver Program is expanded to include food banks, SWMS would be required to review the predominant zoning of properties where food banks are situated against the relevant sections of Toronto Municipal Code 841-3, which determine eligibility related to industrial zoning and size requirements.

The size of the building is also a determinant for eligibility. The size and operations of food banks vary, as do their registered charitable status. Some food banks are registered charities while others are not-for-profit entities. If the CIRO Rate Waiver Program is amended to include food banks, the eligibility criteria will need to be revised to capture all food banks, not solely registered charities, including food banks located in industrial and residential zones.

SWMS does not typically have any existing routed collections in industrial zones where some food bank programs operate in industrial units. Adding such locations would require operational changes, requiring creation of new collection schedules and routes or amending existing schedules and routes (and collection contracts where necessary). If the CIRO Rate Waiver Program were to be expanded to include food banks, consideration would need to be given regarding collection schedules for organizations that are accepted into the program. As waste collection schedules are predetermined, food banks with hours that do not align with collection schedules, for example a food bank program operating out of a church that does not operate seven (7) days a week - may not find the program suitable.

A review of how many locations would potentially be enlisting and deemed eligible for the CIRO Rate Waiver Program would need to be undertaken to determine if additional collection vehicles and equipment need to be procured and if more staff resources are required. SWMS is not equipped to handle the additional collection of a set of new customers with current levels of staffing and equipment.

Program administration

When the CIRO Rate Waiver Program was implemented, staff conducted scheduled inspections of site premises and all waste bins. Site inspections were completed and an 'Initial Site Inspection Compliance Evaluation Form' was completed to determine whether the applicant was approved or not approved for the CIRO Rate Waiver Program, prior to collection services beginning. The site inspection consisted of a tour of the premises and a review with the applicant of the City's:

- waste diversion programs;
- sorting stations;
- educational literature package; and,
- bins and containerization of waste materials.

The expansion of the CIRO Rate Waiver Program to food bank programs could substantially increase the quantity of waivers and the complexity of administering the program.

Impact to food bank operations

The City currently services some food banks that are eligible under the CIRO Rate Waiver Program. Unscheduled inspections have shown that a significant amount of the food waste is packaged and collected as garbage.

The City's organics processing facilities do not include any de-packaging equipment and, as such, cannot process organics in packaging (i.e. in boxes, cans, plastic clamshells, chip bags, etc.). Any organics that arrive in packages would need to be disposed of as garbage, adding additional pressure on the City's landfill that will reach capacity in 2035.

Food banks would be required to separate their waste, including removing food waste from its packaging or container, and sort waste into the appropriate City-approved waste containers for garbage, organics and recycling.

Eligibility for the CIRO Rate Waiver Program is based on a site inspection from City staff, with staff recommending the best type of collection method and the quantity of containers for a site. If the CIRO Rate Waiver Program is expanded to include food banks, organizations would be required to use City bins or garbage tags,⁴ and the volume of bins could limit space for pedestrians on public sidewalks on collection day, depending on the location of the food bank.

Table 2 summarizes the issues detailed above and highlights the activities that would be need to be undertaken to address implementation challenges

Table 2 - Considerations and workplan to expand CIRO Rate Waiver Program eligibility criteria to food bank programs

Identified Issue	Activities to address issue
<i>Definition of a food bank program</i>	<ul style="list-style-type: none"> • Establish a working group to engage City Divisions on: <ul style="list-style-type: none"> • A standard definition for a food bank • What a food bank program would entail
<i>Uncertainties of types of waste generated and uncontrolled volumes of waste</i>	<ul style="list-style-type: none"> • Conduct site visits and assessment to determine scale of operation and source of donations • Visual audit of organizations' waste to determine: <ul style="list-style-type: none"> • What type of waste is being generated • How much is being generated
<i>Impact to collection operations</i>	<ul style="list-style-type: none"> • Determine volumes and types of materials to be collected • Determine collection method that best suits each location and building type • Determine what type and how many bins each organization requires • Assess the impact to collection routes and schedules • Determine resources and equipment required

4 See Fees & Set Out for CIROs - <https://www.toronto.ca/services-payments/recycling-organics-garbage/non-residential/fees-set-out-for-charities-institutions-organizations/>

Identified Issue	Activities to address issue
Program administration	<ul style="list-style-type: none"> • Quantify the number of organizations that will apply to the program • Develop program, that would include: <ul style="list-style-type: none"> • Site inspections, to be completed prior to collection • Education on City's diversion programs, sorting stations • Development of a waste reduction plan - including education posters for staff and the public, food bank organization staff training, ensuring appropriate recycling and organics receptacles are present • Regular compliance waste audits i.e. visual inspection of all waste streams • Monitoring of the program
Impacts on food bank operations	<ul style="list-style-type: none"> • Having staff available to: <ul style="list-style-type: none"> • Monitor diversion • Properly sort waste streams • Receive City staff for regular spot checks • Ensure bins are placed properly for collection, as per Toronto Municipal Code 841

Feasibility of expanding the fee waiver of tipping fees at the City of Toronto's transfer stations

Tipping fees currently exist at transfer stations for garbage, recycling and yard waste⁵. All organics that are accepted at transfer stations are from rate-paying customers, collected by City collection vehicles or City-contracted collectors and brought to transfer stations. The City does not accept public drop-off of organics at transfer stations.

Currently, CIRO Rate Waiver Program customers receive waived tipping fees for garbage, recycling and tires.

Safety considerations and impact to transfer station operations

Public vehicle drop-off of organics at transfer stations poses safety risks, as organics piles tend to be wet, resulting in a higher risk of slips and falls. This could pose liability risk to the City.

Furthermore, an increase of vehicular traffic from food banks dropping off their waste could be seen at transfer stations. Minimizing transfer station delays is important for

⁵ See City of Toronto Municipal Code - Chapter 841 - https://www.toronto.ca/legdocs/municode/1184_841.pdf

overall efficiency of the City's waste collection system. Pre-registering vehicles for each respective food bank or creating dump authorization slips for each food bank to distribute to their respective drivers, who would then be admitted to the sites with the food bank being billed for the load, are potential options to minimize delays at sites.

Table 3 summarizes the issue detailed above and highlights the activities that would need to be undertaken to address implementation challenges.

Table 3 - Considerations and workplan to expand fee waiver of tipping fees at City transfer stations

Identified Issue	Activities to address issue
<p>Safety considerations and impact to transfer station operations</p>	<ul style="list-style-type: none"> • Amend ECA to allow drop-off of organics • Pre-meet with applicants to ensure drop-off criteria, including de-packaging of food waste and separation of waste by stream • Pre-register vehicles or creating dump authorization slips for each food bank organization • Train and update processes for site staff to monitor additional vehicular traffic and materials to ensure material meets the criteria of the program* <p>* Activities needed to set up a program that are detailed in Table 3 are in addition to those listed in Table 2</p>

For the activities listed in both Tables 2 and 3, the estimated timeframe for expanding the eligibility criteria, conducting site visits to determine the type and amount of waste, and seeking ECA amendments to receive additional tonnes of organic waste at City transfer stations is approximately 14 to 16 months.

Financial impact and source of funding

A full understanding of the number of food bank locations that would potentially be enlisting and deemed eligible for the program is needed to determine the impact to City operations and cost. Additional locations will bring increased tonnage of waste requiring composting or recycling, or disposal as garbage at the City's landfill. In addition to processing and disposal costs, additional vehicles, staff resources, and upgrades to equipment or facilities may be required to manage the additional waste generated by food bank programs.

If the CIRO Rate Waiver Program is expanded to include food banks, City Council must consider how the program should be funded, whether it be via Solid Waste rates and ratepayers or via tax, as the program is not a direct service and rather a general "public-good" offering. Alternate funding sources could include the development of grant programs whereby the organization provides a receipt to the City, up to a pre-determined threshold for cost sharing.

Next Steps

No changes to the program are recommended at this time. Solid Waste Management Services will continue to administer the CIRO Rate Waiver Program and process applications against the program eligibility criteria. Staff will also continue to monitor changes in waste generation and sources as part of the update to the City's Long-term Waste Management Strategy.

Social Development will lead work, in partnership with Solid Waste Management Services to engage the food banking sector to develop a comprehensive definition of food banks that reflects the operations of those organizations currently serving Toronto residents. This consultation will include discussions of strategies to address the concerns identified in this report about program expansion and potential misuse. These considerations will inform any potential future proposals to expand the CIRO Rate Waiver Program to include the collection of garbage, recycling, and organics from food bank programs of non-residential properties.

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