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**TO:** CHAIR AND MEMBERS  
FINANCIAL MANAGEMENT COMMITTEE

**DATE:** 2019 October 07

**FROM:** DIRECTOR ENGINEERING

**FILE:** 36500-03

**SUBJECT:** 2020 SOLID WASTE AND RECYCLING BYLAW AMENDMENTS -  
CHARGES FOR ROW HOUSING

**PURPOSE:** To seek Council authorization for the City Solicitor to bring forward amendments to the *Burnaby Solid Waste and Recycling Bylaw 2010*.

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**RECOMMENDATION:**

1. **THAT** Council authorize the City Solicitor to bring forward amendments to the *Burnaby Solid Waste and Recycling Bylaw 2010*, as outlined in section 5 of this report, effective 2020 January 01.

**REPORT**

**1.0 INTRODUCTION**

The Solid Waste & Recycling Division of Engineering offers three programs for the collection of residential solid waste and recycling. The type of service provided is primarily determined by the BC Assessment Actual Use classification of the property. At present, the City's *Solid Waste and Recycling Bylaw* does not impose fees on Row Housing properties that receive curbside collection, although the services provided are similar to those provided to Single and Two Family Dwellings for which an annual fee is charged.

Row Housing properties are multi-family housing complexes where each unit has its own street presence. Most Row Housing properties are stratified and form part of a multi-family complex for property taxation purposes, however, a number of non-stratified Row Housing properties are found in various communities across the Lower Mainland. In Burnaby, Row Housing properties may be provided with Residential Curbside, Multi-Family, or Light Commercial service, depending on the requirements.

The purpose of this report is to propose bylaw amendments to implement an annual fee for Row Housing dwellings that receive curbside collection service as well as establish that proration of annual garbage disposal fees is not available where a garbage receptacle is replaced with a smaller or larger receptacle prior to the end of a calendar year.

## 2.0 POLICY SECTION

The proposed bylaw amendments are aligned with the City of Burnaby's Corporate Strategic Plan by supporting the following goals and sub-goals of the Plan.

### Goal

- An Inclusive Community
  - Serve a diverse community –  
Ensure City services fully meet the needs of our dynamic community
- A Dynamic Community
  - City facilities and infrastructure –  
Build and maintain infrastructure that meets the needs of our growing community
- A Thriving Organization
  - Financial viability –  
Maintain a financially sustainable City for the provision, renewal and enhancement of City services, facilities and assets

## 3.0 BACKGROUND

In Burnaby, the three solid waste and collection programs offered by the City across a variety of property types are as follows:

1. Residential Curbside Collection. This service is provided to Single Family Dwellings, Two Family Dwellings (duplexes), some Row Housing and small Strata Townhouse complexes. The service includes totes for garbage (collected every two weeks – fortnightly) and green waste (collected weekly) and a blue box, grey box, and yellow bag for recyclable materials (collected weekly). Residents place the receptacles at the curb for automated garbage and green waste collection, and manual recycling collection. An annual flat fee for the service is set out in the *Solid Waste and Recycling Bylaw*.
2. Container Collection. This service is provided to multi-family complexes, schools, civic buildings, and businesses. The service includes steel containers for garbage and corrugated cardboard, totes for green waste, and blue, grey, and yellow totes for recyclable materials. Collection schedules are developed with clients. Placement of receptacles for collection is determined by the City and property managers to facilitate efficient and safe collection. The service may include a jitney to move the steel containers. Monthly rental fees are charged for receptacles and pick-up fees are charged for garbage collection.

3. **Light Commercial Collection.** This service is provided to small and midsize multi-family complexes, home based businesses, residential community services, and small businesses. The service includes toters for garbage and green waste, and blue, grey, and yellow toters for recyclable materials or blue boxes, grey boxes and yellow bags as required. Collection schedules are developed with clients. Placement of receptacles for collection is determined by the City and property managers to facilitate efficient and safe collection. Monthly rental fees are charged for receptacles and pick-up fees are charged for garbage collection.

#### 4.0 FINDINGS

Implementation of the new tax system in 2019 has provided improved reporting and billing functionality, which in turn has supported a review of Residential Curbside services and related fees. This review identified that some Row Housing in receipt of Residential Curbside collection are not being charged for the service - be it in the form of an annual or quarterly fee. Staff have now completed a review of both stand-alone properties (those whereby the property has its own Tax and Utility Account) and those that receive individual curbside services, but are billed collectively as part of a Strata complex or co-op.

This review has identified approximately 1,000 Row Housing properties that are currently not charged for Residential Curbside collection services by the City. In order to impose a fee on these Row Housing properties, amendments to the City's *Solid Waste and Recycling Bylaw* are proposed below. Based on the various sizes of garbage containers, the fees that will be collected from these Row Housing properties represent approximately \$60,000 in revenue, which will be included in the Provisional Budget for 2020.

Further, there is a need to establish in the *Solid Waste and Recycling Bylaw 2010* that there is no proration of flat rate disposal fees where a smaller or larger garbage receptacle is requested prior to the end of a calendar year. The new flat rate would be applied in the utility billing in the next calendar year.

#### 5.0 PROPOSED BYLAW AMENDMENTS

In order to impose fees on the Row Housing properties that receive Residential curbside collection and eliminate proration for replacing a garbage receptacle with a different size receptacle, the following amendments to the *Burnaby Solid Waste and Recycling Bylaw 2010* are proposed:

## Section 2: DEFINITIONS

**Amend:** “dwelling” means a single family dwelling, each dwelling unit in a two family dwelling, and a row housing dwelling, as those terms are defined in the Zoning Bylaw.

**Add:** “row housing property” means a property on which there is a row housing dwelling or dwellings.

## Section 5: RESIDENTIAL GARBAGE, YARD WASTE, FOOD SCRAPS AND RECYCLABLE MATERIALS COLLECTION

**Amend:** Opening paragraph of Section 5 to read as follows: “The following provisions apply to single family and two family properties and row housing properties that receive curbside collection service:”

**Amend:** Section 5.(2) to read as follows: “A single family property shall have one garbage receptacle only. A two family property and a row housing property that receives curbside collection service shall have one garbage receptacle for each dwelling unit.”

**Amend:** Section 5.(2A) to read as follows: “Notwithstanding subsection (2), the Engineer may approve an additional garbage receptacle for a single family property, two family property or row housing property that receives curbside collection where an owner or occupant has a medical condition that results in a quantity of non-hazardous solid waste which exceeds the capacity of the garbage receptacle supplied by the City.”

**Amend:** Opening paragraph of Section 8A.(3) to read as follows: “Where a single family property, two family property or row housing property that receive curbside collection service is located in a bear area, the owner or occupant of the dwelling shall ...”

**Amend:** Section 9.(1) to read as follows: “Every owner of a single family property and each dwelling on a two family property and row housing property that receives curbside collection service shall be charged an annual charge for the municipal collection service as set out in Part E of Schedule A to this Bylaw. An owner of a single family property or two family property that does not use the municipal collection service, or a row housing property that receives curbside collection service but does not use such service, shall be charged the lowest of the charges set out in Part E of Schedule A.”

To: Financial Management Committee  
From: Director Engineering  
Re: 2020 Solid Waste and Recycling Bylaw  
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**Amend:** Section 9(7) to read as follows: “The owner of an unimproved single family property, two family property or row housing property shall not be subject to the charge set out in subsection (1).”

**Add:** Section 9.(11) to read as follows:  
“With the exception of new accounts and first time fees, the charges set out in Part E of Schedule A shall not be subject to proration. Where an owner or occupant replaces a garbage receptacle with a smaller or larger garbage receptacle, the charge for the new garbage receptacle set out in Part E of Schedule A will take effect in the next calendar year.”

**Amend:** Opening paragraph in Part E of Schedule A to read as follows: “Single family properties, two family properties, and row housing properties that receive curbside collection service. Per dwelling based on garbage receptacle volume. Taxes not applicable.”

## 6.0 RECOMMENDATION

It is proposed that the *Solid Waste and Recycling Bylaw 2010* be amended to impose an annual flat rate disposal charge on Row Housing dwellings that receive residential curbside collection, in line with existing rates for Single Family and Two Family Dwellings, and to establish that there is no proration of flat rate disposal charges where a smaller or larger garbage receptacle is requested prior to the end of a calendar and the new flat rate will not be applied until the next calendar year. Staff are recommending that Council authorize the City Solicitor to bring forward the bylaw amendments as outlined in this report, effective 2020 January 01, so that the annual charges for Row Housing properties can be invoiced with the 2020 annual utility billing process.

  
for

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DIRECTOR ENGINEERING

LAG/NK/RR/AS/ac

Copied to: City Manager  
City Solicitor  
Director Finance