



**Policy:** **Multi-Residential & Private Road Waste Collection Policy**

**Date Approved:** ###, 2023

**Date Revised:**

### **Purpose**

To outline the requirements for curbside Waste Collection Services for Multi-Residential properties and Residential Dwelling Units fronting on Private Roads.

### **Policy Statement**

Ontario municipalities are not responsible for providing any Waste Collection Services to Multi-Residential properties or Residential Dwelling Units fronting on Private Roads. Despite this, the Town of Aylmer wishes to make it possible for Owners of Multi-Residential properties or Residential Dwelling Units fronting on Private Roads to provide these services for reduced costs if possible.

The Town does not provide Waste Collection Services to Multi-Residential properties or Residential Dwelling Units fronting on Private Roads. This policy establishes anticipated minimum design requirements that will enable owners of Multi-Residential Properties or Condominiums to enter into private agreements with the Town's vendor for Waste Collection Services.

For applications that meet the minimum requirements as outlined in this policy, the Town will agree to permit waste collection alongside the Town's regular residential collection. This can be anticipated to see the Town cover the landfill costs of the materials collected while requiring the owners of the Multi-Residential properties or Residential Dwelling Units fronting on Private Roads to pay the per household collection costs directly to the vendor under a private agreement provided the household waste complies with the provisions of the Town's Solid Waste Management By-Law 21-12.

Notwithstanding the intentions of this policy, the Town cannot compel our vendor to provide Waste Collection Services to any Multi-Residential properties or Residential Dwelling Units fronting on Private Roads. The onus to enter into private agreements and to manage any private agreements is solely upon the Owners of Multi-Residential properties or Residential Dwelling Units fronting on Private Roads.

Effective July 2023, the Town of Aylmer is no longer responsible for residential collection or processing of recyclables. Owners of Multi-Residential properties or Residential Dwelling Units fronting on Private Roads are responsible for any additional agreements required for recycling collection. Owners are obligated to demonstrate the

provision of recycling services upon their lands to meet the Town's goals of waste diversion and be eligible under this policy.

## **Scope**

This policy applies to:

- any property with six (6) or more residential dwelling units.
- Residential dwelling units fronting onto a private road.

## **Definitions**

The following definitions apply to the Multi-Residential and Private Road Waste Collection Policy.

**“Common Collection Point”** means a location for waste bins for up to 6 Residential Dwelling Units. The Common Collection Point must provide a minimum pad area or other storage containment method, at the sole discretion of the Director of Operations of their delegate, with an area of 1 metre x 1 metre for each residential dwelling unit using the Common Collection Point and be signed and/or bins marked with the unit number of each Residential Dwelling Unit assigned to the Common Collection Point, so as to maintain Ownership of Waste.

**“Town”** means The Corporation of the Town of Aylmer.

**“Director of Operations”** means the Director of Operations for the Town of Aylmer, their delegate, or in the event of an absence or inability to carry out his/her duties, the authority granted herein shall be carried out by the Chief Administrative Officer or their delegate.

**“Multi-Residential”** means a property, used mainly for residential purposes, containing 6 or more Residential Dwelling Units (by reference to the database maintained and operated by the Municipal Property Assessment Corporation).

**“Owner”** includes an Owner, occupant, lessee, tenant, developer, property management firm, condominium corporation or any other person in charge, management or in control of a Multi-Residential property or Residential Dwelling Units fronting a Private Road in the Town of Aylmer.

**“Ownership of Waste”** means each Residential Dwelling Unit must have responsibility for their own Waste. This requires that each unit has their own set out location for waste in front of the unit at the end of their own driveway or at a designated Common Collection Point. Sidewalks are not acceptable set out locations to designate Ownership of Waste.

**“Private Road”** includes any roadway that is not assumed by a local municipality, the County or the Province of Ontario.

**“Recyclables”** Refers to items deemed recyclable under provincial legislation or regulations and includes all materials included in the Town of Aylmer’s previous Blue Box program as defined in By-Law 21-12 prior to transition to producer responsibility in July of 2023.

**“Residential Dwelling Unit”** means a unit that:

- (a) consists of a self-contained set of rooms located in a building or structure,
- (b) is used or intended for use as residential premises, and
- (c) contains kitchen and bathroom facilities that are intended for the use of the unit only.

**“Service Provider”** means the contractor and its agents and employees retained by the Town of Aylmer to provide Waste Collection Services.

**“Vendor”** means the contractor and its agents and employees retained by the Town of Aylmer to provide Waste Collection Services.

**“Waste”** means garbage, yard waste, bulky items and any other material designated by the Town for Waste Collection Services.

## **Responsibility**

**Director of Operations:** Has the authority to grant or deny applications filed under this policy and has the authority to override this policy on a case-by-case basis related to a development when they believe it is reasonable to do so.

**Director of Corporate and Legislative Services:** The decision of the Director of Operations may be appealed to the Director of Corporate and Legislative Services. The decision of the Director of Corporate and Legislative Services is final.

## **Waste Collection Design Standards**

Private Roads must be designed, built and maintained to accommodate waste collection vehicles, including the following requirements:

1. The internal road layout is designed to permit continuous collection without requiring the waste collection vehicle to reverse. Where the requirement for continuous collection cannot be met, the following may be permitted:
  - i. Private Roadways/Properties should be designed to permit access to and egress from collection locations without reversing,

- ii. For developments that do not allow for through passage, a T-turnaround which is a “T”-shaped area that allows vehicles to reverse direction through a 3-point turn shall be used. Collection vehicles are not to reverse more than 20 metres and all turns shall have a 13 metre turning radius,
  - iii. Cul-de-sac with a minimum 13 metre paved turning radius,
  - iv. Other means for collection vehicles to turn around, as approved on a case-by-case basis by the Director of Operations;
2. Paved road width shall be a minimum of 6.0 metres (edge of pavement to edge of pavement) and all turns shall have a 13 metre paved turning radius;
  3. Road base and surface material must be adequate to safely accommodate waste collection vehicles without damaging the road;
  4. Means of access and egress must be maintained;
  5. Appropriate overhead clearance minimum of 4.4m over the paved portion of the road must be maintained, including trees;
  6. Road must be maintained to be safe for collection vehicles including appropriate winter maintenance and snow removal;
  7. Unobstructed access to the waste;
  8. All Residential Dwelling Units must have Ownership of Waste;
  9. The set-out location must be large enough to accommodate all Waste bins; and,
  10. At the sole discretion of the Director of Operations, a Common Collection Point(s) may be permitted in site-specific circumstances.
  11. Additional criteria as relayed by the Town’s Waste Service Collector may be applied as conditions or as otherwise set out in the Town’s design guidelines as revised from time to time. If there is a conflict between this policy and the design guidelines, the design guidelines shall govern.

### **Application and Approval Process**

1. For new developments, it is desirable for applicants to submit requests during pre-consultation or during their residential development application (Subdivision, Condominium and Site Plans) to the Town. All applications are required to submit the form attached as Appendix “A” and to pay the application fee of \$150 or as otherwise established in the Town of Aylmer User Fee By-Law.
2. The application must include the following documentation to be considered complete and to proceed for review:
  - i. Type(s) and total number of Residential Dwelling Units in the development;
  - ii. Engineering drawings, including a Turn Path Analysis, that demonstrates the roadway has been designed to accommodate waste collection vehicles; and
  - iii. Phasing Plans in the event that the entire development is not being built at once.

3. The Owner must apply for all known units within the development on one application, even if the development shall occur in phases. Should amendments to subsequent phases be made after eligibility has been determined, the Town reserves the right to revisit the matter and remove their consent for collection to occur alongside Town waste immediately.
4. Following a review of the proposed development design (i.e. plan of subdivision, plan of condominium, and/or site plan), Town staff will provide written comments indicating whether the Town will support collection alongside the Town's residential collection.
5. Following the Town's consent to allow collection alongside the Town's residential Waste Collection, it is the sole responsibility of the Owner to negotiate an agreement with the Town's vendor for waste collection services. Such agreement is anticipated to include curbside collection costs, additional insurance coverage, requirements to maintain a certain level of snow clearing, along with other items that may be imposed by the vendor.
6. The Town may revoke their support of joint collection and landfill costs in any instance where:
  - i) The Owner fails to meet the criteria set out in the subdivision agreement, condominium agreement, site plan/development agreement.
  - ii) Site maintenance on the private lands, including road, garbage collection points, trees or other issues are insufficient or neglected.
  - iii) The Owner does not have an existing agreement with the Town's vendor for collection services.
  - iv) The Owner fails to directly manage collection of waste upon their property and incurs complaints that involve the Town.
  - v) The Owner fails to effectively establish their own complaint resolution processes around missed collections, torn bags, blowing garbage, etc.
  - vi) As a result of an RFP process the Town receives a new vendor that is not amenable to providing services.
  - vii) The Owner's design requires specialized collection, such as bin collection that cannot be accommodated within the regular residential Waste Collection.
  - viii) The Owner fails to adhere to the requirements of By-Law 21-12.
  - ix) The Owner fails to provide recycling services in accordance with supporting the Town's waste diversion objectives.
  - x) The Owner fails to provide proof of Insurance additionally naming the Town of Aylmer in a minimum amount of \$3 million for the purposes of holding the Town harmless for our Vendor entering or exiting the Owner's property.
7. There is no obligation upon the Town to provide Waste Collection Services to Multi-residential Properties or Private Roads. Notwithstanding the Town shall

endeavor to provide a minimum of 30 days' notice prior to revoking any existing considerations to an Owner to allow them to make other arrangements, except in cases where safety or liability issues require a more immediate response.

8. The applicant has the right to appeal the decision of the Director of Operations to the Director of Corporate and Legislative Services upon submission of a request in writing with a filing fee of \$50. No new evidence shall be permitted under such appeal and the decision of the Director of Corporate and Legislative Services is final and binding.
9. Upon approval the Town shall only provide a letter of support to the Owner and Vendor indicating our support of collection alongside the Town's materials and agreement to incur landfilling costs associated with the collection of such material.
10. The Town cannot require our Vendor to enter into any agreement with any Owner to provide services, nor can staff negotiate or assist in discussions around such an agreement.
11. The Town will not serve as mediator between the Owner and Vendor upon any disagreements or dispute over an agreement.
12. The Town does not provide residential recycling however is not opposed to collection of recyclables alongside the Town's recycling collection.
13. The Owner is required to uphold all requirements of By-Law 21-12 upon their lands and provide enforcement of the provisions therein upon any owners.