



Committee of the Whole Report

For the Meeting of April 21, 2022

To: Committee of the Whole **Date:** April 8, 2022
From: Philip Bellefontaine, Director, Engineering and Public Works
Subject: Options to Reduce Single-Use Items and Encourage Reuse

RECOMMENDATION

That Council:

1. Direct the City Solicitor to draft a bylaw for the protection of the natural environment, subject to the approval by the Minister prior to adoption, to reduce single-use items and encourage the use of reusable products by requiring that businesses:
 - a. distribute single-use straws, utensils, stir sticks, and condiment packages (made of any material) only when requested (three months after bylaw adoption),
 - b. use reusable products for food and beverages consumed on the premises of the business, with exemptions for businesses that cannot accommodate sanitization procedures for reusable products (nine months after bylaw adoption),
 - c. charge a \$0.25 fee for any single-use takeout cup or container with exemptions for free drinks and drink vouchers, hospitals and community care facilities, and charitable food services (12 months after bylaw adoption for takeout and 24 months after bylaw adoption for delivery and drive-through).
2. Direct the Director of Engineering and Public Works to monitor impacts of the fee for cups and containers and report back to Council if adjustments are required to further motivate waste reduction.
3. Direct the Director of Engineering and Public Works to report back on options to prohibit specific single-use products if the final federal *Single-Use Plastics Prohibition Regulations* deviate significantly from their current draft.
4. Direct the Head of Engagement to develop a communication and outreach plan to support businesses transition to the changes considered in the proposed bylaw.
5. Advocate to the Minister of Environment and Climate Change Strategy to endorse and expedite approval of municipal bylaws that encourage reusable alternatives to single-use disposable items.

EXECUTIVE SUMMARY

Every day, Victoria residents throw away over 75,000 single-use items. These include cups, containers, utensils and packaging designed to be discarded after their single use has been fulfilled. The overuse of single-use items throughout the community is a wasteful and unsustainable activity that directly affects municipal services, compromises provincial and regional recycling and composting programs, and degrades and harms terrestrial and marine environments.

A growing body of evidence confirms the proliferation of single-use plastic pollution entering the Earth's ecosystems. A comprehensive scientific assessment recently completed by the Government of Canada indicates that plastic pollution from single-use products causes physical harm to wildlife and has the potential to adversely affect habitat integrity¹. In addition to environmental harms, applying a circular economy lens to single-use items and packaging waste exposes an annual loss of resource value estimated at \$100 to \$150 billion globally². The overuse of single-use items also impacts the cost and service levels of providing street cleaning and waste collection, litter pickup in parks and beaches, and exacerbates sanitary and storm infrastructure contamination and blockages.

Responsibility for managing single-use items and packaging is an area of shared jurisdiction between all levels of government. Both the federal and provincial governments plan to take meaningful action in the next year to eliminate specific single-use plastic products and improve the performance of recycling programs. This provides a clear and consistent direction that allows the City of Victoria to complement federal and provincial initiatives and complete a robust and coordinated pathway to zero single-use item waste by using municipal authority and influence to create the local conditions that encourage the use of reusable products.

This report recommends that Council direct the City Solicitor to draft a bylaw for the protection of the natural environment to reduce single-use items and encourage the use of reusable products by requiring that businesses do not needlessly distribute single-use items, ensure reusable products are used when disposable takeout products are not necessary and require businesses to charge fees for disposable cups and containers to encourage uptake of reusable alternatives. This proposed approach, focused on encouraging reuse, will advance the City's established Zero Waste goals.

PURPOSE

The purpose of this report is to provide Council with options and considerations for reducing single-use items and transitioning the community to the regular use of reusable products.

BACKGROUND

Zero Waste Victoria is the City's plan to reduce waste across the community by 50% by 2040. Single-use items and packaging is one of the four primary Focus Areas in the plan and has established goals to:

- 1) eliminate unnecessary and problematic single-use items, and
- 2) establish reusable products as the default packaging option throughout the community.

Council set an action under the climate leadership and environmental stewardship objective of its 2019 – 2022 Strategic Plan to “introduce regulations to ban and/or restrict problematic single-use

¹ Science assessment of plastic pollution (2020). Environment and Climate Change Canada.

² Strategy on Zero Plastic Waste (2018). Canadian Council of Ministers of the Environment.

items (coffee cups, take out containers, straws, etc.) while taking into consideration accessibility needs.” In December 2020, Council approved of *Zero Waste Victoria*, which included establishing single-use item regulations as a high-priority action.

The City of Victoria was one of the first jurisdictions in Canada to address the adverse impacts of single-use items with the introduction in 2018 of its *Checkout Bag Regulation Bylaw*. The City’s checkout bag regulation has since been replicated by jurisdictions across the country and the provincial and federal governments have recently introduced strategies to reduce plastic pollution. This report considers options to advance towards the City’s single-use item and packaging goals in alignment with provincial and federal plastic pollution initiatives.

ISSUES & ANALYSIS

Single-Use Item Impacts

Environmental Harm

Plastic debris has become a globally ubiquitous pollutant having been found in terrestrial, marine, and freshwater ecosystems around the world³. Plastic pollution arises from the proliferation of plastic packaging and products in the economy and the mismanagement of these items at the end of their life. Single-use products are particularly abundant resulting from their design for convenience and quick disposal. It is estimated that 29,000 tonnes of plastics escape collection and enter the environment in Canada every year⁴.

To inform federal action on plastic pollution the Department of Environment and Department of Health recently published a Science Assessment of Plastic Pollution¹ as a summary of the current state of science related to the impacts of plastic pollution on the environment and human health. The assessment found evidence of adverse effects of single-use plastic items that enter the environment on animals through:

- entanglement, which can lead to suffocation, strangulation, or smothering;
- ingestion, which can block airways or intestinal systems leading to suffocation or starvation; and
- transport of invasive species and disease into ecosystems than can alter the biodiversity of those environments.

The assessment also found that small plastic fragments (microplastic) pollution is pervasive in the environment, but the potential effects of microplastics on animals, the environment and human health are unclear and require more research.

While the end-of-life impacts of single-use plastic products may be most acute; the manufacture, transportation and disposal of non-plastic alternatives also have environmental impacts related to greenhouse gas emissions, resource extraction, water consumption and pollution.

City Services and Operations

Based on waste composition analyses, the City of Victoria collects over 5 million single-use items per year from homes through its curbside waste collection service, and another 9 million single-

³ What is known and unknown about the effects of plastic pollution: A meta-analysis and systematic review (2020). Bucci, K., Tulio, M., & Rochman, C. M. *Ecological Applications*, 30(2).

⁴ Economic Study of the Canadian Plastics Industry, Markets and Waste (2019). Deloitte & Cheminfo Services Inc.

use items per year from garbage cans on City sidewalks, at bus stops and in parks. The most common single-use items found in public garbage are cups (13,000 per day), containers (6,300 per day), and straws (5,800 per day). Single-use products are also common litter found in City parks and beaches. Single-use items including checkout bags, takeout packaging accessories, and, recently, disposable medical masks have been found in storm and sanitary infrastructure which can lead to contamination and blockages.

Reusable Alternatives

Reusable products provide benefits when compared to conventional disposable products including waste reduction, less environmental harm, costs savings for businesses and consumers, and opportunities for branding and marketing aligned with a growing segment of sustainably minded customers.

The Oregon Department of Environmental Quality conducted an analysis summarizing lifecycle analysis studies of takeout packaging for numerous environmental impacts⁵. The study notes that the number of times a product is reused and its cleaning process are the most important factors to realize and maximize the environmental benefits of reusable products. It also indicates that, in most cases, reusable products outperform disposable products across most environmental impact categories, with reusable tableware having significantly lower environment impacts than disposable alternatives and reusable cups usually outperforming disposables but varying widely on user behaviour.

Health and Safety of Reusable Takeout Products

British Columbia's *Food Premises Regulation* allows the use of reusable cups and containers provided that an operator protects food from contamination and handles and dispenses food in a sanitary manner.

Vigilance of health protocols with the recent COVID-19 pandemic has placed added scrutiny on the safety considerations for reusable takeout products. On July 2, 2021, the BC Centre for Disease Control issued a statement confirming that COVID-19 transmission from handling reusable containers such as grocery bags, coffee mugs, bulk bins and other reusable items has not been documented and businesses have been authorized to return to normal activities such as accepting and filling reusable coffee mugs and water bottles and allowing reusable containers for takeout.

Recyclability and Compostability

Recycling

British Columbia has a mature Expanded Producer Responsibility (EPR) program in place for packaging that places the financial responsibility for collection and recycling on product producers. Single-use items under this program include takeout cups and containers distributed by businesses for customer use. Effective January 1, 2023, single-use products such as straws, stir sticks and utensils will be added to the EPR program.

BC's recovery rate for rigid plastic products - which encompass plastic cups and containers - is 64%⁶. Plastic containers are typically manufactured from petroleum-derived polymers polyethylene terephthalate (PET), polypropylene (PP), high density polyethylene (HDPE), polystyrene (PS) or expanded/extruded polystyrene (EPS) commonly referred by its branded name

⁵ The Significance of Environmental Attributes as Indicators of the Life Cycle Environmental Impacts of Packaging and Food Service Ware (2018). State of Oregon Department of Environmental Quality.

⁶ RecycleBC 2020 Annual Report (2021). RecycleBC.

“Styrofoam.” PET, PP, and HDPE containers collected through BC’s recycling program are processed in BC and Alberta where they are cleaned and pelletized to become new raw material for manufacturers of various plastic products including new containers. EPS can also be recycled, but in BC it must be taken to recycling depots for collection since it can easily escape to the environment after which recovery is extremely difficult.

Compostable Plastics

Compostable plastic is often advertised as a more sustainable option for packaging than conventional plastic but in practice compostable plastics present a range of challenges for existing composting and recycling systems.

There is currently a misalignment between compostable plastic certification standards and real-world compost facility processing conditions. This is the case in the capital region where there is only one industrial composting facility that uses technology to process organic waste into a hygienic soil amendment within 7-10 days. This can be contrasted against the most common standard for assessing compostable plastic ASTM D64005 that requires products to be lab tested above 50°C and demonstrate a total disintegration time of 80-120 days, which is roughly 10 times longer than a compostable plastic product would be subjected to using current infrastructure.

Product identification is another practical challenge given most compostable plastics are visually identical to conventional petroleum-based plastics and are often screened out at compost facilities as plastic contamination. Most compostable plastics are also not recyclable and can contaminate the recycling stream if added to “blue box” material. For these reasons, there is a high likelihood that compostable plastics introduced to the community and used by a consumer will end up in the landfill.

Municipal Policies to Reduce Single-Use Items

There is an established set of policies for consideration by municipalities to address issues that result in the proliferation and mismanagement of single-use items. The following policies have been identified by nationally recognized organizations advancing zero waste in Canada, namely the National Zero Waste Council and Metro Vancouver.

By Request - A by request policy requires that businesses only provide single-use items to customers when requested. This policy increases consumer awareness and can be designed as part of a transition or for items where sustainable alternatives are not yet common or readily available. A by request policy can also be used to maintain products that are required for people living with disabilities, such as plastic disposable straws. By request requirements present businesses with an opportunity to reduce costs and waste by selectively distributing single-use items.

Require Reusable - A reusable requirement is a policy used to mandate that reusable products are used in specific situations. Typically, reusable requirements are applied to restaurants offering dine-in services. In most cases, reusable food service ware is less expensive for a business than the disposable alternative, if dishwashers are already in use.

Mandatory Fees - Mandatory fee policies require businesses to charge a fee for single-use items. This presents customers with an overt cost associated with their choice of packaging and encourages them to use a cost-saving reusable alternative. Fees have been shown to be more effective at driving change than discounts given to customers who bring their own reusable

items^{7,8}. Typically, when a fee is being used to motivate behaviour, it would be collected and kept by individual businesses. Cup and container fees are in place or are being proposed in the City of Vancouver and the City of Toronto. The emerging standard fee across these municipalities is \$0.25 per cup/container.

Bans - Bans can be used to restrict an entity or person from selling or distributing single-use items. Bans are generally applied to materials or products that have been shown to result in environmental harm or that are not compatible with existing infrastructure. Bans of single-use items typically result in immediate and impactful waste reduction. Bans must be introduced carefully to avoid potential unintended consequences of substitution to other problematic or unsustainable alternatives. As a result, bans are often accompanied by technical specifications for allowable materials or products.

Notable municipal single-use item policy precedents in British Columbia and outside the province are listed in the table below.

Item	<i>By Request</i>	<i>Require Reusable</i>	<i>Mandatory Fee</i>	<i>Ban*</i>
Checkout Bags	<ul style="list-style-type: none"> • Victoria • Saanich • Esquimalt • View Royal • Nanaimo • Tofino • Ucluelet • Vancouver • Surrey 		<ul style="list-style-type: none"> • Victoria • Saanich • Esquimalt • View Royal • Nanaimo • Tofino • Ucluelet • Vancouver • Surrey ○ Calgary ○ Edmonton ○ Toronto 	<ul style="list-style-type: none"> • Victoria • Saanich • Esquimalt • View Royal • Nanaimo • Tofino • Ucluelet • Qualicum • Vancouver • Richmond • Surrey • Montreal ○ Edmonton
Straws	<ul style="list-style-type: none"> ○ Toronto ○ Edmonton ○ Calgary 			<ul style="list-style-type: none"> • Tofino • Ucluelet • Qualicum • Vancouver • Richmond ○ Montreal
Utensils	<ul style="list-style-type: none"> • Vancouver ○ Toronto ○ Edmonton ○ Calgary 			<ul style="list-style-type: none"> • Tofino • Ucluelet ○ Montreal
Cups		<ul style="list-style-type: none"> ○ Edmonton 	<ul style="list-style-type: none"> • Vancouver ○ Toronto 	<ul style="list-style-type: none"> • Vancouver (foam) • Richmond (foam) • Surrey (foam)

⁷ Regulatory Approaches for Priority Plastic Wastes (2019). Plastics Advisory Panel: National Zero Waste Council.

⁸ Cups Sold Separately: Field trial and evidence review of disposable cup charges (2020). Zero Waste Scotland.

				<ul style="list-style-type: none"> ○ Edmonton (foam) ○ Montreal (all plastic)
Containers				<ul style="list-style-type: none"> ● Vancouver (foam) ● Richmond (foam) ● Surrey (foam) ○ Edmonton (foam) ○ Montreal (foam)

*All items covered by current municipal bans are proposed to be included in forthcoming Federal regulations

- Adopted bylaw
- Proposed/directed bylaw

Federal and Provincial Initiatives

Province

The provincial government announced its intentions to address plastic pollution in 2019 with the release of a policy consultation paper on bans of single-use packaging, improving existing EPR programs and developing recycled content standards. Since the publication of their Plastic Action Plan the Province has amended EPR regulations adding single-use plastic items to existing stewardship programs and in July 2021 allowed municipalities to regulate specific single-use items without requiring ministerial approval.

A forthcoming announcement is expected that the province will ban certain single-use items province-wide. City staff conversations with counterparts at the Province suggest that local governments will be encouraged to continue to take a leadership role especially related to programs and regulations for establishing local conditions for reusable alternatives to disposable single-use items.

Federal

In December 2021, the federal government released its proposed *Single-Use Plastics Prohibition Regulation* that would prohibit the manufacture, import, and sale of:

- Plastic checkout bags
- Plastic cutlery
- Foodservice ware made from or containing problematic plastics
- Plastic ring carriers
- Plastic stir sticks
- Plastic straws

Most of the items include compostable or biodegradable plastic as part of the prohibitions except for foodservice ware (i.e. containers, boxes, cups, plates and bowls).

The federal bans address the most problematic plastic products in the Canadian economy, but their authority is limited for addressing substitution to non-plastic single-use items. The federal

government has indicated that local governments are better positioned to regulate broader considerations for waste reduction and the uptake of reusable alternatives.

The proposed federal regulations are anticipated to come into effect in December 2022.

Municipal Authority

In British Columbia municipal single-use plastics bylaws are authorized under Part 3 of the *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation (the “Regulation”)* for:

- Plastic checkout bags
- Plastic drinking straws
- Polystyrene foam service ware
- Plastic utensils including stir sticks

The Regulation also authorizes municipalities to require businesses to provide single-use utensils or drinking straws made of a material other than plastic only upon request by a customer. Municipalities can also adopt bylaws for the natural environment that expand beyond or pertain to different environmental matters than those referred to in the Regulation. Such bylaws require ministerial approval.

Engagement

Business and public engagement to explore potential municipal policy tools to address single-use item waste began in Summer 2019. Considerations have also taken into account public announcements from the federal and provincial governments indicating their intention to regulate plastic pollution, and the COVID-19 pandemic.

Federal and provincial plans were outlined in 2021. In October 2021, the City published its Single-Use Item Consultation Paper (Appendix A) and solicited community feedback on a suite of proposed municipal actions to address single-use items and encourage a shift to reuse throughout Victoria. A survey was also open from October 20 to November 22, 2021, to collect feedback with 586 residents completing the survey and 554 respondents providing detailed written comments. A complete summary of the survey results is provided in Appendix B. Key findings include:

- 95% of respondents said they are willing to reduce waste by requesting items such as straws, stir sticks, utensils, condiments, and napkins, instead of automatically receiving them with restaurant takeout or delivery orders.
- 92% of respondents said they would consider using reusable containers.
- 29% of respondents said a fee of \$0.25 would encourage them to use a reusable cup, while 45% said the fee would need to be \$0.50.
- One-third of respondents said that a fee of \$0.25 would encourage them to use a reusable container, while 68% indicated it would need be \$0.50 or more.
- 91% of respondents said they support a ban on foam containers, while 54% said they support a ban on biodegradable and compostable plastics.

Accessibility Engagement

Sixty-four individuals (12% of the total respondents) who completed the survey identified as being a person with a disability. There were no discernable differences in the survey responses between this group and the overall findings from all respondents. However, written commentary revealed

the unique accessibility considerations for individuals, with many respondents indicating a need to maintain disposable straws.

The consultation paper was also shared with the City's Accessibility Advisory Committee (AAC) with an invitation for feedback. In addition to clarifying questions the AAC noted:

- Concerns with potentially introducing new barriers through a by request policy.
- Support for exploring potential financial barriers for people with low incomes.
- A desire that plastic bags be allowed under a by request policy.

Engagement with Low-Income Populations

In addition to the survey, two sessions were held in February 2022 with social service providers and people with lived experiences of poverty to gather further insight on the potential impacts of single-use regulations on vulnerable populations in the community.

The first session included individuals with lived experiences of homelessness and poverty. The individuals who attended this session were supportive of the proposal for a by request policy for single-use accessories, noting their frustration when receiving an excess of unnecessary items. These individuals were also generally supportive of fees on single-use cups and indicated that a \$0.50 fee (versus \$0.25) would motivate them to bring their own cup. When asked about reuse programs, they were supportive but said programs need to be convenient and affordable for them to participate.

A second engagement session included representatives from three local charitable organizations that provide services to individuals in Victoria who experience homelessness or are underhoused. All service providers participating in this session provided dine-in meal programs using reusable plates, cutlery, and cups prior to the COVID-19 pandemic. All said that they try to source the most sustainable single-use disposable items for meal programs such as fiber-based “clamshells” and wooden cutlery, but also accept donations of other materials. However, the representatives noted that dining on their premises is preferred because there is a greater expense and waste with having to purchase disposable single-use items, as well as the added benefit of doing wellness checks during mealtimes.

Business Engagement

Staff have been in regular conversations with businesses and business association representatives on options to reduce single-use items since 2019, including the following formal engagement opportunities:

- Policy options review workshop – July 24, 2019
- *Zero Waste Victoria* local business focus group – August 5, 2020
- *Zero Waste Victoria* large retail and grocery focus group – September 3, 2020
- Single-use item consultation paper survey – October 20 – November 22, 2021
- Sustainable takeout packaging workshop – November 3, 2021
- Proposed policy review workshop – March 16, 2022

A business survey accompanied the resident survey in October 2021 and included questions specific to business considerations of single-use item reduction. Ten businesses completed the survey (Appendix B) with key findings as follows:

- 8 respondents indicated that a fee of \$0.50 would motivate their customers to bring their own cup or container.

- 8 respondents indicated interest to participate in a reusable cup or container service.
- Overall, businesses indicated a desire for improved recycling and composting systems to manage single-use takeout packaging.

Three written submissions were received, in addition to the survey responses, broadly supportive of the City's goal to reduce single-use items but noting detailed considerations or novel approaches that would benefit their business or association members (Appendix C).

In March 2022, businesses were invited to a workshop to review and provide feedback on the proposed policy tools. Local businesses and businesses association representatives from the Downtown Victoria Business Association, BC Restaurant and Foodservices Association, Restaurants Canada and the Retail Council of Canada attended the session with outcomes summarized for specific policy tools in the table below.

Proposed Policy	Business Feedback
<i>By Request</i>	<ul style="list-style-type: none"> • Businesses can accommodate the requirement to only provide single-use item on request. • Business should be provided flexibility to establish the operational procedures for a by request requirement specific to their customers and circumstances. • City awareness, education and guidance resources are encouraged.
<i>Require Reusable</i>	<ul style="list-style-type: none"> • Reusables are feasible for use on-site in most food service businesses but may be difficult for small restaurants and cafes with limited seating, businesses that cannot accommodate dishwashing equipment, and non-food primary businesses. • A one-year lead time is preferred to allow businesses time to adapt. • Business costs may be offset from the savings from purchasing fewer disposable products.
<i>Mandatory Fees</i>	<ul style="list-style-type: none"> • Mixed opinions on whether a fee would be effective and what the fee should be. • Noted a potential for conflict to arise between a customer and front-line business staff during implementation. • Victoria has an opportunity to learn lessons from the implementation of the cup fee requirement in Vancouver. • Desire for more responsible management of disposable cups and container through existing recycling programs.
<i>Bans</i>	<i>Businesses were not asked to provide specific feedback on bans given the recent release of proposed regulations by the federal government that includes bans on plastic cutlery, stir sticks, straws, ring carriers, checkout bags and foam containers and cups.</i>

OPTIONS & IMPACTS

The recommendations to reduce single-use items have been prepared for Council's consideration based on the actions necessary to meet the waste reduction goals established in *Zero Waste Victoria* while accounting for the impact of federal single-use item regulations. They also acknowledge the scope of municipal regulatory authority for reducing single-use items recently

confirmed by the Province. It is important to underscore that new municipal authority to regulate specific single-use products does not preclude the City of Victoria from seeking ministerial approval for additional regulations.

OPTION 1 – Do nothing

This option considers that the City of Victoria does not proceed with additional single-use item regulations outside the existing *Checkout Bag Regulation Bylaw*. This option would place full regulatory responsibility for single-use items on the federal and provincial governments. Current and proposed plastic pollution initiatives from the higher levels of government focus on regulations to address environmental harms associated with the end-of-life management of plastic products. This option does not address the potential impacts of non-plastic single-use items and allows single-use products and activities to continue without addressing the underlying conditions that would shift the community towards reuse. This option will not achieve the goals for single-use items and packaging established in *Zero Waste Victoria*.

OPTION 2 – Prohibit plastic single-use items authorized under the Provincial *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation (the “Regulation”)*.

This option would initiate a bylaw for the protection of the natural environment that is in alignment with the Regulation, thereby negating the need for ministerial approval. This would allow the City to prohibit plastic single-use straws, utensils, stir sticks and foam containers and cups, and require businesses to only provide single-use utensils and drinking straws when the customer requests one, expanding on the single-use plastic checkout bag regulations. The bylaw would also provide for exemptions for persons with disabilities in relation to plastic drinking straws, as provided for in the Regulation.

This option would allow the City to introduce regulations with certainty, however all the single-use items considered under this option are included within proposed federal regulations. Acting independently now could position the City of Victoria ahead of the federal regulations by several months but once federal regulations are in place, the City’s regulation would be redundant.

Staff do not recommend this option because the federal government has already developed a clear and impactful plan to mitigate the impacts of these plastic single-use items. The Regulation does not establish mechanisms to support a transition to reusable alternatives to single-use items which is necessary to meet the City’s Zero Waste goals.

OPTION 3 – Draft a bylaw for the protection of the natural environment that requires the regular use of reusable products and seek ministerial approval (Recommended).

This option would develop a bylaw for the protection of the natural environment that incorporates policies that are not covered by provincial or federal single-use plastic initiatives. The bylaw would cover businesses in Victoria with a focus on encouraging reuse. This option would require businesses in Victoria to:

- a. Distribute straws, utensils, stir sticks, and condiments only when requested by a customer.
- b. Use reusable products for food and beverages consumed on the premises of the business with exemptions for businesses that cannot accommodate sanitization procedures for reusable products.
- c. Charge a \$0.25 fee for any single-use takeout cup or container and monitor impacts.

The proposed phasing and rationale for these requirements are outlined in the following table.

Requirement	In Force	Rationale
a. <i>By request</i>	Three months after bylaw adoption	<p>This requirement would apply to any material, not just plastic, and is intended to reduce the distribution of all unnecessary single-use items.</p> <p>Making straws available on requests maintains availability of these products for people who require them for accessibility reasons.</p> <p>Businesses indicated they can make this change quickly.</p>
b. <i>Require Reuse</i>	Nine months after bylaw adoption	<p>Requiring reusable products for food and beverages consumed on the premises of a business provides a convenient, low-cost, and sustainable alternative to disposable single-use items.</p> <p>Implementing this requirement before the fees ensures that those customers who want to avoid the fee can do so, including people where the fee may be a financial barrier.</p> <p>Most businesses already have commercial dishwashing equipment or space to store containers as part of a reusable container sharing program.</p> <p>Some businesses require time to source reusable products or make operational adjustments for dishwashing.</p> <p>Exemptions for the few unique businesses that cannot accommodate sanitization procedures for reusable products.</p>
c. <i>Fees</i>	12 months after bylaw adoption for takeout 24 months after bylaw adoption for delivery and drive-through	<p>Fees are intended to motivate customers to reconsider their use of disposable cups and containers and encourage the use of reusable alternatives.</p> <p>Customers can avoid a fee by using a reusable cup or container.</p> <p>An appropriate phase-in period to allow businesses time to adopt reusable alternatives.</p> <p>A fee of \$0.25 instead of \$0.50 is being proposed to:</p> <ul style="list-style-type: none"> • harmonize Victoria's policy with municipalities across Canada, • mitigate potential unintended consequences on businesses including customer conflict and loyalty, and • mitigate impacts on people where a fee could be a financial barrier. <p>Single-use item reductions and uptake of reusable alternatives can be monitored to determine if the fees need to be adjusted.</p> <p>Exemptions to fees for free drinks and drink vouchers, hospitals and community care facilities, and charitable food services.</p>

This type of bylaw would require approval from the Minister of Environment because it is a bylaw for the protection of the natural environment that goes beyond the scope of the Regulation. With this option comes the possibility that the minister will not approve the bylaw or take a lengthy period of time to approve it. In addition to submitting the bylaw for approval using the established administrative procedures, Council could advocate to the minister to expedite the approval process given the shared objectives with current provincial plans, the complementary nature of the proposed municipal requirements and a desire from the business community for regulatory clarity and certainty.

Staff recommend this option because these actions have the highest likelihood of achieving the established goals in *Zero Waste Victoria*, it works alongside provincial and federal initiatives without duplicating them, and the actions received broad support from the groups and individuals that participated in the development of these proposed actions.

Accessibility Impact Statement

Staff engaged with stakeholders to consider the various impacts that the proposed single-use item actions in this report could have on accessibility. Engagement included:

- Consideration of specific survey responses from people identifying as living with a disability.
- Separate engagement sessions for social service providers and people who have lived with the experience of homelessness and poverty.
- Consultation with the City's Accessibility Advisory Committee.

A ban on plastic drinking straws is intentionally not being recommended due to accessibility concerns. Considerations for mitigating the impact of disposable cup or container fees on low-income populations include requirements for the availability of reusable products on the premises of a business. Development of any bylaw will also consider opportunities and guidance to businesses to mitigate the impacts of fees on low-income populations.

2019 – 2022 Strategic Plan

This report responds to the action under the climate leadership and environmental stewardship objective of the 2019 – 2022 Strategic Plan to “introduce regulations to ban and/or restrict problematic single use items (coffee cups, take out containers, straws, etc.) while taking into consideration accessibility needs.”

Impacts to Financial Plan

All options considered in this report can be accomplished using existing staff resources and within existing operating budgets. There are no impacts to the Financial Plan.

Official Community Plan Consistency Statement

Waste reduction is consistent with Plan Goals related to Infrastructure and Climate Change and Energy in the City of Victoria's Official Community Plan (OCP No. 12-013).

CONCLUSIONS

Staff have reviewed recently announced provincial and federal government plastic pollution initiatives and have identified opportunities for the City of Victoria to complement these actions by focusing on encouraging reuse throughout the community. The recommendations in this report will help to achieve goals established in *Zero Waste Victoria* and are broadly supported by residents and businesses in the community who participated in the City's engagement opportunities on single-use items.

Respectfully submitted,

Rory Tooke
Manager, Sustainability, Assets &
Support Services

Philip Bellefontaine
Director, Engineering and Public Works

Report accepted and recommended by the City Manager.

List of Attachments:

Appendix A: Single-Use Item Consultation Paper
Appendix B: Engagement Summary and Results
Appendix C: Business Written Feedback