

SINGLE-USE ITEM REDUCTION BYLAW IMPLEMENTATION UPDATE

Recommendation

That the September 5, 2023, City Operations report CO01992 be received for information.

Requested Action	Information only		
ConnectEdmonton's Guiding Principle	ConnectEdmonton Strategic Goals		
CONNECTED This unifies our work to achieve our strategic goals.	Climate Resilience		
City Plan Values	BELONG. PRESERVE.		
City Plan Big City Move(s)	Greener as we grow	Relationship to Council's Strategic Priorities	Climate adaptation and energy transition
Corporate Business Plan	Transforming for the future		
Council Policy, Program or Project Relationships	<ul style="list-style-type: none"> • 25-year Waste Strategy • Bylaw 20117 - Single-Use Item Reduction Bylaw • Edmonton's Plan to Reduce Single-use Items • Waste Reduction Roadmap 		
Related Council Discussions	<ul style="list-style-type: none"> • CR_6134 Reduction and/or Elimination Mechanisms of Single Use Plastics, Utility Committee, August 23, 2018 • CR_6364 Plastic Waste Reduction, Utility Committee, February 1, 2019 • CR_5829 Waste Strategy - Comprehensive Waste Management Strategy, Utility Committee, August 29, 2019 • CO00390 Waste Reduction Roadmap, Utility Committee, April 30, 2021 • CO01033 Single-use Item Reduction Strategy, Utility Committee, March 25, 2022 • CO01219 Bylaw 20117 - Single-use Items Bylaw, Utility Committee, July 4, 2022, City Council 		

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Executive Summary

- Single-use items (SUI) are items designed to be thrown away after one use. An estimated 450 million single-use items are discarded each year in Edmonton which impacts the environment, community and economy.
- Administration started its work to reduce SUI in 2018. After the development of an SUI strategy and multiple rounds of consultation, the Single-use Item Reduction Bylaw (the Bylaw) was passed by Council on October 4, 2022 and took effect on July 1, 2023. The Bylaw complements similar SUI regulations in municipalities across Canada and future federal regulations affecting single-use plastics.
- Administration developed tools to help educate both residents and businesses through mailouts to business licence holders, a comprehensive website, a bylaw guide for businesses, printable communication tools, videos, webinars, social media and advertising prior to the Bylaw coming into effect.
- Administration also developed supports to aid residents and businesses. A grant to help local businesses transition away from SUI was created in 2022, and an in-person outreach team is proactively visiting businesses to answer questions and support their work. Administration is monitoring Bylaw compliance with education efforts before enforcement.
- Residents and businesses are adapting to the new Bylaw requirements. The most common feedback reported has asked for clarification or expressed concern about the fees for paper and new reusable bags. While early feedback observed on social media trended negative, news stories and inquiries were neutral in tone.
- Administration will continue monitoring the progress of the Bylaw through waste characterization studies, resident and business feedback, and overall alignment with corporate goals.

REPORT

While the Single-use Item Reduction Bylaw has only been in effect since July 1, 2023, the development of the Bylaw and single-use regulations were informed by Council, businesses, non-profit organizations, other orders of government and feedback from engaged Edmontonians across a multi-year period. Administration is monitoring and responding to early feedback on the Bylaw, and residents and businesses will continue to be supported by the City through an education-first approach as they adjust and adapt to the new regulations.

Bylaw Development

Efforts to restrict and regulate single-use items in Edmonton began in 2018. Through the development of other long-term waste management plans, like the 25-year Waste Strategy and the Waste Reduction Roadmap, Administration created a comprehensive strategy to reduce SUI in Edmonton. The Single-use Item Reduction Strategy included Edmonton's Plan to Reduce Single-use Items (the SUI Plan) and a Recommended Bylaw Direction to guide the bylaw's creation.

Administration presented the Single-use Item Reduction Strategy report CO01033 to Utility Committee on March 25, 2022. The strategy was approved by Council on April 4, 2022. The

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Single-use Item Reduction Bylaw 20117 was prepared and passed first reading at City Council on July 4, 2022. It passed second and third reading at the October 4, 2022, City Council Public Hearing.

After the Bylaw's passage, Administration developed an implementation plan to prepare residents and businesses for the Bylaw's launch on July 1, 2023. The Bylaw was developed at the same time as similar SUI regulations and waste reduction policies across Canada.

Context

Single-use Item Reduction in Canada

On October 7, 2020, the federal government announced strategies to achieve a zero plastic waste goal by 2030. This included a proposal to ban or restrict the use of certain single-use plastics. On June 22, 2022, the Single-use Plastics Prohibition Regulations took effect. Six categories of single-use plastics¹ were to be banned through a phased process from 2022 to 2025.

The manufacture and import of most single-use plastics for sale in Canada, except ring carriers, was prohibited on December 20, 2022. On December 20, 2023, the sale of these plastics will be banned across Canada. Although the City's Bylaw currently exempts registered charities from its requirements, they will not be exempt from the federal regulations, and the Bylaw will be amended to align once the federal regulations come into effect.

Extended Producer Responsibility in Alberta

Extended producer responsibility (EPR), expected to be implemented in Alberta in 2025, shifts the responsibility of collecting, sorting, processing and managing single-use products, packaging and printed paper products to producers and away from governments and individuals. The goal of EPR is to encourage local recycling markets, promote innovative and sustainable product packaging, and reduce environmental impacts.

Once implemented, producers of single-use products in Alberta will be fully responsible for the entire life cycle of their products. However, the projected impacts of EPR regulations on reducing SUI in Edmonton are unknown. EPR will only apply to SUI that residents put in the residential waste collection stream, and does not set overall targets for waste reduction unlike the City's bylaw. EPR will have no impact on SUI waste produced and disposed of by businesses.

Administration is actively engaged in the provincial government's implementation of EPR and will continue to provide updates to Council.

Single-use Item Bylaws in Other Municipalities

Many SUI bylaws are designed to complement the incoming federal regulations on single-use plastics. Some municipalities have moved forward with measures ahead of the federal regulations or are broadening their scope to include a larger variety of SUI. A brief jurisdictional scan of SUI regulation in the Edmonton region and similarly sized municipalities in North America can be found in Attachment 1.

¹ List of plastic categories: Checkout bags, cutlery, foodservice ware, ring carriers, stir sticks, straws

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Administration considered other large municipalities in North America when developing the SUI Plan and Bylaw. Municipalities across Canada are actively engaging with each other to discuss best practices and create consistency for residents and businesses, leading to similarly structured SUI bylaws. Fee structures for paper and new reusable bags in Edmonton were selected for consistency across Canadian municipalities. Administration is monitoring the development and rollout of other SUI regulations in Canada and will assess their potential to influence Edmonton's Plan and Bylaw.

Resident and Business Support

Administration developed and implemented a communications and outreach plan to promote the Bylaw and SUI reduction plan before the Bylaw came into effect. These included phased social media, direct mailouts to businesses, newsletters, advertising, educational videos, a comprehensive webpage, a business toolkit and in-person outreach. Three webinars were held in April and May to help residents and businesses understand how the Bylaw would affect them. This plan is ongoing and will continue through July 1, 2024, when fees for requesting paper or new reusable bags will increase.

The City's 311 point of contact and the Waste Customer Support Team are answering Bylaw inquiries and questions about single-use items from residents. Businesses that have questions or require dedicated support can also contact the City directly using the email singleuse@edmonton.ca.

Administration is taking an education-first approach when responding to reports of Bylaw non-compliance. A team of Waste Education and Outreach staff are visiting businesses and organizations both proactively and those that are reported as being non-compliant to answer questions about the Bylaw, prioritizing restaurants and food vendors. Enforcement actions are available to the City if education approaches fail.

A Single-use Item Reduction Grant was developed to help smaller local businesses and organizations reduce their use of SUI. This grant provided successful recipients with up-front, one-time payments between \$700 and \$5,000 for eligible products or programs, including, but not limited to, purchasing reusable foodware or containers, buying and installing appliances to clean reusables or delivering education and outreach to organizations with barriers to access.

Early Observations

From January to July 2023, 311 and the Waste Customer Support Team received 684 Bylaw inquiries, 413 of which were in July. The singleuse@edmonton.ca account received 121 inquiries in July. The first week of Bylaw implementation saw the highest volume (approximately half) of reactions and feedback as businesses reacted to the regulations. Consultation with other municipalities identified this was a common experience after SUI bylaws were introduced.

- Most media coverage about the Bylaw has been neutral to positive in tone, as assessed and interpreted by Administration.
- Residents shared a range of opinions to the City and through media coverage, from frustration about the inconvenience they experienced at drive-thrus to support for the Bylaw and reducing SUI.

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- Comments observed on social media - including Facebook, Twitter and Reddit - were predominately negative.
- Educational campaigns helped businesses and residents to understand the Bylaw, prepare for the transition and build confidence in shifting behaviour away from using SUI.
 - The first phases of digital media ad campaigns generated strong interest and surpassed industry-standard benchmark rates across most platforms².
 - The main SUI webpage received approximately 30,000 views in June and 25,000 views in July.

Preliminary observations from July 2023 for both residents and businesses are described below.

Resident Transition

Similar to the Edmonton Cart Rollout, the SUI Plan and Bylaw changes the way Edmontonians think of and interact with waste. Initial inquiries indicated that some residents felt challenged with the transition and will require some time to adjust to new habits and regulations. Others felt that the City could ban additional items to further reduce waste.

As the Bylaw came into effect, discussions in the community also prompted residents to seek clarity regarding some misconceptions about the new rules.

- Questions about bags and the bag fee represented almost 50 per cent of the feedback received. A common inquiry included who retains the fee charged for paper and new reusable bags. All fees go directly to the business, as the City does not have the authority to collect these fees or to dictate how businesses use this fee. The recommendation is for businesses to use the fees to offset the cost of alternative packaging or pursue innovative solutions to reduce SUI.
- Information was requested about food packaging, including questions about plastic bags in direct contact with food, like self-serve bulk food stations or produce bags, and whether they required a fee. As these bags (called “primary packaging” in the Bylaw) are necessary to safely transport food, they are not subject to the Bylaw.
- Many fast food restaurants have used paper bags for years and introducing a fee for paper bags has been questioned and criticized, including why paper bags are subject to a fee if they are compostable or recyclable. Promoting the substitution of plastic for paper was not an objective of the Bylaw. All single-use items require resources (water, energy, raw materials) to produce, representing a cost to the environment, regardless of material. Incentivizing behaviour change through a fee is intended to adjust resident habits (e.g. not using a paper bag and/or bringing a reusable substitute).

Business Transition

Administration created an outreach team to visit businesses and discuss how the Bylaw impacts their operations. Prior to the Bylaw taking effect, the outreach team visited sites to gauge awareness and support businesses with their compliance.

² The SUI digital ad campaign was available through display ads, Facebook/Instagram, Snapchat, LinkedIn, Google Display and Search, and YouTube.

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- More than 400 businesses were visited before July 1 and the majority (80 per cent) were already aware of the new rules and working towards compliance. Approximately 70 per cent of the businesses visited were fully or largely compliant. The majority of the conversations were positive.
- For non-compliant businesses, the most common concerns were excess plastic bags or polystyrene products after the Bylaw took effect and logistical concerns with acquiring reusable cups for dine-in before July 1.
- The majority of businesses (92 per cent) consulted prior to the Bylaw felt they were prepared for its implementation after an outreach visit.
- As awareness of the Bylaw increased, smaller local food service businesses contacted Administration requesting clarity about charging GST for new paper and reusable bags (which is required as per Canada Revenue Agency), and the difference between primary packaging and shopping bags.
- Applications for the Single-use Item Reduction Grant closed in December 2022. More than \$57,000 was awarded to local businesses and organizations preparing for the new rules.

In July, more than 1,200 businesses were visited by the outreach team and more than 99 per cent were either fully or largely compliant with the Bylaw. Largely compliant businesses are being supported by the outreach team as part of the education-first approach. As of August 1, eight individual businesses were identified as non-compliant and are receiving further support. Early findings include:

- Concerns from businesses remained consistent, as they tried to use or donate leftover inventory of plastic bags and polystyrene containers and transition to reusable cups for dine-in.
- Some fast food/quick service restaurants noted that there is a market shift towards using reusables for dine-in. The City's approach to reusable cups at dine-in was preferred instead of single-use cup fees. They also reported that more customers are bringing their own reusable cups and declining bags for to-go orders, reducing the number of single-use items needed. However, some restaurants are still trying to source reusable cups and appropriate dishwashing infrastructure.
- Some fast food/quick service restaurants expressed concerns that members of the public were taking out their frustrations regarding the Bylaw on employees. The City encourages businesses to direct residents to 311 or edmonton.ca/SingleUse for any questions about SUI.

Next Steps

Monitoring and Goals

As the first year of Bylaw implementation progresses, Administration will continue monitoring indicators to assess the effectiveness of the Bylaw and its impact on the City's SUI reduction strategy. These indicators include:

- The amount of SUI in both public and residential waste streams (including litter), as measured by waste characterization studies and regular Capital City Clean Up litter audits.

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- Business compliance and market awareness, including data gathered during educational outreach site visits, reporting from grant recipients and feedback received from residents and businesses.
- Tracking the reach and access of awareness and educational campaigns, including social media monitoring, webinar attendance, GIS data and digital advertising statistics.

Administration will also work closely with other municipalities for a consistent jurisdictional approach to SUI in Alberta and Canada, providing support and guidance with their SUI regulations when requested.

The outreach team will continue to support businesses and collect data throughout the summer, which will be reviewed on a regular basis. If businesses are still experiencing and sharing concerns about the Bylaw, further communication and education may be necessary.

Tracking SUI in Edmonton

Administration has committed to conducting regular waste characterization studies. One study will monitor the amount of SUI in residential waste streams and public waste containers to assess the quantity and type of SUI found in each stream.

Capital City Clean Up regularly conducts litter audits as part of their work. Their findings will be coordinated with future waste characterization studies and contribute to an overall assessment of SUI in Edmonton.

Continued Bylaw Implementation

On July 1, 2024, fees for bags will increase. The minimum fee for a paper bag will increase to 25 cents per bag and the minimum fee for a new reusable bag will increase to \$2 per bag. These fees are similar to other Canadian municipalities.

As the Bylaw has just recently come into effect, no immediate changes to the Bylaw are recommended based on the initial feedback. Communications are being refined to address the most common concerns, including updating the website, editing 311 and Waste Customer Support Team scripts, and creating new collateral to assist both customers and staff at drive-thrus. Both residents and businesses require time to adjust to the new Bylaw regulations. Restrictions taking effect at the federal level in the coming months and years will standardize the rules around single-use items in Canada.

The following targets have been set for reduction in the SUI Plan:

- 10 per cent reduction in SUI per capita by 2025
- 20 per cent reduction in SUI per capita by 2027

If the targets identified in the SUI Plan are not being met, Administration will revisit the SUI Plan and Bylaw to evaluate how to further reduce SUI. Future updates to the 25-year Waste Strategy and Waste Reduction Roadmap will incorporate data on SUI obtained from waste characterization studies.

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Legal Implications

The City of Edmonton Charter 2018 Regulation, AR 39/2018 (the “Charter”), and the *Municipal Government Act* RSA 2000, c M-26 (the “MGA”) authorized the City to pass Bylaw 20117 in order to support waste reduction and diversion for the purposes of the well-being of the environment.

The federal government recently enacted regulations prohibiting the manufacture, import and sale of specified single-use plastics. Prohibitions on manufacturing and importing came into effect at the end of December 2022 for most of the items addressed in the federal regulations. Prohibitions on selling those items (including distribution for free) will come into effect by the end of December 2023. Once the federal regulations come into effect, the Bylaw will be amended to align with the federal regulations by removing municipal exemptions for federally banned single-use plastics.

Community Insight

The development of the Single-use Item Reduction Strategy, including the SUI Plan and Recommended Bylaw Direction, considered community insights from three separate engagement and market research initiatives.

1. Input was collected from thousands of Edmontonians during the 2018 and 2019 public engagement sessions that informed the 25-year Waste Strategy. A majority of residents, business organizations and individual businesses participating in that engagement favoured eliminating or restricting single-use products, including polystyrene foam, plastic straws, plastic bags, takeout containers and plastic utensils.
2. During the development of the Waste Reduction Roadmap in 2020 and 2021, additional input was gathered from the general public and stakeholders to help shape priorities (April 30, 2021, City Operations report CO00390). Stakeholder groups included non-governmental organizations, organizations that serve vulnerable or marginalized populations, non-residential waste generators, other governments, private haulers and residents. Overall, participants expressed a desire for regulations and other approaches to reduce product packaging and single-use plastics and items including the use of fewer SUI (64 per cent). Many respondents also noted that they already own and use reusable cups (66 per cent) and reusable shopping bags (61 per cent), suggesting that some behaviours to reduce SUI have become common. Stakeholders also wanted the City to advocate for Extended Producer Responsibility (EPR) for goods and packaging, and supported the use of bylaws to regulate certain waste streams (e.g. single-use items, food waste). Feedback also showed a desire for the City to build local waste reduction knowledge, and help increase adoption of waste reduction behaviours by hosting sector-specific workshops on food waste reduction and single-use items.
3. The SUI Plan was further supported by targeted outreach and market research (consisting of seven focus groups and ten in-depth interviews) with businesses and residents. Outreach was directed at non-profit organizations and business and industry associations to help determine the impacts of the proposed regulations on the organizations and their members, and how negative impacts could be mitigated.

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GBA+

Edmonton's Plan to Reduce Single-use Items and recommendations for bylaw directions were developed through a GBA+ inclusive process. Consultation with the City of Edmonton's Accessibility Advisory Committee informed the final plan, particularly regarding flexible plastic straw restrictions. Some residents rely on flexible plastic straws to safely consume beverages and a ban on plastic straws may negatively impact their day-to-day lives. Making straws available as foodware accessories by request is expected to reduce SUI while preserving accessibility to those that need them.

Consultation with other equity-seeking groups revealed potential barriers to accessing reusable SUI alternatives. Potential barriers include low incomes, lack of storage or cleaning facilities, reliance on food wrapped in single-use packaging or inflexible schedules making it difficult for residents to plan ahead. Support programs were developed, like the Single-use Item Reduction Grant, to help provide equity-seeking groups opportunities to reduce SUI consumption without adding costs to the organization. Administration will continue monitoring the impact of the Bylaw on equity-seeking groups and its GBA+ impact.

Attachment

1. Jurisdictional Scan - Single-use Item Bylaws (2023)