



March 11, 2021

Sav Dhaliwal, Chair  
Metro Vancouver Board of Directors  
Metrotower III, 4730 Kingsway  
Burnaby, BC V5H 0C6

Dear Chair Dhaliwal,

**Re: Single-Use Item Reduction Advocacy for Consistent Regional Regulation**

At the February 22, 2021 Regular Meeting, Delta Council received the enclosed letter from the City of New Westminster on the subject of single-use item reduction. The City of Delta has for a number of years been advocating for measures to reduce plastic waste and seeking senior government regulation in this regard. Delta's City Council unanimously supports the City of New Westminster's request for consistent regional regulation of single-use items. As municipalities in our region develop and enact bylaws to regulate and promote the reduction of single-use items, inconsistencies between bylaws can lead to confusion and implementation challenges for residents and businesses. To avoid such inconsistencies and challenges and better ensure success, a regional approach is needed.

While single-use item regulations are being prepared at both the provincial and federal levels, it may still be some time before such regulations are implemented. In the meantime, we respectfully request that Metro Vancouver take the lead in developing an inter-municipal regulatory framework to provide a harmonized regional approach to single-use item regulation. City of Delta staff are available to participate in an inter-municipal team to assist with this endeavour.

Thank you for your attention to this matter.

Yours truly,

George V. Harvie  
Mayor

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Enclosure

cc: Mayor Jonathan X. Côté and Council, City of New Westminster  
Metro Vancouver Zero Waste Committee  
Delta Council  
Sean McGill, City Manager  
Mel Cheesman, Director of Corporate Services  
Steven Lan, Director of Engineering

## Clerks

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**From:** Gillian Day <gday@newwestcity.ca>  
**Sent:** Friday, February 5, 2021 4:02 PM  
**To:** External-Clerks  
**Subject:** Single Use Item Reduction Advocacy for Consistent Regional Regulation  
**Attachments:** City of New Westminster letter to GVS&DD re Single Use Item Reduction Advocacy for Consistent Regional Regulation - letter with attachments.pdf; City of New Westminster letter to Zero Waste Committee re Single Use Item Reduction Advocacy for Consistent Regional Regulation - letter with attachments.pdf

**A** genda  
FILE # 5360-01

TYPE Regular Agenda.  
DEPT CS-CARE cc Eng.  
A.T.# 140525  
Comments Feb 22/21  
Regular Meeting

Good afternoon,

Please find attached copies of letters from the City of New Westminster to the Greater Vancouver Sewerage and Drainage District and the Metro Vancouver Zero Waste Committee regarding Single Use Item Reduction Advocacy for Consistent Regional Regulation.

Yours truly,

Gillian Day | Agenda Secretary  
T 604.527.4612 | E [gday@newwestcity.ca](mailto:gday@newwestcity.ca)

City of New Westminster | Legislative Services  
511 Royal Avenue, New Westminster, BC V3L 1H9  
[www.newwestcity.ca](http://www.newwestcity.ca)

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Jonathan X. Côté  
Mayor

February 5, 20201

Sav Dhaliwal  
Chair, Board of Directors  
Greater Vancouver Sewerage and Drainage District  
Metrotower III, 4730 Kingsway  
Burnaby, BC V5H 0C6

Dear Mr. Dhaliwal,

**Re: Single-Use Item Reduction Advocacy for Consistent Regional Regulation**

I am writing to advise that at the February 1, 2021 regular meeting, New Westminster City Council adopted the following resolution:

*THAT Council authorize the Mayor and Corporate Officer to submit the letter (Attachment 1 in the February 1, 2021 Council Report) to the Board of Directors of the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver, along with all Lower Mainland Municipalities, to develop a region-wide single-use items reduction strategy including regulation.*

On January 18<sup>th</sup>, 2021, City Council received a staff report on the current efforts Federal and Provincial governments are taking towards developing regulatory frameworks to reduce single-use items in the waste stream. Bylaws enacted by some local governments and their implementation were also outlined.

Council recognizes that Metro Vancouver has created a toolkit of strategies (including regulation) which the 21 member municipalities could utilize to reduce single-use item waste in their communities. However, the enactment of local bylaws by individual municipalities could lead to a mosaic of regulations across the region, which may lead to confusion and inconsistency for residents and businesses. Council believes that single-use items regulation should be developed regionally within the context of Federal and Provincial frameworks. Metro Vancouver should take the lead role in creating the regulatory framework through the Greater Vancouver Sewerage and Drainage District (GVS&DD) and the Zero Waste Committee.

Council understands that Metro Vancouver as a regional district does not currently have legislative authority to restrict the sale and use of single-use items. Notwithstanding, Council is urging Metro Vancouver to advocate for regional consistency in regulating the use of single-use items. The City is prepared to support Metro Vancouver in this advocacy work by submitting a resolution to the Lower Mainland Local Government Association (LMLGA) for consideration and possible subsequent submission to UBCM.

As provincial legislative change will take time and to ensure this important work moves forward in 2021, Council is requesting Metro Vancouver lead the development of an inter-municipal regulatory framework for the region so local governments can be more unified in achieving consistency for residents and businesses. In addition, Council strongly believes that the framework needs to be sensitive to the principle of equity, including aspects such as accessibility and cultural needs.

A good example is the harmonized ride-hailing regulation developed by TransLink. This was an area where only municipalities had jurisdiction, and where cities came together in a short time frame to create a single framework for the entire region. The resulting regulation allowed municipalities the ability to opt into the legislation and create better consistency for ride-hailing companies. Another example is the regional approach on regulating water use during the summer water shortage period.

Council appreciates the work that Metro Vancouver has undertaken thus far in terms of resources and support for local governments (and other organizations) to reduce single-use items. Council urges Metro Vancouver to take a more active role by both advocating for the legislative authority and bringing together an inter-municipal team to develop a region-wide regulatory framework.

If you have any questions about this or would like more information, please contact Environmental Coordinator Jennifer Lukianchuk at [jlukianchuk@newwestcity.ca](mailto:jlukianchuk@newwestcity.ca) or 604-515-3780.

Sincerely,



Jonathan X Cote,  
Mayor

Enclosures:

January 18, 2021 Council report "Single-Use Item Reduction Update"

February 1, 2021 Council Report "Single-Use Item Reduction Advocacy for Consistent Regional Regulation"

Cc: Metro Vancouver Zero Waste Committee  
Metro Vancouver Local Governments  
Chris Plagnol, Corporate Officer, [chris.plagnol@metrovancover.org](mailto:chris.plagnol@metrovancover.org)  
Jennifer Lukianchuk, Environmental Coordinator, City of New Westminster

Office of the Mayor

Corporation of the City of New Westminster

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[www.newwestcity.ca](http://www.newwestcity.ca)



## **REPORT**

### *Engineering Services*

**To:** Mayor Coté and Members of Council      **Date:** 1/18/2021

**From:** Jim Lowrie      **File:** 09.1740.04  
 Director of Engineering Services      (Doc# 1727581v2)

**Item #:** 1/2021

**Subject:** Single-Use Item Reduction Update

#### **RECOMMENDATION**

**THAT** Council receive this report for information.

#### **PURPOSE**

The purpose of this report is to provide Council with an update on the status of single-use item reduction and pending senior government regulation.

#### **BACKGROUND**

On August 26, 2019, Council passed a resolution to explore the implementation of a ban on the use of plastic straws, single-use plastic bags and Styrofoam take-out packaging and report back to Council on a strategy with actionable steps harmonized to the provincial regulatory framework once released. Staff indicated that once the provincial framework is released, the City may proceed with a more efficient and harmonized approach to regulate these items.

At the time, the Province released a Policy Consultation Paper to seek feedback from the public on potential bans on single-use items and opportunities to improve existing programs in collaboration with all levels of government.

On June 10, 2019, before the provincial engagement commenced, the Prime Minister also announced a proposed federal ban of “harmful” single-use plastics, which could come into effect as early as 2021.

Some local governments (cities of Victoria and Richmond) introduced bylaw regulations on the use of single-use items in their communities. However, these local government bylaws are subject to ministerial approval.

### **EXISTING POLICY/PRACTICE**

The City’s Environmental Strategy & Action Plan (ESAP) has an action (8.5a) for the City to work with regional partners to develop a strategy to minimize the use of single-use products.

The City’s Official Community Plan contains the following policy statement: 12.3. Decrease the amount of waste generated and divert the maximum amount of material possible from the waste stream.

### **ANALYSIS**

Various jurisdictions have been working together and individually to come up with options that could be implemented at the national, provincial and local levels to protect the environment from plastic pollution. Some of the more recent key works are highlighted below.

#### **Province of BC**

On November 2019, the Province released its CleanBC Plastics Action Plan: *What We Heard Report*<sup>1</sup> that provides a summary of proposed changes to reduce the amount of plastic waste/pollution and the results of the policy paper consultation from July 25-September 30, 2019. One key finding in the Report indicates that when it comes to implementing bans, most retailers, producers, and businesses prefer regulatory requirements from the highest level of government possible in order to support consistency and competitiveness across jurisdictions.

On September 12, 2020, the Province stated that even under the current economic challenges associated with COVID-19, local governments and businesses indicate that they remain committed to prevent millions of single-use plastic products from damaging the environment, polluting B.C.’s waters and harming wildlife. The Province announced it will move to approve municipal bylaws (e.g. Richmond, Victoria) banning single-use plastic items and to draft a new regulation under the Community Charter to allow local governments to ban single-use plastics, such as shopping bags, plastic straws and polystyrene foam take-out containers, without requiring ministerial approval.

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<sup>1</sup> <https://cleanbc.gov.bc.ca/app/uploads/sites/436/2020/09/CleanBC-Plastics-Action-Plan-What-We-Heard-Report-Mar-2020-FINAL.pdf>



The Province also stated that the number of single-use products to be recycled through industry-funded recycling programs would be expanded to include plastic cutlery, sandwich bags, stir sticks and other such items and it will explore adding materials such as mattresses, electric-vehicle batteries, propane canisters to the Extended Producer Responsibility (EPR) program. Engagement with the public on these items took place from September 12 to November 20, 2020. The feedback will inform the development of a multi-year strategy.

### **Federal Action**

On October 7, 2020 the Minister of Environment and Climate Change announced the next steps in the federal government's comprehensive plan to achieve zero plastic waste by 2030 and initiated public consultation on its proposed integrated management approach<sup>2</sup>. Regulations developed would be included under the provisions of the Canadian Environmental Protection Act, 1999.

A key part of the proposed plan is to ban or restrict (by the end of 2021) certain harmful single-use plastic items where there is evidence that they are found in the environment, are often not recycled, and have readily available alternatives. Based on this criteria, six items to be banned are: plastic checkout bags, straws, stir sticks, six-pack rings, cutlery and food ware made from hard-to-recycle plastics.

The federal government has been collaborating with provinces and territories through the Canadian Council of Ministers of the Environment (CCME) in the implementation of the Canada-wide Strategy on Zero Plastic Waste – a strategy that lays out a vision for a circular economy, as well as a two-phase action plan<sup>3</sup>. The Government of Canada and CCME are continuing to work to strengthen existing programs and increase Canada's capacity to reuse and recover more plastics. Through collaboration, the development of Pan-Canadian targets will ensure that rules are consistent and transparent across the country, and make producers and sellers of plastic products responsible for collecting them.

The federal government emphasized that throughout the COVID-19 pandemic, health and safety of Canadians is a high priority and recognized that some plastic products play a key role in saving lives and minimizing the spread of disease. In particular, personal protective equipment (PPE) plays an important role in keeping Canadians safe, particularly frontline health care workers. They indicated that a ban on harmful single-use plastics will not impact access to PPE. The Government of Canada with CCME and the private sector will work to keep PPE out of our environment.

As part of consultation with stakeholders<sup>4</sup> on the integrated management approach, a series of five webinars took place from October 30 to November 27, 2020 to provide an overview of the proposed federal direction and to help launch the dialogue on the discussion paper,

<sup>2</sup> <https://www.canada.ca/content/dam/eccc/documents/pdf/cepa-proposed-approach-plastic-management-eng.pdf>

<sup>3</sup> [https://www.ccme.ca/files/Resouces/waste/plastics/CCME%20Phase%20%20Action%20Plan\\_Fn%20-%20external-Secured.pdf](https://www.ccme.ca/files/Resouces/waste/plastics/CCME%20Phase%20%20Action%20Plan_Fn%20-%20external-Secured.pdf)

<sup>4</sup> <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/consultations/plastics.html>

process and timelines. The public comment period ended on December 9, 2020 and a final webinar will be released in January 2021 (date to be determined).

### **Municipal Actions**

A ban on foam cups and take-out containers came into effect on January 1, 2020 and plastic straws on April 22, 2020 in the City of Vancouver. Food vendors must provide flexible plastic straws for accessibility and single-use utensils can only be provided upon request. Despite the current economic challenges, the City of Vancouver felt it was important to follow through on its commitment to reduce waste from single-use items as part of their zero waste community initiative.

As a result of COVID-19 and the associated economic challenges for businesses and provincial health orders, City of Vancouver announced on December 10, 2020 that they will use discretion with enforcement of the current bans; however, businesses are expected to comply as soon as it is possible for them to do so. In addition, a start date for the shopping bag and single-use cup bylaws has been extended to January 1, 2022 (originally scheduled for January 1, 2021).

Vancouver's website states that it will launch a public-awareness campaign, bylaw guide, and business toolkit early in 2021 to encourage behavior change and to help businesses prepare for, comply with, and communicate the upcoming requirements to their staff and customers. The website also states that it will continue to advocate for federal regulations that meet the highest standards and align with the bylaws. Until then, Vancouver business license holders are required to comply with the City's single-use item bylaws.

The City of Richmond's Single-Use Plastic Bylaw No. 10000 has been approved by the Ministry, but has indicated that due to the pandemic, an enactment date has not been set. The City of Victoria's website indicates that their Checkout Bag Regulation Bylaw #20-205 was approved by the Ministry but would not be adopted until April 15, 2021 to allow more time for businesses to prepare. Recently, on December 21, 2020, City of Surrey Council approved a path to ban plastic checkout bags, foam cups and foam take-out containers and authorized staff to submit the proposed bylaw to the Province for approval.

### **NEXT STEPS**

In consideration of the upcoming regulations by senior level governments, staff believe the preferred course of action is to establish and harmonize our approach to reduce single-use items once legislation is introduced by the Federal/Provincial governments. Adopting local bylaws at this time may result in inconsistencies with upcoming legislation and varying practices across the region. Resources would also be needed to implement and enforce the new bylaws. Current public awareness on the impacts of plastics on the environment and the forthcoming legislation are already influencing some businesses in New Westminster and other cities to take steps to transition away from the use of single-use plastic items.

In the meantime, the City can focus its resources on supporting the recovery from the current pandemic, monitor progress of federal and provincial regulatory changes and collaborate with Metro Vancouver and member jurisdictions in preparation for the new regulations. Beginning in 2021, staff are pursuing the reduction in the use of single-use plastic items in City corporate (food services) facilities.

### **FINANCIAL IMPLICATIONS**

The introduction of a municipal bylaw to ban single-use plastic items would require additional resources to implement and enforce (i.e. stakeholder engagement, enforcement staffing, etc.). Potential actions associated with a city framework or plan to support federal and provincial regulations (when in place) and the resources needed can be presented to Council as part of a future report.

### **INTERDEPARTMENTAL LIAISON**

The Engineering Department has consulted with staff from Parks & Recreation-Food Services in the preparation of this report.

### **OPTIONS**

The following options are presented for Council's consideration:

1. THAT Council receive this report for information; or
2. THAT Council provide alternate direction to staff.

Staff recommends Option #1.

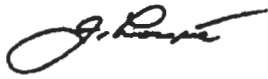
### **CONCLUSION**

Federal and Provincial governments are currently taking significant actions (including public engagement) on preparing a regulatory framework to reduce single-use plastics, even during the current COVID-19 pandemic. Staff feel that the best course of action is to establish and harmonize our approach to reduce single-use items use once a regulatory framework is released by senior governments. In the interim, staff will continue to monitor this issue, collaborate with Metro Vancouver and member jurisdictions and pursue reducing the use of single-use plastic items in City corporate (food services) facilities.

This report has been prepared by:  
Jennifer Lukianchuk, Senior Environmental Coordinator

This report was reviewed by:  
Eugene Wat, P.Eng. PTOE, Manager, Infrastructure Planning

Approved for Presentation to Council



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Jim Lowrie, Eng.L, MBA  
Director of Engineering Services



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Lisa Spitale  
Chief Administrative Officer



## **REPORT**

### *Engineering Services*

**To:** Mayor Coté and Members of Council      **Date:** 2/1/2021

**From:** Jim Lowrie      **File:** 09.1740.04  
 Director of Engineering Services      (Doc#1740496v2)

**Item #:** 22/2021

**Subject: Single-Use Item Reduction Advocacy for Consistent Regional Regulation**

#### **RECOMMENDATION**

**THAT** Council authorize the Mayor and Clerk to submit the letter (Attachment 1 - in the February 1, 2021 Council Report) to the Board of Directors of the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver to develop a region-wide single-use items reduction strategy including regulation.

**THAT** Council direct staff to submit a resolution to the Lower Mainland Local Government Association (LMLGA) to advocate for consistent regional regulation of the use of single-use items.

#### **PURPOSE**

The purpose of this report is to provide Council with an advocacy letter for consideration to be sent to the Board of Directors of the Greater Vancouver Sewerage and Drainage District (GVS&DD) and Zero Waste Committee to develop a region-wide single-use items reduction strategy.

This report also provides Council with an option to assist with advocacy for a regional approach by submitting a resolution to the next Lower Mainland Local Government Association (LMLGA) meeting that could be endorsed and submitted to Union of BC Municipalities (UBCM) for consideration.

## **BACKGROUND**

On January 19, 2021, Council directed staff to prepare a letter to the Board of Directors at the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver requesting the development of a region-wide single-use plastics reduction strategy incorporating the principles of Metro Vancouver's Single-Use Item Toolkit and integrating them into a regional regulatory regime. Council also discussed that an equity lens be applied to that regime.

## **ANALYSIS**

A letter (Attachment 1) has been prepared for Council's consideration. The letter advocates Metro Vancouver to take a lead role in developing a regulatory framework for the region so that local governments can be more unified in their approach to implementing regulations that could help reduce single-use item waste. Council expressed at its meeting on January 18<sup>th</sup>, 2020, that the framework developed must also ensure that equity aspects, such as accessibility and cultural needs, are adequately addressed.

The two most relevant bodies of Metro Vancouver, which would have a mandate to consider regulations related to solid waste, would be the Greater Vancouver Sewerage and Drainage District (GVS&DD) and Zero Waste Committee. The GVS&DD operates under a Solid Waste Management Plan (approved by the Province) and is one of four separate corporate entities governed by a board of directors of elected officials appointed by their respective municipal council. The Zero Waste Committee is the standing committee of the Metro Vancouver Board that provides advice and recommendations on policies, bylaws, plans, programs, budgets and issues related to solid waste management under the GVS&DD service.

The draft letter acknowledges that Metro Vancouver, as a regional district, does not currently have authority to restrict the sale and use of single-use items for the region. This authority was recently highlighted in the Regional District staff report<sup>1</sup> submitted to the North Okanagan Regional District Board of Directors. This report includes a letter from the Province (to the District) that states:

*"While Sections 304 and 307 of the Local Government Act allow regional districts to make bylaws in relation to two of the four spheres (public health and prohibition of soil deposit or removal), subject to the Community Charter's concurrent authority rules, the concurrent*

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<sup>1</sup>[https://rdno.civicweb.net/document/149438/201118\\_RPT\\_BoD\\_SUP\\_regulation\\_update\\_full.pdf?handle=B192C17571974A95AAE17307252180DD](https://rdno.civicweb.net/document/149438/201118_RPT_BoD_SUP_regulation_update_full.pdf?handle=B192C17571974A95AAE17307252180DD)

*authority provisions of the Community Charter are not generally applicable to environmental protection bylaws enacted by regional districts". See Attachment 2.*

The City could support Metro Vancouver in this advocacy effort by submitting a resolution to the Lower Mainland Local Government Association for consideration at the next meeting in March and if endorsed, it could then be submitted to the Union of BC Municipalities (UBCM) for consideration.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. However, staff time will be needed for research, administration and liaison with Metro Vancouver.

### **INTERDEPARTMENTAL LIAISON**

The Engineering Department has consulted with the City solicitor and with staff from Legislative Services in the preparation of this report.

### **OPTIONS**

The following options are presented for Council's consideration:

1. Authorize the Mayor and Clerk to submit the letter (Attachment 1 - in the February 1, 2021 Council Report) to the Board of Directors of the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver to develop a region-wide single-use items reduction strategy including regulation.
2. Direct staff to submit a resolution to the Lower Mainland Local Government Association (LMLGA) to advocate for consistent regional regulation of the use of single-use items.
3. Provide other directions to staff.

Staff recommends Options 1 and 2.

### **ATTACHMENTS**

Attachment 1 - Draft Letter to GVS&DD and Zero Waste Committee: Single-Use Item Reduction Advocacy for Consistent Regional Regulation

Attachment 2 - Letter from Province to Regional District of North Okanagan, Dated October 1, 2020

This report has been prepared by:

Jennifer Lukianchuk, Senior Environmental Coordinator

This report was reviewed by:

Eugene Wat, P.Eng. PTOE, Manager, Infrastructure Planning

Approved for Presentation to Council



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Jim Lowrie, Eng. L, MBA  
Director of Engineering Services



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Lisa Spitale  
Chief Administrative Officer





## Attachment 1

**Draft Letter to GVS&DD and Zero Waste Committee:  
Single-Use Item Reduction Advocacy for  
Consistent Regional Regulation**

February 2, 2021

Attention:

Chair, GVS&DD Board @metrovancover.org and Chair, Zero Waste Committee

Dear:

**Re: Single-Use Item Reduction Advocacy for Consistent Regional Regulation**

I am writing to advise that at the February 1, 2021 regular meeting, New Westminster City Council adopted the following resolution:

*THAT Council authorize the Mayor and Clerk to submit the letter (Attachment 1 - in the February 1, 2021 Council Report) to the Board of Directors of the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver to develop a region-wide single-use items reduction strategy including regulation.*

On January 18<sup>th</sup>, 2021, City Council received a staff report on the current efforts Federal and Provincial governments are taking towards developing regulatory frameworks to reduce single-use items in the waste stream. Bylaws enacted by some local governments and their implementation were also outlined.

Council recognizes that Metro Vancouver has created a toolkit of strategies (including regulation) which the 21 member municipalities could utilize to reduce single-use item waste in their communities. However, the enactment of local bylaws by individual municipalities could lead to a mosaic of regulations across the region, which may lead to confusion and inconsistency for residents and businesses. Council believes that single-use items regulation should be developed regionally within the context of Federal and Provincial frameworks. Metro Vancouver should take the lead role in creating the regulatory framework through the Greater Vancouver Sewerage and Drainage District (GVS&DD) and the Zero Waste Committee.

Council understands that Metro Vancouver as a regional district does not currently have legislative authority to restrict the sale and use of single-use items. Notwithstanding, Council is urging Metro Vancouver to advocate for regional consistency in regulating the use of single-use items. The City is prepared to support Metro Vancouver in this advocacy work by submitting a resolution to the Lower Mainland Local Government Association (LMLGA) for consideration and possible subsequent submission to UBCM.

As provincial legislative change will take time and to ensure this important work moves forward in 2021, Council is requesting Metro Vancouver lead the development of an inter-municipal regulatory framework for the region so local governments can be more unified in achieving consistency for residents and businesses. In addition, Council strongly believes that the framework needs to be sensitive to the principle of equity, including aspects such as accessibility and cultural needs.

A good example is the harmonized ride-hailing regulation developed by TransLink. This was an area where only municipalities had jurisdiction, and where cities came together in a short time frame to create a single framework for the entire region. The resulting regulation allowed municipalities the ability to opt into the legislation and create better consistency for ride-hailing companies. Another example is the regional approach on regulating water use during the summer water shortage period.

Council appreciates the work that Metro Vancouver has undertaken thus far in terms of resources and support for local governments (and other organizations) to reduce single-use items. Council urges Metro Vancouver to take a more active role by both advocating for the legislative authority and bringing together an inter-municipal team to develop a region-wide regulatory framework.

Sincerely,

Jonathan X Cote,  
Mayor

Enclosure

Council Reports from January 18, 2021 and Feb 1, 2021.



## Attachment 2

**Letter from Province to Regional District of  
North Okanagan - October 1, 2020**



Reference: 350879

October 1, 2020

Kevin Acton, Chair  
and Directors  
Regional District of North Okanagan  
9848 Aberdeen Road  
Coldstream BC V1B 2K9  
Email: info@rdno.ca

Dear Chair Acton and Directors:

I am writing in response to the July 24, 2019, submission of the Checkout Bag Regulation Bylaw No. 2826. As a provincial election has been called, I am responding on behalf of the Minister.

I want to commend the Regional District of North Okanagan's efforts to take leadership on this important issue. Due to the unforeseen delays of the COVID-19 pandemic, I thank you for your patience while the ministry reviewed and responded to your request.

Staff of the Ministry of Environment and Climate Change Strategy have reviewed the legislation respecting the authority of a regional district to make a checkout bag regulation bylaw. They have determined that a regional district bylaw to regulate checkout bags under the *Local Government Act* is not within the authority of the Minister of Environment and Climate Change Strategy to approve or reject. Therefore, I am writing to inform you that the ministry is unable to provide approval or rejection of the Regional District of North Okanagan's Checkout Bag Regulation Bylaw No. 2826.

Bylaws regulating checkout bags require provincial involvement from the Ministry of Environment and Climate Change Strategy in accordance with provisions of the *Community Charter*. The *Community Charter* recognizes that, in four spheres, municipalities and the provincial government have a shared interest in regulating activities. While Sections 304 and 307 of the *Local Government Act* allow regional districts to make bylaws in relation to two of the four spheres (public health and prohibition of soil deposit or removal), subject to the *Community Charter*'s concurrent authority rules, the concurrent authority provisions of the *Community Charter* are not generally applicable to environmental protection bylaws enacted by regional districts. Further information on local government and provincial government concurrent authority is available online at

<https://www2.gov.bc.ca/gov/content/governments/local-governments/facts-framework/legislative-framework/authority>.

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If you have not already done so, you may wish to consult with your solicitor before adopting Bylaw No. 2826 to determine whether the Regional District of North Okanagan has the authority to adopt and implement the Checkout Bag Regulation Bylaw No.2826. Please be aware that regional district bylaws made under the authority of the *Local Government Act* cannot contradict or impose changes upon solid waste management plans that have been approved by the Ministry of Environment and Climate Change Strategy under the *Environmental Management Act*.

If you have any questions, please don't hesitate to contact Sonya Sundberg, Director of Clean Communities in the Ministry of Environment and Climate Change Strategy. Sonya Sundberg can be reached by email at [Sonya.Sundberg@gov.bc.ca](mailto:Sonya.Sundberg@gov.bc.ca).

Thank you for your patience and for your efforts to protect our environment.

With best regards,



Kevin Jardine  
Deputy Minister

cc: Paddy Juniper, Corporate Officer, Regional District of North Okanagan  
Mike Fox General Manager, Community Services, Regional District of North Okanagan  
Sonya Sundberg, Director, Clean Communities, Ministry of Environment and Climate Change Strategy



**Jonathan X. Côté**  
Mayor

February 5, 20201

Jack Froese  
Chair, Zero Waste Committee  
Metro Vancouver  
Metrotower III, 4730 Kingsway  
Burnaby, BC V5H 0C6

Dear Mr. Froese,

**Re: Single-Use Item Reduction Advocacy for Consistent Regional Regulation**

I am writing to advise that at the February 1, 2021 regular meeting, New Westminster City Council adopted the following resolution:

*THAT Council authorize the Mayor and Corporate Officer to submit the letter (Attachment 1 in the February 1, 2021 Council Report) to the Board of Directors of the Greater Vancouver Sewerage and Drainage District Board (GVS&DD) and the Zero Waste Committee at Metro Vancouver, along with all Lower Mainland Municipalities, to develop a region-wide single-use items reduction strategy including regulation.*

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Council understands that Metro Vancouver as a regional district does not currently have legislative authority to restrict the sale and use of single-use items. Notwithstanding, Council is urging Metro Vancouver to advocate for regional consistency in regulating the use of single-use items. The City is prepared to support Metro Vancouver in this advocacy work by submitting a resolution to the Lower Mainland Local Government Association (LMLGA) for consideration and possible subsequent submission to UBCM.

As provincial legislative change will take time and to ensure this important work moves forward in 2021, Council is requesting Metro Vancouver lead the development of an inter-municipal regulatory framework for the region so local governments can be more unified in achieving consistency for residents and businesses. In addition, Council strongly believes that the framework needs to be sensitive to the principle of equity, including aspects such as accessibility and cultural needs.

A good example is the harmonized ride-hailing regulation developed by TransLink. This was an area where only municipalities had jurisdiction, and where cities came together in a short time frame to create a single framework for the entire region. The resulting regulation allowed municipalities the ability to opt into the legislation and create better consistency for ride-hailing companies. Another example is the regional approach on regulating water use during the summer water shortage period.

Council appreciates the work that Metro Vancouver has undertaken thus far in terms of resources and support for local governments (and other organizations) to reduce single-use items. Council urges Metro Vancouver to take a more active role by both advocating for the legislative authority and bringing together an inter-municipal team to develop a region-wide regulatory framework.