

From: [Tracy Macgregor](#)
To: [Infrastructure and Environment](#); [Councillor McKelvie](#)
Cc: [Tony Elenis](#); [Councillor Colle8](#); [Councillor Burnside](#); [Councillor Morley](#); [Councillor Perruzza](#); [Councillor Saxe](#)
Subject: [External Sender] IE9.3 - Update and Action Plan on the Single-Use and Takeaway Items Reduction Strategy
Date: December 8, 2023 1:03:42 PM
Attachments: [RC ORHMA Feedback on City of Toronto SU and Takeaway Items Strategy.pdf](#)

Good Afternoon,

On behalf of Restaurants Canada and Tony Elenis, President & CEO of ORHMA, please see enclosed (attachment) our feedback regarding:

IE9.3 – Update and Action Plan on the Single-Use and Takeaway Items Reduction Strategy.

Collectively, our associations represent a \$39 billion dollar industry in Ontario, employing 416,000 directly and nearly 96,000 indirect jobs in related industries and serve over 9 million Ontarians each day. The foodservice sector represents more than 4% of Ontario's GDP and is still facing challenges (record rising costs for food, labour, rents, utilities, insurance, and interest rates to service debt) and trying to recover from the pandemic. 56% of restaurants in Ontario are currently operating at a loss (36%) or just breaking even (20%) compared to 10% pre-pandemic.

We believe it is critical that we provide, on behalf of the foodservice sector, constructive feedback and request additional consultation regarding the City of Toronto's action plan on the Single-Use and Takeaway Items Reduction Strategy. Our feedback, for our consideration, is included in the attached letter.

Our members are committed to working with all levels of government to reduce plastic waste and promote a circular economy. As our members operate across multiple municipalities and provinces, they have significant learnings that can be shared as it relates to single-use item bylaws and requirements and would welcome the opportunity to continue consulting with the city on a reduction strategy.

Thank you for your consideration.

Tracy Macgregor, VP Ontario

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December 8, 2023

Jennifer McKelvie, Chair
Infrastructure and Environment Committee
City of Toronto
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Submitted via email: iec@toronto.ca; councillor_mckelvie@toronto.ca;
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Re: IE9.3 - Update and Action Plan on the Single-Use and Takeaway Items Reduction Strategy

Dear Councilor McKelvie,

As the country's preeminent national association for the foodservice sector Restaurants Canada, together with the strong voice of the Ontario Restaurant Hotel & Motel Association (ORHMA), our associations represent a \$39 billion dollar industry in Ontario, employing 416,000 directly, and nearly 96,000 indirect jobs in related industries. Given that Ontario's restaurant industry makes up 4% of Ontario's GDP and purchases \$13.2 billion in food & beverage products every year, we believe it is critical that we provide constructive feedback and request additional consultation regarding the City of Toronto's action plan on the Single-Use and Takeaway Items Reduction Strategy.

Our members are committed to working with the government to reduce plastic waste and promote a circular economy. Beyond compliance with local bylaws and provincial and territorial stewardship programs, foodservice operators have continuously innovated products and packaging to include greater recycled content and have explored reusable options in a variety of markets. As our members operate across the country, they have significant learnings that can be shared as it relates to single-use item bylaws and requirements.

Reusable Beverage Cups Provided by Customers

While Restaurants Canada and ORHMA support the notion of a reusable beverage cup "mandatory acceptance" requirement to help decrease the supply of single-use items, there are

certain operational and health/safety requirements that need to be considered. For example, employees should have the ability to refuse customers' reusable cups if they have not been properly cleaned by the customer to avoid hygiene risks.

There also needs to be further consideration given to mobile (app), delivery and drive-thru contexts as there is additional complexity when it comes to reusable cup requirements. For example, it can take significant time and expense to reprogram apps to add customer opt-in questions when it comes to beverage cups and single-use accessory food items. Moreover, it is impossible for mobile orders to be prepared in reusable cups as they are usually made ahead of time before the customer or delivery provider even arrives at the location for pick-up. Drive-thrus also make it challenging as orders are commonly placed over an intercom and made before the customer drives to the next window for payment and pick-up. It would therefore be inefficient and time-consuming to prepare orders after the customer has arrived at the drive through windows. In these instances, it is also important from a health and safety perspective for the beverage cups to ensure cups have lids to prevent spillage and customer/employee burns. As such, we believe that mobile (apps), delivery and drive-thru orders should be exempt from such a reuse requirement.

“Ask First/By Request” Measures

Within the online ordering and delivery contexts, an “ask-first/by-request” policy for paper shopping bags and single-use beverage cups is not practical as it presents challenges in the administration of orders placed digitally and in their delivery. Paper shopping bags are a health and safety necessity in the transport of food, and reusable cup systems have not been scaled sufficiently to replace the need for single-use beverage cups. Typically, if a consumer prefers to use their own reusable cup, they request it at the point of sale.

Reusable System for Beverage Cups and Food ware

While a reuse program focused on reusable cups provided by consumers is an achievable goal in the short-term (with exemptions to consider as discussed), we are concerned about the feasibility of reuse systems at quick service restaurants. Not only is there no consistent definition of a reusable container, presently, reuse systems have not been proven at scale in Canada and internationally. When considering reuse requirements, it is critical to ensure that policy is made using life cycle analysis that covers the environmental, economic and consumer impacts.

Reuse measures would bring significant operational challenges due to the need for large infrastructure changes, including the installation of collection and cleaning. In many locations, this would require additional space and renovations which could disrupt existing store layouts and workflow. In addition, similar to the concerns expressed for reusable cups provided by consumers, enforcing a reusable cup system for drive-thru services presents challenges as the convenience-oriented nature of drive-thrus makes it difficult to seamlessly integrate cup return processes without causing service delays. Similarly, a reusable cup system would be challenging and impractical to administer for delivery orders.

It is also important to note that the health and safety of employees and customers is paramount when considering mandating reuse systems given that the handling and cleaning of returned cups introduce hygiene concerns, as proper sanitation protocols must be established to prevent the spread of contaminants.

Single-Use Accessory Food Items

Our associations believe there needs to be a clear definition of what constitutes an "accessory". For example, aside from items such as cutlery and napkins, do accessories include tray liners, coffee sleeves, and ketchup packets? The definition of an accessory food item is not consistent across municipalities that have implemented similar policies; therefore, it is critical to have this understanding. Also, as proposed, restaurants should have the ability to satisfy the "ask first/by request" requirement for single-use accessory food items by providing these items at customer self-serve counters. This is common practice in other jurisdictions with single-use requirements.

Industry-Specific Supports

To help restaurants through the transition, our associations urge the city to develop industry-specific collateral materials (guidance materials, posters, etc.) that businesses could use to train employees and educate/inform customers. Guidelines and materials are beneficial for franchisees for training purposes. Moreover, leading up to any requirements, we recommend that the city develop a comprehensive public education and awareness campaign to ensure that businesses and consumers are aware of the requirements and associated environmental benefits.

Lastly, we strongly recommend a minimum one-year notice period when introducing mandatory measures. This critical period allows operators to implement infrastructure upgrades, develop health and safety guidelines, staff training, and essential technology updates. We encourage a voluntary, education-first based approach to enforcement to help ensure the successful implementation of these requirements.

We look forward to collaborating with City staff as our members are ready to share learnings and best practices from other jurisdictions. We remain committed to working together with city staff and with members to achieve a more circular economy in Ontario.

Please do not hesitate to contact us should you have any questions.

Sincerely



Tony Elenis
President & CEO
Ontario Restaurant, Hotel & Motel Association (ORHMA)



Tracy Macgregor
VP Ontario
Restaurants Canada

CC:

Mike Colle, Vice Chair, Infrastructure and Environment Committee, City of Toronto
Jon Burnside, Councillor, Don Valley East
Amber Morley, Councillor, Etobicoke-Lakeshore
Anthony Perruzza, Councillor, Humber River-Black Creek
Dianne Saxe, Councillor, University-Rosedale