

November 27, 2023

Jennifer McKelvie, Chair
Infrastructure and Environment Committee
City of Toronto
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Toronto, ON
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Submitted via email: iec@toronto.ca; councillor_mckelvie@toronto.ca; councillor_colle8@toronto.ca;
councillor_burnside@toronto.ca; councillor_morley@toronto.ca; councillor_perruza@toronto.ca;
councillor_saxe@toronto.ca

Dear Councillor McKelvie,

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

On behalf of our retail and quick service restaurant members, Retail Council of Canada (RCC) appreciates the opportunity to respond to the City of Toronto's proposed update and action plan on the Single-Use and Takeaway Items Reduction Strategy.

Retail is Canada's largest private-sector employer with over 2 million Canadians working in our industry. The sector annually generates over \$85 billion in wages and employee benefits. Core retail sales (excluding vehicles and gasoline) were \$480B in 2022. Retail Council of Canada (RCC) members represent more than two-thirds of core retail sales in the country. RCC is a not-for-profit industry-funded association that represents small, medium, and large retail businesses in every community across the country. As the Voice of Retail™ in Canada, we proudly represent more than 54,000 storefronts in all retail formats, including department, grocery, specialty, discount, independent retailers, online merchants and quick service restaurants.

As our members provide services and operate thousands of locations across the country, there are significant learnings that can be shared as it relates to informing and complying with single-use item bylaws and requirements. As part of this approach, RCC's members remain committed to working alongside the government and other stakeholders to reduce plastic waste and promote a circular economy. These efforts go beyond compliance with local bylaws to include work on provincial and territorial recycling programs, the increased incorporation of recycled content in new products and packaging, and the further exploration of reuse/refill options through industry forums like the [Consumer Goods Forum](#) and the [Canada Plastics Pact](#).

Reusable Beverage Cups Provided by Customers

While RCC supports the intent behind the reusable beverage cup "mandatory acceptance" requirement to help decrease the provision of single-use items, there are certain operational and health/safety

requirements that need to be taken into consideration. For example, employees should have the ability to refuse customers' reusable beverage cups where they have not been thoroughly cleaned by the customer in order to avoid hygiene risks.

Further consideration also needs to be given to mobile (app), delivery and drive-thru orders as there are added challenges when it comes to reusable beverage 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. Moreover, 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.

Reusable Cup Return Systems

While a reuse program focused on reusable cups provided by consumers may be a manageable solution in the short-term with certain exemptions to consider as discussed, we are concerned about the feasibility of reusable cup systems at quick service restaurants. We would expect that such a measure would bring challenges due to the need for significant infrastructure changes, including the installation of cup collection and cleaning. In many locations, this would require additional space and renovations which could disrupt existing store layouts and workflows. Moreover, quick service restaurants are already actively working towards reducing plastic waste and driving recycling across operations and packaging portfolios under extended producer responsibility (EPR) and industrial, commercial and institutional (ICI) regulatory requirements. Moreover, given reuse systems have not been proven at scale both in Canada and internationally, when considering reuse requirements for the City of Toronto, it is critical to weigh the life cycle environmental, financial, economic and consumer impacts relative to evolving recycling programs.

In addition, similar to the concerns expressed for reusable cups provided by consumers, enforcing a reusable cup system for drive-thru services presents impracticalities and 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.

Beyond this, the 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.

Reusable and Paper Shopping Bags

While retailers have already began the shift from single-use shopping bags to reusable bags, we believe that the City of Toronto should be cautious when mandating fees related to the sale of reusable bags. Proposing a minimum cost hike for reusable bags, starting at \$1 in 2024 and escalating to \$2 in 2025, represents a considerable burden for consumers accustomed to prices as low as \$0.25. We are concerned that implementing such a substantial increase, particularly amidst inflationary pressures, may not yield improved environmental outcomes.

Further clarity is also needed on the definitions of a reusable shopping bag and a paper shopping bag. These definitions should apply to bags provided at the point of sale. Beyond this, it is important to assess whether definitions and requirements are feasible when it comes to sourcing alternatives, particularly for reusable bags. For example, under the B.C. [Single-Use and Plastic Waste Prevention Regulation](#), reusable bag “means a bag that is manufactured to be used and machine-washed at least 100 times” despite retailers flagging to the province that they could not find suppliers that could ensure bags could be machine-washed at least 100 times. This highlights the ongoing need for dialogue between industry and government.

Single-Use Accessory Food Items

Retailers and quick service 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.

Educational Materials

To support the transition, it would be helpful if the City could develop collateral materials (posters, guidance materials, etc.) that impacted businesses could use to train employees and educate/inform customers. In particular, 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 consumers are aware of the requirements and associated environmental benefits.

Phased-In Requirements

We would encourage the City to not proceed with measures such as cup return systems and reusable bag fees, and carefully consider requirements and exemptions for reusable beverage cups provided by customers. Should the City of Toronto decide to proceed with such measures, it is imperative to allocate ample time for implementing essential technology updates, in-store infrastructure upgrades, the development of health and safety guidelines, and comprehensive staff training. We therefore strongly recommend a one-year notice period and education-first based approach to enforcement to help ensure the successful implementation of these requirements.

As the City considers next steps and tracks towards the development of a report for 2025, we look forward to further engagement with City staff as our members have significant learnings and best practices to share from other jurisdictions in Canada and abroad. As part of this, a holistic approach needs to be taken to

assessing reuse requirements to ensure optimal environmental outcomes while considering consumer behavior and financial impact factors. In the meantime, we remain committed to collaborating with the City and working with members to accelerate the transition to a circular economy.

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

Best regards,

A handwritten signature in black ink, appearing to read 'Michael Zabaneh', with a stylized flourish at the end.

Michael Zabaneh
Vice President, Sustainability Retail Council of 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
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