



Jonathan X. Côté
Mayor

March 4, 2021

VIA EMAIL

Dear Mayor and Council,

Re: Single-Use Item Regional Regulation

The City of New Westminster is very concerned about the environmental damage that is caused by single-use plastic items. Council understands that municipalities have the power to regulate this issue, however Council feels that for wide-scale consistent implementation for consumers and businesses alike, regulations need to cover large geographical areas.

This need for regional regulation is particularly true in the Lower Mainland but would hold true in all areas of British Columbia. In order to achieve regional regulation, the province must provide the legislative framework to regional districts to implement bylaws in this area under their environmental mandate. By creating a larger framework, it is hoped that regulations will address the equity issues involved in legislating this matter, particularly issues such as accessibility and cultural needs.

It is for this reason that Council passed the following motion for LMLGA and UBCM at its March 1, 2021 regular meeting:

WHEREAS enactment of bylaws to regulate single-use items by individual municipalities could lead to a mosaic of regulations across the region and in BC, which may lead to confusion and inconsistency for residents and businesses in the sale or distribution of these items;

WHEREAS greater consistency could be achieved by implementing a regional approach;

WHEREAS regional districts do not have the authority to establish bylaws or regulations in relation to the sale or distribution of single-use items;

Copy to:
Acting City Manager
Dir. Corporate Services
Dir. Engineering

Office of the Mayor
Corporation of the City of New Westminster

THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association and the Union of BC Municipalities request the Province to engage with regional governments to develop legislation which would provide regional districts with the legislative authority to restrict the sale and distribution of single-use items.

I am writing to ask for the support of your municipality for this motion at the LMLGA Virtual Conference in May. Let us support our shared environment as we collectively work to remove single-use items from British Columbia.

A council report giving more background is attached.

If you have any questions or would like more information, please contact me at jcote@newwestcity.ca or 604-527-4522.

Thank you for your attention to this matter.

Yours truly,



Jonathan X. Côté
Mayor

Att: February 1, 2021 Council Report “Single-Use Item Reduction Advocacy for Consistent Regional Regulation”



REPORT

Engineering Services

To: Mayor Côté 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 18th, 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 report¹ 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

¹https://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 - NOT INCLUDED, NOT APPLICABLE TO LMLGA

~~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~~