



Tracey Spack
Director
Plastics Regulatory Affairs Division
Environment and Climate Change
Canada
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Dear Ms. Spack

RE: The federal government's Single-Use Plastics Prohibition Regulations:
SOR/2022-138

I am writing to you on behalf of the City of Guelph to express our deep concern and the necessity to address the potential adverse effects of the Single-Use Plastics Prohibition Regulations: SOR/2022-138, which are set to come into effect on December 20, 2023. These regulations, while well-intentioned, have unintended impacts for members of our community with disabilities.

The City of Guelph recently enacted a Single-Use Items (SUI) Reduction Strategy and Single-Use Items (SUI) By-law, which came into effect on January 1, 2023. During the development of the SUI Reduction Strategy and SUI By-law, early in 2022, City Staff met with the City's Accessibility Advisory Committee (AAC) to better understand the impacts that banning some Single-Use Plastics (SUP) could have on Canadians with disabilities. The AAC provided valuable feedback to City Staff and delegated to City Council regarding this topic.

With the ban of SUP bags, the AAC were concerned that alternative shopping bags provided by businesses at the point of sale, whether reusable or paper, would cause barriers for people with disabilities because they may only have one or no handles. The AAC advised that for many people with disabilities, shopping bags with two handles are significantly important. For example, some people with disabilities require bags with two handles (that are large enough and reinforced) to put over an arm, to be held in the crook of an elbow, or to be hung from the handle(s) of an assistive device. From the AAC's feedback, the City included a requirement for businesses to provide reusable shopping bags with two handles in the SUI By-law.

However, when City Staff contacted some local businesses that currently provide paper bags, to discuss the feasibility of changing to only provide paper bags with two reinforced handles, staff were informed by these businesses that they do not have control over the paper bags they receive for their local stores as they are part of a national brand and use a national supplier. Therefore, it would be challenging

for the City to institute a By-law requirement knowing that some businesses could not comply and would be automatic violators in breach of the City's By-law. The City has instead taken the approach of increasing awareness, through outreach and education, strongly encouraging businesses to provide shopping bags with two handles to support accessibility needs.

Prior to the finalization of the City's SUI By-law, the federal government released the Single-Use Plastics Prohibition Regulations (Regulations) which prohibits restaurants from providing a SUP straw to a customer. Through the City's continued engagement with the AAC, as it relates to the SUI Reduction Strategy, the AAC recommended that the City provide a letter to the federal government that urges reconsideration for SUP straws to be exempt from restaurants so that they can be available for and provided to customers. This accommodation is essential for those with motor function disabilities, grip strength limitations, or other physical constraints that necessitate the use of a SUP straw.

The AAC has helped City Staff and Council understand that there are members in our community who rely on SUP straws to be able to consume food, partake in recreation and social activities, and for hydration. By not having SUP straws readily available, specifically in restaurants, creates barriers for those who have disabilities to participate in everyday activities that others may be able to freely enjoy.

The following feedback was provided by the Chair of the AAC on behalf of the collective AAC during the [City Council meeting in September 2022](#):

- The AAC supports the federal government's decision to ban some single-use plastics, in the newly announced legislation. However, some items being banned will negatively impact the disabled community.
- It's important to understand that some people require access to a straw to eat or drink. There are people who have trouble with motor function, grip strength, and are unable to bend their neck, or for other reasons are unable to drink or consume soup or liquid diets without a straw. Many people would think that alternative straws such as paper, metal, glass, silicone, or hard reusable plastic would be suitable alternatives. Unfortunately, single use plastic straws are the only kind that currently serve the disabled community's needs without creating more barriers.
- For example, paper straws do not bend, which requires people to be able to either angle their drink or bend their neck to drink. They also present a choking hazard due to softening in liquid and easily coming apart, which is especially dangerous for people who have disabilities that cause them to involuntarily bite down. They do not protect against heat after getting wet, and many people have allergies and chemical sensitivities to the chemicals used to process and manufacture paper straws. Moreover, people with sensory difficulties may experience pain or other barriers in using textured paper straws.

- Moreover, glass, metal, silicone, and hard reusable plastic straws can all be very dangerous to bite down on. Glass and metal conduct heat, which can cause them to burn people who need to use them to consume hot drinks or soups. Similar to paper straws, many people have chemical sensitivities and allergies to metals and some types of hard plastics. Additionally, they aren't sanitary for people with compromised immune systems. Whereas individually wrapped single-use products can be discarded immediately after one use, making them the only safe option for some people.
- These alternatives also put the responsibility on people with disabilities to source, purchase, and carry their own straw which is problematic for a number of reasons. It is discrimination to expect disabled people to pay more to access things that are accessible to the non-disabled public at no additional cost. Especially when people with disabilities on average have access to less income than non-disabled individuals. Additionally, people with disabilities often have a lot of medical supplies and assistive devices to bring with them for every simple outing, so asking people with disabilities to also bring their own straws presents barriers. For example, if a person forgets their straw at home, they still deserve to have safe access to hydration and food.

Accessibility often means understanding universal design and applying those principles to be used by all people, to the greatest extent possible, and without the need for adaptation or specialized approach. It's in these details that we understand the impacts on people with experiences different than our own.

The AAC provided insight and feedback that helped shape the City's SUI Reduction Strategy and SUI By-law. In addition to the feedback noted above, the AAC recommended that the City explore the development of a program that offers free or subsidized SUP straws to those who need them in order to offset the costs for people with disabilities who will need to purchase these SUP straws. The City connected with the federal government and understood that the Regulations do not allow a municipal government to sell (including to provide for free or subsidized) SUP straws to its residents. As a possible solution, the City, in support of the AAC, recommend that the federal government subsidize the cost of SUP straws for people with disabilities or allow municipal governments to explore the development a program that reduces the financial impacts of SUP straws for people with disabilities.

We appreciate your attention to this matter and kindly request that you consider this feedback prior to the enforcement of the SUP straws ban on December 20, 2023. It is our hope that these recommendations can be integrated into the Regulations to ensure inclusivity for all members of our community.

Thank you for your consideration, and we look forward to working together to create a more accessible and inclusive society.

Sincerely,



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