

TOWNSHIP OF BLANDFORD-BLENHEIM

COUNCIL MEETING AGENDA

Wednesday, November 2nd, 2022

Watch via Live Stream on Township's YouTube:
<https://www.youtube.com/channel/UCdKRV0GAEuFaGbwhRPzoEXA>

4:00 p.m.

1. Welcome

2. Call to Order

3. Approval of the Agenda

Recommendation:

That the agenda for the November 2nd, 2022 Regular Meeting of Council be adopted.

4. Disclosure of Pecuniary Interest

5. Minutes

a. [October 19th, 2022 Minutes of Council](#)

Recommendation:

That the minutes of the October 19th, 2022 Meeting of Council be adopted, as printed and circulated.

6. Business Arising from the Minutes

7. Public Meetings

None.

8. Delegations / Presentations

None.

9. Correspondence

a. Specific

None.

b. General

- i. [Paul Michiels, Manager of Planning Policy, Oxford County, Re: Provincial Consultation on the 'More Homes for Everyone Plan'](#)
- ii. [April Nix, Development Planner – Policy Focus, & Paul Michiels, Manager of Planning Policy, Oxford County, Re: Minimum Distance Separation Formulae Implementation](#)
- iii. [Gordon K. Hough, Director of Community Planning, Oxford County, Re: Regulatory Proposals – Conservations Authorities Act; Transition Plans and Agreements for Programs and Services](#)
- iv. [Pamela Antonio, Supervisor of Waste Management, Oxford County, Re: Proposed Federal Plastics Registry and Rules of Accurate Labelling of Plastic Items](#)

Recommendation:

That the general correspondence items be received as information.

10. Staff Reports

a. Trevor Baer – Manager of Community Services

i. [CS-22-15 – Monthly Report](#)

Recommendation:

That Report CS-22-15 be received as information.

b. Jim Borton – Director of Public Works

i. [PW-22-20 – Monthly Report](#)

Recommendation:

That Report PW-22-20 be received as information.

c. Jim Harmer – Drainage Superintendent

i. [DS-22-22 – Monthly Report](#)

Recommendation:

That Report DS-22-22 be received as information.

d. Denise Krug – Director of Finance

i. [TR-22-13 – 2023 Fees and Charges](#)

Recommendation:

That Report TR-22-13 be received as information;

[Township of Blandford-Blenheim Website](#)

And further that Council authorize the Director of Finance to prepare a fees and charges by-law for the December 21, 2022 Council meeting based upon Township fees and charges as outlined on the attached schedules.

11. Reports from Council Members

11. Unfinished Business

12. Closed Session

13. Motions and Notices of Motion

14. New Business

15. By-laws

a. 2320-2022, Being a By-law to amend Zoning By-Law Number 1360-2002, as amended (ZN1-21-07-08).

b. 2321-2022, Being a By-law to amend Zoning By-Law Number 1360-2002, as amended (ZN1-21-11).

c. 2322-2022, Being a By-law to confirm the proceedings of Council.

Recommendation:

That the following By-laws be now read a first and second time: 2320-2022, 2321-2022, 2322-2022.

Recommendation:

That the following By-law be now given a third and final reading: 2320-2022, 2321-2022, 2322-2022.

16. Other

17. Adjournment and Next Meeting

Wednesday, November 16th, 2022

Recommendation:

That Whereas business before Council has been completed at _____ pm;

That Council adjourn to meet again on Wednesday, November 16th, 2022 at 4:00 p.m.

MINUTES

Council met at 4:00 p.m. for their first Regular Meeting of the month.

Present: Mayor Peterson, Councillors Balzer, Banbury, Demarest and Read.

Staff: Baer, Borton, Harmer, Matheson, Mordue, and Richardson.

Other: Robson, Planner.

Mayor Peterson in the Chair.

1. Welcome

2. Call to Order

3. Approval of the Agenda

RESOLUTION #1

Moved by – Councillor Read
Seconded by – Councillor Balzer

Be it hereby resolved that the amended agenda for the October 19th, 2022 Regular Meeting of Council be adopted as printed and circulated.

.Carried

4. Disclosure of Pecuniary Interest

None.

5. Adoption of Minutes

a. October 5th 2022 Minutes of Council

RESOLUTION #2

Moved by – Councillor Read
Seconded by – Councillor Balzer

Be it hereby resolved that the Minutes of the October 5th, 2022 Meeting of Council be adopted, as printed and circulated.

.Carried

6. Business Arising from the Minutes

None.

7. Public Meeting

None.

8. Delegations / Presentations

- a. Juliane von Westerholt, MHBC Planning Associate presented the Village of Drumbo Recommendation Report for Secondary Plan.

Ms. Von Westerholt presented the draft plan.

Wayne Miller, Drumbo resident provided comments on the plan.

Brandon Flewwelling of GSP Group representing landowner Tiffany Developments provided comments on the plan.

Denis Brolese representing landowner Amer Cengic provided comments on the plan.

RESOLUTION #3

Moved by – Councillor Read

Seconded by – Councillor Balzer

Be it hereby resolved that the report prepared by MHBC entitled 'Village of Drumbo Recommendation Report for Secondary Plan' be received as information.

And further that Council direct Planning staff to review and consider the comments received by members of Council and members of the public at the October 19th Township Council Meeting and bring the Draft Secondary Plan back to Township Council for further consideration and endorsement.

.Carried

9. Correspondence

- a. Specific

None.

- b. General

None.

10. Staff Reports

a. Dustin Robson – Planner

- i. CP2022-380 – Request for Extension of Draft Approved Plan of Subdivision SB18-08-1 – Carson Reid Homes (Cambridge) Ltd.

RESOLUTION #4

Moved by – Councillor Balzer
Seconded by – Councillor Read

Be it hereby resolved that the Council of the Township of Blandford-Blenheim advise Oxford County that the Township supports a one (1) year extension of draft approval for the plan of subdivision submitted by Carson Reid Homes (Cambridge) Ltd. (SB18-08-1), for lands described Part Lot 24, Concession 10 (Blenheim), Parts 1 – 5, 41R-8008, Township of Blandford-Blenheim, to November 14, 2023 to provide the owner with additional time to complete all conditions of draft plan approval and have the subdivision registered

.Carried

b. Rick Richardson – Director of Protective Services

- i. FC-22-22 – Monthly Report

RESOLUTION #5

Moved by – Councillor Balzer
Seconded by – Councillor Read

Be it hereby resolved that Report FC-22-22 be received as information.

.Carried

c. John Scherer – Chief Building Official

- i. CBO-22-11 – Monthly Report

RESOLUTION #6

Moved by – Councillor Balzer
Seconded by – Councillor Read

Be it hereby resolved that Report CBO-22-11 be received as information.

.Carried

d. Jim Harmer – Drainage Superintendent

- i. DS-22-22 – Appointment of Engineer for Baker Drain

RESOLUTION #7

Moved by – Councillor Banbury
Seconded by – Councillor Demarest

Be it hereby resolved that Report DS-22-21 be received as information; and, Whereas the Grand River Conservation Authority have not registered any comments to the petition for drainage works from Don Steinman and 1058672 Ontario Inc. for repair and improvements of the Baker Drain at Part of lot 5 and 4 con 11 at 906072 Township Road 12; and further,

Be It resolved that Council appoints K Smart & Associates Ltd., 85 McIntyre Dr. Kitchener, Ont. N2R 1H6, to prepare a new drainage report as per the petition accordance with Section 4 of the Drainage Act.

.Carried

e. Rodger Mordue – Chief Administrative Officer / Clerk

i. CAO-22-23 – Centre Street Drumbo Closure and Transfer

RESOLUTION #8

Moved by – Councillor Banbury
Seconded by – Councillor Demarest

Be it hereby resolved that Report CAO-22-23 be received; and,

That the Centre Street Drumbo unopened road allowance property be split and that the north piece be offered to the owner of 24 Maitland Street and the south piece be offered to the owner of the surrounding development land; and,

That in the event that either party declines the purchase prior to the transfer, then that land will be offered for purchase to the other party.

.Carried

11. Reports from Council Members

Councillor Read noted the Holiday Train will be in the area on November 30th around 6:00 p.m.

Mayor Peterson reported that Princeton had their United Church Anniversary Dinner and it was well attended.

Councillor Demarest reported that ROEDC is sponsoring a Network Night at Snyder's Family Farm on Thursday October 20th.

Councillor Demarest also report that the Bright Fire Fighters are having their Fire Prevention this week on Saturday, October 22nd.

12. Unfinished Business

None.

13. Motions and Notices of Motion

None.

14. New Business

None.

15. Closed Session

None.

16. By-laws

a. 2313-2022, Being a By-law to provide for drainage works in the Township of Blandford-Blenheim in the Restructured County of Oxford (Princeton Drainage System, 2022); and

b. 2319-2022, Being a By-law to confirm the proceedings of Council.

RESOLUTION #9

Moved by – Councillor Demarest
Seconded by – Councillor Banbury

Be it hereby resolved that the following By-law be now read a first and second time: 2319-2022.

.Carried

RESOLUTION #10

Moved by – Councillor Demarest
Seconded by – Councillor Banbury

Be it hereby resolved that the following By-laws be now read a third and final reading: 2313-2022 and 2319-2022.

.Carried

17. Other Business

- a. Remembrance Day Services
 - i. Drumbo – Mayor Mark Peterson
 - ii. Chesterfield – Mayor Mark Peterson
 - iii. Plattsville – Councillor Randy Balzer
 - iv. Princeton – Councillor Nancy Demarest

18. Adjournment and Next Meeting

RESOLUTION #11

Moved by – Councillor Demarest
Seconded by – Councillor Banbury

Whereas business before Council has been completed at 5:39 p.m.;

Be it hereby resolved that Council does now adjourn to meet again on
Wednesday, November 2nd, 2022 at 4:00 p.m.

.Carried

Mark Peterson, Mayor
Township of Blandford-Blenheim

Rodger Mordue CAO / Clerk
Township of Blandford-Blenheim

To: Warden and Members of County Council

From: Director of Community Planning

Provincial Consultation on the 'More Homes for Everyone Plan'

RECOMMENDATIONS

1. That the Director of Community Planning, in consultation with other County staff as required, prepare and submit the County of Oxford's formal comments in response to the Provincial consultations on Bill 109, More Home For Everyone Act, 2022 and specific housing related topic areas, as generally outlined in Report No. CP 2022-180;
2. And further, that Report No. CP 2022-180 be circulated to the Area Municipalities for their information.

REPORT HIGHLIGHTS

- The Province is undertaking consultation on Bill 109, the *More Homes For Everyone Act* and a number of other initiatives targeted at increasing the Province's housing supply. This consultation is being undertaken through a series of postings on the Environmental Registry of Ontario (ERO) and Ontario Regulatory Registry (RR), with a commenting deadline of April 29th, 2022.
- This report provides an overview of the various legislative amendments currently being proposed through Bill 109, including changes to the Planning Act relating to such matters as site plan and zoning approval processes and fees, subdivision approvals, new Provincial authorities with respect to Official Plan matters, and a new Community Infrastructure and Housing Accelerator (CIHA) tool. A number of amendments to other statutes (e.g. Development Charges Act, Building Code Act, Condominium Act etc.) are also being proposed.
- The Province has also initiated consultation on a number of specific housing related topic areas, including Housing for Rural and Northern Communities, Missing Middle and Multi-generational Housing and Funding for Not-for-profit Developers.

- Given the extremely tight review and commenting deadline provided by the Province, County staff are seeking County Council direction to prepare and submit comments in response to the proposed Bill 109 changes and related ERO and RR consultations on behalf of the County. These comments are expected to focus primarily on the more significant amendments to the Planning Act and the Provincial consultation on the above noted housing related topic areas, as generally outlined in this report.

Implementation Points

The recommendations contained in this report will have no immediate impacts with respect to implementation. However, a number of the proposed legislative changes and other actions being proposed could have potential implications for land use planning decisions and related processes in the County and, as such, may require potential review and/or update of various planning related policies, processes and standards.







Financial Impact

There are no immediate implications beyond this year's approved budget.

Communications

Communication is proposed to be through the inclusion of this report on the County Council agenda, related communications and circulation to the Area Municipalities for information.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.ii. 3.iii.	4.i. 4.ii.		

DISCUSSION

Background

On March 30, 2022, the Province initiated consultation with respect to a range of legislative changes, policies and other actions being considered or proposed as part of their 2022 housing supply action plan (i.e. More Homes for Everyone Plan) and associated *More Homes for Everyone Act* (Bill 109), which received royal assent on April 14th, 2022.

This process was initiated through a series of postings on the Environmental Registry of Ontario (ERO) and Ontario Regulatory Registry (RR), which are summarized as follows:

- **Proposed Planning Act Changes – the proposed More Homes for Everyone Act, 2022 (ERO and RR) and associated regulation changes**
- **Community Infrastructure and Housing Accelerator – Proposed Guideline (ERO)**
- **Proposed Development Charges Act and Associated Regulation Changes (RR)**
- **Proposed new Home Construction Licensing Act, 2017 Changes (RR)**
- **Proposed Ontario New Home Warranties Plan Act Changes (RR)**
- **Proposed Regulatory Changes – Condominium Cancellations (RR)**

The Province has indicated that the postings are intended to propose smart, targeted policies and actions that address the process to get housing built faster and more easily, while protecting home buyers, owners and renters. The [More Homes for Everyone Plan](#) page on the Province's website provides a general overview of the proposed changes and actions and associated rationale.

The Province has indicated that they will be using the recently released Housing Affordability Task Force's report, included as Attachment 1, as their long term housing roadmap and are committed to implementing the recommendations of that report through the development of a 'housing supply action plan' every year over the next four years, starting in 2022-2023. Further, to ensure municipalities will implement the Task Forces' recommendations at the local level, the Province will be establishing a 'Housing Supply Working Group' which will engage with federal and municipal governments, partner ministries, industry and associations to monitor progress and support improvements to the Province's annual housing supply action plans.

There was some preliminary, high level consultation with municipalities on proposed solutions to address the Province's housing supply and affordability crisis in advance of the above noted postings (i.e. Ontario-Municipal Housing Summit, Rural Housing Roundtable, letters to municipalities, meetings with a number of municipal organizations etc.). However, there was no specific consultation with municipalities on the findings and/or recommendations of the Task Force report prior to it being adopted as the Province's long term housing road map. Further, the composition of the Housing Affordability Task Force itself was largely development/real estate industry focused, with no direct municipal representation.

As such, most municipalities are still in the process of reviewing and assessing all of the recommendations in that report and associated implications. From initial review, the report appears to contain many ideas and potential actions that warrant further consideration and discussion. However, there are also a number of recommendations that raise significant questions and/or concerns. So, now that the Province has clarified the role of the Task Force report and how they intend to implement it (i.e. through annual Housing Supply Action Plans and Housing Supply Working Group), County staff will complete a thorough review of the recommendations and bring forward another report to Council to provide an overview of the key recommendations and any related questions, concerns and/or local implications.

As part of this process, the Province has also initiated public consultation on a number of specific housing related topics (which have also been posted to the ERO) as follows:

- **Unique Housing Needs for Rural and Northern Ontario municipalities**
- **Opportunities to Increase Missing Middle Housing and Gentle Density That Supports Multigenerational Housing**
- **Access to Financing for Not-for-Profit Housing Developers**

The current postings, together with the recently released Housing Affordability Task Force Report, represent the first formal opportunity for municipalities to review and provide feedback on the specific changes being proposed and/or considered by the Province with respect to increasing the housing supply. That said, the Province has only provided a 30 day consultation period for these postings (i.e. comments due by April 29th), with the first municipal information sessions on the proposed changes scheduled for April 20th. This provides very little time for municipalities to fully assess and comment on the potential impacts of the proposed legislative and other changes and to identify/formulate well reasoned approaches and options to address the specific housing challenges (as noted above) that the Province is seeking municipal feedback on, particularly if Council is to be consulted/informed in advance of any submission to the Province.

The focus of this staff report is on providing Council with an overview of the proposed changes to the Planning Act (including the establishment of the new infrastructure and housing accelerator tool) and the topic specific Provincial consultations (i.e. rural housing need, missing middle housing opportunities, and financing for not-for-profit housing developers) and related comments and concerns, as those are the matters most directly related to the programs and services delivered and/or provided by the County.

Commentary

Some of the more noteworthy changes and actions being proposed by the Province and potential implications and considerations for Oxford County and the Area Municipalities, are outlined as follows:

1. Proposed Changes to the Planning Act

The key changes to the Planning Act being proposed through Bill 109, the More Homes for Everyone Act (i.e. as contained in Schedule 5 of that Bill) and associated comments and considerations are generally summarized as follows:

a) Refund of Zoning and Site Plan Application Fees

Require municipalities to partially refund application fees to applicants who do not receive a decision on their zoning by-law amendment applications or site plan applications within the statutory time frame following the submission of a 'complete application' and on a graduated basis thereafter. This would apply to applications made on or after January 1st, 2023.

The table below sets out how this graduated fee refund regime would generally apply to each application process:

Type of Application	Time to make decision (with no refund)	When 50% of fees refunded	When 75% of fees refunded	When 100% of fees refunded
Zoning By-Law Amendment with Official Plan Amendment	120 days	No Council decision by day 121-180	No Council decision by day 181-240	No Council decision by day 241+
Zoning By-law Amendment Only	90 days	No Council decision by day 91-150	No Council decision by day 151-210	No Council decision by day 211+
Site Plan Application	60 days	Application not approved by day 61-90	Application not approved by day 91-120	Application not approved by day 121+

Comments/Considerations

The Provincial communication material indicates that, in the Greater Golden Horseshoe (GGH), the timeframe for municipal decisions on site plan applications averages 12-30 months and for zone change applications it is 7-25 months. It is agreed that such average decision making timeframes seem excessive, particularly given that most GGH municipalities already have rigid and extensive 'complete application' requirements for zone change applications (i.e. studies, information and/or materials that need to be submitted before the approval timeline even starts). Unfortunately, even though it is these complex and lengthy planning review processes that appear to have triggered the concerns raised with respect to the impact of 'red tape' on the timely provision of additional housing in Ontario, the proposed solutions will impact all municipalities. Further, the assumption seems to be that municipalities (versus proponents and/or other agencies) are primarily responsible for the delay in decision making.

In Oxford, decisions on site plan and zone change applications are typically provided in a fraction of the above noted GGH time frames. However, it is noted that the permitted Planning Act timeframes for making a decision on such applications (i.e. 60 days for site plan approval and 90 days for a zone change) can still be very aggressive in many cases. That said, in instances where the standard Planning Act timeframes are exceeded, it is often the result of:

- Issues with the quality or completeness of the information (i.e. plans/drawings, studies, technical reports etc.) required to be submitted with the application;
- Technical issues and/or concerns raised through review by another public agency that is not within the direct control of the municipality (i.e. a Provincial ministry, Conservation Authority, railway etc.);
- A request by the applicant to delay their application to provide more time to address outstanding agency and/or public concerns (i.e. make changes to the application, undertake further consultation and/or study, provide additional information etc.).

With the proposed fee refund regime, municipalities may no longer be willing to delay Council's consideration of an application to provide the proponent with additional time to resolve outstanding issues. This could simply result in more 'denial' decisions and subsequent LPAT appeals together with the associated delays and expense. In many (if not most) cases this would also not be in the best interests of the proponent or the community. Further, municipalities may now need to consider implementing more comprehensive 'complete application' and pre-consultation requirements to provide specific control over when the statutory approval time frame starts for such applications, if they wish to limit the potential for mandatory fee refunds. To date, Planning and Area Municipal staff in Oxford have been relatively flexible with respect to 'complete application' requirements (i.e. what studies and information are required before an application will be reviewed/processed), which often allows applications to begin proceeding through the planning review process while other required studies and information are still being undertaken and/or compiled. Providing this flexibility can serve to expedite the overall development approval timeline (i.e. from initial proposal/submission to approval), by not pushing all of the required studies and work to the front end of the process (i.e. prior to the application even being submitted/considered). Unfortunately, with the proposed fee refund regime (which is not discretionary), it may no longer be in a municipality's interests to provide such flexibility, which, ironically, would actually serve to slow down the overall development process in many cases.

Given these changes, the County and Area Municipalities may need to review Council meeting schedules, staffing levels, public notice and consultation requirements, application fees and other planning related process matters to ensure the Planning Act timelines for these applications can be met.

b) Community Infrastructure and Housing Accelerator (CIHA) Tool

The CIHA is a proposed new planning tool that municipalities can request that the Province implement on a site specific basis to expedite zoning approvals for proposed development outside of the Greenbelt area. Section 34.1 (25) of the Planning Act would require the Minister to establish guidelines governing how CIHA orders may be made. These guidelines may, among other matters, restrict orders to certain geographic areas or types of development. The guidelines would need to be in place before a CIHA order could be issued by the Province.

A proposed draft of these guidelines has been released for consultation purposes and the Province has indicated that comments received during consultation will be considered during the final preparation of the guidelines. The content of these draft guidelines is generally summarized as follows:

- Sets out where the CIHA tool cannot be used (i.e. within the Greenbelt area);
- States that local municipalities (lower tier and single tier only) may request (i.e. through a formal council resolution explaining the project rationale, approvals sought and any consultations) a CIHA order relating to lands within their geographic boundaries and that the Minister will consider making a CIHA order upon such a request where the Minister believes it is in the public interest to do so;
- A CIHA order may be made to expedite the following types of priority developments:
 - Community infrastructure that is subject to Planning Act approval, including land, buildings and structures that support the quality of life for people and communities by providing public services for matters such as health, long-term care, education, recreation, socio-cultural activities and security and safety;
 - Any type of housing, including community housing, affordable housing and market based housing;
 - Buildings that would facilitate employment and economic development; and
 - Mixed use developments.

For greater clarity, a CIHA order will address zoning matters and will not address environmental assessment matters related to infrastructure.

- In making an order, the Minister is able to:
 - Provide that specific subsequent approvals (e.g. licenses, permits and other approvals) are not subject to provincial plans (i.e. growth plans, source protection plans etc.), the Provincial Policy Statement (PPS), and municipal official plans, but only if this is specifically requested by the municipality.
The Minister will only consider exemption from provincial policy requirements if the subsequent approval is needed to facilitate the proposed project, and the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts that could arise from the exemption (e.g. community engagement, environmental protection/mitigation etc.)

- Impose conditions on the municipality and/or the proponent, which can only be lifted by the Minister. These could include conditions to ensure certain studies, assessments, consultations and other necessary due diligence associated with any proposed development that would be subject to the CIHA order would be adequately addressed before construction or site alteration can begin.
- A CIHA order can be used to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development. The requesting municipality is responsible for providing public notice, undertaking consultation and making sure the order is made available to the public.

Comments/Considerations

From the material released to date, the Province's intent with respect to the use of this new tool (i.e. under what circumstances and to what extent) is not entirely clear. It simply indicates that it is intended to help municipalities speed up approvals for housing and community infrastructure, like hospitals and community centres, while increasing transparency and accountability (i.e. by requiring municipalities to inform/consult with the public before submitting such a request and make a copy of any resulting Provincial order available to the public). It also suggests the tool would empower local communities to break down silos by removing barriers and accelerating downstream approval but, again, it is not clear exactly what specific issues or challenges that is referring to.

From Planning staff review, it appears that the land uses to which this tool could potentially be applied go beyond just infrastructure and housing. Further, there does not appear to be anything in the proposed legislation or draft guidelines that would clearly direct how and where this tool could be used. Such a tool could provide municipalities with additional flexibility to facilitate and/or expedite certain specific developments (e.g. major employers, larger scale affordable housing projects etc.) that may be of particular local and Provincial importance and are generally consistent with local and Provincial policies, interests and objectives. However, if this tool were to be frequently or indiscriminately applied, it could also significantly impact the role and effectiveness of the current land use planning approval system and the certainty, transparency and protections it provides (i.e. full public and agency consultation, consistency with approved Provincial and municipal planning policies, right of appeal, etc.).

Therefore, Planning staff are proposing that further information and details be requested from the Province with respect to the intended role and application of this tool to ensure that its use will be appropriately targeted and scoped (i.e. through the related guidelines). Following are some initial comments and considerations that staff are also proposing to submit to the Province for their consideration in this regard:

- Further detail is required to clarify and scope the intended use and application of this tool to provide municipalities, the public and other stakeholders with a reasonable level of certainty as to where and under what circumstance it could potentially be requested (i.e. clear eligibility criteria and justification requirements).

- Use of the tool should require the support of/resolution from all municipalities in which the project site is located (i.e. both upper and lower tier), as both will have services and other matters of jurisdiction that would be relevant to, and potentially impacted by, the development of those lands. Further, where the site is located in proximity to an abutting municipality, there should be some formal process/mechanism to ensure the impacts on and interests of that municipality with respect to planning for growth, infrastructure and land use etc. have also been appropriately considered and addressed.

c) Site Plan approval

The following changes to the site plan approval process are being proposed:

- Require decisions on site plan applications to be delegated to staff for applications made on or after July 1st, 2022;
- Extend the permitted site plan review period from 30 to 60 days;
- Establish regulation-making authority to prescribe complete application requirements for site plan (with recourse if the application has not been deemed complete within 30 days of having been received by the municipality).

Comments/Considerations

It typically takes longer than the current 30 days provided under the Planning Act to approve a site plan, so the extension to 60 days assists in that regard. However, Planning staff are of the opinion that 90 days would be a more reasonable approval time frame, particularly for larger, more complex site plans and given the proposed site plan application refund regime also being proposed by the Province.

In Oxford, site plan approval is already delegated to staff in most, if not all, of the Area Municipalities. As such, that proposed change should not significantly impact current review and approval processes.

There are currently no complete application requirements for site plan approval set out in the Planning Act. With the time frame based site plan application refund regime now being proposed, the accompanying introduction of complete application requirements will become important as it will provide municipalities with the ability to determine when an application is deemed to be complete, which is the trigger for 'starting the clock' on the 60 day approval time frame that is now being proposed.

d) Plans of Subdivision

The following changes to the site plan approval process are being proposed:

- Establish regulation-making authority to prescribe what can and cannot be required as a condition of subdivision approval (Province has indicated this is to prevent scope creep);
- Establish a one-time discretionary authority for municipalities to reinstate draft plans of subdivision that have lapsed within the past 5 years without a new application and;

- Establish regulation making authority to require public reporting on development applications/approvals.

Comments/Considerations

The Province has indicated that the intent of these proposed changes is to streamline subdivision approval process and provide more certainty. In that regard, staff note that the approval timeframe for a typical subdivision in Oxford and number of conditions is already substantially less than in many GGH municipalities. As such, it is unclear to what extent the proposed changes might impact the County's current subdivision approval process.

It is also not clear what types of subdivision conditions the Province currently sees as being problematic or constituting 'scope creep' and what subdivision reporting requirements they may be considering, as there are currently no draft implementing regulations available for review. Therefore, it is difficult to determine to what extent the types of subdivision conditions the Province may be considering enabling or limiting through future regulation may impact the subdivision approval process in Oxford. As such, Planning staff are proposing that the Province be requested to make a copy of the draft regulations available for municipal review and comment prior to their enactment. The proposed change to enable municipalities to re-instate lapsed draft plans is expected to be of limited benefit in the Oxford context.

e) Community Benefit Charges (CBCs)

Would require municipalities with a CBC by-law to undertake a complete review, including consulting publicly on their by-law, at least once every 5 years.

Comments/Considerations

To staff's knowledge, there are currently no CBC by-laws in place or being proposed in Oxford, so this proposed change would have no immediate implications. However, if one or more Area Municipalities were to consider implementing a CBC by-law in the future (i.e. to collect charges from development for various community benefits that are not covered by development charges), this proposed change would simply mean that any such by-law would be subject to the same 5 year review schedule as is already required for municipal Development Charge by-laws under the Development Charges Act.

f) New Provincial Decision Making Authorities

Provide the Ministry of Municipal Affairs with new discretionary authorities when making decisions to:

- 'Stop the clock' if more time is needed to decide on all official plan matters subject to Minister's approval (with transition for matters that are currently before the Minister);
- Refer all or part(s) of an official plan matter to the Ontario Land Tribunal (OLT) for recommendation;
- Forward all of an official plan matter to the Ontario Land Tribunal to make a decision;

- Establish regulation-making authority to authorize landowners and applicants to stipulate the type of surety bonds and other prescribed instruments used to secure obligations in connection with land use planning approvals; and
- Implement a tiered alternative parkland dedication rate for Transit-Oriented Communities (TOCs) to provide increased certainty of parkland requirements.

Comments/Considerations

It is unclear how these new Ministerial authorities may potentially impact the process for reviewing and approving updates to the County's Official Plan policies. Of particular concern is what criteria the Province would apply in determining when an Official Plan matter might be referred to the OLT for a recommendation and/or decision and the related process. This change could potentially add considerable additional time, cost and uncertainty to the current Provincial review and approval process for Official Plan matters, as such, it is something Planning staff will be closely monitoring.

The potential impacts and benefits of the changes to the types of surety bonds and other prescribed instruments used to secure obligations in connection with land use planning approvals will need to be reviewed and considered at such time as the details are released in a proposed regulation. As the implementation of an alternative parkland dedicated rate for Transit-Oriented Communities (TOCs) applies to development areas associated with higher order transit in the GGH, this change is not currently applicable in the Oxford context.

g) Changes to Regulations (O. Reg. 509/20) Under the Planning Act

These proposed changes are intended to enhance transparency of growth-related municipal infrastructure levies by enhancing existing municipal reporting requirements, including:

- Specifying how reporting on community benefits charges (CBCs) and parkland dedication levies are to be made public, such as on a municipal website; and
- Requiring municipalities to report on how the municipal need for parks, set out within their parks plans, is being addressed through parkland dedication levies.

Currently, under the Planning Act, parks plans are only required before the adoption of municipal official plan policies to establish alternative parkland dedication rates. If a municipality does not have a parks plan, this requirement would not apply to them.

Comments/Considerations

Again, to staff's knowledge, there are no CBC by-laws currently in place or being proposed in Oxford, so the proposed changes with respect to reporting on CBC by-laws should not have any immediate implications. However, it appears that Area Municipalities with a 'parks plan' in place will now be required to report on how funds collected through parkland dedication levies are being spent to align with their parks plans. Therefore, the Area Municipalities who have 'park plans' (i.e. parks and recreation master plans, etc.) may wish to seek clarification on the Provincial reporting requirements in that regard.

2. Other Proposed Legislative Changes

a) Development Charges Act (DCA)

Schedule 2 of Bill 109 proposes to make a change to the DCA to require that treasurers' statements be made available to the public on a municipality's website, or in the municipality's office if no such website is available, and in any manner as may be prescribed in the future.

In addition, there is a proposed change that would require the municipal treasurer, in their annual treasurer's statement, to set out whether the municipality still anticipates incurring the capital costs projected in the municipality's DC background study for a given service. If not, an estimate of the anticipated variance from that projection would be provided along with an explanation for it.

Comments/Considerations

Municipalities are already required to make the treasurer's statements available to the public, therefore the County posts the Annual Development Charge Reports which contain the treasurer's statement on the County's public website. Inclusion of estimated anticipated variances in capital costs related to those contained in the municipality's DC background study can readily be included in the treasurer's statement to enhance the existing reporting requirements.

b) Other Legislative Changes

Changes to various other legislation, including to the New Home Construction Licensing Act, the Ontario New Home Warranties Plan Act and the Condominium Act to address Condominium cancellations and other specific housing related concerns.

Comments/Considerations

County staff do not have any specific comments with respect to these proposed changes.

3. Topic Specific Consultations

The Province is seeking municipal and public input on the following specific housing topic areas and has indicated that any specific policy proposals to address these housing matters would be further consulted on prior to the government making any changes.

a) Housing Needs in Rural and Northern Ontario Municipalities

The posting indicates that the Province (MMAH) is seeking feedback on ways to address the unique housing needs of rural and northern municipalities in Ontario, including:

- The specific challenges and barriers faced by rural municipalities, to better understand their unique needs; and
- Ideas, solutions, or proposals on potential ways to help address the housing needs in these areas. This could include a range of land use planning and non-land use planning tools (e.g., programs, financial etc.).

As a starting point for discussion, the Province provided some initial examples of potential opportunities to support rural municipalities' housing needs including: affordable and appropriate worker housing (e.g. on and off-farm housing), lot creation in rural and agricultural areas, additional residential units, affordable rental housing, more options for vulnerable populations (e.g. seniors housing) and additional flexibility or supports to facilitate municipal infrastructure or servicing expansion for rural settlements.

The Province is looking for ideas that would complement other provincial priorities such as supporting and protecting prime agricultural areas, areas with significant mineral potential, natural heritage and water resources and systems, protecting public health and safety (i.e., natural and human made hazards), infrastructure (e.g., provincial highways, sewer and water servicing, agri-food network, utilities, etc.), growth management, as well as the rural and agricultural economy.

Comments/Considerations

All land in Oxford County (and most other South Western Ontario municipalities) located outside of a settlement area is generally identified as a 'prime agricultural area' (i.e. versus 'rural lands') in accordance with Provincial policies and criteria, and protected accordingly. As such, potential opportunities to address rural housing needs in such rural municipalities are expected to be primarily focused on rural settlements, including further supporting and encouraging residential infilling and intensification within existing built up areas (e.g. additional residential units, redevelopment, mixed use) and increased density and range and mix of housing types (including affordable rentals and multiple unit housing), that are appropriate for the level of services.

Such initiatives could be further supported through strategic Provincial investments in rural infrastructure and public services, and streamlining of required approvals, to ensure every rural municipality has at least one fully serviced growth area with the servicing capacity and public services necessary to accommodate growth in an efficient and sustainable manner and to support 'complete communities'. Further opportunities could include allowing for a one-time minor 'squaring off' of existing un-serviced settlement areas (that do not extend the overall length or depth of existing development), allowing for the splitting of existing rural residentially zoned lots, and providing flexibility for the establishment of additional dwellings on farms to accommodate required farm labour, and ARUs and rural residential lots where appropriate. Further Provincial direction and detail with respect to the process for identifying 'rural lands' could also potentially provide additional opportunities in this regard.

In Oxford, a number of these opportunities are already being introduced and supported through the County's proposed agricultural and additional residential unit (ARU) policy updates. However, some of the other opportunities would likely require updates to the County's rural settlement policies and/or to Provincial policies and guidelines (e.g. rural residential lots splits and rural lands) to be further considered. With more time it is expected that a fairly comprehensive list of opportunities and tools could be identified to support rural housing needs, while still protecting prime agriculture areas. As such, County staff are proposing that the Province be requested to extend the commenting period for this particular consultation to at least 60 days to allow for meaningful and constructive municipal input.

b) Missing Middle housing and Multigenerational Housing

The "Missing middle" is a term used by the Province to describe a wide range of multi-unit housing types compatible in scale with single-detached neighbourhoods, and that have gone 'missing' from many cities. For example, laneway housing, garden suites, duplexes, triplexes, fourplexes, rowhouses, townhouses and low and mid-rise apartments. The Provincial material indicates that neighbourhoods that offer a variety of such housing choices can accommodate people of all ages and abilities (i.e. young and old adults, multi-generational families, people with disabilities and other care needs etc.), thereby supporting more complete and inclusive communities.

During consultations, the government heard support for allowing missing middle type housing to be built 'as-of-right', eliminating the potential for appeals of modest infill development, and that further support is needed for housing for multi-generational families. The Ontario Housing Affordability Task Force also made recommendations that would support opportunities for the creation of missing middle housing, including allowing 'as of right' residential housing up to four units and up to four storeys on a single residential lot and permitting "as of right" secondary suites, garden suites, and laneway houses province-wide. As such, the Province is looking for initial feedback and input on potential opportunities that could be considered in this regard.

Comments/Considerations

A number of potential opportunities and options to support the development of 'missing middle' and 'multi-generational housing' in rural areas are identified under the comments on supporting rural housing needs above. Further, the policies for Oxford's Large Urban Centres (i.e. Woodstock, Tillsonburg and Ingersoll) and to a lesser extent the rural Serviced Villages already require and/or support the development of a range and mix of housing, including 'missing middle' type housing, through both infilling and intensification in appropriate locations and as part of new residential developments. That said, there are various other opportunities and options that could likely be considered to further encourage and support 'missing middle' and 'multi-generational' housing forms, including the establishment of specific policies and zoning for 'as of right' additional residential units (which is currently underway) and other forms of residential intensification, where appropriate. However, some of the 'as of right' types of residential development currently being recommended by the Housing Task Force may not necessarily be appropriate for

every community or area, particularly in a rural/smaller urban municipal context like Oxford.

Again, with more time, it is expected that a fairly comprehensive list of opportunities and tools could be identified to encourage and support such housing types. As such, County staff are proposing to request that the Province extend the commenting period for this particular consultation to at least 60 days to allow for meaningful and constructive municipal input.

c) Access to financing for not-for-profit housing developers

The posting states that the Province (MMAH) is interested in determining whether the current sources of capital that the federal and provincial governments and private lenders make available to non-profit housing providers to build and repair affordable housing (e.g. direct capital investments and commercial and government loans) adequately address their needs and whether there are opportunities to better support not-for-profit providers in accessing financing.

In order to develop policy proposals for further government consideration, the Province is seeking feedback on:

- The specific challenges and barriers faced by not-for-profit housing providers in accessing capital, whether through commercial or government loans or through federal and provincial government programs.
- Ideas, solutions, or proposals on potential ways government could help address these challenges. This could include a range of financial and policy tools, such as provincial loan guarantees, focused investments, or improved coordination between housing programs at all levels of government.

Comments/Considerations

County Planning and Housing staff will work closely together to identify potential barriers, opportunities and solutions in this regard to forward to the Province for their consideration. Again, the time provided for comments does not provide much opportunity to fully consider such matters, so staff are also proposing to request an extension from the Province to submit for comments on this topic area as well.

Conclusions

The various legislative and policy changes and other actions being proposed by the Province to address Ontario's housing affordability and supply challenges could potentially have a significant impact on the current land use planning requirements and review processes in the County. Therefore, if the proposed legislative and other changes are approved by the Province, the County and Area Municipalities will likely need to consider the need for potential updates to their land use planning policies, processes and standards to ensure the changes can be effectively addressed and implemented in the Oxford context.

Given the extent of the changes being considered and the extremely short commenting deadline of 30 days provided by the Province, County staff are seeking County Council's direction to prepare and submit formal comments to the Province on behalf of the County. It is intended that these comments will be focused primarily on some of the more substantial changes to the Planning Act (e.g. regulations for subdivision approval conditions; the new infrastructure and housing accelerator tool; and, new Provincial authorities with respect to Official Plan matters) and the topic specific housing consultation areas, as generally outlined in this report.

County staff will ensure that County Council is kept apprised of any comments submitted to the Province and will continue to monitor the progress of the legislative, policy and other change being proposed, and advise County Council of any relevant changes and/or opportunities for comment on matters that may be of particular interest or concern to the County or Area Municipalities.

SIGNATURES

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Original signed by _____
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Manager of Planning Policy

Departmental Approval:

Original signed by _____
Gordon K. Hough
Director of Community Planning

Approved for submission:

Original signed by _____
Michael Duben, B.A., LL.B.
Chief Administrative Officer

ATTACHMENT

Attachment 1 – Ontario Housing Affordability Task Force Report

To: Warden and Members of County Council

From: Director of Community Planning

Minimum Distance Separation Formulae Implementation

RECOMMENDATIONS

1. That Report Number CP 2022-298 titled “Minimum Distance Separation Formulae Implementation” be received;
2. And further, that Report No. CP 2022-298 be circulated to the Area Municipalities for information.

REPORT HIGHLIGHTS

- To provide Council with an overview of the Minimum Distance Separation Formulae (MDS) and how it is currently applied, and identify potential areas that may benefit from further review and/or discussion, particularly with respect to its application to agricultural properties.







Financial Impact

There are no financial implications associated with the recommendations in this report.

Communications

There are no immediate communication considerations. However, there could potentially be future communication considerations associated with any further direction that may be received from County Council with respect to this report.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.i. 3.ii.			

DISCUSSION

Background

This report was prepared in response to a County Council resolution, passed at the May 25th, 2022 meeting, which directed staff to bring a report regarding potential Minimum Distance Separation Formulae (MDS) changes that would reduce the burden on agricultural properties, but not on non-agricultural properties in the Agricultural Reserve, and further, consider both potential changes that are within the power of municipalities to enact and changes that would require the province to enact or approve.

What is Minimum Distance Separation (MDS)

The MDS Document (i.e. Minimum Distance Separation Formulae I and II and associated implementation guidelines) is a land use planning tool developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to prevent land use conflicts and minimize nuisance complaints from odour generated by livestock facilities, manure storages and anaerobic digesters.

MDS was originally introduced into land use planning through the Agricultural Code of Practice in 1976 and has been reviewed and updated several times since (1995, 2006 and 2016). The current version is publication 853 '[The Minimum Distance Separation \(MDS\) Document, Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks](#)'.

Policy Basis and Legislative Authority

The Planning Act, 1990, requires that all decisions on land use planning matters shall be consistent with the Provincial Policy Statement (PPS), which includes policies that require compliance with MDS (e.g. new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae).

As such, municipalities must ensure that their Official Plans, Zoning by-laws and decisions on all planning applications comply with MDS. The requirement to incorporate MDS into municipal Zoning by-laws also provides the 'applicable law' necessary to ensure any building or structure requiring the issuance of a building permit complies with MDS. Therefore, it is ultimately the responsibility of municipalities to ensure that MDS is implemented through local planning and development processes.

MDS and Normal Farm Practices

The Farming and Food Production Protection Act, 1998 establishes the legal framework for protecting farm operations from nuisance complaints made by neighbours, provided they are following normal farm practices. The Act also established the Normal Farm Practices Protection Board (NFPPB) as a tribunal to resolve disputes regarding agricultural operations and to determine what constitutes a normal farm practice.

The NFPPB relies on and considers regulatory and related provincial requirements or standards when determining whether activities, which are the subject of nuisance complaints, constitute a normal farm practice.

This includes consideration as to whether operations have met applicable MDS setbacks where complaints are in relation to odour generated from livestock facilities, manure storages and anaerobic digesters. As such, the board may order compliance with MDS as a means to resolve a normal farm practice complaint.

How MDS Works

The MDS document contains two formulae which are based on mathematical calculations that take into consideration a number of factors. These include:

MDS I - determines setbacks between proposed new development and existing livestock facilities, manure storages and anaerobic digesters; and

MDS II - determines setbacks between proposed new/expanding livestock facilities, manure storages and anaerobic digesters and other existing or approved uses/development.

The MDS document includes a series of implementation guidelines which establish rules to ensure consistent application of MDS, these include:

- Direction on how to apply MDS/measure setbacks under various scenarios (e.g. building permits on existing lots, surplus farm dwelling severances, reconstruction, renovation, treatment of unoccupied livestock facilities etc.);
- Direction on applying MDS to certain land use types and lots (e.g. Types A and B, on-farm diversified uses, settlement areas, lot creation, cemeteries, lot lines, road allowances, etc.); and
- Guidance on the reduction of MDS setbacks on a site specific basis.

The current MDS calculations are designed to provide greater flexibility for new and expanding livestock operations than for non-agricultural development (e.g. residential, commercial, and industrial uses and settlement boundary expansions).

Commentary

The discussion below focuses on aspects of MDS where there is, or may be, some flexibility for municipalities to make implementation choices that can potentially reduce the burden/impact of MDS on agricultural uses and operations. As the direct impacts of MDS on agricultural operations are primarily a function of the application of MDS II, the discussion in this report is focused primarily on MDS II, with some limited discussion of MDS I, where it is applicable.

a) Areas of Municipal Discretion in MDS Implementation

There are limited circumstances, as specifically set out in the MDS implementation guidelines and described in general below, where municipalities are provided some discretion in the application of MDS. In order to exercise these options, the relevant municipal planning documents (e.g. official plan and/or zoning by-law) must provide clear direction on the municipality's preferred approach.

- i) *MDS I setbacks and lot creation for a residence surplus to a farming operation as part of a farm consolidation.*

Municipalities may decide whether or not to apply MDS I to an existing livestock facility, manure storage and/or anaerobic digester for the purposes of severing an existing surplus farm dwelling from a farming operation (i.e. as part of a farm consolidation), provided that those facilities are already located on a separate lot from that dwelling. The option of applying MDS in this circumstance was considered as part of the recent review and update of the County's agricultural policies, but not considered to be necessary or beneficial, as any existing odour impacts from those neighbouring livestock facilities on the dwelling would not change as a result of the severance, nor would the MDS II setback requirements for any potential future expansion of those livestock facilities.

- ii) *MDS I setbacks for agriculture-related uses and on-farm diversified uses (OFDUs) from existing livestock facilities, manure storages and anaerobic digesters.*

Municipalities may choose whether or not to apply MDS I to proposed agriculture-related uses and OFDUs, as they could involve certain activities that may be sensitive to odours from surrounding livestock facilities or anaerobic digesters (e.g. food service, accommodation, agri-tourism, retail etc.).

This option was considered as part of the recent review and update of the County's agricultural policies and it was decided that MDS I would be applied to agriculture-related uses and to OFDUs, except for those consisting exclusively of a rural home occupation, value added agricultural facility and/or value retaining facility. Council may also consider site specific exceptions in specific circumstances (e.g. where an existing insufficient MDS I setback will not be further reduced, or the level of human occupancy and/or activity does not warrant full compliance with MDS I).

- iii) *MDS II setbacks for new livestock facilities, manure storage and anaerobic digesters from agriculture-related uses and on-farm diversified uses.*

Municipalities can choose whether MDS II should be applied to agriculture-related uses and on-farm diversified uses when locating new and/or expanded livestock facilities or anaerobic digesters. This option was considered as part of the recent review and update of the County's agricultural policies and it was determined that MDS II setbacks would not be required from such uses. That said, it is noted that the required MDS II setbacks from any dwelling (which is typically the more sensitive receptor) located on the lot with the agricultural-related use or OFDU would still need to be met.

- iv) *MDS II setbacks for cemeteries*

Municipalities can choose to treat certain types of cemeteries as type A instead of type B uses for the purposes of calculating MDS II setbacks. Cemeteries which are closed, receive low levels of visitation and where no place of worship is present can be treated as type A uses. Types A uses receive a lower factor score which results in a smaller MDS II setback for new livestock facilities, manure storage and anaerobic digesters. As such, the County and area municipalities generally treat cemeteries as type A uses.

- v) *Application of MDS I to dwellings on existing lots*

Municipalities are strongly encouraged, but may forego, the application of MDS I setbacks to building permit applications for new dwellings on lots that existed prior to March 1, 2017, where such exemption is specified in a municipality's Zoning By-law.

No County level direction on this option is currently provided in the Official Plan, leaving the approach to the discretion of each Area Municipality. From a Planning staff perspective, there are a range of factors that should be considered when determining whether to provide such an exemption and under what circumstances (i.e. only on existing residentially zoned lots).

As noted above, where municipal discretion with respect to the implementation of MDS is provided, the County and Area Municipalities have generally already chosen to implement the option that provides the greatest flexibility and/or protection for new/expanding agricultural uses.

b) Other MDS Implementation Related Considerations

There are several other situations where the potential impacts of MDS have been specifically considered by Planning staff in the development of the County's land use policies, and the implementation tailored locally with a view to protect and support agricultural operations to the extent possible. These include:

i) Designation of Settlements

The County's existing OP policies regarding rural clusters (Section 4.2.2.2 of the OP), clarify that smaller groupings of rural residential lots (fewer than 10) are not considered to be a rural cluster (i.e. designated as a settlement), so are treated as a Type A land use versus Type B land use for the purposes of MDS, which results in a much lower MDS II setback requirement. Given the numerous smaller groupings of residential lots in the County, this approach provides significantly greater flexibility for locating livestock operations than if all of these groupings had been identified as settlements.

ii) Limiting the creation of new lots for non-agricultural purposes

The creation of new lots for non-agricultural use (including rural residential) and the establishment of new or additional dwellings on lots (including additional residential units) can make the expansion and establishment of new livestock facilities and manure storages more difficult. While any such development is generally required to meet MDS I requirements from existing livestock facilities, manure storages and anaerobic digesters, it still creates new receptors and opportunities for nuisance complaints with respect to odour and can further limit the range of potential locations for new livestock facilities on surrounding farms (i.e. make it more challenging to meet MDS II requirements).

As such, the policies developed for such uses as part of the recent review and update of the County's agricultural policies closely considered the potential impacts on surrounding agricultural operations, including with respect to MDS.

iii) Limiting and/or avoiding variances to MDS I

Municipalities can also assist in protecting agricultural uses by ensuring minor variances, zoning by-law amendments or official plan amendments which propose to reduce MDS I setbacks are only considered in very limited circumstances. Generally the MDS document indicates the MDS I should not be reduced, except in site specific instances that continue to meet the intent of the MDS document.

As such, the recent updates to the County's agricultural policies provide some further direction in this regard, including, but not limited to ensuring that the development will not result in an existing insufficient MDS I setback being further reduced, and that any change in use to a non-agricultural use is as, or more, compatible with surrounding agricultural operations than the existing use.

c) Provincial Review of the MDS Document

The current MDS document states that future reviews will be undertaken by Ontario Ministry of Agriculture Food and Rural Affairs (OMAFRA) in concert with other provincial regulatory, land use policy or plan reviews (e.g., PPS or Growth Plan review) or earlier, if OMAFRA deems it necessary. As previous Provincial reviews of the document have occurred roughly every 10 years, it is expected that the next review of the document could potentially be in 2026 or 2027.

If a review of the MDS Document were to be commenced by the Province, some aspects of MDS that could potentially benefit from review to better protect and support agricultural operations, may include:

- Further clarification and/or greater municipal flexibility with respect to what uses constitute a Type A vs Type B land use for the purposes of calculating MDS II setbacks. It is staff's understanding that the general intent of treating settlements and certain other land uses (i.e. commercial, industrial, institutional) as Type B uses is to recognize the greater potential for odour conflicts due to the sensitivity/intensity of these uses and, to some extent, the possibility they could expand in the future. As being categorized as a Type B land use can have a significant impact on (e.g. double) required MDS II setbacks, it may be beneficial to further review the need for certain uses to be categorized as Type B, for example:
 - Smaller privately/partially serviced settlement areas which are not intended for further growth (i.e. except through minor infilling and rounding out of development);
 - Areas of settlements that are exclusively designated for industrial purposes etc.;
- Clarifying the need to apply MDS I and II to additional residential units, particularly where such units are located in an accessory structure in close proximity to the principal dwelling on the farm (i.e. within the existing farm building cluster);
- Opportunities to reduce the required side/rear yard setbacks (currently 30 m or 98.5 ft) and road allowance setbacks (currently 60 m or 197 ft) for MDS II calculations.

Staff note that it is unlikely that any formal review of the MDS document by the Province could be limited to just consideration of opportunities to reduce the impact on agricultural operations and may also open the potential for other changes and input (i.e. from those seeking to reduce MDS requirements for non-agricultural uses) that may not be desired. Further, while the above noted changes could potentially result in reductions to the required MDS II calculations, these reductions may not be significant and/or may only apply in specific circumstances, or only benefit certain types or scales of livestock operations.

Conclusions

The development of the Official Plan policies, including the recent update of the County's agricultural policies through OPA 269, specifically considered the application of MDS and opportunities to reduce the potential burden and impact agricultural properties wherever possible, including the areas of flexibility pertaining to application of MDS which are available to municipalities, and provide important clarity and direction in that regard. Once the Province approves OPA 269, the rural area municipalities will need to complete updates to their Zoning By-laws to better reflect the policy updates within OPA 269, including those with respect to MDS.

A future review of the MDS document is anticipated to be commenced by the Province in 2026 or 2027, unless the Province identifies a need to initiate a review sooner, and may provide a further opportunity to identify refinements and enhancements to MDS that could better protect and support agricultural operations. If County Council would like to request that the Province consider expediting their next review of the MDS document, they may wish to consider formalizing such request through a resolution.

SIGNATURES

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Development Planner – Policy Focus

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Approved for submission:

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Michael Duben, B.A., LL.B.
Chief Administrative Officer

To: Warden and Members of County Council

From: Director of Community Planning

Regulatory Proposals - Conservation Authorities Act; Transition Plans and Agreements for Programs and Services

RECOMMENDATIONS

1. That Report No. CP 2022-366 be received as information; and
2. And further, that Report No. CP 2022-366 be circulated to all Area Municipal CAOs and Clerks for distribution to their respective Councils and staff.

REPORT HIGHLIGHTS

- The purpose of this report is to provide County Council with a brief overview of the regulatory changes to the Conservation Authorities (CA) Act that came into effect in late 2020 (including various regulations that have been introduced through 2021 and 2022) and outline the process that is being followed by the CAs with respect to transitioning to a new service delivery model.

Implementation Points

There are no specific implementation measures that result from the recommendations contained in this report.

Financial Impact

The adoption of the recommendations contained in this report will have no immediate budget impact on the County. The regulatory changes that will come into effect in January 2024 (as per the relevant legislation) will impact the County levy as it pertains to CA budgets and will also include consideration of agreements (including funding) for certain municipal programs/services that may be provided to the County and Area Municipalities by the CAs.







Communications

Planning staff provided a Briefing Note to all Area Municipal CAOs and Clerks in November 2020 regarding Bill 229, *Protect, Support and Recover from Covid-19 Act (Budget Measures), 2020*, which provided an overview of the key changes that were contained in the Bill and outlined the potential implications for the County and the Area Municipal partners.

Communication regarding the proposed changes was undertaken via the 'briefing note' approach and directly to the Area Municipalities rather than through a report to County Council due to the somewhat surprising inclusion of the CA Act measures in Bill 229 and the Province's stated position that there was no requirement for public consultation under the Environmental Registry of Ontario (ERO) because the proposed amendments to the CA Act formed part of the approved provincial budget.

The initial stages of the transition under Bill 229 have been completed (i.e. Transition Plans and the development/categorization of inventories of programs and services) as of February 2022. Each CA having jurisdiction in Oxford communicated these documents directly to the respective member Area Municipalities. Going forward, as CA levies are paid to the respective CAs via the County levy, County staff will be the primary lead in developing agreements regarding those programs and services that are not provided by the CAs as mandatory services. Notwithstanding the foregoing, all discussions and negotiations with the CAs will be undertaken via full consultation with Area Municipal staff and Councils.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.ii. 3.iii.			

DISCUSSION

Background

The amendments introduced via Bill 229 in December 2020 are intended to improve transparency and consistency in CA operations, strengthen municipal and provincial oversight, and streamline the role of CAs with respect to the issuance of permits and land use planning. Bill 229, and subsequent regulations, propose to make growth and development more efficient, both in support of the provincial economy coming out of the COVID-19 pandemic, and going forward.

Bill 229 is supported by several regulations that have come into effect since the noted amendments received Royal Assent. Two key regulations impacting the County and Area Municipalities through the remainder of 2022 and 2023 are as follows:

Ontario Regulation 686/21 – Mandatory Programs and Services prescribes the mandatory programs and services CAs will be required to provide, including core watershed-based resource management strategies and CA permit review and issuance related to natural hazards. In addition to the mandatory programs prescribed (identified as Category 1 programs), the regulation also provides for two categories of non-mandatory services, comprised of municipal programs and services (Category 2) and programs and services determined by the CAs as advisable to implement (Category 3). Ontario Regulation 686/21 came into effect on January 1, 2022. The foregoing is discussed further later in this report.

Ontario Regulation 687/21 – Transition Plans and Agreements for Programs and Services came into effect on October 1, 2021 and requires each CA to create a ‘transition plan’ that outlines the steps to be taken to develop an inventory of programs and services and enter into agreements with participating municipalities to fund non-mandatory programs and services through the municipal levy. This regulation also establishes the transition period during which any agreements are to be completed.

According to the regulations, the final transition and associated reports are to be completed by January 31, 2024, with a view to providing ample time for review, discussion and the completion of agreements regarding Category 2 (and to a lesser extent, Category 3) services.

The Transition Plan completed by the Upper Thames River Conservation Authority (UTRCA) has been attached to this report for Council’s information. Each of the CAs having jurisdiction in Oxford have provided similar plans, however, as the transition process for all CAs is subject to similar timelines and deliverables as per the *Conservation Authorities Act* (and related regulations), the UTRCA Plan provides a good overview of the process.

Comments

As Council is aware, Oxford County is within the watersheds of four CAs (Catfish Creek, Long Point, Grand River and Upper Thames). In accordance with the above-noted regulations, each CA has provided the County with a high level transition plan and list of categorized programs.

Category 1 programs and services (P&S), as identified by *Ontario Regulation 686/21*, are those which the CAs are required to deliver and will be funded by municipal levy and/or user fees. Common examples of Category 1 P&Ss include CA permit administration and compliance activities (i.e. for CA regulated areas), which involves reviewing and processing permit applications, technical studies, enforcement activities and legal expenses related to Sections 28 and 30 of the CA Act.

Category 2 P&Ss are those that may be provided at the request of the municipality and will be carried out by the CA on behalf of a municipality. Funding for these programs can include government and other agency grants, and/or municipal funding under a Memorandum of Understanding (MOU) or agreement between the CA and the municipality. An example of a Category 2 P&S that will be of particular interest in Oxford is plan review (e.g. review of planning

applications) not related to Natural Hazards to identify potential natural heritage impacts and related requirements, and potentially some related data and mapping services. For clarity, CA program and services activities related to Natural Hazards (i.e. flood and erosion hazards, unstable soils, etc.) generally fall within Category 1, while those related to Natural Heritage resources (water, woodlands, wetlands, valleylands, etc.) will generally fall within Category 2.

Category 3 P&Ss can be generally described as those that CA Board determines are advisable and can be funded via CA generated revenue, user fees, government/agency grants, donations, etc. While this category of use is not subject to municipal funding, any voluntary funding via municipal funds would require a cost-apportioning agreement. Examples of Category 3 P&Ss include operation of campgrounds, private land stewardship and restoration, and community education and outreach programs.

A detailed list of each CAs P&Ss is attached to this report for Council's information. For each CA, P&Ss are categorized as described above and includes a brief description as to why a particular P&S falls into the assigned category. The charts also include the funding mechanism for each P&S and an estimated annual cost of the P&S based on the 5 year average.

In addition to the foregoing, the Province has introduced 'Phase 2' regulations in support of the changes to the CA Act which came into effect in April 2022. These regulations, which include *O. Reg 402/22* (which details the CA budget process and municipal apportionment methods and requirements), support the transition of existing CA funding mechanisms and budget processes to the new legislative funding framework and imposes on CAs requirements to improve transparency of CA operations. The new municipal/CA funding framework is slated to take effect for the 2024 CA budget cycle.

Conclusions

The amendments to the *Conservation Authorities Act* introduced via Bill 229 in December 2020 are intended to improve transparency and consistency in CA operations, strengthen municipal and provincial oversight, and streamline the role of CAs with respect to the issuance of permits and land use planning. The transition of CA operations, including the budgeting and funding of programs and services provided by the Act is underway and the CAs having jurisdiction in Oxford County are currently preparing draft agreements for consideration regarding those programs and services that are not mandatory under the Act, but may be desirable for Oxford and the Area Municipalities.

At this time, the only agreement that has been provided to the County for consideration is from the Catfish Creek Conservation Authority (CCCA). This CA has jurisdiction in only a small area of the County located in the southwest corner of South-West Oxford (SWOX) Township. Staff have been working with the CA and Township staff to complete an agreement with the CCCA and this agreement will be brought forward to County Council for consideration at an upcoming meeting of Council.

Reports regarding subsequent agreements with remaining CAs having jurisdiction in Oxford will be brought forward for Council consideration as they are received, and after consultation and discussion with the Area Municipalities that are affected by the programs and services that are proposed.

SIGNATURES

Report Author and Departmental Approval:

Original Signed By

Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original Signed By

Benjamin R. Addley
Interim Chief Administrative Officer

ATTACHMENTS

Attachment 1 – UTRCA Transition Plan
Attachment 2 – Catfish Creek Conservation Authority Programs and Services Guide
Attachment 3 – Grand River Conservation Authority Programs and Services Inventory Listing
Attachment 4 – Long Point Region Conservation Authority Current Programs and Services
Attachment 5 – Upper Thames River Conservation Authority Inventory of Programs and Services

Transition Plan in accordance with Section 21.1.4 of the Conservation Authorities Act

November 23, 2021

Ontario Regulation 687/21 "[Transition Plans and Agreements for Programs and Services](#)" under Section 21.1.2 of the Act" requires the development of Transition Plans by each conservation authority. The key components and deadlines for the Transition Period are illustrated in Figure 1 below.

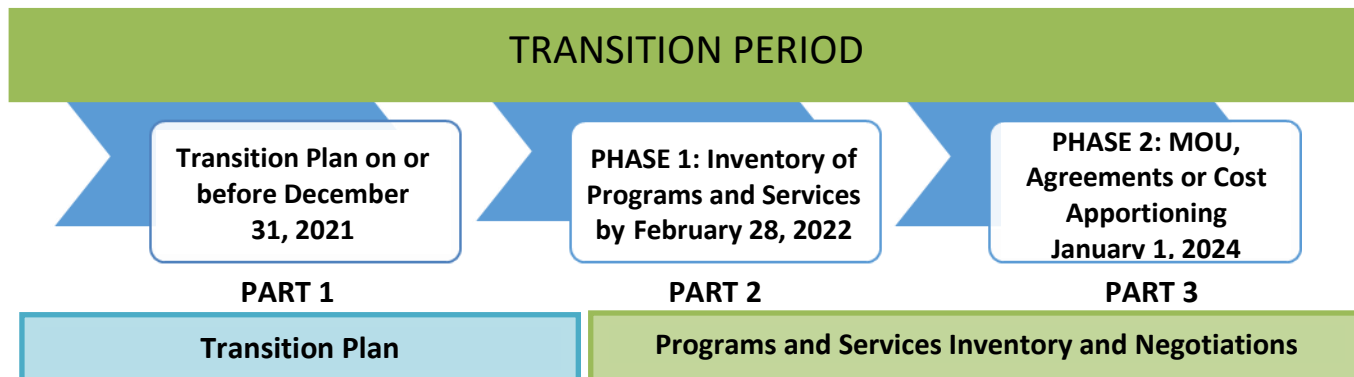


Figure 1. Key Components and Deadlines for Transition Period

The purpose of the transition period is to provide conservation authorities and municipalities with time to address changes to the budgeting and levy process based on the delivery of and the need, in some cases, to reach agreements for:

- Mandatory programs and services (Category 1),
- Municipal programs and services (Category 2), and
- Programs and services determined by the CA as advisable to implement (Category 3).

Conservation authorities are required to develop a Transition Plan on or before December 31, 2021. There are two phases to the Transition Period. The first phase is to develop and circulate an Inventory of Programs and Services. The second phase includes developing and finalizing the conservation authority/municipal agreements in accordance with the regulations. These agreements must be complete by January 1, 2024.

Timelines & Deliverables:

Part 1: Transition Plan

Item	Deliverable	Due Date
Obtain Board approval of the Transition Plan	Staff report with proposed Transition Plan	Nov. 23, 2021
Dialogue with participating municipalities about the regulatory requirements and seek feedback on engagement and negotiations	Outgoing letter to municipalities to establish staff leads regarding preliminary discussion on the details of the inventory.	December. 2021
Make Transition Plan available to the public (per subsection 3c of the regulation)	Publish a copy of the Transition Plan on UTRCA's website	Dec. 31, 2021

Program & Service Inventory and Negotiations:**Part 2 of Transition Period**

Item	Deliverable	Due Date
Development of Inventory of Program and Services – identification of category classification, funding sources, average annual costs	Staff report with Programs and Services Inventory provided to Board	January 2022
Share draft Inventory with neighboring conservation authorities	Draft Programs and Services Inventory sharing	Jan. 31, 2022
Obtain Board approval of the Inventory	Staff report with Programs and Services Inventory	February 2022
Submit Inventory to the Minister, circulate to participating municipalities	Programs and Services Inventory	Feb. 28, 2022
Make Inventory available to the public (per subsection 5 (1) of the regulation)	Publish the Programs and Services Inventory on UTRCA's website	Feb. 28, 2022

Part 3 of Transition Period

Item	Deliverable	Due Date
60-day engagement window to address questions, present to Councils, and establish municipality specific negotiating timelines	One-on-one outreach	Apr. 30, 2022
Maintain a record of municipal feedback (per subsection 5 (1) (c) of the regulation)	Input/feedback documentation	Ongoing after Feb. 28, 2022
Adjust Programs and Services Inventory as required – advise participating municipalities and the Minister of any changes	Maintain a log of changes and include in mandatory reporting (per subsection 5 (3) (a) of the regulation)	See *mandatory reporting dates below
Complete negotiations of cost apportioning agreements (per subsection 2 (1) of the regulation)	Execute cost apportioning agreements and 2024 levy submission	Target October 2023
Transition date		Jan. 1, 2024

***Mandatory Reporting:**

Item	Deliverable	Due Date
Progress Report #1	Per subsection 7 (3) of the regulation	July 1, 2022
Progress Report #2	Per subsection 7 (3) of the regulation	Oct. 1, 2022
Progress Report #3	Per subsection 7 (3) of the regulation	Jan. 1, 2023
Progress Report #4	Per subsection 7 (3) of the regulation	Apr. 1, 2023
Progress Report #5	Per subsection 7 (3) of the regulation	Jul. 1, 2023
Progress Report #6	Per subsection 7 (3) of the regulation	Oct. 1, 2023
Final Report	Per subsection 9 of the regulation	Jan. 30, 2024

Notes:

- The Transition Plan and Programs and Services Inventory will be endorsed by the Board prior to submission.
- The Board will receive, for information, all progress reports and the final report.
- Cost apportioning agreements to be in place prior to the preparation of the 2024 budget.
- The Municipality of Strathroy-Caradoc (a non-CA member) will be kept informed throughout the process.

- The non-CA members of the Thames-Sydenham Region Source Protection Area will also be kept informed.
- It is anticipated that the regulation describing how to deal with on-going organizational costs (governance and administration) which are not directly related to a program and service will be available with the phase 2 regulations.



Programs & Services Guide

CATFISH CREEK CONSERVATION AUTHORITY

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
<p>Risk of Certain Natural Hazard's - see 21.1 (1) 1 i of the Conservation Authorities Act; Sections 1-8 of the Mandatory Programs and Services Regulation O.R. 686/21.</p> <p>The CCCA will develop an awareness of areas that are important for the management of natural hazards within the watershed. The CCCA will also manage and promote awareness and education of risks related to natural hazards, protect life and minimize property damage from flooding and erosion by providing a flood control monitoring and warning program. CCCA alerts the public through flood messages, provides municipal staff with data and information to enable sufficient lead time to enable emergency flood mitigation procedures to promote resident's safety, safeguard flood prone areas and as a result minimize flood related damage and loss of life.</p>						
Section 28.1 Permit Administration and Compliance Activities/ Enforcing and Administering the Act	Reviewing and processing permit applications, technical reports, natural hazards studies, mapping and updates to regulation limits mapping. Site visits/ inspections, communication with applicants, agents, and consultants. Property enquires and legal expenses for regulations and compliance. Administering and enforcing sections 28, 28.0.1, and 30.1 of the act as required.	1	Mandatory in accordance to CA Act	MNRF: \$1,590 = 5% Levy: \$22,545 = 73% Fees: \$6,850 = 22%	\$30,985	Prior to February 2022, Present
Review Under Other Legislation	Input and review on a variety of different Acts including, The Aggregate Resources Act, Drainage Act, Environmental Assessment Act and The Ontario Planning Act.	1	Mandatory in accordance to CA Act	Levy: \$2,312 = 100%	\$2,312	Prior to February 2022, Present
Municipal Plan Input and Review	Provide technical information, advice, and policy support to municipalities on matters relating to Natural Hazards Policies (Section 3.1 under the PPS) with a focus on Official Plan and Official Plan Amendments. This includes: broad policy interpretation, transfer of data,	1	Mandatory in accordance to CA Act	Levy: \$4,699 = 36% Special Levy: \$8,250 = 64% (each of the 5 municipalities contribute a portion of the \$8,250 yearly)	\$12,949	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
	information and science to municipalities, and provision of advice on matters relating to natural hazards policy to Ministry of Municipal Affairs and Housing.					
Flood Forecasting and Warning	Daily data collection and monitoring of local weather forecasts hydrometric stations, local water level forecasts and watershed conditions. Flood event forecasting, provincial watershed condition statements and inter agency communications in the event of a flood. Maintenance of flood forecasting equipment and annual meeting with applicable inter agency flood emergency coordinators.	1	Mandatory in accordance to CA Act	MNRF: \$32,006 = 16% Levy: \$167,967 = 84%	\$199,973	Prior to February 2022, Present
Flood and Erosion Control Infrastructure Operation and Management NOTE: To be completed on or before December 31, 2024 per requirements in Section 5 of the Mandatory Programs and Services Regulation	Flood and erosion control infrastructure and low flow augmentation. Includes 1 dam	1	Mandatory in accordance to CA Act	MNRF: \$2,617 = 19% Levy: \$10,894 = 77% WECl: \$625 = 4%	\$14,136	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Ice Management Services NOTE: Ice Management Plan(s) to be completed as necessary on or before December 31, 2024 per requirements in Section 4 of the mandatory Programs and Service Regulation	Providing advice for ice jam prevention and mitigation through-out the winter season	1	Mandatory in accordance to CA Act	MNRF: \$1,250 = 8% Special Levy: \$14,157 = 92% (Township of Malahide incurs the Special Levy yearly)	\$15,407	Prior to February 2022, Present, Future (Ice Management Plan)
Catfish Creek Channel Monitoring	Monitoring the Catfish Creek channel morphology changes at Port Bruce due to seasonal loading and/or scour by bathometric sounding the lower reaches of the Catfish Creek through Port Bruce.	1	Mandatory in accordance to CA Act	MNRF: \$1,250 = 8% Special Levy: \$14,158 = 92%	\$15,508	Prior to February 2022, Present, Future
Drought and Low Water Response	Monitoring of surface and groundwater conditions and analysis of low water data for dissemination to irrigators, landowners and applicable government agencies. Technical and administrative support to regional advisors, and the CCCA's Irrigation Committee	1	Mandatory in accordance to CA Act	Other Grants: \$3.223 = 100% (Grant ended in 2018)	\$3,223	Prior to February 2022, Present
Natural Hazards Technical Studies and Information Management	Data collection and study of technical report designs to mitigate natural hazards. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	1	Mandatory in accordance to CA Act	Levy: \$18,756 = 88% Revenue: \$2,655 = 12%	\$21,411	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Natural Hazards Communications, Outreach and Education	Promoting public awareness of natural hazards including flooding, drought, and erosion. Social media services. Media relations. Natural Hazards Studies, Mapping and Updates to Regulation Limits Mapping and Data Transfer to Public, through Web based Map(s) showing Regulation Limits.	1	Mandatory in accordance to CA Act	Levy: \$15,623 = 97% Donations: \$450 = 3%	\$16,073	Prior to February 2022, Present
Provincial Water Quality and Quantity Monitoring - see 21.1 (1) 2 of the Conservation Authorities Act; ; Section 12(2) and 12(3) of the Mandatory Programs and Services Regulation O.R. 686/21 The CCCA, in partnership with Ministry of Environment, Climate Change and Parks (MECP), and has established long term sites to monitor surface and ground water conditions.						
Provincial Water Quality Monitoring Network (PWQMN)	A long-standing CA/MECP partnership for stream water quality monitoring at 4 sites. CCCA collects monthly water samples and field measurements and MECP performs lab analysis and data management. Information is used for watershed report cards and stewardship project prioritization.	1	Mandatory in accordance to CA Act	Reserves: \$800 = 100% Beginning 2022: Levy: 100%	\$800	Prior to February 2022, Present
Provincial Groundwater Monitoring Network (PGMN)	The Provincial Groundwater Monitoring Network is a partnership program with all 36 Ontario conservation authorities and 10 municipalities (in areas not covered by a conservation authority) to collect and manage ambient (baseline) groundwater level and quality information from key aquifers located across Ontario. CCCA manages 5 wells	1	Mandatory in accordance to CA Act	Reserves: \$1,300 = 100% Beginning 2022: Levy: 100%	\$1,300	Prior to February 2022, Present

[illegible]

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Drinking Water Source Protection (DWSP)	CCCA provides technical support, Source Protections Committee support, Source Protection Authority reports and meetings. Activities required by the Clean Water Act and regulations. Assist with implementation of source protection plan for the Lake Erie Source Protection Region.	1	Mandatory in accordance to CA Act	Other Grants: \$3,408 = 91% Reserves: \$337 = 9% Beginning 2022: Levy:100%	\$3,745	Prior to February 2022, Present
Conservation Lands - see 21.1 (1) 1 ii of the Conservation Authorities Act; Sections 9-1 of the Mandatory Programs and Services Regulation O.R. 686/21						
The CCCA owns 554.44 hectares of land including conservation areas, management areas, managed forest, and flood control structures.						
Section 29 Minister's Regulation Rules of Conduct in Conservation Areas (O. Reg. 688/21)	Conservation areas regulations enforcement/compliance. Incurred legal expenses for regulation and compliance	1	Mandatory in accordance to CA Act	Revenue: \$6,556 = 100%	\$6,556	Prior to February 2022, Present
Springwater Conservation Area	CCCA operates one campground and its associated facilities, generates our main revenue stream and offsets costs of mandated programs.	3	No Municipal Levy used, Self Generated – 100%	Revenue: \$421,892 = 74% Grants: \$154,149 = 26%	\$576,041	Prior to February 2022, Present
CCCA forests and management areas (not Conservation Areas)	Management and maintenance of CA owned lands (will all be listed in the Land Inventory). Includes forest management, signage, gates, passive recreation, stewardship, restoration, ecological	3	No Municipal Levy used, Self Generated – 100%	Grants: \$3,846 = 5% Donations: \$22,983 = 29% Revenue: \$37,444 = 66% (excess	\$27,646	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
	monitoring, carrying costs such as taxes and insurance.			transferred to reserves)		
Conservation Areas	Management and maintenance of three passive day use conservation areas (Yarmouth Natural Heritage Area, Archie Coulter and Springwater Forest, not the Campground) with recreational trails. Includes passive recreation, risk management program, hazard tree management, gates, fencing, signage, brochures, communications, pedestrian bridges, trails, parking lots, pavilions, roadways, stewardship, restoration, ecological monitoring, carrying costs such as taxes and insurance.	1	Mandatory in accordance to CA Act	Donations: \$4,398 = 6% Revenue: \$6,191 = 8% (excess transferred to reserves) Grants: \$4,808 = 41% Revenue: \$5,058 = 43% Donations: \$800 = 7% Reserves: \$1,089 = 9%	C.A. \$552 Maple Festival: \$11,755	Prior to February 2022, Present
Conservation Area Major Maintenance	Major maintenance and capital improvements to support public access, safety and environmental protection such as pedestrian bridges, boardwalks, trails.	1	Mandatory in accordance to CA Act	Grants: \$48,641 = 62% Reserves: \$2,186 = 3% Reserves: \$17,381 = 75% Donations: \$5,660 = 25%	GLLAF \$50,827 SPW C.A. Dev. \$23,041	Prior to February 2022, Present
Land acquisition	Strategic acquisition of environmentally significant properties.	3	No Municipal Levy used, Self Generated – 100%	TBD by each individual acquisition	TBD by each individual acquisition	Prior to February 2022, Present
Inventory of Conservation Authority Lands	The land inventory includes the following information: location as well as date, method and purpose of acquisition, land	1	Mandatory in accordance to CA Act	Levy: \$5,550	\$5,550	Prior to February 2022, Present

[illegible]

[illegible]

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Corporate Services	Administrative, human resources, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority. Includes health and safety program, overseeing programs and policies.	1	Mandatory in accordance to CA Act	MNRF: \$2,500 = 5% Levy: \$27,961 = 51% Reserves \$23,009 = 41% Revenue: \$1,586 = 3%	\$55,056	Prior to February 2022, Present
Financial Services	Annual budget, accounts payable and receivable, payroll, financial analysis, financial audit, administration of reserves and investments, financial reports for funding agencies, preparing and submitting reports to CRA, benefits program administration.	1	Mandatory in accordance to CA Act	Levy: \$12,658 = 36% Reserves: \$22,416 = 64%	\$35,074	Prior to February 2022, Present
Legal Expenses	Costs related to agreements/contracts, administrative by-law updates	1	Mandatory in accordance to CA Act	Reserves: \$16,842 = 100%	\$16,842	Prior to February 2022, Present
Governance	Supporting CA Boards, Advisory Committees, GM and Senior Management.	1	Mandatory in accordance to CA Act	Levy: \$14,453 = 100%	\$14,453	Prior to February 2022, Present
Communications and Outreach	Informing public of CCCA programs and projects through media, open houses, public meetings, website administration, responding to inquiries from the public, crisis communications.	1	Mandatory in accordance to CA Act	Levy: \$15,623 = 97% Donations: \$450 = 3%	\$16,073	Prior to February 2022, Present
Administration Building	Office buildings and workshop used to support CCCA staff, programs and services. Includes utilities, routine and major maintenance, property taxes.	1	Mandatory in accordance to CA Act	Levy: \$27,297 = 100%	\$27,297	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Information Technology Management/ GIS	Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	1	Mandatory in accordance to CA Act	Levy: \$27,141 = 92% Revenue: \$2,654 = 9%	\$29,795	Prior to February 2022, Present
Vehicle and Equipment	A fleet of vehicles and equipment to support the work of the CCCA, including capital purchases, fuel, licenses, repairs and maintenance. Programs and projects are charged for the use of the vehicles and equipment.	1	Mandatory in accordance to CA Act	Levy: \$4,405 = 7% Revenue: \$32,045 = 48% Reserves: \$30,708 = 46%	\$67,158	Prior to February 2022, Present
Conservation Education and Community Outreach Program Description: Education and outreach programs increase knowledge and awareness in children and adults about local environmental issues, watersheds and ecosystems and conservation actions they can implement.						
Education Programs	Curriculum-based education programs for elementary and secondary students. These programs focus on local watersheds, ecosystems, and environmental issues. Programs take place in the conservation areas and assist to study the diverse ecosystems they are surrounded by. Programs include, Aquatics, Terrestrial, and Soils Workshops.	3	No Municipal Levy used, Self Generated – 100%	Grants: \$13,543 = 72% Revenue: \$10,004 = 53% Donations: \$2,020 = 11% Reserves: -\$6,756 = -36%	\$18,811	Prior to February 2022, Present
Education Programming in Conjunction with Thames Valley Schoolboard	An annual Memorandum of Understanding is signed with Thames Valley District Schoolboard leasing a part of Springwater Forest to the Jaffa Outdoor Education Center for an outdoor classroom. The Maple Program, Marsh Quest and Forest Festival are all ran in conjunction with Thames Valley District Schoolboard staff.	3	No Municipal Levy used, Self Generated – 100%	Revenue: \$12,500 = 100%	\$12,500	Prior to February 2022, Present

Programs/ Service And Subservices	Description	Category (1,2,3)	Category classification concerns	Funding mechanism-%	Estimated annual cost (based on 5-year average or explanation of costs)	Program/ Service provided date (prior or post Feb 2022) (indicate present or future).
Education (ELP)	ELP is an Environmental Based program ran through East Elgin Secondary School. The students work in conjunction with the Authority to manage woodlots on Authority and privately owned lands, and complete various stewardship projects on Authority and privately owned lands.	3	No Municipal Levy used, Self Generated – 100%	Donations: \$4,500 = 55% Revenue: \$2,800 = 34% Reserves: \$870 = 11%	\$8,170	Prior to February 2022, Present

Grand River Conservation Authority

Report number: GM-06-22-52

Date: June 24, 2022

To: Members of the Grand River Conservation Authority

Subject: Inventory of Programs and Services Update

Recommendation:

THAT the update to the Grand River Conservation Authority's Inventory of Programs and Services be approved, circulated to all participating Grand River watershed municipalities, posted on the GRCA website, and submitted to the Ministry of Environment, Conservation and Parks in accordance with Ontario Regulation 687/21.

Summary:

Not applicable.

Report:

As a requirement under *Ontario Regulation 687/21*, the Grand River Conservation Authority (GRCA) developed an Inventory of Programs and Services based on the three categories identified in the Regulation. These categories include (1) Mandatory, (2) Municipally requested, and (3) Other (Authority determines are advisable).

In February 2022, the initial Inventory of Programs and Services was presented to the Board and circulated to all participating municipalities. To date, we have not received any comments or concerns on the initial Inventory.

On May 2, 2022, the Ministry of Environment, Conservation and Parks (MECP) hosted a workshop to provide feedback on all Conservation Authorities Inventories of Programs and Services. During this session, it was identified that any existing Memorandums of Understanding and/or Agreements should be identified in the Inventory. As such, Chart C (ii) Programs and Services Inventory Listing- Category 2- Information Requirements has been added to the Inventory of Programs and Services package. A copy of this new chart is attached to the report.

Once the revised Inventory of Programs and Services is approved, it will be circulated to all participating municipalities and the Ministry of Environment, Conservation and Parks. The revised inventory will also be posted on GRCA's website for public access.

Financial Implications:

Not applicable.

Other Department Considerations:

Not applicable.

Submitted by:

Samantha Lawson
Chief Administrative Officer

Programs & Services Inventory Listing - Category 2 - Information Requirements

GRAND RIVER CONSERVATION AUTHORITY

*Extract:**Ontario Regulations 687/21 - Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act**Section 6 Subsection 5 requirements*

For each Category 2 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:

1. The name of the municipality on behalf of which the program or service is provided.
2. The date on which the authority and the municipality entered into a memorandum of understanding or another agreement with respect to the provision of the program or service.

Department	Type of Agreement	Municipality	Date Signed
Resource Planning, Natural Heritage and Engineering			
Plan Review Services	MOA	County of Brant	February 10, 1999
Plan Review Services	MOU	City of Brantford	July 24, 2017
Plan Review Services	MOA	City of Guelph	April 1, 1997
Plan Review Services	MOU	Haldimand County	September 10, 2019
Plan Review Services	MOU	Region of Halton	July 16, 2018
Plan Review Services	MOU	Norfolk County	October 5, 2016
Plan Review Services	MOU	Region of Waterloo	September 10, 2019
Plan Review Services	MOU	Township of Southgate	July 1, 2017
Plan Review Services	MOU	Wellington County	November 1, 2017
Conservation Services-Rural Water Quality Program (RWQP)			
Rural Water Quality Program	Agreement	County of Brant	June 25, 2019
Rural Water Quality Program	Agreement	Region of Waterloo	November 25, 2020
Rural Water Quality Program	Agreement	County of Dufferin	December 14, 2017
Rural Water Quality Program	Agreement	County of Wellington	June 14, 2017
Rural Water Quality Program	Council Approval	Haldimand County	February 16, 2021
Living Snow Fence	MOU	County of Dufferin	April 20, 2016
Resource Planning - Natural Heritage Management			
ESA Habitat Compensation Agreement - Birkett Lane & Brant Park	Natural Heritage Habitat Agreement	City of Brantford	October 30, 2017

LPRCA 2022 Current Programs and Services

CA Program and Services Categories, as follows: <div>1. Mandatory programs and services (<i>where municipal levy could be used without an agreement</i>)</div> <div>2. Municipal programs and services. Programs and services at the request of a municipality (<i>with municipal funding through an MOU/agreement</i>)</div> <div>3. Other programs and services. Programs and services an authority determines are advisable (<i>use of municipal levy requires a cost-apportionment MOU/agreement with participating municipalities or, if no levy is required, no agreement is needed</i>).</div>						
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Chart A – LPRCA Programs and Services Inventory Listing

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Operating Costs						
Natural Hazard Management Program						
Watershed Planning and Technical Studies						
Section 28.1 Permit Administration	Reviewing, processing permit applications & technical reports, site inspections, communications with applicants, agents, consultants. Requests by solicitors.	1	CA Act 21.1 O.Reg. 686/21 Sec 8	\$ 114,262	User fees – 100%	
	Program administration and enforcement: General inquiry. Compliance monitoring, enforcement. Policies, standards development and maintenance. Public information and outreach, consultation. Review under other legislation (Environmental Assessment, Drainage, Aggregate Resources), with comments principally related to natural hazards, wetlands, watercourses and Sec 28 permit requirements.		CA Act 21.1 O.Reg. 686/21 Sec 3, 6, 8, 9	\$ 160,901	User fees – 8% Municipal levy – 92%	
Municipal Plan Input	Input to municipal land-use planning documents (OP, Comprehensive AB, Secondary plans) related to natural hazards, on behalf of NDMNRF (delegated to CAs in 1983)	1	CA Act 21.1 O.Reg. 686/21 Sec 7	\$ 42,354	NDMNRF S39 TP - 21% Municipal levy - 79%	Provincial Section 39 Funding

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Municipal Plan Review	Technical information and advice to municipalities on municipal land use planning applications (OP and ZB Amendments, Subdivisions, Consents, Minor Variances). Preconsultation.	1, 2	CA Act 21.1 O.Reg. 686/21 Sec 7	\$ 67,100	User fees – 100%	Plan review for wetlands and storm water management is intertwined with plan review for natural hazards but may be a Category 2 service to be addressed in CA/municipal MOUs for Municipal Plan Review Services.
Subwatershed Plans	Partner developed plans containing policies and implementation actions to protect, enhance and improve the health of the area, particularly related to land use change	2	CA Act 21.1	None currently		Potential Category 2 Service As requested by a municipality as part of its land use planning process.
Technical Studies and Information Management	Maintenance of base mapping, flood and erosion hazard mapping, hazard line mapping, regulated area mapping. Data collection and storage systems and GIS. Data collection and design studies to mitigate natural hazards including flooding, erosion and drought.	1	CA Act 21.1 O.Reg. 686/21 Sec 1.3	\$ 22,050	Municipal levy – 100%	Cost shown is 2022 operating cost. Project costs vary from year to year based on funding we are successful in obtaining, such NDMP Riverine and Shoreline Hazard Mapping. 5-year average actual cost is \$106,669.
Watershed Flood Control Services						
Flood Forecasting and Warning	Daily data collection and monitoring of weather and water level forecasts and watershed conditions. Flood event forecasting. Flood warning and communications. Maintenance of equipment.	1	CA Act 21.1 O.Reg. 686/21 Sec 2	\$126,998	NDMNRF S39 TP – 13% Municipal levy – 87%	Provincial S39 transfer payment
Water Control Infrastructure Operation and Management (Backus, Brooks, Deer Creek, Hay Creek, Lehman, Norwich, Sutton, Teeterville, Vittoria)	Dam operations, regular inspections, maintenance activities, activities related to operator health and safety.	1	CA Act 21.1 O.Reg. 686/21 Sec 5.1	\$77,612	NDMNRF S39 TP – 12% Municipal levy – 88%	Provincial S39 transfer payment
	New: Develop operational plan for natural hazards infrastructure. New: Develop asset management plan for natural hazards infrastructure.		CA Act 21.1 O.Reg. 686/21 Sec 5.2	TBD		To be completed by December 31, 2024. The cost of developing the plans is being investigated.
Ice Management Services	New: Develop an ice management plan.	1	CA Act 21.1 O.Reg. 686/21 Sec 4	TBD		An ice management plan is to be completed by December 31, 2024 The cost of developing the plan is being investigated.

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Watershed Low Water Response Services						
Low Water Response	Conditions monitoring/analysis. Technical & administrative support to the Water Response Team representing major water users and decision makers, who recommend drought response actions.	1	CA Act 21.1 O.Reg. 686/21 Sec 3	\$ 6,500	NDMNRF– 0% Municipal levy – 100%	Provincial NDMNRF funding some (dry) years.
Source Water Protection						
Source Water Protection (source protection authority role as set out in the <i>Clean Water Act</i> .)	Lake Erie Region tech support, SPC support, SPA reports and meetings, activities required by the <i>Clean Water Act</i> and regulations.	1	O.Reg. 686/21 Sec 13	\$ 10,332	MECP TP through Grand River CA – 100%	
Watershed-based Resource Management Strategy						
Watershed Resource Management Strategy (WRMS)	New: The WRMS describes the current watershed conditions based on current knowledge and monitoring data, sets objectives, describes issues and identifies initiatives to reduce the impact of natural hazards, conserve natural resources and improve the health of the watershed. Provides a watershed-based context for LPRCA's natural hazards and natural resource conservation programs and collaborative activities in its watershed.	1	CA Act 21.1 O.Reg. 686/21 Sec 12.1	TBD		Last completed in 1983. To be completed by December 31, 2024. The cost of developing the strategy is being investigated.
Healthy Watershed Services						
Conservation Services						
Healthy Watershed Technical Support Services	Apply for and manage external funding, promote private land stewardship, provide advice and technical support to property owners <u>where the cost cannot be covered from external sources.</u>	3	CA Act 21.1.2	\$ 58,778	User fees – 3% Municipal levy – 97%	The conservation services (private land stewardship) program is a Category 3 activity. An agreement would be needed with all municipalities to fund the program with levy for the 2024 budget unless supported with surplus revenue from other departments.
Private land stewardship services	Soil erosion control, water quality improvements, habitat restoration. Disbursements to landowners and contractors are externally funded.	3	CA Act 21.1.2	\$ 162,397 (5-yr avg)	External sources (Federal, Provincial, OPG, ALUS) – 100%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Private forestry land management services	Private land tree planting and survival monitoring. 1.82 million trees planted since 2002.	3	CA Act 21.1.2	\$ 106,937 (5-yr avg)	External sources (Federal, Provincial, OPG) – 100%	
Trees for Roads	A road-side tree planting program by municipal request (mostly used by Bayham and SW Oxford)	2	CA Act 21.1.1	\$ 8,523 (5-yr avg)	Municipality – 100%	Fee for service at municipal request.
Surface and Groundwater Quality Services						
Provincial Water Quality Monitoring Network (PWQMN) and Provincial Groundwater Monitoring Network (PGMN)	PWQMN - MECP program for stream water quality monitoring. LPRCA takes water samples; MECP does lab analysis and data management. PGMN - MECP program for groundwater level and quality monitoring. CA maintains equipment, data transfer to MECP, water sampling; MECP provides equipment, lab analysis, data management.	1	CA Act 21.1 O.Reg. 686/21 Sec 12.1	\$ 40,552	Municipal levy – 100%	The PWQMN program has been running for 50+ years and the PGMN program for 20+ years. The data is used internally for water quality and stream health assessment. Input to the Watershed Report Card.
Stream Water Quality Sampling	Assist municipalities with their water quality monitoring needs by taking field water samples and delivering them to the laboratory facility.	2	CA Act 21.1.1	None currently		Potential Category 2 Service As requested by a municipality as part of its monitoring needs, e.g. for wastewater discharge compliance.
Stream health monitoring	Benthic invertebrate sampling & analysis has been carried out since 2003 (19 years). Provides additional water quality and stream health information. Input to the Watershed Report Card. Contributed to the province-wide Ontario Benthos Biomonitoring Network.	3	CA Act 21.1.2	\$ 9,000	Municipal levy – 100%	A cost apportionment agreement with all municipalities will be required to fund the program with levy for the 2024 budget unless an alternative funding source is found.
Drain classification (Norfolk partnership)	Electrofishing activities to classify municipal drains. Informs drain maintenance decisions and approvals.	2	CA Act 21.1.1	\$ 2,590	DFO through Norfolk County under MOU – 100%	Activity based on funding secured by Norfolk County.
Lamprey barrier inspections	Lamprey barriers stop invasive sea lamprey from moving from Lake Erie into the creeks. DFO pays LPRCA annually to inspect their condition.	3	CA Act 21.1.2	\$ 3,320	DFO contract – 100%	Federal Department of Fisheries and Oceans (DFO)

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Conservation Authority-Owned Lands						
Conservation Area Strategy	New: Over-arching strategy for CA-owned lands including guiding principles, objectives, land securement/acquisition and disposition, recommended management principles for different land use categories, with public consultation.	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1, 10	TBD		To be completed by December 31, 2024. The cost of developing the strategy is being investigated.
Land Inventory	New: Development and maintenance of an inventory containing information for every parcel of CA-owned land including location, available information, acquisition details, land use categories.	1	CA Act 21.1 O.Reg. 686/21 Sec 11	TBD		To be completed by December 31, 2024. The cost of developing the inventory is being investigated.
Conservation Authority Lands						
Section 29 Minister's regulation for Conservation Areas	Conservation areas enforcement/compliance including legal expense for regulation and compliance.	1	CA Act 29 O.Reg. 686/21 Sec 9.1	\$ 53,639	Municipal levy – 100%	
Conservation lands management and maintenance including safety, security and enforcement	Boundary identification/maintenance, gate and sign maintenance, trail maintenance, hazard tree removal, garbage pickup, monitoring and enforcement. Assessment to identify maintenance and repair needs. Property taxes, drainage assessment, fish stocking	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$168,989	Municipal levy – 100%	
Maintain facilities, trails or other amenities for public access and passive recreational activities	Parkette maintenance, trails maintenance, grass cutting, washrooms, garbage collection.	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$ 48,400	User fees - 27% Municipal levy – 72%	
Lee Brown Waterfowl Management Area	Area management, operation and maintenance	1, 3	CA Act 21.1 O.Reg. 686/21 Sec 9.1 CA Act 21.1.2	\$142,268	User fees and rentals – 100%	Public viewing station is a Category 1 activity.
Camp Trillium	Children's camp on property lease	3	CA Act 21.1.2	\$59,000	Lease – 100%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Backus Heritage and Education Services						
Backus Environmental Education Centre	Education Centre program services, operation and maintenance and outdoor education program	3	CA Act 21.1.2	\$126,881	User fees – 2% Contracts – 18% Endowment – 80%	
Backus Heritage Village and Historical Services	Heritage Village and Mill program services, operation and maintenance and heritage education program	3	CA Act 21.1.2	\$123,343	Provincial – 7% User fees – 3% Contracts – 13% Municipal levy – 77%	The Backus Heritage Area is a Category 3 and an agreement will be needed with all municipalities to fund the operation of the heritage village and historical services with levy for the 2024 budget.
Conservation Parks Management Services						
Conservation Parks (Backus, Deer Creek, Haldimand, Norfolk, Waterford North)	Management and operations including business planning, promotion, park operations, safety, security and enforcement, drinking water and sewage operations, maintenance and repair.	3	CA Act 21.1.2	\$1,345,310	User fees – 98% Provincial – 2%	
Public Forest Land Management Services						
Forestry Management Services	10-year Managed Forest Plans renewal, 5-year Operational Plan, harvest operations (marking, tendering, monitoring), ecological surveys, MFTIP and CLTIP programs	1, 3	CA Act 21.1 O.Reg. 686/21 Sec 9.1 CA Act 21.1.2	\$244,644	Federal – 7% Resource revenue – 93%	
<p style="text-align: center;">Corporate Administrative Costs</p> <p>Ongoing operating expenses and capital costs, not directly related to the delivery of any specific program or services, that are required to function effectively as an organization and best deliver their programs and services.</p>						
Corporate Services						
LPRCA Board	Supporting CA Board, Advisory Committees	1	CA Act 20	\$ 66,467	Municipal levy – 100%	
Corporate/IT Services	Senior management, main office rent, utilities, office equipment and supplies, financial services, legal expenses, IT	1	CA Act 20	1,037,071	Municipal levy – 51% User fees – 5% Internal surplus – 44%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Communications and Marketing Services						
Communications and Marketing	Promoting public awareness of natural hazards. Media relations, website and social media, special events & outreach, partnership programs, networking and collaboration	1	CA Act 21.1 O.Reg. 686/21 Sec 1.3	\$98,744	Municipal levy – 100%	
Memorial forest	Trees planted in memorial forest at Backus CA in memory of loved ones	1	CA Act 21.1 O. Reg. 686/21 Sec 9.1	\$7,475	Donations – 100%	
Leighton and Betty Brown Conservation Scholarship	Awarded annually to a watershed student graduating from high school and pursuing a degree in an environmental or natural resources field	3	CA Act 21.1.2	\$1,000	Trust fund interest – 100%	
Maintenance Operations Services						
Maintenance Operations	Support operations and facilities maintenance for conservation areas, flood control structures, forestry and motor pool. Equipment and vehicle maintenance.	1	CA Act 20	\$371,813	Inter-departmental charges – 30% Municipal levy- 70%	
Capital Costs						
Watershed Flood Control Services						
Water Control Infrastructure (Backus, Brooks, Deer Creek, Hay Creek, Lehman, Norwich, Sutton, Teeterville, Vittoria)	Dam safety reviews, emergency preparedness plans, environmental assessments.	1	CA Act 21.1 O. Reg. 686/21 Sec 5.1	\$105,000 (avg/year in 5-year forecast)	NDMNRF WEIC grant – 50% Municipal levy – 50%	2022 budget is \$25,000. The \$105,000 is based on the average per year in the 5-year forecast.
	Major maintenance, capital repairs identified in inspections, dam safety reviews or environmental assessment; design studies	1	CA Act 21.1 O. Reg. 686/21 Sec 5.1	\$328,000 (avg/year in 5-year forecast)	NDMNRF WEIC grant – 50% Special benefit levy – 50%	The \$328,000 is based on the average per year in the 5-year forecast. If the item doesn't get approved for WEIC funding, the payment has been 100% special levy.

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Backus Heritage Conservation Area						
Asset: Infrastructure – Education Centre	Major maintenance and accessibility upgrades	1, 3	CA Act 21.1.2	\$ 96,000	Federal – 100%	The office area of the Education Centre is a Category 1 and the remaining area of the displays and the classroom is a Category 3. Federal grant for doors, ramp and washroom for accessibility.
Asset: Infrastructure – Heritage Buildings	Major maintenance	3	CA Act 21.1.2	\$-	Historically: Donations – 28% Municipal levy – 72%	The Backus Heritage Area is a Category 3. An agreement will be needed with all municipalities to fund the capital activities with levy for the 2024 budget. The 5-year average actual cost is \$4,153.
Conservation Parks Management Services						
Asset: Infrastructure – Conservation Areas	Water and hydro services upgrades, washroom upgrades, roof replacements and water systems	3	CA Act 21.1.2	\$154,000	Reserves – 26% Municipal levy – 74%	The campgrounds annually have an operating surplus that has historically been used to reduce levy and it is used to partially fund the corporate services expenses. A capital reserve should be established prior to the 2024 budget and then an agreement would not be needed with municipalities to fund the capital activities with levy.
Forestry						
Asset: Infrastructure – Forest Tracts	Tract signage, 911 signs and gates	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$ 5,000	Municipal levy – 100%	
Corporate Services						
Asset: Computers	Office computers and servers	1	CA Act 20	\$ 7,000	Municipal levy – 100%	
Maintenance Operations Services						
Assets: Equipment	Lawn mowers, trailers and tools	1, 3	CA Act 20	\$ 26,000	Municipal levy – 100%	Some equipment, vehicles and UTVs are used in Conservation Parks for Category 3 activities.
Assets: Vehicles & UTVs	Pickup trucks, dump truck and UTVs	1, 3	CA Act 20	\$267,000	Lee Brown Reserve – 8% Municipal levy – 92%	Park related capital needs should be drawn from the Conservation Parks capital reserve described above and then an agreement would not be needed with municipalities to fund these capital needs with levy.

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Asset: Infrastructure – Workshop	Workshop roof replacement	1	CA Act 20	\$27,250	Municipal levy – 100%	

Chart B – Summary of Category 2 Programs and Services – Details of Municipal Agreements

Ontario Regulation 687/21 Section 6 Subsection 5 requirements

- (5) For each Category 2 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:
- 1. The name of the municipality on behalf of which the program or service is provided.
 - 2. The date on which the authority and the municipality entered into a memorandum of understanding or another agreement with respect to the provision of the program or service.

Program or Service	Category	Applicable Section of the Act	Description	Memorandum of Understanding (MOU) / Agreement Status
Municipal plan review – wetlands, stormwater management	2	CA Act Section 21.1.1	Provide services related to wetlands and storm water management for planning and other applications or projects. The service is funded by user fees.	As at February 28, 2022 MOUs have yet to be updated or negotiated with all municipalities. Future updates to the P&S inventory listing will reflect status of MOUs.
Trees for Roads	2	CA Act Section 21.1.1	Roadside tree planting service at municipal request. Primarily delivered for the Municipality of Bayham and South-West Oxford Township.	This has historically been a “fee for service” program without agreement. A service agreement will be required.
Drain classification	2	CA Act Section 21.1.1	Electrofishing services to Norfolk County’s drain classification program, funded annually by DFO.	Norfolk County/LPRCA/DFO MOU. The 2022 MOU update is in process.

Chart C – Summary of Category 3 Programs and Services – Details of Municipal Agreements

Ontario Regulation 687/21 Section 6 Subsection 6 requirements

(6) For each Category 3 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:

1. Whether or not the program or service was financed, in whole or in part, through municipal levies collected from participating municipalities.
2. Whether or not the authority intends to seek to enter into a cost apportioning agreement with one or more participating municipalities to ensure all or part of the financing of the program or service after the transition date.

Program or Service	Category	Applicable Section of the Act	Description	Section 6(6) Info Requirements
Conservation services (private land stewardship and private forestry land management services)	3	CA Act Section 21.1.2	The disbursements to property owners and contractors are externally funded. The staffing cost to apply for and manage external funding, promote private land stewardship and provide advice and technical support to property owners relies on municipal levy funding where the cost cannot be covered from external sources.	Program and Service has been financed in part through municipal levies. The LPRCA Board will discuss options to seek other funding sources and/or negotiate cost-apportionment agreements with member municipalities. Future updates to the P&S inventory listing will reflect the status of discussions.
Stream health monitoring	3	CA Act Section 21.1.2	The stream health monitoring that LPRCA undertakes beyond the activities for Provincial Water Quality Monitoring Network and the Provincial Groundwater Monitoring Network is Category 3. Most activities are funded by external sources. The benthic invertebrate sampling program is reliant on municipal levy.	Program and Service has been financed in part through municipal levies. The LPRCA Board will discuss options to seek other funding sources and/or negotiate cost-apportionment agreements with member municipalities. Future updates to the P&S inventory listing will reflect the status of discussions.
Lamprey barrier inspection	3	CA Act Section 21.1.2	DFO pays LPRCA annually under MOU to inspect the condition of the lamprey barriers.	Not financed through municipal levies.
Lee Brown Waterfowl Management Area	1 & 3	CA Act Section 21.1.2	Area management, operation and maintenance	Not financed through municipal levies.
Camp Trillium	3	CA Act Section 21.1.2	Children's camp on property leased from LPRCA	Not financed through municipal levies.
Backus Environmental Education Centre	1 & 3	CA Act Section 21.1.2	Education Centre operation and maintenance and outdoor education program.	Not financed through municipal levies.
Backus Heritage Village and Historical Services	3	CA Act Section 21.1.2	The Heritage Village and Mill operation and maintenance and heritage education program, while they receive external funding from the provincial government, user fees and school board contracts, are funded in part by municipal levy. The mill is a National Historic Site.	Program and Service has been financed in part through municipal levies. The LPRCA Board will discuss options to seek other funding sources and/or negotiate cost-apportionment agreements with member municipalities. Future updates to the P&S inventory listing will reflect the status of discussions.

Program or Service	Category	Applicable Section of the Act	Description	Section 6(6) Info Requirements
Conservation Parks	3	CA Act Section 21.1.2	Water and hydro services upgrades, washroom upgrades, roof replacements, water systems and vehicles. The capital infrastructure upgrades, vehicles and equipment have been funded in part by municipal levy.	<p>Program and Service has been financed in part through municipal levies.</p> <p>The campgrounds annually have an operating surplus that has historically been used to reduce levy and partially fund the corporate services expenses. A capital reserve should be established prior to the 2024 budget and then an agreement would not be needed with municipalities to fund the capital activities with levy.</p>
Public Forest Land Management	1 & 3	CA Act Section 21.1.2	10-year Managed Forest Plans renewal, 5-year Operational Plan, harvest operations (marking, tendering, monitoring), ecological surveys, MFTIP and CLTIP programs.	Not financed through municipal levies.
Leighton and Betty Brown Conservation Scholarship	3	CA Act Section 21.1.2	Awarded annually to a watershed student graduating from high school and pursuing a degree in an environmental or natural resources field	Not financed through municipal levies.

Inventory of Programs and Services

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
Natural Hazard Management							
1049	Environmental Planning & Regulations	Regulations Section 28.1 Permit Administration and compliance activities	<p>Reviewing and processing permit applications, associated technical reports, site inspections, communication with applicants, agents, and consultants. Property inquiries Legal expenses for regulations and compliance.</p> <p>Input to the review and approval processes under other applicable law, (e.g., Environmental Assessment Act, Drainage Act, Aggregate Resources Act, with comments principally related to natural hazards, wetlands, watercourses and Sec 28 permit requirements.</p>	1	Ontario Regulation 686/21s.8	\$710,879	\$1,041,429 Municipal Levy 67% Self Generated 33%
		Review under Other Legislation	Input to the review and approval processes under other applicable law, (e.g. Environmental Assessment Act, Drainage Act, Aggregate Resources Act, with comments principally related to natural hazards, wetlands, watercourses and Sec 28 permit requirements.		Ontario Regulation 686/21s.6		
1038 and 1041-40		Planning Municipal Plan Input and Review	<p>Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances).</p> <p>Input to municipal land-use planning documents (OP, Comprehensive ZB, Secondary plans) related to natural hazards, on behalf of MNRF (delegated to CAs in 1983).</p>	1	Ontario Regulation 686/21s.7	\$508,955	\$738,611 Municipal Levy 69%, Self Generated 31%
1038		Municipal Plan Input and Review	Technical information and advice to municipalities on circulated municipal land use planning applications related to Natural	2	CA Act s.21(1)(n) Updating MOUs	\$103,130	\$105,147

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
		NOT related to Natural Hazards	Heritage features and functions and Stormwater Management (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances). Input to municipal land-use planning documents (OP, Comprehensive ZB, Secondary plans) related to natural heritage features and functions and Stormwater Management. Comments incorporate natural heritage information particularly around wetlands and aquatic species at risk to develop planning and regulatory strategies to mitigate downstream natural hazards.		required		Municipal Levy 79%, Self Generated 21%
		Natural Heritage	Natural heritage monitoring, plans/strategies and system design not on Conservation Authority owned land, to inform Official Plan and/or County level studies	2	CA Act s.21(1)(n)	Example: Natural Heritage System Studies	Project Specific
1085, 1086, 1087-3050, 1920-3030	Water Management	Flood Forecasting and Warning	Daily data collection and monitoring of local weather forecasts, provincial models, streamflow and reservoir conditions, etc. Routine collection of near real-time data from stream gauge network (water level, flow and precipitation). Seasonal collection and reporting on snow surveys. Maintenance of hydrometric gauges (both UTRCA gauges and assisting with maintenance of Water Survey of Canada gauges). Continuous monitoring of stream flow, reservoirs, and watershed conditions. Maintaining historical records. Development, maintenance and implementation of Flood Contingency Plan. Regular liaison with municipal flood coordinators. Issuing flood bulletins and media releases.	1	Ontario Regulation 686/21s.2	\$652,398	\$614,300 Provincial 15%, Municipal Levy 84%, Self Generated 1%

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1034 (5%), 1077, 1080, 1081, 1082, 1083, 1084		Flood and Erosion Control Infrastructure Operation <i>and</i> Management	<p>The UTRCA operates, and maintains flood control dams, dyke and flood wall systems, flood control channels, and erosion control structures. Includes 3 large dams and 9 smaller dams. The UTRCA also maintains 3 flood control channels, 8 dykes/floodwalls and 11 erosion control structures. Undertake dam safety studies and improve public safety around dams. In addition to the regular operation and maintenance of these structures the UTRCA undertakes major maintenance projects on water and erosion control structures</p> <p>In addition to the above structures which were constructed by the UTRCA, the UTRCA also operates and maintains structures that are municipally owned/built but operated and maintained by the UTRCA through agreement with the municipality.</p>	1	Ontario Regulation 686/21s.5	\$1,682,388 (not including major capital repairs)	\$1,767,561 Provincial 5%, Municipal Levy 64%, Self Generated 21%
		Operation Plans and Asset Management related to this Infrastructure	New Project: Development of Operational Plans and Asset Management Plans related to this infrastructure	1	Ontario Regulation 686/21s.5 per requirements in Section 5 of the Mandatory Programs and Services Regulation	New Program	NOTE: Strategy to be completed on or before December 31, 2024
1042		Flood Plain Mapping & Natural Hazards Technical Studies and Information Management	<p>Analysis and identification of areas susceptible to riverine flooding to create mapping products to delineate flood-prone and erosion-prone areas.</p> <p>Data collection, analysis, reporting and mapping of data sets related to the understanding and mitigation of natural hazards. Development and use of systems to collect, store and provide spatial geographical representations of data and other mapping</p>	1	Ontario Regulation 686/21 s. 5(1)1 686/21 s.9(1)2	\$746,500	\$776,981 Provincial Transfer Payment 2%, Municipal Levy 69%, Self Generated 29%

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1009, 1041-30, 1088			products. Studies and projects to inform natural hazards management programs including: floodplain management, watershed hydrology, regulated areas mapping update, flood forecasting system assessment, floodplain policy	1	Ontario Regulation 686/21 s. 1(3)1. iv.	\$216,609	\$306,552 Provincial Transfer Payment 20%, Municipal Levy 65%, Self Generated 14%
		Climate Change	Understanding the risks related to natural hazards, including how these risks may be affected by climate change through collection and management of climate science data in order to identify potential effects of climate change. Identification of vulnerability or risk, and the development of mitigation and adaptation policies and plans Managing, preventing and mitigating risks related to natural hazards. Promoting public awareness through communications, outreach and education to build climate resiliency. Pilot Projects Low Impact Development, green infrastructure, agricultural stewardship, including tree planting for flood/erosion mitigation. <i>(restoration on CA lands not included)</i>				
		Low water response	Surface and groundwater conditions monitoring and analysis: including water level, flow and precipitation, within the watershed using the Ontario Low Water Response protocol and hydrometric stream gauge network. Coordination of monitoring with Water Response Committee				
1079				1	Ontario Regulation 686/21s.3	\$6,010	\$8,803 Municipal Levy 100%
1001, 1004, 1017, 1094		Communications, Outreach and Education related to Natural Hazards and Low water response	Promoting public awareness of natural hazards including flooding, drought, and erosion. Public events, materials. Social media services. Media relations. Educate elementary school students and the public about the danger of floodwaters. Technical & administrative support to the Water Response Team (WRT) representing major water users and decision makers, who	1	Ontario Regulation 686/21s.1(2)	\$582,958	\$370,819 Municipal Levy 69%, Self Generated 31%

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
			recommend drought response actions.				
Conservation Authority Lands and Conservation Areas The UTRCA owns 5,967 hectares of land which includes conservation areas, management areas, conservation forests, farmland and flood control structures and surrounding land. UTRCA property is essential to watershed management, flood control, environmental protection, and provides areas for passive recreation							
1051, 1052	Lands, Facilities and Conservation Areas	Section 29 Minister's regulation for Conservation Areas	Conservation areas encroachment monitoring and risk management. Legal expenses for regulation and compliance part of Conservation Lands management below.	1	Ontario Regulation 686/21 s.9(1)4 Rules for Conduct in Conservation Areas (O. Reg. 688/21)	\$84,523 plus some part of Lands Management	\$72,305 Self Generated 100%
		Strategy for CA owned or controlled lands and management plans.	New Project: A strategy to guide the management and use of CA-owned or controlled properties including: guiding principles, objectives, land use, natural heritage, classifications of lands, mapping, identification of programs and services on the lands, public consultation, publish on website and includes periodic review and update.	1	Ontario Regulation 686/21 s.9(1)1 per requirements in Section 10 of the Mandatory Programs and Services Regulation	New Program	NOTE: Strategy to be completed on or before December 31, 2024
		Land Inventory	New Project: Development of an inventory containing information for every parcel of land owned or controlled by the Authority. The land inventory will include the following information: location as well as date, method and purpose of acquisition, land use. One time project with updates as properties are acquired or disposed of.	1	Ontario Regulation 686/21 s.9(1)3 per requirements in Section 10 of the Mandatory Programs and Services Regulation	New Program	NOTE: Strategy to be completed on or before December 31, 2024
		Land Acquisition and Disposition Strategy	New Project: A policy to guide the acquisition and disposition of land in order to fulfil the objects of the authority.	1	Ontario Regulation 686/21 s.9(1)1 per requirements in	New Program	NOTE: Strategy to be completed on or before December 31,

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1029, 1035, 1036, 1037, 1044, 1048, 1050, 1054, 1056, 1063, 1065, 1080, 1095-5070, 1096					Section 10 of the Mandatory Programs and Services Regulation		2024
		Conservation Lands: Management, operation and maintenance	Public Access for Passive Recreation: Management and maintenance of conservation lands for public access and recreational trails. Includes risk management program, hazard tree management, gates, fencing, signage, brochures, communications, pedestrian bridges, trails, parking lots, pavilions, roadways, drainage, stormwater management, stewardship, restoration, ecological monitoring, recreational dams (with no flood control or low flow augmentation function). Carrying costs such as taxes and insurance	1	Ontario Regulation 686/21 s.9(1)1	\$1,052,513	\$1,224,886 Municipal Levy 63%, Self Generated 37%
			Conserve Natural Heritage: Management and maintenance to conserve natural heritage on CA owned lands. Includes forest management, signage, gates, stewardship, restoration, ecological monitoring, Species at Risk inventories, carrying costs such as taxes and insurance.		Ontario Regulation Reg. 686/21 s.9(1)2	\$255,447	\$323,069
1027 (15%)		Species at Risk activities on UTRCA owned lands	Periodic inventories of terrestrial Species at Risk on UTRCA lands, GIS mapping and submission of data to NHIC. Information guides land use activities and restoration projects.	1	Ontario Regulation 686/21 s.9(1)2	\$19,139	\$19,754 Municipal Levy 17%, Self Generated 83%

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1045, 1046		City of London ESAs Management	Management of the City’s 14 Environmentally Significant Areas (ESAs), initiated in 2009 and updated annually to reflect operational and capital needs	2	Annual Agreements since 2009	\$614,127	\$631,602 Self Generated 100%
1034 (95%)		Conservation Area Campgrounds	Management, operation and maintenance of Fanshawe, Wildwood and Pittock campgrounds.	3	Campgrounds are operated independent of Municipal Levy	\$4,428,410	\$4,988,296 Self Generated 100%
1047, 1053,		Land Lease and Agreement Management, Hydro generation	Management of current and future land leases and property agreements. Maintenance of rental properties to supplement land management activities	3	CA Act s.21(1)(c)&(d)	\$175,083	\$315,573 Self Generated 100%
Drinking Water Source Protection							
Program Description: The protection of municipal drinking water supplies in the Thames Sydenham and Region through the development and implementation of the Source Protection Plans.							
1039	Source Protection Planning	Source protection authority role as set out in the Clean Water Act.	Source Protection Authority Lead for the Thames-Sydenham and Region. Technical support, SPC support, SPA reports and meetings, activities required by the Clean Water Act and regulations that applies to the authority’s source protection area. Assisting in the co-ordination and implementation of the source protection plan that applies to the authority’s source protection area. Where the authority considers it advisable, reviewing and commenting on any proposal made under another Act that is circulated to the authority for the purpose of determining, i. whether the proposal relates to a significant drinking water threat that is governed by the plan, or	1	Ontario Regulation 686/21 s.13 Agreements with LTVCA and SCRCA to undertake implementation efforts.	\$521,920	\$517,645 100% Provincial as a Lead Source Protection Authority. Transfer funding to LTVCA and SCRCA to support this program

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1040			ii. the proposal’s potential impact on any drinking water sources protected by the plan.				
		DWSP Risk Management Inspection / Official	Support municipalities to implement Part IV duties of the Clean Water through service agreements.	2	Clean Water Act s.47(1) & s.48(1) CA Act s.21(1)(a) &(n)	\$181,860	\$164,986 Municipal Agreements – 100%
Water Quality & Quantity Monitoring							
The UTRCA, in partnership with the Ministry of Environment, Climate Change and Parks (MECP), has established long term sites to monitor surface and ground water conditions.							
1026-0000	Provincial Water Quality and Quantity Monitoring	Provincial Water Quality Monitoring Network (PWQMN) Provincial Groundwater Monitoring Network (PGMN)	A long-standing (50+ year) CA/MECP partnership for stream water quality monitoring at 24 sites. CA takes water samples; MECP does lab analysis and data management. CA uses information for watershed report cards, and stewardship project prioritization. A long-standing (20+ year) CA/MECP partnership for groundwater level and quality monitoring at 24 sites throughout the watershed. CA maintains equipment, data transfer to MECP, water sampling; MECP provides equipment, standards, data management.	1	Ontario Regulations 686/21 s.12(1)2 686/21 s.12(3) Ontario Regulations 686/21 s.12(1)1 686/21 s.12(2)	\$167,541	\$204,587 Municipal Levy 96%, Self Generated 4%
Core Watershed-based Resource Management Strategy - Advancing and contributing to the maintenance of a healthy and resilient natural environment.							
Program Description: The purpose of a watershed plan is to understand the current conditions of the watershed, and identify measures to protect, enhance, and restore the health of the watershed. Watershed strategies provide a management framework to provide recommendations which consist of goals, objectives, indicators, and management recommendations. This addresses existing issues in the watershed and mitigates impacts from potential future land.							
	Core Watershed-based	Strategy Development	Develop guiding principles and objectives that inform the design and delivery of programs and services the CA is required to	1	Ontario Regulations	New Program	NOTE: Strategy to be completed on or before December 31,

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
		Monitoring: Watershed Report Cards	information on surface water, groundwater, forest and wetland conditions in the watershed, to understand current local (subwatershed) health and emerging trends as a basis for setting environmental management priorities and inspiring local environmental action within the 28 subwatershed in the UTRCA.				<i>No direct funding</i>
1026, 1028	Research & Monitoring	Aquatic Monitoring / Water Quality Program	<p>Undertake aquatic monitoring including collecting, analyzing, and reporting on data for surface water and groundwater quality, stream health, reservoir algae, benthic, fisheries, habitat, and species at risk.</p> <p>Surface water quality sampling at additional sites at key locations to better understand the watershed conditions and to support Watershed Report Card program.</p> <p>Benthic Monitoring and Assessment Program – samples collected annually and processed/identified by UTRCA staff. This process evaluates surface water quality using macro-invertebrates (insect larvae, etc.) living in streams and supports Watershed Report Cards program.</p>	3	CA Act s.21(1)(n)	\$227,174	<p>\$259,533</p> <p>Municipal Levy 74 %,</p> <p>Self Generated 26%</p>

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1027 (85%) 1087-3010, 1087-3090, 1087-3070 1026-2070		Stream Classification	Collection of fish community data as supported by DFO to determine watershed species ranges and identify invasive species and aquatic species at risk. This includes the municipal drain classification program, which classifies “not rated” drains to help streamline Fisheries Act approvals to the benefit of both Drain Superintendents and landowners. This is a component of CA Act approvals for municipal drainage works, that while specific to drain review and associated hazards, also protects headwater function, habitat and ecosystem health				
		Species At Risk	Inventories of Aquatic Species at Risk GIS mapping and submission of data to NHIC. Information guides land use activities and restoration projects.	3	CA Act s.21(1)(n)	\$153,544	\$159,600 Municipal Levy 17% Self Generated 83%
		Water Quality Data	Compile and maintain a comprehensive monitoring database (WISKI) that is integrated and available to watershed partners, and is commonly accessed by development proponents in watershed municipalities when undertaking technical studies or assessments associated with land development activities.	3	LSWIM for Risk Management Services is recoverable through partner agreements	\$216,446 for LSWIMS and WISKI partners	\$94,707 Self Generated 100%
		City of London Dingman Creek Monitoring Program	Agreement with City of London for enhanced benthic monitoring within the Dingman Creek Subwatershed.	2	CA Act s.21(1)(a)	\$40,200	\$25,000 Self Generated 100%
	Watershed Stewardship and Restoration	Private Land Stewardship and Restoration	Work with property owners to implement Best Management Practices to mitigate flood and erosion hazards, improve and protect water quality, restore floodplains and river valleys, reduce nutrient contamination, restore and enhance wetlands to	3	CA Act s.21(1)(g)&(o)	\$695,600	\$717,735 Municipal Levy 56%,

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1033, 1055, 1057, 1060, 1064, 1066, 1105 1059, 1062, 1068 1067, 1070,	(Urban, rural & agricultural)	Tree Planting and Forest Management not related to natural hazards	<p>reduce flooding peaks and augment low flow, management of terrestrial non-native invasive species, protect groundwater, and improve aquatic species at risk habitat. Apply for and manage external funding, promote private land stewardship, outreach, provide advice and design assistance to property owners.</p> <p>Implementation of watershed plan stewardship recommendations.</p> <p>Forestry services including planting plan development, site preparation, tree and shrub planting, and survival assessments. Private woodlot stewardship, technical assistance, link to funding programs to maintain form and function of watershed forest cover.</p>				Self Generated 44%
		Clean Water Program	<p>Deliver the Clean Water Program (CWP), which provides a one-window service for rural landowners to access technical assistance and financial incentives for implementing best management practices (BMPs) that improve surface water and groundwater quality and soil health, and contribute to sustainable agricultural operations.</p> <p>NOTE: funded by the Counties of Oxford and Middlesex, City of Stratford for 2022, with additional funding leveraged from industry, government, foundations, and donations when available.</p>	2	CA Act s.21(1)(g)&(o)	\$132,033	\$189,773 Self Generated 100%
		Great Lakes Connections:	Deliver watershed phosphorus reduction research and demonstration projects partnering with Environment and Climate	3	CA Act s.21(1)(g) &(o)	\$802,575	\$747,790

UTRCA Code	Program Area	Programs / Service Provision	Program / Services Description	Category	Legislative Reference and Notes	Average Annual Costs based on 5 Year Average (Operating including depreciation)	2022 Projected Operating Costs and Funding Sources
1073, 1075, 1099, 1100, 1101, 1102, 1104, 1106, 1108, 1109, 1113, 1114		Phosphorus / Nutrient Reduction Programs (Medway / ECCC / OMAFRA)	<p>Change Canada (ECCC) and the Ontario Ministry of Agriculture, Food & Rural Affairs (OMAFRA)</p> <p>Research and demonstration projects focused on agricultural stewardship efforts to reduce nutrients in the Thames River and improve the health of Lakes St. Clair and Erie.</p> <p>Lead information sharing and coordinate innovation through research, demonstration projects, workshops, and field tours, in partnership with landowners, agencies, academia, and private sector.</p>				Self Generated 100%
Conservation/ Outdoor Education and Community Outreach Program Description: Education and outreach programs increase knowledge and awareness in children and adults about local environmental issues, watersheds and ecosystems and conservation actions they can implement.							
	Community Partnerships and Education	<p>Community Involvement and Events</p> <p>Environmental Education</p>	<p>Education and outreach programs and community events to assist in achieving the objectives of the conservation authority. These programs are open to people of all ages.</p> <p>Examples include Community Science, Watershed and “Friends of” projects.</p> <p>Curriculum-based education programs for elementary and secondary students. These programs focus on local watersheds, ecosystems, and environmental issues. Programs take place at schools (indoors and outdoors), field trips to conservation areas and community parks and through online learning.</p>	3	<p>CA Act Reg. 686/21 s.1(2) & s.1(3)3,4</p> <p>CA Act s.21(1)(n)</p>	\$719,489	<p>\$679,722</p> <p>Municipal Levy 44%,</p> <p>Self Generated 56%</p>

Provincial transfer refers to only the transfer payment UTRCA receives from the provincial government for the delivery of mandatory programs and services.

For the purposes of this document “self-generated” revenues includes permit fees, fees for service, user fees, grants including provincial and federal funding that UTRCA has to apply and compete for and municipal fee for services agreements beyond municipal levy.

Inventory Principles - A brief explanation on the principles applied when developing the Inventory of Programs and services is provided:

- 1) Each program and service has been categorized based on the criteria identified under the *Conservation Authorities Act* and supporting regulations. As required by regulation 687/21, the inventory explains why a program falls into category 1 by referencing applicable sections of regulation 686/21 “Mandatory Programs and Services”. Category 2 and 3 programs provided through other legislation are also noted.
- 2) The list has been developed to align our programs and services with our past budget reporting framework. In some cases the delineation between categories of programs has not been refined; instead a grouping of programs is identified at this time.
- 3) The UTRCA’s inventory includes only operating costs. Capital costs are extremely variable from year to year and would skew estimates.
- 4) The Regulation requires that the annual cost of each program and service be provided based on the average of the last five years; however, any other value that better reflects the cost of a program are permitted, provided it is justified. The UTRCA has indicated both a 5 year average and the 2022 estimate costs for programs and services. Utilizing a five year average fails to recognize significant changes in the past 5-year period including impacts to operations due to COVID, and inflation, particularly through 2021. In addition, with the high level of growth in the watershed, and corresponding demand for UTRCA programs and Services the 2022 budget provides a more accurate estimate of cost than a five year average.
- 5) Although previous agreements and MOUs have been negotiated for some of programs and services, we expect that all will need to be renegotiated to incorporate the requirements identified in regulation. Quarterly reports will identify the progress made on all negotiations.

Corporate Administrative Costs

Program Description: Key assistance provided to all departments of the conservation authority, board of directors, member municipalities and the general public to enable the UTRCA to operate in an accountable, efficient and effective manner. Costs are currently distributed to programs listed above.

Note: The methodology for inclusion of these types of services will be finalized once the Phase 2 regulations are in place.

Corporate Services	Administrative, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority, Oversight of programs and policies. Includes costs related to agreements/contracts and supporting CA Board, governance, administrative by-laws, General Manager and Management Team	\$694,153
Financial and Human Resources Services	Employee management systems, training, health and safety programs, budgeting, accounts payable and receivable, payroll, financial analysis, financial audit, administration of reserves and investments, financial reports for funding agencies, preparing and submitting reports to CRA, benefits program administration.	\$841,828
Communications and Marketing	Supporting delivery of products and programs through communication platforms (media, open houses, public meetings), website administration and maintenance responding to inquiries from the public.	\$488,469
Information Technology Management/ GIS	Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data. Systems to support the collection, maintenance, analysis, reporting and communications on various corporate data sets including but not limited to: surface and groundwater quality and quantity, aquatic and terrestrial biology, geospatial data and imaging, financial and other corporate services, internal and external communications and collaboration,	\$756,288
Administration Buildings	Administration buildings and workshops used to support UTRCA staff, programs and services. Includes utilities, routine and major maintenance, property taxes. Note: The Average Annual Cost does not include accessibility upgrades needed by January 1, 2025.	\$538,450
Vehicles and Equipment	A fleet of vehicles and equipment to support the work of the UTRCA, including capital purchases, fuel, licenses, repairs and maintenance. Programs and projects are charged for the use of vehicles and equipment.	\$655,739

To: Warden and Members of County Council

From: Director of Public Works

Proposed Federal Plastics Registry and Rules for Accurate Labelling of Plastic Items

RECOMMENDATION

1. That Oxford County Council receive the submission comments in response to Environment and Climate Change Canada's consultation papers for a proposed federal plastics registry and accurate labelling rules for recycling and composting of plastic items as outlined in Report No. PW 2022-45.

REPORT HIGHLIGHTS

- The purpose of this report is to provide Oxford County Council with staff comments submitted in response to Environment and Climate Change Canada's (ECCC) consultation papers for the development of a federal registry for plastic producers and rules for accurate labelling to strengthen recycling and composting of plastic items.
- A federal plastics registry would support provincial and territorial Extended Producer Responsibility (EPR) efforts by requiring producers to report on plastics in the Canadian economy. The registry will create consistent, comprehensive and transparent EPR rules across Canada, as well as support the Federal Government's zero plastic waste agenda, including recycled content requirements for plastic products.
- Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling would prohibit the use of the chasing-arrows symbol on plastic products unless 80% of Canada's recycling facilities accept and have reliable end markets for these products. These rules will seek to improve plastic packaging design, improve public participation in recycling systems, reinforce public trust in recycling and improve the performance of recycling systems to generate more and higher quality post-consumer recycled plastics.

Implementation Points

Staff submitted comments to Environment and Climate Change Canada (ECCC) on October 7, 2022.

Following County Council's receipt of this report, a copy of the County Council resolution will be submitted to ECCC to accompany the County's comments.

Financial Impact







No financial impacts will result from adopting the recommendations contained in this report.

Communications

A summary of the submission comments to ECCC prepared by staff were presented to the Zero Waste Oxford (ZWO) committee for comment at their August 17, 2022 meeting.

Report No. PW 2022-45 will be circulated to Area Municipalities for information.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.i.	4.i.		

DISCUSSION

Background

On July 25, 2022, ECCC posted the following consultation papers on the Canadian Environmental Protection Act registry for public comment until October 7, 2022.

- *A proposed federal plastics registry for producers of plastics* (Attachment 1)
- *Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling* (Attachment 2)

Development of a federal plastics registry and rules for more accurate labelling of plastic items are part of the Government of Canada's action plan to achieve zero plastic waste by 2030.

The federal government reports that, in 2018, Canadians threw away over 4 million tonnes of plastic of which only 8% was successfully recycled. This plastic packaging makes up approximately half of all plastic waste with less than 15% being recycled. This means that the majority of plastic products in Canada end up in landfills or in the environment as pollution.

Historical use of recyclability labelling on products does not guarantee that plastic packaging can be recycled in local collection programs. Misuse of recyclability labelling creates confusion for consumers and can lead to recyclable material ending up in the garbage or contamination of recycling collection and processing systems, despite efforts by consumers to recycle correctly. The lack of accurate labelling reduces public trust and participation in local recycling programs.

In 2020, the Canadian Government identified Extended Producer Responsibility (EPR), where Producers are financially and operationally responsible for end of life product management, as an integrated management approach to maximize the recovery of plastic products and packaging and keep these items out of landfills and the environment.

On June 22, 2022 the Federal Government published the *Single-use Plastic Prohibition Regulations* following public consultation that closed on March 5, 2022 (Report No. **PW 2022-07**). The regulation will prohibit the manufacturing and sale of single use plastics (checkout bags, cutlery, food service ware, ring carriers, stir sticks and straws) with an implementation timeline from December 2022 to December 2025, as well as requiring plastic products to contain at least 50% recycled material by 2030.

In Ontario, the municipal blue box program will be transitioning to EPR between 2023 to 2025 where Producers will be responsible for the collection and end of life management of product packaging. Producers will be subject to performance reporting requirements including supply data, collection services and resource recovery measures.

Comments

The ECCC consultation papers currently posted for public consultation support the development of a federal registry for plastic producers and rules for accurate labelling to strengthen recycling and composting of plastic items. These measures, along with the single-use plastics regulation, will reduce plastic waste and support a circular economy.

Proposed Federal Plastics Registry for Producers of Plastic Products

Development of a federal plastics registry is intended to support provincial and territorial EPR programs and adoption of rules that are consistent, comprehensive and transparent. A plastic registry will provide data for all major sectors of the Canadian plastics economy that generate large amounts of plastic waste and serve as baseline information for future expansion of EPR programs for other plastic product categories (construction, automotive, textiles, major appliances and agricultural film).

A federal plastics registry could also provide a single reporting system for the various provincial EPR programs and reduce some of the administrative burden for producers that typically manufacture and distribute their products Canada-wide and would otherwise need to comply with varying jurisdictional reporting requirements. Provinces and territories would be able to access this data to support EPR compliance and improve program efficiencies and effectiveness.

Development of the federal plastic registry will consider collection of the following key data points recognizing that not all data points may be feasible for all product categories at once and will be phased in over time:

- Plastics placed on the market;
- Plastics successfully reused;
- Plastics successfully repaired, remanufactured or refurbished;
- Plastics successfully recycled;
- Plastics incinerated for energy recovery; and
- Plastics imported, exported.

The first phase of the proposed plastics registry is targeted to begin before the end of 2024. Timing for subsequent phases will be determined before phase 1 is initiated.

Accurate Labelling of Plastic Products

The proposed Canada-wide labelling rules for plastic products will prohibit the use of the chasing-arrows symbol (Figure 1) unless 80% of recycling facilities within one of five jurisdictional regions accept, and have reliable end markets for, these products. Introduction of labelling rules will require Producers to assess their packaging and plastic items to determine whether it is recyclable. These rules would seek to improve plastic packaging design, reinforce public trust and improve participation in recycling systems and generate higher quality post-consumer material.



Figure 1: Chasing-arrows symbol

In addition, the proposed labelling rules will regulate the use of terms such as compostable, degradable or biodegradable for plastic packaging and single-use items. Producers will be required to seek third party certification and meet compostability specifications/criteria.

Accurate labelling rules will incentivize Producers to improve plastic packaging design and recyclability in order to take advantage of growing consumer demand for more environmentally friendly packaging. This will generate improved public participation in recycling systems due to more accurate labelling that easily identifies if an item can be recycled in Canadian jurisdictions. Public trust in recycling programs and overall performance of recycling systems will improve as a result of the creation of uniform rules for recyclability labelling.

The federal government will continue to consult with stakeholders as rules are developed and will publish draft regulations for public comment before finalization.

Submission Comments

Comments in response to the consultation papers for the development of a federal plastics registry and Canada-wide rules for accurate labelling of plastic items were submitted to ECCC on October 7, 2022 (Attachment 3 and 4, respectively). Draft comments were presented to, and endorsed by, the Zero Waste Oxford (ZWO) committee on August 17, 2022.

Staff support the proposed federal initiatives to implement a plastics registry for producers of plastic products, as well as rules for accurate labelling to strengthen recycling and composting of plastics. The consultation papers included specific questions to assist stakeholders with framing their responses. Many of the discussion questions were directed more to Producers and therefore the County responses focused on public awareness, municipal operations, and waste diversion goal and objectives.

The key points of the County's submission comments provided to ECCC are summarized below:

Federal Plastic Registry

- Harmonization of reporting systems already in place at provincial level should be considered.
- No reporting exemption for small businesses but exemption of any fees/cost recovery mechanisms.
- Inclusion of 'Other Products' category to capture plastic items such as medical plastics, toys, office supplies, clothing hangers, etc., that are not part of major categories listed.

Accurate Labelling Rules

- Public education will be necessary to improve participation and restore public trust in recycling programs.
- Implementation of consistent labelling system that uses symbols and terms that are easy to interpret.
- Tolerance levels for material contamination should be assessed to determine viability of end markets.
- Three-year transition period for full implementation is considered appropriate for Producers to comply with labelling requirements without affecting existing inventory levels by the proposed regulation.

Conclusions

Development of a federal plastics registry and accurate labelling requirements for plastic and compostable items will promote EPR programs for major plastic products other than just packaging material and improve recovery rates for recyclable material, thus reducing landfill waste and environmental pollution.

It is anticipated that further consultation will occur around the development of these initiatives and staff will continue to participate in any related consultations.

SIGNATURES

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Original signed by

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Departmental Approval:

Original signed by

David Simpson, P.Eng., PMP
Director of Public Works

Approved for submission:

Original signed by

Benjamin R. Addley
Interim Chief Administrative Officer

ATTACHMENTS

Attachment 1: Consultation Paper: A Proposed Federal Plastics Registry for Producers of Plastic Products – Oxford County Comments

Attachment 2: Consultation Paper: Towards Canada-Wide Rules to Strengthen Recycling and Composing of Plastics Through Accurate Labelling

Attachment 3: A Proposed Federal Plastics Registry for Producers of Plastic Products – Oxford County Submission

Attachment 4: Towards Canada-Wide Rules to Strengthen Recycling and Composing of Plastics Through Accurate Labelling – Oxford County Submission



Consultation paper: a proposed federal plastics registry for producers of plastic products



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Purpose

The Government of Canada has committed to supporting provincial and territorial extended producer responsibility (EPR) efforts by establishing a federal plastics registry and requiring producers to report on plastics in the Canadian economy.¹ A federal plastics registry will support adoption of EPR rules in Canada that are consistent, comprehensive and transparent. The registry will also support the implementation and monitoring of other measures that are part of the Government's zero plastic waste agenda, including recycled content requirements for plastic products. A plastic registry would improve the efficiency and effectiveness of EPR as it is practised in Canada and increase value recovery rates, keeping plastics in the economy and out of the environment. This would help achieve the goal of zero plastic waste, which could eliminate \$500 million in costs, reduce greenhouse gas emissions by 1.8 megatonnes, and create 42,000 direct and indirect jobs.²

The purpose of this consultation paper is to seek stakeholder input as the Government develops this registry. Partners, stakeholders and interested members of the public are invited to provide comments.

Extended producer responsibility

EPR is a policy approach in which a producer is made responsible for the collection and management of products and packaging at the end of their life.³ EPR can take a wide variety of forms, such as take-back programs, curbside collection systems, and deposit-refund schemes. Full EPR means that producers are responsible for funding and operating the program, and for meeting targets for collection and management of materials.⁴ In Canada to date, provinces and territories have taken the lead in developing and implementing EPR policies for a range of product categories such as packaging and electronics.

Through the *Canada-wide Action Plan on Zero Plastic Waste*, governments across Canada recognized EPR as essential to achieving zero plastic waste.⁵ To help achieve zero plastic waste, federal, provincial and territorial governments are:

- expanding existing EPR policies to cover new categories of products such as mattresses;
- developing new EPR policies to shift away from taxpayer-funded programs and towards full producer responsibility, where the producer is both financially and operationally responsible for collection and the management of materials for reuse or recycling into products and packaging; and

¹ Government of Canada, *Minister of Environment and Climate Change Mandate Letter* (2021). Available at: <https://pm.gc.ca/en/mandate-letters/2021/12/16/minister-environment-and-climate-change-mandate-letter>.

² Government of Canada, *Economic study of the Canadian plastics industry, market and waste* (2019). Available at: https://publications.gc.ca/collections/collection_2019/eccc/En4-366-1-2019-eng.pdf

³ Canadian Council of Ministers of the Environment, *Canada-wide Action Plan on Extended Producer Responsibility* (2009). Available at: https://ccme.ca/en/res/cap-epr_e.pdf.

⁴ Partial EPR programs typically have some form of government contribution or consumer fee that pays for part of the operation of the program, i.e., are partially taxpayer-funded.

⁵ Canadian Council of Ministers of the Environment, *Canada-wide Action Plan on Zero Plastic Waste, Phase 1* (2019). Available at: https://ccme.ca/en/res/1589_ccmecanada-wideactionplanonzeroplasticwaste_en-secured.pdf.

- working jointly to develop guidance to facilitate consistent EPR approaches across jurisdictions

The Government of Canada's commitments on EPR

In 2020, the Government of Canada identified EPR as part of an integrated management approach to plastic products to prevent waste and pollution. It consulted Canadians on how the Government could support provinces and territories in making their EPR policies consistent, comprehensive, and transparent.⁶ Many brand owners stated they were in favour of a single reporting system for the various provincial EPR programs to reduce the administrative burden. Some local governments and civil society organizations encouraged the Government to establish minimum standards and frameworks to promote harmonization among provinces and territories.⁷

Currently, provinces and territories are providing leadership by developing and expanding EPR policies for product categories such as packaging and electronics, but gaps and inconsistencies remain. Some product categories are not covered by EPR in any jurisdiction, such as textiles and construction plastics. In other cases, EPR policies differ between jurisdictions or within a jurisdiction, so that the types of products covered and the data collected are not comparable. This means that, for example, inconsistent definitions or reporting requirements make comparisons and measurement difficult or impossible. As a result, Canadians do not know the extent to which EPR is contributing to zero plastic waste, and whether EPR is being used to its fullest potential to keep plastics in the economy and out of the environment.

To maximize the recovery of plastic products and packaging and keep these items out of landfills and the environment, the Government committed to working with provinces and territories to advance EPR across Canada that is:

- **Consistent:** rules need to be consistent across jurisdictions to create a level playing field, reduce the administrative burden and allow companies to take advantage of the efficiencies and economies of scale possible in larger markets that transcend provincial and territorial borders
- **Comprehensive:** to help achieve zero plastic waste, extended producer responsibility should extend to all major sectors of the Canadian plastics economy that generate large amounts of plastic waste
- **Transparent:** companies are made responsible for meeting outcomes such as collection targets, but are given the freedom to decide how best to meet those targets, making accountability dependent on the transparent reporting and verification of key data

⁶ Government of Canada, *A proposed integrated management approach to plastic products to prevent waste and pollution* (2020). Available at: <https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/plastics-proposed-integrated-management-approach.html>.

⁷ Government of Canada, *A proposed integrated management approach to plastic products to prevent waste and pollution – What we heard report* (2021). Available at: <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/consultations/plastics/what-we-heard.html>.

The importance of data in achieving zero plastic waste

Data on plastic is crucial to track progress over time, on a broad economy-wide scale and on more specific programs and policies. In recognition of the important role played by data in helping achieve zero plastic waste, the Government of Canada has committed to a range of actions to improve our knowledge of plastic waste, value recovery, and pollution. These include the following:

- Statistics Canada (StatCan) has developed a pilot physical flow account for plastic material in the Canadian economy.⁸ The physical flow account comprises 14 variables that describe the production and end-of-life fate of plastic resins by industry sector over numerous years, based on voluntary surveys, existing StatCan data, and third party sources of information
- The Government of Canada is investing in the conduct and dissemination of science related to plastic pollution through Canada's Plastics Science Agenda, as well as updates to the Science Assessment of Plastic Pollution it published in 2020
- The Government of Canada is collaborating with provincial and territorial governments to develop guidance to facilitate consistent EPR policies as part of the *Canada-wide Action Plan on Zero Plastic Waste*. This guidance will include a range of recommendations to improve the scope and consistency of data collection between jurisdictions

Meaningful and standardized, comparable data are important in developing and evaluating the effectiveness of measures to advance a circular plastics economy including measures such as extended producer responsibility, recycled content requirements for products, and the transboundary movement of plastic waste. This data can be used to verify performance such as achievement of reduction and collection, reuse and recycling targets.

To achieve zero plastic waste, governments, industry, civil society groups, experts and the public need reliable and useable information on key measurements such as:

- the quantity and type of plastic products placed on the market across Canada; and
- what happens to plastic products after the end of their useful life, including the quantity going to landfill and the quantity undergoing value recovery for new applications through reuse, remanufacture, and recycling and their import and export from Canada

Why a federal plastics registry is needed

⁸ A pilot physical flow account was released in March 2022 2021, and are available on request to Statistics Canada. More details here: [Pilot physical flow account for plastic material, 2012 to 2018 \(statcan.gc.ca\)](https://www.statcan.gc.ca/eng/13668272540010001_20220301).

According to a 2019 Deloitte study, only 25% of discarded plastic waste is collected for diversion and only 9% is recycled in Canada each year. Data are particularly important for ensuring EPR policies are effective and that they play a meaningful role in reducing plastic waste and pollution.

EPR is an outcomes-based instrument, where producers are given the responsibility of financing and operating value recovery programs. Governments rely on timely and accurate data on a range of activities to measure performance and ensure policy goals such as recycling targets are met.

Currently, EPR data requirements are inconsistent across Canada. Provincial and territorial jurisdictions have different requirements for how performance should be measured, as well as inconsistent tracking and reporting processes. This means EPR programs cannot be compared or verified between jurisdictions or product categories, limiting the ability to measure the performance of EPR across the country. This problem is not limited to one part of Canada, or even to Canada as a whole. For example, some major studies in Canada and internationally seeking to understand the effectiveness of EPR across jurisdictions have been unable to quantify either the extent to which EPR improves recycling rates or how different models of EPR compared to one another.⁹ Inconsistent data collection can lead to the following issues:

- **Difficult or impossible to measure performance:** Due to different reporting requirements across provincial and territorial EPR policies, performance data generated from EPR programs can be difficult or impossible to accurately compare between jurisdictions and across product categories. As a result, the extent to which EPR contributes to achieving zero plastic waste cannot be fully evaluated
- **Lack of baseline data for future EPR policies:** EPR policies are data driven, and a lack of baseline data can complicate and lengthen the time needed for jurisdictions to develop EPR policies for different categories of plastic products. This baseline data includes both the quantity of plastic products placed on the market, as well as the number of producers, and how much is collected, recycled domestically and exported
- **Data can be difficult to access:** EPR data is typically only accessible in annual reports published by producer responsibility organizations
- **Lack of accurate verification and public reporting:** EPR data that is verifiable and publically reported increases transparency and usability of data for stakeholders and Canadians

Gaps in data collection can also lead to free rider problems. In some cases, it can be difficult for provinces or territories to ensure all producers are meeting their EPR obligations. For example, sellers on some e-commerce platforms or those that frequently ship items via courier may not be compliant with EPR obligations in the jurisdiction where those products are sent. This creates a free-rider problem, where compliant producers end up paying for the recovery of waste of non-compliant producers.

A federal plastics registry would seek to resolve each of these issues by providing a single point of data collection, national in scope and covering a broad range of categories of plastic products. It would have, at a minimum, the following objectives:

⁹ See, for example, the Organization for Economic Development and Cooperation, *Extended producer responsibility: updated guidance for efficient waste management* (2016); and Ecofiscal Commission, *Cutting the waste: how to save money while improving our solid waste systems* (2018).

- **Make data open and accessible:** By applying government open data principles and accessibility standards, Canadians will have access to more data that they can use in research, business, or to hold governments to account. By housing the data in a single repository, Canadians will be able to access data related to plastic waste diversion more easily. The need to protect confidential business information will be taken into consideration
- **Provide comprehensive and comparable information:** The federal plastics registry would solicit and provide data on all major sectors of the plastics economy in Canada. This data would be comparable across jurisdictions and product categories. This will support effective performance measurement to help maximize the effectiveness of EPR in achieving zero plastic waste. More comprehensive information could also feed into other programs such as Statistics Canada's physical flow account to improve the accuracy of broader measurements of plastics in the economy. It would also facilitate consistent producer public reporting on their own corporate plastic waste commitments, and/or the waste information they provide investors as part of their Environmental, Social and Governance (ESG) reporting
- **Provide baselines for future EPR work:** Provinces and territories will have a better understanding of sectors that place plastics on the market and provide input with respect to recycling rates. This will facilitate the expansion of EPR into new sectors, contributing to the achievement of zero plastic waste and greenhouse gas emissions reductions
- **Mechanisms to support compliance with EPR:** Provinces and territories will have access to data to support enforcement and compliance promotion activities. This will contribute to fairer and more comprehensive EPR policies, and help eliminate free rider problems, where compliant producers are forced to pay for the waste diversion costs of non-compliant producers
- **Inform and encourage investment along the plastics lifecycle:** With consistent and verifiable data, businesses along the plastics value chain will be better placed to make investment decisions that will improve the design, manufacture, collection, and management of plastics

Fulfilling these objectives would help jurisdictions, as well as industry, improve the efficiency and effectiveness of EPR as it is practised in Canada and increase value recovery rates, keeping plastics in the economy and out of the environment. This would move Canada towards its goal of zero plastic waste, which could eliminate \$500 million in costs, reduce greenhouse gas emissions by 1.8 megatonnes, and create 42,000 direct and indirect jobs.¹⁰

Discussion question 1

What additional objectives and potential benefits do you see from a federal plastics registry, and are they contingent on any conditions being met (for example agreements with provinces and territories)?

¹⁰ Government of Canada, *Economic study of the Canadian plastics industry, market and waste* (2019). Available at: https://publications.gc.ca/collections/collection_2019/eccc/En4-366-1-2019-eng.pdf

Potential key elements of a federal plastics registry

The following sections outline key elements of a federal plastics registry in order to seek feedback on how it could be designed. Each key element draws from a range of sources, including best practices derived from EPR policies across Canada and internationally, as well as guidance developed by the Canadian Council of Ministers of the Environment.

Categories of plastic products subject to reporting requirements

While the Canadian plastics economy encompasses a broad range of product categories, several categories dominate, as shown in Figure 1 for 2018 (below):

Figure 1: Plastic in products produced for Canadian consumption and discarded as waste, 2018¹¹

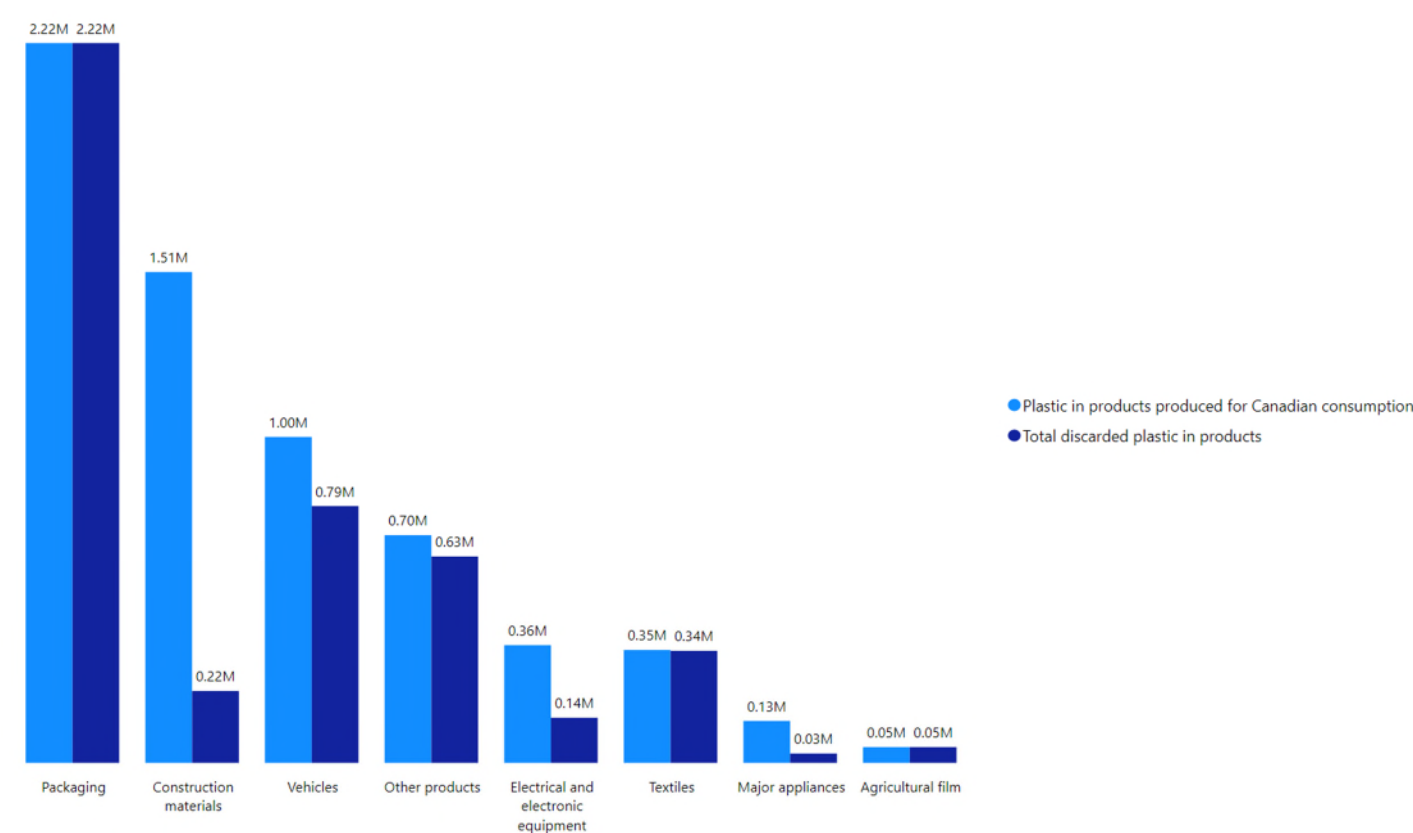


Figure 1 is a bar graph comparing plastic in products produced for Canadian consumption with the total discarded plastic in products across different product categories for the year 2018. In order of categories containing the highest amount of plastic in products produced for Canadian consumption to the lowest, plastic product categories include packaging, construction materials, vehicles, other products, electrical and electronic equipment, textiles, major appliances, and agricultural film. Packaging contains the most plastic in products produced for Canadian consumption (2.22M tonnes) and an equal amount discarded as plastic waste (i.e. total discarded in plastic products). Construction

¹¹ Data drawn from Statistics Canada, [Table 38-10-0150-01 Pilot physical flow account for plastic material, by product category](#).

materials contain 1.51M tonnes of plastic in products produced for Canadian consumption, but only 0.22M tonnes of this is discarded as plastic waste. This product category (construction materials) has the largest plastic in products produced for Canadian consumption-total discarded plastic in products ratio of any of the categories. Vehicles contain 1.00M tonnes of plastic in products produced for Canadian consumption and 0.79M tonnes discarded as plastic waste. Other products contain 0.70M tonnes of plastic in products produced for Canadian consumption, and a similar amount is discarded as plastic waste (0.63M tonnes). Electrical and electronic equipment contain 0.36M tonnes of plastic products produced for Canadian consumption, of which 0.14M tonnes is discarded as plastic waste. Textiles contain 0.35M tonnes of plastic produced for Canadian consumption, and 0.34M tonnes that is discarded as plastic waste. Major appliances and agricultural film contain the lowest amounts of both plastic in products produced for Canadian consumption and total discarded plastic in products, with 0.13M tonnes produced by major appliances and only 0.03M tonnes of this discarded as plastic waste, and 0.05M tonnes produced by agricultural film, with an equal amount of plastic in products discarded.

The Government of Canada is considering including each of the following major categories of plastic products within the scope of a future federal plastics registry, which collectively made up approximately 88% of all plastic placed on the market in Canada in 2018, and approximately 86% of plastic waste generated that year:

Packaging

Packaging can be considered any material, substance or object used for the containment, conservation, protection, handling, delivery, storage or transport of goods, or that also acts to market, present or communicate information about goods. In 2018, packaging made up 35% of all plastics used in products in Canada, as well as 50% of all plastic waste generated. Packaging is also subject to numerous EPR policies across Canada, including curbside residential collection systems.

Packaging subcategory: beverage containers

Beverage containers are a subset of packaging that includes items such as certain bottles, jugs, and cartons. In many jurisdictions, beverage containers are treated separately from other kinds of packaging. For example, many provinces and territories have established deposit-refund schemes to collect and recycling beverage containers, while others have set separate recycling targets.

Packaging subcategory: single-use plastics

Single-use plastics encompass products made with plastic that are designed to be used only once or for a short period of time before they lose their original functionality, physical capacity or quality or before they are disposed of.

Single-use plastics do not always fit neatly into the product categories shown in Figure 1 above – some may be considered packaging, while others may fall into the “other plastics” category. As of 2022, several jurisdictions across Canada are expanding the scope of their packaging EPR policies to include single-use plastics such as plates, bowls, cups and party supplies.

Construction

Construction plastics made up 24% of plastics used in Canada in 2018, and 5% of all plastic waste. It includes all plastic products typically used in the construction of buildings, structures and public works such as pipes, flooring, windows and doors, and siding. There are currently no EPR policies in place in Canada to manage end-of-life construction plastics.

Automotive

Automotive plastics made up 16% of plastics used in Canada in 2018, and generated 18% of all plastic waste. Automotive plastics encompass those used in vehicles such as cars, trucks, buses, motorcycles, trailers and snowmobiles. There are currently no EPR policies in place in Canada to manage end-of-life automotive plastics. However, the Government recognizes that markets for end-of-life vehicles are well

established to recover non-plastic materials such as metals, as well as reusable parts. EPR policies are in place for products such as tires and used oil containers, and some jurisdictions are exploring EPR for electric vehicle batteries.

Electronics and electrical equipment

EPR policies for electronics and electrical equipment are common across Canada. Electric and electronic equipment can be considered any product that includes a cord or a battery, or that otherwise requires an electric current to operate. It includes a wide range of consumer electronics, tools, small appliances, information technology equipment and audio-visual equipment. In 2018, electric and electronic equipment made up 6% of all plastics used in Canada and 3% of plastic waste generated.

Textiles

Textiles encompass products such as clothing, interior textiles (for example bedding) and footwear. In 2018, textiles made up 5% of the end-use market for plastics, and generated 8% of plastic waste. There are currently no EPR policies in place in Canada to recover textiles at end-of-life.

Major appliances

Major appliances encompass large appliances such as ovens, fridges, freezers and large air conditioners. In 2018, major appliances made up 2% of plastic use and generated less than 1% of plastic waste. Some jurisdictions in Canada have EPR policies in place covering certain major appliances such as fridges.

Agricultural film

Agricultural films include products used in the containment, protection, handling, delivery, storage and transport of agricultural goods. In 2018, agricultural films made up 1% of plastics used and 1% of plastic waste generated. Several jurisdictions have implemented EPR policies to cover certain agricultural plastics such as grain bags, twine, totes and drums. However, it is uncertain whether or not data on quantities of agricultural film packaging being collected by existing EPR programs exists.

Discussion question 2

Are the product categories described in this document characterized accurately? For example, should any sub-categories be separated out and included as product categories in their own right, or should any categories be combined?
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Discussion question 3

Are there any other product categories that could be include within the scope of a federal plastics registry?

Discussion question 4

What other sources of information should be considered by the registry to improve understanding of Canada's plastics economy?

Product category definitions

The Government recognizes that provinces and territories have implemented EPR differently in each jurisdiction. The CCME's EPR guidance will contribute to improving consistency between jurisdictions and across product categories, but the fact remains that EPR policies targeting the same product category may cover different products in different jurisdictions. The Government of Canada proposes to

apply consistent product category definitions drawn from a 2019 report commissioned by Environment and Climate Change Canada on the Canadian plastics economy, markets and waste.¹² This may mean that producers will need to report to the federal registry on products not covered by EPR in one or more jurisdictions. However, the benefit will be in gaining a more holistic picture of the total amounts of a product category being diverted through EPR in Canada.

Information that must be reported

A federal plastics registry would include a requirement for producers to register and make themselves known to federal, provincial and territorial governments. Registration is important for jurisdictions to know who is participating in EPR programs. It also helps jurisdictions find out who may not be compliant with EPR obligations.

Data related to plastics diversion

The Government of Canada is considering developing the federal plastics registry to collect the following key data points, while recognizing that not all data points may be feasible for all product categories at once:

Data point	Description
Plastics placed on the market	The total amount, in tonnes, of plastic in products placed on the Canadian market in a given year.
Plastics collected for diversion	The total amount, in tonnes, of plastic collected and recycled by an EPR program and sent to a sorting facility for diversion.
Plastics successfully reused	The total amount, in tonnes, of plastic collected for reuse and sold on to secondary markets to be used again without intensive repair, remanufacture, refurbishment, or recycling whether for its original purpose or to fulfill a different function.
Plastics successfully repaired, remanufactured or refurbished	The total amount, in tonnes, of plastic collected for diversion and either sold on to secondary markets or returned to the original equipment manufacturer for repair, remanufacturing or refurbishment via intensive, standardized industrial processes that provide an opportunity to add value and utility to a product's service life.
Plastics successfully recycled	The total amount, in tonnes, of plastic collected for diversion, reprocessed into raw materials and successfully sold on to secondary markets for use as inputs into new product manufacturing.
Plastics incinerated for energy recovery	The total amount, in tonnes, of plastic collected for diversion and recovered for energy recovery (for example engineered fuel, mass burn).
Plastics imported, exported	The total amount, in tonnes, of plastic waste imported or exported for recycling and final disposal.

¹² Government of Canada, *supra* note 9.

Reporting

Provincial and territorial EPR policies define the obligated producer (i.e., the entity that must fulfill the obligations to manage the product at end of life and report on their performance). Each jurisdiction has its own definition, but typically jurisdictions attempt to target the brand owner. Each jurisdiction also has their own definition for a brand owner; the term is typically defined in relation to ownership or use of a brand, including the owner, licensor, licensee or user. If the brand owner is not physically present in a jurisdiction, then other entities might be designated the obligated producer following a hierarchy, such as the entity that first imported the product into the jurisdiction, a distributor or wholesaler, or a retailer, as demonstrated in Figure 2.

Figure 2: Sample producer hierarchy

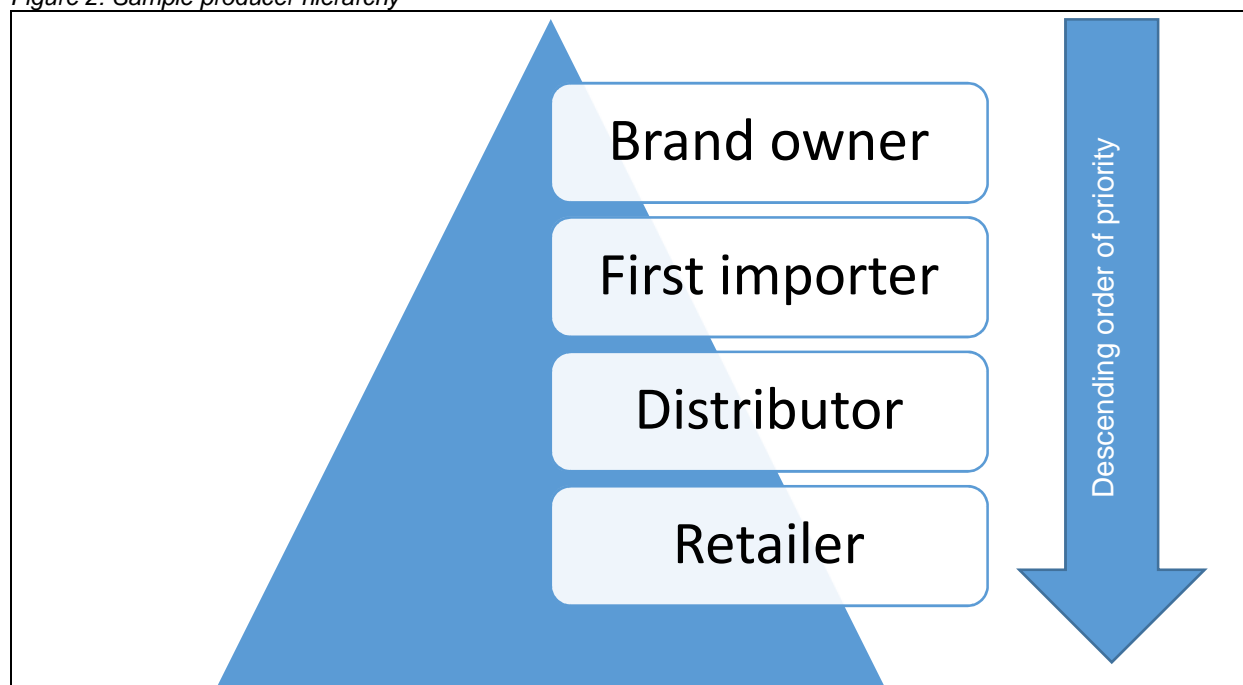


Figure 2 provides a sample hierarchy representing the order of priority of producers obligated to report on plastics in the Canadian economy through a federal plastics registry. Brand owner is identified as having the highest priority, followed by first importer, distributor, and retailer.

Available guidance suggests that the obligated producer should be the entity with the most control over a product's design.¹³ However, the entity that may be best placed to report data on a national level may not be the entity that is subject to a provincial or territorial EPR policy. For example, a brand owner may be headquartered in one province, while its goods are sold in another province where the first importer, distributor, manufacturer or a retailer is obligated to report under that province's EPR policy.

Determining who should report would also depend on the instrument chosen to develop the federal plastics registry. For example, certain authorities within CEPA focus on activities such as manufacture, import, and sale, rather than an entity's place within the value chain.

¹³ OECD, *supra* note 7.

Discussion question 5

Should the Government adopt a producer hierarchy approach as presented in Figure 2? If so, should the hierarchy presented be modified in any way? Why?

Discussion question 6

Could a product have different obligated producers in different provinces or territories (for example a brand owner in one province, and a different first importer in another province)? If so, how should a federal plastics registry account for these differences?

Thresholds for small businesses

It is common for EPR policies to exempt small businesses that fall under a certain threshold (for example, businesses with less than \$1M in gross annual revenue) from some or all of the EPR obligations within a jurisdiction. The Government of Canada is considering exempting small -sized businesses from some or all of the requirements of a plastic registry. Specifically, the Government is considering the following exemptions for small businesses (some of which are mutually exclusive):

1. Exempting small businesses from having to register or report
2. Requiring small businesses to register, but exempting them from having to report, and/or
3. Requiring small businesses to register and report, but with reduced or no fees

Discussion question 7

Should the Government create thresholds for small businesses? If so, what should those thresholds be, and which activities should small businesses be exempted from doing?

Reporting via third parties

The Government recognizes that many producers discharge their obligations under existing provincial and territorial EPR policies by jointly retaining third party producer responsibility organizations to operate EPR programs. These organizations are often experts in registering producers, overseeing waste diversion systems, collecting data from a range of stakeholders and reporting to provincial or territorial governments.

Some data on end-of-life plastics may not be attributable to individual producers. For example, packaging collected via residential curbside recycling programs are not typically identified according to brand. Rather, producer responsibility organizations report on total amounts collected or recycled under the EPR program as a whole.

The Government of Canada is considering allowing producers to submit data via authorized agents such as producer responsibility organizations. Some data relating to an EPR program (e.g., total amounts collected or recycled) could be reported in aggregate, but certain data (for example plastics placed on the market) submitted by agents would need to be attributable to a specific producer and could not be submitted in an aggregated form.

Discussion question 8

How should a federal plastics registry account for the fact that producers may engage multiple producer responsibility organizations for different provinces and territories?

Reporting for franchises

Many provincial and territorial EPR programs allow or require franchises to report together as a single system. Where franchisors are present in a jurisdiction, they may be required to act as the obligated producer. Franchisors may also be allowed to voluntarily report on behalf of the franchise, even if the franchisor is not present in a jurisdiction.

This helps simplify reporting systems, as franchise systems are often composed of many independent companies (franchisees) that would otherwise have to report separately. This also accords with broader principles of producer responsibility, as franchisees have little or no control over the design and marketing of products.

The Government of Canada is considering requiring franchisors to submit a single report representing all information applicable for a franchise, and consequently exempting franchisees from having to report.

Validation of Key Performance Indicator Data

Many provincial and territorial EPR programs have data validation requirements for data that is submitted to them by producers or third parties. These requirements could be based on established nonfinancial standards (such as Canadian Standard on Assurance Engagements 3000), and many jurisdictions mandate the use of third-party professionals (for example Chartered Professional Accounts) to provide assurance on financial and non-financial information used in EPR reporting.

The Government of Canada is considering requiring producers to use third-party professionals to validate their data before it is submitted to registry.

Cost recovery

The Government of Canada is considering requiring producers to pay a fee to help recover the costs of operating the registry, with the goal of achieving full cost recovery if possible. This is in keeping with the polluter pays principle, as well as the principle of making producers responsible for all the costs related to the management of products and packaging they place on the market. Cost recovery approaches could include, for example, charging fees to producers based on the weight of plastics placed on the market. Fees could also be increased or reduced based on factors such as

- company size;
- product design features (for example design for recyclability);
- product origins and supply chains; or
- the extent to which product categories contribute to plastic waste or pollution (for example disproportionate amounts of plastic waste or pollution could lead to higher fees, in line with the polluter pays principle).

Discussion question 9

Are there other considerations the Government should be aware of as it explores possible cost recovery options?

Discussion question 10

Should the Government allow producers to fulfill any cost recovery obligations through producer responsibility organizations? If so, how would the Government ensure that each producer is contributing to cost recovery according to its obligations (for example related to

any different fee structures linked to product design, product origins and supply changes, or product category contributions to plastic waste or pollution)?

Online marketplaces

Online marketplaces could lead to free rider problems for EPR programs, as producers are more difficult to identify and may not be present in the jurisdiction where products are ordered. As a result, compliant producers are required to pay for the end-of-life management of non-compliant producers.

Internationally, other jurisdictions as well as organizations such as the OECD have identified online marketplaces as an issue to be addressed in terms of identifying all producers that should participate in EPR programs. Other jurisdictions, such as those in the European Union, are considering requiring online marketplaces to verify their sellers are compliant with EPR obligations.

The Government of Canada is considering two potential approaches to addressing (or preventing) free-rider problems stemming from online marketplaces. The details of each approach may depend on the instrument chosen to require reporting from producers.

- Approach 1 would require online marketplaces to report on third-party sellers that are producers under EPR policies, that use their platforms to market their products, and that should be registered on the federal plastics registry.
- Approach 2 would require online marketplaces themselves to register as producers for all the goods that sellers sell on their marketplaces. Online marketplaces could be required to register in the federal plastics registry if they have logistics operations such as warehouses in Canada. They would be required to report the weight of goods sold through the logistics operations to the registry, separated by seller and product type.

Discussion question 11

Is there a free rider issue for online marketplaces in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?

Couriers

Similar to online marketplaces, the use of couriers to ship goods can contribute to free rider problems, in particular for transboundary shipments. The Government of Canada is therefore considering requiring couriers to either that verify businesses that ship goods within or to Canada are registered on the federal plastics registry, or report on the businesses that use their services, subject to other rules such as small-business exemptions.

Discussion question 12

Is there a free rider issue for couriers in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?

Making data open and accessible to Canadians

Open data means structured data that is machine-readable, freely transparent used and built on without restrictions. Open data is convenient, modifiable, and ideally available for free. It is provided under terms that permit reuse and redistribution, including the intermixing with other datasets. There are no restrictions to using open data – everyone must be able to use, reuse and redistribute.

Businesses, civil society groups, researchers and all interested Canadians should be able to access data related to EPR and plastics more generally. This helps empower stakeholders and citizens to make informed decisions, to build or grow their business, to better understand particular issues related to plastics in the circular economy, and to hold the government to account.

The Government of Canada is considering making data received from producers open by default on a dedicated online platform, subject only to considerations related to protecting confidential business information. The platform would allow the public to download or visualize the data collected via the registry for free and in a range of formats (for example xml, csv), and arranged as they choose (for example by product category, jurisdiction, or year). Raw data files would be also be available on the Government's Open Data portal, and linked to from the registry's dedicated online public platform.

Protecting confidential business information

While data should be open by default, some information should be protected, as it constitutes confidential business information (CBI). Releasing this information can lead to businesses losing a competitive advantage or gaining an unfair advantage over their competitors. Producers who submit information to the federal plastics registry would be able to make a request for confidentiality. Requests for confidentiality would need to indicate which specific information or data should be treated as confidential, along with providing a rationale for the request. The federal plastics registry's online interface could facilitate these requests (for example via standardized forms). Public access to data subject to a request for confidentiality would be limited to aggregated data, and information that could link individual producers to specific data would not be published.

While public access may be limited in some cases to aggregated data, there may be cases where the public interest justifies allowing certain people access to non-aggregated data. As per section 316 of CEPA, provincial and territorial governments may need access to registry data for enforcement or performance measurement of EPR policies in their jurisdictions. The Government of Canada is therefore considering processes for providing all registry data to provincial and territorial governments on request. This would allow, for example, provincial or territorial authorities to verify that producers on the registry are registered and paying fees under their respective EPR policies. The Government of Canada would explore the use of confidentiality agreements with provincial and territorial governments to ensure CBI is not disclosed publicly.

Discussion question 13

Are there any special considerations the Government should take into account to maximize the openness and transparency of data while protecting CBI?

Potential approaches to implementation

Provinces and territories are at different stages in implementing EPR within their jurisdictions. As a result, some product categories are subject to EPR in some jurisdictions but not others, while other product categories are not subject to EPR at all.

The Government of Canada is considering implementing the federal plastics registry in phases that reflect the implementation of EPR across the country. This will reduce the complexity and

administrative burden of reporting, while still facilitating the expansion of EPR into new product categories in the future.

Categories of plastic products for which EPR policies are in place

Where EPR policies are in place in one or more provinces or territories, the Government of Canada is considering requiring producers of plastic products to report on the following data points:

- Plastics placed on the market
- Plastics collected for diversion
- Plastics successfully reused
- Plastics successfully remanufactured, refurbished or repaired
- Plastics successfully recycled
- Plastics incinerated for energy recovery
- Plastics exported and imported for recycling and final disposal

Categories of plastic products for which EPR policies are not yet in place

For certain categories of plastic products, no EPR policy is currently in place in Canada. This includes a range of major end-markets for plastics, such as textiles, automotive and construction. For these cases, the Government recognizes that producers would likely need time to build the capacity to report on data related to plastics diversion. However, producers would be able to register and report on plastics placed on the market.

Reporting on plastics placed on the market for categories not currently subject to EPR will help jurisdictions by providing a baseline that jurisdictions could use to inform the development of EPR policies in the future and inform private sector investments in the plastics economy.

Working with provinces and territories

Since the publication of the *Canada-wide Action Plan on Extended Producer Responsibility* in 2009,¹⁴ provinces and territories have provided valuable leadership in implementing EPR across Canada, and that leadership has only accelerated since the publication of the *Canada-wide Strategy on Zero Plastic Waste* in 2018.¹⁵ For example, numerous provinces and territories are currently developing new EPR policies such as for packaging, or expanding existing EPR policies to cover new products such as single-use plastics.

Each jurisdiction is taking a different approach to EPR data. For example, provincial and territorial governments may (or may plan to) operate systems similar to the proposed federal plastics registry, while others may limit data collection to accepting publicly available annual reports. In recognition of the unique circumstances of each province and territory in terms of developing and implementing EPR and related reporting and data systems, the Government of Canada will work with each jurisdiction and explore how the following could be achieved:

- **Data sharing via one platform:** By sharing certain data points, governments could minimize duplication and reduce the administrative burden for industry, as data would only need to be submitted once. For example, the Government of Canada could explore the possibility of becoming the primary EPR reporting tool for interested provinces and territories, or having the

¹⁴ Available at: https://ccme.ca/en/res/cap-epr_e.pdf.

¹⁵ Available at: <https://ccme.ca/en/res/strategyonzeroplasticwaste.pdf>.

federal plastics registry fulfill some or all of a producer's reporting obligations under a provincial or territorial EPR policy

- **Supporting the effectiveness of existing EPR policies:** Provinces and territories could use data from the federal plastics registry to minimize the risk of free riders
- **Supporting the expansion or development of EPR policies:** Provinces and territories could draw from the data collected through the federal plastics registry to facilitate the expansion of EPR in their jurisdictions. For example, by knowing the producers who place products on a provincial or territorial market, and the quantities that are placed, provinces and territories may be in a better position to develop EPR policies within shorter timeframes

Discussion question 14

Which mechanisms could be used to facilitate collaboration between federal, provincial and territorial governments? Are there any mechanisms in particular that could also help reduce the administrative burden on producers?

Implementation

The following approach to implementation of a federal plastics registry attempts to balance the need for data to support future expansions of EPR, while also recognizing that sectors not accustomed to EPR obligations may need more time to comply with reporting requirements, and that EPR coverage is not consistent across Canada:

- In the first phase, producers already subject to established EPR policies in multiple jurisdictions would be required to report on plastics placed on the market. This will help create a baseline for later performance measurement, while providing time to producers to gather other data inputs required in future phases
 - Producers in the first phase would need to begin reporting on plastics they placed on the market for packaging and electronics
- In the second phase, producers of the remaining product categories would begin reporting on plastics placed on the market to begin creating baselines for those sectors. Producers of product categories that came online in the first phase would need to begin reporting on all of the data points outlined in this consultation paper
 - Producers in the second phase would need to begin reporting on:
 - Plastics placed on the market for white goods, agriculture, textiles, automotive and construction
 - Plastics collected for diversion for packaging, electronics, white goods, and agriculture, and
 - Plastics reused, repaired, remanufactured, refurbished, recycled or recovered for energy for packaging and agriculture
- In the third phase, producers of product categories that began reporting on collection in the second phase would need to begin reporting on diversion activities. Producers of product categories that are not currently subject to EPR policies in Canada would be given extra time to begin reporting on diversion

- Producers in the third phase would need to begin reporting on plastics reused, repaired, remanufactured, refurbished, recycled or recovered for energy for electronics and white goods
- In the fourth phase, producers of the remaining product categories would need to begin reporting on diversion
 - Producers in the fourth phase would need to begin reporting on plastics collected for diversion, reused, repaired, remanufactured, refurbished, recycled or recovered for energy for textiles, automotive, and construction

Table 1: Implementation phases for product categories

Sector (Plastics)	Report on plastics placed on the market	Report on plastics collected for Diversion	Report on plastics reused	Report on plastics repaired, remanufactured, refurbished	Report on plastics recycled	Report on plastics recovered for energy
Packaging	Phase 1	Phase 2	Phase 2	Phase 2	Phase 2	Phase 2
Electronic and electrical equipment	Phase 1	Phase 2	Phase 3	Phase 3	Phase 3	Phase 3
White goods	Phase 2	Phase 2	Phase 3	Phase 3	Phase 3	Phase 3
Agriculture	Phase 2	Phase 2	Phase 2	Phase 2	Phase 2	Phase 2
Textiles	Phase 2	Phase 4	Phase 4	Phase 4	Phase 4	Phase 4
Automotive	Phase 2	Phase 4	Phase 4	Phase 4	Phase 4	Phase 4
Construction	Phase 2	Phase 4	Phase 4	Phase 4	Phase 4	Phase 4

The Government is currently targeting Phase 1 to begin before the end of 2024. Timelines for subsequent phases will be determined taking into account feedback from partners, stakeholders and the public. A schedule of reporting obligations for each phase will be developed and published before Phase 1 is initiated.

Discussion question 15

What should the Government be aware of in implementing a federal plastics registry system according to the plan outlined in this paper (for example feasibility, cost)?

Discussion question 16

How quickly after Phase 1 data is required to be reported could producers provide the information outlined above for Phases 2-4?
--

Next steps

The Government of Canada invites interested partners, stakeholders and members of the public to provide written comments on or before October 7, 2022. Consultation questions are intended to help focus input, and are summarized in Annex I. However, feedback is welcome on any issue or proposal raised in this document.

Following the close of the comment period, the Government commits to the following next steps:

- Feedback received will be analyzed to inform the choice of instrument, instrument design, and implementation plan
- The Government will signal its choice of instruments for meeting the commitment to establish a federal plastics registry
- A draft instrument will be published for public comment before being finalized

Comments can be submitted via email to plastiques-plastics@ec.gc.ca, or by mail to:

Tracey Spack
Director
Plastics Regulatory Affairs Division
Environment and Climate Change Canada
351 Saint-Joseph Boulevard
Gatineau, Quebec
K1A 0H3

Glossary

Extended producer responsibility (EPR)	A policy approach in which a producer's physical and financial responsibility for a product is extended to the post-consumer stage of a product's life cycle.
EPR policy	Government actions designed to achieve EPR objectives. EPR policies may include laws and regulations as well as policy statements, directives, guidelines and frameworks.
EPR program	A program funded and operated by one or more producers, often through a producer responsibility organization, to fulfill their obligations under an EPR policy.
Producer responsibility organization (PRO)	An organization that producers can retain or join to fulfill their obligations and can specify the functions the PRO can carry out for producers.

Annex 1: Questions for discussion

- 1 What objectives and potential benefits do you see from a federal plastics registry, and are they contingent on any conditions being met (for example agreements with provinces and territories)?
- 2 Are the product categories described in this document characterized accurately? For example, should any sub-categories be separated out and included as product categories in their own right, or should any categories be combined?
- 3 Are there any other product categories that could be include within the scope of a federal plastics registry?
- 4 What other sources of information should be considered by the registry to improve understanding of Canada's plastics economy?
- 5 Should the Government adopt a producer hierarchy approach as presented in Figure 2? If so, should the hierarchy presented be modified in any way? Why?
- 6 Could a product have different obligated producers in different provinces or territories (for example a brand owner in one province, and a different first importer in another province)? If so, how should a federal plastics registry account for these differences?
- 7 Should the Government create thresholds for small businesses? If so, what should those thresholds be, and which activities should small businesses be exempted from doing?
- 8 How should a federal plastics registry account for the fact that producers may engage multiple producer responsibility organizations for different provinces and territories?
- 9 Are there any important considerations the Government should be aware of as it explores possible cost recovery options?
- 10 Should the Government allow producers to fulfill any cost recovery obligations through producer responsibility organizations? If so, how would the Government ensure that each producer is contributing to cost recovery according to its obligations (for example related to any different fee structures linked to product design, product origins and supply changes, or product category contributions to plastic waste or pollution)?
- 11 Is there a free rider issue for online marketplaces in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?
- 12 Is there a free rider issue for couriers in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?
- 13 Are there any special considerations the Government should take into account to protect CBI?
- 14 Which mechanisms could be used to facilitate collaboration between federal, provincial and territorial governments? Are there any mechanisms in particular that could also help reduce the administrative burden on producers?
- 15 What should the Government be aware of in implementing a federal plastics registry system according to the plan outlined in this paper (for example feasibility, cost)?
- 16 How quickly after Phase 1 data is required to be reported could producers provide the information outlined above for Phases 2-4?



Consultation paper: Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling



July 2022

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Executive summary

The Government of Canada has committed to introducing labelling rules that prohibit the use of the chasing-arrows symbol on plastic products unless 80 per cent of Canada's recycling facilities accept, and have reliable end markets for, these products. These rules would seek to improve plastic packaging design, improve public participation in recycling systems, reinforce public trust in recycling, and improve the performance of recycling systems to generate more and higher-quality post-consumer recycled plastics. In addition, the Government is proposing to introduce rules to regulate the use of terms such as "compostable", "degradable" or "biodegradable" in the labelling of plastic packaging and single-use items.

Currently, plastic packaging makes up approximately half of all plastic waste, but less than 15% of plastic packaging is recycled. Packaging suffers from low collection rates, but also high losses during the sorting and processing stages (approximately 30%). In addition, over 20,000 tonnes of plastic packaging was released into the environment as pollution in 2018. These poor outcomes stem in large part due to packaging design choices that limit recyclability and contaminate recycling and organics streams, and labels that provide inaccurate information to Canadians on whether an item should be put in a recycling or organics bin. The combination of poor outcomes, packaging complexity and inaccurate labelling risks undermining public trust in recycling systems, which could have larger effects on Canada's ability to transition to a circular economy for plastics.

The Government of Canada is therefore proposing to introduce rules that would require producers to assess their packaging or single-use plastic item to determine whether it is recyclable. Recyclability would be measured in terms of whether the item

- is accepted in public recycling systems accessible to at least 80% of the population in one or more of five regions across Canada; and
- can be sorted into bales that attract a reliable, positive price on a North American end market (i.e., high-enough prices that are stable over time, and that contribute to successful recycling outcomes)

The rules would apply to all methods for communicating recyclability, not just the use of the chasing arrows symbol (e.g., expressions such as "100% recyclable"). Producers would have to label all their plastic packaging or single-use plastic items as recyclable or not recyclable (or a mix, such as for different components or if an item is recyclable in one region but not another). However, the Government would not specify what a recyclability label would need to look like (except for certain minimum standards such as legibility).

To assess their packaging or single-use plastic item for recyclability, producers would be required to select a compliance mechanism, such as a calculator, guideline or third-party labelling program. A compliance mechanism would need to meet certain minimum standards and follow a systematic process. The recyclability label applied to the packaging or single-use plastic item would reflect the results of the assessment conducted using the compliance mechanism.

Accountability would rely on transparency and disclosure. Producers would be required, on request, to disclose to the Minister both the compliance mechanism chosen and the assessment of a particular package or single-use plastic item. In addition, a producer would need to explain, in writing, how an item is recyclable or not to anyone who asks (though this obligation could be discharged via proactive disclosure, such as on a company's website or the use of QR codes or other digital labels).

For proposed compostability labelling rules, a producer would require third party certification of the plastic packaging or single-use item to a specified standard or standards for compostability. Outside of this exception, the labelling of applicable plastic products as degradable, biodegradable or compostable, would be prohibited. Producers would also need to be able to provide written evidence of the certification on request.

The Government is also considering ways to promote and support compliance with labelling rules. These could include, for example, data collected from surveys of what is accepted in public recycling systems across Canada, a technical committee of experts to advise on implementation, as well as guidelines and other tools to facilitate recyclability assessments.

Written feedback to this consultation paper is requested by October 7, 2022.

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1. Purpose

The Government of Canada has committed to introducing labelling rules that prohibit the use of the chasing-arrows symbol on plastic products unless 80 per cent of Canada's recycling facilities accept, and have reliable end markets for, these products. In addition, the Department is seeking to address inaccurate biodegradability, degradability, and compostability claims for plastic products. This consultation paper is the first opportunity for stakeholders to provide input on how this commitment could be met. It outlines the Government's current understanding of the issue and proposes potential approaches for establishing a labelling regime for recyclable and compostable plastics in Canada, focusing on plastic packaging and single-use items.

Stakeholders and interested Canadians are invited to provide their feedback on anything raised in this paper. Comments received will help the Government understand the key issues, design an effective instrument to put the labelling rules in place, and develop an appropriate implementation approach.

2. Introduction

Plastic pollution litters communities, waterways and the natural spaces Canadians love, and is a collective problem that must be addressed. In 2018, Canadians threw away over four million tonnes of plastic, only 8% of which was successfully recycled.¹ This means that the vast majority of plastic products in Canada end up in landfills at the end of their useful life or enter the environment as pollution, where they pose a risk to wildlife and wildlife habitat.

Plastics can be kept out of landfills and the environment by re-circulating them in the economy through value recovery strategies such as reuse, repair, remanufacturing, refurbishment and recycling. In addition to saving landfill space and preventing pollution, a circular economy for plastics would bring a range of significant benefits.²

The Government of Canada has a comprehensive agenda to achieve zero plastic waste by 2030. As part of this agenda, the Government working with partners and stakeholders on a range of measures to prevent plastic pollution and improve the rate at which plastics is recovered at end-of-life and re-circulated in the Canadian economy. These measures include:

- banning harmful single-use plastics, which would prevent 22,000 tonnes of plastic pollution and 1.3 million tonnes of hard-to-recycle plastic waste over ten years
- developing a federal public registry to require producers to report on plastics in the Canadian economy, which support the Government's broader plastics agenda, including working in collaboration with provinces and territories to make producers responsible for recycling systems, which will improve collection and recycling infrastructure

¹ Statistics Canada, Table 38-10-0150-01 *Pilot physical flow account for plastic material, by product category*. Available at: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3810015001>

² Environment and Climate Change Canada, *Economic Study of the Canadian Plastic Industry, Markets and Waste: summary report* (2019). Available at: <https://www.canada.ca/en/environment-climate-change/services/managing-pollution/publications/plastic-waste-report.html>.

- requiring that plastic packaging in Canada contain at least 50% recycled content by 2030, in particular by developing regulations that will set minimum percentage recycled content requirements for certain items made of plastic, which will strengthen reliable end-markets for plastics at their end of life

3. Framing the issue for recyclability labelling

More accurate recyclability labelling would protect Canada's environment by avoiding or minimizing the creation of new waste by diverting plastics from landfills and recirculating them in the economy.

3.1 Objectives of labelling rules

By improving outcomes at each stage in the recycling process, labelling rules can help keep plastics in the economy to be used multiple times. This will help reduce the accumulation of waste in landfills year after year.

Labelling rules would avoid or minimize the creation of waste by seeking to achieve the following outcomes:

- **Improved plastic packaging design:** Enforceable rules governing recyclability labels could incentivize producers to re-design their plastic packaging to be more widely recyclable and take advantage of the growing market demand for more environmentally friendly packaging
- **Improved public participation in recycling systems:** Improved recyclability labels could offer more accurate information on what is truly recyclable in Canada, which could better empower Canadians to sort and prepare plastic packaging for recycling, thus improving the quality of recyclable plastics that enter the recycling stream
- **Reinforced public trust in recycling systems:** By creating uniform rules for recyclability labelling that Canadians know they can rely on, trust in recycling systems may be reinforced. This could improve participation in recycling systems, increasing both the quantity of recyclable plastics placed by Canadians in the recycling bin and the quality of plastics received by recycling facilities. When Canadians know that what they put in their recycling bins will be recycled, they will be more likely to spend the time and effort needed to prepare items for recycling
- **Improved performance of recycling systems to generate more and higher-quality post-consumer recycled plastics:** The combination of re-designed packaging and improved consumer participation in recycling systems could help reduce the amount of contamination in the recycling stream. This could make it easier for recycling facilities to successfully sort, clean, bale, and ultimately re-process plastics, creating more and higher quality post-consumer recycled plastics that could be used in new products and packaging. This could mean, for example, reducing the difference between the amount of plastic that enters the recycling stream and the amount successfully recycled

Labelling rules would also seek to support other measures. For example, by helping improve the quantity and quality of post-consumer recycled plastic, labelling rules would enhance the effectiveness of measures that seek to increase levels of recycled content used in new products and packaging.

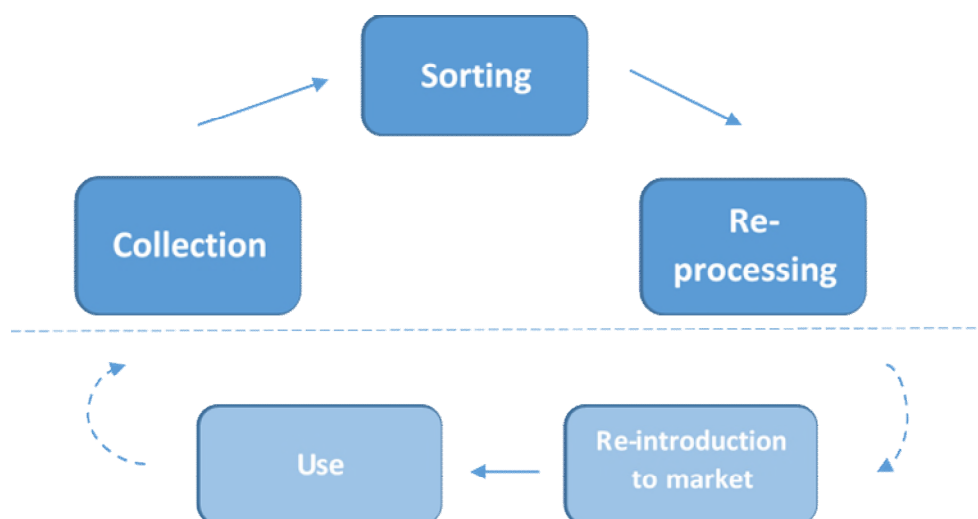
Discussion question 1

Are there any other objectives the Government should be seeking to achieve as it develops labelling rules for recyclability?

3.2 The three principal steps in the recycling process are collection, sorting and re-processing

There is currently no consistent definition of “recycling” in Canada. For the purposes of this consultation document, recycling can be understood as a process consisting of numerous steps that plastics must successfully pass through to be turned into feedstock for new products that are then reintroduced into the market for use. The principal steps in the recycling process are collection, sorting and re-processing (see Figure 1).

Figure 1: The recycling process



- **Collection** includes all activities that introduce plastics into the recycling stream. This can include:
 - residential curbside collection
 - collection sites, which can be permanent (e.g., depots) or temporary (e.g., collection events organized by municipalities or producer responsibility organizations)
 - collection contracts from institutional, commercial and industrial locations
 - recycling bins in public spaces (e.g., sidewalks, parks)
- **Sorting** occurs after collection. Collected plastics are sorted with other plastics (e.g., by resin type), cleaned and baled for sale to re-processors

- **Re-processing** is the act of turning sorted plastics into feedstock for new plastic products. This may include mechanical recycling or chemical recycling techniques. After being re-processed, a plastic product can be considered successfully recycled

Other intermediary activities may occur in the recycling process, such as transporting plastics to transfer sites, storing them in warehouses, or buying and selling bales of recyclable plastics through brokers. The principal steps in the process, however, remain collection, sorting and re-processing.

3.3 Plastic packaging is a significant portion of the recycling stream, and the burden is placed on the public to know what is recyclable

Packaging in particular represents 50% of all plastics disposed of and 47% of the plastic that ends up in landfills. This is due in part to the importance of packaging in transporting and protecting a range of different goods, as well as packaging's short useful life span.

More than most plastic product categories, such as electronics, construction plastics, and end-of-life vehicles, the burden is on the public to know whether plastic packaging is recyclable and how to prepare it for recycling (e.g., through rinsing or separating components made from different materials). This is made difficult by complex design elements such as the increasing use of flexible plastics, additives and multi-material plastics. Canadians therefore need comprehensive and accurate information to allow them to participate effectively in recycling systems for packaging in particular.

3.4 Large amounts of plastic packaging end up in the environment or landfills

In 2018, large amounts of plastic packaging entered the environment or landfills. Data produced by Statistics Canada shows that 26,348 tonnes of plastic packaging leaked permanently into the environment as pollution before it could be collected as part of a managed waste stream. For packaging that was collected as part of a managed waste stream, Figure 2 provides a visualization of the total losses of plastic packaging to landfills or incineration at each stage in the recycling process.

Figure 2: Flow of plastic packaging through the recycling stream, 2018



In total, the data show that, in 2018, 116,382 tonnes of plastic that entered the recycling stream via collection was lost due to a range of reasons, including contamination and improper sorting. This is in addition to the 1,766,172 tonnes that was never collected for recycling. The total recycling rate for plastic packaging in 2018 was 14%.³

Figure 2 provides a breakdown of where in the recycling stream the 116,382 tonnes were lost:

- of the 2,193,470 tonnes of plastic packaging that was disposed of at the end of its useful life, 427,298 tonnes were successfully collected for recycling, with the rest being landfilled or incinerated
- of the 427,298 tonnes collected for recycling, 372,831 tonnes were successfully sorted and sold for re-processing, with the remainder (54,467 tonnes) going to landfill or incineration from sorting facilities
- of the 372,831 tonnes successfully sorted, 301,263 tonnes were re-processed in Canada and sold as feedstock for new plastic products, with the remainder either being exported for recycling in other countries (9,653 tonnes) or going to landfill or incineration from re-processing facilities (61,915 tonnes)

Discussion question 2

Is there more granular data the Government should be aware of regarding outcomes of specific kinds of plastic items or packaging in the recycling stream?

³ Calculated as the quantity of recycled plastic pellets and flakes ready for use in production of new products or chemicals divided by the quantity of collected plastic packaging sent directly for disposal or diversion.

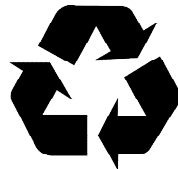
3.5 The “chasing arrows” symbol and other terms, expressions and symbols used to communicate packaging recyclability

Plastic packaging may include labels communicating environmental claims such as recyclability, the presence of recycled content, biodegradability and compostability. These labels may use a range of different terms, expressions and symbols. The following sections outline the most prevalent.

3.5.1 The “chasing arrows” symbol

The “chasing arrows” symbol is well known and commonly used to communicate to consumers that a product is recyclable (See Figure 3). It is also known as the “Mobius loop” symbol or “universal recycling” symbol.

Figure 3: The “chasing arrows” symbol



The “chasing arrows” symbol is freely available in the public domain for use by anyone. Its use is currently governed by a range of voluntary and non-voluntary regimes, such as:

- voluntary programs that aim to improve the accuracy of recyclability labels, such as the industry-led How2Recycle (note this example should not be taken as an endorsement)
- technical standards such as *ISO 14021, Environmental labels and declarations*
- general prohibitions on false, misleading or unsubstantiated environmental claims⁴

Available evidence suggests that the “chasing arrows” symbol is predominantly used on plastic products to communicate the recyclability of packaging, rather than the product contained in the packaging. For example, there are industry labelling programs in North America and internationally that provide labels to members on the recyclability of packaging only, including How2Recycle for the US and Canada.

The “chasing arrows” symbol is also used to communicate other information, such as the presence of recycled content or the type of plastic resin used as feedstock to manufacture the item. An outdated version of the technical standard ASTM D7611, *Standard Practice for Coding Plastic Manufactured Articles for Resin Identification* incorporates a version of chasing arrows as part of resin code labelling (Figure 4).

⁴ These can include prohibitions found in the *Competition Act*, *Textiles Labelling Act*, and *Consumer Packaging and Labelling Act*. For more information, visit <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/04607.html>.

Figure 4: Example of current and outdated ASTM D7611 standard resin codes

Example of current
ASTM D7611 resin
code standard that
communicates that a
product is made using
polyethylene
terephthalate



Example of outdated
standard



Discussion question 3

Is the “chasing arrows” symbol commonly used for any other product categories beyond packaging? If so, which product categories? Are there special challenges to affixing a label on some type of packaging (e.g., films)? What are they?

Discussion question 4

Is there any data (e.g., market data) the Government should be aware of regarding the use and prevalence of the “chasing arrows” symbol on packaging or other product categories?

Discussion question 5

What is the process and timelines for designing and implementing changes to labelling (e.g., lifespan, costs, marketing considerations)?

3.5.2 Other terms, expressions and symbols

Besides the “chasing arrows” symbol described above, other terms, expressions and symbols might also be used to communicate recyclability claims on labelling, such as:

- **proprietary symbols**, many of which may adapt a version of chasing arrows combined with other symbols (e.g., chasing arrows around the perimeter of an image of a bottle)
- **text claiming recyclability** (e.g., “this product is recyclable” or “100% recyclable”) or urging consumers to recycle the product (e.g., “recycle this product”)
- **expressions**, such as those used to qualify a recyclability claim (e.g., “recyclable where facilities exist” or “check locally”)

3.6 Many recyclability claims are likely inaccurate

Research has shown that consumers increasingly make purchasing decisions in part based on the recyclability of packaging.⁵ However, many labels that claim that packaging is recyclable or compostable are inaccurate and do not give individuals the information they need to make the right recycling decisions.

Industry leaders are working to address recyclability issues. For example, the Canada Plastics Pact's Golden Design Rules provides useful guidance for producers for re-designing packaging for recyclability.⁶ The Government will continue to support these efforts, and labelling rules will complement this kind of progress. Nonetheless, available evidence suggests that producers may overestimate the recyclability of the packaging they place on the market. For example, based on 2020 data, 43% of plastic packaging placed on the market by Canada Plastics Pact (CPP) partners was designed to be reusable, recyclable or compostable, but the recyclability labelling program How2Recycle reports that only 17.8% of their members' plastic packaging is "optimally recyclable" and 56.6% is "partially or not yet recyclable".⁷ While these two examples are not directly comparable, together they help indicate that producers may be marketing non-recyclable packaging to consumers as recyclable.

Discussion question 6

Is there any other data the Government should be aware of regarding the accuracy of recyclability labelling on plastic packaging or other product categories?

3.7 Packaging design choices and inaccurate labels result in poor recycling outcomes

Plastic packaging may not be successfully recycled for a range of reasons related to their design or the products they contain, including:

- resin type
- size, shape or colour
- presence of liners, labels or other components
- presence of mixed materials (e.g., toys)
- food or other residue
- presence of improperly sorted plastics
- presence of certain additives⁸

⁵ United Nations Environment Programme, "Can I recycle this?" A global mapping and assessment of standards, labels and claims on plastic packaging (2020). Available at:

https://www.oneplanetnetwork.org/sites/default/files/from-crm/unep_ci_2020_can_i_recycle_this_1.pdf.

⁶ Available at: <https://goldendesignrules.plasticspact.ca/>.

⁷ Canada Plastics Pact (CPP). *Our Starting Gate: CPP 2020 Baseline Report to inform a circular plastic packaging future for Canada*. (2022). Available at:

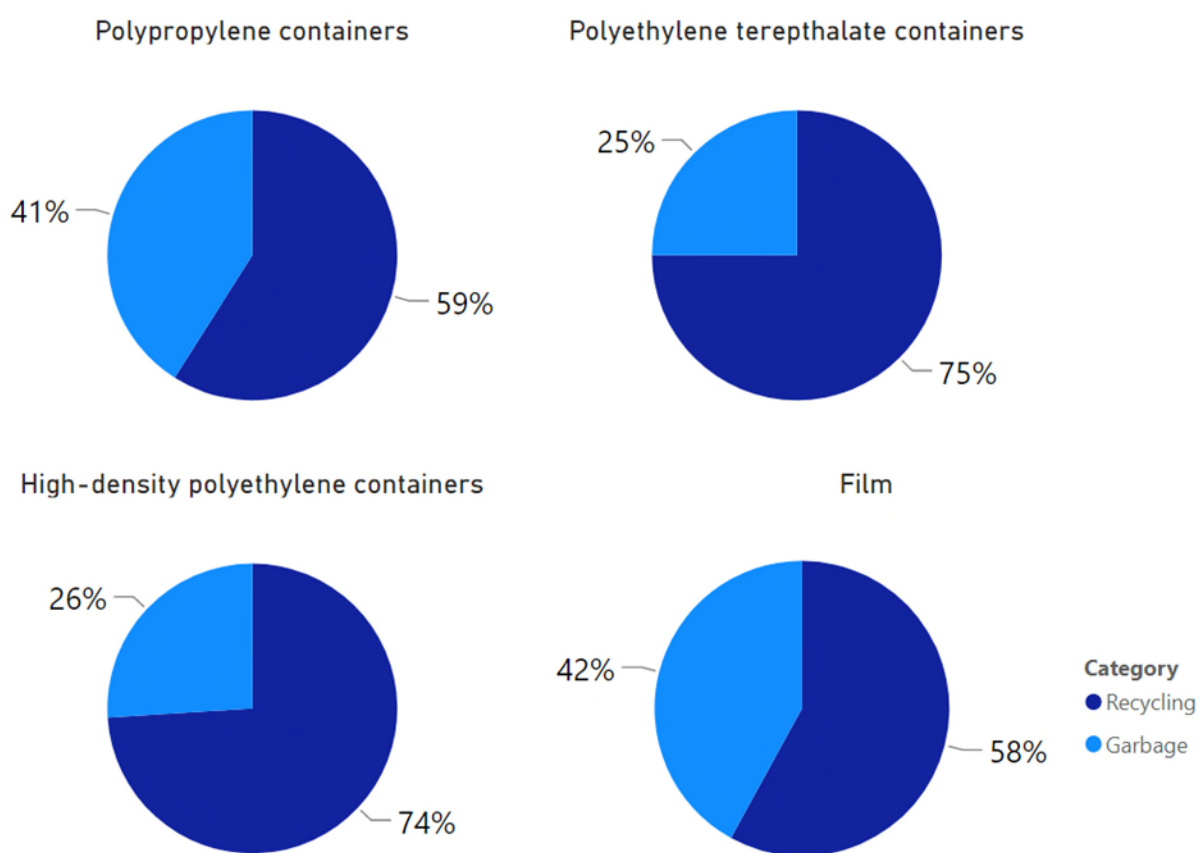
<https://roadmap.plasticspact.ca/roadmapdocument/>; How2Recycle, "How2Recycle Recyclability Insights" (2020). Available at: <https://how2recycle.info/insights>.

⁸ UNEP, *Supra* note 5.

These can increase the level of contamination in the recycling stream, lowering the amount and quality of recyclable plastics that get sorted and baled for re-processing.

Consumers often look first to recyclability labels for information on whether to recycle an item.⁹ However, the presence of a label communicating recyclability does not guarantee that plastic packaging can in fact be recycled in their local recycling programs.¹⁰ As a result, Canadians may not know if their items are recyclable locally or not. This lack of accurate information can lead them to keep recyclable plastics out of the recycling stream or introduce contaminants, despite good faith attempts to recycle correctly. For example, waste audits conducted in Ontario have found recyclable plastics placed in the garbage and non-recyclable plastics placed in the recycling bin (see Figure 5, below).¹¹

Figure 5: Select summary data from Ontario Waste Composition Studies, average 2016-2020, showing the recycling rates of three types of plastic containers that are typically accepted in recycling programs (polypropylene, polyethylene terephthalate, and high-density polyethylene) and one (film) that is not.



⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ The Continuous Improvement Fund's 4-Season Residential Waste Composition Study Results for the years 2016-17 to 2019-20 are available at: <https://thecif.ca/centre-of-excellence/policy/waste-composition-studies/>, along with terms of reference, frequently asked questions and standard material categories.

Figure 5 suggests that a significant amount of plastic containers typically accepted in recycling programs (such as polypropylene, polyethylene terephthalate, and high-density polyethylene) are placed in the garbage, while plastic packaging known to be less recyclable, such as film, is often placed in the recycling bin. In addition, other evidence suggests that the level of contamination is even higher in public spaces such as parks and sidewalks.¹²

Discussion question 7

Are there any other factors that can impact a plastic item's recyclability, beyond the factors listed?

Discussion question 8

What kinds of information would make it easier for individuals to prepare and sort plastics for recycling adequately?

3.8 Packaging design choices and inaccurate labelling may harm public trust in recycling systems

It is increasingly clear to Canadians that recycling systems suffer from serious shortcomings due to packaging design choices that complicate recycling and inaccurate labelling that can confuse the public. Evidence suggests that approximately half of Canadians trust that items are recycled effectively,¹³ that public trust in recycling systems is declining,¹⁴ and that trust is lowest among the young.

Without improvements in packaging design for recyclability, coupled with better information on whether packaging is recyclable, public trust in recycling may continue to decline to the point that participation rates suffer. This could reduce the amount of plastic packaging introduced to the recycling stream and hamper efforts to use more post-consumer recycled content in new products and packaging.

Discussion question 9

Is there any other information the Government should be aware of regarding levels of public trust or confidence in recycling systems, links between recyclability labelling and public trust, or links between public trust and levels of participation in recycling systems?

Discussion question 10

What kind of design features on plastic items or information on labels would be most effective in helping strengthen public trust in recycling systems?

Discussion question 11

Could more accurate labels be used in sorting facilities to improve outcomes? If so, how?

¹² See, for example, Recycle BC, *Packaging and Paper Product Extended Producer Responsibility Plan* (2019) at 15. Available at: https://recyclebc.ca/wp-content/uploads/2019/07/RecycleBCStewardshipPlan_16July2019.pdf.

¹³ See, for example, York Region, *Single-use Items: What you Said* (2022). Available at: <https://www.york.ca/media/104121/download?attachment>; Leger Marketing, "Are Canadians confident that the recycling system properly recycles their waste?" (2020). Available at: <https://blog.legeropinion.com/en/news/canadians-confident-recycling-system/>.

¹⁴ Leger Marketing, *supra* note 18.

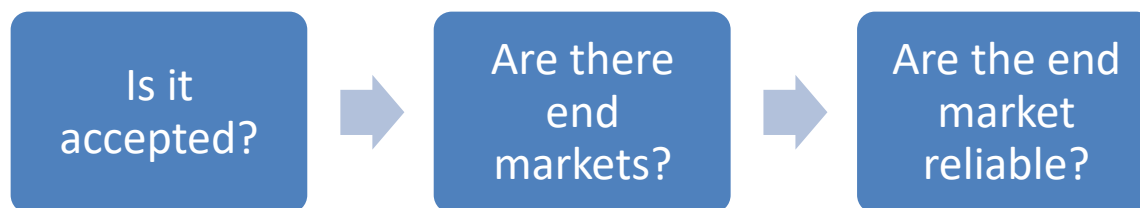
4. Framing the Government's commitment on recyclability labelling

The Government's commitment is to introduce labelling rules that prohibit the use of the chasing-arrows symbol on plastic items unless 80 per cent of Canada's recycling facilities accept, and have reliable end markets for, these products. This section unpacks the different elements of this commitment to provide the basis of a recyclability labelling regime under the *Canadian Environmental Protection Act, 1999*.

The commitment can be broken down into three elements (see Figure 6), which form the criteria for determining whether plastic packaging can be labelled as recyclable. Each of the following criteria would need to be met for a recyclability claim to be made:

1. accepted in 80% of recycling facilities in Canada
2. end markets exist
3. these end markets are reliable

Figure 6: Criteria for determining recyclability



4.1 Determining whether packaging is accepted in 80% of recycling facilities in Canada

A principled approach should be used to determine what is accepted for recycling in Canada, while acknowledging that what is accepted for recycling across Canada may change over time, requiring an approach that is also adaptable.

4.1.1 How acceptance can be determined

“Acceptance” can be determined by looking at what is accepted in public collection systems, such as municipal or industry-operated residential curbside recycling programs. These programs identify the kinds of plastics that can be accepted at scale in the recycling stream for further sorting, cleaning and baling. They also depend heavily on individuals having the right information regarding what can be included for recycling or not.

Other potential approaches to measuring acceptance, such as collection from industrial, commercial and institutional (ICI) locations are currently lacking sufficient granularity. However, as more data becomes available from these sources, the Government will consider how they could be included in measuring acceptance in the future, if appropriate.

What are the major differences between what is accepted in public recycling programs and what is collected for recycling from ICI locations that the Government should consider?

4.1.2 Principles for measuring acceptance

Rules for determining acceptance will be developed according to the following principles:

- to the extent possible, Canadians should be able to use labels as a reliable source of information on the recyclability of plastic packaging in their area, regardless of where they live in Canada
- labelling rules should only reflect acceptance in collection systems that are:
 - free for the public to use
 - consistently offered to the public (e.g., dedicated collection sites or weekly curbside pickup)
 - easily accessible by the public
 - operated at scale

4.1.3 Approach to measuring acceptance for the purposes of recyclability labelling rules

The Government would establish an initial assessment of what is accepted for recycling across Canada through a survey of municipal and provincial recycling systems and incorporating the results in the design of recyclability labelling rules, guidelines and other tools. The results of the assessment would be made publicly available to support compliance with the labelling rules.

Recyclability labelling rules would establish an acceptance threshold where 80% of the population must have access to a collection system for an item in each of the following regions:

- Atlantic Canada (encompassing Newfoundland and Labrador, Nova Scotia, Prince Edward Island and New Brunswick)
- Quebec and Nunavut
- Ontario
- Prairies and Northwest Territories (encompassing Manitoba, Saskatchewan, Alberta and Northwest Territories)
- Pacific (encompassing British Columbia and Yukon)

These regions are based on existing knowledge of recycling markets; provinces and territories are grouped together based on whether they belong to the same regional market for recyclable plastics.¹⁵ Where no data is available for a jurisdiction, it is included with nearby jurisdictions.

The Government also recognizes that collection systems in many provinces and territories will be shifting towards producer-funded and operated extended producer responsibility systems between now and 2030, and this may result in changes to what is collected for recycling. Recyclability labelling rules will be designed to be adaptable to these changes, and the

¹⁵ See, for example, the markets outlined at <https://www.recyclingmarkets.net/>.

assessment of what is accepted for recycling across Canada may be updated over time, if appropriate.

Discussion question 13

Does the regional market breakdown reflect the current situation in Canada? Are there alternative ways to establish 80% acceptance thresholds?

Discussion question 14

Do companies currently identify what is collected for recycling when developing recyclability labelling? If so, how?

Discussion question 15

How could labelling rules provide accurate information to residents of rural, remote or Northern communities where recycling programs may operate on different models (e.g., drop-off depots) or may not be present at all?

Discussion question 16

How often do acceptance rules for public recycling programs change, and why?

Discussion question 17

What kinds of information should be sought as part of the initial survey and assessment of what is accepted for recycling across Canada?

4.2 Reliable end markets

If acceptance in recycling systems broadly aligns with the collection stage in the recycling process (as explained in section 4.1.1) an item must still be capable of successfully completing the other stages of the recycling process (i.e., sorting and reprocessing) to be considered recyclable.

The presence of reliable end markets help move plastics towards successful re-processing and use in new products and packaging. When entities such as materials recovery facilities (MRFs) are able to sell into end markets, they can generate revenue to support their ongoing operations. When they know that the end markets are reliable, they can plan ahead and invest in expansions or improvements to their operations.

End markets must be situated in North America, as it can be difficult to determine whether plastics exported to another continent are successfully recycled.

4.2.1 Determining what is meant by “end market” and where in the recycling process an “end market” exists for the purposes of labelling rules

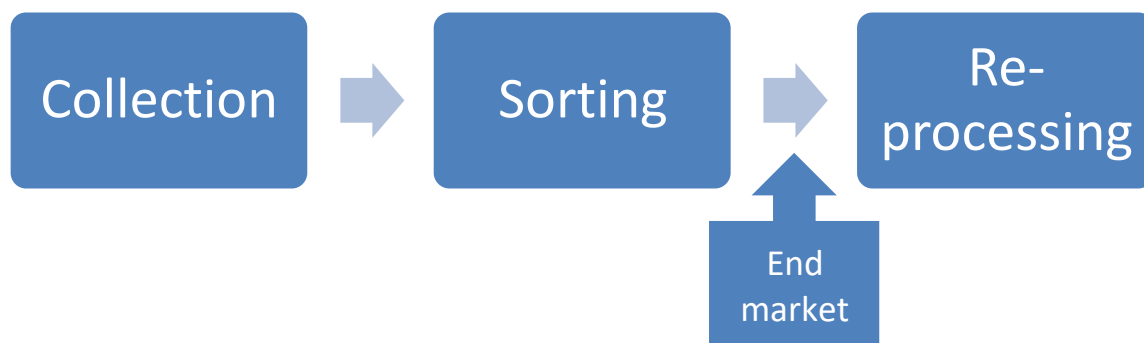
An end market, for the purposes of assessing recyclability, can be understood at a minimum as the point in the recycling process where recyclable plastics should be expected to have a positive market value (i.e., the point at which plastics can be sold to entities operating at the next stage of the recycling process). For example, a single-use plastic container may have no positive market value until it has completed several steps in the recycling process:

1. at the disposal stage, the individual consumer cannot sell the used container on the open market

2. at the collection stage, a collector likely would not be able to sell the container in its unsorted, uncleaned, unbaled state
3. after the container has been sorted, cleaned and baled with other similar plastics it gains a positive market value, as the sorter is able to sell the bale on the open market to a re-processor or an intermediary

In this example, the end market for the container is after the sorting stage and before the re-processing stage in the recycling process. It is likely that, for many plastics, the end market would be the same as for the plastic container in the above example, at the point in the recycling process between sorter and re-processor (see Figure 7).

Figure 7: Location of end markets for recyclable plastic packaging for the purposes of recyclability labelling



4.2.2 Determining whether a North American end market exists for a product

Whether a North American end market exists for an item can be determined by considering factors such as the following:

- **Bale specifications:** Organizations that work with recyclers in North America such as the Institute of Scrap Recycling Industries and the Association of Plastics Recyclers have developed model bale specifications for various kinds of plastics.¹⁶ Inclusion in a model bale specification may be a good indicator that an item is typically sorted and baled for sale into end markets
- **Recyclability guidelines:** Industry groups and other organizations have shown leadership in developing guidelines for producers on designing plastic packaging to make them recyclable. These resources often reflect considerable research and collaboration with recyclers and other experts. Examples include the APR Design Guide developed by the Association of Plastics Recyclers¹⁷
- **Material flow data:** Statistics Canada's pilot physical flow account provides data on downstream outcomes for plastics based on product and resin types. This and other similar macro-level data can be used to help determine to what extent certain categories

¹⁶ ISRI's model bale specifications are available at: <http://www.scrap2.org/specs/>. The Association of Plastics Recyclers model bale specifications are available at: <https://plasticsrecycling.org/model-bale-specifications>.

¹⁷ Available at: <https://plasticsrecycling.org/apr-design-guide>.

of plastic items are successfully sorted and re-processed, which can be useful indicators of the existence of end markets

- **Facility-level data:** Numerous studies and reports have been prepared by Canadian jurisdictions, waste management organizations, and civil society groups that assess the performance of various kinds of plastics in sorting facilities. These sources can be drawn from to help determine what is included in bales that is sold for re-processing, and what is baled but not sold (e.g., typically included in commingled bales), and what is sent straight for disposal or incineration. Similar studies could be conducted for re-processing facilities in the future
- **Market data:** Various sources publish data on the market value of bales that are sold to re-processors within North America.¹⁸ Available data suggest that end markets with positive market value do not exist for some kinds of sorted plastics or for all types of bales

The Government is considering drawing from the above sources to develop an approach (e.g., methodology, guidance) for producers to determine whether a North American end market exists for a specific item.

Discussion question 18

Are there any other factors the Government should consider in developing an approach to determine whether a North American end market exists for a particular plastic item?

Discussion question 19

Are there any particular categories of plastics that likely do not have North American end markets? Why?

4.2.3 Determining whether a North American end market is reliable

When recycling systems have predictable demand and can reasonably expect a certain price for recyclable materials, they can plan and justify investing in improvements to their operations over time (e.g., purchasing more efficient equipment). Reliable end markets that show strong and sustained demand for recyclable plastics are also a useful indicator of success further down the recycling stream, as it signals that re-processors are willing to pay for plastic they can turn into feedstock for new products and packaging and sell that feedstock at a profit.

For the purposes of recyclability labelling, North American end markets must also be “reliable”. There are numerous potential indicators for assessing an end market’s reliability. These could include:

- **Strength of market prices:** A positive market value is required for an end market to exist. However, positive market value must also be strong enough (i.e., high enough) to offer sustainable revenue streams to both maintain current operations and invest in new technologies and systems to improve recycling outcomes over time. A weak market price may not be a reliable market price, even if the price is stable over time

¹⁸ These include datasheets published by the Continuous Improvement Fund and the website www.recyclingmarkets.net.

- **Stability of market prices:** Businesses need sufficient certainty to justify investing in improvements to their operations. A multi-year history of stable market prices for recyclable plastics helps provide that certainty
- **Successful outcomes:** Reliable end markets should lead to successful recycling outcomes, as strong and stable demand for recyclable plastic, through for example, minimum required content requirements, would be driven by the desire to produce as much recycled product as possible to be sold as feedstock for new products and packaging. In this sense, end markets are “reliable” when they can be relied on to ensure that plastics are regularly recycled and turned into feedstock for new products

The Government is considering drawing from the above sources to develop an approach (e.g., methodology, guidance) for producers to determine whether an end market is reliable in relation to a specific item.

Discussion question 20

Are there any other factors the Government should consider in developing an approach to determine whether a North American end market for a particular plastic item is reliable?

5. Framing the issue for compostability labelling

Although compostable, biodegradable and biobased plastics may offer environmental benefits, their end-of-life management presents a variety of challenges to both the organics and conventional plastics waste streams. Accurate labelling of these plastic products would provide information to Canadians enabling them to improve how these products are sorted for disposal thereby diverting organic waste from landfills to organic waste management systems and preventing the contamination of conventional plastic recycling streams.

5.1 Background

Bioplastics, often referred to as compostable, biodegradable or biobased plastics, make up a small but growing share (<1%) of the market for single-use plastics and packaging.¹⁹ While biodegradable and compostable plastics may be made of either renewable feedstocks or fossil fuels, biobased plastics generally refer to plastics that are synthesized from biomass or renewable resources.

Biodegradable plastics are a type of plastic that are able to break down into carbon dioxide, water and biomass in the environment as they possess heteroatoms along their backbone that render them more susceptible to hydrolytic or enzymatic reactions. These processes cause the structure to break down (or degrade) into lower molecular weight fragments that microbial cells can assimilate and subsequently mineralize either aerobically or anaerobically. However, the

¹⁹ European Bioplastics, *Bioplastics Market Data* (2020). Available at: <https://www.european-bioplastics.org/market/>

conditions and time for biodegradable plastic to break down can vary. Compostable plastics are a sub-group of biodegradable plastic that are designed to biodegrade in a managed composting process through the action of naturally occurring microorganisms, typically within a specified time frame.²⁰

5.2 End-of-life challenges

While bioplastics may offer upstream environmental benefits such as carbon savings over fossil-based plastics and the potential to contribute to Canada's bioeconomy, these plastics are currently problematic to manage at their end of life.²¹ There are several types of bio-based plastic products on the market, with significant variation in performance along with inconsistent labelling. During previous consultations on the Government of Canada's zero plastic waste agenda, stakeholders from industry and industry associations, civil society organizations, and other levels of government, as well as individual Canadians identified the need for strict labelling requirements for compostable plastic items to distinguish them from other types of plastics, including recyclables.

Discussion question 21

Is there any data on end-of-life outcomes for compostable plastics and other types of biodegradable or degradable plastics, the Government should be aware of as it develops labelling rules?

5.2.1 Contamination

Compostable plastics are typically screened out by organics processing facilities and sent to landfill, due to confusion and contamination with other types of plastics (e.g., conventional and other types of degradable plastics), and generally longer biodegradation times than food and yard waste.

Additionally, compostable, biodegradable and degradable plastics contaminate conventional plastic recycling streams, as they are not intended to be managed in this stream. Most mechanical sorters are unable to easily distinguish and separate them from conventional plastics, and degradable plastic polymers negatively affect the quality of the reprocessed plastic resins.²²

²⁰ Government of Canada, *Science Assessment of Plastic Pollution* (2020). Available at: <https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/science-assessment-plastic-pollution.html>.

²¹ One exception is 'drop in' bioplastics, such as Biopolyethylene (BioPE) and Biopolypropylene (BioPP). These plastics are chemically identical to conventional resins and equally recyclable.

²² Eunomia. *The Impact of the Use of "Oxo-degradable" Plastic on the Environment*. Final Report for the European Commission DG Environment. Project conducted under Framework Contract No ENV.A.2/FRA/2015/0008. Office of the European Union, Luxembourg. Available online: <https://op.europa.eu/en/publication-detail/-/publication/bb3ec82e-9a9f-11e6-9bca-01aa75ed71a1> (viewed 2021-05-05) (2016); Recycle BC. *Compostable Packaging and Paper Product. 2019 Research Summary Report*. Recycle BC, British Columbia. Last updated April 2021. Available online: https://recyclebc.ca/wp-content/uploads/2020/06/Compostable-Packaging-2019-Research-Summary-Report_Final.pdf (viewed 2021-05-08) (2019).

5.2.2 Other degradable plastics

There are also some types of degradable plastic products that do not biodegrade in the conditions of composting facilities, further adding to contamination. Oxo-degradable, oxo-biodegradable and photodegradable plastics are plastics that have been designed with an additive to speed up their fragmentation into microplastics and other chemicals, but they do not fully degrade in an acceptable amount of time and into acceptable products under any conditions. Most municipalities across Canada direct consumers to dispose of plastic items labelled as biodegradable, oxo-biodegradable or photodegradable in the garbage. These items are not accepted in organic waste or recycling systems because they are known contaminants in these systems.

5.3 Existing standards and certifications

The Bureau de Normalisation du Québec (BNQ) and Biodegradable Products Institute (BPI) are two organizations that certify to accredited North American standards for compostable products. In Canada, compostability certification is currently voluntary.

- **BNQ:** CAN/BNQ 0017-088 is Canada's existing national standard for compostable plastics (adoption of international standard 17088 with minor modifications)
- **BPI:** Certifies products (to ASTM D6400 and D6868) associated with desirable organic wastes, like food scraps and yard trimmings that are collected for composting

5.4 Objectives of compostability labelling rules

Federal measures creating labelling and performance requirements for compostable plastics would seek to achieve the following objectives to help resolve the issues outlined above:

- **increase diversion of organic waste from landfill**
- **improve outcomes in organic waste systems** by decreasing contamination of the organics stream, and provide greater confidence to facility operators that the products they are receiving and processing are compostable within their operating parameters
- **improve outcomes in recycling systems** by decreasing contamination of the recycling stream and improve the quality of the plastics received by recycling facilities
- **reduce public and industry confusion surrounding the terms**

Such rules would consider alignment with existing third party standards and certifications for compostable plastics, where appropriate.

Discussion question 22

Are there any other objectives the Government should be seeking to achieve through compostability labelling rules? If so, what are they and why are they important?

6. Key elements of recyclability and compostability labelling rules

The following section outlines the key elements of the proposed approach to developing recyclability and compostability labelling rules.

6.1 Scope of application

The scope of application includes the types of products that should be targeted by the rules, as well as the kinds of recyclability claims that would be subject to the labelling rules.

6.1.1 Application to consumer-facing packaging and single-use plastics

The scope of recyclability labelling rules should be targeted to those products that would have the greatest impact in terms of achieving the objectives outlined in section 3.1. The greatest impacts would be achieved by targeting categories of products:

- that are intended to be used by the public, and
- where recycling outcomes depend directly on the public's knowledge of recycling and their behaviour (e.g., proper sorting, rinsing, separating material before collection)

As a result, the Government is considering the application of recyclability labelling rules to the following product categories:

- **primary plastic packaging, including beverage containers:** primary packaging is designed to come into direct contact with a product (e.g., food)
- **secondary plastic packaging:** secondary packaging is designed to contain one or more primary packages together with any protective materials where required
- **single-use, disposable, and other short-lived plastic products:** single-use and disposable plastics are items designed with the intent to be used only once or for a short period of time for their original purpose before they lose their original functionality, physical capacity or quality, or before they are discarded

The Government is considering the application of compostability labelling rules to the same scope of product categories, noting that a narrower range of applications are considered suitable for organics recycling:

- applications that facilitate the diversion of organic waste from landfills (e.g. certified compostable bin liners)
- applications that are difficult to recycle due to contamination or sorting challenges (e.g. produce stickers)

Note that the Government may consider expanding the labelling rules to other consumer product categories such as electronics, textiles and major home appliances in the future.

Discussion question 23

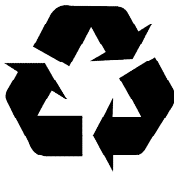
Are there any limitations or exclusions or additional elements that should be incorporated into these categories included in the scope of application? If so, why?

6.1.2 Kinds of recyclability claims subject to labelling rules

As discussed, there are many ways producers can communicate the recyclability of an item. While the “chasing arrows” symbol is likely the most recognizable method, other symbols, terms and expressions may be used. There are three potential approaches to determining the kinds of recyclability claims that would be subject to labelling rules:

- **Approach 1** would only apply rules to the use of the common “chasing arrows” symbol also known as the Möbuis loop described in ISO 14021

Figure 8: Approach 1 would only regulate the use of the "chasing arrows" symbol



- **Approach 2** would apply to the common “chasing arrows” symbol described in ISO 14021, as well as any other use of chasing arrows, such as those described in the previous version of standard ASTM D7611, or on proprietary labels

Figure 9: Approach 2 would also apply to other symbols that use chasing arrows such as this resin code that follows an outdated version of the ASTM D7611 technical standard



- **Approach 3** would apply to any claim on a label that is related to recyclability. This could include those outlined in approaches 1 and 2, as well as the use of terms such as “recyclable”, “recycle this product”, or qualified terms such as “recyclable where facilities exist”, as well as other terms, expressions or symbols that communicate whether a product is recyclable, or that otherwise urge consumers to recycle something

The Government is considering adopting approach 3, which would have the greatest impact to provide consistent information to consumers. This could avoid situations where a producer chooses not to use the “chasing arrows” symbol but communicates inaccurate recyclability claims via other terms, symbols or expressions (e.g., a simple statement on a label saying “100% recyclable”).

Discussion question 24

Which of the above approaches for the kinds of recyclability claims that should be subject to labelling rules (1, 2, 3) should the Government adopt, and why? Is there another approach the Government should adopt instead?

6.2 Requirements for recyclability labelling

The information in this sub-section outlines the proposed requirements for recyclability labelling, including whether it should be obligatory, information on the design and location of labels, whether to use additional or qualified statements on labels, and if the “chasing arrows” symbol should be allowed to be used to convey information other than recyclability.

6.2.1 Permissive versus obligatory labelling

Currently, labels communicating an item’s recyclability are not obligatory. Producers choose to make recyclability claims on their products and packaging, subject only to existing rules prohibiting false, misleading or unsubstantiated environmental claims. The Government is considering two potential approaches to whether a producer must communicate the recyclability of an item:

- **Approach 1** would create a permissive system where recyclability labels are not obligatory, but if a producer chooses to communicate recyclability, they would be required to follow the labelling rules
- **Approach 2** would create an obligatory system where recyclability labels must be included on consumer-facing plastic packaging and single-use plastics to communicate whether it is recyclable (with or without qualifiers) or not

While a permissive approach may be somewhat less burdensome for producers, the Government is considering an obligatory approach to recyclability labelling. This would provide the greatest impact in terms of attaining the environmental objective of avoiding the creation of new waste by achieving the desired outcomes outlined earlier and again in Table 1.

Table 1: Potential impacts of obligatory labelling rules

Desired outcome	Impact of obligatory labelling rules in achieving desired outcome
Improve plastic packaging design	Obligatory rules would create a greater incentive for producers to make packaging more recyclable, to avoid having to communicate that their packaging is not recyclable.
Improve public participation in recycling systems	Obligatory rules would eliminate most uncertainty around whether something is recyclable or not, helping Canadians improve how they recycle.
Reinforce public trust in recycling	Obligatory rules would give Canadians confidence that an item can in fact be recycled, potentially doing the most to reinforce and sustain high participation rates in recycling systems.
Improve outcomes in recycling systems	Obligatory rules would provide clear instruction to consumers on what is recyclable and what is not, improving the quality of materials that enter the recycling stream.

Discussion question 25

If an obligatory system is adopted, what should the Government consider in order to minimize costs to industry while maximizing environmental outcomes (e.g., appropriate timelines, cumulative impacts of different labelling requirements)?

6.2.1.1 Exemptions and special rules for certain items

If the Government were to adopt an obligatory approach to recyclability labelling, the Government would then consider either exempting from recyclability labelling rules, or establishing special rules, for the following:

- **certified compostable plastics:** Compostable plastics are not typically designed to enter the recycling stream, as they are intended to be managed in the same waste stream as organics. As a result, items subject to rules for labelling compostable plastics described in section 6.3, could be considered for exemptions from obligatory recyclability labelling rules
- **small items:** It may not be feasible to include recyclability labels due to characteristics such as size and shape. As a result, items under a certain size threshold (based on height, length or width) could be exempted. However, recyclability labels could be required in the following ways:
 - for small, single-use plastics, labels could be placed on the items' packaging. For example, under the *Single-Use Plastics Prohibition Regulations*, single-use plastic flexible straws must be sold in retail stores in packages of at least 20. The packaging for these single-use plastic flexible straws could communicate the recyclability of the straws themselves, in addition to the recyclability of the packaging
 - for small components of packaging and single-use plastics (e.g., bottle caps), labels could provide instructions for all the components (e.g., "remove lid" or "lid not recyclable")

Discussion question 26

Are there any other kinds of plastic items that may warrant special rules or exemptions from labelling rules under an obligatory system? Why?

6.2.2 Design and location of recycling labels

The design and location of recyclability labels may determine how effective they are to help consumers recycle.²³ Rules for food labelling information can be a useful guide for effectively communicating information on labels.²⁴ For example, the *Food and Drugs Regulations* and *Safe Food for Canadians Regulations* require food labelling to be clearly and prominently shown, and

²³ See, for example: UNEP, *Guidelines for Providing Product Sustainability Information* (2017). Available at: <https://www.oneplanetnetwork.org/knowledge-centre/resources/guidelines-providing-product-sustainability-information>

²⁴ *Ibid.*

readily discernible and legible to the purchaser or consumer under the customary conditions of purchase and use.²⁵

Labels that are hard to read due to size or location would be less effective in communicating information. However, the Government is sensitive to the interests of producers in controlling how their packaging is designed, as well as other labelling requirements.

The Government is considering two potential approaches related to the design and location of recycling labels:

- **Approach 1** would mandate a standard for how recyclability labels should look, and could in effect create a single, uniform recyclability label for plastics in Canada. Producers would have minimal discretion on the label's location and design, as well as the use of any other symbols, terms or expressions that are scoped into the rules
- **Approach 2** would simply govern the use of the recyclability claims. While rules may establish minimum standards such as requiring information to be legible and easily found on a label, producers would have more discretion on how recyclability claims are communicated, including the symbols (e.g., proprietary images), terms and expressions used

The Government is considering adopting approach 2. This would balance the need to convey accurate information that can be easily found with the interest of producers in controlling the design of their labelling. Recyclability rules would establish minimum standards to ensure consumers can easily access information on an item's recyclability and producers would have discretion on how that information is displayed. This would also avoid unintended consequences for producers that have already worked to improve recyclability claims on their labels, such as by joining a labelling program.

Discussion question 27

What should be the minimum standards to ensure consumers can easily access and use information on a label (e.g., size, font, location on the package, text size, required symbols)? Why?

6.2.3 Qualified recyclability information

Qualified information is already part of existing standards and practices. For example, archived 2008 environmental claims guidance discourages “generalized qualifications” such as the expression “recyclable where facilities exist”, and encourages claims that “adequately convey the limited availability of collection facilities”.²⁶

²⁵ See <https://inspection.canada.ca/food-label-requirements/labelling/industry/legibility-and-location/eng/1328038498730/1328038540376?chap=1>

²⁶ Available at: <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/02701.html>.

The Government is considering establishing a uniform approach to how qualified information regarding recyclability is communicated. Recyclability labels would be required to communicate the following:

- the plastic components (e.g., lids, film, trays) that are recyclable and not recyclable
- regions where an item is recyclable, using the regions outlined in section 4.1.3 (e.g., “recyclable in Quebec, Ontario and Pacific, but not Atlantic Canada or Prairies”)

Discussion question 28

Are there any other considerations besides components and regions that may require qualified recyclability information?

6.2.4 Use of the “chasing arrows” symbol for other purposes

The “chasing arrows” symbol is often used to communicate various kinds of information, such as the resin code or the presence of recycled content in an item. A variation of the “chasing arrows” symbol is sometimes also used to communicate compostability or biodegradability.²⁷ These different uses have the potential to confuse consumers, who may consider the “chasing arrows” symbol a universal symbol of recyclability.

Use of the “chasing arrows” symbol for some purposes such as communicating recycled content is a common industry practice for which international standards exist.²⁸ However, UNEP (United Nations Environment Programme) recommends that labels communicating claims other than recyclability be re-designed to remove the use of “chasing arrows”, due to their potential to mislead or confuse the public.²⁹ There are two potential approaches that could be taken under a recyclability-labelling regime with regard to these other uses:

- **Approach 1** would scope recyclability labelling rules narrowly to only govern the use of the “chasing arrows” symbol when it communicates whether an item is recyclable or not. Other kinds of claims using the “chasing arrows” symbol would continue to be allowed, subject to existing rules such as those prohibiting false, misleading or unsubstantiated environmental claims
- **Approach 2** would prohibit the use of the “chasing arrows” symbol for any claims other than recyclability

The Government is considering adopting approach 2. This would further simplify the meaning of the “chasing arrows” symbol to refer only to recyclability. Under this approach, the public could rely on the mere presence of the symbol to make decisions on whether to place an item in the recycling stream or not, without having to determine what kind of information the symbol is communicating. This has the potential to further improve the effectiveness of labelling rules to achieve the desired objectives.

²⁷ UNEP, *supra* note 5.

²⁸ See, for example, ISO 14021.

²⁹ UNEP, *supra* note 5.

Discussion question 29

Would there be any unintended consequences of prohibiting the use of the “chasing arrows” symbol for any purpose other than to refer to recyclability?

6.3 Requirements for compostability labelling

The Government recognizes the benefits of restricting labelling of compostable plastics to products certified to specified standards, and aligning with existing labelling requirements under these certifications. The Government is therefore proposing to prohibit applicable plastic products from being labelled degradable, biodegradable or compostable, unless certified as compostable by a third party. Other jurisdictions have implemented similar requirements. For example, California and Washington State prohibit the sale of plastic products labelled “biodegradable” and “degradable” and require products labelled as “compostable” to meet established standards for compostability. These laws also include labelling rules for compostable products, such as distinctive markings or colour schemes.

The standardization and restriction of terminology for compostable plastic products, along with increased public education, would help reduce confusion for Canadians and improve the quality of both the organics and recycling streams.

Discussion question 30

Should there be any criteria for determining whether a third-party certification is adequate to ensure compostability in Canadian composting facilities? If so, what should be the criteria and why?

Discussion question 31

Are there existing third-party certification programs that would ensure compostability in Canadian composting facilities? If so, which?

6.4 Complying with rules for recyclability and compostability labelling

The following section provides information on the proposed mechanisms producers may choose to help comply with the recyclability and compostability labelling rules, as well as how they may demonstrate that compliance.

6.4.1 Principles for compliance mechanisms

To be effective, recyclability and compostability labelling rules will need mechanisms to ensure producers are complying and that compliance can be verified. The Government proposes the following principles to guide the development of rules for compliance and compliance verification:

- producers need clear rules that facilitate compliance and minimize risk, and flexibility in how they meet those rules
- industry leadership to improve the recyclability and compostability of their plastic products and packaging should be leveraged to the extent possible

- the public needs transparency to strengthen and sustain public confidence in the recyclability and compostability labelling regime specifically and recycling systems generally
- recycling and organic waste systems need effective compliance approaches that ensure labelling rules actually reduce contamination and improve efficiency

Discussion question 32

Are there any other principles or other important considerations the Government should take into account in developing rules for compliance and compliance verification?

6.4.2 Compliance mechanisms

The Government recognizes that industry leaders and other organizations have invested significant effort, time and money in developing tools to improve the recyclability of plastic packaging, and that these tools have real potential to help producers meet recyclability labelling rules. In addition, plastic packaging is a broad category of items that have different applications, characteristics and downstream outcomes. The Government is therefore proposing that producers could comply with recyclability labelling rules using a range of different mechanisms. These mechanisms could be developed by the producer itself and used internally, or could be developed by third parties and used by producers, and could include:

- data-driven tools that quantify an item's recyclability using metrics derived from market research, technical expertise, and data collected from recycling facilities
- design-for-recyclability guidelines that outline how a producer can assess an item's recyclability, often with sequenced steps and clear criteria (e.g., the kinds of resins that are highly recyclable, moderately recyclable, and not recyclable)
- third-party labelling programs that producers can join to outsource recyclability assessments, and that certify an item's recyclability according to internal metrics and processes designed to meet legal obligations

Discussion question 33

Are there any other kinds of potential compliance mechanisms the Government should be aware of as it develops rules for labelling?

Discussion question 34

What kinds of changes would be needed to existing tools, guidelines and programs to meet the new labelling rules? How could the Government help facilitate these changes to ensure existing tools, guidelines and programs can continue to be used?

6.4.3 Demonstrating compliance for recyclability labelling

While producers would be given flexibility in choosing a compliance mechanism, the Government would need to ensure that the chosen mechanism meets minimum standards. These could include the following:

- the compliance mechanism considers all characteristics of a product that may affect its recyclability, such as shape, size, resin types, or presence of additives

- the compliance mechanism applies the methodologies, considerations and standards set out in the labelling rules (e.g., with regard to measuring acceptance or determining the reliability of end markets)
- the compliance mechanism is transparent in terms of how it leads to a determination of whether an item is recyclable or not

Producers may need to be able to explain, on request, how their chosen compliance mechanism meets each of these standards.

After demonstrating that a compliance mechanism meets the minimum standards, producers may then have to demonstrate that they used the compliance mechanism correctly. This could involve:

- keeping records that would need to be provided to the Government on request, explaining how an item was assessed for recyclability using the compliance mechanism and what the results were
- a requirement to provide a written explanation of how an item is recyclable to any individual who requests it, or else proactively provide a written explanation in an accessible format (e.g., accessed through the company's website or via a QR code on the label)

6.4.4 Demonstrating compliance for compostability labelling

To demonstrate compliance with compostability labelling rules, a compliance mechanism would be required to:

- consider whether the product was certified by a third party to a specified standard or standards
- include a requirement that the producer obtain written proof of the third party certification

Producers may have to demonstrate compliance in a similar fashion to recyclability labelling (i.e., by keeping records, providing them on request, and providing explanations to individuals who request one).

6.5 Implementation of recyclability and compostability labelling rules

The implementation of the final labelling rules would be accompanied by the development of supporting materials, such as guidance documents, and an awareness campaign. The impact of the rules would be evaluated to ensure that their objectives are being met.

6.5.1 Developing tools and guidance to facilitate compliance

Given the broad range of producers and items that could be subject to labelling rules, the Government would develop tools and guidance to make compliance easier and cheaper. These could include:

- technical documents elaborating methodologies, standards and criteria set out in the labelling rules, and that could be updated periodically

- generic guidelines that producers could use or build from to facilitate recyclability assessments

The Government is also considering organizing a technical committee of experts to advise on the development of tools and guidance as they are developed or updated.

Discussion question 35

Are there any other kinds of tools and guidance the Government should consider developing to support industry and facilitate compliance with labelling rules?

Discussion question 36

If a technical committee of experts is established, what should be its composition and what should be its role in the development of tools and guidance?

6.5.2 Spreading awareness

The Government will work with industry leaders, civil society organizations, provinces and territories, and municipalities to help spread awareness of the labelling rules, so that Canadians know that recyclability or compostability claims on labels are subject to new rules that make them more trustworthy. This could involve, for example:

- working with producer responsibility organizations to incorporate information on the labelling rules in their public education and awareness campaigns that they operate under provincial and territorial extended producer responsibility regulations
- working with civil society organizations that work to mobilize Canadians to reduce plastic waste and pollution
- working with provinces and territories, and municipalities to include information on labelling rules in communication and outreach activities that promote waste diversion and reduction

Discussion question 37

How should the Government work with partners and stakeholders to spread awareness and promote compliance with labelling rules, including disclosure requirements?

6.5.3 Measuring and reporting on results

The Government proposes to measure results using the metrics described below in Table 2 for each of the objectives outlined in this paper.

Table 2: Potential performance measurement metrics for recyclability and compostability labelling rules

Objective of labelling rules	How progress could be measured
Improving packaging design	<ul style="list-style-type: none"> • Reports and surveys of third-party programs promoting design for recyclability such as the Canada Plastics Pact and How2Recycle • Random samples of recyclability assessments provided by producers
Improved public participation in recycling systems	<ul style="list-style-type: none"> • Available waste composition reports that analyze what Canadians place in the recycling bin • Statistics Canada and other data sources that show amounts of plastic collected for diversion
Reinforcing public trust in recycling systems	<ul style="list-style-type: none"> • Periodic public opinion research to assess changes in the level of public trust in recycling systems over time
Improving outcomes in the recycling stream	<ul style="list-style-type: none"> • Statistics Canada and other data sources that show reductions in tonnes of plastic packaging sent from sorters and re-processors to landfills or incinerators
Improving outcomes in organic waste systems	<ul style="list-style-type: none"> • Reports and surveys, including waste characterization studies, from organic waste facilities

More broadly, the Government will measure rates at which plastics are diverted from landfill and the environment to help measure progress towards the broader environmental objective of preventing the creation of new waste by recirculating existing waste in the economy.

The Government would then publish periodic updates on the results of the labelling rules in achieving the objectives discussed in this document.

Discussion question 38

Are there any other performance metrics the Government should consider in tracking progress and evaluating success?

7. Next steps

The Government of Canada invites interested partners, and all stakeholders, including the public, to provide written comments on or before October 7, 2022. Consultation questions found throughout this document and summarized in the Annex are intended to help focus input. However, feedback is welcome on any issue or proposal raised in this document.

Following the comment period, the Government commits to the following next steps:

- analyze feedback to inform the choice of instrument, instrument design, and implementation plan
- continue to consult with stakeholders as rules are developed
- publish a draft instrument for public comment before finalization

Comments can be submitted by email to plastiques-plastics@ec.gc.ca, or by mail to:

Tracey Spack
Director
Plastics Regulatory Affairs Division
Environment and Climate Change Canada
351 St. Joseph Blvd
Gatineau Quebec K1A 0H3

Annex: Consultation questions

Framing the issues for recyclability labelling		Location
Discussion question 1	Are there any other objectives the Government should be seeking to achieve as it develops labelling rules for recyclability?	Page 5
Discussion question 2	Is there more granular data the Government should be aware of regarding outcomes of specific kinds of plastic items or packaging in the recycling stream?	Page 8
Discussion question 3	Is the “chasing arrows” symbol commonly used for any other product categories beyond packaging? If so, which product categories? Are there special challenges to affixing a label on some type of packaging (e.g., films)? What are they?	Page 10
Discussion question 4	Is there any data (e.g., market data) the Government should be aware of regarding the use and prevalence of the “chasing arrows” symbol on packaging and other plastic product categories?	Page 10
Discussion question 5	What is the process and timeline for designing and implementing changes to labelling (e.g., lifespan, costs, marketing considerations, and implementation timelines)?	Page 10
Discussion question 6	Is there any other data the Government should be aware of regarding the accuracy of recyclability labelling on plastic packaging or other product categories?	Page 11
Discussion question 7	Are there any other factors that can impact a plastic item’s recyclability, beyond the factors listed above?	Page 13
Discussion question 8	What kinds of information would make it easier for individuals to prepare and sort plastics for recycling adequately?	Page 13
Discussion question 9	Is there any other information the Government should be aware of regarding levels of public trust or confidence in recycling systems, links between recyclability labelling and public trust, or links between public trust and levels of participation in recycling systems?	Page 13
Discussion question 10	What kind of design features on plastic items or information on labels would be most effective in helping strengthen public trust in recycling systems?	Page 13
Discussion question 11	Could more accurate labels be used in sorting facilities to improve outcomes? If so, how?	Page 13

Framing the Government's commitment on recyclability labelling

Discussion question 12	What are the major differences between what is accepted in public recycling programs and what is collected for recycling from ICI locations that the Government should consider?	Page 15
Discussion question 13	Does the regional market breakdown reflect the current situation in Canada? Are there alternative ways to establish 80% population thresholds?	Page 16
Discussion question 14	Do companies currently identify what is collected for recycling when developing recyclability labels? If so, how?	Page 16
Discussion question 15	How could labelling rules provide accurate information to residents of rural, remote or Northern communities where recycling programs may operate on different models (e.g., drop-off depots) or may not be present at all?	Page 16
Discussion question 16	How often do acceptance rules for public recycling programs change, and why?	Page 16
Discussion question 17	What kinds of information should be sought as part of the initial survey and assessment of what is accepted for recycling across Canada?	Page 16
Discussion question 18	Are there any other factors the Government should consider in developing an approach to determine whether a North American end market exists for a particular plastic item?	Page 18
Discussion question 19	Are there any particular categories of plastics that likely do or do not have North American end markets? Why?	Page 18
Discussion question 20	Are there any other factors the Government should consider in developing an approach to determine whether a North American end market for a particular plastic item is reliable?	Page 19

Framing the issues for compostability labelling

Discussion question 21	Is there any data on end-of-life outcomes for compostable plastics and other types of biodegradable or degradable plastics, the Government should be aware of as it develops labelling rules?	Page 20
Discussion question 22	Are there any other objectives the Government should be seeking to achieve through compostability labelling rules? If so, what are they and why are they important?	Page 21

Key elements of recyclability and compostability labelling rules

Discussion question 23	Are there any limitations or exclusions or additional elements that should be incorporated into these categories included in the scope of application? If so, why?	Page 22
Discussion question 24	Which of the above approaches for the kinds of recyclability claims that should be subject to labelling rules (1, 2, 3) should the Government adopt, and why? Is there another approach the Government should adopt instead?	Page 23
Discussion question 25	If an obligatory system is adopted, what should the Government consider in order to minimize burden on industry while maximizing environmental outcomes (e.g., appropriate timelines, cumulative impacts of different labelling requirements)?	Page 25
Discussion question 26	Are there any other kinds of plastic items that may warrant special rules or exemptions from labelling rules under an obligatory system? Why?	Page 25
Discussion question 27	What should be the minimum standards to ensure consumers can easily access and use information on a label (e.g., size, font, location on the package, text size, required symbols)? Why?	Page 26
Discussion question 28	Are there any other considerations besides components and regions that may require qualified recyclability information?	Page 27
Discussion question 29	Would there be any unintended consequences of prohibiting the use of the “chasing arrows” symbol for any purpose other than to refer to recyclability?	Page 28
Discussion question 30	Should there be any criteria for determining whether a third-party certification is adequate to ensure compostability in Canadian composting facilities? If so, what should be the criteria and why?	Page 28
Discussion question 31	Are there existing third-party certification programs that would ensure compostability in Canadian composting facilities? If so, which?	Page 28
Discussion question 32	Are there any other principles or other important considerations the Government should take into account in developing rules for compliance and compliance verification?	Page 29
Discussion question 33	Are there any other kinds of potential compliance mechanisms the Government should be aware of as it develops rules for labelling?	Page 29

Discussion question 34	What kinds of changes would be needed to existing tools, guidelines and programs to meet the new labelling rules? How could the Government help facilitate these changes to ensure existing tools, guidelines and programs can continue to be used?	Page 29
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Consultation Paper: A Proposed Federal Plastics Registry for Producers of Plastic Products

Overview

Oxford County is a regional municipality in Ontario with a population of approximately 125,000 and serves as the waste management operating authority delivering municipal solid waste management services to eight (8) area municipalities.

Residential curbside garbage and recycling material is collected through contracted services and municipal service agreements. Municipal solid waste from residential and industrial, commercial, and institutional sectors (IC&I) is received and managed at the Oxford County Waste Management Facility (OCWMF) including landfill waste disposal and waste diversion programs such as blue box recyclables, yard waste composting, construction and demolition waste recycling, scrap metal, municipal biosolids, electronic waste collection, bulk Styrofoam, film plastic and Hazardous and Special Products (HSP).

As identified by the federal government, plastic waste is a problematic material managed by all levels of government, having an estimated recycling rate of 8%, with the remaining material either ending up in landfills or as pollution. In Oxford County, approximately 2% of waste material generated annually by residential households are non-recyclable plastics which are managed through the curbside garbage and blue box collection programs. Another 13% of non-recyclable plastic materials generated by the IC&I sector is managed (landfilled) at the OCWMF.

In 2020, the County removed film plastic (checkout bags, plastic wrap, film packaging) from its blue box collection program and implemented drop off depots for this material as an alternative. Due to processing challenges and potential for contamination of other recycling material streams, collection of film plastic through the blue box program was considered no longer viable. Collection through drop off depots ensures material is clean, improves marketability, and reduces contamination of other recycled material processed through the blue box program.

The County supports product bans and Extended Producer Responsibility (EPR) programs that will reduce and eventually eliminate plastic waste nationwide. Recognizing that the benefits of eliminating plastic waste are substantial, the federal goal of zero plastic waste by 2030 can only be achieved if provinces and territories work together by implementing a consistent approach to data collection and management, material types, recycling content, and public education.

Comments

Oxford County supports ECCC's proposed federal plastics registry for producers of plastic products and we appreciate the opportunity to provide comments and feedback on ECCC's consultation paper and offer the following comments for consideration.

1. What objectives and potential benefits do you see from a federal plastics registry, and are they contingent on any conditions being met (for example agreements with provinces and territories)?

For the federal plastics registry to be successful, buy-in from all jurisdictions across the country is needed. A fragmented system whereby only a few of the jurisdictions participate will prevent the federal government from achieving zero plastic waste by 2030.

From a municipal perspective, the County believes the registry objectives should be to:

- Aligning provincial and territorial EPR programs for program consistency nationwide.
- Provide greater accuracy in data collection for monitoring and measurement of program performance.
- Drive innovation among producers to develop plastic products that can be recycled or develop alternative product designs.

The potential benefits of the registry include:

- Reduced public and producer confusion by having consistent public education on what can be recycled, reused, etc.
- Having fewer reporting mechanisms thus reduces the administrative burden.
- Increase diversion through the addition of material-specific EPR programs, resulting in less waste material being handled by municipalities.
- Allows companies to take advantage of the efficiencies and economies of scale possible in larger markets that transcend provincial and territorial borders.

2. Are the product categories described in this document characterized accurately? For example, should any sub-categories be separated out and included as product categories in their own right, or should any categories be combined?

The County is pleased to see the proposed registry includes more than blue box related plastics. Holding all producers responsible for the plastic that they produce for consumption by Canadians is a significant step forward in dealing with the plastic waste issue.

The product categories listed in the consultation paper appear appropriate and provide clear and accurate descriptions. The County suspects as the implementation process begins for the proposed registry, new categories and/or sub-categories may arise from the consultation process.

3. Are there any other product categories that could be included within the scope of a federal plastics registry?

EPR programs are effective at identifying and managing the end-of-life cycle of designated materials, however as identified in the consultation paper, not all EPR programs manage the same material types. The County is very pleased to see the list of plastic products subject to reporting requirements under the proposed federal plastic registry which are more encompassing than what is seen at the provincial and territorial levels, proposing to capture 88% of the plastic products produced for Canadian consumption.

Textiles, Agricultural Film, Construction and Demolition Materials, and Automotive parts are considered by the County to be low-hanging fruit that can be easily captured under a federal registry for management. Other Products as identified in Figure 1 of the consultation paper is the only material type not identified for oversight. Things like medical plastics, toys, office supplies (e.g. rulers,

pens, etc.), and clothing hangers are just a few materials types that may not be captured under the current single-use plastic category, and without a management program in place, they will continue to be processed through the waste stream. Quantifying and regulating these materials for management through the proposed registry will be more challenging than the other material categories, and while the annual tonnage produced for consumption is low in comparison to the collective tonnage for the proposed material categories, it is important not to forget about them. The County requests that the government, if not already doing so, actively pursue a management program for the Other Products category.

4. What other sources of information should be considered by the registry to improve understanding of Canada's plastics economy?

The registry should consider tracking contaminated plastic waste destined for landfill. Tracking this metric will provide a more complete picture of the plastic waste issue and may identify opportunities for improved systems for contamination removal at the time of processing.

5. Should the Government adopt a producer hierarchy approach as presented in Figure 2? If so, should the hierarchy presented be modified in any way? Why?

The County views the producer hierarchy approach as presented in Figure 2 of the consultation paper to be a suitable approach. Furthermore, this hierarchy is used by several provinces in their EPR programs resulting in a high familiarity and understanding of the approach.

6. Could a product have different obligated producers in different provinces or territories (for example a brand owner in one province, and a different first importer in another province)? If so, how should a federal plastics registry account for these differences?

For data accuracy and simplicity in reporting, the County would suggest that the data should be reported at the national level as defined by Figure 2 in the consultation paper, regardless of whether that product is used nationwide. The information from the national reporting registry could then be easily disseminated to the relevant jurisdictions.

7. Should the Government create thresholds for small businesses? If so, what should those thresholds be, and which activities should small businesses be exempted from doing?

The County does not support exempting small businesses from having to register or report on their plastic products. It is important to have this information so that the data can be tracked and complete the overall picture of plastics consumed in Canada.

The County does support exempting small businesses from fees based on thresholds. The federal government is encouraged to review reporting thresholds for the B.C. and Ontario EPR programs for guidance on acceptable threshold criteria.

8. How should a federal plastics registry account for the fact that producers may engage multiple producer responsibility organizations for different provinces and territories?

Reporting guidelines will need to be established so that producer responsibility organizations (PROs) collect and report consistent data for the federal registry. The data reported by the PROs will cover all of the key data points listed in the consultation document except for plastics placed on the market. Information on this data point must come directly from the producer based on the producer hierarchy shown in Figure 2 of the consultation document.

9. Are there any important considerations the Government should be aware of as it explores possible cost recovery options?

The County supports the federal government's proposed approach to exempt franchisees from having to report, requiring producers to use third-party professionals to validate their data, and requiring producers to pay registry fees based on the criteria outlined in the consultation paper.

10. Should the Government allow producers to fulfill any cost recovery obligations through producer responsibility organizations?

Producers should be recognized and be eligible for cost recovery if they can demonstrate the reusability and recyclability of their product in addition to any product innovation which results in less plastic waste.

Conversely, producer fees should be increased based on the amount of plastic waste pollution caused by their product. These increased fees will ultimately drive product innovation and the development of new recycling markets.

If so, how would the Government ensure that each producer is contributing to cost recovery according to its obligations (for example related to any different fee structures linked to product design, product origins and supply changes, or product category contributions to plastic waste or pollution)?

NA

11. Is there a free rider issue for online marketplaces in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?

The free rider issue for online marketplaces in Canada is very much a concern. The most accurate data on plastics being made available for consumption in Canada will come from producers. Therefore the County supports Approach 1 outlined in the consultation paper where online marketplaces report on third-party sellers that are producers. This approach will minimize the free rider problem by minimizing gaps in the data.

12. Is there a free rider issue for couriers in Canada? If so, what is the extent of the problem and how could it be mitigated through a federal plastics registry?

There could be a free rider issue and it is the County's opinion that the simplest way to address this issue would be to require couriers to verify that businesses using their services are registered on the federal plastic registry.

13. Are there any special considerations the Government should take into account to protect CBI?

Significant work has gone into the B.C. and Ontario EPR models which have been able to demonstrate the ability to protect confidential business information (CBI). Referencing and utilizing elements of these reporting registry models should allow for quick implementation of a nationwide registry that takes into account CBI.

14. Which mechanisms could be used to facilitate collaboration between federal, provincial and territorial governments? Are there any mechanisms in particular that could also help reduce the administrative burden on producers?

Serious consideration should be given to the reporting registries already in use by the provinces and territories and where possible take steps to harmonize these systems. Reinventing the wheel will lead to unnecessary delays in the development of a nationwide registry and will negatively impact the federal government's agenda to achieve zero plastic waste by 2030.

15. What should the Government be aware of in implementing a federal plastics registry system according to the plan outlined in this paper (for example feasibility, cost)?

The federal government should anticipate a level of resistance from producers new to EPR programs which could cause implementation delays. It is important that the federal implementation plan for this initiative be maintained. Early consultation with producers will be essential in achieving critical milestones and receiving the necessary input to customize the registry reporting structure where necessary.

Consultation with the provinces and territories will also be important, providing an opportunity for information sharing and harmonization of all registries.

16. How quickly after Phase 1 data is required to be reported could producers provide the information outlined above for Phases 2-4?

Assuming Phase 1 begins before the end of 2024 then Phase 2 data should be reported between 12-16 months after Phase 1 (March 2026). This grace period will allow for needed registry program modifications as well as a smooth transition into Phase 2. Phases 3 and 4 should be implemented by end of 2026 as producers of these material types will have had sufficient time to prepare and submit data for reporting.

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Consultation Paper: Towards Canada-Wide Rules to Strengthen Recycling and Composting of Plastics Through Accurate Labelling

Overview

Oxford County is a regional municipality in Ontario with a population of approximately 125,000 and serves as the waste management operating authority delivering municipal solid waste management services to eight (8) area municipalities.

Residential curbside garbage and recycling material is collected through contracted services and municipal service agreements. Municipal solid waste from residential and industrial, commercial, and institutional sectors (IC&I) is received and managed at the Oxford County Waste Management Facility (OCWMF) including landfill waste disposal and waste diversion programs such as blue box recyclables, yard waste composting, construction and demolition waste recycling, scrap metal, municipal biosolids, electronic waste collection, and Hazardous and Special Products (HSP).

As identified by the federal government, plastic waste is a problematic material managed by all levels of government, having an estimated recycling rate of 9%, with the remaining material either ending up in landfills or as pollution. In Oxford County, approximately 2% of waste material generated annually by residential households are non-recyclable plastics which are managed through the curbside garbage and blue box collection programs. Another 13% of non-recyclable plastic materials generated by the IC&I sector are managed (landfilled) at the OCWMF.

In 2020, the County removed film plastic (checkout bags, plastic wrap, film packaging) from its blue box collection program and implemented drop off depots for this material as an alternative. Due to processing challenges and potential for contamination of other recycling material streams, collection of film plastic through the blue box program was considered no longer viable. Collection through drop off depots ensures material is clean, improves marketability, and reduces contamination of other recycled material processed through the blue box program.

The County supports introducing labelling rules that prohibit the use of the Mobius loop (chasing-arrows) on plastic products unless 80% of recycling facilities in Canada accept and have reliable end markets for these products. Furthermore, introducing rules that would require producers to assess and label their packaging or single-use plastic items based on recyclability is strongly supported by the County as it takes the decision out of the consumer and places it on the producer to identify what can be recycled in current-day recycling markets.

Comments

The County appreciates the opportunity to provide comments and feedback on ECCC's discussion paper and offers the following for consideration. Many of the questions posed in the consultation paper are technical in nature and pertain to producers and their ability to provide requested data. The County's responses have been limited to discussion questions that are applicable to municipal operations and waste diversion/resource recovery efforts.

1. Are there any other objectives the Government should be seeking to achieve as it develops labelling rules for recyclability?

The use of standardized labelling, allowing for consistent messaging will provide opportunities for improved and consistent educational campaigns across Canada. This improved communication will help consumers understand what can and cannot be recycled, and what happens to the material when it gets recycled.

2. Is there more granular data the Government should be aware of regarding outcomes of specific kinds of plastic items or packaging in the recycling stream?

The reporting system used by Statistics Canada to quantify plastic tonnage sent to landfill and/or to be recycled is comprehensive, regularly updated, and will provide a good benchmark for comparison. It would be beneficial to know plastic contamination levels pre-processing and post-processing. This data will help identify opportunities for improvement (e.g. improved consumer material handling or improved processing systems).

3. Is the “chasing arrows” symbol commonly used for any other product categories beyond packaging? If so, which product categories?

Children’s toys, office supplies like storage bins, plastic garbage lids, etc. are just a few items/categories that contain the chasing arrows symbol. As mentioned in the consultation paper use of the chasing arrows symbol is confusing for consumers as the symbol is interpreted by the consumer as being recyclable instead of communicating the product was made out of. This widespread use of the chasing arrows symbol coupled with consumer misunderstanding of what the symbol means has resulted in much consumer frustration.

Are there special challenges to affixing a label on some type of packaging (for example, films)? What are they?

The County recommends that printing directly onto the film plastic may be a viable option for the labelling of this material.

4. Is there any data (for example, market data) the Government should be aware of regarding the use and prevalence of the “chasing arrows” symbol on packaging and other plastic product categories?

NA

5. What is the process and timeline for designing and implementing changes to labelling (for example, lifespan, costs, marketing considerations, and implementation timelines)?

It would take years to phase out products with the current chasing arrows symbol on them. The County recommends developing a new symbol/label accompanied by an education campaign to explain its relevance and raise awareness about the outdated chasing arrows symbol.

6. Is there any other data the Government should be aware of regarding the accuracy of recyclability labelling on plastic packaging or other product categories?

The County encourages all labelling to include both symbols and terms. Terms such as “recycle this product” with an associated symbol will be easy for the consumer to interpret, assuming that the use of such a term/symbol can only happen if the producer/manufacturer meets the required standards.

The County has no comment on other available data.

7. Are there any other factors that can impact a plastic item’s recyclability, beyond the factors listed above?

Multi-material packaging also makes recycling difficult. Consumers are either unaware that they need to separate the various materials or choose not to do so, resulting in the item being handled through the waste stream, even if the consumer attempts to recycle it. For example, an envelope with a clear window or a bottle with a partial plastic sleeve, all present issues during the sorting and processing phase of a material’s end-of-life cycle.

Recycling processing of certain plastic items (eg film) with other material collected through municipal blue box programs may not be viable and can result in processing equipment failures and contamination of other material streams i.e. fibre/paper. Drop-off depots are a more viable option for recycling of some plastic items.

8. What kinds of information would make it easier for individuals to prepare and sort plastics for recycling adequately?

The consultation paper states that consumers look for the recycling symbol to see if the item can be diverted. The County recommends that information on the product’s recyclability, reusability, etc., should be more prominent making it easier to locate for those individuals less likely to search for the information.

Any information provided on a product’s recyclability and how to prepare it for collection must be easy to find, simple to interpret, and consistent. Consumers will not invest a lot of time to prepare a product for recycling. Any effort exceeding a simple rinse (if needed) and toss is often considered too time-consuming.

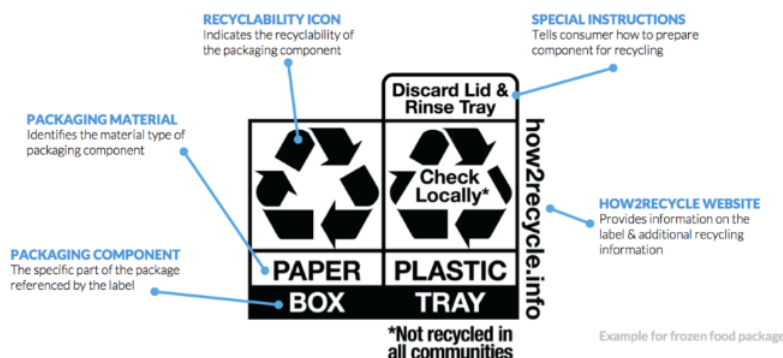
9. Is there any other information the Government should be aware of regarding levels of public trust or confidence in recycling systems, links between recyclability labelling and public trust, or links between public trust and levels of participation in recycling systems?

The County is unaware of any formal information which has surveyed consumers on this issue. However, anyone overseeing the curbside collection blue box program can confirm that interaction with residents indicates that there is low confidence in the amount of material that gets recycled if recycled at all. Education is key to addressing this perception. Clear and concise messaging needs to be shared about the recycling process in Canada. This message should also explain how to prevent your recycling from ending up in the landfill (i.e. by rinsing out the material so there is no contamination).

10. What kind of design features on plastic items or information on labels would be most effective in helping strengthen public trust in recycling systems?

The County recommends implementing a labelling system similar to what has been produced by How2Recycle. Their label contains both symbols and terms and are easy to interpret.

It's a smarter label system.



11. Could more accurate labels be used in sorting facilities to improve outcomes? If so, how?

Given the pace that sorters must work at, the County assumes that there would be little to no time available for the sorters to read labels and in a fully automative facility, labels would be of no use.

12. What are the major differences between what is accepted in public recycling programs and what is collected for recycling from ICI locations that the Government should consider?

Public recycling programs typically accept paper products and packaging materials for commonly used residential household items. In addition to items accepted in public recycling programs the ICI sector also produces plastic waste specific to their business. This means that unless the manufacturer of these items has a take-back program, the items end up in the waste stream.

13. Does the regional market breakdown reflect the current situation in Canada? Are there alternative ways to establish 80% population thresholds?

The regional market breakdown appears reasonable, however, it should be noted that there are a lot of inconsistencies in how materials are recycled; usually, it's based on what a contractor can arrange with end markets, and if transportation costs are feasible – a potential deterrent for northern/rural communities.

14. Do companies currently identify what is collected for recycling when developing recyclability labels? If so, how?

NA

15. How could labelling rules provide accurate information to residents of rural, remote or Northern communities where recycling programs may operate on different models (for example, drop-off depots) or may not be present at all?

Labelling should remain as consistent as possible and consideration should be given to adding recycling information for communities with drop-off depots. Many municipalities operate both curbside and drop-off depots for recycling, so adding this information to a nationwide label would apply to any community with some form of a recycling program.

16. How often do acceptance rules for public recycling programs change, and why?

Acceptance rules for recycling programs may change based on discontinued or new end markets and when collection and processing Vendors change that have different processing capabilities.

17. What kinds of information should be sought as part of the initial survey and assessment of what is accepted for recycling across Canada?

Details of how a recycling program operates will be important to understand and items collected at a depot may not be safe to collect with a compaction curbside collection vehicle. Things for consideration include:

- Acceptable materials (detailed list with subcategories)
- Collection method, curbside vs drop-off depot
- Curbside program - single stream vs two stream
- Audit reports/contamination rates
- Collection vehicle types (compaction vs non compaction)
- Other program requirements/restrictions/limitations

18. Are there any other factors the Government should consider in developing an approach to determine whether a North American end market exists for a particular plastic item?

NA

19. Are there any particular categories of plastics that likely do or do not have North American end markets? Why?

NA

20. Are there any other factors the Government should consider in developing an approach to determine whether a North American end market for a particular plastic item is reliable?

Tolerance levels for contamination and material quality should be assessed if possible. Supply and demand often dictate material quality acceptable for the end market and understanding these tolerance levels will help confirm if viable end markets are available.

21. Is there any data on end-of-life outcomes for compostable plastics and other types of biodegradable or degradable plastics, the Government should be aware of as it develops labelling rules?

NA

22. Are there any other objectives the Government should be seeking to achieve through compostability labelling rules? If so, what are they and why are they important?

The County recommends that the federal government consider a public education objective. Public outreach will be needed to increase the diversion of organic waste from landfill and to decrease contamination. The general public needs to have a better understanding of what is meant by a contaminant.

23. Are there any limitations or exclusions or additional elements that should be incorporated into these categories included in the scope of application? If so, why?

NA

24. Which of the above approaches for the kinds of recyclability claims that should be subject to labelling rules (1, 2, 3) should the Government adopt, and why? Is there another approach the Government should adopt instead?

Oxford County supports Approach 3 as it will communicate greater information to the consumer about the recyclability of a product, therefore increasing the chance of the product being diverted from the waste stream.

25. If an obligatory system is adopted, what should the Government consider in order to minimize burden on industry while maximizing environmental outcomes (for example, appropriate timelines, cumulative impacts of different labelling requirements)?

Oxford County supports the implementation of an obligatory system and recognizes that to do so will require time to achieve full implementation. A phase-in period of no more than 3 years would be appropriate. This would all manufacturers/producers to plan for the new labelling regime without having to re-label existing inventory.

26. Are there any other kinds of plastic items that may warrant special rules or exemptions from labelling rules under an obligatory system? Why?

NA

27. What should be the minimum standards to ensure consumers can easily access and use information on a label (e.g., size, font, location on the package, text size, required symbols)? Why?

Oxford County supports using Approach 1 as consistency in the label design, overall look, font used, font size, etc, will ensure that all required information is included on the label and consumers know what to look for, similar to the requirements for WHMIS labelling. By using Approach 1 the government can regulate font size, label size, symbols used, etc. which will address the need for labelling consistency.

28. Are there any other considerations besides components and regions that may require qualified recyclability information?

NA

29. Would there be any unintended consequences of prohibiting the use of the “chasing arrows” symbol for any purpose other than to refer to recyclability?

NA

30. Should there be any criteria for determining whether a third-party certification is adequate to ensure compostability in Canadian composting facilities? If so, what should be the criteria and why?

Oxford County recommends that the federal government review the Compostable Products/Packaging: Towards Common Ground, November 2002 report which discusses third-party certification and compostable labelling requirements.

31. Are there existing third-party certification programs that would ensure compostability in Canadian composting facilities? If so, which?

Oxford County recommends that the federal government review the Compostable Products/Packaging: Towards Common Ground, November 2002 report which discusses third-party certification and compostable labelling requirements.

32. Are there any other principles or other important considerations the Government should take into account in developing rules for compliance and compliance verification?

NA

33. Are there any other kinds of potential compliance mechanisms the Government should be aware of as it develops rules for labelling?

NA

34. What kinds of changes would be needed to existing tools, guidelines and programs to meet the new labelling rules? How could the Government help facilitate these changes to ensure existing tools, guidelines and programs can continue to be used?

NA

35. Are there any other kinds of tools and guidance the Government should consider developing to support industry and facilitate compliance with labelling rules?

NA

36. If a technical committee of experts is established, what should be its composition and what should be its role in the development of tools and guidance?

NA

37. How should the Government work with partners and stakeholders to spread awareness and promote compliance with labelling rules, including disclosure requirements?

Spreading awareness and promoting compliance with labelling rules can be done by partner and stakeholder categories (e.g. producer; provincial/territorial/municipalities; etc.) through webinars, consultation sessions, surveys, requests for written feedback on approaches, etc.

38. Are there any other performance metrics the Government should consider in tracking progress and evaluating success?

The objectives listed in the consultation document cannot be achieved without a significant public outreach campaign. Documenting public outreach and education on the new labelling regime and reporting on any feedback that may alter approaches for the better should be considered.

Prepared for:

Tracey Spack, Director, Plastic Regulatory Affairs Division, Environment and Climate Change Canada
(plastiques-plastics@ec.gc.ca)

Further Information:

Frank Gross, Manager of Transportation and Waste Management (fgross@oxfordcounty.ca)



TOWNSHIP OF BLANDFORD-BLENHEIM

Agenda Item

To: Members of Council

From: Trevor Baer

Reviewed By: Rodger Mordue, CAO/Clerk

Date: Oct 26th 2022

Subject: Monthly Report – October

Council Meeting Date:
Nov 2nd 2022

Report #: CS-22-15

Recommendation:

That Report CS-22-15 be received as information.

Background:

The following will provide Council with an update regarding the activities of the Community Services Department, for the month of October.

Analysis/Discussion

Arena

The arena has been operating for 6 weeks now, overall it has been going smoothly.

Parks

Over the month of October we have been starting to shut down the parks, this includes closing washrooms, shutting down splash pad, limiting the garbage's provided. We will be top dressing the Drumbo soccer fields.

The Plattsville Splash pad is under way, staff have moved swings, benches, in the park for this to happen, all piece of equipment that were removed will be reinstalled. At this point benches have been reinstalled, and 2 sets of swings, there are two more pieces of equipment that will be installed in the spring.

Thanks,

Trevor Baer



TOWNSHIP OF BLANDFORD-BLENHEIM

Agenda Item

To:	Members of Council	From:	Jim Borton Director of Public Works
Reviewed By:	Rodger Mordue	Date:	October 25, 2022
Subject:	Monthly Report	Council Meeting Date:	November 2, 2022
Report #:	PW-22-20		

Recommendation:

That Report PW-22-20 be received as information.

Capital

- Blenheim CN Bridge – The contractor has started to move equipment on to the site. The new span is scheduled to be delivered between November 7th and the 14th. Projection is to be completed by the end of the year.
- Gobles CN Bridge – It has been determined that the deck needs to be replaced. The work is being scheduled to start in April of 2023 with completion by the end of June 2023. CN is looking into a better way to control traffic over the bridge until the end of construction. Looking at hydro powered traffic lights.
- Princeton project – The Township is going to act as the general for the expansion of the Romano Pond. By using Township staff and local contractors, we will be able to complete the project under the engineers estimate.
- Princeton project – New sidewalk on the west side from the Community Centre to Peter St. At the open house a comment was made about sidewalks being continued from the Community centre down to Highway 2. Upon investigation it was determined that it was not feasible to have sidewalks from Peter St. to Hwy 2 due to all the infrastructure in the way. (Hydro poles, Bell/Rogers lines, trees) It was determined that a new sidewalk could be installed between the Community Centre and Peter St. This has however been met with resistance from residence along this stretch that would lose space that they use for parking their cars. Staff has looked at the area, the Community Centre would lose the gardens out the front and have a narrower drop off zone, 2 residents would lose parking, the garage would lose the parking out front of the building and the fire hall would have a sidewalk running through the front that the trucks would have to block any time the truck was pulled out of the hall for training. Although this is a County right of way the Township is responsible for sidewalks. To install it would be a 50/50 cost sharing with the Township taking ownership and maintenance responsibilities. Staff is recommending that the walk not be installed.

County Shared Service/Road Association/Training

- Shared Services meeting – The service sharing committee met in Woodstock. We finalized the plans for the winter training and discussed tender pricing for equipment.
- Road Association – The Association has been planning a Joint information meeting with Elgin & Middlesex Counties on October 27th.
- AORS – The Oxford Association has submitted its final submission to host the 2025 Trade show. We will know if our bid was successful in earlier 2023. The next BOD meeting is February 2023.
- Training – All Public Works Staff attended winter maintenance refresher training on October 25 and 26.

Other

- October activities – Staff has been grading when the weather allows to get the roads in good shape for the winter. Township vehicles are being safetied and switched over to winter operations. We will continue to trim trees, brush, do some ditch excavation as long as the weather will allow.
- Attended Storm water pond maintenance training.
- Met with suppliers to discuss prices for 2023 budget and availability.
- Attended a demo of the new Green Tec road side mower.
- Dug test holes on the Romano storm water pond site to review soil conditions.
- Met with the engineer to discuss future drainage projects.
- Working with the Active & Safe routes to school committee and Oxford County to get Wayfinding signs in Drumbo.
- Working with KSmart and Drainage Superintendent on the Princeton project.
- Staff is still continuing to meet with land owners at outdoor sites to discuss ditch or road issues.

Attachments Service Sharing minutes

Respectfully submitted by:



Jim Borton CRS-I
Director of Public Works

Service Rationalization

MEETING MINUTES

DATE: October 13, 2022

LOCATION: Woodstock

PRESENT: Adam Prouse, Daniel Locke, Tom Lightfoot, Steve Oliver, Jim Borton, Richard Sparham, Ken Farkas,

REGRETS: Frank Gross, Shawn Vanacker, Doug Wituik

COMMITTEE CHAIRMAN: Daniel Locke

SECRETARY: Tom Lightfoot

ITEM	ACTION	ASSIGNED TO
1. Meeting called to order	10:00 am	
2. Minutes of Last Meeting:	Reviewed- Moved by Seconded by No meeting minutes available	
3. Correspondence/ Speaker	Ian from Oxford Sand& Gravel, Ian spoke on current granular and asphalt markets, pricing, and a discussion on cold patch.	
4. Old Business	Snow school- October 25,26 registration at 7:30 training starts at 8:00, discussion on setup and details Adam -Joint meeting Oct 27 th discussion on plans and speakers, meals. Ken and Richard looking into caterers	
5. New Business	Tom – Greentec demo on October 18 th for those interested in looking at the flail mower and saw. Demo starts at 10 on the 17 th line in EZT. Tom- Looking to setup chainsaw training, send your staff numbers to Tom asap if you are interested in taking part.	
6. Round Table	Adam- Top of the fair joint meeting dinner. Still trying to firm up a date. Jim- Gave a tradeshow update on our submission to host. - Plows are currently having delivery dates in 2025 with budget numbers of \$420,00 to \$450,000 for a tandem axle. Ken- traffic counts discussion	
7. Health & Safety	Richard- Confined space trailer discussion Dan- Driver assessments, Dan will share information on a company he has used. - Hours of service discussion	
8. Next Meeting	November 10, 2022 - 10:00 am start at Ingersoll	
9. Adjourned	11:59a.m. Moved by Tom Seconded by Dan	

Service Sharing Meeting Dates 2022

January 13 EZT

February 10 Zorra

March 10 Oxford County

April 14 Blandford Blenheim

May 12 Norwich

June 9 SWOX

September 7 Tillsonburg

October 13 Woodstock

November 10 Ingersoll

December 7 Zorra



TOWNSHIP OF BLANDFORD-BLENHEIM

Agenda Item

To:	Members of Council	From:	Jim Harmer Drainage Superintendent
Reviewed By:	Rodger Mordue	Date:	October 26, 2022
Subject:	Monthly Report	Council Meeting Date:	November 2, 2022
Report #:	DS-22- 22		

Recommendation:

That Report DS-22-22 be received as information

Background:

Monthly activities of the Drainage Department to October 26, 2022

Analysis/Discussion

- Working on drain maintenance and various site meeting to review work required with ratepayers.
- Working with lawyer on compliance letters.
- Working on Section 65 reports for granted severances
- Commenting on planning applications
- 27 locates for ON 1 Call in July 2022 including 3 emergency locates.
- Update of drainage mapping for ON 1 Call / OMAFRA / Township Web site and asset management, 100-year storm review, update SWMP mapping
- Mitchell Drain County and Region have submitted petitions for drainage works, for the construction work being proposed at Trussler Road and Oxford Road 8. Council has accepted petition from County and Region for improved outlet, Engineer appointed on September 4 2019. Kenn Smart (Project Engineer). Had meeting with Engineer, Folling and Hurlbut about next step. Site meeting January 29 2020 for the road petition. Engineer working on concept plans and cost estimates waiting to have 2 site meeting with Ratepayer to review option for new report ON HOLD

- Princeton Drainage System 2022 Engineer has filed final report. Report dated July 29/22 filed with the Township on August 8, 2022. Consideration of report was September 7th, 2022. Court of revision at October 5th, 2022 council meeting, By-law passed October 19 2022 3rd reading
- Princeton Drain Section 78 report has been approved by GRCA and council and will be add to the new Engineer's Report for Princeton Drainage System 2022 report filed as part of Princeton Drainage System 2022 consideration of report September 7th 2022 COR at October 5th 2022 council meeting, By-law passed October 19 2022 3rd reading
- Hanchiruk Drain (Magda) petition received and P Eng. appointed at December 18 2019 council meeting, GRCA have been informed of the appointment. Site meeting with Magda and Engineer February 4 2020 engineer has been reviewing option with Magda. Drain is temporary on hold for Magda to review route options. ON HOLD
- Working on SWMP with engineer on the silting issue at the outlet at Fennel and Todd Way, final design has been reviewed and approved by Township Engineer, the repair work to the outlet to be done Fall 2022 (SEPT/OCT) by developer (still waiting for contractor)
- McCrow Drain Council accepted petition for drainage on September 2, 2020. Engineer appointed October 7, 2020; project Engineer will be Curtis MacIntyre K Smart & Assoc. site meeting held March 23 2021. Engineer working on surveys and design and has sent info to GRCA for comments.
- Hughes Drain major settlement and major repair will be required See Section 78 report DS 22-03 appointment of Engineer. John Kuntze has accepted appointment as project Engineer from K Smart & Assoc siting meeting fall 2022
- Hotson Drain drainage petition received by Council June 15 2022. Engineer appointed August 3, 2022, project Engineer will be Curtis MacIntyre of K Smart & Assoc. Onsite meeting was September 6th @10.00am at Township Road 8 and Blandford Road working on survey.
- Holt Drain, Brant County have accepted Section 78 request. Brant have appointed K Smart & Assoc. (Curtis MacIntyre) Onsite meeting was on September 20th 2022 in Princeton engineer working on design options and survey
- Township Road 8 and Hubbard Road petition by Jim Borton Director of Public Works received by Council June 1 2022 council appointed Engineer August 3 2022, project Engineer will be Curtis MacIntyre of K Smart & Assoc. Site meeting schedule for November 3rd 2022
- Baker Drain Council accepted petition on September 7th 2022 for repair and improvements. Engineer was appointed on October 19th 2022 project Engineer will be Curtis MacIntyre of K Smart & Assoc.
- Working on CLI-ECA (Consolidated Linear Infrastructure – Environmental Compliance Approval) report with Adam and Jim Burton (Reference Number 9954-CJNM3N)

- Attended by 2 council meeting
- Working on Dumbo SWMP on details of ownership and existing subdivision agreements
- Attended DSAO all chapter meeting in Waterloo
- Attended Land Drainage Engineers Conference in Waterloo
- WebX with MECP re proposed new rule and regulation for Storm Water Management Ponds
- Working on updates on the Municipal Service Standards

Financial Considerations:

None

Attachments:

None

Respectfully submitted by:

Jim Harmer

Jim Harmer Drainage Superintendent



TOWNSHIP OF BLANDFORD-BLENHEIM

Agenda Item

To:	Members of Council	From:	Denise Krug, Director of Finance
Reviewed By:	Rodger Mordue	Date:	October 25, 2022
Report #:	TR-22-13	Council Meeting Date:	November 2, 2022
Subject:	2023 Fees and Charges		

Recommendation:

That Report TR-22-13 be received as information;

And further that Council authorize the Director of Finance to prepare a fees and charges by-law for the December 21, 2022 Council meeting based upon Township fees and charges as outlined on the attached schedules.

Background:

Section 391(1) of the Municipal Act, 2001 authorizes a municipality to impose fees and charges on persons,

- (a) For services or activities provided or done by or on behalf of it;
- (b) For costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) For the use of its property including property under its control.

Under Section 400(d) of the Municipal Act, 2001 and the Township of Blandford-Blenheim Notice By-Law, the Township is required to give notice of its intention to pass a by-law imposing the fees and charges which have priority lien status.

Analysis/Discussion:

The proposed 2023 user fees and charges by department is attached to this report. Most fees stayed the same or had small increases; however, some planning fees were increased significantly bringing them in line with the other rural Townships in the County.

Building Fees and Development Charges are indexed as of April 1st each year; therefore, no changes at this time.

The MTO fire rate will be inserted into the schedule once it is available.

Attachments:

User Fees and Charges – Schedules A to J

Respectfully submitted by:

Denise Krug
Director of Finance/Treasurer

					Schedule A
Administrative Services - Clerk					
Fees and Charges (excluding HST)					
Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Sale of Photocopies - black & white (letter or legal size only)	1 - 2 sheets	\$0.50	\$0.50	\$0.50	\$0.50
	3 - 5 sheets	\$1.00	\$1.00	\$1.00	\$1.00
	6 sheets and up (per sheet)	\$0.25	\$0.25	\$0.25	\$0.25
Black & White copies - 11 x 17	per sheet	\$0.40	\$0.40	\$0.40	\$0.40
Colour photocopies (letter or legal size only)	per sheet	\$0.50	\$0.50	\$0.50	\$0.50
Colour photocopies (11x17)	per sheet	\$1.00	\$1.00	\$1.00	\$1.00
Faxing	First sheet	\$2.00	\$2.00	\$2.00	\$2.00
	Each additional sheet	\$1.00	\$1.00	\$1.00	\$1.00
Request under the Freedom of Information Act (HST Exempt)	Each	\$5.00	\$5.00	\$5.00	\$5.00
	staff time - first 30 minutes of investigation	\$0.00	\$0.00	\$0.00	\$0.00
	staff time per 15 min. interval beyond 30 minutes	\$7.50	\$7.50	\$7.50	\$7.50
(Where the estimate under section 45 (3) of the Municipal provide a deposit of 50% of the estimate prior to the application proceeding)					
Meeting Investigation Fee (HST Exempt)	Each	\$25.00	\$25.00	\$25.00	\$25.00
Cutting of Noxious Weeds		*	*	*	*
* Actual fees incurred by the Township in relation to the specific incident/request + 15%					
Lottery License Fee: Raffles, Bingos & Nevada Tickets (HST Exempt)	%	3%	3%	3%	3%

CLERK

					Schedule A
Administrative Services - Clerk					
Fees and Charges (excluding HST)					
Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Marriage License (HST Exempt)	Each	\$110.00	\$110.00	\$120.00	\$120.00
Civil Marriage Ceremony:					
on site at municipal office during regular office hours	Each	\$250.00	\$250.00	\$250.00	\$250.00
Off site civil marriage ceremony	Each			\$350.00	\$350.00
Rehearsal fee				\$50.00	\$50.00
booking deposit	Each	\$100.00	\$100.00	\$100.00	\$100.00
administration fee if booking is cancelled	Each	\$50.00	\$50.00	\$50.00	\$50.00
Township provided witness	Each	\$50.00	\$50.00	\$50.00	\$50.00
Special Events Permit (HST Exempt)	Each	\$50.00	\$50.00	\$50.00	\$50.00
Burial Certificate (HST Exempt)	Each	\$10.00	\$10.00	\$15.00	\$15.00
Encroachment Agreements (HST Exempt)	Each	\$75.00	\$75.00	\$75.00	\$75.00
Section 65 of Drainage Act assessment apportionment.					
Staff time per 15 minute interval	Each	9.50	9.50	10.00	11.00
Tile Drainage Loan Inspections	Each	160.00	160.00	160.00	200.00
Site Alteration Application for area less than 2 ha	Each	250.00	250.00	250.00	250.00
Site Alteration Application for area equal to 2 ha	Each	550.00	550.00	550.00	550.00
Site Alteration Application for each ha beyond 2 ha	Each	25.00	25.00	25.00	25.00
First conviction in contravention of Site Alteration By-law (person)		10,000.00	10,000.00	10,000.00	10,000.00
Subsequent conviction in contravention of Site Alteration By-law (person)		25,000.00	25,000.00	25,000.00	25,000.00
first conviction in contravention of Site Alteration By-law (corporation)		50,000.00	50,000.00	50,000.00	50,000.00
subsequent conviction in contravention of Site Alteration By-law (corporation)		100,000.00	100,000.00	100,000.00	100,000.00

CLERK

					Schedule A
Administrative Services - Clerk					
Fees and Charges (excluding HST)					
Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
- Kennel Licence	Each	\$60.00	\$60.00	\$60.00	\$120.00
Black Composters (HST Exempt)*	Each	10.00	10.00	10.00	10.00
Green Cone Composters (HST Exempt)*	Each	40.00	40.00	50.00	50.00
Blue Box - Large - 80L (HST Exempt)*	Each	5.50	5.50	6.20	6.20
Blue Box - Lid (HST Exempt)*	Each	1.50	1.50	2.70	2.70
Bag Tags (HST Exempt)*	Each	2.00	2.00	2.00	2.00
* Guideline only, price established by County of Oxford and is subject to change					
Fence Viewing application fee		\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Memorialization of Existing Tree in Parks (does not include cost of the plaque & stand)	each			\$ 150.00	\$ 150.00
Park Benches (does not include cost of the plaque)	each	\$1,400.00	\$1,400.00	\$1,400.00	\$2,000.00
Sale of unserviced municipal land (By-law 2272-2021 Sec.8)	per sq. ft.			\$0.22	\$0.22
Sale of serviced municipal land (By-law 2272-2021 Sec.8)	per sq. ft.			\$2.03	\$2.03

CLERK

Administrative Services -General

Fees and Charges (HST Exempt)

Description	Unit	2020 AMOUNT	2021 AMOUNT	2022 AMOUNT	2023 AMOUNT
Tax Certificate	Each	\$50.00	\$50.00	\$50.00	\$50.00
Returned Cheque or PAP	Each	\$30.00	\$30.00	\$35.00	\$35.00
Loan Agreement Administration Fee (Debenture Administration)	Each	2% of principal	2% of principal	2% of principal	2% of principal
Payment of Tile Drainage Loans Before Expiry Date	Each	\$50.00	\$50.00	\$50.00	\$50.00
Tax Sale Registration Process	Each	Actual Cost + \$100 Admin Fee	Actual Cost + \$100 Admin Fee	Actual Cost + \$100 Admin Fee	Actual Cost + \$100 Admin Fee
Reprint of Prior Year Tax Bills or Statements	Each	\$10.00	\$10.00	\$10.00	\$10.00
Commission of Oaths or Certified True Copy (resident)	Each	\$10.00	\$10.00	\$10.00	\$10.00
Commission of Oaths or Certified True Copy (non-resident)	Each	\$15.00	\$15.00	\$15.00	\$15.00
Registered Mail Fee	Each	\$12.00	\$12.00	\$15.00	\$15.00
- as set by Canada Post / Includes HST					
Tax Confirmation Letters	Each	\$15.00	\$15.00	\$15.00	\$15.00
Payment Redistribution Fee (per roll #)	Each	\$10.00	\$10.00	\$10.00	\$10.00
Refund Administration Fee (Client error/overpayment) (includes tax payments, AR payments or any other payments)	Each	\$25.00	\$25.00	\$25.00	\$25.00

					Schedule C
Administrative Services - Development Charges					
Fees and Charges (HST Exempt)					
Description	Unit	Effective Aug 8, 2019	Effective April 1, 2020	Effective April 1, 2021	Effective April 1, 2022
Development Charges					
<u>Residential</u>					
Single, Semi-detached	each	\$ 9,788.00	\$ 10,071.85	\$ 10,160.00	\$ 11,714.48
Other Multiples	each	\$ 6,150.00	\$ 6,328.35	\$ 6,384.00	\$ 7,360.75
Apartments - 2 Bedrooms or Larger	each	\$ 5,218.00	\$ 5,369.32	\$ 5,417.00	\$ 6,245.80
Apartments - Bachelor or 1 Bedroom	each	\$ 3,530.00	\$ 3,632.37	\$ 3,664.00	\$ 4,224.59

DEVELOPMENT CHARGES

					Schedule D
Cemetery					
Fees and Charges (excluding HST)					
Description	Unit	2020	2021	2022	2023
		Amount	Amount	Amount	Amount
Purchase of Interment Rights and care and maintenance					
Interment Rights	each	\$720.00	\$720.00	\$720.00	\$720.00
Care and Maintenance	each	\$480.00	\$480.00	\$480.00	\$480.00
Cremation lots	each	\$255.00	\$255.00	\$320.00	\$320.00
Care and Maintenance	each	\$250.00	\$250.00	\$280.00	\$280.00
Interment					
Adult - standard	each	\$650.00	\$650.00	\$750.00	\$750.00
Child	each	\$325.00	\$325.00	\$400.00	\$400.00
Infant	each	\$325.00	\$325.00	\$340.00	\$340.00
Cremated Remains	each	\$325.00	\$325.00	\$400.00	\$400.00
Columbaria *NEW	each	\$220.00	\$220.00	\$250.00	\$250.00
Disinterment / Exhumation					
Adult - standard	each	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
Cremated Remains	each	\$500.00	\$500.00	\$1,000.00	\$1,000.00
Columbaria *NEW	each			\$250.00	\$250.00
Child *NEW	each			\$1,000.00	\$1,000.00
Infant *NEW	each			\$1,000.00	\$1,000.00
Columbaria Fees					
Bottom Row	each	\$935.00	\$935.00	\$1,020.00	\$1,020.00
Bottom Row- Care and Maintenance	each	\$165.00	\$165.00	\$180.00	\$180.00
Second Row	each	\$1,020.00	\$1,020.00	\$1,105.00	\$1,105.00
Second Row- Care and Maintenance	each	\$180.00	\$180.00	\$195.00	\$195.00
Third Row	each	\$1,105.00	\$1,105.00	\$1,190.00	\$1,190.00
Third Row- Care and Maintenance	each	\$195.00	\$195.00	\$210.00	\$210.00
Top Row	each	\$1,232.50	\$1,232.50	\$1,275.00	\$1,275.00
Top Row- Care and Maintenance	each	\$217.50	\$217.50	\$225.00	\$225.00
Initial Engraving of Niche Plate	each	\$350.00	\$350.00	\$350.00	\$350.00
Each Subsequent Engraving of Niche Plate			\$200.00	\$200.00	\$200.00
Monument Care Fund - Flat marker (smaller than 1,116.13 sq cm / 173 sq in.)	each	\$0.00	\$0.00	\$0.00	\$0.00
**Monument Care Fund - Flat marker (1,116.23 sq cm / 173 sq in. or larger)	each	\$50.00	\$50.00	\$100.00	\$100.00
**Monument Care Fund - Upright marker (1.49 sq m / 16 sq ft or smaller, including the base)	each	\$100.00	\$100.00	\$200.00	\$200.00
**Monument Care Fund - Upright marker (larger than 1.49 sq m / 16 sq ft. including the base)	each	\$200.00	\$200.00	\$400.00	\$400.00

					Schedule D
Cemetery					
Fees and Charges (excluding HST)					
Description	Unit	2020	2021	2022	2023
		Amount	Amount	Amount	Amount
<i>** as set by the Bereavement Authority of Ontario</i>					
Sundays & Municipal Holiday Interments	each	\$300.00	\$300.00	\$350.00	\$375.00
Foundation layout fee	each	\$60.00	\$60.00	\$60.00	\$60.00
Snow Removal	each	*	*	*	
Winter Burial - Full Interment (December 1st to March 31)	each	*	*	*	
Winter Burial - Cremated Remains (December 1st to March 31)	each	*	*	*	
* Actual fees incurred by the Township in relation to the specific incident/request + 15%					
Park Benches	each	\$1,400.00	\$1,400.00	\$1,400.00	\$2,000.00
(does not include cost of the plaque)					
Transfer Fee					
Transfer Fee (Certificate picked-up at Township Office)	each	\$50.00	\$50.00	\$60.00	\$60.00
Registered Mail Fee					
	each	\$12.00	\$12.00	\$15.00	\$15.00
<i>- as set by Canada Post / Includes HST</i>					

					Schedule E
Community Services - Indoor Facilities					
May 1st to April 30th					
Fees and Charges (including HST)					
Description	Unit	Effective May 1, 2020	Effective May 1, 2021	Effective May 1, 2022	Effective May 1, 2023
Arena					
**Prime Time - Minor Groups	per hour	\$140.00	\$143.00	\$145.00	\$148.00
**Prime Time - All Others	per hour	\$190.00	\$193.00	\$196.00	\$199.00
Non-Prime Time - Minor Groups	per hour	\$75.00	\$75.00	\$75.00	\$75.00
Non-Prime Time - All Others	per hour	\$105.00	\$110.00	\$110.00	\$110.00
Arena Floor Rental (Dances, Trade Shows)	per hour	\$165.00	\$165.00	\$165.00	\$165.00
Arena Floor Rental (Dances, Trade Shows)	full day	\$650.00	\$650.00	\$650.00	\$650.00
Arena Floor Rental (Recreation, Sports)	per hour	\$48.00	\$48.00	\$48.00	\$50.00
**Prime Time ice rentals are M-F 5-10 p.m. and weekends 8 a.m. - 10 p.m.					
Recreational Program					
Public Skating - Adult	per person	no charge	no charge	no charge	no charge
Public Skating - Child Elementary School Age	per person	no charge	no charge	no charge	no charge
Public Skating - Pre-School	per person	no charge	no charge	no charge	no charge
Parents & Tots	per person	no charge	no charge	no charge	no charge
Sponsored Public Skating	per hour	\$100.00	\$100.00	\$100.00	\$100.00
School Skating Program	per hour	\$45.00	\$45.00	\$45.00	\$45.00
Ticket Ice (minimum with 1 to 4 skaters)	per hour	\$45.00	\$45.00	\$45.00	\$45.00
Ticket Ice (exceeding 4 skaters)	per skater	\$10.00	\$10.00	\$10.00	\$10.00
Shinny Hockey (adult)	per skater/hour	\$10.00	\$10.00	\$10.00	\$10.00
Shinny Hockey (child - under age 18)	per skater/hour	\$5.00	\$5.00	\$5.00	\$5.00
Birthday Specials:					
1 hour of ice time (based on availability) and 1 hour in Room A	per event	\$75.00	\$75.00	\$75.00	\$75.00
1 hour of ice time (based on availability) and 1 hour in Hall	per event	\$105.00	\$105.00	\$105.00	\$105.00
Advertising					
Ice Logo (sponsor must supply logo at their cost)		\$500.00	\$500.00	\$500.00	\$500.00
Arena Board Advertising (sponsor must supply logo at their cost)		\$500.00	\$500.00	\$500.00	\$500.00
Wall Advertising (sponsor must supply logo at their cost)		\$300.00	\$300.00	\$300.00	\$300.00
Door Wrap (sponsor must supply wrap and professional installation)					\$250.00
Zamboni advertising (sponsor must supply logo at their cost)			\$900.00	\$900.00	\$900.00

					Schedule E
Community Services - Indoor Facilities					
May 1st to April 30th					
Fees and Charges (including HST)					
Description	Unit	Effective May 1, 2020	Effective May 1, 2021	Effective May 1, 2022	Effective May 1, 2023
Community Centre Halls					
Plattsville Community Hall	per hour	\$61.00	\$61.00	\$61.00	\$63.00
Plattsville Community Hall	daily	\$225.00	\$225.00	\$225.00	\$229.00
Plattsville Community Hall - weekday daytime	1/2 day	\$122.00	\$122.00	\$122.00	\$125.00
Plattsville Community Hall (Together with Ice Event)	daily	\$122.00	\$122.00	\$122.00	\$125.00
Plattsville Community Hall (Buck & Doe)	daily	\$530.00	\$530.00	\$530.00	\$530.00
Decorating Set-up (for daily events only - prior to day of decorating set-up of event based on availability)	per event	\$120.00	\$120.00	\$120.00	\$120.00
Plattsville Community Hall - Room A	per hour	\$35.00	\$35.00	\$35.00	\$36.00
Plattsville Community Hall - Room A	daily	\$120.00	\$120.00	\$120.00	\$122.00
Plattsville Community Hall - Room B	per hour	\$35.00	\$35.00	\$35.00	\$36.00
Plattsville Community Hall - Room B	daily	\$120.00	\$120.00	\$120.00	\$122.00
Princeton Centennial Hall - Fireside Room	per hour	\$35.00	\$35.00	\$35.00	\$36.00
Princeton Centennial Hall - Fireside Room	daily	\$120.00	\$120.00	\$120.00	\$122.00
Princeton Centennial Hall - Fireside Room - weekday daytime	1/2 day	\$70.00	\$70.00	\$70.00	\$70.00
Princeton Centennial Hall - Main Hall	per hour	\$110.00	\$110.00	\$110.00	\$111.00
Princeton Centennial Hall - Main Hall	daily	\$380.00	\$380.00	\$380.00	\$385.00
Princeton Centennial Hall - Main Hall - weekday daytime	1/2 day	\$220.00	\$220.00	\$220.00	\$220.00
Princeton Centennial Hall - Main Hall (Buck & Doe)	daily	\$530.00	\$530.00	\$530.00	\$530.00
Decorating Set-up (for daily events only - prior to day of decorating set-up of event based on availability)	daily	\$200.00	\$200.00	\$200.00	\$200.00
Kitchen Use	daily	\$85.00	\$85.00	\$87.00	\$87.00
** Deposit for Alcohol Events				\$500.00	\$500.00

					Schedule F
Community Services - Outdoor Facilities & Parks					
May 1st to April 30th					
Fees and Charges (including HST)					
FIELD CLASSIFICATION					
Description	Unit	A	B	C	D
Ball Diamonds					
Adult	per game	\$26.00	\$25.00	\$21.00	n/a
Affiliated Minor	per game	\$20.00	\$20.00	\$17.00	\$12.00
Adult Tournament First Game/Diamond	per day	\$26.00	\$25.00	\$17.00	n/a
Adult Tournament Extra Game/Diamond	per game	\$20.00	\$20.00	\$17.00	n/a
Affiliated Minor Tournament First Game/Diamond	per day	\$20.00	\$20.00	\$17.00	\$12.00
Affiliated Minor Tournament Extra Game/Diamond	per game	\$17.00	\$17.00	\$17.00	\$12.00
Optional Tournament Grooming	per groom	\$25.00	\$25.00	\$25.00	\$25.00
Optional Use of Lights	per game	\$9.00	n/a	\$9.00	\$9.00
Ball Diamond Fence Advertising (sponsor must supply sign at their costs, size, location and content must be approved)	yearly	\$300.00	\$300.00	\$300.00	\$300.00
Description	Unit	Effective May 1, 2020	Effective May 1, 2021	Effective May 1, 2022	Effective May 1, 2023
Soccer Pitches - based upon 90 minute games					
Adult Permit	per game	\$13.00	\$13.00	\$13.00	\$13.00
Adult Tournament	per day	\$75.00	\$75.00	\$75.00	\$75.00
Affiliated Minor	per game	\$10.00	\$10.00	\$10.00	\$10.00
Affiliated Minor Tournament	per day	\$52.00	\$52.00	\$52.00	\$52.00
Park Permit Fees					
Pavillion Day Permit	per day	\$75.00	\$75.00	\$75.00	\$78.00
Open Park Space Event Day Permit	per day	\$75.00	\$75.00	\$75.00	\$78.00

						Schedule G
Protective Services						
Fees and Charges (excluding HST)						
Description		Unit	2020	2021	2022	2023
			Amount	Amount	Amount	Amount
Fire Inspection						
Fire Inspection		per hour	\$89.00	\$90.00	\$92.00	\$97.00
Fire Inspection Admin Fee		each	\$58.00	\$60.00	\$61.00	\$65.00
Liquor Licenses and Occupancy Loads						
Fire Inspection		per hour	\$89.00	\$90.00	\$92.00	\$97.00
Fire Inspection Admin Fee		each	\$58.00	\$60.00	\$61.00	\$65.00
Fire Chief's Letters to Lawyers or Insurance Company		each	\$89.00	\$90.00	\$92.00	\$97.00
Fire Department Compliance Letter		each	\$89.00	\$90.00	\$92.00	\$97.00
By-Law Compliance Letter		each	\$89.00	\$90.00	\$92.00	\$97.00
Copies of Fire Reports		each	\$58.00	\$60.00	\$61.00	\$65.00
Response to Motor Vehicle Accidents and Vehicle Fires (HST Exempt)						
(Chargeable to the registered owner of the vehicle)						
Non-Resident						
Minimum Charge up to 1st hour per Fire Apparatus		each *	\$485.00	\$488.40	\$509.89	
Resident						
No Charge						
Motor Vehicle Accident Response-Provincial Highway (HST Exempt)						
(Chargeable to Ministry of Transportation for all provincial highway accident responses)						
Minimum Charge up to 1st hour per Fire Apparatus		each *	\$485.00	\$488.40	\$509.89	

Description		Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Fire Response - Public Hazard, Hydro Lines						
Public Property - Chargeable to Hydro Provider						
Minimum Charge up to 1st hour per Fire Apparatus		each *		\$ 488.40	\$ 509.89	
Private Property - Chargeable to Registered Property Owner						
Minimum Charge up to 1st hour per Fire Apparatus		each *		\$ 488.40	\$ 509.89	
Fire Response -Indemnification Technology						
Current MTO rates, plus personnel /hour rates ,and any cost incurred by the Municipality						
Minimum Charge up to 1st hour per Fire Apparatus		each *	\$485.00	\$488.40	\$509.89	
Refilling SCBA air bottles		each	\$20.00	\$20.00	\$20.00	\$20.00
Fire Response - Hazardous Materials Clean Up						
As outlined in the Environment Protection Act, RSO 1990				Actual	Actual	Actual
				Costs	Costs	Costs
Fire Response - Natural Gas Leak,						
Caused directly by a person or company						
Minimum Charge up to 1st hour per Fire Apparatus		each *	\$485.00	\$488.40	\$509.89	
Burn Permit			no charge	no charge	no charge	no charge
Fire Response - Open Air Burning						
Illegal or Unauthorized Fire						
1st Offense			no charge	no charge	no charge	no charge
2nd or Additional Offences		each *	\$ 485.00	\$ 488.40	\$ 509.89	
Minimum Charge up to 1st hour per Fire Apparatus						

Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Fire Response - Preventable Fire Alarm Panel Alarms					
1st Offense		no charge	no charge	no charge	no charge
2nd or Additional Offences	each *	\$485.00	\$488.40	\$509.89	
Minimum Charge up to 1st hour per Fire Apparatus					
Fire Response - Smoke/Co Alarms					
Fail to return loaner alarm to Fire Department (within one week)	each	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Fire Response - Fire Watch or Stand By					
As authorized by Fire Chief					
Review of Fire Works Display Application	each	\$ 128.00	\$ 130.00	\$ 132.00	\$ 137.00
Review of Application for Pyrotechnics display					
Including a site inspection and review of Fire Safety Plan		\$ 204.00	\$ 210.00	\$ 215.00	\$ 250.00
Review of Risk Safety Management Plan for Propane Storage					
As required by the Regulatory Amendments to O.Reg 211/01 of the TSS Act, 2000 for small facilities (less than 5000 USGW)		\$ 102.00 + actual cost of engineer / other firm (if necessary)	\$ 105.00 + actual cost of engineer / other firm (if necessary)	\$ 110.00 + actual cost of engineer / other firm (if necessary)	\$ 115.00 + actual cost of engineer / other firm (if necessary)
Review of Risk Safety Management Plan for Propane Storage					
As required by the Regulatory Amendments to O.Reg 211/01 of the TSS Act, 2000 for medium and large facilities (less than 5000 USGW)		\$ 255.00 + actual cost of engineer / other firm (if necessary)	\$ 260.00 + actual cost of engineer / other firm (if necessary)	\$ 265.00 + actual cost of engineer / other firm (if necessary)	\$ 275.00 + actual cost of engineer / other firm (if necessary)
* As set by MTO					

Building Services Fees and Charges (HST Exempt)

CLASSES OF PERMITS AND PERMIT FEES			
Unless otherwise noted all definitions of building classifications shall be as defined in the Ontario Building Code for Major Occupancies			
For temporary buildings (greater than 10m ₂), alterations, additions, foundations and new buildings (greater than 10m ₂).			
Where a fee is not listed below, the Chief Building Official can determine required fee. Administrative fee due at time of application.			
Construction - New Buildings, Additions, Mezzanines		Administrative Fee	Permit Fee
Group A Assembly Buildings & Group B Institutional Buildings & Group D Business/Personal Service & Group E Mercantile Buildings & Group F Industrial Buildings	New, Additions & Renovations - Commercial, Industrial & Institutional Buildings	\$289.00	\$1.45/sq ft
	Public Pool, Public Patios and Exterior Ramps	\$289.00	\$0.58/sq ft
Group C Residential Buildings	Residential Buildings New, Additions	\$289.00	\$1.45/sq ft
	Renovations to non Single/Semi/Towns	\$289.00	\$116.00
	Renovations to Single/Semi/Town Units	\$116.00	\$462.00
	Swimming Pools	\$116.00	\$116.00
	Sheds & Garages	\$116.00	0.87
	Decks & Covered Porches (unheated and unenclosed)	\$116.00	\$116.00
Farm Buildings	Agricultural Buildings (New, Additions, Renovations)	\$289.00	\$0.24/sq ft
	Horizontal/Bunk Silos	\$116.00	\$577.00
	Vertical Silos, Grain Bins etc	\$116.00	\$577.00
	Manure Storage (All Types)	\$289.00	\$577.00
Special Categories	Tents	\$116.00	\$0.00
	Temporary Buildings / Portables	\$116.00	\$462.00
	Change of Use	\$116.00	\$462.00
Miscellaneous	Permit Renewal/Revision	\$116.00	\$0.00
	Fireplace/Wood Stove (each)	\$116.00	\$173.00
	Signs	\$116.00	\$173.00
	Retaining Wall/Balcony Guard (per Linear Foot)	\$116.00	\$5.77/ft
	Wind Turbines	\$289.00	\$2,018.00
	Solar Panel	\$116.00	\$462.00
	Designated Structures (other than listed above)	\$289.00	\$577.00
	Alternate Soutlion Application (see note 2)	\$116.00	\$462.00
	Conditional Permits	\$289.00	\$0.04/sq ft
	Septic Permit	\$116.00	\$519.00
	Septic Permit (Tank Only)	\$116.00	\$116.00
	Re-inspection/Canceled Inspection Fee/ Requested inspection more than 3 years since last inspection	\$116.00	\$58.00
Mechanical Work	Sprinkler System	\$289.00	\$577.00
	NFPA 96 Kitchen Hood Fan	\$289.00	\$289.00
Plumbing/Serviceing Work	Water & Sewer Connection	\$116.00	\$0.00
	Building Services (per Linear Foot per service)	\$116.00	\$0.87/ft
DEMO	Non Farm Structures	\$116.00	\$0.00
Note 1 - Where proposed construction requiring a permit does not match a standard fee, the Chief Building Official may determine the required fee. Note 2 - Where a 3rd party review is required and the cost of that review is incurred by the Township, the fee will be added to the cost of the permit			
Builders Deposits			
	Engineer Letter/New Dwelling Unit	Lot Grading	Public Works
All Classes of Construction	\$ 1,000.00	\$ 1,500.00	\$ 1,000.00
Note 1 - The public works manager shall determine the deposit for work done where municipal owned assets may be damaged.			
Note 2 - There township will return the paid deposit to the permit applicant within 28 days of approval.			

					Schedule I
Building Services - Planning					
Fees and Charges (HST Exempt)					
Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Zoning By-law Amendment Application	each	\$550.00	\$550.00	\$550.00	\$650.00
**County fee for Zone change application	each		\$150.00	\$150.00	\$150.00
Removal of Holding Zone Provision	each	\$550.00	\$550.00	\$550.00	\$650.00
**County Fee for Removal of Holding Zone Provision	each		\$150.00	\$150.00	\$150.00
Minor Variance Application	each	\$500.00	\$500.00	\$500.00	\$700.00
**County fee for Minor Variance application	each		\$100.00	\$100.00	\$100.00
Zoning Compliance Information	each	\$50.00	\$50.00	\$50.00	\$55.00
Building Compliance Information	each	\$50.00	\$50.00	\$50.00	\$55.00
Drainage Compliance Information	each	\$50.00	\$50.00	\$50.00	\$55.00
Sign Minor Variance Application	each	\$300.00	\$300.00	\$300.00	\$300.00
Fence Minor Variance Application	each	\$300.00	\$300.00	\$300.00	\$300.00
Site Plan Agreement Application	each	\$500.00	\$500.00	\$500.00	\$600.00
**County fee for Site Plan Application			\$500.00	\$500.00	\$500.00
Site Plan Agreement Amendment	each	\$500.00	\$500.00	\$500.00	\$600.00
**County fee for Site Plan Ammendment			\$250.00	\$250.00	\$250.00
Environmental Site Assessment Letter	each	\$70.00	\$70.00	\$70.00	\$70.00
Confirmation of uses permitted in zone letters	each	\$70.00	\$70.00	\$70.00	\$70.00
Communication Tower Application	each	\$500.00	\$600.00	\$600.00	\$600.00
In addition to the above application fees the applicant shall pay all external costs incurred by the municipality in respect of the Planning Application					
REFUNDS					
Planning Application submitted, no work started	each	Full Refund less \$50.00 Admin Fee			
Planning Application submitted, application circulated for comment	each	No Refund			
**fees established by the County of Oxford and are subject to change					

PLANNING

Building Services - Planning					
Fees and Charges (HST Exempt)					
		2020	2021	2022	2023
Description	Unit	Amount	Amount	Amount	Amount
Fees contained in Severance Agreements:					
Street lighting	each new lot	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Sidewalk	each new lot	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Parkland dedication	each new lot	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
DEPOSITS:					
Site Plan Peer Review	minimum	\$2,000.00	\$2,000.00	\$2,000.00	\$3,000.00
Agreement to construct a new single family dwelling while current owners are living in the existing single family dwelling	each				As per agree
Sub-Division Agreement	each				As per agree
Bunkhouse Agreement	each				As per agree
Discretionary Agreement	each				As per agree
Garden Suite Agreement	each				As per agree

					Schedule J
Public Works - Roads					
Fees and Charges (excluding HST)					
Description	Unit	2020 Amount	2021 Amount	2022 Amount	2023 Amount
Installation of Entrance Culverts	each	\$1,200.00	\$1,200.00	\$1,250.00	\$1,400.00
Curb Cut	each	\$450.00	\$475.00	\$600.00	\$600.00
Moving a Structure along Municipal Roads to Relocate Structure	each	\$40.00	\$40.00	\$40.00	\$40.00
Snow Removal (when contracted out)					
Snow Plowing	per operation	\$58.75	\$60.00	\$62.00	\$65.00
Snow Plowing / Sand / Salting	per operation	\$86.75	\$90.00	\$95.00	\$100.00
Sand /Salting	per operation	\$71.50	\$75.00	\$75.00	\$80.00
Tandem Axle Truck Rental	hour	\$85.00	\$85.00	\$85.00	\$88.35
One Ton Truck Rental	hour	\$55.00	\$55.00	\$55.00	\$68.45
1/2 Ton Pickup Rental	hour	\$27.00	\$28.00	\$30.00	\$33.35
Grader Rental summer	hour	\$110.00	\$115.00	\$115.00	\$142.25
Grader Rental winter	hour	\$125.00	\$130.00	\$130.00	\$150.00
Loader Rental	hour	\$60.00	\$65.00	\$65.00	\$81.75
Backhoe Rental	hour	\$60.00	\$60.00	\$60.00	\$72.10
Tractor Rental	hour	\$55.00	\$55.00	\$55.00	\$62.25
Brush Depot - Labour	hour	\$36.00	\$36.00	\$38.00	\$41.00
Civic Address Signs & Posts	each	\$38.00	\$39.00	\$40.00	\$42.00
Sale of Recycled Asphalt (as available) pick up only	3 yard bucket			\$12.00	\$12.00
Sale of Recycled Concrete (as available) pick up only	3 yard bucket			\$12.00	\$12.00
Laying a private drain across Township Road Allowance	Separate Agreement				
Laying utility lines along, under, in or upon municipal roads	Separate Agreement				

THE CORPORATION OF THE
TOWNSHIP OF BLANDFORD-BLENHEIM
BY-LAW NUMBER 2320-2022

A By-Law to amend Zoning By-Law Number 1360-2002, as amended.

WHEREAS the Municipal Council of the Corporation of the Township of Blandford-Blenheim deems it advisable to amend By-Law Number 1360-2002, as amended.

THEREFORE, the Municipal Council of the Corporation of the Township Blandford-Blenheim, enacts as follows:

1. That Schedule "A" to By-Law Number 1360-2002, as amended, is hereby amended by changing to "A2" the zone symbol of the lands so designated "A2" on Schedule "A" attached hereto.
2. That Schedule "A" to By-Law Number 1360-2002, as amended, is hereby amended by changing to "A2-26" the zone symbol of the lands so designated "A2-26" on Schedule "A" attached hereto.
3. This By-Law comes into force in accordance with Sections 34(21) and (30) of the *Planning Act*, R.S.O. 1990, as amended.

READ a first and second time this 2nd day of November, 2022.

READ a third time and finally passed this 2nd day of November, 2022.

Mark Peterson - Mayor

(SEAL)

Rodger Mordue – CAO/Clerk

ZN 1-21-07 & ZN 1-21-08

TOWNSHIP OF EAST ZORRA-TAVISTOCK

BY-LAW NUMBER 2320-2022

EXPLANATORY NOTE

There are two purposes of By-law Number 2320-2022. The first purpose is to rezone the lot to be severed resulting from Consent Application B21-66-1 from 'Special General Agricultural Zone (A2-26)' to 'General Agricultural Zone (A2).' The second purpose is to rezone the lot to be severed resulting from Consent Application B21-67-1 from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-26).'

The subject lands are described as Part Lot 19, Concession 2 (Blenheim). The lands are located on the west side of Gobles Road, between Township Road 2 and Township Road 3. One lot is municipally known as 855203 Gobles Road while the other is municipally known as 855183 Gobles Road.

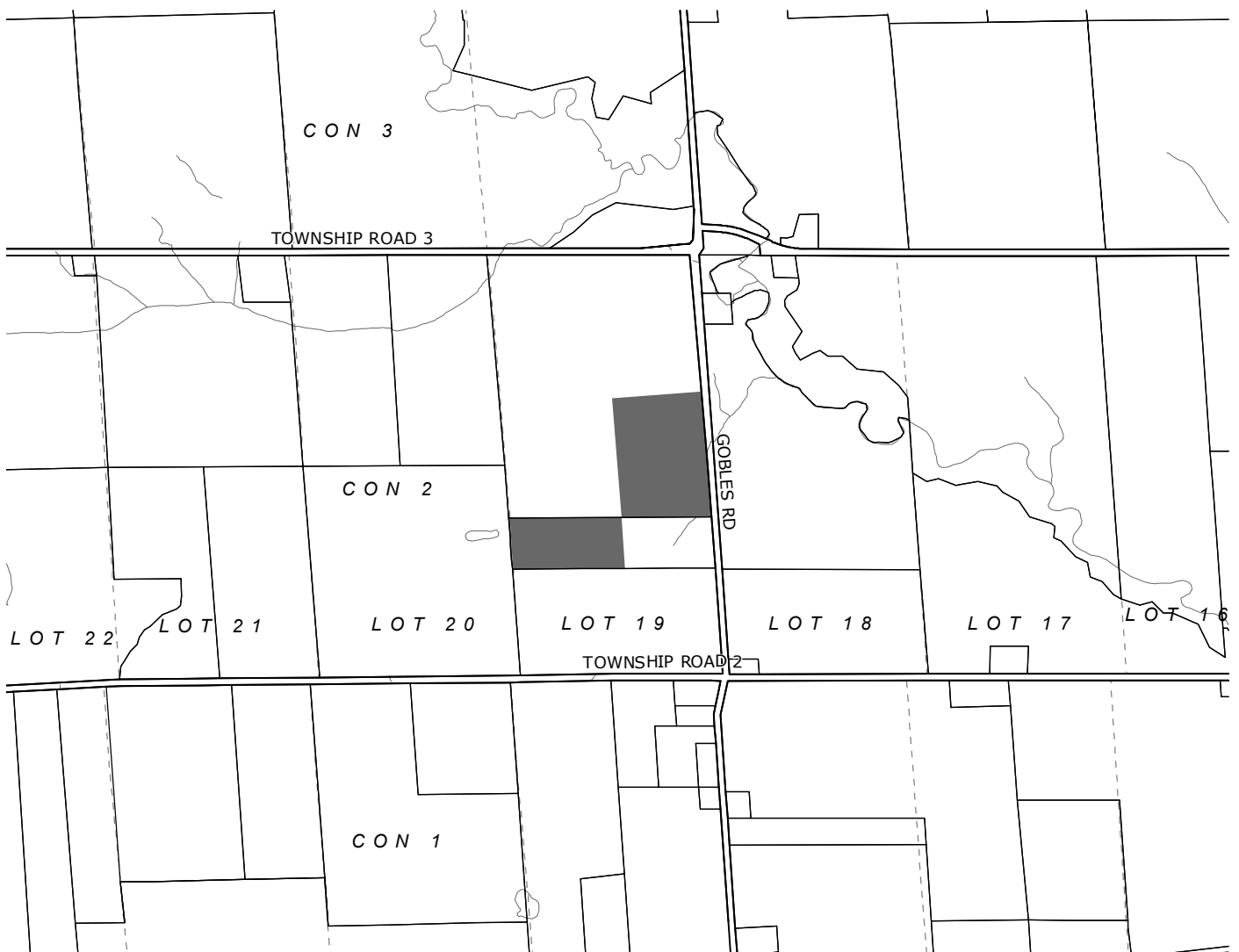
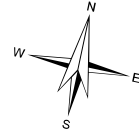
The Township of Blandford-Blenheim, after conducting the public hearing necessary to consider the application, adopted the amending By-law Number 2320-2022. The public hearing was held on January 12th, 2022 and Council did not receive any comments from the public respecting this application.

Any person wishing further information regarding Zoning By-Law Number 2320-2022 may contact the undersigned.

Mr. Rodger Mordue, CAO/Clerk
Township of Blandford-Blenheim
47 Wilmot Street South
Drumbo, Ontario
N0J 1G0

Telephone: 463-5347

KEY MAP

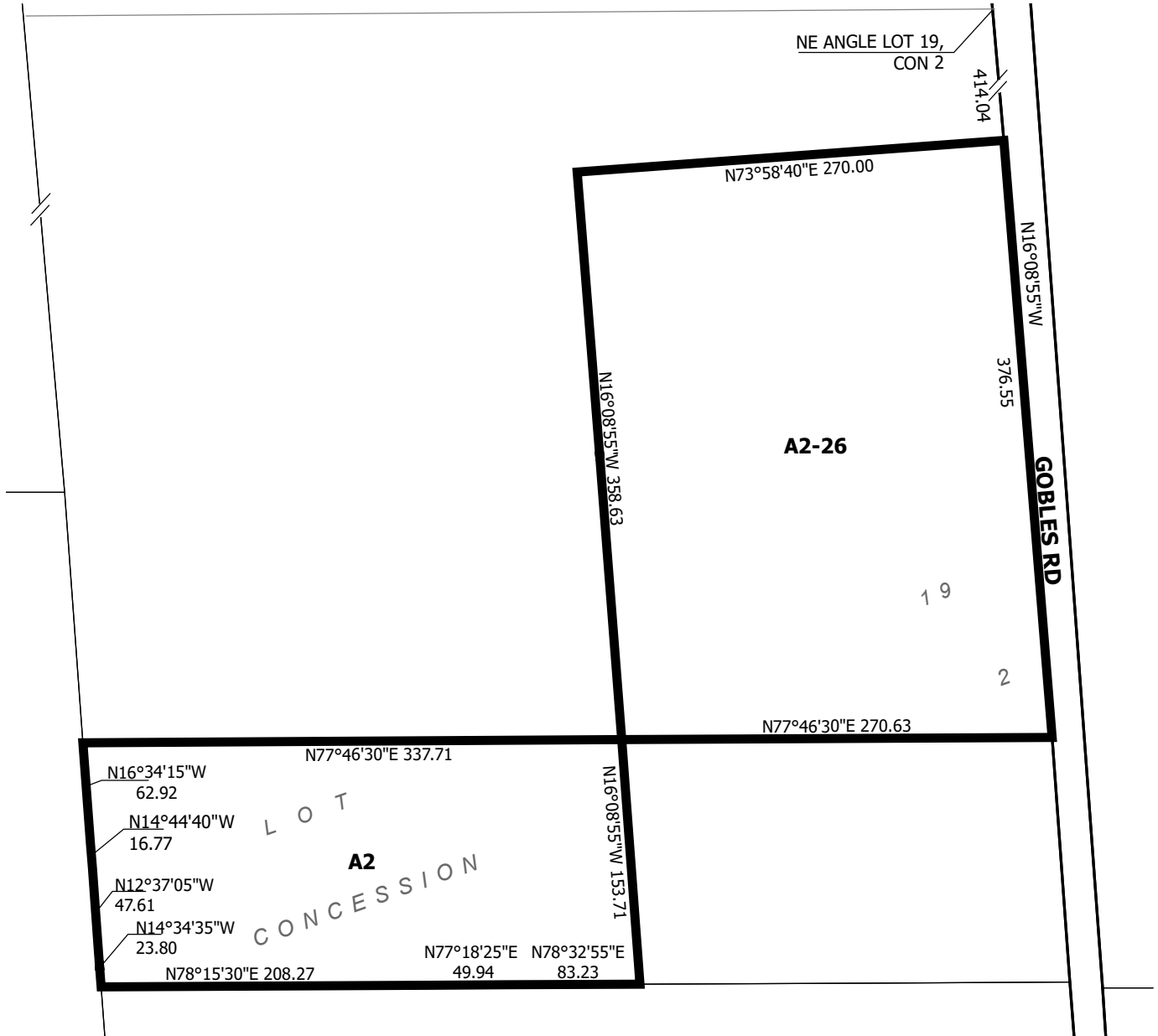
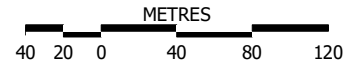
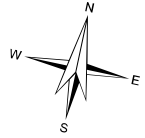


 LANDS TO WHICH BYLAW 2320-2022 APPLIES

SCHEDULE "A"

TO BY-LAW No. 2320-2022

PART LOT 19, CONCESSION 2 (BLENHEIM) TOWNSHIP OF BLANDFORD-BLENHEIM



A2-26 AREA OF ZONE CHANGE TO A2-26

A2 AREA OF ZONE CHANGE TO A2

NOTE: ALL DIMENSIONS IN METRES

THIS IS SCHEDULE "A"

TO BY-LAW No. 2320-2022, PASSED

THE _____ DAY OF _____, 2022



Produced By The Department of Corporate Services
Information Services ©2022

MAYOR

CAO/CLERK

THE CORPORATION OF THE
TOWNSHIP OF BLANDFORD-BLENHEIM
BY-LAW NUMBER 2321-2022

A By-Law to amend Zoning By-Law Number 1360-2002, as amended.

WHEREAS the Municipal Council of the Corporation of the Township of Blandford-Blenheim deems it advisable to amend By-Law Number 1360-2002, as amended.

THEREFORE, the Municipal Council of the Corporation of the Township Blandford-Blenheim, enacts as follows:

1. That Schedule "A" to By-Law Number 1360-2002, as amended, is hereby amended by changing to 'RE' the zone symbol of the lands so designated 'RE' on Schedule "A" attached hereto.
2. This By-Law comes into force in accordance with Sections 34(21) and (30) of the *Planning Act*, R.S.O. 1990, as amended.

READ a first and second time this 2nd day of November, 2022.

READ a third time and finally passed this 2nd day of November, 2022.

Mark Peterson - Mayor

(SEAL)

Rodger Mordue – CAO/Clerk

ZN 1-21-11

TOWNSHIP OF BLANDFORD-BLENHEIM

BY-LAW NUMBER 2321-2022

EXPLANATORY NOTE

The purpose of By-Law Number 2321-2022 is to rezone the subject lands to facilitate a lot addition. The lot to be severed resulting from Consent Application B21-86-1 is to be rezoned from 'General Agricultural Zone (A2)' to 'Residential Existing Lot Zone (RE).'

The subject lands are described as Part of Queen Street, Plan 33, W of Nith River, Plan 33. The lands are on the east side of Tecumseth Street, south of Township Road 13. The subject lands do not have an assigned municipal address.

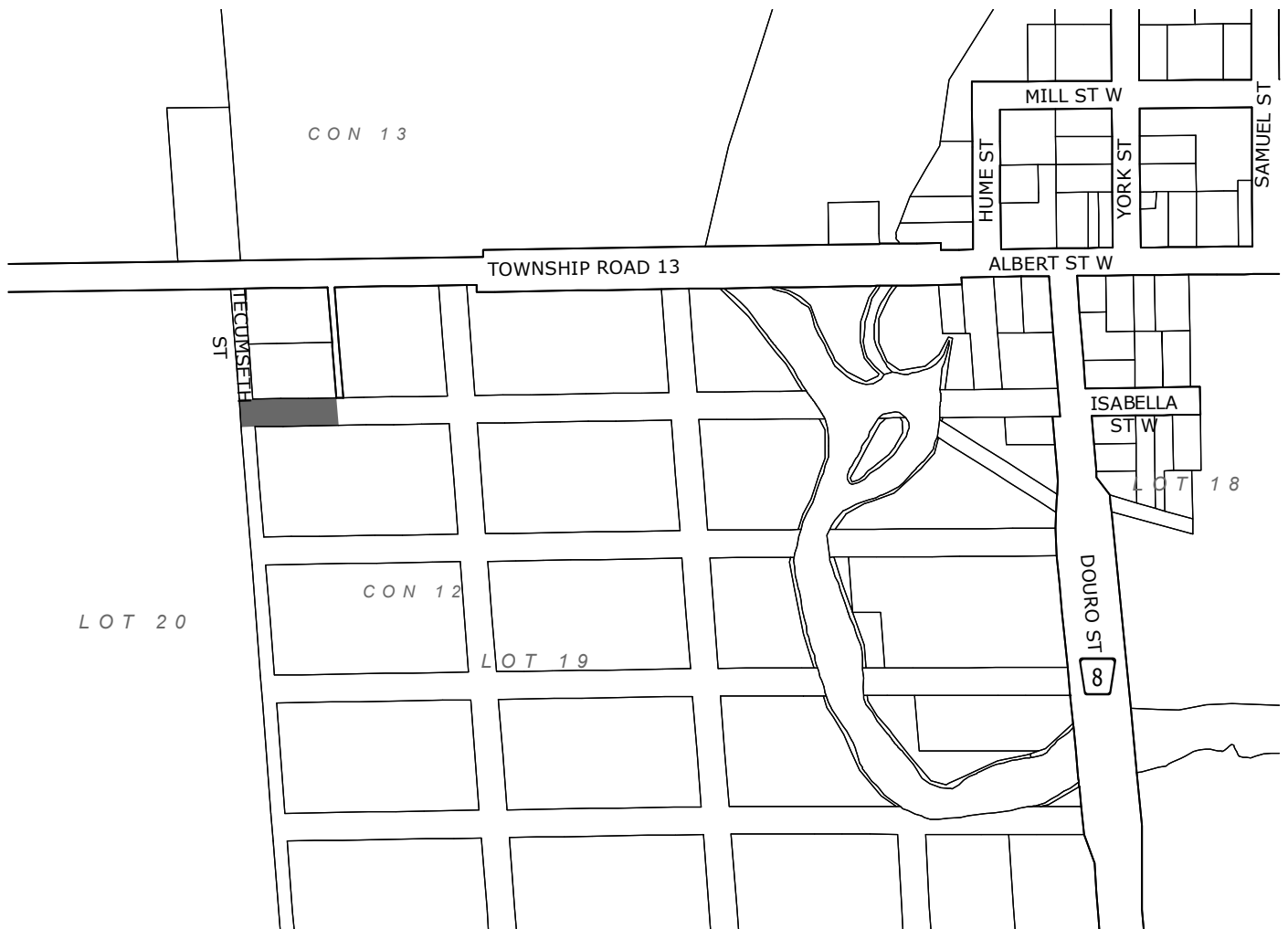
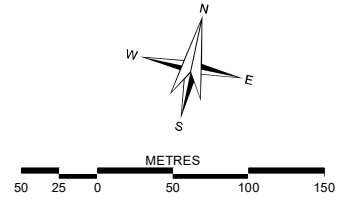
The Township of Blandford-Blenheim, after conducting the public hearing necessary to consider the application, adopted the amending By-law Number 2321-2022. The public hearing was held on April 6th, 2022 and Council did not receive any comments from the public respecting this application.


Any person wishing further information regarding Zoning By-Law Number 2321-2022 may contact the undersigned.

Mr. Rodger Mordue, CAO/Clerk
Township of Blandford-Blenheim
47 Wilmot Street South
Drumbo, Ontario
N0J 1G0

Telephone: 463-5347

KEY MAP

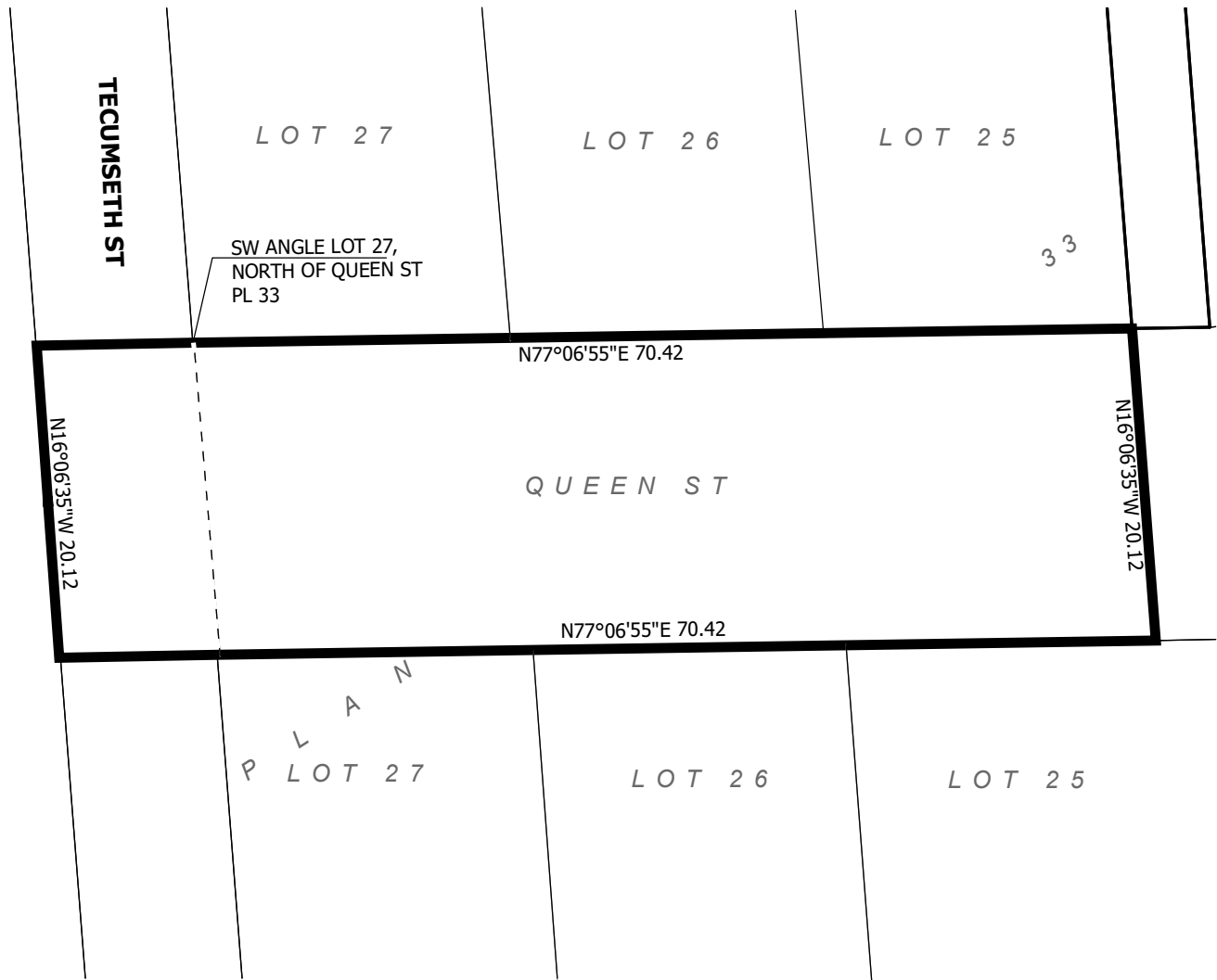
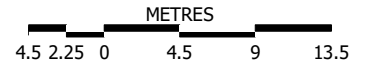
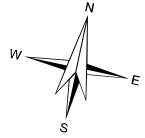


 LANDS TO WHICH BYLAW 2321-2022 APPLIES

SCHEDULE "A"

TO BY-LAW No. 2321-2022

PART OF QUEEN STREET, WEST OF NITH RIVER, PLAN 33
PARTS 1 AND 2, REFERENCE PLAN 41R-10372
TOWNSHIP OF BLANDFORD-BLENHEIM



AREA OF ZONE CHANGE TO RE

NOTE: ALL DIMENSIONS IN METRES



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THIS IS SCHEDULE "A"

TO BY-LAW No. 2321-2022, PASSED

THE _____ DAY OF _____, 2022

MAYOR

CAO/CLERK

THE CORPORATION OF THE
TOWNSHIP OF BLANDFORD-BLENHEIM
BY-LAW NUMBER 2322-2022

Being a By-law to confirm the proceedings of Council.

WHEREAS by Section 5 of the *Municipal Act* 2001, S.O. 2001, c.25, the powers of a municipal corporation are to be exercised by its Council.

AND WHEREAS by Section 11 of the *Municipal Act* 2001, S.O. 2001, c.25, the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Blandford-Blenheim at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Township of Blandford-Blenheim hereby enacts as follows:

1. That the actions of the Council of the Corporation of the Township of Blandford-Blenheim in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Blandford-Blenheim, at this meeting held on November 2, 2022 is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That the Mayor and proper officials of the Corporation of the Township of Blandford-Blenheim are hereby authorized and directed to do all things necessary to give effect to the actions of the Council referred to in the proceeding section hereof.
3. That the Mayor and the CAO / Clerk be authorized and directed to execute all documents in that behalf and to affix thereto the seal of the Corporation of the Township of Blandford-Blenheim.

By-law read a first and second time this 2nd day of November, 2022.

By-law read a third time and finally passed this 2nd day of November, 2022.

MAYOR
MARK PETERSON

CAO / CLERK
RODGER MORDUE