



PERSONS WITH DISABILITIES ADVISORY COMMITTEE

MINUTES

August 18, 2022

A Special Meeting of the Persons with Disabilities Advisory Committee was held on Thursday, August 18, 2022, via electronic means.

PRESENT: Peter Brown (Co-Chair)
Laura Mackenrot (Co-Chair)
Jacques Courteau (Vice-Chair)
Tasia Alexis
Nathan Bragg
Michelle Chakraborti
Salina Dewar
Paul Gauthier
Chris Morrissey

ABSENT: Caitlin Anderson (Leave of Absence)
Alfiya Battalova (Leave of Absence)
Michael Frazer (Leave of Absence)
Yat Li

ALSO PRESENT: Paul Storer, Director, Transportation (Staff Liaison)

CITY CLERK'S OFFICE: Brian Fukushima, Committee Clerk

WELCOME

Co-Chair Brown acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People.

Leave of Absence Requests

MOVED by Laura Mackenrot
SECONDED by Peter Brown

THAT the Persons with Disabilities Advisory Committee approve a leave of absence for Caitlin Anderson.

CARRIED UNANIMOUSLY

MOVED by Laura Mackenrot
SECONDED by Paul Gauthier

THAT the Persons with Disabilities Advisory Committee approve a leave of absence for Michael Frazer.

CARRIED UNANIMOUSLY

1. Single-Use Plastic Federal Ban

MOVED by Laura Mackenrot
SECONDED by Paul Gauthier

WHEREAS:

1. The federal Single-use Plastics Prohibition Regulations [laws-lois.justice.gc.ca/] ("Federal Regulations"), published on June 20, 2022, provide some provisions for persons with disabilities to access single-use plastic flexible straws, but:
 - a. As of Dec. 20, 2023, bans restaurants and food vendors from giving out flexible plastic straws upon request; and allows retailers to sell flexible plastic straws in packages of 20 or more, but only if they are not on public display and customers request them; and
 - b. As of June 20, 2024, bans flexible plastic straws from being attached to beverage containers (e.g. boxes, pouches);
2. The Persons with Disabilities Advisory Committee understands that the Federal Regulations conflict with, and will be paramount to, the City of Vancouver's plastic straw by-law (By-law No. 12618), which came into effect in April 2020, and was enacted after in-depth consultation with persons with disabilities organizations who support them, and was endorsed by the City of Vancouver's Persons with Disabilities Advisory Committee, and includes:
 - a. An accessibility requirement for food vendors to provide flexible plastic straws, individually wrapped in paper, upon request;
 - b. An exemption to allow retailers to display and sell packages of at least 20 plastic straws for personal use; and
 - c. An exemption to allow plastic straws attached to beverage containers packaged outside Vancouver;
3. Individually-wrapped flexible plastic straws meet the widest range of accessibility needs, and the City of Vancouver's requirement that food vendors provide them ensures customers who have difficulty drinking, or are unable to drink without a straw, can safely consume beverages and nutrition outside the home, and prioritizes equity and inclusion for persons with disabilities;
4. By prohibiting food vendors from distributing flexible plastic straws, the Federal Regulations will force persons with disabilities to carry straws at all times in case they end up drinking at food establishments:

- a. Will add to the planning burden for persons with disabilities who need to socialize, a particularly onerous burden for persons with cognitive disabilities;
 - b. Will result in inequitable treatment compared with able-bodied persons who do not need flexible straws and can therefore enjoy a beverage anytime without carrying these straws;
 - c. Will affect the ability to remain hydrated for persons with disabilities who do not bring a straw;
 - d. Exclude persons with disabilities from socializing outside the home if they are not carrying a flexible plastic straw, which might result in increased social isolation and loneliness; and
 - e. Injure, perhaps severely, persons with disabilities and older adults with reduced mobility if they are forced to eat or drink without a flexible plastic straw outside the home, in the event they are not carrying their own;
5. It is simple, affordable and reasonable for restaurants and food vendors to provide paper-wrapped single-use flexible plastic straws upon request, as they only need to stock small quantities;
6. Regulators can reduce over-consumption of flexible plastic straws by providing education and outreach, such as the City of Vancouver's single-use item by-law toolkit, to help food vendors and the public understand these straws are intended for those who rely on them to consume beverages and nutrition;
7. The condition in the Federal Regulations that only allows retailers to sell packages of 20 or more flexible plastic straws if they are not on public display, and they are requested by customers, will place a disproportionate burden and cost on persons with disabilities and older adults with reduced mobility by:
 - a. Reducing supply if retailers choose to stop carrying them and manufacturers stop making them, leading to increased prices and time needed to search for straws;
 - b. Medicalizing flexible plastic straws, repositioning them as a medical device and further inflating their price or making them more scarce; and
 - c. Creating stress for persons with disabilities, especially if they do not have the cognitive abilities, skill, or confidence to ask for flexible plastic straws at retailers, particularly when they are not displayed;
8. The federal ban on plastic straws attached to beverage containers will disproportionately affect persons with disabilities, older adults with reduced mobility, and children with disabilities;
9. The following sections of the Federal Regulations are misaligned with the intent of the Accessible Canada Act [laws-lois.justice.gc.ca/] and the Accessible British Columbia Act [bclaws.gov.bc.ca/]:
 - 5(2) Exception - sale in certain settings
 - 5(4) Exception - retail sales

- 5(5) Exception - beverage containers; and

10. The Government of British Columbia intends to introduce province-wide single-use plastic and waste prevention regulations in 2023, as described in its Clean BC Intentions Paper, "Preventing Single-Use and Plastic Waste in British Columbia" (April 2022) [engage.gov.bc.ca], which will allow food vendors to provide single-use flexible plastic straws upon request, consistent with the B.C. Reg. 144/2004 Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation [bclaws.gov.bc.ca], which states:

"5 (4) If a municipality makes a bylaw prohibiting plastic drinking straws under subsection (2) (a) (iv), the bylaw must have an exemption so that businesses would not be prevented from providing an accessible straw on request by a person with disabilities or due to medical reasons";

THEREFORE BE IT RESOLVED THAT the Persons with Disabilities Advisory Committee recommends that Council:

- A. Request that the Government of Canada revise the federal Single-use Plastics Prohibition Regulations to reflect the City of Vancouver License By-law (section 15.6) to:
 - i. Require food vendors to provide a flexible plastic straw to a customer who requests one for accessibility needs;
 - ii. Allow retailers to display packages of 20 or more flexible plastic straws and sell them without customers having to request them; and
 - iii. Allow flexible plastic straws attached to beverage containers (e.g. juice boxes and pouches);
- B. Direct staff to submit a resolution for the Federation of Canadian Municipalities annual conference in 2023, resolving to request that the Government of Canada revise the federal Single-use Plastics Prohibition Regulations as described in paragraph A.;
- C. Direct staff to submit a resolution to the Union of B.C. Municipalities Convention in 2023, resolving to request that the Province of British Columbia:
 - i. Ask the Government of Canada to revise the federal Single-use Plastics Prohibition Regulations as described in paragraph A.; and
 - ii. Ensure that Federal, Provincial, and Municipal Regulations are aligned; and
- D. Direct staff to engage Environment and Climate Change Canada, the Chief Accessibility Officer at Employment and Social Development Canada and the B.C. Ministry of Social Development and Poverty Reduction to ensure the federal Single--Use Plastic Straw Prohibition Regulations meet the requirements, spirit, and intent of the Accessible Canada Act and the Accessible British Columbia Act.

CARRIED UNANIMOUSLY

MOVED by Salina Dewar
SECONDED by Nathan Bragg

THAT the Persons with Disabilities Advisory Committee authorizes the Co-Chairs to send a letter to Environment and Climate Change Canada, and to the Chief Accessibility Officer of the Employment and Social Development Canada, with regards to the Federal Single Use Plastics Prohibition Regulations and how this will affect persons with disabilities who need to use flexible plastic straws.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Laura Mackenrot
SECONDED by Peter Brown

THAT this meeting be adjourned.

CARRIED UNANIMOUSLY

Next Meeting:

DATE: Thursday, September 15, 2022
TIME: 5:30 pm
PLACE: Cascadia Room, 3rd Floor, City Hall /
Webex Online

The Committee adjourned at 5:44 pm.

* * * * *