

**IN THE MATTER OF A DEPOT PERMIT APPLICATION
FOR CHANGE OF LOCATION
IN RELATION TO THE QUICK STOP BOTTLE DEPOT
SUBMITTED TO THE BCMB MAY 17, 2021**

DECISION OF THE BCMB

I. INTRODUCTION

This is the decision of the Beverage Container Management Board (“BCMB”) with respect to a Depot Permit Application for Change of Location (the “Application”) on behalf of Quick Stop Bottle Depot (the “QS Depot”).

For the reasons set out in the decision, the Application is granted.

II. BACKGROUND

The QS Depot received its first permit in 1998, at which time it was located at 16128 114 Ave, Edmonton. In 2013 the QS Depot relocated to its current location at 16704/06 110 Ave. The current location is 1.9 kilometres from the West Edmonton Bottle Depot and more than 3 kilometres from the next nearest Depot. In 2018 there was a change in ownership of the QS Depot. The QS Depot is now requesting a relocation from the current location to a proposed location at 11225-156 Street in Edmonton. The proposed location is 2.8 kilometres away from the West Edmonton Bottle Depot (formerly Centennial Bottle Depot) and not within 3 km of any other existing Depot.

The QS Depot has stated in its Application that the building in which it is currently located is limited in its operational efficiencies as its space is smaller than the current square footage required by the BCMB. The QS Depot is unable to store the full 24 pallets of empty beer containers necessary to fill an Alberta Beverage Container Corporation collection vehicle, which introduces inefficiencies into the collection system. The building at the proposed location has sufficient warehouse space, meeting minimum By-law requirements for the QS Depot’s operations.

The QS Depot also indicates that the proposed location is closer to several underserved residential neighbourhoods which would benefit from a closer Depot. The goal of the QS Depot is to collect new containers from these residential areas as opposed to simply redistributing the containers already being collected by it and the two nearest Depots.

The public notification period with respect to the Application commenced on August 9, 2021 and ran for 32 days ending on September 10, 2021 at 12:00. No negative responses were received from the public during this time. The West Edmonton Bottle Depot advised that it had no objection to the proposed relocation.

III. THE DEPOT BY-LAW

Applications to relocate an existing depot are governed by the By-laws passed by the BCMB, and in particular the Depot By-law.

The BCMB considered the Application with reference to the criteria set out in sections 6.3 and 6.5 of the Depot By-law, which criteria are as follows:

- There are special circumstances warranting such an application (s. 6.3.1);
- The proposed Depot location satisfies the proximity requirements contained in Article 3 of this By-law (s. 6.3.2);
- The Permit granted for the existing location was not the result of a recent RFA process and the Depot is not within its first five years of operation at that location (s. 6.3.3);
- The proposed location is not in an area which is the subject of an RFA or an area that the BCMB has deemed a future growth RFA area (s. 6.3.4);
- The proposed location is not outside of the municipal boundary within which the Permit was granted by the BCMB (s. 6.3.5);
- Whether the proposed location is within close proximity of the existing location and members of the public currently served at the existing location could reasonably be expected to continue to do business at the proposed location (s. 6.5.1);
- Whether the relocation is in the best interests of the industry and public (s.6.5.2);
- Any considerations raised by material received during the notice of application period in Section 6.6 of this By-law (s.6.5.3).
- Any other criteria the BCMB considers relevant in maintaining a viable Container recovery system (s.6.5.4).

IV. DECISION AND REASONS

This Application is complicated by the length of time the QS Depot and the West Edmonton Bottle Depot have both been in operation, the various changes to By-Laws and BCMB practices during that time and the Board's decision to waive the proximity requirements in relation to the relocation of the QS Depot in 2013.

In terms of special circumstances, the BCMB notes that at the time of the 2013 relocation these two Depots were already within 3 kilometres of each other, which is contrary to the current proximity requirements. In 2013 the QS Depot was allowed to relocate to a location 1.9 kilometres away from the West Edmonton Bottle Depot. As was permitted by the relevant By-law, the Board allowed the relocation notwithstanding the proximity requirements. The Application now seeks to move the QS Depot further away from the West Edmonton Bottle Depot such that if the Application is allowed, the QS Depot will be 2.8 kilometres away from the West Edmonton Bottle Depot, a distance that is much closer to the current proximity requirements. In all of these circumstances it would be illogical for the BCMB to refuse the Application if the other criteria are satisfied, since the proposed location is more

consistent with BCMB's current practices and proximity requirements than the current location. The BCMB also accepts the QS Depot's logistical constraints in terms of lack of storage space and that this causes inefficiencies in the collection system. It is beneficial to the system to have operating Depots with the storage requirements that are considered by the BCMB to be necessary for efficient operations.

Based on the Board's direction in 2013, the BCMB does not consider the proximity requirements as between the Quick Stop Depot and the West Edmonton Bottle Depot to be a bar to the Application. The West Edmonton Bottle Depot is not objecting to the relocation. The proximity requirements with respect to all other Depots are met. The QS Depot will be closer to a third Depot in the area, but still more than 3 kilometres from that Depot. This third Depot also did not raise any objection to the proposed relocation during the public consultation period.

The QS Depot Permit was not the result of a recent RFA process, there is no RFA in the area currently and this is not an area where an RFA would be anticipated as being an area of future growth. The proposed location remains within the municipal boundaries of the City of Edmonton. The BCMB is also satisfied that the proposed location is near enough to the current location that it will continue to be accessible to the members of the public currently served at the existing location and that they could reasonably be expected to continue to do business at the proposed location. The BCMB acknowledges the efforts made by the QS Depot to increase up-take from nearby residential areas and its stated intention to continue those efforts.

The BCMB considers the relocation to be in the best interests of the industry and the public. The QS Depot is proposing to improve customer service and decrease wait times as a result of the larger space at the proposed location and the change in layout that it will permit. There will be more customer parking available. The additional space will allow for the introduction of innovation that would not be possible at the current location. As noted above, the BCMB also considers it important that the current storage issues will be resolved which is of a benefit to the collection system as a whole.

The BCMB took into consideration that the three Depots in this area have operated over a significant period of time and that there is no indication that the area is overserved. The QS Depot has indicated that there is an underserved area closer to the proposed location and has made clear its intention to increase the collection rate from those areas which is consistent with the BCMB's mandate of maximizing return rates.

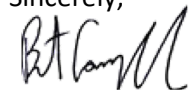
Given the matters outlined above, the BCMB is of the view that the Application should be granted.

V. CONCLUSION

The Application for relocation is granted.

Dated this 12th day of October, 2021.

Sincerely,



Brent Campbell
Director, Operations
BCMB