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The Regional Municipality of Durham Report

To: Works Committee
From: Acting Commissioner of Works
Report: #2024-WR-2
Date: March 6, 2024

Subject:

Update on Small Business Recycling Post Blue Box Transition

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That, effective January 1, 2026, the Regional Municipality of Durham cease to provide Blue Box recycling services to the small businesses currently receiving municipal waste collection services as listed in Attachments #1 and #2;
 - B) That staff be directed to develop and implement a communication plan to advise these small businesses that, effective January 1, 2026, they will no longer receive municipal Blue Box recycling services;
 - C) That staff be authorized to send a letter to the Premier of Ontario and the Minister of the Environment, Conservation and Parks strongly endorsing the creation of a Blue Box recycling regulation for Ontario's Industrial, Commercial and Institutional sector as it has done for Ontario's residential sector; and
 - D) That a copy of this report be shared with the Regional Local Area Municipalities, the Premier of Ontario and the Minister of the Environment, Conservation and Parks.
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Report:

1. Purpose

- 1.1 The purpose of this report is to recommend that, effective January 1, 2026, the Regional Municipality of Durham (Region) cease to provide Blue Box recycling

services to the small businesses currently receiving municipal waste collection services.

2. Background

- 2.1 In June 2021, the Province of Ontario released Regulation 391/21 Blue Box (Regulation 391/21) under the *Resource Recovery and Circular Economy Act, 2016*, which shifts the financial and operational responsibility of recycling from municipalities to the organizations that produce packaging, paper and packaging-like products. The Regulation takes full effect on January 1, 2026, province wide.
- 2.2 On July 1, 2024, the Region will transition its curbside Blue Box collection program to producers as part of a province wide transition. The producers will assume full responsibility for the program under a new Extended Producer Responsibility (EPR) regime. The province-wide transition will be complete on December 31, 2025.
- 2.3 In the Region, the new Blue Box program will be operated on behalf of the producers by a Producer Responsibility Organization (PRO) called Circular Materials (CM). CM confirms that the new Blue Box program will not include recycling services to businesses after December 31, 2025, as per the definition of Eligible Sources under Regulation 391/21.
- 2.4 Blue Box Regulation 391/21 defines eligible sources as residences and facilities only. Facilities are described in the regulation as residential-type buildings such as long-term care and not-for-profit retirement homes, multi-residential buildings and schools. The regulation does not include commercial or industrial establishments, including small businesses.
- 2.5 The Region currently provides Non-Hazardous Waste, Recyclables and Organics collection services to approximately 2,800 small businesses in Designated Business Areas (DBAs) listed in Attachment #1 under the following Standing Agreements:
 - a. C003008 for the Townships of Brock, Uxbridge, Scugog, and the Municipality of Clarington
 - b. C003326 for the City of Pickering and the Town of Ajax
 - c. C002667 for recyclables collection only in the Town of Whitby and the City of Oshawa

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- 2.6 The Region also services approximately 200 additional small businesses, listed in Attachment #2, that are not formally included in the contracts noted in item 2.5. These businesses are not located in DBAs and do not meet the jurisdictional requirements for municipal waste collection services. However, they were included when the Region assumed waste collection services from the local area municipalities in the early 2000s. These properties included gas stations, churches, strip malls, flea markets, auto body shops, garages, nurseries, golf courses, doctor and dentist offices, pharmacies, hair salons and veterinary clinics and are legacy services that resulted from negotiations during the collection uploads.
- 2.7 Regional staff have successfully negotiated with CM to continue providing recycling collection services to these small businesses during the Blue Box transition period between June 30, 2024, and December 31, 2025, as an ancillary part of CM's Durham contracts on a cost-recovery basis. However, CM will not service these or any non-residential properties effective January 1, 2026, as they are not included as eligible sources under Regulation 391/21, which governs the new Blue Box program.
- 2.8 Given CM's position, the Region will need a dedicated contract to continue providing Blue Box recycling services to these small businesses starting January 1, 2026. This contract would consist of a selected vendor procuring additional vehicles to run dedicated routes in select areas where collection is required. (Note that under the current arrangement and during the transition, these businesses are serviced utilizing the same fleet and routes as the curbside residential).
- 2.9 Staff have conducted a market scan to assess the feasibility of a dedicated contract for the collection and processing of Blue Box recyclables from these businesses starting January 1, 2026, including ongoing dialogue with other

Ontario municipalities. The market scan returned estimated costs over ten times higher than the costs to provide the small business blue box recycling service during the Blue Box transition period.

3. Previous Reports and Decisions

- 3.1 Through Report #2022-WR-2, Blue Box Transition Impacts on Waste Management Collection Operations and Small Business Recycling Options, Regional Council directed staff to amend existing Standing Agreements regarding the Recycling collection services provided to small businesses for one year commencing July 1, 2023, and ending on June 30, 2024, and to negotiate with Producer Responsibility Organizations of the new Blue Box program and report back on the financial implications to include the collection of recyclables from the small businesses in the PROs' collection programs, on a cost recovery basis, as well as alternative options and recommendations for Regional Council to consider if negotiations with PROs failed.
- 3.2 Through Report #2020-COW-15, Council Resolution - Blue Box Transition Date, Regional Council endorsed a resolution on the transition to full EPR and to forward same to the Minister of the Environment, Conservation and Parks, and the Association of Municipalities of Ontario (AMO).
- 3.3 Regional Council has authorized contract alignments and staff participation in the Blue Box consultation and transition process in the following reports:
 - a. Report #2020-COW-2, Solid Waste Management: 2020 Strategic Issues and Financial Forecast; and,
 - b. Report #2019-COW-3, Solid Waste Management Servicing and Financing Study.

4. Impact of Extended Producer Responsibility on Durham's Small Businesses

- 4.1 Regulation 391/21 makes businesses ineligible to receive Blue Box recycling collection services under the new Blue Box Program, effective January 1, 2026.
- 4.2 The Region's long-held provision of Blue Box recycling services to the small businesses listed in Attachments #1 and #2 has made these businesses rely on the Region's continued support. Staff recognize that removing this service may result in hardship for these businesses, who will have to recycle at their own cost. Most of these small businesses may stop recycling, which will have a negative impact on the Region's waste diversion goals. The businesses referenced in 4.5

below have always borne the costs of recycling and have not had the benefits noted here.

- 4.3 Staff is prepared to develop and implement a communication plan to advise these small businesses that they will no longer receive municipal Blue Box recycling services starting January 1, 2026.
- 4.4 Staff will continue to advocate for small businesses to be included in updated or future regulations after the Region transitions out of the Blue Box program.
- 4.5 Businesses outside of those listed in Attachments 1 and 2 do not currently receive waste collection services from the Region and will be unaffected by the change.
- 4.6 No change to existing waste or organics collection for businesses listed within Attachments 1 and 2 is being proposed as part of this report.

5. Financial Implications

- 5.1 Table 1 presents the number of locations by local area municipality currently serviced by the Region, and the projected costs of providing recycling collection services to the Region's small businesses during the Blue Box transition period and post blue box transition.

Table 1: A Comparison of Blue Box Recycling Collection from Small Businesses During and Post Blue Box Transition Period

Contract	Location	DBA Stops	Non-DBA Stops
C003008	Brock	153	45
	Uxbridge	101	
	Scugog	375	
	Clarington	650	
C003326	Ajax	75	101
	Pickering	0	
C002667	Oshawa	160	45
	Whitby	1,247	
TOTAL STOPS		2,761	191
Estimated Annual Cost Jul 1, 2024 – Dec 31, 2025		\$22,000 + \$3,000 (material processing)	
Estimated Annual Cost after Jan 1, 2026		\$225,000 + \$3,000 (material processing)	

5.2 The estimated cost to provide a dedicated municipal Blue Box recycling collection to the small businesses identified in this report post Blue Box transition is estimated at \$225,000 annually compared to the estimated \$22,000 for providing the same service as ancillary work in Circular Materials' Durham contracts during the transition period.

5.3 It is anticipated that any attempts to implement a dedicated recycling program for these small businesses on a full or partial cost recovery basis will result in a decrease in the number of businesses participating, which will further increase the costs allocated to the remaining businesses.

6. Relationship to Strategic Plan

6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 5.1 Optimize resources and partnerships to deliver exceptional quality services and value.

7. Conclusion

7.1 Upon careful consideration of the available options, of the Regional Municipality of Durham's ongoing financial constraints, and recognizing that providing waste collection services to businesses is not core to the Regional Municipality of Durham's waste management jurisdiction under Provincial legislation, Regional staff recommend that effective January 1, 2026, the Regional Municipality of Durham cease to provide Blue Box recycling services to the small businesses currently receiving municipal waste collection services.

7.2 Regional staff will continue advocating for the Province of Ontario to develop regulations and programs that will return Blue Box recycling programs to small businesses as they have done for the residential sector.

7.3 For additional information, contact: Andrew Evans, Director, Waste Management Services, at 905-668-7711, extension 4102.

8. Attachments

Attachment #1: Designated Business Areas by Municipality

Attachment #2: Small Business Locations Outside Designated Business Areas

Respectfully submitted,

Original signed by:

Ramesh Jagannathan, M.B.A, M.Eng., P.Eng., PTOE
Acting Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

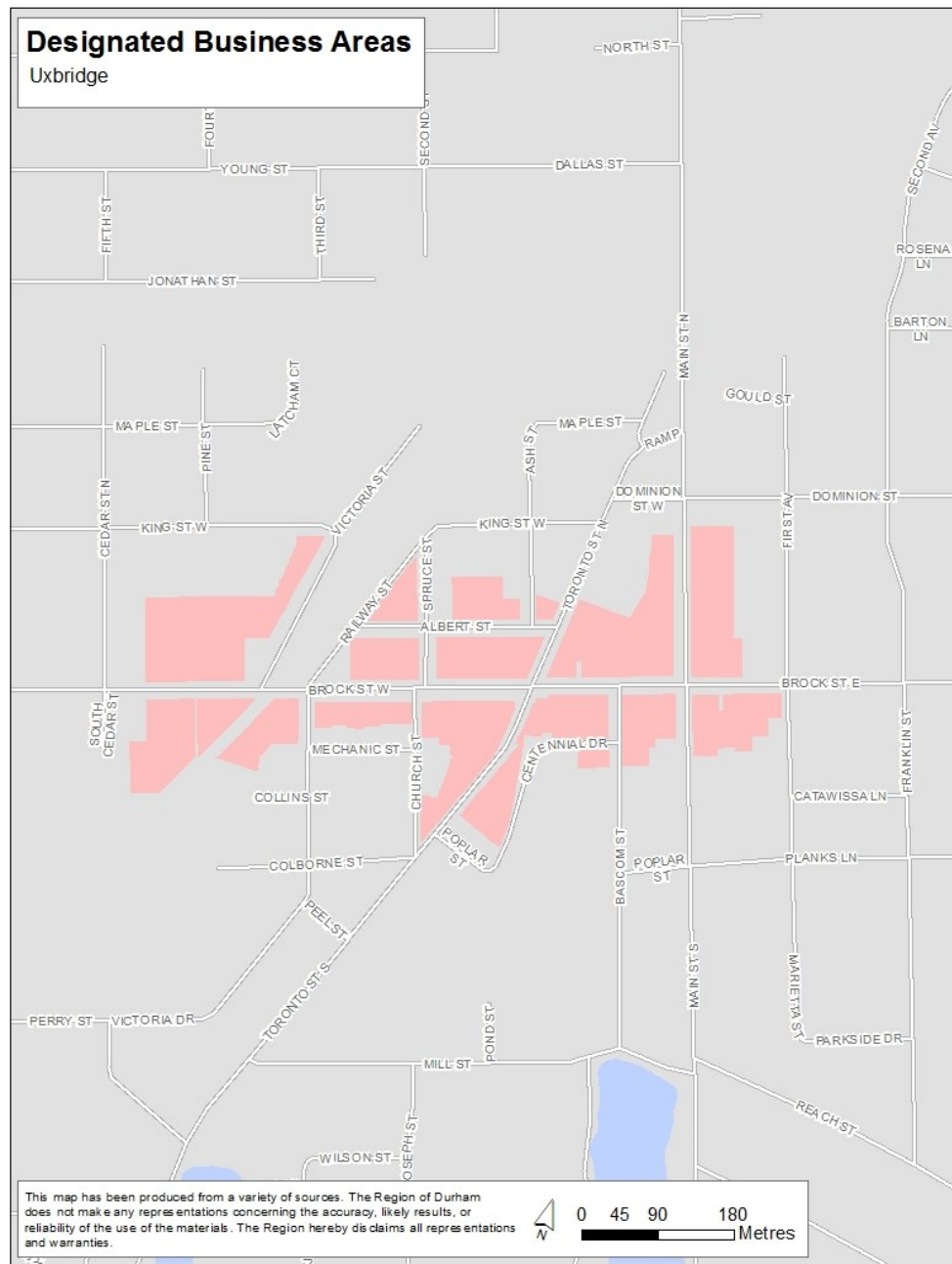
Attachment # 1

Designated Business Areas

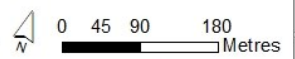
By Area Municipality

Designated Business Areas

Uxbridge

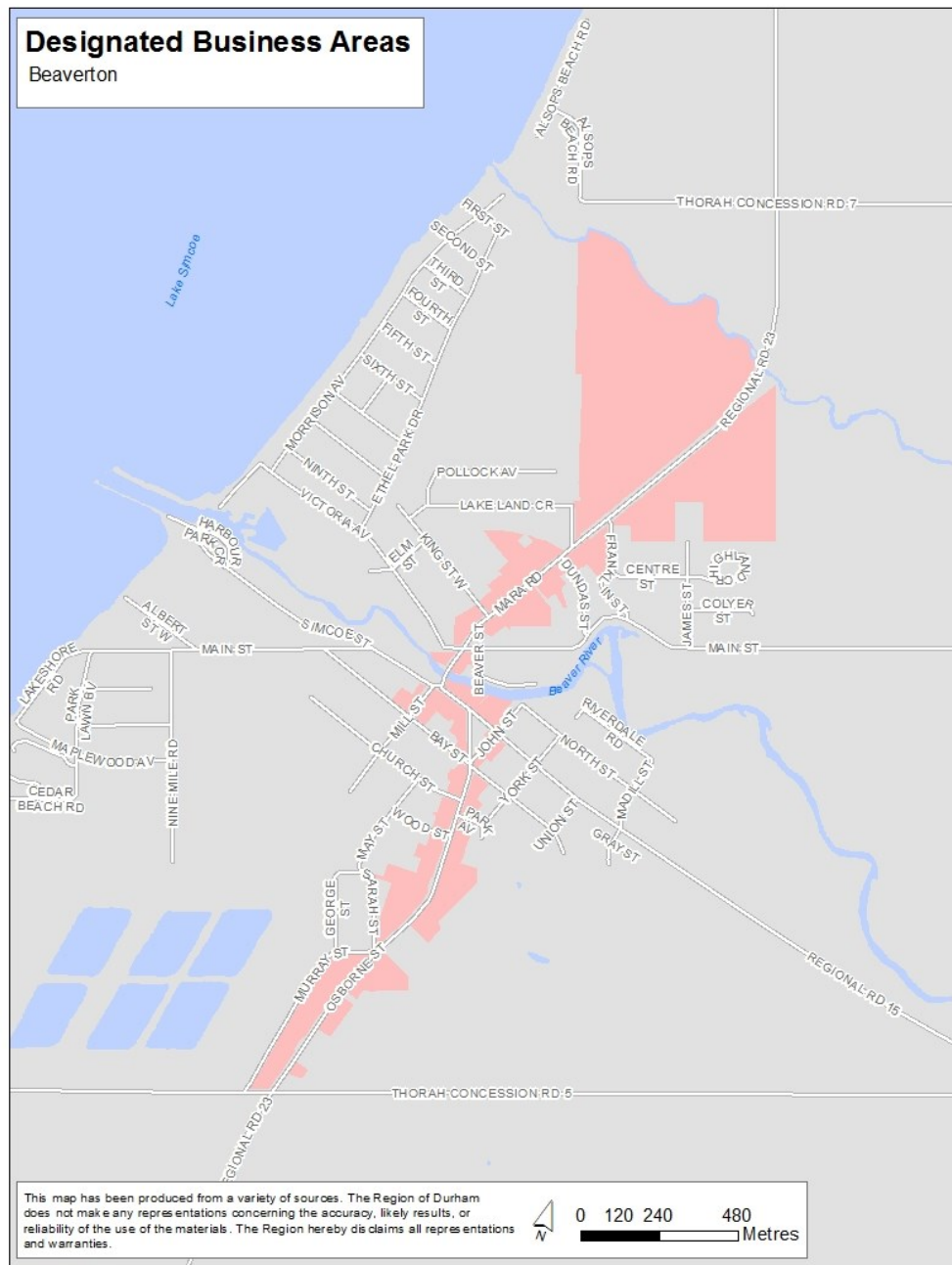


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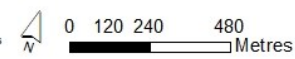


Designated Business Areas

Beaverton

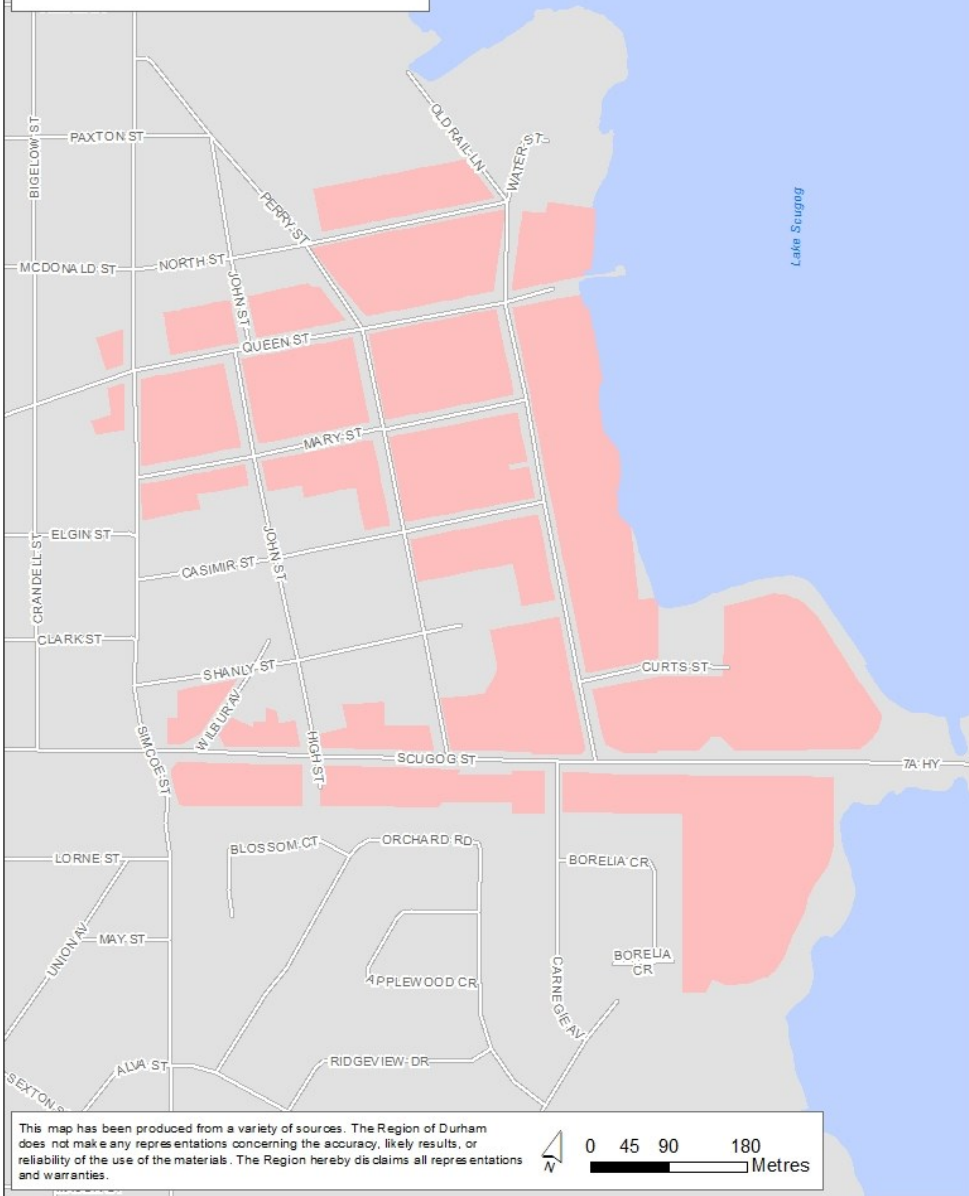


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Designated Business Areas

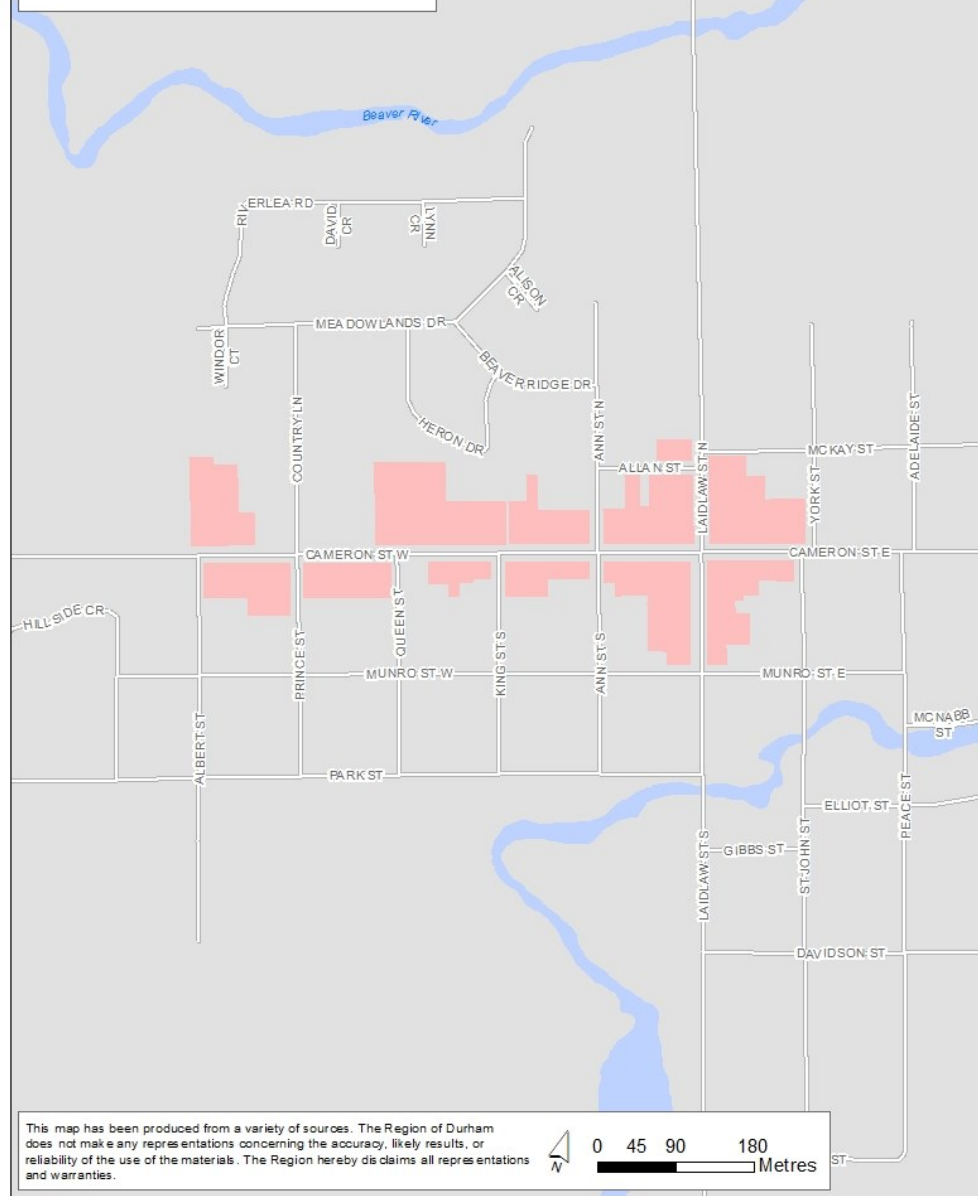
Port Perry



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Designated Business Areas

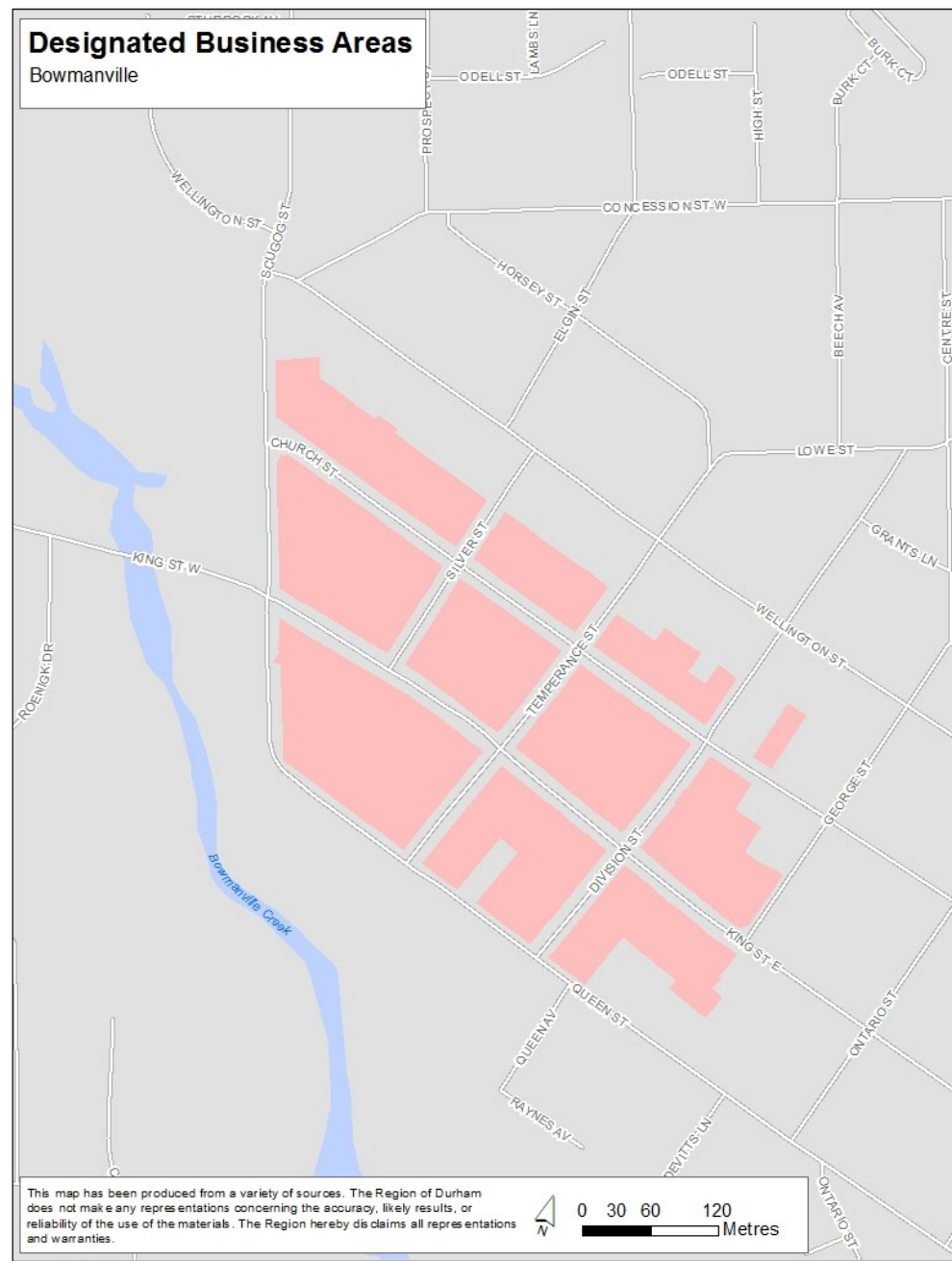
Cannington



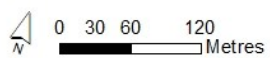
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Designated Business Areas

Bowmanville

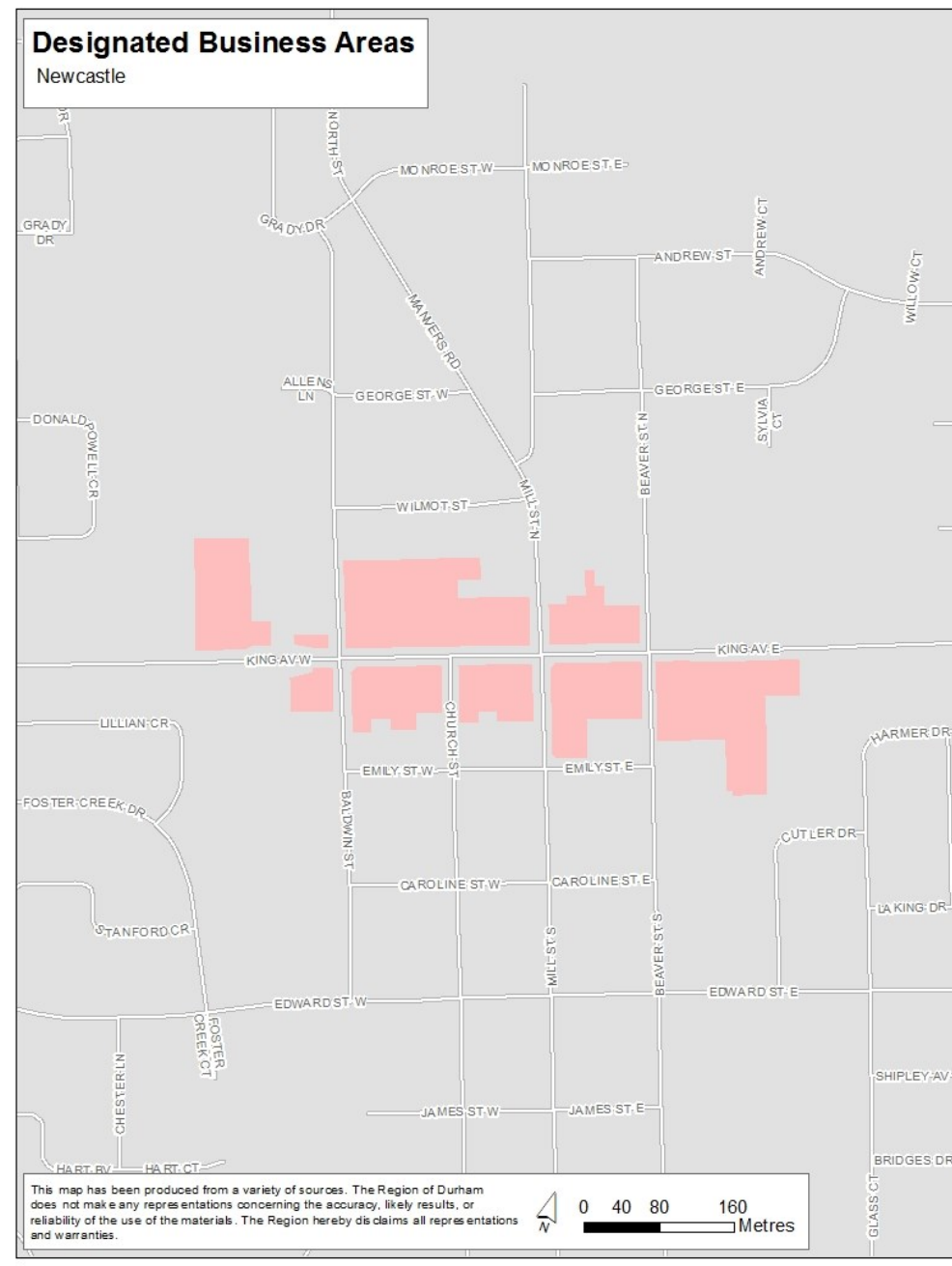


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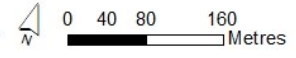


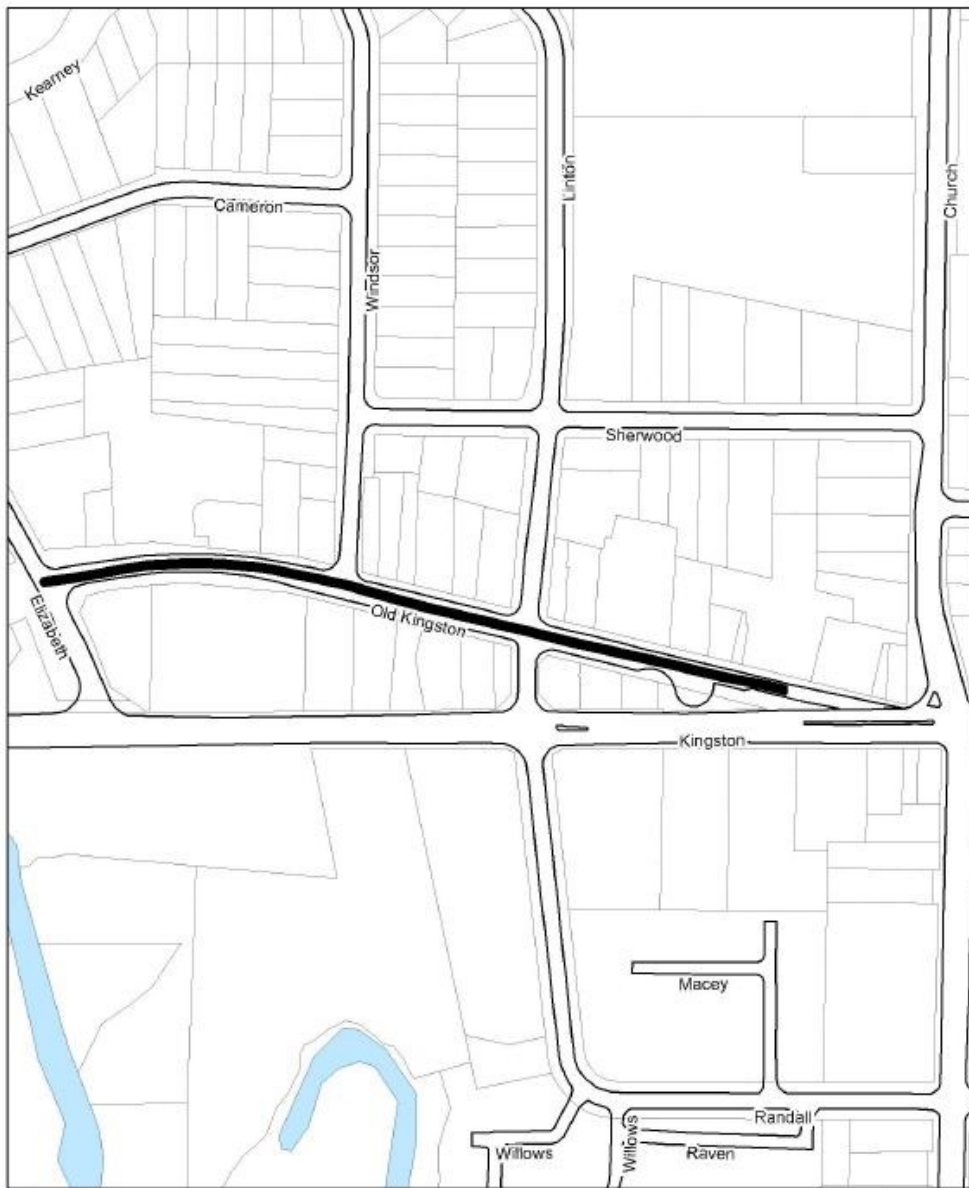
Designated Business Areas

Newcastle



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**Designated Business District
 Ajax (Pickering Village)**

ATTACHMENT 3

1:2,000



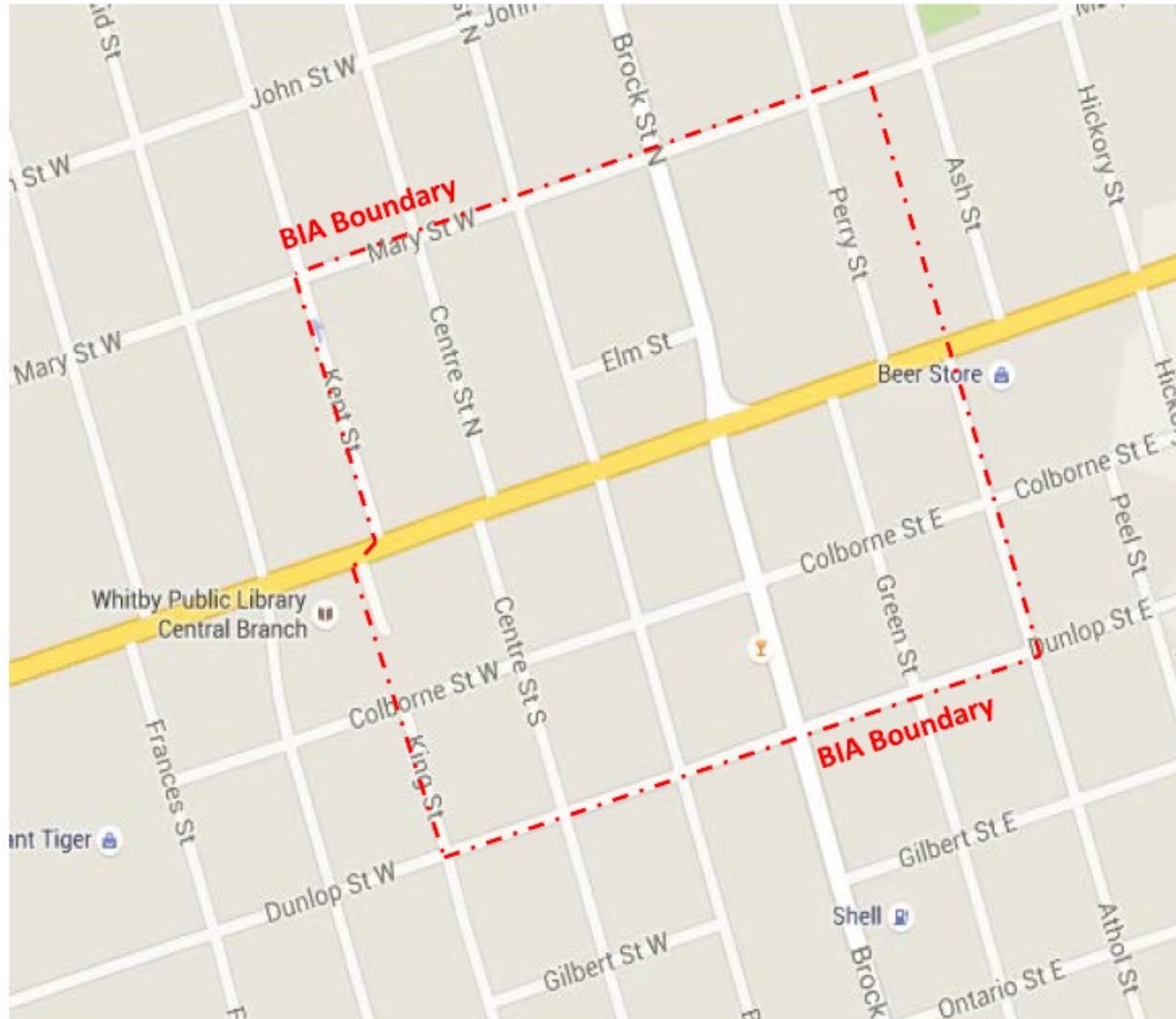
**Designated Business District
 Ajax**

ATTACHMENT 4

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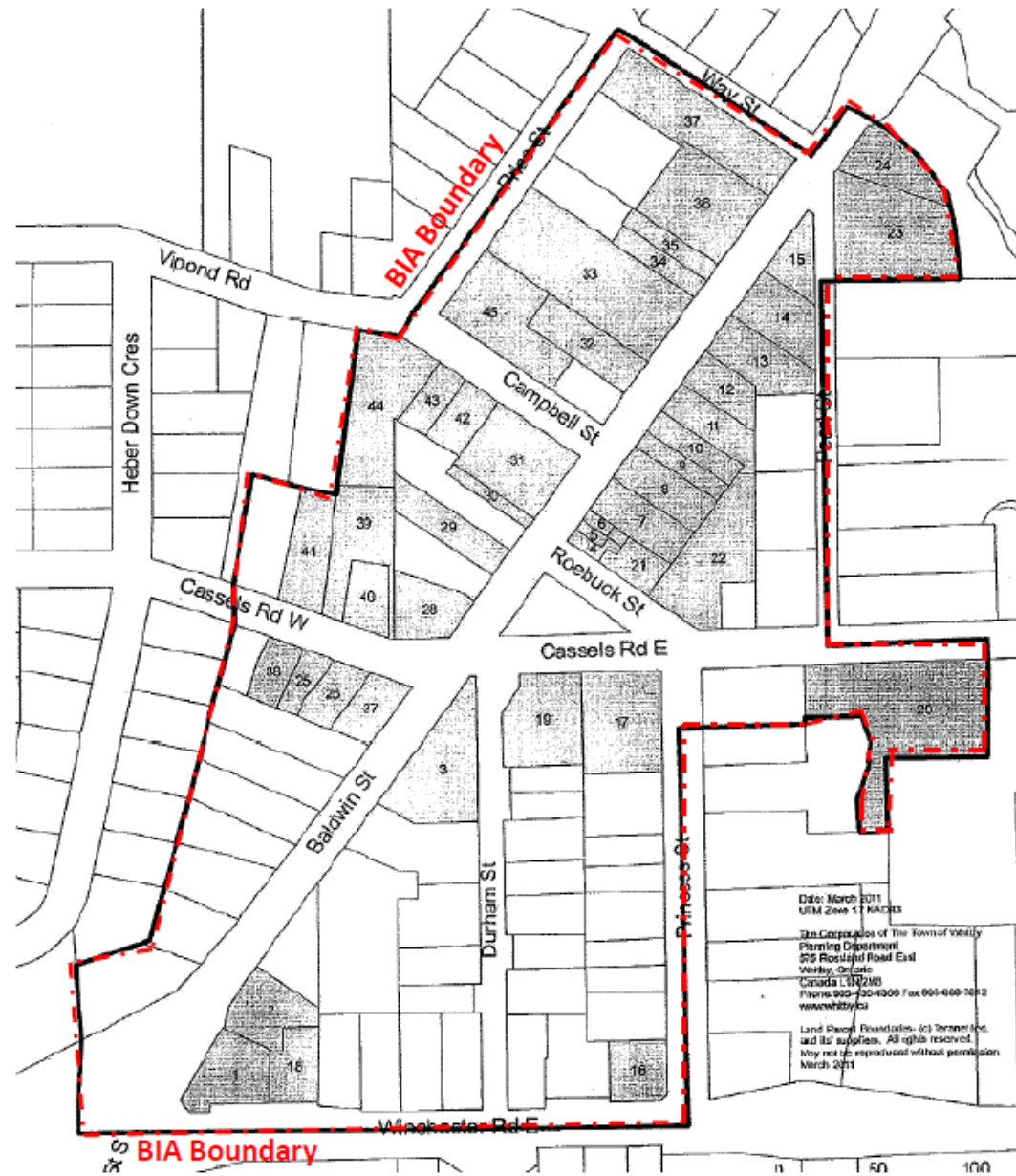
TOWN OF WHITBY BIA BOUNDARY

(Approximate # of Stops 1151)



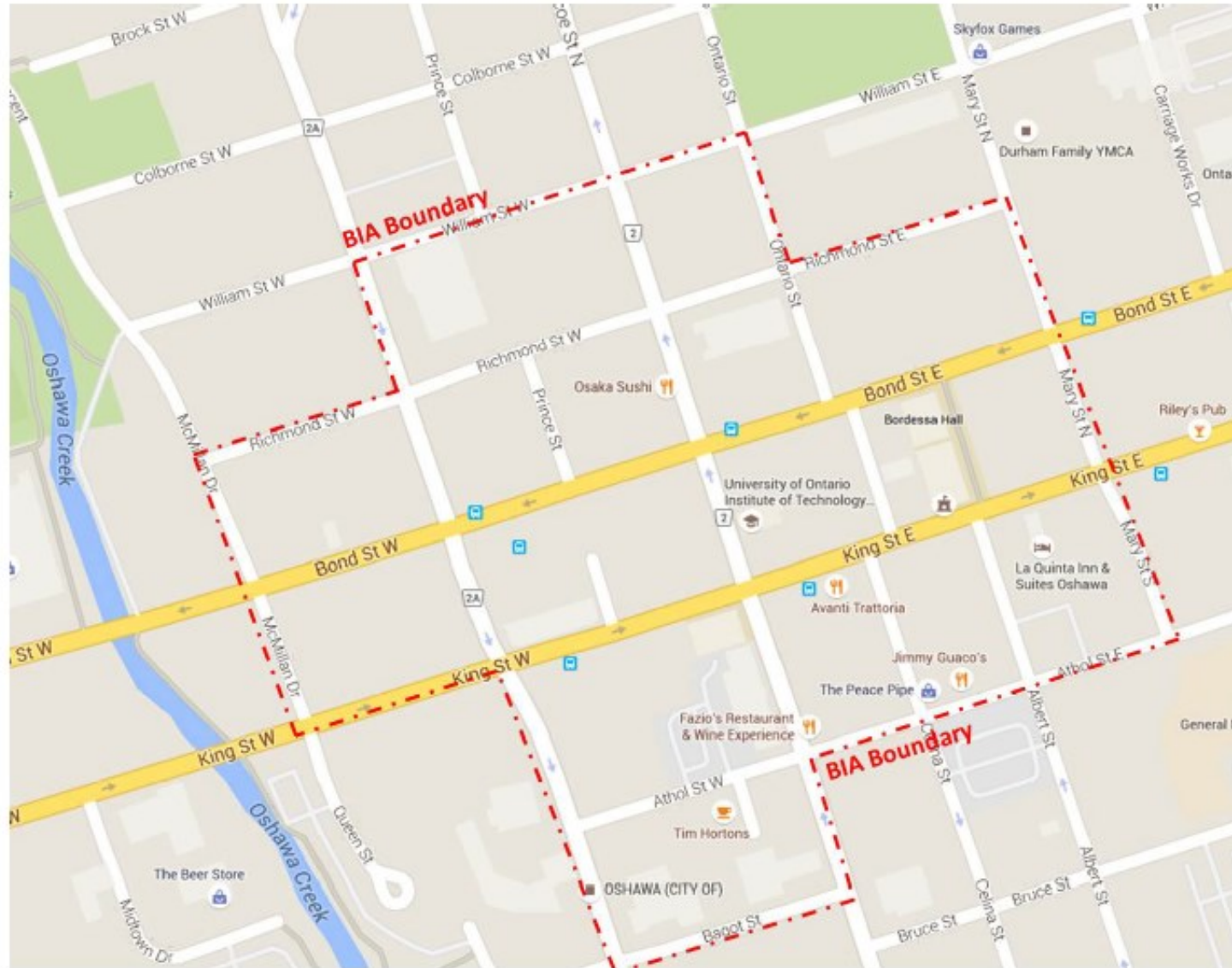
VILLAGE OF BROOKLIN BIA BOUNDRY

(Approximate No. of Stops 96)



CITY OF OSHAWA BIA BOUNDRY

(Approximate No. Stops 160)



Civic #	Road Name	Road Type	Direction	Town	Municipality	Property Description
41	Church	Street	South	Ajax	Ajax	Pet Hospital
23	Church	Street	South	Ajax	Ajax	School
15	Church	Street	South	Ajax	Ajax	School
13	Church	Street	South	Ajax	Ajax	Commercial Business
8	Lincoln	Street	South	Ajax	Ajax	Laundry Mat
55	Church	Street	South	Ajax	Ajax	Laundry Mat
837	Riverside	Drive	North	Ajax	Ajax	Golf Course
56	Angus	Drive		Ajax	Ajax	Church
300	Church	Street	North	Ajax	Ajax	Church
1030	Ravenscroft	Road	North	Ajax	Ajax	Church
1201	Ravenscroft	Road	North	Ajax	Ajax	Church
1001	Ravenscroft	Road	North	Ajax	Ajax	Church
475	Kingston	Road	East	Ajax	Ajax	Commercial Business
479	Kingston	Road	East	Ajax	Ajax	Commercial Business
527	Kingston	Road	East	Ajax	Ajax	Commercial Business
545	Kingston	Road	East	Ajax	Ajax	Commercial Business
555	Kingston	Road	East	Ajax	Ajax	Commercial Business
567	Kingston	Road	East	Ajax	Ajax	Commercial Business
33	Church	Street	South	Ajax	Ajax	Doctors Office
29	Harwood	Ave	South	Ajax	Ajax	Commercial Business
37	Harwood	Ave	South	Ajax	Ajax	Commercial Business
9	Doric	Street	East	Ajax	Ajax	Pet Hospital
599	Bayly	Street	East	Ajax	Ajax	Church
55	Emperor	Street	East	Ajax	Ajax	Church
97	Burcher	Road	East	Ajax	Ajax	Church
35	Church	Street	North	Ajax	Ajax	Church
77	Randle	Drive	South	Ajax	Ajax	Church
	Church	Street	North	Ajax	Ajax	Commercial Business
	Elizabeth	Street	North	Ajax	Ajax	Commercial Business
92	Orchard	Road	South	Ajax	Ajax	Commercial Business
92A	Orchard	Road	South	Ajax	Ajax	Commercial Business
100	Orchard	Road	South	Ajax	Ajax	Commercial Business
106	Orchard	Road	South	Ajax	Ajax	Commercial Business
134	Orchard	Road	South	Ajax	Ajax	Commercial Business
66	Church	Street	South	Ajax	Ajax	Commercial Business
68	Church	Street	South	Ajax	Ajax	Commercial Business
448	Kingston	Road	West	Ajax	Ajax	Commercial Business
504	Kingston	Road	West	Ajax	Ajax	Commercial Business
510	Kingston	Road	West	Ajax	Ajax	Commercial Business
516	Kingston	Road	West	Ajax	Ajax	Commercial Business
530	Kingston	Road	West	Ajax	Ajax	Commercial Business
556	Kingston	Road	West	Ajax	Ajax	Commercial Business
560	Kingston	Road	West	Ajax	Ajax	Commercial Business
586	Kingston	Road	West	Ajax	Ajax	Commercial Business
310	Kingston	Road	West	Ajax	Ajax	Pet Kennel

B23005	Lake Ridge	Road		Port Bolster	Brock	Commercial Business
360	Osborne	Street		Beaverton	Brock	Commercial Business
336	Osborne	Street		Beaverton	Brock	Auto Body
472	Osborne	Street		Beaverton	Brock	Commercial Business
2271	Hwy 2	Road		Bowmanville	Clarington	Wellness Clinic
1685	Bloor	Street		Courtice	Clarington	Church
1696	Bloor	Street		Courtice	Clarington	Flea Market
1731	Bloor	Street		Courtice	Clarington	Church
1669	Courtice	Road		Courtice	Clarington	Church
1518	Nash	Road		Courtice	Clarington	Church
4830	Trulls	Road		Mitchals Corners	Clarington	Church
1648	Taunton	Road		Mitchals Corners	Clarington	Commercial Business
1967	Taunton	Road		Hampton	Clarington	Food Trucks
1975	Taunton	Road		Hampton	Clarington	Commercial Business
2212	Taunton	Road		Hampton	Clarington	Commercial Business
5454	Old Scugog	Road		Hampton	Clarington	Church
5480	Old Scugog	Road		Hampton	Clarington	Commercial Business
7851	Old Scugog	Road		Hampton	Clarington	Commercial Business
2486	Concession 6	Road		Hayden	Clarington	Garage
6742	Newtonville	Road		Kendal	Clarington	School
732	King	Street E		Newcastle	Clarington	Commercial Business
4502	Hwy 2	Road		Newtonville	Clarington	Commercial Business
4532	Hwy 2	Road		Newtonville	Clarington	Heritage Building
713/721	Krosno	Boulevard	South	Pickering	Pickering	Commercial Business
776	Liverpool	Road	South	Pickering	Pickering	Commercial Business
927	Liverpool	Road	South	Pickering	Pickering	Dentist
925	Liverpool	Road	South	Pickering	Pickering	Commercial Business
1866	Liverpool	Road		Pickering	Pickering	Millennium City Veterinary Hospital
159	Twyn Rivers	Drive		Pickering	Pickering	Commercial Business
1880	Altona	Road		Pickering	Pickering	Altona Auto Services Inc.
1396	Kingston	Road		Pickering	Pickering	Sheridan Veterinary Services
1234	Kingston	Road		Pickering	Pickering	Commercial Business
1192	Kingston	Road		Pickering	Pickering	Commercial Business
1414	Rosebank	Road		Pickering	Pickering	Rosebank Animal Hospital
1	Evelyn	Avenue		Pickering	Pickering	Commercial Business
1995	Valley Farm	Road		Pickering	Pickering	Day Care & Nursery School
1999	Fairport	Road		Pickering	Pickering	Church
755	Oklahoma	Road		Pickering	Pickering	Church
796	Eyer	Drive		Pickering	Pickering	Church
1066	Dunbarton	Road		Pickering	Pickering	Daycare

1115	Finch	Avenue	Pickering	Pickering	Fire Station
2145	Brock	Road	Pickering	Pickering	Church
5067	Old Brock	Road	Claremont	Pickering	Daycare
4941	Old Brock	Road	Claremont	Pickering	Fire Station
5014	Old Brock	Road	claremont	Pickering	Claremont Pharmacy
5006	Old Brock	Road	Claremont	Pickering	Full-Service Maintenance
1703	Central	Street	Claremont	Pickering	Claremont General Store/Beer & LCBO
1716	Central	Street	Claremont	Pickering	Commercial Business
5077	Old Brock	Road	Claremont	Pickering	Commercial Business
1749	Hoxton	Street	Claremont	Pickering	Commercial Business
3280	Highway 7		Pickering	Pickering	Commercial Business
3325	Highway 7		Pickering	Pickering	Kennel
1884	Altona	Road	Pickering	Pickering	School
1688	Highway 7		Pickering	Pickering	City of Pickering Animal Services
1686	Highway 7		Pickering	Pickering	Commercial Business
1709	Highway 7		Pickering	Pickering	Commercial Business
3633	Broughham	Road	Pickering	Pickering	Commercial Business
931	Liverpool	Road	Pickering	Pickering	Commercial Business
933	Liverpool	Road	Pickering	Pickering	Commercial Business
1920	Bayly	Street	Pickering	Pickering	Church
553	Kingston	Road	Pickering	Pickering	Fire Station
2250	Concession 8		Pickering	Pickering	Commercial Business
2005	Concession 9		Pickering	Pickering	Veterinary Services
3000	Concession 8		Pickering	Pickering	Church
3735	Sideline 16		Pickering	Pickering	Commercial Business
3470	Salem	Road	Pickering	Pickering	Golf Course
1010	Toy	Avenue	Pickering	Pickering	Commercial Business
1016	Toy	Avenue	Pickering	Pickering	Commercial Business
1020	Toy	Avenue	Pickering	Pickering	Commercial Business
1035	Toy	Avenue	Pickering	Pickering	Commercial Business
1033	Toy	Avenue	Pickering	Pickering	Commercial Business
1031	Toy	Avenue	Pickering	Pickering	Commercial Business
1029	Toy	Avenue	Pickering	Pickering	Commercial Business
1600	Alliance	Avenue	Pickering	Pickering	Commercial Business
1730	McPherson	Court	Pickering	Pickering	Commercial Business
1016	Brock	Road	Pickering	Pickering	Commercial Business
340	Kingston	Road	Pickering	Pickering	Mechanic Shop & Gas Station
14020	old scugog	Road	Blackstock	Scugog	Commercial Business
14004	old scugog	Road	Blackstock	Scugog	Commercial Business
3741	ON-7A	highway	Nestleton Station	Scugog	Commercial Business
3990	ON-7A	highway	Nestleton Station	Scugog	Commercial Business
3991	Proutt	Road	Nestleton Station	Scugog	Church
5	Pier	Street	Cesarea	Scugog	Commercial Business
3550	RR 57	Road	Cesarea	Scugog	Fire Station
1595	ON-7A	highway	Port Perry	Scugog	Commercial Business

30	crandell	Street		Port Perry	Scugog	Fire Station
16121	Island	Road		Port Perry	Scugog	Commercial Business
	19990 7 & 12	highway		Greenbank	Scugog	Commercial Business
	19980 7 & 12	highway		Greenbank	Scugog	Commercial Business
3490	ON-7A	highway		Blackstock	Scugog	Commercial Business
3976	ON-7A	highway		Nestleton Station	Scugog	Auto Service
4299	ON-7A	highway		Nestleton Station	Scugog	Commercial Business
4697	concession road 3	road		Goodwood	Uxbridge	Commercial Business
182	main	Street	North	Uxbridge	Uxbridge	Gas Station
124	Main	street	North	Uxbridge	Uxbridge	Commercial Business
106	Main	Street	North	Uxbridge	Uxbridge	Commercial Business
102	main	Street	North	Uxbridge	Uxbridge	Pet Hospital
120	Toronto	Street	South	Uxbridge	Uxbridge	Dentist
159	Main	Street	North	Uxbridge	Uxbridge	Commercial Business
950	Taunton	Road	East	Whitby	Whitby	Animal Hospital
7	Cassels	Rd	West	Whitby	Whitby	Orthodontist
10	Cassels	Rd	West	Whitby	Whitby	Commercial Business
4	Cassels	Rd	West	Whitby	Whitby	Commercial Business
6745	Baldwin	St	North	Whitby	Whitby	Fire Station
300	Garrard	Rd	South	Whitby	Whitby	Church
221	Garrard	Rd	South	Whitby	Whitby	Church
113	Garrard	Rd	South	Whitby	Whitby	Dental Care
14	Garrard	Rd	North	Whitby	Whitby	Commercial Business
1850	Rossland	Rd	West	Whitby	Whitby	Church
1600	Manning	Rd	East	Whitby	Whitby	Fire Station
287	Dean	Avenue		Oshawa	Oshawa	Commercial Business
215	Toronto	Avenue		Oshawa	Oshawa	Commercial Business
464	Ritson	Road	South	Oshawa	Oshawa	Church
744	Simcoe	Street	South	Oshawa	Oshawa	Commercial Business
792	Simcoe	Street	South	Oshawa	Oshawa	Auto Service
804	Simcoe	Street	South	Oshawa	Oshawa	Commercial Business
808	Simcoe	Street	South	Oshawa	Oshawa	Commercial Business
1076	Cedar	Street	South	Oshawa	Oshawa	Strip Plaza
374, 368, 366	Wilson	Road	South	Oshawa	Oshawa	Strip Plaza
100	Nonquon	Road		Oshawa	Oshawa	Commercial Business
918	Taunton	Road	West	Oshawa	Oshawa	Commercial Business
370	Wilson Rd S	STREET	SOUTH	Oshawa	Oshawa	Strip Plaza
320	VIOLA	STREET		Oshawa	Oshawa	Commercial Business
1160	SIMCOE	STREET	SOUTH	Oshawa	Oshawa	Strip Plaza
40	WELLINGTON	STREET	EAST	Oshawa	Oshawa	Commercial Business
996	FAREWELL	STREET		Oshawa	Oshawa	Commercial Business
575	WENTWORTH	STREET	EAST	Oshawa	Oshawa	Commercial Business
242	BLOOR	Street	EAST	Oshawa	Oshawa	Strip Plaza

110	BLOOR	Street	EAST	Oshawa	Oshawa	Auto Body
168	BLOOR	Street	WEST	Oshawa	Oshawa	Commercial Business
634	PARK	ROAD	SOUTH	Oshawa	Oshawa	Commercial Business
274	BLOOR	Street	WEST	Oshawa	Oshawa	Commercial Business
631	MONTRAVE	AVENUE		Oshawa	Oshawa	Commercial Business
534	CUBERT	Street		Oshawa	Oshawa	Commercial Business
389	SDEAN	AVENUE		Oshawa	Oshawa	Commercial Business
95	CLARENCE BIESENTHAL	DRIVE		Oshawa	Oshawa	Commercial Business
333	RITSON	ROAD	SOUTH	Oshawa	Oshawa	Commercial Business
302	OSHAWA	BLVD	SOUTH	Oshawa	Oshawa	Commercial Business
690	KING	Street	EAST	Oshawa	Oshawa	Church
409	ADELAIDE	AVENUE	EAST	Oshawa	Oshawa	Church
328	RITSON	ROAD	North	Oshawa	Oshawa	Lumber Yard
166	ADELAIDE	AVENUE	EAST	Oshawa	Oshawa	Commercial Business
82	ADELAIDE	AVENUE	EAST	Oshawa	Oshawa	Commercial Business
293	MARY	Street	North	Oshawa	Oshawa	Commercial Business
152	PARK	ROAD	SOUTH	Oshawa	Oshawa	Commercial Business
684	HORTOP	Street		Oshawa	Oshawa	Commercial Business
902	SIMCOE	STREET	North	Oshawa	Oshawa	Strip Plaza
1450	RITSON	ROAD	North	Oshawa	Oshawa	Commercial Business
370	TAUNTON	ROAD	EAST	Oshawa	Oshawa	Commercial Business
25	Grenfell	Street		Oshawa	Oshawa	Auto Body
184	Park	Road		Oshawa	Oshawa	Commercial Business