



The Regional  
Municipality of  
Durham

Works Department

# Memorandum

**Date:** October 24, 2025

**To:** Regional Chair Henry and Members of Regional Council

**From:** Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE  
Commissioner, Works

**Copy:** Elaine Baxter-Trahair, Chief Administrative Officer  
Sandra Austin, Commissioner, Community Growth &  
Economic Development  
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**Subject: Update on Blue Box Collection Service in Designated Areas**

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## Purpose

This memo provides an update on the end of Regionally provided small business Blue Box recycling on December 31, 2025.

## Background

In June 2021, Ontario enacted Regulation 391/21 Blue Box (Regulation) under the *Resource Recovery and Circular Economy Act, 2016* to shift the responsibility of Blue Box recycling from municipalities to the producers of packaging, paper and packaging.

The new Blue Box program is operated in Durham by Circular Materials Ontario (CMO) on behalf of producers. CMO is only obligated to collect Blue Box material from eligible sources as defined in the Regulation. Small businesses are not eligible sources.

Ontario is in a three-year transition period to full implementation of the Regulation on January 1, 2026. Durham transitioned its curbside Blue Box collection to producers on July 1, 2024. At the time, staff successfully negotiated for CMO to continue collecting Blue Box recycling from small businesses in its Designated Business Areas (DBAs) at the Region's cost until December 31, 2025. Council's

adoption of Report [#2024-WR-2](#) directed staff to cease Blue Box services to its DBA small businesses on December 31, 2025. About 2,800 small businesses across all Local Area Municipalities are affected.

In June, staff outlined amendments proposed in Environmental Bill of Rights posting [ERO# 025-0536](#) in Report [#2025-INFO-56](#) which included provisions that would have allowed for Durham's DBA small businesses to continue receiving Blue Box collection at municipal cost beyond December 31, 2025. Some of the proposed amendments were adopted this past September, but the continued servicing of small businesses was not.

### **Discussions to Continue Service to Small Businesses under the Proposed Regulatory Amendments**

In preparation of the potential passing of the proposed regulatory amendments, the Minister of Environment, Conservation and Parks asked producers to begin discussions with municipalities toward the continued servicing of small businesses at municipal cost.

Consultations started on a draft plan in August 2025. However, the draft plan limited the allowable number of blue boxes to two per small business and limited the number of small businesses that could be serviced in each municipality. Durham Region expressed its concerns with these regressive restrictions via a joint letter from the Regional Public Works Commissioners of Ontario and Municipal Waste Association.

On October 1, 2025, Minister McCarthy issued a letter ([Attachment #1](#)) informing municipalities that the PROs had withdrawn the draft plan citing operational, infrastructure and financial challenges. The correspondence was included on the October 8<sup>th</sup> Works Committee agenda and it generated discussion as well as additional consideration for staff to meet with and explore options with Economic Development and local business representatives.

Under current Council direction, Blue Box collection from Durham's DBA small businesses and a few grandfathered locations will end on December 31, 2025, as approved in report [#2024-WR-2](#).

## **Communications with Impacted Small Businesses**

In keeping with the discussion within Works Committee, staff had previously communicated with impacted small businesses via InvestDurham social media channels and made presentations to Local Area Municipal councils in early 2024 informing of the service changes ahead of Durham's blue box transition date.

Waste Management, Economic Development and Corporate Communications staff will now resume efforts to inform impacted small businesses, Boards of Trade and/or Chambers of Commerce in each local area municipality. Regional staff is also working to setup meetings with DBA small business representatives to discuss the changes and potential alternate options and are finalizing direct communication to impacted small businesses for delivery this fall. This information will be hand-delivered to avoid any delays in communication.

The Region's Waste Management Facilities (WMF) will continue accepting Blue Box material on a fee basis. Staff will investigate options for reducing or eliminating WMF blue box fees to help small businesses as part of the 2026 budget planning process. The Region's Waste Management By-law (2024-009) prohibits Blue Box material in the garbage stream. Opportunities for continued discussions with small business stakeholders surrounding alternative solutions will continue and staff will continue reviewing available options moving forward.

Residential units above small businesses are not impacted by these changes since they are an eligible source with mandatory collection under the Blue Box Regulation.

Businesses located outside the DBAs are also not impacted because they have always been responsible for private waste management provisions in their operations.

The Region will continue to collect small business garbage, source separated organics and leaf and yard waste in the DBAs located in the City of Pickering, Town of Ajax, Municipality of Clarington and Townships of Brock, Scugog and Uxbridge. DBA waste and organics collection in the Town of Whitby and City of Oshawa are the responsibility of those respective municipalities.

**End of Memo**

**Attachment #1:** [Letter from Honourable Todd McCarthy, Minister of the Environment, Conservation and Parks](#)