



Elizabeth Roy
Mayor

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October 17, 2025

The Honorable Todd McCarthy, MPP (Durham)
Minister of the Environment, Conservation and Parks
Via email: minister.mecp@ontario.ca

Re: Extended Producer Responsibility for Blue Box Recycling Collection and Impacts to
Small Businesses located in Mixed-Use Properties

Dear Minister McCarthy,

Please be advised that at its meeting held on October 6, 2025, the Council of the Town of
Whitby adopted the following as Resolution # 191-25:

Whereas in 2016 the Waste-Free Ontario Act was enacted, which also enacted the
Resource Recovery and Circular Economy Act (RRCEA) and the Waste Diversion
Transition Act; and,

Whereas the RRCEA and its associated regulations focus on strengthening Extended
Producer Responsibility for materials like used tires and blue box recycling; and,

Whereas on November 23, 2020, Town Staff submitted comments to the Environmental
Registry of Ontario on the proposed blue box regulation, which highlighted concerns
about the lack of a requirement for blue box recycling collection for certain “non-eligible”
sources like small businesses located in mixed-use properties which are prevalent in
Business Improvement Areas; and,

Whereas in the Town of Whitby there are approximately 200 small businesses in mixed-
use properties who currently receive blue box collection and are impacted by the blue
box regulation and will potentially lose blue box collection services; and,

Whereas in June 2021 the Province of Ontario released Blue Box Regulation O. Reg.
391/21, under the RRCEA which transitions the financial and operational responsibility of
recycling from municipalities to the producers of packaging and paper products; and,

Whereas Circular Materials Ontario (CM) was named the Producer Responsibility
Organization taking on all blue box recycling responsibilities in Ontario over a three-year
transition period; and,

Whereas the Region of Durham has indicated that the estimated costs to continue to
provide blue box recycling for small businesses after the 2026 transition date to CM was
exorbitant and no longer a core responsibility of the Region pursuant to Provincial
legislation; and,

Whereas on July 1, 2024, the Town of Whitby and all local area municipalities in Durham Region transitioned from the Regional blue box program to the CM blue box program; and,

Whereas the Region of Durham and CM negotiated a temporary agreement to continue providing blue box collection services to small businesses in mixed-use properties during the blue box transition period from June 30, 2024 to December 31, 2025, however, CM will not service these small businesses or any non-residential properties effective January 1, 2026, as they are not included as “eligible sources” under Blue Box Regulation 391/21; and,

Whereas on October 17, 2024, Mayor Roy sent a letter to the Honourable Andrea Khanjin, who was at that time the Minister of Environment, Conservation and Parks, advocating for changes to the blue box regulation as it related to blue box collection for small businesses; and,

Whereas on June 4, 2025, the Ministry of Environment, Conservation and Parks proposed amendments to the RRCEA through the Environmental Registry of Ontario and staff comments were submitted jointly to the Municipal Waste Association and Regional Public Works Commissioners of Ontario on June 13, 2025 highlighting concerns with the blue box regulation and impacts to small businesses located in mixed-use properties; and,

Whereas on August 15, 2025, CM hosted a municipal engagement session with members of a Municipal Working Group, reviewing a proposal for blue box recycling for non-eligible sources; and,

Whereas it is not clear how the recycling collector will differentiate commercial recycling from residential recycling at mixed-residential locations as they are typically set out together; and,

Whereas the proposal submitted by CM must be agreed to by all three Producer Organizations before it will be considered by the Ministry of Environment, Conservation and Parks; and,

Whereas on October 1, 2025, all three Producer Organizations, which includes CM, Ryse Solutions, and Landbell Canada, provided a letter to Mayor Roy outlining their decision to not proceed with blue box collections for small IC&I locations, citing, “system capacity limitations, current regulatory obligations, and time constraints that make it impractical for CCS to provide (blue box) collections from IC&I locations”; and,

Whereas on October 1, 2025, the Honourable Todd McCarthy, Minister of the Environment, Conservation, and Parks provided a letter to the Town of Whitby advising that the Producers will not voluntarily continue to offer blue box services to municipalities for small business locations.

Now therefore, be it resolved:

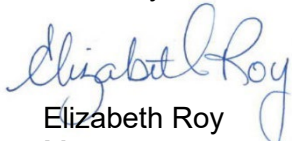
1. That the Council of the Town of Whitby requests that the Ministry of Environment, Conservation and Parks amend Blue Box Regulation 391/21 to require Producers to provide blue box collection services to businesses located in mixed-use properties;

and,

2. That the Mayor be requested to author a letter to the Minister of Environment, Conservation and Parks advocating for changes to Blue Box Regulation 391/21, and that a copy of this letter be forwarded to all Ontario Municipalities, Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario (AMO), and the Ontario Business Improvement Area Association (OBIAA).

Should you require further information, please do not hesitate to contact mayor@whitby.ca.

Sincerely,



Elizabeth Roy
Mayor

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cc Mayor Marianne Meed Ward, Chair Ontario's Big City Mayors - chair@obcm.ca
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Ontario Business Improvement Area Association - info@obiaa.com
Association of Municipalities of Ontario - resolutions@amo.on.ca
All Ontario Municipalities
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