
Memorandum

WMPSC-C 4-2026

Subject: Blue Box Transition: Legislative Amendments Affecting Non-Residential Sources April 2026

Date: April 27, 2026

To: Waste Management Planning Steering Committee

From: Dave Yousif, Manager, Waste Policy and Program Development

Purpose

The purpose of this memorandum is to advise Council of recently approved amendments to the Resource Recovery and Circular Economy Act, 2016 (RRCEA) under Schedule 20 of the Protect Ontario by Cutting Red Tape Act, 2025, and to outline how these changes create new policy pathways, though not new obligations, for supporting recycling services for non-eligible sources (NES).

Background

Ontario's transition to a producer-run Blue Box program has resulted in service changes for NES. Key recent decisions and milestones related to this issue are summarized below:

- **Summer 2025 – Provincial Consultation:** The Ministry of the Environment, Conservation and Parks (MECP) consulted on proposed amendments to the RRCEA to address concerns related to recycling services for NES following the Blue Box transition. The consultation included a proposal to create authority for producers to be required to offer municipalities the option to co-collect residential and NES recyclables.
- **October 2025 – MECP Direction on Co-Collection:** MECP confirmed that producers would not be required to co-collect NES recyclables with residential recyclables under the existing Blue Box Regulation. As a result, NES remained excluded from mandatory producer collection obligations.
- **November 2025 – Regional Service Change:** In response to the confirmed regulatory framework, Niagara Region discontinued the collection of recyclables from NES previously serviced through the municipal program.

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- **December 22, 2025 – Legislative Approval:** Following the MECP’s summer 2025 consultation, Schedule 20 of the Protect Ontario by Cutting Red Tape Act, 2025 received approval on December 22, 2025. The amendments, now in force, introduce new enabling authorities for the province to address NES recycling service gaps through future regulations and agreements.

Niagara Region’s comments on the provincial consultation were previously summarized in a report to Public Works Committee on August 12, 2025 (PWC-C 9-2025).

Amendment Details

Schedule 20 amends the RRCEA to introduce new enabling authorities for the Province, through future regulation or amendment to the Blue Box Regulation, to require Producer Responsibility Organizations (PROs) to offer recycling-related collection services from NES to municipalities.

Importantly, the amendments do not mandate recycling collection for NES, nor do they automatically re-include NES in the Blue Box program. Instead, they create a new policy pathway that could support continued or restored service through regulation and contractual arrangements.

Implications for Niagara Region

- **No Immediate Service Change:** The amendments do not, on their own, restore recycling collection for NES.
- **New Policy Pathway Created:** The amendments create new authority for the Province, through future regulation or amendments to the Blue Box Regulation, to require PROs to offer recycling-related services to municipalities. At this time, it is unclear what such offers would include in practice, including service scope, service standards, cost or the extent of municipal discretion.
- **No Obligation to Accept Offers:** While regulations may require offers to be made, the amendments do not prescribe acceptance terms, funding levels, or pricing and it remains unclear how fairness or reasonableness would be defined.
- **Eligible Source Designation Remains the Most Direct Path:** Designating NES properties as eligible sources under the Blue Box Regulation would create a clear and mandatory producer obligation. The new “offer to collect” authority represents a secondary and more discretionary policy tool.

- **Advocacy Opportunity:** Further regulatory direction will be required to operationalize these authorities. Continued monitoring and advocacy will be important to ensure that any future framework meaningfully supports municipal service continuity and cost recovery.

Next Steps

Staff will continue to:

- Advocate to the Province for the inclusion of NES properties as eligible sources under the Blue Box Regulation;
- Monitor any proposed regulations or amendments flowing from Schedule 20, including requirements related to service offers to municipalities;
- Engage with local area municipalities, businesses and regional partners to align advocacy efforts; and
- Provide Council with updates should regulatory direction be issued or if implications for municipal services or contracts emerge.

Businesses and community organizations are also encouraged to continue engaging the province directly, including contacting the MECP and local Members of Provincial Parliament, to reinforce the importance of maintaining recycling services for NES.

Summary

The Schedule 20 amendments represent an important policy development that improves the Province's ability to respond to NES recycling service gaps. While the changes do not restore service on their own, they establish a framework that could support future solutions through regulation and agreements. Continued advocacy will be critical to translating this authority into tangible outcomes for Niagara Region.

Respectfully submitted and signed by

Dave Yousif
Manager, Waste Policy and Program Development