

3.0 WHO IS AFFECTED/SPECIAL PROVISIONS

3.1 Retail Shopping Establishments

The owner of a “retail shopping establishment” is subject to O. Reg. 103/94 if:

- it is located in a municipality with a population of at least 5,000,
- occupies premises with a total floor area of at least 10,000 square metres, or
- it, regardless of its size, occupies premises in a retail shopping complex and if the owner of the retail shopping establishment is solely responsible for the establishment’s waste management.

For the purposes of determining the 10,000 square metres threshold, every area on the premises that is used to sell goods or services as retail must be included. For example, if a retail shopping establishment was 9,500 square metres and had a greenhouse that was 6,000 square metres, the owner would be subject to O. Reg. 103/94. Parking spaces are not included in the threshold calculation.

Floor area is calculated as “gross area” according to the Ontario Building Code: “the total area of all floors above grade measured between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of firewalls except that, in any occupancy other than a residential occupancy, where an access or a building service penetrates a firewall, measurements shall not be taken to the centre line of such firewall.”

A retail shopping establishment is an establishment that sells goods or services at retail to persons who come to the establishment.

The owner of the retail shopping establishment is required to implement a source separation program for the wastes generated by the establishment or shall ensure that such a program is implemented. For example, a department store, that is located in a 20,000 square metre retail shopping mall and manages its own waste, shall participate in the source separation program operated by the owner of the mall.

Wastes to be Source Separated

The owner of a retail shopping establishment subject to O. Reg. 103/94 is required to follow the general requirements outlined in section 2.0 and implement a source separation program for the mandatory waste material categories listed in Appendix B. Appendix C lists other waste materials that should be considered for source separation and diversion.

Appendix B: Mandatory Waste Materials to be Source Separated

| Waste Materials to be source separated for recycling | Multi-Unit Residential Building 6 units+ * see footnote | Educational Institution Over 350 persons | Hospital Group A,B,F | Retail Shopping Complex 10,000+ m ² Floor area | Retail Establishment 10,000+ m ² Floor area | Construction 2,000+ m ² Floor area | Hotel/Motel Over 75 units | Demolition 2,000+ m ² Floor area | Office 10,000+ m ² Floor area | Restaurant \$3 million+ sales/yr | Large Manufacturer Over 16,000 hrs worked/mth |
|---|---|---|----------------------|--|---|--|------------------------------|--|---|-------------------------------------|--|
| Aluminum food & beverage cans | | | | | | | | | | | |
| Cardboard (corrugated) | | | | | | | | | | | |
| Fine paper | | | | | | | | | | | |
| Glass food & beverage bottles/jars | | | | | | | | | | | |
| Newsprint | | | | | | | | | | | |
| Steel food & beverage cans | | | | | | | | | | | |
| Brick & Portland cement concrete | | | | | | | | | | | |
| Drywall (unpainted) | | | | | | | | | | | |
| Steel | | | | | | | | | | | |
| Wood (not including painted, treated or laminated wood) | | | | | | | | | | | |
| P.E.T. plastic bottles for food and beverage | | | | | | | | | | | |
| Aluminum | | | | | | | | | | | |
| Glass | | | | | | | | | | | |
| HDPE plastic jugs, pails, crates, totes, drums | | | | | | | | | | | |
| LDPE film plastic | | | | | | | | | | | |
| Polystyrene expanded foam | | | | | | | | | | | |
| Rigid polystyrene trays/ reels/spools | | | | | | | | | | | |

* In addition to materials listed here, owners of multi-unit residential buildings must also include other materials collected in the local municipal Blue Box recycling program. Owners should check with their municipal works department to determine which materials are included