

3.0 WHO IS AFFECTED?

3.1 Retail Shopping Establishments

The owner of a “retail shopping establishment” is subject to O. Reg. 102/94 if:

- the retail establishment occupies premises with a total floor area of at least 10,000 square metres*; or
- the retail establishment, regardless of its size, occupies premises in a retail shopping complex and 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 at retail must be included. For example, if a retail shopping establishment was 9,500 square metres and had a greenhouse that was 600 square metres, the owner would be subject to O. Reg. 102/94. Parking spaces are not included in the threshold calculation. Floor area measurements for areas dedicated as retail space, should follow the same calculation as that for the *Ontario Building Code’s* “gross area” (e.g., measurement between the outside surfaces of exterior walls).

The owner must conduct a waste audit for the waste generated at the retail shopping establishment and complete and implement a waste reduction work plan. The owner is also required to update the waste audit and its written report as well as the waste reduction work plan on an annual basis.

3.2 Retail Shopping Complexes

The owner of a “retail shopping complex” is subject to O. Reg. 102/94 if the complex has a total floor area of at least 10,000 square metres and is occupied by establishments that sell goods or services at retail to persons that come to the establishments. See section 3.1 for a definition of floor area.

Note, that the 10,000 square metres threshold size criterion for a retail shopping complex is calculated by adding the square metres sizes of all retail shopping establishments located on the premises of the retail shopping complex. Other areas in the retail shopping complex, such as public libraries, are not included in the overall calculation of whether the retail shopping complex meets the 10,000 square metres threshold criterion.

The owner must conduct a waste audit covering the waste generated at the complex (other than the waste generated at the premises for which the owner is not responsible, e.g., retail shopping establishments that are responsible for their own waste management) and prepare and implement a waste reduction work plan.