

Clause 1 in Report No. 7 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on April 21, 2016.

1

**The Corporation of the Township of King
Located at 2075 King Road, King City
*Retail Business Holidays Act Application for Exemption***

Committee of the Whole held a public meeting on April 14, 2016, pursuant to the Retail Business Holidays Act, to consider a proposed bylaw to permit all businesses in the Township of King to remain open on the holidays during the hours set out in Recommendation 3, and recommends:

1. Receipt of the report dated April 1, 2016 from the Commissioner of Corporate Services and Chief Planner.
2. Receipt of the following deputations:
 1. The Reverend Mr. Ross Carson, York Pines United Church, Township of King.
 2. Mr. John Ciarallo, John's No Frills, Township of King.
 3. Mr. Jay Rider, King Chamber of Commerce, Township of King.
3. Permitting all businesses in the Township of King to remain open on New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day and Thanksgiving Day between 8 a.m. and 10 p.m. pursuant to the Retail Business Holidays Act.
4. The Regional Solicitor prepare the necessary bylaw giving effect to the exemption.

Report dated April 1, 2016 from the Commissioner of Corporate Services and Chief Planner now follows:

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

1. Recommendations

It is recommended that:

1. Council consider the application for exemption from the *Retail Business Holidays Act* as submitted by The Township of King on behalf of the retail businesses located within the municipality.
2. Council determine whether to grant an exemption from the *Retail Business Holidays Act* to allow all businesses in The Township of King to remain open on New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day.
3. A bylaw be presented to give effect to the exemption, if granted by Council.

2. Purpose

This report advises Council of an application for exemption from the *Retail Business Holidays Act* to allow all businesses in the Township of King to be open on all statutory holidays. This application is the subject of the public meeting to be held on April 14, 2016.

3. Background

The *Retail Business Holidays Act* requires businesses to be closed on certain statutory holidays

The *Retail Business Holidays Act* (the "Act") requires businesses to be closed on public holidays unless they are exempted. The holidays to which the Act applies are:

- New Year's Day
- Family Day
- Good Friday
- Easter Sunday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

Boxing Day and the Civic Holiday in August are not public holidays under this Act and therefore an exemption is not required for those days.

The Act sets out statutory exemptions for certain types of businesses and also provides that Council may permit businesses to remain open for the maintenance or development of tourism. A public meeting must be held to consider the application.

The following application has been received:

| Applicant | Business and Location | Holidays | Hours |
|---|---|---|-------------------|
| The Corporation of the Township of King | All retail businesses within the Township of King | New Year's Day Family Day Good Friday Easter Sunday Victoria Day Canada Day Labour Day Thanksgiving Day Christmas Day | 8 a.m. to 10 p.m. |

In accordance with the Act, notice of a public meeting was advertised in the King Weekly on March 10, 2016 and was posted on the Region's website.

A copy of the application with supporting documentation is appended to this report as Attachment 1. A copy of the Public Notice is appended to this report as Attachment 2.

Exemption under the Act

Businesses are exempt under the Act if the only goods available for sale on the holiday are foodstuffs, tobacco, antiques or handicrafts. These businesses shall not exceed three employees and the total area used for service shall be less than 2,400 square feet. Other businesses which are exempt are businesses selling only gasoline, nursery stock/flowers or fresh fruit and vegetables.

A local municipality may apply to the Region to exempt all or any parts of the municipality

The Act provides that a local municipality may apply to Council to permit retail business establishments to open on holidays for the maintenance and development of tourism.

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

A bylaw may be passed only if there is compliance with the tourism criteria set out in Ontario Regulation 711/91 Tourism Criteria (the “Regulation”) under the Act. A copy of the regulation is appended to this report as Attachment 3. In addition, even if the tourism criteria are met, Council is not required to pass the bylaw and may exercise its discretion to refuse the application.

Section 2 of the Regulation provides that a business can be exempted if:

- It is located within two kilometres of a tourist attraction, and
- Is directly associated with the tourist attraction or relies on tourists visiting the attraction for business on a holiday

For the purposes of Section 2, a tourist attraction is limited to:

- Natural attractions or outdoor recreational attractions
- Historical attractions
- Cultural, multi-cultural or educational attractions

4. Analysis and Options

The Township of King is requesting an exemption for all retail businesses within its boundaries as noted in The Township of King’s submission

On February 8, 2016 the Council of the Township of King adopted a resolution to submit an application for exemption from the Act to allow all retail businesses within its boundaries to be open on all of the statutory holidays: New Year’s Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day between the hours of 8 a.m. and 10 p.m.

The Township of King has been incorporated since 1850. The Township of King is a municipality within the Region with a population of approximately 22,000 and is 339 square kilometers in size. This plan is aligned with the Township’s Sustainability Plan of developing and implementing a local tourism industry, leveraging and promoting natural assets for attracting eco, culinary, recreation/nature-based tourism and cultural assets.

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

The Township of King lists a winery, micro-brewery, conservation areas, trail networks and golf courses as the tourist attractions within its vicinity

The Township of King has stated that all of its retail businesses are within two kilometers of a tourist attraction on this application, and are shown on the included Appendix B as part of Attachment 1.

As part of the application, Attachment 1, the Township of King has provided a visitor's map of King Township's points of interest, and attractions, a Chamber of Commerce request letter, and a Committee of the Whole Report/Resolution.

The Township of King's submission states that all of the retail businesses are within two kilometers of a tourist attraction. At least 25% of the retail businesses in the area are directly associated with the tourist attraction, or relies on tourists visiting the nearby attractions, for business on a holiday. Many of the tourism attractions are noted on the map attached as Appendix B in Attachment 1. These attractions benefit from day-trip visitation and the drive-through traffic on their journeys to and from cottage country and ski resort destinations further north.

The Township of King is a municipality with a population of less than 50,000 and is not required to meet the location requirements of the Regulation

Section 4 of the Regulation provides that the two kilometre restriction set out in Section 2 does not apply to a local municipality having a population of less than 50,000.

Currently, there is no *Retail Business Holidays Act* bylaw exemption in the Township of King. A chart showing businesses and municipalities within the Region which have been granted exemptions is appended to this report as Attachment 4. A map showing the area covered in the application is shown in Attachment 5.

Enactment of Bylaw

Should Council decide to grant the exemption, the bylaw will come into force on the thirty-first day after it is enacted. Under the Act, there is a period to allow for an appeal of the bylaw which may be made within thirty days, by any person who objects to the exemption. An appeal may only be made if an exemption has been denied. If there is no appeal, the bylaw takes effect on the thirty-first day after it is passed.

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

Link to key Council-approved plans

Regional Council has approved a number of strategic documents that provide direction, within the current term of Council and beyond. This includes:

- *York Region Official Plan – 2010; Economic Vitality* (Chapter 4) - states a York Region Official Plan objective as “To encourage and accommodate economic activities that diversify and strengthen the Region’s economic base, employment opportunities for residents and competitive advantage for its businesses.”
- *2015 to 2019 Strategic Plan* which includes the Strategic Priority Area “Strengthening the Region’s Economy”

5. Financial Implications

There are no direct financial implications to the Region as a result of this application.

6. Local Municipal Impact

Approval of an exemption under the Act is intended to contribute to tourism in a particular location, in this case, the Township of King. A copy of the application was adopted by the Township of King’s Council Meeting of February 8, 2016 Office. The Township of King submits that retail businesses in King Township feel they are at a competitive disadvantage in relation to some of their closest neighbours, including:

- The Kleinberg Core in Vaughan - exemption for retail businesses for all holidays except Christmas Day
- The Town of Georgina - exemption for retail businesses for all holidays except Christmas Day and New Year’s Day

7. Conclusion

An application has been received from the Township of King requesting an exemption from the Act to permit all retail businesses located within the Township of King to remain open on New Year’s Day, Family Day, Good Friday,

The Corporation of the Township of King *Retail Business Holidays Act* Application for Exemption

Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day from 8 a.m. to 10 p.m.

Council is respectfully requested to review this application and determine whether to enact an exempting bylaw, with due consideration to the criteria set out in the Regulation.

If Council elects to pass a bylaw, the bylaw will come into effect on May 25, 2016.

For more information on this report, please contact Jonathan Wheatle, Manager, Strategic Economic Initiatives at ext. 71594 or Doug Lindeblom, Director, Economic Strategy and Tourism at ext. 71503.

The Senior Management Group has reviewed this report.

April 1, 2016

Attachments (5) - available for viewing on York.ca

#6705311

Accessible formats or communication supports are available upon request

Application for Exemption from the Retail Business Holidays Act

Thank you for contacting The Regional Municipality of York regarding applying for an exemption from the *Retail Business Holidays Act* (the "Act").

The Act prohibits certain businesses from opening on statutory holidays. Regional Council has the authority to grant exemptions from the Act for businesses in order to promote tourism if the tourism criteria set out in the Act and Ontario Regulation 711/91 Tourism Criteria (the "Regulation") are complied with.

Your organization's management should review the Act and Regulation with your legal counsel to determine whether the business falls within one of the exemptions set out in Section 3 of the Act.

The Region is unable to advise you specifically as to whether you qualify under this section.

If your business is not exempt either by statute or under an existing bylaw, you may wish to make an application providing further details of the basis on which your business is seeking an exemption to be considered by Regional Council.

For Regional Council to pass an exempting bylaw, the application must comply with the tourism criteria set out in the Regulation. Enclosed is a copy of Regulation 711/91 for your review. We suggest that you review the criteria set out in the Regulation and consider how your business meets these criteria.

Please note that Regional Council does not have to pass an exempting bylaw.

If a bylaw is enacted it will come into force on the 31st day after it is passed by York Regional Council provided there are no appeals to the Ontario Municipal Board of the approved bylaw.

The Process:

Hearings may be held twice each calendar year in April and September at the discretion of Regional Council.

Complete submissions must be received no later than 4:00 p.m. on

- **The day after Family Day in February for an April hearing; and**
- **The third Monday in July for a September hearing.**

The legislation sets out a process that may take a minimum of 90 days. The timeline include:

- a public meeting to consider the application;
- providing 30 days' notice of the public meeting;
- time to review and ensure the application is complete;
- arranging for advertising;
- the time after the public hearing and a meeting of Regional Council; and
- a 30-day appeal period that follows an exemption.

There is an application fee of \$1,000 and all applicants are responsible for reimbursing the Region for the costs of advertising the public meeting. The Region will notify you of the advertising costs after the notice has been published and the Region has received an invoice from the publisher.

Upon receipt and confirmation of a complete application, the Region will begin the advertising process and confirm the date of the public meeting at which the application will be considered. It is not

mandatory that you attend the meeting, but you or your representative may wish to attend to address Council with respect to your application.

Included in this package are the following:

1. Application Form
2. Retail Business Holidays Act RSO c.R.30
<http://www.ontario.ca/laws/statute/90r30>
3. Ontario Regulation 711/91
<http://www.ontario.ca/laws/regulation/910711>
4. Retail Business Holidays Act – York Region exempting bylaws ([please click on this link](#))

Should you have any further questions please contact legal@york.ca

SUBMISSION CHECKLIST

- ✓ **Application Fee \$1,000. Please make cheque payable to The Regional Municipality of York**
- ✓ **Two (2) printed copies of:**
 - ✍ **the signed application form;**
 - ✍ **all Mandatory Information listed in 4A;**
 - ✍ **any supporting materials noted in 4B**
- ✓ **One (1) electronic copy of the application which may be submitted by:**
 - ✍ **email to: legal@york.ca; or**
 - **USB drive if the application package is larger than 5MB**

If you are applying for more than 1 location, did you provide an application package and fee for each location?

The Regional Municipality of York

APPLICATION FOR EXEMPTION - THE RETAIL BUSINESS HOLIDAYS ACT

The retail business applicant named below, ("Applicant") hereby applies to the Council of The Regional Municipality of York for an exempting bylaw pursuant to Section 4(1) of the *Retail Business Holidays Act, R.S.O. 1990* ("Act") and acknowledges that an Exemption fee of \$1000 per applicant and advertising fees will apply.

| SECTION 1: APPLICANT INFORMATION | |
|--|--|
| The information in Section 1, 2, 3 and 4a are required to properly process your application. Any missing information will result in your application being delayed until the next application deadline. | |
| Applicant name: | The Corporation of the Township of King |
| Location address: | 2075 King Road, King City L7B 1A1 |
| Location telephone number: | 905-833-5321 |
| Primary contact for Applicant: <i>(Person to whom all correspondence will be addressed)</i> | Name: Jamie Smyth Address: 2075 Kind Road, King City, L7B 1A1 Telephone: 905-833-4016 Fax: 905-833-2300 Email: jsmyth@king.ca |
| The Applicant is a _____ located within: <ul style="list-style-type: none"> Business Improvement Association Chamber of Commerce Retail Business <input checked="" type="checkbox"/> Municipality Shopping Mall | <ul style="list-style-type: none"> Town of Aurora Town of East Gwillimbury Town of Georgina <input checked="" type="checkbox"/> Township of King City of Markham Town of Newmarket Town of Richmond Hill City of Vaughan Town of Whitchurch-Stouffville |
| Number of years in operation: <i>*Municipality to insert its incorporation date</i> | 1850 |
| Location size: <i>*Municipality to list the size(s) of the area(s) to be exempted</i> | <p>_____ 339 Sq. Kilometers _____</p> <p><input type="checkbox"/> Square Feet</p> <p><input checked="" type="checkbox"/> Square Kilometers</p> |

| | |
|---|---|
| Number of employees directly employed at location: | N/A |
| Type(s) of retail business: | Municipality |
| Current operating hours: | N/A |
| Non-municipal applicant - Has the local municipality been notified of this application? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Municipal Applicant – Have you attached a Resolution of Municipal Council for this application? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Have you enclosed two copies of this completed application and all supporting information? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Have you enclosed the application fee of \$1000.00? <i>Please mail fee to: The Regional Municipality of York RBHA Application – c/o Legal Services 17250 Yonge Street, 4th Floor Newmarket, ON L3Y 6Z1</i> | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| <i>✓ I acknowledge that upon submission and acceptance of this application that I will be charged an advertising fee and will make a cheque payable to: The Regional Municipality of York in the amount required upon receipt of an invoice.</i> | |
| SECTION 2: TOURIST ATTRACTION PROFILE | |
| Applicant is a Municipality with a population under 50, 000 as of the date this application is signed. | <input checked="" type="checkbox"/> YES* <input type="checkbox"/> NO *If Yes, move to Section 3 |
| Name of nearby tourist attractions: | See attached map |
| Attraction location address: | Entire municipality |
| Attraction category: | <input checked="" type="checkbox"/> Cultural <input checked="" type="checkbox"/> Natural <input checked="" type="checkbox"/> Educational <input checked="" type="checkbox"/> Outdoor recreational <input checked="" type="checkbox"/> Multi-Cultural <input checked="" type="checkbox"/> Historical |
| The Applicant location is within 2km of the tourist attraction: | YES <input checked="" type="checkbox"/> NO If Yes, MUST provide info in Section 4A #5 |

| | |
|---|---|
| Is the tourist attraction seasonal? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If Yes, see Section 4A #9 |
| Is the Applicant directly associated with the tourist attraction? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If Yes, see Section 4A #7 |
| Does the Applicant provide goods or services primarily to tourists during holidays? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If Yes, see Section 4A #7 |

SECTION 3: EXEMPTION REQUEST

| | |
|--------------------------------------|------------------|
| Proposed holiday hours of operation: | 8:00am – 10:00pm |
|--------------------------------------|------------------|

Requested exemption period (please check box(es) below:

| | | |
|---|--|---|
| <input checked="" type="checkbox"/> All <input type="checkbox"/> Winter (October – March) <input type="checkbox"/> Summer (April – September) | <input checked="" type="checkbox"/> New Year's Day <input checked="" type="checkbox"/> Family Day <input checked="" type="checkbox"/> Good Friday <input checked="" type="checkbox"/> Easter Sunday | <input checked="" type="checkbox"/> Victoria Day <input checked="" type="checkbox"/> Canada Day <input checked="" type="checkbox"/> Labour Day <input checked="" type="checkbox"/> Thanksgiving Day <input checked="" type="checkbox"/> Christmas Day |
|---|--|---|

| | |
|---|---|
| Do any of the requested exemption dates occur outside the operating season of the tourist attraction? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If Yes, see Section 4A #9 |
|---|---|

SECTION 4: SUPPORTING DOCUMENTS

Items 1 to 10 in section 4A are required to properly assess your application. Any missing information will result in your application being delayed until the next deadline. Items listed in section 4B are not required, but will be reviewed if provided.

Note: All supporting information must be submitted in hard copy and available in electronic form.

4A. MANDATORY INFORMATION:

Enclosed in support of this application are the following materials as listed in the application instructions:


- | | |
|----|--|
| 1. | Letter from a lawyer detailing the qualifications for an exemption in accordance with the Act. |
| 2. | Incorporation documents* or most recent Corporate Profile Report. *Municipal applicants exempted from this requirement |
| 3. | Report and/or supporting data detailing how the exemption will directly benefit the community in which the business or exempted area is located. |
| 4. | Map of Applicant location area and parking facilities. |

Chamber Request Letter
Gov Report Resolution

| | |
|--|--|
| ✓ | 5. Map of tourist attraction in proximity to site. |
| | 6. Tourist attraction's information, including operating season and hours. |
| | 7. Information detailing association with tourist attraction and goods and services primarily provided to tourists. |
| | 8. If Applicant is not located within 2km of a tourist attraction, please provide detailed justification for this exemption with supporting evidence. |
| | 9. If requesting exemptions outside tourist attraction operating season please provide detailed justification for this exemption with supporting evidence. |
| | 10. Copy of Notice, to be issued to retail tenants or posted in a highly visible and publicly accessible location, regarding this application. |
| 4B. ADDITIONAL INFORMATION: | |
| Below is a suggested listing of information that you may submit with your application if available and applicable. | |
| | 11. If applying as an educational attraction please provide letters of reference from schools within any GTA school board on letterhead from principal. |
| | 12. If available, please provide letters of reference from registered tour companies. |
| | 13. Tourist traffic survey. |
| | 14. Traffic survey or maps. |
| | 15. Report, maps and photos detailing how the location is ordinarily accessed by visitors (i.e. foot, bike, transit, car). |

I/we the undersigned have the authority to sign this application for or on behalf of the Applicant and certify that the information contained in this application and all supporting documents supplied are true and complete. If any part of this application is incomplete or lacks sufficient information York Regional Council may reject this application and I/we must reapply. I/we understand and am aware of the conditions for exemption under Provincial Regulations 711/91 and accept that under the *Retail Business Holidays Act, R.S.O 1990*, York Regional Council is not required to pass an exempting bylaw even if the tourism criteria are met.

Date: 10th day of February, 2016

| | |
|---|--|
| Name of signatory for Applicant: | Kathryn Moyle |
| Signature: |  |
| Title: | Director of Clerks-By-law Dept./Township Clerk |

Retail Business Holidays Act

R.S.O. 1990, CHAPTER R.30

Consolidation Period: From December 15, 2009 to the [e-Laws currency date](#).

Last amendment: 2009, c. 33, Sched. 24, s. 5.

Definitions

1. (1) In this Act,

“holiday” means,

(a) New Year’s Day,

(b) Good Friday,

(c) Victoria Day,

(d) Canada Day,

(e) Labour Day,

(f) Thanksgiving Day,

(g) Christmas Day,

(h) Easter Sunday, and

(i) any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of this Act; (“jour férié”)

“municipality” means a regional municipality and a local municipality, other than a local municipality within a regional municipality, but does not include the City of Toronto; (“municipalité”)

“retail business” means the selling or offering for sale of goods or services by retail; (“commerce de détail”)

“retail business establishment” means the premises where a retail business is carried on.

(“établissement de commerce de détail”) R.S.O. 1990, c. R.30, s. 1 (1); 1993, c. 14, s. 1; 1993, c. 27, Sched.; 1996, c. 34, s. 1 (1); 2002, c. 17, Sched. F, Table; 2006, c. 11, Sched. B, s. 12 (1).

Holidays designated for closing

(2) The Lieutenant Governor may by proclamation declare any day that is a public holiday other than a day named in clauses (a) to (h) of the definition of “holiday” in subsection (1) to be a holiday for the purposes of this Act. R.S.O. 1990, c. R.30, s. 1 (2); 1996, c. 34, s. 1 (2); 2006, c. 11, Sched. B, s. 12 (1).

Non-application, City of Toronto

1.1 (1) This Act does not apply to the City of Toronto and it does not apply in respect of any by-law of the City or any retail business establishment located in the City. 2006, c. 11, Sched. B, s. 12 (2).

Exception

(2) Despite subsection (1), Part XVII of the *Employment Standards Act, 2000* shall be applied as if this Act applies to the City and to retail business establishments located in the City. 2006, c. 11, Sched. B, s. 12 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by the Statutes of Ontario, 2006, chapter 32, Schedule D, subsection 15 (1) by adding the following section:

Non-application, municipalities

1.2 (1) This Act does not apply to a municipality and does not apply in respect of any by-law of the municipality or any retail business establishment located in the municipality if there is in effect a by-law passed by the municipality providing that this Act does not apply to it. 2006, c. 32, Sched. D, s. 15 (1).

Condition for by-law to take effect

(2) A by-law under subsection (1) does not take effect until the municipality passes a by-law under section 148 of the *Municipal Act, 2001* requiring that one or more classes of retail business establishments be closed on a holiday. 2006, c. 32, Sched. D, s. 15 (1).

By-law valid

(3) Nothing in section 7 invalidates a by-law passed by a municipality under section 148 of the *Municipal Act, 2001* if the municipality has passed a by-law under subsection (1) providing that this Act does not apply. 2006, c. 32, Sched. D, s. 15 (1).

Exception

(4) Despite subsection (1), Part XVII of the *Employment Standards Act, 2000* shall be applied as if this Act applies to the municipality and to retail business establishments located in the municipality. 2006, c. 32, Sched. D, s. 15 (1).

See: 2006, c. 32, Sched. D, ss. 15 (1), 18 (2).

Prohibition

2. (1) No person carrying on a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

on a holiday.

Onus on employees, etc.

(2) No person employed by or acting on behalf of a person carrying on a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

on a holiday. R.S.O. 1990, c. R.30, s. 2.

Exemptions: small stores

3. (1) Section 2 does not apply in respect of the carrying on of a retail business on a holiday where, on that day,

- (a) the only goods available for sale by retail in the retail business establishment are,
 - (i) foodstuffs,
 - (ii) tobacco or articles required for the use of tobacco,
 - (iii) antiques, or
 - (iv) handicrafts,

or any combination of them, or where the principal business is the sale of goods referred to in subclauses (i) to (iv), or any of them, by retail and no other goods are available for sale except as sundries; and

- (b) the number of persons engaged in the service of the public in the establishment does not at any time exceed three; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (1).

Idem, pharmacies

(2) Section 2 does not apply in respect of the carrying on of a retail business on a holiday in a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, where, on that day,

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet. R.S.O. 1990, c. R.30, s. 3 (2); 1998, c. 18, Sched. G, s. 72.

Idem, special services

(3) Section 2 does not apply in respect of the carrying on of a retail business in a retail business establishment on a holiday where, on that day, the only goods available for sale by retail in the establishment are,

- (a) gasoline and motor oil and, in conjunction therewith, other goods for consumption in the operation of a motor vehicle; or
- (b) nursery stock or flowers, and in conjunction therewith, accessory gardening supplies; or
- (c) fresh fruit or vegetables in respect of holidays falling between the 1st day of April and the 30th day of November of the same year; or
- (d) books, newspapers or periodicals provided that no other goods are available for sale except as sundries, the number of persons engaged in the service of the public in the establishment does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (3).

Idem, art galleries

(4) Section 2 does not apply in respect of the carrying on of the retail business of an art gallery on a holiday, where on that day the number of persons engaged in the service of the public in the art gallery does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the art gallery is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (4).

Exemptions, liquor

(5) Section 2 does not apply in respect of the sale or offering for sale by retail of liquor under the authority of a licence or permit issued under the *Liquor Licence Act*. 2009, c. 33, Sched. 24, s. 5.

Exemption, tourist establishments

(5.1) Section 2 does not apply in respect of the sale or offering for sale of retail goods or services from tourist establishments. 2009, c. 33, Sched. 24, s. 5.

Definition

(5.2) In subsection (5.1),

“tourist establishment” means any premise operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,

- (a) a camp operated by a charitable corporation approved under the *Charitable Institutions Act*, or
- (b) a summer camp within the meaning of the regulations made under the *Health Protection and Promotion Act*, or
- (c) a club owned by its members and operated without profit or gain. 2009, c. 33, Sched. 24, s. 5.

Exemptions, education, recreation, amusement

(6) Section 2 does not apply in respect of the admission of the public to premises for educational, recreational or amusement purposes or in respect of the sale or offering for sale of goods or services incidental thereto. R.S.O. 1990, c. R.30, s. 3 (6).

Idem, necessary services

(7) Section 2 does not apply in respect of services sold in connection with the sale or offering for sale by retail of any goods permitted by this Act to be sold, and does not apply in respect of goods or services sold or offered for sale by retail in the form of or in connection with,

- (a) prepared meals;
- (b) living accommodation;
- (c) laundromats and other coin-operated services;
- (d) rentals of vehicles or boats;
- (e) servicing and repair of vehicles or boats. R.S.O. 1990, c. R.30, s. 3 (7).

Tourism exemption

4. (1) Despite section 2, the council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism. 1991, c. 43, s. 1 (1).

Common pause day principle

(2) The council in passing a by-law under subsection (1) shall take into account the principle that holidays should be maintained as common pause days. 1991, c. 43, s. 1 (1).

Tourism criteria

(3) A by-law may be passed under subsection (1) only if there is compliance with the tourism criteria set out in the regulations made under this section. 1991, c. 43, s. 1 (1).

Application for by-law

(4) Subject to the regulations made under this section, the council shall consider a by-law under subsection (1) only on the application of one or more persons carrying on retail business in the municipality or on the application of an association, whether or not incorporated, representing persons carrying on retail business in the municipality. 1991, c. 43, s. 1 (1).

Local municipality

(5) In a regional municipality, the council of a local municipality may also apply for a by-law under subsection (1). 2002, c. 17, Sched. F, Table.

Public meeting

(6) Before passing a by-law under subsection (1), the council,

- (a) shall hold a public meeting in respect of the proposed by-law;
- (b) shall publish notice of the public meeting in a newspaper having general circulation in the municipality at least thirty days before the meeting is to be held; and

Note: On a day to be named by proclamation of the Lieutenant Governor, clause (b) is repealed by the Statutes of Ontario, 2006, chapter 32, Schedule D, subsection 15 (2) and the following substituted:

(b) shall publish notice of the public meeting in a manner determined by the council;

See: 2006, c. 32, Sched. D, ss. 15 (2), 18 (2).

- (c) shall permit any person who attends the public meeting the opportunity to make representations in respect of the proposed by-law. 1991, c. 43, s. 1 (1).

Council not obligated

(7) The council is not required to pass the by-law even if the tourism criteria are met. 1991, c. 43, s. 1 (1).

Commencement of by-law

(8) Subject to section 4.3, a by-law under this section comes into force on the thirty-first day after it is passed by the council. 1991, c. 43, s. 1 (1).

Procedures

- (9) Subject to the regulations made under this section, the council may,
- (a) establish procedures and fees for the processing of applications;
 - (b) combine two or more applications;
 - (c) hold one public meeting with respect to two or more applications;
 - (d) limit the number of applications that will be considered in any year. 1991, c. 43, s. 1 (1).

Regulations

- (10) The Lieutenant Governor in Council may make regulations,
- (a) prescribing tourism criteria for the purposes of this section;
 - (b) governing the procedures and fees for processing applications, the combining of applications and public meetings and limitations on the number of public meetings held by a council;
 - (c) setting out the contents of the application;
 - (d) requiring that a by-law that applies to a retail business establishment within such class of retail business establishments as may be set out in the regulation may be considered only on the application of the person carrying on the business. 1991, c. 43, s. 1 (1).

Idem

(11) A regulation under clause (10)(a) or (d) may classify retail business establishments and may prescribe different tourism criteria for the different classes of retail business establishments. 1991, c. 43, s. 1 (1).

Unorganized territory

4.1 The Lieutenant Governor in Council may by regulation permit retail business establishments in territory without municipal organization to be open on holidays. 1991, c. 43, s. 1 (1).

Contents of by-laws and regulations

4.2 A by-law under section 4 or a regulation under section 4.1,

- (a) may apply to one or more retail business establishments or to one or more classes of retail business establishments;
- (b) may apply to all or any part or parts of the municipality in case of a by-law or to all or any part of a territory without municipal organization in the case of a regulation;
- (c) may limit the opening of retail business establishments on holidays to specific times or to a certain number of hours;
- (d) may permit the opening of retail business establishments on some holidays and not on others;
- (e) may restrict the opening of retail business establishments on holidays to specific periods of the year;
- (f) may classify retail business establishments. 1991, c. 43, s. 1 (1).

Appeal to O.M.B.

4.3 (1) Any person who objects to a by-law made by the council of a municipality under section 4 may appeal to the Ontario Municipal Board by filing a notice of appeal with the Board setting out the objection to the by-law and the reasons in support of the objection. 1991, c. 43, s. 1 (1).

Time for appeal

(2) The notice of appeal must be filed with the Board not later than thirty days after the day the by-law is passed by the council. 1991, c. 43, s. 1 (1).

Dismissal without hearing

(3) The Board may, if it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing, but before doing so shall notify the appellant and afford the appellant an opportunity to make representations as to the merits of the appeal. 1991, c. 43, s. 1 (1).

Powers of O.M.B.

(4) The Board may,

- (a) dismiss the appeal;
- (b) dismiss the appeal on the condition that the council amend the by-law in a manner specified by the Board; or
- (c) quash the by-law. 1991, c. 43, s. 1 (1).

Commencement of by-law

- (5)** If one or more appeals are taken under this section, the by-law shall not come into force until,
- (a) the day all appeals have been dismissed under subsection (3) or clause (4) (a); or
 - (b) the day the by-law is amended in the manner specified by the Board under clause (4) (b). 1991, c. 43, s. 1 (1).

Correction of errors

(6) The Board may, without a hearing, correct an error in an order or decision under this section if the error arises from an accidental slip or omission. 1991, c. 43, s. 1 (1).

Ontario Municipal Board Act, s.43

(7) Section 43 of the *Ontario Municipal Board Act* does not apply to an appeal under this section. 1991, c. 43, s. 1 (1); 2009, c. 33, Sched. 2, s. 66.

Time for decision

(8) The Board shall use its best efforts to decide appeals under this section within the period of time prescribed under subsection (9). 1991, c. 43, s. 1 (1).

Regulations

(9) The Lieutenant Governor in Council may make regulations prescribing a period of time for the purpose of subsection (8). 1991, c. 43, s. 1 (1).

4.4 Repealed: 1993, c. 14, s. 2.

Sunday exception

5. (1) Despite any other provision of this or any other Act or the by-laws or regulations under this or any other Act, a retail business may be carried on in a retail business establishment on a Sunday if the retail business establishment is always closed to the public throughout another day of the week by reason of the religion of the owner of the retail business.

Definition

(2) For the purpose of subsection (1),

“religion of the owner” means,

- (a) in the case of a sole proprietorship, the religion of the sole proprietor,
- (b) in the case of a partnership, the religion named in a written agreement between the partners which is the religion of one of the partners,
- (c) in the case of a corporation, the religion named in the by-laws of the corporation.

Affiliated corporation

(3) The exception set out in subsection (1) does not apply to a corporation that is the affiliate of another corporation unless all the retail business establishments in Ontario of the corporation and its affiliates close on the same day.

Deemed affiliation

(4) For the purposes of this section,

- (a) a corporation shall be deemed to be affiliated with another corporation if one of them is the subsidiary of the other or both are subsidiaries of the same corporation or each of them is controlled by the same person; and
- (b) the affiliates of every corporation shall be deemed to be affiliated with all other corporations with which the corporation is affiliated.

Deemed control

(5) For the purposes of this section, a corporation shall be deemed to be controlled by a person if,

- (a) securities of the corporation to which are attached more than 50 per cent of the votes that may be cast to elect directors of the corporation are held other than by way of security only by or for the benefit of that person; and
- (b) the votes attached to those securities are sufficient, if exercised, to elect a majority of the directors of the corporation.

Deemed subsidiaries

(6) For the purposes of this section, a corporation shall be deemed to be a subsidiary of another corporation if,

- (a) it is controlled by,

- (i) that other,
 - (ii) that other and one or more corporations each of which is controlled by that other, or
 - (iii) two or more corporations each of which is controlled by that other; or
- (b) it is a subsidiary within the meaning of clause (a) of a corporation that is that other's subsidiary. R.S.O. 1990, c. R.30, s. 5.

Commercial tenants

6. A provision in a lease or other agreement that has the effect of requiring a retail business establishment to remain open on a holiday or on a Sunday or on December 26 is of no effect even if the lease or agreement was made before section 2 of the *Boxing Day Shopping Act, 1996* comes into force. 1996, c. 34, s. 2.

Invalidity of certain municipal by-laws

7. (1) Subject to subsection (2), a by-law of a municipality passed under any other Act is invalid to the extent that it requires the closing of a retail business establishment on a holiday. R.S.O. 1990, c. R.30, s. 7 (1).

Transitional

(2) The following transitional rules apply to the by-laws of municipalities that were in force under this or any other Act at the end of the 30th day of November, 1991 and that relate to the opening or closing of a retail business establishment on holidays:

1. By-laws in force on the 3rd day of June, 1991 continue in force until the 1st day of December, 1992 or until the by-law is repealed, whichever is first.
2. By-laws that come into force on or after the 4th day of June, 1991 are repealed on the 1st day of December, 1991. 1991, c. 43, s. 1 (3).

Interpretation

(3) The definition of "municipality" in subsection 1 (1) does not apply for the purposes of this section. 2006, c. 11, Sched. B, s. 12 (3).

Penalty

8. (1) Every person who contravenes section 2 or a regulation under section 4 is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Idem, municipal laws

(2) A by-law under subsection 4 (1) requiring a retail business establishment to be closed on a holiday shall provide that any person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Idem, coercion or counselling

(3) Every person who coerces, requires or counsels another person to contravene section 2, a regulation under section 4 or a by-law under subsection 4 (1) is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday in respect of which the offence under this subsection occurred. R.S.O. 1990, c. R.30, s. 8 (1-3).

Minimum penalty

(3.1) The minimum fine for an offence under this Act, other than for a contravention of subsection 2 (2), is \$500 for a first offence, \$2,000 for a second offence and \$5,000 for a third or subsequent offence. 1991, c. 43, s. 1 (4).

Gross sales to be considered in determining fines

(4) In determining the amount of the fine, the court shall take into consideration any evidence respecting the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Advertisements admissible as evidence

(5) A sign or advertisement giving the hours of a retail business establishment is admissible as evidence that the retail business establishment was open during those hours.

Determination of total area of a retail business establishment

(6) For the purpose of enforcing this Act or a by-law or regulation under this Act, the total area of a retail business establishment used for serving the public or for selling or displaying to the public on a holiday shall be deemed to be the greater of,

- (a) the total area actually used on a holiday for serving the public or for selling or displaying to the public; and
- (b) the total area normally used for serving the public or for selling or displaying to the public on days other than a holiday. R.S.O. 1990, c. R.30, s. 8 (4-6).

Court orders

9. (1) Upon the application of counsel for the Attorney General or of a municipality to the Superior Court of Justice, the court may order that a retail business establishment close on a holiday to ensure compliance with this Act or a by-law or regulation under this Act. R.S.O. 1990, c. R.30, s. 9 (1); 2001, c. 9, Sched. D, s. 14.

Idem

(1.1) In addition to its powers under subsection (1), the Superior Court of Justice, on the application of any interested person, may order that a retail business establishment close on a holiday to ensure compliance with this Act or a by-law or regulation under this Act. 1991, c. 43, s. 1 (5); 2001, c. 9, Sched. D, s. 14.

Idem

(2) An order under subsection (1) or (1.1) is in addition to any penalty that may be imposed and may be made whether or not a proceeding is commenced under the *Provincial Offences Act* for a contravention of section 2 or of a by-law or regulation under this Act. 1991, c. 43, s. 1 (6).

Retail Business Holidays Act
ONTARIO REGULATION 711/91
TOURISM CRITERIA

Consolidation Period: From December 1, 1991 to the [e-Laws currency date](#).

No amendments.

This Regulation is made in English only.

1. This Regulation sets out the tourism criteria that must be met before a municipality may pass an exempting by-law under subsection 4 (1) of the Act. O. Reg. 711/91, s. 1.

2. (1) A retail business establishment may be exempted if,

(a) it is located within two kilometres of a tourist attraction; and

(b) it is directly associated with the tourist attraction or relies on tourists visiting the attraction for business on a holiday. O. Reg. 711/91, s. 2 (1).

(2) An exemption granted on an area basis may only be given if,

(a) all of the retail business establishments in the area are within two kilometres of the tourist attraction;

(b) the area does not exceed that necessary to encompass all of the retail business establishments for which an exemption is sought; and

(c) at least 25 per cent of the retail business establishments in the area are directly associated with the tourist attraction or rely on tourists visiting the attraction for business on a holiday. O. Reg. 711/91, s. 2 (2).

(3) For the purposes of this section, a tourist attraction is limited to,

(a) natural attractions or outdoor recreational attractions;

(b) historical attractions; and

(c) cultural, multi-cultural or educational attractions. O. Reg. 711/91, s. 2 (3).

3. Each retail business establishment that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public or normally has four or more employees serving the public must, in addition to meeting the tourism criteria set out in subsection 2 (1), provide goods or services on holidays primarily to tourists. O. Reg. 711/91, s. 3.

4. The two kilometre restriction set out in subsections 2 (1) and (2) does not apply to a retail business establishment located in a local municipality, including a local municipality located in a district or regional municipality or the County of Oxford, having a population of less than 50,000. O. Reg. 711/91, s. 4.

5. (1) Despite any other provision of this Regulation, retail business establishments in a municipality may be exempted for up to five holidays a year during which a fair, festival or other special event is being held in that municipality. O. Reg. 711/91, s. 5 (1).

(2) Subsection (1) does not apply to parades. O. Reg. 711/91, s. 5 (2).

6. (1) An application for an exemption under subsection 4 (3) of the Act shall contain the following:

1. A description of the area or the retail business establishment for which the exemption is sought.
2. The justification, in relation to the seasonal nature, if any, of the tourist attraction, for the time period sought in the exemption.
3. Information establishing that the tourism criteria set out in this Regulation are met. O. Reg. 711/91, s. 6 (1).

(2) An application in respect of a retail business establishment described in section 3 shall be made only by that retail business establishment. O. Reg. 711/91, s. 6 (2).



King Township
2075 King Road
King City, Ontario
Canada L7B 1A1

Phone: 905.833.5321
Fax: 905.833.2300
Website: www.king.ca

February 9, 2016

Denis Kelly, Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly,

**Re: Township of King
Administration Economic Development Department Report Number ED-2016-01
Re: *Retail Business Holidays Act* Application for Township Wide Exemption**

At the Council Meeting of February 8th, 2016, Council of the Township of King adopted the following recommendations:

"THAT Administration Report No. ED-2016-01 be received; and

THAT Council approve an application to the Regional Municipality of York for a Tourism Exemption to the Retail Business Holidays Act, permitting all retail businesses in King Township, at their discretion, to remain open on the following holiday: New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day."

Yours truly,

A handwritten signature in blue ink, appearing to read "Kathryn Moyle".

Kathryn Moyle
Director of Clerks/By-law Enforcement
Township Clerk
Encls.

c.c. Jamie Smyth – Economic Development Officer



**THE CORPORATION OF THE TOWNSHIP OF KING
REPORT TO THE COMMITTEE OF THE WHOLE**

Monday February 8th, 2016

Administration Department

ED-2016-01

RE: Retail Business Holidays Act Application for Township Wide Exemption

1. RECOMMENDATIONS:

It is respectfully recommended that;

- a) Administration Report No. ED-2016-01 be received; and
- b) Council approve an application to the Regional Municipality of York for a Tourism Exemption to the Retail Business Holidays Act, permitting all retail businesses in King Township, at their discretion to remain open on the following holidays: New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day.

2. PURPOSE:

The purpose of this report is to provide Council with an overview of the Retail Business Holidays Act and the tourism exemption the King Chamber of Commerce is requesting Township apply for, on behalf and in support of the tourism and retail business community.

3. BACKGROUND:

Retail Business Holidays Act

In the Province of Ontario, The *Retail Business Holiday Act* (the "Act") requires that businesses are closed on all statutory holidays, unless exempted. The Act provides for the following 'holidays': New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, and any other day proclaimed by the Lieutenant Governor.

Under the Act, retail businesses are prohibited from selling goods or providing services, or admitting the public on these holidays unless the retail business falls under one of the statutory exemptions or unless an applicable tourism exemption by-law has been passed allowing the business to remain open. The Act sets out statutory exemptions for certain businesses that can stay open on holidays. The penalty enforced by the Province of Ontario for non-compliance with the Act ranges from \$500 to \$50,000.

Section 4(1) of the Act allows for a tourism exemption and reads "Despite section 2, the council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism". A tourism exemption by-law may be passed if there is compliance with the tourism criteria set out in Ontario Regulation

711/91 Tourism Criteria (the "Regulation") under the Act. Section 2(2) of the Regulation provides that an area can be exempted if:

- All of the retail businesses in the area are within two kilometers of a tourist attraction; The area does not exceed that necessary to encompass all of the retail businesses for which the exemption is sought; and
- At least 25% of the retail businesses in the area are directly associated with the tourist attraction or rely on tourists visiting the attraction for business on a holiday.

The two kilometre requirement stated above does not apply to King Township as the current population is under 50,000.

Several types of retail business are already exempt under the Act however several existing and soon to be retail operations that are over 2400 sq. ft. and have more than 3 employees are not currently permitted to open on statutory holidays and therefore somewhat at a disadvantage in competing with and capturing holiday traffic to and through King Township. If enacted, the tourism exemption by-law will enable the aforementioned retail businesses the option of opening on holidays and providing goods and services for the development and maintenance of tourism.

In May, 2013 the Alcohol and Gaming Commission of Ontario (AGCO) issued Information Bulletin No. 031 which detailed changes to hours and days of operation for on-site winery, distillery and brewery retail stores. Effective May 16, 2013 on-site retail stores are now permitted to open on all nine Holidays listed under the *Retail Business Holidays Act*, however, only in areas where the local municipality has passed a tourism exemption by-law. This change was made by the AGCO to grant greater flexibility in business operations for Ontario wine, beer and spirits manufacturers, and to enhance tourism opportunities. King Township does not have an exemption by-law that allows for our local winery and micro-brewery businesses to remain open on holidays; therefore a Municipal application to the Regional Municipality of York is necessary.

King Township at the present time is home to one winery and one micro-brewery retail store. These beverage processors are key partners with local businesses in packaging tourism hospitality and recreation experiences for visitors. The exemptions to the Act proposed in this report will directly support the viability of King's existing winery and micro-brewery and potential future operations, as holidays can be capitalized upon as a time to generate activity.

The Regional Municipality of York is accepting applications from Municipalities for a tourism exemption until February 16th, 2016. Upon receipt of an application, York Region will commence the advertising and confirm the date of the public meeting at which the application will be considered. York Region has indicated that the next hearing date will be in April 2016. For additional background information See Retail Business Holidays Act – Frequently Ask Questions document attached as **Appendix "C"**.

4. DISCUSSION AND ANALYSIS:

On January 11th, 2016 Township Council received a letter from the King Chamber of Commerce requesting Council's consideration of a Township wide exemption application to the Region. This is being requested so retail businesses have the choice to open on statutory holidays. The Chamber cited the need to level the playing field with our neighboring municipalities indicating that King retail businesses are currently at a competitive disadvantage in relation to some of

King's closest and comparable rural neighbours such as Whitchurch-Stouffville and Georgina. King Chamber letter is attached as **Appendix "A"**.

King Township has a population of approximately 22,000 and is home to a cluster of seasonal and year-round tourism attractions and recreational offerings including conservation areas, trail networks and golf courses. Many of the tourism attractions are noted on the map attached as **Appendix "B"**. These attractions benefit day-trip visitation and the drive through traffic on their journeys to and from cottage country and ski resort destinations further north.

Additionally, attendance at events in the community such as Victoria and Canada Day celebrations are drawing significant visitation from beyond King's boundaries. An exemption would enable a number of spin-off benefits for both visitors travelling to King for these events and through King on their journey to their final holiday/vacation destinations.

In April of 2014 Township Council approved a three year Community Tourism Plan. Significant progress has been made on implementing the Plan's 16 action items with an emphasis on marketing, promoting and nurturing tourism, hospitality and recreation experiences that appeal to potential visitors from the greater golden horseshoe area and beyond. Securing an exemption from the Act for King's retail businesses would support and align with Township efforts at sustaining and growing tourism economic activity that complements King's assets.

5. ALIGNMENT WITH INTEGRATED SUSTAINABILITY PLAN

This plan is aligned with the Sustainability Plan in the following manner:

Economic Pillar

4. Tourism Advancement & Promotion Strategic Directions and Potential Actions

- 4.1. Develop and implement a local tourism industry**
- 4.2. Leverage and promote our natural assets for attracting eco, culinary and recreation/nature-based tourism**
- 4.3 Attract visitors by leveraging and promoting our cultural assets.**

6. FINANCIAL IMPLICATIONS

The application fee for the tourism exemption is \$1000, plus the cost of advertising the public meeting. Funds have been allocated for this pursuit in the 2016 Tourism Marketing and Promotion budget.

7. CONCLUSION

The Regional Municipality of York is accepting applications from Municipalities for a tourism exemption by-law until February 16th, 2016. The application form must be accompanied by a Council resolution to support the application. Upon receipt of an application, York Region will commence the advertising and confirm the date of the public meeting at which the application will be considered. York Region has indicated that the next hearing date will be in April 2016. If a by-law is enacted, it will come into force on the 31st day after it is passed by York Regional Council provided there are no appeals to the Ontario Municipal Board of the approved by-law.

Until this process is complete, all retail establishments must comply with the *Retail Business Holidays Act* and remain closed on statutory holidays.

Township Staff propose to apply to the Regional Municipality of York for a tourism exemption to the Act. The proposed exemption would be for the entirety of the Township of King and would apply to the following statutory holidays: New Year's Day, Family Day, Good Friday and Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day. Retail establishments may choose to remain open between the hours of 8:00 a.m. to 10:00 p.m. on the above mentioned statutory holidays. Boxing Day and Civic Holiday in August are not statutory holidays under the Act and therefore an exemption is not required for those days.

8. ATTACHMENTS:

- Appendix A King Chamber of Commerce Exemption Application Request Letter**
- Appendix B King Township Tourism Attractions Map**
- Appendix C Retail Business Holidays Act – Frequently Asked Questions**

Prepared and Submitted by:

Jamie Smyth
Economic Development Officer

Recommended by:


Susan Plamondon
Chief Administrative Officer



Box 381, Schomberg, ON L0G 1T0
 Tel: 905-717-7199 Email: info@kingchamber.ca Website:

January 11, 2016

Mayor Pellegrini & Council
 Township of King
 2075 King Road
 King City, ON
 L7B 1A1

Dear Mayor Pellegrini and Council:

RE: Retail Business Holidays Act - The Local Municipality of King

On behalf of the 140+ members of the King Chamber of Commerce, we are writing to you to convey the importance of allowing retail businesses in King (including those in King City, Nobleton and Schomberg), who depend upon a vibrant tourism industry to support their families, to have the choice to open on statutory holidays.

Specifically, the *Retail Business Holidays Act* (the "Act") requires retail businesses in King, subject to a few exemptions, to be closed on statutory holidays (defined as New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, and Christmas Day).

The Act does allow individual businesses to apply for an exemption. However, individual applications present unnecessary expense and red tape for business owners. This can be avoided by a provision in the Act that permits Local Council to apply to Regional Council for a "blanket" exemption, allowing all retail businesses within King, at their discretion, to remain open on the prescribed statutory holidays for the maintenance or development of tourism. As a result, we are respectfully requesting that King Council pass a Resolution directing Staff to make such a request for an exemptions to Regional Council at the next possible opportunity for doing so.

Presently, retail businesses in King Township are subject to a competitive disadvantage in relation to some of our closest neighbours, including the Vaughan Mills Mall Campus, the Towns of Georgina and Whitechurch-Stouffville and the Kleinberg core, who already enjoy blanket exemption for all of their retail businesses. We are asking that Council act to level the playing field with our neighbouring municipalities by providing a more favourable and competitive business environment for our small businesses and entrepreneurs.

In light of the fact that the Region has previously recognized that substantially all of King Township is situated in a natural tourist attraction that enjoys a flourishing agricultural sector, with a multitude of recreational, educational, historical, and cultural attractions (see attached), King is well positioned to benefit from the further development and promotion of the tourism sector that an exemption will bring.

KING

CHAMBER OF COMMERCE

Box 381, Schomberg, ON L0G 1T0

Tel: 905-717-7199 Email: info@kingchamber.ca Website:

In addition, we believe that an exemption from the Act will provide an incentive for retail business retention and for new locally-based retail business start-ups in King City, Nobleton and Schomberg. This will help alleviate our present jobs deficit in King, as it will spur new job creation for local residents at all stages of their career, including jobs for our students and jobs for our youth that could be supported through the Canada Summer Jobs program that helps young Canadians gain experience and a foothold in the workforce.

Furthermore, an exemption will reinforce the Township's Community Tourism Plan and promote its www.experienceKING.ca digital media marketing campaign, by signalling to both residents and visitors alike that the Township of King is open for business and will welcome their patronage on statutory holidays.

As the strongest voice of business in King, the King Chamber of Commerce feels that it is important that the needs of the business community in King, both current and future, be heard. Therefore, we look forward to Council passing a favourable resolution directing the Township of King to apply to York Region for a blanket exemption from the *Retail Business Holidays Act*, and submitting the resolution with the requisite application form and fee to York Region for consideration at its earliest possible opportunity.

Sincerely,



Tom Allen
President, King Chamber of Commerce

cc: Jaime Smyth, Economic Development Officer

APPENDIX "B"

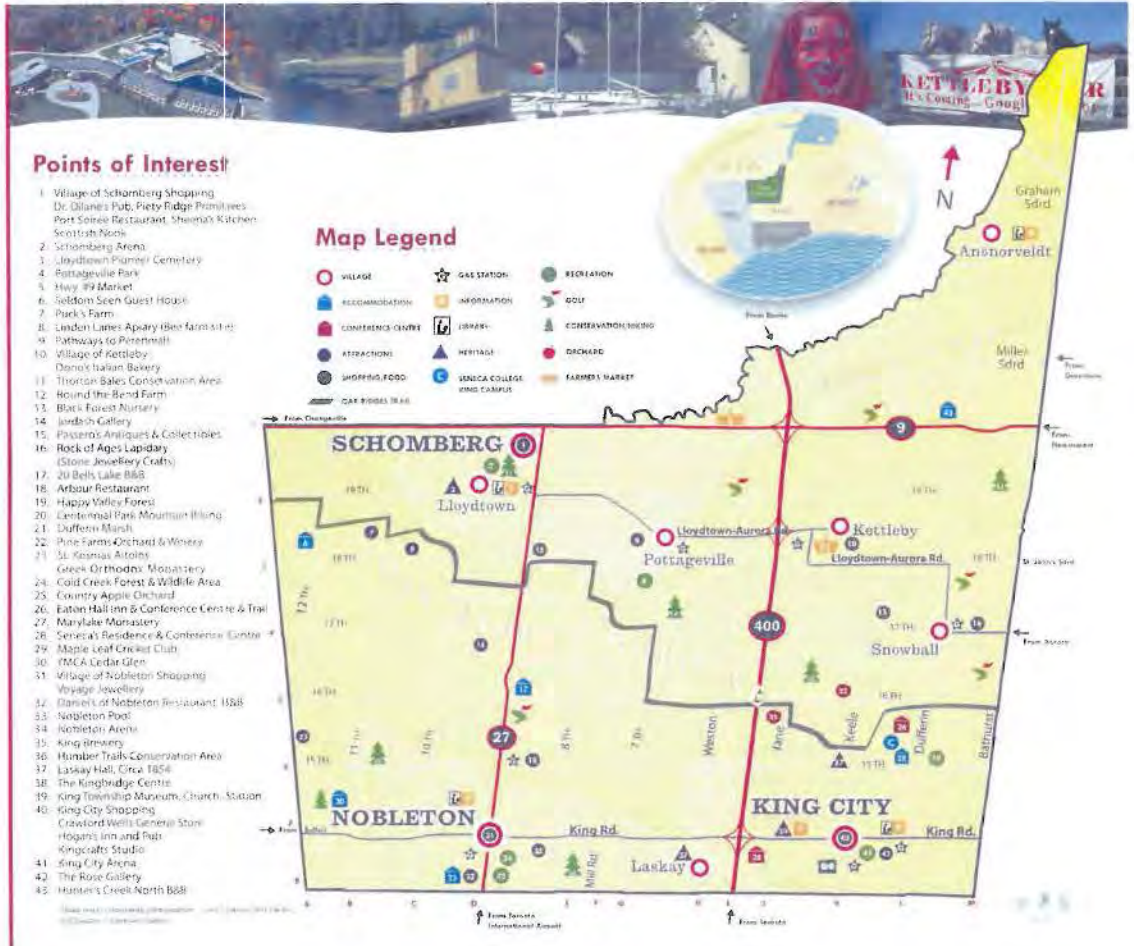
KING TOWNSHIP

Ontario, Canada

Visitors' Map



www.kingchamber.ca



The Retail Business Holidays Act (the "Act") does not allow certain retail businesses to be open on 9 specific holidays: New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, and Christmas Day.

Regional Council may pass a bylaw to allow retail businesses to open on any of these 9 holidays, to promote tourism, if the business meets the requirements of the Act and the Tourism Criteria in Ontario Regulation 711/91 (the "Regulation").

Please read the complete FAQ as your question may be answered in any of the below questions. If your question is not addressed through this FAQ you may contact the Clerk's office at The Regional Municipality of York.

1. Where do I obtain an application for exemption under the Act?

Click on the following link to download a complete application form and information:
(we need a URL for the application please)

If the link does not work, please send an email to legal@york.ca and state Retail Business Holidays Act in the subject line.

2. Are there any fees for applying for an exemption?

Yes, it is \$1000 for each site location is seeking an exemption plus the cost of advertising in a local circular. For example if you have 3 stores, each store must submit its own application and fee and pay the costs associated with the public notice published by the Region in a local circular.

3. What is the cost for printing the public notice in a local paper?

We suggest you budget a minimum of \$1,000 for this cost, for each location. The final cost will depend on the newspaper that the notice will be published in. An invoice will be issued once the Region receives confirmation of the cost from the publisher.

4. What are the statutory holidays?

For the purpose of the Act, the statutory holidays are:

New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day.

5. Can I open on Civic Holiday or Boxing Day?

These are not considered statutory holidays under the Act, therefore businesses may open if they choose to do so. Please note you should consult with your own legal counsel to ensure you are aware of any legal obligations you may have to employees by being open on Civic Holiday or Boxing Day.

6. How long does it take from application to approval if a bylaw is passed?

The timeline is a minimum of 90 days but may be longer depending on the committee schedule and the occurrence of holidays. The following table provides an example of the process.

APPENDIX "C"

| Day | Action | Explanation |
|--------|---|--|
| Day 1 | Application is received and reviewed in that week. | The applicant is contacted with any questions about application and the cost of the advertising. |
| Day 8 | Advertising is ordered in the local newspaper to appear in the highest circulating edition. | Newspapers need at least 4 – 6 days for preparation. The Newspaper bills the Region which then bills the applicant. |
| Day 13 | The advertisement appears in the paper and serves as 30 days' notice to the public of the meeting to hear an application. | The Act requires the public to be notified at least 30 days before a public meeting is held. (RBHA, R.S.O 1990, Ch. R. 30 s. 4(6)) |
| Day 44 | Earliest day on which a public meeting may be held. | This is the 30 th day after the notice, but the Region's process is for the public meeting to be held on the dates set in the Council Calendar. |
| Day 45 | The public meeting is held during the Committee of the Whole to hear the application | This meeting allows the public to speak to an application and for committee members to make a recommendation to Regional Council |
| Day 59 | Regional Council considers the recommendation of the Committee of the Whole | Regional Council does not have to grant an exemption. If a bylaw exemption is enacted a 30-day appeal period is observed before the bylaw comes into force. |
| Day 95 | If a bylaw is enacted, the applicant may open on a holiday on or after this day. If there is an appeal to the Ontario Municipal Board ("OMB") before this day the applicant may not open until the OMB has made a decision. | In accordance with the Act, By-laws come into force on the 31 st day after it is passed by Regional Council. (RBHA, R.S.O 1990, Ch. R. 30 s. 4(8)) Under the Interpretation Act if a holiday occurs during the 30 day appeal period the timing may change. |

7. Who is responsible for the Act?

The Act splits the responsibilities for administration and enforcement between the municipality and the province.

Below is a quick chart that outlines who can do what.

| Regional Municipality | Police |
|---|--|
| <ul style="list-style-type: none"> • Provide information on the Act • Provide applications for exemptions from the Act • Reviews applications • Passes exemption bylaws | <ul style="list-style-type: none"> • Enforce the Act and issues fines under the act • Investigate complaints related to the Act and businesses that may be in contravention of the Act |

- 8. Who enforces the Act?**
The police enforce the Act and issue fines under the act and Investigate complaints related to the Act and businesses that may not comply with the Act.
- 9. Who do I contact with a complaint about a store being open on a holiday?**
If you have a complaint regarding an illegal opening please contact your local police station to file a complaint. In York Region you may contact the YRP non-emergency line at 1-866-876-5423.
- 10. If I am allowed to open on a statutory holiday, do I have to pay my staff holiday pay?**
All employers are expected to comply with the Employment Standards Act and any other laws and regulations affecting business operations and workers' rights and safety. If you are unsure of your obligations please consult the Ministry of Labour and a legal professional.
Ministry of Labour <http://www.labour.gov.on.ca/english/>
GTA: 416-326-7160 Canada-wide: 1-800-531-5551
- 11. Why do I have to wait for 31 days after Council passes a bylaw to open my store?**
The 31 days allows any person to file an appeal to the OMB against the bylaw granting a store an exemption. This is a requirement of the Act.
- 12. I have stores in York Region and Toronto, why am I not able to open my store in Toronto?**
Each municipality is responsible for enacting its own exemption bylaws. The City of Toronto is governed by the City of Toronto Act and should be contacted directly with any questions about opening your Toronto location on holidays.
- 13. Council did not pass a bylaw for my business. Can I appeal?**
No, the Act does not allow an applicant to appeal a decision of Council however an applicant may reapply for an exemption.
- 14. If there is an appeal to Council's bylaw, am I still able to open my store?**
No, if an appeal against the bylaw has been filed with the OMB, your store must remain closed until the OMB has made a decision.
- 15. I would like to attend the public meeting. How do I find the meeting information?**
Public meetings to hear the application are posted under the Newsroom section of this website. The meeting site is The Regional Municipality of York Administrative Centre in Newmarket.
- 16. I would like to view a copy of an applicant's submission. How may I do so?**
All application submissions are made public 1 week prior to the public meeting and are posted on this website under Council → Agendas, Minutes and Reports

All application submissions are confidential until that time. If you do wish to see an applicant's submission in advance of its release as part of an agenda, you may file a Freedom of Information Request <http://www.york.ca/wps/portal/yorkhome/yorkregion/yr/privacyanddisclaimer>
- 17. How may I find out what businesses are exempt in York Region.**
All exemption bylaws can be found on this website in the Bylaws section, there is also a chart available that displays all the exemptions in an easy to read format.

<http://www.york.ca/wps/wcm/connect/yorkpublic/f26c1a38-5928-4257-b376-c793e5303e46/RBHA+chart.pdf?MOD=AJPERES>

18. What is the Tourism Criteria under the Act?

Ontario Regulation 711/91 – Tourism Criteria lists tourist attractions as follows:

(3) For the purposes of this section, a tourist attraction is limited to, natural attractions or outdoor recreational attractions; historical attractions; and cultural, multi-cultural or educational attractions. O. Reg. 711/91, s. 2 (3).

19. What exemptions exist under the Act?

Below is an example of the types of retail businesses which are already exempted under the Act:

- Convenience Stores;
- Antique shops;
- Restaurants and Caterers;
- Gas and Service Stations;
- Garden Centres;
- Vehicle Rentals;
- Laundromats;
- Fruit and vegetable markets from April 1 – November 30;
- Small Book and Magazine shops;
- Pharmacies under 7,500 sq. ft.;
- All other retail shops under 2,400 sq. ft with no more than 3 employees;
- Places of education, recreation and amusement that sell incidental goods and services;
- Art galleries and craft shops with a space of less than 2,400 square feet with less than 3 people serving the public; and
- tourist establishments that provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,
 - a camp operated by a charitable corporation approved under the Charitable Institutions Act, or
 - a summer camp within the meaning of the regulations made under the Health Protection and Promotion Act, or
 - a club owned by its members and operated without profit or gain.

TOWNSHIP OF KING
 2075 KING ROAD, KING CITY, ONTARIO L7B 1A1

REMITTANCE
 ADVICE

| | | |
|---------|--------------|------------|
| VENDOR | CHEQUE DATE | CHEQUE NO. |
| THE0014 | Feb 10, 2016 | 103546 |

103546

| INVOICE NO. | INVOICE DATE | AMOUNT | INVOICE NO. | INVOICE DATE | AMOUNT |
|------------------|--------------|-------------|-------------|--------------|-------------|
| RBHA APPLICATION | 02/09/2016 | \$ 1,000.00 | | | |
| CHEQUE AMOUNT | | | | | \$ 1,000.00 |

THIS CHEQUE CONTAINS SECURITY FEATURES

KING TOWNSHIP OF KING
 2075 KING ROAD
 KING CITY, ON
 L7B 1A1

CANADIAN IMPERIAL BANK OF COMMERCE
 2208 KING ROAD, P.O. BOX 57
 KING CITY, ON L7B 1A4

VENDOR
 THE0014

CHEQUE NO. **103546**

DATE 1 0 0 2 2 0 1 6
D D M M Y Y Y Y

PAY One Thousand Dollars and 00 Cents \$ 1,000.00

TO THE ORDER OF
 THE REGIONAL MUNICIPALITY OF YORK

RBHA APPLICATION C/O. LEGAL SEF
 17250 YONGE STREET, 4TH FLOOR
 NEWMARKET, ON L3Y 6Z1

TOWNSHIP OF KING

[Signature]
 AUTHORIZED SIGNATURE

[Signature]
 AUTHORIZED SIGNATURE

⑈ 103546 ⑈ ⑆ 0574 20010 ⑆ 0000108 ⑈

Notice of Public Meeting
The Regional Municipality of York
Retail Business Holidays Act
Application for Exemption

On Thursday, April 14, 2016 at 9 a.m., the Committee of the Whole of The Regional Municipality of York will hold a public meeting pursuant to the *Retail Business Holidays Act*. The purpose of the public meeting is to consider a proposed bylaw to permit the retail business establishment identified in the following schedule to remain open on the holidays and during the hours set out within the schedule.

The proceedings of the Committee and its recommendations will be presented to Regional Council for adoption.

Any person who attends this public meeting shall have the opportunity to make representations in respect of the proposed bylaw. Representations regarding this proposed bylaw will be heard only at this meeting. No deputations on this matter will be permitted at Regional Council.

Further information may be obtained from the Office of the Regional Clerk, Regional Administrative Centre, 17250 Yonge Street, 4th Floor, Newmarket, Ontario, L3Y 6Z1 at 1-877-464-9675, Ext. 71300.

Anyone wishing to attend the public meeting and address the Committee on this matter is requested to inform Carrie Martin, Committee Coordinator at 1-877-464-9675, Ext. 71303 or by email at carrie.martin@york.ca by 12 noon on April 7, 2016.

The following is the schedule above referred to:

| Applicant | Business and Location | Holidays | Hours |
|---|---|---|-------------------|
| The Corporation of the Township of King | All retail businesses within the Township of King | New Year's Day Family Day Good Friday Easter Sunday Victoria Day Canada Day Labour Day Thanksgiving Day Christmas Day | 8 a.m. to 10 p.m. |

Dated at Newmarket March 9, 2016

Denis Kelly
Regional Clerk
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Retail Business Holidays Act

R.S.O. 1990, CHAPTER R.30

Consolidation Period: From December 15, 2009 to the [e-Laws currency date](#).

Last amendment: 2009, c. 33, Sched. 24, s. 5.

Definitions

1. (1) In this Act,

“holiday” means,

- (a) New Year’s Day,
- (b) Good Friday,
- (c) Victoria Day,
- (d) Canada Day,
- (e) Labour Day,
- (f) Thanksgiving Day,
- (g) Christmas Day,
- (h) Easter Sunday, and

(i) any other public holiday declared by proclamation of the Lieutenant Governor to be a holiday for the purposes of this Act; (“jour férié”)

“municipality” means a regional municipality and a local municipality, other than a local municipality within a regional municipality, but does not include the City of Toronto; (“municipalité”)

“retail business” means the selling or offering for sale of goods or services by retail; (“commerce de détail”)

“retail business establishment” means the premises where a retail business is carried on. (“établissement de commerce de détail”) R.S.O. 1990, c. R.30, s. 1 (1); 1993, c. 14, s. 1; 1993, c. 27, Sched.; 1996, c. 34, s. 1 (1); 2002, c. 17, Sched. F, Table; 2006, c. 11, Sched. B, s. 12 (1).

Holidays designated for closing

(2) The Lieutenant Governor may by proclamation declare any day that is a public holiday other than a day named in clauses (a) to (h) of the definition of “holiday” in subsection (1) to be a holiday for the purposes of this Act. R.S.O. 1990, c. R.30, s. 1 (2); 1996, c. 34, s. 1 (2); 2006, c. 11, Sched. B, s. 12 (1).

Non-application, City of Toronto

1.1 (1) This Act does not apply to the City of Toronto and it does not apply in respect of any by-law of the City or any retail business establishment located in the City. 2006, c. 11, Sched. B, s. 12 (2).

Exception

(2) Despite subsection (1), Part XVII of the *Employment Standards Act, 2000* shall be applied as if this Act applies to the City and to retail business establishments located in the City. 2006, c. 11, Sched. B, s. 12 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by the Statutes of Ontario, 2006, chapter 32, Schedule D, subsection 15 (1) by adding the following section:

Non-application, municipalities

1.2 (1) This Act does not apply to a municipality and does not apply in respect of any by-law of the municipality or any retail business establishment located in the municipality if there is in effect a by-law passed by the municipality providing that this Act does not apply to it. 2006, c. 32, Sched. D, s. 15 (1).

Condition for by-law to take effect

(2) A by-law under subsection (1) does not take effect until the municipality passes a by-law under section 148 of the *Municipal Act, 2001* requiring that one or more classes of retail business establishments be closed on a holiday. 2006, c. 32, Sched. D, s. 15 (1).

By-law valid

(3) Nothing in section 7 invalidates a by-law passed by a municipality under section 148 of the *Municipal Act, 2001* if the municipality has passed a by-law under subsection (1) providing that this Act does not apply. 2006, c. 32, Sched. D, s. 15 (1).

Exception

(4) Despite subsection (1), Part XVII of the *Employment Standards Act, 2000* shall be applied as if this Act applies to the municipality and to retail business establishments located in the municipality. 2006, c. 32, Sched. D, s. 15 (1).

See: 2006, c. 32, Sched. D, ss. 15 (1), 18 (2).

Prohibition

2. (1) No person carrying on a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

on a holiday.

Onus on employees, etc.

(2) No person employed by or acting on behalf of a person carrying on a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

on a holiday. R.S.O. 1990, c. R.30, s. 2.

Exemptions: small stores

3. (1) Section 2 does not apply in respect of the carrying on of a retail business on a holiday where, on that day,

(a) the only goods available for sale by retail in the retail business establishment are,

- (i) foodstuffs,
- (ii) tobacco or articles required for the use of tobacco,
- (iii) antiques, or
- (iv) handicrafts,

or any combination of them, or where the principal business is the sale of goods referred to in subclauses (i) to (iv), or any of them, by retail and no other goods are available for sale except as sundries; and

- (b) the number of persons engaged in the service of the public in the establishment does not at any time exceed three; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (1).

Idem, pharmacies

(2) Section 2 does not apply in respect of the carrying on of a retail business on a holiday in a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, where, on that day,

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet. R.S.O. 1990, c. R.30, s. 3 (2); 1998, c. 18, Sched. G, s. 72.

Idem, special services

(3) Section 2 does not apply in respect of the carrying on of a retail business in a retail business establishment on a holiday where, on that day, the only goods available for sale by retail in the establishment are,

- (a) gasoline and motor oil and, in conjunction therewith, other goods for consumption in the operation of a motor vehicle; or
- (b) nursery stock or flowers, and in conjunction therewith, accessory gardening supplies; or
- (c) fresh fruit or vegetables in respect of holidays falling between the 1st day of April and the 30th day of November of the same year; or
- (d) books, newspapers or periodicals provided that no other goods are available for sale except as sundries, the number of persons engaged in the service of the public in the establishment does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the establishment is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (3).

Idem, art galleries

(4) Section 2 does not apply in respect of the carrying on of the retail business of an art gallery on a holiday, where on that day the number of persons engaged in the service of the public in the art gallery does not at any time exceed three and the total area used for serving the public or for selling or displaying to the public in the art gallery is less than 2,400 square feet. R.S.O. 1990, c. R.30, s. 3 (4).

Exemptions, liquor

(5) Section 2 does not apply in respect of the sale or offering for sale by retail of liquor under the authority of a licence or permit issued under the *Liquor Licence Act*. 2009, c. 33, Sched. 24, s. 5.

Exemption, tourist establishments

(5.1) Section 2 does not apply in respect of the sale or offering for sale of retail goods or services from tourist establishments. 2009, c. 33, Sched. 24, s. 5.

Definition

(5.2) In subsection (5.1),

“tourist establishment” means any premise operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, but does not include,

- (a) a camp operated by a charitable corporation approved under the *Charitable Institutions Act*, or
- (b) a summer camp within the meaning of the regulations made under the *Health Protection and Promotion Act*, or
- (c) a club owned by its members and operated without profit or gain. 2009, c. 33, Sched. 24, s. 5.

Exemptions, education, recreation, amusement

(6) Section 2 does not apply in respect of the admission of the public to premises for educational, recreational or amusement purposes or in respect of the sale or offering for sale of goods or services incidental thereto. R.S.O. 1990, c. R.30, s. 3 (6).

Idem, necessary services

(7) Section 2 does not apply in respect of services sold in connection with the sale or offering for sale by retail of any goods permitted by this Act to be sold, and does not apply in respect of goods or services sold or offered for sale by retail in the form of or in connection with,

- (a) prepared meals;
- (b) living accommodation;
- (c) laundromats and other coin-operated services;
- (d) rentals of vehicles or boats;
- (e) servicing and repair of vehicles or boats. R.S.O. 1990, c. R.30, s. 3 (7).

Tourism exemption

4. (1) Despite section 2, the council of a municipality may by by-law permit retail business establishments in the municipality to be open on holidays for the maintenance or development of tourism. 1991, c. 43, s. 1 (1).

Common pause day principle

(2) The council in passing a by-law under subsection (1) shall take into account the principle that holidays should be maintained as common pause days. 1991, c. 43, s. 1 (1).

Tourism criteria

(3) A by-law may be passed under subsection (1) only if there is compliance with the tourism criteria set out in the regulations made under this section. 1991, c. 43, s. 1 (1).

Application for by-law

(4) Subject to the regulations made under this section, the council shall consider a by-law under subsection (1) only on the application of one or more persons carrying on retail business in the municipality or on the application of an association, whether or not incorporated, representing persons carrying on retail business in the municipality. 1991, c. 43, s. 1 (1).

Local municipality

(5) In a regional municipality, the council of a local municipality may also apply for a by-law under subsection (1). 2002, c. 17, Sched. F, Table.

Public meeting

(6) Before passing a by-law under subsection (1), the council,

(a) shall hold a public meeting in respect of the proposed by-law;

(b) shall publish notice of the public meeting in a newspaper having general circulation in the municipality at least thirty days before the meeting is to be held; and

Note: On a day to be named by proclamation of the Lieutenant Governor, clause (b) is repealed by the Statutes of Ontario, 2006, chapter 32, Schedule D, subsection 15 (2) and the following substituted:

(b) shall publish notice of the public meeting in a manner determined by the council;

See: 2006, c. 32, Sched. D, ss. 15 (2), 18 (2).

(c) shall permit any person who attends the public meeting the opportunity to make representations in respect of the proposed by-law. 1991, c. 43, s. 1 (1).

Council not obligated

(7) The council is not required to pass the by-law even if the tourism criteria are met. 1991, c. 43, s. 1 (1).

Commencement of by-law

(8) Subject to section 4.3, a by-law under this section comes into force on the thirty-first day after it is passed by the council. 1991, c. 43, s. 1 (1).

Procedures

(9) Subject to the regulations made under this section, the council may,

(a) establish procedures and fees for the processing of applications;

(b) combine two or more applications;

(c) hold one public meeting with respect to two or more applications;

(d) limit the number of applications that will be considered in any year. 1991, c. 43, s. 1 (1).

Regulations

(10) The Lieutenant Governor in Council may make regulations,

(a) prescribing tourism criteria for the purposes of this section;

(b) governing the procedures and fees for processing applications, the combining of applications and public meetings and limitations on the number of public meetings held by a council;

(c) setting out the contents of the application;

(d) requiring that a by-law that applies to a retail business establishment within such class of retail business establishments as may be set out in the regulation may be considered only on the application of the person carrying on the business. 1991, c. 43, s. 1 (1).

Idem

(11) A regulation under clause (10) (a) or (d) may classify retail business establishments and may prescribe different tourism criteria for the different classes of retail business establishments. 1991, c. 43, s. 1 (1).

Unorganized territory

4.1 The Lieutenant Governor in Council may by regulation permit retail business establishments in territory without municipal organization to be open on holidays. 1991, c. 43, s. 1 (1).

Contents of by-laws and regulations

4.2 A by-law under section 4 or a regulation under section 4.1,

- (a) may apply to one or more retail business establishments or to one or more classes of retail business establishments;
- (b) may apply to all or any part or parts of the municipality in case of a by-law or to all or any part of a territory without municipal organization in the case of a regulation;
- (c) may limit the opening of retail business establishments on holidays to specific times or to a certain number of hours;
- (d) may permit the opening of retail business establishments on some holidays and not on others;
- (e) may restrict the opening of retail business establishments on holidays to specific periods of the year;
- (f) may classify retail business establishments. 1991, c. 43, s. 1 (1).

Appeal to O.M.B.

4.3 (1) Any person who objects to a by-law made by the council of a municipality under section 4 may appeal to the Ontario Municipal Board by filing a notice of appeal with the Board setting out the objection to the by-law and the reasons in support of the objection. 1991, c. 43, s. 1 (1).

Time for appeal

(2) The notice of appeal must be filed with the Board not later than thirty days after the day the by-law is passed by the council. 1991, c. 43, s. 1 (1).

Dismissal without hearing

(3) The Board may, if it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing, but before doing so shall notify the appellant and afford the appellant an opportunity to make representations as to the merits of the appeal. 1991, c. 43, s. 1 (1).

Powers of O.M.B.

(4) The Board may,

- (a) dismiss the appeal;
- (b) dismiss the appeal on the condition that the council amend the by-law in a manner specified by the Board; or
- (c) quash the by-law. 1991, c. 43, s. 1 (1).

Commencement of by-law

(5) If one or more appeals are taken under this section, the by-law shall not come into force until,

- (a) the day all appeals have been dismissed under subsection (3) or clause (4) (a); or
- (b) the day the by-law is amended in the manner specified by the Board under clause (4) (b). 1991, c. 43, s. 1 (1).

Correction of errors

(6) The Board may, without a hearing, correct an error in an order or decision under this section if the error arises from an accidental slip or omission. 1991, c. 43, s. 1 (1).

Ontario Municipal Board Act, s. 43

(7) Section 43 of the *Ontario Municipal Board Act* does not apply to an appeal under this section. 1991, c. 43, s. 1 (1); 2009, c. 33, Sched. 2, s. 66.

Time for decision

(8) The Board shall use its best efforts to decide appeals under this section within the period of time prescribed under subsection (9). 1991, c. 43, s. 1 (1).

Regulations

(9) The Lieutenant Governor in Council may make regulations prescribing a period of time for the purpose of subsection (8). 1991, c. 43, s. 1 (1).

4.4 REPEALED: 1993, c. 14, s. 2.

Sunday exception

5. (1) Despite any other provision of this or any other Act or the by-laws or regulations under this or any other Act, a retail business may be carried on in a retail business establishment on a Sunday if the retail business establishment is always closed to the public throughout another day of the week by reason of the religion of the owner of the retail business.

Definition

(2) For the purpose of subsection (1),

“religion of the owner” means,

- (a) in the case of a sole proprietorship, the religion of the sole proprietor,
- (b) in the case of a partnership, the religion named in a written agreement between the partners which is the religion of one of the partners,
- (c) in the case of a corporation, the religion named in the by-laws of the corporation.

Affiliated corporation

(3) The exception set out in subsection (1) does not apply to a corporation that is the affiliate of another corporation unless all the retail business establishments in Ontario of the corporation and its affiliates close on the same day.

Deemed affiliation

(4) For the purposes of this section,

- (a) a corporation shall be deemed to be affiliated with another corporation if one of them is the subsidiary of the other or both are subsidiaries of the same corporation or each of them is controlled by the same person; and
- (b) the affiliates of every corporation shall be deemed to be affiliated with all other corporations with which the corporation is affiliated.

Deemed control

(5) For the purposes of this section, a corporation shall be deemed to be controlled by a person if,

- (a) securities of the corporation to which are attached more than 50 per cent of the votes that may be cast to elect directors of the corporation are held other than by way of security only by or for the benefit of that person; and
- (b) the votes attached to those securities are sufficient, if exercised, to elect a majority of the directors of the corporation.

Deemed subsidiaries

(6) For the purposes of this section, a corporation shall be deemed to be a subsidiary of another corporation if,

- (a) it is controlled by,
 - (i) that other,
 - (ii) that other and one or more corporations each of which is controlled by that other, or
 - (iii) two or more corporations each of which is controlled by that other; or
- (b) it is a subsidiary within the meaning of clause (a) of a corporation that is that other’s subsidiary. R.S.O. 1990, c. R.30, s. 5.

Commercial tenants

6. A provision in a lease or other agreement that has the effect of requiring a retail business establishment to remain open on a holiday or on a Sunday or on December 26 is of no effect even if the lease or agreement was made before section 2 of the *Boxing Day Shopping Act, 1996* comes into force. 1996, c. 34, s. 2.

Invalidity of certain municipal by-laws

7. (1) Subject to subsection (2), a by-law of a municipality passed under any other Act is invalid to the extent that it requires the closing of a retail business establishment on a holiday. R.S.O. 1990, c. R.30, s. 7 (1).

Transitional

(2) The following transitional rules apply to the by-laws of municipalities that were in force under this or any other Act at the end of the 30th day of November, 1991 and that relate to the opening or closing of a retail business establishment on holidays:

- 1. By-laws in force on the 3rd day of June, 1991 continue in force until the 1st day of December, 1992 or until the by-law is repealed, whichever is first.

2. By-laws that come into force on or after the 4th day of June, 1991 are repealed on the 1st day of December, 1991. 1991, c. 43, s. 1 (3).

Interpretation

(3) The definition of “municipality” in subsection 1 (1) does not apply for the purposes of this section. 2006, c. 11, Sched. B, s. 12 (3).

Penalty

8. (1) Every person who contravenes section 2 or a regulation under section 4 is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Idem, municipal laws

(2) A by-law under subsection 4 (1) requiring a retail business establishment to be closed on a holiday shall provide that any person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Idem, coercion or counselling

(3) Every person who coerces, requires or counsels another person to contravene section 2, a regulation under section 4 or a by-law under subsection 4 (1) is guilty of an offence and on conviction is liable to a fine of not more than the greater of,

- (a) \$50,000; or
- (b) the gross sales in the retail business establishment on the holiday in respect of which the offence under this subsection occurred. R.S.O. 1990, c. R.30, s. 8 (1-3).

Minimum penalty

(3.1) The minimum fine for an offence under this Act, other than for a contravention of subsection 2 (2), is \$500 for a first offence, \$2,000 for a second offence and \$5,000 for a third or subsequent offence. 1991, c. 43, s. 1 (4).

Gross sales to be considered in determining fines

(4) In determining the amount of the fine, the court shall take into consideration any evidence respecting the gross sales in the retail business establishment on the holiday on which the contravention occurred.

Advertisements admissible as evidence

(5) A sign or advertisement giving the hours of a retail business establishment is admissible as evidence that the retail business establishment was open during those hours.

Determination of total area of a retail business establishment

(6) For the purpose of enforcing this Act or a by-law or regulation under this Act, the total area of a retail business establishment used for serving the public or for selling or displaying to the public on a holiday shall be deemed to be the greater of,

- (a) the total area actually used on a holiday for serving the public or for selling or displaying to the public; and
- (b) the total area normally used for serving the public or for selling or displaying to the public on days other than a holiday. R.S.O. 1990, c. R.30, s. 8 (4-6).

Court orders

9. (1) Upon the application of counsel for the Attorney General or of a municipality to the Superior Court of Justice, the court may order that a retail business establishment close on a holiday to ensure compliance with this Act or a by-law or regulation under this Act. R.S.O. 1990, c. R.30, s. 9 (1); 2001, c. 9, Sched. D, s. 14.

Idem

(1.1) In addition to its powers under subsection (1), the Superior Court of Justice, on the application of any interested person, may order that a retail business establishment close on a holiday to ensure compliance with this Act or a by-law or regulation under this Act. 1991, c. 43, s. 1 (5); 2001, c. 9, Sched. D, s. 14.

Idem

(2) An order under subsection (1) or (1.1) is in addition to any penalty that may be imposed and may be made whether or not a proceeding is commenced under the *Provincial Offences Act* for a contravention of section 2 or of a by-law or regulation under this Act. 1991, c. 43, s. 1 (6).

[Français](#)

[Back to top](#)

Retail Business Holidays Act

ONTARIO REGULATION 711/91

TOURISM CRITERIA

Consolidation Period: From November 5, 2015 to the [e-Laws currency date](#).

Last amendment: O. Reg. 321/15.

This is the English version of a bilingual regulation.

1. This Regulation sets out the tourism criteria that must be met before a municipality may pass an exempting by-law under subsection 4 (1) of the Act. O. Reg. 711/91, s. 1.

2. (1) A retail business establishment may be exempted if,

(a) it is located within two kilometres of a tourist attraction; and

(b) it is directly associated with the tourist attraction or relies on tourists visiting the attraction for business on a holiday. O. Reg. 711/91, s. 2 (1).

(2) An exemption granted on an area basis may only be given if,

(a) all of the retail business establishments in the area are within two kilometres of the tourist attraction;

(b) the area does not exceed that necessary to encompass all of the retail business establishments for which an exemption is sought; and

(c) at least 25 per cent of the retail business establishments in the area are directly associated with the tourist attraction or rely on tourists visiting the attraction for business on a holiday. O. Reg. 711/91, s. 2 (2).

(3) For the purposes of this section, a tourist attraction is limited to,

(a) natural attractions or outdoor recreational attractions;

(b) historical attractions; and

(c) cultural, multi-cultural or educational attractions. O. Reg. 711/91, s. 2 (3).

3. Each retail business establishment that on days other than holidays normally uses a total area of 2,400 square feet or more for serving the public or normally has four or more employees serving the public must, in addition to meeting the tourism criteria set out in subsection 2 (1), provide goods or services on holidays primarily to tourists. O. Reg. 711/91, s. 3.

4. The two kilometre restriction set out in subsections 2 (1) and (2) does not apply to a retail business establishment located in a local municipality, including a local municipality located in a district or regional municipality or the County of Oxford, having a population of less than 50,000. O. Reg. 711/91, s. 4.

5. (1) Despite any other provision of this Regulation, retail business establishments in a municipality may be exempted for up to five holidays a year during which a fair, festival or other special event is being held in that municipality. O. Reg. 711/91, s. 5 (1).

(2) Subsection (1) does not apply to parades. O. Reg. 711/91, s. 5 (2).

6. (1) An application for an exemption under subsection 4 (3) of the Act shall contain the following:

1. A description of the area or the retail business establishment for which the exemption is sought.

2. The justification, in relation to the seasonal nature, if any, of the tourist attraction, for the time period sought in the exemption.

3. Information establishing that the tourism criteria set out in this Regulation are met. O. Reg. 711/91, s. 6 (1).

(2) An application in respect of a retail business establishment described in section 3 shall be made only by that retail business establishment. O. Reg. 711/91, s. 6 (2).

RETAIL BUSINESS HOLIDAYS ACT EXEMPTIONS

Retail Business Holidays Act provides for the following "holidays": New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day and any other day proclaimed by the Lieutenant Governor.

Table showing Schedule A of Bylaw LI-8-95-76 being a Bylaw to permit retail business establishments to be open on holidays. Includes subsequent amendments.

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|----------------------|---------------------|--|--|--|-------------------------|
| | | Aurora | NONE | NONE | | |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | East Gwillimbury | Brice's Sports Centre Limited | 20287 Woodbine Avenue, Queensville | All, except Christmas Day | 11:00 a.m. to 5:00 p.m. |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | East Gwillimbury | 677957 Ontario Inc. c.o.b. as Vince's Country Market | 19101 Leslie Street, Sharon | All, except Christmas Day and New Year's Day | 9:00 a.m. to 7:00 p.m. |
| LI-8(c)-1999-133 (substitution) | Mar. 25, 1999 | East Gwillimbury | Old McDonald's Furniture and Appliances (SUBSTITUTION) | 19937 Woodbine Avenue, Queensville | All, except Christmas Day and New Year's Day | 9:00 a.m. to 6:00 p.m. |
| LI-0008(h)-2004-013 | Feb. 19, 2004 | East Gwillimbury | Queensville Antique Mall | 20091 Woodbine Avenue, Queensville | All, except Christmas Day and New Year's Day | 10:00 a.m. to 6:00 p.m. |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | Georgina | All | Within the geographic boundaries of the Town of Georgina | All, except Christmas Day and New Year's Day | 9:00 a.m. to 6:00 p.m. |

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|----------------------|--------------|--|---|---|-----------------------------------|
| | | King | NONE | NONE | | |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | Markham | All | OLD TOWN OF MARKHAM CORE: An area of the Old Town of Markham generally bounded: on the south by the King's Highway No. 7; on the east by Washington Street and George Street to approximately 143 Main Street on the east side and 158 Main Street on the west side; and on the west by Water Street, Robinson Street and the Rouge River | All, except Christmas Day | 9:00 a.m. to 6:00 p.m. |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | Markham | All | UNIONVILLE CORE: in the former Police Village of Unionville in the Town of Markham on Main Street, Unionville from the CNR tracks to the bridge crossing the Rouge River tributary | All, except Christmas Day | 9:00 a.m. to 6:00 p.m. |
| LI-0008(d)-2000-064 (addition to LI-8-95-76) | Aug. 31, 2000 | Markham | Pacific Mall Heritage Town | 4300 Steeles Avenue East, south half of the 2 nd floor from Units A1-201, W2, W1, A1-222M to Units V2, F-7, F-8 and V-1, inclusive, Town of Markham | All | 11:00 a.m. to 11:00 p.m. |
| LI-0008(e)-2000-107 (addition to LI-8-95-76) | Oct. 26, 2000 | Markham | Market Village Markham Inc. | 4350 Steeles Avenue East, Town of Markham | All | 8:00 a.m. to 12:00 midnight |
| LI-0008(f)-2001-003 (addition to LI-8-95-76) | Jan. 18, 2001 | Markham | York Region Condominium Corporation 890, c.o.b. Pacific Mall | 4300 Steeles Avenue East, Town of Markham | All | 8:00 a.m. to 12:00 midnight |
| 2012-34 (addition to LI-8-95-76) | May 17, 2012 | Markham | Kennedy and Denison Centre | 1661 Denison St., Town of Markham | All, except Christmas Day and Easter Sunday | 8:00 a.m. to 12:00 midnight |
| 2013-27 (addition to LI-8-95-76) | Apr. 18, 2013 | Markham | 2197088 Ontario Inc., operating as Foody Mart | 5221 Highway 7 East, Markham | All, except Christmas Day and Easter Sunday | 9:00 a.m. to 12:00 midnight |

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|----------------------|--------------|---|------------------------------|---|-------------------------------|
| 2013-28 (addition to LI-8-95-76) | Apr. 18, 2013 | Markham | T & T Supermarkets Inc. | 8339 Kennedy Road, Markham | All, except Christmas Day and Easter Sunday | 9:00 a.m. to 10:00 p.m. |
| 2013-28 (addition to LI-8-95-76) | Apr. 18, 2013 | Markham | T & T Supermarkets Inc. | 7070 Warden Avenue, Markham | All, except Christmas Day and Easter Sunday | 8:00 a.m. to 10:00 p.m. |
| 2013-66 (addition to LI-8-95-76) | Sep. 26, 2013 | Markham | Guan Ye Limited operating as First Choice Supermarket | 7866 Kennedy Road, Markham | New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day | 9:00 a.m. to 9:00 p.m. |
| 2013-67 (addition to LI-8-95-76) | Sep. 26, 2013 | Markham | 2308321 Ontario Inc. operating as Sunny Foodmart | 7700 Markham Road, Markham | New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day | 9:00 a.m. to 10:00 p.m. |
| 2014-26 (addition to LI-8-95-76) | Apr. 17, 2014 | Markham | Markville Shopping Centre | 5000 Highway 7 East, Markham | New Year's Day Family Day Good Friday Victoria Day Canada Day Labour Day Thanksgiving Day | 11:00 a.m. to 6:00 p.m. |

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|---------------|---------------|---|---|---|-------------------------------|
| 2015-44 | Sep. 24, 2015 | Markham | 2394742 Ontario Inc., operating as Seasons Foodmart | 7181 Yonge Street, Unit 336, Markham | New Year's Day Family Day Good Friday Victoria Day Canada Day Labour Day Thanksgiving Day | 9:00 a.m. to 11:00 p.m. |
| LI-8(b)-96-1 (addition to LI-8-95-76) | Jan. 11, 1996 | Newmarket | All | NEWMARKET DOWNTOWN, within the following boundaries: North: south limit of Davis Drive; East: east limit of Prospect St. and Bayview Ave; South: south limit of College St. and Cane Parkway; West: west limit of William St., Church St. and Niagara St. | All, except Christmas Day, New Year's Day and Good Friday | 8:00 a.m. to 10:00 p.m. |
| 2013-64 (addition to LI-8-95-76) | Sep. 26, 2013 | Newmarket | Upper Canada Mall | 17600 Yonge Street, Newmarket | New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day | 11:00 a.m. to 6:00 p.m. |
| 2011-20 (addition to LI-8-95-76) | May 19, 2011 | Richmond Hill | Oak Ridges Food Market | 13144 Yonge Street, Town of Richmond Hill | Good Friday, Victoria Day, Canada Day, Labour Day | 8:30 a. m. to 6:00 p.m. |

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|--|---------------|---------------------------|--|---|-------------------------------|
| 2013-65 (addition to LI-8-95-76) | Sep. 26, 2013 | Richmond Hill | Hillcrest Mall | 9350 Yonge Street, Town of Richmond Hill | New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day | 11:00 a.m. to 6:00 p.m. |
| LI-8(a)-95-128 (additions to LI-8-95-76) | Nov. 23, 1995 | Vaughan | All | KLEINBURG CORE, within the following boundaries: East side of Islington Ave. from 10365 Islington Ave. to 10565 Islington Ave.; West side of Islington Ave. from 10406 Islington Ave. to 10576 Islington Ave.; South and North sides of Nashville Road from Islington Ave. to Highway 27 | All, except Christmas Day | 8:00 a.m. to 10:00 p.m. |
| LI-0008(i)-2004-086 2008-64 2009-57 2010-17 | Nov. 18, 2004 Oct. 23, 2008 Dec. 16, 2009 Mar. 25, 2010 | Vaughan | Vaughan Mills Mall Campus | VAUGHAN MILLS MALL CAMPUS, including Vaughan Mills Mall and the Outparcels located within the following boundaries: Rutherford Road to the north, Jane Street to the east, Bass Pro Mills Drive to the south and Highway 400 to the west and more particularly shown on the attached Appendix "A" | All, except Christmas Day Good Friday and Easter Sunday | 8 a.m. to 10 p.m. |

| By-law | Date Enacted | Municipality | Businesses | Location | Holidays | Hours |
|--|-----------------------|------------------------|----------------------------|---|---|-------------------------------|
| 2014-27 (addition to LI-8-95-76) | Apr. 17, 2014 | Vaughan | Promenade Shopping Centre | 1 Promenade Circle, Vaughan | New Year's Day Family Day Good Friday Victoria Day Canada Day Labour Day Thanksgiving Day | 11:00 a.m. to 6:00 p.m. |
| 2014-55 | Sep. 11, 2014 | Vaughan | All | Thornhill Area, Vaughan. All retail businesses within the following boundaries: North: south side of Highway 7 East: west side of Yonge Street South: north side of Steeles Avenue West: east side of Dufferin Street | Good Friday Easter Sunday | 8:00 a.m. to 10:00 p.m. |
| LI-8-95-76 | May 30, 1995 | Whitchurch-Stouffville | All | Within the geographic boundaries of the Town of Whitchurch-Stouffville | July 1 in each year | 8:00 a.m. to 10:00 p.m. |
| 2014-28 (addition to LI-8-95-76) | April 17, 2014 | Whitchurch-Stouffville | All wineries and vineyards | Within the geographic boundaries of the Town of Whitchurch-Stouffville | Family Day Victoria Day Labour Day Thanksgiving Day | 8:00 a.m. to 10:00 p.m. |

DK/ Last updated October 23, 2015

The Church Office, York Pines United,
3150 the Lloydtown / Aurora Road, Kettleby, L7B 0G3
April 7, 2016



Ms. Carrie Martin, Committee Coordinator,
Office of the Regional Clerk, York Region,
Newmarket, Ontario

Dear Ms. Martin,

My purpose in writing is to indicate that I wish to attend and address the Committee of the Whole of the Regional Municipality of York on the subject of the application of King Township to permit retail shopping on all statutory holidays. I understand that the public meeting will be held on Thursday, April 14 beginning at 9:00 a.m. Would you please confirm that you have received this email and that my representation will be allowed?

Sincerely,

Ross Carson, ministry personnel
York Pines United Church