



**STAFF REPORT  
ACTION REQUIRED**

**Regulation of Holiday Shopping Upon Proclamation of  
the *City of Toronto Act, 2006*.**

<b>Date:</b>	November 24, 2006
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	All Wards
<b>Reference Number:</b>	

**SUMMARY**

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This report requests authority for the City Solicitor to introduce a Bill regulating holiday shopping in order to close the regulatory gap that will be created upon proclamation of the *City of Toronto Act, 2006* and Schedule B of the *Stronger City of Toronto for a Stronger Ontario Act, 2006*, which provides that the *Retail Business Holidays Act* will no longer apply to the City of Toronto. The authorization is required at this time as it is unclear whether the *Retail Business Holidays Act* will cease to apply to the City of Toronto effective January 1<sup>st</sup>, the anticipated proclamation date of the *City of Toronto Act, 2006*, or at a later date. The recommended by-law will maintain the status quo pending a consultative review and report back to the Economic Development Committee on a new regulatory framework governing holiday shopping.

**RECOMMENDATIONS**

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1. The City Solicitor be authorized to introduce a bill regulating holiday shopping on the eight days a year currently regulated by the *Retail Business Holidays Act* in substantially the same manner as is currently provided for in the *Retail Business Holidays Act* and maintaining the “tourist area” exemptions that have been previously approved by Council.
2. The General Manager of Economic Development, Culture and Tourism undertake a consultative process seeking input from the general public, retail industry, retail sector employees, small business interests, BIA’s and the tourism industry with

respect to policy options on the regulation of holiday shopping and report back to the Economic Development Committee by December 31, 2007 recommending a new regulatory framework governing holiday shopping.

## **FINANCIAL IMPACT**

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There are no financial implications arising from this report.

## **ISSUE BACKGROUND**

The Stronger *City of Toronto for a Stronger Ontario Act, 2006* received Royal Assent on June 12 2006. It is anticipated that Schedule A, being the *City of Toronto Act, 2006* and Schedule B which provides for the repeal and amendment of certain public acts will be proclaimed on January 1, 2007.

Schedule B of the *Stronger City of Toronto for a Stronger Ontario Act, 2006* provides that the *Retail Business Holidays 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. Accordingly, upon proclamation, all retail business establishments in the City of Toronto will be permitted to remain open on the eight statutory holidays identified in the *Retail Business Holidays Act*, commencing with New Years day 2007. The province has given some indication that the provisions relating to the *Retail Business Holidays Act* may not come into effect until January 2<sup>nd</sup> 2007, however, this has not been confirmed. Accordingly, it is necessary to take action at this time in order to close the regulatory gap that may be created as of New Years Day and to regulate shopping on other statutory holidays.

In order to maintain the status quo pending a consultative process being undertaken by the General Manger Economic Development Culture and Tourism regarding the regulation of holiday shopping, it is recommended that the City Solicitor be authorized to introduce a bill in Council limiting shopping on the eight days a year currently regulated by the *Retail Business Holidays Act*.

## **COMMENTS**

A consultative process is required in order for the City to determine how best to regulate holiday shopping. In order to avoid confusion and in fairness to all retailers it is desirable to maintain the status quo pending completion of this process and the adoption of a new regulatory framework for holiday shopping.

## **CONTACT**

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## **SIGNATURE**

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City Solicitor