

---

**City Council**

---

**NOTICE OF MOTION**

MM35.5	ACTION			Ward: 20
--------	--------	--	--	----------

**Holiday Shopping Provisions at Queens Quay Terminal, 207 Queen's Quay West - Councillor Vaughan, seconded by Councillor Rae**

•*Notice of this Motion has been given.*

•*This Motion is subject to referral to the Economic Development Committee. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Vaughan, seconded by Councillor Rae, recommends:

1. That City Council amend By-law No. 126-94 to delete the restrictions relating to the size and number of employees from the By-law, thereby extending the same holiday shopping provisions to the Sobeys store at this location, as currently exist for all other retailers in the Queen's Quay Terminal, and that the City Solicitor prepare the necessary Bills to give effect to this amendment.

**Summary**

Holiday shopping in the City of Toronto is regulated by Chapter 510 of the Municipal Code. Section 510-5 sets out five different "Tourist Area Exemptions" within which stores are permitted to open on designated holidays. These exemptions are the legacy of a series of by-laws passed between 1994 and 2005. They contain a range of conditions and limitations that were deemed appropriate by Council at the time each by-law was considered.

One anomaly is that the Tourist Area Exemption for Queen's Quay Terminal, located at 207 Queen's Quay West (Former Metropolitan Toronto By-law No. 126-94) permits holiday sales at all retail establishments that, on days other than holidays, normally have neither 2400 square feet or more for serving the public nor 4 or more employees serving the public.

Sobeys opened a store at Queen's Quay Terminal in 2007. The store occupies 10,600 square feet and has more than 4 employees, so it is not included in the Holiday Shopping exemption afforded by the by-law. The Sobeys is the only store at the Queen's Quay Terminal not included in the exemption and did not exist when the by-law was initially passed in 1994.

None of the other tourist area exemption by-laws contain similar small size restrictions. It is consistent with the rationale for a tourist area exemption for the Queen's Quay Terminal to permit the Sobeys to open with all of the other stores at the Terminal on holidays.

(Submitted to City Council on April 29, 2009 as MM35.5)

**Background Information**

Member Motion MM35.5

<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-20637.pdf>