



STAFF REPORT ACTION REQUIRED

Holiday Shopping

Date:	October 4, 2012
To:	Economic Development Committee
From:	General Manager, Economic Development and Culture
Wards:	All
Reference Number:	P:/2012/Cluster A/EDC/ECON DEV/October/1210-034

SUMMARY

Under the City of Toronto, Municipal Code Chapter 510, Holiday Shopping, retail stores are required to be closed on the following nine public holidays: New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, and Christmas Day.

The (Ontario) Retail Business Holidays Act (RBHA), which governs jurisdictions outside the City of Toronto, has similar requirements. Both the City's Municipal Code and Provincial Statute provide numerous exemptions by type and size of store, as well as exemptions for designated areas within a municipality. Some Councils have exempted their entire municipality from the requirements of the RBHA. It should be noted that subject to proclamation, the RBHA is slated to be amended. These amendments will bring the retail shopping provisions applicable to other areas of the province more in line with the provisions currently applicable to the City of Toronto.

Toronto City Council considered the topic of holiday shopping in 2006, 2008, and 2010. In the consultations for all of these reviews, there has been a consensus that the existing regime of regulations, exemptions and exceptions creates an unlevel and often confusing playing field. The purpose of this review is to develop a fair and equitable solution.

Under the guidance of the Economic Development Subcommittee on Holiday Shopping, this review incorporates the most comprehensive consultation of holiday shopping conducted by the City of Toronto to date. A report from the Subcommittee on Holiday Shopping has also been submitted to this meeting of the Economic Development Committee.

Consultations took place through stakeholder meetings, telephone poll, online survey, e-mail submission, and public meetings between November 2011 and July 2012. The consultations provided a forum for a frank and respectful exchange of views among all stakeholders, many with strongly held views. Although there was no consensus among the stakeholders, the consultations were successful in soliciting input and produced a better understanding and appreciation of the range of perspectives on this topic.

Through the consultations, staff heard from all the stakeholders identified by City Council including Business Improvement Areas (BIA's), community groups, members of Council, the Workers Action Centre, legal clinics and others who represent employees.

Staff also conducted an extensive review of holiday shopping regulations in other jurisdictions. This is the first time information on holiday shopping in southern Ontario has been compiled. There are 81 municipalities in southern Ontario that permit holiday shopping. More than 60% of municipalities in southern Ontario with a holiday shopping exemption apply the exemption to the entire city, and at least 90% of retail business establishments are open on following four days: Victoria Day, Canada Day, Labour Day and Thanksgiving Day. The number of municipalities that permit shopping on public holidays is increasing.

This report takes into consideration the views held by all stakeholders on this topic and recommends amendments to the existing by-law in order to establish a more fair and equitable solution. The recommendation would require retailers to remain closed on five of the public holidays: New Year's Day, Family Day, Good Friday, Easter Sunday and Christmas Day, and give retail operators the choice to open on the remaining four holidays: Victoria Day, Canada Day, Labour Day and Thanksgiving Day between the hours of 10:00 AM and 6:00 PM.

RECOMMENDATIONS

The General Manager, Economic Development and Culture recommends that:

1. City Council amend the Municipal Code, Chapter 510, Holiday Shopping to permit all retail business establishments within the City of Toronto to open on Victoria Day, Canada Day, Labour Day and Thanksgiving Day anytime between the hours of 10:00 AM and 6:00 PM;
2. All other provisions of Municipal Code, Chapter 510, Holiday Shopping, remain in force; and
3. The City Solicitor be authorized to introduce the necessary bill in Council to give effect to this recommendation.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On June 12, 2006, the Ontario Provincial Government passed Bill 53, *The Stronger City of Toronto for a Stronger Ontario Act*, 2006. Schedule A, Section 97, 'Closing of Business Establishments', gave the City of Toronto the authority to require retail business establishments to be closed to the public at any time.

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06c11_e.htm

On December 5 and 6, 2006, as a temporary measure, City Council adopted a report recommending that the City continue to regulate retail business hours on holidays in the same manner as the Ontario *Retail Business Holidays Act*, and maintain the “tourist area” exemptions previously approved by Council. The report asked staff to undertake a consultation process to seek input from the public, retail industry, retail sector employees, small business interests, BIAs and the tourism industry, and recommend a new regulatory framework for holiday shopping.

<http://www.toronto.ca/legdocs/2007/cc/bgrd/20061205-cc1.3.pdf>

On December 5 and 6, 2006, Toronto Council adopted By-law 8-2007, Chapter 510, Holiday Shopping. http://www.toronto.ca/legdocs/municode/1184_510.pdf

On March 3, 2008 City Council received a report on the first consultations on holiday shopping that included a telephone poll through Environics Research Group, a questionnaire to tourism businesses through 'The Premier Ranked Tourism Destination Framework Audit', feedback solicited through direct email to 350 different stakeholders, and one public meeting at Toronto City Hall. The report recommended that retail businesses have the option to operate on any day, except Christmas Day, and that pharmacies be permitted to operate on any day. City Council received the report as information and the status quo remained in effect.

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10674.pdf>

On May 11 and 12, 2010, City Council received a second report that recommended all retail businesses have the option to operate on any day. City Council received the report as information and the status quo remained in effect. Council also requested further public consultation on the topic of holiday shopping with all stakeholders, including Business Improvement Areas, community groups, Members of Council, the Workers Action Centre, legal clinics and others who represent employees.,

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.ED29.4>

On September 14, 2011, the Economic Development Committee established a subcommittee to work with the General Manager, Economic Development and Culture, to develop and undertake consultations on holiday shopping.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.ED7.8>

On April 23, 2012, the Holiday Shopping Subcommittee endorsed the holiday shopping consultations held to date, and approved the June public meetings schedule.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EH1.2>

On May 17, 2012, the Holiday Shopping Subcommittee, and City Council members, received a presentation by the Acting Director, Strategic Growth and Sector Development on the Holiday Shopping Consultations 2011-2012.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EH2.1>

ISSUE BACKGROUND

Prior to 2006, the Ontario *Retail Business Holidays Act*, R.S.O. 1990, c.R.30, regulated holiday shopping in Toronto (as well as the rest of Ontario).

Following the enactment of the *City of Toronto Act* in 2006, the Government of Ontario gave the City of Toronto the authority to require retail business establishments to be closed to the public at any time, including holidays. At the same time, the Ontario Retail Business Holidays Act was amended to provide that it did not apply to the City of Toronto, or in respect of any by-law of the City, or any retail business establishment located in the city. This amendment would have allowed retailers in Toronto to operate on any day.

As a temporary measure, City Council passed *Holiday Shopping By-law 8-2007* on December 6, 2006. The by-law incorporated as Municipal Code, Chapter 510, which essentially maintained the status quo by adopting the Ontario *Retail Business Holidays Act* requirements and permitting existing exemptions to continue. Subject to certain exceptions, Chapter 510 requires retailers to close on the following nine days: New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, and Christmas Day.

Chapter 510 currently permits some retail businesses to open on the above noted holidays based on the type of store, the size of the store, the number of employees, or some combination thereof. For example, retail businesses with less than 2,400 square feet and no more than three persons serving the public, that sell tobacco, foodstuffs or fresh fruit, magazines, books, antiques or art may open. Laundromats, nurseries, gas stations and businesses that repair boats or vehicles may also open. Businesses licensed under the *Liquor Licence Act* or the *Tourism Act* may also open, as well pharmacies less than 7,500 square feet and accredited under the *Drug and Pharmacies Regulation Act*.

Prior to the City of Toronto Act coming into effect, five retail business areas within the City of Toronto were granted exemptions from the Ontario Retail Business Holiday Act and permitted to open on certain public holidays. These exemptions were grandfathered into Municipal Code, Chapter 510 in 2006.

City of Toronto Municipal Licensing & Standards (MLS) enforces Chapter 510. MLS staff generally conduct enforcement of the holiday shopping on a complaint basis. By-law officers work on all statutory holidays except Christmas Day.

From May 1, 2010 to the time of writing this report, MLS staff have served 50 summons resulting in \$46,850 in fines and 26 convictions. Some of those charges are still before the courts. There is no set fine. Penalties for the charges laid range between \$100 and \$10,000.

Consultation Process:

Toronto City Council considered the topic of holiday shopping in 2006, 2008, and 2010. In 2010, City Council asked staff to conduct further consultations with stakeholder groups. The stakeholders identified by Council were Business Improvement Areas, community groups, Members of Council, the Workers Action Centre, legal clinics and others who represent employees.

A subcommittee of the Economic Development Committee guided the consultations. The chair of the Subcommittee is Councillor Mary Fragedakis, and members include Councillors Josh Colle and Sara Doucette.

EDC staff also consulted with the following divisions and sections about the appropriate procedure for public meetings on this topic: City Manager's Office (Strategic and Corporate Policy and Equity, Diversity & Human Rights) Municipal Licensing & Standards, City Legal, Information & Technology, and City Clerks.

Between November 2011 and July 2012, consultations were held to clarify concerns and seek feedback on the development of a fair and equitable long-term holiday shopping policy. The consultations included stakeholder meetings, public meetings, a telephone poll and an online survey.

The City of Toronto received 7,846 responses to the online survey, polled 500 people by telephone, and more than 220 people attended 10 stakeholder meetings and 5 public meetings that took place across the city. The City of Toronto received 9 letters, 1 petition signed by over 100 people, and 50 emails from business, labour, organizations and residents.

The consultation process and results are summarized below.

Stakeholder Meetings

Between November 7, 2011 and March 29 2012, the City held 10 stakeholder meetings with representatives from Business Improvement Areas (BIAs), Retail Council of Canada, large retailers, shopping centres, unions and organized labour groups, and faith organizations. These meetings were held across the city to offer the greatest access for stakeholders to participate. In total 56 people attended these meetings.

The following offers a general summary of the discussion at these sessions.

Business Improvement Area representatives were in favour of giving retailers the choice to open on holidays. They felt that the current by-law is unfair. They also felt that employees have adequate protection under the current Provincial labour laws, and that the current by-law does not recognize the diversity of religious beliefs across the city.

Large retailers were also supportive of permitting stores to open, with one notable exception. Most retailers felt that many of their employees would like the opportunity to work additional hours. One large retailer said that they would prefer to stay closed, and felt that the competitive pressure to maintain their market share would force them to open.

Representatives of faith-based organizations from a number of different faiths said that they believed that the current religious holidays should remain a day of rest. Some also said that most immigrants would like to see their holidays reflected in general society, and that the number of public holidays should be increased.

Shopping centre representatives were in favour of giving retailers the choice to open on holidays. Similar to the BIAs, they felt that the current by-law that allows some areas to open on holidays is unfair, and the system of exemption by size or type of retail establishment is confusing. They noted that retail stores and shopping centers in other jurisdictions such as British Columbia, Alberta, and the United States are allowed to open on holidays. They pointed out that over the years society has accepted Sunday shopping, and that shopping on holidays was common but not uniformly applied.

Labour representatives were strongly opposed to any changes that would allow retailers to open on holidays. They said that Provincial labour laws do not adequately protect workers and that employers would expect employees to work on holidays. They expressed a concern that holidays would become part of the regular workweek and that business owners will eliminate premium pay for working on holidays.

Public Meetings

Through a competitive process, the City of Toronto hired an independent consultant, Swerhun Facilitation & Decision Support, to lead the public meetings and report on the results. From June 18 to June 25, 2012, five public meetings took place across the city to exchange a full spectrum of views on this topic. Consultations took place in the evenings at facilities that were fully accessible. Staff from Economic Development and Culture, and Municipal Licensing Enforcement attended all of the public meetings. A full copy of the report is available at http://www.toronto.ca/business_resources/pdf/summary_report_holiday_shopping.pdf

Information promoting the public meetings in June included a dedicated City web page, news releases, and advertisements in 16 newspapers including six translated

advertisements in the following languages: Korean, Italian, Punjabi, French, Mandarin and Cantonese. Promotion also included flyers in 156 community centres and 96 libraries, email invitations to over 300 people who contacted the City about this topic, email invitations to Members of Council and the Mayor's Office, and 5,730 invitations mailed to retail businesses. Media coverage of the June consultations included: City TV, Global TV, CP24, OMNI News Mandarin Feature, 680 News, CBC Radio Here & Now, Toronto Sun and Toronto Star.

In total, 170 people attended these meetings. The City also received additional comments by tweet, telephone, letters, and email. Examples of groups that attended the public consultation included union and labour groups, retail employees, Workers Action Centre, Legal clinics, Retail Council of Canada, residents, and retailers.

The public consultation provided feedback into three different elements of holiday shopping. The first part focused on the different perspectives or 'lenses' the City should consider when making a decision on this topic. The results of the public consultation found fourteen lenses the City should consider when making a decision on this topic. Participants at the consultations could not prioritize the lenses. Lenses are listed in alphabetical order below.

Table 1: Lenses the City Should Consider

1. Business and Jobs	6. Fairness as a Guiding Principle	11. Other Religious Holidays
2. Consumer Preference	7. Family Time	12. Provincial Jurisdiction Regarding Labour Topics
3. Employee's Rights	8. Health Impacts on Consumers and Workers	13. Regulation of the Retail Sector
4. Enforcement	9. Human Rights	14. Work Life Balance and Civic Culture
5. Environmental Impacts	10. Municipal Infrastructure and Policy	

Participants at the consultation expressed concern that on holidays, municipal services such as public transit and childcare operate on reduced hours, or close, which would make it difficult for retail workers to travel to and from work, and find care for their children while they are at work.

Another concern raised is that consumers cannot access prescription medication or health records because many pharmacies are required to close on holidays.

The second part of the consultation focused on a discussion of three different policy options.

Repeal the by-law:

This option would give the most flexibility for retailers and the most choice to consumers. It would give retailers the option to open on any holiday. Retail workers at the public meetings expressed concern that retail owners would expect them to work on holidays. There is also a concern that holidays would become like any other workday and retail workers would lose the wage premium for work on holidays. Finally, there was a concern that current city services such as public transit and childcare would not be available for retail workers on holidays.

Maintain the by-law:

This option would maintain the status quo. However, it does not address the chronic concerns that the current by-law is confusing and unfair. The current by-law does not provide any process for new exemptions or otherwise address these concerns.

Amend the by-law:

This option would address the concerns about the unfairness and confusion created by the current by-law.

Suggestions to amend the by-law included changing the exemption criteria, developing an application for exemption, changing the days, using a pilot program, and developing better enforcement. Other advice from the consultations included more study on neighbouring jurisdictions and conducting an economic impact analysis, before making a decision.

The consultations were successful in soliciting input from stakeholders and produced a better understanding and appreciation of the range of perspectives on this topic. The discussions also helped increase awareness of shopping regulations in Toronto, and provided a forum for a frank and respectful exchange of views among all stakeholders, many with strongly held views. Although there was no consensus, there was general agreement that the current regulatory regime was not equitable and confusing.

Telephone Poll

Environics Research Group Limited conducted a telephone survey between October 27, 2011 and November 12, 2011. They surveyed 500 households across Toronto.

The results of the telephone survey found that 45% of respondents agreed that retail stores should remain closed on major holidays, 38% of the respondents agreed that retail stores should have the choice to open on any holiday, and 15% of the respondents agreed that stores should have the choice to open on specific holidays such as Victoria Day or Canada Day. (2% of the responses were non-applicable.)

Online Survey

The City of Toronto conducted an online survey between November 17, 2011 and July 9, 2012. The survey received 7,846 responses during this eight-month period. Almost two thirds (63%) of respondents identified themselves as Toronto residents, 10% identified

themselves as 'Other', and 6% identified themselves as a retail business employee (non-unionized store).

Table 2: Online Survey Respondents

Answer	Question: Please tell us about yourself. Are you a representative of any of the following groups or organizations?
1%	Business Improvement Area (BIA) Member
1%	Community/service organization
2%	Faith-based/religious organization
2%	Labour union
1%	Retail business owner or manager (unionized store)
3%	Retail business owner or manager (non-unionized store)
3%	Retail business employee (unionized store)
6%	Retail business employee (non-unionized store)
63%	Toronto resident
10%	Other
8%	No response

The results of the online survey found that 67% of respondents are in favour of maintaining the current requirements requiring stores to close on holidays, 25% of respondents are in favour of changing the by-law so that retail stores have the choice to open on all holidays, and 8% of respondents are in favour of changing the by-law so that retail stores have the choice to open on some holidays.

According to the online survey respondents said that retailers should not be allowed to open on the following holidays: Christmas Day (75%), New Year's Day (68%), Canada Day (68%), Thanksgiving Day (68%), Easter Sunday (68%), Good Friday (67%) and Labour Day (64%), Family Day (58%) and Victoria Day (58%).

Provincial and Territorial Review

In Canada, provincial and territorial governments regulate holiday shopping. From May to August 2012, City of Toronto staff conducted a review of holiday shopping Acts or days of rest Acts in all Canadian provinces and territories. City staff also conducted a detailed review of 269 municipalities in southern Ontario by email and telephone.

Information comparing holiday shopping regulations at the municipal level in southern Ontario did not previously exist. No other agency, government or business collects this information.

Regulation of holiday shopping in Canada is different in the east and west of the country. West from Saskatchewan, there is no restriction on retail business hours on holidays. Retail businesses are permitted to open on any day at the discretion of the owner or manager. This includes Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut.

In Central and Eastern Canada, retail businesses are required to close on holidays. This includes Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador. All of these provinces have exemptions based on the type of business, the number of employees, or the size of the business. Quebec permits area exemptions for tourism reasons. The Quebec government determines and approves area exemptions. In New Brunswick, municipalities are able to pass a by-law under the New Brunswick Municipalities Act to set retail business hours on holidays.

Southern Ontario Review

The Ontario *Retail Business Holidays Act* (RBHA) currently provides that Ontario municipalities may pass a by-law permitting all or some retail businesses to open on holidays for the maintenance or development of tourism. Such by-laws are subject to appeal to the Ontario Municipal Board.

It should be noted that subject to proclamation, the RBHA is slated to be amended to provide that it 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 the municipality passes a by-law providing that the Act does not apply, and if the municipality passes a further by-law requiring that one or more classes of retail business establishments be closed on a holiday. These amendments will bring the retail shopping provisions applicable to other areas of the province more in line with the provisions currently applicable to the City of Toronto.

Between May and August 2012, City staff contacted 269 municipalities in southern Ontario by telephone and email. This does not include Toronto. At the time of writing this report, 217 municipalities replied in total.

In southern Ontario, 81 municipalities have passed a by-law that permits holiday shopping. More than 60% of municipalities with a holiday shopping exemption in southern Ontario permit holiday shopping in the entire city. The remaining municipalities permit holiday shopping in designated areas of their city. Therefore, it is more common for a municipality in southern Ontario to permit all retail businesses to open on holidays, than to permit holiday shopping in designated areas.

Another finding of this research is that more than 90% of the 81 municipalities in southern Ontario that permit holiday shopping, are open on the following four days: Victoria Day, Canada Day, Labour Day, and Thanksgiving Day.

Table 3: Holidays Most Frequently Open for Retail Business in southern Ontario

Percent Open	Holidays
100%	Canada Day
99%	Victoria Day
99%	Labour Day
90%	Thanksgiving Day
74%	Family Day
57%	New Year's Day
53%	Good Friday
44%	Easter Sunday
33%	Christmas Day

All 81 municipalities that passed a holiday shopping by-law permit shopping on Canada Day (100%), 80 municipalities permit holiday shopping on Victoria Day and Labour Day (99%), and 73 municipalities permit holiday shopping on Thanksgiving Day (90%).

Municipalities with holiday shopping by-laws in southern Ontario have other characteristics. For example, 20 of 81 municipalities identify specific hours that the retail businesses may open, and six municipalities have an application fee.

As mentioned previously, all other municipalities in Ontario have the authority under the Ontario *Retail Business Holidays Act*, to approve exemptions for tourism purposes.

Since 2007, twenty-four municipalities in southern Ontario have approved holiday shopping by-laws. In total, 13 of the municipalities with holiday shopping by-laws in southern Ontario are in the Greater Toronto Area. Halton Region has three by-laws that permit holiday shopping in Acton, Burlington, and Oakville. Peel Region has two by-laws that permit holiday shopping in Mississauga and Brampton. York Region has seven by-laws that permit holiday shopping in Whitchurch-Stouffville, Georgina, East Gwillimbury, Vaughan, Markham, Newmarket and Richmond Hill. Durham Region has one by-law that permits holiday shopping in Uxbridge.

Toronto Review

Holiday shopping restrictions in the City of Toronto are similar to restrictions in place in a small percentage of municipalities in southern Ontario that permit holiday shopping.

Currently, the City of Toronto has five designated tourist areas that permit holiday shopping. The former Metropolitan Toronto Council and the City of Toronto Council established these areas from 1994 to 2005 under the Ontario *Retail Business Holiday Act*. In 2006, the adoption of the holiday shopping by-law in Toronto grandfathered these areas, and suspended all further designated area exemptions in the City. This means that no other business or business areas may apply for permission to open on a holiday under the current by-law.

The designated areas that are permitted to open on holidays in the City of Toronto are: Queens Quay West (1994), Toronto Eaton Centre and the Hudson’s Bay Company (1995), Downtown Yonge Street Business Improvement Area (2002), Bloor-Yorkville Business Improvement Area (2004), and Distillery Historic District (2005).

Table 4: Designated Areas in City of Toronto

Municipality	Date	Number of Days Open	Designated Areas in the City of Toronto
A. Toronto	1994	6	Queen's Quay Terminal Retail
B. Toronto	1995-2008	8	Toronto Eaton Centre and the Hudson's Bay Company
C. Toronto	2002	9	Downtown Yonge Street BIA
D. Toronto	2004	8	Bloor-Yorkville BIA
E. Toronto	2005	9	Distillery Historic District

Public Transit Holiday Service Review

One of the issues that arose through the public meetings was the concern that retail workers and customers who rely on public transit may have difficulty getting to stores on holidays.

A review of holiday service hours offered by the Toronto Transit Commission (TTC) found that when a holiday falls on a Sunday, public transit begins at 9:00 AM and ends at 1:30 AM. When a holiday falls on any other day, public transit begins at 6:00 AM and ends at 1:30 AM.

In terms of the service levels when a holiday falls on Sunday, the TTC operates on a Sunday schedule. When a holiday falls on any other day, the TTC operates on a Saturday schedule. On holidays, the TTC cancels routes that only operate on Monday to Friday.

Children's Care Review

City of Toronto Children's Services is the City's childcare service system manager under provincial legislation. In addition to its service management responsibilities for childcare, the Children’s Services Division also directly operates 52 childcare sites, and contracts childcare services to approximately 600 centre-based childcare services across the city.

According to Children's Services, typically childcare centres are closed on holidays.

The alternate option on holidays is home-based childcare. Home-based childcare is available through licensed agencies that establish contracts with home-based childcare providers. The licensed agencies oversee the home-based childcare and ensure it is a safe environment. In general, home-based childcare is provided at a similar cost to centre-based childcare. There is a shortage of childcare spaces in Toronto, and it is difficult to find home-based childcare for holidays only.

Pharmacies Review

Municipal Code, Chapter 510, Holiday Shopping, provides that pharmacies accredited under the *Drug and Pharmacies Regulation Act*, may open on any day provided that the dispensing of prescription drugs is available to the public during business hours, the principle business of the pharmacy is the sale of goods for pharmaceutical, therapeutic, hygienic or cosmetic purposes and no other goods are available for sale except as sundries, and that the total retail business area used for serving the public or for selling or displaying to the public is less than 7,500 square feet. Pharmacies that are larger than 7,500 square feet may only open on a holiday if they are located in a designated exempt area in the city. This is the same in municipalities across Ontario.

Data from the Ryerson University Centre for the Study of Commercial Activity (CSCA) lists 555 pharmacies in the city of Toronto. Information about the size of pharmacies is available for 453 pharmacies in Toronto. This data shows that about 75% are less than 7,500 square feet and may therefore open on any day. The data also shows that 50 pharmacies, or about 11% of all pharmacies in Toronto, are over 10,000 square feet.

During the public consultation, the City received feedback that the 7,500 square foot size restriction in Chapter 510 is outdated, and does not reflect the retail pharmacies operating today. It was noted that the average size of pharmacies has increased to 15,000 square feet to accommodate the growing needs of patients.

Conclusions

The principal goal of the consultations was to seek input on the development of a fair and equitable long-term holiday shopping policy. Some views on the principle of holiday shopping were highly polarized, ranging from wide-open unrestricted versus eliminate the current restrictions and require Sunday closures.

Over the past year, this topic was reviewed through the most comprehensive review of holiday shopping conducted by the City of Toronto, as well the first jurisdictional review ever conducted on this topic. Moreover, this review gathered further information about public transit, childcare services and pharmacies.

This report recommends that the existing provisions requiring retail stores to close on New Year's Day, Family Day, Good Friday, Easter Sunday and Christmas Day remain in place and that all retail stores be permitted to open on the following four days: Victoria Day, Canada Day, Labour Day and Thanksgiving Day from 10:00 am to 6:00 pm.

The jurisdictional review found that more than 60% of municipalities with a holiday shopping exemption in southern Ontario permit holiday shopping throughout the municipality and more than 90% of municipalities in southern Ontario permit holiday shopping on the following four days: Victoria Day, Canada Day, Labour Day, and Thanksgiving Day. These four days fall within the tourist season. Tourists bring new dollars to a community.

This recommendation takes into consideration all of the views held by the different stakeholders on this topic and offers a balanced amendment. The recommendations consider the need for retail workers to have time off with their families, while providing retail owners more choice for operating their businesses at the same level as other retailers in southern Ontario and elsewhere.

Chapter 510 does not apply to the five tourist areas that are currently exempt. The existing exemptions for these areas will remain.

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SIGNATURE

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Economic Development and Culture

ATTACHMENTS

Attachment 1 – Southern Ontario Holiday Shopping By-law Review

Attachment 1 – Southern Ontario Holiday Shopping By-law Review

Permit Holiday Shopping on 9 Days:

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

Geographic Area	Municipality	Date	City Wide	Area
Halton Region	Acton	1992	0	1
Bruce County	Arran-Elderslie	2001	1	0
Leeds and Grenville	Athens	1992	1	0
Hastings County	Bancroft	1995	1	0
Renfrew County	Bonnechere Valley	2008	1	0
Renfrew County	Brudenell, Lyndoch and Raglan	2008	1	0
Halton Region	Burlington	1992	0	1
Wellington	Erin	2005	1	0
Leeds and Grenville	Gananoque	1994	1	0
Kwartha Lakes	Kawartha Lakes	2006	1	0
Lambton County	Lambton Shores	2008	1	0
Renfrew	Madawaska Valley	1987	1	0
York Region	Markham	1995	0	1
Grey County	Meaford	2009	0	1
Bruce County	Northern Bruce Peninsula	2005	1	0
Halton Region	Oakville	1992	0	1
Ottawa	Ottawa	1991	0	1
Simcoe Region	Penetanguishene	1996	1	0
Northumberland County	Port Hope	2006	1	0
Prince Edward	Prince Edward County	2008	1	0
Lambton County	Sarnia	1992	1	0
Bruce County	Saugeen Shores	2009	1	0
Durham County	Scugog	2005	0	1
Peterborough County	Smith-Ennismore-Lakefield	2004	0	1
Hastings County	Tweed	2005	1	0
Simcoe Region	Wasaga Beach	1992	1	0
Essex County	Windsor	1982	0	1

Permit Holiday Shopping on 8 Days:

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

Geographic Area	Municipality	Date	City Wide	Area
York Region	East Gwillimbury	1995	0	1
Wellington County	Mapleton	2002	0	1
Stormont, Dundas	South Stormont	2009	0	1
York Region	Vaughan	1995	0	1

Permit Holiday Shopping on 7 Days:

*New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, and Thanksgiving Day**

Geographic Area	Municipality	Date	City Wide	Area
York Region	Georgina	1995	1	0
Niagara Region	Niagara Falls	1993	0	1
Niagara Region	Niagara on the Lake	1994	0	1
Lanark	Smith Falls	2006	1	0

Permit Holiday Shopping on 6 Days:
*New Year's Day, Family Day, Victoria Day, Canada Day,
 Labour Day, and Thanksgiving Day**

Geographic Area	Municipality	Date	City Wide	Area
Essex County	Amherstburg	2008	1	0
Muskoka District	Bracebridge	1992	1	0
Simcoe Region	Bradford West Gwillimbury	1995	1	0
Waterloo	Cambridge	2004	0	1
Muskoka District	Georgian Bay	1992	1	0
Muskoka District	Gravenhurst	1992	1	0
Muskoka District	Huntsville	1992	1	0
Muskoka District	Lake of Bays	1992	1	0
Essex County	Lakeshore	2006	1	0
Peel Region	Mississauga	2009	0	1
Muskoka District	Muskoka Lakes	1992	1	0
York Region	Newmarket	1996	0	1
Lanark	Perth	2009	1	0
Essex County	Tecumseh	2009	1	0
Perth County	West Perth	2010	1	0
Waterloo	Woolwich	1992	0	1

Permit Holiday Shopping on 5 Days:
*Family Day, Victoria Day, Canada Day,
 Labour Day, and Thanksgiving Day**

Geographic Area	Municipality	Date	City Wide	Area
Peel Region	Brampton	2012	0	1
Chatham-Kent	Chatham-Kent	2008	0	1
Niagara Region	Fort Erie	1993	0	1
Renfrew	Head, Clara & Maria	2008	1	0
Simcoe Region	New Tecumseth	2002	1	0
Norfolk	Norfolk	1976	0	1
Huron County	North Huron	2009	1	0
Dufferin County	Orangeville	2011	1	0
Simcoe Region	Orillia	1993	0	1
Peterborough	Otonabee-South Monaghan	2010	0	1
Renfrew	Petawawa	2001	1	0
Leeds and Grenville	Prescott	2004	1	0
Simcoe Region	Severn	2010	0	1
Perth County	St. Marys	1994	0	1
Durham Region	Uxbridge	2012	1	0

Permit Holiday Shopping on 4 Days:
*Victoria Day, Canada Day,
 Labour Day, and Thanksgiving Day**

Geographic Area	Municipality	Date	City Wide	Area
Leeds and Grenville	Brockville	1992	1	0
Northumberland County	Cobourg	2001	1	0
Huron County	Goderich	1998	1	0
Haldimand	Haldimand	2001	0	1
Bruce County	Kincardine	1996	1	0
Frontenac	Kingston	1998	1	0
York Region	Richmond Hill	2011	0	1
Niagara Region	St. Catharines	1993	0	1
Perth County	Stratford	1992	1	0

Permit Holiday Shopping on 3 Days:
*Victoria Day, Canada Day,
 and Thanksgiving Day**

Geographic Area	Municipality	Date	City Wide	Area
Prescott and Russell, United Counties	Champlain	2012	1	0
Essex County	Leamington	2005	1	0
Simcoe Region	Midland	2009	1	0
Renfrew	Pembroke	2000	1	0
Huron County	South Huron	2004	1	0

Permit Holiday Shopping on 1 Day:
Canada Day

Geographic Area	Municipality	Date	City Wide	Area
York Region	Whitchurch-Stouffville	1995	1	0

*Most frequently exempt days.