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**CC:** "Councillor Gord Perks" <Councillor\_Perks@toronto.ca>, <councillor\_thomp...>  
**Date:** 10/11/2012 12:36 pm  
**Subject:** My comments for 2012.ED17.6 on October 16, 2012 Economic Development Committee

To the City Clerk:

Please add my comments to the agenda for the October 16, 2012 Economic Development Committee meeting on item 2012.ED17.6, Holiday Shopping

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

To the Economic Development Committee

A responsible businessperson understands that regulations are necessary for the peaceful coexistence of a dense urban population. But a regulation must meet two basic tests: 1) is the regulation fair? and 2) is the regulation effective? When it comes to holiday shopping restrictions aimed at establishing common days of pause, the answer to both questions clearly is No.

Even though such regulations no longer claim a Christian or religious foundation, these efforts to mandate "days of rest" have their origins in the Fourth Commandment requiring the observant to keep the Sabbath Day holy. "Sabbath" is related to the word for "Saturday," which remains the holy day of rest for Jews, and was once so for early Christians. Today, Christians consider Sunday to be holy, while Saturday is the biggest shopping day of the week. Sunday replaced Saturday as Christianity's Sabbath thanks to the first Christian Roman Emperor Constantine, who in the 4th century, in an effort to differentiate the Christian brand, mandated Sunday as the official day of rest, while officially declaring those who rested on Saturday to be guilty of Judaism.

While this first "Sunday shopping law" was an explicit expression of Christian supremacy and state power, one could argue that our current laws simply reflect the secular ideal of a "common pause day." I would point out that it is a lot easier to argue this if one happens to be Christian. The plain fact is, Christmas is a Christian holiday, for non-believing "cultural Christians" as well as for believers. So is Easter ("Chocolate Day" to the lapsed) and Good Friday (meaningless to all but religious Christians). New Year's Day celebrates the new year under the Roman calendar, but next winter a quarter of the world's population will celebrate their new year on February 10, while Jews will celebrate the next Rosh Hashanah after sunset on September 4. While I happen to belong to a culture that considers it unthinkable to be working on Christmas, Toronto is made up of huge numbers of people who find it equally unthinkable to work on other special days that don't receive official government recognition, and who are quite happy to spend Christmas catching up on some work. This is not surprising in a city whose motto is "Diversity Our Strength."

That leaves Family Day among the four days proposed for continued holiday shopping restrictions. Unlike the others, it is not literally a "holy day," but an invention of the current provincial government, and so it is undoubtedly a secular day of pause. But it is not exactly a "common" day of pause, because federal workers in Ontario are not given this day off. Nor are professionals who interact with other parts of Canada, for whom business will continue as usual on February 13 whether Ontario likes it or not. Similarly, Canadian Thanksgiving is not a day off for people who conduct business in a much-larger country that celebrates Thanksgiving on November 22. Other Canadians face similar difficulties celebrating Western holidays when their customers do not live in Western countries.

But even if you are Christian Ontarian whose customers also recognize Christian holidays, you will not be able to enjoy a common day of pause if you happen to work in a pharmacy, a small bookstore, a convenience store, a small grocery, a restaurant, a gas station, a movie theatre or any one of countless business types that are exempted from holiday restrictions, making a mockery of the intent and purpose of common pause day rules.

You will also be unable to participate in this common day of pause if your retail store happens to be located in one of the five areas officially designated as a “tourist area” by the City of Toronto. While City Hall may believe there are only five tourist areas in Toronto, the New York Times travel section takes a broader view. It recently advised its readers to visit my store’s part of town, describing Roncesvalles as “one of the city’s most engaging strolls.” Similarly, when the New York Daily News reported on Toronto for its travel section earlier this year, it advised prospective tourists to skip the “expensive museums, glitzy new hotels, and glam festivals” and instead visit Toronto’s neighbourhoods, particularly Riverdale, Leslieville, Parkdale and – hello – Roncesvalles. If the endorsements of both the New York Times and the New York Daily News doesn’t establish a valid claim as a “tourist area,” then clearly this official designation is arbitrary, meaningless and unfair.

In 2010, the Economic Development Committee adopted a staff report advising the City to scrap all of these holiday shopping restrictions. In an election year, City Council held off in order to conduct a consultation. This “consultation” would provide no new information to City Council except to prove the existence of people willing to attend a meeting to defend holiday shopping restrictions. And not very many people at that. After calling not one but five public meetings, after publishing meeting notices in 16 newspapers and in seven languages, after posting notices in 156 community centres and 96 libraries, after sending written meeting invitations to over 6,000 people, and after promoting the meetings on all the big TV and radio networks, one might have hoped the City’s paid consultant would be able to attract more than 170 people to these meetings. With such low attendance, the City should consider Swerhun’s report to be meaningless and disregard it completely. City regulations affecting tens of thousands of Toronto retailers should not be determined by a show of 170 self-selected hands.

The Economic Development Committee should reaffirm its earlier recommendation to remove all holiday shopping restrictions. It is time for Toronto to join the cosmopolitan ranks of municipalities like Scugog and Tweed, not to mention the entire western half of Canada, which have accepted the reality that there is no simply no remaining justification for such restrictions in a modern, multicultural city. These restrictions are unfair and they are ineffective. They must be scrapped.

Yours  
John Bowker  
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#### REFERENCES:

New York Times: “A Low-Slung Piece Of Toronto Gains Casual-Hip Cachet” (October 9, 2011)  
<http://www.nytimes.com/slideshow/2011/10/09/travel/20111009-surfacing.html>

New York Daily News: “Toronto’s neighborhoods are the city’s best feature” (May 6, 2012)  
[http://articles.nydailynews.com/2012-05-06/news/31600531\\_1\\_neighborhood-tour-east-side-riverdale](http://articles.nydailynews.com/2012-05-06/news/31600531_1_neighborhood-tour-east-side-riverdale)