

PW-DZ-1

Ministry of
Consumer Services

Office of the Minister

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Ministère des
Services aux consommateurs

Bureau de la ministre

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Ontario

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	<input checked="" type="checkbox"/> Committee
CAO	<input checked="" type="checkbox"/>
Concrete Services	<input checked="" type="checkbox"/> Council
Construction Works	<input checked="" type="checkbox"/> JUNE 14
Employee and Business Services	2012 RC
Health Services	File
Human Services	
Peel Living	

OCMS # 2011-1132

MAY 11 2012

Mr. Emil Kolb
Regional Chair and Chief Executive Officer
The Regional Municipality of Peel
10 Peel Centre Drive, Suite A
Brampton, Ontario
L6T 4B9

Regional Municipality of Peel
Office of the Regional Chair

MAY 10 2012

RECEIVED

Dear Mr. Kolb:

Your letter to the Honorable Dalton McGuinty regarding your request that the 2006 statutory amendments to the *Retail Business Holidays Act* (RBHA) be proclaimed, thereby allowing municipalities to establish rules and procedures regarding holiday openings, was forwarded to my office. I understand that David Brezer, Director of the Consumer Policy & Liaison Branch, spoke to the CAO of Peel regarding this issue on March 20, 2012.

The statute that amended the RBHA was part of a broader statute, the *Municipal Statute Law Amendment Act, 2006*, that included significant amendments to the *Municipal Act, 2001* along with amendments to other municipal legislation. The by-law would only come into effect when a municipality passes a by-law under the *Municipal Act, 2001* requiring one or more classes of retail businesses to be closed on a holiday. As you are aware, the RBHA does not apply to the City of Toronto. Although the city may pass by-laws requiring retail businesses to be closed on specified days under the *City of Toronto Act, 2006*. The City of Toronto currently has a by-law that recognizes the same holidays as the RBHA.

Proclamation of this amendment was held back to consider issues that may arise with the new authority. Staff of the Ministry of Consumer Services and Ministry of Municipal Affairs are discussing the issue and will be in contact with the region of Peel shortly.

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED _____

PW-D2-2

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I appreciate that you have taken the time to bring your concerns forward. I trust that the information I have provided will be of assistance to you.

Thank you again for writing.

Sincerely,

Margaret Best
Minister

A handwritten signature in black ink, appearing to read 'M. Best', is written over a horizontal line. The signature is stylized and cursive.

cc: The Honourable Dalton McGuinty
Premier

The Honourable Kathleen Wynne
Minister of Municipal Affairs and Housing



Office of the Chair

October 27, 2011

Dalton McGuinty, Premier
Legislative Building
Queen's Park
Toronto, Ontario, M7A 1A1

Dear Sir, *Dalton*

RE: Retail Business Holidays Act

As you are aware, the *Retail Business Holidays Act* seeks to strike a balance between allowing businesses to remain open on holidays and providing consumers and employees with common pause days.

In its current form, the *Retail Business Holidays Act* places the responsibility on regional municipalities to consider individual applications for tourist area exemptions.

On January 1, 2007, the *City of Toronto Act, 2006* came into force and with it, the *Retail Business Holidays Act* ceased to apply to the City of Toronto. The City of Toronto has been delegated with the authority to regulate retail holiday closures within its geographical limits.

With the exemption of the City of Toronto from the requirements of the *Retail Business Holidays Act*, the Province has given preferential treatment to the City of Toronto that could result in a competitive advantage to retail businesses located in the City of Toronto vis-à-vis other retail businesses in the Greater Toronto Area. Attempting to find a balance within the strict limitations of the *Retail Business Holidays Act* has placed much pressure on Peel Region Council.

In 2006, the Provincial legislature enacted an amendment to the *Retail Business Holidays Act* to allow municipalities to replace the Provincial holiday closure requirements with requirements of its own discretion. To date, this amendment has yet to be proclaimed.

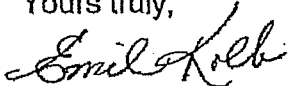
I kindly request your update with respect to the anticipated date of proclamation of the amendment or alternatively what steps will be taken to address the inequality that presently exists between the City of Toronto and other Ontario municipalities.

The Regional Municipality of Peel

PW-D2-4

On behalf of Region of Peel Council, I respectfully request that the Legislature proclaim the 2006 statutory amendments to the *Retail Business Holidays Act* to allow all municipalities to establish rules and procedures regarding holiday openings that both protect for the common pause day principle while better supporting local businesses.

Yours truly,

A handwritten signature in cursive script that reads "Emil V. Kolb".

Emil V. Kolb
Regional Chair & C. E.O.