



PUBLIC MEETING
THE REGIONAL MUNICIPALITY OF PEEL

REPORT FROM THE CLERK

April 13, 2017

PURPOSE: To hold a Public Meeting pursuant to Section 4 of the *Retail Business Holidays Act, R.S.O. 1990*, as amended, to inform the public and to obtain their input with respect to an application for exemption under the *Retail Business Holidays Act* by P.A.T. Oriental Food Market, City of Mississauga.

1. OPENING OF PUBLIC MEETING

Regional Chair Dale called the public meeting to order at 9:32 a.m. in the Council Chamber, Regional Administrative Headquarters, 10 Peel Centre Drive, Suite A, Brampton. He stated that the public meeting was open and was being held pursuant to the *Retail Business Holidays Act* ("Act"), to consider an application for exemption for an individual retail establishment under the Act by P.A.T. Oriental Food Market, located at 315-333 Dundas Street East in the City of Mississauga.

2. CONFIRMATION OF NOTIFICATION

Kathryn Lockyer, Regional Clerk, stated that Notice of the Public Meeting was given in accordance with Region of Peel By-law 18-1999, sections 11-2c to 11-2f.

Notice of the Public Meeting was sent by first class mail to every person and agency that provided the Regional Clerk with a written request of such notice of the proposed by-law; to the Clerk of each area municipality within the Region of Peel; to the policing authority having jurisdiction in the area; and, to the applicant on March 7, 2017.

The applicant was instructed to post the Notice of Public Meeting in the retail establishment seeking exemption no later than March 24, 2017 and for it to remain there until the end of the business day of April 13, 2017.

Notice of this Public Meeting was given in accordance with section 4 of the Act and Region of Peel By-law 18-1999, by publication in the following news media having general circulation in the Region of Peel:

- Mississauga News – March 9, 2017
- Brampton Guardian – March 9, 2017
- Caledon Enterprise – March 9, 2017

Further, it was noted that Notice of Public Meeting was posted on the Regional website as of March 6, 2017.

3. FURTHER NOTICE REQUEST

Kathryn Lockyer, Regional Clerk, stated that if any person would like further notice of the future passage of this proposed exemption for P.A.T. Oriental Food Market, in the City of Mississauga, they should give their full name, address, postal code, and telephone number, in writing, at the Clerk's reception counter prior to leaving the meeting.

4. STAFF PRESENTATIONS

4.1. **Christina Marzo, Manager, Development Services, Public Works,** To Discuss an Application for an Area Basis Tourism Exemption under the *Retail Business Holidays Act* by P.A.T. Oriental Food Market in the City of Mississauga

Received

Christina Marzo, Manager, Development Services, Public Works, provided an overview and rationale of the application by P.A.T. Oriental Food Market for an area basis tourism exemption under the *Retail Business Holidays Act* ("Act"). She informed Regional Council that the application was reviewed and processed under the existing policies, Region of Peel By-law 18-1999 and regulations of the Act. Consistent with the existing process and subsequent to the April 13, 2017 Public Meeting of Regional Council, Regional staff will present a report and by-law for Council's consideration regarding the application. A Regional by-law would be required for the application to be approved. Any person who objects to the proposed by-law may appeal Council's decision to the Ontario Municipal Board within 30 days. The by-law will come into force the 31st day after it is passed by Regional Council, in the event no appeal is filed with the Ontario Municipal Board.

Christina Marzo advised that Section 1.2 of the Act was proclaimed on December 31, 2016 that allowed a municipality to enact a by-law to establish its own retail business closure regimen. She stated that Regional staff are reviewing Section 1.2 of the Act and its implications to the Region of Peel.

In response to a question of clarification from Councillor Kovac, Christina Marzo stated that an entity could become or could contribute to tourist activity within two kilometres of a tourist attraction under the Act.

In response to a question of clarification from Councillor Starr, Lorraine Graham-Watson, Commissioner of Corporate Services, stated that Regional staff will report to Regional Council in June 2017 with a recommended approach to develop a new retail business closure by-law for the Region of Peel, including public consultation.

Councillor Starr stated that Regional staff should expedite the review of the implications of Section 1.2 of the Act that would address similar applications for area tourism exemptions in the future.

Councillor Saito expressed concern that approval of the application or future applications from supermarkets could set precedence.

5. PUBLIC PARTICIPATION

5.1. Oral Submissions

- 5.1.1. **Jae Seong Lee, Manager, P.A.T. Oriental Food Market and Alex Arifuzzaman, Partner, InterStratics Consultants Inc.**, Presenting the P.A.T. Oriental Food Market Application for Tourism Exemption under the *Retail Business Holidays Act*

Received

Jae Seong Lee, Manager, P.A.T. Oriental Food Market, and Alex Arifuzzaman, Partner, InterStratics Consultants Inc. provided an overview of the P.A.T. Oriental Food Market application for tourism exemption under the *Retail Business Holidays Act*. Jae Seong Lee stated that the business establishment is considered a major cultural hub among the Korean community with a large customer base. Jae Seong Lee and Alex Arifuzzaman advised that, subject to Regional Council approval of the exemption, working on the statutory holidays would remain voluntary in accordance with the *Employment Standards Act*.

Councillor Ras expressed her preference to process this application under the new Regional by-law on retail business closures, when it is enacted. She stated that, in her opinion, P.A.T. Oriental Food Market is not considered a cultural hub and would not fall under the provisions of the Act as a tourist attraction. She stated that she would not support the application.

Councillor Saito indicated that she would request the City of Mississauga Tourism Board to look into tourism criteria that could potentially impact future applications for tourism exemptions under the Act.

5.2. Written Submissions - Nil

6. CONCLUSION AND CLOSING OF PUBLIC MEETING

Regional Chair Dale advised those in attendance that comments and submissions would be taken into consideration and a final report and supporting by-law would be considered by Regional Council at a future meeting.

7. ADJOURNMENT

Regional Chair Dale officially closed the meeting at 10:20 a.m.

RESPECTFULLY SUBMITTED:



Regional Clerk