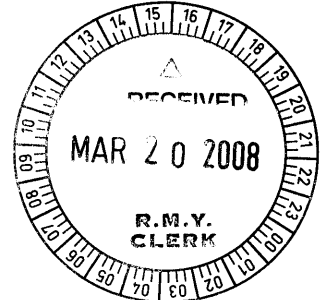




OFFICE OF THE MAYOR

REGION OF YORK
CLERK'S OFFICE

FILE No. - P03 / CAO
Chair / CAO
J. Hunter
B. Tuckey



March 3, 2008

The Honourable Jim Watson
Minister of Municipal Affairs and Housing
777 Bay Street
18th Floor
Toronto, Ontario
M5G 2E5

Dear Mr. Minister:

Re: Retail Business Holidays Act

The Council of the Corporation of the City of Mississauga at its meeting of February 27, 2008 adopted the enclosed Resolutions # 0042-2008 and 0049-2008 which are self-explanatory.

Members of Council expressed concern that the City of Toronto allowed its retail businesses to remain open while other retail businesses in the GTA municipalities had to stay closed, resulting in significant loss of business for retail establishments in Mississauga and the GTA while a boost of retail sales occurred within major shopping centres in the City of Toronto. By proclaiming those sections of Bill 130 and allowing section 148 of the *Municipal Act* to become law, municipalities in the GTA. will have the opportunity to pass a by-law at the regional level to level the playing field.

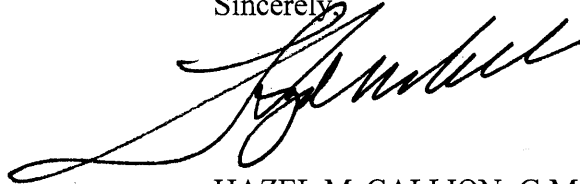
Grave concern was also raised that the City of Toronto is currently looking at possibly allowing all of its retail businesses to remain open on all statutory holidays except Christmas Day. In this regard, I urge you to use your authority by enacting an Interim Regulation to amend the City of Toronto Act, to ensure that retail businesses remain closed on Good Friday, Easter Sunday, Thanksgiving Day and Christmas Day to protect these important traditional holidays.



THE CORPORATION OF THE CITY OF MISSISSAUGA
300 CITY CENTRE DRIVE, MISSISSAUGA, ON L5B 3C1
TEL: 905-896-5555 FAX: 905-896-5879
mayor@mississauga.ca

Your consideration and response to the concerns expressed by Mississauga Council at the earliest opportunity would be most appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hazel McCallion', written in a cursive style.

HAZEL McCALLION, C.M.
MAYOR

cc: Association of Municipalities of Ontario
GTA MPPs
905 area municipalities

Enc.



RESOLUTION 0042-2008
adopted by the Council of
The Corporation of the City of Mississauga
February 27, 2008

0042-2008 Moved by: F. Dale

Seconded by: N. Iannicca

WHEREAS the Retail Business Holidays Act requires retail businesses to be closed in Ontario on designated holidays and only allows municipalities to grant exemptions subject to stringent criteria set out in the Act; and

WHEREAS with the proclamation of the City of Toronto Act in January 2007 the Retail Business Holidays Act no longer applied to the City of Toronto, and the City of Toronto Council was authorized to determine hours of operations for retailers within that City; and

WHEREAS Bill 130 added a new section 148 to the *Municipal Act, 2001* allowing municipalities to pass by-laws to regulate the hours of operation of retail businesses outside of the *Retail Business Holidays Act*; and

WHEREAS Section 148 is one of only two remaining sections in Bill 130 that have not yet been proclaimed; and

WHEREAS on the newly proclaimed Family Day on February 18th, the City of Toronto allowed it's retail businesses to remain open while other retail businesses in G.T.A. municipalities had to stay closed, save and except those few businesses having exemptions under the *Retail Business Holidays Act*, which resulted in a significant loss of business for retail establishments throughout Mississauga and the G.T.A. and a corresponding boost in retail sales within the major shopping centres in the City of Toronto; and

WHEREAS the City of Toronto is currently looking at possibly allowing all of it's businesses to remain open on all statutory holidays except Christmas Day, which would further disadvantage retailers outside of the City of Toronto; and

WHEREAS only by proclaiming those sections of Bill 130 and allowing section 148 of the *Municipal Act* to become law will municipalities in the G.T.A. have the opportunity to pass a by-law at the regional level to level the playing field; and

WHEREAS decisions on the hours of operation of retail businesses are matters for local consideration and should not be determined at the regional level;

NOW THEREFORE the Council of The City of Mississauga requests as follows:

1. The Minister of Municipal Affairs and Housing immediately request the Lieutenant Governor to proclaim into force the provisions of Bill 130 necessary to bring section 148 of the *Municipal Act, 2001* into law;
2. The Minister of Municipal Affairs and Housing be requested to amend the *Municipal Act, 2001* so that decisions respecting the hours of operation of retail businesses are made at the local level and not by the Region of Peel;
3. A copy of this Resolution be forwarded for information and support to Councils of all G.T.A. municipalities, AMO and to all G.T.A. MPPs.



RESOLUTION 0049-2008
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on February 27, 2008

0049-2008 Moved by: P. Mullin

Seconded by: C. Corbasson

WHEREAS Bill 130 added a new Section 148 to the *Municipal Act, 2001* allowing municipalities to pass by-laws to regulate the hours of operation of retail businesses outside of the *Retail Business Holidays Act*; and

WHEREAS Section 148 of the *Municipal Act* retains the ability of the Minister of Municipal Affairs and Housing to make Regulation prescribing goods and services that would not be covered by a municipal by-law respecting the hours of operation of retailers; and

WHEREAS Good Friday, Easter, Thanksgiving and Christmas are important traditional holidays that must continue to be protected, by allowing all retail establishments to be open on these days; and

WHEREAS neither the *Retail Business Holidays Act* or Section 148 of the *Municipal Act* apply to the City of Toronto, resulting in an unfair advantage to retail businesses within that City if stores are allowed to be open in that City and must remain closed elsewhere in the G.T.A.;

NOW THEREFORE Council of the City of Mississauga requests as follows:

1. The Minister of Municipal Affairs and Housing, once Section 148 of the *Municipal Act, 2001* is proclaimed into law, use his regulation making authority to ensure that retail business establishments remain closed on the following traditional holidays: Good Friday, Easter Sunday, Thanksgiving Day, Christmas Day.
2. The Minister of Municipal Affairs and Housing be requested to enact an Interim Regulation to amend the *City of Toronto Act* to similarly require stores to remain closed on these traditional holidays.
3. A copy of this Resolution be forwarded for information and support to Councils of all G.T.A. municipalities, AMO and into all G.T.A. MPPs.