



THE RETAIL BUSINESS HOLIDAYS ACT S(4) ESTABLISHMENT OR AREA EXEMPTION APPLICATION

SECTION 1

(To be completed by **all applicants** applying for an establishment or an area exemption)

NOTE: Applicants applying for exemption for up to five holidays a year, during which a fair, festival or other event is being held, use the separate application entitled "SPECIAL EVENT APPLICATION"

APPLICANT INFORMATION

1. Type of Exemption Application

An applicant may apply for a by-law to permit one or more Retail Business Establishments to open on a holiday for the maintenance and development of tourism (an "Exemption"). Except where an application is made on an area basis, a separate application and fee must be submitted for each retail business establishment for which an exemption is sought.

Check one and complete the designated Sections.

- Establishment Applicant applying for exemption for an individual retail business establishment. **Complete Sections 1, 2, 4 and 5**
- Area Applications applying for exemption on an area-wide basis. **Complete Sections 1, 2, 3 and 5**

2. Municipal Ward

In which Ward in the Municipality of Mississippi Mills is the retail business establishment or exemption area located: **Almonte** **Ramsay** **Pakenham**

3. Applicant Classification:

"Applicant" means: (please check on and provide information)

- i. Person or persons, including a corporation, and a partnership carrying on a retail business in a retail business establishment in the Municipality of Mississippi Mills. Provide name and address of such retail business establishment.

Retail Business Establishment: _____

Address _____

- ii. An association whether or not incorporated representing retailers carrying on business in the Municipality of Mississippi Mills.

Name of Association: _____

4. Applicant Names:

- a) List the name and address of each retail business establishment seeking exemption, or if the applicant is an association or council of a local municipality, list the name(s) and address(es) of each retail business establishment seeking an exemption which is represent by the association or council

- b) Provide name and address of the principle contact person, legal counsel, or authorized agent (if any) representing the applicant(s) to whom all correspondence will be addressed:

Name of Firm: _____

Contact Person: _____

Address: _____

Business Tel: () _____ Fax: () _____

Email Address: _____

5. Proposed Holiday Operations

All Holidays

Specific Holiday(s) (specify below

Seasonal (specify below)

Proposed hours of Operation: _____

6. Provide a **Key Plan** showing the retail business establishment or area for which the exemption is sought and the location of the qualifying tourist attractions(s). Include the scale of the plan.
7. Provide **qualified data or information** establishing that the exemption requested will comply with the relevant criteria under the Act and Regulation and elaborating upon responses requested in this application form. The data or information must outline the relevant facts, reasons for conclusions drawn and describe how passing of a tourism exemption by-law will contribute to the maintenance or development of tourism. The Municipality of Mississippi Mills may require such further information as it deems necessary in order to assess this application.

**SECTION 2
TOURIST ATTRACTIONS**

(To be completed by **all applicants** applying for an establishment or an area exemption)

1. a) Identify and briefly describe the tourist attraction(s) which is/are relied upon. The tourist attraction(s) must be located within 2 kilometers of the retail business establishment(s).

- b) Is the Tourist Attraction seasonal in nature?

No Yes

If yes, explain the **Seasonal Nature** of the tourist attraction and the justification in relation to the seasonal nature for the time period for which the exemption is sought.

2. Under which category does the tourist attraction(s) fall?

- Natural Attractions**, including those which draw visitors to the area to observe and focus on a unique natural feature or features.
- Outdoor Recreations Attractions**, including those which provide visitors with opportunities to engage in leisure activities or outdoor recreational pursuits which are directly associated with the natural resources of a given area.
- Historical Attractions**, including those which portray the lifestyle, activities or events of a bygone era. These may be preserved, development and promoted to commemorate, re-create and enhance understanding of the past.

- Cultural Attractions**, including those which draw visitors wishing to experience the fine arts or performing arts associated with local artists with those of national or international prominence.
- Multi-Cultural Attractions**, including those which feature displays or exhibits promoting an appreciation of other traditions and cultures.
- Educational Attractions**, including those which are an implicit or explicit part of all cultural and multi-cultural attractions.

SECTION 3
AREA APPLICATION

(To be completed by **all applicants applying for exemption on an area wide basis**)

***NOTE:** Any retail business establishment which on days other than holidays normally uses 2,400 square feet or more for serving the public or normally has four or more employees serving the public must itself make a separate establishment application for exemption.*

1. Using **SCHEDULE 1**, list all the retail establishments falling within the area proposed for exemption regardless of whether or not the retail business establishment is one for application is made, and provide the information requested. (If extra space is required on Schedule 1, make photocopies of the form.)
2. Using the information provided in **SECTION 1**, what percentage of the retail business establishments in the area are directly associated with the tourist attraction or rely on tourists visiting the attraction for business on a holiday? _____%

SECTION 4
ESTABLISHMENT APPLICATION

(To be completed by **all applicants making an establishment application**)

***NOTE:** Any retail business establishment which on days other than holidays normally uses 2,400 square feet or more for serving the public or normally has four or more employees serving the public must itself make a separate establishment application for exemption.*

1. Complete **SCHEDULE 1**, for the retail establishment for which the application is made and provide the information requested. (If extra space is required on Schedule 1, make photocopies of the form).

SECTION 5
DECLARATION

(To be completed by **all applicants**)

I, _____ of the _____ of _____
Name e.g. Municipality e.g. Mississippi Mills

In the _____ of _____, hereby confirm that the statements
e.g. County e.g. Lanark

contained in this application, including SECTION 1, and in any material submitted in support of this are correct

Date Signature of Applicant

NOTE: The Retail Business Holidays Act provides that the Council is not required to pass an exempting by-law even if the tourism criteria set out in the Act or any other regulation is met.



SPECIAL EVENT APPLICATION

MUNICIPALITY OF MISSISSIPPI MILLS

THE RETAIL BUSINESS HOLIDAYS ACT S(4) **SPECIAL EVENT APPLICATION**

(To be completed by all applicants applying for an establishment or an area exemption)

NOTE: Applicants applying for exemption for up to five holidays a year, during which a fair, festival or other event is being held, use the separate application entitled "SPECIAL EVENT APPLICATION"

1. **Municipal Ward**

In which Ward in the Municipality of Mississippi Mills is the retail business establishment or exemption area located: **Almonte** **Ramsay** **Pakenham**

Indicate whether any of the following wards are located within one kilometer of the subject retail business establishment(s) or area: **Almonte** **Ramsay** **Pakenham**

2. **Applicant Classification:**

"Applicant" means: (please check on and provide information)

- iii. Person or persons, including a corporation, and a partnership carrying on a retail business in a retail business establishment in the Municipality of Mississippi Mills. Provide name and address of such retail business establishment.

Retail Business Establishment: _____

Address _____

- iv. An association whether or not incorporated representing retailers carrying on business in the Municipality of Mississippi Mills.

Name of Association: _____

3. **Applicant Names:**

- a) List the name and address of each retail business establishment seeking exemption, or if the applicant is an association or council of a local municipality, list the name(s) and

address(es) of each retail business establishment seeking an exemption which is represent by the association or council

b) Provide name and address of the principle contact person, legal counsel, or authorized agent (if any) representing the applicant(s) to whom all correspondence will be addressed:

Name of Firm: _____

Contact Person: _____

Address: _____

Business Tel: () _____ Fax: () _____

Email Address: _____

4. Which of the following special events apply?

- Fair Festival Other

a) Description, Location and Date(s)

b) Proposed hours of Operation _____

5. Have you ever applied for or have you been granted exemption for a special event during this calendar year?

- Yes No

6. Describe how passing of a special event by-law will contribute to the maintenance or development of tourism. (Attach a separate sheet if necessary).

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- 7. Provide a **key plan** showing the location of the retail business establishment(s) applying for exemption and the location of the Special Event. Include the scale of the plan.
 - 8. Declaration – see below

SPECIAL EVENT APPLICATION

DECLARATION

I, _____ of the _____ of _____
Name e.g. Municipality e.g. Mississippi Mills

In the _____ of _____, herby confirm that the statements
e.g. County e.g. Lanark

contained in this application and in any material submitted in support of this are correct.

I agree that should Council enact the exempting by-law in response to this application and the by-law is appealed to the Ontario Municipal Board, I will prepare to lead expert opinion evidence demonstrating that the provincial tourism / criteria were met by the application.

Date Signature of Applicant

NOTE: The Retail Business Holidays Act provides that the Council is not required to pass an exempting by-law even if the tourism criteria set out in the Act or any other regulation is met.

NOTICE REQUIREMENTS

The Retail Business Holidays Act **Tourism Exemption By-laws**

NOTICE OF PUBLIC MEETING

- (1) Notice under subsection 4(6) of the Retail Business Act, R.S.O.1990, chapter R.30 as amended, of a public meeting for the purpose of informing the public in respect of a proposed by-law shall be given by the Municipality in accordance with subsection (2) of these Notice Requirements.
- (2) Notice under subsection (1), in a form similar to Appendix 1, attached hereto, shall be given by:
 - (a) Posting in the retail business establishments proposed to be exempted at least twenty days in advance of the proposed public meeting. Such notice shall be clearly visible and legible from a public place adjacent to each store and also in each store for the information of shoppers;
 - (b) Publication in at least one newspaper which has general circulation in the Municipality, at least 30 days before the meeting is to be held;
 - (c) Prepaid first class mail to the applicant;
 - (d) Prepaid first class mail to every person and agency that has given the Clerk of the Municipality a written request for such notice in respect of the proposed by-law, provided that such request shows the person's or agency's address;
 - (e) Prepaid first class mail to the policing authority having jurisdiction in the area to which the proposed by-law applies.

APPENDIX 1

TAKE NOTICE THAT the Council of the Municipality of Mississippi Mills will hold a Public Meeting on DATE to consider an application by NAME for an tourism exemption under the Retail Business Holidays Act for the NAME OF BUSINESS(S) in the Ward of NAME, Municipality of Mississippi Mills. The exemption would permit the retail business, to remain open voluntarily between TIME a.m. and TIME p.m. on SPECIFY HOLIDAYS.

BUSINESS NAME

The lands that are subject to this application are PROVIDE DESCRIPTION.

By-law

A copy of the proposed by-law, an explanation of the purpose and effect of the proposed by-law describing the retail business establishment(s) to which the proposed by-law would apply and a key map showing the location of the lands to which the proposed by-law would apply are available from the Office of the Clerk and also online at www.mississippimills.ca.

Public Participation

The Public Meeting on this application will be held:

DATE
TIME
Council Chambers
3131 Old Perth Road
Almonte, ON K0A 1A0

Any person may attend this public meeting or make written or verbal representation either in support of or in opposition to the proposed by-law. Written submissions regarding the by-law are to be filed with the Municipality Clerk at the Municipality of Mississippi Mills Municipal Office, 3131 Old Perth Road, PO Box 400, Almonte ON K0A 1A0.

Any person may appeal Council's Decision on the by-law to the Ontario Municipal Board.

For further information regarding the application by BUSINESS NAME for a tourism exemption under the *Retail Business Holidays Act*, please contact the Chief Administrative Officer, at 613-256-2064 ext. 225.

For information about the Public Meeting of Council, please contact the Clerk at 613-256-2064 ext. 226.

MAP INSERTED HERE

Clerk
The Municipality of Mississippi Mills
3131 Old Perth Road
PO Box 400
Almonte, Ontario, K0A 1A0

Dated: