



The Corporation of the Town of Orangeville

By-law Number 2023-037

A by-law to amend By-law 2003-031 as amended, to regulate the display of merchandise on sidewalks

Whereas the Council of the Corporation of the Town of Orangeville has passed By-law Number 2003-031 to regulate the display of merchandise.

And whereas Council at its meeting held on the 9th day of January 2023, passed Resolution number 2023-008 to extend the length of time for display of merchandise in a calendar year.

Now therefore be it resolved that the Council for The Corporation of the Town of Orangeville hereby enacts as follows:

1. That Section 1 (Definitions) of By-law 2003-031 as amended, is hereby further amended by adding the following definition:

“merchandise display tent” means a free-standing temporary unenclosed shelter structure with a minimum of two sides remaining open and its interior space devoted to merchandise display.

2. That Section 2 (Regulations) of By-law 2003-031 as amended, is hereby further amended by deleting and replacing Section 2.7 with the following:

2.7 At the close of the business, the merchant shall have removed all merchandise and related tables and structures used for display, and any merchandise display tent.

3. That By-law 2003-031 as amended, is hereby further amended by deleting Sections 11, 12, 13 and 14.

4. That By-law 2004-031 as amended, is hereby further amended by adding the following Section after Section 2.7 and renumbering subsequent Sections in sequential numerical order:

3. Regulations for Merchandise Display Tents

- 3.1 No more than one (1) merchandise display tent may be used per display area.
- 3.2 A merchandise display tent shall not exceed a height of 2.1 metres.
- 3.3 A merchandise display tent may only be erected during the merchant business hours and must be removed outside of such periods.
- 3.4 A merchandise display tent shall not impede the flow of pedestrian traffic. A minimum 1.5 metre wide free and clear pathway must be maintained on the sidewalk at all times.
- 3.5 The display of merchandise within a merchandise display tent shall adhere to all regulations of Section 2 of this By-law.
- 3.6 No part of a merchandise display tent shall encroach within 0.5 metres from the street-side face of the curb, or any such greater distance as the Town may require.
- 3.7 A merchandise display tent shall not be attached to a building and will not comprise of any elements that require a building permit.
- 3.8 The positioning of a merchandise display tent is subject to review and approval by the Town for the purposes of evaluating potential impacts.
- 3.9 No person shall erect a merchandise display tent unless approval has been obtained from the Town in accordance with the requirements of this By-law.
- 3.10 A merchant that wishes to erect a merchandise display tent on the street side of the boulevard shall submit the following to the satisfaction of the Planning Division:
 - a) a drawing illustrating:
 - i. the precise limits of the merchandise display tent size, location and any anchoring implements;
 - ii. Measurements of the sidewalk, boulevard area and building frontage;
 - iii. Distance measurements (in metres) from the proposed merchandise display tent to any nearby obstructions (such as trees, poles, street furnishings, signs, etc.);
 - iv. A general description of the merchandise display and related display fixtures (such as racks, tables, etc.); and
 - b) a certificate or insurance in a form satisfactory to the Town naming the Town as an additional insured with a coverage limit not less than two (2) million dollars in Commercial General Liability.
- 3.11 The authority to grant approval of a request to erect a merchandise display tent on the street side of the boulevard that meets the

requirements of this By-law is hereby delegated to the Manager of Planning or their designate.

- 3.12 The granting of approval to erect a merchandise display tent that meets all requirements of this By-law shall be subject to the following terms and conditions:
- a) That any safety measures applied by the Town as part of an application to erect a merchandise display tent shall be adhered-to at all times;
 - b) That the tent shall not be attached/embedded to the sidewalk or boulevard surface and shall be properly secured through the use of weights or other appropriate means;
 - c) That all display items, furniture, equipment, tent and ancillary items be removed as required by the Town for snow removal or property maintenance; and
 - d) That the merchandise display tent may be erected at any time only during the period from between April 1 and October 31 of any given year.
- 3.13 Approval to erect a merchandise display tent within the Downtown Orangeville Heritage Conservation District will constitute approval of a Heritage Permit for the alteration of the exterior of a building within the District pursuant to Part V of the Ontario Heritage Act and will be subject to prior consultation with Heritage Orangeville or their designate.

Passed in open Council this 1st day of May, 2023



Lisa Post, Mayor



Carolina Khan, Clerk