



## Report

**Subject:** Retail Business Holiday Exemption By-law Amendment

**Department:** Corporate Services

**Division:** By-law/Property Standards

**Report #:** CPS-2025-043

**Meeting Date:** 2025-05-12

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### Recommendations

**That report CPS-2025-043, Retail Business Holiday Exemption By-law Amendment, be received; and**

**That Council opt for option 2 and amend section 2.1 of the Retail Business Holiday Exemption By-law No. 25-2011 to permit retail business to be open on all holidays.**

### Overview

The Town of Orangeville first enacted its Retail Business Holiday Exemption By-law in 2011 to support economic competitiveness and respond to local business concerns regarding holiday closures. Originally focused on larger retailers, the by-law was later amended in 2013 to extend eligibility to all retail businesses that meet tourism criteria. Over time, Orangeville's demographics, tourism sector, and business landscape have evolved considerably, with increasing cultural diversity and a growing emphasis on year-round tourism. These changes, coupled with recent input from the Orangeville Business Improvement Area (OBIA), have prompted renewed discussion around the by-law's relevance, particularly the mandatory closures on Good Friday, Easter Sunday, and Christmas Day.

### Background

#### Initial Request and Staff Report – Report CL- 2011-01

On January 10, 2011, Orangeville Town Council received a request from Mr. Buddy Pitt of the Orangeville Home Hardware Building Centre, seeking an exemption from the *Retail Business Holidays Act*, R.S.O. 1990, to allow retail businesses in Orangeville to open on holidays and remain competitive with nearby municipalities such as Shelburne and Alliston.

In response, Report CL-2011-01, prepared by Cheryl Johns, Clerk, and dated January 14, 2011, was presented to Council. The report outlined the legislative process required to pass a by-law permitting such exemptions and described the tourism criteria that must be satisfied, as prescribed in the *Retail Business Holidays Act*.

Key highlights from the report include:

- The Act prohibits retail operations on nine holidays, including Christmas Day, New Year's Day, Good Friday, Easter Sunday, Canada Day, Family Day, and others.
- Municipalities may pass an exemption by-law if there is a demonstrated tourism rationale.
- The proposed by-law could apply area-wide or to individual businesses and could define specific holidays and hours of operation.

Council passed a resolution directing staff to prepare a draft by-law and schedule a public meeting.

### **Public Consultation and Council Direction**

A public meeting was held on March 21, 2011, as required under the legislation, to solicit feedback from the community on the proposed by-law (recorded in Report CL-2011-001).

During the meeting:

- Supporters, including Mr. Pitt and Ms. Rose Paterak (Home Hardware staff), cited economic and competitive reasons for allowing stores to open on statutory holidays such as Victoria Day and Labour Day.
- Opponents, including Mr. Jim Reid (The Brick) and other retail workers, submitted a petition arguing that statutory holidays are important for family time and rest and should be preserved as "common pause days."

Despite mixed opinions, Council acknowledged the petition and directed that a by-law be prepared to allow holiday openings in compliance with tourism development criteria. It was also noted that the by-law would exclude Christmas Day, New Year's Day, Good Friday, and Easter Sunday from exemptions.

### **Enactment of Retail Business Holiday Exemption By-law – 25-2011**

As a result of these deliberations, Council enacted By-law No. 25-2011 in April 2011. The by-law authorized retail businesses in Orangeville to open on holidays except for:

- Christmas Day
- New Year's Day

- Good Friday
- Easter Sunday

Initially, the by-law only applied to larger retail establishments (those with  $\geq 2,400$  square feet of retail space and/or four or more employees), as smaller stores may already qualify under provincial exemptions.

### **Amendments to Broaden Eligibility – Report CL-2013-08**

In June 2013, the Orangeville Business Improvement Area (BIA) submitted a letter to Council expressing concern that many small businesses in the downtown core, despite being tourism-focused, could not open on statutory holidays because they did not meet the minimum size/staffing requirements of By-law 25-2011.

In response, Report CL-2013-08, prepared by Cheryl Johns, Clerk, and dated July 4, 2013, recommended amending By-law 25-2011 to remove the square footage and staffing threshold, thereby allowing all retail businesses to open on eligible holidays, provided they meet the tourism criteria.

Council approved the recommendation at its July 15, 2013, meeting, ensuring that all businesses, regardless of size, could legally open on the following holidays:

- Family Day
- Victoria Day
- Canada Day
- August Civic Holiday
- Labour Day
- Thanksgiving Day
- Boxing Day

This amendment broadened the by-law's impact and aligned with the Town's ongoing efforts to support local business growth and enhance tourism.

### **Public Meeting**

On April 28, 2025, a Public Meeting was convened to discuss the review of the Retail Business Holiday Exemption By-law. No residents attended to provide comments or questions. Council members expressed support for the opening of retail establishments on all holidays defined within the Act. During the meeting, two questions from Council members were addressed: Firstly, regarding the impact of potential by-law amendments on Town facilities such as recreation centres, it was clarified that the by-law and Act only

apply to retail businesses, thus not affecting the operation of recreation centres or Town Hall. Secondly, a query was raised about the rationale for excluding Christmas Day. Although the OBIA's motion did not provide specifics, the importance of acknowledging cultural diversity was noted. This ensures that not all residents or business owners, who may not observe Christmas, are restricted from conducting business, aligning with Orangeville's commitment to tourism and cultural inclusivity.

## **Analysis/Current Situation**

### **Tourism Growth and Cultural Diversity in Orangeville**

Orangeville's tourism sector has experienced significant growth, driven by its rich cultural offerings, vibrant arts scene, and natural attractions. The Town's five-year Tourism Strategy and Action Plan, adopted in 2021, emphasizes leveraging arts, culture, and outdoor experiences to attract visitors year-round. The strategy's vision aims for Orangeville to become a burgeoning tourism destination known for its unique combination of progressive community values and small-town charm by 2026.

The 2024 Economic Development and Culture Strategy further highlights the importance of tourism and culture in Orangeville's economic landscape. It identifies fostering tourism and culture as one of its three priority focus areas, recognizing that these sectors are intertwined and essential for attracting visitors, supporting local businesses, and creating jobs in creative industries.

Orangeville's downtown area, with its unique selection of independently-owned businesses and creative assets, serves as a central hub for tourism. The Town's central location and proximity to the Greater Toronto Area make it an appealing destination for a diverse group of visitors.

### **Demographic Shifts and Business Diversity**

The Town's demographic landscape has evolved, with an increasingly diverse population and business ownership. This diversity is reflected in the variety of cultural events, festivals, and businesses that cater to a wide range of communities. The Economic Development and Culture Strategy emphasizes the importance of supporting small businesses, which are the heart of Orangeville, providing most of the jobs across diverse sectors, including retail and the creative industry.

The Orangeville Business Improvement Area (OBIA) has acknowledged these demographic and economic shifts. In May 2025, the OBIA Board passed the following resolution:

**\*\*Retail Business Holiday Exemption Bylaw 25-2011 & Amendment 67-2013\*\***

*Moved by M. Beattie, B. Luhar — Carried.*

*That, due to the increasingly diverse population and business ownership in Orangeville and Dufferin County as well as the increase in numbers and diversity of the people who*

*are visiting Downtown Orangeville, the OBIA Board supports a review and reconsideration of the Town of Orangeville's Business Holiday Exemption Bylaw (2011-025 & 2013-023) and specifically its mandatory closure requirements for retailers on Good Friday & Easter Sunday with further consideration for Christmas Day. And that staff be directed to draft correspondence requesting that the Town review and reconsider the Bylaw accordingly.*

### **Comparative Municipal Practices**

Other municipalities have adopted more flexible approaches to holiday retail operations. For instance, Collingwood's by-law permits retail business establishments to open on certain holidays "should they wish to be open," providing businesses with the autonomy to decide based on their customer base and operational considerations.

### **Implications for Orangeville**

Given the evolving demographic and economic context, there is a growing need to reassess the current Retail Business Holiday Exemption By-law. Aligning the bylaw with the Town's strategic priorities and the needs of its diverse community could enhance Orangeville's appeal as a year-round tourism destination and support the vitality of its local businesses.

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### **Corporate Implications**

This report will not generate direct implications. If future actions related to this report will have a corporate impact, a report will be presented to Council for approval, if required.

### **Conclusion**

Given the significant growth in Orangeville's tourism economy, increasing cultural and demographic diversity, and evolving retail landscape, it is appropriate for Council to re-evaluate the Town's current Retail Business Holiday Exemption By-law (By-law 25-2011, as amended by By-law 67-2013). The recent resolution by the OBIA Board reflects the interests of a broad range of local businesses who wish to better serve a growing and diverse customer base on statutory holidays. Moreover, examples from comparator municipalities such as Collingwood demonstrate that more flexible approaches are possible and may better align with local business needs.

In consideration of the current context and community feedback, Council may wish to review the following options:

- **Option 1:** Amend the current by-law to permit retail businesses to open on Good Friday, Easter Sunday, and Christmas Day.

- **Option 2:** Amend the by-law to allow retailers to open on all holidays, effectively removing mandatory closure dates.
- **Option 3:** Maintain the current by-law as is, with mandatory closures on Good Friday, Easter Sunday, Christmas Day, and New Year's Day.

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## Strategic Alignment

### Strategic Plan

Strategic Goal: Economic Resilience

Objective: Competitiveness – Attract new business activity and employment

### Notice Provisions

Not Applicable

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Respectfully submitted,

Antonietta Minichillo  
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**Attachment(s):** 1. Retail Business Holiday By-law Amendment - 2025