



Community Services Committee Meeting Agenda

Monday, June 13, 2022, 9:30 a.m.

Council Chamber

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Pages

Public Meeting

Additional Agenda Items

(As may be presented at the meeting)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

Presentations

None.

Delegations

Ron Bremner and Greg Milosh - Proposal for a Community-Funded Landmark Oshawa Sign

Ron Bremner and Greg Milosh requesting to address the Community Services Committee concerning a proposal for a Community-Funded Landmark Oshawa Sign.

Correspondence Requiring Action

None.

Referrals from Council and Committees

CS-22-72 - New Community Safety Zones and an increase in Durham Regional Police Enforcement (Ward 5)

Whereas Community Safety Zones are effective in addressing speeding and other traffic issues in areas of special need; and,

Whereas this is especially true is zones that access schools and parks;

Be it resolved that Council support the following:

1. That a Community Safety Zone be established in the following zones:
 - a. Simcoe Street South from Wentworth Street to Lakeview Park; and,
 - b. Cedar Street from Wentworth Street West to Stone Street; and,
 - c. Phillip Murray Avenue from Valley Drive to Park Road South; and,
2. That as these zones are under consideration, the City request Durham Regional Police to increase enforcement for excessive speeding and other traffic offences

Reports from Advisory Committees

CS-22-76 - Fourth Report of the Oshawa Active Transportation Advisory Committee (All Wards)

The Oshawa Active Transportation Advisory Committee respectfully reports and recommends to the Community Services Committee its Fourth Report.

1. Active Streets Oshawa - July 1st Weekend (OATAC-22-18)

Recommendation

That pursuant to Oshawa City Council approval of the closure of Harbour Road from Simcoe Street to Farewell Street for one weekend in July and one weekend in August to celebrate Active Streets Oshawa, the Oshawa Active Transportation Advisory Committee requests that Harbour Road from Simcoe Street to Farewell Street be closed in conjunction with the City of Oshawa Canada Day celebrations.

Reports Requiring Action

CS-22-63 - Downtown Sidewalk Snow Clearing Pilot Project (Ward 4)

Recommendation

That the Community Services Committee recommend to City Council one of the two options:

Community Services Committee
June 13, 2022

Whereas, as part of the 2021 Budget process, Council approved a pilot project for Sidewalk Snow Clearing in High Pedestrian Traffic Areas within the former Oshawa Central Business Improvement Area of the Downtown ("Pilot Project") with funding from the Operations Reserve; and,

Whereas the Pilot Project commenced January 1, 2021 in accordance with CS-20-58, dated October 26, 2020, which provides the details of the Pilot Project including the extended service area, level of service, and liability and risk; and,

Whereas on September 27, 2021, Council approved an extension of the pilot into the winter of 2022 to allow staff to better assess costs and to determine service level requirements (CS-21-91); and,

Whereas Council directed staff to report back to the Community Services Committee on the results of the pilot project; and,

Whereas during Year 1 of the Pilot Program (January 2021 to April 2021) there were 17 winter storm events and during Year 2 there were 29 storm events (November 2021 to April 2022); and,

Whereas the Pilot Program added an additional 12.1 km of sidewalks, previously cleared by the adjacent property owner, to the City's sidewalk snow clearing program that traditionally would have only required the City to clear 4.8 km of sidewalk adjacent to City property; and,

Whereas staff consulted the Oshawa Accessibility Advisory Committee who did not voice any objection and an overall positive impression of the expanded snow clearing program; and,

Whereas the expanded program benefited property owners and businesses in the downtown and enhanced visitor experience and walkability; and,

Whereas Operations Services Branch is able to manage equipment requirements through current fleet resources, however, there were challenges from a staffing perspective to undertake the increased level of service while also meeting the Provincial Minimum Maintenance Standards Regulation 239/02 and Council approved Quality Standard; and,

Whereas, if the desire is to continue to clear all sidewalks, identified in Attachment 1, permanently, additional temporary labourers will be required during the winter months at an annual cost of \$60,000 to offset the increased labour needs of the expanded program and \$11,000 in additional salt cost;

Therefore be it resolved:

Option 1:

1. That pursuant to CS-22-63 dated June 8, 2022, the Sidewalk Snow Clearing in High Pedestrian Traffic Area of the Downtown Pilot Program, as identified in Attachment 1, be made permanent; and,
2. That \$60,000 be added to the annual operating budget for temporary staff and \$11,000 in additional salt cost necessary to support the sidewalk snow clearing program.

OR

Option 2:

That pursuant to CS-22-63 dated June 8, 2022, the Sidewalk Snow Clearing in High Pedestrian Traffic Areas of the Downtown Pilot Program not be made permanent and that businesses/property owners in the pilot area be notified.

Public Consent Agenda

Correspondence

CS-22-73 - Kyle Paterson Requesting a Disc Golf Course (All Wards)

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Recommendation

That the Community Services Committee recommend to City Council:

That Correspondence CS-22-73, from Kyle Paterson concerning the request for a Disc Golf Course be referred to the Parks, Recreation, Library and Culture Review.

CS-22-75 - Liz and Hubert Schillings requesting the City of Oshawa, Region of Durham and Oshawa Power and Utilities Corporation work together to Improve the Management Practices of the Rural Tree Line under the Power Lines (All Wards)

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Recommendation

That the Community Services Committee recommend to City Council:

That Correspondence CS-22-75 from Liz and Hubert Schillings concerning the request for the City of Oshawa, Region of Durham and Oshawa Power and Utilities Corporation work together to Improve the Management Practices of the Rural Tree Line under the Power Lines be referred to staff for a direct response.

CS-22-77 - Philip Mackey requesting a stoplight be installed at Simcoe Street North and Howden Road and a Four-way stop at Ritson Road North and Howden Road East (Ward 1)

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Recommendation

That the Community Services Committee recommend to City Council:

That Correspondence CS-22-77 dated June 7, 2022, from Philip Mackey concerning a request for a stoplight be installed at Simcoe Street North and Howden Road and a Four-way stop at Ritson Road North and Howden Road East be referred to staff for a direct response.

Staff Reports/Motions

CS-22-62 - Community Services Outstanding Items List - Second Quarter (All Wards)

23

Recommendation

That the Community Services Committee recommend to City Council:

That Report CS-22-62, dated June 8, 2022 being the Community Services Committee's Outstanding Items Status Report for the second quarter of 2022 be received for information.

CS-22-64 - Memorial Bench (All Wards)

Recommendation

That the Community Services Committee recommend to City Council:

Whereas, on May 16, Community Services Committee recommended the Third Report of the Oshawa Accessibility Advisory Committee – Request for an Accessible Bench as follows: “That the City install an accessible bench in honour of past Oshawa Accessibility Advisory Committee member, Susie Boyle”; and,

Whereas on May 24, 2022, City Council referred CS-22-50, being the Third Report of the Oshawa Accessibility Advisory Committee to determine possible funding sources for the next Community Services Committee Meeting; and,

Therefore, be it resolved, a commemorative bench be purchased and installed in the Oshawa Valley Botanical Garden (O.V.B.G.) at a cost of approximately \$2,612.91 inclusive of H.S.T. to be accommodated in the Parks Operating Budget in honour of Susie Boyle.

CS-22-65 - Proposed Amendments to Road Occupancy By-law 37-2007 – Tiered and Escalating Administrative Monetary Penalties and inclusion of general occupancy (All Wards)

Recommendation

That the Community Services Committee recommend to City Council:

Whereas tiered and escalating Administrative Monetary Penalties (A.M.P.s) have proven to be an effective and efficient tool for enhancing compliance with City by-laws;

Whereas staff continually assess the utility of tiered and escalating A.M.P.s in City by-laws and have identified Road Occupancy By-law 37-2007, as amended, as an appropriate by-law to establish tiered and escalating A.M.P.s at the following amounts:

- Tier one: \$250
- Tier two: \$350
- Tier three: \$450

Whereas the Road Occupancy By-law 37-2007 applies to road or lane closures associated with 'Construction or Maintenance' activities, and;

Whereas on occasion Road Occupancy Permits are issued for other temporary activities within the right of way such as moving containers or for parades;

Therefore be it resolved:

1. That, in accordance with Report CS-22-65 dated June 8, 2022 concerning tiered and escalating Administrative Monetary Penalties, Road Occupancy By-law 37-2007, as amended, be further amended in a form and content acceptable to the Commissioner, Community Services Department and Legal Services to establish tiered and escalating Administrative Monetary Penalties as generally outlined in said Report; and,
2. That the Road Occupancy By-law 37-2007 be further amended to include general occupancy in addition to the current construction or maintenance purposes and that the by-law be in a form and content acceptable to the Commissioner, Community Services Department and Legal Services.

CS-22-66 - Civic Dome Allocation Policy (Ward 4)

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Recommendation

That the Community Services Committee recommend to City Council:

That pursuant to Report CS-22-66 dated June 8, 2022, the Civic Dome Allocation Policy be approved.

CS-22-67 - Sport Field and Outdoor Court Allocation Policy (All Wards)

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Recommendation

That the Community Services Committee recommend to City Council:

That pursuant to Report CS-22-67 dated June 8, 2022, the Sport Field and Outdoor Court Allocation Policy be approved.

CS-22-68 - Seasonal Natural Skating Area (Outdoor Rink) at Stone Street Park Tennis Court - (Ward 5)

Recommendation

That the Community Services Committee recommend to City Council:

Whereas on May 24, 2022 Council referred motion CS-22-56, that staff be directed to investigate other possible locations for natural outdoor rinks and report back to Community Services Committee; and,

Whereas staff have reviewed locations, the resources, equipment and needs of operating a seasonal natural ice skating rink and the recommended location which is Stone Street Park tennis court; and,

Whereas the hours of operation for the seasonal natural outdoor ice skating rink will be December to March from 9:00am to 10:00pm depending on suitable weather conditions; and,

Whereas the seasonal natural outdoor ice skating rink will be used for public leisure skating and shinny; and,

Whereas the seasonal natural outdoor ice skating rink will be maintained at a community level standard; and,

Whereas the estimated size of the proposed seasonal natural outdoor ice skating rink will be approximately 50 feet by 100 feet; and,

Whereas the cost to operate a seasonal natural outdoor ice skating rink is estimated to be \$36,500 which includes staffing, utilities and vehicle; and,

Whereas the capital costs to construct a seasonal natural outdoor ice skating rink is estimated to be \$50,700 which includes water service near the tennis court, materials and equipment; and,

Whereas the costing associated with constructing and operating a seasonal natural outdoor ice skating rink is an estimate, and could vary based on weather conditions and length of season; and,

Whereas sponsorship revenues may be able to recover a portion of the costs associated with the operation and maintenance of the natural outdoor ice skating rink; and,

Therefore be it resolved :

1. That based on Report CS-22-68 the construction and operation of a seasonal natural ice skating rink on the tennis court at Stone Street Park in the amount of \$50,700 in capital costs be funded from the Operations

Reserve in 2022; and,

2. That the 2023 Operating Budget be increased by \$36,500; and,
3. That the Commissioner, Community Services Department be granted authority to execute an agreement with the Durham District School Board for the purpose of extending a water line from the south Oshawa Community Centre to the tennis courts as deemed acceptable by Legal Services and Finance Services.

CS-22-69 - Biltmore Theatre Parking on Albert Street (Ward 4)

Recommendation

That the Community Services Committee recommend to City Council:

Whereas at the Community Services Committee meeting on October 18, 2021, correspondence from the Biltmore Theatre Corp., CS-21-107 was received requesting to purchase parking permits for 2 parking spaces located on the west side of Albert Street south of King Street; and,

Whereas at the City Council meeting on October 25, 2021, staff were provided the following direction regarding correspondence CS-21-107: "Therefore, be it resolved that the two parking spots closest to the rear access to the stage door of the Biltmore Theatre (aka 39 King Street East and under new ownership) be allotted to the Biltmore Theatre on a long-term leased basis, be paid for at currently-prescribed rates for such purposes on a monthly basis, be provided appropriate support from MLELS to ensure the available use of these two spots, and be approved with terms and conditions acceptable to the City Solicitor, to the Commissioner of Community Services, and to the Biltmore Theatre." and,

Whereas per Council direction, two parking spaces are planned to be allotted to the Biltmore Theatre beginning in July, 2022; and,

Whereas the applicable two on-street parking spaces are located on the west side of Albert Street from a point 15 metres south of King Street East to a point 32 metres south of King Street East; and,

Whereas an update to the Traffic and Parking by-law 79-99 is required to convert the applicable on-street parking spaces to where a monthly permit is required to park in the parking spaces any time of day, any day of the week including holidays, with a maximum permissible parking period of 48 hours;

Therefore, pursuant to CS-22-69 be it resolved that the Traffic and Parking By-law 79-99, as amended, be further amended so that the two on-street parking spaces on the west side of Albert Street from a point 15 metres south of King Street East to a point 32 metres south of King Street East be parking by monthly

permit only, anytime, with a 48 hour maximum permissible parking period for the sole use by the Biltmore Theatre Corp.

CS-22-70 - City Parking Lot Interim Use of the Expropriated Lands Known Municipally as 31 and 33 to 45 Simcoe Street North (Ward 4)

Recommendation

That the Community Services Committee recommend to City Council:

Whereas on November 22, 2021, Closed Report DS-21-201 was approved by City Council for the City of Oshawa to expropriate 3 parcels of land known municipally as 31, 33 and 45 Simcoe Street North for future parkland purposes; and,

Whereas the City of Oshawa acquired the land parcels known municipally as 33 and 45 Simcoe Street North on April 30, 2022 and takes possession of the land parcel known municipally as 31 Simcoe Street North on July 25, 2022; and,

Whereas City Council was made aware that the land parcels known municipally as 31, 33, and 45 Simcoe Street North will be maintained as a Municipal Parking Lot until plans for future parkland and greenspace are finalized; and,

Whereas this Municipal Parking Lot will be known as Municipal Parking Lot #20; and,

Whereas in order to operate this land as a Municipal Parking Lot to provide daily use parking and permit parking, amendments are required to Schedule V – Parking Lots, of the Traffic and Parking By-Law 79-99 as amended;

Therefore, be it resolved that the Traffic and Parking By-Law 79-99 as amended, be further amended, to add Municipal Parking Lot #20 at 31 and 33 to 45 Simcoe Street North in Schedule V – Parking Lots, and that such by-law be in a form and content acceptable to Legal Services and the Commissioner, Community Services Department and once the property becomes development for parkland purposes and is no longer being used as a parking lot, that Traffic and Parking By-law 79-99, as amended be further amended to delete Municipal Parking Lot #20.

CS-22-71 - Proposed New Fire Services Establishing and Regulating By-Law (All Wards)

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Recommendation

That the Community Services Committee recommend to City Council:

That in accordance with Report CS-22-71, the proposed new Fire Services Establishing and Regulating By-law, dated June 8, 2022 which forms Attachment

1 to this report be approved generally in a form and content acceptable to the Commissioner, Community Services Department, the Fire Chief and Legal Services.

CS-22-74 - Orange Crosswalk Update (All Wards)

Recommendation

That Community Services Committee recommends to City Council:

Whereas CS-21-110, dated October 18, 2021 directed staff to staff to investigate the options for design and installation of an Orange Crosswalk in the City of Oshawa as a commemoration of the Indigenous children who endured the residential school system, their families and their communities through consultation with the Mississaugas of Scugog Island First Nation, the Oshawa and Durham Region Metis Council, Bawaajigewan Aboriginal Community Circle, the Community Diversity Equity and Inclusion Committee, and other relevant stakeholders and that staff report back to Community Services Committee with options for consideration; and,

Whereas consultation with Indigenous communities is still ongoing and the City is awaiting response from Chief LaRocca at Mississaugas of Scugog Island First Nation; and,

Whereas it is of vital importance to ensure engagement of Indigenous communities in determining the appropriateness of a crosswalk and in determining location, design and timing; and,

Whereas if determined appropriate for installation in 2022, the crosswalk should be installed during the warm weather of the summer months; and

Whereas City Council is on summer recess after June 2022; and,

Whereas the installation of the crosswalk can be managed within the Community Services Operational Budget,

Therefore be it resolved pursuant to CS-22-74, the Commissioner, Community Services Department be authorized to install an Orange Crosswalk in the location determined by the consultation with Indigenous communities, should it be determined appropriate for a 2022 installation, following the consultation and that the installation be funded through the Community Services Operational Budget.

Public Discussion Agenda

Matters Excluded from Consent Agenda

Items Introduced by Members

Closed Consent Agenda

Closed Correspondence

None.

Closed Staff Reports/Motions

None.

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Items Requiring Action

None.

Adjournment

Community Services Committee – June 8, 2022

Downtown Sidewalk Snow Clearing Pilot Project (Ward 4)

That the Community Services Committee recommend to City Council one of the two options:

Whereas, as part of the 2021 Budget process, Council approved a pilot project for Sidewalk Snow Clearing in High Pedestrian Traffic Areas within the former Oshawa Central Business Improvement Area of the Downtown (“Pilot Project”) with funding from the Operations Reserve; and,

Whereas the Pilot Project commenced January 1, 2021 in accordance with [CS-20-58](#), dated October 26, 2020, which provides the details of the Pilot Project including the extended service area, level of service, and liability and risk; and,

Whereas on September 27, 2021, Council approved an extension of the pilot into the winter of 2022 to allow staff to better assess costs and to determine service level requirements ([CS-21-91](#)); and,

Whereas Council directed staff to report back to the Community Services Committee on the results of the pilot project; and,

Whereas during Year 1 of the Pilot Program (January 2021 to April 2021) there were 17 winter storm events and during Year 2 there were 29 storm events (November 2021 to April 2022); and,

Whereas the Pilot Program added an additional 12.1 km of sidewalks, previously cleared by the adjacent property owner, to the City’s sidewalk snow clearing program that traditionally would have only required the City to clear 4.8 km of sidewalk adjacent to City property; and,

Whereas staff consulted the Oshawa Accessibility Advisory Committee who did not voice any objection and an overall positive impression of the expanded snow clearing program; and,

Whereas the expanded program benefited property owners and businesses in the downtown and enhanced visitor experience and walkability; and,

Whereas Operations Services Branch is able to manage equipment requirements through current fleet resources, however, there were challenges from a staffing perspective to undertake the increased level of service while also meeting the Provincial Minimum Maintenance Standards Regulation 239/02 and Council approved Quality Standard; and,

Whereas, if the desire is to continue to clear all sidewalks, identified in Attachment 1, permanently, additional temporary labourers will be required during the winter months at an annual cost of \$60,000 to offset the increased labour needs of the expanded program and \$11,000 in additional salt cost;

Therefore be it resolved:

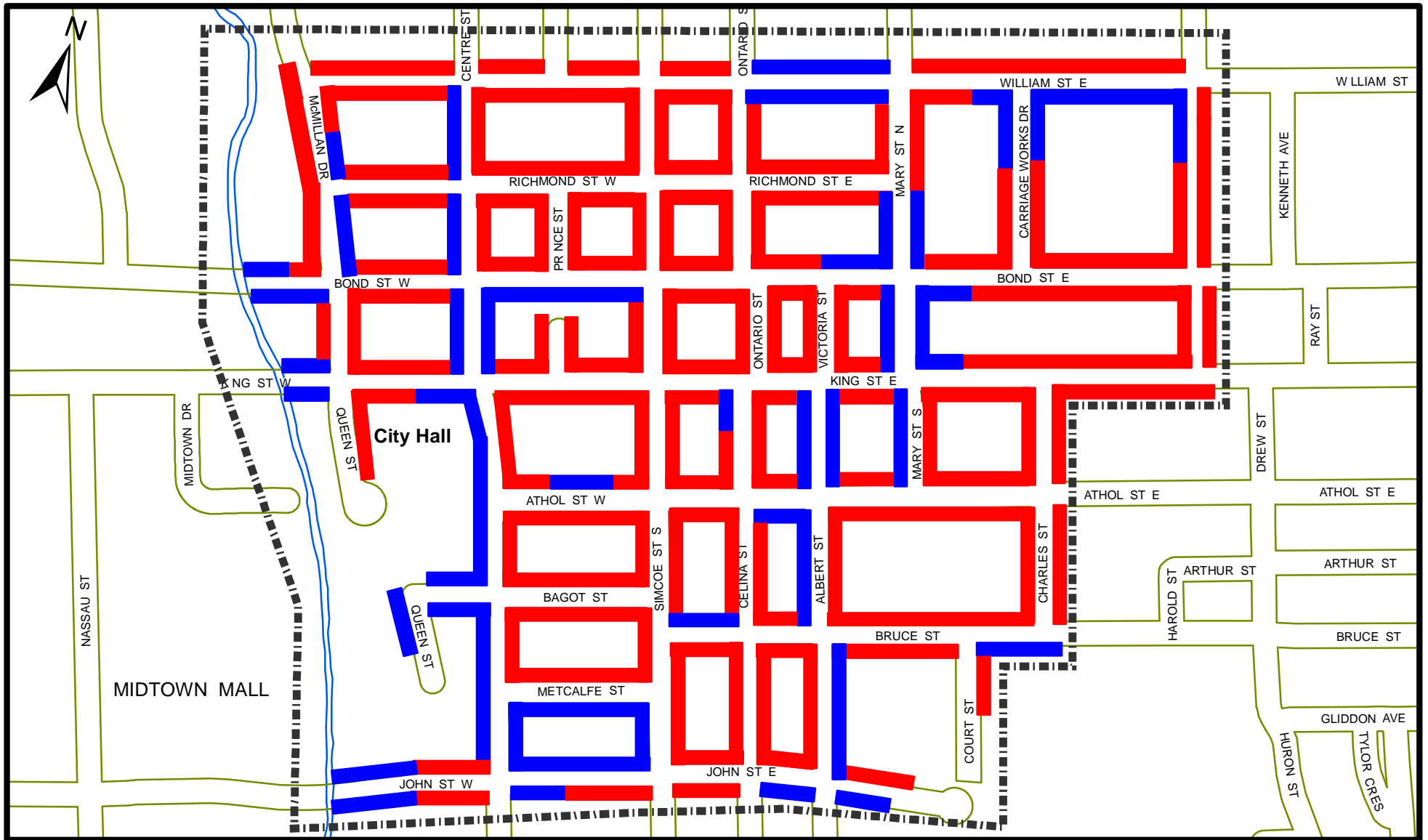
Option 1:

1. That pursuant to CS-22-63 dated June 8, 2022, the Sidewalk Snow Clearing in High Pedestrian Traffic Area of the Downtown Pilot Program, as identified in Attachment 1, be made permanent; and,
2. That \$60,000 be added to the annual operating budget for temporary staff and \$11,000 in additional salt cost necessary to support the sidewalk snow clearing program.

OR

Option 2:

That pursuant to CS-22-63 dated June 8, 2022, the Sidewalk Snow Clearing in High Pedestrian Traffic Areas of the Downtown Pilot Program not be made permanent and that businesses/property owners in the pilot area be notified.



CURRENT WINTER SIDEWALK MAINTENANCE
(4.8km)



PROPOSED ADDITIONAL WINTER SIDEWALK MAINTENANCE
(12.1km)



TOTAL WINTER SIDEWALK MAINTENANCE
(16.9km)



Former B.I.A. LIMITS

CS-22-63 Attachment 1



Downtown Winter Sidewalk Maintenance Program

From: Kyle Paterson <M.F.I.P.P.A Sec. 14(1)>
Sent: Monday, May 30, 2022 1:52 PM
To: clerks <clerks@oshawa.ca>
Cc: Brian Nicholson <BNicholson@oshawa.ca>; Dan Carter <DCarter@oshawa.ca>
Subject: FW: Disc golf by ChainLink Disc Golf

Hi, Clerk of Oshawa, Dan, and Brian,

First, Brian is my local councillor and truly A+. What he has to deal with in our community is ridiculous! We have a very needy group of residents who seem to have a lot of time on their hands. Brian did suggest I send this email to Clerks.

I do not know WHY we don't have a proper disc golf course in Oshawa. Comparatively speaking, it is a wildly inexpensive investment and is booming in popularity. Low barrier to entry and brings in healthy-minded outdoor people.

I have attached a presentation from an organization that has built several courses in Toronto and the other side of the GTA. Why would we fall so far behind the other side of the GTA in an area like Disc Golf? If I want to play, I either have to make up my own course or drive out to Peterborough or the Beaches in Toronto. That doesn't make any sense.

Some of the places run leagues and it brings out big crowds. It's not like space is an issue & we do not mind putting activities on top of already dense areas (I'm thinking the vball courts on at the water *which I love).

Let me know where to go from here.

Kyle Paterson, RIB (Ont.), LLQP
Director of Business Development & Culture
Bryson Insurance

<M.F.I.P.P.A Sec. 14(1)>
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<M.F.I.P.P.A Sec. 14(1)>
<M.F.I.P.P.A Sec. 14(1)>, Ajax, Ontario

To: The City of Oshawa (the City),
 Region of Durham (the Region) and
 Oshawa Power and Utilities Corporation (OPUC)

Please accept this request for the City of Oshawa (the City), Region of Durham (the Region) and the Oshawa Power and Utilities Corporation (OPUC) work together to revise and improve management practices of the rural tree line under power lines.

Immediate measures are needed to lessen the risk and hazard to the safety and well-being of the rural community from trees under hydro lines north of Highway 407.

Many of the trees under hydro lines need to be pruned. Also, the danger and negative impact many have given their location, size and age, a number should be removed.

Downed branches and trees in the urban developed areas do not cause the wider and longer power outages the northern rural residents and businesses regularly experience.

No one should die as a result of the rural tree problem, but with the occurrences of more extremes in weather, the real risks these trees pose should not be ignored. The May 21, 2022 storm was both a lesson and warning that essential changes involving the City, Region and OPUC need to be implemented to address this complex problem without delay.

Please provide a response with a follow-up action plan from the City, the Region and OPUC.

Yours truly,




<M.F.I.P.P.A Sec. 14(1)>

REC'D CITY CLERK SUCCS
 22 JUN 7 PM 4:23

CS-22-77

From: Philip Mackey <M.F.I.P.P.A Sec. 14(1)>
Sent: Tuesday, June 7, 2022 3:12 PM
To: clerks <clerks@oshawa.ca>
Cc: * Council <council@oshawa.ca>
Subject: Stoplight at Howden & Simcoe , Oshawa

I, the owner of the municipally known address of <M.F.I.P.P.A Sec. 14(1)>, Oshawa. Philip Mackey, am requesting that the City of Oshawa request the Region of Durham, to put a stop light at Simcoe & Howden. Moreover, I am requesting, The City of Oshawa install a 4 way stop at Howden & Ritson Rd . In the last few years speeding has increased on Howden, and has led to increasing concerns about safety.

Kind Regards,
Philip Mackey

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
1.	Satellite Oshawa Animal Services Facility	CSC – Apr 23/19 CS-19-62	CNCL - Apr 29/19 CS-19-62	That staff investigate a north Oshawa Animal Services satellite facility or one centralized facility; and, this item be referred to the Oshawa Animal Care Advisory Committee once established	Strategic & Business Services	T.B.D.
2.	Tree Protection By-law	CSC – Jun 20/13 CS-13-46	CS-19-134	Referred to staff for a report as part of the Forestry Master Plan	Operations Services	T.B.D.
3.	Traffic By-law Amendments	CNCL – Dec 16/19	CNCL-Sept 27/21 CORP-21-43	Referred to staff for a report to prohibit parking on all streets from 2:00 a.m. to 6:00 a.m. and investigate violations through proactive patrols and through a dedicated direct phone line and online complaint procedure outside of that provided by Service Oshawa while optimizing the enforcement service to prioritize the proactive patrol method	Strategic & Business Services	TBD

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
4.	Proposed Pilot Project – Sidewalk Snow Clearing in High Pedestrian Traffic in Parts of the Downtown	CSC – Mar 9/20 CS-20-25	CNCL-Sept 27/21 CS-21-91	Staff report back on the results of the extended pilot project in 2022	Operations Services	June 2022
5.	Notice of Motion – Reduction of Speed in School Zones to 30 km/hr	CNCL – Mar 29/21 CS-21-40	CNCL May 12, 2022 CNCL-22-37	Will be reviewed after 40 km/h pilot project as part of the Neighbourhood Traffic Management Study	Strategic & Business Services	Q1 2023
6.	Basketball Court at Coldstream Park	CSC – May 17/21 CS-21-53	CNCL- Sept 27/21 CS-21-90	That staff seek out any government grants or sponsorships to assist with the costs to design and construct a full basketball court.	Operations Services	T.B.D.
7.	Off-leash Dog Park in the Southern Part of Kedron Part II Plan	CSC – May 17/21 CS-21-56	CSC – May 17/21 CS-21-56	Referred to staff for further investigation and that public consultation be started on this proposed location.	Operations Services	T.B.D.
8.	Downtown Speed Limit Control	CSC – June 14/21 CS-21-79	CSC – June 14/21 CS-21-79	That staff report back to the Community Services Committee on options and considerations including consultation with the Region of Durham to make the entire downtown a 40 km/h speed limit zone	Strategic & Business Services	T.B.D.

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
9.	First Report of the OATAC	CSC – June 14/21 CS-21-75	CSC – June 14/21 CS-21-75	That Item 2 of Report (2021 Work Plan – Cycling Network Maintenance Issues) OATAC-21-22 concerning cycling network maintenance issues be referred to staff to review the issues.	Operations Services	T.B.D.
10.	Pilot Implementation of recurring Short-Term Closures	CSC-Sept 20/21 CS-21-99	CNCL-Sept 27/21 CS-21-99	Staff investigate and report back by April 2022 on the pilot program of short-term closures of City Streets for Active Transportation use	Operations Services	June 2022
11.	Design and Installation of an Orange Crosswalk in the City of Oshawa	CSC- Oct 18/21 CS-21-110	CNCL-Oct 25/21 CS-21-110	Referred to staff for a report about options for design and installation	Operations Services	TBD
12.	Expansion of Large Item Collection Policy	CSC- Oct 18/21 CS-21-111	CNCL- Oct 25/21 CS-21-111	Referred to staff for a report about expansion of large item collection	Operations Services	TBD
13.	Durham Region's Proposed study on Streetlighting	CSC-Nov 15/21 CS-21-120	CNCL-Dec 13/21 CS-21-132	Staff to report back to CS on the results of the study	Strategic and Business Services	T.B.D.
14.	3 way stop at Verdun Rd and Vimy Ave	CSC-Nov 15/21 CS-21-121	CNCL April 25/22 CS-22-38	Staff to report back after the six month check-in	Strategic and Business Services	Q1-2023

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
15.	Future Traffic Data on Britannia Ave. E, Bridle Rd. and Steeplechase St.	CSC-Nov 15/21 CS-21-125	CNCL-Nov 22/21 CS-21-125	Referred to staff to report back to CS on traffic data	Strategic and Business Services	Sept 2022
16.	Alteration of Lakeview Park's Visiting Hours	CSC-Dec 6/21 CS-21-135	CNCL-Dec 13/21 CS-21-135	Staff to monitor and investigate and report back in Q2 of 2022	Operations Services	June 2022
17.	Proposed Community Shared Micro-Mobility Pilot Program by Bird Canada Inc.	Joint DSC/CSC January 20/22 DS-22-22	Joint DSC/CSC January 20/22 DS-22-22	Referred to staff for a report back to the Joint Committee	Joint DSC/CSC January 20/22 DS-22-22	June 13, 2022 – Joint DSC/CSC meeting
18.	Scouts Canada Requesting to enter into Negotiations for a new Long Term Agreement	CS-Jan 17/22 CS-22-02	CNCL- Jan 24/22 CS-22-02	Referred to staff for a report	Recreation & Culture Services	Sept 2022
19.	Memorials Recognizing Existing Unmarked Graves	CS-Jan 17/22 CS-22-05	CNCL-Jan 24/22 CS-22-05	Referred to staff for a report	Recreation & Culture Services	Sept 2022
20.	Lighting for Michael Starr Trail	CS-Feb 14/22 CS-22-21	CNCL-Feb 22/22 CS-22-21	Staff to report on costs and timing and include the funding opportunities recently made public through the Parks and Recreation Ontario Fund	Operations Services	T.B.D.

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
21.	Ron Bremner Submitting comments regarding Item DS-22-05 being the City Council referral concerning Compliance with Site Plan Agreements	DS-Jan 10/22 DS-22-15	CNCL-Jan 24/22 DS-22-15	That Community Services staff be directed to investigate the need for potential traffic calming and safety measures, including the need for a Community Safety Zone, on Ormond Drive, generally between Conlin Meadows Park and Coldstream Drive, and report back to the Community Services Committee.	Strategic & Business Services	Sept 2022
22.	Second Report of the Oshawa Environmental Advisory Committee Weeds By-law	OEAC Feb 1/22 OEAC-22-12	CSC March 21/22 CS-22-30	Referred to staff to investigate recommendations contained within Report OEAC-22-12	Operations Services	TBD
23.	Durham Catholic District School Board requesting a Partnership with the City of Oshawa	CSC April 19/22 CS-22-45	CSC April 19/22 CS-22-45	Referred to staff for a report	Recreation & Culture Services	Sept 2022
24.	Krista Clark Proposing Potential Pathway Behind Eastdale High School	CSC April 19/22 CS-22-40	CSC April 19/22 CS-22-40	Referred to staff for a report	Operations Services	TBD

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
25.	Oshawa Power and Utilities Corporation requesting an updated collaboration request to facilitate Transportation Innovation Opportunities	CSC-April 19/22 CS-22-41	CNCL April 25/22 CS-22-41	Staff provide a report on the results of this initiative	Strategic & Business Services	4th Quarter 2023
26.	Third Report of the Oshawa Environmental Advisory Committee Road Salt Use	OEAC April 5/22 OEAC-22-23	CNCL April 25/22 CS-22-44	Staff report back on the various recommendations at intervals	Operations Services	TBD

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
27.	Peter Taylor, Friends of Second Marsh - Requesting the City advance the development of a Memorandum of Understanding for the Friends of Second Marsh (Ward 4) and CNCL-22-45 Peter Taylor, Friends of Second Marsh - Proposed Funding Model for Friends of Second Marsh	CNCL May 24, 2022 CNCL 22-41 and CNCL-22-45	CNCL 22-41 and CNCL-22-45 May 24, 2022	<p>That Correspondence CNCL-22-41 from Peter Taylor, President, Friends of Second Marsh requesting the City advance the development of a Memorandum of Understanding for the Friends of Second Marsh be referred to staff for a report.</p> <p>That Correspondence CNCL-22-45 from Peter Taylor, President, Friends of Second Marsh submitting a proposed funding model for the Friends of Second Marsh be referred to staff to be considered in conjunction with Correspondence CNCL-22-41 regarding the request for the development of a Memorandum of Understanding for the Friends of Second Marsh</p>	Operations Services	TBD

Community Services Committee's Outstanding Items Status Report

CS-22-62

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
28.	Third Report of the Oshawa Accessibility Advisory Committee - Request for an Accessible Bench	CNCL May 24, 2022 CS-22-50	CS-22-50 CNCL May 24, 2022	That Report CS-22-50 being the Third Report of the Oshawa Accessibility Advisory Committee concerning the request for an accessible bench, be referred to staff to determine possible funding sources for next Community Services Committee Meeting.	Operations Services	June 2022
29.	Natural Outdoor Ice Skating Area Pilot Project at Delpark Homes Centre	CNCL May 24, 2022 CS-22-56	CS-22-56 CNCL May 24, 2022	That staff be directed to investigate other possible locations for natural outdoor rinks and report back to Community Services Committee.	Recreation & Culture Services	June 2022

Matters Tabled:

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
1.	Fleet Services Decarbonization Strategy	CSC – Oct 19/20 CS-20-62	CSC – October 18/21 CS-21-105	That staff adopt a vehicle purchasing policy that assumes an electric vehicle purchase as the default choice and move to a fleet replacement policy that sets ambitious targets in fleet electrification and decarbonisation.	Operations Services	T.B.D.

To: Community Services Committee

From: Ron Diskey, Commissioner,
Community Services Department

Report Number: CS-22-66

Date of Report: June 8, 2022

Date of Meeting: June 13, 2022

Subject: Civic Dome Allocation Policy

Ward: Ward 4

File: 03-05

1.0 Purpose

The purpose of this report is to present and obtain approval of the Civic Dome Allocation Policy.

Attachment 1 – Civic Dome Allocation Policy.

Attachment 2 – Appendix A - Standard of Play Formula, Civic Dome.

Attachment 3 – Appendix B - Affiliation Status Requirements.

2.0 Recommendation

That the Community Services Committee recommend to City Council:

That pursuant to report CS-22-66 dated June 8, 2022, the Civic Dome Allocation Policy be approved as presented.

3.0 Executive Summary

N/A

4.0 Input From Other Sources

- Recreation and Culture Services
- Durham Municipal Insurance Pool

5.0 Analysis

5.1 Purpose of Allocation Policies

Allocation policies are used as a means to address changing demographics in Oshawa, market supply of facility space, the distribution of space in a fair and equitable manner and the successful ongoing management of recreation and sport facilities.

The City of Oshawa currently has three approved policies for the fair and equitable distribution of sport facilities: the Arena Floor Allocation Policy, Ice Allocation Policy, and the Outdoor Field Management Policy.

There is currently no allocation policy in place at the Civic Dome.

5.2 Current Allocation Practices at the Civic Dome

The City of Oshawa currently operates 5 indoor tennis courts, 2 squash courts and a 225 meter, 4 lane indoor track at the Oshawa Civic Recreation Complex Dome (the Civic Dome). Utilization of the Civic Dome takes place primarily October through April.

Usage of the Civic Dome is currently shared between City usage to allow for bookings by the general public, Partner usage by a Racquet Service Provider to deliver tennis and squash programming on the City's behalf; and, Club usage by the Oshawa Tennis Club and a variety of track clubs.

Recreation and Culture Services (RCS) staff is responsible for the ongoing management of the distribution of dome space, including the allocation of time on courts and on the indoor track with the aim of providing an equitable distribution of facilities.

As there is no Allocation Policy in place for the Civic Dome, City staff allocate time and space in the Civic Dome historically, with attempts to balance usage between the general public, the racquet service partner and club use. The lack of an allocation policy for the dome has prevented new Clubs and organizations from permitting time in the Civic Dome and has not intentionally prioritized use by Oshawa residents.

5.3 Parks, Recreation, Library and Culture Facilities Needs Assessment

Outside of set policies, recommendations regarding indoor tennis courts and indoor tracks were included in the 2015 Parks, Recreation, Library and Culture Facilities Needs Assessment, which was approved through [CS-15-127](#) at the Council Meeting of November 9, 2015.

The recommendations related to the amenities located in the Civic Dome (indoor courts and indoor track) are:

- R34 Seek ways in which to maximize use of the Civic Recreation Complex indoor courts, including accommodating a greater number of program and rental opportunities during daytimes and weekends. Given the success of the current operating agreement and available capacity at the Civic Recreation

Complex, municipal investment in a second indoor tennis facility is not required unless a third party can satisfactorily demonstrate, through its own business plan and feasibility study, such investment is sound, sustainable, and would not otherwise be detrimental to existing municipal operations.

- R35 In the event that additional indoor tennis courts may be rationalized based upon growth in player numbers or displacement from private courts, the ability to include additional tennis courts in the air-supported structure at the Civic Recreation Complex should be considered as an option.

5.4 Current Usage at the Civic Dome

5.4.1 Usage of the Indoor Courts by General Public (Tennis and Squash)

Tennis court time available for use by the general public currently averages approximately 235 hours/week or approximately 47% of total available court time. Squash court time currently available for bookings by the general public averages approximately 197 hours/week or approximately 92% of total available court time.

It is worth noting that the majority of racquet sport memberships are currently held by non-residents. In efforts to ensure priority access for Oshawa residents, the following booking process was implemented in January 2021:

- Racquet Sports Members who are Oshawa residents may book 10 days in advance of booking date
- Racquet Sports Members who are non-residents may book 7 days in advance of booking date
- Residents without a membership may book 3 days in advance of booking date
- Non-Residents without a membership may book 1 day in advance of booking date

As a result of this implementation, the percentage of Racquet Sport Members who are residents increased from 31% in 2020 to 44% in 2021.

Figure 1: Racquet Sports Memberships Sold, by Residency, 2017-2022

Racquet Sports Members	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Residents	33%	33%	35%	31%	44%
Non-Residents	67%	67%	65%	69%	56%

Most significantly, as a result of this implementation, the percentage of courts booked by Oshawa residents (members and non-members) increased by 19%; from 29% in 2020 to 48% in 2021.

Figure 2: Courts Booked by Residency, 2020-2022.

Courts Booked	2020-2021	2021-2022
Residents	29%	48%
Non-Residents	71%	52%

5.4.2 Usage of the Indoor Courts by Partner (Tennis and Squash)

The City of Oshawa was informally partnered with Matchpoint Tennis for approximately 20 years, to provide tennis and squash services, and operate the pro-shop at the Civic Recreation Complex. In 2016, the City undertook an Expression of Interest process to formally award a lease agreement for the operation of the Pro-Shop and a licensing agreement for the delivery of racquet services at the Civic Dome. The only candidate expressing interest at that time was Matchpoint Tennis. The contract was held by this Service Provider until April 2022.

The City is currently undertaking an RFP process to review possible Service Providers. The successful candidate will deliver tennis and squash lessons, leagues, and ladders on the City's behalf. The partnership agreement will be in place for 3 years, with an option to renew for an additional 2 years.

5.4.3 Usage of the Indoor Courts by Oshawa Tennis Club (Tennis)

Due to the nature of the City's agreement with Matchpoint Tennis, the City was not able to permit court time to any other tennis organizations while that agreement was in place.

However, in 2015, the City was approached by the Oshawa Tennis Club (O.T.C.), with a temporary request for court time, as a result of displacement from their home location at the Durham College Campus. In order to accommodate this request without affecting the agreement with Matchpoint Tennis, two badminton courts in the Civic Dome were re-purposed into a tennis court and temporary exclusive use of the court was granted to the Club, for use by their members in 2016.

The Oshawa Tennis Club agreement is issued annually, and use of the court has not been exclusive since 2018. City Staff reduced the allotment of permitted time for the 2018/2019 season and again for the 2019/2020 season.

It is worth noting that the Oshawa Tennis Club members are comprised of players from the entire Region of Durham and beyond.

Figure 3: Oshawa Tennis Club Membership, by Residency, 2021-2022.

Oshawa Tennis Club	Residents	Non-Residents	Unable to Verify Address
2021-2022	22%	36%	42%

5.4.4 Usage of the Indoor Track by General Public

Lane times available for bookings by the general public averages approximately 368 hours/week or approximately 87% of total available lane time.

It is worth noting that while the Civic Dome currently serves track users from the entire of Durham and beyond, the majority of community members accessing this space for recreational purposes are Oshawa residents.

Figure 4: Track Lanes Booked by Residency, 2020-2022

Track Community Use	2020-2021	2021-2022
Residents	70%	80%
Non-Residents	30%	20%

5.4.5 Usage of the Indoor Track by Athletics Clubs

The City permits track time to athletic clubs for the development of athletes. Time is currently allocated based on historical use.

It is worth noting that the Track Clubs that utilize space in the Civic Dome are from the entire Region of Durham and beyond. On average, 80% of track clubs that permit track time are non-resident clubs.

Figure 5: Track Clubs by Residency, 2021-2022.

Track Club	Resident Clubs	Non-Residents Clubs
2021-2022	20%	80%

5.5 Recent Requests and Enquiries

Staff have received enquiries from tennis professionals in the Region who would like an opportunity to either teach lessons on the courts at the Civic Dome or be considered as a partner. Staff have advised of the exclusive nature of the previous contracts and engaged them through the current RFP process.

In addition, staff have received requests from new track clubs who wish to permit track time in the Civic Dome. Allocation based on historical use of the indoor track has prevented these clubs from permitting time on preferred days/times.

5.6 The Policy

In efforts to maximize the use of the dome and to intentionally prioritize use by Oshawa residents through permitting, City staff have developed the Civic Dome Allocation Policy (Attachment 1).

Through the policy, affiliate groups or clubs that wish to permit time in the Civic Dome will be considered, with a priority given to those with a higher number of resident participants. This policy aligns with the existing Ice, Arena and Outdoor Field policies.

Overall, the policy is being recommended at this time to achieve the following:

- To ensure consistency in the programming and ongoing use of the Civic Dome.
- To provide a framework and consistent approach to the ongoing and seasonal use of the Civic Dome in a fair and equitable manner.
- To ensure that the City of Oshawa's investment in recreation is managed in the best interest of all clients and the citizens of Oshawa.
- To establish clear guidelines and communication between the Community Services Department and its clients.
- To accommodate the needs of a growing municipality and the increased demands on the Civic Dome.
- To clearly define the rules of use and the departmental procedures in maintaining compliance.

City staff recommends Council endorsement of the Civic Dome Allocation Policy.

5.7 Next Steps

Pending the approval of this report and policy, Recreation and Culture Services staff will forward the updated policy to the dome user groups to inform them of Council approval. Recreation and Culture Services staff will continue to monitor the Policy and collaborate with the dome user groups on future revisions.

6.0 Financial Implications

Upon the implementation of this Policy, usage will be maximized and additional user group requests for time may be entertained. It is anticipated that this will result in a positive impact to revenue.

7.0 Relationship to the Oshawa Strategic Plan

This report addresses many of the goals set in the Oshawa Strategic Plan including the goal of “Economic Prosperity and Financial Stewardship” through the theme of “Safe and Reliable Infrastructure”, the goal of “Social Equity” through the theme of “An Active, Healthy and Safe Community”, and the goal of “Environmental Responsibility” through the theme of “Proactive Environmental Management and Combat Climate Change”.



Jim Naumovski, Director,
Recreation and Culture Services



Ron Diskey, Commissioner,
Community Services Department



City of Oshawa Civic Dome Allocation Policy

Introduction

The City of Oshawa's goal is to promote and encourage participation in tennis, squash and track to the overall benefit of the community. This Civic Dome Allocation Policy is based on the City's Ice Allocation Policy, which was originally developed and approved in 2005, as well as the Arena Floor Allocation Policy and the Civic Recreation Complex Allocation Guidelines. The Civic Dome Allocation Policy serves as a means to address changing demographics in Oshawa, the market supply of indoor tennis and squash courts and indoor track lanes, the distribution of courts and lanes in a fair and equitable manner, and the successful ongoing management of the Civic Recreation Complex Civic Dome (the Civic Dome).

The policies identified in this document establish and clarify the City's responsibility for court and lane allocation and administration and its' commitment to the management of:

- Civic Dome facility operations and capacities;
- Civic Dome allocation and distribution;
- the processing and management of special events and seasonal indoor court and track permits;
- special indoor court and track management issues; and,
- general administration requirements.

1.0 Purpose

To ensure consistency in the programming and ongoing use of the Civic Dome.

To provide a framework and consistent approach to the ongoing and seasonal use of the Civic Dome in a fair and equitable manner.

To ensure that the City of Oshawa's investment in recreation is managed in the best interest of all clients and the citizens of Oshawa.

To establish clear guidelines and communication between the Community Services Department and its clients.

To accommodate the needs of a growing municipality and the increased demands on the Civic Dome.

To clearly define the rules of use and the departmental procedures in maintaining compliance.

2.0 Policy Statement

To provide transparency and structure for clients pertaining to the fair allotment and use of the Civic Dome.

3.0 Scope

This policy applies to all facility permit holders and clients requesting use of the Civic Dome, as well as City staff responsible for the use and/or operation of these facilities.

The City of Oshawa's Recreation and Culture Services staff will manage the allocation and distribution of indoor courts and lanes on a yearly basis to minimize risk, reflect population, registration, utilization and participation patterns in addition to applying municipal, provincial and federal directives where required. City staff will be responsible for the implementation of the policy as outlined.

The City of Oshawa is fortunate to have a facility like the Civic Dome within the municipal boundaries of the City. Uses for the Civic Dome include tennis, squash and track.

4.0 Clients

On an annual basis City staff will develop Court and Track Allocation Matrices which best reflect the expressed needs of the users and application of this Policy's directives and guides. The City of Oshawa reserves the right to reassign courts and lanes annually as required.

4.1 Client Priorities

Indoor Courts and Lanes will be allocated to groups wishing to offer a service to patrons according to the following Priority levels:

- Priority 1: City of Oshawa Usage (i.e. public drop-in use, special events etc.)
- Priority 2: City of Oshawa Racquet Sports Partner who is awarded the contract to deliver tennis and squash lessons, leagues and ladders on the City's behalf and operates the Pro-Shop at the Oshawa Civic Recreation Complex
- Priority 3: Affiliated Minor Organizations and Clubs – offering tennis, squash or track lessons or coaching to minors
- Priority 4: Affiliated Adult Organizations and Clubs - offering tennis, squash or track lessons or coaching to adults
- Priority 5: Non-affiliated Organizations and Clubs - offering tennis, squash or track lessons or coaching to any age
- Priority 6: Non-affiliated Organizations and Clubs offering other sports that may utilize the Civic Dome facilities (indoor track or tennis courts)

4.2 Use of Space

4.2.1 Tennis and Squash Courts

Allocated permitted court times for Priority 3, 4, 5 and 6 must be used for tennis or squash instruction only. All recreational game play must be booked through the City of Oshawa. At no time can the bookable or permitted time be sub-leased to other players.

4.2.2 Track Lanes

Allocated permitted lane times for Priority 3, 4, 5 and 6 must be used for instruction only. Track meets are not permitted without the written consent of the City. At no time can the bookable or permitted time be sub-leased to other players.

4.2.3 New Emerging Sport

The City of Oshawa will recognize a new emerging sport, which is not currently being offered by an existing client, to enable it to establish its programs and services in the City.

The City will permit unallocated time to a new emerging sport and will work with existing clients to explore the potential reallocation of hours.

4.3 Client Affiliation

The City of Oshawa will qualify tennis, squash and track organizations and clubs, who can demonstrate their stability and viability, for priority court and lane time access.

Once qualified, affiliated minor associations will receive Priority 3 status so as to encourage the participation in sport for children and youth, while affiliated adult associations will receive Priority 4 status. Affiliation status will be granted for the first time in 2022 for the 2022/2023 season. Affiliated clients are required to fulfill annual requirements to maintain affiliated status.

See "Appendix A", attached, for Affiliation requirements. Non-resident Associations, Organizations and Groups cannot achieve Affiliation status.

4.4 New Affiliated Client

The City of Oshawa will recognize a new affiliated client once the requirements in Appendix A are met.

The City will first permit unallocated time to a new affiliated client and will work with existing affiliated clients to explore the potential reallocation of hours.

All permitted clients, regardless of affiliation status, must meet the eligibility criteria, as outlined in Appendix A, in order to receive the benefits outlined in the Civic Dome Allocation Policy document.

4.5 Non-Affiliated Clients - 'Grandfather' Status

The City of Oshawa wishes to recognize long-term clients who are unable to achieve Affiliation status. In the inaugural year of the policy, Grandfathered status will be granted to existing clients (clients permitted during the 2021-22 indoor court/track season) and will provide them the first right of refusal for court/lane time within their Priority level.

4.6 Residency

The City of Oshawa recognizes the tax-based contribution provided by its residents towards the development and operation of recreation facilities. Permitted and bookable court and track time will be prioritized based on residency status. Organizations and Clubs will have to verify the residency status of their members and will be prioritized according to Appendix A and the indoor court and track calculations.

Due to the demand for indoor courts, racquet sports members who are City of Oshawa residents will be granted advanced booking privileges for indoor courts. Members will have to verify residency status upon becoming a member.

5.0 Application of the Civic Dome Standard of Play

5.0.1 City staff will apply registration data to the Civic Dome Standards of Play (Appendix B) which will determine the total number of weekly hours each affiliated client is entitled.

5.0.2 During seasons when the total demand for facilities exceed supply, a client's entitlement will be pro-rated so that all affiliated clients experience equitable deficit adjustments to their entitlements.

5.1 Minimum Court or Lane Commitment

5.1.1 Indoor Courts

All Priority 2, 3, 4, 5 and 6 clients are required to commit to:

- ✓ 30 consecutive weeks - permit schedule to be completed between October 1 - April 30.
- Exceptions to the 30 week commitment may be made when the City is unable:

- ✓ To supply the 30 consecutive weeks of indoor court time
- ✓ To supply replacement indoor court time for disruptions to permitted times, during special events and emergency closures.

5.1.2 Indoor Track

All Priority 2, 3, 4, 5 and 6 clients are required to commit to:

- ✓ 24 consecutive weeks - permit schedule to be completed between November 1 - April 18.
Exceptions to the 24 week commitment may be made when the City is unable:
- ✓ to supply the 24 consecutive weeks of indoor track time
- ✓ To supply replacement indoor track time for disruptions to permitted times, during special events and emergency closures.

5.1.3 Process to Extend the Week Commitment

Applicants who require court or lane time beyond the 30/24 week indoor commitment should identify the desired days and times in their general application form. If the courts/lanes are available and the client is in goodstanding with the City, the request for an elongated court/track rental season will be granted.

5.3 Time Period Entitlements and Restrictions

5.2.1 Weekday and Weekend Indoor Courts and Lanes

A court and lane distribution ratio of 75% weekday to 25% weekend courts/lanes, will be used as a guideline when issuing permits. Where possible, City staff will attempt to accommodate user groups in allocating weekend and weekday courts or lanes to all affiliated organizations and clubs.

- Weekday: Monday to Friday
- Weekend: Saturday & Sunday

5.2.2 Time Block Bookings

Priority will be given to groups who book in blocks of time (minimum of 2 hours). No organization (other than programs offered by or on behalf of the City, i.e. Priority 2 client) will dominate a specific time block to the detriment of another organization. If an organization can demonstrate, to the satisfaction of City of Oshawa Staff, that 'blocking of time' as outlined in this policy is not feasible, alternate methods of time distribution may be considered.

6.0 Processing of Permit Applications

6.1 Submission of Applications

All tournament, event and seasonal requests shall be submitted in the format prescribed and by the deadline set by the Facility Booking Clerk.

6.2 Allocation Procedures

- 6.2.1 Rental permits are allocated on an annual basis and no client should assume they will receive the same date(s) from one season to the next.
- 6.2.2 Applications from affiliated clients cannot exceed their seasonal entitlement.
- 6.2.3 Any additional applications from an affiliated client in excess of their seasonal entitlement

will be allocated after all applications from section 6.2.2 have been allocated and be treated as a new request each season.

- 6.2.4 Where two or more clients apply for the same facility, date and time, priority will be given to the client who serves the most City of Oshawa residents.
- 6.2.5 Applications received after the deadline date will be considered after all applications submitted prior to the deadline have been allocated.
- 6.2.6 Seasonal permits will be allocated in blocks of a minimum of two (2) hours.
- 6.2.7 No affiliated client will dominate a specific permit time block to the detriment of another affiliated client.
- 6.2.8 Clients cannot permit facilities that will go unused.
- 6.2.9 Unused court and lane facilities (no shows) is not acceptable. Multiple instances of unused time may result in the cancellation of the permit or redistribution of the allocated time.
- 6.2.10 The City reserves the right to alter an application to meet the requirements in Section 6.2.

6.3 Opportunities and Restrictions

The City will designate uses and restrictions for each Civic Dome amenity and will permit use accordingly.

6.4 Tournaments and Events

The City of Oshawa recognizes the significant positive impacts that tournaments and special events can provide to the community (i.e. LOSSA Tennis). In order to accommodate these events and minimize disruption to regular programs, lane rentals, lessons and league play, every attempt to permit this time in advance of seasonal applications will be made.

6.4.1 Permit Amendments and Cancellations

The City will effectively manage any client requests for tournament and special event permit amendments or cancellations with the goal of minimizing administrative, revenue and operational impacts.

6.4.2 Replacement Courts or Lanes

During tournaments or special events, affiliated groups may have to turn back the regular season time allocated to them. Where possible, time will be offered at another time. If there is no replacement, time available, turned back time will be refunded.

6.5. Instructional Programs

The City reserves the right to offer instructional programs and services at its facilities.

Instructional programs and services proposed to be offered by any permit applicant are subject to the City's review and approval. The duplication of programs and services will be managed and/or eliminated.

6.6 Introduction of New Community Programs/Services by Affiliated Clients

An increase in allocated hours for new and expanded programs/services will only be considered

when facility time is available.

7.0 Permit Amendments, Cancellations

The City has the right to control all distribution and use at City-owned facilities for the duration of a permit. The City will apply all guidelines outlined in this policy to reasonably and responsibly manage unused or changing needs once permits have been issued.

7.1 Permit Amendments

Amendments made after a permit has been issued may be subject to an amendment fee.

The City reserves the right to accept only returned hours that hold the greatest potential for rebooking.

7.2 Transferred or Sub-Leased Facilities

The City of Oshawa is the sole permit authority for all court and lane times. Clients have an obligation to advise the City of the use of the City's facilities at all times.

Changing the intended use or clients of courts/lanes without notification and approval (e.g. tennis instruction become tennis aerobics, track practice becomes a track meet) is not permitted. It is recognized that last minute changes to the intended use of the courts/lanes may occur under rare, infrequent and unforeseen circumstances; however, the allocated court/lane times must only be used for instructional purposes. All recreational tennis and track time must be booked through the City of Oshawa.

Transferring, trading or sub-leasing facilities is strictly prohibited and may lead to the cancellation of a permit and future facility allocation.

7.3 Cancellation by the City

The City reserves the right to reschedule or cancel any permit in its sole discretion.

The City reserves the right to cancel a permit or portion of a permit without notice should there be a breach of the conditions of use or should the City be of the opinion that the facilities are not being used for the purpose contained in the application.

Where rescheduling cannot be mutually coordinated, the permit holder affected will receive a full refund for the affected time.

7.4 Cancellation by Permit Holder

Once a permit is issued, single or occasional facility cancellations will be processed if initiated by the Permit Holder providing 14 days written notice to City Staff.

Cancellation requests received with less than 14 days' notice may not be considered.

The City reserves the right to apply a cancellation fee per date and facility affected.

7.5 Multi-day Facility Closure/Cancellations

In the event of a scheduled or unplanned multi-day facility closure, City Staff will amend permits to minimize the impact of the closure on all Permit Holders. The City reserves the right to make all final decisions regarding emergency cancellations and reallocation of affected bookings.

7.6 Reopening a Closed Facility

City Staff will consider reopening a facility only if the conditions that required the closure are no longer present.

7.7 Notification of Facility Closure / Cancellation of Permit

City Staff will notify Permit Holders of a planned facility closure, however advance notification may not be possible if the facility closure is unplanned.

It is the responsibility of the Permit Holder to notify individual teams, players, coaches, etc.

8.0 Facility Management

8.1 Instructional Program and Recreational Use Management

8.1.1 Indoor Courts

The City of Oshawa reserves the right to exclusively offer tennis and squash leagues and ladders and tennis aerobics (through our Priority 2 client) and recreational play services through booking of its indoor courts, for the benefit of our members and the general public.

Should other affiliates (Priority 3 or lower) wish to offer similar programming, it will be subject to the City's review and approval. Through application of the guidelines outlined in the Civic Dome Allocation Policy document, duplication of programs and services will be managed and/or eliminated.

8.1.2 Indoor Lanes

The City of Oshawa recognizes the role the indoor track at the Civic Dome plays in the development of world-class athletes from the Durham Region. City staff aim to balance access to the indoor track for the development of the athletes and for the benefit of our members and the general public.

9.0 General Administration

9.1 Permit Requirements

Any structured usage of City of Oshawa facilities requires a valid permit (signed by a designated representative of the applicant organization and the Community Service Department). Unpermitted use is prohibited.

By signing the permit, the applicant is acknowledging that they and/or organization they represent agrees with the policies, procedures, bylaws, rules and regulations, terms and conditions on the permit and shall be referred to as the Permit Holder.

9.2 Rental Fees

All users will be charged rental fees as outlined in the Schedule B of the General Fees and Charges By-law.

For Racquet Sports, the Priority 2 client, offering racquet sports services on the City of Oshawa's behalf will be charged the member court rate. All other Priority levels will be charged the non-member rate for courts.

9.3 Client Indemnification

The Permit Holder shall defend, indemnify and save harmless the City of Oshawa and its members of Council, officers, volunteers, employees and agents against any and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of action, or direct, indirect, general, special, incidental or consequential damages suffered or incurred by the City of Oshawa (including claims made by third parties against the City of Oshawa) as a result of a breach of a term or provision of this Agreement by the Permit Holder or in any way, related to the Permit Holder's use and operation of the property and premises; the conduct of those persons in their care, custody or control and/or all activities occurring before, during and after their allocated time.

The Permit Holder (for itself and its insurers) shall release the City of Oshawa and its members of Council, officers, employees, volunteers and agents and waives any rights, including rights of subrogation, it may have against them for compensation for any loss and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of actions, or direct, indirect, general, special, incident or consequential damages suffered or incurred by or damage occasioned by the Client's use, operation, activities and/or occupancy within the property and premises before, during and after their allocated time.

9.4 Insurance Requirements for Permit Holders

The Permit Holder shall during permitted time arrange, pay for and keep a Comprehensive General Liability (CGL) or General Liability insurance policy written on an occurrence basis with a limit of coverage of not less than two million dollars (\$2,000,000) in respect of any one accident or occurrence with The Corporation of the City of Oshawa named on the Policy as an Additional Insured. The liability policy cannot contain an exclusion for participants participating in any activities being held by the client. Policy coverage shall include, but is not limited to, third party bodily injury including death, property damage and personal injury. The Policy shall contain a cross liability and/or severability clause that protects each insured to the same extent as if they were insured separately. The Policy shall be endorsed to provide the City of Oshawa with not less than thirty (30) days' notice in writing of any cancellation, material amendment or change restricting coverage. The Policy must be with an insurance company or companies licensed to operate in the Province of Ontario and acceptable to and in a form satisfactory to the City of Oshawa.

The Permit Holder shall verify that valid insurance coverage as set out in this policy is in place by submitting an Insurance Certificate (I.C.) that must be acceptable in all respects to the City of Oshawa. Upon expiry of the I.C., the Permit Holder must provide an up-to-date I.C. The Permit Holder agrees to make the policy available to the City of Oshawa for review at any time from time to time in the event of a Claim.

The taking out of insurance shall not relieve the client of any of its obligations under this Agreement or limit its liability hereunder. No policy shall contain any provision which would contravene the obligations of the client hereunder or otherwise be the detriment of the City of Oshawa.

9.5 Respect Check Policy

Respect Check is a code of conduct policy, which enforces a set of expectations to address inappropriate behaviours, violence and vandalism that negatively affects the experience of individuals or creates unsafe conditions. The Respect Check policy identifies how these behaviours will be addressed when it occurs within any City facility or in association with any service, program or event provided by, or associated with the City of Oshawa.

The City encourages and supports all organizations using City facilities to take primary responsibility for developing, implementing and managing their specific behaviour management policies to align with the City's [Respect Check Policy](#). The Respect Check policy is aligned with the following policies, acts and regulations:

- City of Oshawa – Respect in the Workplace – Harassment and Violence Policy LR14.10
- Trespass to Property Act
- City of Oshawa – Trespass By-law 98-2013
- Occupational Health and Safety Act, R.S.O. 1990, c. 0.1
- The True Sport Movement: Canadian Centre for Ethics in Sport

The City of Oshawa has zero tolerance for any form of violence, vandalism or inappropriate behaviour in its recreational programs, facilities or properties.

9.6 Smoke-Free Ontario Act

The Smoke-Free Ontario Act combined with the regional Smoking and Vaping By-law, prohibits smoking and vaping on municipal property, including publicly owned outdoor sporting areas, spectator areas, playgrounds, public areas, and parking lots. The Permit Holder is responsible to ensure that no smoking occurs on municipal property for the duration of this permit and to ensure any person(s) smoking and/or vaping leave the property or extinguish the cigarette. The Permit Holder's failure to fulfill this responsibility under the law could be subject to an offence charge and face a fine.

9.7 Civic Dome Allocation Policy Review and Update

The Civic Dome Allocation Policy will be reviewed on a regular basis, initiated by the City of Oshawa. They have the authority to adjust procedural items related to timing, process, etc. as appropriate and to respond to overarching Council directions related to revenue achievement and strategic business approaches.

Appendix A:

Standard of Play Formula Civic Dome, Effective 2022-2023 Season.

= Court/Lane time available per week x % of court/lane time allocated to priority level ×
[Total number of residents in Organization or Club ÷ Total number of residents in category]

Note 1 - The City will retain 51% of indoor court time for City of Oshawa usage (i.e. public drop-in use, special events etc.). The City's partner will be entitled up to 24% of the indoor court time in order to deliver programs on the City's behalf. The remaining 25% of indoor court time will be allocated based on Priority level.

Note 2 - The City will retain 51% of overall indoor track time for City of Oshawa usage (i.e. public drop-in use, special events etc.). The remaining 49% of indoor track time will be allocated based on Priority level.

Note 3 - Entitlement reflects the minimum number of hours for which the affiliated user agrees to assume. Additional needs will be satisfied pending availability and demand.

Appendix B: Affiliation Status Requirements, Civic Dome

Indoor Courts and Lanes will be allocated to groups wishing to offer a service to patrons according to the following Priority levels:

- Priority 1: City of Oshawa Usage (i.e. public drop-in use, special events etc.)
- Priority 2: City of Oshawa Racquet Sports Partner who is awarded the contract to deliver tennis and squash lessons, leagues and ladders on the City's behalf and operates the Pro-Shop at the Oshawa Civic Recreation Complex
- Priority 3: Affiliated Minor Organizations and Clubs – offering tennis, squash or track lessons or coaching to minors
- Priority 4: Affiliated Adult Organizations and Clubs - offering tennis, squash or track lessons or coaching to adults
- Priority 5: Non-affiliated Organizations and Clubs - offering tennis, squash or track lessons or coaching to any age
- Priority 6: Non-affiliated Organizations and Clubs offering other sports that may utilize the Civic Dome facilities (indoor track or tennis courts)

To become an affiliated client, all groups and organizations must meet the following requirements:

- Must be a member of a Provincial Sport Organization (i.e. Ontario Tennis Association, Athletics Ontario)
- Must permit time for the entirety of the Indoor Court/Track season
 - Indoor Court Season 30 weeks (October 1 to April 30)
 - Indoor Track Season 24 weeks (November 1 to April 18)
- Registration, program, member residency and age (in the case of youth) information must be provided to City staff
- Verification of residency status for members may be requested
- All organizations must provide membership cards for their members for identification purposes
- Provide a Certificate of Insurance, with the City of Oshawa listed as an additional insured
- Have no outstanding Invoices (verified by our office)
- Authorized Permitting Information (contact information for those in your organization that are allowed to permit on behalf of the organization)

The City of Oshawa will qualify minor and adult associations, organizations and groups, who can demonstrate their stability and viability, for priority court/lane time access.

Priority Level	Additional Qualifiers
Priority 3 Affiliated Minor Organizations or Clubs - offering lessons/coaching primarily to minors	Organization must show that: <ul style="list-style-type: none"> the majority (51% or higher) of their programming will be for youth aged 17 or younger 75% of their membership are City of Oshawa residents.
Priority 4 Affiliated Adult Organizations or Clubs - offering lessons/coaching to adults	Organization must show that: <ul style="list-style-type: none"> 75% of their membership are City of Oshawa residents.
Priority 5 Non-affiliated Organizations or Clubs wishing to permit time during the Indoor Court/Track season	Organization must show that: <ul style="list-style-type: none"> 75% of their membership are City of Oshawa residents.
Priority 6 Non-affiliated Organizations and Clubs offering other sports that may utilize the Civic Dome facilities (indoor track or tennis courts)	Organization must meet all of the permitting criteria above.

To: Community Services Committee

From: Ron Diskey, Commissioner,
Community Services Department

Report Number: CS-22-67

Date of Report: June 8, 2022

Date of Meeting: June 13, 2022

Subject: Sport Field and Outdoor Court Allocation Policy

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to present and obtain approval for the revised Sport Field and Outdoor Court Allocation Policy, previously titled Outdoor Field Management Policy.

Attachment 1 – Revised Policy: Sport Field and Outdoor Court Allocation Policy.

Attachment 2 – Appendix A – Standard of play.

Attachment 3 – Appendix B – Field classifications.

Attachment 4 – Appendix C – Permitted hours.

2.0 Recommendation

That the Community Services Committee recommend to City Council:

1. That pursuant to report CS-22-67 dated June 8, 2022, the Sport Field and Outdoor Court Allocation Policy be approved as presented.

3.0 Executive Summary

The City of Oshawa's Outdoor Field Allocation Policy was developed in June 2006 in response to the need for the City to assume the authoritative role in outdoor sport field and facility allocation and management. Prior to 2006, the Ball and Soccer Sport Councils allocated ball and soccer facilities to their member groups. A deficit in soccer and multi-purpose fields, the absence of a representative council for the remaining sport organizations, and divergent and sometimes conflicting approaches to allocation among

the volunteer organizations necessitated the need for the City to develop an allocation and management policy.

The updated policy, titled Sport Field and Outdoor Court Allocation Policy, expands the previous policy to include the indoor and outdoor fields at the Civic Recreation Complex, as well as outdoor tennis and pickle ball courts in Oshawa.

Recreation & Culture Services staff provided affiliated minor and adult sport field users the opportunity to review the revised policy to ensure it reflects current practices and meets the needs of the users.

4.0 Input From Other Sources

The following have been consulted in preparation of this report:

- Coed SloPitch 94
- Durham Media Lobball
- Durham Open Ladies
- Durham Region Slo-Pitch Association
- Durham Ultimate
- Ontario Tusks
- Oshawa Legion Minor Baseball Association
- Oshawa Neighbourhood Association Sports Committee – Soccer
- Oshawa Neighbourhood Association Sports Committee – Softball
- Oshawa Double B
- Oshawa Hawkeyes
- Oshawa Kicks
- Oshawa Lady Blue Knights
- Oshawa Slo-Pitch
- Oshawa Turul Soccer Club
- Sunday Night Ladies Fun League
- Finance Services
- Durham Region Insurance Pool
- Legal Services
- Parks Services

5.0 Analysis

5.1 Purpose of Allocation Policies

Allocation policies are used as a means to address changing demographics in Oshawa, market supply of facility space, the distribution of space in a fair and equitable manner and the successful ongoing management of recreation and sport facilities.

The City of Oshawa currently has three approved policies for the fair and equitable distribution of sport facilities: the Arena Floor Allocation Policy, Ice Allocation Policy, and the Outdoor Field Management Policy.

5.2 Outdoor Field Management Policy Review

Recreation and Culture Services Facility Booking Office (FBO) initiated a review of the Outdoor Field Management Policy to ensure that it continues to reflect the needs of the community for access to outdoor sport facilities, as well as to expand the policy to include indoor and outdoor fields at the Civic Recreation Complex, as well as outdoor tennis and pickle ball courts in Oshawa. FBO is responsible for the ongoing management of the distribution of sport facilities that aims to provide an equitable distribution of facilities.

Due to the inclusion of the fields at the Civic Recreation Complex and the outdoor tennis and pickle ball courts, the policy has been renamed Sport Field and Outdoor Court Allocation Policy.

5.3 Changes to the Policy

Overall, minor changes to the policy are being recommended at this time. The policy has been amended to achieve the following:

- Clarify existing practice, policy and/or expand on existing definitions and acronyms
- Administrative updates to wording throughout the policy
- Removal of sections that are no longer required
- Inclusion of outdoor tennis and pickle ball courts
- Inclusion of the indoor and outdoor sport fields located at the Civic Recreation Complex
- Inclusion of Council-approved Respect Check Policy and Municipal Alcohol Policy
- Standard of Play chart moved to an Appendix to the Policy
- Permitted hours chart moved to an Appendix to the Policy
- Inclusion of the field classification chart as an Appendix to the Policy

5.4 Next Steps

Pending the approval of this report and policy, Recreation and Culture Services will forward the updated policy to the sport field user groups to inform them of Council approval. Recreation and Culture Services will continue to monitor the Policy and collaborate with the sport field user groups on future revisions.

6.0 Financial Implications

There are no financial implications resulting from the recommendations contained in the report.

7.0 Relationship to the Oshawa Strategic Plan

This report addressed the Oshawa Strategic Plan by responding to the goal of “Social Equity” with the theme of “An Active, Healthy and Safe Community”.



Jim Naumovski, Director,
Recreation and Culture Services



Ron Diskey, Commissioner,
Community Services Department



Sport Field and Outdoor Court Allocation Policy

Introduction

Oshawa's outdoor playing fields and sport facilities are in high demand and their allocation and use is of great interest to many sport groups and event organizers. For many years the Ball and Soccer Sport Councils have allocated ball and soccer facilities to their member groups. A deficit in soccer and multi-purpose fields, the absence of a representative council for the remaining sport organizations and divergent and sometimes conflicting approaches to allocation among volunteer organizations has necessitated the need for the City to assume the authoritative role in outdoor sport field and facility allocation and management. Further, Council has directed:

OS-04-181 July 7, 2004

1.b) That the City develop an equitable sport field allocation policy that is based on participant numbers and responds to 'accessibility' issues and to potential demands from emerging sports;
and

2. That the "Provision Standards", as outlined in Section 3.2 of the {Outdoor Sport Field Study} report, to establish a City standard to determine the number of playing fields based on participant numbers, be approved and that user groups be required to provide registration information including name, age and residency to confirm participant numbers;

OS-06-86 April 24, 2006

... that the management of booking ball diamonds be transferred back to the City.

OS-06-141 June 5, 2006

"That staff initiate the process of meeting with all outdoor sport field users to develop the Outdoor Field Allocation Policy".

The City's goal is to promote and encourage participation in field and outdoor sports to the overall benefit of the community. This Sport Field and Outdoor Court Allocation Policy has been developed to help address the impacts of changing demographics, registration trends, client demand, turf management, field deficits, etc. on the fair and equitable distribution of sport fields and facilities and on the successful ongoing management of the same.

The Policies identified in this document establish and clarify the City's responsibility for outdoor field and facility allocation and administration and its' commitment to the management of:

- outdoor field and facility operations and capacities;
- outdoor field and facility allocation and distribution;
- the processing and management of tournament, special event and seasonal permits;
- special outdoor sport and field management issues;
- general administration requirements; and,
- field and facilities openings and closures.

1.0 Purpose

To ensure consistency in the programming and ongoing use of City of Oshawa sports fields and outdoor courts.

To provide a framework and consistent approach to the ongoing and seasonal use of City of Oshawa sports fields and outdoor courts in a fair and equitable manner.

To ensure that the City of Oshawa's investment in sports fields and outdoor courts is managed in the best interest of all clients and the citizens of Oshawa.

To establish clear guidelines and communication between the Community Services Department and its clients.

To accommodate the needs of a growing municipality and the increased demands on City of Oshawa sports fields and outdoor courts.

To clearly define the rules of use and the departmental procedures in maintaining compliance.

2.0 Policy Statement

To provide transparency and structure for clients pertaining to the fair allotment and use of City of Oshawa sports fields and outdoor courts.

3.0 Scope

This policy applies to all facility permit holders and clients requesting use of City sports fields and outdoor courts, as well as City staff responsible for the use and/or operation of these facilities.

The City of Oshawa is fortunate to have a substantial inventory of sports fields and outdoor courts within the municipal boundaries of the City. These facilities primarily consist of rectangular fields and ball diamonds; however, there are a number of other facilities including, but not limited to tennis courts and pickle ball courts.

Common uses include soccer, baseball, softball, football, lacrosse, tennis and pickle ball, but may include any sport or activity for which the playing surface is suitable.

4.0 Definitions

Adult Client - an applicant/group/organization/affiliated client with participants 21 years of age and older.

Affiliated Adult Client – a client who organizes sports for participants who are generally 21 years of age and older and who meet the annual affiliation requirements as set by the City of Oshawa.

Affiliated Minor Client – a client who organizes sports for participants who are generally under 21 years of age and who meet the annual affiliation requirements as set by the City Of Oshawa.

Allocated time – assigned time for affiliated and non-affiliated clients (minor and adult) at a city-owned facility; the Facility Booking Office develops the allocation matrices to reflect various organizations entitlement and use of allocated time during various seasons.

Amendment - a change made to one or more bookings on a permit to a different date, time or facility.

Application - an established form used exclusively for requesting facilities.

Association, Club – a local organization operated and controlled by a duly elected Board of Directors, the member of which shall designate from among themselves the signing officers of that association or club.

Booking – a date, time and facility as specified on the rental permit.

Buffer time - time required for an organization to catch up for possible delays during tournaments and/or regular game play.

Beer Tent/Garden - a tent from which beer is served. Zoning is limited to particular facilities. Must meet all Licensing requirements.

Cancellation - cancelling one or more bookings from a permit.

City-Owned and Operated – a space that is owned and operated (maintained) by the City of Oshawa.

Concessions - an organization who serves food at particular facilities.

Class “A” Facility - premium facility suitable for national caliber play with staff on-site, parking, washrooms, change rooms, and bleachers. May have light and concessions.

Class “B” Facility – regulation size facility with parking. May have staff on-site, lights, concessions, washrooms, change rooms, and bleachers.

Class “C” Facility - a variety of facility sizes which may have lights, washrooms, and bleachers.

Clean Up - time used after an event/game/seasonal use to clean up.

Client – an individual who has submitted an application for use of a City facility, or a Permit Holder.

Confirmation – communication from Facility Booking Office regarding requested space. This communication may be by email/phone call or rental permit.

Event – an activity, regardless of whether an admission fee is charged, that has the following characteristics: planned in advance; not recurring, or recurs less often than monthly; has a duration of less than 10 consecutive days; involves the use of, or has an impact on City services or City facilities.

Facility – City-owned or operated permitted space.

Fundraiser- an event that will raise funds while permitting City property.

Grandfathered Clients – clients (existing prior to the 2007 season) that are provided Priority #3 status privileges.

Hour of play – consists of 60 minutes of permitted time at outdoor locations and 55 minutes of permitted time at indoor locations.

House League – a community orientated minor program structured to provide development and competition at a recreation level. Teams are comprised of players who are eligible to play based on the registration, who do not need to try out and who play primarily inside the city for league play.

In Good Standing – an organization in good standing has complied with all of its obligations and is allowed to carry out its activities or business.

Instructional Program – programs taught by qualified instructors designed to improve specific skills. Registration and fees generally required.

League – a group of teams that play a schedule of games against each other, often divided into classes or levels, usually organized by an association of persons.

Matrix – a document prepared by the Facility Booking Office for seasonal allocation.

Minor Client - any applicant/group/organization/affiliated client with participants 21 years of age or younger.

Non-Resident – a participant of an organization whose home address falls outside of the Oshawa Municipal boundaries.

Occasional - any permit that does not consist of regular weekly bookings.

Permit – a document issued by Recreation and Culture Services staff to a client giving authorization and consent for seasonal or occasional use of a facility.

Permit Holder – a client who has a permit for use of a city-owned facility.

Resident - a person who lives in, owns property in, or owns or operates a business in the City of Oshawa. Residency can be verified with a current utility bill or a current Notice of Assessment issued by the Canada Revenue Agency with current address.

Rain Out - inclement weather forcing play to be cancelled.

Seasonal - a permit that consists of a regular weekly booking for the duration of a season.

Schedule of Games – a list of games that includes dates, times, facilities and participating team names of every game played at a City facility.

Sport Field – a rectangular natural or artificial turf field, or ball diamond.

Sport Governing Body – a responsible regional, provincial or national organization. The choice of organization can be entirely at the discretion of the client.

Standard of Play - a formula used to determine the total number of weekly hours each affiliated client is entitled.

Team Roster - a list of participants for a team that includes home address and phone number; used in the application of the Standard of Play.

Time Block – two (2) or more hours of permitted time in sequence.

Tournament - a sport event in which more than two teams are participating.

Unused Time – permitted time that is not used.

The City of Oshawa reserves the right to add or delete or modify any name or description included in this section of the policy during the term of this policy.

5.0 Clients

The Facility Booking Office will develop the annual allocation matrices that will best reflect the expressed needs of clients and the application of this policy. The Facility Booking Office will attempt to match the quality of play to the facility that is most conducive to usage and attempt to gain maximum efficient facility usage.

The City of Oshawa reserves the right to reassign fields and facilities as required.

5.1 Client Priorities

Sport fields are allocated according to the following client priority levels, with the exception of facilities that may be designated as 'exclusive use' facilities:

1. City of Oshawa events and recreation programming, including programming/events operated by third parties on behalf of the City of Oshawa
2. Affiliated Minor Clients
3. Affiliated Adult Clients
4. Boards of Education, including post-secondary institutions
5. City of Oshawa residents
6. All other clients

Outdoor courts are allocated according to the following client priority levels, with the exception of facilities that may be designated as 'exclusive use' facilities:

1. City of Oshawa events and recreation programming
2. Oshawa Senior Community Centre; Boards of Education, including post-secondary institutions
3. City of Oshawa Racquets Sport Partner
4. Not-for-profit community racquet sport clubs
5. City of Oshawa residents
6. All other clients

Refer to section 6.4 regarding the allocation of tournaments and events.

5.2 Client affiliation

Affiliation status was granted for the first time to sports field clients in 2009. Affiliated clients are required to fulfill annual requirements to maintain affiliated status.

The City of Oshawa will grant affiliated status to minor and adult clients who meet the following requirements:

- Provide proof of not-for-profit status
- Abide by a constitution and by-laws
- Governed by an elected board (with no financial compensation)
- Host an Annual General Meeting and submit meeting minutes to the City
- Be up to date on all outstanding balances by at the end of each season
- Maintain Commercial General Liability Insurance for a minimum of two million dollars naming the City of Oshawa as an additional insured.

5.3 New affiliated client

The City of Oshawa will recognize a new affiliated client once the requirements in section 5.2 are met.

The City will first permit unallocated time to a new affiliated client and will work with existing affiliated clients to explore the potential reallocation of hours.

5.4 New emerging sport

The City of Oshawa will recognize a new emerging sport, which is not currently being offered by an existing client, to enable it to establish its programs and services in the City.

The City will first permit unallocated time to a new emerging sport and will work with existing affiliated clients to explore the potential reallocation of hours.

5.5 Non-Affiliated Adult Clients – ‘Grandfather’ Status

Adult clients/teams who permit two or less hours per week or are not eligible for affiliated status and will become a Priority 5 or 6 level client. Grandfathered status will provide existing casual or occasional use adult clients (clients prior to the 2007 season) Priority 3 client privileges without having to complete annual affiliation requirements. It also provides access to historical fields (same or similar date or time block) to these clients.

The City reserves the right to amend the facility and time allocated to grandfathered clients. If necessary, the Facility Booking Office will attempt to find an equitable facility and time replacement.

If a designated ‘grandfathered’ permit holder disbands or fails to apply for a facility in consecutive playing seasons, they will lose their ‘grandfather’ status. If they reapply in a subsequent playing season, they will be considered a new client. The ‘grandfather’ designation is not transferable.

5.6 Residency

The City of Oshawa recognizes the tax-based contribution provided by its residents toward the development and operation of recreation and sport facilities and recognizes that residents will receive priority over non-residents in the allocation of facility time. For the purpose of supporting the ongoing development of sport organizations (e.g. representative teams, Challenge League), the City of Oshawa will accept the residency requirements defined by the Sport Governing Body which governs the actions of the affiliated client.

The City reserves the right to impose residency requirements or limitations on permit applicants during periods where facility capacities are restricted and a deficit exists.

5.7 Application of the Standard of Play

5.7.1 The Facility Booking Office will apply registration data to the Standards of Play formula (Appendix A) which will determine the total number of weekly hours each affiliated client is entitled.

5.7.2 The application of the Standard of Play is not applicable to Civic Fields, Civic Recreation Complex Fieldhouse and outdoor courts.

5.7.3 During seasons when the total demand for facilities exceed supply, a client’s entitlement will be pro-rated so that all affiliated clients experience equitable deficit adjustments to their entitlements.

6.0 Processing of permit applications

6.1 Submission of applications

All tournament, event and seasonal requests shall be submitted in the format prescribed and by the deadline set by the Facility Booking Clerk.

6.2 Allocation Procedures

- 6.2.1 Rental permits are allocated on an annual basis and no client should assume they will receive the same date(s) or facilities from one season to the next.
- 6.2.2 Applications from affiliated clients cannot exceed their seasonal entitlement.
- 6.2.3 Any additional applications from an affiliated client in excess of their seasonal entitlement will be allocated after all applications from section 6.2.2 have been allocated and be treated as a new request each season.
- 6.2.4 Where two or more clients apply for the same facility, date and time, priority will be given to the client who has permitted those hours for a minimum of two seasons immediately prior.
- 6.2.5 Applications received after the deadline date will be considered after all applications submitted prior to the deadline have been allocated.
- 6.2.6 Seasonal permits will be allocated in blocks of a minimum of two (2) hours.
- 6.2.7 No affiliated client will dominate a specific permit time block to the detriment of another affiliated client.
- 6.2.8 Clients who require more than one facility per night will be required to permit vertical (early to late) times at one facility before adding another.
- 6.2.9 Clients cannot permit facilities that will go unused with the exception of ensuring sufficient time is available to prevent a curfew situation.
- 6.2.10 Unused facilities (no shows) is not acceptable. Multiple instances of unused time may result in the cancellation of the permit or redistribution of the allocated time.
- 6.2.11 The City reserves the right to alter an application to meet the requirements in Section 6.2.

6.3 Opportunities and restrictions

The City will designate uses and restrictions at each facility (Appendix B) and will permit use accordingly.

6.4 Tournaments and events

Tournament and event applications will be allocated prior to seasonal applications.

Tournament and event applications received after the deadline will only be considered if there is no impact to seasonal clients.

The Facility Booking Office will allocate and restrict tournament play primarily to weekends.

The City reserves the right to limit the number of tournaments and events held between May and September inclusive in an effort to minimize disruption to regular season clients.

6.5 Schedules

In order to maintain the efficient scheduling of staff and facility preparation, schedules must be submitted as per the deadlines in sections 6.5.1 and 6.5.2.

The City reserves the right to specify the format of the schedule. Failure to provide schedules could result in the discontinuation of field maintenance and the cancellation of all or some of the permit for the remainder of the season.

Schedules must include sufficient buffer (non-playing) time to allow for completion of activities within the permitted times and to allow for sufficient transition periods when games are played in succession.

6.5.1 Seasonal schedules

Permit Holders must submit game schedules, practice schedules and special maintenance requests to the Facility Booking Office no later than seven (7) days in advance.

6.5.2 Tournament and event schedules

Permit Holders must submit the final tournament or event schedule to the Facility Booking Office no later than 14 days in advance.

6.5.3 Slo-pitch tournaments

Slo-Pitch tournaments must submit their final schedule to the Facility Booking Office no later than the Tuesday before the tournament begins.

6.6 Instructional Programs

The City reserves the right to offer instructional programs and services at its facilities.

Instructional programs and services proposed to be offered by any permit applicant are subject to the City's review and approval. The duplication of programs and services will be managed and/or eliminated.

6.6 Introduction of new community programs/services by affiliated clients

An increase in allocated hours for new and expanded programs/services will only be considered when facility time is available.

7.0 Permit amendments, cancellations

The City has the right to control all distribution and use at City-owned facilities for the duration of a permit. Controls must be in place to minimize the negative impacts that unused, returned, amended and cancelled fields can have on the City and its clients. As such, the City will apply all guidelines outlined in this policy to reasonably and responsibly manage unused or changing needs once permits have been issued.

7.1 Amendments

Amendments made after a permit has been issued may be subject to an amendment fee.

The City reserves the right to accept only returned hours that hold the greatest potential for rebooking.

7.2 Transferred or sub-leased facilities

The City of Oshawa is the sole permit authority for all field and facility times. Clients have an obligation to advise the City of the use of the City's facilities at all times.

Changing the intended use or clients of the facility (e.g. practice becomes a game, Team A replaces Team B) within a single client's permit is acceptable. Related schedule updates must be submitted to the Facility Booking Office.

Occasionally transferring, trading or sub-leasing facilities between permit holders is strictly prohibited and may lead to the cancellation of a permit and future facility allocation.

The Facility Booking Office must facilitate any agreed upon exchange of permitted time between two clients on the applicable permits.

7.3 Cancellation by the City

The City reserves the right to reschedule or cancel any permit as necessary.

The City reserves the right to cancel a permit or portion of a permit without notice should there be a breach of the conditions of use or should the City be of the opinion that the facilities are not being used for the purpose contained in the application.

Where rescheduling cannot be mutually coordinated, the permit holder affected will receive a full refund for the affected time.

Cancellation of facilities due to inclement weather will be made in accordance with section 7.5 and 7.7 of this policy.

7.4 Cancellation by Permit Holder

Once a permit is issued, single or occasional facility cancellations will be processed if initiated by the Permit Holder providing 14 days written notice to the Facility Booking Office.

Cancellation requests received with less than 14 days notice may not be considered.

The City reserves the right to apply a cancellation fee per date and facility affected.

7.5 Inclement weather

If weather conditions do not allow a booking to proceed, the Permit Holder must submit a request to cancel or reschedule, pending availability, in writing to the Facility Booking Office within 48 hours of the booking date to receive a full refund or credit for the affected booking.

7.6 Multi-day Outdoor Facility Closure/Cancellations

In the event of a scheduled or unplanned multi-day facility closure, the Facility Booking Office will amend permits to minimize the impact of the closure on all Permit Holders. The City reserves the right to make all final decisions regarding emergency cancellations and reallocation of affected bookings.

7.7 Short Term Outdoor Facility Closure/Cancellation

The decision to order a short-term closure of the facility and cancellation of permitted play is made when the fields are considered unsafe and when there is potential for long-term damage that could affect other permitted use.

Closure and cancellation decisions can be made by:

- Community Services Department staff
- Game officials (once the game is in progress and on a game-by-game basis only)
- Permit Holder or designate

A facility should not be utilized by a Permit Holder if:

- There is visual ponding of water on the playing surface
- Water sponges when walking on the playing surface
- There are any extreme weather conditions, e.g. electrical or hail storms
- Facility surface damage poses a risk to the Permit Holder

7.8 Reopening a closed outdoor facility on the same day

On-site staff will consider reopening a Class A facility only if the unplayable conditions outlined in section 7.7 are no longer present.

7.9 Notification of facility closure / cancellation of permit

The Facility Booking Office will notify Permit Holders of a facility closure, however advance notification may not be possible under the circumstances of an evening or weekend weather event.

It is the responsibility of the Permit Holder to notify individual teams, players, competitors, officials, etc.

7.10 Unauthorized use of facilities

If a Permit Holder elects to use a facility after a booking has been cancelled or when a facility is visibly unplayable, the Permit Holder will be required to pay for all damages arising from this type of a facility abuse.

The Permit Holder will be held liable and responsible for any accidents or injuries incurred.

8.0 Facility management

8.1 Curfewed games

The City reserves the right to curfew any games, including tournament games, to maintain the schedule submitted and to be respectful of any related by-laws. It is the responsibility of the Permit Holder to notify the Facility Booking Office of any special requirements regarding curfews when submitting their schedules.

8.2 Parking and vehicles on fields

It is an offence to park, drive or operate any vehicle in any park, except in those areas designated for that use, which include public parking areas, driveways or roadways (Parks and Facilities By-law 83-2000).

By-law infractions are subject to fines and repeat offences by any members of an organization could result in permit cancellation.

Exceptions may be considered by the Community Services Department upon receipt of a written request.

8.3 Provision of services and equipment

Where additional services such as moving in extra bleachers, snow-fencing, grading and manual assistance are required over and above the normal park attendant's duties, a charge for total labour (wage and burden) and equipment will be levied to the permit applicant.

The City, upon review of the permit application, reserves the right to require the applicant to add the services of a park attendant at any facility.

Self-serve access to equipment (picnic tables, benches, garbage receptacles, stanchions, booths, platforms and snow fencing) requires the submission of an application, with sufficient lead-time.

8.4 Concessions

Permit holders must receive permission to provide any level of vendor or concession services on any City facility or property at any time.

All requests must be made in writing and allow for the sufficient processing of such requests.

The granting of permission to sell or distribute products and services will be respectful of existing concession contractual obligations and be contingent upon meeting all additional requirements as specified by the City.

9.0 Facility use regulations

Pre-determined opening and closure of facilities will be based on capital upgrades or renovations, implementation of master plans or Council directives, rotation needs, maintenance needs, turf conditions and recovery, type of play and client requests.

Planned closures are determined by Community Services Department staff and communicated to affiliated clients in a timely fashion.

During the season, fields and facilities may be closed from time to time due to unforeseen renovation and repair needs or weather conditions.

Refer to section 7 for more information on facility closures.

9.1 Permitted hours at outdoor facilities

Bookings can commence no earlier than 8.00 a.m. at all facilities.

Bookings must end by the end time on the permit, no later than dusk at all unlit facilities.

Bookings at lit facilities must end by the end time on the permit, no later than the times indicated in Appendix C – Permitted hours.

Requests to extend the permitted hours, including opening on statutory holidays, are required to be submitted in writing a minimum of 14 days prior to the booking and are subject to approval by the Commissioner of Community Services. Additional fees will apply.

The Permit Holder will be invoiced for all hours used outside of the permitted time as well as for any additional costs that may have been incurred by the City.

9.2 Outdoor facility seasonal opening dates

Annual open and close dates will be predetermined each year and communicated to affiliated clients with the application package.

Generally, the following guidelines will be followed to determine opening dates for outdoor facilities and is subject to conditions outlined in section 7 of this policy. Requests to open an outdoor facility early will be considered on a case-by-case basis.

a) **Ball diamonds**

- **Lakefront West** will generally be open for play the last weekend in April
- **All other diamonds** will generally be open for play the first weekend in May

b) **Natural turf sport fields** will generally be open for play by the third weekend in May. Consideration will be given to accommodating league scheduled play, by opening up to four or five fields for early play.

c) **Artificial turf sport fields** will generally open the first week in April.

- d) **Open space areas** will be determined in advance to provide for preseason practice time, generally these spaces will be available the first weekend in April, contingent on suitable ground conditions.
- e) **Tennis/Pickle Ball Courts** nets and posts will be installed the second week in April. Lights will be available as of the first week in May.

9.3 Outdoor facility seasonal closing dates

Generally, the following guideline will be followed to determine closing dates for outdoor facilities and is subject to conditions outlined in Section 7 of this policy. Requests to extend the season at an outdoor facility will be considered on a case-by-case basis.

- a) **Ball diamonds**
 - **Lakefront West** will close the third weekend in October.
 - **All other ball diamonds** will close the 4th Sunday in September.
- b) **Natural turf sport field** closures will be staggered every year per the following guideline:
 - 25% will close by Labour Day
 - 50% will close by the second Sunday in September
 - 90% will close by the last Sunday in September
 - 100% will be closed by the last Sunday in October
- c) **Artificial turf sport fields** will close the first week in November.
- d) **Open space areas** will be closed no later than October 1st.
- e) **Tennis/Pickle Ball Court** nets and posts will be removed the second week in November. Lights are turned off the last week in October.

9.4 Civic Recreation Complex Fieldhouse

Civic Recreation Complex Fieldhouse hours of operation are determined annually by the Director of Recreation and Culture Services.

9.4.1 Prime Time Hours

Monday to Friday - 5:00 p.m. to close
Saturday and Sunday – open to close

9.4.2 Non-Prime Time Hours

Monday to Friday – open to 5:00 p.m.

9.4.3 Time period restrictions

Monday to Friday:

- Minor league play is given priority over adult league play between 5 p.m. and 9 p.m.
- Adult league play is given priority over minor play from 9 p.m. to close.

Saturday and Sunday:

- Minor league play is given priority over adult league play between Open and 4 p.m.
- Adult league play is given priority over minor play from 4 p.m. to close.

9.4.4 Facility priority usage

Quarter Field A

Highest priority shall be given to applicants requesting use of the batting cages, in accordance with seasonal booking procedures, and in accordance with the allocation priority listed in section 5.1 of this policy.

Next priority shall be given to all other sports, in accordance with seasonal booking procedures, and in accordance with the allocation priority listed in section 5.1 of this policy.

Quarter Field B, C and D

Allocated in accordance with seasonal booking procedures, and in accordance with the allocation priority listed in section 5.1 of this policy.

9.4.5 Commitment priorities

A higher priority of allocated time will be given to clients who commit to longer seasonal permits in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

1. Full Fall and Winter commitment of 28 weeks or more
2. Winter commitment of 16 weeks or more
3. Fall commitment of 12 weeks or more

9.5 Civic Fields

Field 1 – Terry Kelly Field

Highest priority shall be given to all sports other than women's field lacrosse full field games, in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

Next priority will be given to the application requesting the greater amount of time, no matter the sport, in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

Field 2

Is allocated in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

Fields 3 and 4

Highest priority shall be given to game play, in accordance with seasonal booking procedures, and in accordance with the allocation priority listed in section 5.1 of this policy.

Next priority will be given to the application requesting the greater amount of time, no matter the sport, in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

Field 5

Highest priority shall be given to women's field lacrosse full field games, in accordance with seasonal booking procedures, and in accordance with the allocation priority listed in section 5.1 of this policy.

Next priority will be given to the application requesting the greater amount of time, no matter the sport, in accordance with seasonal booking procedures and in accordance with the allocation priority listed in section 5.1 of this policy.

9.6 Outdoor tennis courts

Tennis court permitting is prohibited at all locations with a single court.

Permits shall be limited to a maximum of three (3) courts at North Oshawa Park, two (2) courts at Alexandra Park and Stone Street Park, and one (1) court at all other parks with two (2) or more courts.

No permit holder will dominate a day of the week or block of time to the detriment of another client or the general public.

Event requests that will be addressed on a case-by-case basis.

9.7 Pickle ball Courts

Pickle ball court permitting is prohibited at all locations where only pickle ball lines are on a court, with the exception of event requests that will be addressed on a case-by-case basis.

Permits shall be limited to a maximum of one (1) court at all parks where courts are lined for both pickle ball and tennis.

No permit holder will dominate a day of the week or block of time to the detriment of another client or the general public.

9.8 Exemptions to sections 9.6 and 9.7

- Programs operated by the City of Oshawa
- Programs offered by the Oshawa Senior Community Centres
- Programs offered by Boards of Education, including post-secondary institutions

9.9 Resting fields

Natural turf sport fields will be rested two (2) consecutive days each week during the playing season, where feasible.

9.10 Warm Ups

The Permit Holder can hold warm-ups on a facility that has been permitted to include this activity.

Warm ups can occur in an un-permitted area as long as it does not impede other participants or spectators and is not inside any City of Oshawa building or structure.

The City reserves the right to stop any warm ups that pose a risk or are using areas that are restricted or require a permit.

The permit holder will be charged a rental fee and an administration fee for any such prohibited use of a facility.

10.0 General administration

10.1 Permit requirements

Any structured usage of City of Oshawa facilities, parkland, and trails requires a valid permit (signed by a designated representative of the applicant organization and the Community Service Department). Un-permitted use is prohibited.

By signing the permit, the applicant is acknowledging that they and/or organization they represent agrees with the policies, procedures, by-laws, rules and regulations, terms and conditions on the permit and shall be referred to as the Permit Holder.

10.2 Rental fees

All clients will be charged rental, amendment and cancellation fees as outlined in Schedule B of the General Fees and Charges By-law 13-2002.

10.3 Client indemnification

The Permit Holder shall defend, indemnify and save harmless the City of Oshawa and its members of Council, officers, volunteers, employees and agents against any and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of action, or direct, indirect, general, special, incidental or consequential damages suffered or incurred by the City of Oshawa (including claims made by third parties against the City of Oshawa) as a result of a breach of a term or provision of this Agreement by the Permit Holder or in any way, related to the Permit Holder's use and operation of the property and premises; the conduct of those persons in their care, custody or control and/or all activities occurring before, during and after their allocated time.

The Permit Holder (for itself and its insurers) shall release the City of Oshawa and its members of Council, officers, employees, volunteers and agents and waives any rights, including rights

of subrogation, it may have against them for compensation for any loss and all costs (including legal fees and disbursements), expenses, losses, liabilities, claims, demands, actions or causes of actions, or direct, indirect, general, special, incident or consequential damages suffered or incurred by or damage occasioned by the Client's use, operation, activities and/or occupancy within the property and premises before, during and after their allocated time.

10.4 Insurance requirements for permit holders

The Permit Holder shall during permitted time arrange, pay for and keep a Comprehensive General Liability (CGL) or General Liability insurance policy written on an occurrence basis with a limit of coverage of not less than two million dollars (\$2,000,000) in respect of any one accident or occurrence with The Corporation of the City of Oshawa named on the Policy as an Additional Insured. The liability policy cannot contain an exclusion for participants participating in any activities being held by the client. Policy coverage shall include, but is not limited to, third party bodily injury including death, property damage and personal injury. The Policy shall contain a cross liability and/or severability clause that protects each insured to the same extent as if they were insured separately. The Policy shall be endorsed to provide the City of Oshawa with not less than thirty (30) days' notice in writing of any cancellation, material amendment or change restricting coverage. The Policy must be with an insurance company or companies licensed to operate in the Province of Ontario and acceptable to and in a form satisfactory to the City of Oshawa.

The Permit Holder shall verify that valid insurance coverage as set out in this policy is in place by submitting an Insurance Certificate (I.C.) that must be acceptable in all respects to the City of Oshawa. Upon expiry of the I.C., the Permit Holder must provide an up-to-date I.C. The Permit Holder agrees to make the policy available to the City of Oshawa for review at any time from time to time in the event of a Claim.

The taking out of insurance shall not relieve the client of any of its obligations under this Agreement or limit its liability hereunder. No policy shall contain any provision which would contravene the obligations of the client hereunder or otherwise be the detriment of the City of Oshawa.

10.5 Respect Check Policy

Respect Check is a code of conduct policy, which enforces a set of expectations to address inappropriate behaviours, violence and vandalism that negatively affects the experience of individuals or creates unsafe conditions. The Respect Check policy identifies how these behaviours will be addressed when it occurs within any City facility or in association with any service, program or event provided by, or associated with the City of Oshawa.

The City encourages and supports all organizations using City facilities to take primary responsibility for developing, implementing and managing their specific behaviour management policies to align with the City's [Respect Check Policy](#). The Corporation will make its best effort to mitigate all situations, however, in the course of public service, events may be beyond the Corporations' control. The Respect Check policy is aligned with the following policies, acts and regulations:

- City of Oshawa – Respect in the Workplace – Harassment and Violence Policy LR14.10
- Trespass to Property Act
- City of Oshawa – Trespass By-law 98-2013
- Occupational Health and Safety Act, R.S.O. 1990, c. 0.1
- The True Sport Movement: Canadian Centre for Ethics in Sport

A patron's experience with us is based on the values of fairness, excellence, inclusion and fun. All persons have the right to be safe and feel safe while attending or working at a program, facility or property so that they can enjoy their activity sport, or interest. With this right comes the responsibility to be accountable for actions or behaviours that put at risk the safety of others and encourages an environment where there is respect for others. The City of Oshawa has zero tolerance for any form of violence, vandalism or inappropriate behaviour in its recreational programs, facilities or properties.

10.6 Smoke-Free Ontario Act

The Smoke-Free Ontario Act combined with the regional Smoking and Vaping By-law, prohibits smoking and vaping on municipal property, including publicly owned outdoor sporting areas, spectator areas, playgrounds, public areas, and parking lots. The Permit Holder is responsible to ensure that no smoking occurs on municipal property for the duration of this permit and to ensure any person(s) smoking and/or vaping leave the property or extinguish the cigarette. The Permit Holder's failure to fulfill this responsibility under the law could be subject to an offence charge and face a fine.

10.7 Municipal Alcohol Policy

The City considers each application for facility permit for Special Occasion Permits in relation to outdoor events individually and on the basis of the [Municipal Alcohol Policy](#) and the Alcohol and Gaming Commission of Ontario guidelines.

Facility permits shall not be issued for a Special Occasion Permit event where the primary audience is underage persons or any minor sports event.

The City may issue facility permits for Special Occasion Permit family events such as sports tournaments, anniversaries, weddings and christenings with the proviso that it is illegal to provide underage participants with alcohol. No alcohol advertising or sponsorship shall be permitted at these events.

10.8 Sport Field and Outdoor Court Allocation Policy review and update

The Sport Field and Outdoor Court Allocation Policy will be reviewed on a regular basis, initiated by the Facility Booking Office, and updated as required. The Facility Booking Office has the authority to adjust procedural items related to timing, process, etc. as appropriate and to respond to Council directions related to revenue achievement and strategic business approach.

Appendix A: Standards of Play

Standard of Play – Ball (Approved Oct 19, 2009)

Effective: 2010 Regular Season

Instructional

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Blastball (4)	14	1.5	X 0.11			1	1.5
T-Ball Learn to Play (4-6)	22	1.5	X 0.068			1	1.5

Recreational/House League

Baseball

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Rookie Ball (7-9)	12	3	X 0.25	1	1	2	2
Mosquito, PeeWee, Bantam, Midget (10-17)	14	3.5	X 0.25	1	1.5	2	2

Slo Pitch

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Open	14	0.75	X 0.054			1	1.5

Softball

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Minor Mite (up to 8)	14	3.5	X 0.25	1	1.5	2	2
Mite, Squirt, PeeWee, Bantam, Midget (8-21)	14	4	X 0.29	1	1.5	2	2.5
Adult	14	2.25	X 0.16	1	1.5	1	1.5

**Rep-Minor
Baseball**

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Rookie Ball to Midget (8-17)	16	7	# of teams x 7	2	2	2	3
Junior (18-19)	21	7	# of teams x 7	2	2	2	3

Fastball

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Mite to Squirt (9-12)	15	2.25	# of teams x 2.25	1	1.5	1	1.5
PeeWee to Midget (13-18)	15	3	# of teams x 3	1	2	1	2

Rep - Adult

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # of Osh. Registrants	Practice #	Length	Game #	Length
Adult	15	2	# of teams x 2	1	1	1	2

Note 1 – Two teams share a facility for a game so the entitlement is adjusted by .5. Surplus of ball facilities allow for single team practices.

Note 2 – All Stars/Selects will not be allocated time. Requests for additional diamond time will be received only after the needs of House league and Rep are satisfied.

Note 3 – Entitlement at the Instructional and Recreational/House league levels is based on the number of Oshawa residents only. At the Rep level, it is based on the # of teams.

Note 4 – Entitlement reflects the **minimum** number of hours each level or team must accept. If more hours are desired, each organization must justify this need in writing well in advance of the seasonal application process. Additional needs will be satisfied pending field/facility availability and demand.

Standard of play – Outdoor Fields (excluding soccer) (Approved Oct 19, 2009)

Effective: 2010 Regular Season

Instructional

Lacrosse- Per Field

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Osh residents	Practice #	Length	Game #	Length
Girls Lacrosse (5-6)	30	1	0.033	2	1		

Recreational / House league

Football-Per age div/field

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Osh residents	Practice #	Length	Game #	Length
Tyke/Atom/ PeeWee (6-15)	120	6	X 0.05	2	2	1	2

Lacrosse

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Osh residents	Practice #	Length	Game #	Length
Girls Lacrosse Jr. (7-9)	30	1	X 0.033	2	1		
Girls Lacrosse HL (all ages)	20	1	X 0.05			2	1
Boys Lacrosse HL (all ages)	15	2.75	X 0.183	1	1.5	2	2

Rugby

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Osh residents	Practice #	Length	Game #	Length
Boys (10U), Girls (all ages)	22	1.75	X 0.08	1	2	1	1.5
Boys (11 and over)	22	2.5	X 0.114	1	2	1	1.5
Sr. men and Women	22	3	X 0.136	2	2	2	2

Ultimate Frisbee

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Osh residents	Practice #	Length	Game #	Length
Open - div field	36	0.75	X 0.021			1	1.5

Rep – Minor Football

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
PeeWee OV (13-14)	50	4.5	X # of teams	3	3		
Junior OV (15-17)	50	4.5	X # of teams	3	3		
Senior OV (17-20)	50	4.5	X # of teams	3	3		

Lacrosse

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
Boys (all ages)	23	1.5	X # of teams	1	1	1	2
Girls (all ages)	20	2.5	X # of teams	2	2	1	1

Rep – Adult Football

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
Senior Men's	50	2	X # of teams	2	2		

Note 1 – Two teams share a facility for a game, so the entitlement is adjusted by .5.
Deficit of field facilities requires 2 teams to share practice times.

Note 2 – All Stars/Selects will not be allocated time. Requests for additional field time will be received only after the needs of the House league and Rep are satisfied.

Note 3 – Entitlement at the instructional and Recreational/House league levels is based on the number of Oshawa residents only. At the Rep level, it is based on the # of teams.

Note 4 – Entitlement reflects the **minimum** number of hours each level or team must accept. If more hours are desired, each organization must justify this need in writing well in advance of the seasonal application process. Additional needs will be satisfied pending field/facility availability and demand.

The following programs will not receive any field entitlements at Class A, B or C Class fields as these organizations/levels will play at Civic Fields:

- Football PW, Junior and Senior OV (Rep), Senior Men's, Tyke Atom PeeWee Rep
- Lacrosse Boys HL and Rep

The following programs will not receive any field entitlements at Class A, B or C Class fields as these organizations have opted to play at private fields:

- Rugby all programs

Standard of play - Soccer (Approved Oct 19, 2009)

Effective: 2010 Regular Season

Instructional
Per field

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
4 Under	80	1	X0.013	1	1		

Recreational / House league
Per Field

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
8 Under	18	1	X .056	1	1	1	1
12 Under	18	1.25	X .069	1	1	1	1.5
18 Under	18	1.5	X .083	1	1.5	1	1.5
19 +	18	2	X .111			2	2

Rep – Minor

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
Select League (8-18)	18	1.75	# of teams x 1.75	1	1.5	1	2
CESL, CGSL, CSL (12-18)+ U8 & U9	18	3	# of teams x 3	2	2	1	2
OYSL (14-18)	18	3	# of teams x 3	3	2		

Rep – Adult

Age Qualifier	Max # Per Team	Entitlement In hrs/wk	Weighing Factor # Teams	Practice #	Length	Game #	Length
OWSL, OSL (18+)	25	2	# of teams x 2	1	2		

Note 1 – Two teams share a facility for a game so the entitlement is adjusted by .5.
Current deficit of field facilities requires 2 teams to share practice times, except for OWSL & OSL.

Note 2 – All Stars/Selects will not be allocated time (other than Select League shown).
Requests for additional field time will be received only after the needs of House league and Rep are satisfied.

Note 3 – Entitlement at the instructional and Recreational/House league levels is based on the number of Oshawa residents only. At the Rep levels, it is based on the # of teams.

Note 4 – Entitlement reflects the **minimum** number of hours each level or team must accept. If more hours are desired, each organization must justify this need in writing well in advance of the seasonal application process. Additional needs will be satisfied pending field/facility availability and demand,

Note 5 – Teams competing in the OYSL, OWSL & OSL (adults) will play games at Civic Fields, therefore be allocated practice times only on A, B & C class fields.

Field	Class	Softball/ Fastball	Baseball	Slo-Pitch	Youth	Adult	Unlit	Lit	Fence	Mound	Additional
Alexandra Park 1 Early	A	✓			✓	✓		✓	✓		
Alexandra Park 1 Late	A	✓			✓	✓		✓			
Alexandra Park 2	B	✓			✓	✓	✓				
Alexandra Park 3	B	✓			✓	✓	✓				
Alexandra Park 4	B	✓			✓		✓				U12 play only
Attersley Park (North)	C	✓			✓		✓				
Attersley Park (South)	C	✓			✓		✓				
Bathe Park 1	C	✓			✓		✓				
Bathe Park 2	C	✓			✓		✓				
Brookside Park	C	✓			✓		✓				
Coldstream Park	B	✓			✓	✓	✓		✓		
Columbus Park	C	✓			✓	✓	✓				
Connaught Park	B	header			✓	✓	✓		✓		
Corbett's Park	C	✓			✓	✓	✓				
Eastview Park 1	C	✓			✓		✓				
Eastview Park 2	C	✓			✓		✓				
Eastview Park 3	C	✓			✓		✓				
Galahad Park	C	✓			✓		✓				
Glen Stewart Park 1	C	✓			✓		✓				
Glen Stewart Park 2	C	✓			✓		✓				
Grandview Village Pk	C	✓			✓	✓	✓				
Iroquois Shoreline Park	C	✓			✓		✓				
Kedron Park (2008)	B	✓			✓	✓	✓		✓		
Knights of Columbus 1	C		✓		✓		✓				
Knights of Columbus 2	C		✓		✓		✓				
Knights of Columbus 3	C		✓		✓		✓				
Lake Vista Park	B	✓			✓		✓		✓		
Lakefront West 1	A			✓	✓	✓		✓	✓		
Lakefront West 2	A			✓	✓	✓		✓	✓		
Lakefront West 3	A			✓	✓	✓		✓	✓		
Lakefront West 4	A			✓	✓	✓		✓	✓		
Lakefront West 5	A			✓	✓	✓		✓	✓		
Lakefront West 6	A			✓	✓	✓		✓	✓		
Lakefront West 7	A			✓	✓	✓		✓	✓		
Lakefront West 8	A			✓	✓	✓		✓	✓		
Lakeview Park 1/Jim Lutton	A		✓		✓			✓	✓	✓	
Lakeview Park 2	A		✓		✓	✓		✓	✓	✓	
Lakeview Park 3/Ted McComb	B		✓		✓		✓			✓	
MacKenzie Park	C	✓			✓		✓				
McLaughlin Park	C	✓			✓	✓	✓				
Mount Joy Park	B	✓			✓	✓	✓		✓		
Nipigon Park (West)	C	✓			✓		✓				
Nipigon Park (East)	C	✓			✓		✓				
Radio Park	C	✓			✓		✓		✓		
Ritson Field	B		✓		✓	✓	✓		✓	✓	
Russett Park	C	✓			✓		✓				
Sherwood Forest Park	B	✓			✓		✓		✓		
Storie Park 1	C	✓			✓		✓				
Storie Park 2	C	✓			✓		✓				
Sunnyside Park	C	✓			✓		✓				
Terry Fox Park	C	✓			✓		✓				
Woodview Park Early	C	✓			✓	✓		✓			

Park	Class	Youth Play	Adult Play	Suitable for	Mini	Regulation	Multipurpose	Unlit	Lit	Uprights	Additional
Airmen's Park	C	✓		7 v 7	✓			✓			
Alexandra Park	B	✓	✓	11 v 11			✓	✓		✓	
Attersley Park	C	✓	✓	11v 11		✓		✓			
Bridle Park	C	✓		9 v 9	✓			✓			
Brookside Park	C	✓		7 v 7	✓			✓			
Chopin East Park	C	✓	✓	9 v 9		✓		✓			
Chopin West Park	C	✓	✓	9 v 9		✓		✓			
Coldstream Park	C	✓	✓	11 v 11		✓		✓			
Conant Park	C	✓	✓	11 v 11		✓		✓			
Conlin Meadows Park	C	✓	✓	11v 11		✓		✓			
Connaught Park	C	✓	✓	11 v 11		✓		✓			
Corbett's Park	C	✓	✓	11 v 11		✓		✓			
Cordova Valley Park	C	✓		5 v 5 (2)	✓			✓			Closed for 2022 season
Deer Valley Park	C	✓	✓	11 v 11		✓		✓			Closed for 2022 season
Delpark Homes	C	✓	✓	9 v 9	✓						
Dundee Park	C	✓		9 v 9	✓			✓			
Fernhill Park	C	✓		11 v 11		✓		✓			
Glenbourne Park	C	✓		11 v 11		✓		✓			
Grandridge Park	C	✓		9 v 9	✓			✓			
Greenhill Park	C	✓		9 v 9	✓			✓			
Gulfstream Park	C	✓		9 v 9	✓			✓			
Hyde Park	C	✓		7 v 7	✓			✓			
Kedron Park	C	✓	✓	11 v 11		✓		✓			
Kettering Park	C	✓	✓	9v9		✓		✓			
Lake Vista Park	C	✓	✓	11 v 11		✓		✓			
Lakeview Park Kluane E	B	✓	✓	11 v 11		✓		✓			
Lakeview Park Kluane W	B	✓	✓	11 v 11		✓		✓			
Lakeview Park Centre	A	✓	✓	11 v 11		✓			✓		
Lakeview Park East	B	✓	✓	11 v 11		✓		✓			
Lakeview Park West	A	✓	✓	11 v 11		✓			✓		
Laval Park	C	✓		9 v 9	✓			✓			
MacKenzie Park	C	✓		5 v 5 or 7 v 7	✓			✓			
Mackie Park	C	✓	✓	11 v 11		✓		✓			
Margate Park	C	✓		7 v 7 or 9 v 9	✓			✓			
McLaughlin Park	C	✓	✓	11 v 11		✓		✓			
Niagara Park	C	✓	✓	11 v 11		✓		✓			
North Oshawa Park	A	✓	✓	11 v 11			✓		✓	✓	
Northway Court Park	C	✓		7 v 7	✓			✓			
Parkwood Meadows Park	C	✓		9 v 9	✓			✓			
Pinecrest Park	C	✓		7 v 7	✓			✓			
Ritson Fields 1	B	✓	✓	11 v 11		✓		✓			
Ritson Fields 2	B	✓	✓	11 v 11		✓		✓			
Ritson Fields 3	B	✓	✓	11 v 11		✓		✓			
Rotary Park	C	✓	✓	11 v 11				✓		✓	
Russett Park	C	✓	✓	11 v 11		✓		✓			
Sandy Hawley Park	C	✓		9 v 9							
Sherwood Forest Park	C	✓	✓	11 v 11		✓		✓			
Southmead Park, #1	C	✓	✓	11 v 11		✓		✓			closest to parking lot
Southmead Park, #2	C	✓	✓	11 v 11		✓		✓			middle field
Southmead, #3	C	✓		7 v 7	✓			✓			
Steeplechase Park	C	✓	✓	11 v 11		✓		✓			
Terry Fox Park	C	✓		9 v 9	✓			✓			
Willowdale Park		✓		7 v 7	✓			✓			
Woodview Park	C	✓	✓	11 v 11		✓		✓			

Appendix C – Permitted hours

Table 1: Lit rectangular fields end times

Park	Time
Civic Fields	11 p.m.
Lakeview Park	10:30 p.m.

Table 2: Lit ball diamonds end times

Park	Time
Alexandra Park	10:30 p.m.
Kinsmen Stadium	11 p.m.
Lakefront West	11:30 p.m.
Lakeview Park	10:30 p.m.
North Oshawa Park	11 p.m.
Woodview Park	11 p.m.

Table 3: Tennis and pickle ball courts

Park	Time
Alexandra Park	10 p.m.
Baker Park	10 p.m.
North Oshawa Street	10 p.m.
Stone Street Park	10 p.m.

To: Community Services Committee

From: Ron Diskey, Commissioner,
Community Services Department

Report Number: CS-22-71

Date of Report: June 8, 2022

Date of Meeting: June 13, 2022

Subject: Proposed New Fire Services Establishing and Regulating By-Law

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to seek Council approval of a proposed new Fire Services Establishing and Regulating By-law as recommended by the Fire Chief.

Attachment 1 appended to this report is the proposed by-law.

2.0 Recommendation

That the Community Services Committee recommend to City Council:

That in accordance with Report CS-22-71, the proposed new Fire Services Establishing and Regulating By-law, dated June 8, 2022 which forms Attachment 1 to this report be approved generally in a form and content acceptable to the Commissioner of Community Services, the Fire Chief and Legal Services.

3.0 Executive Summary

The administration and governance of a fire department may be guided by an establishing and regulating bylaw, other municipal bylaws, council resolutions, collective agreements, policies and operating guidelines, and relevant legislation.

The Municipal Act. 2001, S.O. c.25 and the Fire Protection and Prevention Act. 1997, S.O. 1997, c.4, both as amended permit Council to enact a by-law to establish and regulate a Fire Department. By-law 30-2001 was last updated in 2001 and as a result of the 2020 Fire Master Plan (F.M.P.) approved by Council, various recommendations were made to update to the current by-law. The Fire Chief has completed a thorough review of the fire departments core services, and levels of fire protection services currently being provided,

based on local needs and circumstances. A number of new services that were not originally identified in the existing by-law have been identified and inserted into the proposed new by-law.

4.0 Input From Other Sources

- Legal Services
- Human Resources
- Oshawa Fire Services (O.F.S) Senior Leadership Team
- Chief Fire Prevention Officer
- 2020 Fire Master Plan
- Ontario Fire Marshal and Emergency Management (O.F.M.E.M)
- Establishing and Regulating by-laws from similar municipalities were reviewed from, Ajax, Barrie, Cambridge, Clarington, Kitchener, Oakville, Peterborough and Whitby.

5.0 Analysis

The Municipal Act and the Fire Protection and Prevention Act, permit the council of a municipality to enact a by-law to establish and regulate a fire department. An Establishing and Regulating (E&R) By-law for a fire department should provide clear and accurate policy direction reflecting how a municipal council intends fire protection services to function and operate. The 2020 Fire Master Plan approved by Council, recommended that the by-law to establish and regulate the Fire Department be reviewed and updated.

The key areas or differences between the existing by-law and the new proposed by-law is the existing by-law was very broad and out of date with the service levels delivered by Fire Services. The by-law proposed has been divided up in several areas to be clearer and concise.

The primary areas identified by the Ontario Fire Marshal and Emergency Management (O.F.M.E.M.) to be included in an Establishing and Regulating By-law are:

- General functions and services to be provided
- The goals and objectives of the department
- General responsibilities of department members
- Method of appointment to the department
- Method of regulating the conduct of members
- Procedures for termination from the department

The General terms as referenced by the Ontario Fire Marshal and Emergency Management O.F.M.E.M. are outlined in the following sections, Definitions, Establishment, General Authority, Organization, Core Services including Appendix A along with a Fire Prevention Policy appended as Appendix B , Fire Chiefs, Deputy Chiefs, Members, Fire &

Emergencies, Mutual Aid and Automatic Aid Outside the City, Interference, Additional Expenses and Offences.

- Authority to proceed beyond established response areas
- Authority to effect necessary department operations

The responsibilities and authority of the Fire Chief are clearly defined within the proposed new Fire Services Establishing and Regulating By-law. The Fire Chief is appointed by Council and corporately reports to the Commissioner of Community Services and operates under a branch of Community Services. The Fire Chief is responsible for administering and operating the overall delivery of the fire protection services which are defined through E&R By-Law. The roles and responsibilities for the position of Fire Chief, Deputy Chief and Assistant Deputy Chief have been more clearly defined within the proposed new Fire Services Establishing and Regulating By-law.

Oshawa Fire Services currently provides a number of specialized rescue disciplines, which are not contained within the E&R By-law. Although these types of rescues have been in place for a number of years, it is recommended that Council adopt the service levels as recommended by the Fire Chief within the proposed new Fire Services Establishing and Regulating By-law.

Included within the E&R By-law is a legislated requirement, the fire department develop a comprehensive annual training program to be delivered for the Fire Suppression Division and it also incorporates the wording to support firefighter certification within the province of Ontario.

Fire Prevention staff currently conduct inspections throughout the city on a complaint request or proactive basis in all types of building occupancies. An analysis within the F.M.P. recommends Council's consideration in adopting more defined service levels in several areas such as fire inspection and public education programs.

Public Education and Prevention and Fire Safety Standards and Enforcement have been identified as the first and second lines of defense in the Comprehensive Fire Safety Effectiveness Model developed by the Office of the Fire Marshal. The performance measure targets identified within the E&R by-law reflect the recommendations approved by Council. Performance target measures will be monitored and reported on in the future through the O.F.S annual report. With respect to the Public Education performance targets, the recommended frequency measure is consistent with the level of service currently being provided.

The E&R by-law was last updated in 2001, it is appropriate to provide further updates to recognize current municipal needs and circumstances. By replacing the existing by-law 30-2001, Council provides clear direction on the service levels endorsed within Fire Services as recommend by the Fire Chief.

6.0 Financial Implications

There are no financial implications resulting from the recommendation of this report.

7.0 Relationship to the Oshawa Strategic Plan

This report addresses the Oshawa Strategic Plan by responding to the goals of Accountable Leadership and Social Equity.



Derrick Clark, Fire Chief,
Fire Services



Ron Diskey, Commissioner,
Community Services Department



By-Law XX-2022

**Fire Department Establishing
and Regulating By-law**



**By-Law XX-2022
of The Corporation of the City of Oshawa**

being a by-law to establish and regulate the City of Oshawa's Fire Department.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, ("Municipal Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act;

AND WHEREAS the Municipal Act provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c4, as amended, ("FPPA") requires every municipality to establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention and to provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances;

AND WHEREAS the FPPA permits a municipality, in discharging these responsibilities, to establish a fire department;

AND WHEREAS the FPPA permits a Council of a municipality to establish, maintain and operate a fire department for all or any part of the municipality;

AND WHEREAS the FPPA requires a municipality that establishes a fire department to provide fire suppression services and permits the fire department to provide other fire protection services in the municipality;

AND WHEREAS the FPPA requires a municipality that establishes a fire department to appoint a fire chief;

AND WHEREAS the FPPA authorizes a council of a municipality to pass by-laws under the FPPA to regulate fire prevention, to regulate the setting of open-air fires and to designate private roads as fire routes;

AND WHEREAS, a Deputy Chief shall be appointed as the Community Emergency Management Coordinator (C.E.M.C.) for the municipality

NOW THEREFORE the Council of The Corporation of the Of the City of Oshawa hereby enacts as follows:

1. Definitions

In this By-law:

- 1.1. "Assistant Deputy Chief" means the person appointed by the Fire Chief to act on behalf of the Fire Chief in the case of an absence or a vacancy in the office of the Fire Chief and Deputy Chief.
- 1.2. "Automatic Aid" means any agreement under which a municipality agrees to provide an initial response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department is capable of responding more quickly than any fire department situated in the other municipality; or a municipality agrees to provide a supplemental response to fires, rescues and emergencies that may occur in a part of another municipality where a fire department in the municipality is capable of providing the quickest supplemental response to fires, rescues and emergencies occurring in the part of another municipality.
- 1.3. "CAO" means the Chief Administrative Officer appointed by Council to act as the Chief Administrative Officer for the Corporation.
- 1.4. "Chief Fire Official" means the Assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the Fire Department appointed by the Municipal Fire Chief under the FPPA or a person appointed by the Fire Marshal under the FPPA.
- 1.5. "Collective Agreement" means a collective labour agreement between the Corporation and the Fire Fighters Association made under the FPPA and/or any other collective labour agreement between the Corporation and the certified bargaining agent representing other members of the department.
- 1.6. "Community Emergency Management Coordinator" ("CEMC") means a position identified in the *Emergency Management and Civil Protection Act*, 1990, c. E.9, as amended, ("EMCPA") as being responsible for the development, implementation, review and maintenance of the Emergency Management Plan for the City of Oshawa.
- 1.7. "Confined Space" means any space that has limited or restricted means for entry or exit (i.e. tanks, vessels, silos, storage bins, hoppers, vaults, trenches, excavations and pits), that is not designed for human occupancy.
- 1.8. "Corporation" means the Corporation of the City of Oshawa.
- 1.9. "Council" means the Council of the Corporation of the City of Oshawa.
- 1.10. "Commissioner of Community Services" means the Commissioner of the Community Services Department for the Corporation;
- 1.11. "Deputy Fire Chief" means the person appointed by Council to act on behalf

of the Fire Chief in the case of an absence or a vacancy in the office of the Fire Chief;

- 1.12. "Division" means a Division of the Fire Department as provided for in this By-law or determined by the Fire Chief;
- 1.13. "Emergency Management Committee" means the group of municipal officials that are responsible to ensure that local programs and committees are developed as required to enable the emergency management process in accordance with the requirements of the Emergency Management and Civil Protection Act;
- 1.14. "Emergency Response Plan" means an emergency plan formulated under the prevailing *Emergency Management and Civil Protection Act* or any other related Act which specifies procedures to be taken for the safety or evacuation of persons in an emergency area, provide for obtaining and distributing materials, equipment and supplies during an emergency and provide for such other matters as are considered necessary or advisable for the implementation of the emergency plan during an emergency;
- 1.15. "Firefighters' Association" means the labour union representing professional firefighters;
- 1.16. "Firefighter Certification" means regulation under the FPPA that would establish mandatory minimum certification standards for specific fire protection services.
- 1.17. "Fire Chief" means the person appointed by Council to act as Fire Chief for the Corporation that is ultimately responsible to Council as defined in the FPPA.
- 1.18. "Fire Coordinator" means the person appointed by the Fire Marshal, under the authority of the FPPA, to co-ordinate the Regional Mutual Aid plans, or the person appointed by the Fire Marshal to act in the absence of the Fire Coordinator.
- 1.19. "Fire Department" means the Corporation's fire department, which is also referred to as the "Fire Services" within the Corporation.
- 1.20. "Fire Marshal" means a position with specific authorities and responsibilities under the FPPA, including ensuring that fire departments throughout Ontario provide adequate levels of service to their communities, providing support to fire departments, and administering the FPPA. It is also identified as the "Office of the Fire Marshal".
- 1.21. "FPPA" means the *Fire Protection and Prevention Act, 1997*, S.O., c 4, as may be amended from time to time, or any successor legislation, and any regulation made thereunder.
- 1.22. "Fire Protection Agreement" is a contract between municipalities, other

- agencies, individuals, and/or a company that clearly defines the responsibilities, terms, conditions, and all other aspects of the fire services purchased, provided and/or required.
- 1.23. "Fire Protection Services" includes fire suppression, fire prevention, fire safety education, administration services, training of persons involved in the provision of Fire Protection Services, and rescue and emergency services, and includes the delivery of all of the above services.
- 1.24. "Head of Council" means the person elected at large by voters in the City of Oshawa, namely the Mayor of the City of Oshawa.
- 1.25. "HUSAR" means Heavy Urban Search and Rescue.
- 1.26. "Medical Professional/Physician" means health practitioners for humans
- 1.27. "Member" means any defined Firefighter or Officer as per the FPPA and/or any person employed in or appointed to the Fire Department and assigned to undertake Fire Protection Services.
- 1.28. "Municipal Act" means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended from time to time, or any successor legislation, and any regulation made there under.
- 1.29. "Municipal Control Group" means a group comprised of the Head of Council along with designated staff who co-ordinate and deploy resources to mitigate the impact of a municipal or other large scale emergency incident.
- 1.30. "Mutual Aid" means a program to provide and/or receive assistance in the case of a major emergency in a municipality, community or area where the resources in that municipality, community or area have been depleted, but does not include Automatic Aid.
- 1.31. "Officer" means any Member with the rank of Captain or higher;
- 1.32. "Occupational Health and Safety Act" means the *Occupational Health and Safety Act*, R.S.O. 1190, c. O.1, as amended, and applicable provincial legislation.
- 1.33. "Regional" means the Regional Municipality of Durham, which is the applicable upper tier level of government for the Corporation.
- 1.34. "Technical Rope Rescue" means an environment (open or confined space, high angle or low angle) in which the load is predominately supported by a rope rescue system.
- 1.35. "Specialty Rescue" means a rescue response which is specific to trench rescues, building stabilizations, high angle/low angle rope rescues, confined spaces, ice/water rescues, auto extrications, hazardous materials responses, and/or similar situations, in accordance with available resources, and/or in accordance with an approved specialty rescue service agreement.
- 1.36. Specialized Rescue Services means operations level services as defined

within the province of Ontario, with responders trained to an operations level rescuer as defined by the Ontario Fire Marshall, industry best practices and standards, which for greater clarity may involve personal protection equipment, mass decontamination, technical decontamination, product control, detection monitoring and public safety sampling, victim rescue and recovery, and illicit laboratory incidents.

- 1.37. "Tiered Response Agreement" means a formal written agreement negotiated between Durham Regional Police Services, Region of Durham Paramedic Services, and Oshawa Fire Services, to establish local protocols for a multi-agency response to a life threatening or public safety incident. The agreement outlines the capabilities, expectations and limitations of each agency and defines the criteria for participation.

2. Establishment

- 2.1. A department for the Corporation, to be known as the Oshawa Fire Services, is hereby established and continued under this By-law and the head of this Fire Department shall be known as the Fire Chief.
- 2.2. The goals of the Fire Department shall be those contained within the departmental Master Fire Plan as presented to Council from time to time.

3. General Authority

- 3.1 Fire Protection Services shall consist of the Fire Chief, Deputy Fire Chiefs, Assistant Deputy Chief, Platoon Chiefs, Chief Training Officer, and Chief Fire Prevention Officer, Communications Officer, Captains, Fire Suppression firefighters, Fire Prevention Inspectors and Educators, Training Officers, Mechanical staff, Administrative personnel and any other person(s) as may be authorized or considered necessary from time to time by Council or by the CAO on recommendation from the Fire Chief or any member of Oshawa Fire Services designated by the Chief Fire Official for the Fire Department, to perform Fire Protection Services.

4. ORGANIZATION

- 4.1. The Fire Department shall be organized into the following divisions:
- a) Fire Prevention, Public Education and Enforcement;
 - b) Fire Suppression;
 - c) Training;

- d) Communications;
- e) Mechanical;
- f) Administrative;

4.2. The Fire Chief or any member of Oshawa Fire Services designated by the Chief Fire Official, with prior approval of the CAO, may re-organize divisions or establish new other divisions, or may do all or any of these things as may be required to ensure the proper administration and efficient operation of the Fire Department and the effective management of Fire Protection Services for the Corporation.

4.3. The Fire Chief may assign or re-assign such members to a division to assist in the administration and operation of a service.

5. Core Services

5.1. For the purposes of this By-law, core services provided by the Fire Department will be as per Appendices "A" & "B" which form part of this By-law.

6. Fire Chief

6.1. The Fire Chief(s) shall be appointed by by-law and shall,

- a) be ultimately responsible to Council for the delivery of fire protection and prevention services and the proper management of the Fire Department;
- b) exercise all powers and duties mandated by the FPPA, and any other applicable or successor legislation;
- c) report administratively to Council through the Corporation's Commissioner of Community Services ;
- d) ensure all proper measures for prevention, control and/or suppression of fires, the protection and saving of life and property, and emergency management are taken;
- e) ensure that other emergency services are provided including but not limited to Specialized Rescue Services in accordance with the levels set forth in Appendix A to this By-law;
- f) ensure that all proper measures for life safety education and fire prevention are taken;

- g) ensure expectations of delivery are contained in the departmental standard operating procedures, guidelines and documentation;
- h) implement all approved policies and shall develop such standard operating procedures and guidelines, general orders and departmental rules as necessary to implement the approved policies and to ensure the appropriate care and protection of all Fire Department personnel and equipment; provided such procedures, guidelines, orders and rules do not conflict with the provisions of any applicable by-law, statute or regulation.
- i) periodically review all policies, guidelines, orders, rules and/or operating procedures of the Fire Department;
- j) submit, for approval by Council, the annual budget estimates for the Fire Department, and any other specific reports requested by the Chief Administrative Officer or Council;
- k) enforce all municipal by-laws and any other applicable legislation respecting fire protection and emergency measures;
- l) subject to the terms and conditions of the Collective Agreement, reprimand, suspend and/or terminate any Member for infraction of any provisions of this By-law, policies, general orders and/or departmental policies and procedures.

6.2. In the event of the absence or incapacity of the Fire Chief, a Deputy Fire Chief shall be appointed by the Commissioner of Community Services as Acting Fire Chief and shall have all the powers and may perform all of the duties of the Fire Chief.

7. Deputy Fire Chief(s)

7.1. The Deputy Fire Chief(s) shall be appointed by the Fire Chief and shall,

- a) Report to the Fire Chief on the activities of the divisions and Members that are under their responsibility, and shall use best efforts to carry out the orders of the Fire Chief; and
- b) In the absence, vacancy or incapacity of the Fire Chief, the Deputy Fire Chief(s), Assistant Deputy Fire Chief, as determined by the Commissioner of Community Services, shall have all of the powers and may perform the duties of the Fire Chief.

8. Members

- 8.1. Persons appointed as Members of the Fire Department to provide fire protection services shall be on probation for a period of 12 months, during which period they shall be evaluated and take such special training and examination(s) as may be required by the Fire Chief.
- 8.2. If a probationary Member appointed to provide Fire Protection Services fails any such examinations or is deemed unsuitable by the Fire Chief, the Fire Chief may dismiss the probationary member without recourse.
- 8.3. Where the Fire Chief designates a member to act in the place of an officer in the Fire Department, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.
- 8.4. Working conditions and remuneration for all firefighters shall be determined by the collective agreement in accordance with the provisions of Part IX of the FPPA.
- 8.5. If a medical professional/physician finds a Member is physically unfit to perform assigned duties and such condition is attributed to, and a result of employment in the Fire Department, the Fire Chief may assign the Member to other duties within the Fire Department.

9. Emergency Responses Outside Limits of the City of Oshawa

- 9.1. The Fire Department shall not respond to a call with respect to a fire or an emergency incident outside the limits of the City of Oshawa except with respect to a fire or an emergency:
 - a) that in the opinion of the Fire Chief, threatens property in the City of Oshawa or property situated outside the City of Oshawa that is owned or occupied by the Corporation;
 - b) in a municipality which has an Fire Protection Agreement with the Corporation;
 - c) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection;
 - d) at the discretion of the Fire Chief, to a municipality authorized to participate in the Region's Mutual Aid plan established by the Regional Fire Coordinator appointed by the Ontario Fire Marshal, emergency fire service plan and program, or any other organized plan or program on a reciprocal basis;
 - e) As directed by the Province under *Emergency Management*

Act and Civil Protection Act or any other prevailing government directive, or legislation as determined appropriate by the Fire Chief;

- f) On those highways that are under the jurisdiction of the Ministry of Transportation or other agency within the City of Oshawa for which an Automatic Aid agreement has been entered into;
- g) On property beyond the territorial limits of the Corporation where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate fire department is notified to respond and assume command or establish alternative measures, acceptable to the Fire Chief or designate, provided it does not compromise our own Municipal level of service or commitments with the right to withdraw at any time to service home Municipality's needs response due to a request for special assistance as required through a specialized agreement approved by the Fire Chief;
- h) The Fire Department is not required to respond to requests by private companies; non-government; or incorrect assigned calls;
- i) Any other existing response agreements will continue to operate on Automatic and Mutual Aid response. Agreements may be amended and approved by Council from time to time.

10. Fires and Emergencies

10.1. Proper measures for the prevention, control and extinguishment of fires and the protection of life and property, shall be taken and may include:

- a) suppressing any fire by extinguishing it, and entering any private property if necessary to do so;
- b) pulling down or demolishing any building or structure to prevent the spread of fire; and/or
- c) any other necessary actions such as boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident.

10.2. Any expenses incurred by such necessary actions by the Fire Department may be recovered in the manner provided through the Municipal Act and the FPPA.

11. Response Outside the Limits of the Municipality(Automatic and

Mutual Aid Agreements)

Aid to the City of Oshawa (requested by the Municipality)

11.1. The Fire Chief may request other municipalities to provide aid and/or other qualified persons or services to the Fire Department including but not limited to,

- a) extinguishing fires;
- b) pulling down or demolishing any structure;
- c) crowd and traffic control;
- d) suppression of fires or other hazardous conditions in other reasonable ways; and/or
- e) determining the origin, cause or circumstances of any fire or explosion, if it is deemed necessary to retain a private contractor, rent/lease heavy equipment or specialized equipment, specialized services, and associated persons then those costs may be billed to the property owner and collected by the Municipality by means as determined in this by-law.
- f) major incidents and emergencies

if, in the Fire Chief's opinion, it is necessary to do so.

By the City of Oshawa to others (response outside the limits)

11.2. The Fire Department shall respond where possible, to a call with respect to a fire or emergency outside the territorial limits of the Corporation with respect to a fire or emergency including non-fire emergencies, under the following conditions:

11.3. Cost recovery

- a) Cost recovery under Automatic and Mutual Aid agreements shall be as per the Province's direction and regulations unless otherwise specified. To the extent reasonably possible, materials and/or supplies will be replaced or cost recovered excluding the cost of personnel and/or extraordinary expenses unless determined appropriate to recover. Cost recovery provisions should be

incorporated into Automatic and Mutual Aid Agreements, where possible.

- b) Carrying out any of its duties or functions where the Fire Chief or Deputy Fire Chief determines that it is necessary to incur additional expenses, retain a private contractor, rent special equipment not normally carried on a fire apparatus, or use more materials than are carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, control and eliminate an emergency;
- c) The Fire Chief shall determine and present to council additional sources of revenue to be incorporated as a result emergency response and enforcement within the municipality.

12. Interference

- 12.1. No person shall impede or interfere with or hinder the Fire Department in the performance of any of its duties.
- 12.2. No person present at a fire shall refuse to leave the immediate vicinity when required to do so by the Fire Department.
- 12.3. During a fire and for the time after it has been extinguished that is required to remove the apparatus and equipment of the Fire Department and render the location and vicinity safe from fire, no person, either on foot or with a vehicle of any kind, shall enter or remain upon or within:
 - a) the portion of any street or lane upon which the site of the fire abuts or upon any street or lane for a distance of fifteen (15) metres on each side of the property damaged by fire; or
 - b) any additional street or lane or part of a street or lane or any additional limits in the vicinity of the fire as may be prescribed by the Fire Chief or the next ranking officer present at the fire.
- 12.4. The provisions of section 12.3 shall not apply to a resident of any street or lane or within any prescribed additional limit or any person so authorized to enter or remain by an officer of the Fire Department or by a police officer.
- 12.5. No person shall prevent, obstruct or interfere in any manner whatsoever with the communication of a fire alarm to the Fire Department or with the Fire Department responding to a fire alarm that has been activated.

13. Offences

- 13.1. Every person who contravenes any provisions of this By-law is guilty of an offence and on conviction is liable to the penalty established by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as may be amended or replaced from time to time, inclusive of costs.

14. Enforcement and Penalties

- 14.1. Any person who violates any provisions of this By-law is, upon conviction, guilty of an offence and shall be liable to a fine, subject to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33

15. Short Title

- 15.1. This By-law shall be known as the Fire Services Establishing and Regulating By-law.

16. Repeal of Existing By-law

- 16.1. By-law No. 30-2001 By-law is hereby repealed.

17. Effective Date

- 17.1. This By-law shall come into force and effect on the day it is passed.

By-law passed this _____ day of _____, 2022.

Mayor

City Clerk

Appendix A - Core Services

1. CLASSIFICATION AND TASK OBJECTIVES OF THE MANDATED SERVICES

a) Fire Suppression Services:

Shall be delivered in both offensive (interior) and defensive (exterior) modes as required and shall include search and rescue operations, forcible entry, ventilation, protection of exposures, and salvage and overhaul as appropriate. Additionally, any such capabilities deemed necessary by the Fire Chief.

b) Specialized Rescue Services :

Equipment and training, based on identified needs and risks in the community. All identified response levels listed within this By-law and performance objectives during rescue operations and training shall be performed safely, competently and in its entirety. The response levels listed within this by-law and designations may only be reached after appropriate equipment, and training have been provided, documented and site assessments have been completed and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

c) Surface Water Search and Rescue:

The Fire Department is designated to respond to rescue incidents involving surface water. Using specialized equipment, skills, and training in a manner referred as “Operations” Level as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

d) Ice Search and Rescue:

The Fire Department is designated to respond to rescue incidents involving ice. Using specialized equipment, skills, and training in a manner referred as “Operations” Level as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

e) Rope Rescue:

Fire Services is designated to respond to incidents involving high/low angle-rescue using specialized equipment, skills, and training in a manner referred to as “Technician” Level as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office, and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation.. Additionally, any such capabilities deemed necessary by the Fire Chief.

f) Confined Space Rescue:

Fire Services is designated to respond to incidents involving confined spaces using specialized equipment, skills, and training in a manner referred to as “Technician” Level in as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office, and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation.. Additionally, any such capabilities deemed necessary by the Fire Chief.

g) Trench Rescue:

Fire Services is designated to respond to incidents involving Trench and Excavation Search and Rescue using specialized equipment, skills, and training in a manner referred to as “Technician” Level, as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

h) Hazardous Materials Incidents:

Provide rescue, initial control, containment and mitigation of hazardous materials incidents, to the “Operations” Level, as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

i) Passenger and Heavy Vehicle Rescue:

Fire Services is designated to respond to incidents involving Vehicle Search and Rescue using specialized equipment, skills, and training in a manner referred to as “Operations” Level, as per the current Ontario Certification for firefighters as directed by the Ontario Fire Marshalls office and relevant

standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. Additionally, any such capabilities deemed necessary by the Fire Chief.

j) Tiered Medical Response

An agreement with Paramedic Services to provide response and treatment to predetermined criteria of patient signs and symptoms. Patient treatment includes first aid, Cardio Pulmonary Resuscitation, Automatic External Defibrillation, oxygen therapy, Naloxone administration, or any other approved delegated intervention as directed by Oshawa Fire Services Medical Oversight Physician prior to the arrival of paramedic services.

k) Machinery Search and Rescue (Elevator Rescue):

Machinery search and rescue predominately involves rescuing persons trapped in elevators due to malfunction or power outage, as defined by the Occupational Health and Safety Act, specifically the Section 21 Guidance Note. Other such rescues can be performed in commercial, industrial and farming incidents, utilizing specialized equipment, skills, and training additionally, any such capabilities deemed necessary by the Fire Chief.

l) Public Assistance:

Is a catch-all for any assistance offered to the public which doesn't fall into a definitive category which requires the Service to respond to offer advice or assistance, public service and assist with life, environment and property preservation at the discretion of the Fire Chief.

2. Training:

- a) As a reference, utilize the regulation under the Fire Protection and Prevention Act, 1997 (FPPA) that would establish mandatory minimum certification standards for specific fire protection services and relevant standards and industry best practices are recognized as baseline standards of technical rescues and other related industry training standards and legislation. These materials shall be used as reference guides for Oshawa Fire Services Training Division as a baseline standard approved by the Fire Chief. All training will comply with the Occupational Health and Safety Act.
- b) That fire services staff utilize all appropriate personal protective equipment (P.P.E.) and safety standards during training exercises.
- c) A comprehensive annual training program be developed and delivered for the Fire Suppression Division. The annual training program must provide the required training to achieve and sustain the skills and competencies for approved service operations levels. In addition to

responding to established training levels, an annual training program must also address an employer's responsibilities as defined by the Occupational Health and Safety Act, specifically the Section 21 Guidance Notes.

3. Communication/Dispatching Services:

- a) The Communications Division is responsible for the receipt of fire & emergency related calls for the Oshawa Fire Service and for those municipalities or agencies with which agreements are in effect. The division is responsible for dispatching personnel, units, apparatus and equipment as required. The division performs 911 related functions as assigned in both call taking and dispatching capacities. The division monitors all emergency and non-emergency radio communications between Fire Department units, and confirms the accurate transmission of information between these units and other communication centers or agencies. The division provides information regarding buildings, building contents, building occupants, hazardous materials, and similar, to dispatched units and/or personnel.
- b) Relevant standards and industry best practices are recognized as the baseline standards for Public Safety Telecommunications Standards and shall be used as a reference guide for emergency dispatching and communications and shall provide the following minimum standards:
 - a) Receive requests for service;
 - b) Process requests for service;
 - c) Disseminate requests for service.
- c) The division provides emergency call taking and dispatching of emergency vehicles, as well as providing after hour emergency service response for select municipalities or agencies, with which agreements are in effect.

4. Fire Prevention, Education, Enforcement & Investigation:

- a) Fire and Life Safety Education:
 - i. Public education programs shall be administered in accordance with the F.P.P.A. and Departmental policies.
- b) Fire Prevention, Enforcement & Investigation
 - Inspections which may arise from complaints, requests, retrofits, and/or are self-initiated, fire investigations, and the examination and review of fire protection elements of building permit plans, shall all be provided in accordance with the F.P.P.A., any related legislation, and Departmental policies.

Appendix B - Fire Prevention Operating Guideline FP-#22



Operating Guidelines Fire Prevention

Fire Services
DATE REVISED: NEW

NUMBER FP - #22

DATE ISSUED: 2021 11 25

Page: 1 of 3

PURPOSE

To establish a policy to identify the required and Council-directed level of fire prevention programs and services to be delivered by Oshawa Fire Services.

POLICY STATEMENT

Mandatory requirements for fire prevention services and programs are established in the Fire Protection and Prevention Act, 1997 as amended (Part II), and various provisions of the Ontario Fire Code. This policy establishes the delivery of fire prevention services and programs within the City, including any elements required by provincial legislation and such additional services and programs as determined by Council.

SCOPE

This policy applies to all fire service personnel.

POLICY

Fire Prevention Records Keeping and Risk Assessment

Current records relating to all fire prevention activities must be prepared and retained. These records include:

- Emergency response statistics using the Standard Fire Incident Report
- Fire investigations
- Fire prevention inspection program complaints, requests, licensing, building code, and other inspection types
- In-service inspection program
- Home inspection program
- Smoke/Carbon Monoxide alarm program
- Distribution of Public Fire Safety information and media releases
- Public displays, fire hall tours, etc.
- Lectures, demonstrations, presentations to the public
- Building code plans examinations
- Simplified risk assessment and other needs analysis processes containing a current community fire profile identifying current public education and prevention needs

Community Risk Assessment

The community risk assessment will be updated every 5 years and reviewed every 12 months. Programs will be modified as appropriate.

Public Education Programs

The Fire Chief and department personnel will provide fire prevention education programs within the community in accordance with the priorities identified in the community's risk assessment. Community groups and organizations may request fire safety related presentations, demonstrations and tours of fire stations.

Appropriate fire safety education materials will be distributed in an effective manner to address community fire safety issues and concerns based upon needs and circumstances.

Inspections and Enforcement

Fire Prevention Inspections are to be conducted for all complaints received by the fire department containing reports of potential Fire Code violations and/or potential fire hazards.

Additional Fire Prevention Inspections may be conducted of occupancies and buildings as deemed necessary to address the needs and circumstances of the community or a targeted risk.

Appropriate action will be taken to ensure the elimination of serious fire hazards, immediate threats to life from fire, and to enforce the Fire Code under the authority and in accordance with the provisions outlined in the Fire Protection and Prevention Act, 1997.

Open Air Burning

Open air burning is regulated within the municipality. Open air burning will only be conducted with approval of the Chief Fire Official and in accordance with the conditions set out in the Permit pursuant to Open Air Burning By-law 73-2012.

Fireworks

Fireworks are regulated within the municipality. Firework Sales and Discharge of Display Fireworks will only be conducted with approval of the Chief Fire Official and in accordance with the conditions set out in the Permit pursuant to Fireworks By-law 49-2021.

Building Code Inspection and Plan Approvals

Building code inspections and plan approvals will be carried out in accordance with Building By-law 33-2009 that prescribes types of fire inspections, specified areas of authority and designates the Fire Chief and Fire Prevention Personnel as Inspectors under the Ontario Building Code Act to assist the Chief Building Official in ensuring compliance with the Ontario Building Code.

Requested Inspections

Requested inspections will be conducted within a reasonable period of time. When the requested inspection is from someone other than the owner, written authorization must be obtained from the owner or the owner's agent to inspect and release inspection results.

Fees for Services

Fees may be charged for any or all of the above referenced inspections/services in accordance with the General Fees and Charges By-law 13-2003 as amended.

A fee schedule for various types of inspections/services, is available upon request from the fire department or Oshawa city hall.

Municipally Licensed Businesses/Buildings

Inspections of Businesses (as required Business Licensing By-law 120-2005), lodging house (as required Lodging House By-law 94-2002), two unit house registration (as required Two Unit House Registration By-law 41-2001) and residential rental housing licensing (as required Business Licensing By-law 120-2005, Schedule 'K') shall be done and fees charged in accordance with the schedule specified in the Licensing By-law.

Fire Prevention Attendance at Emergency Scenes

The Fire Chief and/or members of the fire department delegated by the Fire Chief shall attend emergency scenes in accordance with department operational guidelines. Ascertain the origin and cause of fires which occur within the municipality and report such findings to the Fire Marshal. The Office of the Fire Marshal will be notified in accordance with current Ontario Fire Marshal's directive for notification of fires and explosions. The municipal fire inspector will assist the OFM investigator as requested.

Summary

This policy provides for the participation of all members of the department in fire prevention and public education activities, during available hours and also addresses the types of inspection services that have been approved by Council. It is intended as an affirmative direction to the Fire Chief, fire department personnel and the public.

RESPONSIBILITY

Fire Services is responsible for this policy.

POLICY REVIEW

This policy will be periodically reviewed and updated as required.

References and Related Documents:

Fire Protection and Prevention Act, 1997 as amended
ONTARIO REGULATION 378/18
Ontario Fire Code
By-law XX-2022 as amended (Establishing & Regulating by-law)
Fire Master Plan and Community Risk Assessment

Approved by:



Chief D Clark