



Safety and Facilities Services Committee Meeting Agenda

Monday, March 18, 2024, 1:30 p.m.

Council Chamber

Members of the Committee:

Councillor Nicholson, Chair
Councillor Kerr, Vice-Chair
Councillor Lee
Councillor McConkey
Councillor Marks
Mayor Carter, Ex Officio

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Pages

Public Meeting

Land Acknowledgement

The City of Oshawa is situated on lands within the traditional and treaty territory of the Michi Saagiig and Chippewa Anishinaabeg and the signatories of the Williams Treaties, which include the Mississaugas of Scugog Island, Curve Lake, Hiawatha and Alderville First Nations, and the Chippewas of Georgina Island, Rama and Beausoleil First Nations.

We are grateful for the Anishinaabeg who have cared for the land and waters within this territory since time immemorial.

We recognize that Oshawa is steeped in rich Indigenous history and is now present day home to many First Nations, Inuit and Métis people. We express gratitude for this diverse group of Indigenous Peoples who continue to care for the land and shape and strengthen our community. As a municipality, we are committed to understanding the truth of our shared history, acknowledging our role in addressing the negative impacts that colonization continues to have on Indigenous Peoples, developing

reciprocal relationships, and taking meaningful action toward reconciliation.

We are all Treaty people.

Additional Agenda Items

(As may be presented at the meeting)

Declarations of Pecuniary Interest

(As may be presented by Council Members)

Presentations

None

Delegations

None

Referrals from Council

None

Reports from Advisory Committees

None

Items Requiring Direction

None

Public Consent Agenda

Correspondence with Recommendations

None

Staff Reports/Motions with Recommendations

SF-24-06 - Review of Licensing By-law 120-2005 and Proposed Program Enhancements (All Wards)

7

Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

That based on Report SF-24-06, dated March 13, 2024 concerning a review of Licensing By-law 120-2005 and Proposed Program Enhancements:

1. Council approve by-laws in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to establish a new Business Licensing By-law to regulate certain businesses in the City of Oshawa as detailed in Section 5.4 of this Report, to repeal By-law 120-2005, and to further amend General Fees and Charges By-law 13-2003, as amended to establish applicable licensing fees as detailed in Section 5.4 of this Report; and,
2. That staff be directed to conduct a review of relevant regulations and business licensing options for Boarding Kennel and Breeders and report back to the Safety and Facilities Services Committee at a later date.

SF-24-07 - Technical Amendments to Fireworks By-law 59-2014 and Tiered and Escalating Administrative Monetary Penalties (All Wards)

Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

Whereas the Fireworks By-law 59-2014, as amended (“Fireworks By-law”) is a by-law that regulates the sale and discharge of fireworks within the City of Oshawa (“City”); and,

Whereas staff regularly review the City’s by-laws to identify opportunities to enhance municipal regulatory standards; and,

Whereas Section 5.5 of Report SF-23-13 “Options to Amend Fireworks By-law 59-2014” dated March 15, 2023 identified an opportunity to establish Tiered and Escalating Administrative Monetary Penalties (A.M.P.) and implement the following amendments to increase clarity in the Fireworks By-law:

- Amend Section 9 of the Fireworks By-law to establish Tiered and Escalating A.M.P.s with the following tiers:
 - Tier 1: \$250
 - Tier 2: \$350
 - Tier 3: \$450
- Implement minor typographical changes to reflect updates in position titles and to increase clarity with respect to references to by-laws and legislation.
- Renumbering certain sections to increase clarity and ease of reference.
- Implement minor typographical changes to provide further clarity on when permits are required for the discharge of Consumer Fireworks; and,

Whereas Section 429 of the Municipal Act, 2001, S.O. 2001, c. 25 (“Municipal Act”) authorizes municipalities to establish a system of fines, impose maximum single offence fines of \$100,000 and impose total fines for multiple and continuing offences greater than \$100,000, under a by-law enacted pursuant to the Municipal Act; and,

Whereas additional municipal benchmarking has identified the opportunity to enhance existing enforcement tools by increasing fine amounts for offences that are charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33 by amending the fines as articulated in the Fireworks By-law to the following:

- A minimum fine of \$500 and a maximum fine not exceeding \$100,000;

and,

- In the case of a continuing offence, for each day that the offence continues, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000; and,
- In the case of multiple offences, for each offence, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000;

Therefore be it resolved that Council approve the amending by-law, as set out in Attachment 1 to Report SF-24-07, to further amend Fireworks By-law 59-2014, as amended, to establish Tiered and Escalating Administrative Monetary Penalties, including other technical amendments as indicated, and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.

SF-24-08 - Technical Amendments to Vehicle-for-Hire By-law 31-2022 (All Wards)

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Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

That based on Report SF-24-08, dated March 13, 2024 concerning Technical Amendments to Vehicle-for-Hire By-law 31-2022:

1. That Council approve by-laws in final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to further amend the Vehicle-for-Hire By-law 31-2022, as amended, and the General Fees and Charges By-law 13-2003, as amended to implement technical amendments and to establish additional licensing fees to further encourage the delivery of accessible taxicab services as generally outlined in Section 5.2 of this Report; and,
2. That staff be directed to report back on additional licensing measures to incentivize the Vehicle-for-Hire industry in attempts to increase the supply of wheelchair accessible services, including a Reciprocal Licensing Arrangement with Durham Region lower-tier municipalities.

SF-24-09 - Safety and Facilities Services Committee Outstanding Items List Status Report - First Quarter 2024 (All Wards)

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Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

That Report SF-24-09, dated March 13, 2024 being the Safety and Facilities Services Committee's Outstanding Items List Status Report for the first quarter of 2024 be received for information.

Public Discussion Agenda

Matters Excluded from Consent Agenda

Items Introduced by Council Members

Items Pulled from the Information Package

None

Closed Consent Agenda

Correspondence with Recommendations

None

Staff Reports/Motions with Recommendations

None

Closed Discussion Agenda

Matters Excluded from Consent Agenda

Items Requiring Direction

None

Matters Tabled

None

Adjournment

To: Safety and Facilities Services Committee

From: Adam Grant, Commissioner,
Safety and Facilities Services

Report Number: SF-24-06

Date of Report: March 13, 2024

Date of Meeting: March 18, 2024

Subject: Review of Licensing By-law 120-2005 and Proposed Program
Enhancements

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to:

- Present feedback from the Business Licensing By-law Review consultation conducted by staff in 2023 as per Council Directive 3 in SF-23-07.
- Recommend enhancements and considerations for the City of Oshawa’s (“City”) Business Licensing Program.
- Recommend the creation, and subsequent approval, of a new Business Licensing By-law and amendments to General Fees and Charges By-law 13-2003, as amended (“General Fees and Charges By-law”) as per Council Directive 3 in SF-23-07.
- Address outstanding direction to present program details regarding the licensing of driving schools as per Council Directive 3 in CORP-17-80.

Attachment 1 is a summary of Report SF-24-06 reviewing highlights and proposed enhancements.

Attachment 2 is a list of currently regulated and licensed business classes (Business Licensing By-law 120-2005, as amended).

Attachment 3 is a summary of feedback received from the City’s online feedback tool “Connect Oshawa”.

Attachment 4 is a detailed municipal licensing benchmarking table with existing and emerging business classes.

Attachment 5 is a proposed program update summary table.

Attachment 6 is an overview of proposed program enhancements to currently regulated and licensed business classes.

Attachment 7 is a summary table of proposed updated licensing fees.

2.0 Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

That based on Report SF-24-06 “Review of Licensing By-law 120-2005 and Proposed Program Enhancements”, dated March 13, 2024:

1. Council approve by-laws in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to establish a new Business Licensing By-law to regulate certain businesses in the City of Oshawa as detailed in Section 5.4 of Report SF-24-06 “Review of Licensing By-law 120-2005 and Proposed Program Enhancements”, to repeal By-law 120-2005, and to further amend General Fees and Charges By-law 13-2003, as amended to establish applicable licensing fees as detailed in Section 5.4 of Report SF-24-06;
2. That staff be directed to conduct a review of relevant regulations and business licensing options for Boarding Kennel and Breeders and report back to the Safety and Facilities Services Committee at a later date.

3.0 Executive Summary

The Business Licensing By-law 120-2005, as amended (“Licensing By-law”) is a by-law to license, regulate and govern certain businesses operating in Oshawa. The current Licensing By-law was passed in 2005 and repealed By-law 100-2000. In February 2023, Council directed staff to conduct a modernization review (“Review”) of the Licensing By-law, including public and industry consultation, and report back to the Safety and Facilities Services Committee with proposed updates to the Business Licensing Program (“Program”).

The Review identified several areas of improvement to better meet the changing needs of the public and the business community, detailed in Section 5.3. In addition, the Review found that when compared to the more resource intensive alternative of reactive enforcement-based compliance, a licensing system remains the most effective and efficient means of proactively addressing compliance with all applicable laws in a customer-focused manner.

The proposed Licensing By-law and Program enhancements, detailed in Section 5.4, address identified areas of improvement, building towards a refreshed and customer-focused licensing system. Proposed enhancement highlights include:

- Streamlined licensing classes and standards to meet current and future needs;

- The introduction of Modular Licensing and lower licence renewal fees to better support businesses;
- The identification and action on new and emerging risk;
- An enhanced level of service to improve customer experience;
- Responds to public and business feedback by adopting standards to further support special events;
- The introduction of a program that is predominantly cost recovery; and,
- The incorporation of tiered and escalating administrative monetary penalties to improve compliance.

A summary of this report including the proposed Licensing By-law and Program enhancements can be found in **Attachment 1**.

4.0 Input From Other Sources

The following City branches and external agencies were consulted in the preparation of this report:

- Business and Economic Development
- Corporate Communications
- Legal Services
- Finance Services
- Fire Services
- Durham Region Health Department
- Durham Regional Police Service
- Durham Municipal Insurance Pool

In addition to City branches and external agencies consulted, an extensive public and industry consultation was conducted in 2023. Feedback received during the consultation period informed the development of the proposed program updates, with a summary found in Section 5.2 of this report.

As part of this review, staff conducted extensive analysis on similar business licensing by-laws from the following municipal comparators:

- Town of Ajax
- City of Cambridge
- Municipality of Clarington
- City of Guelph
- City of Markham
- City of Pickering
- City of Richmond Hill
- City of Toronto
- Town of Whitby
- City of Windsor

5.0 Analysis

5.1 Background

The Licensing By-law is a by-law to license, regulate and govern certain businesses operating in Oshawa. It was passed in 2005 pursuant to the [Municipal Act, 2001, S.O. 2001, c. 25](#) ("Municipal Act") and replaced the now-repealed By-law 100-2000, as

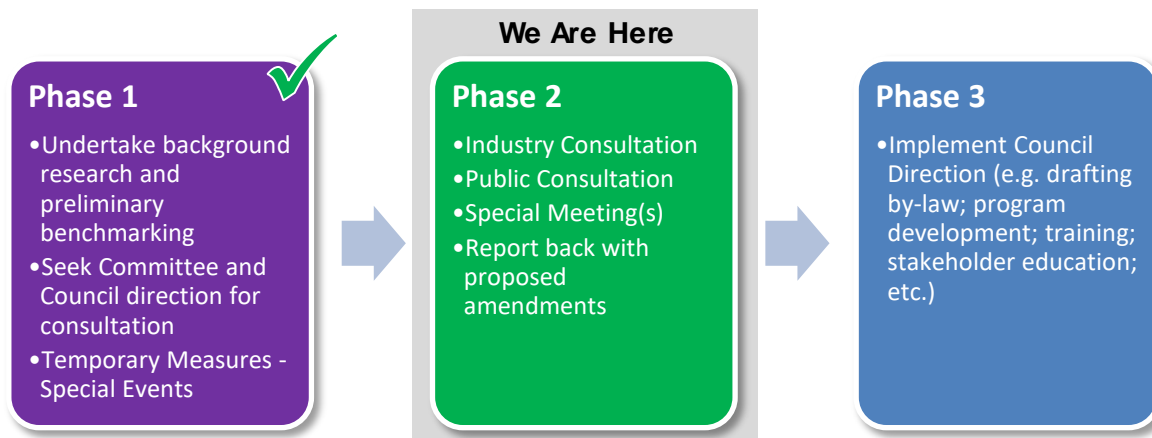
amended. In addition to regulating businesses, municipal licensing is a source of revenue that assists with offsetting the costs of gaining compliance with municipal and provincial standards which includes Municipal Law Enforcement as well as Zoning, Property Standards and Fire Prevention inspections. The City currently licenses approximately twenty (20) general classes of business, with additional subclasses, through the Licensing By-law. A detailed list can be found in **Attachment 2**.

On February 13, 2023, Report [SF-23-07](#) was presented to the Safety and Facilities Services Committee (“Committee”). The report detailed the City’s authority under the Municipal Act to establish licensing programs, preliminary benchmarking of municipal comparators and the current Licensing By-law and Program. In addition, SF-23-07 proposed a comprehensive review of the Licensing By-law and Program.

Although the Licensing By-law and Program remain effective in addressing the primary goals of health and safety, consumer protection and nuisance control, it is appropriate to undertake a comprehensive review to identify opportunities to enhance the Licensing By-law while adapting to new business processes, technology and market trends.

In February 2023, Council directed staff ([SF-23-07](#)) to conduct a modernization review of the Licensing By-law, including public and industry consultation, and report back to the Committee with proposed updates to the Program. Phases of this Review can be found in **Figure 1**.

Figure 1 – Business Licensing By-law Review Plan



5.1.1 Municipal Act and Other Applicable Legislation

The Municipal Act is the provincial legislation that enables municipalities in Ontario to pass by-laws to “license, regulate, and govern any business wholly or partly carried on within the municipality, even if the business is being carried on from a location outside of the municipality”. Through licensing by-laws, Section 151 of the Municipal Act allow municipalities to provide for a system of licences with respect to a business and may:

- Prohibit the carrying on or engaging in the business without a licence;
- Refuse to grant a licence or to revoke or suspend a licence;

- Impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- Impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- Impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and,
- License, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

The Municipal Act does provide several restrictions on a municipality's ability to license and regulate select general business classifications or trades. For example, Regulation [O. Reg. 583/06: Licensing Powers](#) under the Municipal Act was amended on January 1, 2024, to restrict municipal authority to regulate and license tow truck operators and vehicle storage operators. Such statutory limits on licensing are similarly established in other legislation. For instance, the [Cannabis Licence Act, 2018, S.O. 2018, c. 12, Sched. 2](#) prohibits municipalities from creating a system of licences with respect to the sale of cannabis as such businesses are licensed at the provincial level. Restrictions on municipal licensing were considered during the development of proposed updates to the Licensing By-law, with full restriction details being found in Report [SF-23-07](#).

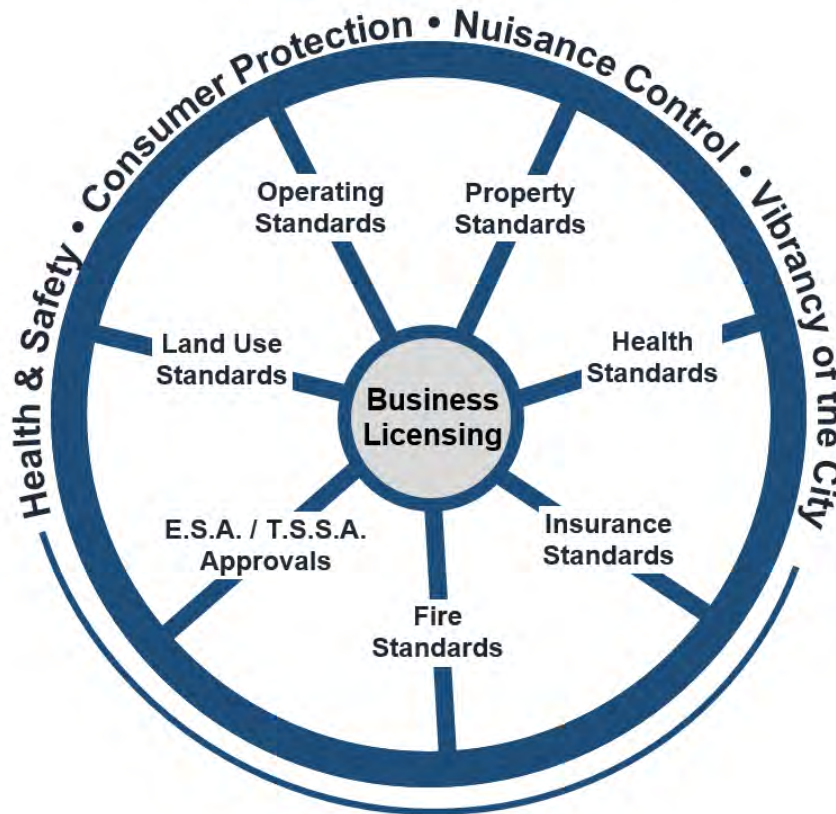
5.1.2 Licensing as an Effective and Efficient Compliance Tool

Municipal Law Enforcement and Licensing Services (M.L.E.L.S.) along with other City branches including Fire Services and Building Services are responsible for ensuring compliance with standards set by Council and provincial legislation. The Municipal Act grants municipalities the authority to determine the approach in which compliance is gained in their jurisdiction and in relation to businesses, Sections 11(2) and 151 of the Municipal Act authorize the creation of a licensing system by way of municipal by-laws to proactively address health and safety, consumer protection and nuisance control. Municipal licensing systems are an efficient and effective compliance tool for the following reasons:

- Encourages voluntary compliance with City and provincial standards;
- Offers a proactive customer-centric approach to compliance vs. a reactive and punitive enforcement approach;
- Licensing is an effective means for coordinating resources of various enforcement departments not only within the City (e.g. Fire Services, Building Services) but also with external partners like the Region of Durham Health Department ("Health Department")
- Offers consistency with various health, safety and other standards by providing a streamlined "one-stop" process for businesses;
- Provides municipalities a means to fully or partially recover the cost of compliance efforts and continued inspections; and,
- The Municipal Act provides municipalities special and unique authorities to address businesses that pose an immediate danger to the health and safety of any person or property.

Figure 2 presents the Business Licensing Safety and Compliance Model, where business licensing (i.e. the hub) is a process that coordinates all applicable standards and approvals (i.e. the spokes) to ensure health and safety, consumer protection, nuisance control and vibrancy of the City.

Figure 2 Business Licensing Safety and Compliance Model



Note: Not all regulated business classes are subject to the standards and approvals presented above. Continued proactive compliance with all applicable standards and approvals ensures health and safety, consumer protection, nuisance control and vibrancy of the City.

5.1.3 Review Guiding Principles and Risk-Based Assessment

Report SF-23-07 established the goal of the Review to modernize the Licensing By-law and simplify the Program for current and new businesses, while considering the intent and primary goals business licensing to protect the interest of the community. To complete the Review, staff utilized a two (2) phase strategy to examine current and potentially regulated and licensed business classes.

a) Guiding Principles

The **Guiding Principles** aid in the determination of **what** types of businesses should be regulated through the consideration of risks associated with:

- **Health and Safety** – generally to protecting the public, businesses and customers. (e.g. Property Standards, Health Standards, Insurance Standards, Fire Standards, E.S.A. / T.S.S.A. Approvals, Land Use Standards, Operating Standards)
- **Consumer Protection** – generally refers to protecting the consumer (business user) and is relative to the type of business. (e.g. Insurance Standards, Operating Standards)
- **Nuisance Control** – generally refers to limiting negative community and neighbourhood impacts associated with the regulated business. (e.g. Land Use Standards, Operating Standards)
- **Vibrancy of the City** – generally refers to contributing to the energy and quality of life for residents and business owners of and visitors to Oshawa; helping to make Oshawa a desirable place to live, work and visit. (e.g. Property Standards, Health Standards, Insurance Standards, Fire Standards, E.S.A./T.S.S.A. Approvals, Land Use Standards, Operating Standards)

While also considering if municipal business licensing will support:

- **Business Expansion, Retention and Growth** – generally refers to streamlining regulations to increase simplicity and ensuring that regulations are appropriate.
- **Other Agencies and Levels of Government** – generally refers to providing an additional layer of support for encouraging compliance with other regulatory and licensing systems (i.e. proof of compliance with Public Health inspections is a requirement for food-related licences).
- **Cost Recovery** – generally refers to ensuring the cost of administering and enforcing the licensing system is considered when establishing licensing fees.

b) Guiding Principles

The **Risk-Based Assessment** aids in the development of **how** identified businesses should be regulated by **highlighting, assessing and mitigating risk** and include the following steps:

- **Step 1 – Identify the Risk**
 - Example: has M.L.E.L.S. and Fire Services identified a risk to community safety?
- **Step 2 – Assess the Risk**
 - How severe is the risk, and what is the potential incidence and impact?
- **Step 3 – Mitigate the Risk**
 - How can the City effectively mitigate the identified risk to the community through appropriate and necessary licensing tools?
 - **Application Requirements** e.g. Licence term, business documents, insurance requirements etc.

- **Licensing Approvals** e.g. Zoning Examination, Property Standards Inspection, Fire Prevention Inspection, Criminal Records Check, etc.
- **Operating Standards** e.g. Regulate the safe occupancy and use of premises, Regulate the age of patrons, etc.

5.1.4 Enhancement to the Business Licensing Program and Temporary Measures

Ahead of and concurrent to the Review, staff have implemented several initiatives to improve access to licensing information and streamline the application process for prospective applicants. These initiatives have included:

- A refreshed Program webpage (www.oshawa.ca/businesslicence);
- Increasing the number of licence applications available for completion and submission online (including optimization for applicants using mobile technology);
- Dedicating Licensing staff for Special Event Organizer applications, including one-on-one meetings with applicants;
- Business outreach activities for Business Licensing education with Business and Economic Development Services (“Economic Development”) staff; and,
- Adapting business processes to align with the forthcoming implementation of the City’s new customer-focused CityView application for business licensing.

Through direction in Report SF-23-07 and subsequent motions to the Committee, Council enacted several temporary measures to the Program to reflect early feedback received from the business community. These temporary measures include:

- Free licences for additional Special Events, affecting select Peddler and Food Shop licence classes;
- Licence exemptions for businesses that sell exclusively prepackaged food, affecting select Food Shop licence classes; and,
- Fee reductions for all Peddler licence classes.

Further to the implementation of these temporary measures, Licensing staff worked alongside Economic Development and Corporate Communications staff to develop informative post cards to aid in informing the business community of these temporary changes. These post cards were distributed to the Greater Oshawa Chamber of Commerce (“G.O.C.C”), Economic Development staff, Licensing staff and Municipal Law Enforcement Officers (“M.L.E.O.”) to hand out when interacting with relevant businesses.

5.2 Public and Industry Consultation

In collaboration with Economic Development and Corporate Communications, staff developed robust and strategic public and industry consultation (“Consultation”) to engage and receive feedback from the public (residents and consumers) and the business community as per Council direction (SF-23-07). The Council-approved consultation process included the following components:

- Public and Business Community Consultation:

- Feedback from available online on Connect Oshawa and on paper at Service Oshawa for an eleven (11) week period.
- Three (3) community pop-ups during the Connect Oshawa period:
 - Thursday, July 27 from 6 p.m. to 9 p.m. at Delpark Homes Centre.
 - Thursday, August 17 from 12 p.m. to 3 p.m. at Lakeview Park.
 - Wednesday, September 13 from 1 p.m. to 4 p.m. at CORE21 (21 Simcoe St. S.).
- Special Safety and Facilities Services Committee meeting.
- Direct Industry Engagement:
 - Direct engagement with currently-licensed businesses.
 - Direct engagement with provincial and national industry organizations, regional partners and internal departments, such as:
 - Greater Oshawa Chamber of Commerce
 - Canadian Federation of Independent Business (C.F.I.B.)
 - Canadian Federation of Independent Grocers (C.F.I.G.)
 - Canadian Pawn Association
 - Convenience Industry Council of Canada
 - Food, Health & Consumer Products of Canada (F.H.C.P.)
 - Ontario Chamber of Commerce
 - Ontario Convenience Stores Association
 - Retail Council of Canada
 - Ministry of Public and Business Service Delivery
 - Durham Region Health Department
 - Durham Regional Police Service
 - Durham Municipal Insurance Pool
 - Oshawa Fire Services

The Consultation was promoted using a variety of outreach tactics and communication channels, including website promotion (Oshawa.ca and ConnectOshawa.ca), targeted emails to currently licensed businesses, e-newsletters and social media.

The results of the Consultation are provided in Sections 5.2.1 and 5.2.2 of this report.

5.2.1 Public and Business Community Consultation

Staff undertook an eleven (11) week Consultation process beginning on Wednesday, July 12, 2023 and concluding on Wednesday, September 27, 2023 to engage community members and the business community on the Review.

The Consultation process was comprised of various engagement initiatives that included the use of Connect Oshawa (ConnectOshawa.ca), the City's online engagement platform. Two (2) unique feedback forms were available to solicit information from the perspective of the general public (Feedback Form A) and the business community (Feedback Form B). Both feedback forms were available online on Connect Oshawa and on paper at Service Oshawa, at the Community Engagement Tables, and at the Special Meeting of the Safety and Facilities Services Committee.

Attachment 3 provides a detailed summary of the input received from the two (2) feedback forms. General themes from the feedback forms and the Special Meeting of the Safety and Facilities Services Committee are presented below:

a) Feedback Form A – General Public

General themes derived from Feedback Form A responses:

- Business licensing fees can be cumbersome to small businesses.
- The process to get a business licence can be cumbersome to businesses.
- There are several licence classes that are no longer relevant.
- There are several licence classes with operating standards that are not relevant.
- The current Program makes it administratively and financially difficult to run and participate in Special Events in the city (pertains to select Peddler, Food Shop, Carnival and Refreshment Vehicle licence classes)

b) Feedback Form B – Business Community

General themes derived from Feedback Form B responses:

- Business licensing fees can be cumbersome to businesses.
- The process to get a business licence can be cumbersome to businesses.
- There is overlap in government responsibility and jurisdiction.
- The current Program makes it administratively and financially difficult to run and participate in Special Events in the city (pertains to select Peddler, Food Shop, Carnival and Refreshment Vehicle licence classes)
- Nuances within the Second Hand Dealer industry should be investigated to better understand and further exempt low-risk operations.

c) Special Meeting of the Safety and Facilities Services Committee

On September 21, 2023, the Committee held a special meeting to hear delegations from the public and business community regarding the Licensing By-law and Program. Delegations were made by members of the business community who provided feedback to the Committee which was generally aligned with the themes identified above from “Feedback Form B – Business Community”.

5.2.2 Direct Engagement

Currently-Licensed Businesses

In addition to notifying currently-licensed businesses on how they were able to provide feedback during the Review, staff received direct feedback from several licensed businesses ahead of, during and after the Consultation period in the form of email, phone call or meeting. General themes from these interactions include:

- Business licensing has negative implications and can make it difficult operate a regulated business and can deter individuals from opening a business in the city.

- There is a duplication of inspections from different City or Regional branches, with some citing jurisdictional overreach.
- The business licensing process is administratively and financially cumbersome.
- Regulations and standards related to regulated temporary / transient businesses makes it too easy / too hard to operate in the city (opinions on both sides).
- Business licensing is simply a revenue generating tool and does not support the community.

Greater Oshawa Chamber of Commerce

Staff engaged with the G.O.C.C. ahead of and during the Consultation, and with Economic Development, hosted the business-focused in-person engagement opportunity at CORE21 (21 Simcoe St. S.). Additionally, the G.O.C.C. aided in the Consultation process by communicating engagement opportunities with their membership and posting City generated content through their social media channels.

Provincial and National Industry Organizations

During the consultation period staff made multiple attempts to connect with the provincial and national industry organizations identified in the Council approved Consultation, detailed in Section 5.2. Staff did not receive any correspondence from these organizations.

City and Regional Licensing Partners

M.L.E.L.S. staff hosted a meeting of City and Regional Licensing Partners, which included Fire Services and Economic Development staff as well as representatives from the Health Department and Durham Regional Police Service (“D.R.P.S.”). The purpose of the meeting was to assess the current state of the Program and provide feedback on how business licensing supports their organizations respective risk mitigation operations through the Review Guiding Principles and Risk-Based Assessment.

The Health Department provided considerable feedback indicating that the City’s Program was critical to ensuring that regulated businesses under the [Health Protection and Promotion Act, R.S.O. 1990, c. H.7](#) (“H.P.P.A.”) are able to be identified and inspected appropriately by the Health Department. As partners in business licensing, the City and Health Department share information to ensure compliance with all City and provincial standards.

Inspection and enforcement under the H.P.P.A. relies on court process through the [Provincial Offences Act, R.S.O. 1990, c. P.33](#) (“P.O.A.”) and does not present the most appropriate and efficient avenue for correcting health and safety non-compliance. The City’s ability to revoke a business license and/or issue Administrative Monetary Penalties (“A.M.P.”) offers an efficient means to ensure non-compliance is corrected in a timely manner, while still retaining the opportunity to charge offenders under the P.O.A.

The Health Department indicated existing and emerging risk in business classes inspected under their inspection portfolio that are not currently regulated or licensed by the City. The business classes indicated were:

- Personal Services regulated by the H.P.P.A. (including but not limited to barber shops, hair salons, esthetics establishments, nail salons, tattoo parlours, piercing shops); and,
- Smoke, Tobacco and Vapour Product Shops, regulated by the [Tobacco Tax Act, R.S.O. 1990, c. T.10](#) (“Tobacco Tax Act”) and the [Smoke-Free Ontario Act, 2017, S.O. 2017, c. 26, Sched. 3](#) (“Smoke-Free Ontario Act”).
 - Note: this business class does not include cannabis sales as these establishments are regulated by the province.

D.R.P.S. indicated that the City’s Program was valuable for ensuring contact information and necessary records are kept for certain regulated business classes. D.R.P.S. also identified the need for staff to assess regulated business classes and the need to include Criminal Records Check as part of application and renewal processes.

Note: Further to this Licensing Partners meeting, staff have engaged Health Department staff to inform proposed Program updates.

5.3 Review Findings

Following the Council-approved Guiding Principles and Risk-Based Assessments (Section 5.1.3) staff conducted a comprehensive review of the existing Licensing By-law and Program. The Review built on the preliminary analysis and benchmarking presented in Report SF-23-07 to further understand industry best practices utilized by our comparators, while taking into account the feedback received from the Consultation. The Review found that the Licensing By-law and Program have been effective in the primary goals of ensuring health and safety, consumer protection and nuisance control within the city. The Review has identified the following areas of improvement to better meet the changing needs of the public and the business community:

- 1) The Licensing By-law and Program should be more conducive to Special Event related licence classes.
- 2) There are several existing business classes that no longer meet the criteria to be regulated and licensed by the City.
- 3) The Licensing By-law and Program Application Requirements, Licensing Approvals and Operating Standards must be in-line with the Risk-Based Assessment, i.e. only require, inspect or regulate what is absolutely necessary to mitigate risk.
- 4) There are several emerging business classes not regulated by the City which meet the criteria to be regulated and licensed by the City.
- 5) The Licensing By-law and Program Application Requirements, Licensing Approvals, Operating Standards and Licensing Fees must continue to align with industry best practices to ensure the City remains competitive with surrounding municipalities.
- 6) There are minor changes to Program process and practices that would improve customer experience during that application and renewal process.

In addition to the areas of improvement identified, the Review found that when compared to the more resource intensive alternative of reactive enforcement-based compliance, a licensing system remains the most effective and efficient means of proactively addressing compliance with all applicable laws in a customer-focused manner.

Table 1 provides a benchmarking summary of currently regulated and licensed business classes included as part of the Review as well as additional business classes regulated and licensed in comparator municipalities, with **Attachment 4** providing full benchmarking results.

Note: The Review did not include areas of the Licensing By-law or business classes which have recently or are currently being reviewed under a separate initiative. The business classes not included in this review are Short Term Rental Operators, Residential Rental Units, Lodging Houses, Vehicle-for-Hire, Payday Loan Establishments and Pet Stores.

Table 1 – Regulated and Licensed Business Class Benchmarking Summary

General Business Class	Regulated and Licensed by City of Oshawa	Number of Benchmarked Municipalities that Regulate and License¹
Adult Entertainment Parlour	✓	8
Auctioneer	✓	5
Billiard Hall	✓	2
Body Rub Parlour	✓	7
Bowling Alley	✓	3
Carnival	✓	4
Driving Instructor	✓	3
Driving School	✓	2
Food Shop	✓	6
Pawnbroker	✓	5
Peddler	✓	7
Place of Amusement	✓	5
Public Garage	✓	4
Public Hall	✓	6
Refreshment Vehicle	✓	8
Second Hand Dealer	✓	7
Theatre	✓	2
Adult Novelty / Video Store ²	Regulated	2
Bed and Breakfast		2
Boarding Kennel		5
Breeder		1
Clothing Donation Bins ³	Regulated	4
Dry Cleaning Depots		1
Entertainment Lounge		2
Escort Service		1
Golf Driving Range		1

General Business Class	Regulated and Licensed by City of Oshawa	Number of Benchmarked Municipalities that Regulate and License ¹
Holistic Centre		3
Home-based Business ⁴		1
Horse Riding Establishment		2
Hotel		1
Laundry Facilities		1
Newspaper / Publication Box		2
Personal Services (Hair, Nail, Aesthetics, Piercings, Tattoo)		5
Precious Metal Shops ⁵		1
Private Parking Lot Agency		2
Public / Commercial Parking Lot ⁶	Regulated	2
Contractors (H.V.A.C., Plumbing, Paving)		2
Sign Company		3
Smoke / Tobacco / Vapour Product Shop		4
Tow Truck Operator ⁷		4

¹ Comparator Municipalities (February 2023): Town of Ajax, City of Cambridge, Municipality of Clarington, City of Guelph, City of Markham, City of Pickering, City of Richmond Hill, City of Toronto, Town of Whitby and City of Windsor.

² Regulated by Adult Magazines and Videotapes By-law 84-93.

³ Regulated by Nuisance By-law 65-2009, as amended.

⁴ Food related home-based businesses currently regulated and licensed under Class “D” Home Occupation Food Shop licence class.

⁵ Currently regulated and licensed under Second Hand Dealers licence class.

⁶ Regulated by Zoning By-law 60-94, as amended, and Property Standards By-law 1-2002, as amended.

⁷ As of January 1, 2024 no longer a business class that can be regulated and licensed by municipalities.

5.4 Proposed Licensing By-law and Program Updates

The proposed Licensing By-law and Program updates based on the Review are summarized in **Attachment 5** and detailed below in Sections 5.4.1, 5.4.2, 5.4.3, 5.4.4, and 5.4.5.

5.4.1 Existing Regulated and Licensed Business Classes

Based on the Council-approved Guiding Principles, the Review has determined that following currently regulated and licensed general business classes **meet the criteria to continue to be regulated and licensed by the City:**

- Adult Entertainment Parlour
- Body Rub Parlour
- Carnival
- Driving Instructor

- Driving School
- Food Shop
- Pawnbroker
- Peddler (General and Special Event Organizer Licence Classes)
- Public Garage
- Public Hall
- Refreshment Vehicle
- Second Hand Dealer

The Review has determined that following currently regulated and licensed general business classes **no longer meet the criteria to be regulated and licensed by the City:**

- Auctioneer
- Billiard Hall
- Bowling Alley
- Peddler (Season Sales Licence Class)
- Place of Amusement
- Theatre

5.4.1.1 Class Specific Enhancements

While the existing Licensing By-law and Program are effective, through the Council-approved Risk-Based Assessment, the Review has identified class-specific enhancements to better support the primary goals of health and safety, consumer protection and nuisance control while recognizing challenges and concerns of the business community. These improvements, which build on and modify the existing Licensing By-law and Program, are detailed in **Attachment 6**.

5.4.2 New and Emerging Business Classes

Based on the Council-approved Guiding Principles, the Review has determined that following business classes not currently regulated and licensed by the City **meet the criteria to be regulated and licensed by the City:**

- Boarding Kennel and Breeder
- Smoke, Tobacco and Vapour Product Shops
- Tattoo Parlours

5.4.2.1 Class Specific Details

Boarding Kennel and Breeder

Identified during benchmarking of municipal comparators as well as the Consultation, Boarding Kennel and Breeder businesses present a level of risk which warrants some form of regulation and possible licensing. Staff acknowledge that the regulation and licensing of an animal-related business class requires additional and targeted research along with sector specific engagement including consultation with the Oshawa Animal Care Advisory Committee. Staff recommend a separate review of relevant regulations and business

licensing options under the Responsible Pet Owners By-law 14-2010, as amended, to be presented to the Committee at a later date.

Smoke, Tobacco and Vapour Product Shop

The Smoke, Tobacco and Vapour Product Shop business class was identified during benchmarking of municipal comparators, by the public and business community during the Consultation and the Health Department as presenting a level of health and safety, consumer protection and nuisance risk which warrant regulation and licensing.

As detailed in Section 5.1.2, licensing is an efficient and effective means of ensuring proactive compliance with all applicable laws. The Business Licensing Safety and Compliance Model (Section 5.1.2, Figure 2) demonstrates that health standards are only one of the many components of business licensing, outlined by business class in **Attachment 5**, used to ensure health and safety, consumer protection, nuisance control and vibrancy of the City. In the case of Smoke, Tobacco and Vapour Product Shops, licensing provides the opportunity to develop a mutually beneficial partnership, similar to Food Shop licences, between the City and the Health Department to mitigate risks and ensure compliance with Council-approved City standards as well as regulations under the Tobacco Tax Act and Smoke-Free Ontario Act.

Application Requirements and Licensing Approvals should be comparable to Food Shop licences (i.e. Confirmation of Outstanding Fees, Ownership or Lease of Property, Property Standards Inspection, Zoning Examination, etc.) with the addition of proof of Tobacco Retail Permit issued by the Province and Specialty Vapour Product Shop Permit issued by the Health Department (if applicable). Licence issuance and validity should be contingent on continued good standing with the Health Department.

Note: this business class does not include cannabis sales as these establishments are regulated by the province.

Tattoo Parlours

Identified during benchmarking of municipal comparators, by the public and business community during the Consultation and the Health Department, Tattoo Parlours present a level of health and safety, consumer protection and nuisance risk which warrants regulation and licensing. A Tattoo Parlour, as defined by Zoning By-law 60-94, as amended ("Zoning By-law"), means a commercial establishment that is primarily involved in the marking of skin with indelible pigment or other such substance so as to produce a permanent design, mark or similar feature on the skin. This licensing class does not include services related to the application of permanent makeup, microblading or micropigmentation.

As detailed in Section 5.1.2, licensing is an efficient and effective means of ensuring proactive compliance with all applicable laws. The Business Licensing Safety and Compliance Model (Section 5.1.2, Figure 2) demonstrates how the various risk mitigation components of business licensing, outlined by business class in **Attachment 5**, are used to ensure health and safety, consumer protection, nuisance control and vibrancy of the City. In the case of Tattoo Parlours, licensing provides the opportunity to mitigate

consumer protection and nuisance related risk by gaining proactive compliance with Council-approved City standards, including but not limited to the Zoning By-law. In addition, the City would be able to develop a mutually beneficial partnership with the Health Department, similar to Food Shop licences, to mitigate health risks identified in Section 5.2.2 by ensuring continued compliance with regulations under the H.P.P.A.

Application Requirements and Licensing Approvals should be comparable to Food Shop licences (i.e. Confirmation of Outstanding Fees, Ownership or Lease of Property, Property Standards Inspection, Zoning Examination, etc.) with licence issuance and validity contingent on continued good standing with the Health Department.

5.4.3 General Program Enhancements

Licensing Fees

As part of the Review, staff undertook a detailed analysis of the existing licensing fee structure along with how the City's licensing fees compared to similar jurisdictions. Although a licensing system does allow a municipality to fully or partially recover the cost of proactive compliance efforts and continued inspections, licensing fees have been a continued challenge identified by the business community.

Attachment 7 presents a proposed updated licensing fee summary. These proposed fees better reflect current Program costs.

Modular Licensing

The current Licensing By-law and Program prescribe that multiple business licences are required to operate a business which offers more than one (1) regulated business operation. For example, a business that operates a gas station with a convenience store would be required to apply, attain and pay the fees associated with a Public Garage Licence and Food Shop Licence. In most cases, there is overlap in the Application Requirements and Licensing Approvals needed to attain these licences and as such there are improvements to be made in aligning like classes.

Through the introduction of Modular Licensing, a business that operates more than one (1) regulated business operation can apply for a Primary Licence (the required class with the highest level of Application Requirements and Licensing Approvals) with the ability to receive Secondary Licence Endorsements to operate additional regulated operations. Secondary Licence Endorsements will require applicable additional Application Requirements and Licensing Approvals not part of the Primary License and be subject to a nominal \$50 application fee.

Special Event Licensing

Challenges associated with running and participating in Special Events under the current Licensing By-law and Program were identified through the Consultation process as well as direct feedback provided to Economic Development and Licensing staff. The public and business community, along with Economic Development staff, have been clear that Special Events are important to the vibrancy of Oshawa and are incubators for the

development of small businesses. Steps taken to assist with these challenges through the temporary measures, detailed in Section 5.1.4, have been received with good feedback from the business community.

To formally alleviate these challenges within the bounds of the Council-approved Guiding Principles and Risk-Based Assessment, the following Program enhancements are proposed in **Table 2**.

Table 2 Proposed Special Event Licensing Enhancements

Business Class	Current Licensing Program (Before Temporary Measures)	Proposed Licensing Program
Carnival	<ul style="list-style-type: none"> • \$120 per day licensing fee (e.g. 3 day Carnival – \$360). 	<ul style="list-style-type: none"> • Total Fee per Carnival: \$200 (up to a maximum of 7 days of operation)
Class “A” Food Shop	<ul style="list-style-type: none"> • \$75 application fee (annual) and \$30 per day licensing fee per Special Event (e.g. a 3 day period of operation – \$165), in addition to Class “A” Food Shop Licence fee. • Application process for each Special Event. 	<ul style="list-style-type: none"> • Free Class “C” Temporary Food Shop Licence for valid Class “A” Food Shop licensees.
Class “C” Temporary Food Shop	<ul style="list-style-type: none"> • \$75 application fee (annual) and \$30 per day licensing fee per Special Event (e.g. a 3 day period of operation – \$165). • Application process for each period of operation / Special Event. 	<ul style="list-style-type: none"> • Total Annual Fee: \$30 • Operate a Temporary Food Shop for up to fifteen (15) days during a one (1) year licence term. • Class “C” Temporary Food Shop Licensees operating sixteen (16) days or more will be subject to the Class “A” Food Shop Licence fee (\$250).
Class “C” Temporary Mobile Refreshment Vehicle	<ul style="list-style-type: none"> • \$75 application fee (annual) and \$95 licensing fee per 5 day period / Special Event (e.g. a 5 day period of operation – \$170). • Application process for each 5 day period / Special Event. 	<ul style="list-style-type: none"> • Total Annual Fee: \$125 • Operate a Temporary Mobile Refreshment Vehicle for up to fifteen (15) days during a one (1) year licence term. • Class “C” Temporary Mobile Refreshment Vehicle Licensees operating sixteen (16) days or more will be subject to the Class “A” Stationary Refreshment Vehicle Licence fee (\$300).
Peddler	<ul style="list-style-type: none"> • \$75 application fee (annual) and applicable tiered licensing fee based on days of operation: 	<ul style="list-style-type: none"> • Total Annual Fee: \$30 • Operate as a Peddler (not associated with a Special Event)

Business Class	Current Licensing Program (Before Temporary Measures)	Proposed Licensing Program
	<ul style="list-style-type: none"> o \$100 for 2 days, \$200 for 5 days, \$30 per day over 5 days (e.g. a 5 day period of operation – \$275) 	Organizer) for unlimited days during a one (1) year licence term for no additional fee.
Special Event Organizer	<ul style="list-style-type: none"> • \$75 application fee (annual) and \$400 licensing fee per Special Event (e.g. a 5 day period of operation – \$475). 	<ul style="list-style-type: none"> • Total Annual Fee: \$75 • Special Event Organizer Licence covers all non-Food Shop vendors. • Organize unlimited additional events during a one (1) year Licence term for no additional fee.

Customer Service Improvements through CityView

The City currently uses a property-based system called “Oshawa Land Information” to track all by-law related complaints and manage various licensing process. The City is currently in the process of replacing this software with upgraded technology called “CityView”. CityView will help to streamline Licensing Program processes and will offer an improved customer experience for business licence applicants, including a proactive renewal process.

5.4.4 Technical Provisions and Other Considerations

In addition to the aforementioned Program enhancements, it is proposed that the following provisions detailed in **Table 3** be included in the new Business Licensing By-law. It is important to note that some of the provisions detailed below currently exists in By-law 120-2005

Table 3 Proposed Technical Provisions to be included in New Licensing By-law

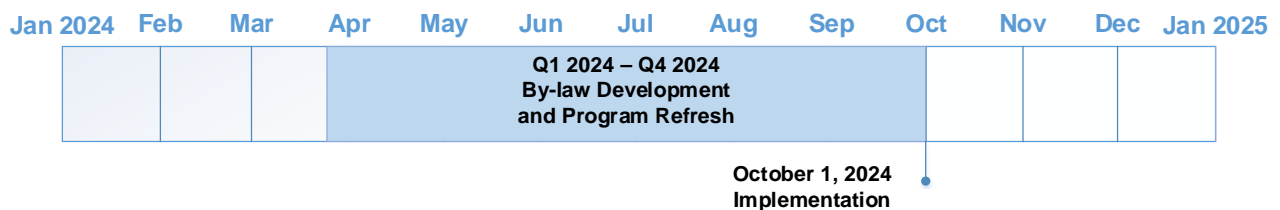
Proposed Provision	Present in Current Licensing By-law?	Details
General Application Procedures and Requirements	Yes	Refers to administrative provisions that include but are not limited to: <ul style="list-style-type: none"> • How licences can be applied for • Who can apply for licences • General requirements • Locational requirements
General Licence Procedures and Requirements	Yes	Refers to administrative provisions that include but are not limited to: <ul style="list-style-type: none"> • General screening process to determine licence issuance eligibility (e.g. compliance

Proposed Provision	Present in Current Licensing By-law?	Details
		with all applicable law, no debts owing to the City, etc.) <ul style="list-style-type: none"> • Process for licence application denials • Posting Licences and Issuance of Duplicate Licences • Changes of addresses, no vested right, no transfer of licences permitted, etc. • Processes related to the Director, M.L.E.L.S.
Service of Documents	Yes	Refers to how documents are received from individuals and how the City sends documents to individuals (e.g. mail, email, fax, etc.)
Exemption and Appeals Process	Yes	Refers to the inclusion of an exemption request and an appeals process administered by the Hearing Officer to consider licence application denials, licence revocations, exemption request denials, etc.
Licence Revocation and Suspension	Yes	Refers to the inclusion of a process for the revocation and suspension of licences in the event the licensee fails to comply with all applicable laws.
Tiered and Escalating A.M.P.s	No	While A.M.P.s currently exist in Licensing By-law 120-2005, it is proposed that the following Tiered and Escalating A.M.P.s be established to further enhance the City’s ability to achieve compliance: <p>Operating Without a Licence:</p> <ul style="list-style-type: none"> • Tier 1: \$500 • Tier 2: \$750 • Tier 3: \$1,000 <p>Operating Contrary to Regulations:</p> <ul style="list-style-type: none"> • Tier 1: \$250 • Tier 2: \$350 • Tier 3: \$450
Other Class-Specific Technical Amendments	No	Refers to minor amendments that are of a housekeeping and administrative nature and those resulting from changes to applicable legislation.

5.4.5 Implementation, Staff Resourcing, and Communications Plan

Staff would begin Phase Three (3) of the Review (the implementation process) should Council endorse the proposed updates and enhancements to the Licensing By-law and Program. It is anticipated that the implementation of these changes, including the drafting of a new contemporary Business Licensing By-law and the development of new program materials, training documents and forms would take approximately six (6) months to complete. **Figure 3** illustrates the proposed implementation timeline. The City will continue to employ the temporary licensing measures (detailed in Section 5.1.4) throughout the implementation period to support special event related licensing classes.

Figure 3 – Proposed Implementation Timeline



Staff Resourcing

There are presently three (3) Licensing Administrators who administer the following Licensing Systems and programs:

- Business Licensing (e.g. Food Shops, Second Hand Dealers, etc.);
- Vehicle-for-Hire Licensing (e.g. Taxi, Transportation Network Companies, Limousines, etc.);
- Animal and Pet Store Licensing;
- Lottery Licensing (e.g. Bingos, Raffles, Break Open Tickets, etc.); and,
- Municipal Clearance for Liquor Licences issued by the Alcohol Gaming Commission of Ontario (A.G.C.O.).

Based on a staffing analysis, the administration of a new proposed Licensing By-law will require one (1) additional regular full-time Licensing staff. The assessment is based on the following findings:

- **Staff Capacity Analysis:** The administration of the proposed Licensing By-law will require approximately three-thousand two hundred (3,200) staff hours. This **does not** include the additional licensing systems and programs (detailed above) currently administered by the Business Licensing Administrators or the general administration of various licensing programs and general customer service inquiries.
- **Enhanced Customer Service and Business Community Feedback:** The Consultation with the local Business Community identified a desire for staff to provide more proactive outreach to the business community by assisting businesses owners, especially those involved in planning Special Events, with

navigating the City's licensing systems. Staff piloted a customer-focused "concierge-style" approach to assisting individuals with their special events and business licences, which received positive feedback. Based on the success of this model, it is anticipated that business owners will increasingly request this service. The proposed additional licensing staff position would allow the City to provide enhanced customer service to the business community.

- **Timely Processing of Business Licences:** Business Licensing staff provide a "one-stop shop" for coordinating all necessary approvals. Staff are also cognizant that businesses are unable to lawfully operate in the city until a licence is issued. Business licences can be processed quickly if all approvals and applicable documentation is received. Notwithstanding this, **on average**, licences, which involve multiple agency reviews are typically processed within fifty-two (52) calendar days whereas licences which require less approvals are typically processed within nine (9) calendar days. An additional licensing staff position would assist with reducing the time to process business licences which is important to the business community.

It is proposed that the additional Licensing and Standards Examiner position identified in the City's [CNCL-21-92 Strategic Workforce Planning: 2020- 2025 Staff Resourcing Forecast](#) be re-purposed to a new staff position available to support both the Business Licensing Program and Licensing and Standards (the City's Property Licensing program) and that such a position be advanced for inclusion in the 2025 budget process pursuant to CNCL-21-92. The cost of the proposed new position would be fully recovered through licensing fees (detailed in Section 6.0)

Communications Plan

In addition to the implementation components listed above, staff will work with internal departments, licensing partners and the business community to develop a strategic and meaningful communication plan to share the changes and improvement to the Licensing By-law and Program. Staff will further collaborate with Corporate Communications, Economic Development and G.O.C.C. to reach regulated and licensed business under the refreshed program and share highlights with the general public and consumers. Communication activities will include:

- City communication channels including website updates, social media messages and E-newsletters;
- Coordinated communications in Economic Development publications;
- Direct engagement and coordinated communications with the G.O.C.C.;
- Development of promotional materials to be distributed by the G.O.C.C., Economic Development staff, Licensing staff and M.L.E.O.s; and,
- Direct engagement with currently licensed businesses and outreach for newly regulated business classes.

5.5 Response to Licensing Evaluation Direction

5.5.1 Driving Instructors and CORP-17-80

In December 2017, through the approval of the licensing system to regulate driving schools and driving instructors, Council directed staff to review and present program details regarding the licensing of driving schools. This section addresses Council Directive 3 in CORP-17-80, “That following the first year of the driving school licensing program that staff report back to the Corporate Services Committee on project progress, successes, capacity to enforce, and costs.”

Since the establishment of the licensing systems for driving schools and driving instructors, staff have conducted periodic reviews of licensing standards, enforcement activities and licensing compliance data. In 2022, staff began conducting annual proactive licensing compliance projects which included outreach to existing licensees as well as targeted enforcement activities in the Prohibited Area (Schedule “Q” of the Licensing By-law).

Through the implementation of the proactive compliance projects, staff have achieved a high rate of compliance with known driving schools and driving instructors, with a limited number of complaints and subsequent requirement for reactive enforcement efforts. The review of standards and practices associated with these business classes identify that the program objectives of proactive and sustained compliance with applicable municipal and provincial regulations are being achieved.

Currently, there are ten (10) Driving School and one hundred fifteen (115) Driving Instructors that are licensed to operate in the City. Staff have reviewed the licensing program costs attributed to Driving School and Driving Instructor license classes along with abovementioned proactive compliance projects and found that the licensing of these classes is fully cost recovered. Staff recommend maintaining these licensing classes and the continuation proactive compliance efforts.

6.0 Financial Implications

As detailed in Section 5.4.5, the proposed updated Program requires an increase in staff capacity to process licence applications as well as provide an enhanced level of customer service as requested by the business community. The proposed updated license fees detailed in Section 5.4.3 better reflect Program costs. Moreover, the approximate cost of one (1) regular full-time Licensing staff will be recovered by the proposed license fees and previously established fees. The financial modelling, presented in **Table 4**, is based on a one-hundred per cent (100%) compliance model using a variety of 2023 data sources, and it is expected that the proposed program will be fully cost recovered.

Table 4 – Estimated Program Update Financial Implications

Proposed Program Updates Revenue and Costs	Budgetary Impact (October 2024 – September 2025)
Business Licensing Program Revenue	\$405,335
Business Licensing Program Cost	\$296,621
Cost of One (1) Additional Licensing Staff for Program Updates	\$108,714
Total	\$0

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report relate to the following Oshawa Strategic Plan Goals:

- 4.1 Economic Prosperity and Financial Stewardship
- 4.2 Accountable Leadership
- 4.3 Social Equity



Phil Lyon, Director,
Municipal Law Enforcement and Licensing Services



Adam Grant, Commissioner,
Safety and Facilities Services

What is the Business Licensing?

A proactive and efficient tool to ensure proactive and continued compliance with standards related to health and safety, consumer protection and nuisance control.

Through the regulation and licensing of certain businesses, municipalities can employ a variety of licensing tools to ensure compliance and manage class-specific risks to the community.

Licensing Tool Categories:







- **Application Requirements**
e.g. Licence term, business documents, insurance requirements etc.
- **Licensing Approvals**
e.g. Zoning Examination, Property Standards Inspection, Fire Prevention Inspection, Criminal Records Check, etc.
- **Operating Standards**
e.g. regulate the safe occupancy and use of premises, regulate the age of patrons, etc.

 **Licensing tools should only be applied when appropriate and necessary.**

Review Highlights

In 2023, the City undertook comprehensive review of the Business Licensing By-law and Program with the goal identifying areas of improvement and proposing potential enhancements. The review also included a public and industry consultation to better understand and respond to the needs of the community.

The review identified the following areas of enhancement:

-  Licensing should be more conducive to **Special Events**
-  Remove **unnecessary** licence classes
-  Use licensing tools that are **necessary**
-  Licence businesses with **emerging risk**
-  Licensing tools should align with **industry best practices**
-  Processes enhancements will improve **customer experience**

What business classes do municipalities license?

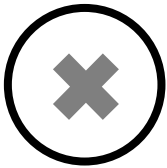
General Business Class	Oshawa	Comparator Count ¹
Adult Entertainment Parlour	✓	8
Auctioneer	✓	5
Billiard Hall	✓	2
Body Rub Parlour	✓	7
Bowling Alley	✓	3
Carnival	✓	4
Driving Instructor	✓	3
Driving School	✓	2
Food Shop	✓	6
Pawnbroker	✓	5
Peddler	✓	7
Place of Amusement	✓	5
Public Garage	✓	4
Public Hall	✓	6
Refreshment Vehicle	✓	8
Second Hand Dealer	✓	7
Theatre	✓	2
Adult Novelty / Video Store ²		2
Bed and Breakfast		2
Boarding Kennel		5
Breeder		1
Clothing Donation Bins ²		4
Dry Cleaning Depots		1
Entertainment Lounge		2
Escort Service		1
Golf Driving Range		1
Holistic Centre		3
Home-based Business ²		1
Horse Riding Establishment		2
Hotel		1
Laundry Facilities		1
Newspaper / Publication Box		2
Personal Services (Hair, Nail, Aesthetics, Piercings, Tattoo)		5
Precious Metal Shops ²		1
Private Parking Lot Agency		2
Public / Commercial Parking Lot ²		2
Contractors (H.V.A.C., Plumbing, Paving)		2
Sign Company		3
Smoke / Tobacco / Vapour Product Shop		4
Tow Truck Operator ³		4

¹ Comparator Municipalities: Town of Ajax, City of Cambridge, Municipality of Clarington, City of Guelph, City of Markham, City of Pickering, City of Richmond Hill, City of Toronto, Town of Whitby and City of Windsor.

² Regulated by City of Oshawa (see report for details).

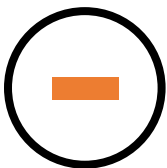
³ As of January 1, 2024 no longer a business class that can be regulated and licensed by municipalities.

What does the proposed Business Licensing By-law Program look like?



No longer regulate and license the following general business classes:

- Auctioneer
- Billiard Hall
- Bowling Alley
- Peddler (Season Sales Licence Class)
- Place of Amusement
- Theatre



Continue to regulate and license the following general business classes:

- Adult Entertainment Parlour¹
- Body Rub Parlour¹
- Carnival
- Driving Instructor¹
- Driving School¹
- Food Shop¹
- Pawnbroker¹
- Peddler¹ (General and Special Event Organizer Licence Classes)
- Public Garage¹
- Public Hall
- Refreshment Vehicle¹
- Second Hand Dealer¹

¹ Multiple licence classes and/or re-classified in updated program



Begin to regulate and license the following general business classes:

- Smoke, Tobacco and Vapour Product Shop
- Tattoo Parlour



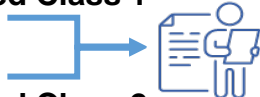
General Program Enhancements:

- **Class specific enhancements** and updated licensing tools for currently licensing classes
- Updated **competitive licensing fees**
- Introduction of tiered and escalating **A.M.P.s**
- Introduction of **Modular Licensing**
- Create a licensing system more inviting to **Special Events**

Modular Licensing

Businesses that operate more than one (1) regulated business class can apply for a Primary Licence (with the highest level of Application Requirements and Licensing Approvals) and have the ability to obtain a Secondary Licence Endorsement to operate additional regulated operations. Nominal applications fee will apply.

Regulated Class 1



Regulated Class 2

Primary Licence

+ Secondary Licence Endorsement

Special Events

Special Events are important to the vibrancy of Oshawa and are incubators for the development of small businesses.

To alleviate licensing challenges associated with Special Events, the updated program will:

- Significantly reduce licensing fees for all Special Event / temporary licence classes;
- Recognize the distinction between permanent and temporary establishments; and,
- Continue to provide enhanced customer service.

**Currently Regulated and Licensed Business Classes
(Business Licensing By-law 120-2005, as amended)**

Business Class	Schedule	Description
Adult Entertainment Parlour: <ul style="list-style-type: none"> • Owner • Operator • Attendant 	“B”	Related to services appealing to or designed to appeal to erotic or sexual appetites or inclinations
Auctioneers	N/A	People who sell goods and merchandise by public auction
Billiard Halls	“C”	Establishments where pool, billiards, etc. are offered to the public
Body Rub Parlour: <ul style="list-style-type: none"> • Owner/Operator • Owner (does not operate) • Operator (other than Owner) • Attendant 	“O”	Related to the touching/massaging of a person’s body, excluding medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered to do so by the Province of Ontario and does not include sexual contact
Bowling Alley	“D”	N/A
Carnival	“E”	Exhibitions, displays, events or amusement shows which may include the operation of one or more amusement devices or midway style attractions
Driving School and Driving Instructor (Introduced in 2018)	“Q”	Related to the provision of Ministry of Transportation-approved courses for driving instruction
Food Shop	“F”	Places where food is made or offered for sale, excluding Refreshment Vehicles and Bed and Breakfast Establishments
Pawnbrokers	“G”	Related to businesses as defined in the Pawnbrokers Act
Payday Loan Establishments (Introduced in 2020)	“S”	Related to businesses licensed under the Payday Loans Act, 2008
Peddler	“H”	Related to the selling of non-food items from a temporary location
Place of Amusement	“I”	Related to places where three (3) or more amusement machines are available to the public
Public Garage	“P”	Includes places where gasoline or oils are stored or sold, motor vehicles are kept for sale/maintained/hired
Public Hall	“J”	Buildings with capacity of more than one-hundred and fifty (150) people that are offered for use as places of public assembly, excluding theatres under the Theatres Act or parts of a building used for religious purposes

**Currently Regulated and Licensed Business Classes
(Business Licensing By-law 120-2005, as amended)**

Business Class	Schedule	Description
Refreshment Vehicle (Reviewed in 2018)	“L”	Relates to businesses that prepare, offer or sell food for consumption by people from within a Vehicle
Residential Rental House Licensing (Excluded from this review as separate review in progress)	“K”	Relates to businesses that rent properties within the Rental Area as defined in the Licensing By-law 120-2005.
Second Hand Dealer	“M”	Includes people dealing in second hand goods generally, and those who exclusively wreck/dismantle/recycle goods before disposition
Short-term Rental Operator (Excluded from this review as separate review in progress) (Introduced in 2020)	“R”	Relates to property owners that rent their principal residence for temporary accommodations through a Short-Term Rental Company (e.g. Airbnb, V.R.B.O., etc.)
Theatre	N/A	N/A

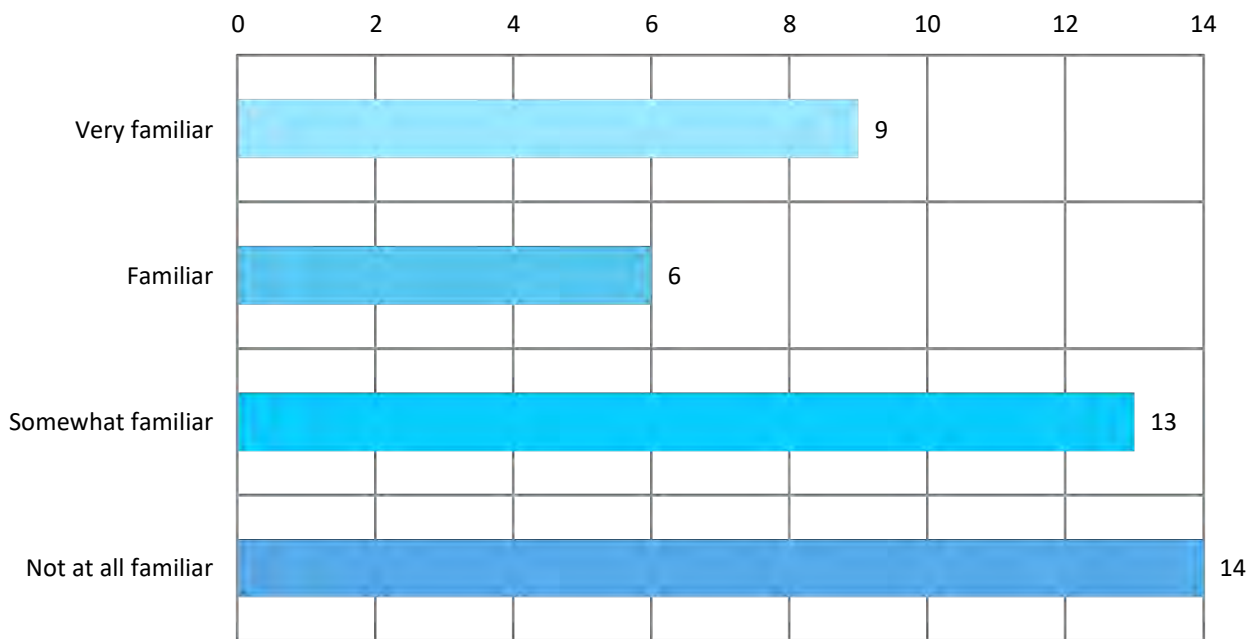
Business Licensing By-Law Review Consultation

Feedback Form A – General Public

Response Summary:

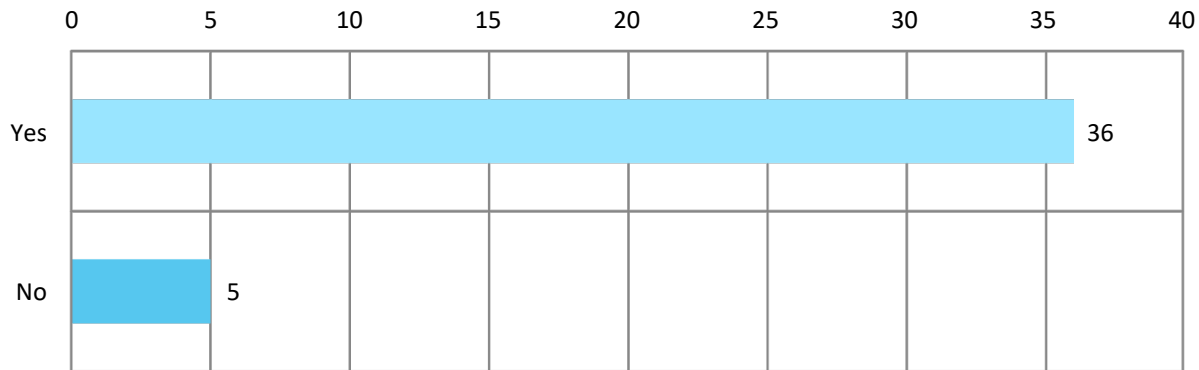
- There were a total of 42 responses received.
- Responses were received from age groups ranging from 18 to 75+ with the majority of responses coming from those aged 35 to 54.
- 81% of the respondents indicated they were an Oshawa resident and/or Oshawa business/property owner/manager.
- Responses were received from all Oshawa wards, with responses generally balanced across all wards.
- 2 out of every 3 respondents had some knowledge of the Program.
- Over 75% of respondents indicated that Durham Region Health Department Inspections are an important factor when interacting with a licensed business.
- Over 60% of respondents believe that holding a business licence improves credibility of the business.
- Over 70% of respondents believed additional requirements should not be considered.
 - Those who believed more requirements should be considered offered the following recommendations:
 - requiring adequate waste receptacles
 - instituting quarterly inspections
 - requiring prominent address information on buildings
- Over 60% of respondents believed additional classes should not be considered.
 - Those who believed additional business classes should be considered offered the following recommendations:
 - Arborists
 - Animal Boarding/Breeding, Dog Daycares, Dog Walkers, Animal Groomers
 - All businesses with more than one (1) employee
 - Personal Services
 - Laundry Facilities
 - Escort Services
 - Driveway Paving
 - Precious Metal Shops
 - Holistic Centres
- Over 75% of respondents would like to see a licensing system more conducive to Special Events.

Q1: How familiar are you with Oshawa's Business Licensing Program?



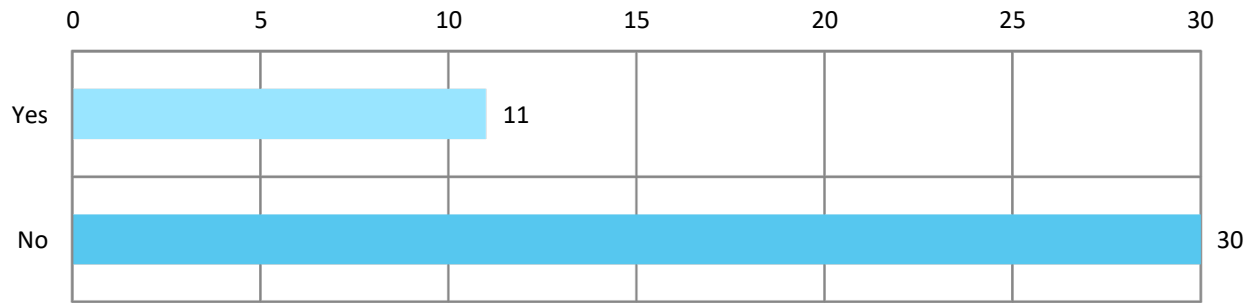
Skipped: 0

Q2: Are you aware that a Business Licence from the City certifies that a business is in compliance with applicable local (Property Standards, Zoning, Public Health) and provincial standards (Fire Code, Building Code)?



Skipped: 1

Q3: The City currently regulates eighteen (18) general classes of businesses through the Business Licensing By-law. Have you had any health, safety or consumer concerns while interacting with these regulated businesses?



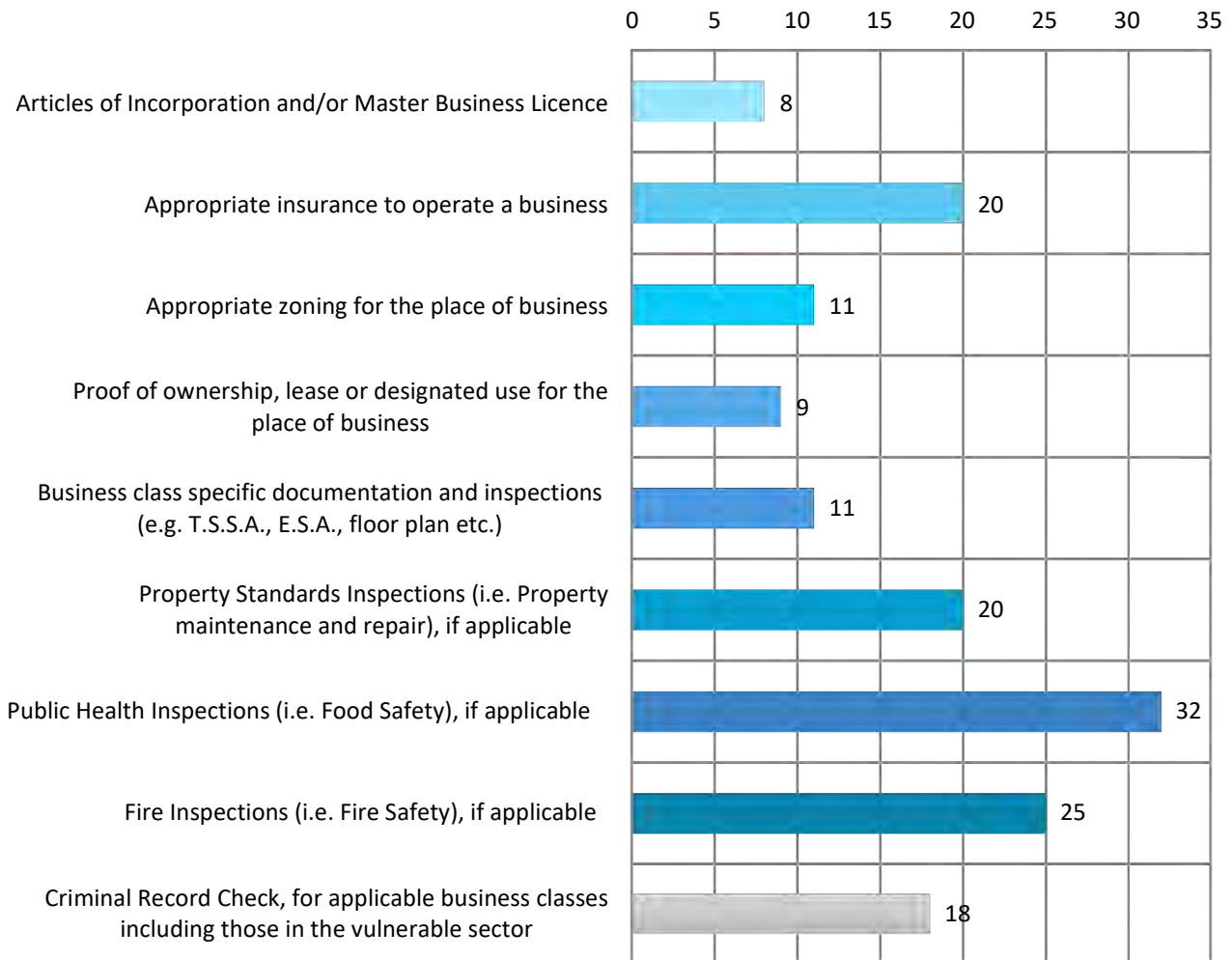
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Q4: Have you had any health, safety or consumer protection concerns with businesses that are not regulated as part of the Oshawa's Business Licensing Program?



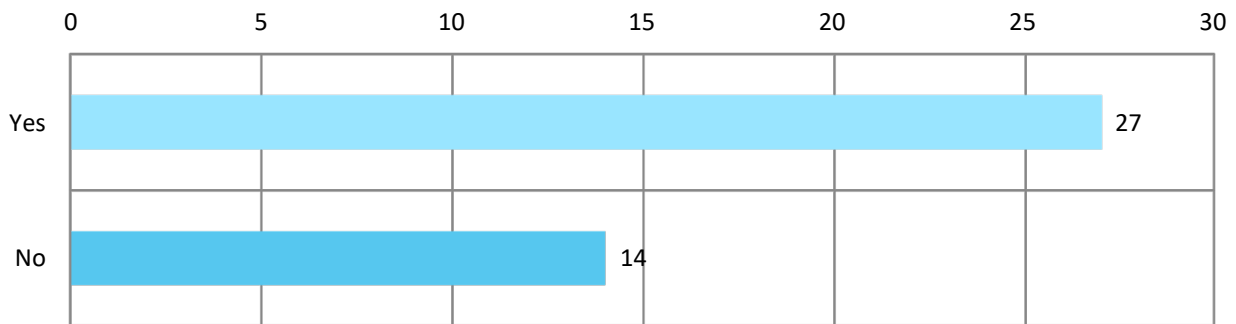
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Q5: Please select the factors that are important to you when interacting with a licensed business.



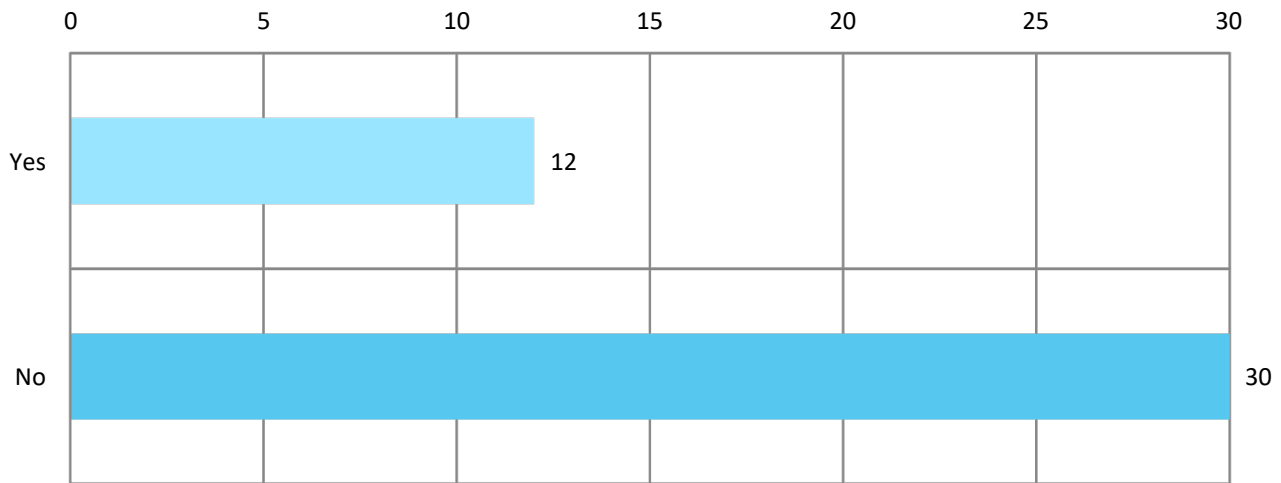
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Q6: Do you believe that businesses that are regulated, licensed by the City and hold a valid Business Licence have improved credibility and reputation?



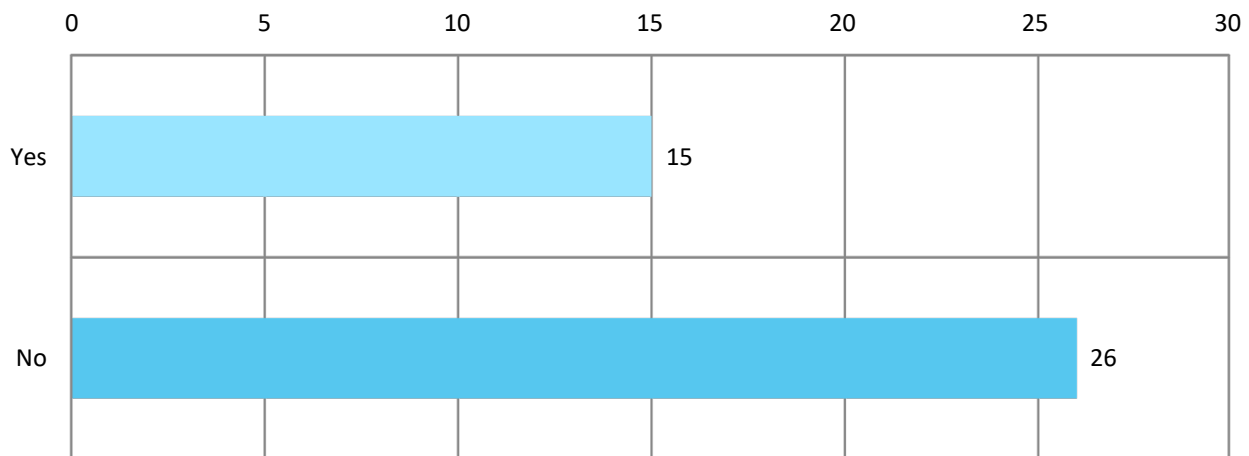
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Q7: Are there any additional requirements for regulated businesses you would like to be considered as part of the review of the Oshawa's Business Licensing Program to enhance health, safety and consumer protection?



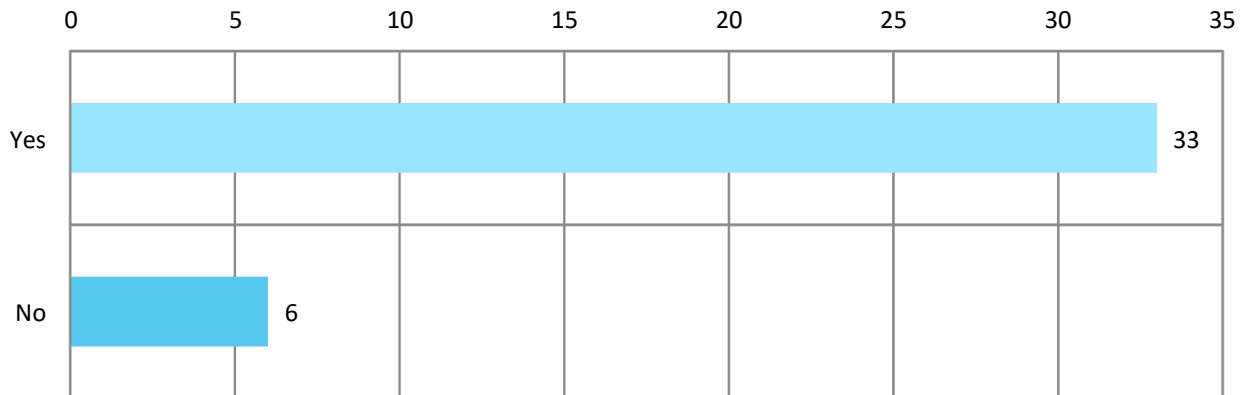
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Q8: Are there any additional businesses classes you would like to be considered as part of the review of the Oshawa's Business Licensing Program?



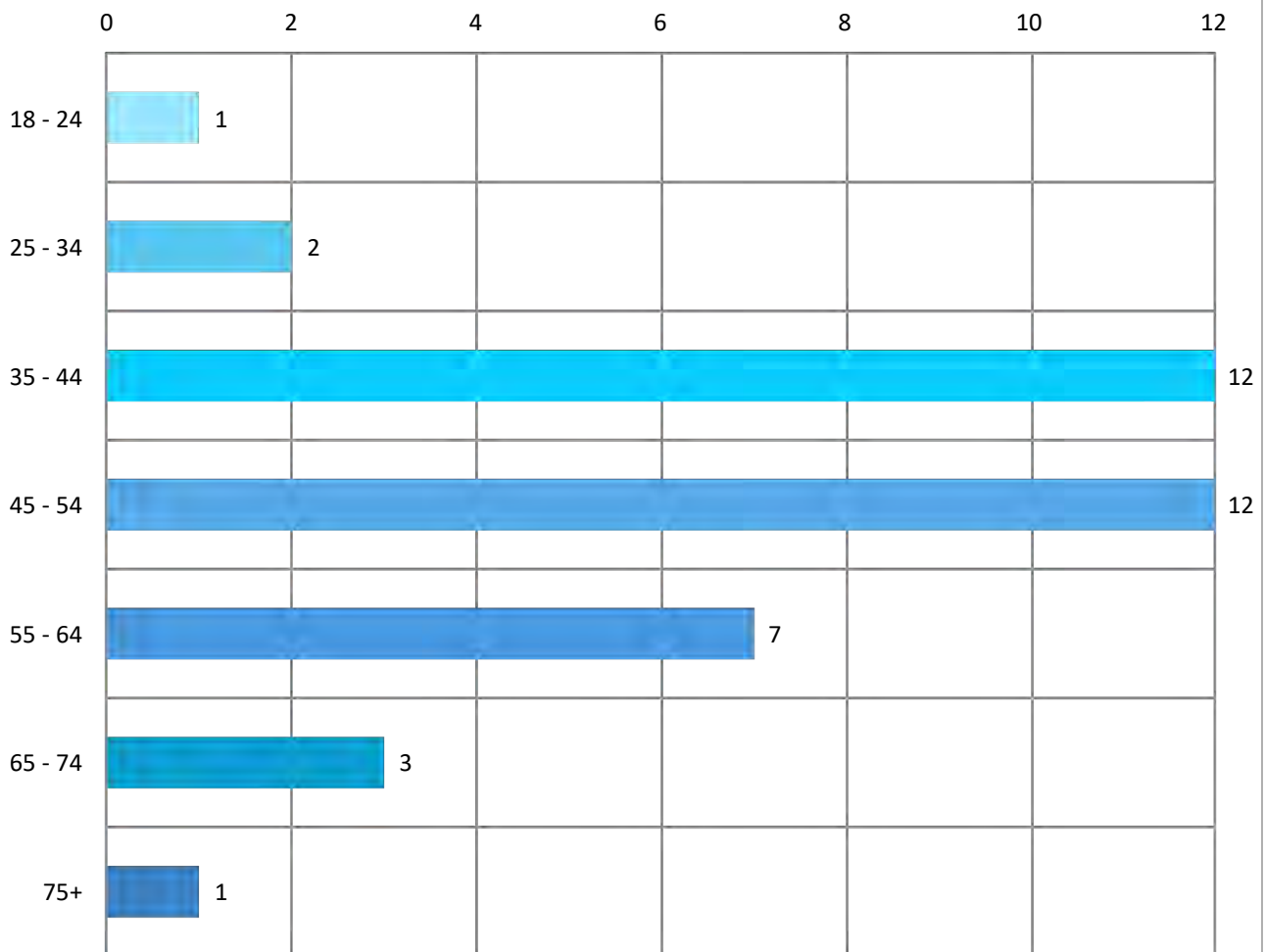
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Q9: Would you like to see a licensing system that is more inviting to special event organizers and vendors (Food Festivals, etc.)?



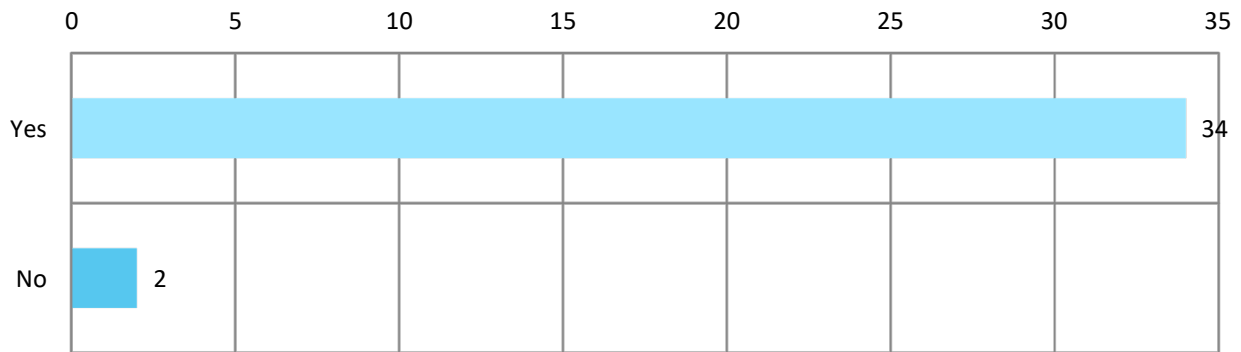
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How old are you?



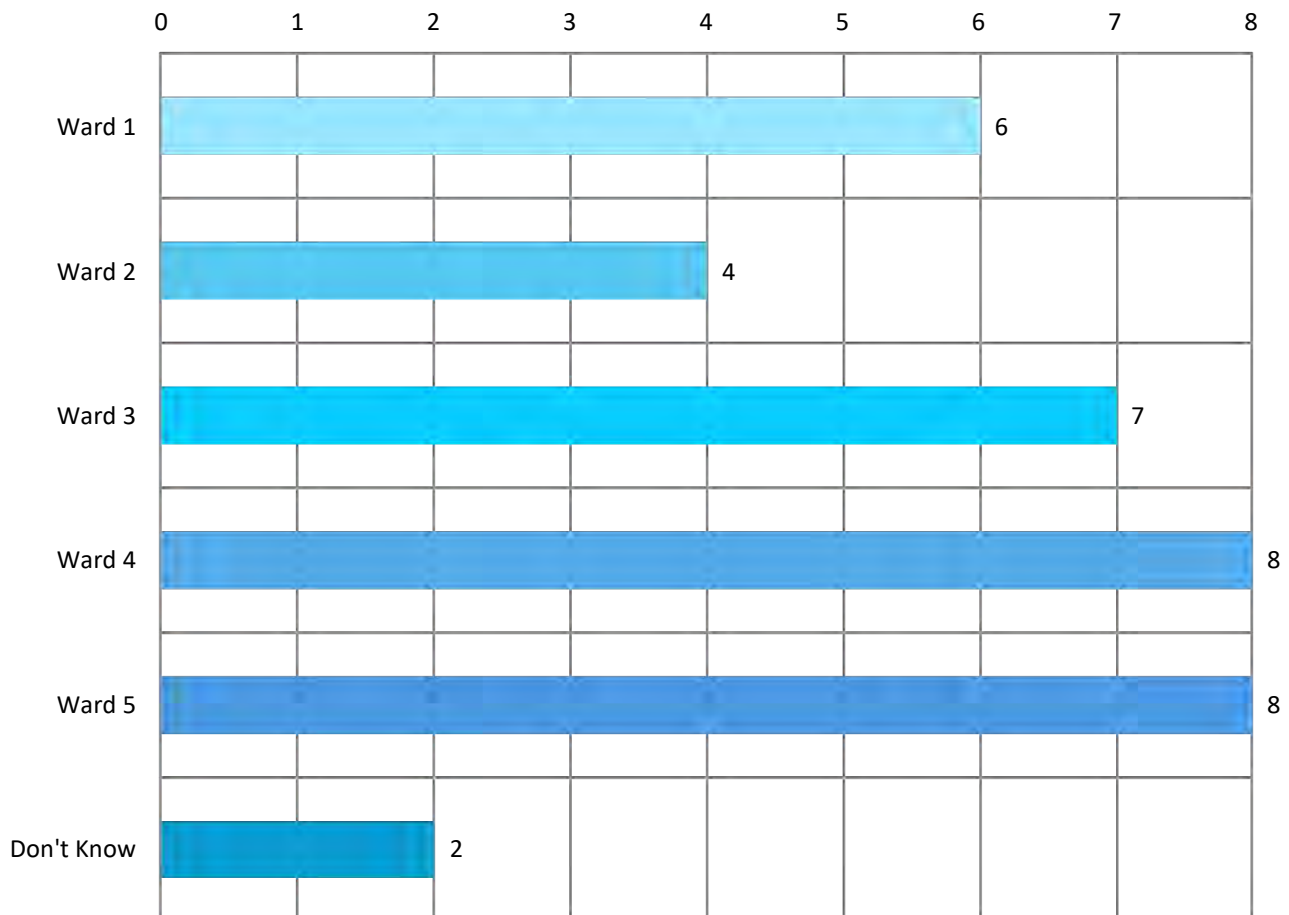
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Are you an Oshawa resident, and/or Oshawa business/property owner/manager?



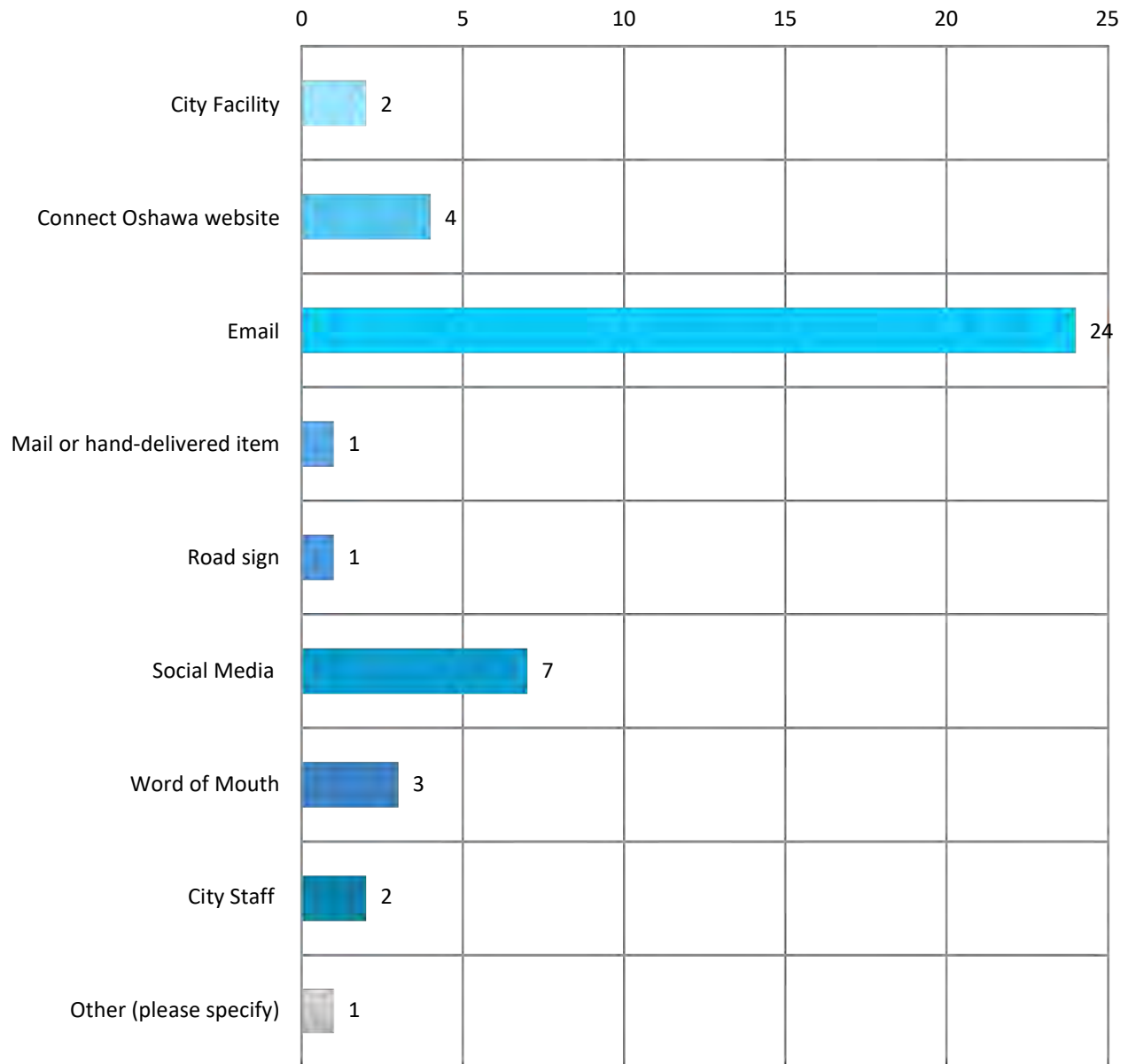
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What ward do you live in / is your business/property located in?



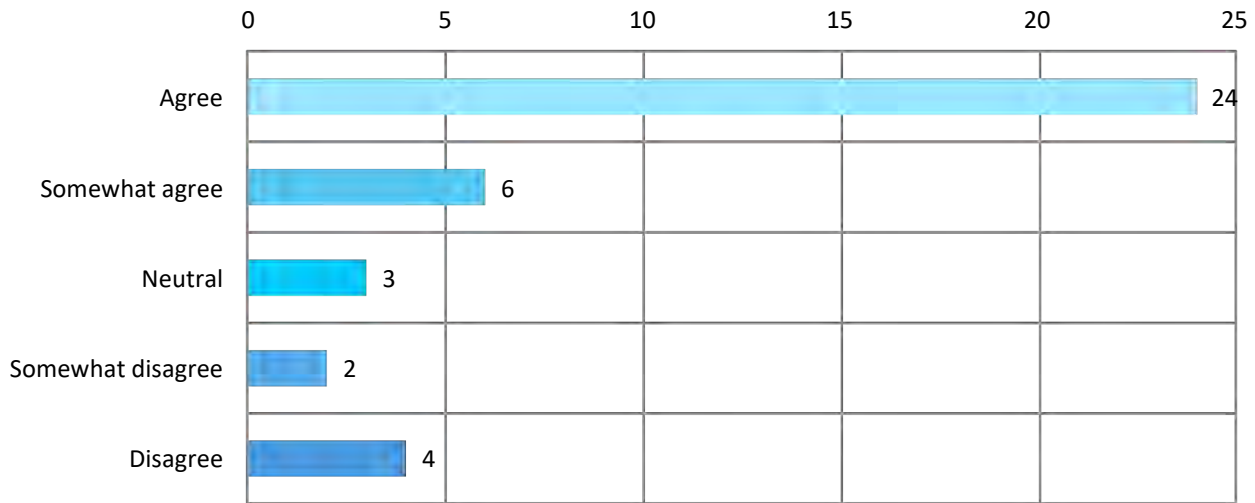
Skipped: 8

How did you learn about this community engagement opportunity?



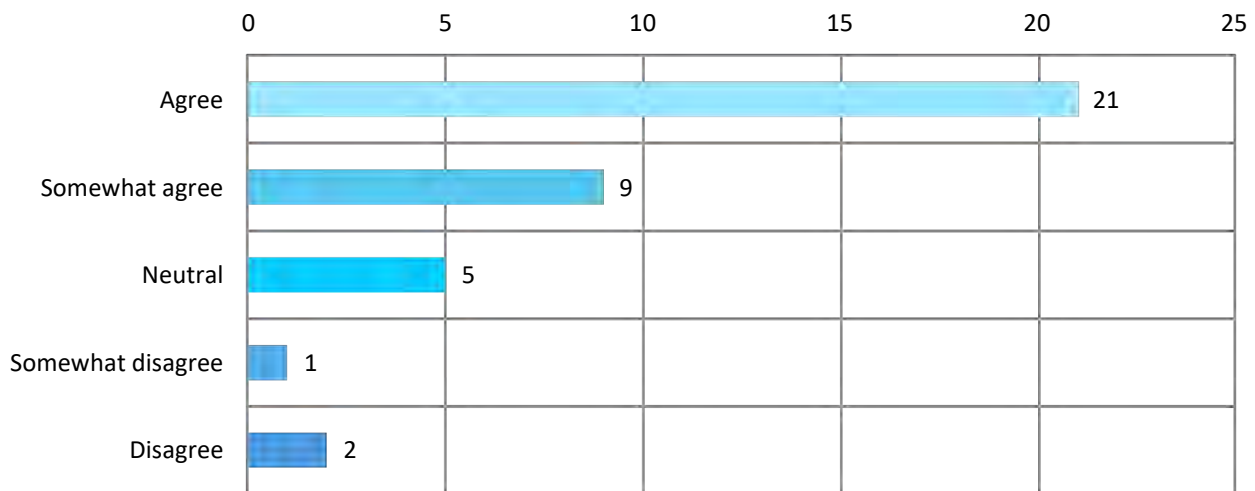
Skipped: 7.

I understand how my Business Licensing By-law Review consultation feedback will be used.



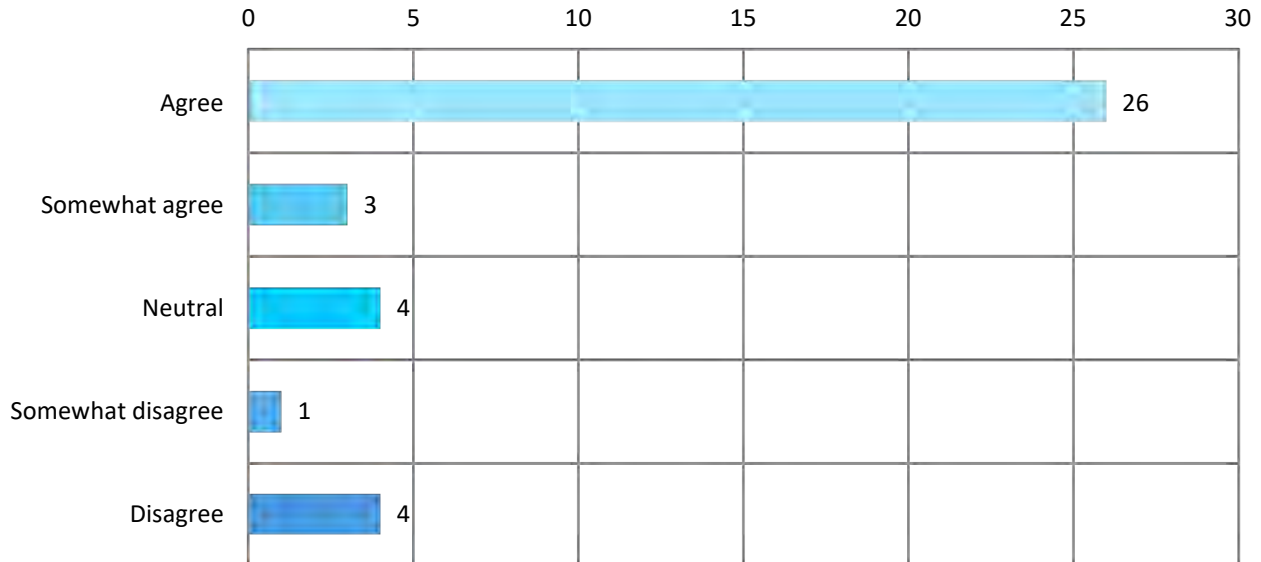
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I have a good understanding of the Business Licensing By-law Review consultation based on the information provided in the Feedback Form.



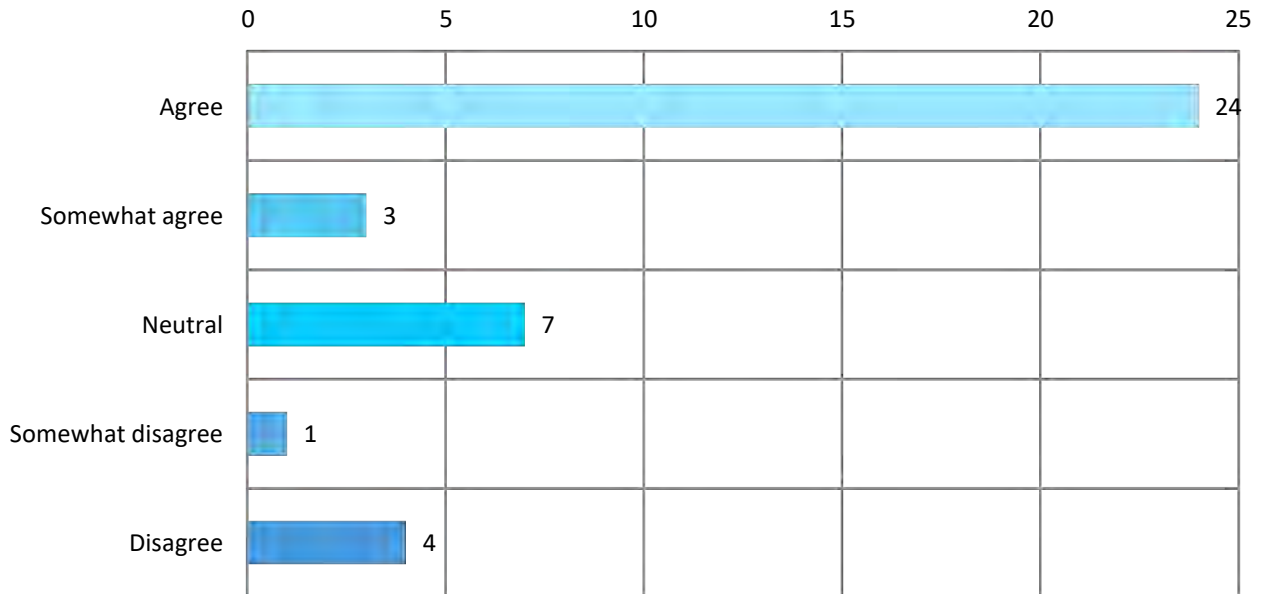
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I feel the Feedback Form was a good opportunity to participate in the Business Licensing By-law Review consultation.



Skipped: 4

I understand the next steps in the Business Licensing By-law Review consultation and timing going forward.



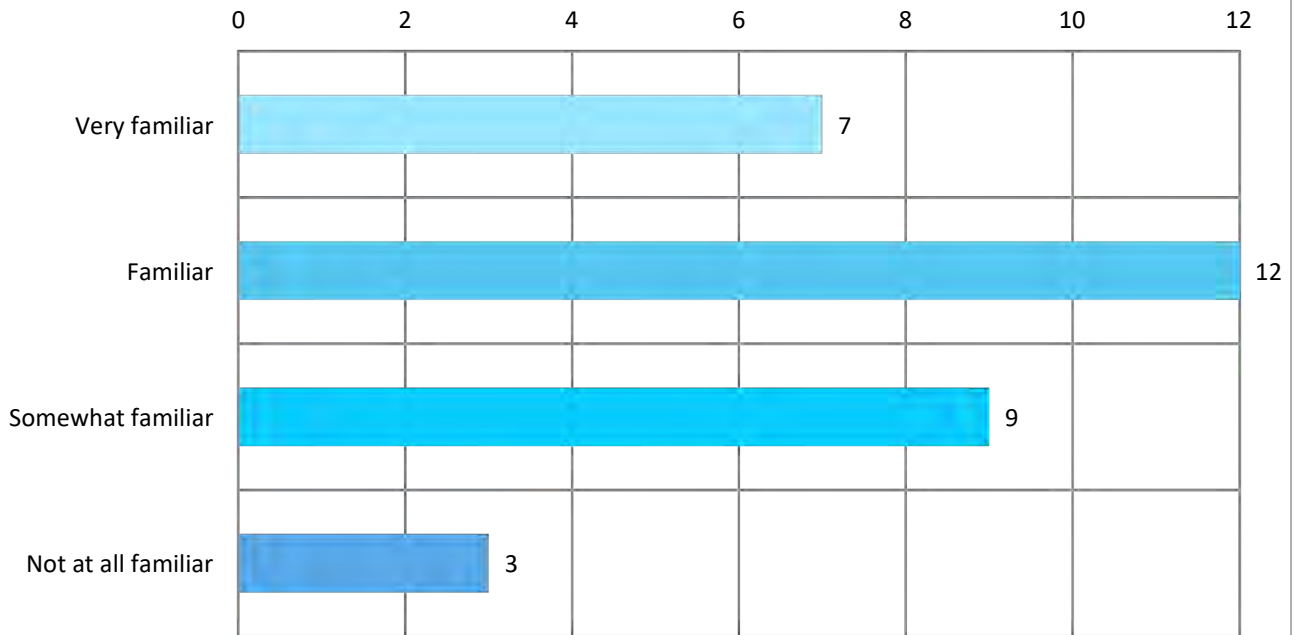
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Feedback Form B – Businesses

Response Summary:

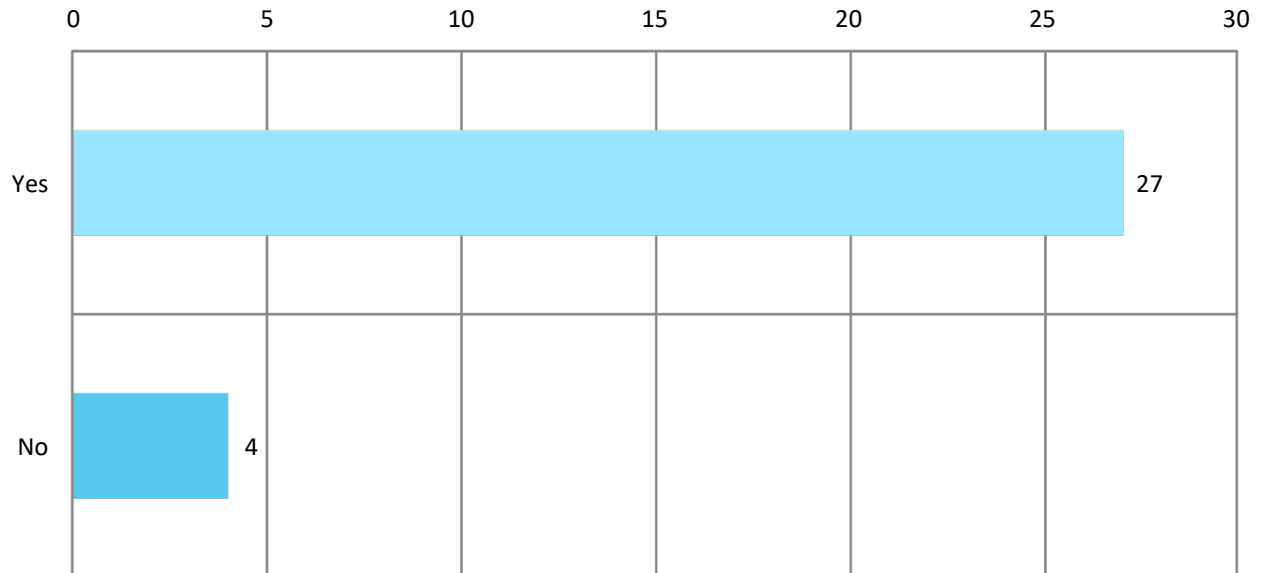
- There were a total of 31 responses received.
- Responses were received from age groups ranging from 18 to 74 with the majority of responses coming from those aged 35 to 54.
- 84% of the respondents indicated they were an Oshawa resident and/or Oshawa business/property owner/manager.
- Responses were received from all Oshawa wards, with the majority of responses coming from Ward 5.
- 90% of respondents had some knowledge of the business licensing program.
- Over 80% of respondents owned/managed a business, with over 70% of those requiring a licence.
- Over 50% of respondents believed that current requirements were appropriate for licensed business class.
 - Those who believed requirements were not appropriate offered the following recommendations:
 - All requirements for Second Hand Dealer are not appropriate and Second Hand Dealers should not be licensed.
 - Criminal Records Checks are not appropriate for all business types included in the Public Garage licence class.
 - Charities and Not-For-Profits should not be subject to licence fees for Temporary Food Shop / Peddler licence classes.
 - Adult Entertainment Parlour and Body Rub Parlour need annual Public Health inspections.
 - All requirements for Places of Amusement are not appropriate and Places of Amusement should not be licensed.
- Over 50% of respondents believed the program did not meet the needs of the business community with Licence Fees and the Licence Application/Renewal Process indicated the primary areas for improvement.
- Over 90% of respondents believed additional requirements should not be considered.
- 70% of respondents believed additional classes should not be considered
 - Those who believed additional business classes should be considered offered the following recommendations:
 - Personal Services
 - All businesses operating in the city
 - Home-based businesses
 - Smoke, Tobacco and Vapour Product Shops
 - Temporary Second Hand Dealers
 - Bed and Breakfasts
 - Animal Breeders
- 80% of respondents would like to see a licensing system more conducive to Special Events.

Q1: How familiar are you with Oshawa's Business Licensing Program?



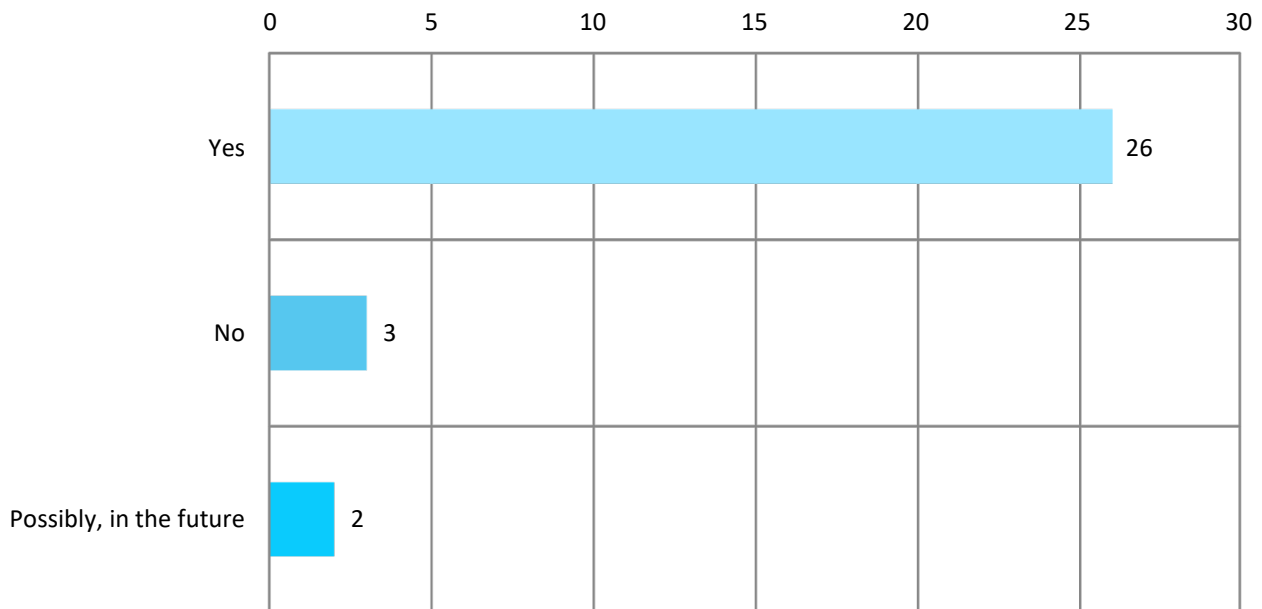
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Q2: Are you aware that a Business Licence from the City certifies that a business is in compliance with applicable local (Property Standards, Zoning, Public Health) and provincial standards (Fire Code, Building Code)?



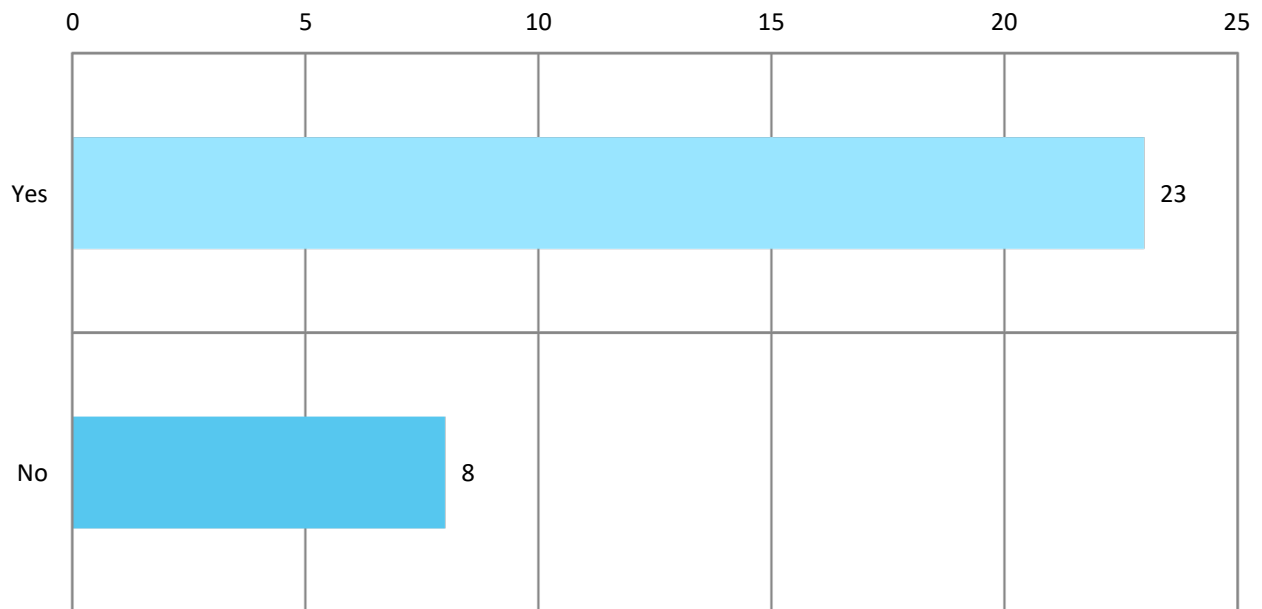
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Q3: Do you own and/or manage a business that operates in Oshawa?



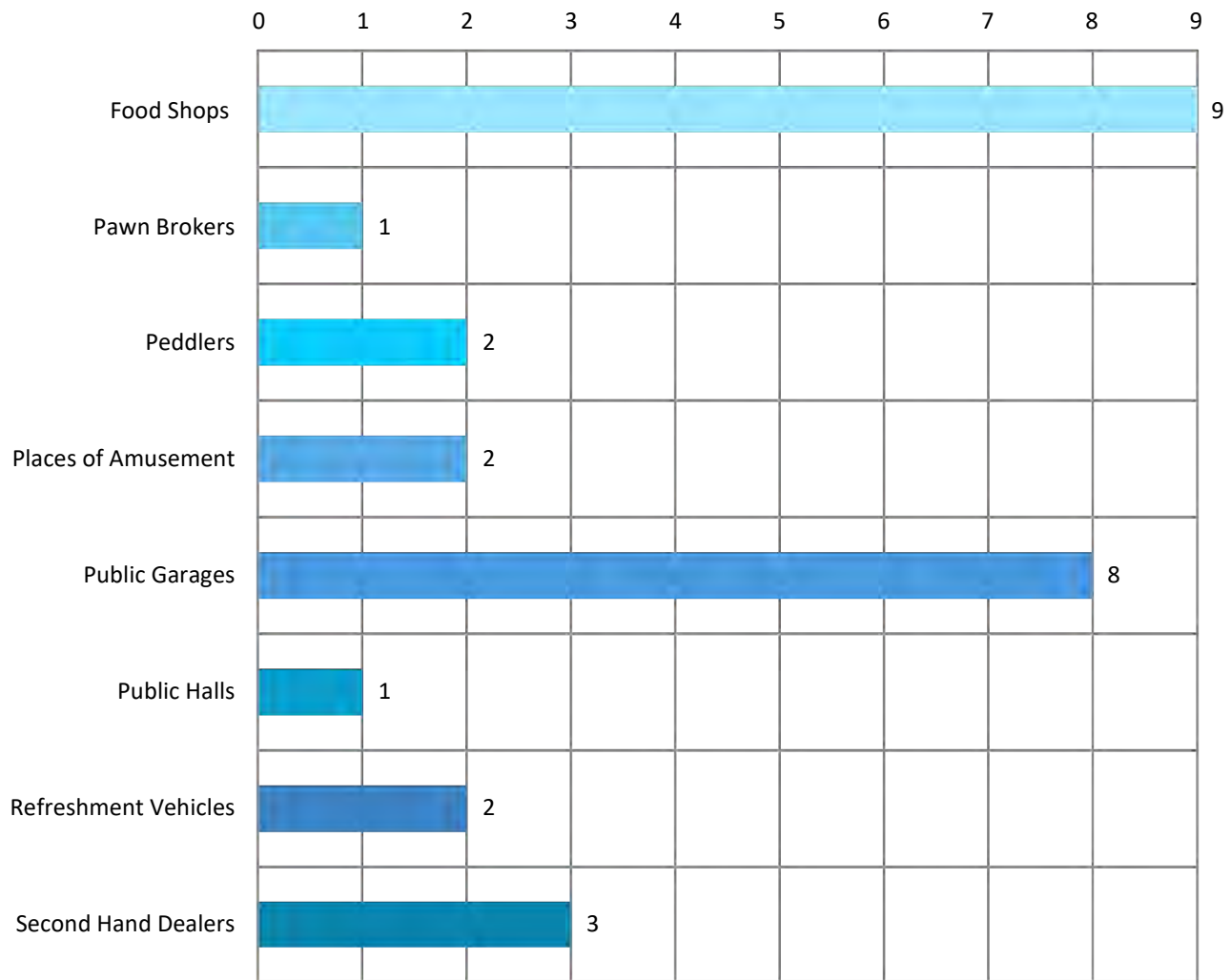
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Q4: Does your business require a Business Licence?



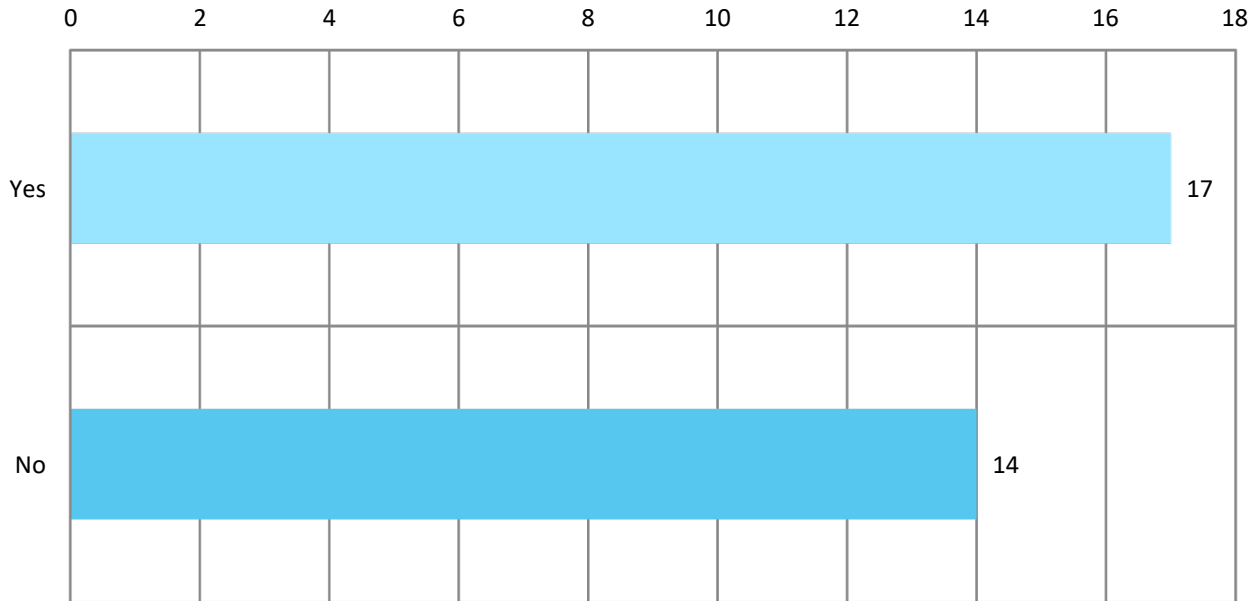
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Q4.1.: Please indicate which classification your business falls under.



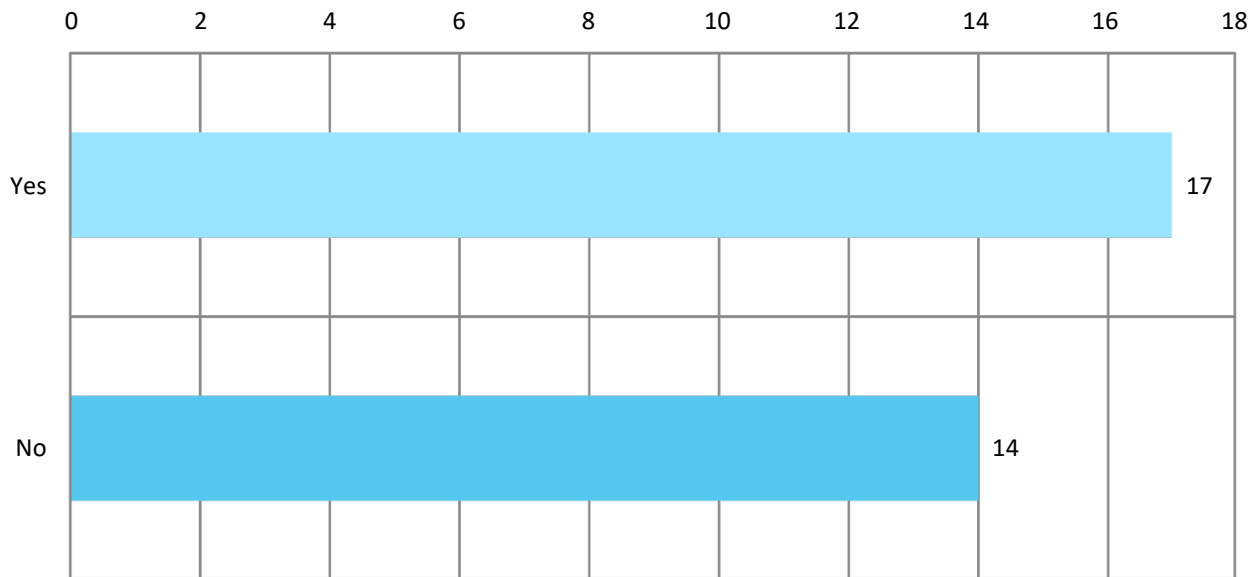
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Q5: Do you agree that the above approvals and requirements for your industry are appropriate to ensure health and safety and consumer protection?



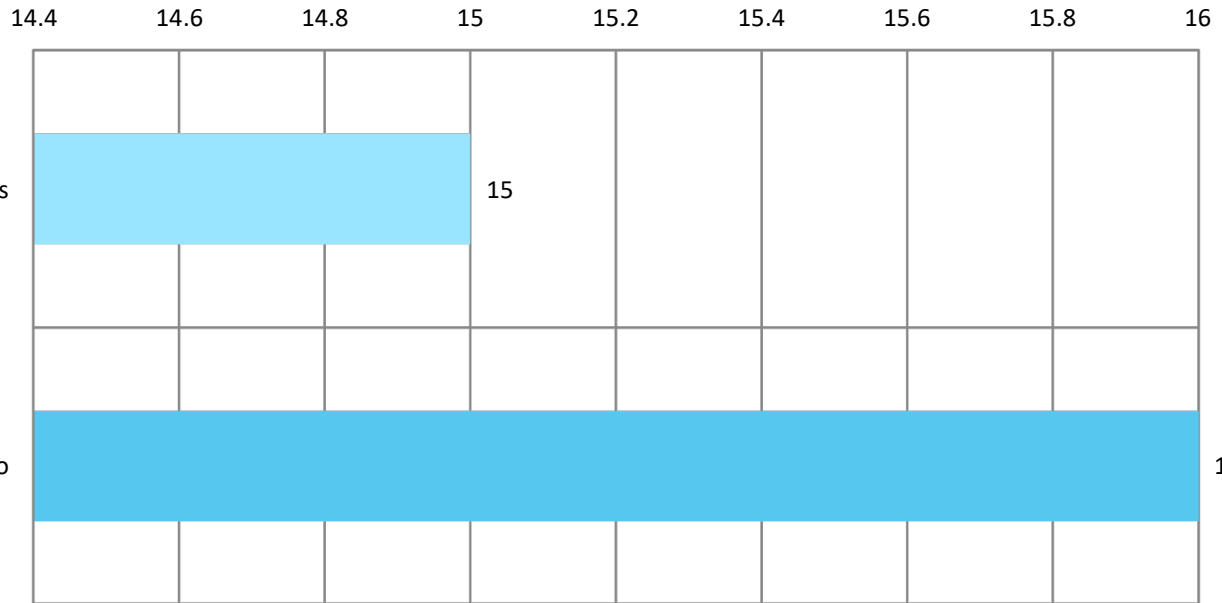
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Q6: Do you believe that having a Business Licence enhances your credibility and reputation amongst consumers?



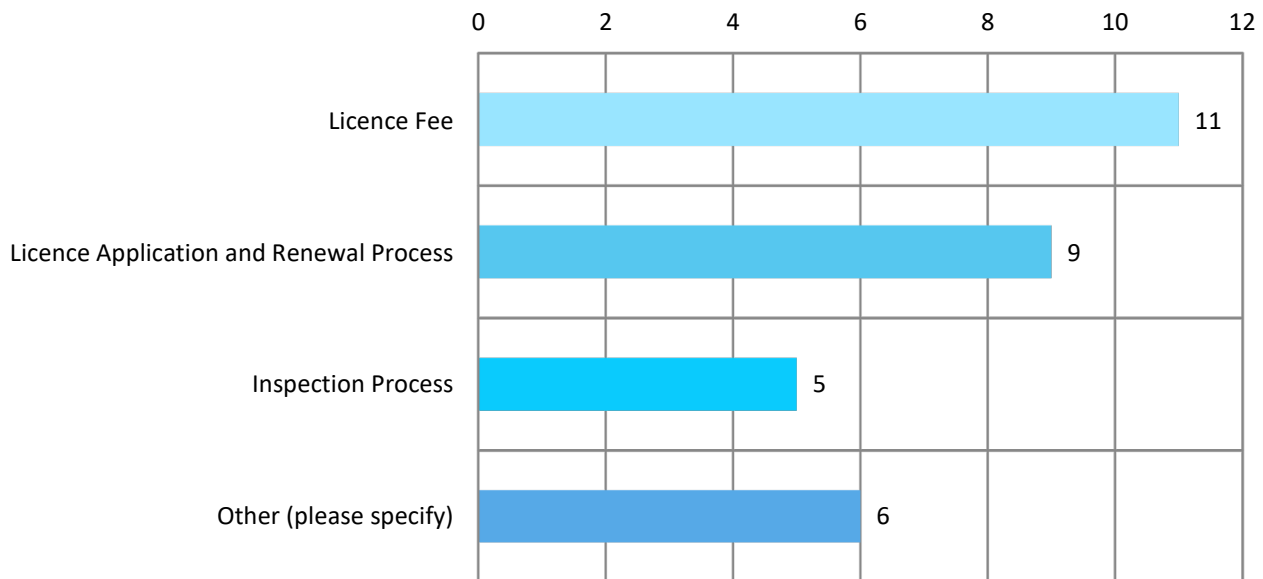
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Q7: Do you believe the current Business Licensing Program meets the needs of the business community?



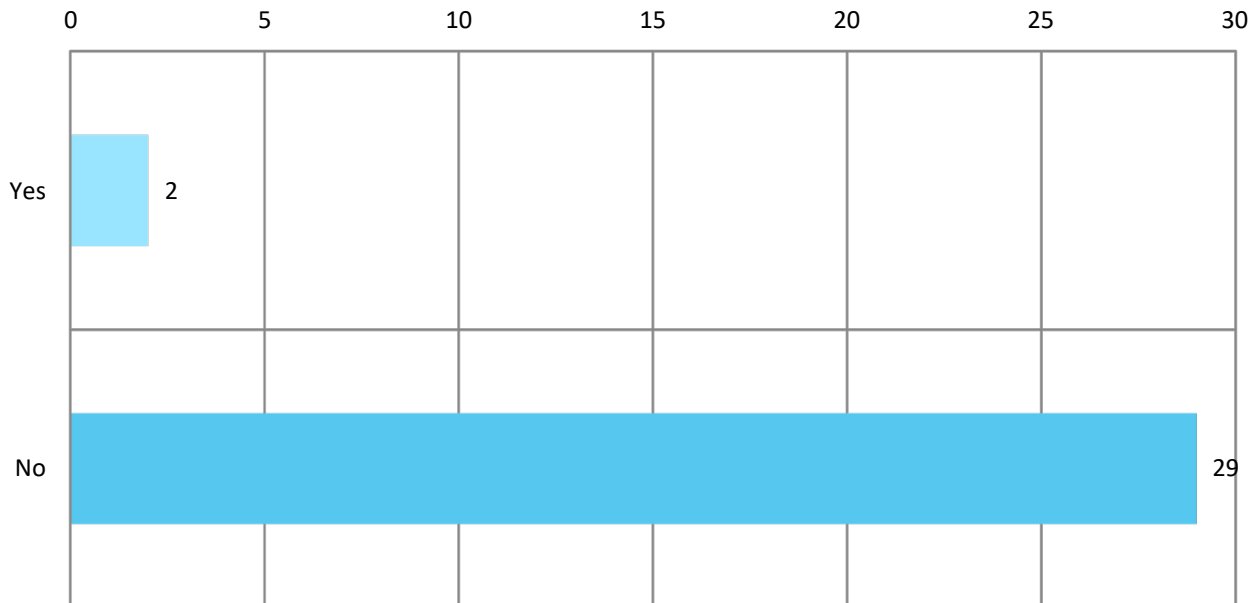
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Q7.1. If you answered "No", please select areas for improvement.



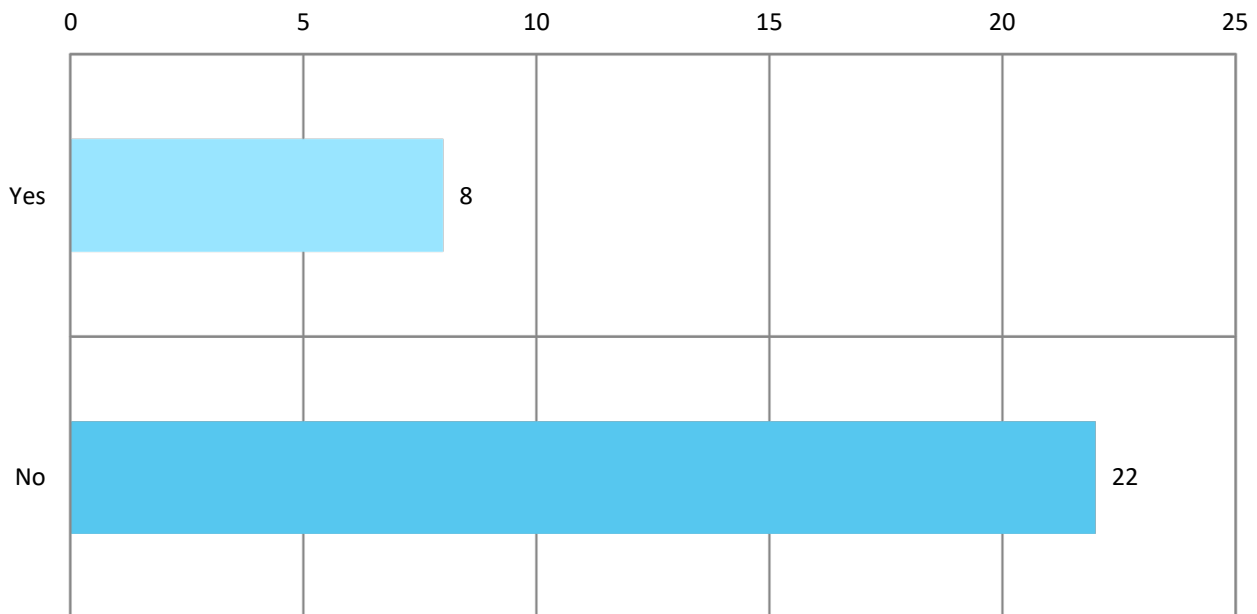
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Q8: Are there any additional requirements for regulated businesses you would like to be considered as part of the review of the Oshawa's Business Licensing Program to enhance health and safety and consumer protection?



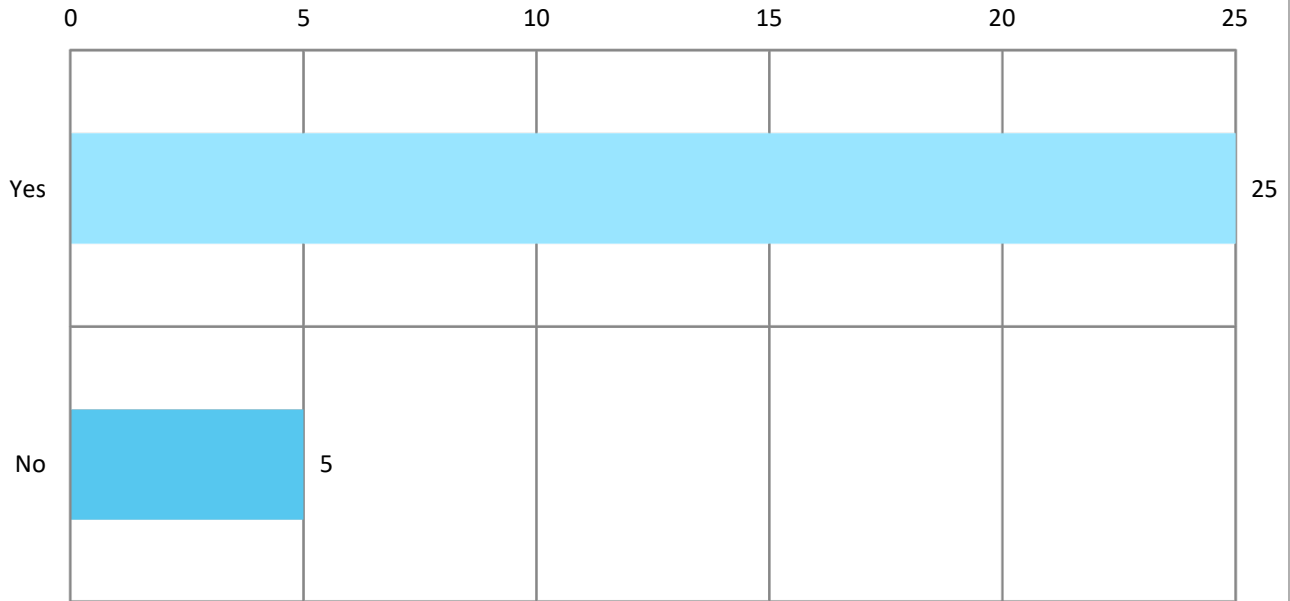
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Q9: Are there any additional businesses classes you would like to be considered as part of the review of the Oshawa's Business Licensing Program?



Skipped: 1

Q10: Would you like to see a licensing system that is more inviting to special event organizers and vendors (Food Festivals, etc.)?



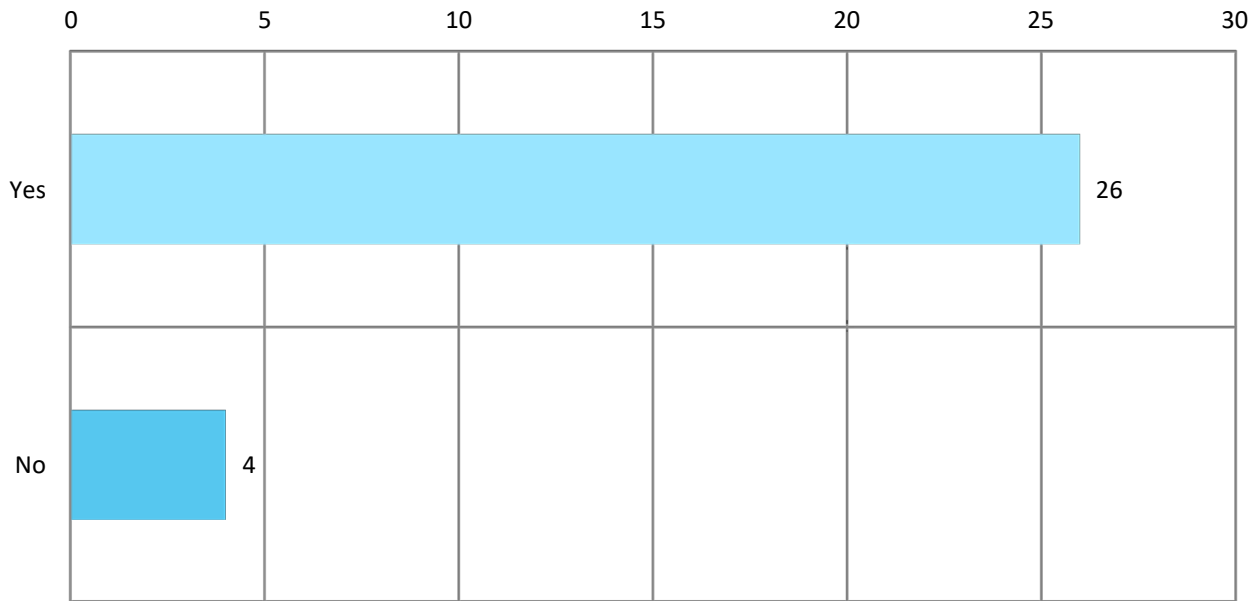
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How old are you?



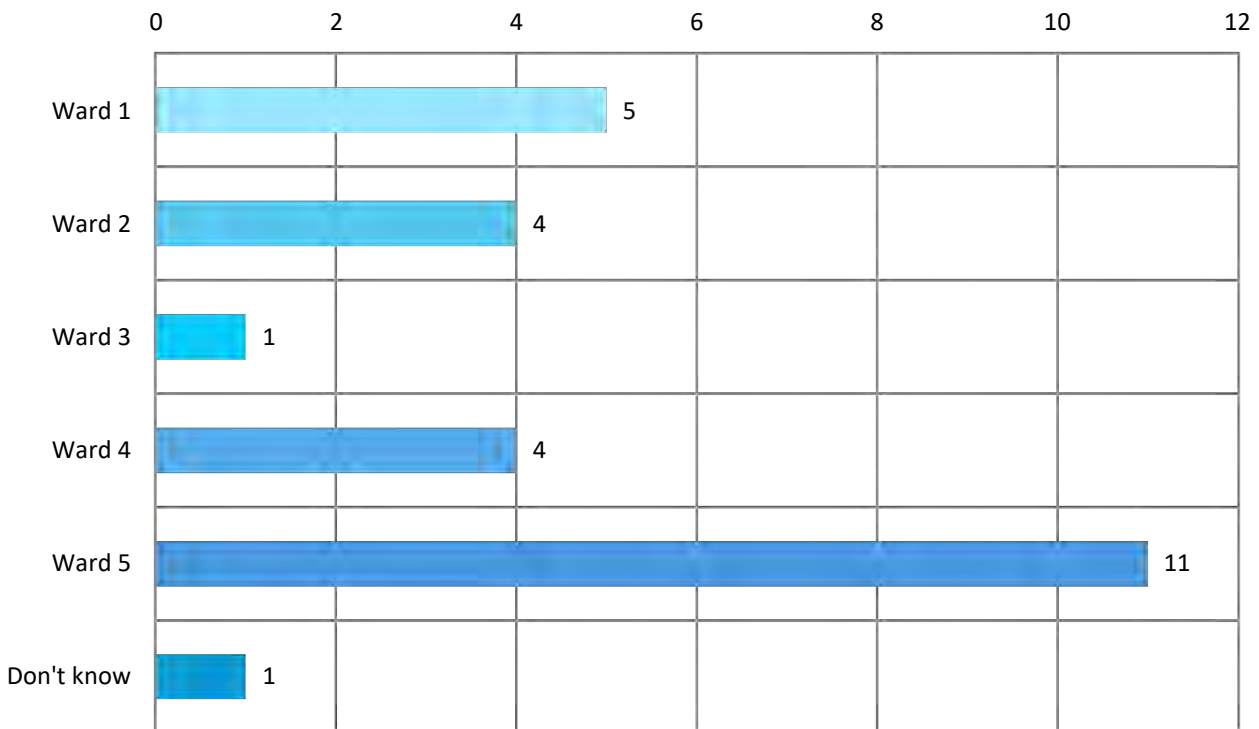
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Are you an Oshawa resident, and/or Oshawa business/property owner/manager?



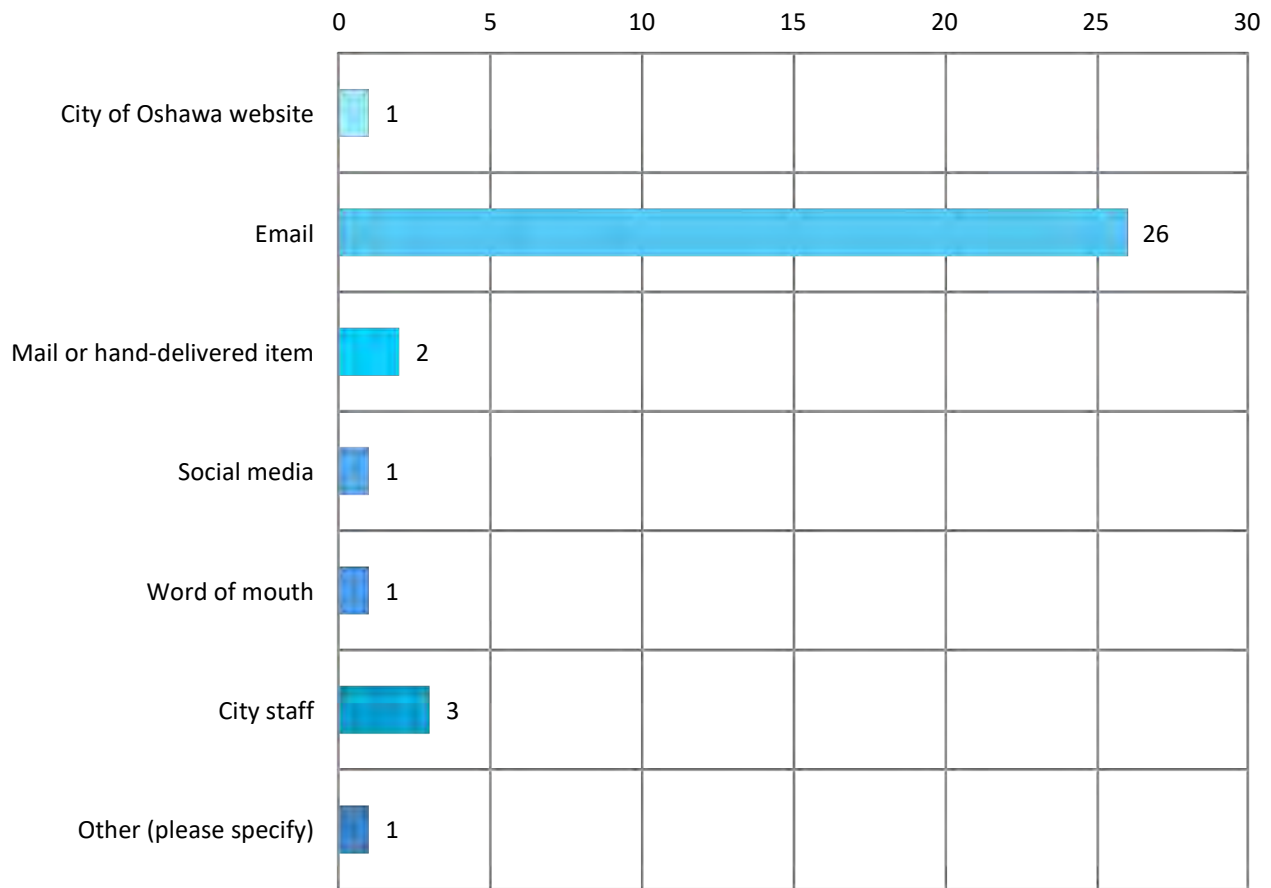
Skipped: 1

What ward do you live in / is your business/property located in?



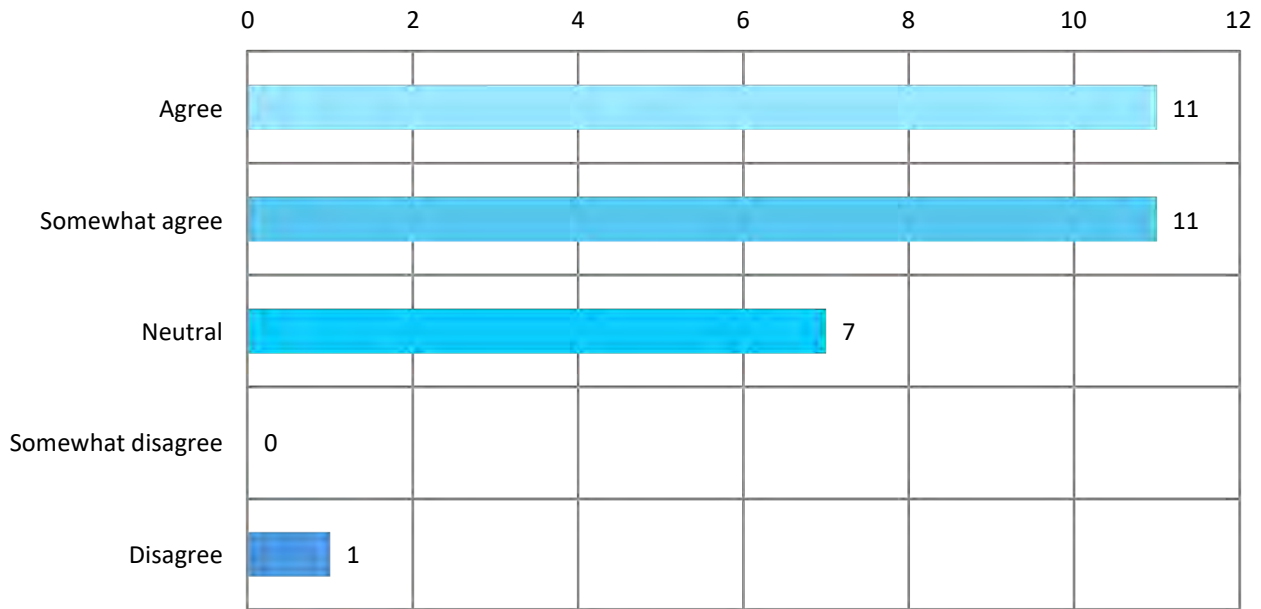
Skipped: 0. Multiple responses possible.

How did you learn about this community engagement opportunity?



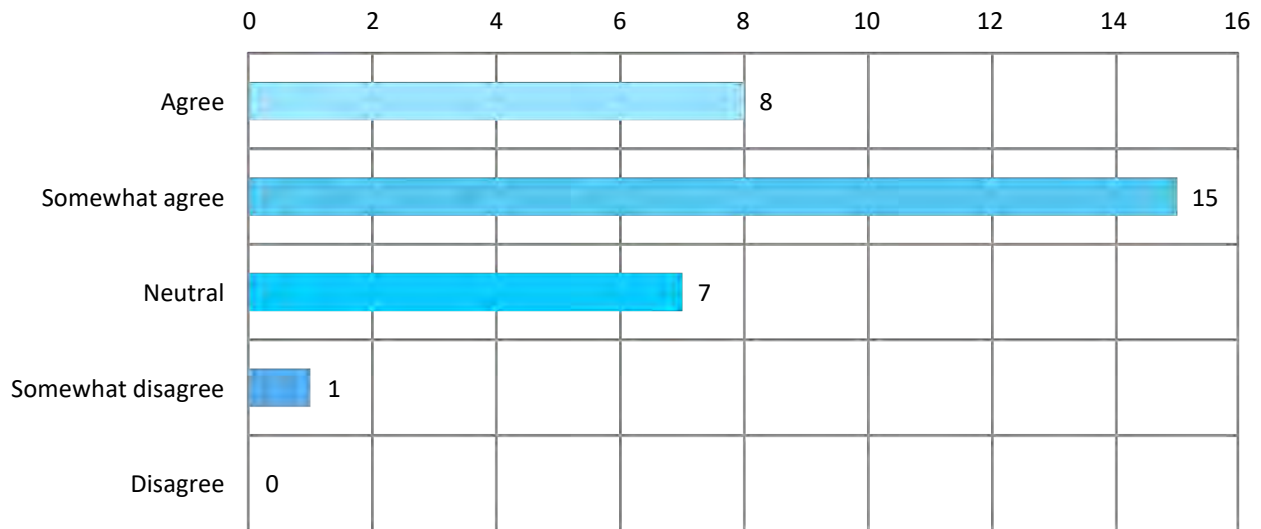
Skipped: 0. Multiple responses possible.

I understand how my Business Licensing By-law Review consultation feedback will be used.



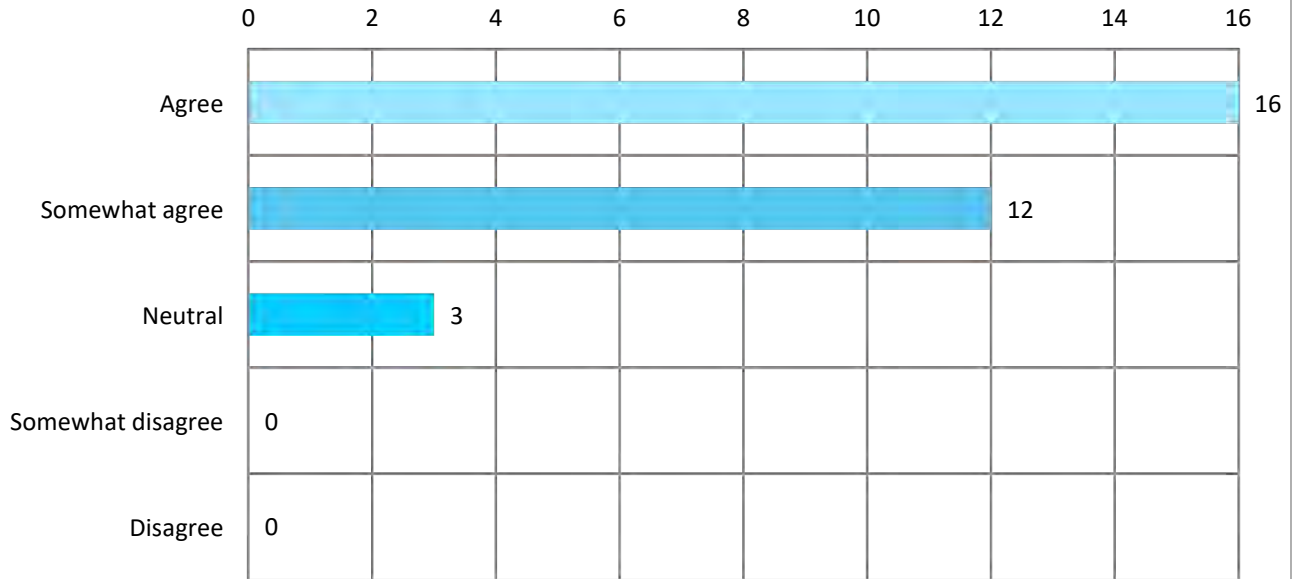
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I have a good understanding of the Business Licensing By-law Review consultation based on the information provided in the Feedback Form.



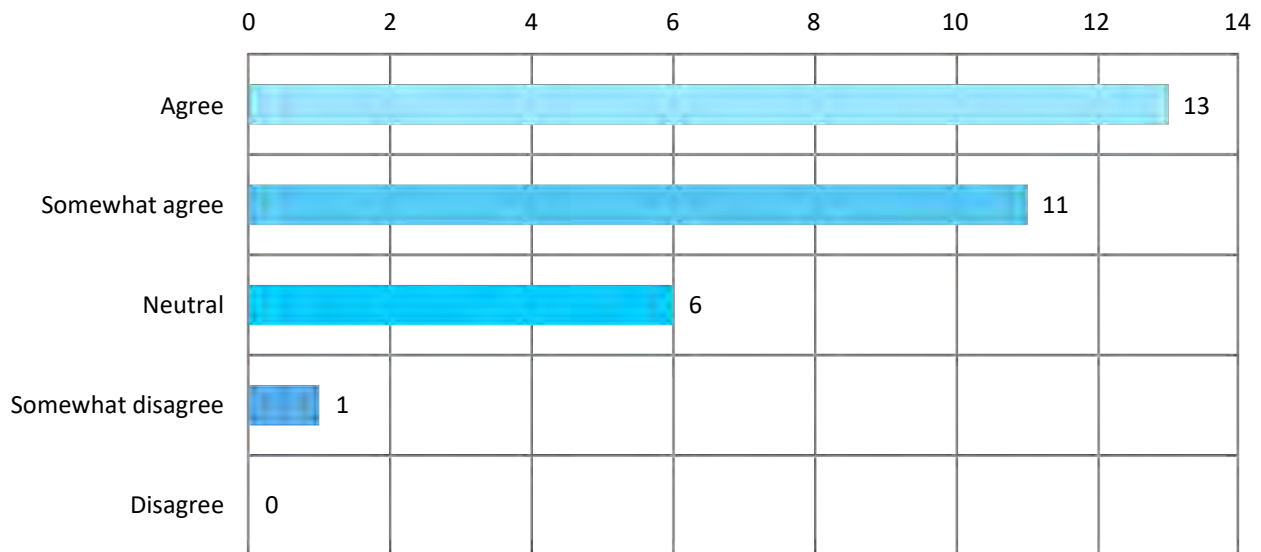
Skipped: 0

I feel the Feedback Form was a good opportunity to participate in the Business Licensing By-law Review consultation.



Skipped: 0

I understand the next steps in the Business Licensing By-law Review consultation and timing going forward.



Skipped: 0

Business Licensing By-law Review Benchmarking Results

General Business Class	Oshawa	Durham Region Health Department	Toronto	Markham	Windsor	Guelph	Richmond Hill	Pickering	Ajax	Cambridge	Whitby	Clarington	Comparator Count
Adult Entertainment Parlour	✓		✓	✓	✓	✓	✓		✓	✓	✓		8
Auctioneer	✓		✓	✓	✓						✓	✓	5
Billiard Hall	✓		✓	✓									2
Body Rub Parlour	✓		✓	✓	✓		✓		✓	✓	✓		7
Bowling Alley	✓		✓	✓			✓						3
Carnival	✓		✓		✓			✓	✓				4
Driving Instructor	✓		✓	✓		✓							3
Driving School	✓		✓	✓									2
Food Shop	✓	✓	✓	✓	✓	✓				✓	✓		6
Pawnbroker	✓		✓	✓	✓	✓					✓		5
Peddler	✓		✓	✓	✓	✓		✓	✓			✓	7
Place of Amusement	✓		✓	✓		✓	✓			✓			5
Public Garage	✓		✓	✓	✓					✓			4
Public Hall	✓	✓	✓	✓	✓	✓		✓		✓			6
Refreshment Vehicle	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	8
Second Hand Dealer	✓		✓	✓	✓	✓	✓		✓		✓		7
Theatre	✓		✓						✓				2
Adult Novelty / Video Store ¹								✓		✓			2
Bed and Breakfast/Guest House Establishment					✓	✓							2
Boarding Kennel				✓			✓	✓	✓			✓	5
Breeder								✓					1
Clothing Donation Bins ²			✓	✓	✓	✓							4
Dry Cleaning Depots				✓									1
Entertainment Lounge		✓*	✓		✓								2
Escort Service					✓								1

Table notes provided on following page.

General Business Class	Oshawa	Durham Region Health Department	Toronto	Markham	Windsor	Guelph	Richmond Hill	Pickering	Ajax	Cambridge	Whitby	Clarington	Comparator Count
Golf Driving Ranges				✓									1
Holistic Centre			✓		✓	✓							3
Home-based Business ³								✓					1
Horse Riding Establishments				✓				✓					2
Hotels		✓*				✓							1
Laundry Facilities			✓										1
Newspaper / Publication Boxes						✓	✓						2
Personal Services (Hair, Aesthetics, Piercings, Tattoo)		✓	✓	✓	✓	✓				✓			5
Precious Metal Shops ⁴			✓										1
Private Parking Lot Agency			✓			✓							2
Public / Commercial Parking Lot ⁵			✓		✓								2
Select Contractors (HVAC, Plumbing, Driveway Paving)				✓	✓								2
Sign Company				✓	✓							✓	3
Smoke / Tobacco / Vapour Product Shop		✓	✓	✓	✓		✓						4
Tow Truck Operators ⁶			✓	✓	✓		✓						4

- Notes:**
- Benchmarking completed in February 2023.
 - * Inspected by Durham Region Health Department for food-related operations.
 - ¹ Regulated by Adult Magazines and Videotapes By-law 84-93.
 - ² Regulated by Nuisance By-law 65-2009, as amended.
 - ³ Food related home-based businesses currently regulated and licensed under Class “D” Home Occupation Food Shop licence class.
 - ⁴ Currently regulated and licensed under Second Hand Dealers licence class.
 - ⁵ Regulated by Zoning By-law 60-94, as amended, and Property Standards By-law 1-2002, as amended.
 - ⁶ As of January 1, 2024 no longer a business class that can be regulated and licensed by municipalities.

Proposed Program Update Summary

General Business Class	Licence Class	General Application Reqs. ¹	Supplemental Application Reqs. ²	Class Specific Insurance ³	Criminal Records Check	Zoning Examination	Property Standards Inspection	Fire Prevention Inspection	Health Department Inspection
Adult Entertainment Parlour	Class "A" Owner	✓	✓	✓	✓	✓	✓	✓	✓
Adult Entertainment Parlour	Class "B" Operator	✓	✓		✓				
Adult Entertainment Parlour	Class "C" Attendant	✓	✓		✓				
Body Rub Parlour	Class "A" Owner / Operator	✓	✓	✓	✓	✓	✓	✓	✓
Body Rub Parlour	Class "B" Owner	✓	✓	✓	✓	✓	✓	✓	✓
Body Rub Parlour	Class "C" Operator	✓	✓		✓				
Body Rub Parlour	Class "D" Attendant	✓	✓		✓				
Carnival	Carnival	✓	✓	✓		✓			
Driving Education	Class "A" Driving School	✓	✓		✓ ⁴	✓			
Driving Education	Class "B" Driving Instructor	✓	✓	✓	✓ ⁴				

¹ Application requirements in this section correspond to the majority of regulated businesses. These basic requirements confirm preliminary information about the applicant, the business and where the business operation is to be located. (E.g. Business Name Registration/Articles of Incorporation, Confirmation of Outstanding Fees, Ownership or Lease of Property, etc.)

² Application requirements in this section correspond to a specific regulated business class or multiple business classes that share similar risk themes. Each requirement has been determined to be necessary to mitigate risks associated with a respective business class. (E.g. Floor/Site Plan of Premises, Record of Employees, Provincial Drivers Licence, etc.)

³ Final determination on Class Specific Insurance Requirements to be made in consultation with Durham Municipal Insurance Pool (D.M.I.P.).

⁴ Requirement for a Provincial Driving Instructor Licence (administered by the Province of Ontario) which is an application requirement for a City Driving Education Licence.

General Business Class	Licence Class	General Application Reqs. ¹	Supplemental Application Reqs. ²	Class Specific Insurance ³	Criminal Records Check	Zoning Examination	Property Standards Inspection	Fire Prevention Inspection	Health Department Inspection
Food Shop	Class "A" Food Shop	✓		✓		✓	✓	✓	✓
Food Shop	Class "B" Accessory to Food Shop	✓	✓				✓		
Food Shop	Class "C" Temporary Food Shop	✓	✓			✓			✓
Food Shop	Class "D" Home Occupation Food Shop	✓	✓			✓	✓		✓
Pawnbroker and Second Hand Dealer	Class "A" Pawnbroker and Second Hand Dealer	✓	✓	✓	✓	✓	✓	✓	
Pawnbroker and Second Hand Dealer	Class "B" Salvage Second Hand Dealer	✓	✓	✓	✓	✓	✓	✓	
Peddler	Peddler	✓	✓			✓			
Public Hall	Public Hall	✓	✓	✓		✓	✓	✓	✓
Refreshment Vehicle ("R.V.")	Class "A" Stationary R.V.	✓	✓	✓		✓	✓	✓	✓
Refreshment Vehicle ("R.V.")	Class "B" Mobile R.V.	✓	✓	✓				✓	✓

¹ Application requirements in this section correspond to the majority of regulated businesses. These basic requirements confirm preliminary information about the applicant, the business and where the business operation is to be located. (E.g. Business Name Registration/Articles of Incorporation, Confirmation of Outstanding Fees, Ownership or Lease of Property, etc.)

² Application requirements in this section correspond to a specific regulated business class or multiple business classes that share similar risk themes. Each requirement has been determined to be necessary to mitigate risks associated with a respective business class. (E.g. Floor/Site Plan of Premises, Record of Employees, Provincial Drivers Licence, etc.)

³ Final determination on Class Specific Insurance Requirements to be made in consultation with Durham Municipal Insurance Pool (D.M.I.P.).

General Business Class	Licence Class	General Application Reqs. ¹	Supplemental Application Reqs. ²	Class Specific Insurance ³	Criminal Records Check	Zoning Examination	Property Standards Inspection	Fire Prevention Inspection	Health Department Inspection
Refreshment Vehicle ("R.V.")	Class "C" Temporary Mobile R.V.	✓	✓	✓		✓		✓	✓
Smoke, Tobacco and Vapour Product Shop	Smoke, Tobacco, Vapour Product Shop	✓	✓	✓		✓	✓	✓	✓
Special Event Organizer	Special Event Organizer	✓	✓	✓		✓			✓
Tattoo Parlour	Tattoo Parlour	✓		✓		✓	✓	✓	✓
Vehicle Sales, Rental, Storage and Service Establishment	Class "A" Vehicle Fueling Service, Washing Service, Storage and Rental Est.	✓	✓	✓		✓	✓	✓	
Vehicle Sales, Rental, Storage and Service Establishment	Class "B" Vehicle Sales and Repair Service Est.	✓	✓	✓	✓	✓	✓	✓	

¹ Application requirements in this section correspond to the majority of regulated businesses. These basic requirements confirm preliminary information about the applicant, the business and where the business operation is to be located. (E.g. Business Name Registration/Articles of Incorporation, Confirmation of Outstanding Fees, Ownership or Lease of Property, etc.)

² Application requirements in this section correspond to a specific regulated business class or multiple business classes that share similar risk themes. Each requirement has been determined to be necessary to mitigate risks associated with a respective business class. (E.g. Floor/Site Plan of Premises, Record of Employees, Provincial Drivers Licence, etc.)

³ Final determination on Class Specific Insurance Requirements to be made in consultation with Durham Municipal Insurance Pool (D.M.I.P.).

Proposed Enhancements to Currently Regulated and Licensed Business Classes

Proposed enhancements for currently regulated and licensed business classes identified in this document build on and modify the existing Application Requirements, Licensing Approvals and Operating Standards in the current Licensing By-law and Program.

Adult Entertainment Parlour

- Increase risk mitigation Application Requirements and Operating Standards to include:
 - Require annual Criminal Record and Judicial Matters Check for all licence classes.
 - Prohibit the use of alcohol and non-prescription drugs by Owners, Operators and Attendants.
 - Require the premises to be in sanitary condition.
 - Require the submission, implementation and maintenance of a security plan for the premises.

Note: Currently there are no licensed Adult Entertainment Parlours in the City of Oshawa, which must meet stringent Application Requirements, Licensing Approvals Operating Standards (e.g. location of premises, hours of operation, promotion, etc.).

Body Rub Parlour

- Increase risk mitigation Application Requirements and Operating Standards to include:
 - Require annual Criminal Record and Judicial Matters Check for all licence classes.
 - Prohibit the use of alcohol and non-prescription drugs by Owners, Operators and Attendants.
 - Require the premises to be in sanitary condition.
 - Prohibit those under the age of eighteen (18) from attending the premises.

Carnival

- Modify risk mitigation Application Requirements and Operating Standards including:
 - Changes to the Operational Proximity requirements to be in-line with the Noise By-law Exemption process.
 - Removal of the number of Carnival licenses that can occur on one (1) property within one (1) calendar year.
 - Addition of a seven (7) day limit in which a Carnival may operate for consecutive days.

Driving School and Driving Instructor

- Consolidate individual Driving School and Driving Instructor licence classes under one (1) general business class called "Driving Education".

- Require Licensees to maintain Provincial Driving Instructor's Licence, with City licence validity contingent on provincial Licence.

Food Shop

- Limited modifications to Application Requirements and Licensing Approvals to formalize re-inspection of select licence classes.
- Recognize the distinction between Class "A" Food Shop Licence and Class "C" Temporary Food Shops by applying balanced time-based fees to support the protection of permanent Food Shops (Class "A") while creating an environment more conducive to Special Events (Class "C").
 - Operate a Temporary Food Shop for up to fifteen (15) days during a one (1) year licence term (by re-applying for each additional vending period / Special Event).
 - Class "C" Temporary Food Shop Licensees operating sixteen (16) days or more will be subject to the Class "A" Food Shop Licence fee.
- Continue to waive Class "A" Food Shop licensees from the fee requirements of Class "C" Temporary Food Shop to create an environment more conducive to Special Events.
- Formalize the exemption of Food Shop licences for establishments that exclusively sell non-hazardous (shelf stable) pre-packaged food

Peddler – General

- Continue to regulate and license the Class "A" General Peddler licence class in a standalone general class with a nominal annual licensing fee.
- Operate for unlimited days during a one (1) year licence term (by re-applying for each additional vending period) for no additional fee.
- Maintain existing exemptions related to the Class "A" General Peddler licence class, with the addition of flea market business operations.

Peddler – Special Event Organizer

- Continue to regulate and license the Class "B" Special Event Organizer licence class in a standalone general class with a nominal annual licensing fees as a means to create an environment more conducive to Special Events.
- Modify existing Special Event Organizer regulations to exempt flea market business operations.

Pawnbroker and Second Hand Dealer

- Consolidate individual Pawnbroker and Second Hand Dealer licence classes under one (1) general business class (Pawnbroker / Second Hand Dealer) while retaining existing separate class for Selvedge Second Hand Dealer.
 - Class "A" Pawnbroker and Second Hand Dealer
 - Class "B" Salvage Second Hand Dealer

- Retain Operating Standards previously regulated through the Pawnbrokers Act, R.S.O. 1990 (repealed in 2019) for Class “A” Pawnbroker and Second Hand Dealer licence class to ensure goods that are pawned are handled in an appropriate manner.
- Modify risk mitigation Application Requirements and Operating Standards including:
 - Improve clarity on the application of regulations to continue to include transient Second Hand Dealer operations.
 - Modify the types of Second Hand Dealer that are exempt from the requirements of the Licensing By-law and include transaction amount exemptions for low-value goods.

Public Garage

- Recognize different levels of risk associated with different types of business operations captured under the Public Garage licence class by introducing tiered licence classes that are in-line with City Zoning By-law 60-94, as amended:
 - Class “A” Vehicle Fueling Service, Washing Service, Storage and Rental Establishment
 - Class “B” Vehicle Sales and Repair Service Establishment
- Apply existing Public Garage Application Requirements, Licensing Approvals and Operating Standard appropriately to licence classes to mitigate risk.
- Limited modifications to Application Requirements and Licensing Approvals to formalize re-inspection activities.

Public Hall

- Limited modifications to Application Requirements and Licensing Approvals to formalize re-inspection activities.

Refreshment Vehicle

- Limited modifications to Operating Standards to remove select time-based restrictions on Class “A” Stationary Refreshment Vehicle licence class
- Limited modifications to Operating Standards to make time-based restrictions more permissive for operation of the Class “B” Mobile Refreshment Vehicle licence class.
- Remove the ability to retain a “Temporary Stationary Refreshment Vehicle” licence due to Zoning requirements associated with Stationary Refreshment Vehicle and reclassify “Class “C” Temporary Refreshment Vehicle” as “Class “C” Temporary Mobile Refreshment Vehicle”.
- Recognize the distinctions between annual licence classes (Class “A” Stationary Refreshment Vehicle and Class “B” Mobile Refreshment Vehicle) and Class “C” Temporary Mobile Refreshment Vehicles by and applying balanced time-based fees to support the protection of permanent Refreshment Vehicles (Class “A” and Class “B”) while creating an environment more conducive to Special Events (Class “C”).

- Operate a Class “C” Temporary Mobile Refreshment Vehicle for up to fifteen (15) days during a one (1) year licence term (by re-applying for each additional vending period / Special Event).
- Class “C” Temporary Stationary Refreshment Vehicle Licensees operating sixteen (16) days or more will be subject to the Class “A” Stationary Refreshment Vehicle Licence fee.

Proposed Updated Licensing Fee Summary

General Business Class	Licence Class	Current Total Fees*	Proposed Total Fees+ (New Licence)	Benchmarked Average (New Licence)	Proposed Total Fees+ (Renewal)	Benchmarked Average (Renewal)
Adult Entertainment Parlour	Class "A" Owner	\$3,075	\$3,850	\$5,465	\$2,450	\$5,362
Adult Entertainment Parlour	Class "B" Operator	\$1,075	\$1,050	\$892	\$1,050	\$873
Adult Entertainment Parlour	Class "C" Attendant	\$325	\$550	\$509	\$550	\$478
Body Rub Parlour	Class "A" Owner/Operator	\$1,575	\$2,425	\$5,517	\$1,550	\$5,404
Body Rub Parlour	Class "B" Owner	\$1,475	\$2,425	\$5,517	\$1,550	\$5,404
Body Rub Parlour	Class "C" Operator	\$175	\$200	\$695	\$200	\$695
Body Rub Parlour	Class "D" Attendant	\$175	\$200	\$409	\$200	\$384
Carnival	Carnival	\$120 per day	\$200 per Carnival	\$364 ¹	N/A	N/A
Driving Education	Class "A" Driving School	\$175	\$225	\$372	\$150	\$298
Driving Education	Class "B" Driving Instructor	\$250	\$300	\$298	\$300	\$243
Food Shop	Class "A" Food Shop	\$225	\$250	\$371	\$200	\$321
Food Shop	Class "B" Accessory to Food Shop	\$0	\$0	N/A	\$0	N/A
Food Shop	Class "C" Temporary Food Shop	\$75 + \$30 per day	\$30 for 15 days (No Application Fee)	N/A	N/A	N/A
Food Shop	Class "D" Home Occupation Food Shop	\$225 (2 Year Licence Term)	\$275 (2 Year Licence Term)	N/A	\$200 (2 Year Licence Term)	N/A
Pawnbroker and Second Hand Dealer	Class "A" Pawnbroker and Second Hand Dealer	\$500	\$500	\$340	\$325	\$270
Pawnbroker and Second Hand Dealer	Class "B" Salvage Second Hand Dealer	\$500	\$500	\$329	\$450	\$236

* Annual Fee unless specified (including \$75 Application Fee)

+ Annual Fee unless specified (including \$50 Application Fee)

¹ Calculated using 3 day Carnival

General Business Class	Licence Class	Current Total Fees*	Proposed Total Fees+ (New Licence)	Benchmarked Average (New Licence)	Proposed Total Fees+ (Renewal)	Benchmarked Average (Renewal)
Peddler	Peddler	\$100 for 2 days, \$200 for 5 days, \$30 per day over 5 days	\$30 (No Application Fee)	\$356 ²	N/A	\$356 ²
Public Hall	Public Hall	\$275	\$300	\$360	\$275	\$276
Refreshment Vehicle	Class "A" Stationary Refreshment Vehicle	\$300	\$300	\$497	\$275	\$343
Refreshment Vehicle	Class "B" Mobile Refreshment Vehicle	\$300	\$330	\$543	\$310	\$457
Refreshment Vehicle	Class "C" Temporary Mobile Refreshment Vehicle	\$170 for 5 days	\$125 for 15 days	\$340 ³	N/A	\$340 ³
Smoke, Tobacco and Vapour Product Shop	Smoke, Tobacco, Vapour Product Shop	N/A	\$500	\$470	\$300	\$437
Special Event Organizer	Special Event Organizer	\$400 per event	\$75	N/A	N/A	N/A
Tattoo Parlour	Tattoo Parlour	N/A	\$250	\$373	\$200	\$295
Vehicle Sales, Rental, Storage and Service Establishment	Class "A" Vehicle Fueling Service, Washing Service, Storage and Rental Establishment	\$250	\$300	\$301	\$250	\$254
Vehicle Sales, Rental, Storage and Service Establishment	Class "B" Vehicle Sales and Repair Service Establishment	\$250	\$300	\$315	\$275	\$269

* Annual Fee unless specified (including \$75 Application Fee)

+ Annual Fee unless specified (including \$50 Application Fee)

² Calculated using 15 days of operation

³ Calculated using 15 days of operation (or 5x 3 day Special Events)

Safety and Facilities Services Committee – March 18, 2024

Technical Amendments to Fireworks By-law 59-2014 and Tiered and Escalating Administrative Monetary Penalties (All Wards)

That the Safety and Facilities Services Committee recommend to City Council:

Whereas the Fireworks By-law 59-2014, as amended (“Fireworks By-law”) is a by-law that regulates the sale and discharge of fireworks within the City of Oshawa (“City”); and,

Whereas staff regularly review the City’s by-laws to identify opportunities to enhance municipal regulatory standards; and,

Whereas Section 5.5 of Report [SF-23-13 “Options to Amend Fireworks By-law 59-2014”](#) dated March 15, 2023 identified an opportunity to establish Tiered and Escalating Administrative Monetary Penalties (A.M.P.) and implement the following amendments to increase clarity in the Fireworks By-law:

- Amend Section 9 of the Fireworks By-law to establish Tiered and Escalating A.M.P.s with the following tiers:
 - Tier 1: \$250
 - Tier 2: \$350
 - Tier 3: \$450
- Implement minor typographical changes to reflect updates in position titles and to increase clarity with respect to references to by-laws and legislation.
- Renumbering certain sections to increase clarity and ease of reference.
- Implement minor typographical changes to provide further clarity on when permits are required for the discharge of Consumer Fireworks; and,

Whereas Section 429 of the Municipal Act, 2001, S.O. 2001, c. 25 (“Municipal Act”) authorizes municipalities to establish a system of fines, impose maximum single offence fines of \$100,000 and impose total fines for multiple and continuing offences greater than \$100,000, under a by-law enacted pursuant to the Municipal Act; and,

Whereas additional municipal benchmarking has identified the opportunity to enhance existing enforcement tools by increasing fine amounts for offences that are charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33 by amending the fines as articulated in the Fireworks By-law to the following:

- A minimum fine of \$500 and a maximum fine not exceeding \$100,000; and,

- In the case of a continuing offence, for each day that the offence continues, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000; and,
- In the case of multiple offences, for each offence, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of daily fines not limited to \$100,000.

Therefore be it resolved that Council approve the amending by-law, as set out in Attachment 1, to further amend Fireworks By-law 59-2014, as amended, to establish Tiered and Escalating Administrative Monetary Penalties, including other technical amendments as indicated, and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.



By-law -2024
of The Corporation of the City of Oshawa

Being a By-law to further amend By-law 59-2014, as amended (the “Fireworks By-law”) of the Corporation of the City of Oshawa.

Whereas pursuant to Item SF-24-07 – Technical Amendments to Fireworks By-law 59-2014 Tiered and Escalating Administrative Monetary Penalties, the Safety and Facilities Services Committee recommended to The Council of the Corporation of the City of Oshawa that an amending by-law be passed to establish Tiered and Escalating Administrative Monetary Penalties, implement technical amendments and increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33; and

Whereas the Council of the Corporation of the City of Oshawa considers it appropriate to amend the Fireworks By-law, to establish Tiered and Escalating Administrative Monetary Penalties, implement technical amendments and increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.

Therefore it is enacted as a by-law of The Corporation of the City of Oshawa as follows:

1. The Fireworks By-law is amended under Section 2.0 in the definition of “Chief Fire Official” by deleting “any Fire Prevention Officer or” and replacing with “Fire Prevention Captain, and”.
2. The Fireworks By-law is further amended under Section 2.0 of the Fireworks By-law by deleting the definition of “Consumer Fireworks” and replacing it with the following:

““Consumer Fireworks” mean fireworks that are low hazard and classified under Type F.1 under the Explosives Regulations, 2013 (SOR/2013-211), as may be amended from time to time. These fireworks are designed for outdoor recreational use by members of the public and include, but are not limited to, Roman candles, sparklers, fountains, wheels, volcanoes and snakes.”
3. The Fireworks By-law is further amended under Section 2.0 in the definition of “Officer” by deleting “Officer and/or”, and which shall now read as follows:

““Officer” means a Municipal Law Enforcement Officer appointed to enforce the by- laws of the City and/or a Fire Prevention Inspector from the Fire Prevention Division of Oshawa Fire Services, including the Fire Chief and any member of Oshawa Fire Services designated by the Chief Fire Official.”
4. The Fireworks By-law is further amended under Section 4.4(a) by adding “13-2003” immediately after “General Fees and Charges By-law,”.
5. The Fireworks By-law is further amended under Section 4.5 by substituting “his or her” for the word “their”.
6. The Fireworks By-law is further amended under Section 4.10 by substituting “his or her” for the word “their”.
7. The Fireworks By-law is further amended under Section 4.9 by substituting “Discharge” for the word “Sales”.
8. The Fireworks By-law is further amended under Section 4.11 by substituting “his or her” for the word “their” and substituting “Discharge” for the word “Sales”.
9. The Fireworks By-law is further amended under Section 4.12 by substituting “his/her” for the word “their”.

10. The Fireworks By-law is further amended under Section 5.0(b) by deleting “are two” and “is” and replacing with “is a”.
11. The Fireworks By-law is further amended under Section 7.0 by adding “Consumer Fireworks” and deleting “and” and replacing with “or”, and deleting “Display” and replacing with “Consumer”.
12. The Fireworks By-law is further amended under Section 7.2 by deleting the entirety of Section 7.2 and replacing it with the following:
 - “7.2 An application for a Fireworks Discharge Permit shall be made at the office of the Chief Fire Official on the form prescribed and the Chief Fire Official may prescribe any information to be given therein and other necessary papers to be completed or submitted by the applicant in conjunction with their application. (49-2021)”
13. The Fireworks By-law is further amended under Section 7.3(a) by adding “13-2003” immediately after “General Fees and Charges By-law,”.
14. The Fireworks By-law is further amended under Section 7.7 by deleting “his or her” and replacing with the word “their”.
15. The Fireworks By-law is further amended under Section 7.10 by deleting “his or her” and replacing with the word “their”.
16. The Fireworks By-law is further amended under Section 7.11 by deleting “his or her” and replacing with the word “their”.
17. The Fireworks By-law is further amended for clarity purposes by removing Sections 9.0, 9.0.1, and 9.0.2 and amending Section 8 by adding the following new Sections 8.2 and 8.3, as follows:
 - “8.2 The Chief Fire Official may declare a Consumer Fireworks Prohibition when, in their sole opinion, conditions exist which would make the discharge of Consumer Fireworks unsafe. These conditions may include atmospheric or environmental conditions, to help implement restrictions intended to reduce the transmission of disease, as well as any local circumstances which may prevent the safe discharge of Consumer Fireworks. (49-2021)
 - 8.3 The public shall be notified that a Consumer Fireworks Prohibition is in effect on the City of Oshawa’s website. (49-2021)”
18. The Fireworks By-law is further amended under Section 9.2 for the purposes of establishing tiered and escalating Administrative Monetary Penalties by deleting 9.2 and replacing it with the following:
 - “9.2 Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 63-2013, be liable to pay to the City an administrative penalty. If a Person receives a penalty notice in accordance with the City’s Administrative Penalty Process Bylaw for a contravention of this By-law, and the Person has not received a penalty notice for the same contravention within one (1) calendar year or less, the Person shall be liable to pay to the City a tier one (1) administrative penalty amount for that contravention in the amount of \$250. If a Person receives an additional penalty notice for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier one (1) administrative penalty amount, the Person shall be liable to pay to the City a tier two (2) administrative penalty amount for that contravention in the amount of \$350. If the Person receives a subsequent penalty notice for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier two (2) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount

for that contravention in the amount of \$450. If the Person receives any subsequent penalty notices for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier three (3) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that offence in the amount of \$450.”

19. The Fireworks By-law is further amended by deleting Section 10.1 and replacing it with the following:

“10.1 Each person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of:

- (a) a minimum fine of \$500 and a maximum fine not exceeding \$100,000;
- (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine of \$500, and a maximum fine not exceeding \$10,000, and the total of all daily fines for the offence is not limited to \$100,000; and
- (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500, and a maximum fine not exceeding \$10,000, and the total of all fines for each included offence is not limited to \$100,000.”

20. The Fireworks By-law is further amended by adding a new Section 10.3 immediately after Section 10.2, as follows:

“10.3 An offence under this By-law may constitute a continuing offence or a multiple offence as set out in the Municipal Act, 2001, S.O. 2001, c.25, as amended.”

By-law passed this day of , 2024.

Mayor

City Clerk

To: Safety and Facilities Services Committee

From: Adam Grant, Commissioner,
Safety and Facilities Services

Report Number: SF-24-08

Date of Report: March 13, 2024

Date of Meeting: March 18, 2024

Subject: Technical Amendments to Vehicle-for-Hire By-law 31-2022

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to present technical amendments to the City's [Vehicle-for-Hire By-law 31-2022, as amended](#) ("V.F.H. By-law") for Council's consideration.

Attachment 1 is a benchmarking summary of vehicle age standards for comparator municipalities.

2.0 Recommendation

That the Safety and Facilities Services Committee recommend to City Council:

1. That Council approve by-laws in final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to further amend the Vehicle-for-Hire By-law 31-2022, as amended, and the General Fees and Charges By-law 13-2003, as amended to implement technical amendments and to establish additional licensing fees to further encourage the delivery of accessible taxicab services as generally outlined Section 5.2 of Report SF-24-08, "Technical Amendments to Vehicle-for-Hire By-law 31-2022" dated March 13, 2024; and,
2. That staff be directed to report back on additional licensing measures to incentivize the Vehicle-for-Hire industry in attempts to increase the supply of wheelchair accessible services, including a Reciprocal Licensing Arrangement with Durham Region lower-tier municipalities.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following City branches and external stakeholders were consulted as part of this review:

- Legal Services
- Accessibility Coordinator, Innovation and Transformation Services
- Durham Municipal Insurance Pool
- BlueLine Taxi Services
- City-Wide Taxi Services
- Licensed Taxicab Owners
- Accessibility Coordinator, Region of Durham
- Municipalities: Ajax, Clarington, Pickering, Whitby
- Statistics Canada

As part of this review, staff conducted analysis on similar taxicab licensing by-laws from the following municipal comparators:

- Ajax
- Brampton
- Clarington
- Hamilton
- London
- Niagara Region
- Ottawa
- Peterborough
- Pickering
- Toronto
- Whitby
- Windsor

5.0 Analysis

5.1 Background

Staff regularly review by-laws to ensure they remain current, effective and efficient. This report presents technical amendments to the V.F.H. By-law, which was adopted March 28, 2022, and establishes standards for Vehicle-for-Hire (“V.F.H.”) drivers, brokers, and Taxicab Owners, Limousines, Designated Drivers, and Transportation Network Companies (“T.N.C.”) (e.g. Uber and Lyft). The V.F.H. By-law also regulates the number of Taxicab Plates that are issued by the City as well as how they can be used and transferred.

Staff have identified a number of technical amendments that will improve the effectiveness of the V.F.H. By-law as well as program enhancement as a result of feedback received from the Taxicab Industry including:

- Permitting the leasing of taxicab plates as per the request of the Taxicab Industry;
- Increasing the Taxicab Tariff Rates pursuant to processes established in the V.F.H. By-law;
- Introducing additional measures to incentivize the V.F.H. Industry’s delivery of wheelchair accessible services; and,
- Updating V.F.H. insurance requirements, hearings fees, and implementing other technical amendments.

The purpose of this report is to present the aforementioned proposed technical amendments to the V.F.H. By-law for consideration and recommends the further examination of measures that would incentivize the supply of wheelchair accessible services by the V.F.H. Industry.

5.2 Proposed Technical Amendments to the Vehicle-for-Hire By-law

Staff have assessed how the V.F.H. By-law could better-meet its intended objectives, with the findings being reflected in the technical amendments identified in this report. Accordingly, staff recommends that the V.F.H. By-law be amended as detailed in Section 5.2 of this Report.

5.2.1 Allowing the Leasing and Affixing of Taxicab Plates

In 2001/2002, Council approved a recommendation to seek the assistance of a consultant to undertake a review of the central issues facing the City’s Taxicab Industry and to determine the most viable options available to the City to effectively regulate the taxicab industry. One finding from the study identified that some Taxicab Owners were leasing their plates to other Taxicab Drivers. As a result, in 2003, the City’s Taxicab Licensing By-law 50-2003 (“Taxicab Licensing By-law”) established standards prohibiting the leasing of plates or the affixing of plates onto vehicles not registered to the plate holder. Subsequently, in 2022, the Taxicab Licensing By-law was repealed and replaced by the new, modern V.F.H. By-law. During the development and modernization of the new V.F.H. By-law, the prohibition of leasing and affixing of taxicab plates remained as a legacy item from the previous by-law.

To note, while developing the V.F.H. By-law in 2019-2020, staff conducted consultations (CORP-20-34) seeking feedback from members of the public and the broader V.F.H. industry (e.g. Taxi Industry, Designated Driving Services, Transportation Networks Companies (Uber and Lyft), and Limousines). The issue of plate leasing was not raised during the consultation period. Research into the by-laws of other municipalities has found that the practice of leasing plates, although not widely common, does exist and is in practice in a number of municipalities.

5.2.1.1 Municipal Benchmarking

Pickering, London, Windsor, and Niagara Region are four (4) municipalities which allow the leasing of taxicab plates and their affixation on vehicles not originally associated with that plate. Staff spoke with representatives of these municipalities, and details regarding their by-laws can be found in **Table 1**.

Table 1 – V.F.H. By-law Municipal Benchmarking

	Pickering	London	Windsor	Niagara Region
By-law	Vehicle for Hire By-law No. 7739/20	Vehicle for Hire By-law L.-130-71	Public Vehicle Licensing By-law 137-2007	Taxicab and TNC By-law 2021-57

	Pickering	London	Windsor	Niagara Region
Fee	\$50	No – used to be \$210 but removed the fee when they transitioned from Taxicab to V.F.H. By-law	\$30	No Fee
Who can be charged for a violation	Plate Holder and Vehicle Owner/Driver	Plate Holder and Vehicle Owner/Driver	Plate Holder and Vehicle Owner/Driver	Plate Holder and Vehicle Owner/Driver

Note: It should be noted that despite knowing who the plate holder and lessee are based on a plate number, municipalities cannot confirm who is driving the Taxicab at a specific time. This is because plate holders often let other licensed drivers operate their Taxicab when the primary driver is not operating it (e.g. nights and weekends) to maximize usage of the vehicle. Additionally, both the plate holder and motor vehicle owner can be charged for any violations (e.g. failing an inspection).

5.2.1.2 Consultation with Licensed Taxicab Brokers and Taxicab Owners

As part of assessing the request to permit the leasing of taxicab plates, staff consulted with the Taxicab Industry through two (2) methods: meeting with the City’s two (2) licensed taxicab brokers BlueLine Taxi and City Wide Taxi (“Taxicab Brokers”) and letters to licensed Taxicab Owners.

a) Meeting with licensed Taxicab Brokers:

Staff met separately with both licensed Taxicab Brokers. Both brokers were supportive of permitting the leasing of taxicab plates, subject to the following conditions proposed by City staff (and based on best practices that exist in other municipal by-laws):

- The Taxicab Owner and lessee must file a lease agreement with the City;
- The plate can only be leased to a City Licensed Driver or Broker;
- Each plate can only be leased to one lessee at a time; and,
- Plates cannot be subleased.

Taxicab Brokers suggested that this change could assist brokers doing business in Oshawa and improve the quality of service offered. In addition, the leasing of taxicab plates would assist drivers looking for more opportunities in the industry by allowing lessees to access the required insurance policy at a significantly reduced rate.

b) Letters to licensed Taxicab Owners:

Staff sent letters to all twenty-five (25) licensed Taxicab Owners. Confirmed feedback was received from one (1) Taxicab Plate Holder, who was supportive of the potential

amendment to permit plate leasing, suggesting that it would lead to “a higher level of customer service to the public”.

5.2.1.3 Analysis: Leasing of Taxicab Plates

After further review, staff recommends permitting the leasing of plates between Taxicab Owners and Brokers and/or City Licensed Drivers due to the following reasons:

- The original prohibition of leasing was to stop money from leaving the industry and encourage it to be reinvested in better service for customers and improved working conditions for drivers. Notwithstanding this, during the City’s V.F.H. modernization review, which concluded in 2022, it was recognized that the Taxicab Industry is currently well-suited to address customer service concerns. Moreover, drivers and customers have many options to choose from when participating in or accessing the V.F.H. industry (e.g. Taxicabs, Designated Drivers, and T.N.C.). Accordingly, the regulations that were required in 2003 to prohibit the leasing of Taxicab Plates are no longer required.
- The change is supported by the licensed Taxicab Brokers and the majority of Taxicab Owners.

5.2.1.4 Proposed Changes to the V.F.H. By-law related to Taxicab Plate Leasing

Staff recommends amending the V.F.H. By-law to permit the leasing of Taxicab Plates subject to the following conditions:

- The Taxicab Plate Holder and lessee must file a lease agreement with the City;
- The Plate can only be leased to a City Licensed Driver or Taxicab Broker;
- Each Plate can only be leased to one lessee at a time; and,
- Plates cannot be subleased.

These conditions were developed in order to ensure continued accountability in the industry, as well as to assist with the administration and enforcement of the licensing system. Ensuring that plates are only leased within the Taxicab Industry keeps the lessee accountable. For example, if a vehicle owner with a leased plate fails a safety inspection, the City can ensure a penalty is issued to both the Taxicab Owner and the lessee as both are licensed by the City.

5.2.2 V.F.H. Insurance Requirements

Staff engaged Durham Municipal Insurance Pool to review the insurance requirements in the V.F.H. By-law and learned of changes to insurance product availability and industry-appropriate insurance coverage requirements. Based on this, staff recommends amending the existing insurance requirements found in the V.F.H. By-law to reflect these developments, as detailed in **Table 2** below.

Table 2 Proposed V.F.H. Insurance Amendments

Type	Current	Update
Taxicab Broker	Ontario Standard Automobile Insurance policy for every Motor Vehicle for which the Applicant is the owner and the policy shall be endorsed to provide that the City Clerk will be given at least fifteen (15) days' notice in writing prior to cancellation, expiration or change in the amount of the policy, and the policy should insure in respect to any one accident a third party liability limit of at least \$2,000,000.00	A Commercial General Liability insurance policy that: a) includes a limit of liability of not less than \$2,000,000.00 per accident or occurrence; and b) names the Taxicab Broker and/or owner(s) and the City as Additional Insured(s)
T.N.C.	An auto insurance product approved by the Finance Services Commission of Ontario, which the Commissioner in their sole discretion deems adequate	An auto insurance product approved by the Financial Services Regulatory Authority of Ontario, which in their sole discretion is deemed adequate

5.2.3 V.F.H. Hearings Fee

The V.F.H. By-law does not reference the City charging a fee if a person who appealed a violation does not attend a hearing. Other City by-laws have such a provision, and staff recommends adding the same language to the V.F.H. By-law to ensure consistency and to deter people from scheduling Hearings which they do not attend, similar to the following:

“Where the Person fails to appear at the time and place scheduled for a hearing of the appeal, the Person’s appeal shall be deemed to be dismissed and the Person shall pay to the City an administrative fee as from time to time prescribed by the General Fees and Charges By-law.”

This fee assists with the recovery of costs associated with the administrative time and resources involved in arranging and holding a hearing.

5.2.4 Taxicab Owners and Requirement to Provide the Names of Drivers

Section 22.3(b) of the V.F.H. By-law states that Taxicab Owners shall provide the Director and Taxicab Brokers the names of all the drivers who are permitted to operate their Taxicab. Staff recommends amending the V.F.H. By-law to clarify that a Taxicab Owner must provide the names of drivers permitted to operate their Taxicab at the request of the Director, not upon the issuance of a Plate. This minor technical amendment will assist with enhancing clarity and the administration of the licensing system.

5.2.5 Moving Annual Taxicab Inspections from March to April

Section 5.1 of the V.F.H. By-law states that Taxicab Owner Licences are valid for not more than one (1) year, effective up to and including March 31 of each year, with Section 23.2 of

the V.F.H. By-law stating that Taxicabs must be inspected annual prior to the issuance or renewal of a Taxicab Owner Licence. As such, Licensing Inspectors perform the required annual inspections of all licensed Taxicabs in early March to accommodate the renewal of all Taxicab Owner Licences in late March.

Staff have received feedback from both licensed Taxicab Brokers who have clarified that it would be more appropriate to conduct inspections in early April to account for operations efficiencies, which include:

- Completing inspections once all Taxicab have changed from winter tires to summer tires; and,
- Conducting inspections in more favourable weather conditions.

Upon review of the feedback and in further consultation with both licensed Taxicab Brokers, staff recommend moving annual taxicab inspections from early March to early April by amending Section 5.1 of the V.F.H. By-law by having Taxicab Owner Licences expire on April 30 of each year.

5.2.6 Taxicab Tariff Increases

In additional to operating standards, municipalities regulate Taxicab Tariffs (also referred to as “fares” or “Tariffs”) by establishing fixed rates for the purposes of consumer protection. Taxicabs licensed by the City of Oshawa are subject to the Tariffs established in Schedule “A” of the V.F.H. By-law. Taxicabs are prohibited from charging any other rate with the exception of City-Licensed Drivers operating a taxicab providing discounts off the taxicab meter rate subject to certain conditions detailed in Section 18.2 of the V.F.H. By-law.

Section 18.3 of the V.F.H. By-law provides the City the ability to review and increase the established Tariffs based on the previous year’s Consumer Price Index (C.P.I.) increase, with Tariff increases rounded to the closest \$0.05. The C.P.I. is to be calculated using Statistics Canada data inclusive of “All Items” for the immediate preceding calendar year over the year prior for the City of Toronto.

In January 2024, staff consulted Statistics Canada and conducted a review of Taxicab Tariffs using the 2023 C.P.I. increase of 4.2%. **Table 3** presents current Tariffs and potential increases associated with a 4.2% increase, rounded to the nearest \$0.05.

Table 3 Preliminary Tariff Increases

Taxicab Tariffs	Current Rate	With 4.2% Increase	Change
First 132 metres or part thereof	\$3.75	\$3.90	+ \$0.15
Each additional 132 metres or part thereof	\$0.25	\$0.25	No change
Waiting time while under engagement, for each 33.1 seconds	\$0.25	\$0.25	No change
For each package or piece of luggage handled by driver in excess of four (4) pieces	\$0.30	\$0.30	No change
Wheelchairs, walkers, etc.	No charge	No charge	No change
Debit Service Charge	Up to \$1.75	Up to \$1.80	+ \$0.05

Staff consulted both licensed Taxicab Brokers on the potential increased rates, who were supportive of overall Tariff increases. During this consultation, the Taxicab Brokers raised concern that due to the rates being rounded to the nearest \$0.05, the 4.2% increase did not yield a substantive enough increase in the Tariffs. Staff worked with the Taxicab Brokers to develop a hybrid Tariff increase by including an adjustment of to the “additional distance” Tariff threshold to fully realize the potential 4.2% increase. **Table 4** presents the proposed Tariff updates which ensures Tariffs are commensurate with a 4.2% rate increase, with **Table 5** comparing proposed Tariffs against comparators municipalities. Staff recommends amending Schedule “A” of the V.F.H. By-law with the proposed Tariff updates as presented in **Table 4**.

Table 4 Proposed Updated Tariffs

Proposed Taxicab Tariff	Proposed Rate	Proposed Tariff Change
First 132 metres or part thereof	\$3.90	+ \$0.15
Each additional 128 metres or part thereof	\$0.25	Tariff Threshold Reduced by 4 metres
Waiting time while under engagement, for each 33.1 seconds	\$0.25	No Change
For each package or piece of luggage handled by driver in excess of four (4) pieces	\$0.30	No Change
Wheelchairs, walkers, etc.	No charge	No Change
Debit Service Charge	Up to \$1.75	No Change

Table 5 Proposed Tariffs and Comparator Municipalities

Municipality	Initial Per M	Additional Per M	Wait Per Second
Oshawa	\$0.029	\$0.002 (No change)	\$0.008 (No change)
Clarington	\$0.030	\$0.003	\$0.008
Pickering	\$0.025	\$0.002	\$0.007
Whitby	\$0.040	\$0.003	\$0.008
Ajax	\$0.032	\$0.003	\$0.008
Toronto	\$0.028	\$0.002	\$0.009
Brampton	\$0.030	\$0.002	\$0.008
Hamilton	\$0.069	\$0.002	\$0.009
Ottawa	\$0.025	\$0.001	\$0.008
Peterborough	\$0.086	\$0.003	\$0.010
Average	\$0.039	\$0.002	\$0.008

5.2.7 Accessible Taxicab Supply

While the City does not directly control the provision and supply of accessible taxicabs (i.e. wheelchair accessible taxicabs), it does license and regulate the vehicle-for-hire industry for the purposes of health, safety and consumer protection through the V.F.H. By-law. When introduced in March 2022, the V.F.H. By-law included measures to incentivize the Taxicab Industry’s supply of accessible taxicabs including:

- Exempting accessible taxicabs from the Taxicab Plate Limit which restricts the number of taxicabs based on the City’s population. Now anyone who is interested in operating an accessible taxicab can immediately apply for an accessible taxicab plate – there is no limit to the number of accessible taxicabs permitted to operate in the City;
- Streamlining the taxicab driver licensing process to allow the local taxicab industry to attract more accessible drivers; and,
- Making it easier for the local taxicab industry to operate accessible taxicabs by simplifying the taxicab inspection process.

The City has received additional feedback regarding challenges associated with the lack of availability and supply of Accessible Taxicabs in the City, with similar supply challenges being felt across the province. Licensing staff, alongside the City’s Accessibility Program Coordinator, are actively engaged in identifying and implementing solutions that align with the City’s Accessibility Plan. In consultation with both licensed Taxicab Brokers, staff identified possible supplementary measures within the existing licensing framework to further incentivize the increase in supply of accessible taxicabs within the City, which include:

- Offering free licences for relevant Accessible Taxicab Licence classes, including:
 - free Taxicab Owner Licences for Accessible Taxicabs; and,
 - free City Licensed Driver Licences for applicants with an Accessible Driver Endorsement.

- Reciprocal Accessible Taxicab Licensing (“Reciprocal Licensing”) with Durham Region lower-tier municipalities to permit a region-wide supply of Accessible Taxicabs.

Reciprocal Licensing generally refers to a regulated business’s ability to operate under one business license in multiple regulatory jurisdictions. This type of business licensing is permitted by consenting partner municipalities through the establishment of Reciprocal Licensing Arrangements pursuant to Section 157(2) of the Municipal Act, 2001, S.O. 2001, c. 25 (“Municipal Act”). In the case of Taxicab licensing, several Durham Region lower-tier municipalities regulate and license Taxicabs to similar standards as the City. Through the establishment of a Reciprocal Licensing Arrangement specific to the provision of Accessible Taxicab services, Oshawa and partnering municipalities would have access to their combined number of Accessible Taxicabs, increasing the supply with limited cost to the City.

Section 80 of O. Reg. 191/11: Integrated Accessibility Standards under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11. (“A.O.D.A.”), states that municipalities that license Taxicabs must ensure that Taxicab Owners are prohibited from charging a higher fare for persons with disabilities than for persons without disabilities for the same trip. As the Tariff rates vary from municipality to municipality, should the City and lower-tier partners enter into a Reciprocal Licensing Arrangement, all municipalities could potentially be required to amend their respective Taxicab licensing by-laws (V.F.H. By-law) to accommodate alternative Tariffs rates to ensure compliance with the referenced A.O.D.A. legislation.

Both licensed Taxicab Brokers were in support of the identified measures and were in agreement that this could incentivize supply of accessible taxicab services in the City. Staff recommend:

- The implementation of free licences for Accessible Taxicab Owner Licences and City Licensed Drivers with Accessible Driver Endorsements; and
- Investigate Reciprocal Accessible Taxicab Licensing with other Durham Region lower-tier municipalities that regulate taxicabs.

Staff continue to have regular meetings with representatives from neighbouring municipalities and Durham Region to further enhance wheelchair accessible services in the V.F.H. industry, and will report back on the findings of further investigation when appropriate.

5.2.8 Taxicab Model Year Restrictions

Section 17.2 of the V.F.H. By-law regulates the age of licensed Taxicabs in the City by prohibiting the use of vehicles with model years greater than ten (10) years old. Both licensed Taxicab Brokers expressed interest in the City investigating an increase in the model age standards to permit older vehicles, in the required safe condition, to be licensed as Taxicabs. Staff conducted benchmarking on vehicle age standards amongst comparator municipalities that license taxicabs (**Attachment 1**), with Oshawa’s standards falling generally in the middle other municipality’s standards. Staff recommend extending

the current ten (10) model year restriction by two (2) years to permit the use of vehicles up to twelve (12) years old, provided that the following conditions are met:

- For vehicles up to ten (10) years old, a Safety Standard Certificate and Licensing Inspection prior to the issuance or renewal of a Taxicab Owner Licence.
- For vehicles with model years greater than ten (10) years old and less than twelve (12) years old, a Safety Standard Certificate and Licensing Inspection prior to the issuance or renewal of a Taxicab Owner Licence and an additional Safety Standards Certificate and Licensing Inspection six (6) months after licence issuance or renewal.

This recommendation strikes a balance between the requests of the industry and the regulatory responsibilities of the City and is in-line with benchmarking presented in **Attachment 1**.

6.0 Financial Implications

There are no financial implications directly related to the recommendations in this report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report responds to the Oshawa Strategic Plan Goals of Accountable Leadership and Social Equity.



Phil Lyon, Director,
Municipal Law Enforcement and Licensing Services



Adam Grant, Commissioner,
Safety and Facilities Services

Vehicle Model Year Restriction Benchmarking

Municipality	Vehicle Age Provisions	Summary
Oshawa	<ul style="list-style-type: none"> No Motor Vehicle more than ten (10) years old shall be used as a Vehicle-for-Hire (excluding Designated Driver Support Vehicles) in the City. For the purpose of this By-law the age of a Motor Vehicle shall be determined from December 31st of the model year of said Motor Vehicle 	No vehicles over 10 years old.
Clarington	<ul style="list-style-type: none"> For a Vehicle-for-Hire that is of a model that is 10 years or older, proof of a satisfactory inspection dated no earlier than 90 days before the current Licensing period; 	Vehicles over 10 years old need a Safety Standards Certificate.
Pickering	<ul style="list-style-type: none"> Every taxicab and PTC vehicle shall: <ol style="list-style-type: none"> be no more than ten (10) years old according to its model year; meet the standards for the issuance of a Safety Standard Certificate of mechanical fitness; be clean, and in good repair as to its interior and exterior, and have a heater and air conditioning system in proper working condition. 	No vehicles over 10 years old.
Whitby	<ul style="list-style-type: none"> For a Motor Vehicle that is three (3) model years or older, a current and valid Ontario Ministry of Transportation Safety Standards Certificate for the Motor Vehicle for which the Licence is applied, and issued by a provincially authorized Motor Vehicle inspection mechanic. A Commercial Safety Standards Certificate shall be required if an accessible Motor Vehicle is being licensed; For a Motor Vehicle that is eleven (11) model years or older, proof of inspection by a Town Municipal Law Enforcement Officer and payment of a fee for such inspection in accordance with the Fees and Charges By-law. 	<p>Vehicles over 3 years old need a Safety Standards Certificate.</p> <p>Vehicles over 11 years old need a City inspection.</p>
Ajax	<ul style="list-style-type: none"> A motor vehicle safety standards certificate, dated not more than thirty-six days prior to the date of the application, issued by an authorized vehicle inspection station for the taxicab in respect of which the applicant seeks to be licensed; 	No vehicle age restrictions, Safety Standards Certificate required.

Vehicle Model Year Restriction Benchmarking

Municipality	Vehicle Age Provisions	Summary
Toronto	<ul style="list-style-type: none"> • A vehicle used as taxicab shall be no more than seven model years old. Until December 31, 2023, a vehicle that is in use as a taxicab as at July 21, 2022 may continue to be used and shall be no more than ten years old by year date. Until December 31, 2025, a vehicle that is in use as an accessible taxicab may be up to ten years old by year date. 	<p>No vehicles over 7 years old for conventional taxicabs.</p> <p>No vehicles over 10 years for accessible taxicabs.</p>
Brampton	<ul style="list-style-type: none"> • No vehicle shall be initially licensed under this by-law as a taxicab unless the model year of the vehicle is not older than 5 years. <ul style="list-style-type: none"> • Example: The application is during the year 2010. No vehicle manufactured prior to January 1, 2006 is eligible. Vehicles manufactured on or after January 1, 2006 are eligible. • A plate owner may apply for an extension of up to three years on the model year for any license given pursuant to Section 20(8) provided the vehicle meets all of the vehicle marking, equipment and maintenance provisions of this by-law, and the vehicle successfully completes all inspections as required by the License Issuer." 	<p>No vehicles over 5 years old.</p> <p>Extension available for up to 3 additional model years, pending City inspection.</p>
Hamilton	<ul style="list-style-type: none"> • As of January 1, 2018, former police vehicles will not be permitted to operate as taxicabs.(17-012) • Any former police vehicle that is operating, as of January 1, 2018, as a taxicab is permitted to remain as such until the vehicle is ten years old, calculated from the model year.(18-252) • A taxicab shall be no more than ten years old, calculated from the model year.(18-252) • Despite subsection 42(1): a taxicab that is accessible, as determined by the Director of Licensing from time to time, and is no more than five years old when first approved as a taxicab, may remain in service until it is ten years old, calculated from the model year; (18-252) 	<p>Special regulations for former Police vehicles.</p> <p>No vehicles over 10 years old.</p>
Ottawa	<ul style="list-style-type: none"> • No motor vehicle shall be used as a taxicab unless at the time of the fall inspection: <ul style="list-style-type: none"> • it is less than ten (10) model years old, if it is for use as a standard taxicab or an accessible taxicab; 	<p>No vehicles over 10 years old for conventional and accessible taxicabs.</p>

Vehicle Model Year Restriction Benchmarking

Municipality	Vehicle Age Provisions	Summary
	<ul style="list-style-type: none"> • it is less than ten (10) model years old, if it is a low emission vehicle for use as a standard taxicab or an accessible taxicab other than a London Black Taxicab; • it is less than fourteen (14) model years old, if it is a London Black Taxicab. 	No vehicles over 14 years old for London Black taxicabs.
Peterborough	<ul style="list-style-type: none"> • No license shall be renewed under this By-law in respect of a regular taxicab or accessible taxicab which at the time of renewal is more than six (6) years old from the date of manufacture, unless the owner provides at the time of renewal a current and valid Certificate of Mechanical Fitness, certifying that such vehicle is in a safe condition to be operated on a highway as defined in the Highway Traffic Act, R.S.O., 1990, c.H.8. On or before October 31st in each calendar year, the owner shall provide to the Chief a current and valid Certificate of Mechanical Fitness. 	Vehicles over 6 years old need a Safety Standards Certificate.
Niagara Region	<ul style="list-style-type: none"> • Based on the year appearing on the Motor Vehicle permit or ownership as issued by the Ministry of transportation, if the Taxicab is: <ol style="list-style-type: none"> i. Less than two (2) years of age and has less than 20,000 kilometers on its odometer, a safety inspection is not required; ii. Between two (2) and seven (7) years of age or has more than 20,000 kilometers on the odometer, a valid Motor Vehicle Inspection Certificate, issued not less than thirty-six (36) days from the date submitted to the Licensing Officer, confirming the Taxicab has passed the applicable safety inspection, is required annually; or, iii. Greater than seven (7) years of age, or has more than 140,000 kilometers on the odometer, a valid Motor Vehicle Inspection Certificate, issued not less than thirty-six (36) days from the date submitted to the Licensing Officer, confirming the Taxicab has passed the applicable safety inspection, is required every six (6) months; 	Vehicle age based Safety Standard Certificate requirements.

Safety and Facilities Services Committee’s Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
1.	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.	Facilities Management Services	2026
2.	Community Park and Community Centre in Northwest Oshawa	CSC-Jun 14/21 CS-21-66	CNCL-Nov 20/23 SF-23-37	2.That staff be directed to utilize the existing design concept and that all components contemplated in the original design be adapted to a more fiscally responsible alternative design; and, 3.That staff report back to the Safety and Facilities Services Committee in Q1 2024.	Facilities Management Services	First Quarter 2024
3.	Duplex Registration System	CORP-Feb 5/18 CORP-18-10	CNCL-Oct 2/23 SF-23-28	That staff be directed to investigate the dissolution of the current RRHL and that those staff resources be applied to targeted unsafe housing applications.	M.L.E.L.S.	T.B.D.
	Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process (Related Correspondence CORP-22-21 and Notice of Motion CORP-22-48)	CORP-Jan 13/20 CORP-20-02	CNCL – Oct 2/23 SF-23-28		M.L.E.L.S.	

Safety and Facilities Services Committee's Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
	Proposed Policy Options for the Residential Rental Housing Licensing Program and other Rental Housing Regulatory Considerations	SF- May 18/23 SF-23-18	CNCL – Oct 2/23 SF-23-28		M.L.E.L.S.	
	Correspondence concerning the Residential Rental Housing Licensing Program (INFO-23-126)	CNCL-June 26/23 CNCL-23-73 (INFO-23-126)	CNCL – Oct 2/23 SF-23-28		M.L.E.L.S.	
4.	Request to rename Delpark Homes Centre Branch, or a future Library Branch in honour of Ruth Brooking, Oshawa's first Librarian	CNCL- Apr 25/22 CNCL-22-33	CNCL-Apr 25/22 CNCL-22-33	Referred to staff for a report	Facilities Management Services	Second Quarter 2024
5.	Proposed Amendments to the Signage of Landmark Facilities to Include a Parallel Name in 'Anishinaabemowin' - the Heritage Language of the Local First Nation	CNCL- June 21/21 CORP-21-36	CNCL- June 21/21 CORP-21-36	That staff investigate the feasibility of the City, wherein possible, amending the signage of landmark facilities in consultation with the local First Nation, by including in addition to the name of the facility and locations in English, a parallel name in 'Anishinaabemowin' the heritage language of the local First Nation.	Facilities Management Services, Innovation and Transformation	T.B.D.

Safety and Facilities Services Committee's Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
6.	2021 Municipal Law Enforcement Operational Review	CORP- Sept 13/21 CORP-21-43	CNCL- Sept 27/21 CORP-21-43	Parts 1 and 2 below referred to staff for a report: 1. That M.L.E., in consultation with the OACAC, consider options for broader changes by exploring service delivery and cost recovery options for sick or injured wildlife files; and, 2. That M.L.E., in consultation with the OACAC, consider changes by exploring service delivery options for animal welfare complaints.	M.L.E.L.S.	2024
7.	1997 Operating and Option Agreement for the Oshawa Executive Airport	DSC - Mar 7/22 DS-22-64	CNCL-Mar 28/22 DS-22-64	Referred to staff to report back	Safety and Facilities Department	T.B.D.
8.	Review of City Policies related to Short Term Rentals	CORP-Sep 12/22	CNCL-Sep 26/22 CORP-22-59 CNCL-Feb 27/23 SF-23-05	That a review of the Short Term Rental Operator Licensing system as directed by Council be deferred until 2024 in order to provide more time and experience to better understand the effects of the current licensing system	M.L.E.L.S.	Second Quarter 2024

Safety and Facilities Services Committee's Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
9.	Splash pad Installation at Sommerset Park	SF Dec 5/22 SF-22-04	SF- Mar 20/23 SF-23-12	Referred to staff for consideration in a future budget	Facilities Management Services	2030
10.	Review of Fireworks By-law	SF Jan 16/23 SF-23-01	CNCL-Dec 11/23 SF-23-38	<ol style="list-style-type: none"> 1. That staff be directed to increase enforcement efforts and undertake a communications and education program related to Fireworks By-law 59-2014, as amended, as outlined in Section 5.2.1 a) of Report SF-23-38 "Consultation Results of the Proposed Policy Options to Amend Fireworks By-law 59-2014, dated November 29, 2023; and, 2. That staff report back on increased enforcement, fines and licensing requirements by the third quarter of 2024. 	Fire Services, M.L.E.L.S.	Third Quarter 2024
11.	Request to Rename Harmony Valley Off-Leash Dog Park	SF- Feb 13/23 SF-23-08	SF- Feb 13/23 SF-23-08	Referred to staff to update the Naming of Parks, Natural Areas and Facilities Procedure, including the addition of conditions to be considered for the purposes of renaming a City Park, Natural Area or Facility	Facilities Management Services	Second Quarter 2024

Safety and Facilities Services Committee's Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
12.	Review of Business Licensing By-law and Temporary Measures related to certain Short-term Food Shop and Peddler Licenses	SF – Feb 13/23 SF-23-07	CNCL- Feb 27/23 SF-23-07	That staff report back to the Safety and Facilities Committee with the results of the public and industry stakeholder consultation process and any proposed amendments to Licensing By-law 120-2005 and General Fees and Charges By-law 13-2003	M.L.E.L.S.	T.B.D.
13.	Off-Leash Dog Park at Somerset Park	CO – Apr 24/23 CO-23-06	CNCL – May 1/23 CO-23-19	That staff be directed to investigate location criteria for dog parks in the City.	Facilities Management Services	Fourth Quarter 2024
14.	Identification Cards for Heritage Oshawa Members (HTG-23-19)	SF – Apr 24/23 SF-23-16	CNCL – May 1/23 SF-23-16	Referred to staff for a report.	Facilities Management Services	Fourth Quarter 2024
15.	Request for a Basketball Court to be Installed at Delpark Home Centre	SF – April 24/23 SF-23-19	CNCL-May 1/23 SF-23-19	Therefore an investigation for such a special outdoor basketball court at the Delpark Home Centre be referred to the consultant for the PRLC's Report	Safety and Facilities Department	T.B.D.

Safety and Facilities Services Committee's Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date and Item #	Direction/Comments	Branch Responsible	Expected Response
16.	Research and Feasibility of Implementing Automated Speed Enforcement in the City of Oshawa (All Wards)	SF – Nov 6/23 SF-23-35	CNCL – Nov 20/23 SF-23-35	Therefore, Council direct staff to investigate and report back on the potential implementation of Automated Speed Enforcement systems and associated technologies within the City of Oshawa to enforce the rate of speed of vehicles on City roads.	M.L.E.L.S.	T.B.D.
17.	Installation of a Public Water Dispenser at the Tribute Communities Centre (Ward 4)	SF – Jan 15/24 SF-24-03	CNCL-Jan 29/24 SF-24-03	Staff investigate the feasibility and practicality of installing a public water dispenser at the T.C.C. and report back with ideal location and cost implications.	Safety and Facilities Department	T.B.D.
18.	Matthew Rooney Submitting Correspondence requesting the bridge on the Joseph Kolodzie Oshawa Creek Bike Path be renamed to recognize two Oshawa-born musicians (Ward 5)	SF-Dec 4/23 SF-23-42	CNCL-Dec 11/23 SF-23-42	Referred to staff for consideration in the upcoming report concerning the facility re-naming process and potential policy amendments.	Safety and Facilities Department	T.B.D.