



Safety and Facilities Services Committee Meeting Agenda

Monday, April 15, 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

Tony Trinidad - Report SF-24-16

Tony Trinidad requesting to address the Safety and Facilities Services Committee concerning Report SF-24-16 regarding an update to questions related to the Link 3 Recreation Trail.

Referrals from Council

None

Reports from Advisory Committees

None

Items Requiring Direction

None

Public Consent Agenda

Correspondence with Recommendations

SF-24-14 - Adrienne Ellis Submitting Correspondence Concerning Construction Noise at 33 Richmond Street (Ward 4)

7

Recommendation

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

That Correspondence SF-24-14 dated April 9, 2024 from Adrienne Ellis submitting correspondence concerning construction noise at 33 Richmond Street be received for information.

SF-24-15 - Regional Municipality of Durham Submitting Correspondence in Support of Report SF-24-06 regarding a Review of Licensing By-law 120-2005 and Proposed Program Enhancements (All Wards)

11

Recommendation

That Correspondence SF-24-15 dated April 9, 2024 from R.J. Kyle, Commissioner and Medical Officer of Health, Regional Municipality of Durham submitting correspondence in support of Report SF-24-06 regarding a review of Licensing By-law 120-2005 and Proposed Program Enhancements be referred to Report SF-24-06.

Staff Reports/Motions with Recommendations

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

13

[At the March 18, 2024 Safety and Facilities Services Committee meeting, Part 1 of the recommendation contained in Report SF-24-06 was deferred to the April 15, 2024 meeting.]

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:

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.

SF-24-11 - Emergency Preparedness Week (All Wards)

75

Recommendation

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

That Report SF-24-11 dated April 10, 2024 concerning Emergency Preparedness Week be received for information.

SF-24-12 - Updated City Facilities Naming/Re-naming Policy (P4-301-001) (All Wards)

79

Recommendation

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

That the updated City Facilities Naming/Re-naming Policy as set out in Attachment 1 to Report SF-24-12 dated April 10, 2024 be endorsed.

SF-24-13 - Technical Amendments to Two Unit Houses Registration By-law 41-2001 (All Wards)

Recommendation

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

Whereas the Two Unit Houses Registration By-law 41-2001, as amended (“Two-Unit House Registration By-law”) is a by-law to require the registration of two-unit houses 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 a review has identified an opportunity to implement the following amendments to the Two-Unit House Registration By-law:

- Increase the clarity of the Two-Unit House Registration By-law’s enabling legislation by updating the by-law Recitals to reflect current statute law.
- 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 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 a by-law in a final form and content acceptable to Legal Services and the Commissioner, Safety and Facilities Services Department to amend the Two Unit Houses Registration By-law 41-2001, as amended to increase clarity related to enabling legislation and to increase fine amounts for offences charged and convicted under the Provincial Offences Act, R.S.O. 1990, c. P.33.

SF-24-16 - Update Regarding Questions Related to the Link 3 Recreation Trail (Ward 1)

87

Recommendation

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

That Report SF-24-16 dated April 10, 2024 concerning an update regarding questions related to the Link 3 Recreation Trail be received for information.

SF-24-17 - Communications Interoperability and Radio System Use Agreement (All Wards)

Recommendation

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

Whereas, in 2014, the Region of Durham, Durham Regional Police Service (DRPS) and all eight area municipalities in the Region entered into the Communications Interoperability and Radio System Use Agreement (“the Agreement”); and,

Whereas, the Agreement sets out the operation of the radio communication system (“NextGen”) within the Region by first responders, such as DRPS and

local fire services; and,

Whereas, the Agreement sets out a steering committee comprised of members from DRPS, the Region and the area municipalities, which govern the operations of the NextGen system; and,

Whereas, several stakeholders are also members of the steering committee as non-voting members such as Ontario Power Generation, Emergency Medical Services and others; and,

Whereas, the steering committee is permitted to vote and add new non-voting members such as Durham College and Ontario Power Generation;

Whereas, in February 2023, the steering committee voted to add Elexicon Energy Inc. as a non-voting member of the committee and a party to the agreement;

Therefore be it resolved that the Mayor and City Clerk be authorized to sign the amending Communications Interoperability and Radio System Use Agreement to add Elexicon Energy Inc. as a non-voting member of the steering committee.

Public Discussion Agenda

Matters Excluded from Consent Agenda

Items Introduced by Council Members

Items Pulled from the Information Package

None

Questions to Staff Concerning the Committee's Outstanding Items List

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

From: Adrienne Ellis <M.F.I.P.P.A. Sec 14(1)>
Sent: Tuesday, April 9, 2024 8:22 AM
To: Mary Medeiros <MMedeiros@oshawa.ca>
Cc: Rick Kerr <RKerr@oshawa.ca>
Subject: Re: Request for Safety and Facilities Committee Agenda review of residents concern

Good morning Ms Medeiros,

I wrote of a concern approximately a month ago, that we are dealing with as a result of the constant pneumatic drilling/excavation occurring at 33 Richmond St. (Just to confirm that correspondence is attached here)

I have tried to get accurate information from the Building Manager of that property via email correspondence on a few occasions.

-back in December we had asked if they were going to shutdown over the Christmas break and were advised they would be stopping for 2 weeks. The builder then started excavating during that 2nd week.

-we sent an inquiry back in February

for an "official update" from their head office, Cogir. We were advised that the prop mgt had circulated a memo to their tenants that the drilling phase would cease effective March 31/24 due to the amount of complaints, the crew accelerated the schedule to get this finished (even though this has been dragging on 6 months now going into 7)

-week post March 31 stop date, drilling started again. Asked the manager there again what was happening, we were advised that they've decided to continue drilling until at least April 30.

I cannot attest how this noise AND vibration is affecting their property at 33 Richmond, but this continues to be a daily life disruption at our condo at 44 Bond W.

The builder clearly just does not care about the lives of people this is affecting if they cannot even keep to schedules they issue to their own tenants.

Can you please advise when this concern will be heard /scheduled for the City council safety committee meeting per Councilor Kerr to address.

Kindest Regards,

Adrienne Ellis

On Tue, Mar 5, 2024, 2:19 p.m. Adrienne Ellis <M.F.I.P.P.A. Sec 14(1)> wrote:

To: Office of the City Clerk, Oshawa
Attention: Mary Medeiros

Good day, my name is Adrienne Ellis and I am a condo owner at 44 Bond Street West, in Oshawa.

Myself, and the owners of condo units at 44 Bond Street West are asking that the concern/issue outlined below, be presented to the Safety and Facilities Committee agenda.

To Whom It May Concern,

I am an owner of a condo at 44 Bond Street West, Oshawa.

Since September 2023, the apartment building next to us at 33 Richmond, has engaged in excavating their garage.

We have been advised that this may go on daily until at least May/June 2024.

The noise, but moreso, the **vibration to our building** in the tower section is intolerable.

As the city bylaw and building department exhibited no interest in addressing our side of concerns when this started, and flatly stated that "they have an approved permit so they are entitled to dig and work", we have obtained decibel readings in our common areas as well as a unit on several floors.

This is to demonstrate how the prolonged (8 hour+) per day readings over 75db to 85db are affecting residents here.

There is no place to go except to leave our homes ,to get a break from this.

When you are a senior or a disabled person with limited mobility, or a parent with a child where their room is under readings of over 85db for eight hours a day, it becomes intolerable. As well, there are many individuals still working from home post covid and those that have medical appointments virtually, that can no longer conduct these because the noise is much louder than conversation level.

We realize that this property needs to facilitate these renovations, however we believe no reasonable environmental study of surrounding properties was done to determine the extent of how much the pneumatic drilling would penetrate into other properties and they would need to limit the number of hours, or address some kind of buffer to minimize the shake.

I have photos of the decibel meter readings (where they were taken, noise log and audio/video of the noise and vibration). I have provided them to Councilor Kerr in a WeTransfer file document to download to supplement this request.

We would like this issue to be brought forward at the Safety and Facilities Committee meeting, and to be officially put on record.

Kindest Regards,

Adrienne Ellis
<M.F.I.P.P.A. Sec 14(1)> 44 Bond Street West
Oshawa, ON
<M.F.I.P.P.A. Sec 14(1)>



April 9, 2024

Adam Grant
Commissioner, Safety and Facilities Services Committee
City of Oshawa
50 Centre St. S
Oshawa, ON L1H 3Z7

The Regional
Municipality of
Durham

Health Department

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WHITBY, ON L1N 0B2
CANADA

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1-800-841-2729
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Dear Commissioner Grant:

RE: Report SF-24-06 - Review of Licensing By-law 120-2005 and Proposed Program Enhancements

Please accept this letter as confirmation of our endorsement of the proposed program enhancements related to the Oshawa Licensing By-law 120-2005 and the inclusion of smoke, tobacco and vapour product shops and tattoo parlours.

Durham Region Health Department (DRHD) inspects 247 smoke, tobacco, and vapour product shops in Oshawa to ensure compliance with the *Smoke-Free Ontario Act, 2017* and the Durham Region Smoking and Vaping By-law (28-2019).

Compliance with the applicable legislation is essential to protecting youth from the harmful effects of smoking and vaping and enhancing the collaboration between DRHD and the City of Oshawa. The proposed amendments to the licensing by-law would greatly assist with bringing non-compliant facilities into compliance.

DRHD inspects 18 tattoo parlours in Oshawa to ensure compliance with O. Reg. 136/18 Personal Service Settings, issued under the *Health Protection and Promotion Act*. Adding tattoo parlours to the licensing by-law would help to support compliance and prevent infection prevention and control lapses and disease transmission.

DRHD appreciates the continued partnership with the City of Oshawa and supports the proposed amendments to the licensing by-law as it will assist in ensuring compliance and further protect the health of residents in Oshawa.

Sincerely,

R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health


"Service Excellence
for our Communities"

If this information is required in an accessible format, please contact
1-800-372-1102 ext. 3324. 11

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

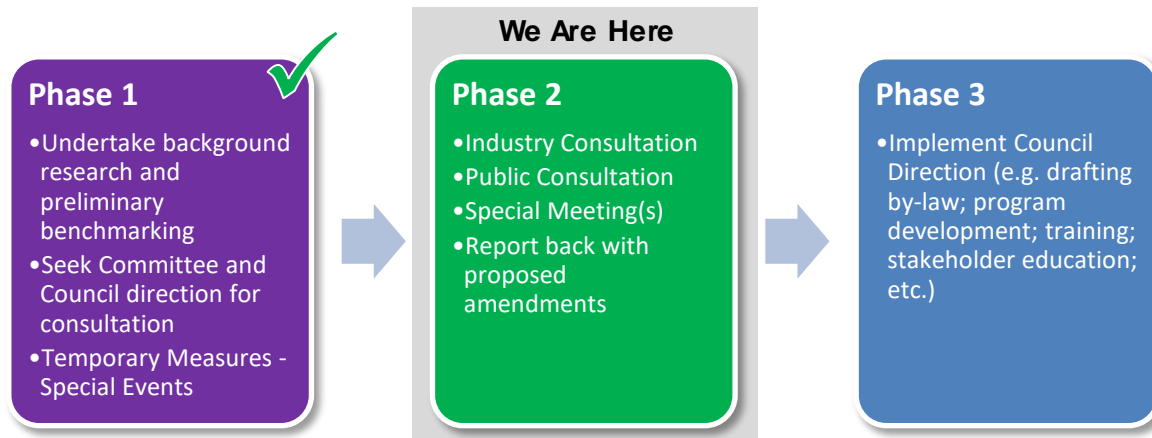
amended. In addition to regulating businesses, municipal licensing is a source of revenue that assists with offsetting the costs of gaining compliance with municipal and provincial standards which includes Municipal Law Enforcement as well as Zoning, Property Standards and Fire Prevention inspections. 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

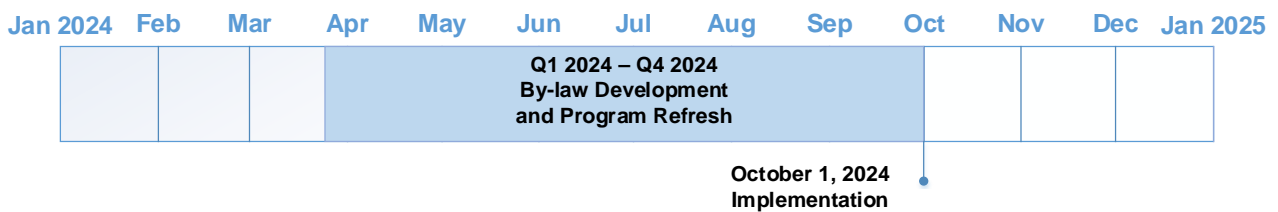
Proposed Provision	Present in Current Licensing By-law?	Details
General Application Procedures and Requirements	Yes	Refers to administrative provisions that include but are not limited to: <ul style="list-style-type: none"> • How licences can be applied for • Who can apply for licences • General requirements • 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?

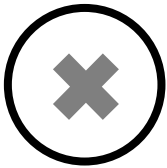
General Business Class	Oshawa	Comparator Count ¹
Adult Entertainment Parlour	✓	8
Auctioneer	✓	5
Billiard Hall	✓	2
Body Rub Parlour	✓	7
Bowling Alley	✓	3
Carnival	✓	4
Driving Instructor	✓	3
Driving School	✓	2
Food Shop	✓	6
Pawnbroker	✓	5
Peddler	✓	7
Place of Amusement	✓	5
Public Garage	✓	4
Public Hall	✓	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).

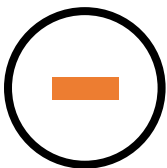
³ As of January 1, 2024 no longer a business class that can be regulated and licensed by municipalities.

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



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

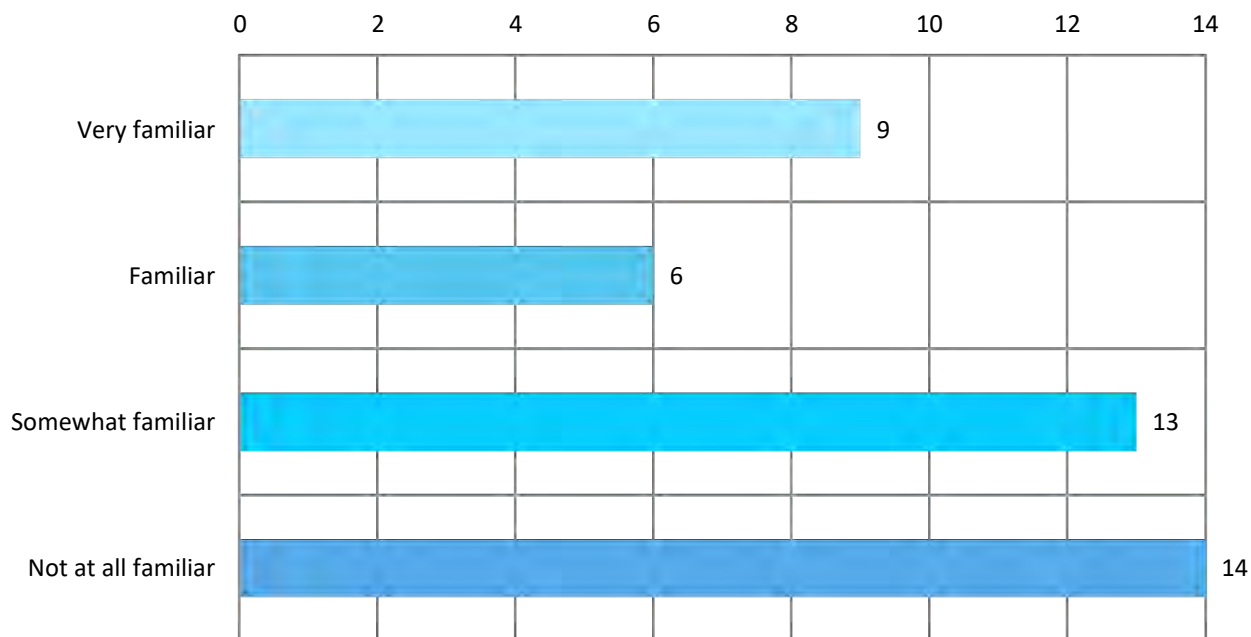
Business Licensing By-Law Review Consultation

Feedback Form A – General Public

Response Summary:

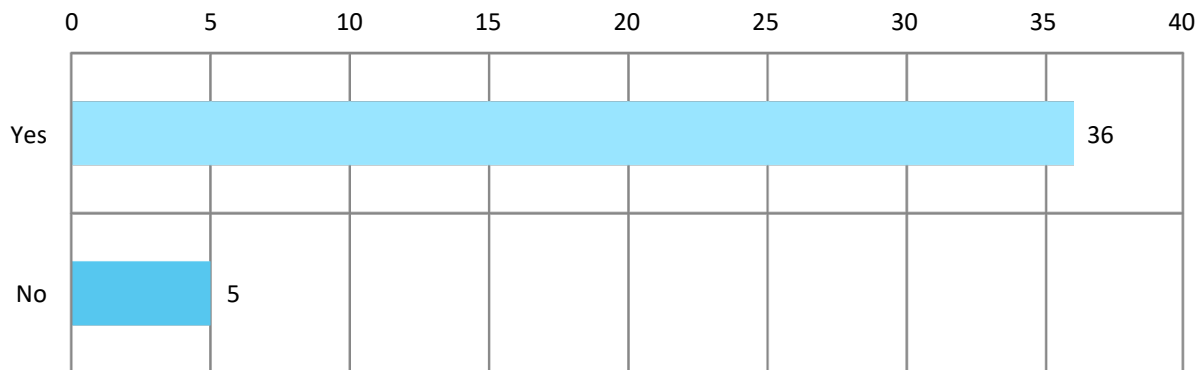
- There were a total of 42 responses received.
- Responses were received from age groups ranging from 18 to 75+ with the majority of responses coming from those aged 35 to 54.
- 81% of the respondents indicated they were an Oshawa resident and/or Oshawa business/property owner/manager.
- Responses were 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?



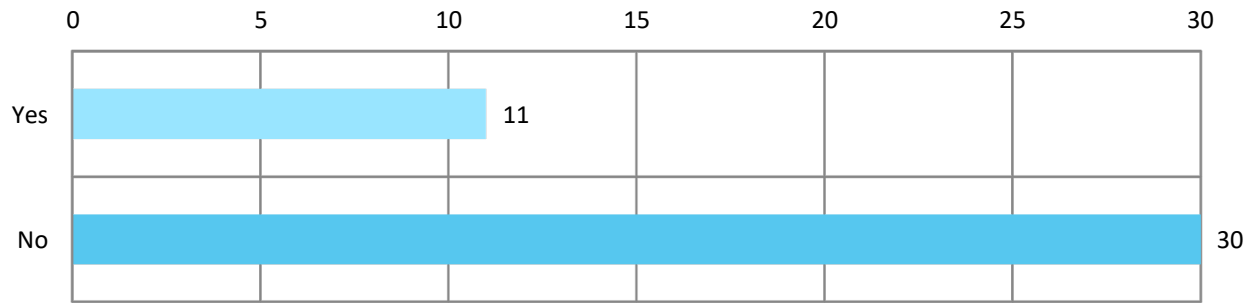
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Q2: Are you aware that a Business Licence from the City certifies that a business is in compliance with applicable local (Property Standards, Zoning, Public Health) and provincial standards (Fire Code, Building Code)?



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Q3: 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?



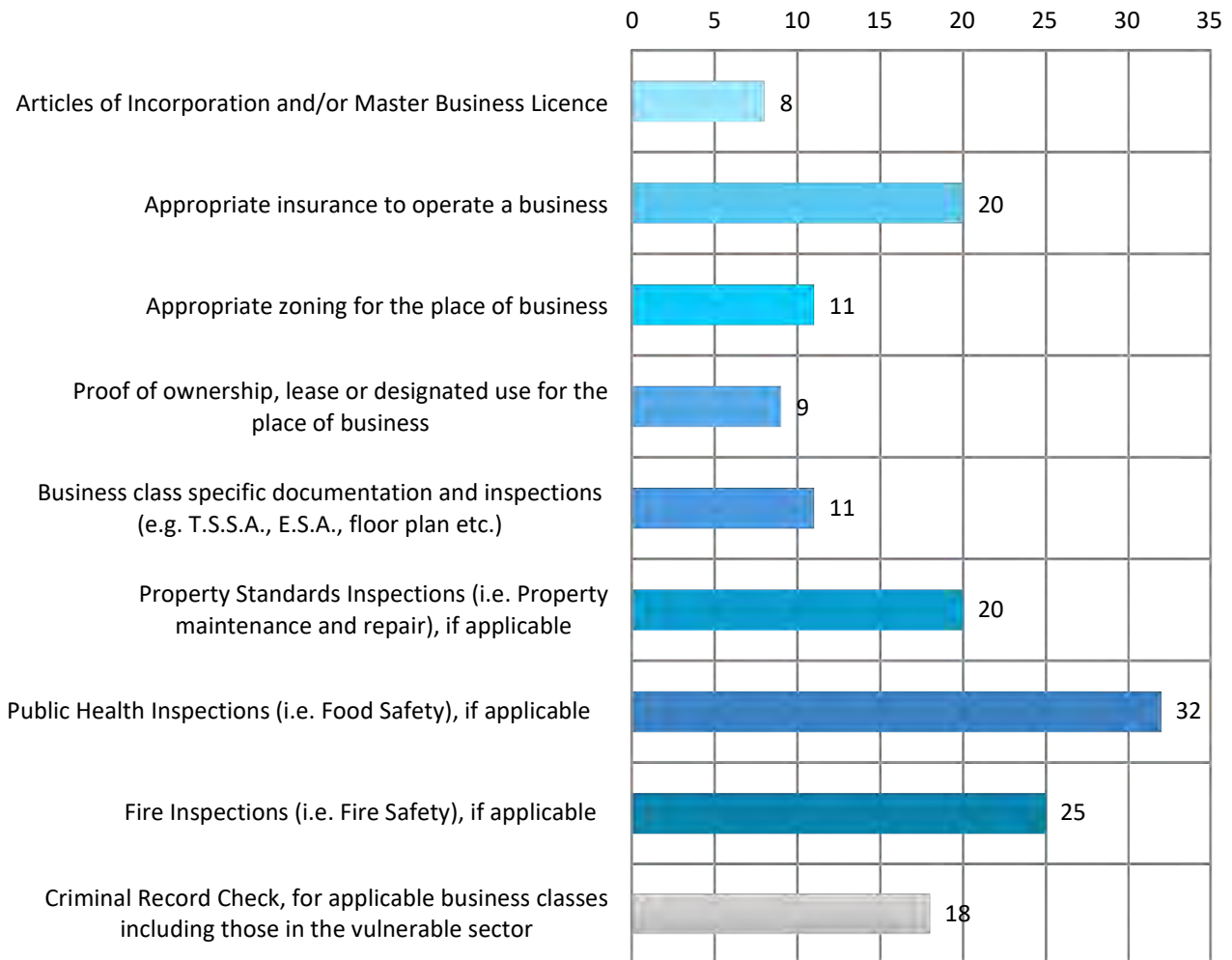
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Q4: Have you had any health, safety or consumer protection concerns with businesses that are not regulated as part of the Oshawa's Business Licensing Program?



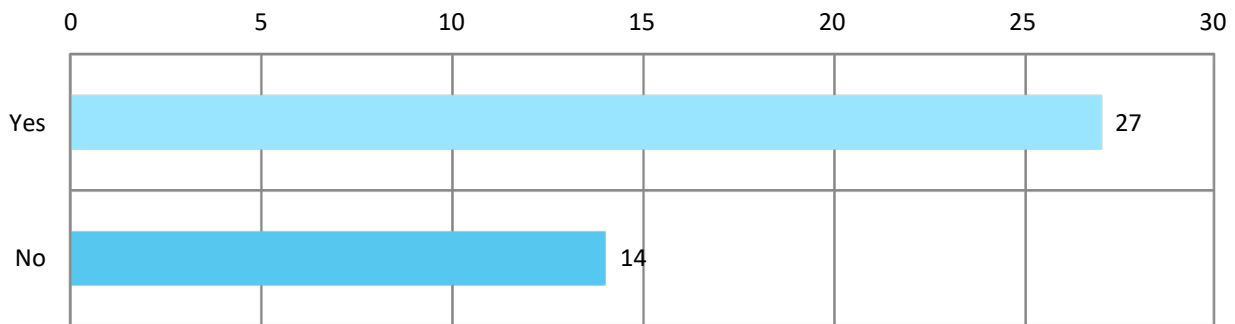
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Q5: Please select the factors that are important to you when interacting with a licensed business.



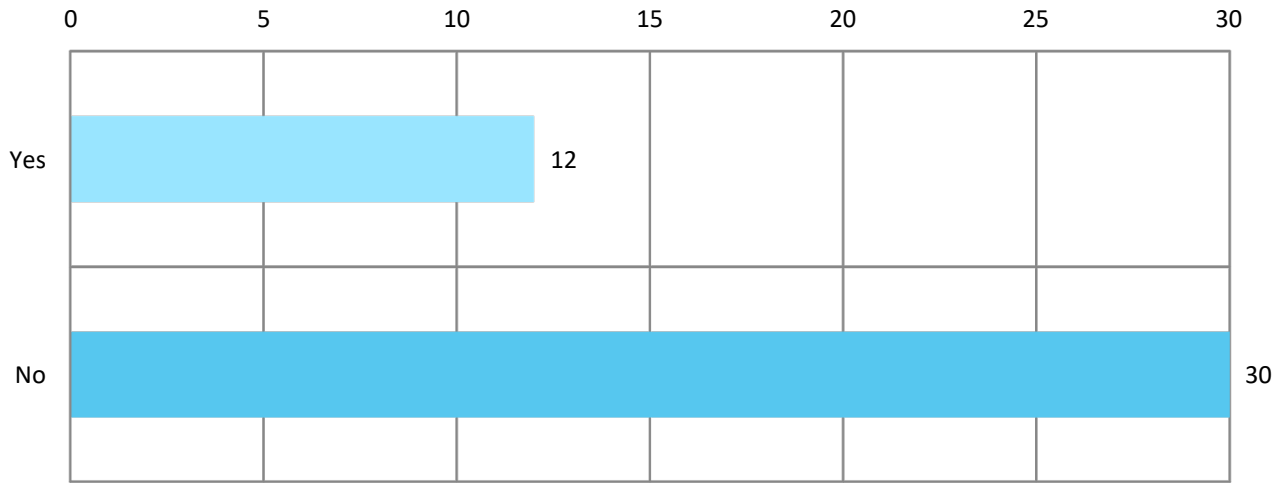
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Q6: Do you believe that businesses that are regulated, licensed by the City and hold a valid Business Licence have improved credibility and reputation?



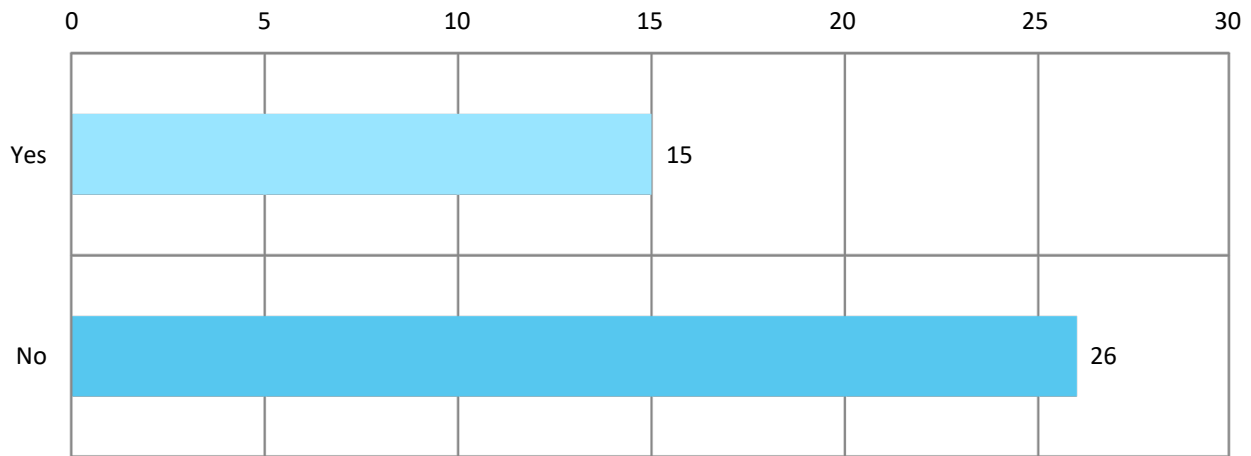
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Q7: Are there any additional requirements for regulated businesses you would like to be considered as part of the review of the Oshawa's Business Licensing Program to enhance health, safety and consumer protection?



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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?



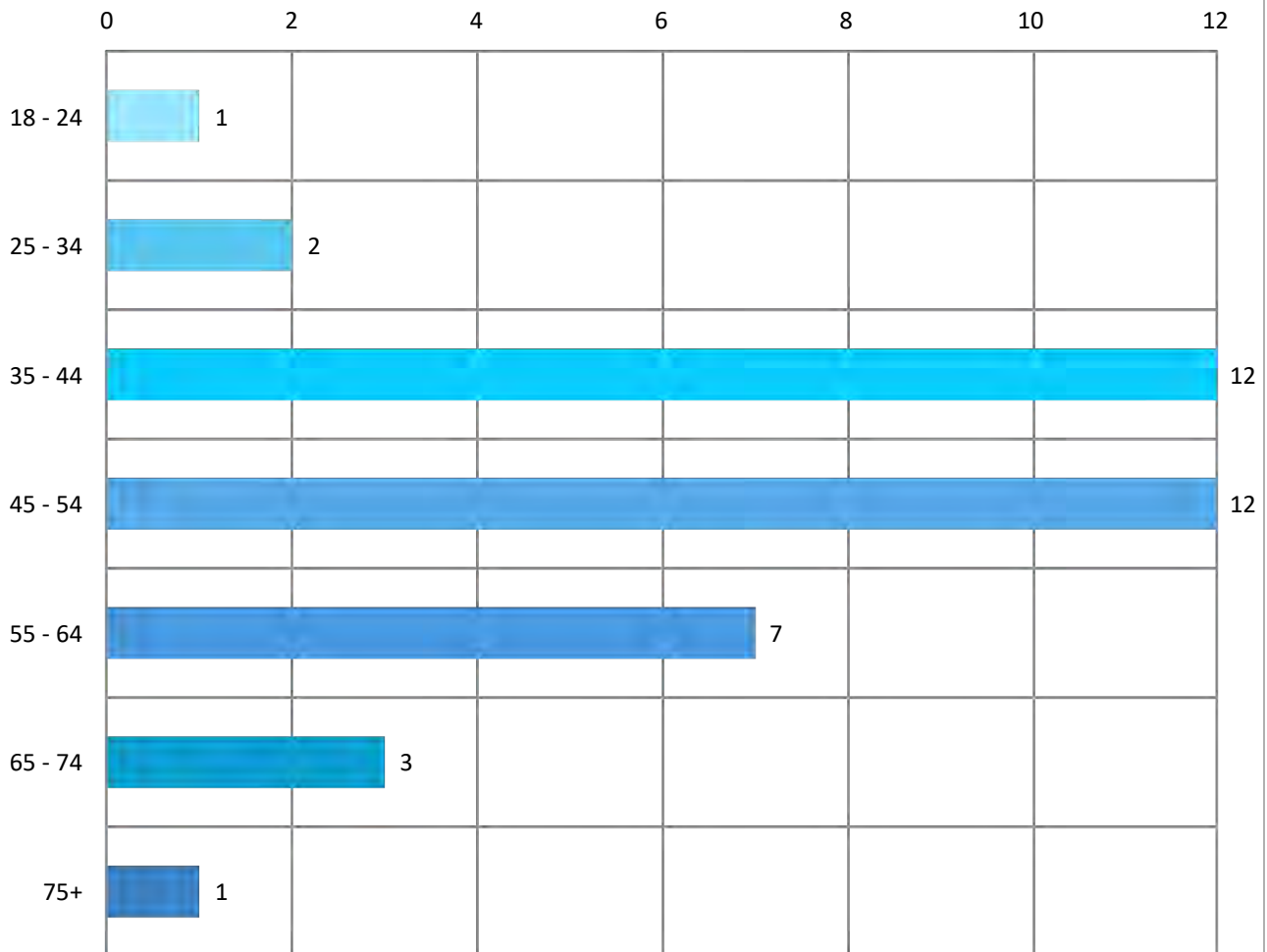
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Q9: Would you like to see a licensing system that is more inviting to special event organizers and vendors (Food Festivals, etc.)?



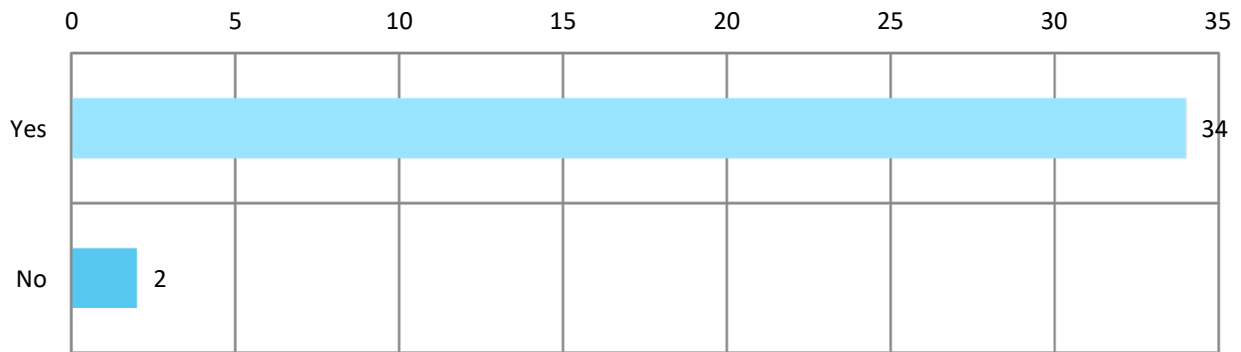
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How old are you?



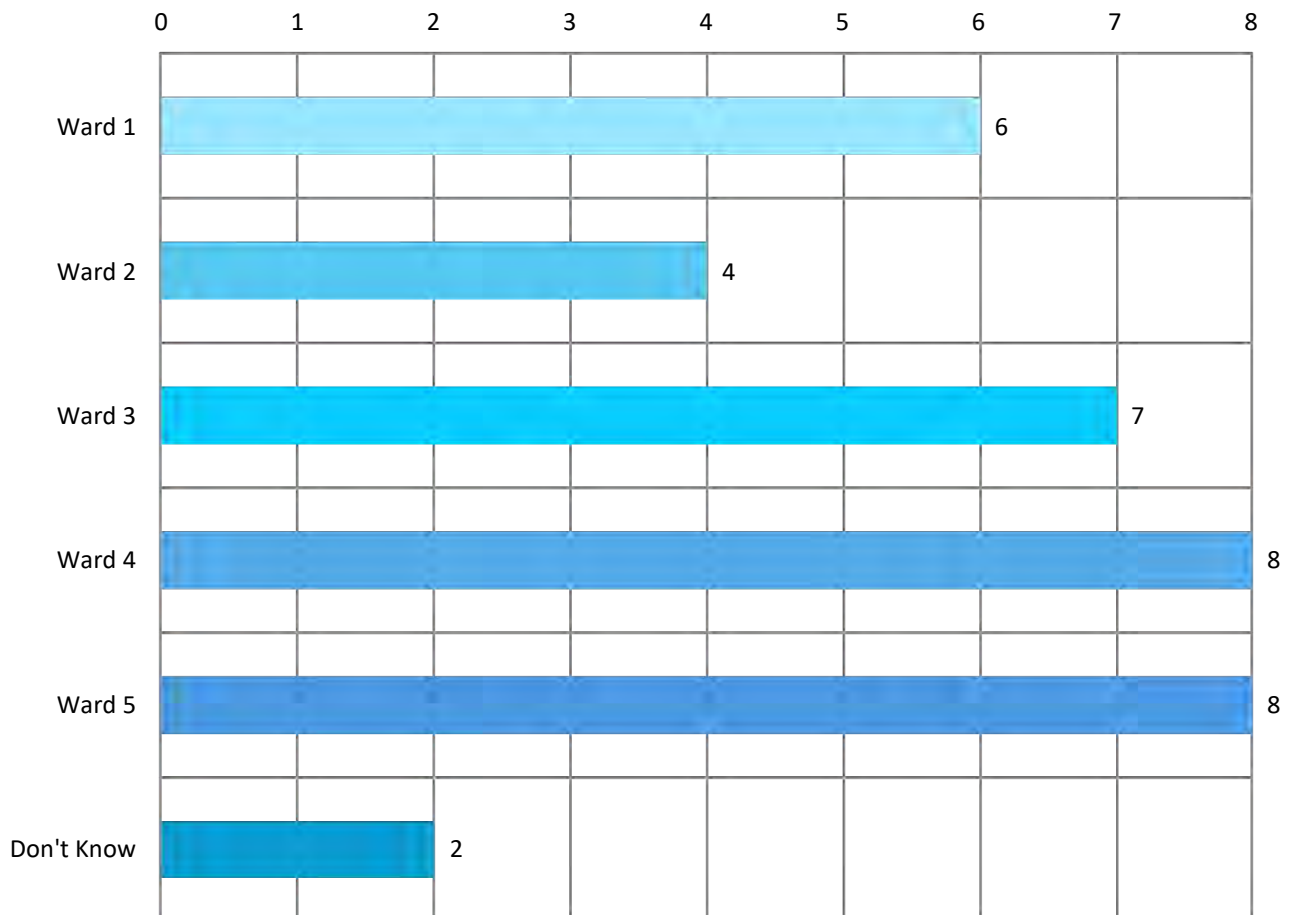
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Are you an Oshawa resident, and/or Oshawa business/property owner/manager?



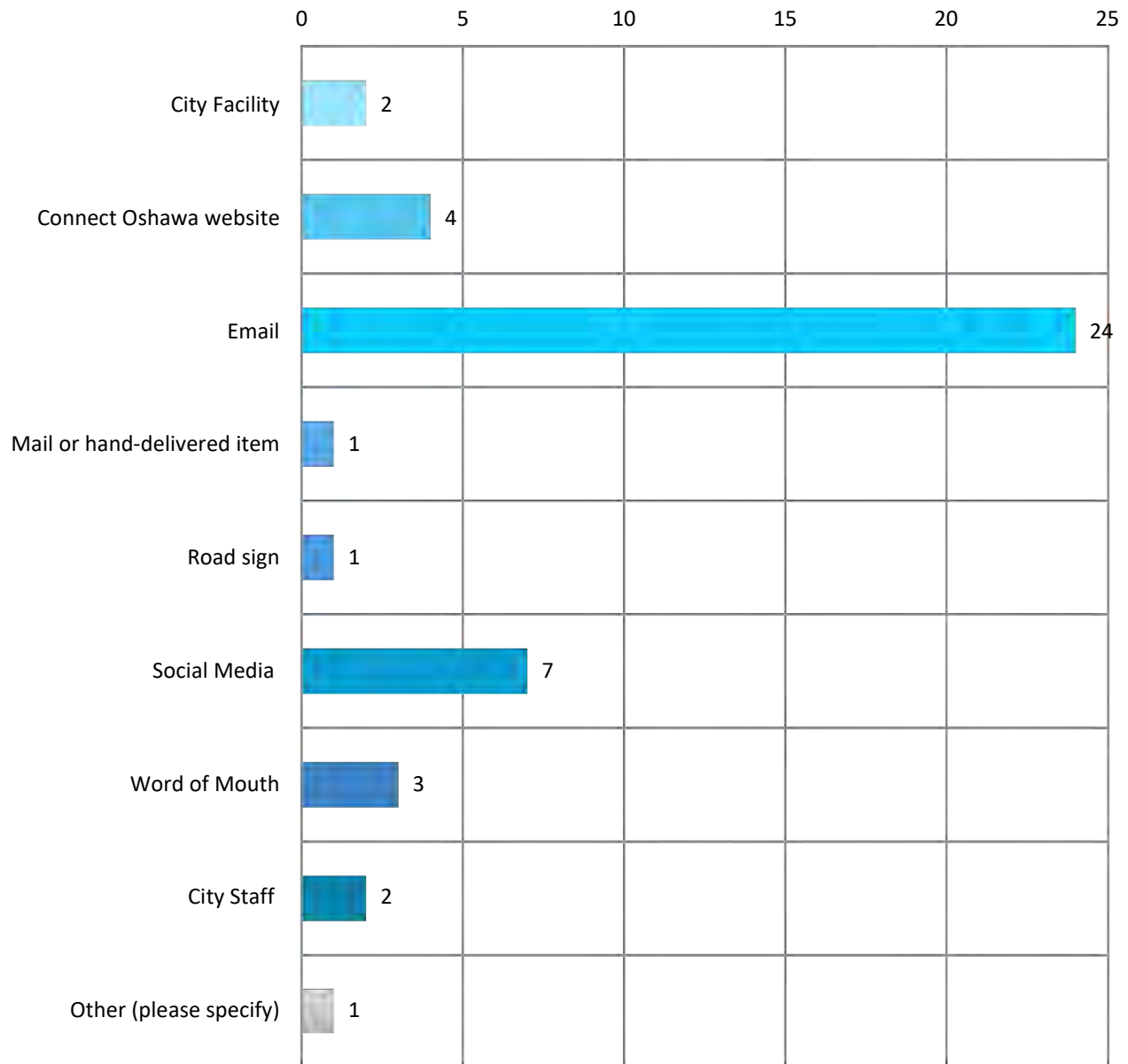
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What ward do you live in / is your business/property located in?



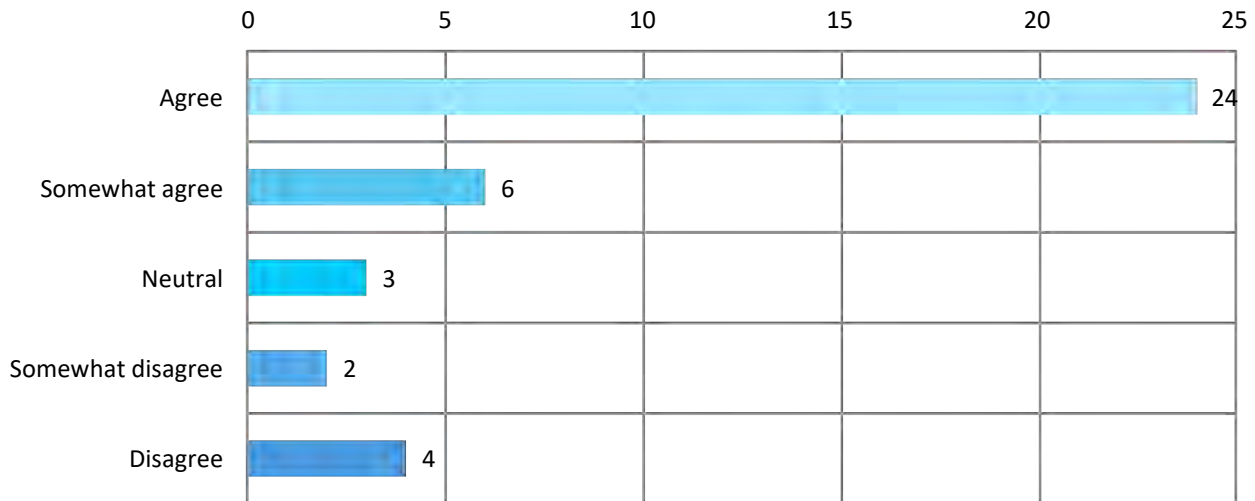
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How did you learn about this community engagement opportunity?



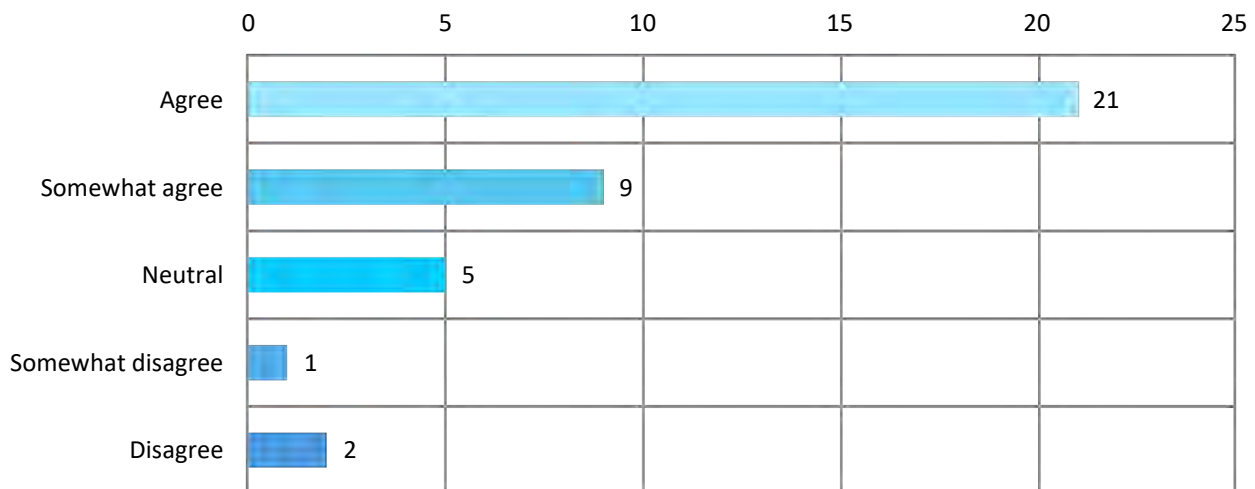
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I understand how my Business Licensing By-law Review consultation feedback will be used.



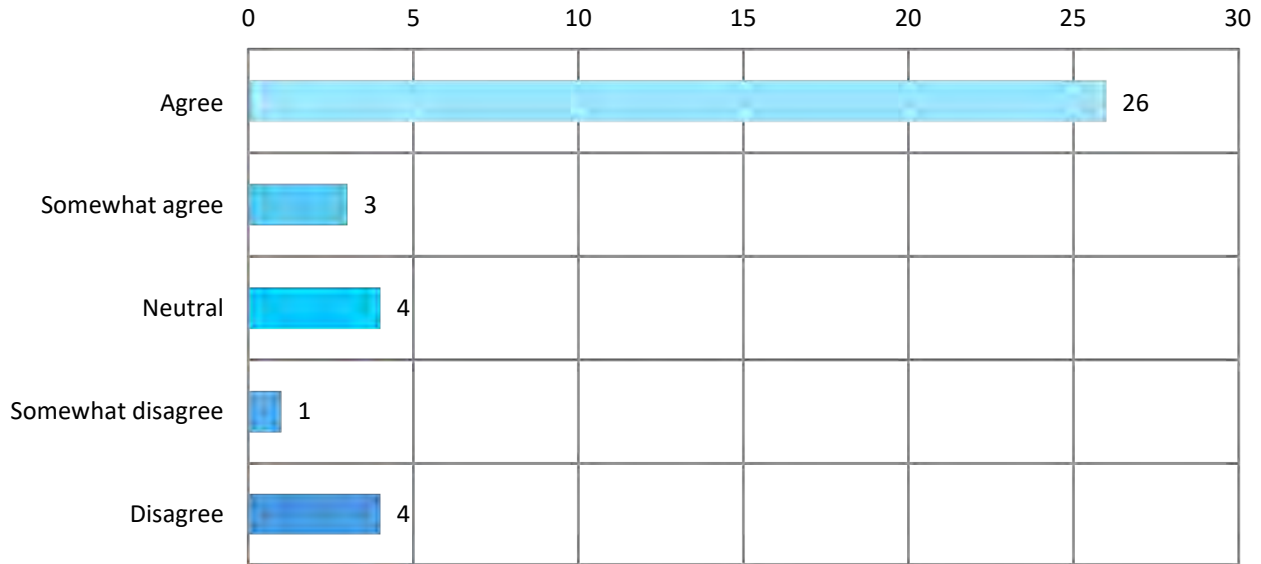
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I have a good understanding of the Business Licensing By-law Review consultation based on the information provided in the Feedback Form.



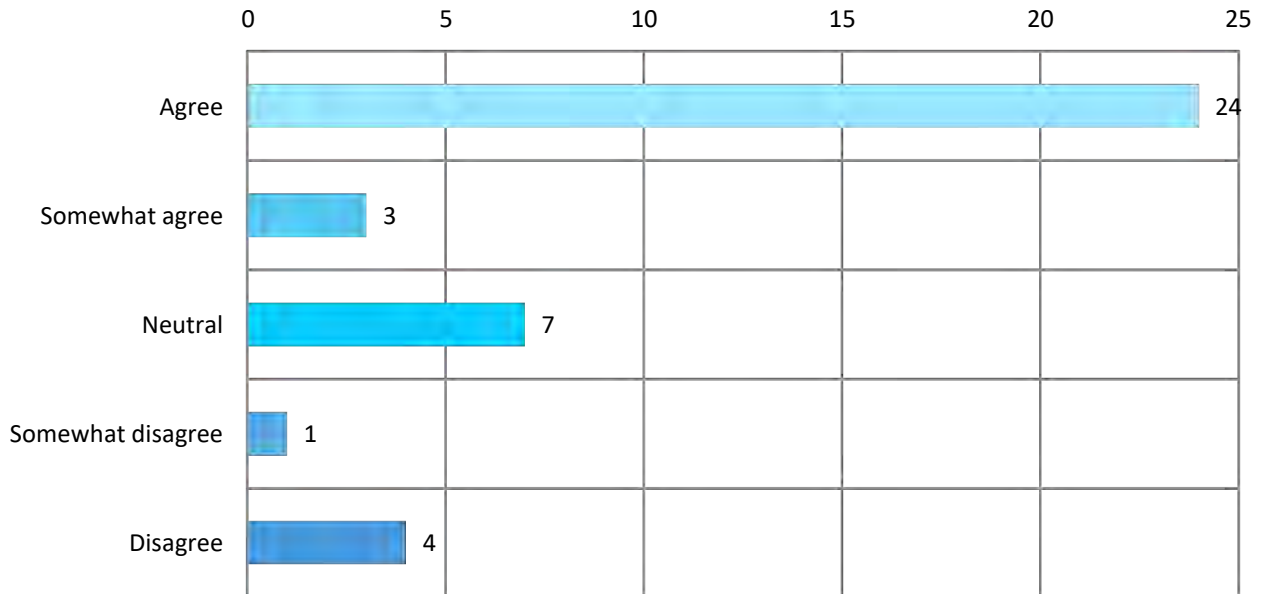
Skipped: 4

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.



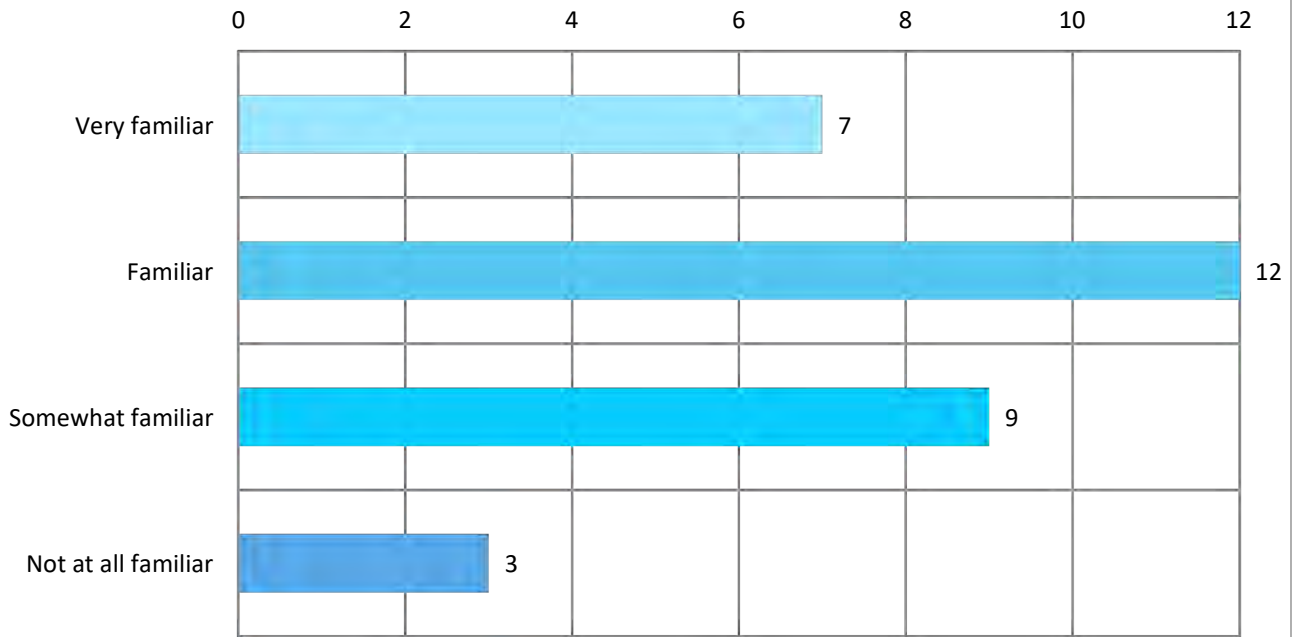
Skipped: 3

Feedback Form B – Businesses

Response Summary:

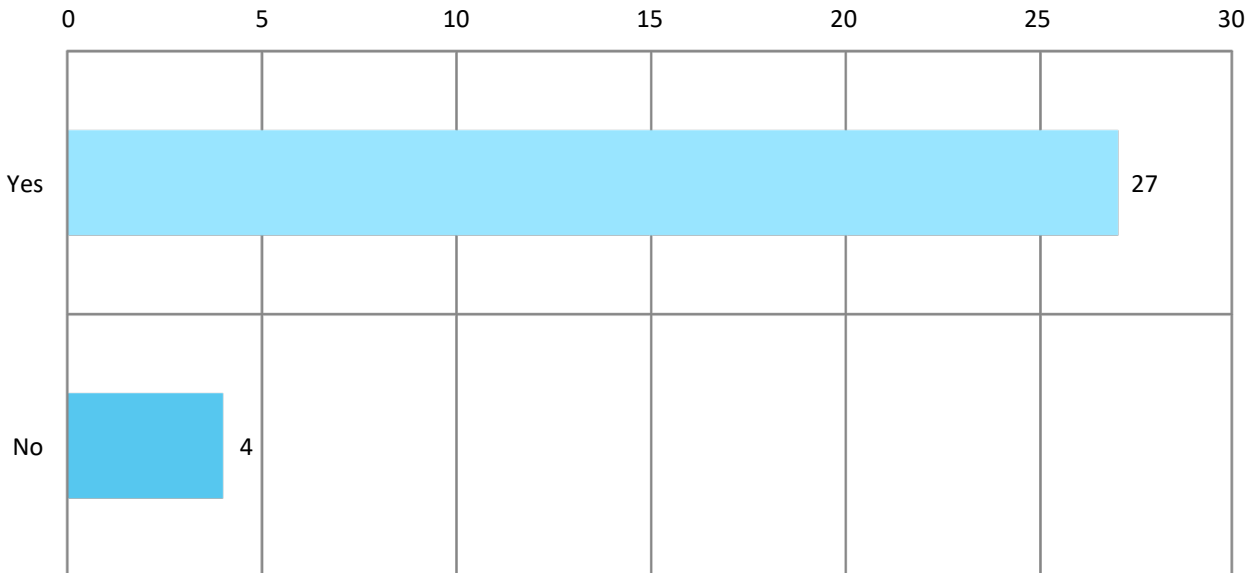
- There were a total of 31 responses received.
- Responses were received from age groups ranging from 18 to 74 with the majority of responses coming from those aged 35 to 54.
- 84% of the respondents indicated they were an Oshawa resident and/or Oshawa business/property owner/manager.
- Responses were 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?



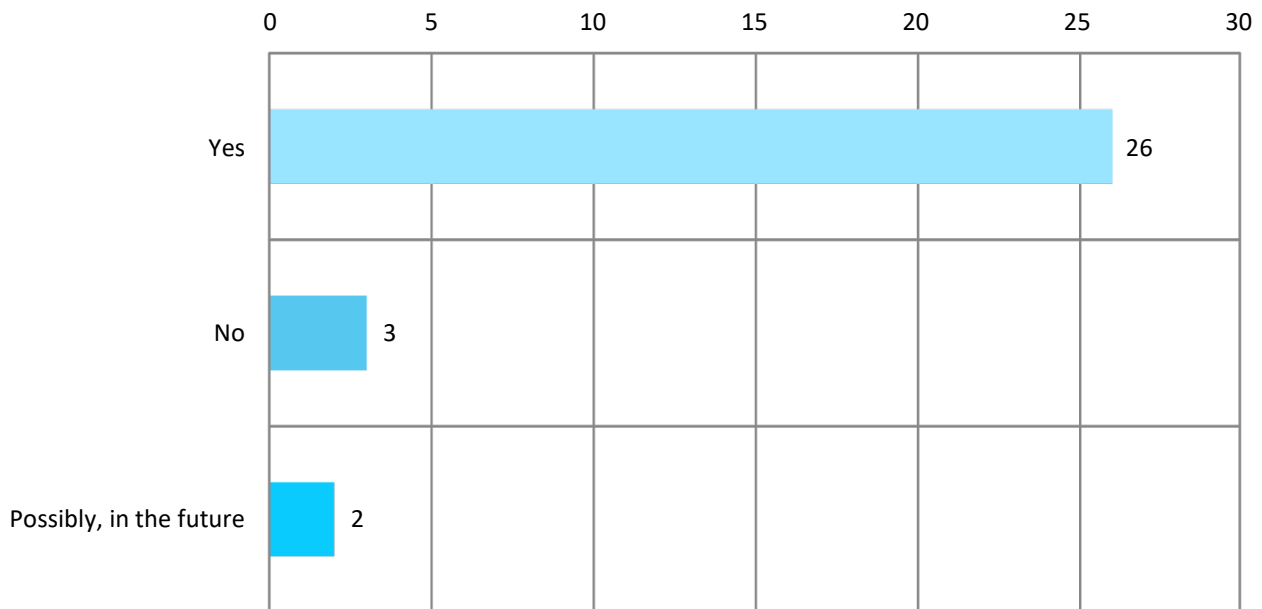
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Q2: Are you aware that a Business Licence from the City certifies that a business is in compliance with applicable local (Property Standards, Zoning, Public Health) and provincial standards (Fire Code, Building Code)?



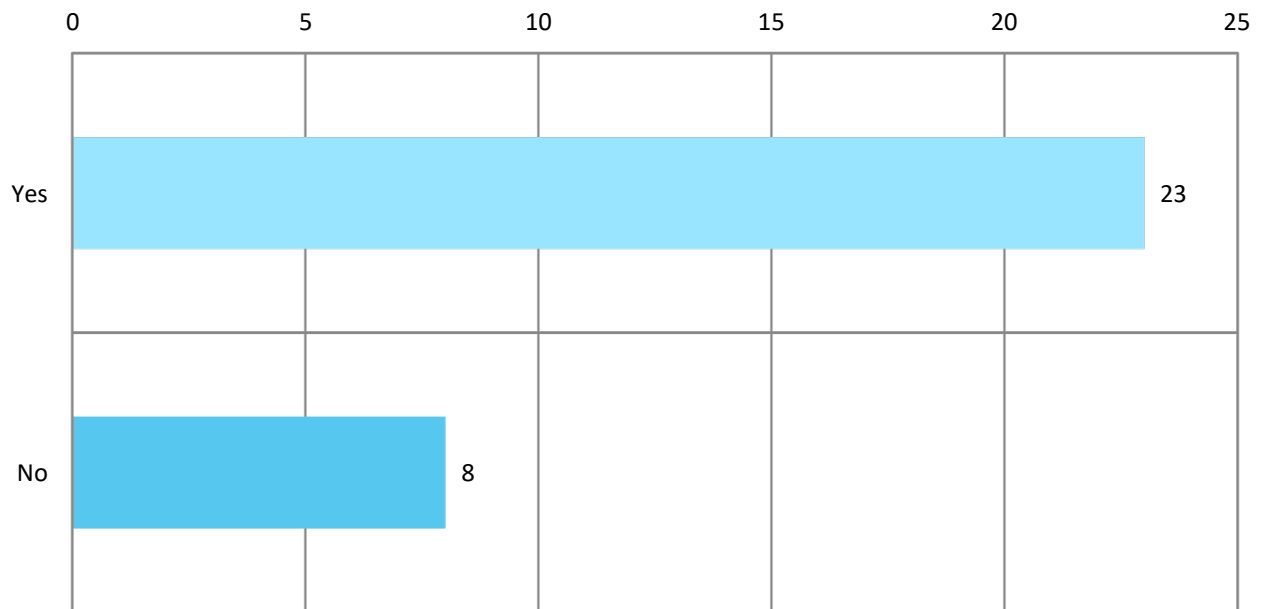
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Q3: Do you own and/or manage a business that operates in Oshawa?



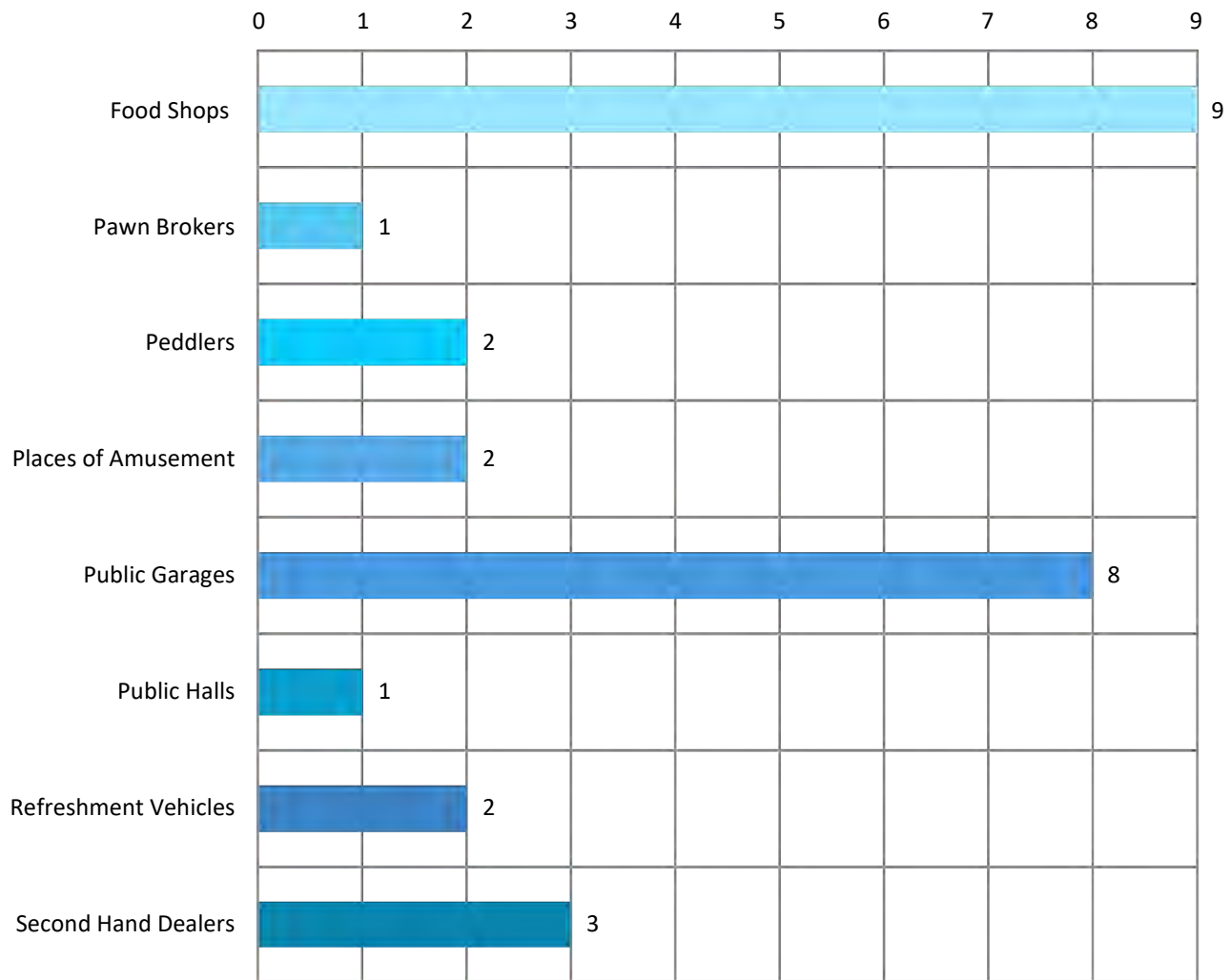
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Q4: Does your business require a Business Licence?



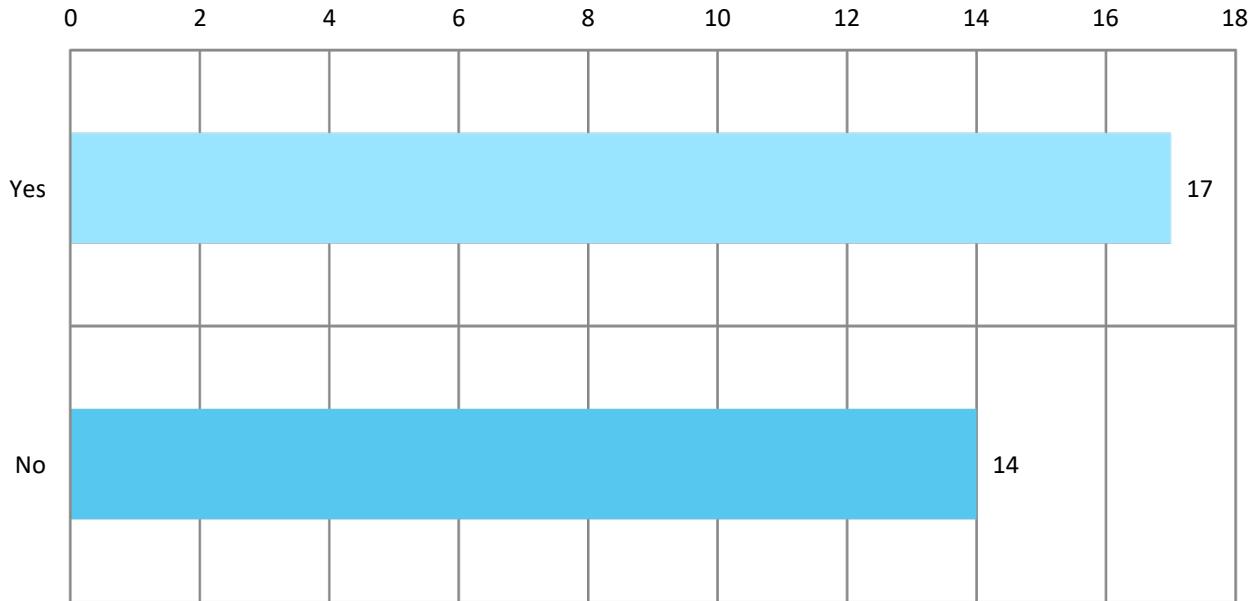
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Q4.1.: Please indicate which classification your business falls under.



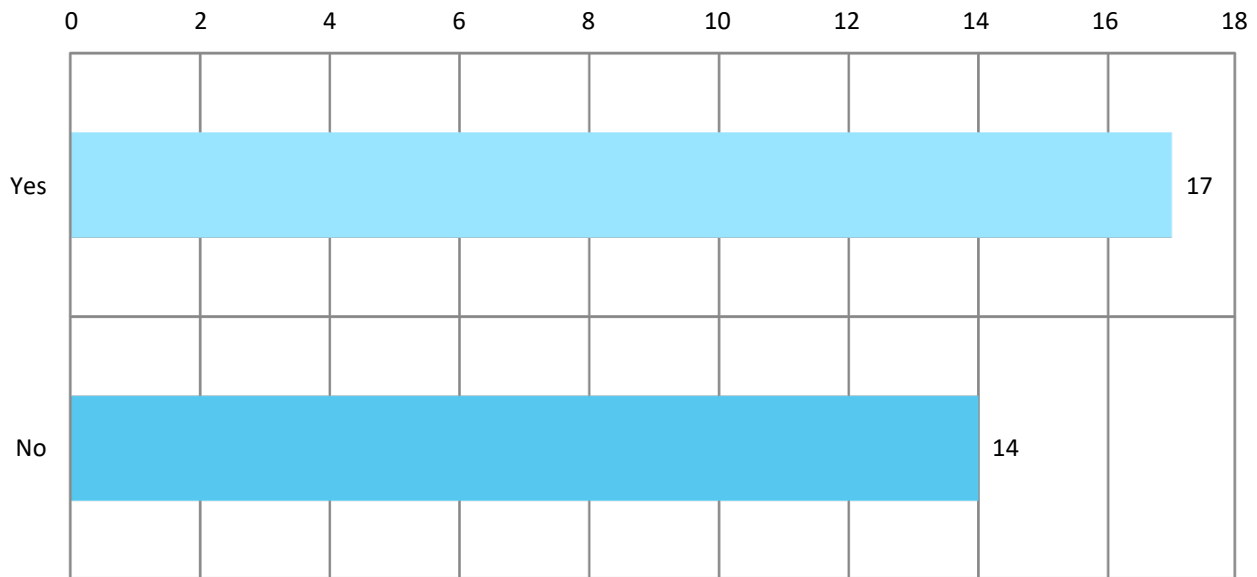
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Q5: Do you agree that the above approvals and requirements for your industry are appropriate to ensure health and safety and consumer protection?



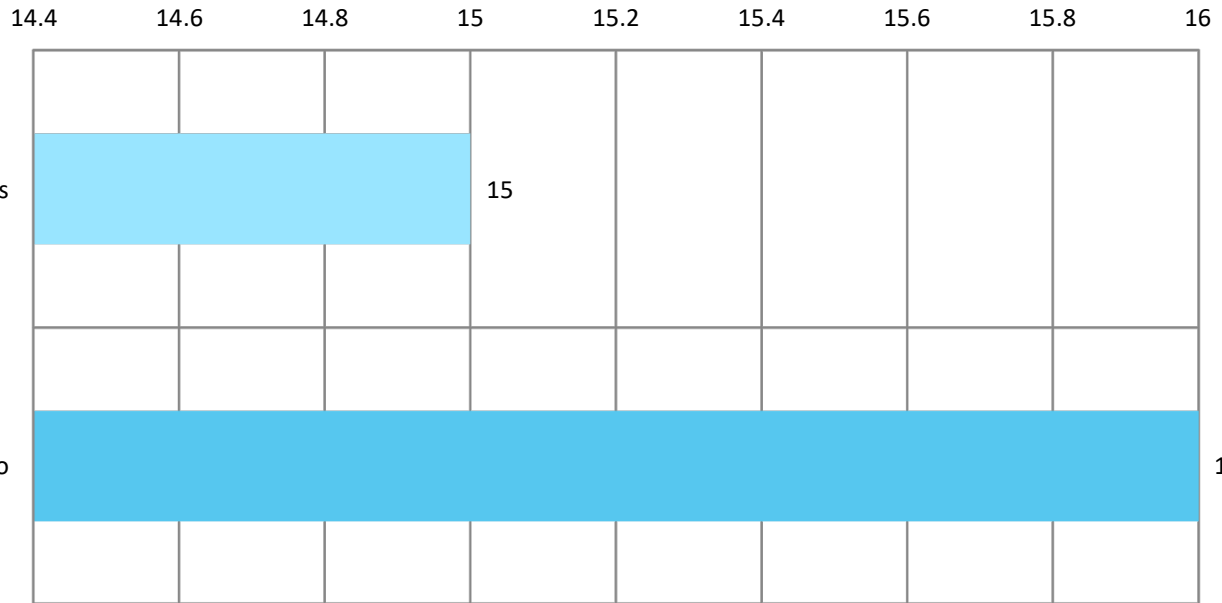
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Q6: Do you believe that having a Business Licence enhances your credibility and reputation amongst consumers?



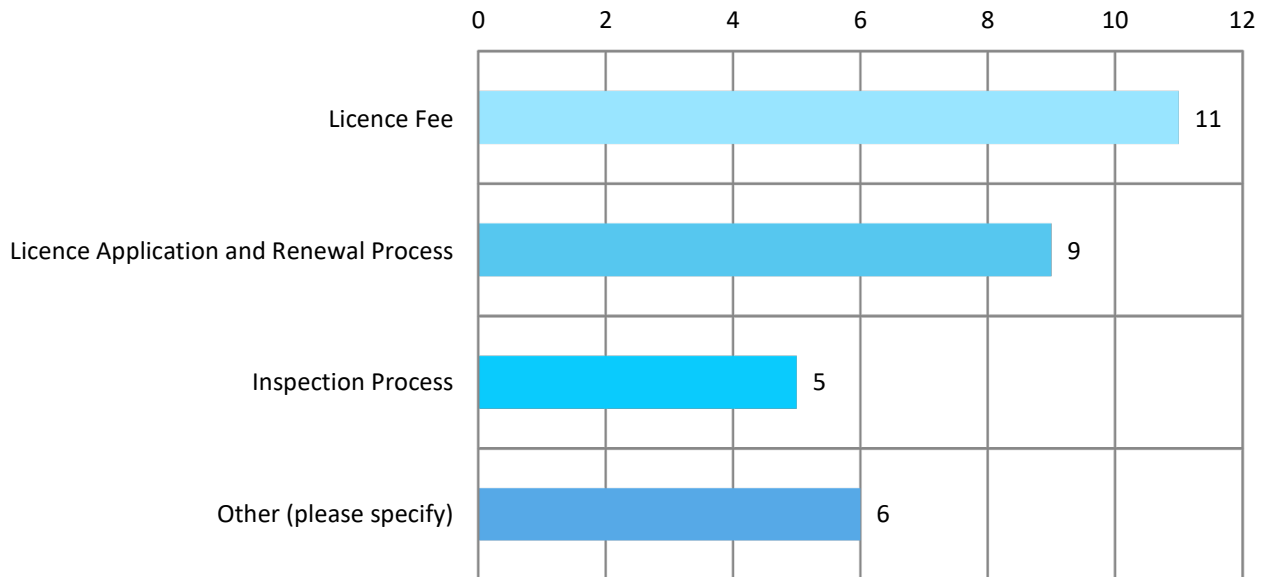
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Q7: Do you believe the current Business Licensing Program meets the needs of the business community?



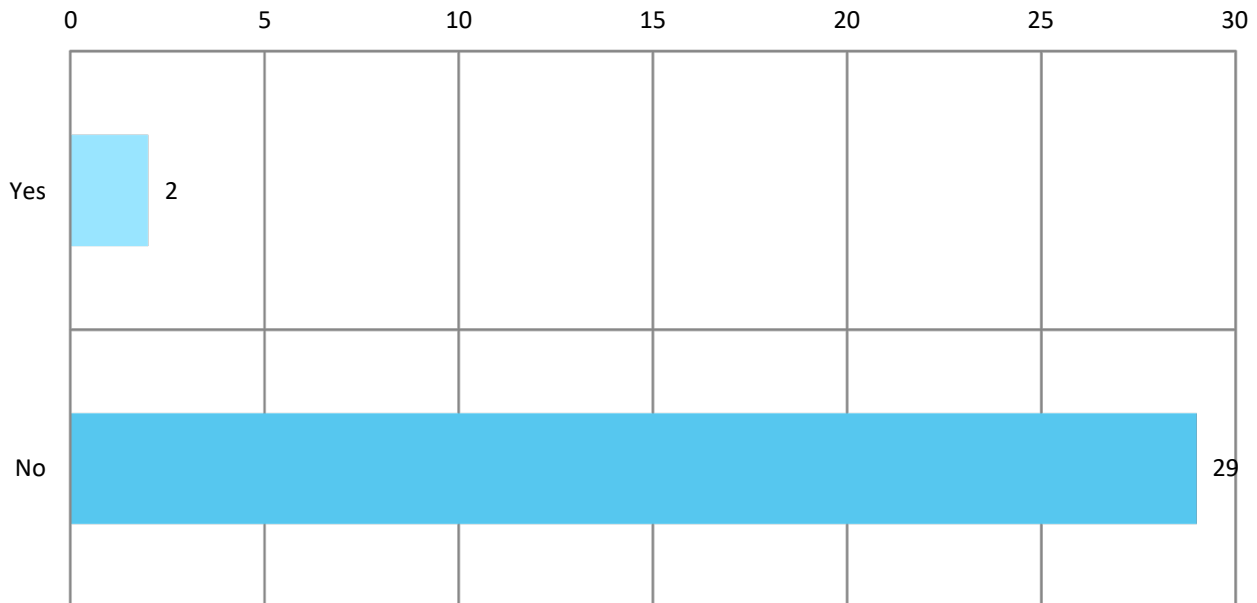
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Q7.1. If you answered "No", please select areas for improvement.



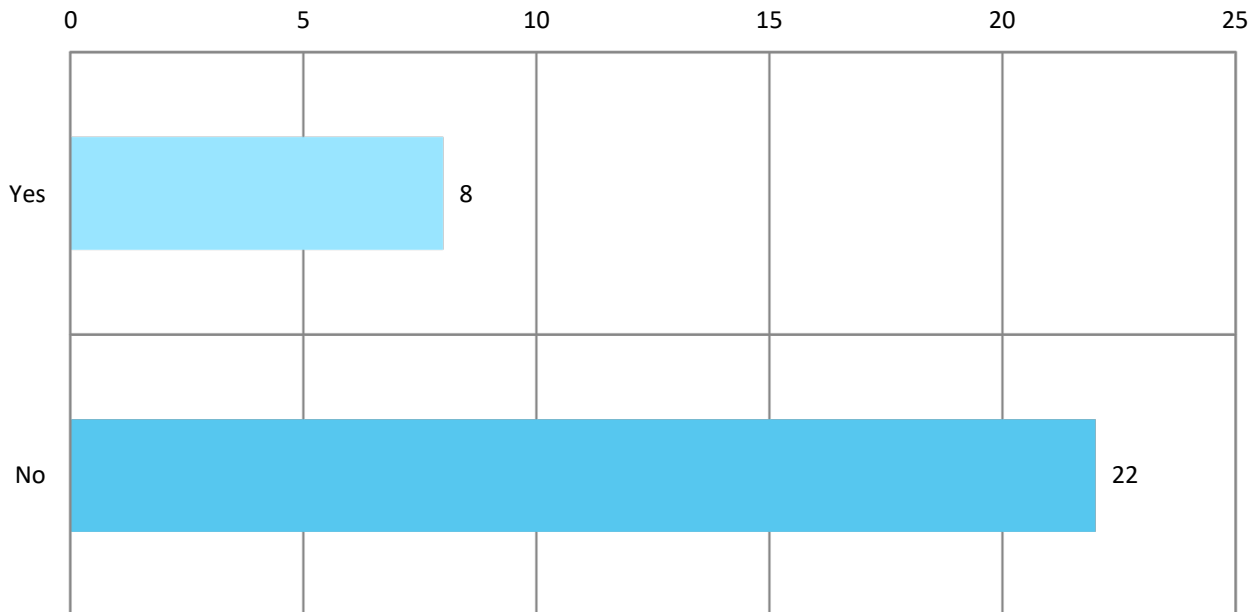
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Q8: Are there any additional requirements for regulated businesses you would like to be considered as part of the review of the Oshawa's Business Licensing Program to enhance health and safety and consumer protection?



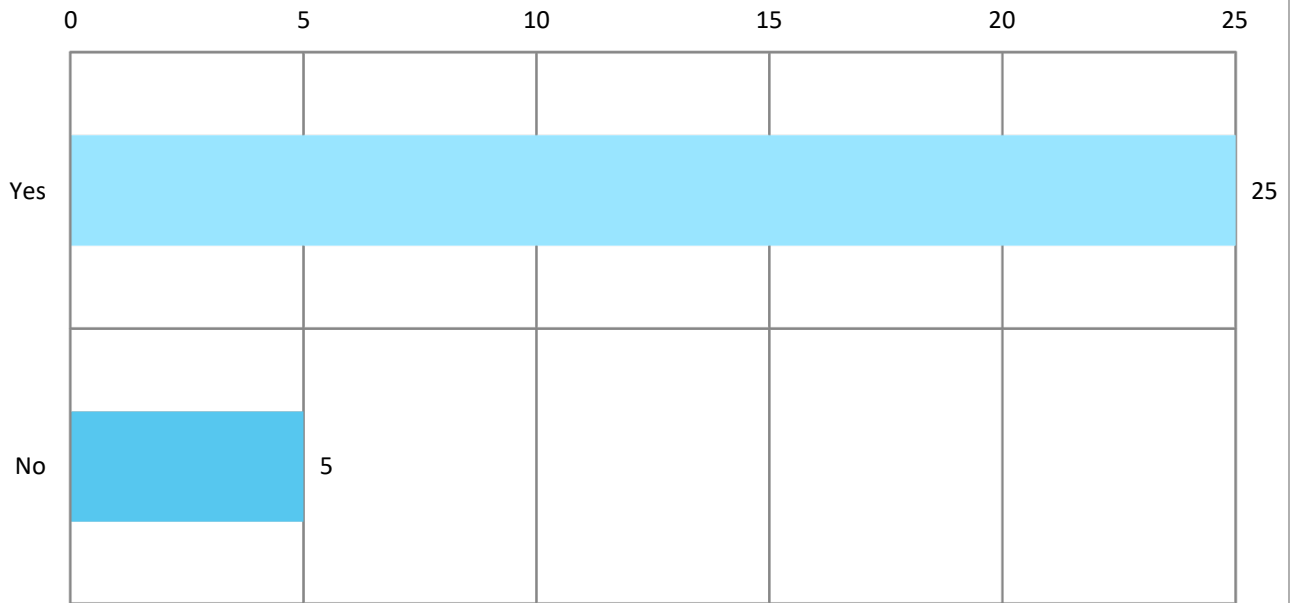
Skipped: 0

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.)?



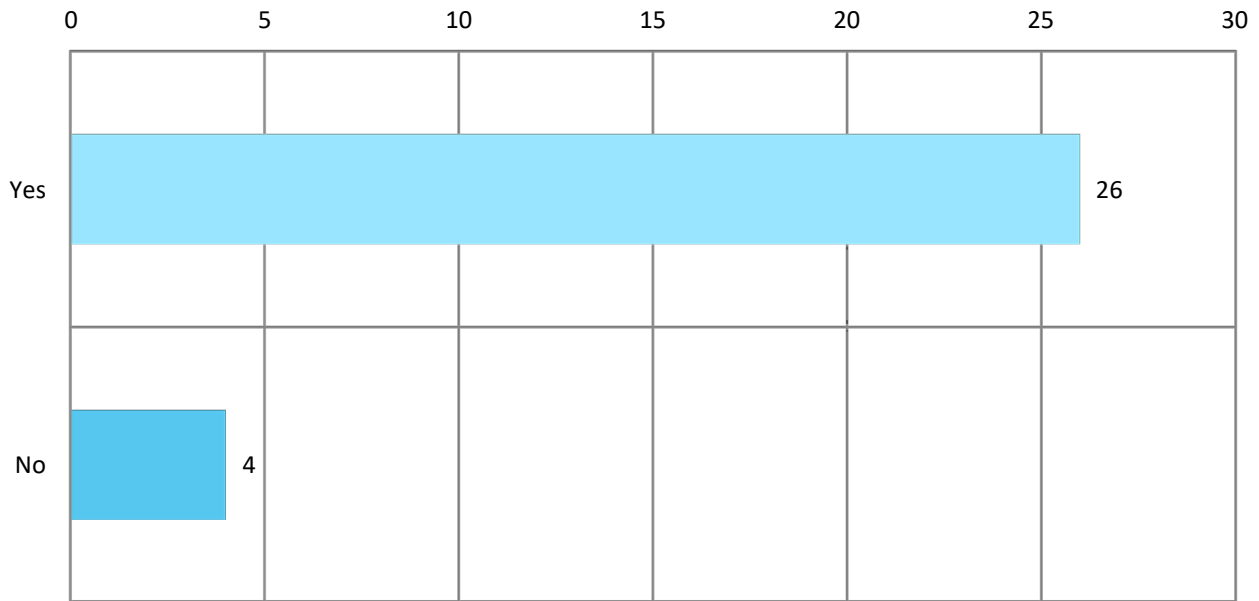
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How old are you?



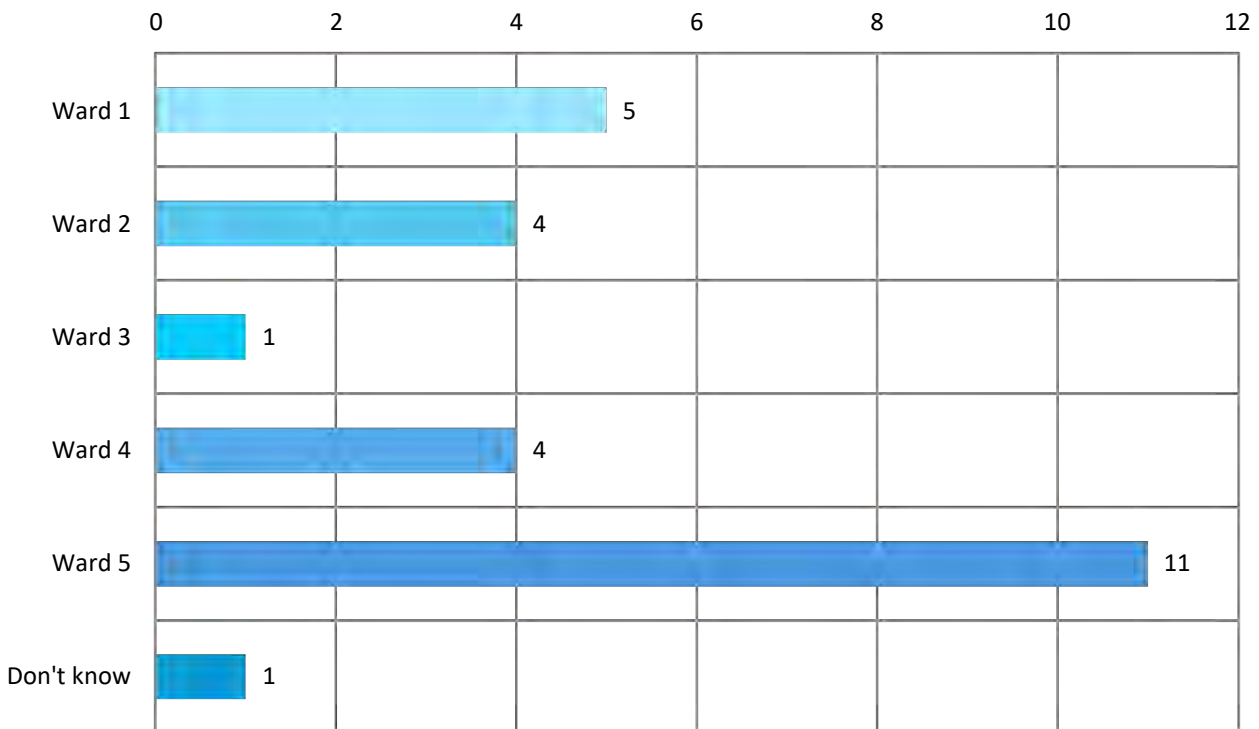
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Are you an Oshawa resident, and/or Oshawa business/property owner/manager?



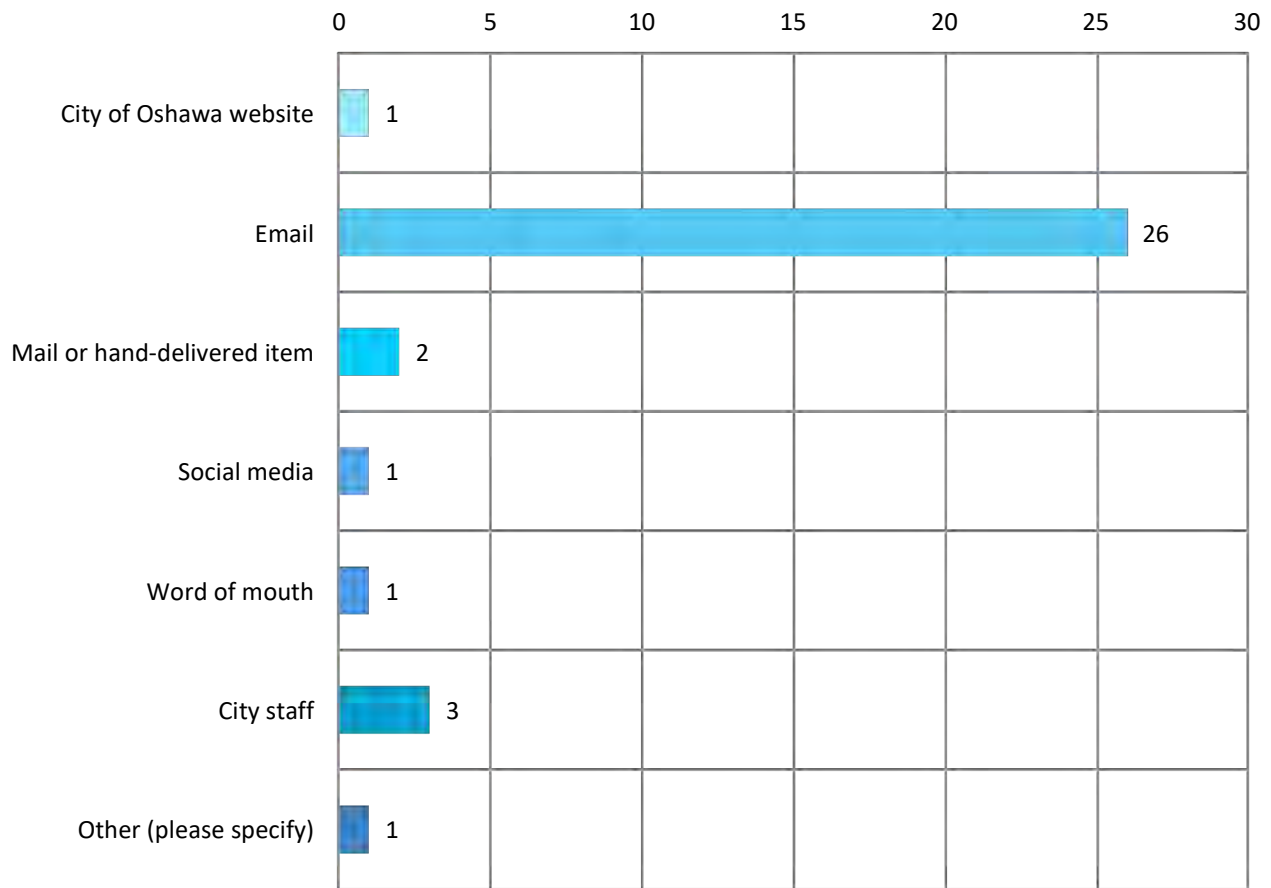
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What ward do you live in / is your business/property located in?



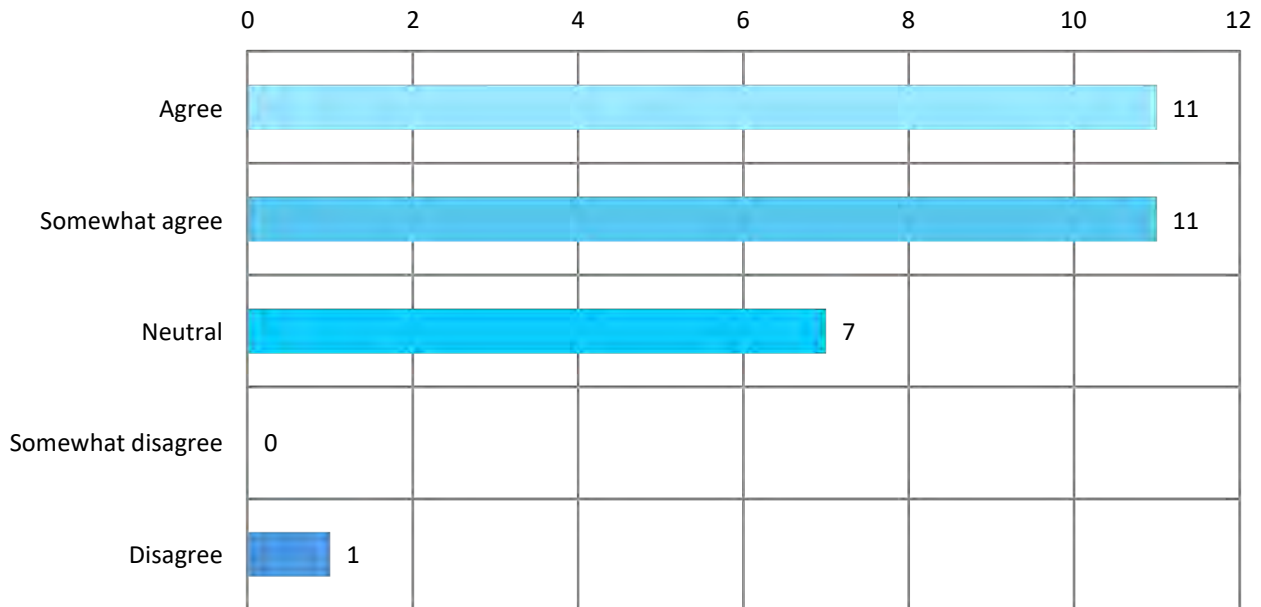
Skipped: 0. Multiple responses possible.

How did you learn about this community engagement opportunity?



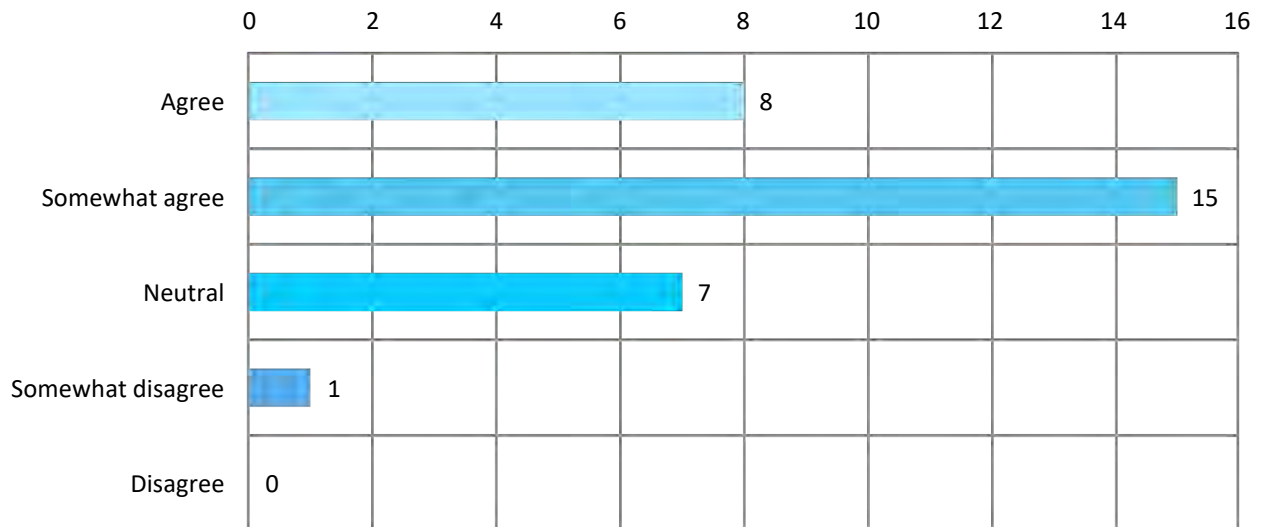
Skipped: 0. Multiple responses possible.

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



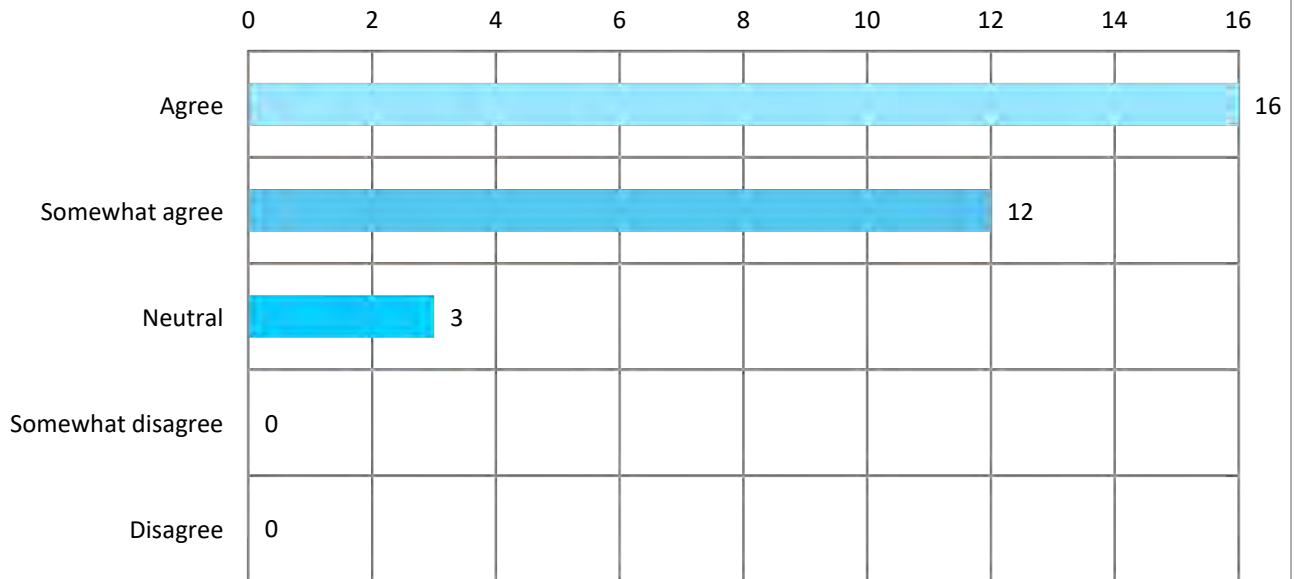
Skipped: 1

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



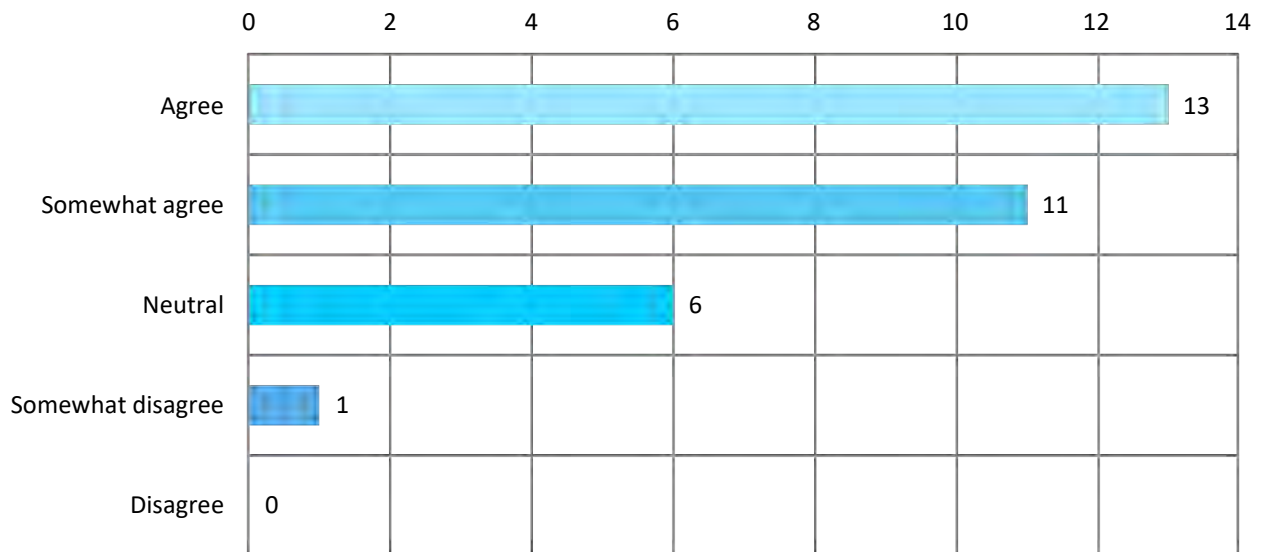
Skipped: 0

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 Salvage 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)

To: Safety and Facilities Services Committee

From: Adam Grant, Commissioner,
Safety and Facilities Services Department

Report Number: SF-24-11

Date of Report: April 10, 2024

Date of Meeting: April 15, 2024

Subject: Emergency Preparedness Week

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to recognize and raise awareness about Emergency Preparedness Week and highlight public engagement initiatives from May 5-11, 2024.

2.0 Recommendation

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

That Report SF-24-11, dated April 10, 2024 concerning Emergency Preparedness Week, be received for information.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

- Fire Services

5.0 Analysis

5.1 Background

In accordance with the Emergency Management and Civil Protection Act, R.S.O. 1990,c. E.9 (“Emergency Management and Civil Protection Act “; formerly the Emergency Plans Act, 1983), there is a requirement for municipalities, ministers of the Crown, and designated agencies, boards, commissions, and other branches of government to develop and implement emergency management programs consisting of emergency plans, training

programs and exercises, public education, and any other elements prescribed by regulation.

Emergency preparedness is one of the five pillars of Emergency Management:

- Prevention
- Mitigation
- Preparedness
- Response
- Recovery

Since 1996, Emergency Preparedness (EP) Week has been established as a national awareness initiative supported by Public Safety Canada.

By continuously fostering a culture of emergency preparedness through public awareness and education, residents will be able to reduce their vulnerability in an emergency.

5.2 Emergency Preparedness Week

The purpose of EP Week is to educate residents on the appropriate preparedness strategies to mitigate the impact of an emergency situation while cultivating and developing a culture of emergency preparedness starting at home.

During EP Week, public engagement activities organized by Oshawa Fire Services will be centered on understanding the risks, developing a plan and building emergency kits.

The theme for 2024 is “Be Prepared. Know Your Risks”. Some of the activities during EP Week include but are not limited to:

- Emergency Preparedness Week Kick Off
- Emergency Preparedness Open House at Fire Hall 5
- Social Media Engagement
 - Emergency Kits
 - Emergency Plan
- Oshawa Power Presentation to City Staff on Power Restoration and Emergency Response

6.0 Financial Implications

There are no financial implications directly related to this report.

7.0 Relationship to the Oshawa Strategic Plan

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



Stephen Barkwell, Fire Chief,
Fire Services



Adam Grant, Commissioner,
Safety and Facilities Services Department

To: Safety and Facilities Services Committee

From: Adam Grant, Commissioner,
Safety and Facilities Services Department

Report Number: SF-24-12

Date of Report: April 10, 2024

Date of Meeting: April 15, 2024

Subject: Updated City Facilities Naming/Re-naming Policy (P4-301-001)

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this Report is to present an updated City Facilities Naming/Re-naming Policy (P34-301-001) for Council's consideration and approval.

Attachment 1 is the updated City Facilities Naming/Re-naming Policy (P4-301-001).

2.0 Recommendation

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

That the updated City Facilities Naming/Re-naming Policy as set out in Attachment 1 to Report SF-24-12 dated April 10, 2024 be endorsed.

3.0 Executive Summary

In accordance with Council Direction received February 27, 2023, Staff have amended the 2009 Facility Naming Procedure No. P4-301-001 by adding provisions for re-naming of City parks, natural areas, buildings, and outdoor recreation facilities.

During the process of making these amendments, staff took the opportunity to review the content of the 2009 Procedure in its entirety and have included some key amendments that modernize the Procedure, expands provisions, and aligns with city goals and objectives related to Diversity and Inclusion.

4.0 Input From Other Sources

The following have been consulted in preparation of this Report:

- Innovation and Transformation
- Legal Services

5.0 Analysis

5.1 Modernize

Following review of the entire existing Procedure, last updated in 2009, it became apparent that existing language did not align with modern day best practice or Oshawa strategic goals. As such, the title of the Procedure has been changed to include “re-naming”, and reference and language has been updated to align with the Oshawa Strategic Plan, and the Human Rights Code. In addition, the scope and application have been defined to protect the Rights assigned pursuant to the City of Oshawa’s Sponsorship, Advertising, and Donations Policy.

5.2 Re-naming

The existing 2009 Procedure was silent on any consideration related to the re-naming of City parks, natural areas, buildings, and outdoor recreation facilities. In direct response to the February 27, 2023 Council Direction, the Procedure now includes conditions under which the re-naming of a City park, natural area, building, and outdoor recreation facility will be considered.

5.3 Diversity and Inclusion

On June 20, 2022 through CNCL-22-48, Oshawa City Council committed to making meaningful reconciliation with Indigenous communities and directed staff to investigate, propose and initiate a process to develop a Reconciliation Strategy and Action Plan and to utilize the Truth and Reconciliation Commission’s Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples as the framework for the City’s Reconciliation efforts.

Considering local Indigenous history, the inclusion of language in the City Facilities Naming/Re-naming Procedure is a way to honour this commitment.

In the spirit of this commitment, this Procedure includes provisions that any proposed names in an Indigenous language or a name recognizing an Indigenous individual, organization, event or concept will require consultation with Indigenous communities and adherence to appropriate practices or protocols.

In addition, and to ensure alignment with the Human Rights Code, language has been updated to ensure this Procedure is not discriminatory or derogatory of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

6.0 Financial Implications

There are no financial implications directly associated with this report.

7.0 Relationship to the Oshawa Strategic Plan

This Report is consistent the Oshawa Strategic Plan Goals of Accountable Leadership, Social Equity, Environmental Responsibility, and Cultural Vitality.



Randy Garey, Director,
Facilities Management Services



Adam Grant, Commissioner,
Safety and Facilities Services Department

Title: City Facilities Naming/Renaming Policy

Number: P4-301-001

Approved By: Commissioner, Safety and Facilities

Administered By: Facilities Management Services

Effective Date: April 20, 2009

Revision Date(s): April 2024

1.0 Purpose/Background

City facilities are an important fabric of the community. The names of City facilities may reflect a given property's characteristics; indicate the unique location, geography, or community where the property is located; commemorate individuals, communities, organizations, events, and ideas of significance to Oshawa, Ontario or Canada; and/or recognize Indigenous Peoples' past, present, and future presence on the land.

The source of the Policy is derived from City Council Minutes, 1988 06 20 and the Oshawa Strategic Plan.

2.0 Policy Statement

This Policy establishes the criteria and process to name or rename a City Facility.

3.0 Scope/Application

This policy is for the sole purpose of commemoration and recognition and is not intended to convey any sponsorship or advertising rights to the named individual, community, organization, event or idea. Naming Rights assigned pursuant to the City of Oshawa's Sponsorship, Advertising, and Donations Policy (CS-15-69), and/or any other sponsorship, licensing agreements or contracts between the City of Oshawa and the named party are excluded from this policy.

This policy does not replace, supersede or alter the City of Oshawa's Sponsorship, Advertising, and Donations Policy (CS-15-69), and/or any other sponsorship, licensing agreements or contracts between the City of Oshawa and the named party. Memorial and commemorative requests through programs such as Street Naming, or Commemorative Trees and Benches are also excluded from this policy.

4.0 Definitions

For the purposes of this policy,

“City” refers to the City of Oshawa.

“City Facilities” or “City Property” refers to:

- a) City-owned parks
- b) Naturalized areas
- c) City-owned buildings
- d) Outdoor recreation fields and courts

“Contribution” means a gift or payment made for the sole purpose of acquiring or upgrading the facility.

“First Responders” refers to Oshawa Fire Services, Durham Police Service, and Durham Paramedic Services.

5.0 Responsibilities

1. Facilities Management Services shall:

- Review all submissions/comments received from Legal Services for compliance with the Policy and provide a recommendation.
- Review and manager the Policy.

2. Legislative Services shall:

- Receive all submission/comments from the public and direct them to the appropriate Facilities Management Services for consideration and forward a recommendation report to Council.

3. City Council shall:

- Have final approval

6.0 Practice/Procedures

6.01 That City of Oshawa parks, natural areas, buildings, and outdoor recreation facilities shall be named or re-named in accordance with the following criteria:

- The name of the street on which the park, natural area, building or outdoor recreation facility is located;
- The name of the community area in which the park, natural area, building or outdoor recreation facility will serve;
- Topographical or unique characteristics of the site;

6.02 In certain circumstances, consideration may be given to naming a park, natural area, building or outdoor recreation facility after a person or group. The following criteria will apply:

- There has been significant contributions by the individual or group to the public life and well-being of residents in Oshawa;
- The contribution made to the acquisition of the parkland in question and/or its subsequent development;
- There is a direct relationship or association that existed between the place of residence of the person or group and the subject park, natural area, building or outdoor recreation facility;
- Where a park, natural area, building or outdoor recreation facility is named after a sports celebrity, the facility being named shall be of a type associated with the celebrity;
- Where the name of an individual is so used, approval shall be obtained from the individual, the individual's next of kin or estate, for naming rights;
- The person or persons submitting such name for consideration shall provide background information outlining the reasons supporting the request in writing through the Clerk's office

6.03 Names of City Facilities shall not:

- Be or be perceived to be discriminatory or derogatory of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- Result in inappropriate abbreviations or acronyms;
- Duplicate another named City Property;
- Unduly detract from the character, integrity of the community or aesthetic quality of the property or unreasonable interference with its enjoyment or use;
- Duplicate names already the subject of a sponsorship or licensing agreement for naming rights;

- Place the City in conflict with any agreements established in the acquisition or management of the City Property; and
- Make a direct or indirect reference to recent events or recently deceased individuals, except where the event or the individual had a legacy of significant contributions to the City. Names of recent events or recently deceased individuals may be considered after two years.
- Impair the ability of First Responders to respond to emergencies or impair the City's ability to deliver service.

6.1 Naming Process

- Names for parks, natural areas, buildings and outdoor recreation facilities may be recommended by the Safety and Facilities Services Committee using the aforementioned criteria as a guideline with the Safety and Facilities Services Committee to ratify such selections.
- A request may be initiated by the public for a proposed name or re-naming of a City Facility via a formal letter addressed to the City Clerk's office, or a Council Direction.
- Proposed names in an Indigenous language or a name recognizing an Indigenous individual, organization, event or concept will require consultation with Indigenous communities and adherence to appropriate practices or protocols.
- City staff will conduct research to ensure proposed names adhere to the criteria outlined in this Policy and submit to Council for deliberation and discussion.
- Following discussion by elected representatives regarding the proposed name, notice will be provided to the public and a 30 day window will be given for residents to comment on the proposed name.
- The City Clerk's office will receive all submissions/comments from the public and direct them to the appropriate department for consideration and forward a recommendation report to Council.
- Discussions by elected representatives regarding the consideration of names for parks, natural areas, buildings and facilities shall be held in public, unless permitted in closed session pursuant to the Municipal Act, 2001. City Council shall have final approval.

6.2 Re-naming a City Facility

6.21 Renaming a City Facility will only be considered under the following conditions:

- A specific request by the person or persons next of kin connected to the existing name;
- A specific request by the organization or group connected to the existing name;
- A request for reconsideration of a City Council selected name which is not documented as being specifically requested by a person, persons family, group or organization and has no historical significance;
- The organization or group connected to the existing name is no longer in operation and has no historical significance;
- The existing name, connected individuals, organizations, groups or historical significance requires reconsideration due to reasons that may question the values and integrity of the corporation.

7.0 Monitoring/Review

Facility Management Services monitors compliance and awareness of this policy. This Policy is reviewed by the Director, Facilities Management Services or designate at least every three years to ensure its effectiveness and compliance with legislation and current business processes or as required based on legislative changes. The Director, Facilities Management Services is authorized to make minor or housekeeping amendments to this Policy, as required. For further information regarding this Policy, please contact Facilities Management Services at 905-436-3311.

8.0 References

City of Oshawa's Sponsorship, Advertising, and Donations Policy (CS-15-69)
New City of Oshawa Street Naming Policy (ED-24-01)

To: Safety and Facilities Services Committee

From: Adam Grant, Commissioner,
Safety and Facilities Services Department

Report Number: SF-24-16

Date of Report: April 10, 2024

Date of Meeting: April 15, 2024

Subject: Update Regarding Questions Related to the Link 3 Recreation Trail

Ward: Ward 1

File: 03-05

1.0 Purpose

The purpose of this Report is to provide an update on questions regarding the Active Transportation Master Plan Link 3 Recreation Trail (Ward 1).

At its March 25, 2024 meeting Council passed the following motion as amended:

“That pursuant to Item SF-24-10, staff report to the next Committee meeting with available answers to the questions below related to the proposed Active Transportation Master Plan Link 3 recreation trail:

- a. A map showing the actual trail design with elevation data, areas where guard rails or retaining walls between the creek and private property lines will be needed; and,
- b. A map showing the trees which are in proximity to the private property lines and that were planted and tagged in the last decade for slope stability and the City identify which of the trees will need to cut down, and if any will be relocated or replaced; and,
- c. A map showing the trail setbacks from the flood plan regulated area, and hazard and erosion areas; and,
- d. The City’s plan to ensure how the recurring flooding issues from both the creek and the Arborwood Storm Water Management Pond are to be addressed to mitigate adverse impacts to the trail infrastructure and residential properties in close proximity; and,
- e. Has the City considered adding any planting necessary to increase privacy; and,

- f. There are steep drop offs in some sections along the proposed trail area - which residential properties will need to have fill added behind them and the embankment regraded; and,
- g. Has the City completed all necessary geotechnical investigations, given soil test contractors were on site Feb 22, 2024 digging holes or will there be more tests; and,
- h. What is the expected construction start date; and,
- i. Have any of the properties encroached in any way onto City property; and
- j. Have there been any site alterations to any properties that have or may have a negative effect on City property.”

Attachment 1 is the Harmony Creek Trail Extension preliminary design.

Attachment 2 is the Tree Inventory and Assessment Report.

2.0 Recommendation

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

That Report SF-24-16 Update Regarding Questions Related to the Link 3 Recreation Trail, dated April 10, 2024 be received for information.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following have been consulted in preparation of this Report:

- Corporate Leadership Team

5.0 Analysis

5.1 Background

The 2015 Active Transportation Management Plan (A.T.M.P.), identified Link 3 as a future trail development.

As part of the 2022 Budget deliberations, Council approved (Project 50-0016) for \$250,000 to commence the design.

At its meeting of February 28, 2022, Council approved FIN-22-33 that T.M.P. Trail Link 3 – Taunton Part II Plan be endorsed for submission and consideration of partial funding from the Active Transportation Fund with Infrastructure Canada.

On December 22, 2022, Staff received confirmation of approval in principal for the Project via letter correspondence from Minister of Intergovernmental Affairs, Infrastructure and Communities. The Program terms and conditions noted that Infrastructure Canada will support up to 60 percent of total eligible costs to a maximum federal contribution of \$1,500,000.

The Minister’s correspondence also noted that specific requirements outlined in a contribution agreement must be met prior to receiving payment of eligible costs.

The contribution agreement included payment conditions, reporting requirements, meeting schedules and communication protocols in addition to other terms and conditions.

Some of the additional conditions also identified included the following:

- A transparent and fair tendering process to the satisfactory of the Government of Canada;
- The City to confirm that all project funding, other than the federal contributions, has been secured prior to the Government of Canada paying eligible costs;
- The City to undertake consultation with Indigenous people
- The Project be completed by March 31, 2026

As part of 2023 Budget deliberations, Council subsequently approved additional funds of \$1,000,000 to project 50-0016 for construction.

5.2 Response to Questions

Responses as noted to questions a. to j. inclusive are based on information currently available and these responses may be impacted as the design process continues to evolve and progress over the next several months.

Question	Response
a) A map showing the actual trail design with elevation data, areas where guard rails or retaining walls between the creek and private property lines will be needed;	As detailed design often changes based on varying authorities having jurisdiction during the approval process, the City does not share design for review as a public document. Please see concept/draft drawing provided as Attachment 1.
b) A map showing the trees which are in proximity to the private property lines and that were planted and tagged in the last decade for slope stability and the City identify which of the trees will need	Slopes are required to be stable irrespective of plantings. All trees identified for removal are young restoration plantings and are being proposed to be replaced at a minimum of 1:1 ratio. See Attachment 2.

to cut down, and if any will be relocated or replaced	
c) A map showing the trail setbacks from the flood plan regulated area, and hazard and erosion areas;	Flood lines, encroaching retaining walls and other erosion mitigation measures are shown on Attachment 1. Governing authorities such as Central Lake Ontario Conservation Authority (C.L.O.C.A) are required to provide review comments.
d) The City's plan to ensure how the recurring flooding issues from both the creek and the Arborwood Storm Water Management Pond are to be addressed to mitigate adverse impacts to the trail infrastructure and residential properties in close proximity	The design process includes an updated hydraulic analysis where negligible changes were noted. Part of the permit review with CLOCA is to ensure there are no flooding impacts.
e) Has the City considered adding any planting necessary to increase privacy	Reasonable efforts for screen plantings will be considered to accommodate where space permits.
f) There are steep drop offs in some sections along the proposed trail area - which residential properties will need to have fill added behind them and the embankment regraded	Stabilized re-graded sections of the slope are necessary and follow engineering design. Other governing agencies also provide review comments for consideration. The specific residential properties will be identified as the design advances. This is also a consideration in the permit process with CLOCA.
g) Has the City completed all necessary geotechnical investigations, given soil test contractors were on site Feb 22, 2024 digging holes or will there be more tests;	Subsurface investigations will be ongoing as necessary to support the design.
h) What is the expected construction start date;	This will depend on how the design advances. Targeting third quarter of 2024.
i) Have any of the properties encroached in any way onto City property	Investigating
j) Have there been any site alterations to any properties that have or may have a negative effect on City property	Investigating

6.0 Financial Implications

There are no financial implications directly related to this report.

7.0 Relationship to the Oshawa Strategic Plan

This Report is consistent the Oshawa Strategic Plan Goals of Accountable Leadership, Economic Prosperity and Financial Stewardship, Social Equity, Environmental Responsibility, and Cultural Vitality.



Randy Garey, Director,
Facilities Management Services



Adam Grant, Commissioner,
Safety and Facilities Services Department

HARMONY CREEK TRAIL EXTENSION

ESTERBROOK DRIVE TO CONLIN ROAD EAST



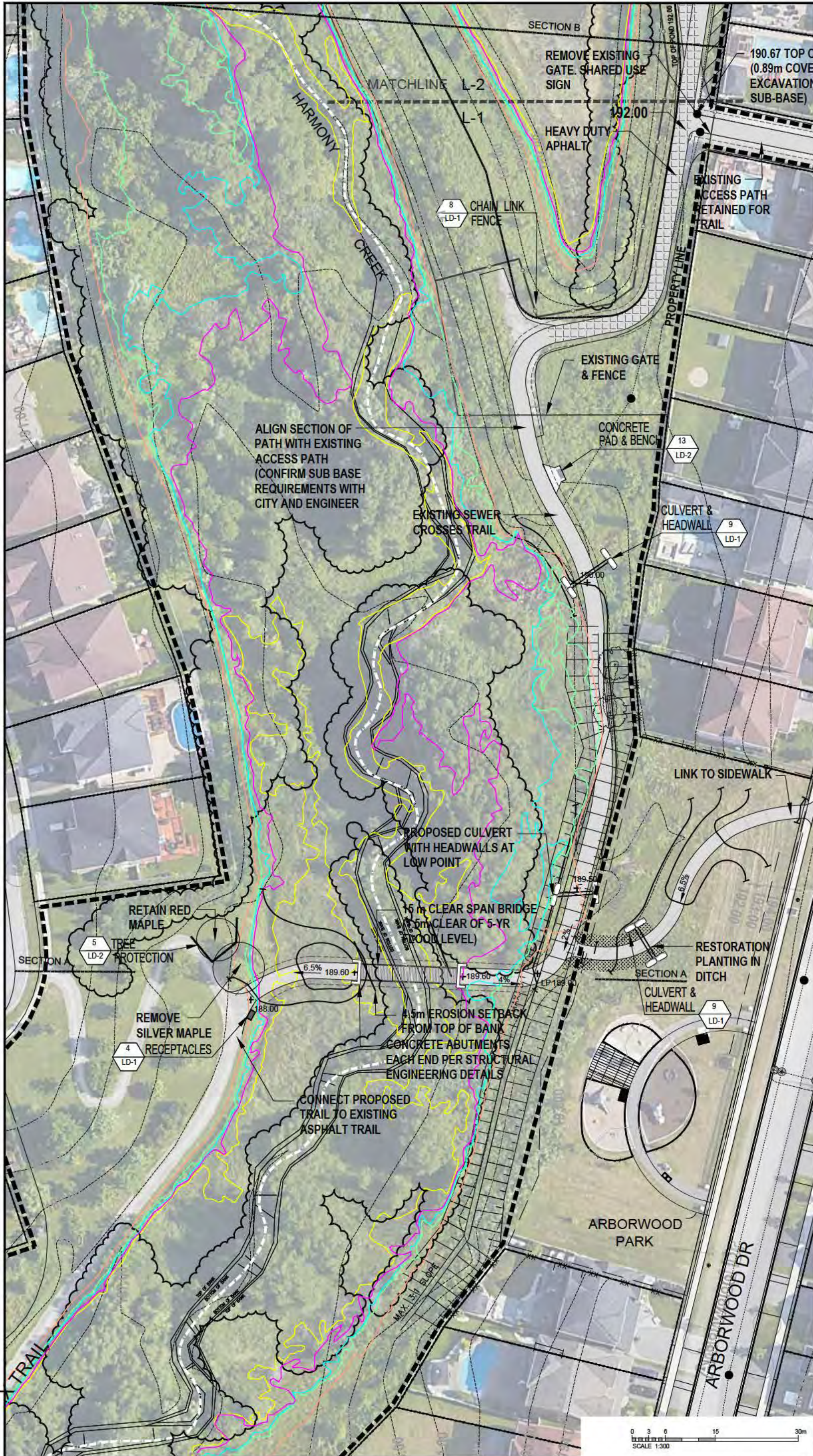
ISSUED FOR 30% REVIEW
2023-11-06

Client:



Consultant:





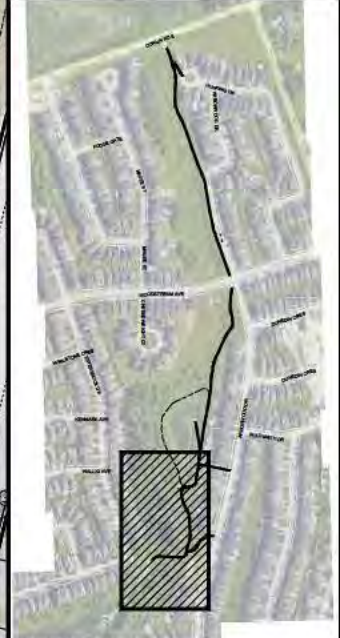
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3	Issue for 30% Review	2023/11/06	MH

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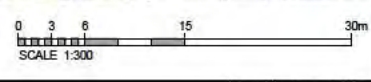
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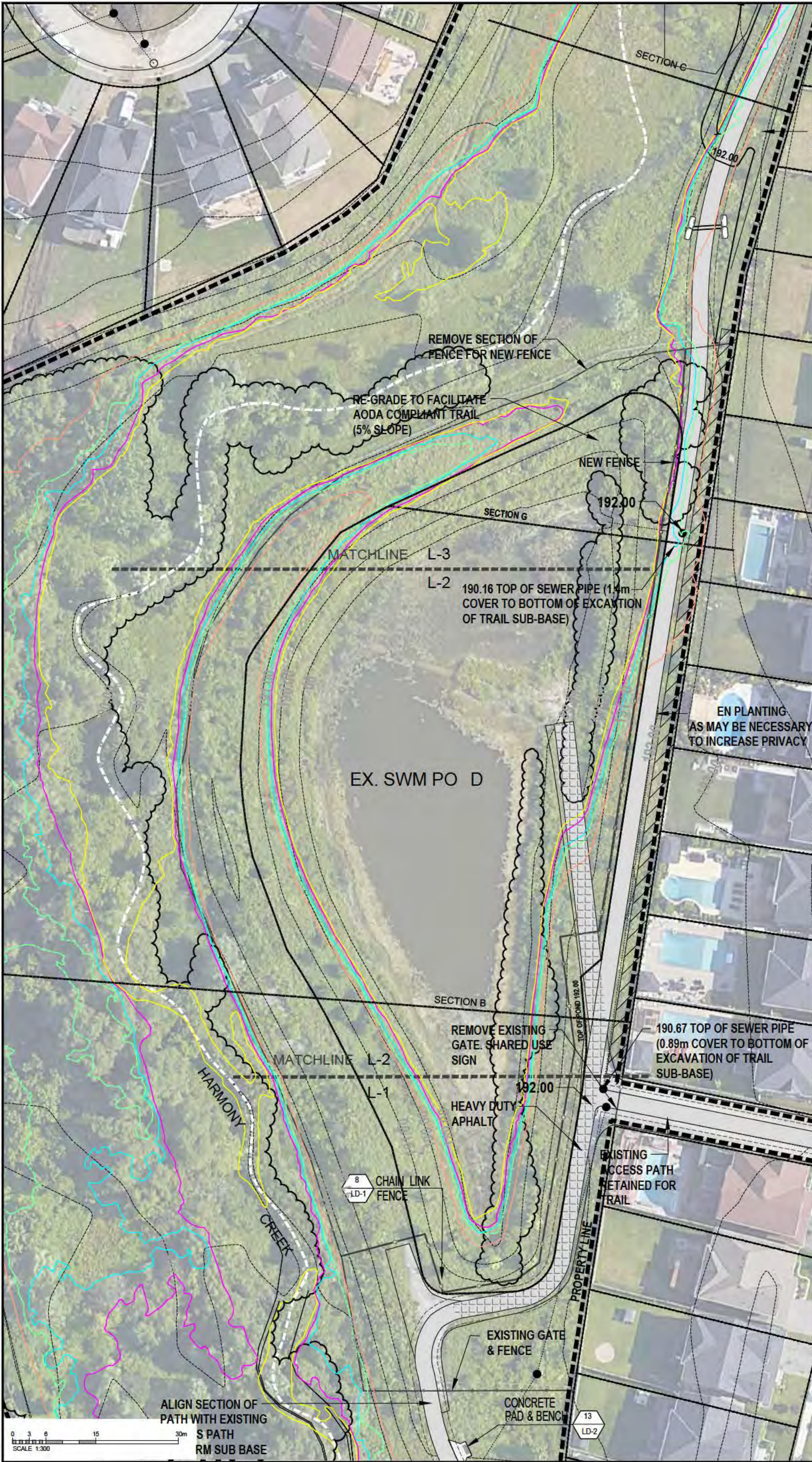


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OSHAWA, ON

Drawing Title:
ENLARGEMENT PLAN

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Drawn: CT	Checked: RMS	
Date: August 2023	Plot Date: 08/11/2023	





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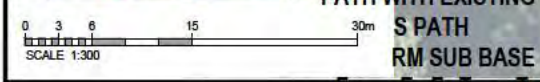
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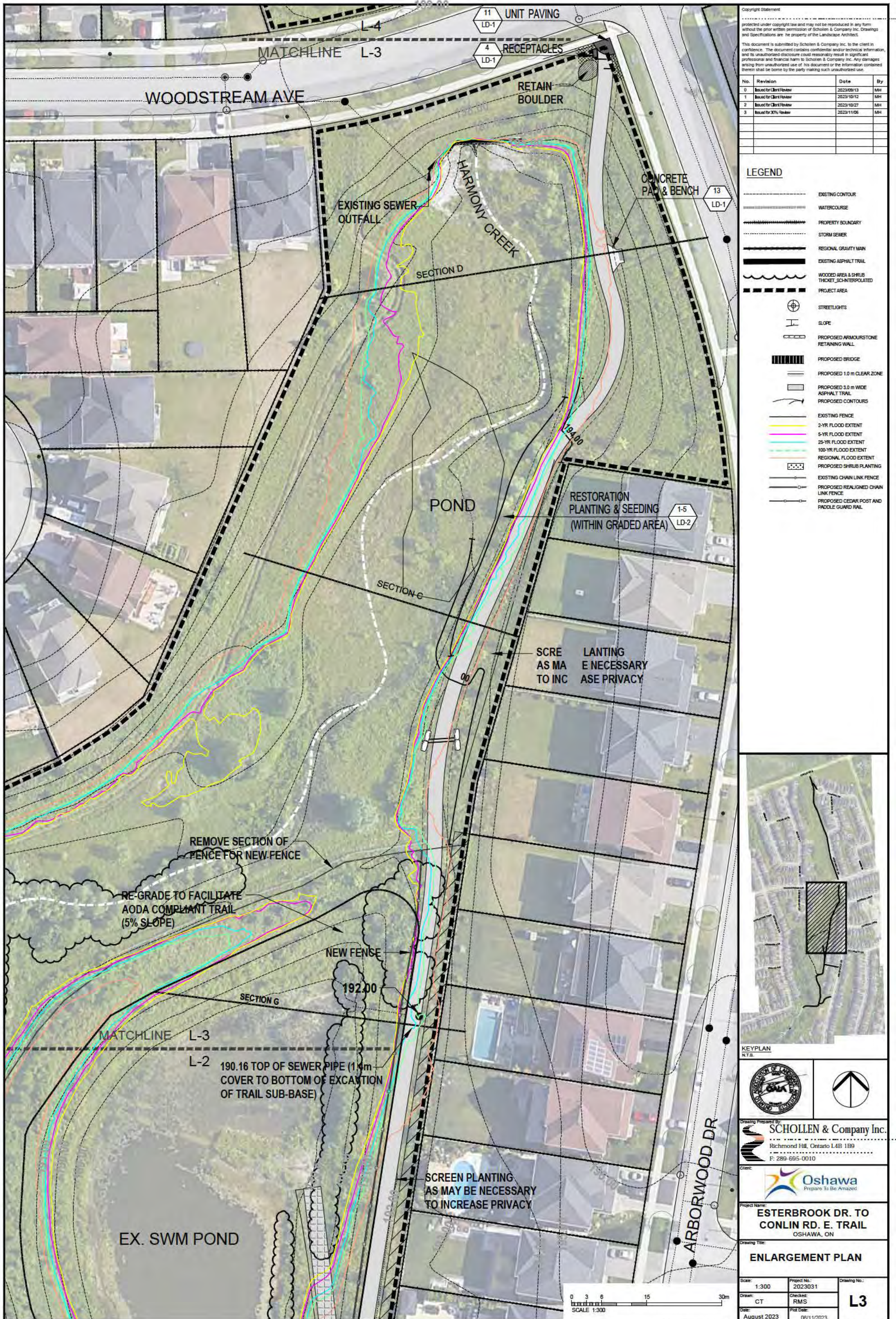
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RESTORATION PLANTING & SEEDING (WITHIN GRADED AREA) 1-5 LD-2

SCREEN PLANTING AS MAY BE NECESSARY TO INCREASE PRIVACY

REMOVE SECTION OF FENCE FOR NEW FENCE

RE-GRADE TO FACILITATE AODA COMPLIANT TRAIL (5% SLOPE)

NEW FENCE

192.00

190.16 TOP OF SEWER PIPE (1.4m COVER TO BOTTOM OF EXCAVATION OF TRAIL SUB-BASE)



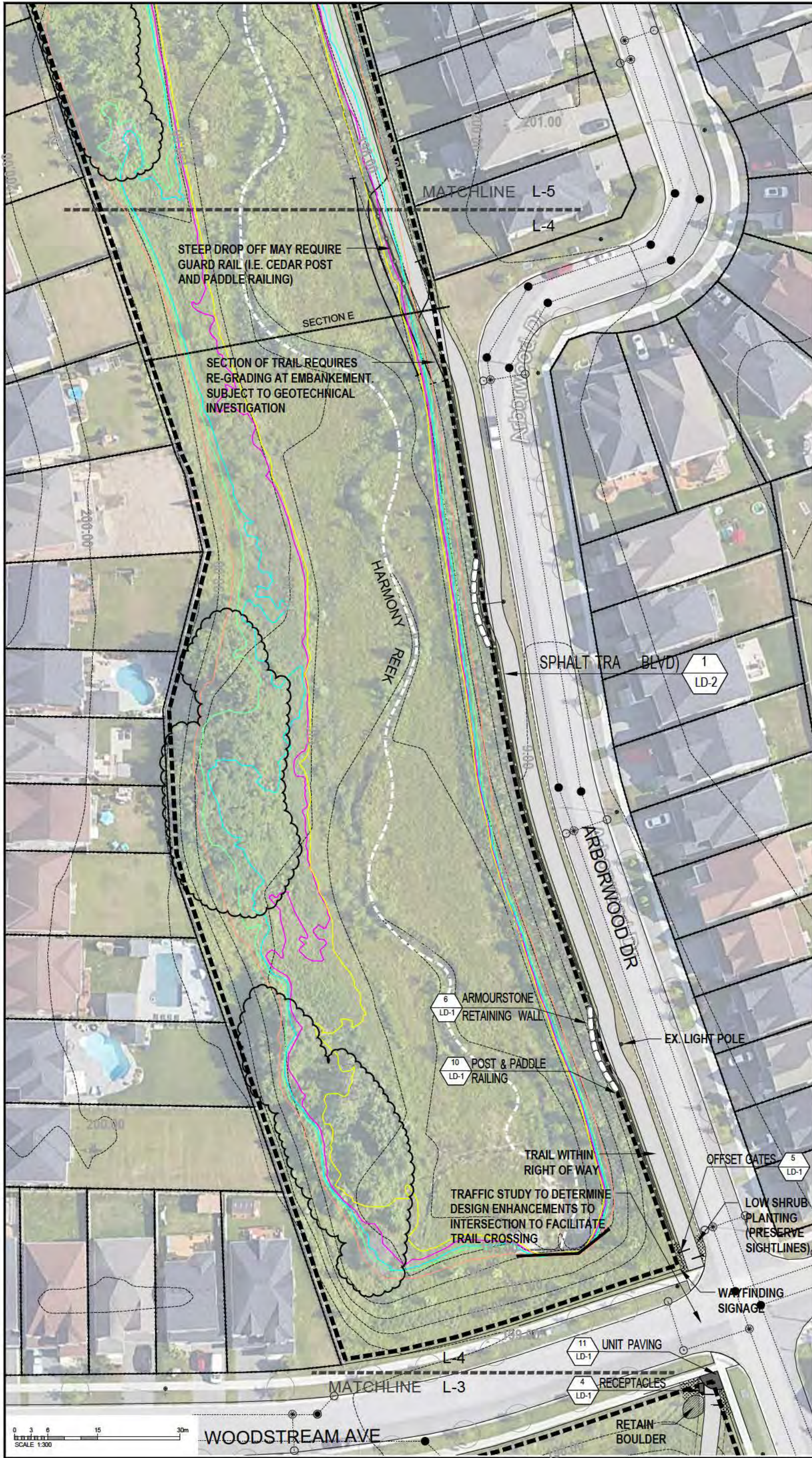
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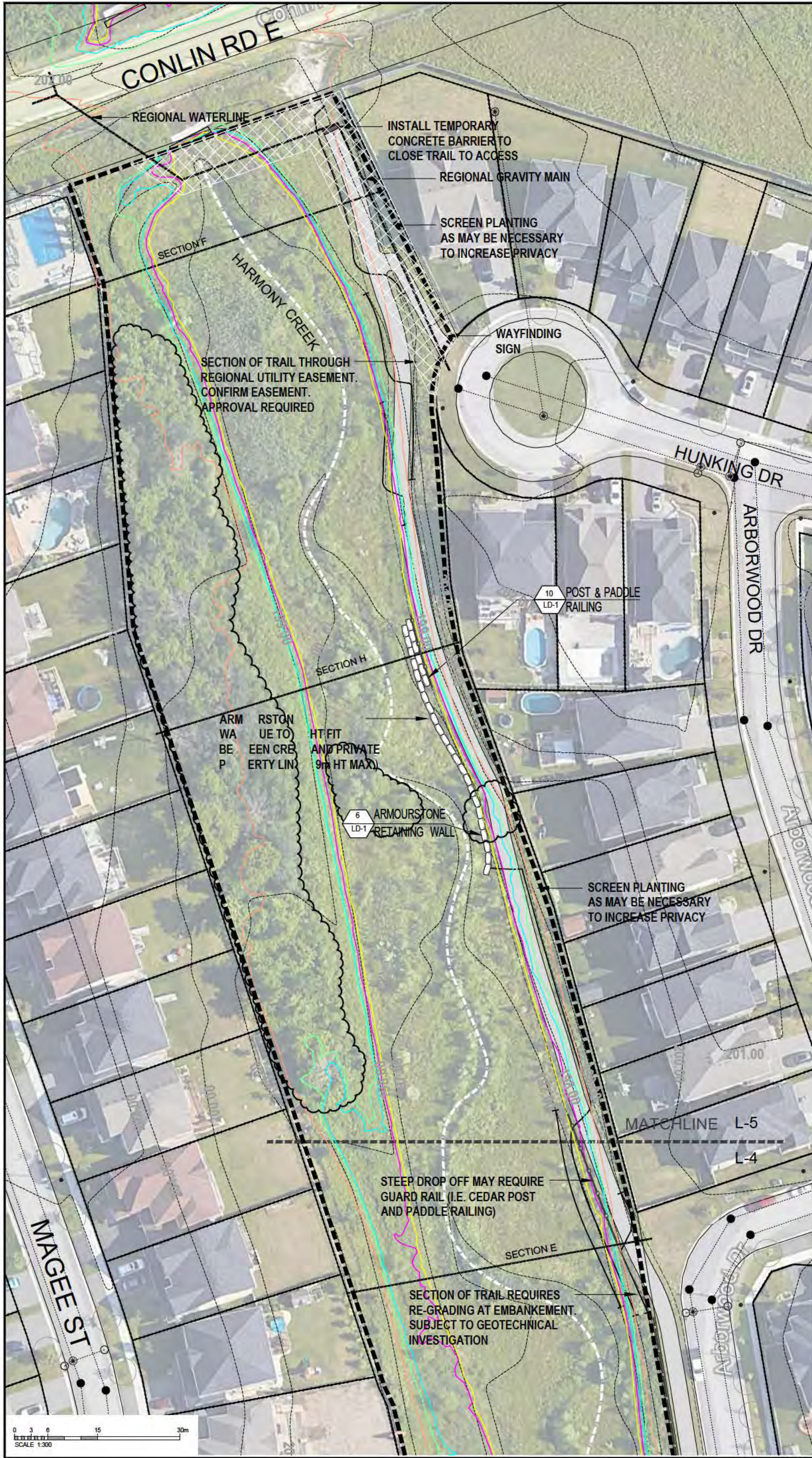
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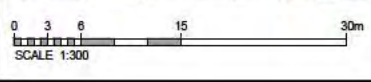
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OSHAWA, ON

Drawing Title: **ENLARGEMENT PLAN**

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Drawn: CT	Checked: RMS	
Date: August 2023	Plot Date: 08/11/2023	





**CITY OF OSHAWA - ESTERBROOK TO CONLIN TRAIL
TREE INVENTORY AND ASSESSMENT REPORT**
OSHAWA, ON



Prepared by:

A handwritten signature in black ink, appearing to read 'Anson Tam'.

Anson Tam
ISA Certified arborist, HK-1870A



Prepared on: January 30, 2024

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	Appendices	
	Appendix A: Tree Inventory and Assessment Matrix	
	Appendix B: Tree Inventory and Assessment Plan (TI-)	
	Appendix C: Tree Inventory Photo Sheets	

1.0 INTRODUCTION



FIGURE 1 – STUDY AREA

Schollen & Company Inc. was retained by the City of Oshawa to complete an inventory of the trees that are contained within, and located immediately surrounding the proposed recreational trail from Esterbrook Drive to Conlin Road East, west to Arborwood Drive. The Study Area is a greening area within a residential zone, with streams connecting the ponds and swamp from the north to the south. The greening area is split by east-west Woodstream Ave.

The subject lands that comprise the Study Area encompass approximately 3.2 hectares. The inventory has been prepared in support of an application for planning approvals to facilitate the redevelopment of the site.

2.0 METHODOLOGY

The methodology for completing the tree inventory comprised the following steps:

- All trees within 5 meters of the proposed recreational trail were assessed on an individual basis by species, size and condition. Trees that are located on adjacent lands were reviewed to determine appropriate tree protection measures where required. All trees with a Diameter at Breast Height (DBH) of 5cm or over were inventoried for this assessment.

The Tree Inventory & Assessment Report and all associated field work was completed by an ISA Certified Arborist. The Tree Inventory was conducted on October 25 and 26, 2023.

The report includes the corresponding appendices, including the Tree Inventory & Assessment Matrix (Appendix A), Tree Inventory Plans – Tree Inventory Plans TI-01 through TI-10 (Appendix B), and Tree Inventory Photo Sheet (Appendix C).

The report provides a description, as well as specific comments related to the condition of each tree. Individual photos of each tree will also be provided.

A survey of the Study Area was provided that illustrates the location of trees in relation to existing buildings, structures, roads and property boundaries. This survey was utilized to create the Tree Inventory Plans TI-01 through TI-10. The Tree Inventory Plans identify each tree that was inventoried.

The following summary of the assessment describes the findings of the inventory. Refer to the corresponding drawings, Tree Inventory Plans TI-01 through TI-10 for an illustration of the location of the existing trees. Refer to the Tree Inventory & Assessment Matrix for the condition related to each tree.

3.0 SUMMARY OF ASSESSMENT

3.1 Observations

Trees in Study Area are mixed with newly planted ornamental species and young trees emerged from nearby woodland. One tree (Tree 1794) was found as standing dead tree. No endangered tree species was found within the Study Area.

General Composition

A total of 121 trees were inventoried. The following table provides a general description of the vegetation units found within, and immediately surrounding the Study Area. Refer to the Tree Inventory & Assessment Matrix for a detailed summary of the inventory and assessment.

Species	Size Range	Average condition	Composition (%)	
Botanical name	Common name	(DBH in cm)	of Inventoried Trees)	
<i>Acer × freemanii</i>	Freeman's maple	7.5 - 22.5	Good / Satisfactory	5 (4%)
<i>Acer saccharinum</i>	Silver maple	7 - 23.5	Good / Satisfactory	24 (20%)
<i>Acer saccharum</i>	Sugar maple	6.5 – 15	Good / Satisfactory	24 (20%)
<i>Larix laricina</i>	Tamarack	9	Good	1 (1%)
<i>Picea abies</i>	Norway spruce	10 - 16	Good	5 (4%)
<i>Populus deltoides</i>	Eastern cottonwood	6 - 19	Good / Satisfactory	13 (11%)
<i>Populus tremuloides</i>	Trembling aspen	6 - 9	Good	8 (7%)
<i>Quercus macrocarpa</i>	Bur oak	6 – 9.5	Good	16 (13%)
<i>Salix alba</i>	White willow	6.5 – 25.5	Satisfactory / Potential trouble	19 (16%)
<i>Thuja occidentalis</i>	Eastern white-cedar	5.5 - 9	Satisfactory	5 (4%)
-	Dead tree	7.5	Dead	1 (1%)

Table 1: Summary of Tree Inventory

Refer to the Tree Inventory & Assessment Matrix and Tree Inventory Photo Sheets for the conditions of individual tree. The following provides a summary of the key findings of the inventory and assessment process:

- 74 trees (61%) were assigned a condition rating of 'Good.'
- 27 trees (22%) were assigned a condition rating of 'Satisfactory.'
- 19 trees (16%) were assigned a condition rating of 'Potential trouble.'
- 1 tree (1%) was found dead.

Tree Inventory and Assessment Matrix

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

****Cumulative DBH: Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1680	<i>Populus deltoides</i>	Eastern cottonwood	Good	6	-	3	Young tree	2023-10-26
1681	<i>Salix alba</i>	White willow	Good	13	-	3	Young tree	2023-10-26
1682	<i>Populus deltoides</i>	Eastern cottonwood	Satisfactory	15.5	-	3	Young tree, leaning (l)	2023-10-26
1683	<i>Salix alba</i>	White willow	Satisfactory	10, 9	13.5	4	Young tree, co-dominant trunks, leaning (l)	2023-10-26
1684	<i>Populus deltoides</i>	Eastern cottonwood	Good	9.5	-	3	Young tree	2023-10-26
1685	<i>Populus deltoides</i>	Eastern cottonwood	Good	11	-	3	Young tree	2023-10-26
1686	<i>Acer saccharum</i>	Sugar maple	Potential trouble	15	-	4	Young tree, on slope, multiple attachments, included bark	2023-10-26
1687	<i>Salix alba</i>	White willow	Potential trouble	16, 12	20	5	Young tree, co-dominant trunks, included bark	2023-10-26
1688	<i>Populus deltoides</i>	Eastern cottonwood	Good	19	-	4	Young tree	2023-10-26
1689	<i>Acer saccharum</i>	Sugar maple	Good	10.5	-	3	Young tree, on slope	2023-10-26
1690	<i>Acer × freemanii</i>	Freeman's maple	Satisfactory	10	-	3	Young tree, on slope, wound at trunk base (l)	2023-10-26
1691	<i>Acer saccharinum</i>	Silver maple	Good	13.5	-	3	Young tree, on slope	2023-10-26
1692	<i>Acer saccharinum</i>	Silver maple	Good	15	-	4	Young tree, on slope	2023-10-26
1693	<i>Populus deltoides</i>	Eastern cottonwood	Satisfactory	12.5	-	3	Young tree, on slope, leaning (l)	2023-10-26
1694	<i>Acer saccharinum</i>	Silver maple	Good	13	-	4	Young tree, on slope	2023-10-26
1695	<i>Acer saccharinum</i>	Silver maple	Good	13	-	4	Young tree, on slope	2023-10-26
1696	<i>Acer saccharinum</i>	Silver maple	Good	14.5	-	4	Young tree, on slope	2023-10-26
1697	<i>Acer saccharinum</i>	Silver maple	Good	10	-	3	Young tree, on slope	2023-10-26
1698	<i>Acer saccharum</i>	Sugar maple	Satisfactory	12	-	3	Young tree, on slope, low branching (l)	2023-10-26
1699	<i>Acer saccharum</i>	Sugar maple	Potential trouble	13	-	4	Young tree, on slope, multiple attachments, included bark	2023-10-26

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

****Cumulative DBH: Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1700	<i>Acer saccharum</i>	Sugar maple	Good	11	-	4	Young tree, on slope	2023-10-26
1701	<i>Acer saccharum</i>	Sugar maple	Good	7	-	2	Young tree, on slope	2023-10-26
1702	<i>Acer saccharum</i>	Sugar maple	Satisfactory	9	-	3	Young tree, on slope, low branching (l)	2023-10-26
1703	<i>Acer saccharum</i>	Sugar maple	Good	10.5	-	3	Young tree, on slope	2023-10-26
1704	<i>Quercus macrocarpa</i>	Bur oak	Good	6	-	2	Young tree, on slope	2023-10-26
1705	<i>Quercus macrocarpa</i>	Bur oak	Satisfactory	8	-	2	Young tree, on slope, co-dominant leaders	2023-10-26
1706	<i>Quercus macrocarpa</i>	Bur oak	Good	8	-	3	Young tree, on slope	2023-10-26
1707	<i>Acer saccharum</i>	Sugar maple	Good	10	-	3	Young tree, on slope, bird nest	2023-10-26
1708	<i>Acer saccharum</i>	Sugar maple	Potential trouble	11	-	3	Young tree, on slope, multiple attachments, included bark	2023-10-26
1709	<i>Acer saccharum</i>	Sugar maple	Good	15	-	4	Young tree, on slope	2023-10-26
1710	<i>Acer saccharum</i>	Sugar maple	Potential trouble	12.5	-	4	Young tree, on slope, co-dominant leaders, included bark	2023-10-26
1711	<i>Acer saccharum</i>	Sugar maple	Good	13	-	3	Young tree, on slope	2023-10-26
1712	<i>Acer saccharum</i>	Sugar maple	Good	11.5	-	3	Young tree, on slope	2023-10-26
1713	<i>Acer saccharinum</i>	Silver maple	Good	15	-	4	Young tree, on slope	2023-10-26
1714	<i>Acer saccharinum</i>	Silver maple	Good	14	-	4	Young tree, on slope	2023-10-26
1715	<i>Acer saccharinum</i>	Silver maple	Satisfactory	13.5	-	4	Young tree, on slope, multiple attachments	2023-10-26
1716	<i>Acer saccharinum</i>	Silver maple	Satisfactory	11	-	4	Young tree, on slope, low branching (l)	2023-10-26
1717	<i>Quercus macrocarpa</i>	Bur oak	Good	9.5	-	2	Young tree	2023-10-26
1718	<i>Quercus macrocarpa</i>	Bur oak	Good	8	-	2	Young tree	2023-10-26
1719	<i>Quercus macrocarpa</i>	Bur oak	Good	7.5	-	2	Young tree	2023-10-26

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

****Cumulative DBH: Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1720	<i>Acer saccharum</i>	Sugar maple	Good	8	-	2	Young tree, on slope	2023-10-26
1721	<i>Acer saccharum</i>	Sugar maple	Good	11	-	3	Young tree, on slope	2023-10-26
1722	<i>Quercus macrocarpa</i>	Bur oak	Good	9.5	-	2	Young tree	2023-10-26
1723	<i>Quercus macrocarpa</i>	Bur oak	Good	9.5	-	2	Young tree	2023-10-26
1724	<i>Acer saccharum</i>	Sugar maple	Good	12	-	3	Young tree	2023-10-26
1725	<i>Acer × freemanii</i>	Freeman's maple	Good	10	-	3	Young tree	2023-10-26
1726	<i>Quercus macrocarpa</i>	Bur oak	Good	7	-	2	Young tree	2023-10-25
1727	<i>Quercus macrocarpa</i>	Bur oak	Good	7.5	-	2	Young tree	2023-10-25
1728	<i>Quercus macrocarpa</i>	Bur oak	Potential trouble	6	-	2	Young tree, leaning (l), beaning trunk (m)	2023-10-25
1729	<i>Quercus macrocarpa</i>	Bur oak	Good	7.5	-	1	Young tree	2023-10-25
1730	<i>Quercus macrocarpa</i>	Bur oak	Good	7	-	2	Young tree	2023-10-25
1731	<i>Quercus macrocarpa</i>	Bur oak	Good	7	-	2	Young tree	2023-10-25
1732	<i>Quercus macrocarpa</i>	Bur oak	Potential trouble	6.5	-	2	Young tree, leaning (l), beaning trunk (m)	2023-10-25
1733	<i>Populus deltoides</i>	Eastern cottonwood	Potential trouble	6.5	-	2	Young tree, poor taper (m)	2023-10-25
1734	<i>Salix alba</i>	White willow	Potential trouble	6.5	-	2	Young tree, poor taper (m)	2023-10-25
1735	<i>Salix alba</i>	White willow	Satisfactory	12, 11	16	4	Young tree, co-dominant trunks	2023-10-25
1736	<i>Populus deltoides</i>	Eastern cottonwood	Potential trouble	9.5	-	2	Young tree, poor taper (m)	2023-10-25
1737	<i>Salix alba</i>	White willow	Potential trouble	7	-	2	Young tree, poor taper (m)	2023-10-25
1738	<i>Salix alba</i>	White willow	Satisfactory	7.5	-	2	Young tree, poor taper (l)	2023-10-25
1739	<i>Salix alba</i>	White willow	Satisfactory	9, 8, 7	14	4	Young tree, multiple stems	2023-10-25

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

****Cumulative DBH: Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1740	<i>Salix alba</i>	White willow	Good	10	-	2	Young tree	2023-10-25
1741	<i>Salix alba</i>	White willow	Potential trouble	9.5, 8.5	12.5	3	Young tree, co-dominant trunks, included bark	2023-10-25
1742	<i>Salix alba</i>	White willow	Satisfactory	11	-	3	Young tree, leaning (l)	2023-10-25
1743	<i>Salix alba</i>	White willow	Good	16.5	-	4	-	2023-10-25
1744	<i>Salix alba</i>	White willow	Potential trouble	16, 10, 9, 6	21.5	5	Young tree, multiple stems, included bark	2023-10-25
1745	<i>Acer saccharinum</i>	Silver maple	Good	7	-	2	Young tree	2023-10-25
1746	<i>Acer saccharinum</i>	Silver maple	Good	13.5	-	4	Young tree	2023-10-25
1747	<i>Acer × freemanii</i>	Freeman's maple	Good	15	-	4	Young tree	2023-10-25
1748	<i>Acer × freemanii</i>	Freeman's maple	Satisfactory	7.5	-	2	Young tree, low branching (l)	2023-10-25
1749	<i>Acer saccharinum</i>	Silver maple	Good	12	-	3	Young tree	2023-10-25
1750	<i>Quercus macrocarpa</i>	Bur oak	Good	6.5	-	2	Young tree	2023-10-25
1751	<i>Acer saccharum</i>	Sugar maple	Potential trouble	13	-	2	Young tree, on slope, co-dominant leaders, included bark	2023-10-25
1752	<i>Populus tremuloides</i>	Trembling aspen	Satisfactory	7	-	2	Young tree, leaning (m)	2023-10-25
1753	<i>Populus tremuloides</i>	Trembling aspen	Good	6	-	2	Young tree	2023-10-25
1754	<i>Salix alba</i>	White willow	Potential trouble	9, 7.5	11.5	2	Young tree, co-dominant trunks, included bark, poor taper	2023-10-25
1755	<i>Acer saccharinum</i>	Silver maple	Satisfactory	11	-	2	Young tree, co-dominant leaders, wound on trunk (l)	2023-10-25
1756	<i>Populus tremuloides</i>	Trembling aspen	Good	6.5	-	2	Young tree	2023-10-25
1757	<i>Populus tremuloides</i>	Trembling aspen	Good	6.5	-	2	Young tree	2023-10-25
1758	<i>Populus tremuloides</i>	Trembling aspen	Good	9	-	2	Young tree	2023-10-25
1759	<i>Populus tremuloides</i>	Trembling aspen	Satisfactory	8	-	2	Young tree, leaning (l)	2023-10-25

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

****Cumulative DBH: Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1760	<i>Populus tremuloides</i>	Trembling aspen	Good	7.5	-	2	Young tree	2023-10-25
1761	<i>Salix alba</i>	White willow	Potential trouble	14, 9	16.5	3	Young tree, co-dominant trunks, included bark	2023-10-25
1762	<i>Larix laricina</i>	Tamarack	Good	9	-	3	Young tree	2023-10-25
1763	<i>Thuja occidentalis</i>	Eastern white-cedar	Satisfactory	7, 4, 3	8.5	3	Young tree, multiple stems	2023-10-25
1764	<i>Thuja occidentalis</i>	Eastern white-cedar	Satisfactory	7, 5	8.5	3	Young tree, co-dominant trunks	2023-10-25
1765	<i>Thuja occidentalis</i>	Eastern white-cedar	Satisfactory	6, 4, 3	8	3	Young tree, multiple stems	2023-10-25
1766	<i>Picea abies</i>	Norway spruce	Good	16	-	3	Young tree	2023-10-25
1767	<i>Picea abies</i>	Norway spruce	Good	15	-	3	Young tree	2023-10-25
1768	<i>Picea abies</i>	Norway spruce	Good	14	-	3	Young tree	2023-10-25
1769	<i>Thuja occidentalis</i>	Eastern white-cedar	Satisfactory	5, 2, 2	5.5	2	Young tree, multiple stems	2023-10-25
1770	<i>Thuja occidentalis</i>	Eastern white-cedar	Good	9	-	2	Young tree	2023-10-25
1771	<i>Picea abies</i>	Norway spruce	Good	10	-	2	Young tree, close to pond	2023-10-25
1772	<i>Picea abies</i>	Norway spruce	Good	13	-	2	Young tree, close to pond	2023-10-25
1773	<i>Acer saccharinum</i>	Silver maple	Satisfactory	17.5	-	4	Young tree, low branching (l)	2023-10-25
1774	<i>Acer saccharinum</i>	Silver maple	Potential trouble	17	-	4	Young tree, co-dominant leaders, included bark	2023-10-25
1775	<i>Acer saccharinum</i>	Silver maple	Satisfactory	18	-	5	Young tree, low branching (m)	2023-10-25
1776	<i>Acer saccharinum</i>	Silver maple	Satisfactory	14	-	4	Young tree, low branching (l)	2023-10-25
1777	<i>Acer saccharinum</i>	Silver maple	Good	15	-	3	Young tree	2023-10-25
1778	<i>Acer saccharinum</i>	Silver maple	Satisfactory	12	-	3	Young tree, wound on trunk (m)	2023-10-25
1779	<i>Acer saccharinum</i>	Silver maple	Good	17	-	3	Young tree, bird nest	2023-10-25

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

**Condition Ratings: Good, Satisfactory, Potential Trouble, Declining, Death Imminent, Dead

***DBH: Diameter at Breast Height (1.4m off finished grade).

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Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1780	<i>Acer saccharinum</i>	Silver maple	Good	13.5	-	3	Young tree	2023-10-25
1781	<i>Salix alba</i>	White willow	Potential trouble	14.5, 12.5, 9, 6.5	22	4	Young tree, multiple stems, included bark	2023-10-25
1782	<i>Populus deltoides</i>	Eastern cottonwood	Good	19	-	4	Young tree	2023-10-25
1783	<i>Populus deltoides</i>	Eastern cottonwood	Good	11	-	2	Young tree	2023-10-25
1784	<i>Salix alba</i>	White willow	Satisfactory	17, 14, 10, 8	25.5	4	Young tree, multiple stems	2023-10-25
1785	<i>Acer saccharum</i>	Sugar maple	Good	10	-	3	Young tree	2023-10-25
1786	<i>Acer saccharum</i>	Sugar maple	Good	9.5	-	2	Young tree	2023-10-25
1787	<i>Populus tremuloides</i>	Trembling aspen	Good	7.5	-	2	Young tree	2023-10-25
1788	<i>Populus deltoides</i>	Eastern cottonwood	Good	13	-	3	Young tree	2023-10-25
1789	<i>Populus deltoides</i>	Eastern cottonwood	Good	17	-	3	Young tree	2023-10-25
1790	<i>Acer saccharinum</i>	Silver maple	Good	12.5	-	2	Young tree	2023-10-25
1791	<i>Acer saccharum</i>	Sugar maple	Good	12.5	-	3	Young tree	2023-10-25
1792	<i>Acer saccharum</i>	Sugar maple	Good	13	-	3	Young tree	2023-10-25
1793	<i>Acer saccharum</i>	Sugar maple	Good	13	-	3	Young tree	2023-10-25
1794	-	Dead tree	Dead	7.5	-	3	Dead crown, bark de-attachment	2023-10-25
1795	<i>Salix alba</i>	White willow	Potential trouble	10, 5	11	2	Young tree, included bark	2023-10-25
1796	<i>Salix alba</i>	White willow	Good	8	-	3	Young tree	2023-10-25
1797	<i>Populus deltoides</i>	Eastern cottonwood	Good	9.5	-	3	Young tree	2023-10-25
1798	<i>Acer saccharinum</i>	Silver maple	Satisfactory	23.5	-	5	Imbalanced crown (l)	2023-10-25
1799	<i>Acer × freemanii</i>	Freeman's maple	Good	22.5	-	5	-	2023-10-25

City of Oshawa - Esterbrook to Conlin Trail - Tree Inventory & Assessment Matrix

PROJECT NO. 2023031

LEGEND

(l): low, (m): moderate, (h): high severity

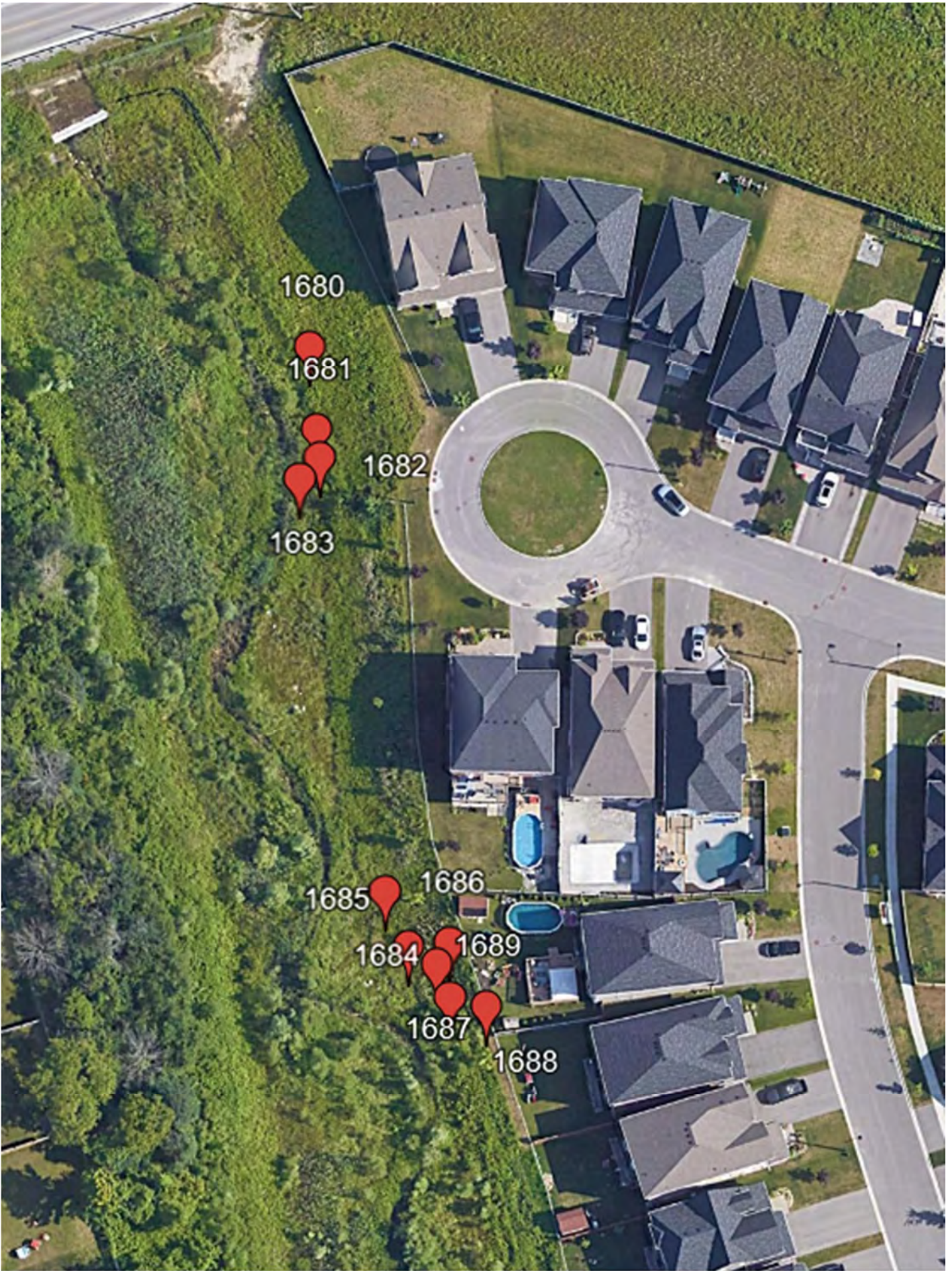
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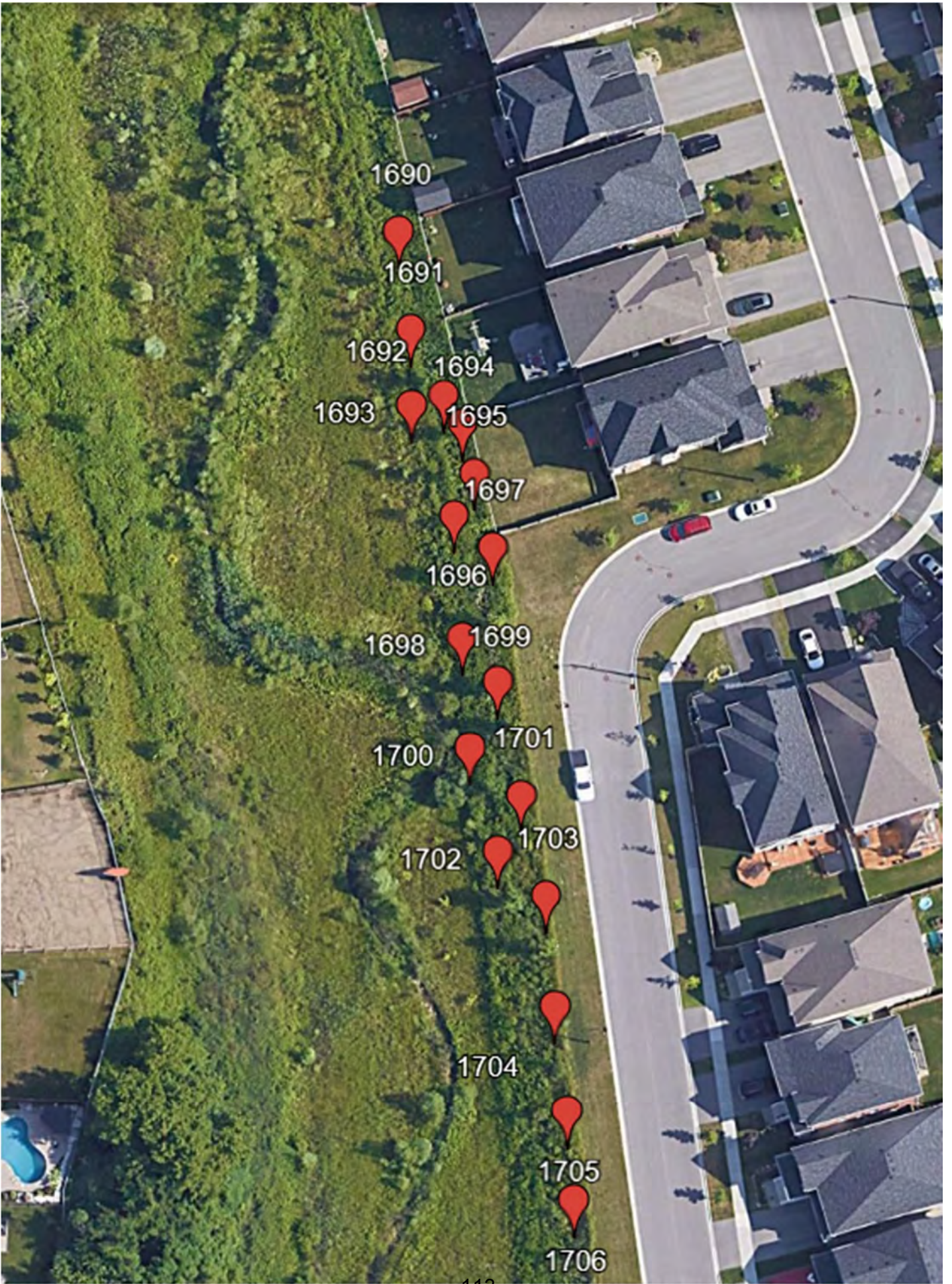
*****DBH:** Diameter at Breast Height (1.4m off finished grade).

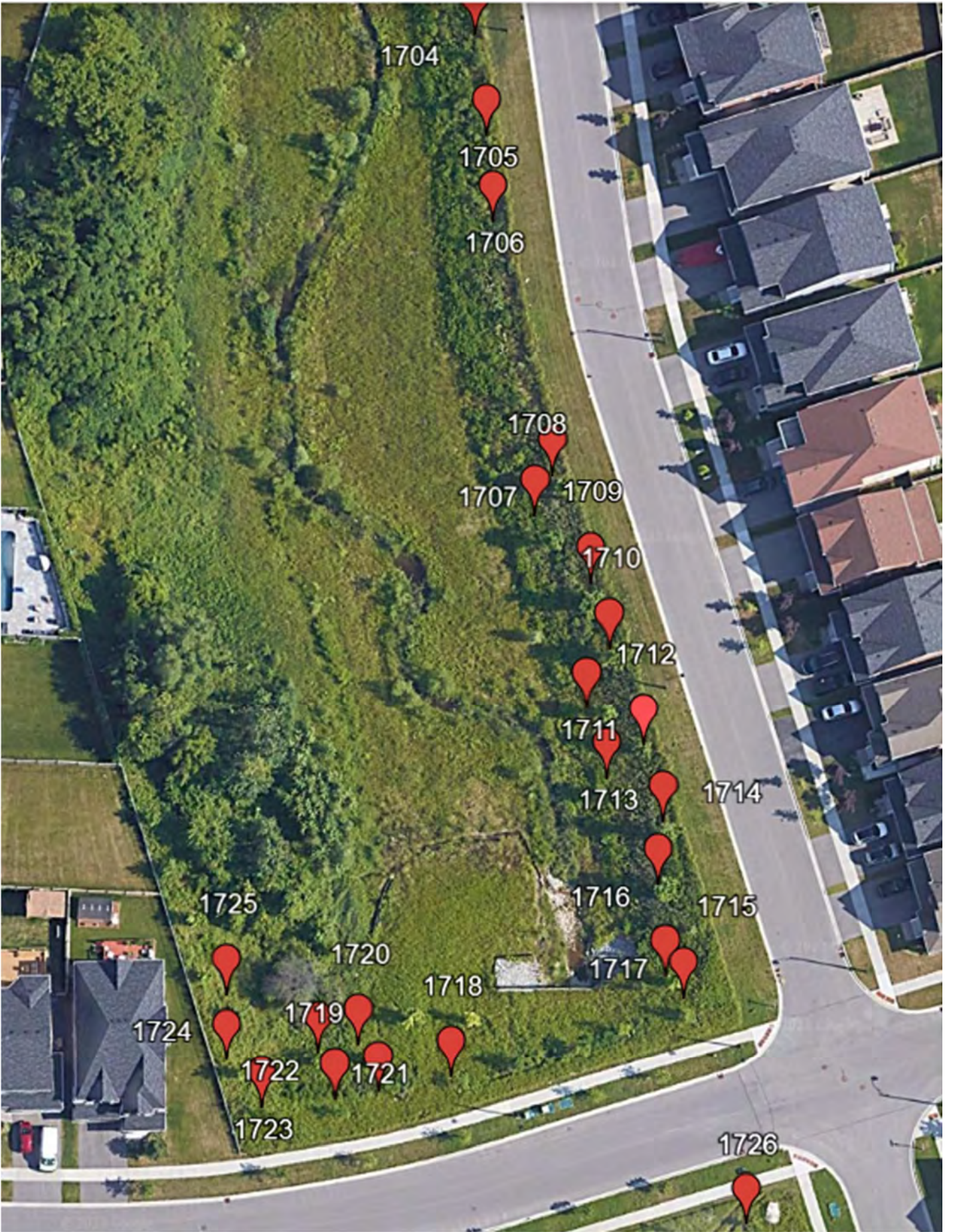
******Cumulative DBH:** Calculated using square root of all stems squared on multi-stemmed trees. Used to determine TPZ of multi-stemmed trees.

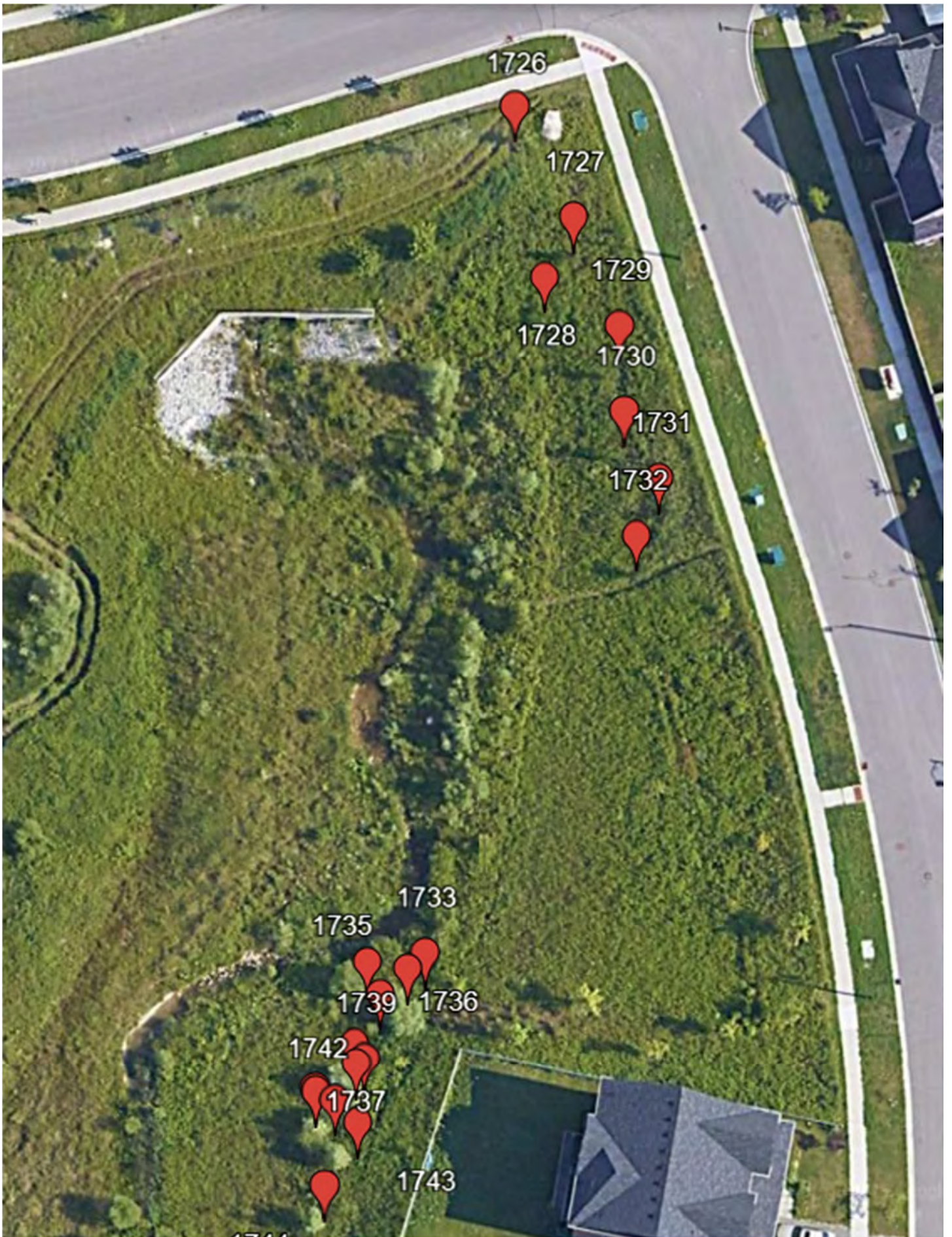
Tree Tag No.	Species		Condition Rating **	DBH of Ind. Stems(cm)***	Cumulative DBH (cm)****	Approx. Canopy Width (m)	Notes	Date of Assessment
	Botanical Name	Common Name						
1800	<i>Acer saccharum</i>	Sugar maple	Good	6.5	-	2	Young tree	2023-10-25
End of Tree Inventory & Assessment Matrix								

Tree Inventory and Assessment Plans (TI-)



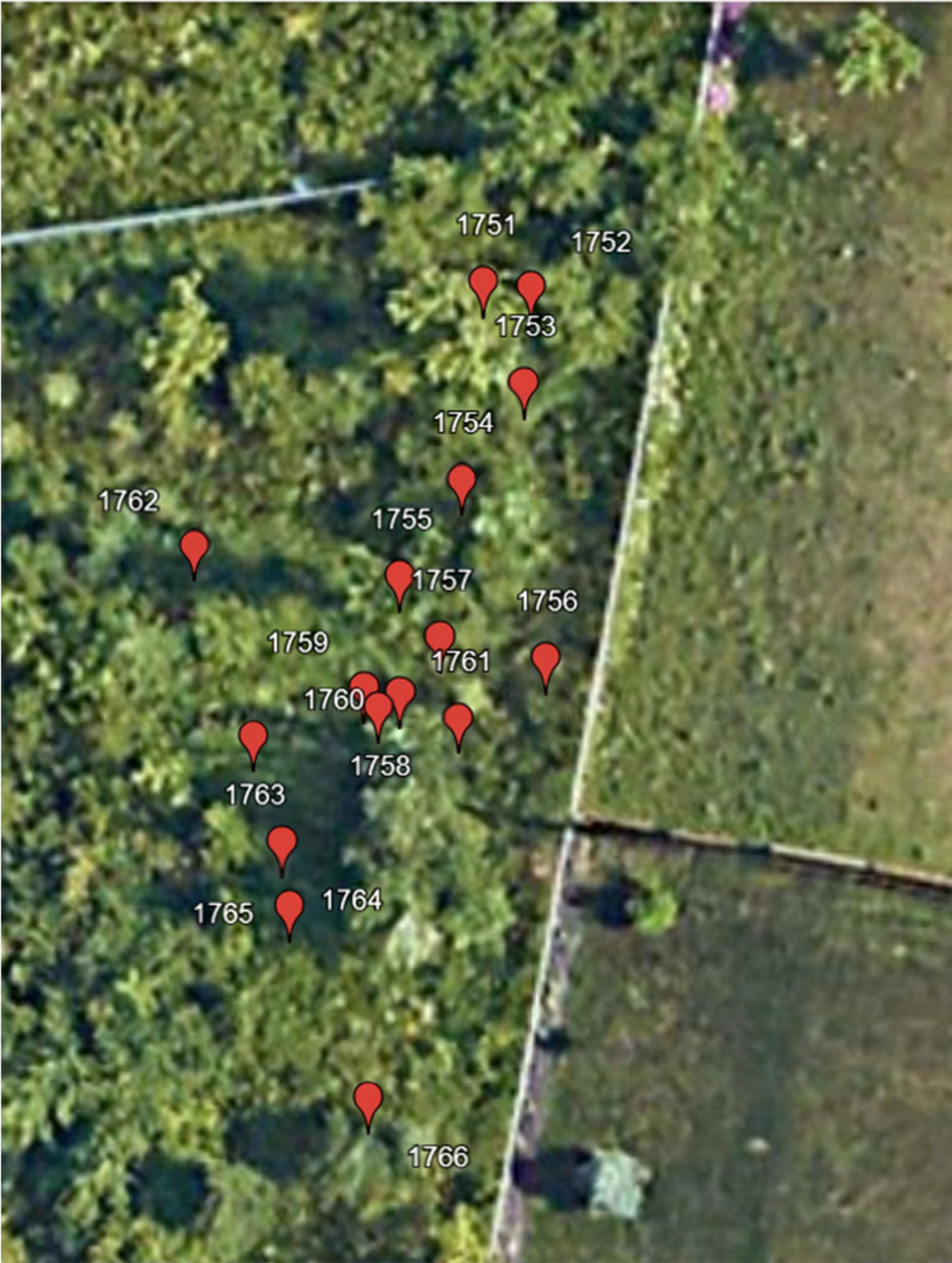


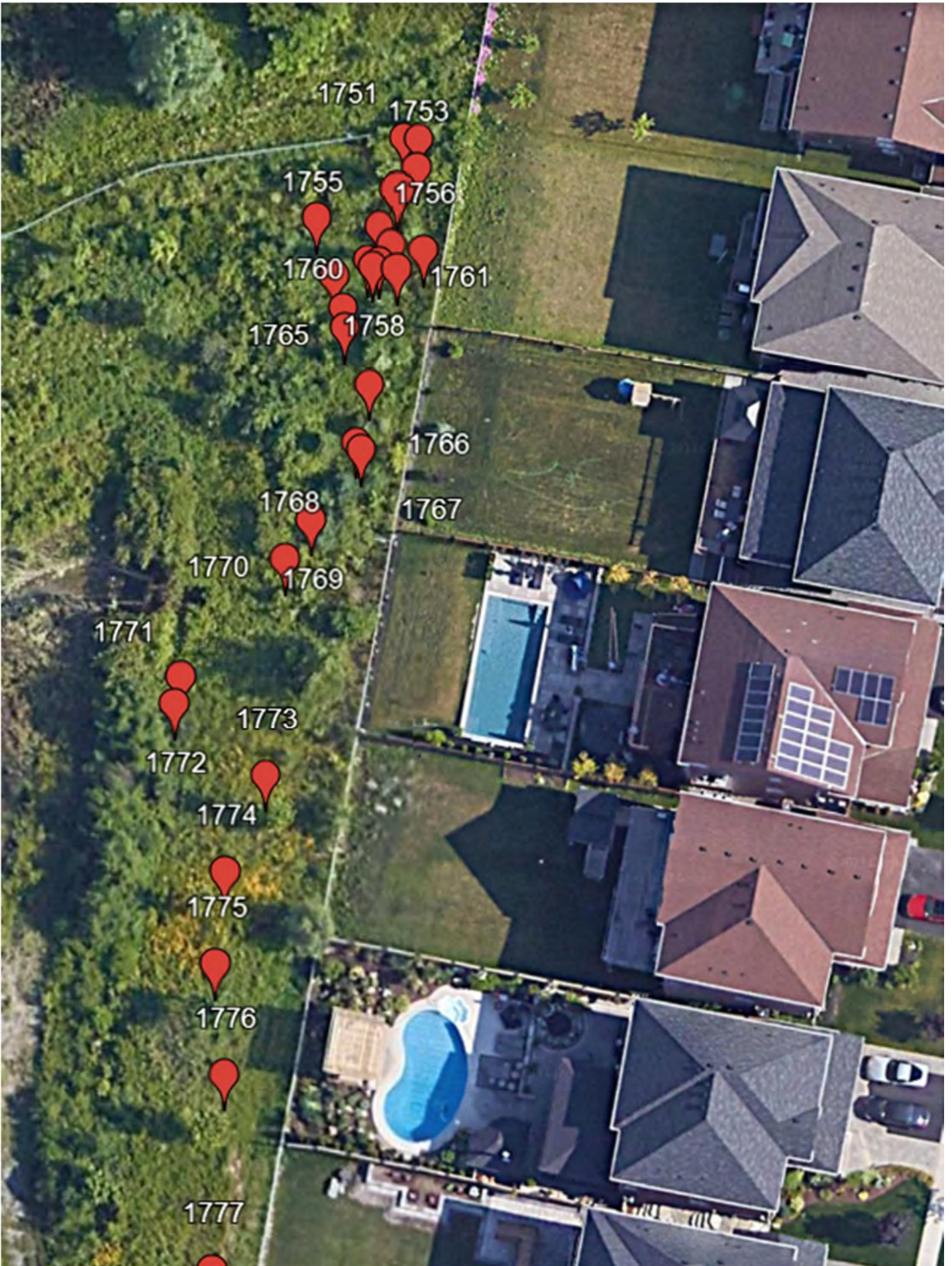


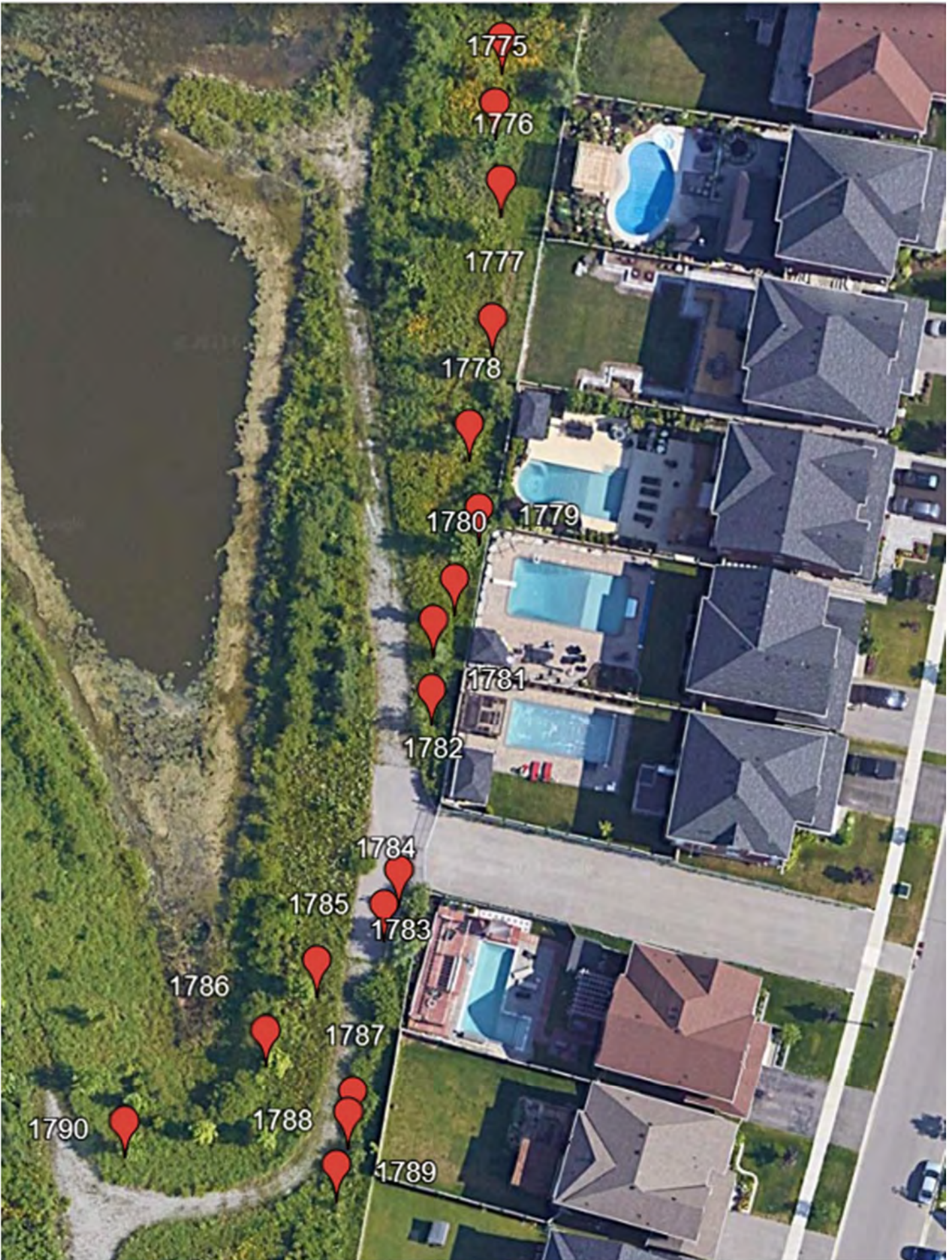


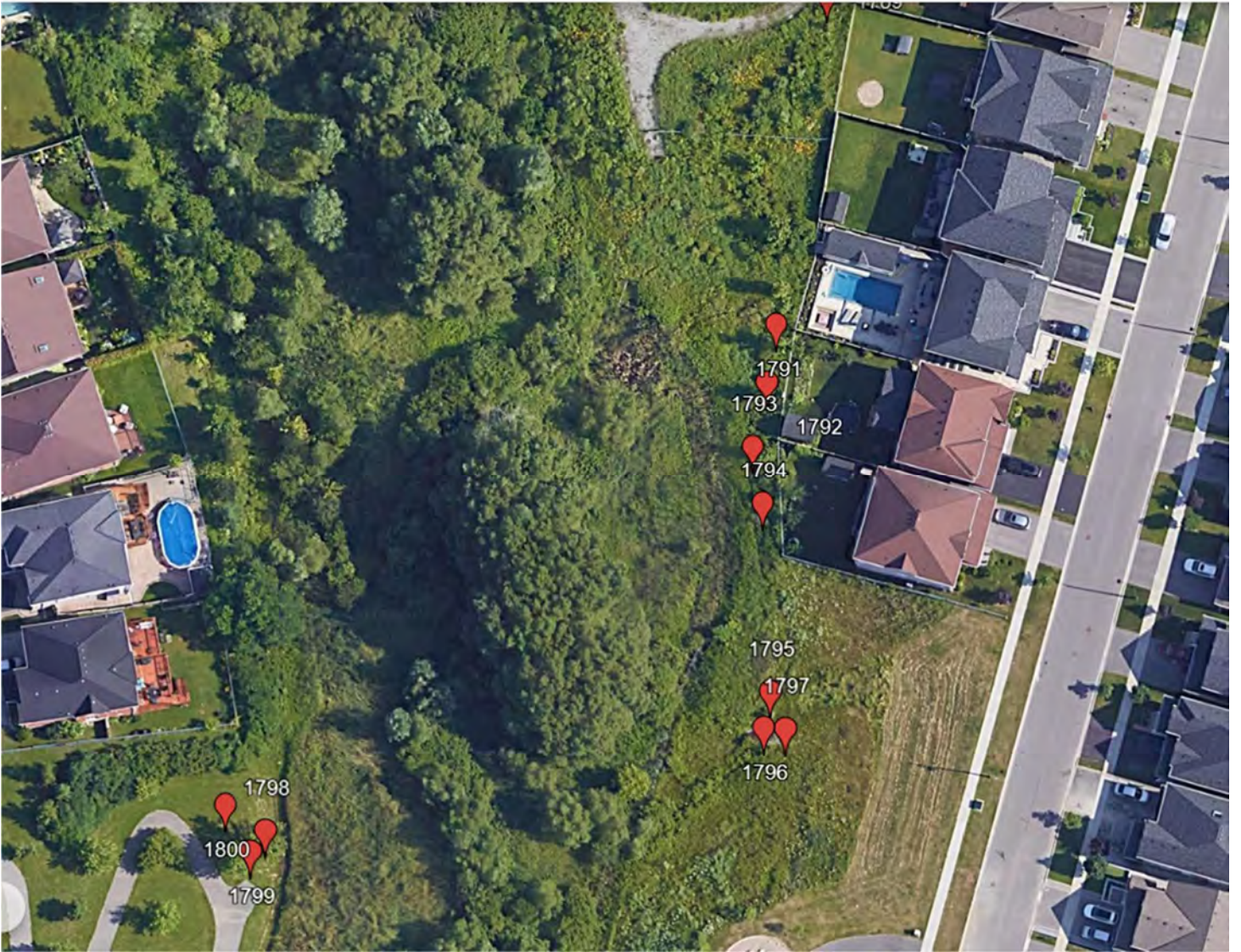












Tree Inventory Photo Sheets

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



Tree 1680



Tree 1681



Tree 1682



Tree 1683



Tree 1684



Tree 1685



Tree 1686



Tree 1687



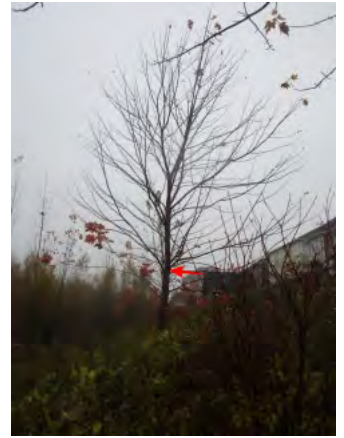
Tree 1688



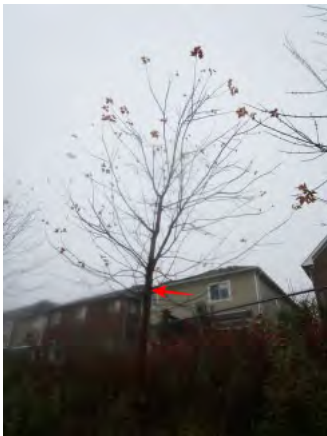
Tree 1689



Tree 1690



Tree 1691



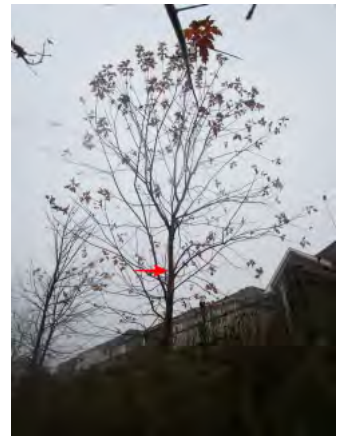
Tree 1692



Tree 1693



Tree 1694



Tree 1695

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



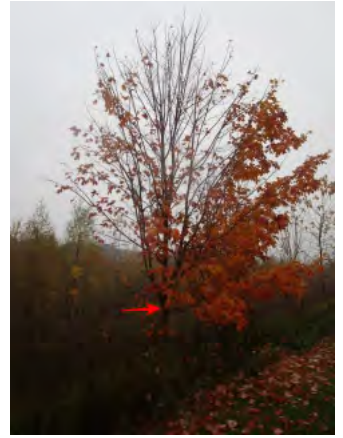
Tree 1696



Tree 1697



Tree 1698



Tree 1699



Tree 1700



Tree 1701



Tree 1702



Tree 1703



Tree 1704



Tree 1705



Tree 1706



Tree 1707



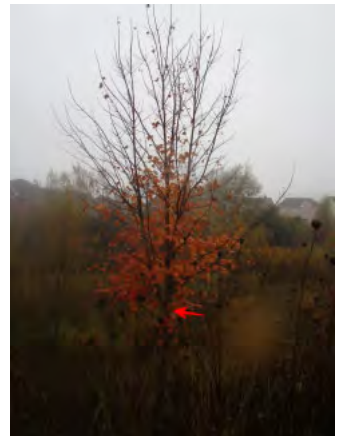
Tree 1708



Tree 1709



Tree 1710



Tree 1711

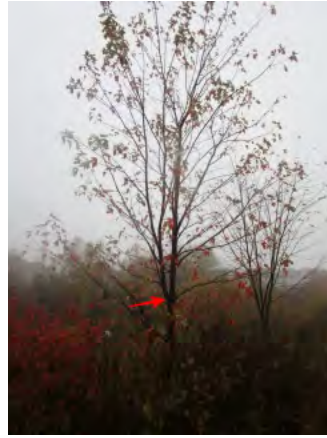
City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



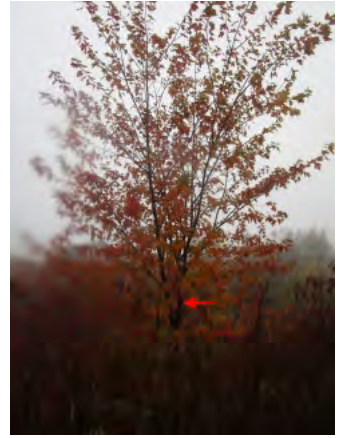
Tree 1712



Tree 1713



Tree 1714



Tree 1715



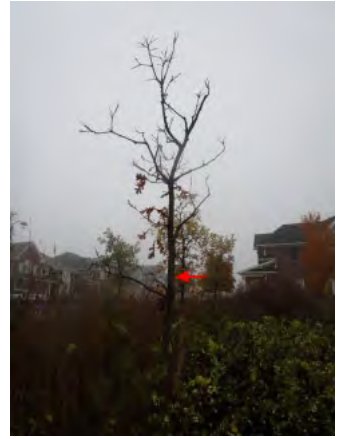
Tree 1716



Tree 1717



Tree 1718



Tree 1719



Tree 1720



Tree 1721



Tree 1722



Tree 1723



Tree 1724



Tree 1725



Tree 1726



Tree 1727

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



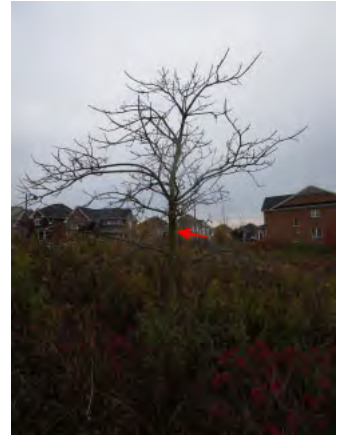
Tree 1728



Tree 1729



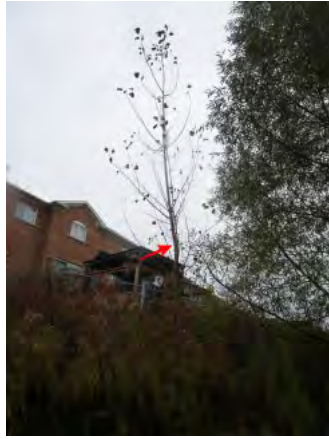
Tree 1730



Tree 1731



Tree 1732



Tree 1733



Tree 1734



Tree 1735



Tree 1736



Tree 1737



Tree 1738



Tree 1739



Tree 1740



Tree 1741



Tree 1742



Tree 1743

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



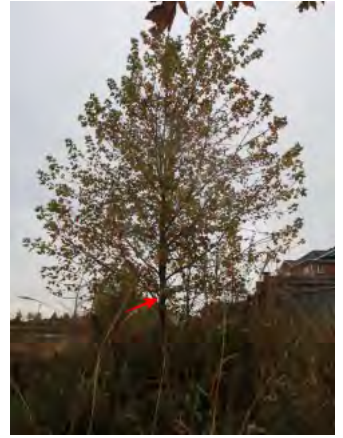
Tree 1744



Tree 1745



Tree 1746



Tree 1747



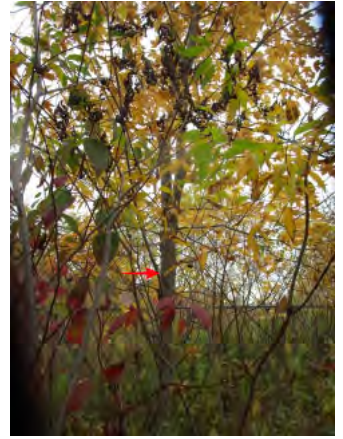
Tree 1748



Tree 1749



Tree 1750



Tree 1751



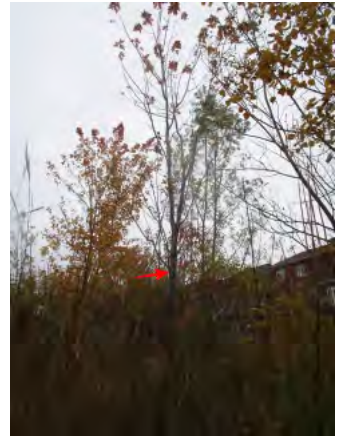
Tree 1752



Tree 1753



Tree 1754



Tree 1755



Tree 1756



Tree 1757



Tree 1758



Tree 1759

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



Tree 1760



Tree 1761



Tree 1762



Tree 1763



Tree 1764



Tree 1765



Tree 1766



Tree 1767



Tree 1768



Tree 1769



Tree 1770



Tree 1771



Tree 1772



Tree 1773



Tree 1774



Tree 1775

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



Tree 1776



Tree 1777



Tree 1778



Tree 1779



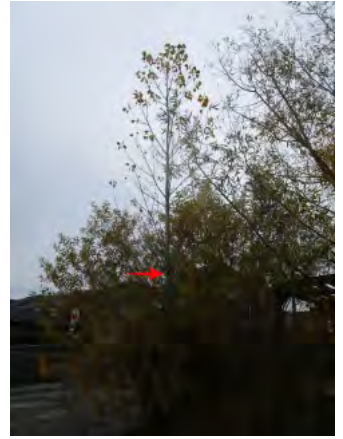
Tree 1780



Tree 1781



Tree 1782



Tree 1783



Tree 1784



Tree 1785



Tree 1786



Tree 1787



Tree 1788



Tree 1789



Tree 1790



Tree 1791

City of Oshawa - Esterbrook to Conlin Trail
Appendix C - Tree Photographic Record
Data of Photos - Oct 25 & 26, 2023



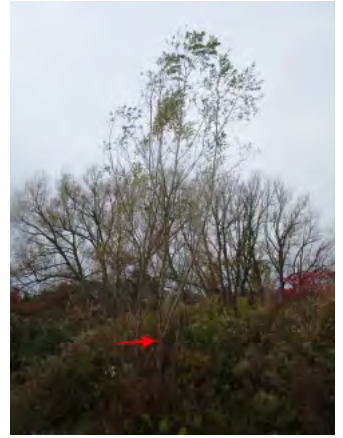
Tree 1792



Tree 1793



Tree 1794



Tree 1795



Tree 1796



Tree 1797



Tree 1798



Tree 1799



Tree 1800