



**Town of Oakville
Council**

AGENDA

Date: Monday, June 17, 2024
Time: 6:30 p.m.
Location: Council Chamber

Live streaming video is available on <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/live-stream> or at the town's YouTube channel at <https://www.youtube.com/user/TownofOakvilleTV>. Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/delegations-presentations>.

	Pages
1. O Canada	
2. Regrets	
3. Declarations of Pecuniary Interest	
4. Confirmation of Minutes of the previous Council Meeting(s)	
<i>Item 4.2 and 4.5 see confidential agenda.</i>	
<i>Item 4.6 see addendum to be distributed.</i>	
<i>Item 4.7 see confidential addendum to be distributed .</i>	
4.1 Minutes of the Regular Session of Planning Development Session of Council, MAY 21, 2024	7 - 17
4.2 Confidential Minutes of the Closed Session of Planning and Development Council, MAY 21, 2024	
4.3 Minutes of the Regular Session of Council, MAY 27, 2024	18 - 28
4.4 Minutes of the Special Session of Council, JUNE 3, 2024 at 4:00 p.m.	29 - 31
4.5 Confidential Minutes of Closed Special Session of Council, JUNE 3, 2024 at 4:00 p.m.	

4.6 Minutes of the Special Council Session, JUNE 3, 2024 at 6:30 p.m.

4.7 Confidential Minutes of the Closed Special Council Session, JUNE 3, 2024 at 6:30 p.m.

5. Public Presentation(s)

There are no public presentations listed for this agenda.

6. Standing Committee Report(s)

Item 6.2 see confidential agenda.

6.1 Minutes of the Committee of the Whole - Workshop, MAY 27, 2024 32 - 34

6.2 Confidential Minutes of the Committee of the Whole - Workshop, MAY 27, 2024

7. Committee of the Whole

8. Consent Item(s)

8.1 Extension of License with Wai Nui O’Kanaka Outrigger Canoe Club and Charterability Cruising For the Disabled 35 - 38

Recommendation:

1. That staff be granted authority to extend the license agreement with the Wai Nu O’Kanaka Outrigger Canoe Club and Charterability Cruising For the Disabled for an additional 10 years for their premises within Busby Park, on the terms set out in this report.
2. That the license extension agreement be executed in accordance with By-law 2013-057 and the Town Solicitor be authorized to enter into any minor amendments, as required.

8.2 2024 Recreation and Culture Rates and Fees - Seniors Services Fee Amendments 39 - 56

Recommendation:

That the report entitled “2024 Recreation and Culture Rates and Fees - Seniors Services Membership Fee Amendment” be received and the recommendation to amend the 2024 Recreation and Culture Rates and Fees be approved.

8.3 Public Notice and Engagement Policy and Procedure Update 57 - 96

Recommendation:

That the updated Public Notice and Engagement Policy be approved.

8.4 Disposition of surplus remnant parcel adjacent to Wycroft Road 97 - 102

Recommendation:

1. That the Town Solicitor be authorized to transfer Parts 2 and 3 on Plan 20R-17281 to the adjoining property owner for nominal consideration to be incorporated within the private lands.
2. That By-law 2024-060 – A by-law to stop up and close for all purposes a portion of Wycroft Road, being Part 2 on Plan 20R-17281, be passed.
3. That the Town Solicitor be authorized to register By-law 2024-060 in compliance with the *Municipal Act, 2001*.

8.5 Housekeeping Amendments to the Public Nuisance, Property Standards and Lot Maintenance By-laws 103 - 115

Recommendation:

1. That By-law 2024-072, a by-law to amend Public Nuisance By-law 2007-143 attached as Appendix A to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
2. By-law 2024-073, a by-law to amend Property Standards By-law 2023-074, as amended, attached as Appendix B to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
3. By-law 2024-074, a by-law to amend Lot Maintenance By-law 2023-075, as amended, attached as Appendix C to the report from Municipal Enforcement Services dated June 4, 2024 be passed.

8.6 March 31, 2024 Financial Results

116 - 139

Recommendation:

1. That the information contained in the staff report dated June 4, 2024, entitled *March 31, 2024 Financial Results* from the Finance Department, be received.
2. That project 36102219 Cellular Enablement be amended to add \$106,000 from the Capital Reserve to fund additional equipment for the Transit fleet and to decommission the old infrastructure.
3. That the 2024 capital budget be amended to add a new project with a budget of \$65,000 funded from the Bloomberg Philanthropies Youth Climate Action Fund.

8.7 ServiceOakville – In Person and Service Channel Trends

140 - 149

Recommendation:

That the report dated June 4, 2024 , from the Strategy, Policy and Communications Department be received.

8.8 Corporate Policy Update

150 - 170

Recommendation:

1. That the updated Use of Corporate Resources During an Election Period Procedure be approved.
2. That the updated Notice of Close Vote Procedure be approved.
3. That the BIA Event Signs Policy be approved.

9. Confidential Consent Item(s)

9.1 Regulating the Display and Distribution of Objectionable Images

10. Discussion Item(s)

10.1 Business Licensing By-law Review – Draft By-law 171 - 536

Recommendation:

1. That the draft licensing by-law attached as Appendix A to the report from Municipal Enforcement Services dated June 4, 2024 be received for consideration, but not passed at this time.
2. That By-law 2024-101, a by-law to amend Licensing By-law 2015-075 attached as Appendix D to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
3. That Municipal Enforcement Services circulate the draft licensing by-law for comment to currently licensed businesses and businesses that are captured under the new licensing classes.
4. That Municipal Enforcement Services report back with comments received from the business community and the final version of the licensing by-law in Q4 of 2024.

10.2 2024 Corporate Asset Management Plan – Part B for Non Core Assets 537 - 688

Recommendation:

That the 2024 Corporate Asset Management Plan – Part B for Non-Core assets as included in Appendix A be approved.

11. Confidential Discussion Item(s)

There are no confidential discussion items listed for this agenda.

12. Advisory Committee Minutes

12.1 Community Spirit Awards Minutes - May 29, 2024 689 - 690

13. Rise and Report to Council

14. Information Items (Circulated Electronically)

14.1 Council Information May 15 - June 4, 2024 691 - 693

15. Status of Outstanding Issues 694 - 702

16. New Business

(Notice of Motion, Emergency, Congratulatory or Condolence)

17. **Regional Reports and Question Period Regarding Town Boards and Advisory Committees**

18. **Requests for Reports**

19. **Consideration and Reading of By-Laws**

That the following by-law(s) be passed:

19.1 **By-law 2024-072**

A by-law to amend Public Nuisance By-law 2007-143, being a by-law to prohibit or regulate public nuisances, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors within the Town of Oakville **(Re: Item 8.5)**

19.2 **By-law 2024-073**

A by-law to amend Property Standards By-law 2023-074, being a by-law to prescribe standards for the maintenance and occupancy of property within the Town of Oakville **(Re: Item 8.5)**

19.3 **By-law 2024-074**

A by-law to amend Lot Maintenance By-law 2023-075, being a by-law to regulate exterior property maintenance including vegetation, waste and graffiti **(Re: Item 8.5)**

19.4 **By-law 2024-101**

A by-law to amend Licensing By-law 2015-075 **(Re: Item 10.1)**

19.5 **By-law 2024-104**

703 - 703

A by-law to confirm the proceedings of a meeting of Council.

20. **Adjournment**



Town of Oakville
Planning and Development Council
MINUTES

Date: May 21, 2024
Time: 6:30 p.m.
Location: Council Chamber

Mayor and Council:

- Mayor Burton
- Councillor Adams
- Councillor Chisholm
- Councillor Duddeck
- Councillor Elgar
- Councillor Gittings
- Councillor Grant
- Councillor Haslett-Theall
- Councillor Knoll
- Councillor Lishchyna
- Councillor Longo
- Councillor McNeice
- Councillor Nanda
- Councillor O'Meara
- Councillor Xie

Staff:

- J. Clohec, Chief Administrative Officer
- N. Garbe, Commissioner of Community Development
- P. Fu, Commissioner of Community Infrastructure
- P. Damaso, Commissioner of Community Services
- D. Carr, Town Solicitor
- G. Charles, Director of Planning Services
- N. Chandra, Assistant Town Solicitor
- J. Huctwith, Assistant Town Solicitor
- P. Barrette, Manager of Planning Services, West District
- K. Biggar, Manager of Policy Planning and Heritage
- L. Musson, Manager of Planning Services, East District
- K. Cockburn, Senior Planner
- B. Sunderland, Senior Planner

R. Thun, Senior Planner
C. Buckerfield, Senior Planner
B. O'Hare, Planner
M. Riaz, Planner
A. Holland, Acting Town Clerk
J. Warren, Council and Committee Coordinator
J. Radomirovic, Council and Committee Coordinator

The Town of Oakville Council met in regular session to consider planning matters on this 21st day of Month, 2024 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, commencing at 6:30 p.m.

1. Regrets

There were no regrets.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Committee of the Whole

Moved by Councillor McNeice
Seconded by Councillor Lishchyna

That this meeting proceed into a Committee of the Whole session.

CARRIED

4. Consent Items(s)

4.1 Notice of intention to designate – 115 Third Line – May 21, 2024

Moved by Councillor Haslett-Theall

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the Heeks Family Farmhouse at 115 Third Line.

CARRIED

4.2 Notice of intention to designate – 129 Tavistock Square – May 21, 2024

Moved by Councillor Haslett-Theall

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for Fairmount at 129 Tavistock Square.

CARRIED

4.3 Old Oakville Heritage Conservation District Process Update

Moved by Councillor Haslett-Theall

That the “Next Steps” in the report ‘*Old Oakville Heritage Conservation District Process Update*’ by the Planning Services department dated May 14, 2024, be endorsed in accordance with s.41.1 (7) of the *Ontario Heritage Act*.

CARRIED

5. Confidential Consent Item(s)

There were no confidential consent items.

6. Public Hearing Item(s)

6.1 Public Meeting Report, Draft Plan of Subdivision and Zoning By-law Amendment, Spruce Rose Inc., File Nos.: 24T-24003/1613, Z.1613.66

For the purposes of Planning Act requirements, the following person(s) made an oral submission.

Adrian Chee, presented on behalf of the applicant.

Jeremy Hammond, opposed to the proposal, doesn't believe it fits with the town zoning policies, suggests the development doesn't fit within the character of the neighbourhood.

Dan Meskell, opposed to the proposal, concerns regarding the traffic surrounding school bus pick ups and bus stops, suggested the design of the homes minimize the quality of the heritage district.

Sue Chalykoff, opposed to the proposal, concerned about the changes proposed to the zoning regulations, as well as the narrow set backs,

overcrowding of properties, building heights, snow removal. Suggested five lots may be more appropriate than seven.

Cody Cornale, opposed to the proposal, concerned about road safety with extra driveway since the area has high pedestrian traffic with a lot of kids. Suggested the proposal is not within character of neighbourhood

Jim Lawson, opposed to the proposal, suggested the development proposal doesn't consider the character of the neighbourhood, and filed a submission.

Claire Merry, on behalf of the Trafalgar Chartwell Residents Association, supports that the development is single dwelling, agrees with all the other speakers and suggests that the proposal is not appropriate zoning compared to the rest of the neighbourhood. Concerns about consistency with the Livable Oakville Plan, the character of the heritage neighbourhood, traffic and kids who take the bus. Suggested a single car driveway or more scaled down version may be more appropriate.

Moved by Councillor Gittings

1. That the comments from the public with respect to the proposed Zoning By-law Amendment and Draft Plan of Subdivision submitted by Spruce Rose Inc. (File Nos.: Z.1613.66 and 24T-24003/1613), be received.
2. That the analysis of the following matters of interest to Council be included as part of the recommendation report:
 - a. Compatibility with the neighbourhood lotting pattern.
 - b. Compatibility with neighbourhood character.
 - c. Appropriateness of the proposed RL5 Zone given the surrounding RL3-0 SP10 zoning context.
 - d. Review opportunities to maximize tree preservation.
 - e. Maintenance of Heritage character.
 - f. Review the density/number of lots.
 - g. Urban Design issues related to built form, scale and massing including architectural materials.
 - h. Traffic concerns including:
 - i. Turning radius due to wide driveways.

- ii. Sight lines.
- iii. Driveway separation distances.
- iv. Pedestrian/vehicular safety.
- v. Location of driveways as it relates to transit stops and school bus pick-up/drop-off points.
- vi. Need for a more comprehensive traffic study.
- i. Snow removal/storage.

CARRIED

6.2 Public Meeting Report, ZBA, ASC (Oakville) Facility Limited Partnership, Z.1327.03

Len Radomski, presented on behalf of the applicant.

Moved by Councillor Nanda

1. That comments from the public with respect to the proposed ZBA submitted by ASC (Oakville) Facility Limited Partnership (File No.: Z.1327.03), be received.
2. That analysis of the following matters of interest be included as part of the recommendation report:
 - a. Policy context and timeline that allows for residential units now and why they were not permitted when the building was initially approved.
 - b. Consider whether there should be a cap of 33 dwelling units or allow for dwelling units in general.

CARRIED

6.3 Public Meeting Report - Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision, Cross Realty Incorporated (Distrikt Developments), File Numbers OPA.1614.83, Z.1614.83, and 24T-24002/1614

David Charenzenko, presented on behalf of the applicant.

Terry Branch, on behalf of Oakville Community Association, not in support of the proposal, concerned about the revenues from this development and the reduction of natural light and shadows.

Claire Merry, on behalf of the Trafalgar Chartwell Residents Association, not in support of that proposal, concerns about the floorplans and layout of the units, suggested there should be 4 bedroom options. Suggested the property line setbacks are too small, that the towers are too tall and dense and that there is not enough greenspace.

Pierre Sauvageot, not in support for the proposal, suggested that the development is too dense, and that 20 stories is more compatible with Oakville, suggested the town should tell the developer how much of the development is required to be affordable housing, and would like to see how many people and jobs are required to be allotted for this area.

Moved by Councillor Knoll

1. That comments from the public with respect to the proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications submitted by Cross Realty Incorporated (Distrikt Developments), (File Nos.: OPA.1614.83, Z.1614.83, and 24T-24002/1614), be received.
2. That analysis of the following matters of interest be included as part of the recommendation report:
 - a. The difference between traditional park space and urban park space.
 - b. Review of materials and surface treatment for POPS areas.
 - c. Distribution of residential unit types (including considerations have been made toward family-sized units).
 - d. Review the proportion and quality of POPS/Park space with the residential density.
 - e. Legality and longevity of POPS in municipal ownership.
 - f. Parking ratio minimums and ownership structure.
 - g. Affordable housing provisions.
 - h. Review of the opportunities, size and proportion of retail/commercial space.

- i. Consideration for community benefits.
- j. What community services and schools are contemplated.
- k. Building siting.

CARRIED

6.4 Public Meeting Report, Official Plan Amendment/Zoning Bylaw Amendment/Draft Plan of Subdivision, Argo Neyagawa Corporation, 505 Burnhamthorpe Road West, File: OPA1220.02, Z.1220.02, 24T-24001/1220

Constance Ratelle, presented on behalf of the applicant.

Moved by Councillor Xie

1. That comments from the public with respect to the proposed Official Plan Amendment, Zoning Bylaw Amendment and Draft Plan of Subdivision application submitted by Argo Neyagawa Corporation, File: OPA1220.02, Z.1220.02 and 24T-24001/1220, be received.
2. That analysis of the following matters of interest be included as part of the recommendation report:
 - a. Employment areas and uses in the vicinity of the NUC area.
 - b. Employment truck traffic through residential areas.
 - c. Will the proposed townhouse have basements and what is the garage sizes?

CARRIED

6.5 Public Meeting and Recommendation Report – Town-initiated Official Plan Amendments – Delegation of Authority for Minor Zoning Amendments (File No. 42.15.64)

Moved by Councillor Adams

1. That comments from the public with respect to the town-initiated Official Plan Amendments (File No. 42.15.64), be received.
2. That the proposed town-initiated Official Plan Amendments regarding delegation of authority of minor zoning by-law amendments, be approved.

3. That By-law 2024-057, a by-law to adopt OPA 67 to the Livable Oakville Plan, be passed.
4. That By-law 2024-058, a by-law to adopt OPA 331 to the 1984 Oakville Official Plan, be passed.
5. That notice of Council's decision reflect that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
6. That By-law 2024-084, a by-law to amend By-law 2023-021, the Municipal Powers and Duties By-law, be passed.
7. That fees for applications for minor zoning by-law amendments be established based on the fees applicable to minor variance applications under the town's Rates and Fees tariff.
8. That the public receive two weeks notice.

CARRIED

7. Discussion Item(s)

There were no discussion items.

8. Confidential Discussion Item(s)

8.1 Midtown Oakville Appeals and Legal Considerations

Moved by Councillor Elgar

That this meeting proceed beyond the hour of 10:30 p.m.

CARRIED

RECESS

The meeting recessed from 9:37 p.m., and resumed in closed session at 9:51 p.m.

Moved by Councillor Gittings

That Council resolve into a closed meeting session for the purpose of litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for

that purpose, with respect to Item 8.1 - Midtown Oakville Appeals and Legal Considerations.

CARRIED

Council resolved back into open session at 11:15 p.m.

Moved by Councillor Longo

1. That the report from the Legal Department dated May 15, 2024 be received.
2. That the Solicitor be authorized to proceed in accordance with direction provided by Council in closed session.
3. That the notice provision in sections 5.5 (4) and 8 (3) of the Procedural By-law 2020-011 be waived to permit the Town Clerk to schedule a Special Council meeting should tight timelines require quick decisions on this matter.

CARRIED

9. Advisory Committee Minutes

There were no advisory committee minutes.

10. Rise and Report to Council

Moved by Councillor Longo

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and has made recommendations on Consent Items 4.1, 4.2, 4.3, Public Hearing Items 6.1, 6.2, 6.3, 6.4, 6.5 and Confidential Discussion Item 8.1.

Moved by Councillor Elgar

Seconded by Councillor Xie

That the report and recommendations of the Committee of the Whole be approved.

CARRIED

11. New Business

There was no new business.

12. Consideration and Reading of By-laws

12.1 By-law 2024-057

A by-law to adopt an amendment to the Livable Oakville Plan in response to Housing Accelerator Fund Initiatives, Delegation of Minor Zoning By-law Amendments, Official Plan Amendment Number 67 (File No. 42.15.64) (re: Item 6.5)

12.2 By-law 2024-058

A by-law to adopt an amendment to the 1984 Oakville Official Plan in response to Housing Accelerator Fund Initiatives, Delegation of Minor Zoning By-law Amendments, Official Plan Amendment Number 331 (File No. 42.15.64) (re: Item 6.5)

12.3 By-law 2024-080

A by-law to designate the Graham House at 115 Morrison Road as a property of cultural heritage value or interest.

12.4 By-law 2024-081

A by-law to designate Cedar Lodge at 149 Dunn Street as a property of cultural heritage value or interest.

12.5 By-law 2024-084

A By-law to amend By-law 2023-021, the Municipal Powers and Duties By-law. (re: Item 6.5)

12.6 By-law 2024-089

A by-law to confirm the proceedings of a meeting of Council.

Moved by Councillor McNeice

Seconded by Councillor Grant

That the by-laws noted above be passed.

CARRIED

13. Adjournment

The Mayor adjourned the meeting at 11:18 p.m.

Andrea Holland, Acting Town
Clerk



Town of Oakville

Council Minutes

Date: May 27, 2024
Time: 6:30 p.m.
Location: Council Chamber

Mayor and Council: Mayor Burton
Councillor Adams
Councillor Chisholm
Councillor Duddeck
Councillor Elgar
Councillor Gittings
Councillor Grant
Councillor Haslett-Theall
Councillor Knoll
Councillor Lishchyna
Councillor Longo
Councillor McNeice
Councillor Nanda
Councillor O'Meara

Regrets: Councillor Xie

Staff: J. Clohec, Chief Administrative Officer
N. Sully, Commissioner of Corporate Services and Treasurer
N. Garbe, Commissioner of Community Development
P. Fu, Commissioner of Community Infrastructure
P. Damaso, Commissioner of Community Services
D. Carr, Town Solicitor
V. Tytaneck, Town Clerk
N. Coric, Council and Committee Coordinator

The Town of Oakville Council met in regular session this 27th day of May, 2024 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 6:30 p.m.

1. O Canada

2. Regrets

As noted above.

3. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

4. Confirmation of Minutes of the previous Council Meeting(s)

4.1 Minutes of the Regular Session of Council, APRIL 29, 2024

4.2 Minutes of the Regular Session of Planning and Development Session of Council, MAY 6, 2024

Moved by Councillor Duddeck
Seconded by Councillor Longo

1. That the minutes of the Regular Session of Council dated April 29, 2024, be approved.
2. That the minutes of the Regular Session of Planning and Development Session of Council May 6, 2024, be approved.

CARRIED

5. Public Presentation(s)

There were no public presentations.

6. Standing Committee Report(s)

6.1 Minutes of the Committee of the Whole Workshop, MAY 13, 2024

Moved by Councillor Duddeck
Seconded by Councillor Longo

That the minutes of the Committee of the Whole Workshop dated May 13, 2024, be approved.

CARRIED

7. Committee of the Whole

Moved by Councillor McNeice
Seconded by Councillor Grant

That this meeting proceed into Committee of the Whole Session

CARRIED

In accordance with Section 2(8) of the Procedure By-law, the items were considered out of order.

8. Consent Item(s)

8.2 Corporate Policy Update

Moved by Councillor Haslett-Theall

That this item be referred back to staff.

CARRIED

8.4 2023 Development Charges, Cash in Lieu of Parkland, Bonus Zoning and Community Benefits Charge Reserve Fund Statements

Moved by Councillor Elgar

That the staff report dated May 14, 2024, entitled *2023 Development Charges, Cash in Lieu of Parkland, Bonus Zoning and Community Benefits Charge Reserve Fund Statements* from the Finance department, be made available on the town website and upon request, to the Ministry of Municipal Affairs and Housing.

CARRIED

8.1 Investment Policy Update

Moved by Councillor Elgar

That the updated Investment Policy be approved.

CARRIED

8.3 2024-065 - A by-law to dedicate certain land as part of a public highway (Part 2, Plan 20R-22337 – Meadowridge Drive)

Moved by Councillor Elgar

That By-law 2024-065 - A by-law to dedicate certain land as part of a public highway (Part 2, Plan 20R-22337 – Meadowridge Drive) be passed.

CARRIED

8.5 Oakville Harbours Seawall – Update Report

Moved by Councillor Elgar

1. That the report from the Parks and Open Space department dated May 14, 2024; be received.
2. That the deficit amount of \$1,481,907 in capital account 52211603 – Seawall Rehabilitation Oakville Harbour to be funded from the Capital Reserves, be approved.

CARRIED

8.6 Royal Windsor Drive Bridge Rehabilitation - Additional Budget Request

This item was postponed to a future meeting.

9. Confidential Consent Item(s)

There were no Confidential Consent Items listed for this agenda.

10. Discussion Item(s)

10.1 Noise By-law Review – Proposed Noise By-law – 2024-079

The following delegate spoke on this item:

Pierre Sauvageot.

Moved by Councillor Lishchyna

1. That Council request the Government of Ontario make our neighbourhoods quieter by establishing effective enforcement tools with requisite funding for police services to limit noise associated with loud performance and altered exhausts installed on motor vehicles by:
 - a. Establishing regulations setting limits on permitted decibel (dB) limits for motor vehicles and providing the authority to enforce the *Highway Traffic Act* using automated Camera-based Sound Level Meters;

- b. Increasing fines for violations of modified exhaust and excessive vehicle noise under the *Highway Traffic Act*, and that a violation results in demerit points, and
 - c. Banning the sale of modified exhausts explicitly used to increase the sound output of a motor vehicle.
2. That staff consider and bring back to Council options for commercial areas, Business Improvement Areas and mixed use areas regarding time restrictions.

CARRIED

10.5 OEC Quarterly Update and AGM – May 27, 2024

Moved by Councillor Longo

1. That the presentation from Rob Lister, President and CEO of Oakville Enterprises Corporation (OEC) regarding the annual business and quarterly update be received.
2. That the resolutions as submitted by the Board Chair of Oakville Enterprises Corporation in the correspondence to the Mayor and Members of Council dated May 27, 2024, with regard to the following matters be approved;
 - a. The appointment of auditors of the Oakville Enterprises Corporation; and;
 - b. The compensation for Directors of Oakville Enterprises Corporation and its affiliates be approved as Appendix A.
 - c. The acceptance of the consolidated audited financial statements of Oakville Enterprises Corporation for the year ended December 31, 2023, attached as Appendix B
3. That the Mayor as shareholder representative pursuant to the Unanimous Shareholder Agreement, be authorized to sign the resolutions for and on behalf of the Town in its capacity as the sole shareholder

CARRIED

10.6 Oakville Municipal Development Corporation AGM, Appointment of Auditors, Directors, Approval of Financial Statements

The following delegate spoke to this item:

Pierre Sauvageot.

Moved by Councillor Knoll

1. That the resolutions submitted by the Board Chair of Oakville Municipal Development Corporation in the correspondence to the Mayor and Members of Council dated April 24, 2024, attached as Appendix A, with regard to the following matters, be approved:
 - a. The appointment of auditors of the Oakville Municipal Development Corporation;
 - b. The compensation for the Directors of the Oakville Municipal Development Corporation, attached
 - c. The financial statements of the Oakville Municipal Development Corporation for the year ended December 31, 2023, attached as Appendix B.
2. That the Mayor as shareholder representative pursuant to the Shareholder Declaration, be authorized to sign the resolution for and on behalf of the Town in its capacity as the sole shareholder
3. That the OakvilleMDC 2023 Annual Report and Business Plan Update attached as Appendix C, be received.

CARRIED

10.3 2023 Financial Statements Report

The following delegate spoke to this item:

Pierre Sauvageot.

Moved by Councillor Lishchyna

That the 2023 Town of Oakville Consolidated Financial Statements and the 2023 Town of Oakville Trust Fund Financial Statements be approved.

CARRIED

10.4 2023 Audit Findings Report

The following delegate spoke to this item:

Pierre Sauvageot.

Moved by Councillor Lishchyna

That the 2023 Audit Findings Report issued by KPMG, the town's external auditor, be received for information.

CARRIED

10.2 Use of Gas-Powered Equipment

Moved by Councillor Chisholm

That the town continue a phased-out approach to reduce the use of small gas-powered equipment by aligning with market conditions shifting from gas to electric equipment supplemented by an education and communications plan.

CARRIED

10.7 2024 Priority Intergovernmental Requests

Moved by Councillor McNeice

That the 2024 priority intergovernmental requests identified in Appendix A of the report dated May 14, 2024 from the Strategy, Policy and Communications department be approved with the addition of a request to the higher levels of government to ban the sale of fireworks.

CARRIED

11. Confidential Discussion Item(s)

11.1 Oakville Harbours Seawall - Legal Update Report

Moved by Councillor Longo

That the recommendation contained in the Confidential Report from the Legal Department be approved.

CARRIED

11.2 Oakville Enterprises Corporation Appointment of Directors of Chair

Moved by Councillor Longo

1. That the confidential correspondence from the Oakville Enterprises Corporation (OEC) board or Director's chair, outlining the recommended appointment of the following individuals for the OEC Board be approved,
 - David Brennan, Chair
 - Mayor Robert Burton
 - Jane Clohecy
 - Jane Allen
 - Lucia Casacia
 - Ian Cockwell
 - Patrick Crowley
 - Harold Holloway
 - Rob Lister
 - Sheryl Watson
 - Brian Johnson (Enbridge nominee)
2. That the confidential correspondence from the Oakville Enterprises Corporation (OEC) including information on Director Board Tenure be received,
3. That the Mayor as shareholder representative pursuant to the Unanimous Shareholder Agreement, be authorized to attend a shareholders meeting and/or sign the resolutions for and on behalf of the Town in its capacity as shareholder of OEC.

CARRIED

11.3 Oakville Municipal Development Corporation Appointment of Chair and Directors

Moved by Councillor Longo

1. That the confidential resolution submitted by the Chair of the Nominating Committee with respect to the appointment of directors and the Chair of Oakville Municipal Development Corporation, attached as Confidential Appendix A, be approved; and

2. That the Mayor as shareholder representative pursuant to the Shareholder Declaration, be authorized to sign the resolutions for and on behalf of the Town in its capacity as the sole shareholder.

CARRIED

12. Advisory Committee Minutes

There were no advisory committee minutes.

13. Rise and Report to Council

Moved by Councillor Elgar

That this committee rise and report.

CARRIED

Moved by Councillor Adams

Seconded by Councillor Grant

The Mayor arose and reported that the Committee of the Whole has met and made recommendations on Consent Items 8.1, 8.2, 8.3, 8.4, 8.5, Discussion Items 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7 and Confidential Discussion Items 11.1, 11.2 and 11.3, as noted by the Clerk.

CARRIED

14. Information Items (Circulated Electronically)

14.1 Council Information April 17 - May 14, 2024

14.2 INTERNAL MEMO - Transportation & Engineering RE: Upcoming 10-day Closure Burloak Drive - June 14 to 23, 2024

14.4 INTERNAL MEMO – Clerk’s Department RE: Municipal Clearance for Liquor Sales Licence Riyasat Sweets and Restaurant

14.3 INTERNAL MEMO – Clerk’s Department RE: Advocacy Update: Modernizing the Municipal Elections Act

14.5 INTERNAL MEMO – Strategy, Policy and Communications Department RE: 2024 Community Satisfaction Survey Results by Ward

15. Status of Outstanding Issues for May 2024

16. New Business

Councillor Nanda invited council, staff and residents to the very first Asian Heritage Festival on June 1, 2024 at Fowley Park from 11 a.m. to 7 p.m.

Councillor Adams and Councillor Lischyna would like to congratulate the Northeast Oakville Fair and the committee on a job well done including the Chair, and several sponsors. They would also like to thank staff for their efforts in making the event happen.

Mayor Burton wished Oakville a Happy 167th in October of this year.

17. Regional Reports and Question Period Regarding Town Boards and Advisory Committees

18. Requests for Reports

18.1 Youth/Fireworks in Bronte Village

Moved by Councillor McNeice
Seconded by Councillor O'Meara

That staff explore additional steps that may be taken by the Town to help proactively mitigate the ongoing issue of excessively large groups of youth congregating and being attracted to Bronte Village on holiday weekends, especially Victoria Day and Canada Day, to set off fireworks in the streets and parks that are often targeted at people, vehicles, buildings, and sensitive uses such as gas stations, a seniors building, athletic fields, playgrounds and a school. Also exploring the potential for additional youth programming during these times through our Special Events Strategy and/or further restrictions through our exploration of a fireworks ban to help mitigate this issue in Bronte Village.

CARRIED

19. Consideration and Reading of By-Laws

19.1 By-law 2024-065

A by-law to dedicate certain land as part of a public highway (Part 2, Plan 20R-22337 - Meadowridge Drive)

19.2 By-law 2024-096

A by-law to confirm the proceedings of a meeting of Council.

Moved by Councillor Longo
Seconded by Councillor Knoll

That the by-laws noted above be passed.

CARRIED

20. Adjournment

The Mayor adjourned the meeting at 9:46 p.m.

Vicki Tytaneck, Town Clerk



Town of Oakville
Special Council Minutes

Date: June 3, 2024
Time: 4:00 p.m.
Location: Council Chamber

Mayor and Council: Mayor Burton
Councillor Adams
Councillor Chisholm
Councillor Duddeck
Councillor Elgar
Councillor Gittings
Councillor Grant
Councillor Haslett-Theall
Councillor Knoll (As of 4:11 p.m.)
Councillor Lishchyna (As of 4:09 p.m.)
Councillor Longo
Councillor McNeice
Councillor Nanda
Councillor Xie

Regrets: Councillor O'Meara

Staff: J. Clohecy, Chief Administrative Officer
D. Carr, Town Solicitor
J. Huctwith, Assistant Town Solicitor
N. Chandra, Assistant Town Solicitor
V. Tytaneck, Town Clerk
N. Coric, Council and Committee Coordinator
J. Radomirovic, Council and Committee Coordinator

Others: Rob Howe, External Legal Counsel, Goodmans LLP

The Town of Oakville Council met in special session this 3rd day of June, 2024 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 4:00 p.m.

1. Regrets

As noted above.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Confidential Discussion Item(s)

Moved by Councillor Duddeck

Seconded by Councillor Xie

CLOSED SESSSION

That Council resolve into a closed meeting session for the purpose of litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to item 3.1 - confidential - Midtown Legal Considerations.

CARRIED

Council resolved back into open session at 4:50 p.m.

3.1 Midtown Legal Considerations

Moved by Councillor Longo

Seconded by Councillor Adams

That the confidential verbal update from the Legal department be received.

CARRIED

4. Consideration and Reading of By-Laws

4.1 By-law 2024-103

A by-law to confirm the proceedings of a special meeting of Council.

Moved by Councillor McNeice

Seconded by Councillor Grant

That the following by-law be passed.

CARRIED

5. Adjournment

The Mayor adjourned the meeting at 4:53 p.m.

Vicki Tytaneck, Town Clerk



Town of Oakville
Committee of the Whole - Workshop
MINUTES

Date: May 27, 2024
Time: 5:30 p.m.
Location: Council Chamber

Mayor and Council: Mayor Burton
Councillor Adams
Councillor Chisholm
Councillor Duddeck,
Councillor Elgar (As of 5:35 p.m.)
Councillor Gittings
Councillor Grant
Councillor Haslett-Theall
Councillor Knoll (As of 5:31 p.m.)
Councillor Lishchyna (As of 5:38 p.m.)
Councillor Longo (As of 5:31 p.m.)
Councillor McNeice
Councillor Nanda
Councillor O'Meara

Regrets: Councillor Xie

Staff: J. Clohecyc, Chief Administrative Officer
N. Sully, Commissioner of Corporate Services and Treasurer
N. Garbe, Commissioner of Community Development
P. Fu, Commissioner of Community Infrastructure
P. Damaso, Commissioner of Community Services
V. Tytaneck, Town Clerk
A. Holland, Manager of Council and Committee Services
N. Coric, Council and Committee Coordinator
J. Radomirovic, Council and Committee Coordinator

The Committee of the Whole met on this 27th day of May 2024, in the Council Chamber of the Oakville Town Hall, 1225 Trafalgar Road, Oakville, commencing at 5:30 p.m. These minutes will go forward to the Council meeting of June 17th, 2024, for approval.

1. Regrets

As noted above.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Discussion Item(s)

There were no Discussion Items listed for this agenda.

4. Confidential Discussion Item(s)

Moved by Councillor Haslett-Theall

CLOSED SESSION

That this meeting resolve into a closed meeting session for the purpose of dealing with the security of the property of the municipality and for the purpose of education and training the members.

CARRIED

Council resolved back into open session at 6:13 p.m.

4.1 Security Plan Workshop

Moved by Councillor Lishchyna

That the presentation materials and Committee of the Whole comments be received.

CARRIED

5. Adjournment

The Mayor adjourned the meeting at 6:13 p.m.



REPORT

Council

Meeting Date: June 17, 2024

FROM: Legal Department

DATE: June 4, 2024

SUBJECT: Extension of License with Wai Nui O'Kanaka Outrigger Canoe Club and Charterability Cruising For the Disabled

LOCATION: Busby Park

WARD: Ward 3

Page 1

RECOMMENDATION:

1. That staff be granted authority to extend the license agreement with the Wai Nu O'Kanaka Outrigger Canoe Club and Charterability Cruising For the Disabled for an additional 10 years for their premises within Busby Park, on the terms set out in this report.
2. That the license extension agreement be executed in accordance with By-law 2013-057 and the Town Solicitor be authorized to enter into any minor amendments, as required.

KEY FACTS:

The following are key points for consideration with respect to this report:

- In 2007 the Town entered into a license (the "**License**") with Wai Nui O'Kanaka Outrigger Canoe Club and Charterability Cruising For the Disabled (the "**Tenants**") for 767 square meters of land below the Rebecca Street Bridge within Busby Park (the "**Property**").
- Wai Nu O'Kanaka Outrigger Canoe Club offers camps and programs for outrigger canoes, stand up paddling and open water kayaks.
- Charterability Cruising For the Disabled provides accessible recreational boating at no cost to people of all ages who are deprived of the opportunity by virtue of their physical limitations or personal circumstances.
- The License expires on September 17, 2027.
- The Tenants wish to extend the License for ten additional years, so they have longer term security to assist with their fundraising.

- The Tenants are currently paying a nominal rent and staff are recommending agreeing to their extension request and keeping the rent nominal during the extension period.

BACKGROUND:

The Town entered into a license with Wai Nui O’Kanaka Outrigger Canoe Club (“**Wai Nui**”) and Charterability Cruising For the Disabled (“**Charterability**”) for land below the Rebecca Street Bridge within Busby Park on September 7, 2007. The licensed property consists of 767 square metres and includes space for launching the boats from a dock, storage for the boats, and an accessible washroom trailer. The boating public also has access to use the washroom trailer.

Wai Nu is a not-for-profit corporation that offers camps and programs for outrigger canoes, stand up paddling and open water kayaks. They offer children summer camps, adult programming and daytime stable boat programs for the senior’s population.

Charterability is a charity that provides accessible recreational boating at no cost to people of all ages who are deprived of the opportunity by virtue of their physical limitations or personal circumstances. They own two pontoon boats and offer pontoon boat rides at no cost throughout the summer.

The Tenants have notified the Town that they wish to extend the License for an additional ten-year period, so they have more long-term security to assist with fundraising. The current License expires on September 17, 2027.

COMMENT/OPTIONS:

Pursuant to the report from the Legal Department dated January 3, 2018 titled “Town Club Leases/License” staff are required to provide a formal rationalization or streamlined business case for recommending the Tenant pay a nominal rent instead of market rent. Staff have considered the following questions as set out in the January 3, 2018 report:

- Is the tenant providing an additional or supplemental service/program that the Town would otherwise consider offering to the community at Town expense?
 - Yes, Wai Nui offer access to paddle sports and youth camps and Charterability provides an opportunity to enjoy boating for individuals who are deprived of the opportunity by virtue of their physical limitations or personal circumstances. The Town does not offer these services.
- What is the potential cost to the Town if the Town had to provide the programs/services?

- The costs would be significant because the Town would need to purchase the boats, equipment and hire the instructors to provide the lessons and services.
- What are the benefits provided to the community from the tenant’s programs/services?
 - Health, wellness, youth engagement and providing individuals who are deprived of the opportunity by virtue of their physical limitations or personal circumstances the opportunity to experience boating.
- Is there a gap/need/demand for the programs/services in the community?
 - Yes, Charterability is the only charity in Oakville offering these services. Paddle sports are offered by some of the other boating clubs within the Town, but Wai Nui does offer unique kayaking/canoeing programs directed to seniors.
- Is the service/program open to the general public, and if the club has a limited number of membership spots available, what percentage will be made up of Oakville residents?
 - Charterability is open to the public and mainly serves Oakville residents. 85% of the membership in Wai Nui are Oakville residents. The new form of license agreement will require the Tenants to have Oakville resident first policies if there are waitlists.
- Are there alternative uses/needs for the Town facility?
 - The Property is within hazard lands so there are limited uses for the site.
- Is the Tenant part of the Town’s CORE membership program?
 - Yes
- Is the tenant the main provider of the programs/services in the community or are there other providers that need to be consulted or offered the chance to bid on the space?
 - Charterability is the only charity in Oakville offering these services, but there are other clubs that offer paddle sports.
- Is the tenant a not-for-profit organization in good standing?
 - Yes Wai Nui is a not-for-profit organization and Charterability is a charity.
- Are there appropriate controls in place to ensure financial capability and sustainability and good governance of the tenant?

- As part of this extension the Town will require the Tenants to sign the Town’s updated standard form of license agreement which will include protections for good governance and a demolition fund to cover removal of the property improvements if necessary.

Parks and Harbours staff have a good relationship with the Tenants and they have been model tenants since the original License was signed in 2007. The services provided by the Tenants are a benefit to the community and staff are supportive of extending this License for the requested 10 years.

CONSIDERATIONS:

(A) PUBLIC

The public will be aware of the License renewal through public notification of the council agenda. Approval of this License renewal agreement will provide for continued use of these lands in accordance with the current use.

(B) FINANCIAL

Staff recommend that the renewal term continue at nominal rent. The Town should not have any additional costs in respect of the Property, as the Tenants will be responsible for all the ongoing costs and maintenance of the Property.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

This report was prepared jointly with staff from the Parks and Open Space Department.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic goal to be the most livable town in Canada.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

None

Prepared by:
Ryan Maynard
Assistant Town Solicitor

Prepared by:
Chris Mark
Director, Parks and Open Space

Submitted by:
Doug Carr
Town Solicitor



REPORT

Council

Meeting Date: June 17, 2024

FROM: Recreation and Culture

DATE: June 4, 2024

SUBJECT: 2024 Recreation and Culture Rates and Fees - Seniors Services Fee Amendments

LOCATION: Multiple

WARD: Town-wide

Page 1

RECOMMENDATION:

That the report entitled “2024 Recreation and Culture Rates and Fees - Seniors Services Membership Fee Amendment” be received and the recommendation to amend the 2024 Recreation and Culture Rates and Fees be approved.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Seniors Services memberships are open to adults 50 years of age and over and are required to access Senior Services.
- Currently, members pay an additional \$1 per visit fee for drop-in programs.
- Members have requested in improved check-in process for drop-in programs.
- Staff and the advisory committees worked collaboratively on exploring options to improve the process.
- The recommended new membership fee is slightly higher but eliminates the additional \$1 per visit fee.
- The proposed membership changes from the approved \$40.89 (with additional \$1 per visit) to \$49.50, with no additional drop-in fee. Seniors over 80 receive a 50% discount, and over 90 have no charge.
- These changes will not impact the current budget.
- If approved, the proposed changes are planned to take effect July 1, 2024.

BACKGROUND:

Senior Services programs and facilities are managed by the Recreation and Culture Department in collaboration with volunteer advisory committees, as outlined in the Senior Services Terms of Reference (Appendix A).

Seniors Services Memberships, available to adults aged 50 and above, are necessary for accessing Senior Services events, registered, and drop-in programs. The current structure includes an additional \$1 per visit fee for drop-in programs.

A wide variety of active and social drop-in programs are offered through the Seniors Services programming. Seniors Services drop-in programs are supported and led by volunteers. The highest attended drop-in programs include Pickleball, Snooker, Badminton, Cards (Bridge and Euchre) and Table Tennis.

Currently, there are approximately 3,100 active Seniors Services members. In 2023, there were over 35,500 drop-in program visits, averaging about 11 visits annually per member.

Seniors Services memberships have additional age-based subsidy for individuals over 80 years. Approximately 11% of members are under 60, 65% are aged 60-79, 21% are 80-89 (half price membership) and 3% are over 90 (free membership).

COMMENT/OPTIONS:

Feedback was received from Seniors Services members to improve the drop-in program check-in process.

Staff worked collaboratively with the Seniors Services advisory committees to recommend a streamlined admission structure for drop-in programs with an all-inclusive membership for drop-in programs. This is similar to other town membership models including Recreation and Fitness memberships. This will speedup the advanced registration and check-in process by eliminating the per-visit drop-in fee.

The recommended membership structure provides unlimited access to drop-in activities, encouraging more active and social engagements without additional costs.

This update aligns with the forthcoming renewal of the Seniors Services Terms of Reference, scheduled for presentation to council in the fall of 2024.

An all-inclusive fee reduces confusion, encourages participation in drop-in activities, and streamlines administrative processes, enhancing the overall customer experience.

The increased revenue from the membership cost will offset the removal of the per-visit drop-in fee without impacting the approved budget.

RECOMMENDATION:

That the 2024 approved Seniors Services Membership fees be replaced with the recommended fee inclusive of all drop-in fees.

Seniors Services Annual Membership	2024 Approved Fee (pre-tax) <i>With additional Drop-in Fee</i>	Recommended Fee (pre-tax) Inclusive of Drop-in fee
Age 50 – 70 years	\$40.89	\$49.50
Age 80 – 89 years	\$20.44	\$24.50
Age 90+ years	\$0.00	\$0.00

CONSIDERATIONS:

(A) PUBLIC

Amending the existing senior’s services membership fee would allow unlimited access to drop-in programming, streamline administrative process and enhancing the value of the membership.

(B) FINANCIAL

The amended membership fee does not impact the approved budget.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There would be no impact to other departments or users.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priorities: Community Belonging and Accountable Government.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – Seniors Services, Terms of Reference

Prepared by:

Jennifer McPetrie, Senior Manager, Recreation Planning & Development

Submitted by:

Julie Mitchell, Director, Recreation and Culture



OAKVILLE

Seniors Services

Terms of Reference

June 2022

Oakville Seniors Services

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Town Council is responsible for all municipally owned operations and has the final say in all decisions affecting Town of Oakville Recreation and Culture Department, Seniors Services including staff and facilities. Staff are employees of the Town of Oakville and are responsible for the overall management of the centres. Senior Services members will play a role in decision-making for the centres in partnership with staff.

The Town of Oakville currently offers Seniors Services programming at five locations:

- Trafalgar Park Older Adults Centre (TPOAC)
- Sir John Colborne Recreation Centre for Seniors (SJC)
- Iroquois Ridge Older Adults Centre (IROAC)
- River Oaks Mature Adults Club at the River Oaks Community Centre (ROMAC)
- Queen Elizabeth Park Older Adults Centre (QEPOAC)

In addition to the Seniors Services registered programs, the centres offer a variety of drop-in programs, workshops, day trips and volunteer opportunities for all levels of interest and ability. A wide variety of programs and services suitable for older adults are offered at all Recreation and Culture facilities in addition to the specific Seniors Services programming.

Vision

To be Centres of Purpose and Possibility for Adults 50+.

Mission Statement

To provide a welcoming, accessible and supportive environment for Oakville seniors that embodies social, educational, recreational, health and wellness activities.

Programs and services are unique and dynamic, supporting the continuous well-being of seniors and responding to their changing needs.

Membership

A valid Seniors Services membership is required to register for Seniors Services programs and to participate in all registered and drop-in programs. Membership is open to all adults 50 years of age and over.

Policy Review Committee

The Policy Review Committee addresses governance concerns common to all Senior Services locations. The Policy Review Committee, in partnership with staff, recommends policies and procedures for implementation by the Advisory Committees. Agenda items are compiled and submitted for inclusion by Town staff, individual Policy

Review committee members or individual Centres Advisory Committee members or as they arise from member inquiries.

Composition - Twelve current Seniors Services members and ex-officio:

- (4) Representatives, TPOAC
- (4) Representatives, SJC
- (1) Representative, ROMAC
- (1) Representative, IROAC
- (1) Representative, QEPOAC
- (1) Secretary
- (1) Past Chairperson (ex-officio)
- Seniors Services staff (ex-officio)

Election

Officers will be elected at the Annual General Meetings. A slate of nominees will be posted within the centres three weeks prior to the Annual General Meetings. Further nominations will be accepted up to one week prior to Annual General Meetings. Slate of Officers are prepared by the Nominating Committee. (refer to the Nominating Committee Guidelines)

Tenure

Each officer will serve a minimum two year term which may be repeated once.

Chair and Vice-Chair

The Chair and Vice Chair will be elected from within the Policy Review Committee at the first meeting immediately following the Annual General Meetings. The Chair will serve a minimum one year term, and may be re-elected. The Vice Chair may advance to the role of Chair.

Meetings

Meetings will be held bi-monthly. Special Meetings may be called by the Chair. All committee members must be notified of the subject matter and the date at least one week in advance of these meetings. Meetings can be held in person or virtually, or a hybrid of both.

Committees

Formal and ad hoc committees comprised of current Policy Review Committee members can be formed if necessary to address specific needs.

Quorum

A quorum shall be more than 50% of the members of the committee.

Decisions

All decisions will be determined by a majority vote of those present and voting. The Chair will refrain from voting unless required to break a tie vote.

Staff

Staff positions are ex-officio and non-voting. A Recreation and Culture staff person shall be present at all meetings.

Responsibilities

The Policy Review Committee shall act in the best interest of the membership of Seniors Services. Each committee member is required to attend the regular meetings. Failure to attend or send regrets for three consecutive meetings shall be regarded as a resignation. An appointment may be made from the general membership of the centres to fill that vacancy for the remainder of the Term of Office. The appointment shall be approved by staff and the Chair.

Advisory Committees

The Advisory Committees of each centre will assist and support the Recreation and Culture Department in the operation and management of their respective centres.

Composition

Up to a maximum of 9 centre representatives and ex-officio staff. There must be 1 Treasurer and 1 Secretary.

Election

Officers will be elected at Annual General Meetings. A slate of nominees will be posted within the centres three weeks prior to the Annual General Meetings. Further nominations will be accepted up to one week prior to the Annual General Meetings. (refer to the Nominating Committee Guidelines)

Tenure

Each officer will serve a two-year term, which may be repeated.

Chair and Vice-Chair

The Committee Chair and Vice-Chair will be elected from within the Advisory Committee at the first meeting immediately following the Annual General Meeting. The Chair will serve a minimum term of one year, and may be re-elected. The Vice-Chair may advance to the role of Chair.

Meetings

Meetings will be held at regular intervals. All dates for the year may be established at the first meeting following the Annual General Meetings. Special Meetings may be called by the Chair. All committee members must be notified of the subject matter and the date at least one week in advance of these meetings. Meetings may be in-person or facilitated through a virtual format or a hybrid of both.

Committees

Standing Committees can include Finance, Nominating, Program/Special Events, Volunteers and Property. Formal Committees may be struck according to specific on-going needs and ad hoc Committees may be struck with time limitations, to fulfill a specific need by the Advisory Committees.

Quorum

A quorum shall be more than 50% of the members of the committee.

Decisions

All decisions will be determined by a majority vote. The Chair will refrain from voting unless required to break a tie vote.

Staff

Staff positions are ex-officio and non-voting. A Recreation and Culture staff person shall be present at all meetings.

Responsibilities

The Advisory Committees of each Centre shall act in the best interest of the Centre membership. Each member is required to attend monthly meetings. Each member of the committee should be prepared to report on the activities of the committee they represent (may not be applicable to the members at large). An appointment may be made from the general membership of the appropriate centre to fill the vacancy for the remainder of the Term of Office. The appointment shall be approved by staff and the Chair.

Nominating Committee

The Nomination Committee is comprised of the Advisory Committee Chairperson, Seniors Services staff and one other Advisory Committee member. The committee will meet annually, prior to the Annual General Meeting.

The purpose of the committee is to:

- Prepare the slate of officers for election.
- Submit a recommendation to the committee in the event a vacancy occurs on the committee.
- Monitor for expiry the terms of officers.
- Recommend candidates for vacant positions. Note: a new committee member must be a member of the centre(s) for at least one year.
- Ensure that the committee members have the skills required to fulfill its duties.
- Ensure that the new committee members understand and agree to the time and participation requirements of the position. (2 year term)

Annual General Meeting

An Annual General Meeting of each centre will be held within six months of the calendar year end. Notification of the date of each meeting will be posted at the centres at least three weeks in advance and included in the Seniors Services Newsletter.

A slate of nominees for the Advisory Committees will be posted within the Centres at least 3 weeks in advance of the Annual General Meeting. Further nominations will be accepted up to one week in advance of the Annual General Meeting. (refer to the Nominating Committee Guidelines)

Business included in the agenda of the Annual General Meetings shall be:

1. Annual Financial Report
2. Auditor's Review Engagement
3. Election of Officers
4. Annual Reports may include
 - statistics
 - staff report
 - standing committee reports
 - upcoming annual work plan

Quorum is defined as the majority of the members present at the Annual General Meeting.

If a members vote is required for a specific item, then ballots will be issued. Members can only vote once at their designated home centre (the centre listed on your Recreation and Culture account).

Decisions will be reached on the basis of a simple majority of members present. Annual General Meetings will follow Robert's Rules of Order.

Centre Finances

Centre finances (from café, special events, craft sales and bazaars) will be governed by the Advisory Committees. All monies for the Centres will be held in the Centre's name.

The signing officers for the Centre accounts will include up to five Advisory Committee members. Two signatures are required on cheques, one of which must be that of Centre staff and one from the principal signing officer (preferably the Treasurer) on each cheque. Cheques are not to be pre-signed by any signing officers. The payee of any cheque must not be a signator.

Requests for expenditures must first be submitted to the Finance and Purchasing Committee (if applicable). The Finance and Purchasing Committee has the authority to approve expenditures up to \$500. The Finance and Purchasing Committee makes

recommendations for expenditures over \$500 to the Advisory Committee for final approval.

Advisory Committees may contribute towards the funding of capital projects. Each project will be considered on an individual basis.

Centre staff have the authority to disburse budgeted expenditures up to \$300 without obtaining approval from the Finance & Purchasing Committee. Approval must be obtained for expenditures over \$300. Staff and volunteers count and record income collected on a daily basis. Income must be balanced daily. NSF cheques are subject to the town's applicable policy and procedures.

Banking Procedures

The selection of a financial institution must be approved by the Advisory Committee. The only bank accounts that are official and recognized are those that are established under the official centres' names. On-line banking can be used to obtain bank statements and records only. On-line banking cannot be used to make payments/transfers as two signatures are required for these transactions.

Budgetary Cycle and Process

The fiscal year is the calendar year. The Treasurer may prepare a draft budget for review by the Finance and Purchasing Committee before the end of a calendar year. The Treasurer submits the budget to the Advisory Committee for its review and approval.

Financial Reports

The Treasurer is responsible for preparing the monthly and year-end financial reports for the Finance and Purchasing Committee and the Advisory Committees. The financial report shall include a balance sheet, statements of income and expense, cumulative and comparative budgets and the bank reconciliation. Once approved, the financial report is posted on the bulletin board for the membership to review. All financial records must be retained for a minimum of 7 years in accordance with generally accepted accounting procedures.

Investments

The Finance and Purchasing Committee will develop a strategy for allocation of surplus funds (funds not required for current operations) based on the Investment Strategy Guidelines. The investment plan must be approved by the Advisory Committee and reviewed annually.

Investment Strategy Guidelines

The Oakville Senior Centres must have enough funds to meet budget requirements and to allow for contingencies. The investment strategy guidelines refer to surplus operating funds. Investments will be made taking into consideration the projected needs of the organization to access surplus funds.

Policy Priorities should include:

1. Preserving Capital
2. Maintaining Liquidity
3. Maximizing Yield

G.I.C.'s

Surplus funds may be invested in G.I.C.'s. G.I.C.'s may be laddered so that they come due each year from year one to year five. Laddering G.I.C.'s takes advantage of fluctuating interest rates as the terms are staggered. The Finance and Purchasing/Advisory Committees will monitor the investment portfolio on a monthly basis. The Investment Strategy Guidelines are to be reviewed on a yearly basis.

Audit

A financial audit or review engagement must be conducted on an annual basis by a professional accountant or someone with accounting experience (C.P.A. Designation). The report of the auditor shall be read and approved at the Annual General Meeting and shall be made available to all members. The auditor should be appointed by the membership at the Annual General Meeting. If requested, the auditor may meet annually, or more often, with the finance and/or advisory committees.

In the event of the dissolution of any of the Oakville Seniors Centre after payment of any liabilities, the Policy Review Committee will determine the disposition of all monies and fixed assets.

Volunteers

Definition

“Volunteers are individuals who offer their time, energy, skills and services of their own free will and for no wage or salary.” (Halton Social Planning Council and Volunteer Centre). The contribution of volunteers is essential to the operation of the Centres. Volunteering requires a commitment to the Mission/Vision of the Oakville Senior Services, Recreation and Culture Department. Volunteers are not required to be centre members, however volunteers are encouraged to become members if eligible. Volunteers will adhere to the town’s policy and procedures.

Screening

Volunteers are required to complete a volunteer application form. The form is designed to provide the Centre with information on the volunteer’s background, availability, special interests and skills. All potential volunteers will be interviewed prior to placement by Centre staff and/or Volunteer Convenors. The interview is designed to provide the volunteer with an overview of the Centre operation and information about the various volunteer opportunities available. It also allows the interviewer an opportunity to get to know the volunteer, to obtain an appreciation of the volunteer’s capabilities and to determine suitability.

A reference check is required for Friendship Luncheon drivers only. Volunteers must show proof of a valid driver's license and give two names, non-family members for a reference check. Volunteer drivers must carry at least two million dollars in personal liability insurance and are encouraged to notify their insurance company prior to becoming a volunteer driver.

Police Checks are required for the Friendship Luncheon volunteer drivers. Centres will reimburse the applicable fee for the police check.

Orientation and Training

Every volunteer should receive an orientation prior to placement by staff or volunteer convenors. The orientation provides new volunteers with an overview of the centre as well as an introduction to their volunteer position. Further orientation and training occurs during the volunteer assignment at regular meetings and during formal volunteer/training sessions (i.e., first aid, accessible customer service training).

Volunteers will be given the following pamphlets to read and must sign the acknowledgement form that indicates that they have read and understood the information included:

1. Accessible Customer Service Etiquette
2. Respectful Workplaces Mean Healthy Workplaces
3. Health and Safety Workplace Information
4. Integrated Accessibility Standards Regulation
5. Volunteer Informed Consent and Waiver

Recognition

Volunteers must receive a sense of appreciation and reward for their contribution. This can be achieved through formal and informal recognition systems. Formal recognition events take place yearly and may include a Volunteer Reception held at the centres. Informal recognition occurs through the sincere appreciation and expression of thanks for the work being done by the volunteer. This type of recognition is very effective as it occurs more frequently. It is also important to recognize those staff who supervise volunteers and are supportive of them.

Termination

For a number of reasons volunteers may not be able to continue with their volunteer placement. If a volunteer is not fulfilling the required role they will be asked to meet with staff to discuss the situation. The volunteer may be inappropriately assigned or there may be some significant changes in their personal life that are interfering with their performance. Volunteers may be reassigned to less demanding roles or be asked to withdraw.

Insurance Coverage

Liability - All volunteers acting on behalf of, or performing job functions for, the Town of Oakville Recreation and Culture Department are covered for legal liability.

Personal Injury - The Corporation of the Town of Oakville does not carry health care coverage for volunteers who experience personal injury or illness while at the centres. Injuries received travelling to and from the Centres are not covered by Town insurance policies.

Loss of Personal Property - Theft, breakage and vandalism of volunteers' property are not covered by the Town of Oakville's insurance policies. Volunteers are reminded that proper precautions should be taken to protect personal belongings while at the Centres.

Volunteer Drivers - Volunteer drivers must carry at least two million dollars in personal liability insurance. Volunteer drivers must adhere to the Town of Oakville's Cooperate Vehicles, Equipment and Facility Resources Policy. The Town of Oakville does not assume liability or provide insurance for personal vehicles for volunteer drivers. Friendship Luncheon volunteer drivers receive a gas coupon to assist with the cost of gas.

Property and Equipment

Two classes of equipment distinguished by ownership are recognized at the Centres:

Class 1	Purchased by the Town of Oakville
Class 2	Purchased with Senior Centre funds

The Advisory Committees are responsible for the cost of repairing and replacing Class 2 property and equipment. The Advisory Committees may dispose of, as it sees fit, any of its property and equipment.

Equipment belonging to the Town of Oakville or the Advisory committees shall only be removed from the centres for the use of a Seniors Services program and not for personal use.

Equipment purchased wholly, or cost-shared, by groups within the centres for specific purposes shall become the property of the senior centre. Volunteers are limited to carrying out minor repairs and maintenance, after consultation with centre staff.

Upon dissolution of any group of seniors that has acquired property and equipment for the use in the centre, the ownership of such property and equipment shall be automatically transferred to the applicable Advisory Committee.

Centre Rentals

Facility Rentals are booked through the Recreation and Culture's Facility booking staff. Regularly scheduled programs and activities take priority over rentals. Rental fees are established through the annual budget process and outlined in the Recreation and Culture fees and charges by-law. Additional staff charges apply to open, monitor and secure the facility.

Special Interest Clubs/Activities (hereinafter called “Group”) Guidelines

These guidelines are developed for any groups that have formed within the centres.

Group Membership

Centre groups cannot charge a separate membership fee.

Membership is open to any eligible centre member who has paid the annual Senior Services membership fee.

Group Finances

The only bank accounts that are official and recognized are those that are established under the official centres' name.

If groups choose to have their own bank accounts, financial statements must be submitted annually, in January, to the applicable Advisory Committee. These bank accounts, must be held in a name other than the seniors' centres and they are not protected in any way by the centres.

Drop-In Fees

Groups must reimburse the Town the current drop-in fee. If the group chooses to charge extra fees, over and above the current drop in fee, these are to reflect extra costs related to senior centre activities only (i.e., speakers, special celebrations, refreshments, etc.).

Groups whose sole purpose is to generate revenue for the centres will be exempt from paying the drop in fee (i.e., Bazaar group).

Refreshments

If groups are meeting in the evenings or weekends and using the kitchen supplies, they will pay the current refreshment fee.

Equipment Purchases

Only equipment that is purchased by, or donated to, the centres may be stored at the centres, listed in the inventory, and covered by contents insurance. If groups choose to purchase their own equipment, these items may neither be stored at the centres nor included in inventory, nor covered by contents insurance.

Groups may request funds from the centres through the Finance & Purchasing/Advisory Committee to purchase items or equipment or to cover the cost of other items. Such items will become the property of the centres, including items where the cost was shared between group members and the centres.

Dissolving of Groups

Upon dissolution of any group that has acquired assets, wholly or in part, purchased by the centres, the ownership of such assets shall remain with the appropriate Advisory Committee.

Miscellaneous

Accident/Incident

Any accident or incident must be reported to centre staff immediately. If the accident/incident occurred during non-staffed hours and is of a serious nature (i.e., ambulance, fire or police are called 911), staff must be contacted at home. If the accident/incident is of a non-serious nature it must be reported to staff by the next business day following the event.

RZone Procedure

The RZone Procedure is part of the Town of Oakville's Customer Service Standards and Customer Conduct policy. The Corporation of the Town of Oakville is committed to fostering an environment where there is Respect for yourself; Respect for others; and Responsibility for your actions.

The goal of the RZone procedure is to promote a positive, safe, and supportive environment for all individuals and user groups of town recreation and cultural centres, facilities, parks, events and those participating in recreation programs. The procedure outlines the process and consequences to address inappropriate conduct or actions. The procedure applies to all individuals and user groups of town recreation and cultural centres, facilities, parks, events and those participating in recreation programs.

Refunds

Refer to the Recreation and Culture Department refund procedures.

Refunds for day trips will only be issued if the ticket is filled by another or the trip is cancelled. There are no refunds given after the final ticket sale date for special events unless the ticket can be sold to someone on a waiting list. No immediate refunds will be given.

Seniors Services Newsletter

Oakville Seniors Services publishes the Oakville Seniors Services Newsletter twice per year and advertising is accepted in both issues. The current newsletter is also available online in a digital format at Oakville.ca Articles submitted for not-for-profit groups are accepted on a first come first served basis for publication in the newsletter. Articles are not to exceed one half page and may be edited. Placement and acceptance of articles are at the discretion of centre staff. Advertising in the Seniors Services Newsletter allows the advertiser to display 1 poster (8 1/2 x 11) (maximum size) on a designated bulletin board and pamphlets in the pamphlet racks, if applicable, for the duration of the Newsletter edition in which the advertisement is published.

Special Event/Program Sponsorship

Each centre has the opportunity to have sponsors for programs (registered, drop in, workshops, conferences, etc.) and special events (lunch speakers, socials, dances, card parties, etc.) as long as they are centre initiated. The centre has the option to decline unsolicited donations (regardless if the sponsor is a newsletter advertiser) for special events and programs.

Sponsorship arrangements can be confirmed in writing outlining the benefits, roles and responsibilities, fees, duration and other agreed terms of the sponsorship arrangement. The sponsorship arrangement only applies to the specific event or program as agreed on and will cease once that event or program is completed. Promotional items such as gifts, candies, etc. will not be accepted from for-profit businesses unless during a sponsored event. No events may be held at the Oakville Seniors' Centres where direct sales/personal fundraising events are involved. Centre sponsored events are exempt.

Display Cabinet

Centre display cabinets are to be used for displaying items for centre promotion and/or fundraising. Personal items are not displayed or sold for personal gain.

Display of Paintings or Wall Hangings

Paintings and/or wall hangings submitted for display would fall under the Town of Oakville's Public Art Procedure. Paintings hung in the Seniors Centres created by seniors drop-in groups are displayed at the discretion of Seniors Services Staff. Artwork displayed is not for sale and will be returned to the artist at the end of the display period.

Social Gaming License (new 2022)

Each Advisory Committee may choose to apply for a Social Gaming License through the ACGO. The licensee is responsible and accountable for the overall conduct and management of the activities permitted under the license.

The Advisory Committee must control and decide all operational and administrative requirements related to the conduct of social games in compliance with all relevant regulations. This license shall not be used for fundraising events or as a revenue source.

Terms of Reference Review

The Seniors Services Terms of Reference will be reviewed every 2 years by town staff and the Policy Review Committee. Any additions or change can be included as an addendum immediately following approval at the Policy Review Committee Meeting.

REPORT

Council

Meeting Date: June 17, 2024

FROM: Strategy, Policy and Communications Department

DATE: June 4, 2024

SUBJECT: **Public Notice and Engagement Policy and Procedure Update**

LOCATION: Town Hall

WARD: Town-wide

Page 1

RECOMMENDATION:

That the updated Public Notice and Engagement Policy be approved.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The Public Notice and Engagement Policy and Procedure has been updated; it was last reviewed in 2016.
- A number of public engagement activities were held to obtain feedback from the community on their experiences providing feedback on town initiatives; this included in-person sessions at community centres, one session at Sheridan College, two Residents Association meetings, and an online survey.
- Meetings with Councillors were held to understand their experiences and observations.
- Internally, a working group with representatives from each commission was formed, and a facilitated session to solicit feedback from town managers was also held.
- The Policy and Procedure have been reviewed by the Policy Review Administration Group.
- A number of changes to the Policy and Procedure have been made to provide staff with more direction on the guiding pillars, when engagement will be considered, how to consider public engagement and clarity on the engagement spectrum.

BACKGROUND:

The [Public Notice and Engagement Policy](#) was last reviewed in 2016.

Many town departments hold public engagement activities to obtain community feedback on a number of initiatives, projects, studies and policies. Staff determine how much engagement is necessary depending on the type of initiative. Typically, more complex initiatives require more extensive engagement.

Given that the Public Notice and Engagement Policy impacts the community, staff held various engagement opportunities to encourage feedback. The review also allowed staff to align the policy and procedure with Council's strategic vision, Community Belonging and Accountable Government priorities, as well as to review and update with an inclusion, diversity, equity, and accessibility (IDEA) lens.

The scope of this review (phase 1) included an update to the Public Notice and Engagement Policy (Appendix A) and the Public Engagement Procedure and related appendices (Appendix B). There are several other procedures within this policy that will be reviewed over the next 12 months (phase 2). These include:

- Communications Procedure
- Translation and Interpretation Procedure
- Corporate Gifts Procedure
- Customer Service Standards Procedure
- Electronic Messages and Anti-Spam Procedure
- Lost and Found Procedure

Public Engagement Activities

The phase 1 review included several discussions and planned public engagement activities:

- Councillor discussions to get feedback and observations on public engagement activities
- Online survey to ask community members how they would like to be engaged in town initiatives; the survey ran from March 7, 2024 to March 22, 2024
- Three in-person sessions to promote the survey and answer questions related to the policy were held on March 18th at Glen Abbey Community Centre and Trafalgar Park Community Centre, and on March 20th at Sixteen Mile Sports Complex
- One in-person session to promote the survey to students was held on March 21st at Sheridan College
- An internal working team was formed with representatives from each commission
- Staff attended a town-wide manager meeting to have a facilitated discussion on staff experience with public engagement, inclusivity, and possible staff training and supports

- Two virtual meetings offered to Residents Association (RA)
- The staff Policy Review Administration Group (PRAG) reviewed and updated the revised draft policy and procedure

COMMENT/OPTIONS:**Survey Results**

Results from the online survey provided insight into how community members are currently engaged in town initiatives and how they wish to be engaged in the future. There were 183 completed surveys. A summary of the results can be found in Appendix C and are noted below:

- 50% of respondents said that they did not participate in any town activities over the past 12 months. 23% said they participated two to three times and 13% said they participated once.
- For those that did not participate in a town engagement activity over the past 12 months, 53% said it was because they were not aware of the activities hosted by the town and 20% said that the timing of the activity did not work with their schedule
- When asked “How you would like to be engaged?”, the top responses were:
 - 17% online surveys
 - 12% attend online meetings where information is shared via a presentation and I can ask questions
 - 11% attend in-person meetings where information is available and I can ask questions
 - 10% participate in “pop-up” events at various locations throughout the town that may include information sharing and interactive activities
- 66% of respondents follow the Town of Oakville on a social media platform
- Of those that follow the town on a social media platform, the top sources were:
 - 33% Facebook
 - 31% Instagram
- Respondents are subscribed to the following online town newsletters
 - 26% Mayor or Councillor e-newsletter
 - 13% Town’s corporate e-newsletter
 - 54% None of the above
- Time preferences for meetings are primarily online evening meetings at 30%, followed by in-person evening meetings at 22%

One of the questions of the survey asked “How could the town improve in keeping you informed and engaged about important initiatives that affect you and your community”. The responses focused on the following themes and are detailed in Appendix C:

- Information sharing and using a variety of tactics including options when sharing a proposal, different formats for sharing information such as mail, text

messages, and being transparent and accountable with sharing information and final decisions.

- Accessibility both physically and providing information through the website.
- More engaging activities that may include incentives and make activities more fun and entertaining.
- Timing to ensure early involvement and not making meetings run too long.
- Promote inclusion to include all voices and reach out to new residents.
- Standardization to have a consistent approach for initiatives.

General Themes

The feedback received from all the engagement activities, including in person comments, was considered and where appropriate the policy and procedure has been updated accordingly.

The general feedback received, both internal and external, fall under the following themes:

- Be clear on the purpose of the initiative and the extent of public involvement;
- Provide a timeline of activities and when the public can be involved;
- Use social media and the town's website for sharing information;
- Expand reach to get to the people and look at ways to be more inclusive;
- More engagement is better than less;
- Provide options for residents to consider along with impacts and consequences for each;
- Find meaningful ways to engage and be more innovative;
- Use plain language; and
- Increase the use of training, resources and tools to help staff with engagement plans and activities.

There was some confusion from community members who attended the in-person sessions regarding the difference between the Public Notice and Engagement Policy and the Procedure By-law and whether Council members are subject to the policy. Other issues that were raised at the in-person meetings included noise as a result of gas-powered equipment; residents being disturbed in their neighbourhoods by ongoing construction causing noise and debris; and some feedback on the handling of delegates at recent Council meetings

Although two virtual sessions were offered and held to engage with residents association members, only one RA representative attended. The issues that emerged focused on the engagement undertaken as part of the Midtown project. A number of ideas emerged to increase awareness of town initiatives such as use of a QR code with the tax bill to redirect residents to subscribe to notices and newsletters and use of social media to attract younger people to participate.

Spectrum of Engagement

Staff benchmarked engagement activities with other municipalities. Most municipalities use the [International Association for Public Participation \(IAP2\)](#) spectrum of engagement when determining the type of engagement necessary for local initiatives. The spectrum of engagement provides a range of options from information sharing to more extensive involvement and collaboration.

The spectrum of engagement includes inform, consult, involve, collaborate and empower. This spectrum was already included in the procedure, but more context has been added to clarify what is involved and to set expectations for residents.

The survey and other feedback received helped inform these changes to strengthen the use of the spectrum so that the level of engagement is appropriate for the type of project, study or policy under review. For example, initiatives that do not present a significant impact to the public would not require extensive resources or engagement efforts. For more complex projects with more implications to the community, businesses, financial/infrastructure costs, etc., these matters would require a more defined engagement plan and discussion with interested parties before recommendations are presented to Council for final decision.

Key Changes to the Policy

The changes to the Public Notice and Engagement Policy are outlined below.

- The Purpose has been amended to align with the strategic priorities of Council's Strategic Plan to reference specifically "community belonging" and "accountable government".
- A new section is added that lists when the town will consider public engagement.
- The Guiding Principles are reordered and three new ones have been added: Indigenous Engagement; Options for Participation, and Technology.
- Indigenous Engagement is added as a guiding principle to show commitment to building the town's relationship with Indigenous Partners, with recognition that more consultation will be needed as we explore opportunities for future engagement which will be considered as part of the actions outlined in the IDEA Multi-year Plan.
- Options for Participation is added as a guiding principle to reflect the town's increased use of virtual engagement practices and reflect comments received to ensure options of timing are considered to accommodate participants.

- Technology is added as a guiding principle given the increased use of the town's website and social media important platforms to communicate engagement activities.
- Added wording to the scope to include that the policy also applies to persons and companies contracted by the town to perform engagement activities on behalf of the town.
- Added wording to ensure that the policy applies to staff who have been delegated duties on behalf of Council for those matters that require engagement.
- The definition for "public engagement" has been updated to better reflect the process of engagement in addition to the tactics used.
- The reference to the word "stakeholders" has been changed to "interested parties" to remove a colonial term.

Changes to Procedure:

- Name changed to include "Notice" since the procedure also deals with notice and to be consistent with the policy.
- Provide an explanation of the engagement spectrum that comes from IAP2.
- To clarify that "empower", as part of the engagement spectrum, applies to final decision-making authority of Council.
- To provide staff with more guidance on how to approach public engagement including:
 - clearly articulating the purpose of the public engagement and extent of engagement early on in the process
 - why staff are undertaking the initiative, to be clear when matters are before Council i.e. what the "ask" is - a decision, for information or to hold a public meeting, etc.
 - For larger, more complex projects staff should develop an engagement plan
 - Where reports on projects are presented to council, they should address the public engagement, themes that emerged, conflicting opinions, how recommendations may have been changed, etc.
- To include commitment to engagement with Indigenous peoples and acknowledge that the town may be delegated responsibilities to engage by the Province.

- Public notice requirements have been added given the dissolution of the print version of the Oakville Beaver newspaper, to clarify that notices will be provided on the town website and may be provided on an Oakville online news outlet. Staff would still have the option to advertise in a printed newspaper if deemed necessary.
- New definition added for “digital public notice ad”.
- Definition for “notice by mail” amended to include email.
- Appendix A of the Procedure is renamed to “Municipal Act Public Notice Requirements” and the first paragraph is added to be clear that the notice requirements listed in this appendix are required pursuant to section 270(1) of the Municipal Act that requires policies for specific notice requirements.
- Appendix A of the Procedure is also amended to update Municipal Act references and to remove notice requirements that had been repealed or no longer applicable.
- Appendix A of the Procedure is amended to provide definitions for form, manner and time which are required as per the Municipal Act requirements.
- Appendix B of the Procedure is renamed to “Public Engagement Level of Impact and Notice Guidelines” to better explain the content of the appendix and explanation added to distinguish this appendix from Appendix A of the Procedure.
- Appendix B of the Procedure is amended to remove Level 5 from the table related to “Empower – Stakeholders to make final decision”.
- Appendix C of the Procedure is deleted which was an outdated copy of the notice template. Instead, staff are redirected to use the template that adheres to the Corporate Identity (CID) standards, to ensure they are using the current template version.

Other Implementation Opportunities

The feedback received helped inform updates to the policy and procedure and also provided some insight into what the town may choose to do in the future to further advance engagement efforts. Pending budget considerations, the town may want:

- To explore online tools and platforms to make it easier for residents to actively engage with the town and for the town to gather information. There are a wide variety of tools on the market.
- Organizational oversight to better coordinate timing of engagement, combined outreach on multiple initiatives, maintenance of the online tool.

- In-house expertise to help train staff and provide advice on public engagement plans especially for more complex initiatives.
- Additional training options for staff to enhance their skillset.
- In-house oversight for and expertise on standardizing surveys.

Corporate Communications has recently launched a new [e-Alert tool](#), that enables residents, businesses and community groups to sign up to receive public notices and news releases delivered to their email.

CONSIDERATIONS:

(A) PUBLIC

In an effort to get resident feedback on the Public Notice and Engagement Policy update, staff hosted three in-person events at community centres, one event at Sheridan College and two virtual meetings with Residents Associations, in addition to an online survey that ran for over two weeks. All resident feedback was considered as part of the updates to the policy and procedure.

(B) FINANCIAL

There are no financial impacts as a result of this report at this time. Additional training, online tools or resources to support enhanced public engagement at the town would be considered separately through the budget process.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Staff from all Commissions were consulted as part of the policy and procedure update. A working team was formed with staff from those departments that are responsible for conducting public engagement activities as part of their portfolios. Managers from across the organization were consulted with to provide their thoughts and opinions on how to improve tactics used, increase inclusion and support staff.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priorities: Community Belonging and Accountable Government.

(E) CLIMATE CHANGE/ACTION

There is no direct impact to climate change or action as a result of this report. However, climate-related initiatives continue to require ongoing engagement with residents, businesses and community groups to ensure that the town meets its climate action goals.

APPENDICES:

Appendix A: Public Notice and Engagement Policy

Appendix B: Public Notice and Engagement Procedure

Appendix C: Public Engagement Online Survey Results

Prepared by:

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Recommended by:

Swaraj Mann, Manager, Corporate Strategy

Submitted by:

Julie Clarke, Director, Strategy, Policy and Communications

Public Notice and Engagement

Policy number:	G-COM-001
Section:	Governance
Sub-section:	Communications
Author:	Strategy, Policy and Communications
Authority:	Council
Effective date:	2010-08-30
Review by date:	2021
Last modified:	2024-04-25

Policy statement

The Corporation of the Town of Oakville (the town) values and encourages public engagement and is committed to open two-way communication to develop and deliver quality programs and services that meet the needs of the community.

The town shall give public notice in accordance with the Public Notice and Engagement Procedure and as required by applicable statute or regulation.

Purpose

The purpose of this policy is to establish how the town provides public notice and engagement that promotes community belonging and accountable government.

The town will consider public engagement when:

1. Designing or implementing a new policy, program, project or service;
2. Evaluating, changing or ending an existing policy, program, project or service;
3. Fulfilling a legislated or regulated requirement; or
4. Responding to a Council initiated request (scope of request will determine level of engagement).

Staff must abide by all notice requirements set out in statutes, regulations thereunder and Town of Oakville by-laws, as well as town notice requirements outlined in this policy and related procedures.

Public Notice and Engagement Guiding Principles

The town's commitment to public notice and engagement shall be guided by the following guiding principles:

1. Inclusion and mutual respect — ensuring public notice and engagement is based on building trust and relationships that seek to involve all members of the community.
2. Indigenous engagement – ensuring substantive consultation with Indigenous peoples for matters of significant interest to them.
3. Early involvement and timely communication — communicating as early as possible in the engagement process and ensuring that the information needed to meaningfully engage and understand the issue or project is available in a timely manner, so the community has sufficient time to actively participate.
4. Options for participation – providing a variety of opportunities for interested parties and the community to participate in engagement events where appropriate, such as in person and/or virtual events, with consideration for timing (e.g. day and evenings) and at locations easily accessible by participants and close to or within the neighbourhood(s) being affected.
5. Open interactive communication — working with the community in a co-operative and collaborative way to share information and provide opportunities for open and constructive dialogue.
6. Clear and accessible communication — ensuring the use of plain language and a wide variety of formats and channels of communication.
7. Transparent and accountable — sharing information and having open public engagement processes, including careful consideration and evaluation of all feedback received before final decisions and outcomes are reached.
8. Fiscally sustainable — ensuring methods and resources for public notice and engagement reflect the magnitude and complexity of the initiative.
9. Environmentally sustainable — ensuring the use of environmentally friendly public notice and engagement methods.

10. Technology - using technology including the town's website, social media platforms and other mediums to ensure there are different options available for people to access town information and notices.
11. Continuous improvement — evaluating and seeking better ways of engaging the community and providing efficient and effective public notice and engagement processes.

Scope

This policy applies to all types of public notice and engagement, which may be influenced by legislation, cost, emergency situations, timeframes, geographic areas of impact, types of notification and the degree of potential impacts on affected parties. Persons, organizations, and companies contracted by the town to do work which fits the "Purpose" of this Policy or to develop or lead engagement on behalf of the town will abide by this Policy and related procedures.

Staff that have been delegated duties, powers, and responsibilities by Council, which trigger the "Purpose" of this Policy and/or require statutory, regulated, or by-law notice provisions or notice requirements in previous Council directives for the carrying out of such duties, powers, and responsibilities, must ensure they comply with all provisions.

This Policy shall apply except where:

- The subject matter is deemed minor in nature and/or Council has authorized that no public notice is required; or
- Council directs an alternative form of public notice as Council considers appropriate to give reasonable notice under the provision of any statute or regulation, or by by-law; or
- The Mayor determines that notice should be waived due to emergency, urgency, time sensitive situations, situations which could affect the health and well-being of the residents of Oakville, or a declaration of Emergency is issued.

Council shall be informed if an exemption is applied.

References and related documents

Public Engagement Procedure

[Public Engagement Guide](#)

Accessibility for Ontarians with Disabilities Act, 2005

Municipal Act, 2001

Accessibility Policy

Accountability and Transparency Policy

Communications Procedure
Customer Service Standards
Corporate Gifts Procedure
Translation and Interpretation Procedure
Code of Conduct for Members of Council and Local Board Members
Employee Code of Conduct
Respectful Conduct Policy
RZone Procedure
Town of Oakville Procedure By-law 2020-011, as amended
[Oakville Inclusion Lens](#)
[Municipal Powers and Duties By-law](#)
[Delegation of Municipal Powers and Duties Policy](#)
All other relevant town policies and procedures

Definitions

Community – represents the most general and inclusive term for participants in public engagement in the municipal context. This term includes but is not limited to residents, companies, individuals, businesses, not-for-profit organizations, interested parties, and Resident Associations.

Interested parties – refers to individuals, groups, or organizations that have a vested interest in a particular policy, program, project or service.

Public engagement – a process whereby the town facilitates information sharing and interactive discussion with the community and interested parties on a policy, program, project, service or legislative requirement with the aim to collect input and feedback used to inform staff recommendations and Council decision-making. The process includes various methods by which information is exchanged and collected from the community. Types of public engagement include but are not limited to online channels (e.g. websites, social media, online chats), public meetings (e.g. in-person and virtual), open houses, focus groups, and surveys.

Public Notice and Engagement

Procedure number:	G-COM-001-001
Parent policy number:	G-COM-001
Section:	Governance
Sub-section:	Communications
Author(s):	Strategy, Policy and Communications []
Authority:	CAO
Effective date:	2010-08-30
Review by date:	2021
Last modified:	2024-04-25

Purpose statement

This procedure establishes guidelines for public notice and engagement undertaken on behalf of the Corporation of the Town of Oakville (town).

Scope

This procedure applies to all forms of public engagement undertaken on behalf of the town.

The town shall give public notice in accordance with Appendices A and B attached to this procedure and as required by applicable statutes or regulations or by-laws.

Procedure

The town is committed to the public notice and engagement guiding principles, established in the Public Notice and Engagement Policy. In every process, regardless of the scope, the principles should guide all public engagement activities.

Types of public engagement

Public engagement efforts undertaken on behalf of the town should reflect the magnitude and complexity of the issue/initiative and the desired goal or outcome. The International Association for Public Participation (IAP2) Federation has developed a spectrum of

engagement to help define the community's role in any public participation process. It includes five stages: inform, consult, involve, collaborate, and empower. The five broadly recognized types of public engagement are:

- To inform – provide balanced and objective information to assist in understanding the issue/initiative, alternatives, opportunities and/or solutions, in a timely manner
- To consult – obtain input, advice and feedback on analysis, alternatives and/or decisions
- To involve – work directly with the community throughout the process to ensure concerns and aspirations are understood
- To collaborate – partner with the community in the development of options and/or a preferred solution
- To empower – place final decision-making in the hands of the community

The town considers applying one or more of these types of engagement depending on the type of issue/initiative. The order of engagement is not necessarily sequential. The spectrum outlines what is involved at each level and helps staff consider the most appropriate type(s) of engagement and tactics to use depending on the objectives and complexity of the issue/initiative. Although “empower” is listed on the spectrum, the town's governance structure leaves final decision-making to Council and Council delegates. An example of empower is voting in a municipal election.

Approach to Public Engagement

The purpose for public engagement and the extent of engagement should be clearly articulated to the public and Council early in the process. The purpose should address why staff are undertaking the policy, program, project, service, by-law initiative and establish the scope of work (i.e. is this town initiated, a result of new or changed legislation or regulations, is there a mandated timeline for which the work needs to be completed, etc.). For those matters presented before Council, staff will ensure their “ask of Council” is clear regarding whether the item is for: a decision, information, to call a public meeting or other request.

For larger, more complex issues/initiatives staff should develop a public engagement plan that explains the purpose for engaging with the public, explains the public engagement process and when and how the public can become involved including timelines. Adequate timelines should be given to allow participants reasonable time to prepare, provide input and, in some cases, consult others within their organizations and community. Staff should also establish a budget and resources for public engagement work.

Depending on the initiative, it may be necessary to engage with councillors and the community before beginning to clarify the scope and purpose and to get their feedback on these areas. Informal education sessions at the beginning of the initiative should be

considered to provide details of the engagement plan and the opportunities for engagement throughout the duration of the initiative.

Policy, program, project, service and by-law initiatives that include public engagement activities should be reported on and included in reports to Council in a timely manner after the engagement occurs. The report should include a fulsome assessment of what was heard during the engagement sessions including themes that emerged, conflicting opinions, how and why the staff recommendation(s) may have changed based on the feedback received, etc.

Use of the town's website and town approved social media channels should be used to promote engagement activities. Use of additional tactics are detailed in Appendices A and B.

Indigenous Engagement

The Town of Oakville is committed to building its relationship with Indigenous peoples.

For those matters where the duty to consult with Indigenous peoples is a duty of the Provincial government, the Provincial government may delegate procedural aspects of this duty to project proponents at the town while retaining oversight of the consultation process. Instructions from the Province will be provided and staff will be required to adhere to them.

Public Notice

In notifying the public, staff will consider the following factors:

- Statutory requirements – legislation that specifies notice requirements
- Financial considerations – budget availability/allocation will be a high priority consideration
- Geographic area of impact – town-wide or area-specific impacts
- Community impact – town-wide impact or impact limited to certain groups
- Target audience – individuals who are directly or indirectly affected
- Timeframe of notification – ensure sufficient lead time and recognize seasonal constraints
- Council decisions – as it relates to form and/or timing (e.g. standard 14-day notice requirement reduced to 7-days for notice to residents of a noise exemption for Film Pilot Program)
- Nature of issue/initiative – may be high profile, controversial or routine in nature
- Type of engagement – inform, consult, involve and collaborate
- Form of notice – online and electronic means will be used as the primary form of notification; other forms of notification may be considered to reflect the scope of the issue/initiative
- Health and public safety risk – demand the highest standard
- Accessibility – in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005* requirements

All town public notices will be posted on the Town of Oakville website under the [News & Notices](#) section. Departments may also choose to place a digital public notice ad in an Oakville online news outlet in addition to posting on the town's website. While online news outlets will be preferred, if a department determines there is a requirement for a printed newspaper notice, staff will contact Corporate Communications for placing the notice in an area newspaper, subject to department budget availability. The use of town approved social media outlets is also encouraged.

Public notices shall incorporate the following strategies to enhance participatory opportunities for the public:

- Ability to scan for information: Make use of short sentences and paragraphs, and headers.
- Readability: Use simple sentence structure and grammar.
- Plain language: Use simple everyday words with limited technical language. Use active voice rather than passive voice.
- Target audiences: Anticipate their interests and address potential enquiries. Provide notice in an accessible manner.
- Images: Use images, especially if it helps readers understand the message and provide written descriptions of the images.

All Members of Council will be informed for matters of town-wide interest and the Mayor and Ward Councillors will be informed for matters that are area/location specific.

In the case of service disruptions, notice shall be provided in accordance with the town's Accessible Customer Service procedure and service disruption guidelines.

Staff will use the town approved notice templates that adhere to the town's Corporate Identity Standards.

Exemption: This policy applies except where, the Mayor determines that notice should be waived due to emergency, urgency or time sensitivity situations or situations which could affect the health and well-being of the residents of Oakville.

Council shall be informed by email if an exemption is applied.

References and related documents

Appendix A – Municipal Act Public Notice Requirements
Appendix B –Public Engagement Level of Impact and Notice Guidelines
Public Notice and Engagement Policy
[Public Engagement Guide](#)
Accessibility Policy
Planning Accessible Meetings Procedure

Communications Procedure
Council Remuneration, Resources and Expenses Policy
Council Remuneration, Allowances, Benefits, Expenses, Conferences and Seminars Procedure
Customer Service Standards Procedure
Corporate Identity Standards Procedure
Translation and Interpretation Procedure
Rzone Procedure
Town of Oakville Procedure By-law 2020-011, as amended
Corporate Grants, Sponsorship, Naming Rights and Advertising Sales policy
[Oakville Inclusion Lens](#)
Ontario Human Rights Code
Municipal Act, 2001
Municipal Freedom of Information and Protection of Privacy Act
Accessibility for Ontarians with Disabilities Act, 2005
Planning Act
Oakville Official Plan(s) Alternative Notice Procedures
[Council Code of Conduct Policy](#)

Definitions

Community – represents the most general and inclusive term for participants in public engagement in the municipal context. This term includes but is not limited to residents, companies, individuals, businesses, not-for-profit organizations, interested parties, and Resident Associations.

Digital public notice ad – means a town notice provided on an Oakville online news outlet.

Information sign – means a sign erected securely by stakes or other means in the vicinity of, or on site, containing a printed message that should be visible to both pedestrian and motor traffic in the area.

Interested parties – refers to individuals, groups, or organizations that have a vested interest in a particular policy, program, project or service.

Newspaper – means printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers in accordance with the *Interpretation Act*.

Notice by mail/email – unless otherwise specified, notice by mail means notification forwarded through Canada Post first class delivery service and courier to the last known address of the person being notified, which shall be deemed to be effective on the date sent. Notice by email may be used where interested parties have requested notice by

email or where someone has given the town permission to send information related to a matter to their email address.

Public engagement – a process whereby the town facilitates information sharing and interactive discussion with the community and interested parties on a policy, program, project, service or legislative requirement with the aim to collect input and feedback used to inform staff recommendations and Council decision-making. The process includes various methods by which information is exchanged and collected from the community. Types of public engagement include but are not limited to online channels (e.g. websites, social media, online chats), public meetings (e.g. in-person and virtual), open houses, focus groups, and surveys.

Responsibilities

Participants are responsible for:

- Following the town's Rzone procedure when attending or participating in town public engagement activities

Departments are responsible for:

- Complying with this procedure
- Meeting accessibility requirements for public engagement activities
- Following the town's Customer Service Standards and Customer Conduct Policy and procedures when leading town public engagement activities
- Leading engagement initiatives as required
- Representing the interests of the corporation
- Complying with the Employee Code of Conduct
- Complying with legislative requirements

Members of Council:

- As a best practice, Members of Council should clearly identify where they are expressing individual views, and not necessarily the views of the town or Council
- Abide by the Council Code of Conduct Policy

Appendix A – Municipal Act Public Notice Requirements

Pursuant to Section 270 (1) of the *Municipal Act*, a municipality shall adopt and maintain policies concerning the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given as well as the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

The information below sets out the minimum notice requirements for a number of matters the town is involved in and outlines the form and manner in which notice is to be given, and the minimum time for giving such notice.

There are two types of notice contained within this appendix:

- Notice prescribed directly by the *Municipal Act, 2001*
- Notice required in the *Municipal Act, 2001* but the town decides on the form, manner and timing

All other types of notice and public engagement undertaken by the town shall be provided based on the town's public notice and engagement guidelines in Appendix B.

Staff will inform all Members of Council for matters of town-wide interest and the Mayor and Ward Councillors will be informed for matters that are area/location specific.

Content of Notice

At a minimum, unless otherwise prescribed in the *Municipal Act, 2001* or its Regulations, a notice of the intention to pass a by-law or notice of a public meeting, other than an information sign, shall include the following information:

- A description of the purpose and effect of the proposed by-law or matter
- The date, time and location of the meeting at which the matter will be considered
- A description of how and where comments and/or objections may be made
- Contact information for the purposes of submitting written comments prior to the meeting including any submission deadlines
- If applicable, a key map or other description of the lands affected by the proposal.

Information signs shall at a minimum include the following information:

- A description of the purpose of the notice
- The date and location of the proposed meeting, if applicable
- Contact information for the purpose of obtaining additional information.

Notice of Subsequent Meetings

If a decision is not made at the meeting specified in the public notice, a statement should be made at the meeting specifying the date, time, location and type (if known) of any subsequent meeting where the matter will be considered.

No additional prescribed notice will be required for subsequent meetings where a matter has been deferred for consideration unless otherwise determined by Council.

Notice Requirements

No deviations are permitted from the prescribed notice where required by the *Municipal Act, 2001*. When the form, time, and manner of notice is not prescribed by the *Municipal Act 2001*, deviations shall be brought to the attention of Council.

The following tables list all the notice requirements as per the *Municipal Act*, along with the form, manner and timing in which the notice is to be given and the town representative responsible. For those matters where discretion is given to the town to determine the form, manner and time, the tables indicate the town’s minimum requirements. Form refers to the tool to be used (what will be used). Manner refers to the how the tool will be shared. Time refers to the number of consecutive days for which the notice is to be posted before the meeting or event, not including the day of the meeting or event.

Business Improvement Areas

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Business Improvement Areas Section 204-210, <i>Municipal Act</i></p> <p>A municipality may designate an area as an improvement area and may establish a board of management.</p>	<p>Establishing or Restructuring of Boundaries F - As required by the Act M - As required by the Act T - Written notice of the proposed by-law sent at least 60 days prior to passage of by-law</p>	<p>Town Clerk</p>
<p>Repeal of By-law Section 211, <i>Municipal Act</i></p> <p>Council shall give notice of a proposed by-law to repeal a by-law establishing a business improvement area.</p>	<p>Repeal of By-law F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Clerk</p>

Council

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Composition of Council of Local Municipality Section 217, <i>Municipal Act</i></p> <p>A municipality may change the composition of its Council.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to consideration of by-law</p>	<p>Town Clerk</p>

Enforcement

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Conditions Governing Power of Entry Section 435, <i>Municipal Act</i></p> <p>A municipality may exercise a power of entry under the Act.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Relevant department director</p>

Finance (Administration)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Yearly Budget, Local Municipalities Section 290, <i>Municipal Act</i></p> <p>Multi Year Budget Section 291(1), <i>Municipal Act</i></p> <p>Other Years, Mandatory Review of Annual Budget Section 291 (4), <i>Municipal Act</i></p> <p>Advertising a budget or amending the budget.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to Council consideration of the matter</p> <p>Amendments to budget over \$1 Million F - Town website M - Post on Internet T - 14 days prior to Council consideration of the matter</p>	<p>Town Treasurer, or designate</p> <p>Town Treasurer, or designate</p>
<p>Publication of Financial Statements, etc. Section 295 (1), <i>Municipal Act</i></p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Audited financial statements, the notes to the financial statements, the auditor's report and the tax rate information for the current and previous year as contained in the financial review.		

Finance (Debt and Investment)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Debt Section 401, <i>Municipal Act</i></p> <p>Notice Section 402, <i>Municipal Act</i> A municipality may incur debt. Upon receipt of application of a municipality to incur a debt, the Ontario Land Tribunal may direct the municipality to give notice of the application to such persons and in such manner as the Board determines.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Finance (Fees and Charges)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>By-laws re: Fees and Charges Section 391, <i>Municipal Act</i></p> <p>Regulations Section 400, <i>Municipal Act</i></p> <p>Section 391 gives the municipality the authority to impose fees and charges. Under Section 400, the Minister may make regulations regarding fees and charges.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Relevant department director and/or Town Treasurer, or designate</p>

Local Boards

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Power to dissolve or change local boards. Section 216, <i>Municipal Act</i></p> <p>Power to dissolve or change Local Boards</p>	<p>F – Written notice M - By mail T - 14 days prior to Council consideration</p>	<p>Town Clerk</p>

Municipal Restructuring

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Proposal to Restructure Section 173(1), <i>Municipal Act</i></p> <p>Consultation Section 173(3), <i>Municipal Act</i></p> <p>The Council of a municipality votes on whether to support or oppose a restructuring proposal.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to public meeting</p> <p>and</p> <p>F - Written notice M - Mail to persons prescribed by Minister T - 14 days prior to consideration of by-law</p>	<p>Town Clerk</p>

Municipal Restructuring (Change of Name)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Change of Name Section 187 (1), <i>Municipal Act</i></p> <p>Notification Section 187(3), <i>Municipal Act</i></p> <p>Changing the name of a municipality.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to public meeting</p> <p>Notification of Passing F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Clerk</p> <p>Town Clerk</p>

Policies and Procedures

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Adoption of Policies Section 270, <i>Municipal Act</i> A municipality shall adopt and maintain policies with respect to:</p> <ul style="list-style-type: none"> • Sale and other disposition of land • Hiring of employees • Procurement of goods and services • Public Notice (form, manner, time) • Accountability and transparency • Delegation of powers and duties 	<p>F - Town website M - Post on Internet T - Upon adoption of policy</p> <p>Where the subject matter of a policy requires public notice it shall be provided in accordance with the adopted policy</p>	<p>Town Clerk</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Procedure By-Law Section 238(1), <i>Municipal Act</i> Procedure By-laws Respecting Meetings Section 238(2), <i>Municipal Act</i></p> <p>A municipality shall pass a procedure by-law for governing the calling, place, proceedings and providing public notice of meetings of Council and Committees of Council.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to its passage</p>	<p>Town Clerk</p>
<p>Notice Section 238(2.1), <i>Municipal Act</i></p> <p>The Procedure by-law shall provide for public notice of meetings.</p>	<p>F - Town website M - Post on Internet T - 48 hours prior to consideration of matter</p>	<p>Town Clerk</p>

Roads and Highways

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Temporary Road Closings Section 23(2) of the <i>Municipal Act</i></p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to abutting owners</p>	<p>Director, Transportation and Engineering</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Temporary road closings for maintenance and/or construction of roads	T - 14 days prior to temporary road closures And F - Information sign M - Post on property T - 14 days prior to temporary road closures	
<p>Temporary Road Closings By-law 2007-135, under section 23.2 of the <i>Municipal Act</i></p> <p>Temporary road closings for community events, street parties and/or filming</p>	<p>Community Events F - Town website and information sign M - Post on Internet and sign posted in a location determined by the Director of Transportation and Engineering T - 14 days prior to event *****</p> <p>Filming and street parties F - Town website and written notice M - Post on Internet and personal delivery or by mail to affected area T - 7 days prior to filming start date or street party</p>	Director, Transportation and Engineering
<p>Highway Closing Procedures Section 34(1) – <i>Municipal Act</i></p> <p>Before passing a by-law for permanently closing a highway, a municipality shall give public notice of its intention to pass the by-law.</p>	F - Information sign M - Sign to be posted on side of highway and visible to all traffic using the highway T - 14 days prior to consideration of by-law	Director, Transportation and Engineering
<p>Permanently Altering a Highway Subsection 34(2), <i>Municipal Act</i></p> <p>Before passing a by-law for permanently altering a highway, if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person’s land over any highway, a municipality shall give</p>	F - Town website and written notice M - Post on Internet and personal delivery or by mail to abutting owners T - 14 days prior to consideration of the by-law And F - Information sign M – Post on property	Director, Transportation and Engineering

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
public notice of its intention to pass the by-law.	T - 14 days prior to consideration of by-law	
<p>Closing of Private Roads Subsection 34 (3), <i>Municipal Act</i></p> <p>If a municipality requires the owner of any land to permanently close up any private road, entrance, gate or other structure that is constructed or is being used as a means of access to a controlled access highway or other highway in contravention of a by-law, it shall give notice.</p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to land owner and abutting owners T - 14 days prior to consideration of by-law</p> <p>And F - Information sign M - Post on property T - 14 days prior to consideration of by-law</p>	Director, Transportation and Engineering
<p>Changing the Name of a Highway Section 37, <i>Municipal Act</i></p> <p>Before passing a by-law changing the name of a highway, a municipality shall give public notice of its intention to pass the by-law.</p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to land owner and abutting owners T - 14 days prior to consideration of the by-law</p> <p>And F - Information sign M - Post on property T - 14 days prior to consideration of by-law</p>	Director, Transportation and Engineering

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Naming or Changing the Name of Private Roads Section 48, <i>Municipal Act</i></p> <p>A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law.</p>	<p>Naming of a Private Road F - Town website notice and email to registered interested parties M - Post on Internet and email to registered interested parties T - 14 days prior to naming</p> <p>.....</p> <p>Changing the Name of a Private Road F - Town website and written notice M - Post on Internet and personal delivery or mail to land owner and abutting owners T - 14 days prior to naming</p> <p>And F - Information sign M - Post on property T - 14 days prior to naming</p>	<p>Director, Transportation and Engineering</p> <p>Director, Transportation and Engineering</p>

Tax Collection

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Notice of Tax Exemption by-law Section 110(8), <i>Municipal Act</i></p> <p>The municipality may exempt from taxation for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located (under specific conditions).</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Clerk</p>
<p>By-laws re: Installments Section 342, <i>Municipal Act</i></p> <p>Tax Bill Section 343, <i>Municipal Act</i></p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Payment of taxes. The treasurer shall send a tax bill to every taxpayer.</p>		
<p>Determination of Tax Status Section 348, <i>Municipal Act</i></p> <p>Notification to each taxpayer that owes taxes from a preceding year.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Obligations of Tenant Section 350(1), <i>Municipal Act</i></p> <p>Where taxes are owed in respect of any land occupied by a tenant, the treasurer may give the tenant notice in writing requiring the tenant to pay the rent in respect of the land to the treasurer as it becomes due up to the amount of the taxes due and unpaid plus costs, and the tenant shall comply with the notice.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Division Into Parcels Section 356, <i>Municipal Act</i></p> <p>Upon application by the treasurer of a municipality or to the treasurer by an owner of land, the municipality may divide land into two or more parcels; apportion unpaid taxes; and direct part payment of taxes to each of the parcels.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Cancellation, Reduction, Refund of Taxes Section 357, <i>Municipal Act</i></p> <p>Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes levied.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>Overcharges Section 358, <i>Municipal Act</i></p> <p>Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes which were overcharged due to a gross or manifest error in the preparation of the assessment roll.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Increase of Taxes Section 359, <i>Municipal Act</i></p> <p>Upon receipt of an application by the treasurer, the municipality may increase the taxes levied when the taxes were undercharged due to a gross or manifest error.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Rebates for Charities Section 361(1), <i>Municipal Act</i></p> <p>Change of Assessment Section 361(10.1), <i>Municipal Act</i></p> <p>Property assessment – tax collection</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Cancellation, Reduction or Refund of Taxes Section 365 (1), <i>Municipal Act</i></p> <p>Notice to Upper-Tier Municipality, etc. Section 365 (2), <i>Municipal Act</i></p> <p>.....</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p> <p>.....</p> <p>F - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Cancellation of Taxes, Rehabilitation and Development Period Section 365.1, <i>Municipal Act</i>	M - As required by the Act T - As required by the Act	Town Treasurer, or designate

Taxes (limitations)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Taxes on Eligible Property Section 331, <i>Municipal Act</i> The municipality shall determine the taxes for municipal and school purposes for each eligible property for the year or portion of the year.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate

Taxes (municipal taxation)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Establishment of Tax Ratios Section 308, <i>Municipal Act</i> Regulations Section 308 (22)(b), <i>Municipal Act</i> The Minister may make regulations requiring municipalities that establish tax ratios to give notice of the tax ratios to such persons and in such manner as prescribed.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate

Taxes (sale of land for tax arrears)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Notice of Registration Section 374 (1), <i>Municipal Act</i> Spouse of Owner Section 374 (2), <i>Municipal Act</i> Limitation Section 374 (5), <i>Municipal Act</i> Tax arrears certificate.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
Subject of notice	F-Form / M-Manner / T-Time	Responsibility

<p>Public Sale Section 379, <i>Municipal Act</i> Sale of property for tax arrears.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Application of Proceeds Section 380 (1), <i>Municipal Act</i></p> <p>Payment Into Court Section 380 (2), <i>Municipal Act</i></p> <p>Notice Section 380 (3), <i>Municipal Act</i></p> <p>Proceeds from sale of property for tax arrears.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p>Power of Entry Section 386.1 (1), <i>Municipal Act</i></p> <p>Inspection without Warrant Section 386.2, <i>Municipal Act</i></p> <p>A municipality may enter a property to carry out an inspection without a warrant.</p> <p>.....</p> <p>Inspection Warrant Section 386.3, <i>Municipal Act</i></p> <p>The municipality may apply to a provincial judge or a justice of the peace for a warrant authorizing a person named in the warrant to inspect land.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p> <p>.....</p> <p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p> <p>Town Treasurer, or designate</p>

Appendix B –Public Engagement Level of Impact and Notice Guidelines

This appendix provides a framework to allow staff, or anyone undertaking public engagement on behalf of the town, to assess the level of impact they wish to achieve through engagement and the appropriate notice requirements for each. The level of community impact of the project or initiative is an important component to determine the appropriate public notice.

The table below sets out the notice requirements for initiatives undertaken by the town that are not stipulated in the *Municipal Act, 2001* as listed in Appendix A. Public engagement for any policy, program, project, service and by-law initiatives that have related notice requirements contained in Appendix A – Municipal Act Public Notice Requirements, shall comply with the notice requirements referenced in Appendix A.

Public notice requirements for *Planning Act* applications are determined through the *Planning Act* and recommendations from Council. Statutory public meetings for Draft Plans of Subdivision, Official Plan Amendments, and Zoning By-law Amendments require a mail-out notice to all properties within 240 metres of the subject property, which exceeds the statutory requirements.

This appendix applies to all town initiated policies, programs, projects, services and by-laws that require public engagement, including public meetings and notice requirements as stated in applicable legislation (other than the *Municipal Act, 2001*).

Staff will inform all Members of Council for matters of town-wide interest and the Mayor and Ward Councillors will be informed for matters that are area/location specific.

The table below lists the level of impact for engagement. Staff are responsible for determining the appropriate level of impact for their respective type of project or initiative. The criteria used to determine the level of impact is listed in the second column. The required public notice and optional notice are also indicated for each level in the third and fourth columns. Timeframe, in the fifth column, refers to the number of consecutive days the notice is to be posted before the meeting or event, not including the day of the meeting or event.

Level of impact	Criteria (one or more of the following)	Required public notice	Optional notice, in addition to required notice	Timeframe to provide notice (min.)
Level 1				
Low impact Local area/group Inform stakeholders of the issue or project	<ul style="list-style-type: none"> Lower level of real/perceived impact or risk on local area, small community or user group(s) of a specific program, service or facility 	Town website and notification subscriptions Email to registered interested parties Confirm notice requirements per applicable legislation	Written notice to affected area, minimum 120 metres from the subject site	14 days

Level of impact	Criteria (one or more of the following)	Required public notice	Optional notice, in addition to required notice	Timeframe to provide notice (min.)
	<ul style="list-style-type: none"> • Small change or improvement to a program, service or facility in local area • Low or no risk of controversy or conflict in local area • Issues or initiatives that are routine 			
Level 2				
Low impact Town-wide Inform stakeholders of the issue or project	<ul style="list-style-type: none"> • Lower, although still some real or perceived risk across the town • Potential for some controversy or conflict • Potential for some impact, although not significant 	As required in level 1	Printed newspaper or Oakville online news outlet Social media	14 days
Level 3				
High impact Local area/group Inform and Involve, Consult, Collaborate with stakeholders on the issue or project	<ul style="list-style-type: none"> • High level of real/perceived impact or risk on local area, small community or user group(s) of a specific service or facility • Loss of or significant change to any facility, program or service to a local community • Potential high degree of controversy or conflict • Any impact on health, safety or well-being 	Town website and notification subscriptions Social media Email to registered interested parties, target resident's associations, target business associations TV screens and/or posters in town facilities and properties Confirm notice requirements per applicable legislation	Written notice to affected area, minimum 120 metres from the subject site And/or Mobile sign	14 days
Level 4				
High impact Town-wide Inform and Involve, Consult, Collaborate with stakeholders on the issue or project	<ul style="list-style-type: none"> • High level of real/perceived impact or risk across the town • Significant impact on attributes that are of high value to the town, such as Council's strategic goals • Any impact on health, safety • Potential high level of interest across Oakville 	As required in level 3	Printed newspaper or Oakville online news outlet And/or Mobile sign	14 days

Level of impact	Criteria (one or more of the following)	Required public notice	Optional notice, in addition to required notice	Timeframe to provide notice (min.)
	<ul style="list-style-type: none"> <li data-bbox="477 338 781 426">Potential high impact at provincial or national level 			

Question and responses	# of responses	%
1. Over the past 12 months, how often did you participate in a public engagement activity hosted by the Town of Oakville? This could include in-person meetings, virtual meetings, Council meetings, project workshops, open houses, online surveys, etc.		
Once	23	13%
2-3 times	43	23%
4-5 times	11	6%
More than 5 times	15	8%
I did not participate in any town activities in the past 12 months	91	50%
	183	100%

2. If you have not participated in a public engagement activity hosted by the Town of Oakville in the past 12 months, what are the reasons? (select all that apply)		
Timing of activity did not work for my schedule	32	20%
I am not aware of the activities hosted by the Town of Oakville	86	53%
I am not interested in participating	3	2%
I require childcare to attend	4	2%
Not all topics are relevant to me	20	12%
Other – please specify	18	11%
	163	100%

3. For projects or studies that would benefit from increased involvement and collaboration with the public, how would you like to be engaged? (select all that apply)		
Attend in-person sessions where information is available and I can ask questions (e.g. open house)	86	11%
Attend in-person sessions that include table activities and discussion on a specific topic (e.g. workshop)	56	7%
Attend online meetings where information is shared via a presentation and I can ask questions (e.g. virtual open house)	91	12%
Attend online meetings that include break-out groups to discuss a specific topic (e.g. virtual workshops)	39	5%
Complete online surveys	133	17%
Participate in “pop-up” events at various locations throughout the town (e.g. community centres, grocery stores, community events) that may include information sharing and interactive activities	74	10%
Send written communication to staff (e.g. emails, letters)	59	8%
Become a member on a Citizen Advisory Committee	53	7%
Participate in two-way communication through social media or other digital forum	51	7%
Participate in focus groups on various topics	67	9%
Having a staff member that I can call	45	6%
Other	8	1%
	762	100%

Question and responses	# of responses	%
4. Do you follow the Town of Oakville on any social media platform?		
Yes	121	66%
No	62	34%
	183	100%

5. If you do follow the Town of Oakville on social media, which platforms do you use?		
Instagram	66	31%
Facebook	72	33%
X (formerly Twitter)	26	12%
LinkedIn	13	6%
YouTube	24	11%
I don't use social media	14	7%
	215	100%

6. Are you subscribed to any online newsletters coming from the town?		
Town's corporate e-newsletter	27	13%
Mayor or Councillor e-newsletter	52	26%
Project or department-specific e-newsletter	8	4%
None of the above	110	54%
Other	6	3%
	203	100%

7. What is your time preference for meetings either online or in person? (select all that apply)		
Online day meetings	47	12%
Online evening meetings	116	30%
Online weekend meetings	46	12%
In-person day meetings	36	9%
In-person evening meetings	84	22%
In-person weekend meetings	55	14%
	384	100%

8. How could the town improve in keeping you informed and engaged about important initiatives that affect you and your community?	Summary of responses found on separate page.	
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9. Are you a resident of Oakville?		
Yes	171	93%
No	12	7%
	183	100%

Question and responses	# of responses	%
10. In which ward do you live?		
1	26	15%
2	15	9%
3	22	13%
4	25	15%
5	37	22%
6	30	18%
7	13	8%
	168	100%

11. Do you work in Oakville?		
Yes	70	38%
No	113	62%
	183	100%

12. Are you enrolled in a post-secondary institution in Oakville?		
Yes	18	10%
No	165	90%
	183	100%

13. What is your age group?		
Under 18	1	1%
18 to 24	12	7%
25 to 34	15	8%
35 to 44	30	16%
45 to 54	46	25%
55 to 64	42	23%
65 or older	37	20%
	183	100%

8. How could the town improve in keeping you informed and engaged about important initiatives that affect you and your community?

Theme	Summary of responses
Information Sharing/Tactics	<p>More options to consider when dealing with a matter or issue</p> <p>More use of and advertising on social media</p> <p>Partner with municipal service providers (e.g. hydro, property tax dept.) to share information</p> <p>Utilize different formats for information sharing including mail, text messages, digital boards, email, online news outlets</p> <p>Transparent and accountable sharing of information, final decisions and</p> <p>Promote e-newsletters</p> <p>Information boards at frequently visited places</p> <p>Short informal chats with councillors and staff</p> <p>Use other forums (Oakville Mommy chat)</p> <p>Use polls and surveys</p> <p>Provide info sessions to explain structures of the town in decision making,</p> <p>Options for focused emails from the town, ability to select what interests me to target information better</p> <p>Share information widely before decision making</p>
Accessibility	<p>Go to the people, utilize community centres, diversify locations where events are held and info about them is shared (schools, bus station ads)</p> <p>Make website easier to find information, pop ups on website, once central location that lists all the communications that are available</p>
More engaging activities	<p>Have incentives e.g. contests/draws</p> <p>Make engagement more fun and entertaining; be cooler</p>
Timing	<p>Early involvement from community and timely communications</p> <p>Don't make meetings too long</p> <p>Timing of engagement - before making decisions, send information timely about meetings/surveys, get them too late</p>
Inclusion	<p>Be more inclusive for all voices</p> <p>Reach out to new residents</p>
Standardization	<p>Consistent approach that is used for all initiatives (what is the mission statement, why do we need it, what's been discussed/agreed to date, recap, what are the next steps)</p>

REPORT

Council

Meeting Date: June 17, 2024

FROM: Legal Department

DATE: June 4, 2024

SUBJECT: Disposition of surplus remnant parcel adjacent to Wyecroft Road

LOCATION: Adjacent to Wyecroft Road

WARD: Ward 1

Page 1

RECOMMENDATION:

1. That the Town Solicitor be authorized to transfer Parts 2 and 3 on Plan 20R-17281 to the adjoining property owner for nominal consideration to be incorporated within the private lands.
2. That By-law 2024-060 – A by-law to stop up and close for all purposes a portion of Wyecroft Road, being Part 2 on Plan 20R-17281, be passed.
3. That the Town Solicitor be authorized to register By-law 2024-060 in compliance with the *Municipal Act, 2001*.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Parts 2 and 3 on Plan 20R-17281 (the “**Lands**”) were acquired by the Town as a road widening for Wyecroft Road at nominal consideration.
- The Region of Halton now has jurisdiction over this section of Wyecroft Road, but the Lands are no longer required for the planned alignment of the road.
- The Region has confirmed it does not require the Lands and is agreeable to a transfer back to the adjoining owner.
- The Lands are surplus to the Town needs.
- Staff are recommending transferring the Lands at nominal consideration to the adjoining owner with the owner covering all the transaction costs.
- Part 2 on Plan 20R-17281 is considered an open road allowance so it needs a road closing bylaw before it can be transferred.

BACKGROUND:

On July 5, 2007, a road widening was dedicated to the Town for Wyecroft Road at nominal consideration, identified as Parts 2 and 3 on Plan 20R-17281. Part 2 was incorporated into Wyecroft Road at the time of the transfer and Part 3 is a one-foot reserve to control the access. The Lands are shown on Appendix “A” and the total area of the Lands is 33.4 square metres.

In March 2019, Halton Region approved Report PW-13-19, to upload Wyecroft Road between Bronte Road and Burloak Drive into the regional road system. The report directed the conveyance of the required lands to Halton Region to support the extension of the 40-metre alignment.

The current alignment for Wyecroft Road has resulted in the Lands no longer being required by Halton Region for the extension, so the Region would not accept ownership of the Lands when the remainder of this section of Wyecroft Road was transferred from the Town to the Region. The Region has confirmed they have no interest in the Lands and agreed that the Town can transfer the Lands back to the adjoining owner. The Town cannot make any use of the Lands, so they are surplus to the Town needs.

Part 2 on Plan 20R-17281 is considered open road allowance, and subject to the process for closing of a road prior to disposing of the lands. Notice of the proposed road closure under the Municipal Act, 2001 has been provided, permitting Council to pass the by-law to permanently stop up and close this portion of road. A copy of the road closing bylaw for Part 2 on Plan 20R-17281 is attached as Appendix “B”.

COMMENT/OPTIONS:

The Town’s practice for disposing of surplus lands is to require payment of fair market compensation for the lands. However, staff are recommending making an exception in this case because of the unique situation. There is no benefit to the Town in owning such a small parcel of land between a Regional Road and private lands since the Town can not make any use of the Lands, and retaining ownership could create unnecessary issues. Typically, when the Town considers selling a surplus portion of a road, the Town owns the rest of the road, so the surplus portion has some value as part of the larger parcel. That is not the case in this situation. Also, the Town received these lands as a road widening for no consideration, and normally when a road is turned over to the jurisdiction of the Region, the Town does not receive any compensation for the road lands being transferred.

The adjoining owner would like to put a driveway through the Lands to access Wyecroft Road, and Planning staff see a benefit to having the driveway in this location to line up with an internal roadway on the other side of Wyecroft Road. The Town will have to grant an easement to the owner to facilitate access in this

location, if the Lands remain under Town ownership. Therefore, staff are recommending transferring the Lands at nominal consideration to the adjoining owner.

The adjoining owner has offered to pay \$5,000 to the Town to cover the costs incurred by the Town to complete the disposition of the Lands. Staff are comfortable this amount will cover all the costs incurred by the Town to facilitate the disposition.

CONSIDERATIONS:

(A) PUBLIC

Notice of Intention to close the portion of the public highway has been provided to the public in accordance with the town policy and the Municipal Act, 2001. The adjoining landowner is in concurrence with this road closing by-law. This report will be available for public viewing via the town's website as per Town policy.

(B) FINANCIAL

The Owner will provide \$5,000 to the Town to cover the costs of disposition. The transfer of the Lands will occur at nominal consideration.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Transportation and Engineering Department assisted in the preparation of this report.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic goal to be the most livable town in Canada.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – Location Map

Appendix B – Bylaw 2024-060

Prepared by:
Ryan Maynard
Assistant Town Solicitor

Prepared by:
Vince Blosser
Supervisor of Road Corridor
Transportation & Engineering Dept.

Submitted by:
Doug Carr
Town Solicitor

Submitted by:
Jill Stephen
Director, Transportation & Engineering Dept.



WYECROFT RD

Town of Oakville, Maxar, Microsoft



0 5 10 20 Meters



STUDY AREA

**Appendix A - Wyecroft Road,
Parts 2 and 3 on Plan 20R-17281**

LOCATION

Prepared for the Legal Department



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-060

A by-law to stop up and close for all purposes a portion of Wyecroft Road, being Part 2 on Plan 20R-17281

WHEREAS Notice of Intention to close the highway has been given to the public in accordance with the Town of Oakville Policy #01-01-10 and with the *Municipal Act, 2001*.

COUNCIL ENACTS AS FOLLOWS:

- 1. That part of Wyecroft Road, more particularly described in Schedule "A" attached hereto is hereby closed and stopped up for all purposes.
- 2. Schedule "A" forms part of this By-law.

PASSED this 17th day of June, 2024

MAYOR

CLERK

SCHEDULE "A"

Part of public highway known as Wyecroft Road, being part of Block 5, Plan 20M-1005, designated as Part 2 on Plan 20R-17281, being part of PIN 24858-0195;
Oakville

REPORT

Council

Meeting Date: June 17, 2024

FROM: Municipal Enforcement Services Department

DATE: June 4, 2024

SUBJECT: **Housekeeping Amendments to the Public Nuisance, Property Standards and Lot Maintenance By-laws**

LOCATION: Town-wide

WARD: Town-wide

Page 1

RECOMMENDATION:

1. That By-law 2024-072, a by-law to amend Public Nuisance By-law 2007-143 attached as Appendix A to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
2. By-law 2024-073, a by-law to amend Property Standards By-law 2023-074, as amended, attached as Appendix B to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
3. By-law 2024-074, a by-law to amend Lot Maintenance By-law 2023-075, as amended, attached as Appendix C to the report from Municipal Enforcement Services dated June 4, 2024 be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The Public Nuisance By-law 2007-143 prohibits or regulates public nuisances, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors within the Town of Oakville.
- Property Standards By-law 2023-074 prescribes standards for the maintenance and occupancy of property within the Town of Oakville

- Lot Maintenance By-law 2023-075, as amended, regulates exterior property maintenance including vegetation, waste and graffiti.

It is recommended that regulations regarding lighting appear in only one by-law for clarity and for enforcement purposes. As such, staff is proposing a housekeeping amendment to Public Nuisance By-law 2007-143 to delete provisions for lighting as lighting is currently regulated under Property Standards By-law 2023-074. The Property Standards By-law will also be amended to include exemptions to its lighting requirements. These amendments are contained in Appendix A and Appendix B.

Staff is proposing various housekeeping amendments to Lot Maintenance By-law 2023-075, as set out in this report and Appendix C.

BACKGROUND:

Public Nuisance By-law

Subsection 128(1) of the Municipal Act gives local municipalities the authority to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances. Section 129 of the Municipal Act provides that local municipalities may prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors, and may prohibit these matters unless a permit is obtained from the municipality for those matters.

The Property Standards By-law and Lot Maintenance By-law

The Property Standards and Lot Maintenance by-laws are two different sets of regulations that govern different aspects of property upkeep in the Town of Oakville. The Property Standards By-law refers to a set of regulations that determine the minimum requirements for the condition and maintenance of buildings and structures on private property. The Lot Maintenance By-law deals with the upkeep of the outdoor areas of private property and adjoining municipal boulevards.

COMMENT/OPTIONS:

Housekeeping Amendments to the Public Nuisance By-law and the Property Standards By-law

There are currently two by-laws that regulate lighting in Oakville; namely the Public Nuisance By-law and the Property Standards By-law.

The Public Nuisance By-law prohibits the broadcasting of light from a person's property to another property. The Property Standards By-law regulates outdoor

lighting and requires that lighting be placed or blocked so that it does not directly illuminate the interior of a dwelling unit on an adjoining property.

Staff is proposing to remove the lighting provisions contained in the Public Nuisance By-law and instead regulate lighting under Section 18 of the Property Standards By-law. Section 18 will be amended to provide an exemption for town lighting, school board lighting, lighting from other levels of government and lighting contemplated by site plan approvals, subdivision agreements or site alterations. Further, the regulations regarding sports field lighting that are currently included in the Public Nuisance By-law will also be captured under the lighting requirements of Section 18 of the Property Standards By-law. These amendments are included in Appendix A and Appendix B. Regulating lighting under the Property Standards By-law will ensure consistent provisions and will aid in the enforcement of lighting complaints.

Section 17 - Driveways, Ramps, Safe Passage of the Property Standards By-law currently requires that driveways, ramps, parking areas, paths, outside stairs and landings be surface treated with asphalt, concrete, interlocking brick, similar hardscaped surface, or other material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water. Staff is proposing a housekeeping amendment to this section to delete the requirement that the treatment of these surfaces allow the infiltration of surface water as surfaces such as pavers, asphalt and concrete may not be permeable to water.

Section 60 - Appeals has been amended as requested by the Clerks Department, to further clarify the appeal process.

Housekeeping Amendments to the Lot Maintenance By-law

Staff is proposing the following housekeeping amendments to the Lot Maintenance By-law:

- Add a grandfathering provision to Section 4 - Naturalized Area. This amendment will permit naturalized areas that were installed on or before July 10, 2023 (the date the By-law came into force) to remain on the property as long as they are deliberately planted or cultivated in accordance with subsection 4(1)(a) and they are regularly monitored and maintained. A grandfathered naturalized area cannot be altered or expanded after July 10, 2023. If a grandfathered naturalized area is removed, any new naturalized area that is installed must comply with Section 4 of the By-law. Appendix D contains an excerpt of Section 4 of the By-law including the grandfathering provisions;
- Amend Section 5 – Property Maintenance by the addition of:

-
- subsection 5(4.1) which clarifies that a person is not to cut or remove trees planted on the adjoining boulevard under Municipal Tree By-law 2009-025; and
 - Subsection 5(16) to prohibit the hanging of objects such as tarpaulins, canvass and plastic sheeting in trees or poles or similar support structures that may provide privacy screening or block the view of a neighbouring property;
 - Amend subsection 14(1)(b) of Section 14 - Storage of Firewood to delete the requirement that firewood be stored at a height of not less than 15 cm above grade; and
 - Amend subsection 15(1) of Section 15 – Site Plan Conditions Maintained by deleting the word “drainage” and substituting the word “lighting” as the enforcement of site plan conditions respecting drainage has significant impact on staff, legal and court resources.

The above noted amendments are included in Appendix C to this report.

CONSIDERATIONS:

(A) PUBLIC

Subject to Council’s approval, staff will communicate, promote and enforce the housekeeping amendments to the Public Nuisance By-law, Property Standards By-law and Lot Maintenance By-law.

(B) FINANCIAL

There are no significant financial impacts as a result of this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Municipal Enforcement Services, Legal, and Recreation and Culture have been involved in the review process for this report.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) of: Accountable Government

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A - By-law 2024-072, a by-law to amend Public Nuisance By-law 2007-143

Appendix B - By-law 2024-073, a by-law to amend Property Standards By-law 2023-074, as amended

Appendix C - By-law 2024-074, a by-law to amend Lot Maintenance By-law 2023-075, as amended

Appendix D - Excerpt from the Lot Maintenance By-law regarding the naturalized area amendment

Prepared by:

Andrew Eldridge

Municipal Standards Investigator, Enforcement Services

Recommended by:

Selena Campbell

Director, Municipal Enforcement Services



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-072

A by-law to amend Public Nuisance By-law 2007-143, being a by-law to prohibit or regulate public nuisances, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors within the Town of Oakville

WHEREAS pursuant to section 128 of the *Municipal Act, 2001*, c. 25, as amended, (the "Municipal Act"), a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

WHEREAS Public Nuisance By-law 2007-143, as amended, was passed by the Council of the Corporation of the Town of Oakville ("Council") on December 3, 2007;

WHEREAS Council wishes to amend Public Nuisance By-law 2007-143, as amended;

COUNCIL ENACTS AS FOLLOWS:

1. The title of Public Nuisance By-law 2007-143 be deleted and the following substituted therefor:

"A by-law to prohibit or regulate public nuisances, vibration, odour and dust within the Town of Oakville"

2. The fourth recital of Public Nuisance By-law 2007-143 be deleted and the following substituted therefor:

AND WHEREAS Council for the Corporation of the Town of Oakville desires to prohibit and regulate, including the issuance of permits, with respect to public nuisance, vibration, odour, and dust.

3. Section 1 Definitions of Public Nuisance By-law 2007-143 be amended by deleting the definitions of "Abut or Abutting", "Adjacent" and "Sports Field".
4. Section 3 Prohibition of Public Nuisance By-law 2007-143 be amended by the deletion of subsection 3(c).

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5. Sections 4 and 4A of Public Nuisance By-law 2007-143 are hereby deleted.
6. All other provisions of Public Nuisance By-law 2007-143 remain in force and effect.
7. This by-law comes into force on the day it is passed.

PASSED this 17th day of June, 2024

MAYOR

CLERK



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-073

A by-law to amend Property Standards By-law 2023-074, being a by-law to prescribe standards for the maintenance and occupancy of property within the Town of Oakville

WHEREAS under s. 15.1(3) of the *Building Code Act*, 1992, S.O. 1992, c. 23 (“Building Code Act”) a by-law may be passed by the Council of a municipality prescribing standards for the maintenance and occupancy of property within a municipality; prohibiting the occupancy or use of such property that does not conform with the standards to be repaired and maintained to conform with the standards, providing that the official plan for the municipality includes provisions relating to the property conditions;

WHEREAS the Official Plan of The Corporation of the Town of Oakville includes provisions relating to Property conditions;

WHEREAS Property Standards By-law 2023-074 was passed by the Council of the Corporation of the Town of Oakville (“Council”) on June 19, 2023;

WHEREAS Council wishes to amend Property Standards By-law 2023-074;

COUNCIL ENACTS AS FOLLOWS:

1. Section 1 Definitions of Property Standards By-law 2023-074 is hereby amended by the addition of the definition of “School Board” as follows:

“**School Boards**” means the Halton District and Halton Catholic District School Boards, Conseil Scolaire Viamonde, and Conseil Scolaire Catholique MonAvenir;

2. Section 17 Driveways, Ramps, Safe Passage of Property Standards By-law 2023-074 is hereby amended by deleting the phrase “and allow infiltration of surface water” from line 3 of subsection 17(1)(b).
3. Section 18 Lighting of Property Standards By-law 2023-074 is hereby amended by adding new subsection 18(1.2) as follows:

18(1.2) The following lighting is exempt from the requirements of Section 18:

- (a) lighting of the Town;
- (b) lighting of school boards, the federal, provincial or regional governments; and
- (c) lighting contemplated by a site plan approval, subdivision agreement or site alteration permit to the extent that such lighting is constructed in accordance with all conditions and requirements of such site plan approval, subdivision agreement or site alteration permit.

4. Section 60 Appeals of Property Standards By-law 2023-074 be deleted and the following substituted therefor:

60. Appeals

- (1) When the owner upon whom an Order has been served is not satisfied with the terms and conditions of the Order, they may appeal to the Property Standards Committee by sending a notice of appeal in writing by mail, email or registered mail to the Town Clerk within fourteen (14) days of the service of the Order.
- (2) The notice of appeal shall include:
 - (a) the name, address, telephone number and email address of the appellant;
 - (b) the date and number of the Order issued by the Officer;
 - (c) the reasons for the appeal; and
 - (d) the appeal fee as set out in the rates and fees schedule.
- (3) In the event that no appeal is made within fourteen (14) days as set out in subsection 60(1), the Order shall be deemed confirmed and shall be final and binding.
- (4) Where an appeal has been made, the Property Standards Committee shall hear the appeal and shall have all the powers and functions of the Officer and may confirm the Order or may modify or rescind it, or may extend this time for complying with the Order provided that in the opinion of the Property Standards Committee, the general intent and purpose of this By-law is maintained.

5. All other provisions of Property Standards By-law 2023-074 remain in force and effect.
6. This by-law comes into force on the day it is passed.

PASSED this 17th day of June, 2024

MAYOR

CLERK

**THE CORPORATION OF THE TOWN OF OAKVILLE****BY-LAW NUMBER 2024-074**

A by-law to amend Lot Maintenance By-law 2023-075, being a by-law to regulate exterior property maintenance including vegetation, waste and graffiti

WHEREAS Section 127 of the Municipal Act, provides that a municipality may require the owner or occupant of property to clean and clear the property, not including buildings, or to clear refuse or debris from the property; not including buildings;

WHEREAS Lot Maintenance By-law 2023-075, as amended, was approved by Council on June 19, 2023;

WHEREAS Council wishes to amend Lot Maintenance By-law 2023-075;

COUNCIL ENACTS AS FOLLOWS:

1. Section 4 - Naturalized Area of Lot Maintenance By-law 2023-075 is hereby amended by adding the following new subsections 4(4), 4(5) and 4(6) as follows:
 - 4(4) Despite subsection 4(2) and 4(3), a naturalized area that was installed on or before July 10, 2023 is permitted to remain on the property in accordance with subsection 4(5).
 - 4(5) The naturalized area referred to in subsection 4(4):
 - (a) must meet the requirements of subsection 4(1)(a) and 4(1)(b); and
 - (b) shall not be altered or expanded after July 10, 2023.
 - 4(6) Should an owner remove a naturalized area that was installed on or before July 10, 2023, any new naturalized area that is installed must comply with the requirements of Section 4.
2. Section 5 - Property Maintenance of Lot Maintenance By-law 2023-075 is hereby amended by adding the following new subsection 5(4.1) and 5(16) as follows:

5(4.1) Despite subsection 5(4), no person shall cut or remove trees planted on the adjoining boulevard pursuant to the Town’s Municipal Tree By-law 2009-025, or successor by-laws.

5(16) No person shall attach, affix or place an object or thing, or permit the attaching, affixing or placement of an object or thing, including a tarpaulin, canvass, plastic sheet or like material:
(a) in or on a tree or part of a tree; or
(b) on a pole or other support structure

located on their property that may provide privacy screening or may block the view of a neighbouring property.

3. Subsection 14(1)(b) of Section 14 - Storage of Firewood of Lot Maintenance By-law 2023-075 is hereby deleted and the following substitute therefor:

14(1)(b) neatly pile firewood not less than thirty (30) centimeters from any property line, and stored with a total height of not more than 1.5 metres.

4. Section 15 - Site Plan Conditions Maintained of Lot Maintenance By-law 2023-075 is hereby amended by deleting the word “drainage,” from line one of subsection 15(1) and substituting the word “lighting” therefor.

5. All other provisions of Lot Maintenance By-law 2023-075 remain in force and effect.

6. This by-law comes into force on the day it is passed.

PASSED this 17th day of June, 2024

MAYOR

CLERK

Excerpt From Lot Maintenance By-Law 2023-075

4. Naturalized Area

- (1) A naturalized area is an area that:
 - (a) is deliberately planted or cultivated with one or more species of wild flowers, shrubs, annuals, perennials, ornamental grasses, or a combination of them, to emulate a natural area; and
 - (b) is regularly monitored and maintained by a person.
- (2) Every owner shall comply with subsection 4(3) respecting naturalized areas.
- (3) A naturalized area:
 - (a) is only permitted in the rear yard of a property located in a residential zone as defined in the Zoning By-law - South of Dundas Street or the rear yard of a property with a residential use as defined in the Zoning By-law – North of Dundas Street;
 - (b) shall occupy a maximum of 25% of the rear yard, measured in a square/rectangle from the rear lot line to the closest point to the rear of the dwelling unit and from side lot line to side lot line or flankage lot line; and
 - (c) shall contain a buffer strip around the perimeter of the rear yard, where vegetative growth, common weeds and turfgrass are to be cut whenever the growth in the buffer strip exceeds twenty (20) centimeters in height. The buffer strip is required to be cut where the naturalized area adjoins a lot line of another property.
- (4) Despite subsection 4(2) and 4(3), a naturalized area that was installed on or before July 10, 2023 is permitted to remain on the property in accordance with subsection 4(5).
- (5) The naturalized area referred to in subsection 4(4):
 - (a) must meet the requirements of subsection 4(1)(a) and 4(1)(b); and
 - (b) shall not be altered or expanded after July 10, 2023.
- (6) Should an owner remove a naturalized area that was installed on or before July 10, 2023, any new naturalized area that is installed must comply with the requirements of Section 4.



OAKVILLE

REPORT

Council

Meeting Date: June 17, 2024

FROM: Finance Department

DATE: June 4, 2024

SUBJECT: **March 31, 2024 Financial Results**

LOCATION:

WARD: Town-wide

Page 1

RECOMMENDATION:

1. That the information contained in the staff report dated June 4, 2024, entitled *March 31, 2024 Financial Results* from the Finance Department, be received.
2. That project 36102219 Cellular Enablement be amended to add \$106,000 from the Capital Reserve to fund additional equipment for the Transit fleet and to decommission the old infrastructure.
3. That the 2024 capital budget be amended to add a new project with a budget of \$65,000 funded from the Bloomberg Philanthropies Youth Climate Action Fund.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The Financial Results report presents the town's financial activities from January 1, 2024 to March 31, 2024.
- The total projected town variance after reserve transfers is \$0.57 million favourable or 0.2% of the tax levy.
- Total capital expenditures of \$185.4 million have been incurred year to date.
- A total of 37 capital projects have been identified for closure this period resulting in \$7.06 million being returned to reserves and reserve funds.
- A total of 15 tendered contracts and 10 single source awards in excess of \$100,000 were awarded during this period.
- Inflation continues to run above the Bank of Canada's 2% target but has declined to just below 3% year over year through the first quarter of 2024. While many core components have eased, energy and shelter prices may keep inflation elevated in the near term.

BACKGROUND:

This report provides an update regarding the town’s financial activities from January 1, 2024 to March 31, 2024 and covers all financial matters including operating budget, capital budget, reserve and reserve fund balances, investment and trust funds, and purchasing activities.

COMMENT/OPTIONS:

OPERATING BUDGET

The total projected town variance after policy related and recommended reserve transfers is \$0.57 million favourable or 0.2% of the tax levy for this period.

\$ Millions	2024	2024	2024	2024
	Annual	Q1 Actuals+	Q1 Year-end	Variance to
	Budget	Commitments	Projection	Budget
Emergency Services	46.31	9.34	46.27	0.04
Road Network	33.04	9.89	30.75	2.29
Oakville Transit	38.95	7.75	38.64	0.31
Recreation and Culture	21.42	2.98	20.51	0.91
Parks and Open Spaces (incl. Cemetery and Harbours)	23.84	7.93	24.05	(0.20)
Oakville Public Library	12.18	2.89	12.09	0.09
Community Development	4.77	2.98	3.39	1.39
Political Governance	4.22	1.11	4.19	0.02
Municipal Enforcement (incl. Parking)	2.79	(0.16)	1.98	0.82
Corporate Support Services	40.29	9.40	39.46	0.83
Total Program Variance	\$ 227.81	\$ 54.12	\$ 221.32	\$ 6.50
Corporate Hearings & Litigation	0.50	0.15	0.50	(0.00)
Corporate Revenue & Expenses	(228.31)	(320.88)	(222.94)	(5.37)
Town Variance before transfers	\$ -	\$ (266.61)	\$ (1.13)	\$ 1.13
Policy Related and Recommended Transfers for Programs:				
Transfer (to)/from Building Enterprise Reserve				(0.55)
Transfer (to)/from Cemetery Reserve				(0.06)
Transfer (to)/from Harbours Reserve fund				0.10
Transfer (to)/from Parking Reserve fund				(0.04)
Total Town Variance after transfers				\$ 0.57

Note: Totals and subtotals in this and subsequent charts and tables may not add exactly due to rounding.

As shown above, the total projected Program Variance is \$6.50 million favourable primarily due to personnel savings for various vacancies, revenue for film rentals at Centennial pool and higher revenue for aquatic program registrations.

The variance projected in Corporate Revenue & Expenses is primarily attributed to the following:

- (i) \$1.82 million in corporate gapping budgeted for staff turnover with the offsetting savings found in the individual programs.
- (ii) \$1.00 million higher cost in benefits for retirees. The town does have a post-employment reserve that could be utilized to offset some of this variance at year end.

- (iii) \$1.76 million in revenue loss for the Automated Speed Enforcement (ASE) program as the start date is now expected to be late Q4 2024; savings in expenses associated with the ASE program are reflected in the Infrastructure Planning and Municipal Enforcement programs.
- (iv) \$1.20 million in Tax Stabilization funding was budgeted as an interim measure to offset the Transit net revenue impact given the slower recovery of ridership that was anticipated during the 2024 budget process; given the overall town surplus, it is projected that the Tax Stabilization funding will not be required.

The total Program variance combined with Corporate Hearings & Litigations and Corporate Revenues & Expenses shows a total town variance before transfers of \$1.13 million favourable.

Reserve Transfers

Legislation requires any surplus/shortfall generated from building permit revenues to be transferred to/from the Building Enterprise Reserve. A transfer of \$0.55 million to the Building Enterprise Reserve is projected. Town policy is to balance any surplus/deficit for Cemeteries, Harbours, Parking, and Election with their respective reserves and reserve funds which town staff is recommending be completed at year-end. After all policy related and recommended transfers, the total projected town variance after transfers is \$0.57 million favourable representing 0.2% of the tax levy.

Program Variance – by revenue/expense type

The total projected program variance is \$6.50 million favourable and the most significant variances to budget by expense and revenue type are discussed below.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	195.50	42.58	191.84	3.66
Materials & Supplies	27.43	10.56	27.05	0.38
Capital out of Operations	0.35	0.09	0.34	0.02
Purchased Services	51.12	18.14	49.89	1.22
Payments & Grants	7.10	1.59	6.96	0.14
Internal Expenses & Transfers	58.69	6.72	58.65	0.04
Total EXPENSES	\$ 340.18	\$ 79.68	\$ 334.72	\$ 5.46
REVENUES				
External Revenues	(77.39)	(18.07)	(78.86)	1.47
Internal Recovery & Fund Transfers	(34.98)	(7.49)	(34.55)	(0.43)
Total REVENUES	\$ (112.37)	\$ (25.56)	\$ (113.41)	\$ 1.04
Total Programs	\$ 227.81	\$ 54.12	\$ 221.32	\$ 6.50

Personnel Services & Benefits - \$3.66 million favourable

The projected savings are higher than normal primarily due to vacancies in various programs. We continue to observe a trend towards stabilization in staff turnover approaching pre-pandemic levels. Gapping also continues to be notably less year-over-year since 2020 however given the increase in labour market pressure for skilled workers, attracting talent remains challenging in some areas, reflecting a 'new normal'. Gapping has also been influenced by a rise in the need to backfill full time staff taking sick leaves, some of which is related to post pandemic delays in surgeries and referrals to specialists or to mental health issues stemming from the pandemic.

Additionally, there has been an increase in staff taking legislative leaves such as maternity, parental, and family caregiver leaves. The town's reliance on temporary contract positions to meet capital project and supplemental staffing needs continues to prove difficult at times to fill given the current labour market. Lastly, while filling part time positions has improved over the past few years with robust applicant pools returning, there are still some pockets where finding qualified staff can be challenging. Overall, our active recruitment strategy is proving to be effective, and we will continue these efforts throughout 2024.

Purchased Services - \$1.22 million favourable

This is primarily attributed to savings for winter control given fewer snow events during this period as well as savings related to the ASE program as the start date is now expected to be late Q4 2024. These savings are partially offset by additional tree replacement contracted services costs, funded by tree replacement deferred revenue and recognized in External Revenue.

External Revenue - \$1.47 million favourable

This is primarily attributed to revenue for film rentals at Centennial pool and higher revenue for aquatic program registrations. As well, additional tree replacement deferred revenue has been recognized to offset additional tree replacement contracted services costs.

Program Variance – by program

The most significant variances to budget by program area are discussed below. Appendix A provides more detail of the projected variance by program area.

Municipal Enforcement (incl. Parking) - \$0.82 million favourable

The projected variance shown below is primarily due to savings for the Automated Speed Enforcement (ASE) program which is expected to start in late Q4 2024.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	4.85	1.10	4.92	(0.08)
Materials & Supplies	0.26	0.06	0.24	0.03
Capital out of Operations	0.02	0.01	0.02	0.00
Purchased Services	2.48	0.46	1.87	0.61
Payments & Grants	0.88	0.10	0.66	0.23
Internal Expenses & Transfers	1.69	0.37	1.78	(0.09)
Total EXPENSES	\$ 10.19	\$ 2.11	\$ 9.49	\$ 0.70
REVENUES				
External Revenues	(6.77)	(2.13)	(6.88)	0.11
Internal Recovery & Fund Transfers	(0.63)	(0.14)	(0.63)	0.00
Total REVENUES	\$ (7.40)	\$ (2.27)	\$ (7.51)	\$ 0.11
Total Municipal Enforcement (incl. Parking)	\$ 2.79	\$ (0.16)	\$ 1.98	\$ 0.82

Corporate Support Services - \$0.83 million favourable

The projected variance shown below is primarily due to personnel savings for various vacancies as the town continues to look to fill vacant positions.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	41.47	9.06	40.23	1.25
Materials & Supplies	1.22	0.40	1.22	(0.00)
Capital out of Operations	0.04	0.05	0.04	0.00
Purchased Services	11.47	4.11	11.60	(0.13)
Payments & Grants	0.85	0.15	0.85	(0.01)
Internal Expenses & Transfers	1.12	0.20	1.11	0.01
Total EXPENSES	\$ 56.17	\$ 13.96	\$ 55.05	\$ 1.12
REVENUES				
External Revenues	(2.90)	(0.63)	(2.94)	0.04
Internal Recovery & Fund Transfers	(12.98)	(3.93)	(12.65)	(0.33)
Total REVENUES	\$ (15.88)	\$ (4.56)	\$ (15.59)	\$ (0.29)
Total Corporate Support Services	\$ 40.29	\$ 9.40	\$ 39.46	\$ 0.83

Recreation and Culture - \$0.91 million favourable

The projected variance shown below is primarily due to revenue for film rentals at Centennial pool and higher revenue for aquatic program registrations.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	19.17	4.00	18.92	0.25
Materials & Supplies	5.05	1.32	5.07	(0.02)
Capital out of Operations	-	0.01	(0.00)	0.00
Purchased Services	5.44	1.36	5.55	(0.12)
Payments & Grants	1.77	0.58	1.84	(0.07)
Internal Expenses & Transfers	12.19	1.95	12.00	0.19
Total EXPENSES	\$ 43.63	\$ 9.22	\$ 43.39	\$ 0.24
REVENUES				
External Revenues	(21.91)	(6.20)	(22.67)	0.76
Internal Recovery & Fund Transfers	(0.30)	(0.04)	(0.21)	(0.09)
Total REVENUES	\$ (22.21)	\$ (6.24)	\$ (22.88)	\$ 0.67
Total Recreation and Culture	\$ 21.42	\$ 2.98	\$ 20.51	\$ 0.91

Community Development - \$1.39 million favourable

The projected variance shown below is primarily due to personnel savings for various vacancies as the town continues to look to fill vacant positions.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	16.63	3.50	15.29	1.35
Materials & Supplies	0.08	0.02	0.08	0.00
Capital out of Operations	0.01	0.00	0.01	0.00
Purchased Services	0.61	0.21	0.60	0.01
Payments & Grants	0.15	0.02	0.15	(0.00)
Internal Expenses & Transfers	12.75	2.03	12.75	(0.00)
Total EXPENSES	\$ 30.23	\$ 5.79	\$ 28.88	\$ 1.36
REVENUES				
External Revenues	(23.22)	(2.28)	(23.25)	0.03
Internal Recovery & Fund Transfers	(2.24)	(0.52)	(2.24)	-
Total REVENUES	\$ (25.46)	\$ (2.81)	\$ (25.49)	\$ 0.03
Total Community Development	\$ 4.77	\$ 2.98	\$ 3.39	\$ 1.39

Road Network - \$2.29 million favourable

The projected variance shown below is primarily due to savings for winter control given fewer snow events during this period and personnel savings for various vacancies as the town continues to look to fill vacant positions. The town has established the Storm Event reserve to assist in balancing the fluctuations in winter

control costs as needed. Staff will monitor and make a recommendation to Council in the 2024 year-end report on the transfer needed to balance winter control.

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
EXPENSES				
Personnel Services & Benefits	19.06	4.40	18.40	0.66
Materials & Supplies	7.80	1.93	7.47	0.33
Capital out of Operations	0.15	(0.00)	0.14	0.01
Purchased Services	14.74	6.39	12.87	1.86
Payments & Grants	1.35	0.29	1.35	0.00
Internal Expenses & Transfers	9.53	1.01	9.54	(0.01)
Total EXPENSES	\$ 52.63	\$ 14.02	\$ 49.78	\$ 2.85
REVENUES				
External Revenues	(6.42)	(1.55)	(5.86)	(0.57)
Internal Recovery & Fund Transfers	(13.17)	(2.57)	(13.17)	0.00
Total REVENUES	\$ (19.60)	\$ (4.12)	\$ (19.03)	\$ (0.56)
Total Road Network	\$ 33.04	\$ 9.89	\$ 30.75	\$ 2.29

CAPITAL BUDGET

The total cumulative approved capital budget for active projects is \$962.0 million. Year to date, total expenditures of \$185.4 million have been incurred, bringing the total life-to-date or cumulative spending in active projects to \$531.4 million. Appendix B shows more information on total approved budget and expenditures by program. Some of the major projects underway with spending this year are shown below.

Capital Project	LTD Approved Budget	2024 Expenditures and Commitments	Total LTD Expenditures (incl. Prior Years)
46602104 Sixteen Mile Sports Complex and Library	104,862,000	58,476,863	95,482,727
54212307 Transit Facility Expansion	18,000,000	14,838,226	15,633,735
54412206 Electric Replacement Buses	12,733,000	12,236,494	12,255,494
54412104 Electric Replacement Buses	11,099,000	10,754,233	10,794,352
53361902 RWD Bridge Rehab over Metrolinx Rail	9,217,400	7,979,148	9,222,299
52212007 Wallace Park Redev and Washroom Exp/Reno	7,521,700	6,131,561	6,658,981
52212102 Sixteen Mile Sports Park - South Parcel	20,754,300	5,785,989	17,856,418
43302203 Emergency Response Vehicles & Equipment	3,920,000	3,903,669	3,911,669
Total	\$ 188,107,400	\$ 120,106,182	\$ 171,815,675

51322401 Roads and Works Growth Equipment

Staff are amending the details for project 51322401 Roads and Works Growth Equipment to purchase two non-electric pick-up trucks instead of two electric pick-up trucks as a result of delays to the installation of charging stations at the Central Operations Depot. It is anticipated that the installation of charging stations will not be

completed in 2024. These pick-up trucks will provide staff the equipment required for operational needs for plowing in growth areas for the upcoming winter season.

Capital Budget Requests

36102219 Cellular Enablement

Staff are requesting that project 36102219 Cellular Enablement be amended to add \$106,000 from the Capital Reserve to fund additional equipment for the Transit fleet and to decommission the old infrastructure. As part of this project, voice communication of the Transit fleet is being migrated to Clever Devices' cellular-based solution as the old radio network infrastructure is no longer being support. Additional funding is required given an increase in the number of vehicles from the initial design as well as for decommissioning charges of the old radio network.

New Project

The Office of Mayor and Council applied for the Bloomberg Philanthropies Youth Climate Action Fund ("BPYCAF") and Oakville was chosen as one of six Canadian cities and one of 100 municipalities from across the globe as a recipient. The funds provided by the BPYCAF are to empower young people aged 15 to 24 to lead the charge in addressing urgent climate challenges. Through this partnership, Oakville will receive \$50,000 USD (approximately \$65,000 CAD) to distribute as microgrants, ranging from \$1,000 to \$5,000, to fund youth-led climate initiatives. The Office of Mayor and Council will work with local partners to distribute the micro-grants to youth organizations, youth-led groups, or youth applicants. The BPYCAF programs aligns with the Town's Strategic Priority of Environmental Sustainability.

Capital Budget Transfers and Closures

Project consolidations involve reallocating the original funding and scope of work between Council approved projects to facilitate effective management of the projects with no change to the original scope of work or funding requirements. The following project consolidations occurred during this period.

Project	Transfer To/ (From)
46602305 Sir John Colborne - Interiors	229,700
46602301 Sir John Colborne - Facility Capital Replacements	(25,200)
46602304 Sir John Colborne - Furniture, Equipment Replacement	(75,500)
42102412 Properties under 12,000 SF Maintenance and Repair	(129,000)
42102108 - HVAC - Various Locations	66,400
46312304 - GACC - Blue Rink	314,500
42102210 - HVAC - Various Locations	(11,500)
42102317 - HVAC - Various Locations	(39,300)
42102411 - HVAC - Various Locations	(330,100)
42102320 - Facility Repairs	70,000
42102214 - Facility Repairs	(70,000)
46402203 - Wedgewood Pool Rehabilitation	9,000
42102416 - Sitework - Various Facilities	(9,000)

In accordance with the Financial Control Policy, Commissioners are authorized to approve the transfer of funds between projects for any project where the costs exceed budget by the lesser of 10% or \$200,000. There were no Commissioner approved transfers during this period.

In addition, the CAO has authority to authorize funds from reserves, reserve funds or other appropriate sources up to \$350,000 provided the expenditures are within the original scope of the project. The following required funding was approved by the CAO in this period.

Project No.	Project Title	Total Approved	Reserve, Reserve Fund or Other Financing Source	Note
54212202	Oakville Transit Lighting System	\$ 70,000	Building Maintenance Reserve Fund	Additional funding requested due to increased LED fixture prices, supply chain disruptions for computer chips, delays caused by the electrification of the bus fleet, and higher-than-anticipated labor costs.
46602206	Events Strategy	\$ 40,000	46602101 Recreation Planning Studies	Additional funding requested as the original budget is insufficient to complete the study. The additional funding is from savings in project 46602101 Recreation Planning Studies.
62102001	Plan-It E Services	\$ 202,500	Building Enterprise Reserve	Additional funding requested due to increased cost to cover several critical projects aimed at enhancing the town's planning and development process.
63102202	Midtown Implementation	\$ 350,000	General Capital Reserve	The Official Plan Amendment (OPA) finalization was planned to be completed by December 2023. Additional analyses, consultation, and Committee of the Whole meetings now move the planned completion to June 2024. The additional funding is to support the extension of the OPA finalization work to June 2024.

As part of ongoing capital project management, staff review the status of all active projects each quarter to ensure that as projects are completed and an asset goes into service, projects are closed. For this quarter, a total of 37 projects will be

closed. These closures represent a net surplus of \$7.06 million, of which \$5.33 million will be returned to reserves and \$1.73 million will be returned to reserve funds (subject to minor adjustments at final project close out). Appendix C provides more details of the project closures by program.

	Project Details				Impact on Reserves and Reserve Funds		
	LTD Budget	LTD Actuals	LTD External Revenues	LTD Variance	Reserves (Capital & Equipment)	Reserve Funds (DC & Dedicated)	Total to/(from) Reserve/ Reserve Funds
Net Impact	\$ 52,567.2	\$ 45,527.3	\$ (18.2)	\$ 7,058.1	\$ 5,324.5	\$ 1,733.6	\$ 7,058.1

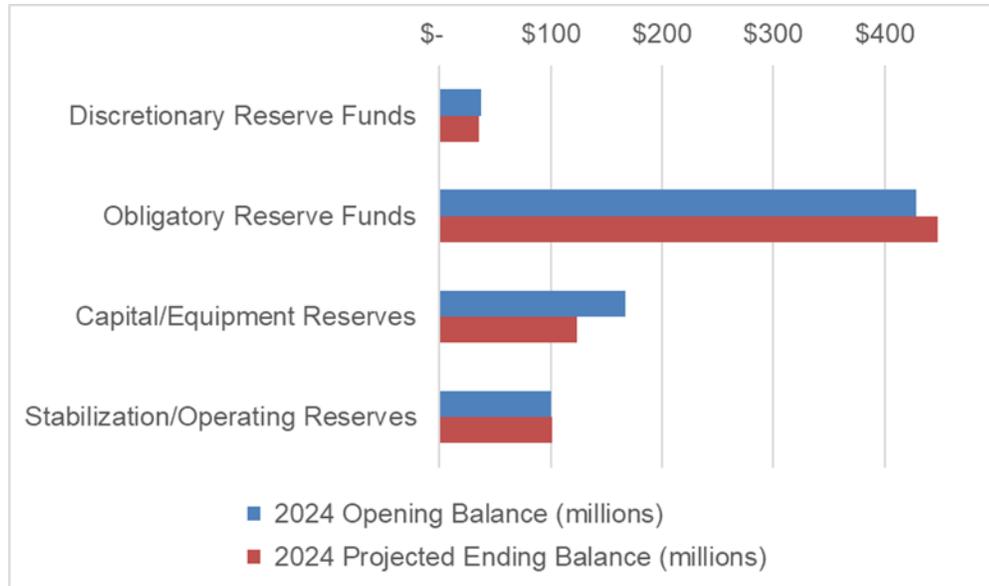
One project being closed this quarter exceeded budget more than 10%; as the amount is less than \$350,000 the CAO has the authority to approve the required funding to close this project in accordance with town policy.

PROJECT TITLE	TOTAL APPROVED BUDGET	TOTAL ACTUAL EXPENSES	PROJECT SHORTFALL/ FUNDING REQUIRED	%	EXPLANATION
52292305 Park Signage	\$78,500	\$124,264	(\$45,764)	58%	Capital reserve will cover shortfall

RESERVES, RESERVE FUNDS AND TRUST FUNDS

Reserve and reserve funds are an integral part of the municipal budget planning process and long-term financing plan that contributes to the municipality’s sound financial position. Reserve Funds are established by Council for a specific purpose and include funds that have been set aside in accordance with legislative requirements or at the discretion of Council. As such, the town has both obligatory reserve funds and discretionary reserve funds. Capital and Equipment reserves form an important component of the town’s long-term capital financing plan and are used to finance maintenance and replacement of existing infrastructure to maintain assets in a state of good repair, provide for community enhancements as well as fund the town’s share of new infrastructure to service the growing community. Stabilization and Operating reserves are used to offset extraordinary and unforeseen expenditure requirements, one-time expenditures, cyclical expenses, revenue shortfalls and help to minimize fluctuations in the tax levy. Trust funds are held by the town for the benefit of other agencies or entities in accordance with specific statutes or trust indenture.

The 2024 opening balances and 2024 projected ending balances are shown below with further details of individual reserve and reserve funds in Appendix D.



*Note: Obligatory reserve balances do not include approved funding for capital projects not transferred yet as funds can only be transferred to projects as spending occurs.

Reserves

Stabilization and Operating reserves are healthy and are expected to remain relatively stable over the course of the year. Capital related reserves are expected to decrease during the year, as capital expenditures are projected to be higher than transfers to these reserves due to major projects such as design for Fire station #9, replacement of Glen Abbey blue rink, Downtown Cultural Hub, Wallace Parks redevelopment and washroom expansion/renovation, Road resurfacing, and Electric buses replacement. Equipment reserves are expected to decrease as capital outlay is exceeding transfers from operating budget.

Reserve Funds

Obligatory Reserve Funds are expected to increase from \$428.4 million to \$447.7 million, as expected revenue exceeds current year capital needs. While revenue collected from development charges has experience an uptick in first quarter of the year, collections for community benefits charges and parkland dedication were still lower than anticipated, primarily due to the legislative impacts and slower development activity. Legislation for these reserve funds requires that funding only be transferred to capital projects once spending has been incurred. Therefore, it is important to note that the fully committed balance, when considering all approved funding, is projected to be \$277.1 million at year end. Discretionary Reserve funds are expected to remain stable throughout the year.

Trust Funds

Funds segregated and held in trust in accordance with the specific terms of a statute or trust indenture total \$7 million at March 31, 2024 as detailed in the following table. Interest and investment earnings are allocated based on proportionate balance at year end in accordance with policy and procedures.

2024 Trust Funds (\$ Thousands)				
Trust Fund	2024 Opening Balance	2024 Activity		Balance at 3/31/2024
		Contributions	Transfers	
Cemetery Marker Care	402.0	1.5	-	403.5
Cemetery Perpetual Care	6,346.4	30.7	-	6,377.1
Library - Halton Information Providers	54.2	50.9	-	105.1
Burloak Canoe Club	38.9	-	-	38.9
Bronte Harbour Yacht Club	25.2	-	-	25.2
Oakville Power Boat Club	18.1	2.0	-	20.1
Bronte Community Tennis Club	25.6	-	-	25.6
Oakville Rugby Club	16.3	3.0	-	19.3
Oakville Yacht Squadron	10.9	2.0	-	12.9
Total	6,937.5	90.1	-	7,027.6

PURCHASING

In accordance with the town's Purchasing By-law 2017-095, a summary of the competitive bids, contract renewals and sole source awards in excess of \$100,000 are reported to Council quarterly. Appendix E provides details of the awards and contract renewals in excess of \$100,000 for this quarter.

CASH MANAGEMENT and INVESTMENTS

Cash flows are managed to ensure the funding requirements of the town are met while providing for a reasonable rate of return on invested funds not needed in current operations. The investment strategy follows a conservative approach in order to mitigate term and interest rate risk by maintaining a portfolio structure of high-quality, medium-term investments. For the period ended March 31, 2024, gross investment revenue from realized interest income and capital gains/losses, net of amortized premiums/discounts, was \$10.5 million, on a portfolio of cash and investments totaling \$1.0 billion (book value). The annualized rate of return based on average cash and investment holdings was 4.19%, with an average maturity of 4.4 years.

Bank interest and investment earnings increased dramatically over the past year. The Bank of Canada (BOC) aggressively tightened monetary policy in response to

increased heightened inflation raising the key interest rate by 4.75% since March 2022, from the effective lower bound of 0.25% to 5.00% in July 2023. The policy rate of 5% is the highest since 2001. Along with a corresponding increase to the town's bank rate, fixed income yields have risen as a result of inflationary expectations, with a major rally in Q4 of 2023. Appendix F provides details on the components of the town's investment portfolio.

Economic Outlook

Inflation has been easing since headline inflation in Canada hit a high of 8.1% in June 2022. Through monetary policy, the BOC aims to target inflation at the 2% mid-point of its 1%-3% target range, with the goal of providing price stability and maximum sustainable employment. Higher interest rates have been working their way through the economy, resulting in lower economic growth and inflation. Inflation declined to 3.4% in December 2023, and has been slightly below 3% year over year throughout the first quarter of 2024. This recent string of lower inflation levels has confirmed that broad-based easing in inflation is underway, and that the BOC may lower interest rates as early as June. While most major categories are easing, it is expected that energy and shelter prices (rents and mortgage interest) will keep inflation close to 3%, before easing below 2.5% in the second half of 2024. The BOC is anticipating a return to the 2% inflationary target by the end of 2025.

The economy has rebounded from essentially no growth in the latter half of 2023, with real GDP growth on track to rise to roughly 2% over the first half of 2024. Real GDP is forecast to average 1.5% for 2024 and 2.2% in 2025. Canada's population growth in 2023 and 2024, driven by larger than expected non-permanent residents, has supported GDP through an increased supply of workers and household spending. This strong economic activity has reduced the risk of a sharp slowing in the economy due to the tighter financial conditions. Following the period of excess demand and tight labour markets spurred by the pandemic, there are signs that the economy has reached over supply, with the unemployment rate rising to 6.1% in April along with job vacancy rates near pre-pandemic levels.

Overall, the economy is stabilizing, and economists are projecting the BOC to begin cutting interest rates in June. It is expected that the BOC will ease into rate cuts and monitor the economy to continue on the path towards the 2% inflation target. Heightened inflation experienced over the past years, as well as expectations for continued inflation above the 2% target, have applied significant pressure to the town's operating and capital budgets for goods and services. There remains uncertainty and upside risk to inflation due to factors such as the carbon tax, ongoing wage increases to catch up with prior years of high inflation, and global disruptions related to geopolitical conflicts.

Debt

Debt financing complements the funding of capital works and is generally used for specific initiatives. Issuance of town debt is through Halton Region in compliance with provincial legislation.

Total principal outstanding at the beginning of the year was \$98.5 million and will increase to \$143.3 million at year end. To begin the year, the town had \$65.7 million in outstanding approved debt not yet issued. Debt issuance is based on timing of the capital project spending and when Halton Region plans to go to the market. The region completed a debt issuance in April 2024, with \$50 million being issued for town capital projects. Further details are provided in Appendix G.

The town is in a strong financial position with total debt charges in 2024 at 2.97% of net own source revenue. Full annual debt charges are not incurred in the year of issuance. When considering full debt charges for newly issued debt, and approved debt that is not yet issued, total debt charges for approved debt are projected to rise to 6.6% of net own source revenue by 2027, which remains well within town policy of 12% and the Ministry limit of 25%.

Development Related Securities

Securities are required to ensure performance to town standards of development related work done by third parties. Staff monitor the progress of the various projects to ensure that adequate security is held by the town relative to the value of the outstanding work, and releases of securities are contingent on satisfactory inspection. Securities are generally held for site plan and subdivision related residential and non-residential development as well as specific property related works. As of March 31st, the town held \$190 million in securities, which has increased from \$183 million in Q1 2023. \$151 million, or 79%, are secured by letters of credit and the remainder is cash.

CONSIDERATIONS:

(A) PUBLIC

This report provides information to the public regarding the town's financial performance. No specific groups have been notified directly regarding this report.

(B) FINANCIAL

This report and the information contained therein are in compliance with the town's financial policies.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Financial results have been estimated and reflected in consultation with the other departments.

(D) CORPORATE STRATEGIC GOALS

This report addresses Council's strategic priority: Accountable Government.

(E) CLIMATE CHANGE/ACTION

Climate change/action is a key priority of Council. The proposed budget will incorporate climate change initiatives in alignment with this strategic priority.

APPENDICES:

Appendix A – Operating Budget Variance Results

Appendix B – Capital Project Summary by Commission and Department

Appendix C – Summary of Capital Closures

Appendix D – Reserves and Reserve Funds

Appendix E – Purchasing Awards in excess of \$100,000

Appendix F – Investment Portfolio

Appendix G – Outstanding Debt

Appendix H – Municipal Act Reporting Requirements Report

Prepared by:

Dalibor Stancovici

Manager of Financial Planning & Policy

Matt Day

Manager of Development Financing & Investments

Recommended by:

Jonathan van der Heiden

Deputy Treasurer and Director of Finance

Submitted by:

Nancy Sully

Commissioner of Corporate Services and Treasurer

OPERATING BUDGET VARIANCE RESULTS

\$ Millions	2024	2024	2024	2024
	Annual Budget	Q1 Actuals+ Commitments	Q1 Year-end Projection	Variance to Budget
Political Governance	4.22	1.11	4.19	0.02
Administrative Executive Leadership	2.36	0.58	2.30	0.06
Economic Development	0.85	0.20	0.82	0.03
Strategy, Policy and Communications	4.67	0.99	5.04	(0.37)
Corporate Asset Management	1.78	0.21	1.70	0.08
Financial Services	5.42	0.52	5.10	0.32
Human Resources	3.77	0.89	3.74	0.04
Information Technology Solutions	15.01	4.67	14.43	0.58
Regulatory Services	0.48	0.06	0.46	0.03
Facility Services	3.90	0.83	3.84	0.07
Legal Services	2.05	0.45	2.05	(0.00)
Emergency Services	46.31	9.34	46.27	0.04
Recreation and Culture	21.42	2.98	20.51	0.91
Oakville Public Library	12.18	2.89	12.09	0.09
Parks & Open Space	23.66	9.95	23.83	(0.17)
Cemeteries	0.18	0.17	0.12	0.06
Harbours	-	(2.19)	0.10	(0.10)
Infrastructure Maintenance	29.07	9.40	27.68	1.38
Oakville Transit	38.95	7.75	38.64	0.31
Infrastructure Planning & Improvements	3.97	0.49	3.06	0.90
Parking	-	(0.42)	(0.04)	0.04
Municipal Enforcement	2.79	0.26	2.01	0.78
Building Services	0.18	1.50	(0.39)	0.57
Planning Services	3.00	1.04	2.78	0.22
Development Services	1.10	0.29	0.51	0.59
Strategic Business Services	0.49	0.15	0.49	0.00
Total Program Variance	\$ 227.81	\$ 54.12	\$ 221.32	\$ 6.50
Corporate Hearings and Litigation	0.50	0.15	0.50	(0.00)
Corporate Revenue & Expenses	(228.31)	(320.88)	(222.94)	(5.37)
Town Variance before transfers	\$ -	\$ (266.61)	\$ (1.13)	\$ 1.13
Policy Related and Recommended Transfers for Programs:				
Transfer (to)/from Building Enterprise Reserve				(0.55)
Transfer (to)/from Cemetery Reserve				(0.06)
Transfer (to)/from Harbours Reserve fund				0.10
Transfer (to)/from Parking Reserve fund				(0.04)
Total Town Variance after transfers				\$ 0.57

CAPITAL PROJECT SUMMARY BY COMMISSION AND DEPARTMENT (in \$'000s)

Commission/Department	Total Approved Budget	Prior Years Expenditures	2024 Expenditures	Total LTD Expenditures	Total Funds Remaining
Corporate Initiatives					
Corporate Initiatives	\$15,930	\$5,607	\$791	\$6,398	\$9,531
Total Corporate Initiatives	\$15,930	\$5,607	\$791	\$6,398	\$9,531
Corporate Services					
Clerks	\$732	\$134	\$274	\$407	\$325
Finance	\$551	\$241	\$0	\$241	\$310
Legal	\$12,901	\$11,181	\$91	\$11,272	\$1,630
Information Technology Solutions	\$25,475	\$8,708	\$3,087	\$11,794	\$13,681
Total Corporate Services	\$39,660	\$20,263	\$3,451	\$23,715	\$15,945
Community Services					
Facility Services	\$35,839	\$9,587	\$2,047	\$11,634	\$24,204
Parks and Open Space	\$125,227	\$43,765	\$25,742	\$69,507	\$55,720
Cemeteries	\$862	\$101	\$192	\$293	\$568
Harbours	\$14,938	\$9,231	\$4,063	\$13,294	\$1,644
Fire Services	\$34,505	\$3,294	\$6,959	\$10,254	\$24,251
Recreation and Culture (including Galleries)	\$179,382	\$91,558	\$60,283	\$151,842	\$27,540
Oakville Public Library	\$19,772	\$1,398	\$210	\$1,608	\$18,164
Total Community Services	\$410,523	\$158,935	\$99,497	\$258,432	\$152,091
Community Development					
Parking Services	\$8,863	\$2,392	\$2,305	\$4,696	\$4,167
Municipal Enforcement	\$3,354	\$555	\$150	\$705	\$2,649
Building Services	\$8,322	\$1,619	\$1,775	\$3,394	\$4,928
Planning Services	\$10,068	\$3,260	\$2,788	\$6,049	\$4,019
Total Community Development	\$30,607	\$7,826	\$7,018	\$14,844	\$15,763
Community Infrastructure					
Roads and Works	\$22,757	\$4,187	\$3,559	\$7,746	\$15,011
Transportation, Engineering and Development	\$302,572	\$131,989	\$23,428	\$155,418	\$147,155
Oakville Transit	\$133,070	\$15,962	\$46,571	\$62,533	\$70,537
Asset Management	\$6,841	\$1,302	\$1,054	\$2,357	\$4,484
Total Community Infrastructure	\$465,240	\$153,440	\$74,613	\$228,053	\$237,186
TOTAL ACTIVE PROJECTS	\$961,959	\$346,072	\$185,370	\$531,442	\$430,517

Note: Projects recommended for closure this period are included in the table above to illustrate total spending.

**SUMMARY OF CAPITAL CLOSURES
Net Impact on Reserves and Reserve Funds**

Department	Project Details					Projects Closed in Quarter	Impact on Reserves and Reserve Funds		
	LTD Budget	LTD Actuals	LTD External Shortfall (Surplus)	LTD Variance	% Spent		Reserves (Capital & Equipment)	Reserve Funds (DC & Dedicated)	Total to/(from) Reserves/ Reserve Funds
Commissioner Authority									
Information Technology Solutions	3,751,600	2,948,354	(18,220)	821,466	78.6%	6	821,466	-	821,466
Facilities and Construction Management	2,334,800	1,640,083	-	694,717	70.2%	9	524,328	170,389	694,717
Parks and Open Space	948,400	1,015,100	-	(66,700)	107.0%	4	(66,700)	-	(66,700)
Fire Services	264,700	136,029	-	128,671	51.4%	1	-	128,671	128,671
Recreation and Culture	2,164,800	2,055,041	-	109,759	94.9%	7	7,750	102,009	109,759
Oakville Public Library	2,527,500	1,287,981	-	1,239,519	51.0%	1	1,239,519	-	1,239,519
Municipal Enforcement	11,200,000	11,180,169	-	19,831	99.8%	1	-	19,831	19,831
Roads and Works	1,200,000	1,070,918	-	129,082	89.2%	1	9,681	119,401	129,082
Transportation, Engineering and Development	27,811,300	23,832,734	-	3,978,566	85.7%	5	2,788,454	1,190,112	3,978,566
Oakville Transit	364,100	360,904	-	3,196	99.1%	2	-	3,196	3,196
Net Impact	\$ 52,567,200	\$ 45,527,313	\$ (18,220)	\$ 7,058,107	86.6%	37	\$ 5,324,498	\$ 1,733,609	\$ 7,058,107

RESERVE AND RESERVE FUNDS
(\$ Millions)

Reserve/Reserve Fund	2024 Opening Balance (millions)	2024 Projected Activity				Interest/ Capital Gains-Loss	2024 Projected Ending Balance (millions)	2024 Projected Fully Committed Ending Balance ¹ (millions)
		Operating Transfers to/(from) Reserve	Capital Funding Transfers	Development Charges/ Other Revenues	Total			
Obligatory Reserve Funds:								
Development Charges	247.9	(2.6)	(60.7)	67.1	251.7	10.1	261.8	145.4
Parkland	90.3	-	(2.6)	4.0	91.7	3.6	95.3	72.9
Community Benefits Charge	7.3	-	(0.5)	2.8	9.6	0.3	9.9	9.8
CCBF ² /Ontario Gas Tax	35.6	(1.9)	(15.0)	9.6	28.2	1.3	29.5	3.5
Building Enterprise ³	47.4	5.1	(1.4)	-	51.2	-	51.2	45.6
sub-total	428.4	0.6	(80.1)	83.6	432.4	15.3	447.7	277.1
Discretionary Reserve Funds:								
Building Maintenance	16.4	5.2	(8.2)	-	13.4	0.7	14.1	14.1
Parking	0.8	(0.0)	(1.5)	-	(0.7)	0.0	(0.6)	(0.6)
Harbours ⁴	(6.1)	0.3	(0.5)	0.0	(6.3)	(0.3)	(6.5)	(6.5)
Employment Liability	26.5	0.7	-	-	27.2	1.1	28.2	28.2
Other	0.3	0.0	-	-	0.3	0.0	0.3	0.3
sub-total	37.9	6.2	(10.2)	0.0	34.0	1.5	35.5	35.5
Total Reserve Funds	466.3	6.8	(90.3)	83.6	466.4	16.8	483.2	312.6
Reserves:								
Operational Reserves ⁴	13.1	0.2	-	0.5	13.9	0.1	14.0	14.0
Equipment Reserves	10.7	14.5	(18.3)	0.2	7.1	0.4	7.5	7.5
Capital Reserves	156.3	59.9	(105.3)	(0.0)	110.9	5.7	116.6	116.6
Stabilization Reserves	86.9	0.7	-	-	87.6	-	87.6	87.6
Total Reserves	267.0	75.4	(123.6)	0.7	219.5	6.2	225.7	225.7
Total Reserves, Reserve Funds	733.3	82.2	(213.9)	84.3	685.8	23.0	708.9	538.3

* Note: Schedule may not add due to rounding

1) Balances for Obligatory reserve funds reflect commitments for funds approved in 2024 and prior years that has not yet been transferred to capital projects. Funds can only be transferred to the project as spending occurs.

2) Canada Community-Building Fund (CCBF), formerly known as Federal Gas Tax.

3) Reserves and reserve fund balances include policy transactions mentioned in the report but do not include recommended surplus transfers.

PURCHASING AWARDS IN EXCESS OF \$100,000

Competitive Bids Awarded			
Bid #	Description	Awarded To	Total Amount Awarded (\$)
RFP-47-2023	Public Realm Studies and Streetscape Masterplans for Kerr Village and Bronte Village	The Planning Partnership	\$253,133.00
RFP-51-2023	Bus Advertising	Pattison Outdoor Advertising LP	\$2,347,044.00
RFT-92-2023	Storm Sewer CCTV Inspection 2023	Aqua Tech Solutions Inc.	\$289,439.60
RFT-1-2024	Supply and Delivery of Various Mowers, UTV, ATV and AG Equipment -Exhibit A, B & C	Turf Care Products	\$521,430.00
RFT-2-2023	Supply & Delivey of Two (2) Aerial Trucks with Aluminum Chip Bodies Exhibit A	Altruck International Truck Centres	\$341,715.00
RFT-4-2024	Supply & Delivery of One (1) Cab and Chassis with U Body, Plows and Related Equipment Exhibit A	Altruck International Truck Centres	\$191,568.50
RFT-6-2024	Bridges, Stairs, and Boardwalk Replacements-Phase 2. Issued to a prequalified list of bidders per RFSQ-3-2023.	560789 Ontario Limited o/a R&M Construction	\$988,166.27
RFT-11-2024	North Service Road Multi-Use Pathway - Fourth Line to Dorval Drive	Associated Paving & Materials	\$476,868.00
RFT-12-2024	Sixteen Mile Sports Complex Sprinkler System Modification	M.J.K Construction	\$182,115.00
RFP-14-2024	Road allowance maintenance program	JTPM Group Inc	\$263,431.77
RFT-17-2024	Qlik Annual Support and Maintenance Licenses	GINQO	\$196,199.72
RFT-19-2024	Parking Garage Rehabilitation	SST Group of Construction Companies Limited	\$1,955,470.00
RFT-1-2024	Supply and Delivery of Various Mowers, UTV, ATV and AG Equipment Exhibit D	Green Tractors	\$151,248.00
RFT-1-2024	Supply and Delivery of Various Mowers, UTV, ATV and AG Equipment Exhibit F	Simplistic Lines	\$116,695.00
RFT-4-2024	Supply & Delivery of One (1) Cab and Chassis with U Body, Plows and Related Equipment - Exhibit B	Viking Cives Ltd.	\$247,915.00
			\$8,522,438.86

PURCHASING AWARDS IN EXCESS OF \$100,000

Contract Renewals			
Original Bid #	Description	Awarded To	Total Amount Awarded
RFP-72-2022	Hydro Line Clearing	Davey Tree	\$258,859.57
RFP-41-2021	2024 Invasive Insect Monitoring Program	Lallemand Inc/Bioforest	\$109,155.00
RFP-11-2023	Grounds Maintenance for 8 Cemeteries	Forest Ridge Landscaping Inc.	\$112,577.36
RFT-5-2022	Collection & Disposal of Containerized Waste	GFL Environmental	\$117,880.00
RFP-40-2022	Supply and delivery of Bus Refurbishment (Engine & Mechanical) for Oakville Transit	MTB Transit Solutions Inc.	\$820,355.57
RFP-41-2022	Supply and delivery of Bus Refurbishment (Body) for Oakville Transit	MTB Transit Solutions Inc.	\$802,245.37
RFT-70-2021	Woodland Regeneration Program	Brinkman Reforestation	\$1,559,182.84
RFP-18-2019	Oracle Database Appliance (ODA) Implementation	Eclipsys Solutions Inc.	\$103,806.36
			\$3,884,062.07
Single Source Procurements			
Department	Description	Awarded To	Total Amount Awarded
Transportation and Engineering	York Street and Wallace Road Reconstruction - Oakville Hydro Relocations	Oakville Hydro	\$242,244.61
Roads and Works	Receive and route underground utility locates	PVS Contractors	\$1,506,500.00
Clerk's	By-Law Search and Findability Project	12th Floor Solutions Inc.	\$264,900.00
Information Technology Solutions	JD Edwards EnterpriseOne Annual Support and Maintenance Renewal (JDE/CIS)	Oracle Canada ULC	\$248,285.22
Information Technology Solutions	Microsoft Unified Enterprise Support Agreement	Microsoft Canada Inc	\$206,681.98
Fire	Structural Firefighting Bunker Gear (Ensembles)	AJ Stone Ltd.	\$331,292.00
Information Technology Solutions	Oracle Database - Annual Software Update License and Support	Eclipsys Solutions Inc.	\$113,701.70
Information Technology Solutions	Salesforce.com SaaS Platform Annual Subscription fees	Salesforce.com Canada Corporation	\$552,861.38
Information Technology Solutions	Environics Analytics 3 Year contract	Environics Analytics Group Ltd.	\$114,569.00
Information Technology Solutions	AMANDA Platform Annual Support and Maintenance.	Granicus	\$202,135.48
			\$3,783,171.37

INVESTMENT PORTFOLIO

Table 1
2024 Portfolio Composition
Year over Year Comparison
(Millions)

Security Type	Book Value	% of Portfolio	Book Value	% of Portfolio
Cash	82.50	8.2%	193.45	21.6%
Federal Bond	65.01	6.5%	44.82	5.0%
Provincial Bond	282.18	28.2%	232.69	26.0%
Municipal Bond	152.10	15.2%	143.71	16.0%
Eligible Financial Institutions	419.10	41.9%	280.74	31.4%
Total	1,000.89	100.0%	895.41	100.0%
	As of March 31, 2024		As of March 31, 2023	

Table 2
2024 Portfolio Composition by Term
Year over Year Comparison
(Millions)

Maturity Distribution	Book Value	% of Portfolio	Book Value	% of Portfolio
Cash and cash equivalents	258.77	25.9%	308.05	34.4%
1 - 3 years	280.51	28.0%	186.92	20.9%
3 - 5 years	163.93	16.4%	177.63	19.8%
5 - 10 years	287.70	28.7%	214.82	24.0%
10 years and over	9.98	1.0%	7.99	0.9%
Total	1,000.89	100.0%	895.41	100.0%
	As of March 31, 2024		As of March 31, 2023	

OUTSTANDING DEBT

2024 Outstanding Debt Principal (\$ '000s)

(\$ 000's)

	2024 Opening Balance	2024 New Debt issued	2024 Debt Principal Payment	2024 Projected Year End Balance	Approved Debt Not Yet Issued
Tax Levy Supported Debt:					
Roads & Storm Sewers	3,707	-	508	3,199	-
LED Streetlighting	5,301	-	1,108	4,192	-
Transit	-	5,200	-	5,200	12,800
sub-total	\$ 9,008	\$ 5,200	\$ 1,616	\$ 12,592	\$ 12,800
Self Supported Debt:					
Development (Sixteen Mile)	9,130	41,000	893	49,237	-
Harbours	1,672	1,800	295	3,177	837
Pine Glen Soccer Club	4,135	-	556	3,579	-
Parking	-	2,000	-	2,000	2,093
sub-total	\$ 14,937	\$ 44,800	\$ 1,744	\$ 57,993	\$ 2,930
Hospital Debt:					
Oakville Trafalgar Memorial Hospital ¹	74,544	-	1,816	72,728	-
TOTAL	\$ 98,489	\$ 50,000	\$ 5,176	\$ 143,313	\$ 15,730

1) Debt Principal Payment for Oakville Trafalgar Memorial Hospital reflects the contribution to the sinking fund.

MUNICIPAL ACT REPORTING REQUIREMENTS REPORT

Statement of Performance;

The Town of Oakville earned an annualized rate of return of 4.19% for the period ended March 31, 2024 on its cash management and investment program.

Investment in Own Securities;

As the Town of Oakville is a lower tier municipality, for which debt requirements must be issued through the Region of Halton by legislation, none of its investments would be invested in its own long-term or short-term securities.

Statement of Treasurer regarding Investment Quality;

I, Nancy Sully, Commissioner-Corporate Services and Treasurer of the Town of Oakville hereby state that:

All investments made by the town for the period ending March 31, 2024, have met the quality standards outlined in the town's Investment Policy.

Statement of Treasurer regarding Compliance with Investment Policy;

I, Nancy Sully, Commissioner-Corporate Services and Treasurer of the Town of Oakville hereby state that:

All investments made by the town for the period ending March 31, 2024, have complied with the investment policy with the Town of Oakville.

**Nancy Sully, CPA, CMA
Commissioner-Corporate Services and Treasurer**

May 10, 2024



REPORT

Council

Meeting Date: June 17, 2024

FROM: Strategy, Policy and Communications Department
DATE: June 4, 2024
SUBJECT: **ServiceOakville – In Person and Service Channel Trends**
LOCATION:
WARD: Town-wide

Page 1

RECOMMENDATION:

That the report dated June 4, 2024, from the Strategy, Policy and Communications Department be received.

KEY FACTS:

The following are key points for consideration with respect to this report:

- From January 1, 2023, to March 31, 2024, ServiceOakville responded to the following volume of requests or inquiries across the following channels: 61% by phone, 30% by web/email, and 9% in-person at Town Hall.
- Of the 9% of in-person visits to Town Hall, approximately 90% were handled by ServiceOakville staff, with the majority being payments.
- All departments at Town Hall have staff working on-site to accommodate scheduled in-person appointments, and unscheduled visits when feasible, at the ServiceOakville counter.
- ServiceOakville acts as the single point of customer service access at Town Hall, which aligns with the “One Town, One Window” concept of service delivery first approved by Council in 2008. ServiceOakville handles a variety of requests across all channels on behalf of business areas, in particular those business areas that have consolidated their services with ServiceOakville.

BACKGROUND:

The Customer Service Delivery strategy was approved by Council in January 2008 as a framework for improving access to town services for the community. The strategy is conceptually based on the “One Town, One Window” model of service that focuses on

providing the community with a single point of contact regardless of intake channel to access town services.

ServiceOakville was implemented in 2009 and provided a variety of services to the community. At that time, multiple counters were open throughout Town Hall. In 2014, the large ServiceOakville front counter as we know it today at Town Hall was opened to the public. The size was intended to allow the ability for multiple departments to serve customers from this single location; however, multiple counters throughout Town Hall were still accessible to the public.

In 2019, in-person service at ServiceOakville was more popular than the online services provided at that time. In 2020, following the temporary closure of Town Hall to the public due to COVID-19 restrictions, multiple departments focused efforts on digital service delivery to maintain service. Following the impacts of COVID on in-person service delivery, as well as the launching additional options for online reporting of concerns, there was more uptake for online services from 2020 to 2023.

When COVID restrictions eased and in-person service was again allowed, the ServiceOakville front counter remained open as the single point of in-person contact at Town Hall while most other department counters, with the exception of Clerks and Recreation and Culture, remained closed. This eliminated the way-finding challenges experienced by the public by providing a fully accessible, easily found location to access staff.

According to the town's [2024 Community Satisfaction Survey](#), 79 per cent of residents feel satisfied with their local government, and 89 per cent are satisfied with the quality of services provided by the town. The survey results also highlighted the availability of online services as a primary area for improvement. Work is in progress to implement a broader online governance model and develop a long-term road map to support continuous improvement of online services for customers.

This staff report also references the Citizens First 2023 National Report. Since 1998, the Citizen's First National Report has assessed various aspects of civic life, public services, and government performance, providing an overview of society's current state from the citizen's perspective. Their report offers detailed analyses and statistics on topics such as infrastructure, service delivery, and public safety. The 2023 report is the 10th iteration of the research and highlights several key results related to service delivery across various channels in the municipal sector, including:

- Online services are now the number one choice and will likely remain so for the foreseeable future. Even the telephone channel may be showing signs of fading.
- Seeing online services as convenient and easy are huge drivers of use. Privacy concerns do need to be addressed, as do user experience issues that leave citizens feeling confused.

-
- Investments in digital-first service provision will be needed to meet the appetite for online services and information.
 - Services can never be 100 per cent online. There will always be some who do not choose online options even when they are aware of them.
 - Chatbots have a bad reputation, based on people’s past experiences. While a truly interactive AI chatbot could be a game changer, expectations are low, and the difference between “new” chatbots and the old style will need to be made clear. Most people have interacted with chatbots but would not be willing to use them for accessing government services.

Requests Received by ServiceOakville by Channel Type

Figure 1 illustrates the number of requests received by ServiceOakville over the last 15 months across all intake channels. While the focus of this report is on the 15,790 “Walk-in” visits to Town Hall from January 1, 2023 to March 31, 2024, some high-level trends in service delivery across all channels will be highlighted.

**Volume of ServiceOakville requests by channel
January 1, 2023, to March 31, 2024**

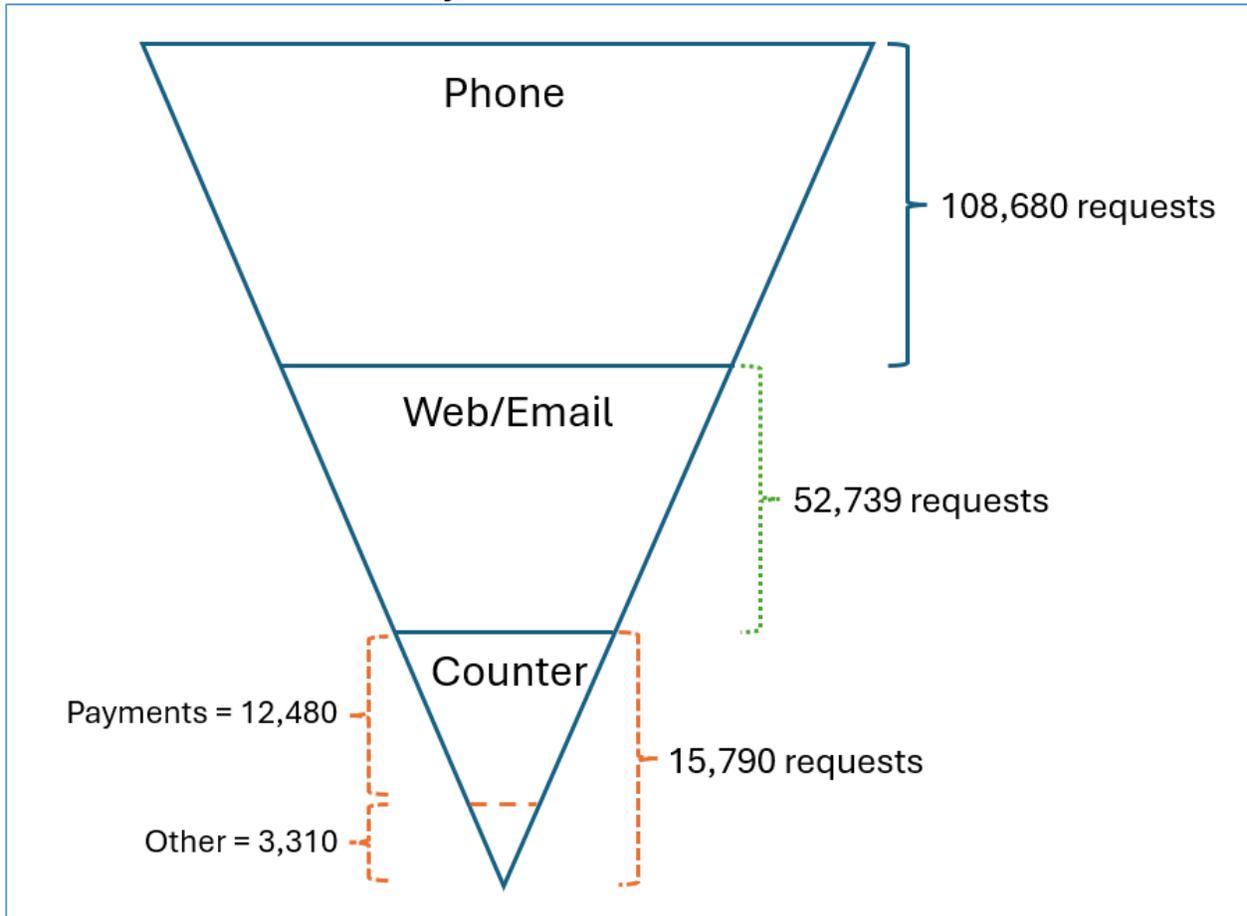


Figure 1: Total Number of Requests by Source, January 1, 2023, to March 31, 2024

Top requests by phone:

- The most frequent phone requests were about property taxes, general inquiries, recreation and culture online accounts, parking ticket review or hearing requests, and business license application issues.

Top requests by email:

- The most frequent email requests were related to property taxes, business license application issues, recreation and culture program information, general town information, and permit inquiries for development engineering and building.

Top requests on web:

- The top web requests were about parking violations, by-law inquiries on lot maintenance and noise, litter or debris issues, and tree pruning requests.

Top requests in person/at the ServiceOakville counter, not related to payments:

- The top walk-in requests were questions about property taxes, picking up or dropping off items, parking ticket reviews, picking up a Halton recycling or compost container, and business license application issues.

Most of the demand for in-person service is to make a payment (See Appendix A, Figure 1 for a detailed breakdown).

- Of the reasons for in-person service demand (See Appendix A, Figure 2 for top counter visit reasons), ServiceOakville staff handle most in their entirety; however, they are limited in responding to specific inquiries related to building or development engineering permits. In these instances, experts in the departments are contacted to attend the counter or, the customer is provided with a means to connect with the staff expert if the appropriate contact is not available to meet in person for an unscheduled visit in the moment.

Meeting with Staff in Person

For staff to provide the most effective service, customers are encouraged to schedule an in-person appointment in advance so that departments can ensure that the proper staff, who have the specific knowledge and expertise needed, are available to meet with them.

While counters in Town Hall other than ServiceOakville are not open for unscheduled visits by the public, the town has a process in place to make it easier for customers to get the service and information they need without having to navigate their way around the building or wait in line. If a customer comes to Town Hall without an appointment, staff at the ServiceOakville counter will do their best to assist by requesting that the appropriate expert staff come to the ServiceOakville counter to meet with the customer.

When this is not possible, for example, if expert staff are in a meeting or dealing with another customer, ServiceOakville will provide the customer with contact information for the department staff, as well as ask that staff to reach out to the customer to discuss their concern or request.

From January 1, 2023 to March 31, 2024, 63 people or 18% of the 345 customers who came into Town Hall for an unscheduled visit for Building, Development Engineering, or Municipal Enforcement Services specifically stated that they wanted to meet with a representative from that area.

In 2023, unscheduled visits were accommodated 11% of the time on average whereas in 2024 this number has increased to an average of 48% of the time. This improvement aligns with the direction that all departments are to have staff on site to accommodate unscheduled visits although specific staff may not be readily available in the moment.

Clerk's and Recreation and Culture Departments

Clerk's now provides service to the public in the G'an-hkwase Meeting Room on the main floor and in the Council Chamber. Clerk's process their own payments and schedule appointments with customers for marriages or signing of documents. If someone has an appointment with Clerk's, they are directed to the dedicated meeting room or to the Council Chamber for a marriage service.

Similarly, when customers are inquiring about services offered by Recreation and Culture, ServiceOakville staff direct them to the Recreation and Culture counter as they also process their own payments and assist with applications and agreements. The Recreation and Culture counter is staffed by customer service representatives Monday through Friday and is equipped with the technology required to meet customer needs.

Enhanced Security at Town Hall

The town recently reviewed and updated its facilities' security plans to maintain a safe work environment for staff and the public. In 2023, Emergency Procedures were updated and communicated to all staff. Continuing these efforts in 2024, staff have reviewed Town Hall's safety plan and implemented several new security measures, including training of the appropriate staff. This includes a visitor check-in process at ServiceOakville, improved wayfinding support and signage, elevator card access, and a new daytime security guard/concierge. These enhancements respond to past incidences, to ensure the safety of staff, Council, and members of the public.

The new daytime security guard/concierge is stationed from Monday to Friday 8 a.m. to 5:30 p.m. to the north side of the ServiceOakville front counter at Town Hall. The guard will remind visitors to check in with ServiceOakville with details about the purpose of their visit and who they are meeting. The guard has been trained to have friendly, accessible interaction with the public, and be assertive as required. The guard does not pose a barrier or unduly delay visitors who are at Town Hall for events like the Food for Life initiative, those visiting the Clerk's area on the ground level, or for other day-time events.

Staff have been reminded to enter Town Hall through staff entrances, always wear their ID badge, and ask visitors to check in at ServiceOakville, where they will be met by staff, and escorted into staff-only areas of the building. This approach is more effective for customers and ensures they do not attend a service desk that is no longer staffed.

COMMENT/OPTIONS:**Conclusion**

The general trend is low demand for in-person service and an increase in demand for online services. The phone remains the most used channel for customers. As of April 30, 2024, in-person service accounted for approximately 3% of over-all customer demand. Email and web provide a combined total of 21% of demand. The phone channel accounts for the remaining 76% of demand.

While it is too early in the town’s digital journey to measure the impact of online services to service delivery, it is anticipated that as the online presence matures, it will become the preferred choice for customers to access town services.

This trend has been broadly observed nationally showing that in-person visits as the main channel for service has dropped from a high of 37% in 2014 to 25% in 2023. This is coupled with a general trend of an increased preference for online services rising from 25% to 31%. (Source: Citizens First 2023 National Report, 2023, p. 21-22). A similar trend has been observed at the town (See Figure 2).

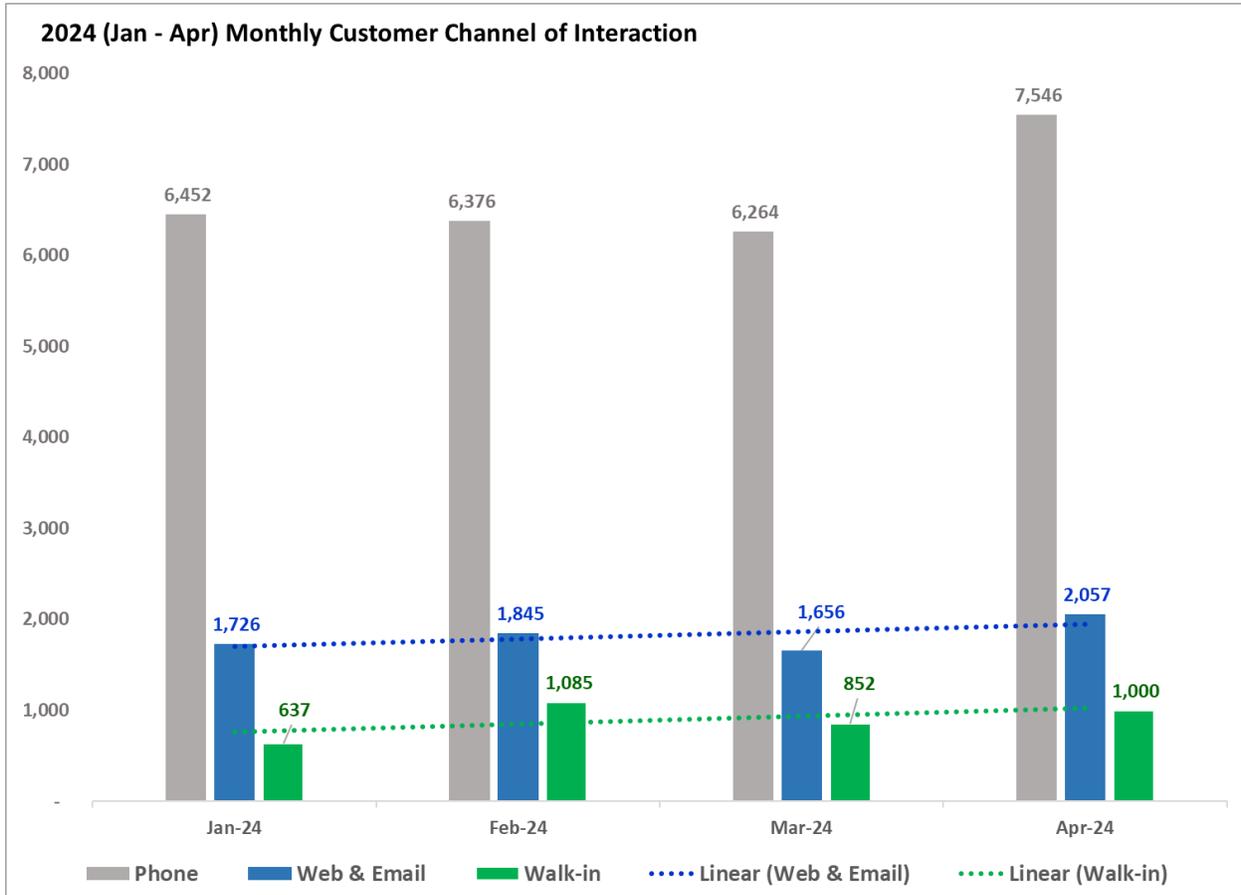


Figure 2: January to April 2024, Monthly Customer Channel of Interaction

Consolidating service delivery to a single point of contact for the community has been the focus of ServiceOakville since the Customer Service Delivery strategy was approved by Council in January 2008. The COVID-19 pandemic accelerated the shift to digital-first service delivery and away from in-person service delivery. While most town business can be handled virtually or over the phone, staff recognize that there are still times where an in-person meeting with customers is necessary and preferred. As such, departments are responsible for ensuring that staff are available to meet with customers in-person when that is desired. To ensure a successful in-person visit, customers are encouraged to pre-schedule a meeting, when the purpose of their visit requires specialized expertise or relates to a line of business or service that has not been

consolidated with ServiceOakville, such as building and development engineering application reviews, status updates, etc.

CONSIDERATIONS:

(A) PUBLIC

This report provides additional information for the public on in person service delivery at Town Hall.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Accountable Government: Service Excellence
- Community Belonging: Inclusion and Belonging

(E) CLIMATE CHANGE/ACTION

There are no climate considerations in this report.

APPENDICES:

Appendix A – ServiceOakville Requests by Channel

Prepared by:

Victor Paola, Manager, Service Innovation

Recommended by:

Victor Paola, Manager, Service Innovation

Submitted by:

Julie Clarke, Director, Strategy, Policy & Communications

Appendix A

Payments at ServiceOakville Counter	Parking Tickets, Fines	Business Licences, Permits	Transit	Property Tax	Payments (Total)	Counter Visits	Total Payment + Counter
2023 (248 Working Days)	1,887	1,086	4,659	2,968	10,600	2,616	13,216
% of Total Counter Visits	15%	8%	35%	22%	80%	20%	
Average Visits per Day	8	4	19	12	43	12	55
2024 (March, 62 Working Days)	469	155	363	893	1,880	694	2,574
% of Total Counter Visits	18%	6%	14%	35%	73%	27%	
Average Visits per Day	8	3	6	14	30	11	42

Figure 1: Breakdown of Counter Visits from January 1, 2023, to March 31, 2024

Top Reasons	2023		2024 (Mar)		Details
	Total Cases per Reason	Percentage of Top Reason	Total Cases per Reason	Percentage of Top Reason	
Property Taxes	444	26%	166	31%	Property Tax statements, payment info
Counter Activity	340	20%	179	34%	Drop off, pick up material, documents
Parking Tickets & Permits	220	13%	63	12%	Request a hearing, explain ticket/permit
Halton Region	159	9%	52	10%	Bins, waste related inquiries
Business Licences	109	6%	16	3%	Application inquiries
General Inquiry	99	6%	13	2%	General information
Development Engineering Permit	97	6%	13	2%	Permit deposit or status

Building Permit	91	5%	19	4%	Permit or application inquiry
Recreation & Culture	64	4%	5	1%	Program and account information
Tree Removal	58	3%	3	1%	Permit, general information
Total	1681		529		

Figure 2: Top 10 Counter Visit Reasons from January 1, 2024, to March 31, 2024



REPORT

Council

Meeting Date: June 17, 2024

FROM: Clerk's Department

DATE: June 4, 2024

SUBJECT: Corporate Policy Update

WARD: Town-wide

Page 1

RECOMMENDATION:

1. That the updated Use of Corporate Resources During an Election Period Procedure be approved.
2. That the updated Notice of Close Vote Procedure be approved.
3. That the BIA Event Signs Policy be approved.

KEY FACTS:

The following are key points for consideration with respect to this report:

- At the Council meeting of May 27, 2024, staff recommended the approval of one policy and two procedures. Council referred the report back to staff to provide clarity in the Use of Corporate Resources during an Election Period Procedure surrounding use of town produced videos posted to YouTube in election campaign material.
- Staff has revised the Use of Corporate Resources during an Election Period Procedure to provide clarity on the use of such videos, as well as clarity on the compliance audit request process.
- The corporate policy and procedure review is an ongoing process facilitated by the Clerk's department to assist departments in bringing policies forward for Council review as part of Council's governance initiatives.
- All policies and procedures listed in this report have been reviewed by the Policy Review Administration Group.
- Unless otherwise noted, updated documents included in the appendices of this report have tracked changes to easily identify updates.

BACKGROUND:

As part of the ongoing corporate policy and procedure review, staff continue to present reports to introduce new policies, update and reconfirm current policies, and recommend the replacement or rescinding of former policies. Current policies and procedures are reviewed in accordance with established review periods and

updates are provided to Council, as required. All policies are submitted to Council for approval, as well as any procedures established under Council's authority. New or updated procedures under the authority of the CAO, will be presented to Council for information in a memo through the Council Information process on a quarterly basis. Reporting outside of the quarterly schedule will be determined on an as needed basis, factoring in public awareness or matters involving health and safety.

The corporate policy process aims to optimize operations and improve responsiveness to evolving requirements. It strengthens decision-making efficiency and enables Council to focus on policy-setting and strategic governance, aligning with the town's commitment to continuous improvement and organizational efficiency. This report addresses the policies and procedures which have been addressed by the Policy Review Administration Group since the last report to Council in May 2024. All departments are continuing to address policy requirements. Future policy reports will be coordinated through the Clerk's department or submitted departmentally, as required.

COMMENT/OPTIONS:

General

Governance

Use of Corporate Resources During an Election Period Procedure G-ELE-001-001 (Appendix A), previously titled *Use of Corporate Resources during a Municipal Election Period*, has been reviewed in accordance with established review protocols and is a Council authorized procedure. The proposed updates intend to improve clarity regarding the use of municipal resources during an election period, ensure compliance with legal obligations, offer a fair and consistent experience for all candidates, and uphold the integrity of the electoral process. While tracked changes have been omitted for readability, the following recommended updates have been made:

- **Expansion of Scope:**
The *Municipal Elections Act, 1996*, as amended, requires municipalities to establish rules and procedures with respect to the use of municipal resources during an election period. The existing procedure governs municipal corporate resource usage exclusively during municipal elections. The updates proposed broaden the scope of the procedure to encompass provincial and federal elections as well.
- **Continuity of Office:**
Members of Council hold their office until the end of the term, and even during election periods, nothing should preclude them from performing and fulfilling their duties as elected officials.

- **Clarity on Use of Corporate Resources:**
Corporate resources are not to be used in any way for any material that is linked to an election campaign. Since the Council meeting of May 27, 2024, further clarity has been provided surrounding the use of town produced videos posted to YouTube which permits them to be used in election campaign material such as on a campaign website, as per YouTube's Terms of Service. A sentence has been added to Section 2(c) (page 3) for clarity and is highlighted for quick reference.
- **Staff:**
Clarification that municipal staff and individuals employed by the offices of elected officials on municipal council must refrain from canvassing or actively working for any registered candidate or third party during working hours.
- **Town-based Services:**
Expanding restrictions and providing further clarity on town-based services that are discontinued as of nomination day for Members of Council seeking re-election.
- **Social Media:**
Regulations for social media usage during campaigning, consistent with the town's Online Communications Policy and related procedures.
- **Attendance at Town Events:**
Defined parameters and restrictions for elected officials attending and participating in town-organized or hosted events during election periods.
- **Access to Information:**
Guidelines on how candidates and third parties may access information during election campaigns, aligned with the town's Request for Information Procedure.
- **Enforcement Mechanisms:**
Provisions of avenues for submitting complaints regarding election candidates, including Members of Council or Members of Council running for re-election. Identification of channels for complaints regarding campaign finances and election signs.

Since the Council meeting of May 27, 2024, further clarity has been provided in this section to remove detail including the word 'elector' around the process of submitting a compliance audit request and reference has been made to the applicable section of the Municipal Elections Act (MEA). This is highlighted in the procedure for quick reference. Advocacy work to modernize the MEA and one notable area of AMCTO's submission involves asking that the province providing clarity around who may submit a compliance audit application (what the definition of an 'elector' is for this purpose).

- **Provincial and Federal Elections:**
Establishment of parameters around Members of Council running in provincial and federal elections.
- **Responsibilities Summary:**
Outlining and summarizing the responsibilities of Members of Council, town staff, and the Town Clerk – including the Town Clerk's authority to provide guidance

and interpretation – regarding understanding, supporting, and complying with this procedure.

- **Definition Enhancement:**

Expansion of the definition section to provide clarity, with reference to the relevant legislation where necessary.

Notice of Close Vote Procedure G-ELE-001-002 (Appendix B) defines a process to identify a close vote pertaining to municipal election results for any office on Municipal Council to enable Council to determine whether or not a recount shall be conducted. This Council authorized procedure has been reviewed in accordance with established review periods, staff do not recommend any updates.

Municipal Services

Regulatory

Business Improvement Area (BIA) Event Signs Policy MS-REG-005 (Appendix C) has been established to allow for the use of BIA event signs that have been designated for use by the BIAs within the BIAs area boundaries. BIA event signs are provided for use to promote events and initiatives that are of community interest or benefit located within the applicable BIA area. This includes events held by charitable or non-profit organizations. The town is committed to supporting the efforts of the BIAs in strengthening commercial areas and raising the profile of local destinations in town.

BIA Event Signs Procedure MS-REG-005-001 (Appendix D) has been established to implement the policy and sets out parameters, criteria for decision making, restrictions, and direction, for the use of BIA event signs. Establishment of this policy and related procedure ensures use of BIA event signs are consistent with the town's values, integrity, and existing by-laws or policies.

CONSIDERATIONS:

(A) PUBLIC

Corporate policies and related procedures are posted to the town website for public information. Public notification is issued prior to Council's consideration of policies and procedures having a direct impact on the public.

(B) FINANCIAL

There are no financial considerations with respect to the consideration of policies and procedures. The administration of procedures which relate to financial matters, grants and financial incentives will be subject to annual budget approval.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Corporate policies and procedures impact all members of Council and staff. Departments are continuing to review existing policies within their departments to ensure, where applicable, that a corporate view is presented in all new or revised policies and procedures.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic priority of accountable government. The established corporate policy process promotes accountable governance and service excellence, by promoting consistency, minimizing inefficiencies, and ensuring proper controls and compliance.

(E) CLIMATE CHANGE/ACTION

This matter does not impact climate change.

APPENDICES:

Appendix A – Use of Corporate Resources during an Election Period Procedure

Appendix B – Notice of Close Vote Procedure

Appendix C – BIA Event Signs Policy

Appendix D – BIA Event Signs Procedure

Prepared and submitted by:

Andrea Coyne, Manager, Elections, Policy, Print Services

Approved by:

Vicki Tytaneck, Town Clerk

Use of Corporate Resources During an Election Period

Procedure number: G-ELE-001-001
Parent policy number: G-ELE-001
Section: Governance
Sub-section: Election
Author(s): Clerk's Department

Authority: Council
Effective date: 2005-12-19
Review by date: *Council approval date*
Last modified: 2022-01-31

Purpose statement

The *Municipal Elections Act, 1996*, as amended, requires municipalities to establish rules and procedures with respect to the use of municipal resources during an election period. Municipalities are prohibited from making campaign contributions to municipal candidates or registered third parties. As a campaign contribution may take the form of money, goods or services, this procedure provides a fair and consistent approach on how municipal corporate resources can and cannot be used during a municipal election as well as provincial and federal elections. This procedure supports compliance with the *Municipal Elections Act, 1996*, as amended, the Council Code of Conduct, Code of Conduct for Members of Local Boards and Advisory Committees, and the Employee Code of Conduct.

This procedure recognizes that Members of Council are holders of their office until the end of the term and supports them in continuing to fulfill their responsibilities as Members of Council. Nothing in this procedure shall preclude a Member of Council from performing their duty as an elected official, nor inhibit them from representing the interests of their constituents, even during a municipal election. Members of Council are accountable for their adherence to this Procedure.

This procedure allows the town to balance the need for freedom of expression and assembly of candidates and its legal responsibility to ensure that no candidate, registered third party advertiser or political party is provided with an unfair advantage.

Scope

This procedure applies, where applicable, to municipal council and school board elections or by-elections, provincial or federal elections or by-elections, and referendums.

This procedure applies to:

- all candidates for a municipal election or by-election;
- all candidates for a provincial or federal election or by-election;
- all elected officials of the town including those not seeking re-election;
- all municipal staff, including individuals employed by the offices of the elected officials;
- registered third parties; and members of the public.

Procedure

Corporate resources, assets or funding may not be used for any election-related purposes, except as identified in this procedure.

1. Election campaigning

- a. Election campaign activities are not permitted at Town Hall (located at 1225 Trafalgar Road).
- b. Election campaign materials may not be displayed at Town of Oakville (town) facilities, unless otherwise outlined in this procedure.
- c. Municipally owned or run assets and facilities, excluding Town Hall, may be rented in accordance with municipal agreements and current rates and fees for election campaign activities provided that the rental is available to the general public. Use of rentals are subject to the following conditions:
 - i. all election campaign materials must only be displayed within the allotted rental period in the allotted rented area designated in the rental agreement;
 - ii. rentals for campaign related activities are not permitted from the first date of advance voting to the day after voting day; and
 - iii. the town reserves the right to refuse or cancel a rental contract at any time, in accordance with the terms of the contract, should it conflict with the town's corporate values or established policies or procedures, or presents a health and safety concern.
- d. The town will not host, organize, or advertise all-candidates meetings or debates. With the exception of Town Hall, use of town facilities for all-candidates meetings or debates is permitted, provided that the rental fee is paid and all candidates for an office are invited to attend and participate.

- e. Election signs on town property are only permitted in compliance with the town's current election sign by-law.
- f. Registered candidates and registered third parties may attend town organized, hosted, or funded events during an election period, but may not display or distribute any campaign materials, or engage in any election related activities.

2. Use of corporate identifiers and resources

- a. The corporate logo identifies the Corporation of the Town of Oakville and is used to represent town programs, services, and facilities. The town's corporate logo has been registered pursuant to the Trademarks Act and is permitted for the Corporation of the Town of Oakville.
- b. The town's corporate logo, corporate branding, crest, chain of office, coat of arms, slogan or other corporate identifiers or that of its affiliates, shall not be used by registered candidates or registered third parties for any election campaign-related purposes.
- c. Registered candidates and registered third parties may not use photographs, videos, electronic images, or graphics, produced by the town or its affiliates for any election campaign-related purposes. However, use of Town of Oakville videos that are posted to YouTube is permitted, allowing the use of such videos in election campaign material, in accordance with YouTube's Terms of Service.
- d. Use of photographs or videos not produced by the town or its affiliates, and taken from a publicly accessible place, in campaign advertising containing the corporate logo, corporate branding, crest, chain of office, coat of arms, slogan or other corporate identifiers is not in contravention of paragraph 2(b) of this procedure.
- e. Corporate resources shall not be used for the development, creation, design, printing, or distribution (electronic or print) of:
 - i. any material that illustrates that a member of Council or any other individual is registered or intends to run for office; or
 - ii. any campaign material that makes reference to, or contains the names or photographs, or identifies registered candidates.
 - iii. any material that is linked in any way to an election campaign (i.e. campaign messaging, a campaign logo, or a social media handle or hashtag which links to campaign social media channels, web sites and/or materials).
- f. No town consumable materials, such as toner and paper, associated with computer systems shall be used for election campaign-related purposes.
- g. Town records, lists, and files produced using town resources, with the exception of those specifically made for the use of candidates and registered third party advertisers for election purposes in accordance with the *Municipal Elections Act, 1996*, may not be used by any candidates or registered third party advertiser, unless the database has already been released for public use.
- h. In accordance with the Online Communications policy, the town will not publish any material used to promote individual political opinions or campaigns.

3. Town staff

In accordance with the Employee Code of Conduct, municipal staff and individuals employed by the offices of the elected officials, including any contractor providing services to the town, shall not canvass or actively work for any registered candidate or registered third party during hours in which the staff/contractor is receiving compensation from the town.

4. Town services

- a. During a municipal election period, the following town-based services shall be discontinued for Members of Council as of nomination day:
 - i. All development, creation, design, printing, or distribution of members' flyers, newsletters, advertisements, mail outs, publications, etc., whether electronic or print.
 - ii. Use of municipally owned or run assets and facilities, unless rented in accordance with municipal agreements and current rates and fees (as identified in Section 1(c) of this Procedure).
 - iii. The prohibitions set out in Section 4(a) of this Procedure do not apply to a Member who is acclaimed, or who is retiring from office and, therefore, is not a candidate in the election.
- b. Corporate resources (such as town issued phones and email addresses) shall be provided to current Members of Council for council related purposes and to serve their constituents and shall not be used to support an election campaign.
- c. All town communication will be in accordance with the town's Communication Procedure.

5. Technology related provisions

- a. Any links to external personal sites from an individual Member of Council's landing page on the oakville.ca website will be removed as of the date nomination papers are filed during a municipal election year. These links may include election-related web sites, social media links or domain names.
- b. Websites, domain names, emails, or other corporate systems that are funded by the town shall not include any election-related campaign material or links to sites that feature election-related campaign material. The exception being the official Town of Oakville election website where links to external election campaign websites will be posted during the election period.
- c. Registered candidates, registered third parties, and Members of Council may not use the town website, domain names, and other corporate systems, for campaigning or display of any election-related materials. Links to the town's website are permitted from a campaign election website for the purpose of obtaining information about the election or sharing program/service information.

6. Social media

- a. If a Member of Council uses any social media account for campaigning, such account must not be created or supported by town resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
- b. Members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the election period, a clear statement on each campaign website or social media account's home page (or profile) indicating that the account is being used for election campaign purposes and is not related to their duties as a Member of Council.
- c. Online communications for official town purposes will be supported in accordance with the town's Online Communications Policy and related procedures.

7. Town organized/hosted events

- a. Members of Council and other elected officials may attend town-organized events and act as participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- b. Where a current Member of Council or elected official is invited to an event, whether a town event or community event, in the capacity of their elected position, they are not to speak of their candidacy, their intention to run, or any campaign-related matters.
- c. Elected officials must adhere to bi-partisan commitments by not including campaign materials (including, but not limited to, uniforms, tents, signage, images, or messaging) that is indicative of their candidacy or associated political party. Materials may make reference to the office they hold/represent (i.e. Council, MP, MPP).
- d. Candidates, registered third party advertisers, ballot question campaigns and their representatives may attend town events in their capacity as private citizens, but shall not campaign while in attendance or distribute campaign-related materials and they shall not promote or oppose the candidacy of a person for elected office or party.
- e. Candidates, registered third party advertisers and representatives of ballot question campaigns shall not be invited to deliver formal remarks at a town event in their capacity as a candidate, registered third party advertiser or ballot question campaign representative.

8. Access to information

- a. All registered candidate and registered third party requests for information must adhere with the Requests for Information Procedure.
- b. Information provided to one candidate or registered third party that is of a general nature and may provide valuable guidance to all others will be provided to all registered candidates and registered third parties through the town's web site to ensure equal access to information.

9. Enforcement

- a. The Town of Oakville focuses on being an open, accessible, inclusive and accountable town. The Town Clerk or designate shall have the delegated authority to receive and investigate any written complaint with respect to the alleged use of corporate resources in contravention of this Procedure.
- b. The following options are available for complaints related to election candidates, including Members of Council or Members of Council running for re-election:
 - i. Submit a written complaint to the Town Clerk (townclerk@oakville.ca). Written complaints must set out specific example(s) and corresponding details of how the alleged use of a particular corporate resource may have contravened this Procedure.
 - ii. File an informal or formal complaint in accordance with the town's Integrity Commissioner - Inquiries/Advice Procedure (No investigation shall be commenced or continued under the Council Code of Conduct, nor shall the Integrity Commissioner report to Council respecting an investigation, within the election period). An Integrity Commissioner cannot investigate matters regarding Municipal Elections Act related complaints (including third party advertising) or election campaign finances.
 - iii. Contact the Office of the Ontario Ombudsman.
 - iv. Pursue private legal remedies, including court action.
- c. Complaints or concerns related to campaign finances may be addressed through the compliance audit process outlined in Section 88.33 of the Municipal Elections Act.
- d. Complaints or concerns related to election signs may be submitted to Service Oakville (ServiceOakville@oakville.ca).
- e. Complaints or concerns related to graffiti involving election matters or material may be submitted to Service Oakville (ServiceOakville@oakville.ca).

- f. Complaints or concerns related to actions or behaviours of an egregious nature or any form of hate crime will be transferred to the Halton Regional Police Services.

10. **Members of Council running in Provincial and Federal Elections**

- a. Members of Council shall not use town resources to host, promote, sponsor or otherwise organize or assist with any event that involves direct participation by candidates at other levels of government, given that there is potential for partisanship, real or perceived, to occur at, or in the organization of, any such event that directly involves candidate participation.
- b. Members of Council may communicate with constituents regarding federal/provincial matters relevant to the ward/Town of Oakville, as well as any issues that have a direct bearing on municipal business between the federal/provincial government and the town, and such communication shall be non-partisan in nature.
- c. The following applies if a Member of Council becomes a candidate in a provincial or federal election/by-election:
 - a. Corporate resources shall only be used for council related purposes and to serve their constituents and shall not be used to support an election campaign.
 - b. A Member, who is a candidate, shall seek guidance from the Town Clerk with respect to responsibilities and obligations required to comply with this Procedure. While certain restrictions may apply in order to ensure compliance with this Procedure and its purpose, it is recognized that the Member may continue to be the elected representative and may remain active in their capacity as the elected official.

Responsibilities

Members of Council

- Understand, support, and comply with this Procedure, Council Code of Conduct, and the Council Remuneration, Resources and Expenses Policy and related procedures.
- Seek clarification of any aspect of this Procedure, as required, and seek independent legal advice, where appropriate.

Town Staff

- Ensure relevant requirements of this Procedure are fulfilled in any duties and activities undertaken in their official position as a town employee.

- Understand and support this Procedure and ensure accountability for their actions.
- Seek clarification of any aspect of this Procedure, as required.

Town Clerk

- Ensure the administration, communication, and interpretation of this Procedure.
- Receive and respond to any complaints, concerns and inquiries/requests for guidance related to this Procedure.
- Delegate in writing any designate(s) assigned to administer any or all of this Procedure.
- Review this Procedure every term of Council through the town's established policy review process and as required by changes to legislation. The Town Clerk is authorized to make minor administrative updates as may be necessary to maintain compliance and consistency with legislation, while respecting and preserving the intent of the Procedure.

Guidance and interpretation

The Town Clerk (or designate) has the authority to provide guidance with respect to election-related matters in relation to this Procedure, and to issue in writing any interpretation on the application of this Procedure and any related approvals or prohibitions. Such guidance, interpretation, approvals, and prohibitions shall be based on the overarching legislative requirement for public funds and resources not to be used for any election-related purposes, including the promotion of or opposition to the candidacy of a person for elected office.

References and related documents

Council Code of Conduct

Code of Conduct for Members of Local Boards and Advisory Committees

Employee Code of Conduct

Public Notice and Engagement policy

Communications Procedure

Online Communications Policy

[Social Media Guidelines Procedure](#)

Advertising Sales Procedure

Requests for Information Procedure

Municipal Elections Act, 1996, as amended

Town of Oakville Sign By-law

Council Remuneration, Resources and Expenses Policy and related procedures

Definitions

Campaign contribution: anything of value given to influence an election, may take the form of money, goods, or services.

Campaign related activities: any activity by or on behalf of a registered candidate, registered third party, or question on a ballot meant to elicit support during the election period.

Campaign materials: any materials, including political advertising, used to solicit votes for a candidate(s) or question in an election or any materials that promote or oppose the candidacy of a person for elected office. Including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials also include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media. Campaign materials do not include election signs, which are governed by the town's Sign By-law.

Corporate resources: may include facilities, infrastructure, assets, equipment, supplies, services, staff or any resource that belongs to or is funded by the town.

Corporate brand: refers to the unique corporate identity, standards, and images associated with the Corporation of the Town of Oakville and is shaped by various elements, including the town's name, logo, visual design (including colours), values, messaging, and overall community strategy.

Crest: For the purposes of this procedure, the town crest is the ceremonial coat of arms to be used exclusively for official town business pertaining to Oakville's elected municipal officials such as official documentation and proclamations.

Election period: the specific duration during which an election campaign takes place, and includes the timeframe leading up to the actual voting day when political candidates or parties actively engage in campaigning to garner support from voters. For a provincial election, beginning on the date the writ is issued and ending on voting day. For a federal election, beginning on the date the writ is issued and ending on voting day.

Election campaign period (election period): specific to municipal elections and in accordance with Section 88.24 of the *Municipal Elections Act, 1996*, as amended, begins on the day in which nomination papers are filed and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election.

Nomination day: as defined in the *Municipal Elections Act, 1996*, as amended.

Political advertising: advertising that takes a position on an issue that can reasonably be regarded as closely associated with a registered third party or candidate.

Voting day: as defined in the *Municipal Elections Act, 1996*, as amended.

Notice of Close Vote

Procedure number:	G-ELE-001-002
Parent policy number:	G-ELE-001
Section:	Governance
Sub-section:	Election
Author(s):	Clerk's Department
Authority:	Council
Effective date:	2005-12-19
Review by date:	<i>Council approval date</i>
Last modified:	2022-01-31

Purpose statement

This procedure defines a process to identify a close vote pertaining to municipal election results for any office on Municipal Council to enable Council to determine whether or not a recount shall be conducted.

Scope

This procedure applies to a close vote between the first and second place candidates for any office on the Municipal Council.

Procedure

At the final meeting of the outgoing Council after the municipal election, the Clerk shall provide notice of any close vote with respect to any office on the Municipal Council in order that Council may determine if a recount shall be conducted. Should Council authorize a recount by resolution, such recount shall be conducted in accordance with the *Municipal Elections Act*.

References and related documents

Municipal Elections Act
Election Policy

Definitions

Close Vote: means the difference of one tenth of one percent (.001) of the total votes cast, for the office in question, between the first and second place candidates for an office on Municipal Council.

Responsibilities

The Town Clerk is responsible to provide notice of any close vote in accordance with this procedure.

BIA Event Signs

Policy number:	MS-REG-005
Section:	Municipal services
Sub-section:	Regulatory services
Author:	Municipal Enforcement Services
Authority:	Council
Effective date:	<i>Council approval date</i>
Review by date:	<i>5 years from Council approval date</i>

Policy statement

The Corporation of the Town of Oakville (town) recognizes that the Business Improvement Areas (BIAs) are areas where businesses contribute to enhancements within the BIA's area boundaries. BIAs provide additional services such as street beautification, branding, and marketing, as well as seasonal improvements. BIAs help strengthen commercial areas and raise the profile of local destinations in town. As such, the town has designated mobile event signs to each BIA to promote events and initiatives within the BIA area. This includes events held by charitable or non-profit organizations.

All BIA event signs shall be consistent with the town's values and will not compromise or contradict any by-law or policy of the town, or reflect negatively on the town's integrity or public image. All sponsorship agreements shall be established in a manner that promotes both the town's and the BIAs interest and results in the optimal balance of benefits to the town and the community.

Scope

This policy applies to BIA event signs that have been designated for use by the BIAs within the BIAs area boundaries.

Purpose

BIA event signs are provided to promote events and initiatives within the BIAs area boundaries and provides another option available to the BIAs to attract visitors. A consistent and controlled approach to sponsorship arrangements protects the town's corporate values, interests and image while increasing the opportunity for revenue

generation for the BIAs. BIA event signs are not to be used to benefit individual shops or businesses within the BIA area unless the shop or business is sponsoring a community event held in the BIA area.

The purpose of this policy is to:

- Confirm the town's interest in supporting the financial sustainability of BIAs and raise the profile of local destinations in town;
- Create an authorized environment for this practice;
- Authorize the Director of Municipal Enforcement, or designate, to determine the location of BIA event signs in each BIA area;
- Establish parameters for use of BIA event signs and criteria for decision making, ensuring adherence to the town's Sign By-law, Corporate Grants, Sponsorship, Naming Rights and Advertising Sales Policy and other applicable policies and procedures; and
- Outline responsibilities associated with use of BIA event signs, including use and maintenance requirements.

References and related documents

[Corporate Grants, Sponsorship, Naming Rights and Advertising Sales Policy](#)

[Corporate Sponsorship Procedure](#)

[Sign By-law](#)

[BIA Event Signs Procedure](#)

BIA Event Signs

Procedure number:	MS-REG-005-001
Parent policy number:	MS-REG-005
Section:	Municipal services
Sub-section:	Regulatory services
Author(s):	Municipal Enforcement Services
Authority:	CAO
Effective date:	2024-04-25
Review by date:	2029

Purpose

This procedure sets out parameters, criteria for decision making, restrictions, and direction, for the use of Business Improvement Areas (BIAs) event signs designated for use by the BIAs to promote events and initiatives that are of community interest or benefit located within the applicable BIA area. This includes events held by charitable or non-profit organizations.

Scope

This procedure applies to BIA event signs that have been designated for use by the BIAs within the BIAs area boundaries.

Procedure

1. Authority

The Director of Municipal Enforcement, or designate ('Director') will determine and authorize the location for each designated BIA event sign in each BIA area.

2. Event sign requirements

- Duration of message display period will be determined by the applicable BIA.
- BIA event signs must contain a generic message approved by the Director when an event or initiative is not occurring, so that the sign face is not blank.

- c) BIAs must ensure that event signs always contain the header print, as well as the main sign area print of either an event advertisement or the placeholder print.
- d) BIA event signs must comply with the applicable regulations of the town's Sign By-law.

3. Criteria for sponsorship

- a) Event corporate sponsorship may be recognized on the BIA event sign in accordance with the BIA Event Signs Policy and this procedure.
- b) In accordance with the town's Sign By-law, event corporate sponsorship may be recognized on the BIA event sign, but may not encompass more than 15% of the sign surface area.

4. Restrictions

- a) BIAs will not solicit, accept, or provide sponsorships from or to companies whose reputation could prove detrimental to the town's public image.
- b) BIAs will not allow sponsorships either directly or through third party arrangements that:
 - i. Promote consumption of alcohol, marijuana and addictive substances, at events or venues geared primarily to children;
 - ii. Promote the sale of tobacco;
 - iii. Promote pornography;
 - iv. Promote the support of or involvement in the production, distribution, and sale of weapons and other life-threatening products; or
 - v. Present demeaning or derogatory portrayals of individuals or groups or contain any message that is likely to cause deep or widespread offence.
- c) BIAs will not promote events or initiatives that are false, misleading, or deceptive.
- d) BIAs will not use messaging that includes words like "stop" or "danger" or symbols which might reasonably mislead, confuse, or distract a driver.
- e) BIA event signs must only be used to promote BIA events and initiatives within the BIA area that are of community interest or benefit; this includes events held by charitable or non-profit organizations held within the BIA area.

5. Maintenance

- a) BIAs must ensure event signs are regularly maintained in a proper state of repair as to not become unsafe or unsightly.
- b) The Director may provide written notice to a BIA to repair an event sign that has become unsafe or unsightly. The Director may take measures to repair such a sign should the BIA fail to do so. Costs associated with any corrective measures undertaken by the town shall be subject to payment by the BIA to reimburse the town for these repairs.

6. Inspection and removal

The Director may perform random inspections of BIA event signs to ensure that messaging and maintenance of event signs meets requirements outlined in this procedure, and may require the removal of messaging that does not comply.

Responsibilities

The Director of Municipal Enforcement Services, or designate, shall be responsible for the administration of this procedure.

The Executive Director of each BIA will ensure that their BIA event sign remains in the approved location and complies with the BIA Event Signs Policy and this procedure.

BIAs will ensure financial sustainability of programs and services provided by grants and sponsorships.

Definitions

“BIA event sign” means a sign located in a BIA area designated for use by the BIAs or charitable or non-profit organizations, within the BIAs area boundaries.

“Director” means the Director of Municipal Enforcement Services or designate.

“Sponsorship” is a mutually beneficial arrangement between the BIA and an external party (individual, company, vendor, or organization) wherein a party contributes funds, goods or services to an event, project, program, service or corporate asset in return for recognition, or other promotional consideration.

Forms of Sponsorship:

- Cash: a sponsorship received in the form of money.
- In-kind: a sponsorship received in the form of goods or services of value to the town.

References and related documents

[Corporate Grants, Sponsorship, Naming Rights and Advertising Sales Policy](#)

[Corporate Sponsorship Procedure](#)

[Sign By-law](#)

BIA Event Signs Policy



REPORT

Council

Meeting Date: June 17, 2024

FROM: Municipal Enforcement Services Department

DATE: June 4, 2024

SUBJECT: **Business Licensing By-law Review – Draft By-law**

LOCATION: Town-wide

WARD: Town-wide

Page 1

RECOMMENDATION:

1. That the draft licensing by-law attached as Appendix A to the report from Municipal Enforcement Services dated June 4, 2024 be received for consideration, but not passed at this time.
2. That By-law 2024-101, a by-law to amend Licensing By-law 2015-075 attached as Appendix D to the report from Municipal Enforcement Services dated June 4, 2024 be passed.
3. That Municipal Enforcement Services circulate the draft licensing by-law for comment to currently licensed businesses and businesses that are captured under the new licensing classes.
4. That Municipal Enforcement Services report back with comments received from the business community and the final version of the licensing by-law in Q4 of 2024.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Licensing By-law 2015-075 is over 8 years old and requires review and update
- Appendix A to this report contains a draft licensing by-law for Council's consideration
- The following new licensing types are being recommended:
 - payday loan establishments

- private parking enforcement companies and private parking enforcement officers
- mobile motor vehicle services
- mobile personal services; and
- temporary vendors
- Bowling alley business licensing requirements are to be removed
- As a means of streamlining processes, reducing cost and improving customer service, staff is proposing to implement licensing endorsements for certain primary businesses as set out in Appendix B to this report
- Staff is proposing to add language to the draft licensing by-law to give the Licensing Commissioner (through the Director of Municipal Enforcement Services) delegated authority to extend business licences in the event of an emergency
- A Table of Changes proposed in the draft by-law is attached to this report as Appendix C
- By-law 2024-101, attached as Appendix D to this report, amends the current licensing by-law (By-law 2015-075) to delete references to the taxicab lottery
- Staff held public consultation sessions with licensees, as well as conducted a public questionnaire. On January 31, 2022, Municipal Enforcement Services (MES) presented an update report to Council and received comments for consideration. The 2022 report and questionnaire results are attached as Appendix E to this report
- The Short-term Accommodation By-law is being reviewed separately, with a report to Council planned in Q4 2024
- MES is conducting a comprehensive review of licensing fees
- On June 19, 2023, Council directed staff to review options to address the display and distribution of objectionable images as part of the Licensing By-law review. Staff is not recommending the approval of a by-law to regulate objectionable images until the legal challenge to the City of St. Catharines' graphic image by-law has been resolved.

BACKGROUND:

The primary goals of business licensing are to address issues related to:

- Public health and safety;
- Consumer protection;
- Nuisance control; and
- The general well-being of persons.

While considering these goals, the following guiding principles in line with accountable governance were established:

- Economic Development - reduce red tape for businesses, examine opportunities for fee reductions

- Financially responsible – leverage technology and streamline internal processes creating efficiencies
- Customer focused - create digital opportunities, simplify by-law format

MES presented a report to Council at its January 31, 2022 meeting to provide an update on the progress of the development of the new licensing by-law and to obtain Council's approval to continue preparation of the by-law in accordance with the report. This previous report is attached as Appendix E (the "2022 report"). Council passed the following resolution at the January 31, 2022 Council meeting:

1. That the Director of Municipal Enforcement Services be authorized to continue by-law preparations in accordance with the direction set out within this report, considering any comments received and report back with a new licensing by-law at a future Council meeting.
2. That Municipal Enforcement undertake a full food truck licensing review, including consultation with the industry, residents and BIAs, to develop a strategy framework for future licensing opportunities and report back to Council at a later date, maintaining the priority of the property standards and noise by-law review.
3. That the Licensing By-law be updated to provide that consumer fireworks may only be sold 5 days prior to Victoria Day, Canada Day, New Year's Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event.

COMMENT/OPTIONS:

Staff is presenting the draft of a new licensing by-law for Council's consideration, attached as Appendix A to this report (the "draft by-law"), with the proposed changes to the current Licensing By-law (the "current by-law") shown in red text. This report outlines major changes that are proposed as a result of work done on the draft by-law since January 2022. Details of other proposed changes are available in the Table of Changes attached as Appendix C to this report.

The review of short-term accommodation licensing is not being conducted as part of this licensing by-law review. A report on short-term accommodation licensing is expected to be brought to Council in Q4 2024.

Review of Food Truck Licensing

Recommendation 2 of Council's resolution of January 31, 2022 directed MES to undertake a review of food truck licensing, maintaining the priority of the Property Standards and Noise By-Law reviews. A new Property Standards By-law was

approved by Council on June 19, 2023 and a draft noise by-law was considered by Council on May 27, 2024 at which time staff was directed to report back with further information and the proposed by-law in the Fall.

A fulsome review of licensing opportunities for food trucks is a sizable undertaking and will impact, at a minimum, staff in Legal, Parks, Building and Transportation and Engineering. It will also require consultation with area BIAs and the industry. This work will impact staff resources as MES will have to second an officer to manage the project and backfill their position. It is anticipated that the project will take approximately 10 months to complete. The review would include a municipal scan, a review of private and public property opportunities, business and public consultation and consideration of current legislative requirements. This review may be considered as a new project through the 2026 budget process.

In the meantime, the draft by-law includes the following reductions in licensing requirements for refreshment vehicles (food trucks):

- Refreshment vehicle operators are no longer required to be licensed; however, refreshment vehicle owners and special event refreshment vehicles will still require a licence;
- Employees are no longer required to provide criminal record checks. Staff has heard from the industry that the provision of criminal record checks by employees is onerous and limits the movement of employees between restaurants and refreshment vehicles. Further, the draft by-law continues to prohibit ice cream trucks from operating in residential neighbourhoods where operators could come into contact with children; and
- The license renewal date has been changed from January 31 to May 31 to align with the time of year that refreshment vehicles generally operate.

Relationship between Special Event Permits and Special Event Licensing

All events held on town property must obtain a special event permit, issued through the Recreation and Culture Department in consultation with Parks and Open Space. The current by-law requires that food vendors operating at a special event have a valid town of Oakville business licence as a food shop/restaurant or a refreshment vehicle. If the vendor does not have an annual business licence, they must obtain either a per event special event food shop licence or a per event special event refreshment vehicle licence.

The draft by-law provides that an event held under a town permit or if approved by Council will not require a business licence, as the process has been streamlined to align special event and licensing requirements.

Endorsements

As mentioned in the 2022 report, MES has included endorsements in the draft by-law. This will allow certain primary businesses to engage in additional business

activities without the need to obtain a second or sometimes a third or subsequent licence. For example, a gas station would apply for their primary business licence (motor vehicle facility) and at the same time apply for an endorsement to sell tobacco and an endorsement to sell food. The applicant would have to submit all of the documentation for the endorsements when they apply for the primary licence and the endorsements would come up for renewal at the same time as the licence for the primary business. A list of endorsements is attached as Appendix B to this report.

Changes to the General Provisions:

The information contained in the 2022 report regarding the following still applies to the draft by-law:

- Endorsements;
- Police records checks;
- Appeals;
- Nuisance abatement; and
- Discrimination.

The following additional changes are proposed:

Increase in the Amount of Public Liability Insurance

In the current by-law, applicants for a licence or renewal of a licence must carry two million dollars in public liability insurance. The draft by-law proposes to increase this coverage to five million dollars to bring licensing in line with town standards for insurance, including requirements under a special event permit and other purchasing requirements relating to insurance. These standards are set out in the town's [Insurance Requirements Procedure](#).

Extension of Licences in the Event of an Emergency

During the Coronavirus Covid-19 emergency, Council delegated authority to the Director of MES to extend the term of business licences until 30 days after the emergency was declared to be ended. To streamline licensing in the event of an emergency, staff is proposing to add similar language to the by-law to give the Director of MES (also known as the Licensing Commissioner) delegated authority to extend business licences for a 30-day period and thereafter in 30-day increments, if required. This delegated authority will necessitate an amendment to Municipal Powers and Duties By-law 2023-021.

By-law's Effective Date

The final version of the draft by-law will be presented to Council for consideration in Q4 of 2024. The effective date of the final version will be in Q4 of 2025. This will give staff time to update the online portal, AMANDA and the website, prepare enforcement documentation and complete other back-end work.

New Schedules

The following information on new schedules contained in the 2022 report still applies to the draft by-law:

- Mobile motor vehicle service; and
- Private parking enforcement companies and private parking enforcement officers.

The following additional changes are proposed:

Schedule 1 – Licensing Thresholds: The description of the licensing thresholds in the 2022 report still applies, with the exception of thresholds for animal-related licences for convictions under the Dog Owners Liability Act (DOLA) and the Provincial Animal Welfare Service Act (PAWS). Under the draft by-law, applicants and licensees for animal-related licences will have to provide a self-declaration attesting to any convictions in the previous five years for animal abuse or neglect under PAWS, DOLA or any other federal or provincial statute; convictions under the Animal Control By-law’s provisions for standards of care; conviction(s) under licensing or other town by-laws or any other municipality’s by-laws respecting the keeping or care of animals; or any court orders, prohibitions or conditions set as part of a conviction that are currently in force. The criminal record check that applicants must provide will include convictions for animal offences under the Criminal Code.

Schedule 6 – Attractions: The current by-law has separate schedules for exhibitions and outdoor markets. The draft by-law proposes to roll the requirements for exhibitions, markets and other temporary events that are open to the public and intended to draw visitors into a new “attractions” schedule. Attractions like exhibitions, carnivals, art shows and festivals will require a per event licence while markets (farmers markets and flea markets) will require a multi-event licence if they are going to be held in the same location for multiple events during the term of the licence.

Under the current licensing system for exhibitions and outdoor markets, each food and refreshment vehicle vendor operating at the event must obtain a licence. To streamline this process, the draft by-law requires that the organizer or promoter of the attraction or the owner of the property where the attraction will be held obtain the licence and provide the required documentation for their vendors, including food vendors and refreshment vehicles, at the time of application for a licence. The organizer must also obtain health approval if food will be sold at the event. This umbrella licence covers all of the vendors operating at the attraction as long as they are named on the list of vendors submitted to the Licensing Commissioner at the time of licence application. The organizer must also ensure that their vendors have

valid insurance, comply with applicable Fire Code regulations, and that they comply with TSSA requirements if they are operating rides.

Under this new licencing class applicants for an attraction licence must provide the following in addition to the requirements identified above:

- Event details including the date, time and location of the event
- A list of vendors and a description of the merchandise, goods or services being offered for sale. Licensees are prohibited from allowing any person who is not on the list of vendors to sell any merchandise, goods or services and only the merchandise, goods or services included on the list may be sold
- An accurate drawing showing the location of the event in relation to surrounding properties and a parking management plan. This drawing is required to ensure that traffic circulation at the site will be sufficient and that roadways will not be impacted by those attending the event. MES will circulate the drawing and parking management plan to Transportation and Engineering for their sign off
- Written permission from the property owner for the event, if applicable
- A valid TSSA licence and permit if the event will include rides
- A copy of the applicant's communication with the Health Department for an inspection, if applicable
- A valid propane certificate, if applicable, and
- Proof of a building permit, if applicable (e.g. for a temporary tent)

Further licensing requirements for attractions are:

- The applicant may be required to obtain a noise exemption permit when directed to do so by the Licensing Commissioner, or as may be necessary under the Noise By-law.
- Attractions, other than markets, may be held for up to three consecutive days. A market with a multi-event licence may be held on a regular weekly basis, but on no more than three days in a seven-day period, for a maximum of six months
- Licensees must advertise the location of appropriate parking for persons attending the event
- Attractions may not be held in residential zones or in areas with residential uses unless permitted by the Licensing Commissioner and the Licensing Commissioner may impose conditions for a separation distance between the attraction and a residential zone/use, and
- Attractions may not be held in a BIA without approval from the BIA and the Town.

The following do not require an attraction licence:

- Educational facilities holding an event for the purpose of education or fundraising where such facilities are under the direct sponsorship of a school board, or the Ministry of Education where homemade or home baked items are sold; or
- Religious institutions where homemade or home baked items are sold.
- Not-for-profit organizations and registered charities require an attraction licence. This will allow the Licensing Commissioner to ensure that all necessary inspections and permits have been obtained, but the licence fee for these organizations will be reduced by 50%.

Schedule 23 – Payday Loan Establishments: The majority of the description of payday loan establishments in the 2022 report still apply. The limitation of one licence per Ward is included in the draft by-law as well as the grandfathering of existing businesses that are licensed by the Province and in operation at the time the by-law comes into force. However, language has been added to clarify that no new licences will be issued in Wards with grandfathered businesses until the existing businesses cease operation. New licences will be issued according to one licence per Ward on a first come first served basis.

Schedule 24 – Mobile Personal Services: the majority of the description of mobile personal services in the 2022 report still apply. The following requirements have been added:

- Rather than having employees who provide a mobile personal service register with the Licensing Commissioner, the draft by-law requires that at the time of initial application for a licence and at licence renewal, the applicant/licensee must provide a self-declaration that confirms that they have obtained a criminal record and judicial matters check for their employees and have ensured that their employees meet the licensing thresholds contained in Schedule 1 of the draft by-law insofar as the conviction directly affects the employee's ability to competently and responsibly perform their job. The self-declaration will also stipulate that the applicant/licensee must obtain a criminal record and judicial matters check for employees hired during the licensing period and ensure that these employees comply with Schedule 1.
- The failure of an applicant/licensee to meet licensing thresholds contained in Schedule 1 has been added as an additional ground for refusal to issue, renew, suspend or revoke a licence.

Schedule 32 – Temporary Vendors: The majority of the description of temporary vendors in the 2022 report still applies, with the exception of the following:

- Markets such as farmers markets and flea markets have been included in the attractions schedule rather than the temporary vendors schedule.

- Seasonal sales (garden products, Christmas trees, pumpkins, etc.) are no longer proposed to be licensed as they may be regulated by zoning, depending on the type and duration of the use.

Current By-law Schedules with Major Changes

The following information on current by-law schedules with major changes contained in the 2022 report still applies to the draft by-law:

- Bowling Alleys;
- Billiard Hall;
- Donation Box Operators;
- Kennels;
- Motor Vehicle Facility;
- Nightclub;
- Personal Services Establishments;
- Pet Shops;
- Transportation Network Company.

The following changes in addition to the 2022 report are proposed:

Employees' Criminal Record Checks and Proof of Qualifications

The town does not license the employees of contractors; the arborist business classes or motor vehicle facilities. However, these employees may be required to enter a dwelling to provide services (contractors) or require certification or other qualifications in order to provide services (contractors, arborist classes, some motor vehicle facilities). Since these employees are not licensed, they are not submitting criminal record checks or proof of qualifications to the Licensing Commissioner.

Rather than having employees register with the Licensing Commissioner, the draft by-law requires that at the time of initial application for a licence and at licence renewal, the applicant/licensee must provide a self-declaration that confirms that they have obtained a criminal record check from their employees, where required. The applicant/licensee must also ensure that their employees meet the licensing thresholds contained in Schedule 1 of the draft by-law insofar as the conviction directly affects the employee's ability to competently and responsibly perform their job. The self-declaration will also stipulate that the applicant/licensee must obtain a criminal record check for employees hired during the licensing period and ensure that these employees comply with Schedule 1.

The draft by-law also provides that applicants/licensees obtain and keep employees' proof of qualifications where required as well as their employees' consent to share their proof of qualifications with the Licensing Commissioner or an Officer, upon

request, for administration and enforcement purposes. This information must also be obtained when employees are hired during the term of the licence.

Vehicle Age

Model year restrictions for driving instruction vehicles, limousines and taxicabs will be deleted, however, when these vehicles reach ten years of age, the licensee must submit a safety standards certificate six months into the term of the licence. The draft by-law also provides that the Licensing Commissioner may deny a request to operate these vehicles if they are over ten years of age. This decision may be appealed to the Appeals Committee.

Automatic Suspension of a Business Licence

Provision has been added for the automatic suspension of a business licence when the licensee's Ontario driver's licence is suspended, revoked, expires, ceases to be valid or becomes invalid for any reason. Similarly, a business licence will be automatically suspended if the licensee fails to have proper vehicle insurance. These decisions may not be appealed to the Appeals Committee. The automatic suspension of a business licence in these cases applies to driving instructors, driving instruction vehicle owners, limousine owners and drivers, taxicab owners and drivers and refreshment vehicles.

Schedules:

Schedule 3 – Adult Entertainment Video Store – Class A and Class B: The grandfathering provision for the adult entertainment video store class A that is included in the current by-law has been added to the draft by-law. Language has been added to the draft by-law to provide that the owner of the grandfathered class A video store must maintain their licence in order for the class A video store use to continue. This is consistent with the Payday Loan Schedule.

Schedule 4 – Animals for Entertainment: The majority of the information regarding the animals for entertainment schedule included in the 2022 report still applies. A list of the animals that may be used as part of an animals for entertainment business has been included in the draft by-law for clarity.

Schedule 5 – Arborist Consulting Companies, Arboriculture Companies, Tree Companies: The majority of the information regarding the Arborist Consulting Company, Arboriculture Company and Tree Company schedule included in the 2022 report still applies, with the addition of the following:

- A table of licensing sub-types has been added to the schedule to clarify the services each sub-type provides.
- A prohibition has been added for failing to install or maintain required tree protection measures.

Schedule 7- Auctioneer, Auction House: MES has licensed auctioneers for many years, but brick and mortar auction houses have not been licensed. MES is proposing to include regulations in the draft by-law requiring that auction houses located in Oakville be licensed. Applicants for an auction house licence will have to provide a zoning occupancy certificate and a criminal record check.

Schedule 9 – Body-Rub Establishment: Halton Regional Public Health has advised that they will not conduct routine compliance inspections of massage only businesses such as body-rub establishments. Inspections will only occur at personal service establishments (hairdressing, barbering, manicure, pedicure, etc.) as required by the Infection Prevention and Control Protocol, or when massage is provided along with personal services.

The town's licensing regime only provides for massages in a personal services setting when they are performed by persons who are authorized members of a self-regulating health profession (as provided for in Schedule 1 to the Regulated Health Professionals Act), such as registered massage therapists. In Oakville, massages provided by persons not authorized under Schedule 1 of the Regulated Health Professionals Act are considered to be body-rubs and the body-rub regulations would apply. Staff has removed the requirement for a health inspection from the licensing requirements for a body-rub establishment.

Schedule 10 – Commercial Parking Lot: The description of the commercial parking lot schedule in the 2022 report still applies, with the addition of the following:

- Language has been added to clarify that an applicant for a commercial parking lot licence must contact Zoning staff to ensure that the commercial parking lot use is permitted. If the use is permitted, the applicant must attend a pre-consultation meeting with Planning and other staff prior to submitting an application for a business licence. This will allow Planning to determine whether full site plan approval is required. If site plan approval is required, the applicant must obtain approval prior to submitting their application for a licence. If site plan approval is not required, the applicant may submit their application for a licence. The applicant may apply for re-zoning if the commercial parking lot use is not permitted.
- Requirements for signage at the entrances to the commercial parking lot and at pay machines have also been added. The signage will provide contact information for the licensee/property manager, hours of operation, methods of payment for parking and the parking rates.

Schedule 11 – Contractors: The description of the contractor schedule in the 2022 report still applies, with the addition of the following:

- A definition for “driveway work” has been added, which applies to the landscaping contractor sub-class. Driveway work includes laying asphalt, concrete, interlocking stone or similar materials, driveway sealing, driveway/walkway maintenance and repair and expanding/altering driveways/walkways, all on private property. Also included is installing curb cuts and restoring sidewalks and roads that are damaged as part of the driveway work.
- The definition of Drain Laying Contractor has been updated to Servicing and Road Cut Contractor. This class will include work on servicing pipes and drainage systems, as well as work on sewage disposal systems and service lateral connections outside of a building. Also included is performing curb cuts and restoring sidewalks, curbs and roads that are damaged as part of the servicing work.
- Language has been added to exempt persons performing capital projects for the Town, Region of Halton and utility agencies performing work in Oakville from the requirement to obtain a servicing and road cut contractor or landscaping contractor licence (for driveway work). As well, persons hired by a developer to perform the work of a servicing and road cut contractor under a subdivision agreement are not required to license as a servicing and road cut contractor. The work performed in these instances is regulated through permitting by Transportation and Engineering.

Schedule 13 – Driving Instructor, Driving Instruction Vehicle: The description of the driving instructor schedule in the 2022 report still applies, with the addition of the following:

- Provision has been added for the automatic suspension of a driving instructor’s licence if their Provincial instructor licence is suspended, revoked, expires or ceases to be valid. This decision may not be appealed to the Appeals Committee.
- Language has been added to clarify that a driving instructor who is coming to Oakville to drop off a student at the DriveTest Centre for a road test does not require a licence.

Schedule 15 – Fireworks Vendor: The description of the fireworks vendor schedule in the 2022 report still applies, with the exception of the following:

- In accordance with Council’s January 31, 2022 resolution, the draft by-law provides that consumer fireworks may be sold on the day of and for five days prior to Victoria Day, Canada Day, New Year’s Day and religious or cultural celebrations where fireworks are used to celebrate the event.
- The draft by-law no longer requires that persons selling consumer fireworks for religious or cultural events notify MES of their intention to sell the fireworks at least 10 days prior to the event.

- The draft by-law requires an applicant/licensee to submit proof that they have requested a fire inspection and provide the inspection report to the Licensing Commissioner within five business days of the inspection.

Schedule 16 – Food Shops: The description of the food shop schedule in the 2022 report still applies, with the addition of the following:

- The definition of “food shop/restaurant” has been amended to include a stationary refreshment vehicle like a chip truck that is permitted by the zoning by-law or has zoning by-law relief such as a minor variance. These stationary vehicles will be classed as a restaurant in the draft by-law rather than a refreshment vehicle.
- Food shops or refreshment vehicles must operate in connection with a special event unless they have zoning approval. If a refreshment vehicle has zoning approval, it will be treated as a food shop/restaurant.
- If a food shop/restaurant is operating a refreshment vehicle at a special event, they may obtain a refreshment vehicle endorsement rather than having to obtain a separate refreshment vehicle/special event refreshment vehicle licence.
- Food shop/restaurants with an annual licence or a special event food shop licence may operate at up to four special events per location in a calendar year.

Schedule 18 – Limousines: The description of the limousine schedule in the 2022 report still applies, with the addition of the following:

- Language has been added to clarify that a limousine that is only entering Oakville to drop-off a passenger is not required to be licensed. Limousines picking-up passengers in Oakville are required to be licensed.
- The “Special Occasion Limousine” class has been deleted. It is likely that the fee for the annual limousine owner licence will be reduced which will encourage limousine owners to apply for an annual licence rather than a per event special occasion licence each time they are operating in Oakville.

Schedule 19 – Lodging House Keeper: The following major changes to the current regulations for lodging houses are proposed:

- The current by-law draft by-law requires that the applicant provide a fire inspection report upon initial application for a licence. Language has been added to clarify that at licence renewal, the licensee must submit a fire inspection report completed within the previous year and request a fire inspection to be performed prior to the expiry of the term of the renewed licence. The licensee must provide a copy of this fire inspection report within five business days of issuance by the Fire Department.
- A requirement has been added that the applicant provide a WETT (Wood Energy Technology Transfer) inspection report at the time of initial application for a

licence if the lodging house has a wood-burning appliance such as a wood-stove or fireplace. WETT certified inspectors review the components of wood-burning systems to ensure their safety, as well as reviewing the clearances between the components and walls, floors and anything near-by that could catch fire. There are a number of WETT certified inspectors who service the Oakville area.

- A provision has been added to require that in the event a licensee's licence is suspended or revoked by the Licensing Commissioner for any reason, including a failed fire inspection, the licensee must send a notice in writing to their lodgers and post a notice at the entrance to the lodging house to advise of the licence suspension or revocation.

Schedule 28 – Refreshment Vehicles: The majority of the information contained in the 2022 report still applies with the addition of the following:

- Stationary refreshment vehicles that are permitted by zoning or have zoning relief, like a chip truck, have been moved out of the refreshment vehicle schedule and into the food shop schedule. These vehicles will be considered to be a restaurant in the draft by-law.
- Language has been added that a refreshment vehicle class A, B or special event refreshment vehicle licensee must provide a copy of the inspection of the vehicle's exhaust/suppression system, if applicable, to the Fire Chief upon request. This inspection is required under the Fire Code and the NFPA 96 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations. Provisions have been added to the draft by-law to permit the Licensing Commissioner to automatically suspend a licence until the exhaust/suppression system inspection is provided to the Fire Chief. This suspension may not be appealed to the Appeals Committee.
- Requirements have been added to permit the operation of a refreshment vehicle at an event on private property (such as at a wedding or birthday) in a residential area. The refreshment vehicle must be operated entirely on private property, in compliance with parking and noise regulations and no ringing bells, playing music or other amplified sound is permitted.

Schedule 29 – Salvage Yards: The majority of the information contained in the 2022 report still applies with the addition of the following:

- A definition of "salvage material" has been added which includes but is not limited to recyclable material, scrap metal and used or wrecked vehicles or vehicle parts.
- A definition for "recyclable material" has been added which includes but is not limited to glass, metal, plastic, rubber and paper products.
- A requirement has been added that applicants must provide proof that the business has all applicable approvals under the Environmental Protection Act and that the approvals are current and valid, if required.

- A person who is selling used or wrecked vehicle parts or used tires and has a current and valid motor vehicle facility licence or second-hand goods shop licence does not require a salvage yard licence.
- The requirements for fencing the salvage yard have been updated to state that the fence must comply with the Fence By-law, however, fencing has been grandfathered for a licensed salvage yard operating prior to the date the final version of the by-law comes into force. If the grandfathered fence is replaced, the replacement fence must comply with the Fence By-law.
- A salvage yard is permitted to have metal or other non-combustible drop-off containers with self-closing covers outside of the salvage yard fence. These containers must be emptied, and the contents disposed of immediately at the close of business each day.

The requirement for a fire inspection included in the 2022 report has not been carried forward into the draft by-law as the general provisions of the by-law state that all licensees must comply with applicable provincial and federal legislation and that the Fire Chief, among other officials, may inspect a premises at any reasonable time to ensure compliance with the by-law.

Schedule 30 – Second-Hand Goods Shop: The information contained in the 2022 report still applies with the addition of the following:

- Additional exemptions to licensing have been included for currently and validly licensed motor vehicle facilities, salvage yards, auctioneers and markets (under the attractions schedule).
- The current by-law requires that goods purchased or taken in exchange by the licensee be kept on the premises and separate from previously purchased goods for seven days. The draft by-law increases this retention period to fifteen days. The additional days provide Officers and the Police with more time to investigate potential stolen goods. The draft by-law also provides that the Police may request that an item be kept beyond fifteen days. The current by-law's exemption to the retention period regulations for items that come exclusively from donations to charitable organizations has been included in the draft by-law.
- Record keeping requirements in the draft by-law have been enhanced to include a sequential acquisition number, photographs of the items obtained, the price paid for the item and the municipal address where the goods are being kept for fifteen days. Licensees buying in bulk must maintain a record that contains a general description of the items purchased and the purchase price.

Schedule 31 – Taxicabs: The information contained in the 2022 report still applies with the addition of the following:

- A requirement has been added for taxicab drivers to advise the Licensing Commissioner when they accumulate 6, 8 or 10 demerit points.

- A taxicab owner will often request that their taxicab be taken out of service for a period of time. This could be for many reasons including vacations or illness. The current by-law's regulations regarding inactive taxicabs have been expanded in the draft by-law. In the draft by-law, a taxicab may be taken out of service (deemed to be inactive) once during the owner's licensing period, unless otherwise permitted by the Licensing Commissioner. The taxicab must be reinstated to active status when the owner's licence must be renewed. The draft by-law also provides that accessible taxicabs may not be taken out of service in this manner.
- As discussed in the 2022 report, the draft by-law eliminates the current ratio of 1 taxi owner's licence per 1,500 population.
- Regulations for the transfer of a taxicab owner's licence in the current by-law have not been included in the draft by-law since the taxi ratio will no longer exist and any person interested in applying for a taxicab owner's licence will be able to do so.
- Requirements for accessible taxicabs included in Ontario Regulation 191/11 of the Accessibility for Ontarians with Disabilities Act, 2005 have been included in the draft by-law, namely:
 - Prohibiting charging a higher or additional fare for persons with disabilities or charging for the storage of mobility aids or mobility assistive devices;
 - Municipal plates must be located on the rear bumper of the taxicab; and
 - Taxicab owners and drivers to make vehicle registration and identification available in an accessible format to persons with disabilities who are passengers.

By-law 2024-101, attached as Appendix D to this report, amends the current licensing by-law to delete references to the taxicab lottery. The lottery is currently held whenever the number of taxi owner licences falls below the ratio of 1:1,500 population. Staff does not anticipate a need to hold the lottery in 2024 and the elimination of the taxi ratio when the final version of the by-law comes into force in 2025 will mean that the lottery will no longer be required.

Schedule 33 – Tobacco Retailer & Schedule 35 Vape Shop: The current by-law contains regulations for tobacco retailers and vape shops in the same schedule. Staff propose to separate these businesses into separate schedules in the draft by-law.

The following changes are proposed for tobacco retailers:

- Clarification of the instances where a tobacco retailer licence may be suspended by the Licensing Commissioner:
 - A warning will be sent to the licensee on their first conviction of a tobacco sales offence under the Smoke Free Ontario Act to advise that their tobacco retailer licence will be suspended upon further convictions.

- Upon a second conviction of a tobacco sales offence in the same premises during the five years preceding the date of the second conviction, the tobacco retailer licence shall be suspended for six months following the date of the automatic prohibition issued for the second conviction.
- Upon a third conviction of a tobacco sales offence in the same premises during the five years preceding the date of the third conviction, the tobacco retailer licence shall be suspended for nine months following the date of the automatic prohibition issued for the third conviction.
- Upon a fourth or subsequent conviction of a tobacco sales offence in the same premises during the five years preceding the date of the fourth or subsequent conviction, the tobacco retailer licence shall be suspended for twelve months following the date of the automatic prohibition issued for the fourth conviction.

The suspension of a tobacco retailer's licence by the Licensing Commissioner in the situations above may not be appealed to the Appeals Committee.

The following changes are proposed for vape shops:

- Update the title of the schedule from “electronic cigarette retailer” to “vape shop” as “vape shop” is the more recognizable term for this type of business.
- Clarification of the instances where a vape shop licence may be suspended by the Licensing Commissioner:
 - A warning will be sent to the licensee on their first conviction of a vapour product sales offence under the Smoke Free Ontario Act to advise that their vape shop licence will be suspended upon further convictions.
 - Upon a second conviction of a vapour product sales offence in the same premises during the five years preceding the date of the second conviction, the Licensing Commissioner may provide notice to the licensee that their vape shop licence shall be suspended for six months following the date the notice is deemed to be served.
 - Upon a third conviction of a vapour produce sales offence in the same premises during the five years preceding the date of the third conviction, the Licensing Commissioner may provide notice to the licensee that their vape shop licence shall be suspended for nine months following the date the notice is deemed to be served.
 - Upon a fourth or subsequent conviction of a vapour produce sales offence in the same premises during the five years preceding the date of the fourth conviction, the Licensing Commissioner may provide notice to the licensee that their vape shop licence shall be suspended for twelve months following the date the notice is deemed to be served.

It should be noted that the Smoke Free Ontario Act (the “Act”) is enforced by the Halton Health Department. The Act contains specific penalties for tobacco sales

offences in the form of automatic prohibitions but does not provide for automatic prohibitions for the improper sale of vapour products. As such, the suspension of a vape shop licence by the Licensing Commissioner in the above situations may be appealed to the Appeals Committee.

By-law Schedules: Existing Schedules with NO Major Changes

The following schedules have no significant changes proposed at this time:

- Adult Entertainment Establishment
- Dry Cleaner/Laundromat
- Mobile Sign Lessor

Distribution of Graphic Images

At its meeting of June 19, 2023, Council adopted the following resolution:

That staff be directed to include options to address this matter as part of the Licensing By-law review in Fall 2023.

Background:

- Bill 259, Viewer Discretion Act (Images of Fetuses), 2021, was introduced in the Legislative Assembly of Ontario on March 8, 2021, and provided that no one shall send a graphic image of a fetus by mail or otherwise distribute such an image unless the image is contained in an opaque envelope. The exterior of the envelope shall clearly identify the sender and include a description of the contents within. Bill 259 did not move past first reading and was reintroduced as Bill 80, Viewer's Discretion Act (Images of Fetuses), 2023, on March 20, 2023. The Bill was ordered for second reading on March 20, 2023 but it has not moved beyond this stage.
- The Canada Charter of Rights and Freedoms allows for freedom of expression and any limitation needs to be reasonable.
- Oakville's Licensing By-law previously regulated distributors of "handbills," which was defined to include "flyers or any advertising material." However, handbill distributors were removed from the Licensing By-law in 2015 primarily because small business owners raised concerns about not being able to comply with the requirement that handbills be placed in mail slots or like receptacles due to the virtual elimination of private mail slots. Staff was also concerned that continuing to license such distributors would foster public expectation that the town could regulate the content of flyers and enforcement of such regulations being difficult as it is often hard to trace back to the deliverer of the flyers.
- Canada Post delivers flyers to community mail boxes. The municipalities that have passed graphic images by-laws include an exemption for mail delivered by Canada Post.

- Planning & Development Council passed a resolution on August 7, 2018 requiring that the Mayor write to the Attorney General to urge the Province to limit and regulate the display and distribution of posters, signs and leaflets that contain disturbing images. In addition, the resolution required that the Mayor write to the Minister of Justice of Canada urging consideration of amendments to Section 163(8) – Obscene Publication of the Criminal Code.
- Section 163(8) of the Criminal Code states “...any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence, shall be deemed to be obscene.”
- A separate confidential report from the Legal Department also appears on this agenda on this subject.

Recommendation on Regulating the Delivery of Graphic Images:

The City of London adopted a graphic image delivery by-law on May 3, 2022. The cities of Burlington, St. Catharines, and Woodstock and the towns of Ingersoll and Blandford-Blenheim have adopted similar by-laws to that of London. The Alberta municipalities of Calgary, Airdrie, and Okotoks have also passed by-laws regulating the delivery of graphic images.

The Ontario by-laws state that the delivery of graphic images is being regulated for the protection of the health, safety, and well-being of persons. These by-laws define a “graphic image” as an image or photograph showing or purporting to show a fetus or any part of a fetus. Generally, these by-laws require that graphic images delivered to residences be fully concealed in a sealed envelope or package that is marked with the name and address of the person or organization responsible for the delivery and a warning that the envelope/package contains a graphic image that may be offensive or disturbing to some people.

Enforcing a graphic image delivery by-law would be challenging. If a graphic image is delivered anonymously, enforcement staff would be unable to prove who delivered the image, so issuing a charge would be unlikely.

In February, 2024 The Association of Reformed Political Action (ARPA) Canada initiated litigation against the City of St. Catharines’ graphic image delivery by-law. MES and Legal will monitor the progress of this legal challenge.

Due to enforcement challenges and the ongoing litigation against St. Catharines, MES does not recommend that Council adopt a graphic image delivery by-law at this time. MES recommends waiting on the outcome of the legal challenge before considering whether or not to adopt a by-law to regulate the delivery of graphic images.

Residents may also consider Canada Post's [Consumer Choice Program](#) to stop receiving unaddressed advertising mail delivered by Canada Post. Under this program, residents can place a note on their mailbox, community mailbox, group mailbox, or postal box, stating that they do not wish to receive unaddressed mail.

CONSIDERATIONS:

(A) PUBLIC

Consultation with the public and businesses began with public open house sessions on February 18, 2020. In addition to the public meetings, staff worked with the Oakville Chamber of Commerce to develop and distribute a questionnaire that provided greater clarity and provided more opportunity for stakeholder input. The results of the questionnaire are attached as Appendix E.

In November 2022 staff held virtual meetings with private parking enforcement companies that the town has appointed to provide parking enforcement on private property. Proposed licensing requirements were presented by MES and good feedback from the companies was received. MES also contacted existing payday loan businesses in November 2022 to advise that this class of business will be licensed under the new by-law, to provide details on licensing requirements and regulations and to provide an opportunity for the businesses to provide feedback. Staff did not receive any feedback from payday loan businesses.

Staff is recommending that the draft by-law be circulated to licensees and new business classes prior to being brought to Council for approval in Q4 2024.

(B) FINANCIAL

MES is working with Finance on a comprehensive review of licensing and administration fees based on a full cost recovery model. The final version of the licensing by-law will include administrative penalties, which will encourage compliance and assist with cost recovery.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Municipal Enforcement Services, Legal, Planning, Transportation and Engineering, Zoning, the Fire Department, the town's Special Events Team, the Oakville & Milton Humane Society and the Halton Health Department have been involved in the review process for this draft by-law.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priority/priorities: Growth Management and Accountable Government.

(E) CLIMATE CHANGE/ACTION

Enforcement Services considered environmental impacts with the development of licensing regulations.

APPENDICES:

Appendix A - Draft By-law 2024-XXX, a by-law to provide for the licensing and regulation of various businesses in the Town of Oakville and to repeal By-law 2015-075, By-law 2016-025, By-law 2016-083, By-law 2017-053, By-law 2018-005, By-law 2018-051, By-law 2019-061, By-law 2020-025, By-law 2020-128, and By-law 2021-028

Appendix B - List of Endorsements

Appendix C - Table of Changes

Appendix D – By-law 2024-101, a by-law to amend Licensing By-law 2015-075 with respect to Schedule 34 - Taxicabs

Appendix E - Staff report and appendices from January 31, 2022 Council meeting

Prepared by:

Karyn Bennett, Strategic Business Advisor

Recommended by:

Selena Campbell, Director - Municipal Enforcement Services

Submitted by:

Ralph Kaminski, Acting Commissioner – Community Development Commission



DRAFT

Appendix A

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2XXX-XXX

Appendix A Draft Licensing By-law.docx

WHEREAS pursuant to the provisions of Part IV of the *Municipal Act*, 2001, S.O. 2001, c. 25 (“Municipal Act”) the Council of the Corporation of the Town of Oakville may provide for a system of licences with respect to businesses;

WHEREAS pursuant to Section 11 of the Municipal Act, Council is exercising its authority with respect to business licensing in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

WHEREAS Section 436 of the Municipal Act authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a licence;

WHEREAS Sections 390 to 400 of the Municipal Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by it or on behalf of it;

WHEREAS pursuant to Section 434.1 of the Municipal Act, Council considers it desirable to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with this By-law;

WHEREAS Council has determined that additional flexibility under this By-law is warranted to better enable the Town to maintain services, meet legal requirements and assist local businesses in the event that the Province, Halton Region or the Town of Oakville declares an emergency pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9.

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COUNCIL ENACTS AS FOLLOWS:

1. Definitions

(1) In this By-law:

“**Accessible Washroom Facility**” means a fully equipped accessible washroom with a hand wash station, located within a building, onsite or on an abutting property with written consent from the property owner.

“**Administrative Penalties for Non-Parking Violations and Orders By-law**” means the Town’s Administrative Penalties for Non-Parking Violations and Orders By-law 2021-038 or successor by-laws.

“**Agent**” means a person duly appointed by the owner to act on their behalf.

“**Animal**” means all species of fauna excluding humans, fish and aquatic invertebrates.

“**Animal Control By-law**” means the Town’s Animal Control By-law 2018-006 or successor by-laws.

“**Animal Control Inspection**” means an inspection by an Officer who is responsible to see that the lands and premises within Oakville upon which an animal(s) is kept is maintained in a sanitary condition and in accordance with relevant legislation.

“**Appeals Committee**” means a Committee or Tribunal duly appointed by by-law to conduct hearings under this By-law.

“**Applicant**” means the person applying for a licence or renewal of a licence under this By-law and “application” has a corresponding meaning.

“Article of Incorporation” means documents related to an incorporated business pursuant to the *Business Corporations Act*, R.S.O. 1990 c. B.16, or the *Corporation Acts*, 1990 c. C.38.

“Building Code” means Ontario Regulation 332/12 under the Building Code Act, or successor regulations.

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23, or successor legislation.

“Business” means as defined in the *Municipal Act*.

“Business Improvement Area” means defined areas within Oakville where businesses contribute to enhancements within the area boundaries.

“Business Partner Information” means the full name, date of birth, email, telephone number and municipal address of each person identified as a business partner and having an interest in the business.

“Chief Building Official” means the Chief Building Official of the Town or designate.

“Chief of Police” means the Police Chief for the Halton Regional Police Service or designate.

“Corporation” means a body corporate incorporated pursuant to the *Business Corporations Act*, R.S.O.1990 c. B. 16, or the *Corporations Act*, R.S.O 1990, c. C. 38.

“Council” means the Council for The Corporation of the Town of Oakville.

“Criminal Code” means the *Criminal Code of Canada*, R.S.C. 1985, c. C-46 or successor legislation.

“Criminal Record Check” means a Canadian Criminal Record Check issued through an accredited Canadian Police Service.

“Criminal Record and Judicial Matters Check” means a Canadian Criminal Record and Judicial Matters Check issued through an accredited Canadian Police Service.

“Deemed to be Served” means service according to the *Administrative Penalties for Non-Parking Violations and Orders By-law*.

“Demerit Points” are gained by a person who has been convicted of breaking certain traffic laws.

“Description of Business” means the activities undertaken by the business including the making, buying, or selling of goods or the provision of services for money or other compensation.

“Disability” means as defined in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, Chapter. 11 or successor legislation and “person with a disability” and “persons with disabilities” has a similar meaning.

“Disturbance” means an event where an action has commenced with respect to nuisance, noise or other disturbance.

“DOLA” means the *Dog Owners’ Liability Act*, R.S.O. 1990, c. D.16 or successor legislation.

“Driver Record” means a three (3) year driving history issued by the Ministry of Transportation, no more than thirty (30) days old at the time of licence application or renewal.

“Dwelling Unit” means a place of residence with one or more habitable rooms containing separate kitchen and bathroom facilities for private use as a single housekeeping unit.

“E-substance” means a substance that is manufactured or sold to be used in an electronic cigarette.

“Electronic Cigarette” means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine.

“Employee List” means a list of persons under the company’s employ who will be tasked with carrying out the business of the company, which includes full name, and home address.

“Enclosure” means the area where an animal is kept or housed and includes, but is not limited to, cages, tanks or containers.

“Endorsement” means the additional consent provided to a licensee under this By-law to carry on a related business activity which would otherwise require a licence under this By-law.

“**Fee**” means as set out in the Town’s rates and fees schedule, which is not pro-rated and is non-refundable **and non-transferable**.

“**Fence**” means a protective, enclosing or visual barrier of posts, wire, boards, rails, pickets, pilings, wood, metal, fibreglass, plastics, masonry, or similar materials or any combination thereof, and includes a wall or partition that is not an integral part of a building, but does not include a trellis or arbour.

“**Fire Chief**” means the Fire Chief of the Town or designate.

“**Fire Code**” means Ontario Regulation 213/07 under the Fire Protection and Prevention Act or successor regulations.

“**Fire Inspection**” means an inspection conducted by a person qualified to inspect premises for compliance with the Fire Protection and Prevention Act and employed by the Town of Oakville Fire Department and may include a checklist completed by an applicant regarding fire safety, which is reviewed by the Town’s Fire Prevention staff.

“**Fire Protection and Prevention Act**” means the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4 or successor legislation.

“**Governmental Authority**” means the Government of Canada or the Province of Ontario or any public board or commission established by either one, or Halton Region or the Town and includes a hospital as defined in the *Public Hospitals Act*, R.S.O. 1990, c. P.40, or successor legislation.

“**Guide Dog**” means as defined in the *Blind Persons’ Rights Act*, R.S.O. 1990, c. B.7 or successor legislation.

“**Halton Region**” means the Regional Municipality of Halton.

“**Health Department**” means the Halton Region Health Department.

“**Health Department Approval**” means **the most recent** written confirmation from the Medical Officer of Health that the business and activities within the business comply with the standards established, and includes, **but is not limited to**, a Check List Inspection Report, a **Personal Services Setting Inspection Report**, a **Food Premise Summary Report (Short Form)** and a **Food Premise Inspection Report (Long Form)**, as may be required by the Licensing Commissioner or an Officer.

“**Health Protection and Promotion Act**” means the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7 or successor legislation.

“Hearing Officer” means a Hearing Officer appointed pursuant to Screening and Hearing Officer By-law 2015-091, as amended, or successor by-laws.

“Highway” means as defined in the Highway Traffic Act and includes a roadway.

“Highway Traffic Act” means the *Highway Traffic Act*, R.S.O. 1990, c. H.8 or successor legislation.

“Holidays” means as defined in the *Legislation Act, 2006*, S.O. 2006, c. 21, Sched. F or successor legislation.

“HVAC Inspection Certificate” means documentary proof that an HVAC contractor licensed by the Town has conducted a comprehensive review of all aspects of heating, ventilating and air conditioning units, that is no more than ninety (90) days old at the time of licence application or renewal.

“Illuminated Sign” means any sign illuminated by incandescent lighting, fluorescent lighting or the like.

“Licence” means the document issued under this By-law as proof of licensing under this By-law and includes any applicable endorsements issued under the Schedules to this By-law.

“Licence Sticker” means the stamp or seal issued to a licensee under this By-law.

“Licensed” means licensed under this By-law.

“Licensee” means a person who has been issued a valid licence and maintains the licence pursuant to the terms of this By-law.

“Licensing Commissioner” means the Director of Municipal Enforcement Services for the Town or designate.

“Licensing Thresholds” means thresholds for licensing, established by the Licensing Commissioner, based on health and safety and consumer protection, that are intended to identify those applicants and licensees who have been convicted of offences set out in the Schedules to this By-law that are incompatible with their type of business.

“Litter” means as defined in the Town’s Litter By-law 2011-045 or successor by-laws.

“Lot Maintenance By-law” means the Town’s Lot Maintenance By-law 2023-075 or successor by-laws.

“Medical Officer of Health” means the Medical Officer of Health for Halton Region or designate.

“Motor Vehicle” means as defined in the Highway Traffic Act, unless otherwise indicated in this By-law and “vehicle” has a similar meaning.

“Municipal Plate” means the number plate issued by the Town to a licensee.

“Municipal Right-of-Way” means as defined in the Town’s Municipal Right-of-Way By-law 2009-072 or successor legislation.

“Non-Profit Organization” means associations, clubs or societies that are not charities and are organized and operated exclusively for social welfare, civic improvement or any other purpose except profit.

“Noise By-law” means the Town’s Noise By-law 2008-098 or successor by-laws.

“Nuisance” means any unreasonable sound, activity or action, whether intentional or negligent in origin which is likely to disturb any person.

“Officer” means any person authorized by the Town to enforce by-laws and includes Municipal Law Enforcement Officers, Provincial Offences Officers, Fire Prevention Officers, Animal Control Officers and Halton Regional Police Service Officers.

“Ontario Driver’s Licence” means the driver’s licence issued to a person under the Highway Traffic Act.

“Operator” includes a proprietor, or any other person who alone or with others, operates, manages, supervises, runs or controls a business, and “operate”, “operation” and other words of like import or intent shall be given a corresponding meaning.

“Outbreak” means the occurrence of disease cases in excess of normal expectancy.

“Owner” with respect to a business means a person who alone or with others owns, has the ultimate control over or directs the operation of a business.

“Parking Enforcement” means the activity of enforcing Town parking by-laws and regulations.

“Parking Management Plan” means a clear and legible drawing depicting the size and location of all parking spaces intended to be used for parking on the premises.

“Partnership” means an association of two (2) or more persons to carry on a business or other activity as co-owners.

“PAWS” means the *Provincial Animal Welfare Services Act 2019, S.O. 2019, c. 13* or successor legislation.

“Penalty Notice” means a notice issued pursuant to the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.

“Person” means an individual, firm, corporation, company, sole proprietorship, association or partnership.

“Premises” means any place, premises or location, or part thereof, in which a trade, business or occupation is carried on and “premise” has a similar meaning.

“Prohibited Animal” means an animal that is prohibited to be kept, either on a temporary or permanent basis, in accordance with the Animal Control By-law.

“Proof of Qualifications” means documentation indicating that a person who undertakes or is engaged in the pursuance of a business is duly qualified, licensed, certified or registered so to do under the laws of the Province of Ontario and/or *Skilled Trades Ontario*. This also includes a valid Ontario driver’s licence that is in good standing, and an Ontario driver record.

“Propane Inspection” means an inspection conducted by a qualified person on the safe handling of propane and propane-powered equipment and who satisfies federal and provincial training requirements attesting to the satisfactory and legal operating condition of all components of a propane system contained within the premise or vehicle being licensed.

“Property Standards By-law” means the Town’s Property Standards By-law 2023-074 or successor by-laws.

“Rates and Fees Schedule” means the Town’s current rates and fees schedule approved by Council as part of the annual budget approval process.

“Registered Charity” means:

- (a) a charitable organization, private foundation or public foundation, within the meanings assigned by subsection 149.1(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp), that is resident in Canada and was either created or established in Canada; or,
- (b) a branch, section, parish, congregation or other division of an organization or foundation described in paragraph (a), that is resident in Canada and was either created or established in Canada and that receives donations on its own behalf; that is at that time registered as a charitable organization, private foundation or public foundation.

“Regulated Health Professionals Act” means the *Regulated Health Professionals Act, 1991*, S.O. 1991, c. 18 or successor legislation.

“Religious Institution” means an association of persons that is registered as a charity under the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), or successor legislation, and is organized for the advancement of religion and for the conduct of religious worship, services or rites.

“Safety Standards Certificate” means a Safety Standards Certificate, issued by an inspection station licensed by the Ontario Ministry of Transportation, confirming that a motor vehicle meets the Province’s inspection standards. The Safety Standards Certificate must be valid at the time of application for a licence or at licence renewal.

“Self-Declaration of Animal Offences” means a document that lists any convictions registered against the applicant or licensee or the applicant or licensee’s company for animal abuse or neglect.

“Service Animal” means as defined in PAWS.

“Sign” means as defined in the Sign By-law.

“Sign By-law” means the Town’s Sign By-law 2018-153 or successor by-laws.

“Smoke Free Ontario Act” means the *Smoke Free Ontario Act, 2017*, S.O. 2017, c. 26, Sched. 3 or successor legislation;

“Sole Proprietorship” means a form of business in which only one person has the sole control, and/or power over the business, and/or sole ownership over the assets of the business, and the only person to receive the profits of the business.

“Special Event” includes, but is not limited to, a community event such as an outdoor festival, exhibition, or tournament or a private function where food and/or beverages are provided for sale for no longer than three (3) consecutive days.

“Specialty Tobacco Products” includes tobacco products and tobacco product accessories, but does not include cigarettes within the meaning of the *Tobacco Tax Act*, R.S.O. 1990, c. T.10 or successor legislation.

“Tobacco Product” means any product that contains tobacco, and includes the package in which tobacco is sold.

“Tobacco Product Accessories” means a product that may be used in the consumption of a tobacco product, including, but not limited to, a humidor, pipe, cigarette holder, cigar clip, lighter and matches.

“Town” means The Corporation of the Town of Oakville or the geographic area of the Town of Oakville, as the context requires.

“Vapour Products” means an electronic cigarette, an e-substance, or any component of an electronic cigarette and includes the package in which the electronic cigarette, e-substance or component is sold.

“Vehicle Ownership” means the Motor Vehicle Owner’s Certificate, issued pursuant to the Highway Traffic Act.

“Veterinarian” means a person registered and entitled to practice veterinary science under the *Veterinarians Act*, R.S.O. 1990, c. V.3 or successor legislation.

“Veterinary Clinic” means a premise used by a veterinarian or group of veterinarians for the diagnosis, examination, and treatment of animals and includes the overnight care of animals supervised by a veterinarian.

“Zoning By-law” means the Town’s Zoning By-law 2014-014 or 2009-189 or successor by-laws, as the context requires.

“Zoning Occupancy Certificate” means a Zoning Occupancy Certificate issued by the Town’s Building Services Department demonstrating compliance with all permissions and regulations of the applicable Zoning By-law.

2. Business Licence Required

- (1) The following businesses require a valid licence issued by the Licensing Commissioner under this By-law in order to operate in Oakville:

Type of Business	Licence Renewal Date	Schedule #
Adult Entertainment Establishment - Owner / Operator / Attendant	31-July	2
Adult Entertainment Video Store - Class A, B	31-July	3
Animals for Entertainment	31-January	4
Arborist Consulting Company, Arboriculture Company, Tree Company	30-April	5
Attractions	Per event Multi-event	6
Auctioneer, Auction House	31-January	7
Billiard Hall	31-January	8
Body-Rub Establishment - Owner/Operator/Attendant	31-July	9
Commercial Parking Lot	31-July	10
Contractors (Building Renovator, Servicing & Road Cut Contractor, HVAC Contractor, Landscaping Contractor, Lawn Care Contractor, Plumbing Contractor, Pool Installation Contractor)	30-April	11
Donation Box Operator	31-October	12
Driving Instructor/Driving Instruction Vehicle Owner	31-December	13
Dry Cleaner/ Laundromat	31-August	14
Fireworks Vendor	31-March	15
Food Shop/Restaurant & Food Shop/ Convenience Special Event Food Shop	31-January Per event	16
Kennel	30-April	17
Limousine - Owner/Driver	31-August	18
Lodging House Keeper	31-August	19
Mobile Sign Lessor	30-November	20
Motor Vehicle Facility & Mobile Motor Vehicle Service	31-August	21
Nightclub	31-January	22
Payday Loan Establishment	31 October	23
Personal Services Establishment & Mobile Personal Service	31-August	24
Pet Shop	30-April	25
Private Parking Enforcement Company & Private Parking Enforcement Officer	31-March	26
Public Hall	31-January	27
Refreshment Vehicle – Owner – Class A, B, C Special Event Refreshment Vehicle	31-May Per event	28
Salvage Yard	31-January	29
Second Hand Goods Shop	31-January	30
Taxicab - Owner / Broker / Driver	31-July	31

Type of Business	Licence Renewal Date	Schedule #
Temporary Vendor (Day Sales, Special Sale, Transient Merchant)	Per event	32
Tobacco Retailer	31-January	33
Transportation Network Company	1-February	34
Vape Shop	31-January	35

- (2) For the purpose of this By-law a business shall be deemed to be carried on within the Town if any part of the business is carried on in Oakville, even if the business is being run from a location outside of the Town.
- (3) Unless otherwise provided for in this By-law:
 - (a) every person who operates more than one (1) business or other activity requiring a licence shall obtain a separate licence for each such business or other activity, or shall obtain an endorsement in accordance with Section 11 of this By-law, if available; and
 - (b) every person who engages in or operates a business or other activity at more than one (1) location, place of business, branch, store, or other premises requiring a license under this By-law shall obtain a separate licence for each location, place, branch, store or other premises.
- (4) Business licences, endorsements and fees are not transferrable if a business changes ownership. For clarity, the new owner must apply for and obtain any necessary business licence or endorsement and pay any fees as set out in the rates and fees schedule.

3. Interpretation

- (1) This By-law is a designated by-law under the Administrative Penalties for Non-Parking Violations and Orders By-law.
- (2) The table of contents and section headings used in this By-law and its Schedules are for convenient reference only and do not form part of this By-law.
- (3) All Schedules and Appendices attached to this By-law shall form part of this By-law.
- (4) The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are

intended to be representative examples and not intended to be an exhaustive list.

- (5) In the event of a conflict between any of the general provisions of this By-law and any provisions of its Schedules, the provisions of the Schedules shall prevail.

4. Prohibitions

- (1) No person shall carry on a business, permit a person to carry on a business, or hold themselves out as being licensed to carry on a business **set out in subsection 2(1) of this By-law:**
- (a) without a licence to do so;
 - (b) at a location other than for which a licence is issued under this By-law;
 - (c) under any name other than the name on the licence issued under this By-law;
 - (d) except in accordance with the regulations set out in this By-law, including any applicable Schedules and Appendices; or
 - (e) **while their licence issued under this By-law is under suspension or has been revoked by the Licensing Commissioner.**
- (2) No person shall:
- (a) provide false, mistaken, misleading or incorrect information or documents when applying for a licence or licence renewal, or when required to provide any information or documents under this By-law;
 - (b) hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection;
 - (c) enjoy a vested right in the continuance of a licence issued under this By-law and upon the issue, renewal, transfer, cancellation or suspension thereof, the licence shall be the property of the Town;
 - (d) **alter, erase or modify or permit such alteration, erasure or modification of a licence issued under this By-law or part thereof unless approved by the Licensing Commissioner;**

- (e) transfer or assign a licence issued under this By-law to any other person or to any other location than the licensed premises except as specifically provided for within the Schedules to this By-law;
- (f) fail to comply with relevant Town by-laws, Provincial and/or Federal legislation; or
- (g) fail to provide an updated public liability insurance certificate and/or an updated vehicle insurance certificate upon the lapsing of the certificate provided to the Licensing Commissioner.

5. Administration

- (1) The Licensing Commissioner is authorized to generally perform all of the administrative functions conferred upon them by this By-law, and without limitation may:
 - (a) receive and process all complete applications for all licences and licence renewals under this By-law;
 - (b) request that the licensee or applicant produce the original of any documents that may be required under this By-law or its Schedules;
 - (c) issue licences and licence renewals to persons who meet the requirements of this By-law;
 - (d) impose terms and conditions in accordance with Section 9 of this By-law;
 - (e) refuse to issue or renew a licence or revoke or suspend a licence in accordance with Section 12 or 13 of this By-law or with its Schedules; and
 - (f) impose additional fees as set out in the rates and fees schedule as provided for in this By-law or its Schedules.

6. Application for a Licence and Licence Renewal

- (1) A complete application for a licence or for renewal of a licence shall be submitted to the Licensing Commissioner a minimum of ten (10) business days from the date the licence is required, unless otherwise specified by the Licensing Commissioner, and shall be accompanied by:

- (a) the requirements prescribed in the Schedules to this By-law or included on the licence application or renewal;
 - (b) any other information that the Licensing Commissioner may request from time-to-time; and
 - (c) the licensing fee and any endorsement fee, if applicable, set out in the rates and fees schedule.
- (2) The Licensing Commissioner will not issue a licence or renew a licence unless they are satisfied that the applicant is of the full age of eighteen (18) years. Applicants may be required to confirm that they are eighteen (18) years of age, in a form provided by the Licensing Commissioner.
- (3) The Licensing Commissioner will not accept an application for a licence or renewal of a licence unless it has been filled out in total, contains correct information, is accompanied by the fee(s) as set out in the rates and fees schedule and all documents required by this By-law, its Schedules or by the Licensing Commissioner.
- (4) The Licensing Commissioner may, for initial applications for licences and for renewal applications, on a case-by-case basis, waive any documentary requirements not related to public safety or consumer protection.
- (5) The Licensing Commissioner may accept a variation or alternative to one or more of the licensing application requirements where the Licensing Commissioner is of the opinion that such variation or alternative provides substantially the same information and is necessary for purposes of administering this By-law.
- (6) Every application may be subject to investigations by and comments or recommendations from municipal or provincial departments or agencies as the Licensing Commissioner deems necessary, including but not limited to:
- (a) the Chief Building Official;
 - (b) the Fire Chief;
 - (c) the Chief of Police;
 - (d) the Medical Officer of Health; or
 - (e) the Oakville & Milton Humane Society.

- (7) If a person fails to renew their licence within six (6) months of the renewal date, the person shall no longer be entitled to renew the licence and shall be required to apply for a new licence under this By-law.
- (8) Receipt of the licence application, request for renewal or submission of the licensing or renewal fee shall not constitute approval of the application for or renewal of a licence, nor shall it obligate the Town to issue or renew any such licence.

7. Public Liability Insurance

- (1) Where required by the Schedules to this By-law, every applicant or licensee shall carry current and valid public liability insurance throughout the term of their licence in an amount not less than five million dollars (\$5,000,000).
- (2) At the time of licence application or renewal, the applicant shall submit a copy of a certificate of public liability insurance in accordance with subsection 7(1) of this By-law to the Licensing Commissioner, where required by the Schedules to this By-law.
- (3) The Town and its address must appear on the certificate referred to in subsection 7(2) of this By-law as an “Additional Insured” in order to provide the Town at least thirty (30) days’ notice in writing prior to cancellation, expiration or change of policy.
- (4) If an insurance policy is renewed during the licensing period, the licensee shall immediately provide the Licensing Commissioner with a copy of the new insurance certificate. If the licensee fails to provide the Licensing Commissioner with a copy of the updated insurance certificate, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.
- (5) Despite subsection 7(2) of this By-law, a licensee shall provide proof of current and valid insurance at any time when requested to do so by the Licensing Commissioner or an Officer.

8. Issuance of a Licence or Licence Renewal

- (1) When an application for a licence or renewal of a licence is made in accordance with the provisions of this By-law and the applicant meets all of the requirements of this By-law, including any requirements that may be requested by the Licensing Commissioner, the Licensing Commissioner shall issue the licence or renew the licence.

- (2) Licences issued or **renewed** under this By-law are conditional on the licensee's compliance with:
- (a) this By-law;
 - (b) other Town by-laws, including, but not limited to, the applicable Zoning By-law, the Property Standards By-law, **the Lot Maintenance By-law, the Sign By-law and the Noise By-law;** and
 - (c) **any relevant** Provincial and/or Federal legislation.

9. Licence Terms and Conditions

- (1) **Despite any other provisions of this By-law, the Licensing Commissioner may:**
- (a) **impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;**
 - (b) **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;**
 - (c) **impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; or**
 - (d) **license, regulate or govern real and personal property used for the business and the persons carrying on or engaged in the business.**

10. Term of Licence

- (1) A licence issued under the provisions of this By-law shall expire on the renewal date set out in the Schedules to this By-law unless it is renewed or revoked in accordance with the provisions of this By-law.
- (2) **Despite subsection 10(1) of this By-law, a licence that is issued per event is valid for the time period stated on the licence, unless it is extended or revoked in accordance with the provisions of this By-law.**
- (3) **If a person fails to renew their licence by the expiry date, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.**

11. Endorsements

- (1) The following licensees may apply for an endorsement to perform the following additional business activities by providing the Licensing Commissioner with notice, in a form provided by the Licensing Commissioner, of the licensee’s intent to perform such additional business activities:

Licensee - Primary Business		Endorsement - Additional Business Activity	
Schedule 5	Arboriculture Company	Schedule 11 Schedule 11	Landscaping Contractor Lawn Care Contractor
Schedule 5	Tree Company	Schedule 11 Schedule 11	Landscaping Contractor Lawn Care Contractor
Schedule 6	Attractions	Schedule 4	Animals for Entertainment
Schedule 8	Billiard Hall	Schedule 16	Food Shop/Restaurant
Schedule 11	Building Renovator	Schedule 11 Schedule 11 Schedule 11 Schedule 11	Servicing and Road Cut Contractor HVAC Contractor Landscaping Contractor Plumbing Contractor
Schedule 11	HVAC Contractor	Schedule 11	Plumbing Contractor
Schedule 11	Landscaping Contractor	Schedule 5 Schedule 5 Schedule 11 Schedule 11	Arboriculture Company Tree Company Servicing and Road Cut Contractor Pool Installation Contractor
Schedule 11	Pool Installation Contractor	Schedule 5 Schedule 5 Schedule 11 Schedule 11	Arboriculture Company Tree Company Servicing and Road Cut Contractor Landscaping Contractor
Schedule 11	Plumbing Contractor	Schedule 11 Schedule 11	HVAC Contractor Servicing and Road Cut Contractor
Schedule 16	Food Shop/Restaurant	Schedule 8 Schedule 22 Schedule 28 Schedule 28 Schedule 28	Billiard Hall Nightclub Refreshment Vehicle – Class A Refreshment Vehicle – Class B Refreshment Vehicle – Class C
Schedule 16	Food Shop/Convenience	Schedule 15 Schedule 33 Schedule 35	Fireworks Vendor Tobacco Retailer Vape Shop
	Motor Vehicle	Schedule 16	Food Shop/Convenience

Licensee - Primary Business		Endorsement - Additional Business Activity	
Schedule 21	Facility - Motor Vehicle Service Station	Schedule 16 Schedule 33 Schedule 35	Food Shop/Restaurant Tobacco Retailer Vape Shop
Schedule 23	Nightclub	Schedule 16	Food Shop/Restaurant
Schedule 27	Public Hall	Schedule 16	Food Shop/Restaurant
Schedule 33	Tobacco Retailer	Schedule 35	Vape Shop
Schedule 35	Vape Shop	Schedule 33	Tobacco Retailer

- (2) Any licensee who intends to begin an additional business activity pursuant to subsection 11(1) of this By-law during the term of the licence for their primary business shall:
 - (a) apply for and obtain an endorsement in accordance with subsection 11(1) of this By-law prior to commencing such additional business activity;
 - (b) provide the Licensing Commissioner with all information required by the relevant Schedule for the additional business activity at the time of application for an endorsement;
 - (c) comply with all pertinent provisions of this By-law and its Schedules with respect to the additional business activity; and
 - (d) pay the endorsement fee as set out in the rates and fees schedule.
- (3) Despite subsection 11(2)(b) and 11(7) of this By-law, an applicant for an endorsement or renewal of an endorsement is not required to provide an additional Zoning Occupancy Certificate or an additional public liability insurance certificate if said certificates have been provided to the Licensing Commissioner at the time of licensing of the primary business, unless directed to do so by the Licensing Commissioner.
- (4) An endorsement for an additional business activity obtained in accordance with Section 11 of this By-law shall expire on the renewal date of the primary business licence as set out in subsection 2(1) of this By-law and the Schedules to this By-law.
- (5) A licensee must renew their endorsement for each additional business activity annually, on the renewal date of the primary business licence.
- (6) In order to renew an endorsement, the licensee shall provide the Licensing Commissioner with all information required by the relevant Schedule for the

additional business activity, subject to subsection 11(3) of this By-law, and any endorsement fee set out in the rates and fees schedule.

- (7) Should a licence for a primary business fail to be renewed by the licensee or fail to be renewed by the Licensing Commissioner pursuant to Section 12 of this By-law or its Schedules, any additional business activities endorsed on that licence shall cease until such time as the licence for the primary business and the additional business activities have been renewed.
- (8) Should a licence for a primary business be revoked or suspended pursuant to Section 13 of this By-law or its Schedules, any additional business activities endorsed on that licence may continue to operate for the remainder of the licensing term for the primary business, unless otherwise directed by the Licensing Commissioner.
- (9) Should an endorsement for an additional business activity be revoked or suspended pursuant to Section 13 of this By-law or its Schedules, the primary business activity or any additional endorsements may continue to operate for the remainder of the licensing term for the primary business, unless otherwise directed by the Licensing Commissioner.
- (10) Sub-contractors retained by a primary business licensee are prohibited from obtaining endorsements and must obtain their own licence under this By-law.
- (11) Despite subsection 19(2)(f) of this By-law, a licensee who ceases operation of an additional business activity for which they have received an endorsement shall inform the Licensing Commissioner in writing by email or by registered mail within five (5) business days of the said cease of operations.
- (12) Where a licensee ceases operation of an additional business activity during the term of the endorsement, the licensee is not entitled to any refund of the endorsement fee or any other fee.
- (13) Receipt of an application for an endorsement, request for renewal of an endorsement or submission of the endorsement or renewal fee shall not constitute approval of the application for or renewal of an endorsement, nor shall it obligate the Town to issue or renew any such endorsement.

12. Grounds for Refusal to Issue or Renew a Licence

- (1) Despite Section 8 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence if they have reasonable grounds to believe any one (1) or more of the following:

- (a) the conduct of an applicant affords reasonable grounds for belief that the applicant has not carried on, or will not carry on the business in accordance with the law or with integrity and honesty;
- (b) the applicant does not meet or ceases to meet the licensing criteria specified in this By-law or its Schedules;
- (c) the licensee has failed to provide an updated public liability insurance certificate to the Licensing Commissioner in accordance with subsection 7(4) of this By-law;
- (d) the licensee has failed to provide an updated certificate of vehicle insurance to the Licensing Commissioner in accordance with this By-law or its Schedules;
- (e) the applicant has failed to comply with this By-law, other Town by-laws, including, but not limited to, the applicable Zoning By-law, the Property Standards By-law, the Lot Maintenance By-law, the Sign By-law and the Noise By-law or with any relevant Provincial and/or Federal legislation;
- (f) the applicant does not provide the information required for a licence or renewal of a licence under this By-law or its Schedules;
- (g) there are reasonable grounds to believe that the information provided on the application or other documents provided to the Licensing Commissioner contain a false statement or false, mistaken, misleading or incorrect information;
- (h) there are reasonable grounds for belief that the carrying on of the business is or may be adverse to the public interest;
- (i) the applicant is carrying on activities that are or will be, if the applicant is licensed, in contravention of this By-law;
- (j) the applicant has been found to have discriminated against a member of the public contrary to The Human Rights Code;
- (k) the applicant has overdue fines, fees, penalties, judgments, outstanding property taxes, by-law fines, or any other amounts owing, including an administrative penalty or order fees, unless the applicant provides proof that such fines or amounts owing have been subsequently paid;

- (l) the applicant's premises or place of business is the subject of an outstanding order made pursuant to the Property Standards By-law, Lot Maintenance By-law, Building Code Act, Fire Protection and Prevention Act, or by the Medical Officer of Health, or where the place of business is not in compliance with the Zoning By-law;
- (m) the applicant fails to successfully complete any testing, training, educational or awareness program required by the Licensing Commissioner;
- (n) the applicant has not complied with a prohibition or other Court Order made upon conviction; or
- (o) any additional grounds for refusal to issue or renew a licence set out in the Schedules to this By-law.

13. Grounds for Suspension or Revocation of a Licence

- (1) The Licensing Commissioner may revoke a licence if the licence was issued in error.
- (2) The Licensing Commissioner may revoke or suspend a licence:
 - (a) for any one (1) or more of the grounds listed in subsections 12(1)(a) through 12(1)(o) of this By-law; or
 - (b) for any of the additional grounds for licence revocation or suspension set out in the Schedules to this By-law.
- (3) If the Licensing Commissioner is satisfied that the continuation of the licence poses an immediate danger to the health or safety of any person, property or animal, the Licensing Commissioner may, for the time and such conditions as are considered appropriate and without a hearing, suspend a licence for not more than fourteen (14) days and, prior to suspending the licence, shall provide the licensee with the reasons for the suspension, either orally or in writing, with an opportunity to respond to them.
- (4) Where a licence is revoked or suspended under this By-law or any of its Schedules, the licensee is not entitled to any refund of the licensing fee or any other fee.

14. Notice of Refusal to Issue or Renew a Licence or of Licence Suspension or Revocation

- (1) After a decision is made by the Licensing Commissioner to refuse to issue or renew a licence, **to impose terms or conditions** on a licence or to revoke or suspend a licence, the Licensing Commissioner shall provide written notice to the applicant or licensee, which notice shall:
 - (a) set out the grounds for the decision with reasonable particulars; and
 - (b) if subsection 17(5) of this By-law does not apply; **advise that the applicant or licensee is entitled to appeal the Licensing Commissioner's decision to the Appeals Committee; or**
 - (c) **if subsection 17(5) of the By-law does apply; advise that the applicant or licensee is not entitled to appeal the Licensing Commissioner's decision to the Appeals Committee.**

15. Cease Operation of Business

- (1) **Should the Licensing Commissioner fail to renew a licence or suspend or revoke a licence for any of the grounds provided for in section 12 or section 13 of this By-law and subsection 17(5) of this By-law does not apply, the licensee may appeal the Licensing Commissioner's decision to the Appeals Committee. The suspension or revocation of the licence shall be deferred until the decision of the Appeals Committee is rendered, and the licence shall not be renewed, if required, until the decision of the Appeals Committee is rendered.**
- (2) **Should a licensee not appeal the Licensing Commissioner's decision to not renew their licence or to suspend or revoke their licence, the licensee shall cease operation of their business once the deadline for requesting an appeal set out in subsection 17(3) of this By-law has expired.**
- (3) **If subsection 17(5) of this By-law applies and the licensee is not permitted to appeal the Licensing Commissioner's decision to not renew the licence or to suspend or revoke the licence, the licensee shall cease operation of their business:**
 - (a) **upon the expiration of their current licence if the Licensing Commissioner fails to renew the licence; or**
 - (b) **immediately upon the revocation or suspension of their licence by the Licensing Commissioner.**

16. Return of Licence

- (1) Where a licence has been revoked or suspended or has not been renewed, the licensee shall return the municipal plate and attached sticker to the Licensing Commissioner **within five (5) business days of the date the written notice required by subsection 14(1) of this By-law is deemed to be served.**
- (2) **Despite subsection 16(1) of this By-law, where a licensee has appealed the Licensing Commissioner's decision to revoke, suspend or not renew a licence, the licensee shall return the municipal plate and attached sticker to the Licensing Commissioner within five (5) business days of the decision of the Appeals Committee, if required.**
- (3) Where a licence has been revoked or suspended or has not been renewed, **or where the Appeals Committee revokes, suspends or fails to renew a licence,** the Licensing Commissioner or an Officer may enter upon the business premises or a licensee's motor vehicle for the purpose of receiving, taking or removing the municipal plate **and attached sticker.**
- (4) The licensee shall in no way obstruct or prevent the Licensing Commissioner or an Officer from receiving or taking the municipal plate and attached sticker.

17. Appeal to the Appeals Committee

- (1) **Licensees,** applicants or persons may appeal the Licensing Commissioner's decision to refuse to issue or renew a licence, **to impose terms or conditions** on a licence, or to revoke or suspend a licence to the Appeals Committee.
- (2) **In order to appeal the Licensing Commissioner's decision to not renew a licence, the licensee must submit an application to renew their licence.**
- (3) A request for an appeal shall be made in writing to the **Town Clerk** setting out the reasons for the appeal within seven (7) **business** days of the date the written notice required by subsection 14(1) of this By-law is deemed to be served. **The request for an appeal shall also include the appeal fee as set out in the rates and fees schedule.**
- (4) Where no request for an appeal is received in accordance with subsection 17(3) of this By-law, the decision of the Licensing Commissioner shall be **final and binding.**
- (5) **Despite subsection 17(1) of this By-law, appeals are not permitted for:**
 - (a) **any matters that have already been heard by the Appeals Committee;**

- (b) any matters that are pending before a Hearing Officer;
- (c) the refusal of the Licensing Commissioner to receive an incomplete application for a licence or for renewal of a licence;
- (d) the automatic suspension of a licence issued under Schedule 13 – Driving Instructor and Driving Instruction Vehicle Owner of this By-law upon:
 - (i) the cancellation, suspension or revocation of a driving instructor’s Ontario driver’s licence or where such driver’s licence has expired or becomes invalid for any reason;
 - (ii) the cancellation, suspension or revocation of the driving instructor’s Provincial driving instructor licence or where such licence has expired or becomes invalid for any reason; or
 - (iii) the driving instructor vehicle owner’s failure to have a current and valid Ontario standard vehicle insurance certificate;
- (e) the automatic suspension of a licence issued under Schedule 18 – Limousine Owner/Driver of this By-law upon:
 - (i) the cancellation, suspension or revocation of a limousine driver’s Ontario driver’s licence or where such driver’s licence has expired or becomes invalid for any reason; or
 - (ii) the limousine owner’s failure to have a current and valid Ontario standard vehicle insurance certificate;
- (f) the suspension or revocation of a licence issued under Schedule 23 - Payday Loan Establishment of this By-law upon the suspension or revocation of the licence(s) issued under the Payday Loans Act, or if said licence(s) under the Payday Loans Act cease to be valid or expires;
- (g) the automatic suspension of a licence issued under Schedule 28 – Refreshment Vehicle/Special Event Refreshment Vehicle upon:
 - (i) the Refreshment Vehicle Class A or Special Event Refreshment Vehicle licensee’s failure to have a current and valid Ontario standard vehicle insurance certificate; or

- (ii) the Refreshment Vehicle Class A, Refreshment Vehicle Class B or, where applicable, a Special Event Refreshment Vehicle licensee's failure to provide a valid exhaust/suppression system inspection report to the Fire Chief when requested to do so.
 - (h) the automatic suspension of a licence issued under Schedule 31 – Taxicab Owner/Broker/Driver of this By-law upon:
 - (i) the cancellation, suspension or revocation of a taxicab driver's Ontario driver's licence or where such driver's licence expires or becomes invalid for any reason; or
 - (ii) the taxicab owner's failure to have a current and valid Ontario standard vehicle insurance certificate;
 - (i) the suspension of a licence issued under Schedule 33 – Tobacco Retailer of this By-law upon the issuance of an Automatic Prohibition against the premises as set out in Schedule 33.
- (6) Where a request for an appeal is received, a hearing of the Appeals Committee shall be convened and the applicant, licensee or person shall be provided reasonable written notice thereof.
- (7) After such opportunity to be heard is afforded to the applicant, licensee or person, the Appeals Committee may decide in respect of which the hearing was held or the opportunity to be heard was afforded.
- (8) The Appeals Committee may consider:
 - (a) any matter pertaining to the requirements of:
 - (i) Sections 2, 6, 7, 8, 9, 11, 12, 13, 18, 21 or 26 of this By-law;
 - (ii) the Schedules to this By-law; or
 - (b) any other matter that relates to the general welfare, health or safety of the public.
- (9) The Appeals Committee may refuse to issue or renew a licence, revoke, suspend, or impose any conditions upon a licence.
- (10) The Appeals Committee's decision is final and not subject to review.

- (11) Where the Appeals Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 shall apply.

18. Criminal Record Checks and Criminal Record and Judicial Matters Checks

- (1) Criminal record checks or criminal record and judicial matters checks required by the Schedules to this By-law shall be no more than ninety (90) days old at the time of licence application or renewal.
- (2) Despite subsection 18(1) of this By-law, a licensee shall provide the Licensing Commissioner with a criminal record check, or a criminal record and judicial matters check at any time during the term of the licence, upon request.
- (3) At the time of licence application or renewal, the applicant shall provide the Licensing Commissioner with a copy of a criminal record check, or a criminal record and judicial matters check for an officer or director of the corporation or for each partner of the partnership, upon request.
- (4) Should the applicant or any officer or director of the corporation or any partner of the partnership not reside in Ontario, the Licensing Commissioner shall determine if any convictions listed on a criminal record check or criminal record and judicial matters check from a jurisdiction outside of Ontario are equivalent to those offences contained in Schedule 1 to this By-law.

19. General Regulations

- (1) Every licensee or person shall be responsible for:
- (a) the due performance and observance of all the provisions of this By-law by the licensee or person and by their employees while engaged in the business, including any endorsements as set out in Section 11 of this By-law; and
 - (b) the conduct of patrons and all other persons in or upon the premises where the business is carried out.
- (2) Every licensee or person shall:
- (a) comply with any and all conditions, including special conditions, placed on the licence;

- (b) with respect to premises, display the valid licence in a conspicuous place in or on the said premise;
 - (c) with respect to a motor vehicle, firmly affix the valid municipal plate and attached sticker to the exterior rear of the vehicle in a conspicuous place;
 - (d) immediately produce their valid licence for inspection by the Licensing Commissioner, an Officer, or other person(s) authorized to enforce this By-law;
 - (e) comply with the regulations contained in any applicable Schedule or Appendices; and
 - (f) notify the Licensing Commissioner of any change in any of the particulars required to be filed with the Licensing Commissioner within seven (7) business days after such change.
- (3) If a municipal plate is defaced, lost or destroyed, the licensee shall apply to the Licensing Commissioner for a replacement and shall pay the appropriate fee as described in the rates and fees schedule, and the Licensing Commissioner shall issue a replacement. The licensee shall return their damaged municipal plate, if not lost, to the Licensing Commissioner or Officer before a replacement will be issued.
- (4) Despite subsection 19(3) of this By-law, a replacement fee will not be charged if the municipal plate is required to be replaced due to its worn or faded condition.

20. Record Keeping

- (1) Every licensee or person shall keep any records, registers or books of account required to be kept by them under the Schedules to this By-law. Such records, registers or books of account shall be clear and legible, in the English language and shall be written or electronic in nature.
- (2) No licensee or person shall:
 - (a) enter inaccurate or false information in the records, registers or books of account;
 - (b) alter any entry made in the said records, registers or books of account so as to make the original entry illegible;

- (c) delete any entry made in the record, register or books of account once the entry has been completed; or
 - (d) fail to protect the records, registers or books of account from loss or destruction.
- (3) Every licensee or person shall produce any records, registers or books of account required by the Schedules to this By-law to the Licensing Commissioner or to an Officer upon request, within fourteen (14) calendar days of the request, including records required as part of random audits or investigations conducted by the Licensing Commissioner or an Officer to evaluate compliance with this By-law. Where any records referenced therein are for law enforcement purposes, the licensee or person shall make the requested records available to the requesting agency as soon as possible, and in any event within seven (7) calendar days of the request.

21. Nuisance Abatement

- (1) Every person, in addition to any other provisions or requirements expressed elsewhere in this By-law, shall:
- (a) at all times maintain and keep safe and clean and in good condition and repair any object, vehicle, place or premise for which a licence is issued; and
 - (b) not cause, create, suffer or permit:
 - (i) any public health or public safety concerns;
 - (ii) any activity to present or cause a fire hazard;
 - (iii) any activity that causes a hazard to pedestrian or vehicular traffic;
 - (iv) any nuisance to arise in, on, or in connection with the object, vehicle, place or premise for which the licence was issued;
 - (v) any shouting, noise, fighting or other disturbance on, in or in connection with the object, vehicle, place or premise for which the licence was issued, which is unnecessary, unreasonable or contrary to any Town by-law prohibiting the same; and if any such shouting, noise or other disturbance occurs, the person shall immediately take steps to stop the same;

- (vi) any activity that negatively impacts the use and function of a municipal right-of-way or that obstructs any municipal right-of-way, lane or public place in front of or adjoining the place or premise;
- (vii) the depositing of sod, stone, material, snow or ice in such a manner as to obstruct access to any fire hydrant or as to interfere with the safe passage of motor vehicles or pedestrians;
- (viii) snow and ice to accumulate at the premises;
- (ix) vermin, insects or other pests at the premises;
- (x) non-compliance with the Noise By-law;
- (xi) the emission of material, dust or airborne particulate matter to substantially reduce the enjoyment of another property;
- (xii) persons to loiter within a premise or around the immediate area outside of the premise for which the licence was issued;
- (xiii) any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any motor vehicle, place or premises for which the licence was issued; or
- (xiv) any expectorating, defecating, urinating or intoxication around the immediate area outside of the premises for which the licence was issued.

22. Inspection of Premises, Motor Vehicles

- (1) The Licensing Commissioner, Medical Officer of Health, Fire Chief, Chief of Police or an Officer may enter on any land and building or structure thereon, at any reasonable time for the purpose of carrying out an inspection to determine whether any one (1) or more of the following are being complied with:
 - (a) the provisions of this By-law;
 - (b) an order made under this By-law;
 - (c) a condition of a licence issued under this By-law; or
 - (d) an order made under section 431 of the Municipal Act.

- (2) For the purposes of an inspection under subsection 22(1) of this By-law, the Licensing Commissioner, Medical Officer of Health, Fire Chief, Chief of Police or Officer may do any one (1) or more of the following:
 - (a) require the production for inspection of any goods, articles, books, records and other documents of or relating to any trade, business or occupation licensed under this By-law;
 - (b) inspect and remove documents or things relevant to the inspection, including anything listed in subsection 22(2)(a) of this By-law, for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; or
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (3) The Licensing Commissioner or an Officer may conduct random inspections of motor vehicles requiring a licence sticker and a municipal plate in accordance with the Schedules to this By-law at any reasonable time.
- (4) The Licensing Commissioner or an Officer may schedule a mandatory inspection of a motor vehicle requiring a municipal plate and attached sticker and give notice to the licensee of such inspection either verbally or in writing.
- (5) Upon receipt of notice of a mandatory inspection under subsection 22(4) of this By-law, each licensee or their agent shall attend with the motor vehicle at the requested time and place and, if required by the Licensing Commissioner or Officer, bring a Safety Standards Certificate issued within thirty-six (36) days of the date of attendance.
- (6) If the licensee fails to attend an inspection scheduled under subsection 22(3) or 22(4) of this By-law, the licensee shall pay both a no show fee and a re-inspection fee as set out in the rates and fees schedule.
- (7) If the inspection referred to in subsection 22(3) or 22(4) of this By-law results in the removal of the motor vehicle from service due to a significant mechanical failure which could affect public safety, a re-inspection fee will apply as set out in the rates and fees schedule.

- (8) Any person who obstructs or permits the obstruction of an inspection is guilty of an offence.

23. Order

- (1) Where the Licensing Commissioner or an Officer has reasonable grounds to believe that a contravention of this By-law has occurred, the Licensing Commissioner or Officer may issue an order to the person contravening this By-law **in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.**
- (2) Any person who **fails to comply with** an order is guilty of an offence.

24. Administrative Penalties

- (1) An Officer who finds or has reasonable cause to believe that a person has contravened any provision of this By-law, **or its Schedules** may issue a penalty notice to the person **in accordance with the provisions of the Administrative Penalties for Non-Parking Violations and Orders By-law.**
- (2) Each person who has been issued a penalty notice shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$300 or as revised in the Town's rates and fees schedule.
- (3) If an Officer has issued a penalty notice under subsection 24(1) of this By-law and has reasonable cause to believe that the same person has contravened the same provisions of this By-law **or its Schedules** for a second time within twenty-four (24) months of the date the first penalty notice is deemed to be served, the Officer may issue a second penalty notice to the person.
- (4) Upon issuance of the second penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$400 or as revised in the Town's rates and fees schedule.
- (5) If an Officer has issued a penalty notice under subsection 24(3) of this By-law and has reasonable cause to believe that the same person has contravened the same provision of this By-law **or its Schedules** for a third or subsequent time within twenty-four (24) months of the date the second penalty notice is deemed to be served, the Officer may issue a third or subsequent penalty notice to the person.
- (6) Upon issuance of a third or subsequent penalty notice, the person shall be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the Town's rates and fees schedule.

- (7) A person who has been issued a penalty notice under this By-law may request a review of the penalty notice in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

25. Service and Notice

- (1) Service of any penalty notice, order, or any other notice issued under this By-law may be given in accordance with the Administrative Penalties for Non-Parking Violations and Orders By-law.

26. Discrimination

- (1) No person, in carrying out a business licensed under this By-law, shall discriminate against any person on the basis 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.
- (2) No person, in carrying out a business licensed under this By-law shall, with respect to any person being accompanied by a guide dog or service animal, by reason only of the presence of the said guide dog or service animal:
- (a) refuse to serve such person;
 - (b) refuse to permit such person to enter with the guide dog or service animal into or upon any place, premises, vehicle or thing to which the licence relates; or
 - (c) refuse to permit such person and such guide dog or service animal to remain in or upon such place, premises vehicle or thing.

27. Delegation

- (1) Pursuant to Section 23.2 of the Municipal Act, Council hereby delegates:
- (a) to the Appeals Committee, the power to make the final decision in respect of which a hearing was held;
 - (b) to the Licensing Commissioner, the authority to extend or suspend the model year restriction for taxicabs as set out in Schedule 33 of this By-law; and

(c) to the Licensing Commissioner, the authority to extend licences during a declaration of emergency by the Town as set out in section 31 of this By-law.

(2) It is the opinion of Council that the delegations set out in subsection 27(1) of this By-law are of a minor nature. These delegations may be revoked by Council at any time.

28. Fees and Charges

(1) Council may, from time to time, impose fees and charges to recover costs in relation to the administration and enforcement of this By-law.

29. Offences

(1) Every person who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.

(2) Where a corporation is convicted of an offence under this By-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.

(3) Pursuant to Section 447 of the Municipal Act, where an owner is convicted of knowingly carrying on or engaging in a business in respect of any premises or any part of any premises without a licence required by this By-law, or a person is convicted of any other contravention of this By-law and the court determines that the owner or occupant of the premises or part of the premises in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or of any pattern of similar conduct, the court may order that the premises or part of the premises be closed to any use for a period not exceeding two (2) years.

30. Collection of Unpaid Fines

(1) Pursuant to Section 441 of the Municipal Act, if any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under Section 66 of the Provincial Offences Act, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine

payable and the final date on which it is payable, which shall be not less than twenty-one (21) days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the Municipal Act and may be added to the person's tax roll and collected in the same manner as property taxes.

31. Extension of Licences in the Event of an Emergency

- (1) Where the Town is subject to a declaration of emergency, pursuant to Section 4 or Section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9 as amended, Council delegates authority to the Licensing Commissioner to grant extensions of licences of up to thirty (30) days if, in the opinion of the Licensing Commissioner, ongoing factors related to the emergency prevent compliance with licensing requirements other than the payment of fees.
- (2) The delegated authority pursuant to subsection 31(1) of this By-law permits the Licensing Commissioner to grant extensions of licences in thirty (30) day increments following the initial thirty (30) extension, if required.
- (3) The extension of licences under this By-law may be revoked by Council, on thirty (30) days' notice to the licensee, if in the opinion of Council, the reasons for the continuation of the emergency by the Province of Ontario, Halton Region or the Town do not impact the ability of the licensee to comply with this By-law. Notice under this section may be delivered by email or regular mail prior to Council making its decision.

32. Repeal

- (1) By-law 2015-075, By-law 2016-025, By-law 2016-083, By-law 2017-053, By-law 2018-005, By-law 2018-051, By-law 2019-061, By-law 2020-025, By-law 2020-128, and By-law 2021-028 are repealed on the day this By-law comes into force and effect.
- (2) Any reference to By-law 2015-075 or By-law 2016-083 in any document shall be deemed to be a reference to this By-law.

33. Transition

- (1) Despite the repeal of By-law 2015-075 and By-law 2016-083, licences issued under those By-laws shall be deemed to be licences issued under this By-law.

- (2) The repeal of By-law 2015-075 and By-law 2016-083 does not affect any charges laid or orders issued under those By-laws prior to their repeal.

34. References

- (1) References in this By-law to any legislation or by-law means as may be amended or **successor by-laws or legislation**, and includes any regulations thereunder.

35. Severability

- (1) In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

36. Title

- (1) This By-law may be known as the “Licensing By-law.”

37. Effective Date

- (1) This By-law comes into force and effect on XXXX, 2025.

PASSED this <Insert day (19th)> day of <Insert Month(May)>, 2000

MAYOR

CLERK

Schedule 1: Licensing Thresholds

1. The Licensing Thresholds

- (1) Table 1 of Schedule 1 of this By-law lists the business classes where licensing thresholds apply.
- (2) Offence types and licensing thresholds are contained in Tables 2, 3 and 4 of Schedule 1 of this By-law for the following legislation:
 - (a) Table 2 – Criminal Code;
 - (b) Table 3 – Highway Traffic Act; and
 - (c) Table 4 - Controlled Drugs and Substances Act, S.C. 1996, c. 19 (CDSA)
- (3) The licensing thresholds set out in Tables 2, 3 and 4 are intended to identify those applicants and licensees who have been convicted of offences which demonstrate behaviours that are incompatible with the type of business activity licensed and regulated under this By-law.
- (4) Tables 2, 3 and 4 provide maximum thresholds for various types of offences, based on the severity of the offences and how long ago they occurred. Offences are classed into categories, referred to as codes.
- (5) Table 1 of this Schedule outlines the codes that apply to various business classes.
- (6) Upon receipt of an applicant or licensee's criminal record check, criminal record and judicial matters check and/or driver record (if required for licensing), the Licensing Commissioner will review Table 1 to determine if the business class is included and the codes that apply to the business class.
- (7) If the business class is included in Table 1, the Licensing Commissioner will compare any convictions listed on the criminal record check, criminal record and judicial matters check and/or driver record with the offences and licensing thresholds contained in Tables 2, 3 and 4.
- (8) If an applicant or licensee exceeds a threshold, the Licensing Commissioner may place conditions on a licence, refuse to issue a licence, refuse to renew a licence, or may suspend or revoke a licence.
- (9) The licensing thresholds set out in Tables 2, 3 and 4 do not apply to an offence for which a person has been granted a criminal record suspension (ie. a pardon) by the Parole Board of Canada.
- (10) All references to section numbers in Tables 2, 3 and 4 are current as of the date of this By-law and shall be interpreted to include all amendments, replacements and successor sections thereto.

2. Definitions

(1) For the purposes of this Schedule

“Conviction” means a formal declaration that a person has been found guilty of a summary conviction offence or an indictable offence.

Table 1 – Codes that Apply to the Following Business Classes

Business Class	Criminal Code	Highway Traffic Act	Controlled Drugs and Substances Act
	Code #	Code #	Code #
Adult Entertainment Establishment - Owner	1 to 4		9, 10
Adult Entertainment Establishment - Operator	1 to 4		9, 10
Adult Entertainment Establishment - Attendant	1 to 4		9, 10
Adult Entertainment Video Store - Class A, B	1 to 4		9, 10
Animals for Entertainment	1 to 4, 6		9, 10
Arboriculture Company	1 to 4		9, 10
Tree Company	1 to 4		9, 10
Auctioneer, Auction House	1 to 4		9, 10
Body-Rub Establishment - Owner	1 to 4		9, 10
Body-Rub Establishment - Operator	1 to 4		9, 10
Body-Rub Establishment - Attendant	1 to 4		9, 10
Contractors:			
• Building Renovator	1 to 4		9, 10
• Servicing and Road Cut Contractor	1 to 4		9, 10
• HVAC Contractor	1 to 4		9, 10
• Landscaping Contractor	1 to 4		9, 10
• Lawn Care Contractor	1 to 4		9, 10
• Plumbing Contractor	1 to 4		9, 10
• Pool Installation Contractor	1 to 4		9, 10
Building Renovator, Servicing and Road Cut Contractor, HVAC Contractor & Plumbing Contractor Employees	1 to 4		9, 10
Driving Instructor	1 to 5	7, 8	9, 10
Kennel	1 to 4, 6		9, 10

Business Class	Criminal Code	Highway Traffic Act	Controlled Drugs and Substances Act
	Code #	Code #	Code #
Limousine - Owner	1 to 4		9, 10
Limousine - Driver	1 to 5	7, 8	9, 10
Lodging House Keeper	1 to 4		9, 10
Nightclub	1 to 4		9, 10
Payday Loan Establishment	1 to 4		9, 10
Mobile Personal Services	1 to 4		9, 10
Mobile Personal Services Employees	1 to 4		9, 10
Pet Shop	1 to 4, 6		9, 10
Private Parking Enforcement Company	1 to 4		9, 10
Private Parking Enforcement Officer	1 to 4		9, 10
Refreshment Vehicle Owner – Class A	1 to 5		9, 10
Refreshment Vehicle Owner – Class B	1 to 4		9, 10
Refreshment Vehicle Owner – Class C	1 to 4		9, 10
Refreshment Vehicle – Special Event	1 to 4 or 5		9, 10
Salvage Yard	1 to 4		9, 10
Second Hand Goods Shop	1 to 4		9, 10
Taxicab - Owner	1 to 4		9, 10
Taxicab - Driver	1 to 5	7, 8	9, 10
Transportation Network Company Driver	1 to 5	7, 8	9, 10

Table 2 – Criminal Code Licensing Thresholds

Code	Conviction Threshold	Criminal Code Offences	Description
1	Conviction at any time against a minor or a person with a disability	Sexual offences, public morals	Sexual interference, invitation to sexual touching, sexual exploitation, sexual exploitation of a person with a disability, trafficking of a person under the age of 18 Sections 151 – 153.1(1), 279.001(1)
2	Conviction at any time	Terrorism Major offences against the person Major assaults or major sexual assaults	Financing of terrorism, property, participating, facilitating, instructing, harbouring, hoax regarding terrorist activity Sections 83.02 – 83.04, 83.18, 83.19, 83.22, 83.23, 83.231 Criminal negligence, homicide, murder, manslaughter, infanticide, attempted murder, neglect in childbirth, concealing a dead body, discharging firearm with intent, administering noxious thing, commodification of sexual activity, hate propaganda Sections 219, 222, 229, 239, 242, 244, 245, 286.1, 318, 319 Assault with a weapon or causing bodily harm, aggravated assault, assaulting a peace officer with a weapon, aggravated assault of a peace officer, sexual assault with a weapon, threats to a third party or causing bodily harm, aggravated sexual assault Sections 267, 268(1), 270.01(1), 270.02, 272(1), 273(1)
3	Conviction in the preceding ten (10) years	Offences against the person	any sexual offence, save and except the Code 02 major sexual assaults and the Code 01 offences Trafficking in persons, exploitation Sections 279.01(1), 279.04(1)
4	Conviction in the preceding five (5) years	Firearms and other weapons Offences against the person	Use, possession, weapons trafficking, weapons assembling, export and import, lost, destroyed or defaced weapons Sections 85(1), 86(1), 87(1), 88(1) – 96(1), 99(1), 102(1) – 108(1) Bodily harm and acts and omissions causing danger to the person, criminal harassment, uttering threats, assault, unlawfully causing bodily harm, assault a peace officer, kidnapping, hostage taking, abduction

Code	Conviction Threshold	Criminal Code Offences	Description
			Sections 247(2), 264(1), 264.1(1), 265(1), 269, 270(1), 279(1), 279.1(1), 283(1)
4	Conviction in the preceding five (5) years	<p>Offences against the rights of property</p> <p>Fraudulent transaction relating to contracts and trade</p> <p>Wilful and forbidden acts in respect of certain property</p> <p>Offences relating to currency</p> <p>Proceeds of crime</p>	<p>Theft, theft of motor vehicle, theft/forgery of credit card, robbery and extortion, breaking and entering, possession of property obtained by crime/trafficking, false pretenses, forgery Sections 322(1), 333.1(1), 342(1), 343, 346(1), 348(1), 354(1), 355.4, 361(1), 366(1)</p> <p>Fraud, falsification of books and documents, identity theft and identity fraud, forgery of trademarks and trade descriptions, wreck, public stores, breach of contract, intimidation, secret commissions Sections 380(1), 397, 402.2(1), 406, 415, 416, 422(1), 423(1), 426(1)</p> <p>Mischief, arson, other interference with property Sections 430, 433, 437-443</p> <p>Making, possession of counterfeit money, uttering counterfeit money, defacing or impairing, instruments or materials, advertising and dealing in counterfeit money Sections 449, 450, 453 – 458, 460(1)</p> <p>Laundering proceeds of crime Section 462.31(1)</p>
5	Conviction in the preceding five (5) years	Driving offences	<p>Dangerous operation, operation causing bodily harm, operation causing death, operation while impaired, failure or refusal to comply with demand, failure to stop after accident, flight from peace officer, operation while prohibited Sections 320.13(1), 320.14 - 320.18(1)</p>
6	Conviction in the preceding five (5) years	Animals	<p>Injuring or endangering other animals, killing or injuring certain animals, cruelty to animals, arena for animal fighting Sections 445(1) - 447(1)</p>

Table 3 - Highway Traffic Act Licensing Thresholds

Code	Conviction Threshold	Description
7		accumulate ten (10) or more demerit points on the driver record at the time the application for a licence or renewal is made
8	Conviction in the preceding two (2) years	<ul style="list-style-type: none"> • careless driving; • racing or stunt driving; • exceeding the speed limit by 40 km/h or more on roads with a speed limit of less than 80 km/h; • exceeding the speed limit by 50 km/hour or more; • failing to stop for a school bus; • failing to stop when signaled or requested to stop by a police officer; • failing to remain at the scene of an accident; • driving while licence suspended; • driving while holding or using a hand-held wireless communications or entertainment device; • driving while viewing a display screen unrelated to the driving task.

Table 4 - Controlled Drugs and Substances Act Licensing Thresholds

Code	Conviction Threshold	CDSA Offences	Description
9	Conviction in the preceding five (5) years	Possession or obtaining	Possession of substance, obtaining substance Section 4
10	Conviction in the preceding ten (10) years	Trafficking in substance	Possession for purpose of trafficking Section 5
		Importing and exporting	Importing and exporting, possession for the purpose of exporting Section 6
		Production of substance	Production of substance Section 7
		Possession, sale, etc. for use in production of or trafficking in substance	Possession, sale, etc. for use in production of or trafficking in substance Section 7.1

Schedule 2: Adult Entertainment Establishment – Owner/Operator/Attendant

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Adult Entertainment Establishment” means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
 - (b) “Attendant” for the purposes of Schedule 2 of this By-law means any person other than an adult entertainment establishment owner or operator who provides services designed to appeal to erotic or sexual appetites or inclinations at an adult entertainment establishment, and “adult entertainment establishment attendant” has a similar meaning;
 - (c) “Operator” for the purposes of Schedule 2 of this By-law means the person who operates the adult entertainment establishment, and “adult entertainment establishment operator” has a similar meaning;
 - (d) “Owner” for the purposes of Schedule 2 of this By-law means the person who owns the adult entertainment establishment, and “adult entertainment establishment owner” has a similar meaning;
 - (e) “Provide” when used in reference to services respecting an adult entertainment establishment includes to furnish, perform, solicit or give such services and “providing” and “provision” have corresponding meanings; and
 - (f) “Services designed to appeal to erotic or sexual appetites or inclinations” includes, but is not limited to:
 - (i) services of which a principal feature or characteristic is the nudity or partial nudity of any person, including the customer;
 - (ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement; and
 - (iii) for the purposes of this clause, “partial nudity” shall mean less than completely and opaquely covered human genitals or human pubic region, human buttocks or human breast below a point immediately above the top of the areola.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Adult Entertainment - Owner Operating/Not Operating	Adult Entertainment Establishment - Operator	Adult Entertainment Establishment - Attendant
Licence Renewal Date	31-Jul	31-Jul	31-Jul
Applicant's information	✓	✓	✓
Business address	✓	✓	✓
Insurance certificate	✓		
Licence fee	✓	✓	✓
Article of Incorporation	✓	✓	
Business partner information	✓	✓	
Zoning Occupancy Certificate	⚠		
Criminal record check	✓	✓	✓
Fire inspection	⚠		
Documentation demonstrating owner's right to possess or occupy premises to be licensed	⚠		
Floor plan	⚠		
List of operators	✓		
List of attendants	✓		
1 current photograph			✓
List of services and associated costs, including admission fees and any applicable hourly rates.	✓		
List of hours of operation	✓		
Letter from owner/operator confirming employment			✓
Additional documentation set out below			

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) An operator or an attendant who is employed at more than one (1) adult entertainment establishment shall take out a separate licence for each adult entertainment establishment they are employed at in the Town.

- (3) An attendant shall produce two (2) pieces of valid and current identification, including but not limited to a birth certificate, Ontario driver's licence, or a passport, for inspection by the Licensing Commissioner or an Officer, upon request.
- (4) In addition to the requirements prescribed in subsection 2(1) to this Schedule, a completed application for a licence or for renewal of a licence shall be accompanied by:
 - (a) if the applicant is a partnership applying for an owner or operator's licence, a declaration in writing signed by all members of the partnership which states the date of birth of every partner, the name or names under which they carry on or intend to carry on business, and the mailing address for the partnership;
 - (b) if the applicant is an owner or operator, a copy of every contract for service(s), or other document constituting or pertaining to the relationship between the owner and operator, or between the owner or operator and an attendant providing services at an adult entertainment establishment and a list of all fees to be paid by the owner and the operator to the attendant, upon request by the Licensing Commissioner; and
 - (c) the floor plan required by subsection 2(1) of this Schedule shall be a detailed floor plan, drawn to scale and approved by the Licensing Commissioner, depicting the location of one (1) main stage and seating areas, offices, cloak rooms, disc jockey areas, kitchen facilities, bar areas, dressing rooms, washrooms, storage areas and entrances/exits.
- (5) The list of operators and attendants required by subsection 2(1) of this Schedule shall show the first and last name, address and telephone number of all operators and attendants employed by, or performing services in the adult entertainment establishment and all such persons intended to be employed or to perform services in the adult entertainment establishment. The list must be updated by the owner upon the hiring of operators and attendants within the term of the owner's licence. The owner shall provide the updated employee list to the Licensing Commissioner or an Officer upon request.
- (6) The owner shall ensure that all operators and attendants hired during the term of the owner's licence are licensed by the Town. The owner shall provide proof of licensing to an Officer upon request.

- (7) The Licensing Commissioner shall not issue a licence to operators or attendants unless the adult entertainment establishment owner has a current and valid licence under this By-law.
- (8) The photograph of the applicant for an attendant licence required by subsection 2(1) of this Schedule must:
 - (a) be clear, sharp and in focus;
 - (b) show how the applicant looks at the time of application for the licence; the applicant's full face must be clearly visible; and
 - (c) show the applicant's face and shoulders straight on and squared to the camera.

3. Limitation on Number of Licences

- (1) Despite any other provision of this By-law, a maximum of two (2) owner's licences for adult entertainment establishments **may** be issued under this By-law.

4. Defined Areas

- (1) An owner's licence may be issued only for establishments that are located in accordance with subsection 4(2) of this Schedule.
- (2) Adult entertainment establishments shall only be permitted to operate within the areas described in Appendix "1" (Map A1/A2) to this Schedule and no person shall own or operate an adult entertainment establishment or provide services in an adult entertainment establishment outside of these areas.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Prohibitions

- (1) No licensed owner or person shall:
 - (a) permit any person other than a licensed operator to operate an adult entertainment establishment;
 - (b) permit any person, other than an employee of such owner or a person with whom the owner has contracted, to operate the adult entertainment establishment or to provide services in the adult entertainment establishment; or
 - (c) **permit a person to work as an operator or an attendant if the person is not licensed under this Schedule.**

- (2) No licensed owner or operator or person shall:
 - (a) permit the provision of services at an adult entertainment establishment by any person other than a licensed attendant or other person licensed or authorized by or under this By-law to do so;
 - (b) permit any premises or part thereof used as an adult entertainment establishment to be used as a dwelling or for sleeping purposes;
 - (c) permit the door to any room or cubicle where services are or may be provided to be equipped or constructed with a locking device of any kind, or with any other device or structure which could delay or hinder anyone from entering or obtaining access to such a room or cubicle;
 - (d) permit a washroom, toilet, sink or basin used for domestic purposes to be used in connection with an adult entertainment establishment;
 - (e) permit any services to be given, performed, provided or received in any adult entertainment establishment in breach of any of the regulations contained in this By-law;
 - (f) advertise or permit or suffer any person to advertise an adult entertainment establishment, or publish anything or erect, post or maintain any sign, notice or any other publication or device, relating to or drawing attention to such adult entertainment establishment by any means or in any form whatsoever, except as specifically permitted in this By-law **or in the Sign By-law;**

- (g) permit any trade, calling or business or occupation for which a licence is required under this By-law to be carried on in an adult entertainment establishment unless it is endorsed on the owner's licence and the owner, and every other person required to be so licensed has paid the licence fee;
- (h) permit any person under the age of eighteen (18) to enter or remain in any adult entertainment establishment **when services are being provided;**
- (i) open an adult entertainment establishment for business or permit the same to be or to remain open for business or permit any services of any kind to be provided at any time between the hours of 2:00 a.m. of any day **and 9:00 a.m.** of the same day;
- (j) permit an adult entertainment establishment to be open for business at any time other than the times set forth in a schedule filed with the Licensing Commissioner;
- (k) fail to provide to the Licensing Commissioner a copy of every contract of/for service(s), or other document constituting or pertaining to the relationship between owner and operator of an adult entertainment establishment, or between owner or operator and an attendant providing services at an adult entertainment establishment and a list of all fees to be paid by the owner and the operator to the attendant;
- (l) fail to make available for inspection the original of any such document noted in subsection 6(2)(k) of this Schedule upon request by the Licensing Commissioner, an Officer, the Chief of Police or any person duly authorized by either, or fail to retain such documents for a period of six (6) months after its termination;
- (m) **fail to ensure that:**
 - (i) the premises are provided with adequate light and ventilation;
 - (ii) the premises and all fixtures and equipment therein are regularly washed and kept in sanitary condition;
 - (iii) the premises are equipped with an effective utility sink;
 - (iv) adequate toilet and washroom accommodation are provided, and there are separate such rooms for males and females;

- (v) washrooms are equipped with;
 - 1. an adequate supply of hot and cold water;
 - 2. an adequate supply of liquid soap in a suitable container or dispenser;
 - 3. hot air dryers or individual clean towels for the use of each person using the washing facilities; and
 - 4. a suitable receptacle for used towels and waste material;

- (vi) in all shower-bath rooms, if any, and in all sauna-bath rooms, if any:
 - 1. the floors are disinfected at least once a week with a disinfecting solution approved by the Medical Officer of Health;
 - 2. all surfaces and attached accessories of the bath or shower enclosure are self-draining;
 - 3. all showers have removable cleanable drain covers; and
 - 4. floor surfaces both within and without the enclosures are of a non-slip type;

- (vii) common foot baths are not provided on the premises;

- (viii) duckboards or cocoa matting are not used in the shower, bath or steam room, or anything other than liquid or powdered soap in the shower room;

- (n) fail to provide a service by which any customer may deposit valuables or other property for safekeeping where services which involve or may involve the undressing of or changing of clothes by the customer, and any customer who presents their property for safekeeping shall be given a receipt specifying the nature of the property so entrusted. A copy of every receipt shall be retained for at least one (1) year by the owner or operator together with all other copies of receipts required by this By-law to be retained;

- (o) fail to post and maintain in a conspicuous place in every room and cubicle a notice drawing attention to the safekeeping service provided in accordance with subsection 6(2)(n) of this Schedule;

- (p) fail to take due care of all property delivered or entrusted for safekeeping and return it to the property's owner upon demand. Every attendant immediately upon the termination of services shall carefully

search the premises for any property lost or left therein, and all property or money left in the adult entertainment establishment shall be forthwith delivered over to the person owning the same, or if the said owner cannot at once be found, then to the nearest police station, with all information regarding the same;

- (q) use or permit any sign, notice, placard, printing, picture or any other advertising or identifying device or thing whatsoever relating to any adult entertainment establishment or services offered therein, other than the signs permitted under this section, to be placed on or near any adult entertainment establishment, or in an adult entertainment establishment in such a position or place as to be capable of being seen by a person outside the said adult entertainment establishment;
- (r) fail to file with the Licensing Commissioner a copy of a list of all services provided at the adult entertainment establishment and of the respective fees charged for services including admission fees and any other payment charged in respect of entry to the adult entertainment establishment, and, if any charge be based on a computation of time, the hourly rate shall be shown on such lists;
- (s) fail to post a copy of the list of services and fees referred to in subsection 6(2)(r) of this Schedule in a conspicuous place in the interior of the adult entertainment establishment plainly visible to any person upon entering the said premises;
- (t) fail to file with the Licensing Commissioner a schedule showing the hours of business to be observed in the carrying on of, or the operation of the adult entertainment establishment which schedule shall state specifically the opening and closing times of the adult entertainment establishment for each day of the week;
- (u) fail to ensure that the door or doors or other principal means of access into the adult entertainment establishment by the public are kept unlocked and available so that anyone coming into the adult entertainment establishment from the street or other public place may enter therein without hindrance or delay during the hours of business of an adult entertainment establishment set forth in the schedule filed with the Licensing Commissioner in accordance with subsection 6(2)(t) of this Schedule, or at any time at which an attendant is in attendance at an adult entertainment establishment;

- (v) permit an adult entertainment establishment to open for business, or remain open for business, or any attendant to enter or remain therein, or any service to be provided at the adult entertainment establishment unless either the owner or an operator licensed in respect of such owner's adult entertainment establishment is in attendance at all of the times; or
 - (w) fail to provide and maintain at all times at the adult entertainment establishment a first-aid kit equipped in a manner satisfactory to the Medical Officer of Health.
- (3) No licensed owner, operator or attendant or person shall:
- (a) charge, demand, ask for or require, or permit to be charged, demanded, asked for or required for any services provided an amount other than set out on a list filed with the Licensing Commissioner, or amendments thereto also filed;
 - (b) provide services at or in respect of an adult entertainment establishment other than described on a list filed with the Licensing Commissioner or amendments thereto also filed;
 - (c) take, consume or have liquor or a drug, in their possession in an adult entertainment establishment, nor shall the use of liquor or a drug be apparent while in an adult entertainment establishment. For the purpose of this subsection the word "drug" shall be deemed to exclude patent medicines and prescription drugs required for medicinal purposes;
 - (d) use or permit to be used any camera or other photographic or recording device in, upon or at an adult entertainment establishment by any person other than the Licensing Commissioner, an Officer, a Peace Officer, Medical Officer of Health or a Public Health Inspector acting under their direction;
 - (e) fail to, upon request by the Licensing Commissioner, any Officer, or Public Health Inspector acting under the direction of the Medical Officer of Health, provide their name and residential address, and if licensed under this By-law, produce their licence; or
 - (f) fail to be neat and clean in appearance, and civil and well behaved to members of the public while engaged in their respective trade, calling, business or occupation in an adult entertainment establishment.

- (4) No licensed attendant or person shall provide services in any adult entertainment establishment unless the owner and the operator is duly licensed as owner or operator respectively under this By-law.
- (5) No person shall:
 - (a) provide any service in a room, cubicle or other enclosure with a door or other means of access which is equipped or constructed with a locking device of any kind or which is equipped or constructed in such a way as to permit the obstruction, hindrance or delay of any person attempting to gain entry thereto;
 - (b) provide services in an adult entertainment establishment to a person under the age of eighteen (18) years.

7. Signage

- (1) In addition to the sign referred to in subsection 6(2)(q) of this Schedule, there shall be displayed, flat against the exterior portion of **the primary door or within 2 metres of the primary door leading into the** adult entertainment establishment, one non-illuminated sign of which the facade shall not exceed 0.19 square metres in size, and which sign shall be no more than eight centimeters in depth, which sign shall bear the following:
 - (a) the owner's legal name as shown on the licence;
 - (b) the name, if any, under which the owner carries on business as endorsed on the licence;
 - (c) the address of the adult entertainment establishment, and
 - (d) the telephone number of the adult entertainment establishment;but other than the foregoing there shall be no other letters, marks, paintings, contrasting colours, symbol, logo or any other mark whatsoever on the sign.
- (2) **Signage shall be installed as required by subsection 7(1) of this Schedule between 1.5 meters and 1.8 meters from grade.**

8. Record Keeping

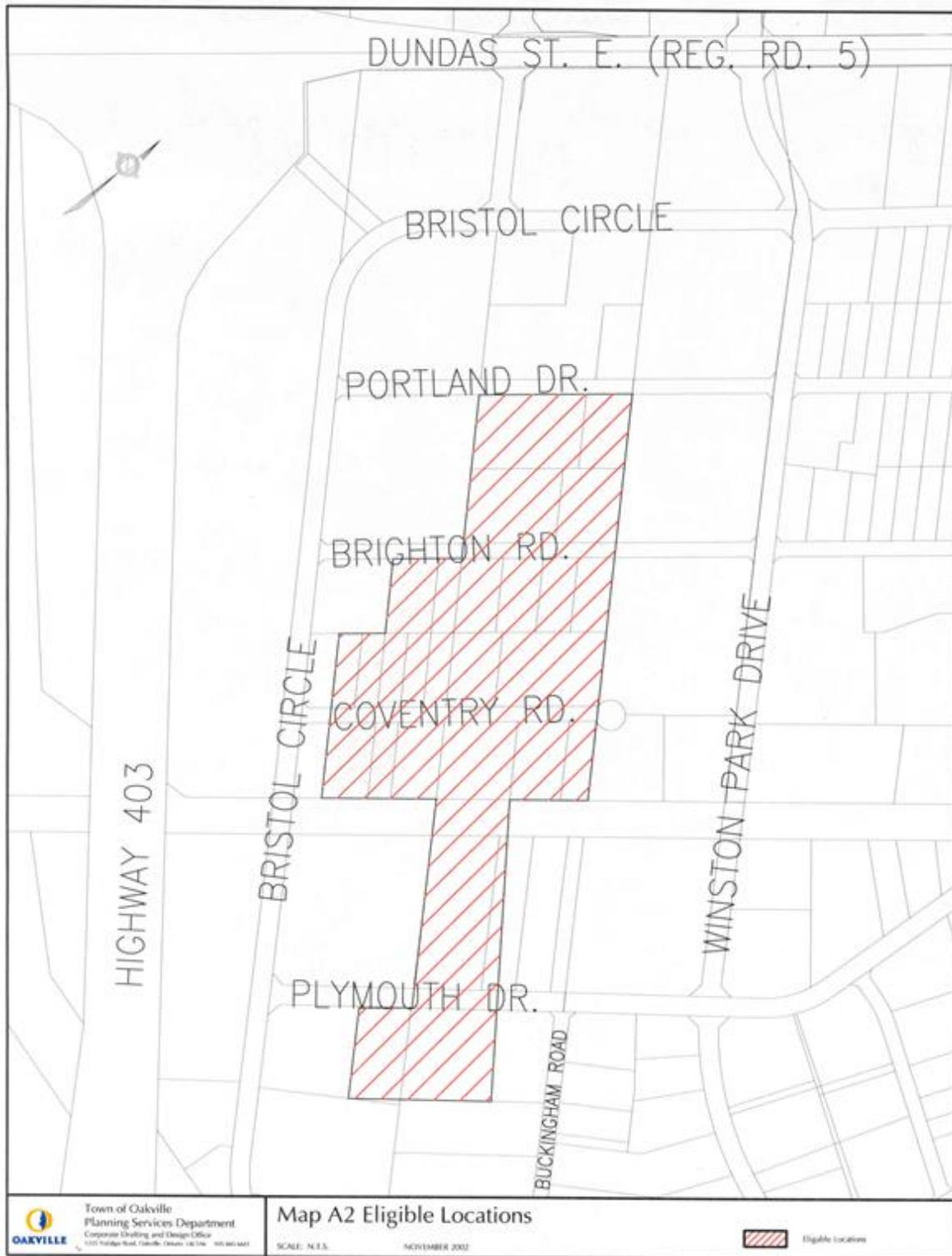
- (1) Every licensed owner, operator or person shall keep proper records and books of account of all business transacted in, by, or in respect of the adult entertainment establishment **in accordance with section 20 of this By-law**, which books shall:

- (a) give the amount of gross receipts for all services provided, including all receipts for admission fees and other charges and receipts in respect of entry to or services provided;
 - (b) the name and licence number of every attendant providing services in the said adult entertainment establishment including the date of commencement and the date of termination of such services;
 - (c) the amount of salary or commission paid to each attendant;
 - (d) all amounts paid by the owner to the operator, if any, or by the operator to the owner, in respect of such adult entertainment establishment; and
 - (e) all bills and receipts for the full amount paid for services.
- (2) The records required by subsection 8(1) of this Schedule shall be kept for the previous and current year.
- (3) Despite subsection 20(3) of this By-law, the Licensing Commissioner, an Officer, the Chief of Police or any person duly authorized by either, shall at all times have access to such records.

Appendix "1" (Map A1/A2) to SCHEDULE 2

Adult entertainment establishments may only be located and operated within the areas shown as the shaded area on the attached maps A-1 and A-2, subject to compliance with all applicable law.





Schedule 3: Adult Entertainment Video Store – Class A, B

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) “Adult Entertainment Video Store Class A” means a video store which provides adult videos to the public where the proportion of adult videos to all videos provided exceeds the ratio of 1:10 (adult videos to non-adult videos);
 - (b) “Adult Entertainment Video Store Class B” means a video store which provides adult videos to the public where the proportion of adult videos to all videos provided does not exceed the ratio of 1:10 (adult videos to non-adult videos);
 - (c) **“Adult Video” means an adult sex film as defined in the *Film Content Information Act, 2020, S.O. 2020, c. 36, Sched. 12, or successor legislation;***
 - (d) “Specified Body Areas” means in the case of a female person, the nipples and areolae, and in the case of all persons the genitals and the anus.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Adult Entertainment Video Store – Class A, B
Licence Renewal Date	31-Jul
Applicant’s information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓

	Adult Entertainment Video Store – Class A, B
Zoning Occupancy Certificate	
Criminal record check	

 Required for initial and renewal application

 Required for initial application only

3. Limitation on Number of Licences – Adult Entertainment Video Store Class A

- (1) A maximum of two (2) licences for Adult Entertainment Video Stores Class A may be issued under this By-law.

4. Defined Areas

- (1) No Adult Entertainment Video Store Class A licence may be issued except as permitted in subsection 4(2) of this Schedule.
- (2) Adult Entertainment Video Stores Class A shall only be permitted to operate within the areas described in Appendix 1 (Map A1/A2) to this Schedule and no person shall own or operate an Adult Entertainment Video Store Class A outside of these areas.
- (3) Appendix 1 (Map A1/A2) does not apply to Adult Entertainment Video Stores Class B which are permitted to operate in those areas of the Town consistent with the Zoning By-law and other applicable law.
- (4) **Despite subsection 4(2) of this Schedule**, that part of the premises of the following municipal address in actual use for the purpose of a video store which provides adult videos to the public as of the date this By-law **comes into force** is hereby defined as an area in which a Class A Adult Entertainment Video Store is, if in compliance with all other applicable law, permitted to locate and operate. **This premises is eligible to be licensed as an Adult Entertainment Video Store Class A by the Licensing Commissioner only for so long as such part of the premises continues to be used for such purpose, the adult entertainment video store owner maintains their Class A licence issued under this Schedule for that location and the Adult**

Entertainment Video Store Class A business carried on therein complies with this By-law:

- (a) 2544 Speers Road, Oakville

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Prohibitions

- (1) No person shall carry on or engage in the business of an Adult Entertainment Video Store **Class A or Class B** except in compliance with the provisions of the *Film Content Information Act, 2020, S.O. 2020, c. 36, Sched. 12, or successor legislation*;
- (2) No licensee, operator or person shall:
 - (a) fail to maintain on the premises and available for inspection by the Licensing Commissioner or an Officer during all business hours, a current and complete list of the names and number of all videos and all adult videos provided on the premises;
 - (b) permit any person to work in an Adult Entertainment Video Store **Class A or Class B** unless such person is eighteen (18) years of age or older;
 - (c) sell, rent, trade or exchange or permit the sale, rental, trade or exchange of any adult video to any person who is not at least eighteen (18) years of age;
 - (d) use or display or permit the use or display of any exterior signs or advertisements relating to the premises or to the provision of adult videos that:
 - (i) **contain any words or phrases other than** "adult videos" or "adult video sales, rentals or exchange";

- (ii) contain or display a description or pictorial representation of any specified body areas or any sexual activities, or which contain or refer to the titles of any adult videos; or
 - (iii) **do not comply with the Sign By-law.**
 - (e) use or display or permit the use or display of any adult video or cover, jacket or container for an adult video, or any portion thereof, or any other adult video printed or promotional material or visual images in any manner so as to be visible outside of the premises; or
 - (f) permit the viewing of adult videos on the premises or play or preview for public view on the premises any adult video or any audio or video portion thereof.
- (3) No licensee or operator of an Adult Entertainment Video Store Class A or person shall:
- (a) fail to post and keep posted at every entrance, and in a prominent location inside such premises, signs sufficient to indicate clearly to any person approaching or entering the premises, and to every person in the premises, that no person under the age of eighteen (18) years is permitted to enter or remain in such premises;
 - (b) **fail to ensure that every person working in an Adult Entertainment Video Store Class A complies with all requirements of this By-law relating to the provision of adult videos; or**
 - (c) permit any person under the age of eighteen (18) years to enter or remain in such premises.
- (4) No licensee or operator of an Adult Entertainment Video Store Class B or person shall:
- (a) fail to store all adult videos or covers, jackets or containers for an adult video, or any portion thereof behind a counter or similar barrier that is attended by an employee;
 - (b) display any printed or promotional material or visual images in any manner so as to be visible from within the premises;
 - (c) fail to ensure that every person working in an Adult Entertainment Video Store **Class B** complies with all requirements of this By-law relating to the provision of adult videos;

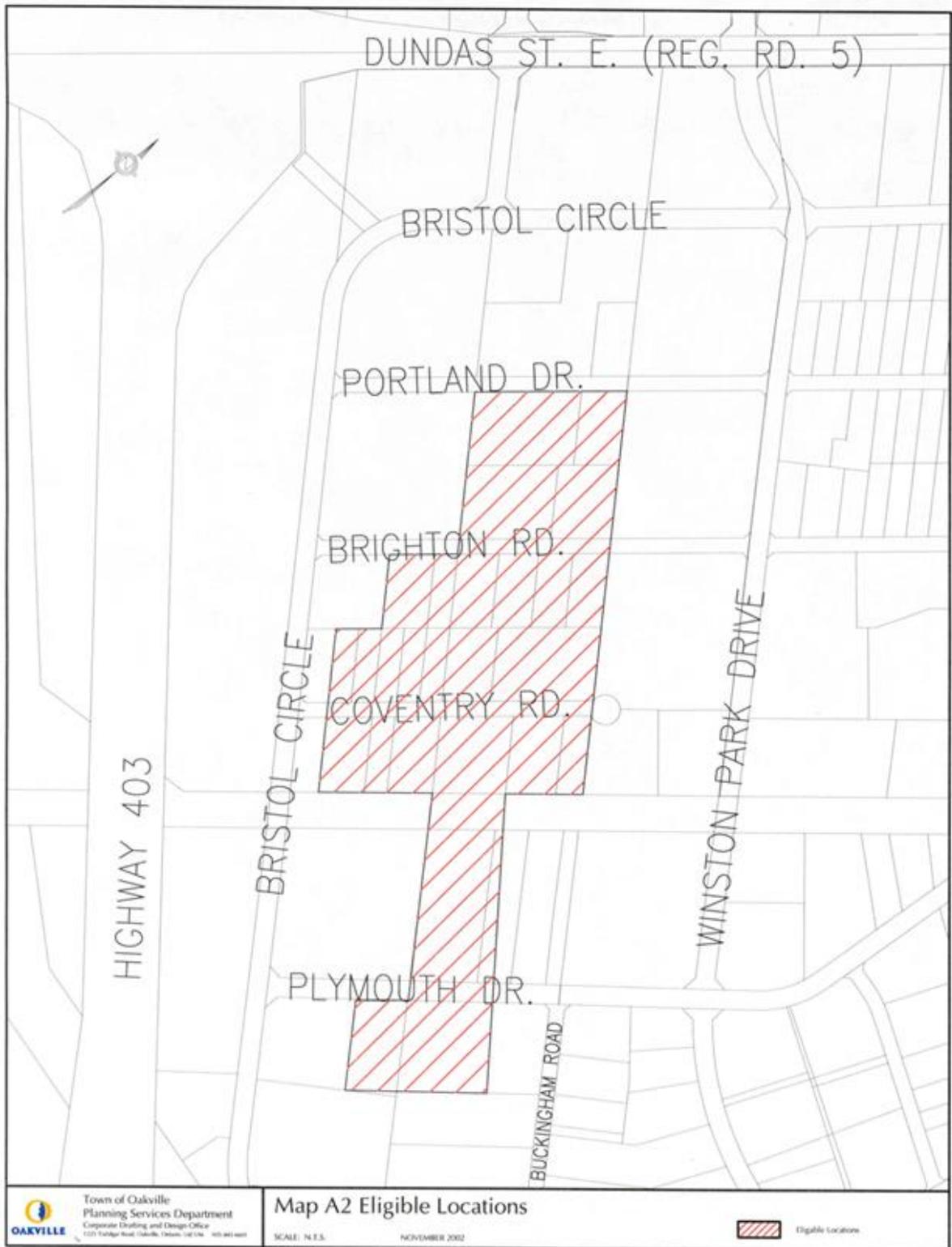
- (d) permit the use of the binder or container referred to in subsection 5(5) of this Schedule:
 - (i) by any person who is not at least eighteen (18) years of age;
 - (ii) in any manner such that its contents are visible to any person other than the person who requested the binder or container; or
 - (iii) to be left open, displayed or exposed in any manner so as to constitute a violation of any other provision of this By-law.

- (5) Despite subsection 6(2)(e) of this Schedule, the licensee or operator of an Adult Entertainment Video Store Class B may store covers, jackets or containers for adult videos together with a current listing of the titles, in a binder with opaque covers or similar opaque container stored behind a counter or similar barrier attended by an employee, and which binder or container may be provided for review within the premises upon request to any person who is at least eighteen (18) years of age. **The current listing of titles may also be kept electronically.**

Appendix "1" (Map A1/A2) to Schedule 3

Adult Entertainment Video Stores Class A may only be located and operated within the areas shown as the shaded area on the attached maps A-1 and A-2, subject to compliance with all applicable law.





Schedule 4: Animals for Entertainment

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Animals for Entertainment” means the use of animals in any special event as defined in this Schedule, travelling presentation or private function;
 - (b) “Restrained” means keeping an animal securely confined in a humane manner;
 - (c) “Special Event” with respect to animals for entertainment includes, but is not limited to, a public show, circus, carnival, parade, community event such as an outdoor festival, exhibition or tournament;
 - (d) “Tethered” means using a rope or chain or similar restraining device to prevent an animal from moving beyond a localized area; and
 - (e) “Topper” means an enclosed compartment when coupled with a cargo bed of a motor vehicle.

2. Licence Application/Renewal Requirements

- (1) An animals for entertainment licence is required for businesses that:
- (a) have a premises located in Oakville where animals used for entertainment are kept or housed;
 - (b) provide animals to special events as defined in this Schedule;
 - (c) use animals in travelling presentations at, including but not limited to, schools, daycares, camps, workshops; or
 - (d) provide animals to private functions that are not open to the public including, but not limited to, birthdays, weddings and corporate events.
- (2) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Animals for Entertainment
Licence Renewal Date	31-Jan
Applicant's information	✔
Business address	✔
Insurance certificate	✔
Licence fee	✔
Article of Incorporation	✔
Business partner information	✔
Zoning Occupancy Certificate, if applicable	⚠
Criminal record check	✔
Description of business	✔
List of all animals, including any prohibited animals, intended to be used for entertainment. The list to include the number and type of each animal intended to be used and their proposed uses	✔
List of each event, location(s), date(s) and time(s), if applicable	✔
Self-declaration of animal offences	✔
Property owner consent	✔
Animal Control inspection, if applicable	✔
Additional documentation set out below	

✔ Required for initial and renewal application

⚠ Required for initial application only

- (3) The animal control inspection required by subsection 2(1) of this Schedule must confirm that the applicant or licensee has complied with all requirements for a premises where animals for entertainment are kept in the Town under this Schedule.

3. Exemptions

- (1) Despite subsection 2(2) of this Schedule, an animals for entertainment licence is not required for the following:
- (a) a veterinary hospital or veterinary clinic;
 - (b) a public pound;

- (c) the Ontario Society for the Prevention of Cruelty to Animals or an affiliate branch;
 - (d) a Humane Society;
 - (e) the Town;
 - (f) the Lions Foundation of Canada Dog Guides;
 - (g) educational facilities where animals are being kept for study, research or teaching purposes in conjunction with and under the direct sponsorship of a school board or the Ministry of Education; or
 - (h) a conservation authority established by the Conservation Authorities Act, 1946 or a predecessor of that Act.
- (2) Any business, organization, or person identified in subsection 3(1) of this Schedule shall receive any benefit or exemption ordinarily provided to a business, organization, or person that is licensed pursuant to this Schedule as if they were licensed.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the requirements set out in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if:
- (a) an animal is, or is likely to be taunted, goaded, baited, provoked, injured or distressed;
 - (b) spectators or other members of the public are likely to be injured through being trampled, gored, crushed, bitten or otherwise harmed;
 - (c) the animal is at risk of escaping or otherwise being at large;
 - (d) the applicant or licensee's self-declaration provided in accordance with subsection 2(1) of this Schedule confirms any or all of the following within five (5) years of the date of application for a licence or renewal of a licence:
 - (i) conviction(s) for animal abuse or neglect under PAWS, DOLA or any other federal or provincial statute;

- (ii) conviction(s) under the Animal Control By-law's provisions for standards of care;
 - (iii) conviction(s) under this By-law, other Town by-laws or any other municipality's by-laws respecting the keeping or care of animals; or
 - (iv) any court orders, prohibitions or conditions set as part of a conviction that are currently in force.
- (2) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. General Regulations

- (1) An applicant, licensee or person must have the consent of the owner of the property or the property management company where animals for entertainment are to be used prior to providing the animals for entertainment.
- (2) A licensee or person must update the list of events provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule if the licensee or person has added new events during the term of their licence.
- (3) The Licensing Commissioner may notify the Oakville & Milton Humane Society of the licensee or person's participation in special events, travelling presentations or private functions.
- (4) An Officer may carry out an inspection of any special event, travelling presentation or private function where the licensee or person is providing animals for entertainment.

6. Regulations for Animals Kept at Premises Located in Oakville

- (1) Animals must be kept in compatible social groups to ensure the general welfare of the individual animals and of the group and to ensure that each animal in the group is not at risk of injury or undue stress from dominant animals of the same or a different species.

- (2) Fresh, clean water in an amount sufficient for the well-being of the animal shall be made available to the animal at all times to allow the animal to drink without restriction, or as directed by a veterinarian.
- (3) Animals shall be fed periodically each day in accordance with the particular food requirements for each type or species of animal kept at the premises.
- (4) Licensees or persons shall ensure that the following standards are met for animals being kept on the premises:
 - (a) Construction of Enclosures:
 - (i) interior walls and partitions shall be constructed of materials that are appropriately treated or coated to be rendered washable, sanitizable, impervious to moisture, smooth, and durable;
 - (ii) the corners of ceilings, walls, and partitions shall be sealed and treated to render them completely washable and sanitizable;
 - (iii) interior walls must be free of sharp edges or other potential causes of injury;
 - (iv) only non-toxic materials shall be used in places in which animals have direct contact;
 - (v) walls and fences shall be sturdy, in good repair, and of sufficient height and with small enough gaps to prevent escape;
 - (vi) the roof shall be covered with suitable materials in order to eliminate leakage and exposure of animals to adverse weather conditions;
 - (vii) ceilings shall be constructed of impervious materials and subject to finishing comparable to those of the walls and partitions;
 - (viii) floors shall be constructed of impervious materials, such as sealed concrete or other materials which provides a smooth surface that is easy to clean and sanitize; and
 - (ix) lighting shall be appropriate for the species being kept and sufficient lighting shall be provided so that all areas of the interior of the enclosure can be clearly seen for the purposes of maintenance and cleaning.

(b) Enclosures shall:

- (i) be large enough to allow the animal to lie flat on their side outside of their bed in the sleeping area;
- (ii) allow the animal to move freely, which includes the ability to walk and turn around easily, move about easily for the purpose of postural adjustments including stretching, without touching the enclosure walls or ceiling, standing normally to their full height without touching the enclosure walls or ceiling, and lying down without touching another animal;
- (iii) provide a separate sleeping area for the animal that has adequate and appropriate bedding for the animal appropriate to its size and species;
- (iv) allow the animal to urinate and defecate away from their sleeping and eating areas;
- (v) prevent urine and feces from contaminating adjoining enclosures;
- (vi) have an area to place and secure food and water bowls to prevent bowls from becoming contaminated, spilling, and soiling enclosure contents, and allows animals to eat and drink freely;
- (vii) be free of any dangerous structure or object that may cause injury;
- (viii) provide a separate housing area where animals can be moved while their enclosure is being cleaned. Animals are not returned to their primary enclosure until it is dry; and
- (ix) include equipment for play or stimulation appropriate to the animal being kept.

(c) Environment:

- (i) each enclosure shall be maintained at a temperature adequate and appropriate to the species;
- (ii) ventilation and heating systems shall be constructed to supply fresh air and enable adequate exchange of air and maintenance of optimal environmental conditions for all seasons;

- (iii) additional ventilation must be provided using exhaust fans and/or air conditioning when ambient temperatures reach more than 26°C; and
 - (iv) indoor humidity shall be maintained between 35-50% to ensure animal comfort, minimize the risk of transmission of animal disease, prevent damage to the structural integrity of the building and its contents, and prevent the accumulation of excess moisture that can promote growth of mold.
 - (d) Sanitation:
 - (i) all enclosures shall be cleared of debris and cleaned of feces and urine at least twice daily, or more often as necessary to maintain a sanitary environment and the good health of the animal. The licensee shall keep a cleaning record for all enclosures and shall provide it to the Licensing Commissioner or an Officer upon request;
 - (ii) all waste containment/cleaning equipment, food preparation areas, food/water bowls, and utensils shall be kept in a clean & sanitary condition.
- (5) All employees, where applicable, shall be adequately trained and knowledgeable in animal care and husbandry, consistent with industry standards.
- (6) The licensee or person shall maintain a training manual that is accessible to employees, regarding animal care and husbandry to the satisfaction of the Licensing Commissioner. This manual shall include, but not be limited to, procedures on the following:
 - (a) the care of animals including feeding, cleaning, and the type of housing provided for animals;
 - (b) appropriate low-stress handling, restraint, training, grooming, and exercise;
 - (c) recognizing and taking appropriate action when animals display behaviours indicative of stress, anxiety, depression, aggression, incompatibility, illness, and injury;

- (d) proper maintenance, identification and reporting of damage/deterioration of enclosures to ensure effective repair and prevent negative impacts on animal health and well-being;
 - (e) daily recordkeeping;
 - (f) sanitation protocols;
 - (g) methods of handling dogs, cats or other animals generally and in the event of escape;
 - (h) infectious disease protocols and methods for handling sickness, injury or death of a dog, cat or other animal;
 - (i) methods for handling situations in which a dog, cat or other animal has bitten a person, dog, cat or other animal;
 - (j) infectious disease protocols;
 - (k) emergency protocols within the premises such as response to flood/fire, power failure, evacuation, accidental/acute animal injury/illness; and
 - (l) emergency contact procedure(s).
- (7) The licensee shall ensure that applicable employees sign-off on an annual basis that they have reviewed the training manual and will abide by its requirements. The licensee shall provide proof of sign-off to the Licensing Commissioner or an Officer upon request.
- (8) Information for contacting the veterinary clinic/hospital, emergency care facility, the licensee, local fire/police and any alarm company shall be posted in a location readily accessible to all employees.
- (9) Sick, injured, or diseased animals shall receive prompt veterinary treatment and nursing care, appropriate for the animal's condition.

7. Regulations for Animals Kept Temporarily in the Town of Oakville

- (1) Animals shall be kept in compatible social groups to ensure the general welfare of the individual animals and of the group and to ensure that each animal in the group is not at risk of injury or undue stress from dominant animals of the same or a different species.

- (2) Licensees or persons shall ensure that animals are not left unattended while tethered or tied on premises where the public has access, whether the access is expressed or implied.
- (3) Licensees or persons shall ensure that animals left unattended in a motor vehicle:
 - (a) are restrained in a manner that prevents contact between the animal and any member of the public;
 - (b) have suitable ventilation; and
 - (c) are not exposed to extreme temperatures which can cause distress and/or death.
- (4) No licensee or person shall allow an animal to be outside of the passenger cab of a motor vehicle on the roadway, regardless of whether the motor vehicle is moving or parked, except for loading and unloading the animal(s).
- (5) Despite subsection 7(4) of this Schedule, a licensee or person may allow an animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck or flatbed truck if the animal is:
 - (a) in a fully enclosed trailer;
 - (b) in a topper enclosing the bed area of a truck;
 - (c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
 - (d) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.

8. Prohibitions

- (1) No licensee or person using an animal for the purposes of entertainment shall:
 - (a) taunt, goad, bait, provoke, injure or distress the animal or permit it to be taunted, goaded, baited, provoked, injured or distressed;
 - (b) restrain the animal in a manner that causes pain, injury or distress;

- (c) fail to make fresh, clean water available to the animal:
 - (i) at all times to allow the animal to drink without restriction; and
 - (ii) in an amount sufficient for the well-being of the animal;
 - (d) fail to feed animals periodically each day in accordance with the animal's particular food requirements;
 - (e) confine animals in incompatible social groups;
 - (f) fail to ensure that spectators and other members of the public are protected from being trampled, gored, crushed or bitten by the animal;
 - (g) fail to ensure that the animal is prevented from escaping or being at large; or
 - (h) fail to update the list of events provided in accordance with subsection 2(1) of this Schedule if new events are added during the term of the licence.
- (2) No licensee or person shall fail to:
- (a) maintain a training manual in accordance with subsection 4(6) and produce the manual for inspection by the Licensing Commissioner or an Officer upon request;
 - (b) have applicable employees sign-off that they have reviewed the training manual and that they will abide by its requirements.
- (3) Despite any exemptions provided in any other by-law, no licensee or person shall have any animal that carries or produces a toxin known to be dangerous to humans and/or domestic animals in their possession, or use any of these animals as part of their animals for entertainment business.
- (4) Despite any exemptions provided in any other by-law, the following are the only animals that may be in the licensee's possession or may be used as part of the licensee's animals for entertainment business:
- (a) Domestic cats, dogs and rabbits;
 - (b) Livestock such as cattle, goats, sheep, pigs, ducks and geese;
 - (c) Pheasants, grouse, guinea fowl, turkeys, chickens and pea fowl;
 - (d) Horses, ponies, donkeys, jackasses and mules;
 - (e) Sugar gliders derived from a self-sustaining captive population;

- (f) Ferrets;
- (g) Rodents such as chinchillas, hamsters and guinea pigs which do not exceed 1,500 grams and are derived from a self-sustaining captive population;
- (h) Tortoises and turtles;
- (i) Emus;
- (j) Alpacas and llamas;
- (k) Non-venomous arachnids; and
- (l) Non venomous lizards and snakes under 3 m in length.

Schedule 5: Arborist Consulting Company, Arboriculture Company, Tree Company

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Arborist” means a person who has graduated from an accredited college or university with a diploma or degree in Urban Forestry, Arboriculture or equivalent and satisfies at least one (1) of the following requirements:
 - (i) is certified by the International Society of Arboriculture, **or equivalent;**
 - (ii) is currently accepted as a consulting arborist with the American Society of Consulting Arborists; or
 - (iii) is a Registered Professional Forester (RPF) as defined in the Professional Foresters Act, 2000, S.O. 2000, c. 18;
 - (b) **“Certificate of Errors and Omissions Insurance” means a certificate of professional liability insurance that protects companies, their workers, and other professionals against claims of inadequate work or negligent actions;**
 - (c) “Certified Tree Worker Climber Specialist” means a person holding the credentials of an ISA Certified Tree Worker Climber Specialist or equivalent;
 - (d) “Certified Chainsaw Operator” means a person who has passed a course on the operation of a chainsaw at the standard set in the Occupational Health and Safety Act, R.S.O. 1990, c. O.1, O.REG. 145/00 and O. REG. 213/91;
 - (e) “Proximity” means a distance of 3 metres from 750 volts to 150 000 volts, 4.5 metres **from 150 001 volts to 250 000 volts**, and 6 metres for more than 250 000 volts;
 - (f) **“Tree By-laws” means Municipal Tree By-law 2009-025 and/or Private Tree By-law 2017-038, or successor by-laws, as the context requires;**
 - (g) **“Tree Risk Assessment” means the systematic process to identify, analyze and evaluate tree risk;**

- (h) “Tree Valuation” means the method used to determine the values of amenity plants; and
- (i) “Utility Arborist” means a person trained and knowledgeable to undertake any work required to prune or clear vegetation in proximity to energized electrical equipment, structures and conductors; including the pruning, falling or removal of trees which could come into contact with energized power lines and who is an ISA Certified Arborist Utility Specialist or holds **equivalent certification**.

2. Licence Application/Renewal Requirements

- (1) **Every person providing the services shown in the table below in the Town shall apply for and obtain a licence under this Schedule in the following applicable sub-type:**

Services Provided	Licence Sub-Type		
	Arboriculture Company	Arborist Consulting Company	Tree Company
Prepares reports	✓	✓	
Assesses the health and structure of trees	✓	✓	
Provides a tree risk assessment	✓	✓	
Provides tree valuations	✓	✓	
Provides tree maintenance including removing trees, pruning, root pruning, fertilizing, planting, stumping, transplanting a tree	✓		✓
Requires an arborist on staff	✓	✓	
Requires a certified tree worker climber specialist on staff	✓		✓
Requires a certified chainsaw operator on staff	✓		✓
Requires a utility arborist when working in proximity to energized electrical equipment, structures and conductors	✓		✓

- (2) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Arborist Consulting Company	Arboriculture Company	Tree Company
Licence Renewal Date	30-Apr	30-Apr	30-Apr
Applicant's information	✓	✓	✓
Business address	✓	✓	✓
Insurance certificate	✓	✓	✓
Licence fee	✓	✓	✓
Article of Incorporation	✓	✓	✓
Business partner information	✓	✓	✓
Criminal record check		✓	✓
Applicant's proof of qualifications, if applicable	⚠	⚠	⚠
Employee list	✓	✓	✓
Additional documentation set out below			

✓ Required for initial and renewal application

⚠ Required for initial application only

- (3) An applicant who is also working as an arborist, certified tree worker climber specialist, certified chainsaw operator or utility arborist must submit proof of qualifications at the time of initial application for a licence under this Schedule.
- (4) In addition to the requirements prescribed in subsection 2(2) to this Schedule, a completed application for an arborist consulting company or arboriculture company licence or for renewal of said licences shall be accompanied by a certificate of errors and omissions insurance in a minimum amount of two million dollars (\$2,000,000). The Town of Oakville and address must appear on the certificate as an "Additional Insured" in order to provide the Town at least thirty (30) days' notice in writing prior to cancellation, expiration or change of policy.
- (5) In addition to the requirements prescribed in subsection 2(2) to this Schedule, at the time of initial application for an arborist consulting company licence, arboriculture company licence or tree company licence, applicants shall:
 - (a) obtain and keep a copy of their employees' proof of qualifications; and

- (b) obtain the consent of their employees, in a form provided by the Licensing Commissioner, to the potential disclosure of the employee's proof of qualifications to the Licensing Commissioner or to an Officer for the purpose of the administration and enforcement of this By-law.
- (6) Applicants for an arborist consulting company licence, arboriculture company licence or tree company licence shall provide the consent and proof of qualifications referred to in subsection 2(5) of this Schedule to the Licensing Commissioner or to an Officer upon request.
- (7) For any employees hired during the term of their licence, arborist consulting company, arboriculture company or tree company licensees shall:
 - (a) obtain and keep the consent required by subsection 2(5) of this Schedule;
 - (b) obtain and keep the employee's proof of qualifications required by subsection 2(5) of this Schedule and provide the proof of qualifications to the Licensing Commissioner or an Officer upon request; and
 - (c) update the employee list required by subsection 2(2) of this Schedule and provide the updated list to the Licensing Commissioner or an Officer upon request.

3. Endorsement

- (1) In accordance with Section 11 of this By-law, a person holding a current and valid arboriculture company licence, or a current and valid tree company licence may apply for an endorsement to perform the following additional business activities:
 - (a) Schedule 11 – Contractors: Landscaping Contractor;
 - (b) Schedule 11 – Contractors: Lawn Care Contractor.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the arboriculture company or tree company applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and

responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. Regulations

- (1) Any sub-contractors retained by an arborist consulting company licensee, arboriculture company licensee or tree company licensee shall obtain their own licence, if required under this By-law.
- (2) Arborist consulting company licensees, arboriculture company licensees, tree company licensees or persons shall:
 - (a) have printed or otherwise displayed on both sides of all vehicles owned, leased or used on a regular basis in the course of business, in letters or figures no less than 10 centimetres in height, the arborist consulting company, arboriculture company or tree company's business name;
 - (b) have printed or otherwise impressed on all business stationery, forms, invoices, statements and advertising materials, the arborist consulting company, arboriculture company, or tree company's business name, business address and telephone number;
 - (c) provide a written contract which shall be signed by the arborist consulting company licensee, arboriculture company licensee or tree company licensee before commencing any work, such contract to contain:
 - (i) the business name and business address of the arborist consulting company licensee, arboriculture company licensee or tree company licensee and the person for whom the work is being done;
 - (ii) the address where the work is to be done;
 - (iii) a description of the work to be completed and associated costs;
 - (iv) warranties or guaranties, if any; and
 - (v) the estimated date of completion;
 - (d) give a copy of the contract referred to in subsection 5(2)(c) of this Schedule to the person for whom the work is being done; and

- (e) upon the conclusion of the work and prior to demanding payment, provide the person for whom the work was done with an itemized invoice of the work that has been completed.

6. Prohibitions

- (1) No arborist consulting company licensee, arboriculture company licensee, tree company licensee or person shall:
 - (a) fail to obtain all necessary permits, where required, prior to the commencement of any work and procure all requisite inspections from the Town;
 - (b) fail to post any notifications required by the Town's Tree By-laws;
 - (c) fail to install or maintain any tree protection measures required by the Town's Tree By-laws;
 - (d) permit persons who are not duly qualified to perform the duties of an Arborist, Certified Tree Worker Climber Specialist and Certified Chainsaw Operator;
 - (e) permit persons who are not duly qualified as a Utility Arborist to work in proximity to energized electrical equipment, structures and conductors;
 - (f) fail to ensure utility locates are conducted prior to any digging or excavation;
 - (g) fail to replace any damaged sod, ground cover, pavement, or property of the Town within forty-eight (48) hours of the completion of the arborist, arboriculture company or tree company work;
 - (h) fail to obtain an employee's consent to disclose their proof of qualifications in accordance with subsection 2(5) of this Schedule;
 - (i) fail to provide the Licensing Commissioner or an Officer with proof of qualifications in accordance with subsection 2(6) of this Schedule; or.
 - (j) for employees hired during the term of the licence, fail to provide the Licensing Commissioner or an Officer with an employee's consent or proof of qualifications in accordance with subsection 2(7) of this Schedule.

- (k) fail to provide an updated employee list required by subsection 2(7)(c) of this Schedule, if required by Licensing Commissioner or Officer;
- (l) in addition to the requirements of Section 21 of this By-law, fail to ensure that all debris, mud, garbage or stone tracked onto a municipal-right-of way is removed; or
- (m) permit the injury or destruction of a Town tree or other tree which is protected by Town by-laws or subject to tree protection measures as a condition of a permit.

Schedule 6: Attractions

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Attraction” means a temporary event that is open to the public and draws or is intended to draw visitors by providing something of interest, and includes but is not limited to:
 - (i) the presentation or display of a selection of items including but not limited to arts, crafts, motor vehicles, books;
 - (ii) rides such as roller coasters, merry-go-rounds, ferris wheels, zip lines, inflatables, water slides and other like contrivances;
 - (iii) mechanical or electronic games;
 - (iv) 2 or more food vendors or other vendors; or
 - (v) markets.
 - (b) “Farmers Market” means a temporary market at which vendors offer for sale or sell their agricultural products directly to consumers, including but not limited to produce, flowers and baked goods;
 - (c) “Flea Market” means a temporary market at which second-hand goods are sold or offered for sale;
 - (d) “Market” means farmers markets or flea markets;
 - (e) “Multi-Event” means the same market that is held in the same location for multiple events during the term of the licence issued by the Licensing Commissioner;
 - (f) “TSSA” means the Technical Standards and Safety Authority that is responsible for the administration and enforcement of the *Technical Standards and Safety Act* and its regulations on behalf of the Government of Ontario.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on licence application:

	Attraction – per event	Attraction – multi-event (Market)
Licence Renewal Date	Per event	Multi-Event
Applicant's information	✓	✓
Business address	✓	✓
Insurance certificate	✓	✓
Licence fee	✓	✓
Article of Incorporation	✓	✓
Business partner information	✓	✓
Event details including a description of the event, date(s), time(s) and location	✓	
List of events covered by the multi-event licence including date(s), time(s) and location		✓
List of vendors, including food vendors, and the goods, merchandise or services, offered for sale or provided by each vendor	✓	✓
Proof of building permit, if applicable	✓	✓
Parking management plan	✓	✓
Written approval from the owner of the property being used or their property management company, including the specific period the applicant is permitted to operate at such location, if applicable	✓	✓
Accurate map showing the location of the event in relation to surrounding properties and the location of vendors on the property, if applicable	✓	✓
Valid TSSA licence and permit, if applicable	✓	✓
Copy of communication from Health Department regarding health inspection, if applicable	✓	✓
Valid propane inspection certificate(s), if applicable	✓	✓
Canada Revenue Agency Registered Charity Number, if applicable	✓	✓
Additional documentation set below		

✓ Required for initial application

- (2) The organizer or promoter of the attraction or the owner of property where the attraction will be held shall obtain the necessary licence from the Licensing Commissioner and at the time of licence application shall provide the required documentation listed in subsection 2(1) of this Schedule for all vendors, including food vendors and refreshment vehicles, that will be operating at the attraction.

- (3) Despite subsection 6(1) of this By-law, the applicant shall submit their application for an Attraction Licence a minimum of thirty (30) calendar days prior to the date of any event other than a market.
- (4) The map showing the location of vendors on the property required by subsection 2(1) of this Schedule shall include setbacks from the adjacent property lines, the proposed location of any parking and garbage/recycling containers as well as entrances and exits to the property, where applicable.
- (5) A vendor selling or providing goods for human consumption other than fresh fruit and vegetables, wine or beer at an attraction shall comply with all health regulations and shall submit approval from the Health Department to the Licensing Commissioner, upon request.
- (6) The valid TSSA permit, and licence referred to in subsection 2(1) to this Schedule, means:
 - (a) a valid and current licence to carry on business in Ontario issued by the TSSA or its successor; and
 - (b) a valid and current Ontario Amusement Device Permit issued by the TSSA or its successor for each ride or like contrivance;if required by the *Technical Standards and Safety Act, 2000, S.O. 2000, c. 16* and its regulations.
- (7) In accordance with Section 11 of this By-law, a person holding a current and valid Attraction Licence may apply for an endorsement to perform the following additional business activity:
 - (a) Schedule 4 – Animals for Entertainment
- (8) Attractions held by not-for-profit organizations or registered charities require an Attraction Licence, but the licence fee will be reduced by fifty (50) percent.
- (9) Applicants for an Attraction Licence shall notify the following of the event and shall provide the Licensing Commissioner or an Officer with proof of notification, upon request:
 - (a) the Fire Chief;
 - (b) the Medical Officer of Health; and

- (c) the Halton Regional Police Service.

3. Noise Exemption Permit

- (1) The applicant may be required to obtain a noise exemption permit when directed to do so by the Licensing Commissioner, or as may be necessary under the Noise By-law.
- (2) The applicant shall comply with all provisions of the noise exemption permit if a permit is required.

4. Exemptions

- (1) An Attraction Licence is not required for:
 - (a) educational facilities holding an event for the purpose of education or fundraising where such facilities are under the direct sponsorship of a school board, or the Ministry of Education and only when home baked or homemade items are sold;
 - (b) events held by religious institutions only when home baked or homemade items are sold; or
 - (c) an event held under valid a Town permit or as approved by Council.

5. Limitations on Licence

- (1) An Attraction Licence will not be issued by the Licensing Commissioner for an attraction to be held in a residential zone as designated in Zoning By-law 2014-014 or in areas with a residential use as designated in Zoning By-law 2009-189, unless otherwise approved by the Licensing Commissioner.
- (2) An Attraction Licence will not be issued by the Licensing Commissioner for an event to be held in the following designated business improvement areas in Oakville, or in any business improvement areas that may be designated in Oakville subsequent to the date this By-law comes into force, unless it is an event held by the Town or held under a Town permit, or unless the event is permitted by the business improvement area and the Town:
 - (i) Bronte Village;
 - (ii) Downtown Oakville; or
 - (iii) Kerr Village;

- (3) In addition to Section 9 of this By-law, the Licensing Commissioner may impose a condition on an Attraction Licence regarding the minimum separation distance between the attraction and a property zoned residential under Zoning By-law 2014-014 or on a property with a residential use as defined in Zoning By-law 2009-189.

6. Number of Events Per Attraction Licence

- (1) Attraction licensees may hold an event for a maximum of three (3) consecutive days.
- (2) Despite subsection 6(1) to this Schedule, a multi-event attraction licensee may hold a market on a regular weekly basis, but on no more than three (3) days in a seven (7) day period for a maximum of six (6) months.

7. Regulations

- (1) Attraction licensees or persons shall:
- (a) ensure that each vendor participating in the event has valid insurance and passes all required inspections;
 - (b) ensure that each vendor participating in the event complies with the Fire Code and TSSA requirements, if applicable;
 - (c) provide access to a minimum of one (1) accessible washroom facility (or portable toilet and handwash station) or washroom facilities in an amount to the satisfaction of the Medical Officer of Health; and
 - (d) advertise the location of appropriate parking, in accordance with Town parking by-laws, for persons attending the event.

8. Prohibitions

- (1) No person shall:
- (a) offer for sale or sell goods or merchandise at an attraction unless that person is included on the list of vendors provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule;
 - (b) continue to offer for sale or sell goods or merchandise at an attraction when directed to stop such sale by the licensee, the Licensing Commissioner or an Officer; or

- (c) fail to comply with directions from the Medical Officer of Health, applicable requirements of the Health Protection and Promotion Act, or any other relevant legislation during the entirety of the attraction.
- (2) Licensees or persons shall:
- (a) comply with the terms and conditions of the noise exemption permit issued for the attraction if a permit is required;
 - (b) only permit a vendor who is named on the list provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule to offer for sale or to sell goods or merchandise at the attraction;
 - (c) only permit a vendor to offer for sale or sell goods and merchandise at the attraction when the vendor complies with directions from the Medical Officer of Health, applicable requirements of the Health Protection and Promotion Act, or any other relevant legislation for the entirety of the attraction;
 - (d) ensure that queues which form for the purpose of gaining entrance to the attraction do not obstruct the municipal right-of-way; and
 - (e) comply with the Sign By-law.
- (3) No licensee or person shall:
- (a) park or permit to be parked any motor vehicle in respect of any attraction location contrary to any Town by-law;
 - (b) operate an attraction in the following designated business improvement areas in Oakville, or in any business improvement areas that may be designated in Oakville subsequent to the date this By-law comes into force, unless permitted by the business improvement area and the Town:
 - (i) Bronte Village;
 - (ii) Downtown Oakville; or
 - (iii) Kerr Village; or
 - (c) permit any person while operating an amusement device to smoke or hold lighted tobacco, **cannabis** or use an electronic cigarette.

Schedule 7: Auctioneer, **Auction House**

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) **“Auction” means an in-person public-held sale where goods are sold to the highest bidder;**
 - (b) “Auctioneer” means any person selling or putting up for sale goods, wares, merchandise or effects by public auction;
 - (c) **“Auction House” means any building or structure either owned or leased by or on behalf of an auctioneer for the holding of auctions; and**
 - (d) **“Mock Auction” means an imitated sale by auction of goods, wares, merchandise or effects to persons.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Auctioneer	Auction House
Licence Renewal Date	31-Jan	31-Jan
Applicant’s information	✓	✓
Business address	✓	✓
Insurance certificate	✓	✓
Licence fee	✓	✓
Article of Incorporation	✓	✓
Business partner information	✓	✓
Zoning Occupancy Certificate		▲
Criminal record check	✓	✓

✓ Required for initial and renewal application

▲ Required for initial application only

- (2) The owner of an auction house who acts as an auctioneer as defined in this Schedule requires an auctioneer licence.
- (3) Any person, acting as an auctioneer, who rents or leases space from a licensed auction house to sell or put up for sale goods, wares, merchandise or effects by public auction requires an auctioneer licence.
- (4) In addition to the requirements of subsection 2(1) of this Schedule, an auction house licensee shall keep an updated list of the auctioneers using the auction house and provide it to the Licensing Commissioner or an Officer upon request.

3. Exemptions

- (1) An auctioneer licence is not required for the following:
 - (a) a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent; or
 - (b) a person registered under the *Trust in Real Estate Services Act 2002*, S.O. 2002, c. 30, Sched. C, who is selling land by public auction.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee:
 - (a) fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules; or
 - (b) has been convicted of any offence under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, C. B-3 in the preceding three (3) years.

5. Prohibitions

- (1) No licensee or person shall:
 - (a) permit disorder in the auction house, auction room or offices;

- (b) conduct or permit a mock auction;
 - (c) make or permit a misrepresentation as to the quality or value of the goods offered for sale;
 - (d) use the services of or act in concert with persons known in the trade as “beaters”, “boosters”, or “shills” for the purpose of raising or stimulating bids; or
 - (e) give a false statement to the owner of an item that is up for auction or to a purchaser as to a sale.
- (2) An auction house licensee shall ensure that persons operating as auctioneers at the auction house have current and valid auctioneer licences.

6. Record Keeping

- (1) Every auctioneer licensee or person shall keep a register in accordance with section 20 of this By-law, showing:
- (a) the names and addresses of the owners of the goods auctioned;
 - (b) a description of the goods;
 - (c) the price at which the goods were sold;
 - (d) the amount of any commission or fee;
 - (e) the names and addresses of the purchasers; and
 - (f) the date of payment and amounts paid to the owners for the goods sold, or the date of return of unsold goods to the owners.
- (2) The register required by subsection 6(1) of this Schedule shall be kept for at least one (1) year after the information is entered.

Schedule 8: Billiard Hall

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) “Billiard Hall” means premises with **two (2) or more** billiard or pool tables.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Billiard Hall
Licence Renewal Date	31-Jan
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	▲
Fire inspection	▲

✓ Required for initial and renewal application

▲ Required for initial application only

3. Endorsement

- (1) **In accordance with Section 11 of this By-law, a person holding a current and valid billiard hall licence may apply for an endorsement to perform the following additional business activity:**
 - (a) **Schedule 16 - Food Shop/Restaurant**

4. Prohibitions

- (1) No licensee or person shall permit the billiard hall to be open to the public unless a person over the age of eighteen (18) years is present to supervise the use of the billiard hall; and
- (2) A billiard hall may only be open to the public between the hours of 9:00 a.m. and 2:00 a.m. and no licensee or person shall permit a billiard hall to be open to the public at any time between the hours of 2:00 a.m. and 9:00 a.m. consecutively.

Schedule 9: Body-Rub Establishment – Owner/Operator/Attendant

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) **“Attendant” for the purposes of Schedule 9 of this By-law** means any person who performs or offers body-rubs in a body-rub establishment in the pursuance of a trade, calling, business or occupation and “body-rub attendant” has a similar meaning;
 - (b) **“Body-rub”** includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a duly authorized member of a self-regulating health profession, as provided for in Schedule 1 to the Regulated Health Professionals Act;
 - (c) **“Body-rub Establishment”** includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by a duly authorized member of a self-regulating health profession, as provided for in Schedule 1 to the Regulated Health Professionals Act; and
 - (d) **“Operator” for the purposes of Schedule 9 of this By-law** means the person who operates the body-rub establishment, and “body-rub establishment operator” has a similar meaning;
 - (e) **“Owner” for the purposes of Schedule 9 of this By-law** means the person who owns the body-rub establishment, and “body-rub establishment owner” has a similar meaning;
 - (f) **“Perform”** when used in reference to a body-rub establishment includes to furnish, perform, give, or offer such services and “performing” and “provision” have corresponding meanings.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Body-Rub Establishment – Owner Operating/ Owner Not Operating	Body-Rub Establishment - Operator	Body-Rub Establishment – Body Rub Attendant
Licence Renewal Date	31-Jul	31-Jul	31-Jul
Applicant's information	✓	✓	✓
Business address	✓	✓	✓
Insurance certificate	✓		
Licence fee	✓	✓	✓
Article of Incorporation	✓	✓	
Business partner information	✓	✓	
Zoning Occupancy Certificate	⚠		
Criminal record check	✓	✓	✓
List of operators	✓		
List of attendants	✓		
Fire inspection	⚠		
1 current photograph			✓
List of hours of operation, including the opening and closing times for each day of the week	✓		
List and description of all services and associated costs, including an hourly rate, if applicable	✓		
Letter from owner/operator confirming employment			✓
Additional documentation set out below			

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) An operator or attendant who is employed at more than one (1) body-rub establishment shall take out a separate licence for each body-rub establishment they are employed at in the Town.
- (3) An attendant shall produce two (2) pieces of valid and current identification, including but not limited to a birth certificate, Ontario driver's licence, or a passport, for inspection by the Licensing Commissioner or an Officer, upon request.
- (4) The list of operators and attendants required by subsection 2(1) of this Schedule shall show the first and last name, address and telephone number of all operators and attendants employed by, or performing services in the body-rub establishment and all such persons intended to be employed or to

perform services in the body rub establishment. The list must be updated by the owner upon the hiring of operators and attendants within the term of the owner's licence. The owner shall provide the updated employee list to the Licensing Commissioner or an Officer upon request.

- (5) In addition to the requirements prescribed in subsection 2(1) of this Schedule, a completed application for a body-rub establishment licence or for renewal of a licence shall be accompanied by:
- (a) the date of birth of every partner, the name or names under which they carry on or intend to carry on business, and the mailing address for the partnership;
 - (b) if the applicant is an owner, documentation satisfactory to the Licensing Commissioner demonstrating the applicant's right to possess or occupy the premises used as a body rub establishment;
 - (c) if the applicant is an owner or operator, a copy of every written contract of service, contract for services or other document constituting or pertaining to the relationship between owner and operator of a body-rub establishment or between the owner or operator and attendant performing services in a body-rub establishment upon request by the Licensing Commissioner. The original of any such document shall be made available for inspection at any time by the Licensing Commissioner or an Officer upon request, and shall be retained by the owner or operator for a period of six (6) months after its termination.
- (6) The owner shall ensure that all operators and attendants hired during the term of the owner's licence are licensed by the Town. The owner shall provide proof of licensing to an Officer upon request.
- (7) The Licensing Commissioner shall not issue a licence to operators or attendants unless the owner has a current and valid licence under this By-law.
- (8) The photograph of the applicant for an attendant licence required by subsection 2(1) of this Schedule must:
- (a) be clear, sharp and in focus;
 - (b) show how the applicant looks at the time of application for the licence; the applicant's full face must be clearly visible; and

- (c) show the applicant's face and shoulders straight on and squared to the camera.

3. Limitation on Number of Licences

- (1) A maximum of two (2) owner's licences may be issued under this By-law.

4. Defined Area

- (1) Owners' licences may be issued only for establishments that are located in accordance with subsection 4(2) of this Schedule.
- (2) Body-rub establishments shall only be permitted to operate within the areas described in Appendix 1 (Map A1/A2) to this Schedule and no person shall own or operate a body-run establishment outside of these areas.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Prohibitions

- (1) No licensed body-rub establishment owner or person shall:
 - (a) permit any person other than a licensed operator to operate a body-rub establishment;
 - (b) permit any person, other than an employee of such owner or a person with whom the owner has contracted to operate the body-rub establishment or to perform, offer or solicit body-rubs in the body-rub establishment in pursuance of a trade, calling, business or occupation;
 - (c) permit a person to work as an operator or attendant if the person is not licensed under this Schedule.

- (2) No operator, not being the owner, or person shall operate a body-rub establishment unless the owner of the body-rub establishment is duly licensed as an owner under this By-law;
- (3) No licensed owner, operator, attendant or person shall:
 - (a) perform or provide, or permit the performing or providing of any service(s) in any body-rub establishment which is constructed or equipped in contravention of subsection 6(4)(e) of this Schedule;
 - (b) charge, demand, ask for or require any amount **for services** other than that set out in the list **provided to** the Licensing Commissioner **in accordance with subsection 2(1) of this Schedule**;
 - (c) offer, perform or solicit **a service in** a body-rub **establishment other than those provided to** the Licensing Commissioner **in accordance with subsection 2(1) of this Schedule**;
 - (d) permit to be used any camera or other photographic or recording device in, upon or at a body-rub establishment by any person other than the Licensing Commissioner, an Officer, a Peace Officer, the Medical Officer of Health; or
 - (e) perform or permit to be performed a body-rub in any body-rub establishment by or upon any person whom they have reasonable cause to suspect has been exposed to or is suffering from any communicable disease including any communicable skin disease.
- (4) No licensed owner, operator or person shall:
 - (a) permit a body-rub to be performed, offered, or solicited in the body-rub establishment **by anyone other than a licensed attendant**.
 - (b) **permit an attendant to provide or offer to provide services to any person unless such attendant's chest, pubic area, genital area and buttocks are completely and opaquely covered**;
 - (c) permit any premises or part thereof used as a body-rub establishment to be used as a dwelling or for sleeping purposes;
 - (d) permit any food or beverage to be prepared, kept for sale, sold, bought, given or offered free of charge in any body-rub establishment, other **than commercially available non-alcoholic beverages in a sealed**

- container or bottle** and preparation of food for the use and consumption by persons employed by or under contract of services to an owner or operator in a room used exclusively for such purposes;
- (e) permit the premises to be constructed or equipped so as to hinder or prevent the enforcement of this By-law;
 - (f) permit or suffer any person to advertise any body-rub establishment to publish, erect or maintain any sign, notice, publication or device relating to or drawing attention to such body-rub establishment, except as specifically permitted in this By-law or the Sign By-law;
 - (g) permit any person actually or apparently under the age of eighteen (18) to enter or remain in any body-rub establishment;
 - (h) open a body-rub establishment for business or permit the same to be or to remain open for business or permit any body-rub or services of any kind to be performed, offered or solicited in the body-rub establishment **except between the hours of 9:00 a.m. and 9:00 p.m. on any given day;**
 - (i) permit, in any body-rub establishment, the offering, selling, giving, performing or soliciting of any services other than **those provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule.**
 - (j) fail to give to the customer an itemized bill, listing the services to be provided and the price to be paid for each, **upon request;**
 - (k) fail to provide a customer a written receipt for the full amount paid upon request.
 - (l) fail to ensure that:
 - (i) the premises are provided with adequate light and ventilation;
 - (ii) the premises and all fixtures and equipment therein are regularly washed and kept in sanitary condition;
 - (iii) the premises are equipped with an effective utility sink; and
 - (iv) adequate **universal washroom facilities are** provided.
 - (m) fail to ensure washrooms are equipped with:
 - (i) an adequate supply of hot and cold water;

- (ii) an adequate supply of liquid soap in a suitable container or dispenser;
 - (iii) hot air dryers or individual clean towels for the use of each person using the washing facilities; and
 - (iv) a suitable receptacle for used towels and waste material.
- (n) fail to ensure that in all shower-bath room(s) and in all sauna-bath room(s), if any:
 - (i) the floors are disinfected at least once a week with a disinfecting solution approved by the Medical Officer of Health;
 - (ii) all surfaces and attached accessories of the bath or shower enclosure must be self-draining;
 - (iii) all showers must have removable cleanable drain covers; and
 - (iv) floor surfaces both within and without the enclosures shall be of a non-slip type.
- (o) fail to ensure the following where a bathtub(s) or whirlpool bath(s) are provided on the premises:
 - (i) a grab-bar or other convenient support shall be provided unless the walls of the tub or whirlpool bath enclosure at 61 cm. in height or higher;
 - (ii) the bottom of the tub or whirlpool bath enclosure shall be of a non-slip type; and
 - (iii) the water serving all the bathtubs, showers and hand basins used by patrons shall not have a temperature exceeding 48.8°C and shall be controlled by a device that regulates the temperature, and patrons shall not have access to this device;
- (p) fail to ensure that a total volume air change of ten (10) times per hour is provided for all tub, shower or bath rooms;
- (q) permit common foot baths to be provided on the premises;
- (r) permit duckboards or cocoa matting to be used in the shower, bath or steam room, or provide anything other than liquid or powdered soap in the shower room;
- (s) fail to provide a fresh, clean, individual pair of paper slippers to every person immediately after taking a shower;

- (t) fail to ensure that every table, mat or other surface upon which persons lie or sit while being given or provided with a body-rub are clean and in good repair, have a top surface of impervious material, and are covered with a fresh, clean individual paper or cloth sheet;
- (u) fail to ensure that every sheet or towel shall, immediately after being used by any person, be deposited in a receptacle reserved for that purpose and shall not be utilized again for any purpose before being freshly laundered;
- (v) fail to ensure that all massage or body-rub appliances and any other article or device applied to a customer's body for or in connection with body-rubs are cleansed and disinfected after each individual use with a disinfecting solution satisfactory to the Medical Officer of Health;
- (w) fail to ensure that every body-rub or other service performed in a body-rub establishment is given in an individual room or cubicle;
- (x) fail to provide a service by which any customer may deposit valuables or other property for safekeeping and any customer who presents their property for safekeeping shall be given a receipt specifying the nature of the property so entrusted;
- (y) fail to take due care of all property delivered or entrusted to the owner or operator for safekeeping and return it to the property owner upon demand;
- (z) during the term of employment of an attendant or the performance of attendant services, fail to retain an attendant licence and/or fail to post the licence in a conspicuous place in the body-rub establishment and keep it posted throughout the term of the licence;
- (aa) fail to provide the Licensing Commissioner or an Officer with an updated list of operators and/or attendants upon request;
- (bb) fail to post a copy of the list of services and fees provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule in a conspicuous place in the interior of the body-rub establishment plainly visible to any person upon entering the premises;
- (cc) fail to ensure that the door or doors or other principal means of access into the body-rub establishment by the public are kept unlocked and available so that anyone coming into the body-rub establishment from

the street or other public place may enter therein without hindrance or delay during the hours of business of the body-rub establishment set forth in the schedule filed with the Licensing Commissioner in accordance with subsection 2(1) of this Schedule, or at any time at which a body-rub establishment is open for business or at any time at which a body-rub attendant is in attendance at a body-rub establishment;

- (dd) permit a body-rub establishment to be open for business, or remain open for business, or any attendant to enter or remain therein, or any service to be provided at such body-rub establishment where the owner or operator licensed in respect of such body-rub establishment is not in attendance; or
 - (ee) fail to provide an employee to hold, handle, or receive payment for services rendered at the body-rub establishment, which employee shall not, during the period in which they are so employed, provide any body-rubs.
- (5) No licensed attendant or person shall:
- (a) perform, offer, or solicit body-rubs in any body-rub establishment unless the owner and the operator is duly licensed as an owner or operator respectively under this By-law;
 - (b) provide or offer to provide services to any person unless the attendant's chest, pubic area, genital area and buttocks are completely and opaquely covered;
 - (c) perform a body-rub or provide any other service in a room, cubicle or other enclosure with a door or other means of access which is equipped or constructed with a locking device of any kind, or which is equipped or constructed in such a way as to permit the obstruction, hindrance or delay of any person attempting to gain entry thereto; or
 - (d) hold, receive or handle any payment for services rendered at the body-rub establishment or hold any customer's money or belongings.
- (6) No licensed owner, operator, attendant or person shall:
- (a) use, or permit to be used any sign, notice, placard, printing, picture or any other advertising or identifying device or thing whatsoever relating to any body-rub establishment or services offered therein, other than the

signs permitted under subsection 6(4)(f) of this Schedule, placed on or near any body-rub establishment, or in a body-rub establishment in such a position or place as to be capable of being seen by a person outside the body-rub establishment;

- (b) provide a body-rub or any other services in a body-rub establishment to a person who is or who appears to be under the age of eighteen (18) years; or
- (c) provide or permit the provision of a body-rub or other service in any washroom or in any room containing a toilet.

7. Signage

- (1) In addition to the sign referred to in subsection 6(4)(f) of this Schedule, there shall be displayed, flat against the exterior portion of the primary door or within two (2) metres of the primary door leading into the body-rub establishment one (1) non-illuminated sign of which the façade shall not exceed 0.19 square metres in size, and which sign shall be no more than eight (8) centimeters in depth, which sign shall bear the following:
 - (a) the body-rub establishment owner's legal name as shown on the licence;
 - (b) the name, if any, under which the owner carries on business as endorsed on the licence in respect of the body-rub establishment;
 - (c) the address of the body-rub establishment; and
 - (d) the telephone number of the body-rub establishment but other than the foregoing there shall be no other letters, marks, paintings, contrasting colours, symbol, logo or any other mark whatsoever on the said sign.
- (2) Signage shall be installed as required by subsection 7(1) of this Schedule between 1.5 meters and 1.8 meters from grade.

8. Record Keeping

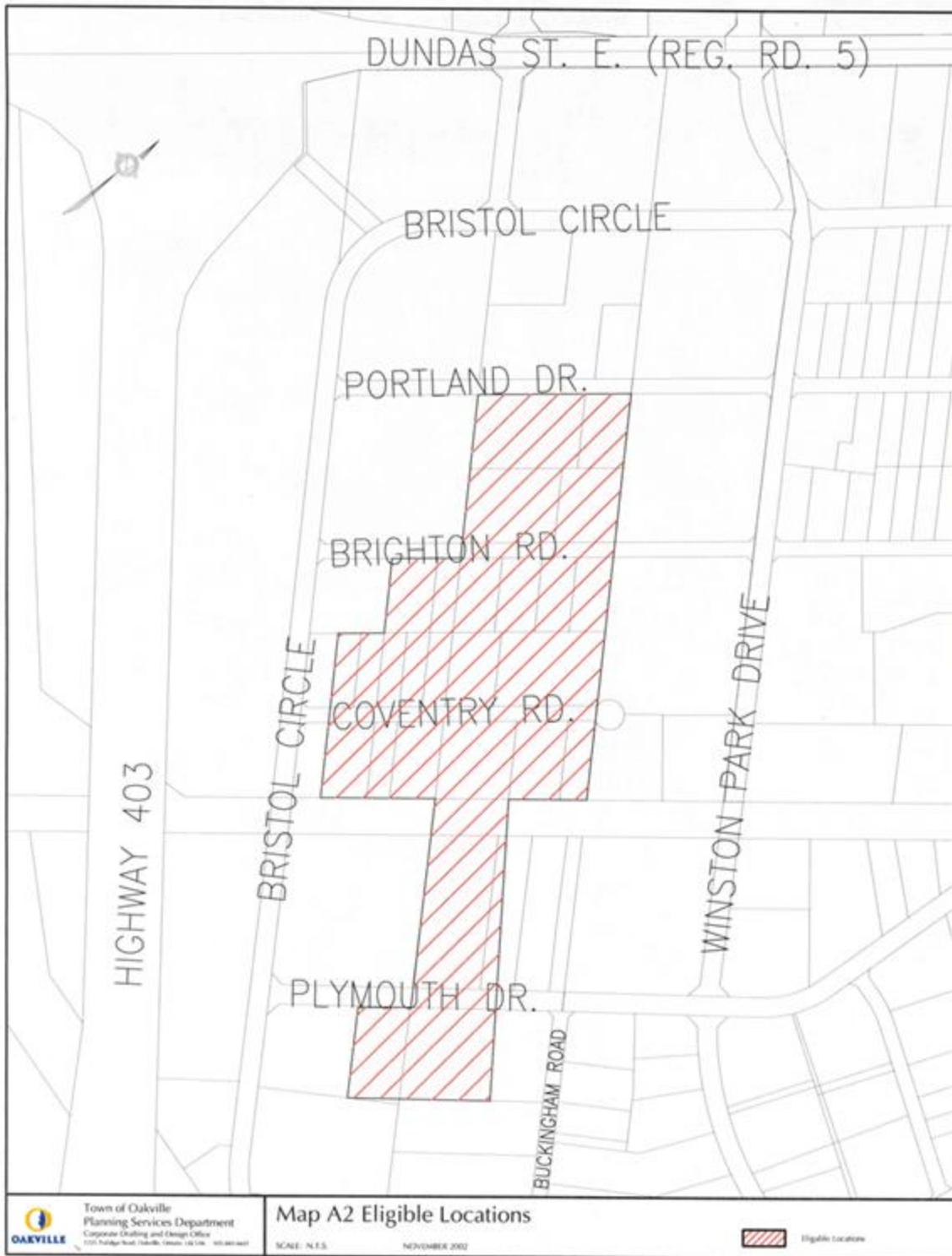
- (1) Every licensed owner, operator or person shall keep records and books of account in accordance with section 20 of this By-law, of all business transacted in, by or in respect of the body-rub establishment, which books shall contain:

- (a) the amount of gross receipts for all services provided in the body-rub establishment, including all receipts for admission fees and other charges and receipts in respect of entry to or services provided in such body-rub establishment;
 - (b) the name and licence number of every attendant providing services in the body-rub establishment including the date of commencement and the date of termination of such services;
 - (c) the amount of salary or commission paid to each attendant; and
 - (d) all amounts paid by the owner to the operator, if any, or by the operator to the owner, in respect of such body-rub establishment or body-rub business;
- (2) The records and books of account required by subsection 8(1) of this Schedule shall be kept for the previous and current year.
- (3) Despite subsection 20(3) of this By-law, the Licensing Commissioner, an Officer, the Chief of Police or any person duly authorized by either, shall at all times have access to the records and books of account.
- (4) Every licensed owner, operator or person shall retain and keep a copy of each bill and receipt for at least one (1) year after the services referred to therein are performed, and the Licensing Commissioner or any person authorized shall at all times have access to such copies.

Appendix "1" (Maps A1/A2) to Schedule 8

Body-rub establishments may only be located and operated within the areas shown as the shaded area on the attached maps A-1 and A-2, subject to compliance with all applicable law.





Schedule 10: Commercial Parking Lot

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following term shall have the corresponding meaning:
 - (a) “Commercial Parking Lot” means a premise where motor vehicles may be parked or stored, either in the open or in a structure, consisting of parking spaces and aisles that are available for public use where a charge is levied to occupy any parking space but does not include a commercial parking lot operated by a governmental authority.

2. Pre-Consultation Meeting

- (1) Prior to submitting an initial application for a commercial parking lot licence, the applicant must contact the Town’s Zoning Department to determine if the commercial parking lot use is permitted under the applicable Zoning By-law.
 - (2) If a commercial parking lot is a permitted use, the applicant shall attend a pre-consultation meeting with Town Planning staff to determine whether a site plan application is required.
 - (3) If Town Planning staff determine that a site plan application:
 - (a) is required, the applicant shall submit a site plan application to Town Planning staff for review; or
 - (b) is not required, Town Planning staff will advise the Licensing Commissioner by email that a pre-consultation was held, and no planning approvals are required.
 - (4) The applicant may submit an application for a commercial parking lot licence to the Licensing Commissioner where:
 - (a) a commercial parking lot is a permitted use under the Zoning By-law and where site plan approval has been granted; or
 - (b) where a commercial parking lot is a permitted use under the Zoning By-law and Town Planning staff advises the Licensing Commissioner that site plan approval is not required.
-

3. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Commercial Parking Lot
Licence Renewal Date	31-Jul
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Proof of site plan approval, if applicable	▲
Zoning Occupancy Certificate	▲
Proof of property owner's consent to operate a commercial parking lot	▲

✓ Required for initial and renewal application

▲ Required for initial application only

- (2) The consent of the property owner referred to in subsection 3(1) of this Schedule may be in the form of a letter signed by the property owner or a copy of an operating agreement to which the commercial parking lot owner is a party that has been signed by the property owner.

4. Signage

- (1) Licensees shall display signs at each entrance to the commercial parking lot and at each pay station, so as to be clearly visible to every driver of a vehicle entering the premises and to any patron paying for parking.
- (2) The signs referred to in subsection 4(1) of this Schedule shall contain the following information in legible text, in letters and figures of a uniform size a minimum of 7.62 centimetres (3 inches) in height at each public entrance, and a minimum of 2.54 centimetres (1 inch) in height at each pay station:
- (a) the name and telephone number of the licensee or property agent/management company;

- (b) the name and telephone number of the person to contact if there is an issue with the payment system;
- (c) the days and hours of operation of the commercial parking lot;
- (d) the ways in which patrons may pay for parking; and
- (e) the parking rates.

5. Prohibitions

- (1) No licensee or person shall permit any person to conduct parking enforcement services at the commercial parking lot unless that person holds a private parking enforcement officer licence under Schedule 26 of this By-law for that commercial parking lot.
- (2) No licensee or person shall:
 - (a) permit patrons to park at the commercial parking lot unless the lot contains signage in accordance with section 4 of this Schedule;
 - (b) despite subsection 19(2)(f) of this By-law, fail to notify the Licensing Commissioner in writing by email or registered mail, of any expiration, termination or change in the authorization from the property owner required by subsection 3(1) of this Schedule within five (5) business days;
 - (c) in addition to the requirements of Section 21 of this By-law, fail to ensure that queues which form for the purpose of gaining entrance to the commercial parking lot do not obstruct the municipal right-of-way; or
 - (d) fail to notify the Halton Regional Police Service if a motor vehicle is left at the commercial parking lot for longer than forty-eight (48) hours without appropriate payment.

Schedule 11: Contractors

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Building Renovator” means the person engaged in the business of constructing, altering, repairing or renovating buildings or structures, including but not limited to decks, roofs, sheds and interior alterations. This does not include a building contractor whose only business is the construction of new buildings or structures and who is registered with the Tarion Warranty Corporation, **or a person who paints buildings or structures;**
 - (b) “Construction Equipment” means any equipment or device designed and intended for use in construction, or material handling, including but not limited to hammers, saws, drills, augers, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;
 - (c) “Contractor” means **a person licensed or required to be licensed under this By-law and engaged in, occupied in or retained to carry out work as a building renovator, servicing and road cut contractor, plumbing contractor, HVAC contractor, pool installation contractor, landscaping contractor or lawn care contractor in Oakville;**
 - (d) “Driveway” means **an access within a municipal right of way facilitating or supporting vehicular travel (continuous, intermittent or temporary) between the roadway and a private property;**
 - (e) “Driveway Work” includes, but is not limited to, **laying asphalt, concrete, interlocking stone or other similar material for a driveway; paving or sealing paved driveway surfaces; maintenance or repair of existing driveways or walkways and expanding or altering driveways or walkways; all on private property and includes installing curb cuts and restoring sidewalks and roads that are damaged as part of the driveway work;**
 - (f) “HVAC Contractor” means a person who undertakes or is engaged in a business relating to heating, ventilating, or air conditioning and has in their employ at least one (1) of the following installers: HVAC

Refrigeration, HVAC Gas Fitter and HVAC Sheet Metal Worker (Installer), or otherwise qualified and licensed or registered to do so under the laws of the Province of Ontario;

- (g) “HVAC – Gas Fitter Installer” means a person who holds a licence G1 - Gas Fitter 1 Unlimited BTU’s, or G2 - Gas Fitter 2 up to 400,000 BTU’s residential, light commercial, issued by the Technical Standards and Safety Authority (T.S.S.A.) for the installation of gas equipment ie: furnace, fireplace, barbecue, and who engages in such work, in compliance with the laws, rules and regulations governing same;
- (h) “HVAC – Sheet Metal Worker Installer” means a person who holds a **certificate of qualification** issued by **Skilled Trades Ontario** for the installation of duct work and other sheet metal installation in residential low-rise properties;
- (i) “HVAC – Refrigeration Installer” means a person who holds a **certificate of qualification** (313A- Refrigeration and Air Conditioning Systems Mechanic, or 313D- Residential Air Conditioning Mechanic) issued by the **Skilled Trades Ontario** for the installation of Refrigeration and Air Conditioning Systems in accordance with the defined parameters of **Skilled Trades Ontario**, and who engages in such work, in compliance with the laws, rules and regulations governing same;
- (j) “Installers” means, for the purpose of Schedule 11, “HVAC – Refrigeration Installer”, “HVAC – Gas Fitter Installer”, and “HVAC – Sheet Metal Worker Installer” or otherwise qualified and licensed or registered to do so under the laws of the Province of Ontario;
- (k) “Landscaping Contractor” means a **person who** undertakes or is engaged in the business of managing lawns/yards including but not limited to installing sprinkler systems, building retaining walls, constructing patios, digging irrigation and drainage channels, **engaging in driveway work**, installing stone, brick or concrete landscapes, planting shrubs/trees, laying sod/grass, erecting fences, seasonal mowing/seeding/aeration/fertilization/raking, and snow ploughing/snow removal/anti-icing application but does not include the pruning, cutting or removal of trees **and includes property maintenance contractors**;
- (l) “Lawn Care Contractor” means seasonal mowing, seeding, **de-**thatching, aeration, fertilization, and raking **of lawns**, not utilizing construction equipment;

- (m) “Neighbourly Assistance” means assisting a neighbour in providing the services of property maintenance solely to the neighbour **or immediate neighbourhood**;
- (n) “Paving” includes, but is not limited to, asphalt, concrete and interlocking stone paving;
- (o) “Plumbing” means as defined in the Building Code Act and “plumbing work” has a corresponding meaning;
- (p) “Plumbing Contractor” means a person who undertakes or is engaged in the business of plumbing;
- (q) **“Pool” means as defined in the Town’s Pool Enclosure By-law 2006-071, as amended, or successor by-laws**;
- (r) “Pool Installation Contractor” means a person who undertakes or is engaged in the business of installing pools **and/or providing pool maintenance services** on private property;
- (s) “Qualified Plumber” means a person who is skilled in the planning, superintending, and installing of plumbing, who engages in such work and who is familiar with the laws, rules and regulations governing same and who holds a provincial certificate of qualification as a journeyman plumber for at least two (2) years or duly qualified, licensed or registered under the laws of the Province of Ontario;
- (t) **“Servicing, Servicing Pipe(s), Service Installation” means pipes or the work related to storm sewer or sanitary sewer or watermain or the associated lateral connections and appurtenances; and**
- (u) **“Servicing and Road Cut Contractor” means a person who undertakes or is engaged in a business of servicing work including the installing, replacing, repairing or maintenance of servicing pipes and drainage systems, sewage disposal systems, and service lateral connections outside of the building, who solicits and advertises such work to the public, and who is a servicing contractor or employs a servicing contractor and includes performing road cuts and restoring curbs, sidewalks and roads that are damaged as part of the servicing work.**

2. Licence Application/Renewal Requirements

- (1) **Every person engaged or retained in the trades or occupations of building renovation, service pipe installations and restoration work due to drainage**

work, plumbing, HVAC, pool installation, lawn care or landscaping in the Town shall apply for and obtain a contractor licence under this Schedule in the following applicable sub-type:

- (a) building renovator;
- (b) servicing and road cut contractor;
- (c) HVAC contractor;
- (d) landscaping contractor;
- (e) lawn care contractor;
- (f) plumbing contractor; or
- (g) pool installation contractor.

(2) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Building Renovator	Servicing and Road Cut Contractor	HVAC Contractor	Landscaping Contractor	Lawn Care Contractor	Plumbing Contractor	Pool Installation Contractor
Licence Renewal Date	30-Apr	30-Apr	30-Apr	30-Apr	30-Apr	30-Apr	30-Apr
Applicant's information	✓	✓	✓	✓	✓	✓	✓
Business address	✓	✓	✓	✓	✓	✓	✓
Insurance certificate	✓	✓	✓	✓	✓	✓	✓
Licence fee	✓	✓	✓	✓	✓	✓	✓
Article of Incorporation	✓	✓	✓	✓	✓	✓	✓
Business partner information	✓	✓	✓	✓	✓	✓	✓
Criminal record check	✓	✓	✓	✓	✓	✓	✓
Proof of qualifications			⚠			⚠	
Description of business				✓	✓		
Self-declaration	✓	✓	✓			✓	
Employee list	✓	✓	✓			✓	
Additional documentation set out below							

✓ Required for initial and renewal application

	Building Renovator	Servicing and Road Cut Contractor	HVAC Contractor	Landscaping Contractor	Lawn Care Contractor	Plumbing Contractor	Pool Installation Contractor
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 Required for initial application only

- (3) In addition to the requirements prescribed in subsection 2(2) of this Schedule:
 - (a) an HVAC contractor must have in their employ at least one (1) of the following installers: HVAC – Refrigeration Installer, HVAC Gas Fitter Installer, HVAC Sheet Metal Worker Installer, or any installer otherwise qualified and licensed or registered to do so under the laws of the Province of Ontario; and
 - (b) a plumbing contractor must have in their regular full-time employ one (1) or more qualified plumbers.

- (4) **The self-declaration required by subsection 2(2) of this Schedule for applicants for a building renovator licence, servicing and road cut contractor licence, HVAC contractor licence or plumbing contractor licence shall be in a form provided by the Licensing Commissioner and requires that the applicant or licensee confirm that, at the time of initial application for a licence and at licence renewal:**
 - (a) **they have obtained a valid criminal record check for their employees who will be providing services; and**
 - (b) **that the employees meet the requirements of Schedule 1 of this By-law, provided that the conviction directly affects the employee’s ability to competently and responsibly carry on the business that is the subject of their employer’s licence or compromises the employee’s ability to comply with the provisions of this By-law or its Schedules.**

- (5) **For any employees hired during the term of their licence, building renovator, servicing and road cut contractor, HVAC contractor or plumbing contractor licensees shall:**

- (a) obtain a criminal record check in accordance with subsection 2(4) of this Schedule; and
 - (b) update the employee list required by subsection 2(2) of this Schedule upon request by the Licensing Commissioner or an Officer.
- (6) In addition to the requirements prescribed in subsection 2(2) of this Schedule, at the time of initial application for an HVAC contractor licence or plumbing contractor licence, applicants shall:
- (a) obtain and keep a copy of their employees' proof of qualifications; and
 - (b) obtain the consent of their employees, in a form provided by the Licensing Commissioner, to the potential disclosure of the employee's proof of qualifications to the Licensing Commissioner or to an Officer for the purpose of the administration and enforcement of this By-law.
- (7) The applicant for an HVAC contractor licence or plumbing contractor licence shall provide the consent and proof of qualifications referred to in subsection 2(6) of this Schedule to the Licensing Commissioner or an Officer upon request.
- (8) For any employees hired during the term of their licence, HVAC contractor and plumbing contractor licensees shall:
- (a) obtain and keep the consent required by subsection 2(6) of this Schedule;
 - (b) obtain and keep the employee's proof of qualifications required by subsection 2(6) of this Schedule and provide the proof of qualifications to the Licensing Commissioner or an Officer upon request; and
 - (c) update the employee list required by subsection 2(2) of this Schedule and provide the updated list to the Licensing Commissioner or an Officer upon request.

3. Endorsements

- (1) In accordance with Section 11 of this By-law, a person holding a current and valid building renovator licence may apply for an endorsement(s) to perform the following additional business activities:
 - (a) servicing and road cut contractor;

- (b) HVAC contractor;
 - (c) landscaping contractor; or
 - (d) plumbing contractor.

- (2) In accordance with Section 11 of this By-law, a person holding a current and valid HVAC contractor licence may apply for an endorsement to perform the following additional business activity:
 - (a) plumbing contractor.

- (3) In accordance with Section 11 of this By-law, a person holding a current and valid landscaping contractor licence may apply for an endorsement to perform the following additional business activities:
 - (a) arboriculture company (Schedule 5);
 - (b) tree company (Schedule 5);
 - (c) servicing and road cut contractor; or
 - (d) pool installation contractor.

- (4) In accordance with Section 11 of this By-law, a person holding a current and valid pool installation contractor licence may apply for an endorsement to perform the following additional business activities:
 - (a) arboriculture company (Schedule 5);
 - (b) tree company (Schedule 5);
 - (c) servicing and road cut contractor; or
 - (d) landscaping contractor.

- (5) In accordance with Section 11 of this By-law, a person holding a current and valid plumbing contractor licence may apply for an endorsement to perform the following additional business activity:
 - (a) HVAC contractor; or
 - (b) servicing and road cut contractor.

4. Exemptions

- (1) A servicing and road cut contractor licence is not required for:
 - (a) persons performing capital projects for the Town or Halton Region;
 - (b) utility agencies performing work in Oakville; or

- (c) persons hired by a developer to perform the work of a servicing and road cut contractor under a subdivision agreement.
- (2) A landscaping contractor licence is not required for driveway work by:
 - (a) persons performing capital projects for the Town; or
 - (b) utility agencies performing work in Oakville.
- (3) A landscaping contractor or lawn care contractor licence is not required for a person providing neighbourly assistance.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Regulations

- (1) Every licensed contractor set out in subsection 2(1) of this Schedule or person shall:
 - (a) have printed or otherwise displayed on both sides of all motor vehicles owned, leased or used by the contractor in the course of business, in figures/letters no less than ten (10) centimetres in height and in contrasting colours to the colour of the vehicle, the contractor's business name;
 - (b) have printed or otherwise impressed on all business stationery, forms, invoices, statements and advertising materials, the contractor's business name, business address and telephone number;
 - (c) provide a written contract to the person for whom the work is being done which shall be signed by the contractor before commencing any work, such contract to contain:

- (i) the name and address of the contractor and the person for whom the work is being done;
 - (ii) the address where the work is to be done;
 - (iii) a description of the work to be completed and associated costs;
 - (iv) warranties or guaranties, if any; and
 - (v) the estimated date of completion;
- (d) upon the conclusion of the work and prior to demanding payment, provide the person for whom the work was done with an itemized invoice of the completed work in accordance with the contract;
- (e) where required:
- (i) obtain all necessary permits prior to the commencement of any work;
 - (ii) ensure that all documents submitted with an application for a permit contains accurate information; and
 - (iii) procure all requisite inspections from the Town;
- (f) where applicable, only employ persons to do work where such person is qualified, licensed, or registered to do so under the laws of the Province of Ontario, or supervised if undertaking relevant training required to become qualified.

7. Prohibitions

- (1) In addition to the requirements of Section 21 of this By-law, licensed contractors or persons shall:
- (a) remove all debris, mud, garbage or stone tracked onto the municipal right-of-way;
 - (b) ensure that properties function properly with respect to drainage;
 - (c) not create any flooding/ponding on neighbouring property, or on a municipal right-of-way. In addition, no pool installation contractors or persons shall create any flooding/ponding on public spaces or on parkland; and
 - (d) not impact existing pool enclosures on abutting properties.
- (2) Every licensed contractor or person who has an excavation or driveway permit for their work shall restore any damaged sod, ground cover, pavement

- or property of the Town in accordance with the provisions of their excavation or driveway permit.
- (3) Where an excavation or driveway permit is not required for the work, every licensed contractor or person shall restore any damaged sod, ground cover, pavement or property of the Town within forty-eight (48) hours of the completion of the work.
 - (4) No licensed contractor or person shall injure or destroy or permit the injury or destruction of a Town tree or other tree which is protected by Town by-laws or subject to tree protection measures as a condition of a Town permit.
 - (5) No licensed servicing and road cut contractor or person shall back-fill or cover any servicing work until such work is inspected and approved by the Town.
 - (6) No licensed HVAC contractor or person shall permit installers to perform work that is not in accordance with the HVAC contractor's licence.
 - (7) Every licensed plumbing contractor or person shall be responsible to see that the plumbing work which they undertake is laid out by a qualified plumber or carried out by a qualified plumber, journeyman plumber or by an apprentice under the supervision of a qualified plumber or a journeyman plumber.
 - (8) No building renovator, servicing and road cut contractor, HVAC contractor or plumbing contractor licensee or person shall:
 - (a) permit an employee to provide a service on behalf of the licensee or person if the employee does not meet the requirements of Schedule 1 of this By-law;
 - (b) fail to update the employee list required by subsection 2(2) of this Schedule if requested by the Licensing Commissioner or an Officer; or
 - (c) fail to obtain a criminal record check for employees in accordance with subsection 2(4) or 2(5) of this Schedule;
 - (9) No HVAC contractor, plumbing contractor or person shall fail to:
 - (a) obtain an employee's consent to disclose their proof of qualifications in accordance with subsection 2(6) of this Schedule;

- (b) obtain and keep their employees' proof of qualifications in accordance with subsection 2(6) of this Schedule;
 - (c) provide an employee's proof of qualifications to the Licensing Commissioner or an Officer as required by subsection 2(7) of this Schedule; or
 - (d) for employees hired during the term of the licence, provide the Licensing Commissioner or an Officer with an employee's consent or proof of qualifications in accordance with subsection 2(8) of this Schedule.
- (10) No contractor licensed under this By-law shall locate any portable or mobile toilets on a municipal right-of-way.

Schedule 12: Donation Box Operator

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) **“Bin Fee” means the fee set out in the rates and fees schedule for each donation box to be located in the Town by the donation box operator;**
 - (b) “Community Organization” means a non-profit group of persons organized for the advancement of activities of a civic, cultural or recreational nature;
 - (c) “Donation Box” means any receptacle used for the purpose of collecting clothing, shoes or household items donated by the public on an ongoing basis and as part of the regular activity of the operator;
 - (d) “Donation Box Operator” means a person engaged in the business of operating a donation box; and
 - (e) **“Visibility Triangle” means the area within a triangle formed by measuring a prescribed distance along two specified intersecting lines and a third line joining the terminal points of the two measured line.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Donation Box Operator
Licence Renewal Date	31-Oct
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓

	Donation Box Operator
Business partner information	✓
Written permission from the property owner, including complete contact information, consenting to the placement of donation box	✓
Canada Revenue Agency Registered Charity Number, if applicable	⚠
Additional documentation set out below	

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) In addition to the licensing requirements set out in subsection 2(1) of this Schedule, a completed application for a licence **or renewal of a licence** shall be accompanied by:
- (a) a list, **in a form specified by the Licensing Commissioner**, of the number and locations of all of donation boxes owned by the **applicant** or licensee within the Town;
 - (b) **the bin fee, per donation box, as set out in the rates and fees schedule;**
 - (c) a site **drawing** of the location of each donation box, showing where on the property the donation box(es) is to be located **including measurements to the property lines, the location of buildings, entrances/egresses, driveways, fire routes, fire hydrants, landscaped areas, and any visibility triangles;** and
 - (d) **a self-declaration, in a form provided by the Licensing Commissioner, acknowledging that if the donation box contravenes this By-law or any other applicable by-law or legislation:**
 - (i) **the donation box will be removed, and its contents disposed of at the applicant or licensee's expense; and**
 - (ii) **the applicant or licensee waives any claim or right of action against the Town for any removal or disposal of the donation box and its contents.**

3. Bin Fee Waived

- (1) A registered charity, religious institution or community organization may erect, display, locate, place or maintain two (2) donation boxes on land which is primarily used for the operations or activities of the registered charity, religious institution or community organization without paying the bin fee for said donation box.
- (2) A registered charity, religious institution or community organization shall pay the bin fee for any additional donation boxes that are erected, displayed, located, placed or maintained on land which is primarily used for the operations or activities of the charity, religious institution or community organization.

4. Regulations

- (1) At the discretion of the Licensing Commissioner, no more than two (2) donation boxes may be located at each municipal address.
- (2) Donation boxes shall:
 - (a) be located a minimum of 0.6 metres from all property lines; and
 - (b) not be located within a two (2) metre visibility triangle measured at the intersection of any driveway and the property line of any highway.
- (3) Any donation box located in a visibility triangle as set out in subsection 4(2)(b) of this Schedule on the date this By-law comes into force shall be moved by the licensee or person as directed by the Licensing Commissioner or an Officer.
- (4) A licensee or person who wishes to add a donation box during the term of their licence must comply with subsection 4(1) and 4(2) of this Schedule and may apply for an additional donation box by:
 - (a) paying the fee set out in the rates and fees schedule for each additional donation box; and
 - (b) providing proof satisfactory to the Licensing Commissioner that the licensee or person has permission from the property owner to operate the donation box at that location.

- (5) A licensee or person who wishes to move a donation box must comply with subsection 4(1) and 4(2) of this Schedule and may apply for an alteration to their licence by:
- (a) paying the fee set out in the rates and fees schedule; and
 - (b) providing proof satisfactory to the Licensing Commissioner that the licensee or person has permission from the property owner to operate the donation box at that location.
- (6) The licensee or person must ensure that their donation box(es) allow for a person's egress from inside of the box. The licensee or person shall provide proof of egress approved by a Professional Engineer, upon request by the Licensing Commissioner or an Officer.
- (7) The name of the donation box operator and the donation box owner must be displayed in a conspicuous place on the donation box, in lettering no smaller than 100 millimetres x 75 millimetres, and of a contrasting colour.
- (8) If the owner of the donation box is a registered charity, community organization or religious institution, the donation box must display the identification of the registered charity, community organization or religious institution's status, including:
- (a) the name of the registered charity, community organization or religious institution;
 - (b) the Canada Revenue Agency Registered Charity number or other proof of status; and
 - (c) the amount, as a percentage of sales, dedicated to charities, community organizations or religious institutions;
- in a conspicuous place on the donation box, in lettering no smaller than 100 millimetres x 75 millimetres, and of a contrasting colour.
- (9) Licensees and persons shall:
- (a) affix and maintain the licence sticker provided by the Licensing Commissioner in a conspicuous place on the front of the donation box licensed under this By-law; and

- (b) only operate a donation box at the location for which a licence sticker has been issued.

5. Prohibitions

- (1) **No licensee or person shall:**
 - (a) locate a donation box except wholly on private property;
 - (b) fail to locate donation boxes a minimum of 0.6 metre away from all property lines;
 - (c) locate a donation box in a visibility triangle;
 - (d) fail to move a donation box when directed to do so by the Licensing Commissioner or an Officer;
 - (e) locate donation boxes within any property zoned residential under Zoning By-law 2014-014 or on a property with a residential use as defined in Zoning By-law 2009-189;
 - (f) affix a donation box in any way to a utility pole, tree or other public property;
 - (g) fail to display a current and valid licence sticker in a conspicuous place on the front of the donation box;
 - (h) fail to provide for a person's egress from inside the donation box; or
 - (i) in addition to the requirements of Section 21 of this By-law, fail to keep donation boxes free of graffiti and keep all areas immediately adjacent to the donation box clean and free of litter and other debris.
- (2) **In addition to the requirements of Section 21 of this By-law, no licensee or person shall place a donation box where it:**
 - (a) may create a visual obstruction for vehicular or pedestrian traffic;
 - (b) obstructs access or egress from any property; or
 - (c) obstructs a fire route or a fire hydrant.
- (3) **No person shall allow a donation box without a licence sticker to remain on their property.**

6. Removal of Donation Box

- (1) If a donation box is erected, displayed, located or placed in contravention of this Schedule, the Licensing Commissioner or an Officer may enter the land and pull down or remove the donation box at the expense of the licensee or person:
 - (a) without notice, in the case of a donation box that has a licence sticker issued by the Licensing Commissioner;
 - (b) without notice, in the case of a donation box located on public property; or
 - (c) no earlier than three (3) days after the posting of a notice on the donation box, in the case of a donation box that does not have a licence sticker issued by the Licensing Commissioner.
- (2) A donation box removed by the Licensing Commissioner or an Officer in accordance with subsection 6(1) of this Schedule shall be:
 - (a) deemed to be abandoned; and
 - (b) disposed of in a manner as may be determined by the Licensing Commissioner or an Officer immediately and without notice.
- (3) In no event shall the Town be liable or in any way responsible for any loss, damage or cost incurred by a person due to the removal and/or disposal of a donation box or its contents by the Licensing Commissioner or an Officer in accordance with this By-law.

Schedule 13: Driving Instructor, Driving Instruction Vehicle Owner

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Driving Instructor” means a person who provides driving instruction to persons for compensation and who is duly qualified, licensed or registered under the laws of the Province of Ontario;
 - (b) “Driving School” means a business carried on for the purpose of providing driving instruction, which shall include but is not limited to classroom instruction and on-road instruction;
 - (c) “Driving Instructor’s Licence” means a valid driving instructor licence issued by the Province of Ontario pursuant to the Highway Traffic Act; and
 - (d) “Driving Instruction Vehicle” for the purposes of Schedule 13 of this By-law means the motor vehicle that is used to provide driving instruction.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Driving Instructor	Driving Instruction Vehicle Owner
Licence Renewal Date	31-Dec	31-Dec
Applicant’s information	✓	✓
Business address	✓	✓
Insurance certificate <i>if the driving instructor is independently employed</i>	✓	
Licence fee	✓	✓
Article of Incorporation, <i>if applicable</i>	✓	✓
Business partner information, <i>if applicable</i>	✓	✓

	Driving Instructor	Driving Instruction Vehicle Owner
Criminal Record and Judicial Matters Check	✓	
Safety standards certificate		✓
Vehicle insurance		✓
Valid Ontario driver's licence	✓	
Ontario license plate number		✓
Vehicle ownership or copy of lease agreement if vehicle is leased		✓
Driver record	✓	
Driving instructor's licence from the Province	✓	
Letter of employment on company letter head from a driving school that is licensed by the Province, if applicable	✓	
Additional documentation set out below		

✓ Required for initial and renewal application

- (2) A person who is the owner:
- (a) of more than one (1) motor vehicle used to provide driving instruction shall obtain a separate driving instruction vehicle owner's licence under this By-law for each motor vehicle to be used to provide driving instruction; and
 - (b) of a motor vehicle used to provide driving instruction and who will also provide driving instruction shall obtain both a driving instructor's licence and a driving instruction vehicle owner's licence in accordance with the requirements of this Schedule.
- (3) In addition to the requirements prescribed in subsection 2(1) to this Schedule, a completed application for or renewal of a driving instructor's licence, where the applicant or licensee is employed by a driving school, shall be accompanied by:
- (a) the driving school's registered business address in the Province of Ontario, which is not a post office box, to which the Town may send, during business hours, any notice or documentation or communication

that may be required under this By-law or the Administrative Penalties for Non-Parking Violations and Orders By-law; and

- (b) at which the driving school or the driving school's agent will accept receipt of such notice, documentation or communication together with the name, telephone number and email contact information for the person authorized to receive and respond on behalf of the driving school to any and all communications from the Town relating to the driving instructor's licence or the driving instructor's conduct of the business.
- (4) A driving instructor licence is not required to bring a student to the Oakville DriveTest Centre to take their road test.
- (5) Despite subsection 19(2)(f) of this By-law, the driving instructor licensee shall immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence or Provincial driving instructor's licence is cancelled, suspended, is revoked or expires or becomes invalid for any reason.

3. Vehicle Insurance

- (1) Every driving instruction vehicle owner applicant or licensee shall carry current and valid Ontario standard vehicle insurance in good standing throughout the term of the licence. Said vehicle insurance shall be properly endorsed against liability arising out of bodily injury to or the death of a person or loss or damage to property caused by a vehicle or the use or operation thereof in accordance with the provisions of this By-law, including coverage for:
 - (a) the owner or driver of a vehicle, or
 - (b) a person who is not the owner or driver thereof where the vehicle is being used or operated by that person's employee or agent or any other person on that person's behalf.
- (2) The vehicle insurance required by subsection 3(1) of this By-law must contain an endorsement that the motor vehicle is being used to provide driving instruction.
- (3) If the vehicle insurance policy is renewed during the licensing period, the driving instruction vehicle owner licensee shall immediately provide the Licensing Commissioner with a copy of the updated insurance certificate. If the licensee fails to provide the Licensing Commissioner with a copy of the

updated insurance certificate, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.

- (4) A driving instruction vehicle owner licensee shall provide proof of current and valid vehicle insurance at any time when requested to do so by the Licensing Commissioner or an Officer.

4. Issuance of Driving Instruction Vehicle Owner's Licence and Municipal Plate

- (1) In addition to the Licensing Commissioner's duties set out in Section 5 of this By-law:

- (a) where the applicant for a driving instruction vehicle owner's licence is entitled to be licensed under this By-law, the Licensing Commissioner shall issue a licence, a municipal plate and attached sticker for each vehicle to be used by the applicant; and
- (b) when a driving instruction vehicle owner's licence is renewed, the Licensing Commissioner shall issue a licence and a licence sticker to the driving instruction vehicle owner licensee.

- (2) If a licensee or person ceases to own or use their vehicle to provide driving instruction, they shall return the municipal plate and attached sticker to the Licensing Commissioner within seven (7) days of the date the licensee or person ceases to own or use their vehicle to provide driving instruction.

5. Additional Grounds for Suspension or Revocation of Driving Instructor and Vehicle Owner's Licences

- (1) The Licensing Commissioner shall automatically suspend a driving instructor licence when the licensee:

- (a) has had their Ontario driver's licence cancelled, revoked or suspended or where such driver's licence has expired or becomes invalid for any reason. The licence issued under this By-law shall be suspended for the entirety of the period that the Ontario driver's licence is suspended, revoked, ceases to be valid or has expired; or
- (b) has had their Provincial driving instructor's licence cancelled, revoked or suspended or where such licence has expired or becomes invalid for any reason. The licence issued under this By-law shall be suspended for the entirety of the period that the Provincial licence is suspended, revoked, ceases to be valid, or has expired.

- (2) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 5(1) of this Schedule.
- (3) The Licensing Commissioner shall automatically suspend a driving instruction vehicle owner's licence when the licensee ceases to have a current valid Ontario standard vehicle insurance policy in good standing and properly endorsed in accordance with the provisions of this By-law. The licence issued under this By-law shall be suspended until the licensee provides the Licensing Commissioner with written proof of insurance in accordance with the provisions of this By-law.
- (4) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been revoked or suspended under subsection 5(3) of this Schedule.
- (5) In addition to the grounds listed in Section 13 of this By-law, a driving instruction vehicle owner's licence issued under this By-law may be suspended by the Licensing Commissioner:
 - (a) if the vehicle fails an inspection due to a significant mechanical failure. The licence may be suspended until such time as the vehicle passes a re-inspection; and
 - (b) until any re-inspection fee or other fee as set out in the rates and fees schedule has been paid.
- (6) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a driving instructor licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Inspection of Vehicle Used to Provide Driving Instruction

- (1) The Licensing Commissioner or an Officer may conduct inspections of vehicles used to provide driving instruction in accordance with section 22 of this By-law.
- (2) Prior to issuing an initial driving instruction vehicle owner's licence and at licence renewal, the Licensing Commissioner or an Officer may carry out an

inspection of the vehicle to confirm that it complies with subsection 7(3)(a) of this Schedule.

7. Vehicle Age, Equipment

- (1) Upon a vehicle reaching ten (10) model years of age, the driving instruction vehicle owner licensee or person shall provide a safety standards certificate to the Licensing Commissioner six (6) months into the term of the licence. The age of the vehicle shall be calculated from December 31st of the model year of the said vehicle.
- (2) Despite subsection 7(1) of this Schedule, the Licensing Commissioner may deny the request to operate a vehicle over ten (10) years of age.
- (3) Every driving instruction vehicle owner licensee or person shall ensure that every vehicle:
 - (a) is equipped with:
 - (i) a properly functioning service brake actuator that may be operated by the driving instructor;
 - (ii) dual mirrors which are in good working order and are positioned for ready use by the driving instructor when seated beside the student driver; and
 - (iii) a plastic roof sign, to be illuminated while providing driving instruction, that shall have the name of the driving school on the front and back of the sign, be at least twenty (20) centimeters high by sixty-five (65) centimeters wide, and be securely affixed to the roof of the vehicle while the vehicle is being used for providing driving instruction, or as otherwise approved by the Licensing Commissioner.
 - (b) has the municipal plate and attached sticker firmly affixed to the exterior rear of the vehicle in a conspicuous place.

8. Prohibitions

- (1) No driving instructor licensee or person shall:
 - (a) cause or permit instruction to be given to any student driver who fails to produce the minimum of a G1 licence;

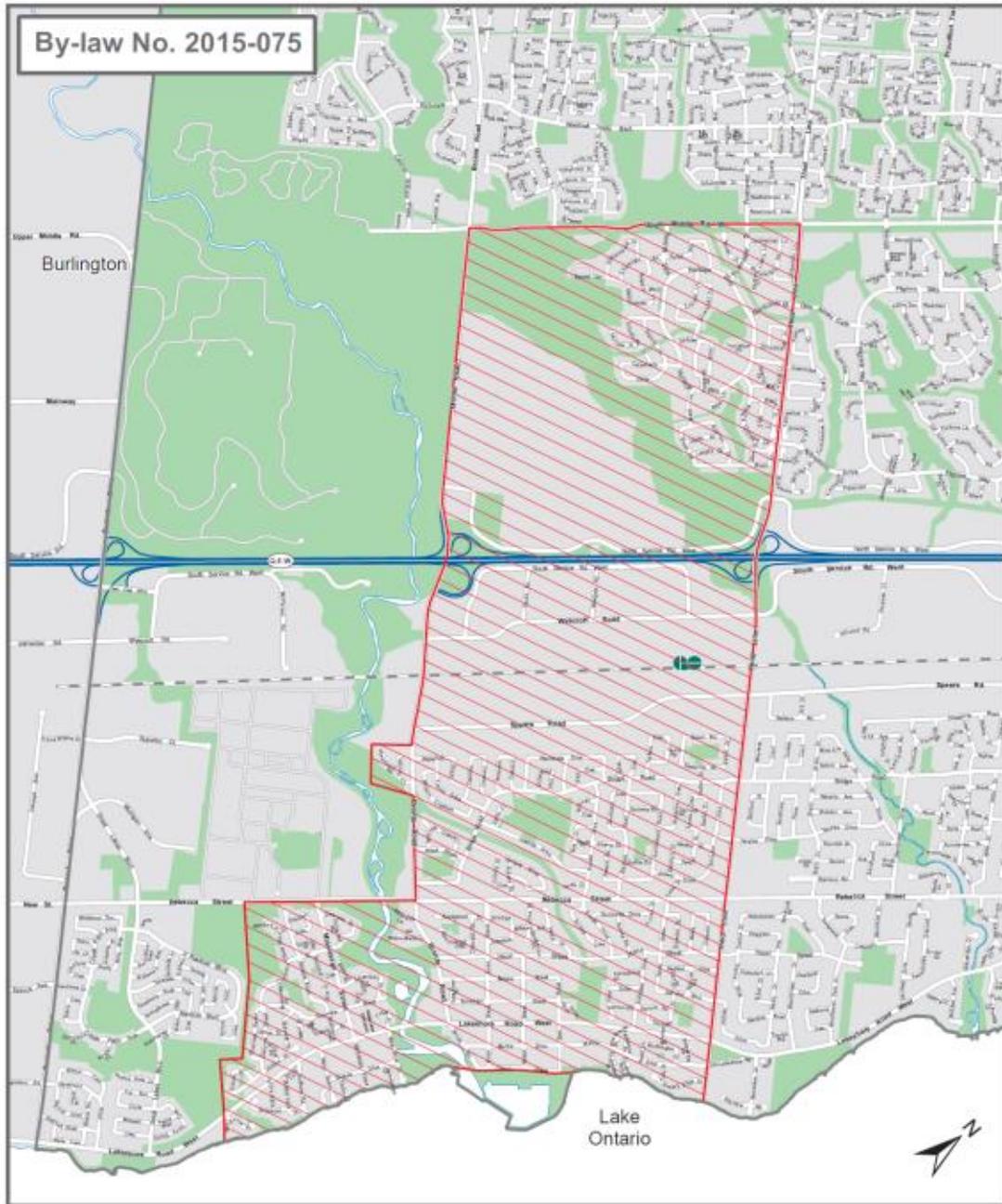
- (b) use or permit to be used any vehicle bearing any number, sign, card or plate other than those described in this **Schedule**;
 - (c) **give driving instruction to a student driver on private property without the prior consent of the property owner;**
 - (d) **fail to identify themselves as a driving instructor and produce the licence issued under this By-law when asked by an Officer; or**
 - (e) **fail to stop in a safe location when speaking to an Officer; or**
 - (f) **despite subsection 19(2)(f) of this By-law, fail to immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence or Provincial driving instructor's licence is cancelled, suspended, is revoked or expires.**
- (2) **No driving instructor licensee, driving instruction vehicle owner licensee or person shall:**
- (a) operate or permit the operation of a vehicle when the municipal plate is not affixed firmly to the exterior rear of the vehicle in a conspicuous place **while the vehicle is being used to provide driving instruction;**
 - (b) **operate or permit the operation of a vehicle without:**
 - (i) **a roof sign;**
 - (ii) **a properly functioning service brake actuator; and**
 - (iii) **dual mirrors which are in good working order and are positioned for ready use by the driving instructor when seated beside the student driver;**

while the vehicle is being used to provide driving instruction;
 - (c) permit the use of a vehicle for DriveTest exams without clearly identifying the vehicle as **being used during a DriveTest exam;** or
 - (d) **identify or permit the identification of a vehicle as being used during a DriveTest exam unless the vehicle is actually being used for the DriveTest exam.**
- (3) **No driving instruction vehicle owner licensee or person shall fail to provide an updated vehicle insurance certificate upon the lapsing of the certificate provided to the Licensing Commissioner.**

9. Restricted Areas

- (1) No driving instructor licensee or person shall conduct or permit driving instruction:
- (a) in any Town park;
 - (b) in the form of maneuvers performed by students for the purposes of parallel parking, grade parking, parking, standing, and three point turns upon any street abutting and within 152.40 metres (500 feet) of an elementary school or a children's playground; or
 - (c) anywhere in the Town within the prohibited areas identified in Appendix 1 to this Schedule. However, a driving instructor may enter the prohibited area to pick-up a student, but the instructor must remain as the driver until the vehicle is outside of the prohibited area.

Appendix 1 – Schedule 13



 **Map 1 - Prohibited driving instruction locations**
Note that driver training would be permitted on major roads within this prohibited area.
Roads would include Upper Middle, Third Line, Speers, North Service, Wycroft, Bronte, Lakeshore, and Rebecca.

Schedule 14: Dry Cleaner/Laundromat

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) “Dry Cleaner” means an establishment that receives articles of clothing or materials for the purpose of dry cleaning; and
 - (b) “Laundromat” means an establishment where members of the public pay to wash and dry clothing and other items.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Dry Cleaner/ Laundromat
Licence Renewal Date	31-Aug
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠

- ✓ Required for initial and renewal application
- ⚠ Required for initial application only

3. Prohibitions

- (1) **No licensee or person shall fail to** post in a conspicuous place in all premises where washing machines and dryers are kept, a clearly legible sign, **in the English language**, setting out the name, address and telephone number of the person responsible for the operation of the business.

Schedule 15: Fireworks Vendor

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Consumer Fireworks” means low-hazard firework articles designed for recreational use by the public as set out in the Explosives Act. These articles include, **but are not limited to**, fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles, volcanoes, mines, snakes, sparklers, and other similar devices, **but does not include Christmas crackers and paper containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares or marine rockets**;
 - (b) “Cultural Event” means a celebration of cultural heritage, customs or traditions and beliefs;
 - (c) “Display Fireworks” means high-hazard firework articles **for recreation** as set out in the Explosives Act. These articles include, **but are not limited to**, rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, **and firecrackers**;
 - (d) “Explosives Act” means the *Explosives Act, R.S.C., 1985, c. E-17, or successor legislation*;
 - (e) “Firecracker” means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares or marine rockets;
 - (f) “Fireworks” means display fireworks, consumer fireworks or special effect pyrotechnics;
 - (g) “Fireworks Vendor” includes any person who offers for sale, causes or permits to be sold, or possesses for the purpose of sale, any consumer fireworks, **display fireworks or special event pyrotechnics**;
 - (h) “Mobile Sales Premise” means a mobile or portable premise from which fireworks **may be** sold and includes, **but is not limited to**, a tent, trailer, roadside stand or a motor vehicle;

- (i) “Prohibited Fireworks” includes, but is not limited to, cigarette loads or plugs, exploding golf balls, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80s, silver salutes and flash crackers, throw down and step on torpedoes and cracking balls, stink bombs and smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle sky rockets, and fake firecrackers and other trick devices; and
- (j) “Special Effect Pyrotechnics” means high-hazard pyrotechnics articles designed for use by professionals as set out in the Explosives Act. These articles include, but are not limited to, gerbs, mines, comets and crossettes. This class also includes special purpose pyrotechnics made for live stage performances or for the film and television industry.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Fireworks Vendor
Licence Renewal Date	31-March
Applicant’s information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Copy of communication with Fire Department regarding a fire inspection	✓

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) Within five (5) business days of the completion of the fire inspection, the licensee shall provide a copy of the fire inspection report to the Licensing Commissioner.

3. Prohibitions

- (1) No licensee or **person** shall possess any display fireworks or special effect pyrotechnics except pursuant to a permit and the conditions thereof, issued by the Fire Chief and in accordance with the criteria issued from time to time by Natural Resources Canada.
- (2) No licensee or person shall:
 - (a) sell **fireworks or offer fireworks for sale** from a mobile sales premise;
 - (b) **sell fireworks, offer fireworks for sale or supply** fireworks to any person under the age of eighteen (18) years;
 - (c) **sell prohibited fireworks or offer prohibited fireworks for sale;**
 - (d) sell consumer fireworks **or offer consumer fireworks for sale** except **on the days being observed as** Victoria Day, Canada Day, New Year's Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event and **for five (5) days** prior to the **days being observed as Victoria Day, Canada Day, New Year's Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event;**
 - (e) **sell consumer fireworks or offer consumer fireworks for sale on lands owned or leased by the Town or at Town facilities without the express written permission of the Town;**
 - (f) permit any employee to sell consumer fireworks **or offer consumer fireworks for sale** without first instructing such employee on the regulations of this By-law and ensuring that such employee complies with these regulations; or
 - (g) set up display boards using live fireworks, even if the fuses are removed.
- (3) No licensee or person shall sell consumer fireworks **or offer consumer fireworks for sale** unless:
 - (a) the consumer fireworks are displayed for sale in lots that do not exceed 25 kilograms each in gross weight;
 - (b) the consumer fireworks displayed in any shop window are mock samples only and shall not contain explosive composition;

- (c) the consumer fireworks are displayed for sale in approved packaging, in a glass case or other suitable receptacle away from flammable goods and not exposed to the sun or direct heat;
 - (d) the manufacturer's brochure outlining the safe handling of fireworks is made available to purchasers;
 - (e) a 2A-10BC rated fire extinguisher is available immediately beside the fireworks in any **area where fireworks are stored and/or displayed**; and
 - (f) the building **from which consumer fireworks are sold has at least two (2) unobstructed exits, that all aisles containing consumer fireworks are at least 1.2 m wide and that the aisles are not blocked at either end.**
- (4) Every licensee **or person** shall ensure that any unsold consumer fireworks are returned to the manufacturer within seven (7) days immediately following **the days observed as** Victoria Day, Canada Day, New Year's Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event.
- (5) **Licensees or persons shall only advertise the sale of consumer fireworks during the dates of sale set out in subsection 3(3)(d) of this Schedule. Any sign used for advertising must comply with the Sign By-law.**

Schedule 16: Food Shop/Restaurant, Food Shop/**Convenience** & Special Event Food Shop

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) “Food Shop/Restaurant” means any place where food items intended for human consumption are made for sale or offered for sale **through payment by cash, debit, credit, e-transfer, tickets or the like** and where facilities are provided for the consumption of such food on the premises or pick-up or delivery of such foods to customers, and includes grocery stores, **and may include stationary vehicles either mounted on blocks or supported by a conventional wheel, tire and axel system, including but not limited to chip trucks;**
 - (b) “Food Shop/**Convenience**” means any place that **is open for long hours for the convenience of shoppers and stocks, sells, or offers for sale a range of everyday items, which may include magazines, soft drinks, confectionery, meat, bread and milk products.**
 - (c) “Special Event Food Shop” means a Food Shop/Restaurant that is participating in a special event.

2. Food Shop/Restaurant Licences

- (1) **An annual licence permits a Food Shop/Restaurant to:**
 - (a) **operate year-round in Oakville, in accordance with this By-law; and**
 - (b) **operate at up to 4 special events per location in a calendar year without having to be licensed as a Special Event Food Shop.**
- (2) **A Food Shop/Restaurant that has an annual licence to operate in Oakville and is using a refreshment vehicle as defined in Schedule 28 of this By-law at a special event may apply for a refreshment vehicle endorsement in accordance with subsection 4(3) of this Schedule and does not require a Special Event Food Shop Licence.**
- (3) **A Food Shop/Restaurant that does not have an annual licence to operate in Oakville must be licensed as a Special Event Food Shop on a per event basis to operate at up to 4 special events per location in a calendar year.**

- (4) Despite subsection 2(2) and 2(3), a special event food shop licence is not required to operate at a special event under a valid Town permit or as approved by Council.
- (5) Food Shop Restaurants shall be operated at special events in accordance with Section 7 of this Schedule.

3. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Food Shop/Restaurant	Food Shop/Convenience	Special Event Food Shop
Licence Renewal Date	31-Jan	31-Jan	Per event
Applicant's information	✔	✔	✔
Business address	✔	✔	✔
Insurance certificate	✔	✔	✔
Licence fee	✔	✔	✔
Article of Incorporation	✔	✔	✔
Business partner information	✔	✔	✔
Zoning Occupancy Certificate	⚠	⚠	
Health Department approval	✔	✔	
Copy of communication from Health Department regarding special event inspection			✔
Details of the special event outlining the date, time and location of the event			✔
Details of the food to be sold			✔
Permission from the property owner, agent, or property management company, if applicable			✔

- ✔ Required for initial and renewal application
- ⚠ Required for initial application only

4. Endorsements

- (1) In accordance with Section 11 of this By-law, a person holding a current and valid Food Shop/Convenience licence may apply for an endorsement to perform the following additional business activity:
 - (a) Schedule 15 – Fireworks Vendor
 - (b) Schedule 33 – Tobacco Retailer
 - (c) Schedule 35 – Vape Shop

- (2) In accordance with Section 11 of this By-law, a person holding a current and valid Food Shop/Restaurant licence may apply for an endorsement to perform the following additional business activities:
 - (a) Schedule 8 – Billiard Hall if two (2) or more billiard tables are to be located within the food shop/restaurant;
 - (b) Schedule 22 – Nightclub.

- (3) In accordance with Section 11 of this By-law, a person holding a current and valid Food Shop/Restaurant licence who is using a refreshment vehicle as defined in Schedule 28 of this By-law at a special event may apply for an endorsement to perform the following additional business activities.
 - (a) Schedule 28 – Refreshment Vehicle – Class A;
 - (b) Schedule 28 - Refreshment Vehicle – Class B; or
 - (c) Schedule 28 – Refreshment Vehicle – Class C.

5. Exemptions

- (1) A Food Shop/Restaurant or Food Shop/Convenience licence is not required for the following:
 - (a) cafeterias that are operated by a municipal, provincial or federal government, university, college, public school, separate school or board of education;
 - (b) not-for-profit organizations such as food banks; or
 - (c) a registered charity or a religious institution.

- (2) A Food Shop/Restaurant licence is not required for the following:
 - (a) farmers located in Oakville, if the goods or produce they are selling is being sold from their own property and has been grown, produced and harvested by them; or

- (b) persons operating at a market properly licensed as an Attraction under Schedule 6 of this By-law.

6. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the regulations set out in Section 13 of this By-law, the Licensing Commissioner may suspend a food shop/restaurant, food shop/convenience or a special event food shop licence if the Medical Officer of Health finds that the operation and maintenance of the business does not conform to the requirements of the Health Protection and Promotion Act and Ontario Regulation 493/17 Food Premises. The licence may be suspended until the situation has been rectified to the satisfaction of the Medical Officer of Health.

7. Regulations

- (1) Every licensee or person shall:
 - (a) post the Certificate of Inspection issued by the Health Department in a conspicuous place clearly visible to the public, at or near the entrance of the food shop/restaurant or the food shop/convenience use; and
 - (b) comply with the Health Department's requirements for mandatory food handler certification and public disclosure of food safety inspection reports.

8. Special Event Food Shop

- (1) A special event food shop licence is not required to operate at a special event under a valid Town permit or as approved by Council.
- (2) A Food Shop/Restaurant with a current and valid annual licence may operate at up to 4 special events at the same location per calendar year.
- (3) No person shall operate as a Food Shop/Restaurant at any place or time not explicitly provided for under their Special Event Food Shop licence.
- (4) A Food Shop/Restaurant participating in a special event, whether on private property or public property, shall comply with all licensing requirements for a Food Shop/Restaurant as prescribed in this By-law, except as may be specifically otherwise authorized by the Licensing Commissioner.

Schedule 17: Kennel

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Kennel” means a premises, including outdoor areas, used for the breeding, raising, sheltering or boarding on a temporary basis of dogs, cats or other household pets, excluding a pet shop. For clarity, a kennel provides services on an overnight basis; and
 - (b) “State of Good Repair” means:
 - (i) in conformity with the Building Code Act, the Building Code, any applicable order or by-law;
 - (ii) structurally sound;
 - (iii) not broken, rusted, rotten or in a hazardous condition;
 - (iv) not maintained in an unsightly condition;
 - (v) in proper working order; and
 - (vi) adequately protected by weather-resistant material, if applicable.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Kennel
Licence Renewal Date	30-Apr
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Detailed drawing of the property	⚠
Criminal record check	✓
Animal Control inspection	✓
Self-Declaration of animal offences	✓

	Kennel
Written permission from the owner of the land where the kennel is located	▲
List of services being provided	✔
Breed of animal being sold, if applicable	✔

✔ Required for initial and renewal application

▲ Required for initial application only

- (2) The detailed drawing of the property required by subsection 2(1) of this Schedule shall show property lines, the location of the kennel in relation to the dwelling unit, dog runs, fencing and other buildings on the property, as well as a floor plan of the kennel that details areas used for boarding or housing animals and any areas used for breeding purposes.
- (3) The written permission from the owner of the land where the kennel is located required by subsection 2(1) of this Schedule shall be provided to the Licensing Commissioner when the applicant is not the owner of the land, and such written permission shall confirm that the owner of the land permits the kennel use.
- (4) The animal control inspection required by subsection 2(1) of this Schedule must confirm that the applicant or licensee has complied with all requirements for a kennel under this Schedule.

3. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the requirements set out in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee's self-declaration provided in accordance with subsection 2(1) of this Schedule confirms any or all of the following within five (5) years of the date of application for a licence or renewal of a licence:
 - (a) conviction(s) for animal abuse or neglect under PAWS, DOLA or any other federal or provincial statute;
 - (b) conviction(s) under the Animal Control By-law's provisions for standards of care;

- (c) conviction(s) under this By-law, other Town by-laws or any other municipality's by-laws respecting the keeping or care of animals; or
 - (d) any court orders, prohibitions or conditions set as part of a conviction that are currently in force.
- (2) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.
- (3) The Licensing Commissioner may close a kennel forthwith and suspend the licence if a veterinarian has reasonable grounds to believe that a kennel has an outbreak of distemper, hepatitis, rabies, parvo virus or any infectious or contagious disease. The kennel may reopen and have its licence reinstated upon a written report from the veterinarian that they have reasonable grounds to believe that the risk of new infections has passed.

4. Exemptions

- (1) A kennel licence is not required for:
- (a) an animal shelter operated by or on behalf of a public authority;
 - (b) a veterinary hospital or **veterinary** clinic;
 - (c) **a pet shop;**
 - (d) any facility in which animals are placed for care pursuant to the *Pounds Act*, R.S.O. 1990, c. P.17;
 - (e) any training facility operated by Dog Guides Canada; or
 - (f) **dogs kept or housed for use in a law enforcement role by the Halton Regional Police Service, the Ontario Provincial Police, the Royal Canadian Mounted Police, the Canadian Military, or any other public law enforcement agency.**

5. General Regulations

- (1) Animals must be kept in individual enclosures unless the pet owner expresses in writing a specific wish for their pets to be housed in an open setting.
- (2) Fresh, clean water in an amount sufficient for the well-being of the animal shall be made available to the animal at all times to allow the animal to drink without restriction, or as directed by a veterinarian.
- (3) Animals shall be fed periodically each day in accordance with the particular food requirements for each type or species of animal kept at the kennel.
- (4) Licensees or persons shall ensure that the following standards are met with respect to a kennel and for animals being kept at the kennel:
 - (a) the kennel and any accessory kennel buildings and structures shall be kept in a state of good repair;
 - (b) Construction of Enclosures:
 - (i) interior walls and partitions shall be constructed of materials that are appropriately treated or coated to be rendered washable, sanitizable, impervious to moisture, smooth, and durable;
 - (ii) the corners of ceilings, walls, and partitions shall be sealed and treated to render them completely washable and sanitizable;
 - (iii) interior walls must be free of sharp edges or other potential causes of injury;
 - (iv) only non-toxic materials shall be used in places in which animals have direct contact;
 - (v) walls and fences shall be sturdy, in good repair, and of sufficient height and with small enough gaps to prevent escape;
 - (vi) the roof shall be covered with suitable materials in order to eliminate leakage and exposure of animals to adverse weather conditions;
 - (vii) ceilings shall be constructed of impervious materials and subject to finishing comparable to those of the walls and partitions;

- (viii) floors shall be constructed of impervious materials, such as sealed concrete or other materials which provides a smooth surface that is easy to clean and sanitize; and
 - (ix) lighting shall be appropriate for the species being kept at the kennel and sufficient lighting shall be provided so that all areas of the interior of the enclosure can be clearly seen for the purposes of maintenance and cleaning.
- (c) Enclosures shall:
- (i) be large enough to allow the animal to lie flat on their side outside of their bed in the sleeping area;
 - (ii) allow the animal to move freely, which includes the ability to walk and turn around easily, move about easily for the purpose of postural adjustments including stretching, without touching the enclosure walls or ceiling, standing normally to their full height without touching the enclosure walls or ceiling, and lying down without touching another animal;
 - (iii) provide a separate sleeping area for the animal that has adequate and suitable bedding for the animal appropriate to its size and species;
 - (iv) allow the animal to urinate and defecate away from their sleeping and eating areas;
 - (v) prevent urine and feces from contaminating adjoining enclosures;
 - (vi) have an area to place and secure food and water bowls to prevent bowls from becoming contaminated, spilling, and soiling enclosure contents, and allows animals to eat and drink freely;
 - (vii) be free of any dangerous structure or object that may cause injury;
 - (viii) provide a separate housing area where animals can be moved while their enclosure is being cleaned. Animals shall not be returned to their primary enclosure until it is dry; and
 - (ix) include equipment for play or stimulation appropriate to the animal being kept.

(d) Outside Exercise Facilities for Dogs:

(i) outside exercise facilities shall:

1. be provided which shall be fenced in such a manner as to keep the dogs securely enclosed and to mitigate noise; and
2. be cleared of all waste between use by each dog.

(ii) no dog shall be placed in such facility referred to in subsection 5(4)(d)(i) during extreme weather conditions;

(iii) each dog shall be provided access to such facilities referred to in subsection 5(4)(d)(i) at least twice in every twenty-four (24) hour period; and

(iv) dogs must be supervised by sufficient personnel at all times to mitigate noise.

(e) Environment:

(i) each enclosure shall be maintained at a temperature adequate and appropriate to the species;

(ii) ventilation and heating systems shall be constructed to supply fresh air and enable adequate exchange of air and maintenance of optimal environmental conditions for all seasons;

(iii) additional ventilation must be provided using exhaust fans and/or air conditioning when ambient temperatures reach more than 26°C; and

(iv) indoor humidity shall be maintained between 35-50% to ensure animal comfort, minimize the risk of transmission of animal disease, prevent damage to the structural integrity of the building and its contents, and prevent the accumulation of excess moisture that can promote growth of mold.

(f) Sanitation:

(i) all enclosures shall be cleared of debris and cleaned of feces and urine at least twice daily, or more often as necessary to maintain a sanitary environment and the good health of the animal. The licensee shall keep a cleaning record for all enclosures and shall

provide it to the Licensing Commissioner or an Officer upon request;

- (ii) all waste containment/cleaning equipment, food preparation areas, food/water bowls, and utensils shall be kept in a clean and sanitary condition.
- (5) All employees, where applicable, shall be adequately trained and knowledgeable in animal care and husbandry, consistent with industry standards.
- (6) The licensee or person shall maintain a training manual that is accessible to employees, regarding animal care and husbandry to the satisfaction of the Licensing Commissioner. This manual shall include, but not be limited to, procedures on the following:
- (a) the care of the animal including feeding and cleaning enclosures;
 - (b) appropriate low-stress handling, restraint, training, grooming, and exercise;
 - (c) recognizing and taking appropriate action when animals display behaviours indicative of stress, anxiety, depression, aggression, incompatibility, illness, and injury;
 - (d) proper maintenance, identification and reporting of damage/deterioration of enclosures to ensure effective repair and prevent negative impacts on animal health and well-being;
 - (e) daily recordkeeping;
 - (f) sanitation protocols;
 - (g) methods of handling dogs, cats or other animals generally and in the event of escape;
 - (h) infectious disease protocols and methods for handling sickness, injury or death of a dog, cat or other animal;
 - (i) methods for handling situations in which a dog, cat or other animal has bitten a person, dog, cat or other animal;

- (j) contact information for the consulting veterinarian and the Oakville & Milton Humane Society;
 - (k) emergency protocols within the premises such as response to flood/fire, power failure, evacuation, accidental/acute animal injury/illness; and
 - (l) emergency contact procedure(s).
- (7) The licensee shall ensure that applicable employees sign-off on an annual basis that they have reviewed the training manual and will abide by its requirements. The licensee shall provide proof of sign-off to the Licensing Commissioner or an Officer upon request.

6. Additional Regulations for Kennels Used for Breeding Purposes

- (1) Licensees or persons shall separate areas used for breeding purposes from areas used for boarding or housing animals.
- (2) No licensee or person shall sell or re-home a puppy or kitten before the puppy or kitten is eight (8) weeks of age.
- (3) A licensee selling puppies and/or kittens shall, at the time of sale:
 - (a) disclose to the purchaser, any known inherited disorders that the puppy or adult dog, or the kitten or adult cat may be predisposed to which may cause health and/or welfare problems during the animal's lifetime; and
 - (b) provide written documentation to the purchaser on the care the puppy or kitten has received to date, including but not limited to veterinary examinations, vaccinations and parasite treatments, and the ongoing care required by the puppy or kitten.

7. Veterinary Care

- (1) Every licensee or person shall establish and maintain programs of disease prevention and control at the kennel including:
 - (a) appointing and retaining the services of a consulting veterinarian with the veterinarian's name and telephone number posted in a conspicuous place that is easily accessible by all employees; and
 - (b) proper and lawful disposal of deceased animals forthwith.

- (2) Every licensee or person shall ensure that any animal indicating symptoms of illness or injury requiring veterinary attention is:
- (a) isolated from other animals;
 - (b) examined by a veterinarian within a reasonable time from the onset of the symptoms of illness or injury, or as authorized by the animal's owner or emergency contact on behalf of the owner;
 - (c) treated in accordance with the veterinarian's directives; and
 - (d) kept in an isolated area until such illness or injury is cured, or the risk of contagion is eliminated.

8. Prohibitions

- (1) No licensee or person shall:
- (a) permit persons to operate or manage the kennel unless the persons are skilled and conscientious in animal care, and have knowledge of the characteristics, care and handling of the species entrusted to their care;
 - (b) permit persons to attend to the care, feeding and cleaning of animals in the kennel unless the persons have been adequately trained, commensurate with their responsibilities, by the licensee and who demonstrates that they are able to discharge their responsibilities in a positive, caring manner;
 - (c) admit a dog or cat into the kennel unless it is immunized as recommended by the College of Veterinarians of Ontario or the Ontario Veterinary College;
 - (d) sell the breed of animal, or offer the breed of animal for sale unless they have so declared to the Licensing Commissioner at the time of licence application or renewal; or
 - (e) sell any sick, injured or diseased animal or offer same animal for sale.
- (2) Every licensee or person shall:
- (a) maintain a training manual in accordance with subsection 5(6) and produce the manual for inspection by the Licensing Commissioner or an Officer upon request.;

- (b) have applicable employees sign-off that they have reviewed the training manual and that they will abide by its requirements;
- (c) provide for a sufficient number of competent and experienced employees who are on duty to provide for the care of animals and maintenance of facilities during normal business hours, on weekends and holidays;
- (d) post, in a conspicuous place for employees, instructions issued to all employees for the cleaning, care and feeding of animals;
- (e) maintain all premises used as a kennel or breeding area in a clean and sanitary condition;
- (f) make fresh, clean water available to animals:
 - (i) at all times to allow the animal to drink without restriction; and
 - (ii) in an amount sufficient for the well-being of the animal;
- (g) feed animals periodically each day in accordance with the animal's particular food requirements;
- (h) dispose of all animal waste materials in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws;
- (i) separate areas used for breeding purposes from areas used for boarding or housing animals; and
- (j) provide a receipt to the purchaser on any sale of a dog or cat showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, description, including colour and any markings, and veterinary history.

9. Record Keeping

- (1) Every licensee or person shall keep and maintain a register, in accordance with section 20 of this By-law, which shall include:
 - (a) if the kennel is used for sheltering or boarding dogs, cats or other animals:
 - (i) the name, address and telephone number of the owner of the dog, cat or other animal;

- (ii) the name of the dog, cat or other animal;
 - (iii) description, breed, age and sex of the dog, cat or other animal;
 - (iv) the date of arrival and departure of the dog, cat or other animal;
 - (v) proof of immunization for a dog or a cat;
 - (vi) the address and telephone number of the dog, cat or other animal's veterinarian or veterinary hospital/clinic;
 - (vii) health, welfare and nutrition requirements of each individual dog, cat or other animal; and
 - (viii) daily health checks for each dog, cat or other animal.
- (b) if the kennel is used for breeding purposes:
- (i) the number of cats, dogs or other animals being kept for breeding purposes;
 - (ii) the sex and birth date of each dog, cat or other animal;
 - (iii) breeding and identification records of cats, dogs or other animals used for breeding purposes and the resulting litters, including the date of birth for each litter and the veterinarian records for each cat, dog or other animal used for breeding purposes and the resulting pup, kitten, or other offspring; and
 - (iv) each dog, cat or other animal sold that includes the date of sale, the name and address of the purchaser, the sale price, the breed or crossbreed, sex, age and description of the dog, cat or other animal sold, including colour and any markings.
- (2) The register(s) required by subsection 9(1) of this Schedule shall be kept for at least one (1) year after the information is entered therein.

Schedule 18: Limousine – Owner/Driver

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) “Fare” when used in reference to a limousine means the sum charged to a passenger or passengers for transportation provided in a limousine for a single trip;
 - (b) “**Historic Limousine**” means a vintage, classic or luxury motor vehicle at least thirty (30) years old and substantially unchanged or unmodified from the original manufacturer’s product that is operated for the transportation of passengers and/or goods for compensation;
 - (c) “Limousine” means a motor vehicle licenced under this By-law, which is not a taxicab, does not have a taxicab meter and is operated by a driver for and on behalf of any person for the transportation of passengers for compensation;
 - (d) “Limousine Driver” means a person who drives a limousine who is licensed as such or is required to be licensed as such under this By-law;
 - (e) “Limousine Owner” means the owner of a limousine, who is licensed as such or is required to be licensed as such under this By-law;
 - (f) “Passenger” when used in reference to a limousine means any person other than the driver seated in a limousine;
 - (g) “Tariff” when used in reference to a limousine means the rates submitted to the Licensing Commissioner for limousine service; and
 - (h) “Trip” when used in reference to a limousine means the act of going to a place and returning when hired by a passenger.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Limousine Owner	Limousine Driver
Licence Renewal Date	31-Aug	31-Aug
Applicant's information	✓	✓
Business address	✓	✓
Insurance certificate	✓	
Licence fee	✓	✓
Article of Incorporation	✓	
Business partner information	✓	
Criminal Record and Judicial Matters Check	✓	✓
Signed letter, on letterhead, from limousine owner confirming employment, if applicable		✓
Valid Class "G" Ontario driver's licence		✓
Safety standards certificate	✓	
Vehicle insurance	✓	
Vehicle ownership	✓	
Driver record		✓
List of limousine drivers	✓	
Tariff rates, including hourly rates, for limousine services	✓	
Town licence number of the limousine owner employing the driver		✓
1 current photograph		✓
Additional documentation set below		

✓ Required for initial and renewal application

- (2) **Despite subsection 19(2)(f) of this By-law and further to subsection 2(1) of this Schedule, if the limousine owner is a corporation or partnership, the limousine owner shall advise the Licensing Commissioner of any change of ownership and provide the Licensing Commissioner with a list of new shareholders or partners within seventy-two (72) hours.**
- (3) **The list of limousine drivers required by subsection 2(1) of this Schedule shall include all limousine drivers who operate limousines for that limousine owner, which list shall include the name, address, telephone number and current Town licence number of each driver;**

- (4) A limousine owner who disposes of their limousine or otherwise ceases to use the limousine for the purposes permitted under this By-law and acquires another motor vehicle for the purposes permitted under this By-law shall, before using the motor vehicle, comply with Section 2 of this Schedule.
- (5) A limousine owner who will also drive a limousine requires both a limousine owner's licence and a limousine driver's licence in accordance with this Schedule.
- (6) The photograph of the applicant for a limousine driver licence required by subsection 2(1) of this Schedule must:
 - (a) be clear, sharp and in focus;
 - (b) show how the applicant looks at the time of application for the licence; the applicant's full face must be clearly visible; and
 - (c) show the applicant's face and shoulders straight on and squared to the camera.
- (7) Despite subsection 19(2)(f) of this By-law, a limousine driver licensee shall immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence is cancelled, suspended, is revoked or expires or becomes invalid for any reason.

3. Vehicle Insurance

- (1) Every limousine owner applicant or licensee shall carry current and valid Ontario standard vehicle insurance in good standing throughout the term of the licence. Said vehicle insurance shall be properly endorsed against liability arising out of bodily injury to or the death of a person or loss or damage to property caused by a vehicle or the use or operation thereof in accordance with the provisions of this By-law, including coverage for:
 - (a) the owner or driver of a vehicle, or
 - (b) a person who is not the owner or driver thereof where the vehicle is being used or operated by that person's employee or agent or any other person on that person's behalf.
- (2) If the vehicle insurance policy is renewed during the licensing period, the limousine owner licensee shall immediately provide the Licensing Commissioner with a copy of the new insurance certificate. If the licensee fails to provide the Licensing Commissioner with a copy of the updated

insurance certificate, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.

- (3) A limousine owner licensee shall provide proof of current and valid vehicle insurance at any time when requested to do so by the Licensing Commissioner or an Officer.

4. Exemptions

- (1) This By-law does not apply to:

- (a) limousines that hold a valid and subsisting permit or licence issued by the Greater Toronto Airports Authority; or
- (b) limousines designated under the Highway Traffic Act.

- (2) Limousine owners and limousine drivers do not require a licence to operate in Oakville to drop off passengers.

5. Issuance of Limousine Owner's Licence and Municipal Plate

- (1) In addition to the Licensing Commissioner's duties set out in Section 5 of this By-law:

- (a) where the applicant for a limousine owner's licence is entitled to be licensed under this By-law, the Licensing Commissioner shall issue a licence, and a municipal plate and attached sticker for each vehicle to be used by the applicant; and
- (b) when a limousine owner's licence is renewed, the Licensing Commissioner shall issue a licence and a licence sticker to the limousine owner licensee.

- (2) If a licensee or person ceases to own or use their vehicle to provide limousine services, they shall return the municipal plate and attached sticker to the Licensing Commissioner within seven (7) days of the date the licensee or person ceases to own or use their vehicle to provide limousine services.

6. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) The Licensing Commissioner shall automatically suspend a limousine driver's licence when the licensee has had their Ontario driver's licence cancelled, revoked or suspended or where such driver's licence has expired or becomes

invalid for any reason. The licence issued under this By-law shall be suspended for the entirety of the period that the Ontario driver's licence is suspended, revoked, ceases to be valid, or has expired.

- (2) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 6(1) of this Schedule.
- (3) The Licensing Commissioner shall automatically suspend a limousine owner's licence when the licensee ceases to have a current valid Ontario standard vehicle insurance policy in good standing and properly endorsed in accordance with the provisions of this By-law. The licence issued under this By-law shall be suspended until the licensee provides the Licensing Commissioner with written proof of insurance in accordance with the provisions of this By-law.
- (4) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 6(3) of this Schedule.
- (5) In addition to the grounds listed in Section 13 of this By-law, a limousine owner's licence issued under this By-law may be suspended by the Licensing Commissioner:
 - (a) if the vehicle fails an inspection due to a significant mechanical failure. The licence may be suspended until such time as the vehicle passes a re-inspection; or
 - (b) until any re-inspection fee or other fee as set out in the rates and fees schedule has been paid.
- (6) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

7. Vehicle Age

- (1) Upon a vehicle licensed as or to be licensed as a limousine reaching ten (10) model years of age, the licensee or person shall provide a safety standards

certificate to the Licensing Commissioner six (6) months into the term of the licence. The age of the limousine shall be calculated from August 31st of the model year of the said vehicle.

- (2) Despite subsection 7(1) of this Schedule, the Licensing Commissioner may deny the request to operate a vehicle over ten (10) years of age.
- (3) Subsection 7(1) of this Schedule does not apply to an historic limousine.

8. Limousine Inspections

- (1) The Licensing Commissioner or an Officer may conduct inspections of limousines in accordance with section 22 of this By-law.
- (2) Prior to issuing an initial limousine owner's licence, the Licensing Commissioner or an Officer may carry out an inspection of the motor vehicle to be used as a limousine.

9. Equipment

- (1) Every limousine owner licensee or person shall:
 - (a) firmly affix the municipal plate and attached sticker issued by the Licensing Commissioner to the exterior rear of the limousine in a conspicuous place;
 - (b) equip the limousine with:
 - (i) an extra tire, wheel and jack ready for use for that limousine;
 - (ii) a heater and an air conditioner in good working order;
 - (iii) an air conditioner in good working order;
 - (c) keep the interior of the limousine clean, dry and in good repair; and
 - (d) keep the exterior of the limousine clean, presentable, in good repair, and free from rust and body damage.
- (2) Subsection 9(1)(b)(iii) of this Schedule does not apply to an historic limousine.

10. Limousine Tariffs and Fares

- (1) The tariffs to be charged by the business shall be set by the limousine owner licensee.

- (2) The tariffs provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule may be changed once every three (3) months.
- (3) Despite subsection 19(2)(f) of this By-law, the limousine owner licensee shall give thirty (30) calendar days' notice to the Licensing Commissioner prior to any change to the tariffs.
- (4) Persons booking a limousine shall be informed of the fare for the trip at the time they book the limousine, and no greater amount shall be demanded.
- (5) Upon request, the passenger must be provided with a receipt indicating the amount paid, the name of the limousine driver and the vehicle plate number.

11. Limousine Driver Duties

- (1) Every limousine driver licensee or person shall:
 - (a) keep a record of all trips made by the limousine during a shift and shall turn the record over to the limousine owner at the end of the shift;
 - (b) take due care of all property delivered or entrusted to the driver for safekeeping or conveyance and, immediately upon the termination of any hiring engagement, examine the interior of the limousine for any property left therein, and all property left in the limousine shall be forthwith delivered over to the person owning the property or, if that is not practicable, to the Licensing Commissioner or the nearest police station with all the information in the driver's possession regarding the property and report their actions to the limousine owner;
 - (c) report forthwith to the limousine owner any accident or collision in which the driver or a passenger was involved or connected with the operation of the limousine;
 - (d) at the expiration of each shift, return the limousine to the limousine owner and shall not at any time abandon the limousine or permit any other person to drive the limousine; and
 - (e) keep the interior and exterior of the limousine clean, dry and in good repair.

12. Limousine Driver Prohibitions

- (1) No limousine driver licensee or person shall:

- (a) permit a limousine to be used for any unlawful purpose;
- (b) permit a limousine to be used for any other commercial purpose;
- (c) exhibit on or about the limousine any number, sign or card except one authorized under this By-law;
- (d) provide limousine service or solicit fares on other than a pre-arranged basis;
- (e) drive any limousine unless the owner of such motor vehicle is licensed as a limousine owner under this By-law;
- (f) induce any person to employ a limousine by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false representation to such person;
- (g) transport a greater number of persons in a limousine than the manufacturer's rated seating capacity of the limousine;
- (h) take, consume or have in their possession any liquor or other intoxicant while in charge of a limousine, except in accordance with the provisions of the Liquor Control Act;
- (i) drive a limousine with luggage or other material therein obstructing the driver's view;
- (j) at any time when the vehicle is not employed, prevent or hinder the Licensing Commissioner or an Officer from entering the same for the purpose of inspecting such limousine;
- (k) recover or receive any fare or charge other than as set out in the tariff **rates** filed with the Licensing Commissioner by the limousine owner; or
- (l) **fail to immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence is cancelled, suspended, revoked or is expired or becomes invalid for any reason.**

13. Limousine Owner Duties

- (1) Every limousine owner licensee or person shall:

- (a) promptly repair any mechanical defect in the limousine observed by the owner or reported to the owner by a limousine driver, **an Officer** or the Licensing Commissioner;
- (b) keep a trip **sheet** for each vehicle licensed under this By-law showing the date, time, origin and destination of each trip, the name of the driver and the licence number of the vehicle;
- (c) retain all trip **sheets** for at least six (6) months and make them available for inspection at the request of an Officer or the Licensing Commissioner;
- (d) provide reasonable assistance to all passengers and **passengers with luggage** at no additional fee;
- (e) provide, in compliance with applicable regulations set out in the Zoning By-law, for off-street parking for every limousine operated by the owner; and
- (f) notify the Licensing Commissioner when the effect of any collision or other occurrence will prevent a limousine licensed under this By-law from being operated for more than five (5) days.

14. Limousine Owner Prohibitions

- (1) No limousine owner licensee or person shall:
 - (a) permit a limousine to be used for any unlawful purpose whatsoever;
 - (b) permit a limousine to be used for any other commercial purpose;
 - (c) permit the installation of any radio dispatching or receiving facilities in a limousine;
 - (d) permit any person not licensed as a limousine driver under this By-law to drive a limousine;
 - (e) employ or allow any person who, in the opinion of the Licensing Commissioner, has become for any reason unfit to perform the functions of a limousine driver;
 - (f) permit or require a limousine driver licensed under this By-law to work when that person's ability to perform their duties is impaired by fatigue, illness or other reason;

- (g) take, consume or have in their possession any liquor or other intoxicant while in charge of a limousine, except in accordance with the provisions of the Liquor Control Act;
- (h) maintain any facilities connected or affiliated with any taxicab broker or other similar brokerage;
- (i) not being a limited company, permit any other person to manage the operation of a limousine or limousine business or enter into any arrangement or agreement, written or oral, with any other person for such reasons;
- (j) being the owner of a limited company, permit any person other than an employee of such owner to manage the operation of its limousine or limousine business;
- (k) exhibit in, on or about the limousine any number, sign, emblem, decal, ornament or advertising except with a content and in a form and location approved by the Licensing Commissioner;
- (l) use any **municipal** plate or duplicate **municipal** plate other than the one issued **by the Licensing Commissioner** under this By-law;
- (m) provide limousine service or solicit fares on other than a pre-arranged basis;
- (n) induce any person to employ a limousine by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false representation to such person;
- (o) permit a limousine to be driven with luggage or other material therein obstructing the limousine driver's view;
- (p) at any time when the **limousine** is not employed, prevent or hinder the Licensing Commissioner **or an Officer** from entering the same for the purpose of inspecting such **limousine**;
- (q) recover or receive any fare or charge from any person other than as set out in the tariff **rates** filed with the Licensing Commissioner by the limousine owner;

- (r) purport to assign their license so as to detract or derogate from their obligations under this By-law; or
- (s) fail to provide an updated vehicle insurance certificate to the Licensing Commissioner upon the lapsing of the certificate provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule.

Schedule 19: Lodging House Keeper

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Apartment Building” means a building containing three (3) or more dwelling units, where units are horizontally separated and where each unit has access to an interior corridor system with exit at grade level;
 - (b) “Emergency Safety Plan” means a document specifying procedures for handling emergencies at the lodging house;
 - (c) “Lodger” means any person who pays rent, fees or other valuable consideration to a lodging house keeper for living accommodation in a lodging unit and who does not have exclusive access to kitchen and washroom facilities and all habitable areas of the lodging house;
 - (d) “Lodging House” means a building or structure or any portion thereof in which persons are harboured, received or lodged for rent or hire, with or without meals and does not include a short-term accommodation;
 - (e) “Lodging House Keeper” includes the registered owner of the property, landlord, lessee, tenant or person responsible for the granting of permission for the occupancy of a lodging unit and/or for the collection of the fees or rent payable by the lodger;
 - (f) “Lodging Unit” when used in reference to a lodging house means a room provided for rent or hire, which is used or designed to be used as a sleeping accommodation;
 - (g) “Short-term Accommodation” means the provision of a dwelling unit which is used for the temporary lodging of the travelling public for a rental period not greater than 28 consecutive days or less in exchange for payment and includes a Bed and Breakfast Establishment, but does not include a motel, hotel, hospital, couch surfing or other short-term accommodations where there is no payment; and
 - (h) “WETT Inspection Report” means the report prepared by a WETT certified professional after an inspection of a wood-burning appliance, including but not limited to wood-stoves and fireplaces.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Lodging House Keeper
Licence Renewal Date	31-Aug
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Criminal record check	✓
Fire inspection	✓
WETT inspection report, if applicable	⚠
HVAC inspection certificate	⚠
Electrical inspection certificate	⚠
Emergency safety plan	✓
Written consent from the registered owner of the property or property management company for the premises to be used as a lodging house, if applicable	⚠
Additional documentation set out below	

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) Despite subsection 2(1) of this Schedule, at the time of licence renewal a licensee shall provide the Licensing Commissioner with a fire inspection report completed within the previous year and request a fire inspection to be performed prior to the expiry of the term of the licence renewal. The licensee shall provide a copy of this fire inspection report to the Licensing Commissioner within five (5) business days of the date of the inspection report.
- (3) In addition to the requirements prescribed in subsection 2(1) of this Schedule, at the time of application for a licence or for renewal of a licence, the

applicant shall be required to affirm that the building or structure is in compliance with the requirements of the Building Code Act with respect to any new additions or alterations requiring a building permit.

- (4) The electrical inspection certificate required by subsection 2(1) of this Schedule is an inspection certificate, in a form approved by the Licensing Commissioner, from an electrician properly licensed by the Electrical Safety Authority, **confirming that the electrical system is in proper working order, which results from an inspection that was conducted within the six (6) months preceding the submission of the application for a licence.**
- (5) **The HVAC inspection certificate from an HVAC contractor licensed by the Town, required by subsection 2(1) of this Schedule shall confirm that the HVAC system is in proper working order.**

3. Exemption

- (1) A lodging house keeper licence is not required for the following:
 - (a) a student residence owned or operated by a university or college;
 - (b) any program requiring a Custodian Declaration issued by **Immigration, Refugees and Citizenship Canada** or any other situation where a host family is required to act as legal custodian for the minor child in their care;
 - (c) a dwelling unit within an apartment building;
 - (d) housing provided by a registered charity;
 - (e) a group home;
 - (f) a medical treatment facility;
 - (g) a nursing home;
 - (h) a home for the aged; or
 - (i) a lodging house with a maximum of two (2) lodging units, where the owner of the property resides within as their principal residence.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. Prohibitions

- (1) Every licensee or person shall:
- (a) post the licence issued under this By-law in a conspicuous place inside the building near the front entrance to the lodging house;
 - (b) send a notice in writing to all lodgers and post a notice at the entrance to the lodging house to advise of the suspension or revocation of their lodging house keeper licence if the Licensing Commissioner suspends or revokes the licence for any reason, including a failed fire inspection;
 - (c) ensure that the lodging house is designed, constructed, equipped and maintained so as to comply with the Building Code, Fire Code, any other applicable laws, the Property Standards By-law, the Lot Maintenance By-law, this By-law and any other applicable by-laws;
 - (d) maintain the lodging house in a clean, safe and sanitary condition in accordance with the Town's Property Standards By-law and Lot Maintenance By-law, and without limiting the generality of the foregoing, shall:
 - (i) keep the cellar or basement of the building well drained and ventilated;
 - (ii) keep the lodging house weatherproofed and free from dampness;
 - (iii) keep all heating equipment in good repair; and
 - (iv) not permit the use of any washroom for laundry purposes;
 - (e) provide a secure area in the lodging house for the personal belongings of the resident(s), if requested;
 - (f) post an emergency safety plan in a conspicuous location by the main entry door to the lodging house.
- (2) No licensee or person shall:
-

- (a) permit a person to occupy any cellar or any space used as a lobby, hallway, closet, bathroom, laundry, stairway or kitchen for sleeping purposes;
- (b) permit any cooking appliance of any kind in any room used for sleeping purposes;
- (c) permit any heating appliances to be installed or maintained in any room used for sleeping purposes, other than those specifically designed and authorized by the Building Code; or
- (d) in addition to Section 21 of this By-law, fail to remove rubbish, garbage, ashes, any flammable material and other debris.

6. Record Keeping

- (1) Every licensee **or person** shall ensure that a register, **in accordance with section 20 of this By-law**, is kept in the lodging house detailing the name and previous residence of every lodger who occupies the premises.
- (2) **The register required by subsection 6(1) of this Schedule shall be kept for the current year and the previous year.**
- (3) **Despite subsection 20(3) of this By-law**, the register shall be open to inspection, at any reasonable time, by the **Licensing Commissioner or an Officer.**

Schedule 20: Mobile Sign Lessor

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Designated Official” means as defined in the Sign By-law;
 - (b) “Development A-Frame Sign” means as defined in the Sign By-law;
 - (c) “Mobile Sign” means as defined in the Sign By-law; and
 - (d) “Mobile Sign Lessor” means a person who owns, maintains and/or engages in the rental, leasing and/or installation of mobile signs or development A-frame signs.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Mobile Sign Lessor
Licence Renewal Date	30-Nov
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓

✓ Required for initial and renewal application

3. Prohibitions

- (1) No licensee or person shall:
- (a) display or permit the display of a mobile sign or development A-frame sign other than in accordance with the Sign By-law;

- (b) locate or permit the location of a mobile sign or development A-frame sign without obtaining a permit under the Sign By-law;
- (c) locate or permit the location of a mobile sign or development A-frame sign that does not:
 - (i) use only electrical cords with Canadian Standards Association (CSA) approval or Ontario Hydro Electrical Safety Code approval;
 - (ii) bear a certification mark indicating that the sign complies with either the Canadian Standards Association (CSA) or the Ontario Hydro Electrical Safety Code; and
 - (iii) come equipped with a timer or dimmer control to turn off or increase the lighting intensity;

Schedule 21: Motor Vehicle Facility and Mobile Motor Vehicle Service

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) **“Automobile Association” means a for-profit organization or a non-profit organization, which motor vehicle owners and drivers can join to enjoy benefits provided by the association relating to driving a motor vehicle;**
 - (b) **“Mobile Motor Vehicle Service” means a business that is operated from place to place, offering or providing a motor vehicle facility product or service, including but not limited to oil changes, tire changes and windshield repair, excluding tow trucks;**
 - (c) **“Motor Vehicle Facility” means new and used motor vehicle dealerships, motor vehicle service stations, motor vehicle repair facilities, motor vehicle body shops as defined in the Town’s Zoning By-law, along with suppliers of used motor vehicle parts, motor vehicle inspection and insurance appraisal, motor vehicle rental and leasing, motor vehicle specialty and service shops related to engines, mufflers, shock absorbers, transmissions, radiators, tires, brakes, alignment, glass, radios, diagnostics, electrics, upholstery, washing, polishing, cleaning, air conditioning and rust-proofing, excluding a salvage yard; and**
 - (d) **OMVIC means the Ontario Motor Vehicle Industry Council.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Motor Vehicle Facility	Mobile Motor Vehicle Service
Licence Renewal Date	31-Aug	31-Aug
Applicant’s information	✓	✓
Business address	✓	✓
Insurance certificate	✓	✓
Licence fee	✓	✓
Article of Incorporation	✓	✓
Business partner information	✓	✓

	Motor Vehicle Facility	Mobile Motor Vehicle Service
Zoning Occupancy Certificate	▲	
Description of business and services provided	✓	✓
List of vehicles used to provide mobile motor vehicle service including make, model, colour, VIN, Ontario licence plate number		✓
Employee list		✓

✓ Required for initial and renewal application

▲ Required for initial application only

- (2) In addition to the requirements prescribed in subsection 2(1) of this Schedule, at the time of application for a licence or for renewal of a licence, the applicant for a motor vehicle facility licence for a new or used motor vehicle dealership shall provide their valid OMVIC registration number to the Licensing Commissioner.

- (3) In addition to the requirements prescribed in subsection 2(1) of this Schedule, applicants for a motor vehicle facility licence or a mobile motor vehicle service licence who have employees that require certification or other qualifications shall:
 - (a) at the time of initial application for a licence, obtain the consent of their employees, in a form provided by the Licensing Commissioner, to the potential disclosure of the employee's proof of qualifications to the Licensing Commissioner or to an Officer for the purpose of the administration and enforcement of this By-law;
 - (b) obtain and keep the employee's proof of qualifications; and
 - (c) make the consent and proof of qualifications available to the Licensing Commissioner or to an Officer upon request.

- (4) For any employees hired during the term of their licence, motor vehicle facility or a mobile motor vehicle service licensees shall obtain and keep the consent and proof of qualifications required by subsection 2(3) of this Schedule and make same available to the Licensing Commissioner or to an Officer upon request

- (5) Mobile motor vehicle service licensees shall update the employee list required by subsection 2(1) of this Schedule upon the hiring of an employee

during the term of their licence upon request by the Licensing Commissioner or an Officer.

- (6) In accordance with Section 11 of this By-law, a person holding a current and valid motor vehicle facility licence for a motor vehicle service station may apply for an endorsement(s) to perform the following additional business activities:
- (a) Schedule 16 - Food Shop/Convenience;
 - (b) Schedule 16 - Food Shop/Restaurant;
 - (c) Schedule 33 – Tobacco Retailer
 - (d) Schedule 35 – Vape Shop

3. Exemptions

- (1) A motor vehicle facility licence is not required for a person selling used motor vehicle parts or tires provided such person has a current and valid salvage yard licence under Schedule 29 of this By-law or a current and valid second-hand goods shop licence under Schedule 30 of this By-law.
- (2) A mobile motor vehicle service licence is not required for the following:
- (a) a current and valid motor vehicle facility licensee. However, if the person is providing mobile motor vehicle services, they must comply with the requirements for a mobile motor vehicle service business under this Schedule;
 - (b) a temporary car wash event for the purpose of fundraising; or
 - (c) an automobile association providing roadside assistance, including but not limited to battery service, lockout service, gas delivery, flat tire replacement, extraction services and towing services. For clarity, a mobile motor vehicle service licence is required for an automobile association providing services such as mobile seasonal tire change.

4. Regulations

- (1) Every mobile motor vehicle service licensee or person shall display the business name and telephone number on both sides of all vehicles used in the mobile motor service business or on any attached mobile unit or trailer. The required display must be no less than ten (10) centimetres in height and in contrasting colours to the colour of the vehicle, mobile unit or trailer.

- (2) Every motor vehicle facility licensee, mobile motor vehicle service licensee or person shall:
 - (a) have printed or otherwise impressed on all business stationery, forms, invoices, statements and advertising materials, the motor vehicle facility and/or mobile motor vehicle service's business name, business address and telephone number;
 - (b) if providing work, provide a written contract to the person for whom the work is being done which shall be signed by the motor vehicle facility owner or operator or mobile motor vehicle service owner or operator before commencing any work, such contract to contain:
 - (i) the name and address of the licensee and the person for whom the work is being done;
 - (ii) the address where the work is to be done;
 - (iii) a description of the work to be completed and associated costs;
 - (iv) warranties or guaranties, if any; and
 - (v) the estimated date of completion; and
 - (c) employ only persons who are qualified to provide services in the motor vehicle facility and/or to provide mobile motor vehicle services.
- (3) Motor vehicle facility licensees, mobile motor vehicle service licensees or persons shall provide customers with an itemized invoice, including any third-party fees such as fees for towing a vehicle, prior to demanding payment for their services or goods.
- (4) All motor vehicle facility licensees or persons shall report to the Halton Regional Police Service:
 - (a) when a motor vehicle is left abandoned on the premises for a period of twenty-four (24) hours;
 - (b) if the motor vehicle has been left without the permission of the licensee; or
 - (c) when the licensee or person may have reason to believe that a motor vehicle is either stolen or abandoned.

5. Prohibitions

- (1) No motor vehicle facility licensee, mobile motor vehicle service licensee or person shall:
 - (a) store or dispose of or permit the storage or disposal of any gasoline, oil, lubricants, tires or hazardous materials except in accordance with all relevant by-laws and/or legislation;
 - (b) fail to obtain an employee's consent to collect and share their proof of qualifications in accordance with subsection 2(3)(a) of this Schedule;
 - (c) fail to provide the Licensing Commissioner or an Officer with proof of qualifications in accordance with subsection 2(3)(c) of this Schedule, upon request;
 - (d) fail to provide the Licensing Commissioner or an Officer with the consent or proof of qualifications for an employee hired during the term of the licence in accordance with subsection 2(4) of this Schedule, upon request; or
 - (e) fail to update the employee list required by subsection 2(5) of this Schedule.
- (2) No motor vehicle facility licensee shall park or stop any motor vehicle that is part of the motor vehicle facility business on a municipal right-of-way. For clarity, any motor vehicle that is part of the business must be parked on private property.
- (3) No licensee providing mobile motor vehicle service or person shall:
 - (a) fail to update the employee list provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule upon the hiring of employees during the term of the licence if requested to do so by the Licensing Commissioner or an Officer.
 - (b) engage in a mobile motor vehicle service on a municipal right-of-way or upon any vacant property;
 - (c) advertise that services are available at a specific location or otherwise invite customers to come to a specific location to receive services provided by the mobile motor vehicle service;

- (d) erect or place advertising of the mobile motor vehicle service at any location where the business may operate, except while services are being provided and in accordance with the Sign By-law;
- (e) provide mobile motor vehicle services at any location without first having obtained the permission of the owner or authorized tenant of the property; or
- (f) provide mobile motor vehicle services at any location between the hours of 9:00 pm one day and 7:00 am the next day (9:00 am on Sundays and holidays).

Schedule 22: Nightclub

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Nightclub” means an establishment or part thereof having a capacity to accommodate no more than 1,000 persons at a time, whose principal function is the provision of music;
 - (b) “Person of Authority” means a person authorized by the owner of a nightclub to operate, manage, supervise, run or control the nightclub; and
 - (c) “Security Staff” means persons whose exclusive responsibility or duty while engaged or hired by a nightclub is to guard or patrol the premises for the purpose of ensuring orderly conduct and protecting persons or property, and who are licensed as security guards under the *Private Security and Investigative Securities Act, 2005, S.O. 2005, c. 34*, or successor legislation.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Nightclub
Licence Renewal Date	31-Jan
Applicant’s information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Name and contact information of persons of authority when the nightclub is open for business	✓
Zoning Occupancy Certificate	⚠
Criminal record check	✓

	Nightclub
Fire inspection	✔
Additional documentation set out below	

✔ Required for initial and renewal application

⚠ Required for initial application only

(2) In accordance with Section 11 of this By-law, a person holding a current and valid nightclub licence may apply for an endorsement to perform the following additional business activity:

(a) Schedule 16 – Food Shop/Restaurant

3. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

(1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee’s ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

4. Security Staff

(1) Every licensee or person shall:

(a) provide security staff who must wear identification that is plainly visible to patrons and all others on the premises and wear clothing that easily identifies them as security staff; and

(b) ensure that security staff regulates any line-ups that form for the purpose of gaining entrance to the nightclub and prohibit undue obstruction of any exit door, walkways, driveways or highways.

(2) Bartenders and wait staff are not considered to be security staff.

5. Prohibitions

(1) Every licensee or person shall:

- (a) have at least one (1) designated person of authority, as identified to the Licensing Commissioner pursuant to subsection 2(1) of this Schedule, in attendance at all times when the nightclub is open and operating; and
- (b) in addition to the requirements of Section 21 of this By-law:
 - (i) keep the premises suitably lit and ventilated during business hours, including the half hour before and after close of business; and
 - (ii) install and maintain suitable storage facilities and garbage containers for refuse from the operation of the business.

Schedule 23: Payday Loan Establishment

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Borrower” means a corporation, partnership, sole proprietor, association or other entity or individual that receives a payday loan or indicates an interest in receiving a payday loan;
 - (b) “Lender” means a corporation, partnership, sole proprietor, association or other entity or individual that makes a payday loan to a borrower or that holds oneself out as available to make such a loan;
 - (c) “Loan Broker” means a corporation, partnership, sole proprietor, association or other entity or individual that assists a borrower in obtaining a payday loan or that holds oneself out as available to provide such assistance;
 - (d) “Payday Loan” means an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, a line of credit or a credit card;
 - (e) “Payday Loan Establishment” means any premises or any part of the premises that operates as a payday lending business as defined in the Payday Loans Act, 2008; and
 - (f) “Payday Loans Act” means the *Payday Loans Act, 2008*, S.O. 2008, c. 9, or successor legislation.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Payday Loan Establishment
Licence Renewal Date	31-Oct
Applicant's information	✔
Business address	✔
Insurance certificate	✔
Licence fee	✔
Article of Incorporation	✔
Business partner information	✔
Zoning Occupancy Certificate	⚠
Criminal record check	✔
Proof of a current and valid licence as a lender or loan broker under the Payday Loans Act, including the licence number	✔
Copy of credit counselling information to be provided to persons expressing an interest in a loan	✔

✔ Required for initial and renewal application

⚠ Required for initial application only

- (2) No person shall act as a lender or loan broker as defined in the Payday Loans Act unless they hold a valid licence as a lender or a loan broker under the Payday Loans Act and a valid payday loans establishment licence under this By-law.
- (3) No person shall operate a payday loan establishment unless they hold a valid licence as a lender or a loan broker under the Payday Loans Act and a valid payday loan establishment licence under this By-law.
- (4) No person, except a person who holds a valid licence as a lender or a loan broker under the Payday Loans Act, may be licensed under this By-law.
- (5) The owner of more than one (1) payday loan establishment shall take out a separate licence for each payday loan establishment to be operated in Oakville.

3. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the requirements of Section 13 of this By-law, the payday loan establishment licence issued under this By-law shall be suspended or

revoked for the entirety of the period that the licence issued under the Payday Loans Act is suspended, revoked, ceases to be valid, or expires.

- (2) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been revoked or suspended under subsection 3(1) of this Schedule.
- (3) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

4. Number of Licences and Location Restrictions

- (1) No more than one (1) payday loan establishment licence shall be issued per Ward.
- (2) Despite subsection 4(1) of this Schedule, premises that are licensed under the Payday Loans Act and in actual use as payday loan establishments in the Town on the date this By-law comes into force are deemed to be a location where a payday loan establishment is permitted to operate. These premises are eligible to be licensed by the Licensing Commissioner only for so long as the premises continue to be used as a payday loan establishment, the payday loan establishment owner maintains their licence issued under this Schedule for that location and the payday loan establishment business carried on therein complies with this By-law.
- (3) For clarity, if premises are operating in a Ward in accordance with subsection 4(2) of this Schedule, no new payday loan establishment licences will be issued by the Licensing Commissioner until existing businesses cease to operate, at which time licences will be issued on a first come first served basis in accordance with subsection 4(1) of this Schedule.

5. Regulations

- (1) Despite subsection 19(2)(f) of this By-law, the licensee shall immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's licence issued under the Payday Loans Act is suspended, ceases to be valid, is revoked or expires.

6. Prohibitions

- (1) Every licensee or person shall:
- (a) comply with the requirements of the Payday Loans Act and its regulations;
 - (b) operate only at the location that is authorized by the licence issued under the Payday Loans Act;
 - (c) give credit counselling information that has been approved in advance by the Licensing Commissioner to each person who attends at their business premises immediately upon the person expressing an interest in a loan; and
 - (d) immediately advise the Licensing Commissioner in writing by email or by registered mail if the licensee's licence issued under the Payday Loans Act is suspended, ceases to be valid, is revoked or expires in accordance with subsection 5(1) of this Schedule.
- (2) Every payday loan establishment shall display a "Credit Counselling" poster that is visible to any person immediately entering the payday loan establishment, that is a minimum size of 61 centimetres in width by 91 centimetres in length, and consists of:
- (a) a heading setting out the words "Credit Counselling" in 144 point font;
 - (b) immediately below the heading referred to in subsection 5(3)(a) of this Schedule, the following credit counselling agencies shall be listed in 144 point font:
 - (i) Credit Counselling Canada;
 - (ii) Canadian Association of Credit Counselling Services; and
 - (iii) Ontario Association of Credit Counselling Services;together with their respective telephone numbers and email addresses, which shall be listed in 54 point font.
 - (c) a heading setting out the words, "Chartered Bank – Annual Consumer Loan Rate" and the chartered bank annual consumer loan rate, which shall be shown immediately below the heading in 72 point font; and

- (d) in 34 point font, and below the items required by subsections 6(2)(a) - (c) of this Schedule, the words “This poster is required under Schedule 23 of the Town of Oakville’s Licensing By-law 2024-XXX”.

Schedule 24: Personal Services Establishment & Mobile Personal Service

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
 - (a) **“Mobile Personal Services” means a personal services establishment that is operated from place to place, offering or providing a personal services procedure or service including, but not limited to, hairdressing and barbering, manicures/pedicures;**
 - (b) **“Personal Services Establishment” means any place that provides personal care procedures to any part of the body for purposes of aesthetic, cosmetic or therapeutic treatment including, but not limited to: hairdressing and barbering, tattooing and body piercing, ear piercing, manicures/pedicures, tanning, laser hair removal, intense pulsed light (IPL), electrolysis, waxing and threading, excluding a body-rub establishment; and**
 - (c) **“Tanning Equipment” means any device equipped or intended to be equipped with one (1) or more ultraviolet lamps, which emits ultraviolet radiation including the entire spectrum (100 to 400 nanometers), and designed to induce skin tanning or other cosmetic effects and are represented as inducing such effects, but not including any such device represented for use solely in the production of therapeutic effects for medical purposes.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Personal Services Establishment	Mobile Personal Service
Licence Renewal Date	31-Aug	31-Aug
Applicant's information	✓	✓
Business address	✓	✓
Insurance certificate	✓	✓

	Personal Services Establishment	Mobile Personal Service
Licence fee	✓	✓
Article of Incorporation	✓	✓
Business partner information	✓	✓
Zoning Occupancy Certificate	▲	
Health Department approval	✓	✓
Description of services provided and related qualifications of person providing service	✓	✓
Criminal record and judicial matters check		✓
Self-declaration		✓
Employee list		✓

✓ Required for initial and renewal application

▲ Required for initial application only

- (2) Businesses providing personal services that rent or lease a chair or space from an already licensed personal service business require a separate personal service licence.
- (3) The self-declaration required by subsection 2(1) of this Schedule for applicants for a mobile personal service licence shall be in a form provided by the Licensing Commissioner and requires that the applicant or licensee confirm that, at the time of initial application for a licence and at licence renewal:
 - (a) they have obtained a valid criminal record and judicial matters check for their employees who will be providing services; and
 - (b) that the employees meet the requirements of Schedule 1 of this By-law, provided that the conviction directly affects the employee's ability to competently and responsibly carry on the business that is the subject of their employer's licence or compromises the employee's ability to comply with the provisions of this By-law or its Schedules.
- (4) For any employees hired during the term of their licence, mobile personal service licensees shall:
 - (a) obtain a criminal record and judicial matters check in accordance with subsection 2(3) of this Schedule; and

- (b) update the employee list required by subsection 2(1) of this Schedule upon request by the Licensing Commissioner or an Officer.

3. Exemptions

- (1) A mobile personal service licence is not required for a person holding a current and valid personal services establishment licence. However, if the person is providing mobile personal services, they must comply with the requirements for a mobile personal services business under this Schedule.
- (2) This Schedule does not apply to any person who provides a personal service in their capacity as a duly authorized member of a self-regulating health profession, as provided for in Schedule 1 to the Regulated Health Professions Act, 1991.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Mobile Personal Service Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a mobile personal service licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. Regulations

- (1) Every licensee or person shall display the following on both sides of all motor vehicles or attached mobile units or trailers while providing mobile personal services:
 - (a) the mobile personal service business name; and
 - (b) the mobile personal service telephone number.

The required display must be no less than ten (10) centimetres in height and in contrasting colours to the colour of the motor vehicle, mobile unit or trailer.

- (2) Every personal services establishment licensee, mobile personal service licensee or person shall:
 - (a) have printed or otherwise impressed on all business stationery, forms, invoices, statements and advertising materials, the personal services

establishment or mobile personal service business name, business address and telephone number; and

- (b) upon the conclusion of the service and prior to demanding payment, provide the person for whom the service was provided with an itemized invoice of the completed service, upon request.
- (3) Every mobile personal service licensee or person shall comply with applicable zoning and parking regulations while operating their mobile personal service business.

6. Prohibitions

- (1) Personal services establishment licensees or persons shall **keep the premises** in a clean and in a sanitary condition.
- (2) Personal services establishment licensees, mobile personal service licensees or persons shall:
 - (a) ensure that all persons performing any treatments on the premises or **in a mobile personal service capacity** are duly qualified, licensed or registered to do so under the laws of the Province of Ontario;
 - (b) **sterilize and/or disinfect all** equipment used in the premises **or in a mobile personal service capacity**;
 - (c) comply with the **Guide to Infection Prevention and Control in Personal Service Settings** published by the Ontario Agency for Health Protection and Promotion (Public Health Ontario), as current and any other applicable guidelines or standards established by the Province of Ontario or the Medical Officer of Health; and
 - (d) **require that persons providing or offering to provide any personal service or mobile personal service are completely and opaquely clothed.**
- (3) **No** personal services establishment licensee or person shall:
 - (a) **fail to** provide a continuous supply of hot water;
 - (b) **fail to provide** proper lighting and ventilation;
 - (c) **fail to keep** all furnishings in a sanitary condition;
 - (d) **fail to provide** proper sanitary conveniences for all employees;

- (e) use tanning equipment on a person under eighteen (18) years of age;
 - (f) tattoo or pierce any person under eighteen (18) years of age without the prior written consent of a parent or guardian of the person to be tattooed or pierced; or
 - (g) fail to ensure that the door or doors or other principal means of access into the personal services establishment by the public are kept unlocked and available so that anyone coming into the personal services establishment from the street or other public place may enter without delay when the personal services establishment is open for business.
- (4) No licensee providing mobile personal services or person shall:
- (a) engage in mobile personal services on a municipal right-of-way or upon any vacant property;
 - (b) advertise that services are available at a specific location or otherwise invite customers to come to a specific location to receive services provided by the mobile personal service;
 - (c) erect or place advertising of the mobile personal service at any location where the business may operate, except while services are being provided and in accordance with the Sign By-law;
 - (d) provide mobile personal services at any location without first having obtained the permission of the owner or authorized tenant of the property;
 - (e) tattoo or pierce any person under eighteen (18) years of age without the prior written consent of a parent or guardian of the person to be tattooed or pierced;
 - (f) fail to comply with applicable zoning and parking requirements;
 - (g) permit an employee to provide a service on behalf of the licensee or person if the employee does not meet the requirements of Schedule 1 of this By-law; or
 - (h) fail to obtain a criminal record and judicial matters check in accordance with subsection 2(3) or 2(4) of this Schedule.

- (i) fail to provide an updated employee list required by subsection 2(4) of this Schedule.
- (5) No mobile personal service licensee or person shall permit an employee who does not meet the provisions of Schedule 1 of this By-law to provide a mobile personal service on behalf of the licensee or person.

Schedule 25: Pet Shop

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Animal Rescue Group” means a not-for-profit or charitable organization whose mandate and practices are predominately the rescue and placement of animals and facilitating the spaying or neutering of animals for animal welfare purposes;
 - (b) “Pet Shop” means any shop, place or premise where animals for use as pets are kept and sold, **excluding a kennel**; and
 - (c) **“Registered Veterinary Technician” means a person who has graduated from a Canadian Veterinary Medical Association, or an Ontario Association of Veterinary Technicians accredited program, successfully completed the Veterinary Technician National Examination and has met all the requirements identified by their provincial professional association.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Pet Shop
Licence Renewal Date	30-Apr
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Criminal record check	✓
Animal control inspection	✓
Self-declaration of animal offences	✓

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) The animal control inspection required by subsection 2(1) of this Schedule must confirm that the applicant or licensee has complied with all requirements for a pet shop under this Schedule.

3. Exemptions

- (1) A pet shop licence is not required for the following:
- (a) a pet shop that sells only live fish or offers only live fish for sale;
 - (b) an animal shelter operated by or on behalf of a public authority;
 - (c) a veterinary hospital or veterinary clinic; or
 - (d) animal rescue groups approved by the Licensing Commissioner.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the requirements contained in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a pet shop licence or suspend or revoke a licence if the applicant or licensee's self-declaration provided in accordance with subsection 2(1) of this Schedule confirms any or all of the following within five (5) years of the date of application for a licence or renewal of a licence:
- (a) conviction(s) for animal abuse or neglect under PAWS, DOLA or any other federal or provincial statute;
 - (b) conviction(s) under the Animal Control By-law's provisions for standards of care;
 - (c) conviction(s) under this By-law, other Town by-laws or any other municipality's by-laws respecting the keeping or care of animals; or
 - (d) any court orders, prohibitions or conditions set as part of a conviction that are currently in force.
- (2) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's

ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

- (3) The Licensing Commissioner may also close a pet shop forthwith and suspend the licence if a veterinarian has reasonable grounds to believe that a pet shop has an outbreak of distemper, hepatitis, rabies, parvo virus or any infectious or contagious disease. The pet shop may re-open and have its licence reinstated upon a written report from the veterinarian that they have reasonable grounds to believe that the risk of new infections has passed.

5. General Regulations

- (1) Fresh, clean water in an amount sufficient for the well-being of the animal kept at the pet shop shall be made available to the animal at all times to allow the animal to drink without restriction, or as directed by a veterinarian.
- (2) Animals shall be fed periodically each day in accordance with the particular food requirements for each type or species of animal kept or housed at the pet shop.
- (3) Licensees or persons shall ensure that the following standards are met for animals being kept or housed at the pet shop:
 - (a) Construction of Enclosures:
 - (i) interior walls and partitions shall be constructed of materials that are appropriately treated or coated to be rendered washable, sanitizable, impervious to moisture, smooth, and durable;
 - (ii) the corners of ceilings, walls, and partitions shall be sealed and treated to render them completely washable and sanitizable;
 - (iii) interior walls must be free of sharp edges or other potential causes of injury;
 - (iv) only non-toxic materials shall be used in places in which animals have direct contact;
 - (v) walls shall be sturdy, in good repair, and of sufficient height and with small enough gaps to prevent escape;

- (vi) ceilings shall be constructed of impervious materials and subject to finishing comparable to those of the walls and partitions;
 - (vii) floors shall be constructed of either solid or wire mesh construction where the wire mesh is covered with a thick plastic cover for ease of cleaning and is comfortable for the animals provided that:
 - 1. all spaces in the wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - 2. any such wire mesh shall be of a thickness and design adequate to prevent injury to the animal; and
 - 3. such floor shall be of sufficient strength to support the weight of the animal;
 - (viii) lighting shall be appropriate for the species being kept at the pet shop; and
 - (ix) where the quarters used for the housing of any animal form part of or are physically attached to a building used for human habitation or to which the public have access, such quarters shall have a concrete or other impermeable floor with a drain opening hooked to a sanitary system, and such floor shall be thoroughly cleaned and washed with water at least once each day, or more often than once if necessary to keep the said floor clean.
- (b) Enclosures shall:
- (i) be of a size to allow the animal to move freely, which includes the ability to walk and turn around easily, move about easily for the purpose of postural adjustments including stretching, without touching the enclosure walls or ceiling, standing normally to their full height without touching the enclosure walls or ceiling, and lying down without touching another animal;
 - (ii) enable all birds to have sufficient perch space to permit full extension of their wings in every direction;
 - (iii) have an area to place and secure food and water bowls to prevent bowls from becoming contaminated, spilling, and soiling enclosure contents, and allows animals to eat and drink freely;
 - (iv) be free of any dangerous structure or object that may cause injury;

- (v) provide a separate housing area where animals can be moved while their enclosure is being cleaned. Animals shall not be returned to their primary enclosure until it is dry;
 - (vi) be located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular animal housed in the enclosure and shall be provided with safeguards to prevent extreme environmental changes;
 - (vii) prevent undue direct physical contact with the animals by the general public; and
 - (viii) include equipment for play or stimulation appropriate to the animal being kept.
- (c) **Environment:**
- (i) each enclosure shall be maintained at a temperature adequate and appropriate to the species;
 - (ii) ventilation and heating systems shall be constructed to supply fresh air and enable adequate exchange of air and maintenance of optimal environmental conditions for all seasons;
 - (iii) additional ventilation must be provided using exhaust fans and/or air conditioning when ambient temperatures reach more than 26°C;
 - (iv) indoor humidity shall be maintained between 35-50% to ensure animal comfort, minimize the risk of transmission of animal disease, prevent damage to the structural integrity of the building and its contents, and prevent the accumulation of excess moisture that can promote growth of mold.
- (d) **Sanitation:**
- (i) all enclosures and the pet shop's floor shall be thoroughly cleaned at least once every day or more often as necessary to maintain a sanitary environment and the good health of the animal. The licensee shall keep a cleaning record for all enclosures and shall provide it to the Licensing Commissioner or an Officer upon request;

- (ii) all waste containment/cleaning equipment, food preparation areas, food/water bowls, and utensils shall be kept in a clean and sanitary condition;
- (4) All employees, where applicable, shall be adequately trained and knowledgeable in animal care and husbandry, consistent with industry standards.
- (5) The licensee or person shall maintain a training manual that is accessible to employees, regarding animal care and husbandry to the satisfaction of the Licensing Commissioner. This manual shall include, but not be limited to, procedures on the following:
 - (a) the care of the animal including feeding and cleaning enclosures;
 - (b) appropriate low-stress handling, restraint, training, grooming, and exercise;
 - (c) recognizing and taking appropriate action when animals display behaviours indicative of stress, anxiety, depression, aggression, incompatibility, illness, and injury;
 - (d) proper maintenance, identification and reporting of damage/deterioration of enclosures to ensure effective repair and prevent negative impacts on animal health and well-being
 - (e) daily recordkeeping;
 - (f) sanitation protocols;
 - (g) methods of handling dogs, cats or other animals generally and in the event of escape;
 - (h) infectious disease protocols and methods for handling sickness, injury or death of a dog, cat or other animal;
 - (i) methods for handling situations in which a dog, cat or other animal has bitten a person, dog, cat or other animal;
 - (j) infectious disease protocols;

- (k) proper maintenance, identification and reporting of damage/deterioration of enclosures to ensure effective repair and prevent negative impacts on animal health and well-being;
 - (m) contact information for the consulting veterinarian and the Oakville & Milton Humane Society;
 - (l) emergency protocols within the premises such as response to flood/fire, power failure, evacuation, accidental/acute animal injury/illness; and
 - (m) emergency contact procedure(s).
- (6) The licensee shall ensure that applicable employees sign-off on an annual basis that they have reviewed the training manual and will abide by its requirements. The licensee shall provide proof of sign-off to the Licensing Commissioner or an Officer upon request.
- (7) Licensees or persons shall only obtain a dog and/or cat for the purpose of selling or offering for sale from the following:
- (a) an animal shelter operated by or on behalf of a public authority;
 - (b) a registered humane society; or
 - (c) an animal rescue group.
- (8) Licensees or persons shall ensure that any animal showing signs of sickness or disease is examined and treated immediately by a veterinarian and that the animal is kept in a quarantine area until a veterinarian certifies that the animal is in good health.
- (9) The licensee or person shall provide a receipt to each person who purchases an animal from the pet shop containing:
- (a) the name and address of the vendor and purchaser;
 - (b) the date of sale;
 - (c) a description of the animal, including sex, age, colour or placing of markings, if any; and
 - (d) a description of breed or crossbreed when the animal is a dog or cat.

- (10) When the animal purchased is a dog or cat, the purchaser shall also be:
- (a) given a valid certificate of health and vaccination from a veterinarian since the arrival of the cat or dog at the pet store; and
 - (b) **advised that they require a dog licence if they reside in Oakville.**

6. Prohibitions

- (1) No licensee **or person** shall:
- (a) confine incompatible genus or species of animals in the same enclosures;
 - (b) keep or confine animals in crowded conditions;
 - (c) sell or offer for sale any dog or cat under the age of eight (8) weeks;
 - (d) **sell or offer for sale any underage animal, with respect to species other than dogs or cats, in accordance with the requirements of that animal;**
 - (e) sell or offer for sale chicks, ducklings or other live animals as a bonus to a sale or part of a sale of any other goods, products, or services;
 - (f) keep for sale, sell, or offer for sale:
 - (i) **any prohibited animal according to the Animal Control By-law;**
 - (ii) **any venomous or poisonous arachnid;**
 - (iii) any wildlife species that is listed at risk in the Species at Risk Act, S.C. 2002, c.29, or any animal listed as rare, endangered or threatened by the Convention on International Trade in Endangered Species (CITES).
 - (g) sell or offer for sale any animal that is known to be sick or diseased; or
 - (h) sell or offer for sale any animal that a veterinarian has reasonable grounds to believe is exhibiting any of the following signs:
 - (i) infectious disease;
 - (ii) nutritional deficiencies;
 - (iii) severe parasitism sufficient to influence the general health of the animal; or

- (iv) fractures or congenital deformities affecting the general health of the animal.

(2) Every licensee or person shall:

- (a) permit only persons to operate or manage a pet shop who are skilled and conscientious in animal care, and who have knowledge of the characteristics, care and handling of the species entrusted to their care;
- (b) permit only persons to attend to the care, feeding and cleaning of animals in the pet shop who have been adequately trained, commensurate with their responsibilities, by the licensee, and who demonstrate that they are able to discharge their responsibilities in a positive, caring manner;
- (c) maintain a training manual **in accordance with subsection 5(5) and produce the manual for inspection by the Licensing Commissioner or an Officer upon request.**
- (d) **have applicable employees sign-off that they have reviewed the training manual and that they will abide by its requirements;**
- (e) provide for a sufficient number of **competent and experienced** employees **on duty** to provide for the care of animals and maintenance of facilities during normal business hours, on weekends and holidays;
- (f) keep posted in a conspicuous place for employees, instructions issued to all employees for the cleaning, care and feeding of animals;
- (g) **maintain all premises used as a pet shop in a clean and sanitary condition, including animal enclosures;**
- (h) keep all animals in a constant and comfortable environment to ensure their health and well-being;
- (i) **make fresh, clean water available to animals:**
 - (i) **at all times to allow the animal to drink without restriction; and**
 - (ii) **in an amount sufficient for the well-being of the animal;**
- (j) **feed animals periodically each day in accordance with the animal's particular food requirements;**

- (k) dispose of all animal waste materials in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws;
- (l) at all times provide litter pans containing clean cat litter for kittens and cats;
- (m) keep birds in cages having removable metal or impermeable bottoms of adequate size;
- (n) permit no more than fifteen (15) budgerigars or canaries or twenty (20) finches to be housed in a single cage with minimum dimensions of 60 cm. (24") x 35cm. (14") x 40cm. (16");
- (o) not increase bird density, or the number of birds housed in cages of other dimensions, unless each cage is of sufficient size and dimensions to enable each bird confined therein an amount of perch to allow it to fully extend its wings in every direction, while all birds are perched;
- (p) locate all animals in the pet shop in such a way as to provide for their maximum comfort, and to satisfy their known and established needs, including but not limited to, protection from extreme environmental changes, and prevention of undue direct or disturbing physical contact with the general public;
- (q) make available within the pet shop, an exercise area and separate suitable area that permits segregation of animals which require special observation or attention;
- (r) provide for an ongoing effective program for the control of vermin infestation;
- (s) provide a rapid communication system in case of an emergency, with names and telephone numbers of contact persons prominently posted and readily accessible to security and fire personnel; and
- (t) establish and maintain programs of disease prevention and control including:
 - (i) appointing and retaining the services of a consulting veterinarian with the veterinarian's name and telephone number posted in a conspicuous place and easily accessible to all employees;

- (ii) prompt examination and treatment or humane euthanasia of any animals suspected of being sick or injured, by a veterinarian or **under veterinary supervision by a registered veterinary technician**;
- (iii) segregation of any apparently sick or injured animal to a separate area; and
- (iv) proper and lawful disposal of deceased animals forthwith.

7. Record Keeping

- (1) Every licensee or person shall keep a register, **in accordance with section 20 of this By-law**, of all animal sales and purchases which shall contain the following information entered at the time the animal comes into the possession of the licensee or person:
 - (a) the name and address of the **animal shelter, registered humane society or animal rescue group from which dogs and/or cats were obtained, and the name and address of the** supplier or other person from whom animals **other than dogs and/or cats** were purchased or otherwise obtained;
 - (b) the date of purchase or other acquisition;
 - (c) in the case of dogs and cats, a description of each individual animal;
 - (d) medical record(s) if an animal has been isolated; and
 - (e) with animals other than dogs and cats, a description of each shipment.
- (2) **The record required by subsection 7(1) of this Schedule shall be kept for at least twelve (12) months from the date the information was entered.**

Schedule 26: Private Parking Enforcement Company and Private Parking Enforcement Officer

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Penalty Notice” for the purposes of Schedule 26 of this By-law means a penalty notice issued for parking violations under the Town’s Parking Administrative Penalties By-law 2015-071 or successor by-laws, and “penalty notices” has a similar meaning;
 - (b) “Private Parking Enforcement Company” means the business of providing parking enforcement services on private property, not including the Town or agents acting on behalf of the Town, and includes property management companies and security companies;
 - (c) “Private Parking Enforcement Officer” means an individual who, on behalf of a private property company, engages in parking enforcement on private property, not including “Officers” as defined in this By-law; and
 - (d) “Stop Process” means that the penalty notice is no longer outstanding.

2. Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Private Parking Enforcement Company	Private Parking Enforcement Officer
Licence Renewal Date	31-Mar	31-Mar
Applicant’s information	✓	✓
Business address	✓	
Insurance certificate	✓	
Licence fee	✓	✓
Article of Incorporation	✓	
Business partner information	✓	

	Private Parking Enforcement Company	Private Parking Enforcement Officer
Criminal record check	✓	✓
List of properties located in Oakville the company enforces	✓	
Proof of the property owner's or management company's consent to parking enforcement on their property	⚠	
List of private parking enforcement officers employed by the company	✓	
Clear and legible site drawing of the parking lot(s) enforced by the contractor	✓	
Photograph of required signage as posted at the parking lot	✓	
1 current photograph		✓
Letter of employment on company letterhead from the private parking enforcement company		✓
Additional documentation set out below		

✓ Required for initial and renewal application

⚠ Required for initial application only

- (2) In addition to the requirements prescribed in subsection 2(1) of this Schedule, a completed application for a licence for a private parking enforcement company shall be accompanied by a self-declaration, in a form provided by the Licensing Commissioner, stating that the applicant indemnifies and saves the Town harmless from and against, any and all actions and claims including, without limitation, all claims for personal injury, death, property damage or nuisance arising from the enforcement of the Town parking by-laws on the property, or any act, deed or omission of the agent or the owner, or any assignee, agent, contractor, servant, employee, invitee, member, guest or licensee of the agent or owner, and against and from all costs, reasonable counsel fees, expenses and liabilities incurred in or about any such claim or any action or proceeding brought thereon.
- (3) The clear and legible site drawing of the parking lot required by subsection 2(1) of this Schedule shall show the locations of signage required by subsection 7(1) of this Schedule. The Licensing Commissioner or an Officer may inspect the property prior to the issuance of a private parking enforcement company licence to ensure compliance with subsection 7(1) of this Schedule.

- (4) The photograph of the applicant for a private parking enforcement officer licence required by subsection 2(1) of this Schedule must:
 - (a) be clear, sharp and in focus;
 - (b) show how the applicant looks at the time of application for the licence; the applicant's full face must be clearly visible; and
 - (c) show the applicant's face and shoulders straight on and squared to the camera.

- (5) In the event that a private parking enforcement company licensee or person needs to add a new property to the list of properties they enforce after their licence has been issued, the licensee shall:
 - (a) provide proof of the property owner's or management company's consent to parking enforcement on their property;
 - (b) provide a clear and legible drawing of the parking lot in accordance with subsection 2(3) of this Schedule;
 - (c) provide a photograph of the signage required by subsection 7(1) of this Schedule that has been posted at the parking lot; and
 - (d) pay the required fee as set out in the rates and fees schedule.

- (6) In the event that a private parking enforcement company licensee or person needs to add a new private parking enforcement officer to the list of officers they employ after their licence has been issued, the licensee shall:
 - (a) provide the officer's information in a form provided by the Licensing Commissioner; and
 - (b) pay the required fee as set out in the rates and fees schedule.

3. General

- (1) Every private parking enforcement officer licensee is appointed as a municipal by-law enforcement officer pursuant to subsection 55(1) of the *Community Safety and Policing Act*, 2019 S.O. 2019, c. 1, Sched. 1 and the Town's Delegation of Authority By-law 2023-021 during the term of their licence or until it is suspended or revoked, for the purposes of enforcing the Town's Parking on Private Property Without Consent By-law 1981-65, Fire

Route By-law 1981-66, and EV Charging Station By-law 2020-084, or successor by-laws.

- (2) Private parking enforcement officer licensees might be called to attend a hearing to appear as a witness to defend any penalty notice issued by them, at the time and date and by the method specified in a notice from the Licensing Commissioner. This obligation shall continue during a license suspension or after a license expires or is otherwise revoked.
- (3) Private property enforcement company licensees or private parking enforcement officer licensees shall submit the following to the License Commissioner:
 - (a) a summary of the penalty notices issued by the private parking enforcement officer on the form provided by the Licensing Commissioner;
 - (b) digital versions of the penalty notices referred to in subsection 3(3)(a) of this Schedule;
 - (c) photographs of the motor vehicles that are the subject of the penalty notices referred to in subsection 3(3)(a) of this Schedule; and
 - (d) any other material required by the Licensing Commissioner or an Officer.
- (4) The information set out in subsection 3(3) of this Schedule shall be submitted to the Licensing Commissioner within two (2) business days of the issuance of the penalty notice, or as otherwise required by the Licensing Commissioner or Officer. A hard copy of the penalty notice must be provided to the Licensing Commissioner within three (3) business days of penalty notice issuance.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

- (2) In addition to the requirements contained in Section 13 of this By-law, the Licensing Commissioner may suspend or revoke a private property enforcement company licence or a private parking enforcement officer's licence when the company or officer fails to submit the information required by subsection 3(3) of this Schedule within the timelines set out in subsection 3(4) of this Schedule.
- (3) In addition to the requirements contained in Section 13 of this By-law, the Licensing Commissioner may suspend or revoke a private property enforcement company licence when the licensee requests the cancellation of more than eight (8) penalty notices within a month, in accordance with subsection 8(2) of this Schedule.
- (4) In addition to the requirements contained in Section 13 of this By-law, the Licensing Commissioner may revoke a private property enforcement officer's licence at any time where:
 - (a) the Licensing Commissioner is of the opinion that the private property enforcement officer cannot carry out their duties on an impartial and objective basis due to a conflict of interest, which includes without limitation:
 - (i) engaging in any business or transaction or having financial or other personal interest which is incompatible with the discharge of a private property enforcement officer's official duties;
 - (ii) any activities which adversely interfere or conflict with a private property enforcement officer's regular duties in relation to the Town; or
 - (iii) any activities, representations or conduct outside of the normal functions of their appointment, which could appear to be an official act of the Town or could appear to represent the opinion or policy of the Town.
 - (b) the Licensing Commissioner is of the opinion that the private property enforcement officer is engaged in behaviour that is fraudulent or that constitutes a breach of trust with the Town, including without limitation:
 - (i) using deceit to gain a personal advantage or benefit for oneself or others;
 - (ii) illegally obtaining money, including the solicitation or acceptance of bribes;
 - (iii) providing false or incomplete information to the Town;
 - (iv) falsifying records; or

- (v) circumventing Town policy or procedure to gain personal advantage for oneself or for others.

5. Exemptions

- (1) The provisions of this Schedule do not apply to cashiers demanding or obtaining payment from customers for the consensual purchase of a permit for parking on private property, where the parking rates are posted in clear view of all drivers upon entering the private property and the property is in compliance with all other Town by-laws.
- (2) Halton Region and Halton Healthcare do not require a private parking enforcement company licence when parking is enforced on their properties by Halton Region or Halton Healthcare employees. Halton Region and Halton Healthcare must register the employees, at no charge, who are enforcing parking on Halton Region or Halton Healthcare properties with the Licensing Commissioner, and provide:
 - (a) the employee's name and job title;
 - (b) the employee's supervisor's name and job title; and
 - (c) the address of the property where the employee is enforcing parking.
- (3) The employees referred to in subsection 5(2) of this Schedule shall comply with all regulations regarding private property enforcement officers.
- (4) For clarity, if the Halton Region or Halton Healthcare contracts parking enforcement on their properties to a third party, that third party and their officers require a licence under this Schedule.

6. Regulations

- (1) No private parking enforcement officer may take payment for parking on private property.
- (2) Every private parking enforcement company licensee shall advise the Licensing Commissioner, in accordance with subsection 19(2)(f) of this By-law, of:
 - (a) all changes to the private parking enforcement officers employed by them; and
 - (b) any change to the properties receiving parking enforcement services.

- (3) All applicants for an initial private parking enforcement officer licence:
 - (a) must complete a training session administered by the Licensing Commissioner; and
 - (b) may have to pass a written test at the conclusion of the training session.
- (4) The Licensing Commissioner may require a private parking officer to complete an additional training session(s) administered by the Licensing Commissioner, and pay a re-training fee as set out in the rates and fees schedule if deemed necessary by the Licensing Commissioner.
- (5) Private parking enforcement officer licensees shall produce their licence upon request by a member of the public or an Officer.

7. Signage

- (1) Private properties where parking is enforced by a private parking enforcement company require signage that meets the following requirements. Signs must:
 - (a) be located at each entrance to the property and be visible from the parking area;
 - (b) include the name and telephone number of the private parking enforcement company;
 - (c) include a list of the Town's by-laws that will be enforced, namely Parking on Private Property Without Consent By-law 1981-65, Fire Route By-law 1981-66, and/or EV Charging Station By-law 2020-084;
 - (d) be weather resistant;
 - (e) be lit or reflective so as to be visible day and night;
 - (f) be at least 45 cm in height and not less than 30 cm in width;
 - (g) be fixed to a stationary galvanized steel "U" post or wall so that the bottom of the sign is two (2) metres from grade level; and
 - (h) be angled to face the direction of traffic entering the property so that any driver using the premises is able to read the sign upon entering. Wall mounted signs do not have to be angled.

- (2) All signage must comply with the requirements of subsection 7(1) of this Schedule within one (1) year of the date this By-law comes into force.

8. Warnings, Stop Process and Cancelled Penalty Notices

- (1) No private parking enforcement officer licensee or person shall use penalty notices for warnings related to parking.
- (2) Private parking enforcement company licensees may request that a penalty notice be cancelled prior to service of the penalty notice on the vehicle's operator or driver. The cancellation request must be made within fifteen (15) days of the date the penalty notice was issued if the officer made an error on the penalty notice. No penalty notices will be cancelled after 15 days.
- (3) The request to cancel a penalty notice must be made in writing on company letterhead or from an email address that includes the company logo, information or licensee's email signature.
- (4) After 15 days, if the private parking enforcement company licensee wishes to stop process on a penalty notice, they can do so by paying the value of the penalty notice plus any administrative fees to the Licensing Commissioner.
- (5) A private parking enforcement officer who repeatedly issues incomplete and/or incorrect penalty notices may be required to complete a further training session administered by the Licensing Commissioner, and pay a re-training fee as set out in the rates and fees schedule.

9. Prohibitions

- (1) Halton Region and Halton Healthcare shall only allow the employees that have been registered with the Licensing Commissioner to enforce parking on their properties.
- (2) No private parking enforcement company licensee or person shall cause or permit:
 - (a) parking enforcement on a property that they have not listed with the Licensing Commissioner in accordance with subsection 2(1) or 2(5) of this Schedule;
 - (b) any person to carry on any parking enforcement activity on private property unless licensed as a private parking enforcement officer; or

- (c) any person to alter a penalty notice except as may be specifically authorized and directed by the Licensing Commissioner or an Officer.
- (3) No private parking enforcement officer licensee or person shall:
 - (a) carry on any parking enforcement activity on private property unless licensed as a private property enforcement officer;
 - (b) enforce private parking on a property that the private parking enforcement company licensee has not listed with the Licensing Commissioner in accordance with subsection 2(1) or 2(5) of this Schedule;
 - (c) demand or receive any financial incentive from the owner or occupant of the private property relating to the number of parking enforcement actions taken on the property;
 - (d) request or require payment of any fee by the owner or driver of a motor vehicle parked, stopped or standing on private property;
 - (e) wear clothing, whether part of the licensee or person's uniform or not, that that displays terms or identifiers that could reasonably lead a person to believe that the licensee or person is a police officer, or an Officer employed by the Town;
 - (f) wear body armour over their clothing or uniform that displays terms or identifiers that could reasonably lead a person to believe that the licensee or person is a police officer, or an Officer employed by the Town;
 - (g) carry bear spray or a firearm; or
 - (h) carry weapons of any kind, including but not limited to, knives, batons, oversized flashlights or pepper spray, or carry handcuffs or other restraints when performing parking enforcement duties.
- (4) Subsection 9(3)(h) does not apply if the licensee or person is performing their duties as a provincially licenced security guard.
- (5) No fee, commission, gift or other consideration shall be paid or given by a private parking enforcement officer licensee or person to an owner or occupant of property in return for permitting said private parking enforcement officer or person to provide or perform parking enforcement services.

- (6) No private parking enforcement company licensee, private parking enforcement officer licensee or person shall:
 - (a) cause or permit parking enforcement at a private property unless the private property is posted with signs in accordance with subsection 7(1) of this Schedule.
 - (b) represent themselves at any time as an employee of the Town, an Officer employed by the Town or a police officer;
 - (c) exhibit in, on or about the vehicle used during the provision of private parking enforcement services, any number, sign, markings, emblem or decal that could reasonably lead a person to believe that the licensee is a police officer, or an Officer employed by the Town; or
 - (d) lend, hire, rent or cause or permit the lending, hiring or renting of any motor vehicle that is parked at a private parking lot for which the licensee provides enforcement services.

10. Service of Penalty Notices

- (1) For the purposes of this Schedule and despite section 25 of this By-law, service of a penalty notice includes:
 - (a) to personally hand the penalty notice to the motor vehicle's owner or driver at the time of the contravention; and
 - (b) to affix the penalty notice to the vehicle in a conspicuous place at the time of the contravention.
- (2) For clarity, penalty notices issued under this Schedule may not be served by mail.

Schedule 27: Public Hall

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meanings:
- (a) “Public Hall” means a building or part of a building, including a portable building or tent, with a seating capacity for over one hundred (100) persons, that is offered for use or used as a place of public assembly, but does not include a theatre or a building, except a tent, used solely for religious purposes; and
 - (b) “Theatre” means a premises used primarily for the exhibition of film.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Public Hall
Licence Renewal Date	31-Jan
Applicant’s information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	▲
Fire inspection	✓

- ✓ Required for initial and renewal application
- ▲ Required for initial application only

- (2) In accordance with Section 11 of this By-law, a person holding a current and valid public hall licence may apply for an endorsement to perform the following additional business activity:
- (a) Schedule 16 – Food Shop/Restaurant.

3. Exemption

- (1) A public hall licence is not required for the following:
 - (a) not-for-profit organizations; or
 - (b) a registered charity or a religious institution.

4. Prohibitions

- (1) No licensee or person shall permit the public hall to be open to the public unless a person over the age of eighteen (18) years is present to supervise the use of the public hall.
- (2) Licensees or persons shall:
 - (a) display the maximum occupancy load, as established by the Town, in a prominent place at the entrance to the public hall; and
 - (b) not permit, at any time, more than the number of persons authorized by the maximum occupancy load to enter or to be in the public hall.

Schedule 28: Refreshment Vehicle /Special Event Refreshment Vehicle

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Catering Truck” means a motor vehicle from which prepackaged food and beverages are offered for sale and sold to employees and other workers on private property at the invitation of a property or business owner or a contractor working on the property;
 - (b) “Licensee” for the purposes of Schedule 28 means an owner of a Refreshment Vehicle Class A, Refreshment Vehicle Class B or a Refreshment Vehicle Class C;
 - (c) “NFPA 96” means the Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations;
 - (d) “Refreshments” includes, but is not limited to, fruit, candy, sandwiches, cakes, doughnuts, pies, peanuts, popcorn, hot dogs, hamburgers, french fries, potato chips, ice cream, ice cream bars and cones, iced water, iced milk, soft drinks, coffee or tea, soup, lunches, meals or any other ice confectionary, food or drink;
 - (e) “Refreshment Vehicle Class A” means any motorized vehicle from which refreshments are prepared, apportioned or otherwise served and which moves from place to place; including but not limited to food trucks, ice cream trucks, and catering trucks;
 - (f) “Refreshment Vehicle Class B” means any vending facility from which refreshments are prepared, apportioned or otherwise served that is not self-propelled but can be easily towed; including but not limited to hot dog carts and trailers;
 - (g) “Refreshment Vehicle Class C” includes, but is not limited to, a vehicle propelled by hand, or a bicycle propelled by muscular power, from which pre-packaged popcorn, candy apples, cotton candy ice cream, popsicles, frozen desserts or other frozen confections are sold;
 - (h) “Refreshment Vehicle” means a Refreshment Vehicle Class A, Refreshment Vehicle Class B or a Refreshment Vehicle Class C;

- (i) “Residential Uses” for the purposes of Schedule 28 means areas with residential uses as defined in Zoning By-law 2009-189;
- (j) “Residential Zone” for the purposes of Schedule 28 means residential zones as defined in Zoning By-law 2014-189; and
- (k) “Special Event Refreshment Vehicle” means a Refreshment Vehicle - Class A, Refreshment Vehicle Class B or a Refreshment Vehicle Class C that is operating at a special event.

2. Types of Licences Available

- (1) An annual licence permits Refreshment Vehicle Class A and Refreshment Vehicle Class C to:
 - (a) operate year-round in Oakville, in accordance with this By-law; and
 - (b) operate at up to 4 special events per location in a calendar year without having to be licensed as a Special Event Refreshment Vehicle.
- (2) A Refreshment Vehicle Class B may only be operated at a special event.
- (3) A Refreshment Vehicle Class A, Refreshment Vehicle Class B or Refreshment Vehicle Class C that does not have an annual licence to operate in Oakville must be licensed as a Special Event Refreshment Vehicle on a per event basis to operate at up to 4 special events per location in a calendar year.
- (4) Despite subsection 2(3), a special event refreshment vehicle licence is not required to operate at a special event under a valid Town permit or as approved by Council.
- (5) Refreshment vehicles shall be operated at special events in accordance with section 11 of this Schedule.

3. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Refreshment Vehicle Class A	Refreshment Vehicle Class B	Refreshment Vehicle Class C	Special Event Refreshment Vehicle
Licence Renewal Date	31-May	31-May	31-May	Per event
Applicant's information	✓	✓	✓	✓
Business address	✓	✓	✓	✓
Insurance certificate	✓	✓	✓	✓
Licence fee	✓	✓	✓	✓
Article of Incorporation	✓	✓	✓	✓
Business partner information	✓	✓	✓	✓
Criminal record check	✓	✓	✓	✓
Health Department approval	✓	✓	✓	
Copy of communication from Health Department regarding special event inspection				✓
Details of the special event outlining the date, time and location of the event				✓
Safety standards certificate, if applicable	✓			✓
Vehicle insurance, if applicable	✓			✓
Valid vehicle ownership including proof that the vehicle is licensed as a commercial vehicle as defined in the Highway Traffic Act, if applicable	✓			✓
Propane certificate, if applicable	✓	✓		✓
Description of the refreshments to be sold	✓	✓	✓	✓
Permission from the property owner, agent, or property management company, if applicable	✓	✓	✓	✓
Additional documentation set out below				

✓ Required for initial and renewal application

- (2) The owner of more than one (1) refreshment vehicle shall take out a separate licence for each refreshment vehicle to be operated in the Town.
- (3) Refreshment Vehicle Class A, Refreshment Vehicle Class B and Special Event Refreshment Vehicle applicants and licensees, where applicable, shall complete an inspection of the vehicle's exhaust/suppression system as required by the Fire Code and the NFPA 96 and shall provide the Fire Chief with a valid inspection report, upon request, confirming that the vehicle complies with the Fire Code and NFPA 96 requirements for exhaust/suppression systems.

4. Vehicle Insurance

- (1) The following applicants or licensees shall carry current and valid Ontario standard vehicle insurance in good standing throughout the term of their licence:
 - (a) Refreshment Vehicle Class A; and
 - (b) Refreshment Vehicle Class A licensed as a Special Event Refreshment Vehicle.
- (2) Said vehicle insurance shall be properly endorsed against liability arising out of bodily injury to or the death of a person or loss or damage to property caused by a vehicle or the use or operation thereof in accordance with the provisions of this By-law, including coverage for:
 - (a) the owner or driver of a vehicle, or
 - (b) a person who is not the owner or driver thereof where the vehicle is being used or operated by that person's employee or agent or any other person on that person's behalf.
- (3) If the vehicle insurance policy referred to in subsection 4(2) of this Schedule is renewed during the licensing period, the licensee referred to in subsection 4(1) of this Schedule shall immediately provide the Licensing Commissioner with a copy of the updated insurance certificate. If the licensee fails to provide the Licensing Commissioner with a copy of the updated insurance certificate, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.
- (4) The licensee referred to in subsection 4(1) of this Schedule shall provide proof of current and valid vehicle insurance at any time when requested to do so by the Licensing Commissioner or an Officer.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) The Licensing Commissioner shall automatically suspend a Refreshment Vehicle Class A or Special Event Refreshment Vehicle licence when the licensee ceases to have a current valid Ontario standard vehicle insurance policy in good standing and properly endorsed in accordance with the provisions of this By-law. The licence issued under this By-law shall be suspended until the licensee provides the Licensing Commissioner with written proof of insurance in accordance with the provisions of this By-law.

- (2) The Licensing Commissioner shall automatically suspend the licence of a Refreshment Vehicle Class A, Refreshment Vehicle Class B or, where applicable, a Special Event Refreshment Vehicle licensee who fails to provide a valid exhaust/suppression system inspection report to the Fire Chief when requested to do so in accordance with subsection 3(3) of this Schedule. The licence issued under this By-law shall be deemed to be suspended until the licensee provides the Fire Chief with a valid inspection report.
- (3) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 5(1) or 5(2) of this Schedule.
- (4) In addition to the grounds listed in Section 13 of this By-law, a refreshment vehicle or special event refreshment vehicle licence issued under this By-law may be suspended by the Licensing Commissioner:
 - (a) if the refreshment vehicle fails an inspection due to a significant mechanical failure. The licence may be suspended until such time as the refreshment vehicle passes a re-inspection; or
 - (b) until any re-inspection fee or other fee as set out in the rates and fees schedule has been paid.
- (5) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Issuance of Refreshment Vehicle Owner's Licence and Municipal Plate

- (1) In addition to the Licensing Commissioner's duties set out in Section 5 of this By-law:
 - (a) where the applicant for a refreshment vehicle owner's licence is entitled to be licensed under this By-law, the Licensing Commissioner shall issue a licence and a municipal plate and attached sticker to the applicant; and

- (b) when a refreshment vehicle owner's licence is renewed, the Licensing Commissioner shall issue a licence and a licence sticker to the licensee.
- (2) The refreshment vehicle licensee or person shall affix the municipal plate issued by the Licensing Commissioner bearing an identifying number securely on the exterior rear of the refreshment vehicle in a conspicuous place.
- (3) If a licensee or person ceases to own, lease or use their refreshment vehicle to provide services, they shall immediately return the municipal plate and attached sticker to the Licensing Commissioner.
- (4) Where the licensee disposes of a refreshment vehicle, the municipal plate shall be removed from the vehicle prior to the sale and immediately returned to the Licensing Commissioner.

7. Refreshments

- (1) Every licensee or person shall, as applicable to the type of refreshment vehicle:
 - (a) keep the refreshment vehicle and all parts and equipment thereof for use in the dispensing of refreshments in a clean and sanitary condition and in good repair;
 - (b) keep all milk sold from the refreshment vehicle in dry storage at a temperature no higher than 5 degrees Celsius;
 - (c) clearly and legibly mark the date of preparation of all pre-made sandwiches or affix the date of preparation to the wrapper of all pre-made sandwiches sold from the refreshment vehicle;
 - (d) sell prepared foods, other than those kept in unopened cans, no more than twenty-four (24) hours after their preparation;
 - (e) equip the refreshment vehicle so as to maintain hot, prepared foods at a temperature of not less than 66 degrees Celsius, and such foods shall be kept so heated; and
 - (f) ensure that all refreshments sold from the refreshment vehicle shall be clean, fresh and in a wholesome state suitable for human consumption.

8. Refreshment Vehicle

- (1) Every licensee or person shall ensure that:
 - (a) each refreshment vehicle has, in a conspicuous place on both sides of the refreshment vehicle in a contrasting colour to the vehicle, the registered name and telephone number of the owner of the refreshment vehicle. Such letters shall be not less than ten (10) centimetres in height for a Refreshment Vehicle Class A or a Refreshment Vehicle Class B.
 - (b) a Refreshment Vehicle Class A is equipped with a broad band back-up warning device;
 - (c) each Refreshment Vehicle Class A or Refreshment Vehicle Class B is equipped with refuse or litter containers which shall be used for the disposal of all refuse and be kept clean and sanitary at all times and emptied at least once per day;
 - (d) each Refreshment Vehicle Class A or Refreshment Vehicle Class B equipped with propane is also equipped with a fire extinguisher having a minimum 2A/10BC rating and each kitchen suppression system shall be tagged confirming semi-annual inspection; and
 - (e) each Refreshment Vehicle Class A selling ice cream shall have a sign, in a conspicuous place on the rear of the vehicle in a contrasting colour to the vehicle, with the words “Watch for Children”. Such letters shall be not less than fifteen (15) centimetres in height.

9. Inspection

- (1) The Licensing Commissioner or an Officer may conduct inspections of Refreshment Vehicles Class A or Refreshment Vehicle Class C in accordance with section 22 of this By-law.
- (2) An Officer may attend a Refreshment Vehicle Class B for an inspection at any reasonable time, in accordance with section 22 of this By-law.

10. Defined Areas

- (1) Refreshment Vehicles Class A may operate in all zones pursuant to the Zoning By-law, except for residential zones or areas with residential uses.

- (2) Despite subsection 10(1), a Refreshment Vehicle Class A may stop on a roadway for the sale of refreshments at a construction site or for sales to a work crew for a maximum of thirty (30) minutes in a residential zone or in areas with residential uses.
- (3) Refreshment Vehicles Class C may only operate in mixed use, residential zones or in areas with residential uses.
- (4) Despite subsection 10(1) of this Schedule, a licensed Refreshment Vehicle Class A and/or a Special Event Refreshment Vehicle may operate at a special event on private property, held in a residential zone or in an area with a residential use:
 - (i) with the permission of the event organizer and the property owner, their agent or the property management company;
 - (ii) only at the private property identified on the licence; and
 - (iii) at no more than two (2) events at the same private property per calendar year.
- (5) Refreshment vehicle licensees operating at a special event on private property in accordance with subsection 10(4) of this Schedule must:
 - (a) operate entirely on private property and not on the municipal right-of-way;
 - (b) comply with all applicable Town parking and noise regulations; and
 - (c) ensure that their refreshment vehicles are not playing music or other amplified sound or ringing bells or chimes.
- (6) No licensee or person shall:
 - (a) sell, permit or offer for sale or provide any refreshments from a refreshment vehicle in Town parks or upon other Town property except pursuant to a contract or permit issued by the Town and subject to any conditions attached thereto; or
 - (b) sell, permit or offer for sale or provide any refreshments from a refreshment vehicle in the following designated business improvement areas in Oakville or in any business improvement areas that may be designated in Oakville subsequent to the date this By-law comes into

force, unless it is an event held by the Town or held under a Town permit, or unless the event is permitted by the business improvement area and the Town:

- (i) Bronte Village;
 - (ii) Downtown Oakville; or
 - (iii) Kerr Village;
- (b) stop for the sale of refreshments within thirty (30) metres (100 feet) of the entrance or exit to any school grounds, public park, dock, wharf, or intersection; or
- (c) serve a person any refreshments while the person is standing on a traveled portion of any highway.

11. Special Events

- (1) A special event refreshment vehicle licence is not required to operate at a special event under a valid Town permit or as approved by Council.
- (2) A refreshment vehicle with a current and valid annual licence may operate at up to 4 special events at the same location per calendar year.
- (3) No person shall sell, offer for sale or provide any refreshments at any place or time not explicitly provided for under their Special Event Refreshment Vehicle licence.
- (4) A refreshment vehicle participating in a special event, whether on private or public property, shall comply with all licensing requirements for a refreshment vehicle as prescribed in this By-law, except as may be specifically otherwise authorized by the Licensing Commissioner.

12. Prohibitions

- (1) No licensee or person shall:
 - (a) operate or permit the operation of a refreshment vehicle unless the vehicle is the vehicle for which the licence and municipal plate has been issued under this By-law;
 - (b) operate or permit the operation of a refreshment vehicle unless the municipal plate issued in respect of the licence for the refreshment vehicle is securely affixed to the exterior rear of the vehicle in a conspicuous place;

- (c) employ a person who is under eighteen (18) years of age;
- (d) sell, permit the sale of or provide any refreshments unless:
 - (i) the refreshments have been prepared, assembled and wrapped in accordance with the Health Protection and Promotion Act;
 - (ii) the persons engaged in the handling and selling of refreshments complies with the Health Protection and Promotion Act; and
 - (iii) the Health Department's requirements for mandatory food handler certification and public disclosure of food safety inspection reports have been complied with;
- (e) operate or permit the operation of a refreshment vehicle which is not neat and clean in appearance;
- (f) operate any refreshment vehicle in a way that is unsafe for the public;
- (g) sell refreshments, offer refreshments for sale or provide refreshments from a vehicle drawn by an animal;
- (h) use amplification of any sound, ringing of any bells or chimes, or other means of recognition;
- (i) operate a refreshment vehicle prior to 8:00 a.m. or after 11:00 p.m. unless otherwise specified in a Town permit;
- (j) operate a refreshment vehicle in an area prohibited by section 10 of this Schedule; or
- (k) dispose of, dump or permit the disposal or dumping of any litter, cooking oil or hazardous materials except in accordance with all relevant by-laws and/or legislation.

Schedule 29: Salvage Yard

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) **“Salvage Material” includes, but is not limited to, recyclable material, scrap metal, used or wrecked motor vehicles or used or wrecked motor vehicle parts;**
 - (b) **“Salvage Yard” means a premises or part thereof used for receiving, storing or dealing in scrap, salvage material or recyclable material, excluding a motor vehicle facility and a second-hand goods shop;**
 - (c) **“Recyclable Material” means any product utilized for any purpose which would otherwise be disposed of or dealt with as waste, including but not limited to glass, metal, plastic, rubber and paper products.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Salvage Yard
Licence Renewal Date	31-Jan
Applicant's information	✔
Business address	✔
Insurance certificate	✔
Licence fee	✔
Zoning Occupancy Certificate	⚠
Article of Incorporation	✔
Business partner information	✔
Criminal record check	✔
Proof of current and valid Environmental Protection Act approvals, if required	⚠

✔ Required for initial and renewal application

⚠ Required for initial application only

3. Exemptions

- (1) A salvage yard licence is not required for a person selling used or wrecked motor vehicle parts or tires provided such person has a current and valid motor vehicle facility licence under Schedule 21 of this By-law or a current and valid second-hand goods shop licence under Schedule 30 of this By-law.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. Regulations

- (1) Each salvage yard must be enclosed by a fence that:
 - (a) complies with the Town's Fence By-law 2002-034 or successor by-laws;
 - (b) is painted a uniform colour and kept in good condition; and
 - (c) is equipped with a proper gate or entrance of the same material which shall be kept locked when the business is not in actual operation.
- (2) Despite subsection 5(1)(a), a fence that exists at a licensed salvage yard prior to the date this By-law comes into force shall be deemed to comply with this By-law. Should said fence be replaced, the replacement fence shall comply with the Fence By-law.

6. Prohibitions

- (1) No salvage yard licensee or person shall:
 - (a) receive from any person(s) any article or goods which the licensee or person knows or has good reason to believe have been stolen or otherwise secured by the person in possession of same by means of a commission of an offence under the Criminal Code;

- (b) fail to notify the Halton Regional Police Service of the name and description of any goods or articles of any kind which they have cause to believe may have been stolen or unlawfully obtained;
- (c) purchase, take in exchange, or receive directly or indirectly, any goods, article or thing from any person who appears:
 - (i) to be under the age of eighteen (18) years without written authority from a parent or guardian; or
 - (ii) to be under the influence of drugs or alcohol;
- (d) alter, repair, dispose of or in any way part with, any goods or articles purchased or taken in exchange until after the expiration of **fifteen (15)** days and during these **fifteen (15)** days, the goods or articles so obtained shall remain on the licensed premises and shall be kept in a location separate from goods previously purchased and shall be subject to inspection at any time during business hours by the Halton Regional Police Service;
- (e) **store or keep salvage material:**
 - (i) **in a manner that permits standing or stagnant water;**
 - (ii) outside of the fence referred to in subsection 5(1)(a) of this Schedule **unless the licensee provides metal** (or other non-combustible) containers with self-closing covers **outside of the fence** for the deposit of **salvage material**. The contents of such containers shall be emptied and disposed of immediately at the close of each day's activities; or
 - (iii) piled to a height greater than the height of the fence referred to in subsection 5(1)(a) of this Schedule.
- (f) use any part of the property outside of the fence referred to in subsection 5(1)(a) of this Schedule for any purpose except employee and customer parking, landscaped areas, **or for the placement of containers for the deposit of salvage material in accordance with subsection 6(e)(ii) of this Schedule.**
- (g) **in addition to the requirements of Section 21 of this By-law:**
 - (i) **fail to clean and remove any dirt, material or debris tracked onto public or private property abutting the salvage yard; or**

- (ii) in accordance with subsection 21(1)(b)(ix) of this By-law, fail to make all reasonable efforts to control rodents and other vermin and to eliminate odours.
- (2) A salvage yard licensee or person who purchases a used or wrecked motor vehicle shall produce, at the request of the Licensing Commissioner or an Officer, the vehicle portion of the permit issued for the motor vehicle or the notice from the Ministry of Transportation that the motor vehicle has been destroyed.

7. Record Keeping

- (1) Every salvage yard licensee or person shall maintain a register, in a form approved by the Licensing Commissioner and in accordance with section 20 of this By-law, containing:
 - (a) a description of all goods taken in exchange or otherwise obtained, including make, serial number, model number and vehicle identification number;
 - (b) the date on which the goods were taken in;
 - (c) the price that was paid for the item; and
 - (d) photographs of individual items obtained that are over five hundred dollars (\$500) in value.
- (2) The register required by subsection 7(1) of this Schedule shall be kept for the current year and the previous year.
- (3) Despite subsection 20(3) of this By-law, the register shall be open to inspection at all times during regular business hours by the Licensing Commissioner or an Officer, who may remove the register from the premises for the purposes of photocopying or for use in any court or other proceedings.

Schedule 30: Second-Hand Goods Shop

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Antiques” means furniture or other goods commonly recognized as collectible because of their quality, value or age and reproductions of such goods, but does not include bicycles, coins, electronic products, jewelry, musical instruments, precious gems, precious metals, time pieces or tools;
 - (b) “Buy in Bulk” means purchasing second-hand goods by weight;
 - (c) “Electronic Products” means any type of electronic device, including but not limited to smartphones, computer hardware and software, laptops, radios, television receivers and monitors, video cameras, digital audio players, music systems and associated equipment, microwave appliances, global positioning systems, computer games, video games and devices;
 - (d) “Jewelry and Precious Metals Business” means a business where jewelry or precious metals are purchased for the purpose of smelting the jewelry or precious metals and includes a jewelry and precious metal business operator who operates for a short period of time at temporary premises;
 - (e) “Precious Metals” includes but are not limited to gold, platinum, or silver;
 - (f) “Second-hand Goods” means items that have been previously owned or used or have been refurbished, including, but not limited to:
 - Bicycles;
 - Collector items, such as coins, collector cards, sports memorabilia, paper currency, stamps, and medals;
 - Tools;
 - Jewelry, watches;
 - Precious metals;
 - Valuable figurines, glass, china, ceramics;
 - Musical instruments and accessories;
 - Electronic products;

- Vinyl records, audio tapes, video tapes, CDs, video cassettes and DVDs;
- Sports equipment, including but not limited to golf clubs, roller blades, snow boards, hockey equipment, skiing equipment and tennis equipment;
- Furniture;
- Clothing; and
- Motor vehicle parts and accessories, tires

(g) “Second-hand Goods Shop” means a building, structure or part thereof which is open to the public where any portion of the business is the buying or selling of second-hand goods regardless of age and condition, excludes a motor vehicle facility and a salvage yard and includes a jewelry and precious metals business.

2. Licence Application/Renewal Requirements

(1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Second-Hand Goods Shop
Licence Renewal Date	31-Jan
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Criminal record check	✓

✓ Required for initial and renewal application

⚠ Required for initial application only

3. Exemptions

(1) A second-hand goods shop licence is not required for the following:

(a) a person **only** dealing in second-hand books;

- (b) a person **only** dealing in goods which are recognized antiques, antique furniture or works of art;
- (c) a person who purchases or takes in goods or merchandise that the person originally produced or manufactured, refurbishes said goods or merchandise and then offers said goods or merchandise for sale;
- (d) a person selling used motor vehicle parts or tires provided such person has a current and valid motor vehicle facility licence under Schedule 21 of this By-law or a current and valid salvage yard licence under Schedule 29 of this By-law;
- (e) vendors whose sale of goods is conducted by auction, provided such vendors have a current and valid auctioneer or auction house licence under Schedule 7 of this By-law; or
- (f) vendors engaged in the sale of second-hand goods at a market, provided the market has a current and valid attractions licence under Schedule 6 of this By-law.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence if the applicant or licensee fails to meet any of the licensing thresholds for any applicable offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

5. Retention Period

- (1) Every licensee or person shall:
 - (a) retain all purchased goods or articles or goods or articles taken in exchange on the licensed premises, **in an unchanged condition**, for a period of at least **fifteen (15)** days after the day on which the goods were purchased or exchanged; and
 - (b) keep the goods or articles referred to in subsection 5(1)(a) of this Schedule in a location separate from goods or articles previously purchased.

- (2) During the **fifteen (15)** day retention period, every licensee **or person** shall:
 - (a) make the goods or articles purchased or taken in exchange available for inspection at any time during business hours by an Officer; and
 - (b) not sell or otherwise dispose of or permit the sale or other disposal of the goods or articles purchased or taken in exchange.
- (3) **Where the goods or articles come exclusively from donations to registered charities, a licensee or person is not required to comply with section 5 of this Schedule.**
- (4) **Despite subsection 5(1) and 5(2) of this Schedule, for the purpose of completing an investigation, the Halton Regional Police Service may request that a good or article suspected of having been stolen be retained for an additional period of time beyond the fifteen (15) days and when so requested, the licensee or person shall ensure that the said good or article is not sold, exchanged, altered, repaired, disposed of or in any way parted with until after the expiration of the additional period of time.**

6. Prohibitions

- (1) No licensee or person shall:
 - (a) receive from any person(s) any article or goods which the licensee or person knows or has good reason to believe have been stolen or otherwise obtained by the person in possession of same by means of a commission of an offence under the Criminal Code;
 - (b) fail to notify the Halton Regional Police Service should the licensee or person later discover that any goods or articles they have obtained were indeed stolen or otherwise obtained by means of a commission of an offence under the Criminal Code;
 - (c) purchase, take in exchange, or receive directly or indirectly, any goods, article or thing from any person who appears:
 - (i) to be under the age of eighteen (18) years without written authority from a parent or guardian; or
 - (ii) to be under the influence of drugs or alcohol; or
 - (d) **fail to advise the Halton Regional Police Service if goods purchased or taken in exchange are retained as required by section 5 of this Schedule in a location other than at the licensed premises.**

7. Record Keeping

- (1) Every licensee or person shall maintain a register, **in accordance with section 20 of this By-law**, containing:
 - (a) **a sequential acquisition number;**
 - (b) a description of all goods taken in exchange or otherwise obtained, including, but not limited to, make, serial number and model number;
 - (c) the date on which the goods were taken in;
 - (d) **photographs of the item(s) obtained;**
 - (e) **the price that was paid for the item; and**
 - (f) **the municipal address where the goods taken in exchange or otherwise obtained are being retained in accordance with section 5 of this Schedule.**
- (2) **Section 7(1) of this Schedule does not apply to a licensee or person who is buying in bulk.**
- (3) **If a licensee or person is buying in bulk, the licensee or person shall maintain a record in accordance with section 20 of this By-law that contains a general description of the items purchased and the purchase price.**
- (4) **The register required by subsection 7(1) of this Schedule and the record required by subsection 7(3) of this Schedule shall be kept for the current year and the previous year.**
- (5) **Despite subsection 20(3) of this By-law, the register and record shall be open to inspection at all times during regular business hours by the Licensing Commissioner or an Officer, who may remove the register or record from the premises for the purposes of photocopying or for use in any court or other proceedings.**

Schedule 31: Taxicab Owner/Broker/Driver

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Accessible Taxicab” means a passenger motor vehicle that is an accessible vehicle and that is licensed as an accessible taxicab under this By-law;
 - (b) “Accessible Vehicle” means a passenger motor vehicle or a bus, other than a school bus, that is designed or modified to be used for the purpose of transporting a person with a disability and is used for that purpose, whether or not the vehicle is also used to transport persons without disabilities;
 - (c) “Dispatch” means the communication of an order or information in any manner between a taxicab broker and a taxicab driver;
 - (d) “Dispatch Fees” means any amount charged by a taxicab broker to a taxicab owner to receive orders for taxicab service from the taxicab broker;
 - (e) “Fare” when used in reference to a taxicab means the amount displayed on the taxicab meter at the conclusion of a trip, or the flat rate for the trip, together with any additional charges allowed under this By-law;
 - (f) “Flat Rate” means a rate that the taxicab broker, taxicab driver or taxicab owner and the passenger agree on before the start of a trip outside of the boundaries of the Town;
 - (g) “Licensed Taxicab” means the taxicab owner licensee’s motor vehicle used to provide taxicab services to the public in the Town;
 - (h) “Operate” when used in reference to a taxicab includes to drive the said motor vehicle and to make it available to the public for use as a taxicab;
 - (i) “Order” means a request for taxicab service received by a taxicab broker;
 - (j) “Passenger” when used in reference to a taxicab means any person other than the driver seated in a taxicab;

- (k) “Tariff” means the rates submitted to the Licensing Commissioner for taxicab service;
- (l) “Taxicab” means any motor vehicle used for hire in the conveyance of passengers and goods when accompanied by passengers, within the Town or from any point within the Town to any point outside of the Town, but does not include a bus operated by the Town or in accordance with the Highway Traffic Act, an ambulance, a funeral hearse or a limousine used only for funeral or wedding processions, a limousine licensed by the Town, a rental vehicle without a driver, a vehicle used for hire in the conveyance of persons from within the Town to an airport owned and operated by the Crown in Right of Canada situate outside the Town if the vehicle bears a valid and subsisting plate issued in respect of such airport under the Government Airport Concession Operations Regulations made under the Department of Transport Act (Canada), R.S.C. 1985, c. T-18, or a TNC vehicle, and includes an accessible taxicab unless otherwise specified;
- (m) “Taxicab Broker” means any person who carries on the business of dispatching taxicabs in any manner;
- (n) “Taxicab Driver” means any person licensed under this By-law to drive a taxicab;
- (o) “Taxicab Meter” means a measuring device or app used in a taxicab to calculate the fare payable for a trip;
- (p) “Taxicab Owner” means the holder of the plate portion of the permit issued under the Highway Traffic Act of a motor vehicle licensed as a taxicab under this By-law;
- (q) “Trip” when used in reference to a taxicab means the distance and time travelled or the distance and time to be travelled, measured from the time and point at which the passenger first enters the taxicab or when the taxicab meter is first engaged, whichever comes first, to the time and point at which the passenger finally leaves the taxicab or the taxicab meter is disengaged, whichever comes last.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:



	Taxicab Broker	Taxicab Driver	Taxicab Owner
Licence Renewal Date	31-Jul	31-Jul	31-Jul
Applicant's information	✓	✓	✓
Business address	✓	✓	✓
Insurance certificate	✓		✓
Licence fee	✓	✓	✓
Article of Incorporation	✓		✓
Business Partner Information	✓		✓
Zoning Occupancy Certificate	⚠		
Criminal record & judicial matters check		✓	✓
Safety standards certificate			✓
Vehicle insurance			✓
Vehicle ownership, in good standing, issued in the plate owner's name			✓
List of tariffs	✓		
Valid Class "G" Ontario driver's licence		✓	
Driver record		✓	
1 current photograph		✓	
Town business licence number for the taxicab brokerage/owner employing the driver		✓	
Name of taxicab brokerage, if applicable		✓	✓
Review and complete the accessible customer service etiquette training guide		✓	
List of taxicab drivers who operate accessible taxicabs	✓		
Additional documentation set out below			

- ✓ Required for initial and renewal application
- ⚠ Required for initial application only

- (2) A person shall take out a separate licence for each motor vehicle to be used as a taxicab.
- (3) **In addition to the requirements prescribed in subsection 2(1) to this Schedule, a completed application for a taxi broker licence shall include a list showing in numerical order by owner's plate number, the name of every driver operating any taxicab with respect to which an arrangement has been entered into for the provision of taxicab brokerage services.**

- (4) Despite subsection 19(2)(f) of this By-law, a taxicab owner licensee shall file with the Licensing Commissioner all documents required by the Licensing Commissioner to report any change related to the taxicab's ownership within three (3) business days of such change of ownership.
- (5) The photograph of the applicant for a taxicab driver licence required by subsection 2(1) of this Schedule must:
 - (a) be clear, sharp and in focus;
 - (b) show how the applicant looks at the time of application for the licence; the applicant's full face must be clearly visible; and
 - (c) show the applicant's face and shoulders straight on and squared to the camera.
- (6) When the requirements set out in subsection 2(1) of this Schedule have been approved by the Licensing Commissioner, the motor vehicle to be used as a taxicab shall be deemed to be a licensed taxicab.
- (7) A taxicab owner licensee who disposes of their licensed taxicab or otherwise ceases to use the taxicab for the purposes permitted under this By-law and acquires another motor vehicle for the purposes permitted under this By-law shall, before using the motor vehicle as a taxicab, comply with subsection 2(1) and 2(2) of this Schedule.
- (8) Despite subsection 19(2)(f) of this By-law, a taxicab driver licensee shall immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence is cancelled, suspended, revoked or expires or becomes invalid for any reason, and/or when they accumulate 6, 8 or 10 demerit points.

3. Issuance/Renewal of Licence

- (1) When an application for a licence or for a renewal of a licence is made in accordance with the provisions of this By-law and the applicant meets all the requirements of this By-law, the Licensing Commissioner shall:
 - (a) for a taxicab owner, issue a municipal plate and/or a licence sticker;
 - (b) for a taxicab broker, issue a taxicab broker licence;
 - (c) for a taxicab driver, issue a taxicab driver's photo licence;

all of which shall set out the expiry date of the licence and such terms and conditions as may be required.

- (2) If a taxicab owner fails to renew their licence in accordance with subsection 10(1) of this By-law and the taxicab owner must apply for a new licence, the number of the owner's municipal plate may change.

4. Vehicle Insurance

- (1) Every taxicab owner applicant or licensee shall carry current and valid Ontario standard vehicle insurance in good standing throughout the term of the licence. Said vehicle insurance shall be properly endorsed against liability arising out of bodily injury to or the death of a person or loss or damage to property caused by a vehicle or the use or operation thereof in accordance with the provisions of this By-law, including coverage for:
- (a) the owner or driver of a vehicle, or
 - (b) a person who is not the owner or driver thereof where the vehicle is being used or operated by that person's employee or agent or any other person on that person's behalf.
- (2) If the vehicle insurance policy is renewed during the licensing period, the taxicab owner licensee shall immediately provide the Licensing Commissioner with a copy of the updated insurance certificate. If the licensee fails to provide the Licensing Commissioner with a copy of the updated insurance certificate, a late fee as set out in the rates and fees schedule may be applied by the Licensing Commissioner.
- (3) A taxicab owner licensee shall provide proof of current and valid vehicle insurance at any time when requested to do so by the Licensing Commissioner or an Officer.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) The Licensing Commissioner shall automatically suspend a taxicab driver's licence when the licensee has had their Ontario driver's licence cancelled, revoked or suspended or where such driver's licence has expired or becomes invalid for any reason. The licence issued under this By-law shall be suspended for the entirety of the period that the Ontario driver's licence is suspended, revoked, ceases to be valid, or has expired.

- (2) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 5(1) of this Schedule.
- (3) The Licensing Commissioner shall automatically suspend a taxicab owner's licence when the licensee ceases to have a current valid Ontario standard vehicle insurance policy in good standing and properly endorsed in accordance with the provisions of this By-law. The licence issued under this By-law shall be suspended until the licensee provides the Licensing Commissioner with written proof of insurance in accordance with the provisions of this By-law.
- (4) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsection 5(3) of this Schedule.
- (5) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a licence at any time if a taxicab driver licensee's driver record shows ten (10) demerit points.
- (6) When the licence issued under this By-law has been suspended pursuant to subsection 5(5) of this Schedule, the taxicab driver may not apply for re-issuance of a taxicab driver's licence under this By-law until their driver record shows less than six (6) demerit points.
- (7) In addition to the grounds listed in Section 13 of this By-law, a taxicab owner's licence issued under this By-law may be suspended by the Licensing Commissioner:
 - (a) if the taxicab fails an inspection due to a significant mechanical failure. The licence may be suspended until such time as the taxicab passes a re-inspection; or
 - (b) until any re-inspection fee or other fee set out in the rates and fees schedule has been paid.
- (8) In addition to the grounds listed in Section 12 and 13 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence or suspend or revoke a taxicab owner's licence or a taxicab driver's licence if the applicant or licensee fails to meet any applicable licensing thresholds for any of the offences set out in Schedule 1 of this By-law, provided that the conviction directly affects the applicant or licensee's ability to competently

and responsibly carry on the business that is the subject of their licence or compromises their ability to comply with the provisions of this By-law or its Schedules.

6. Inactive Owner's Licence and Municipal Plate

- (1) A taxicab may be taken out of service and deemed to be inactive once during the taxicab owner's licensing period, unless otherwise permitted by the Licensing Commissioner.
- (2) The taxicab owner shall notify the Licensing Commissioner to have their owner's licence and municipal plate deemed to be inactive. The taxicab owner shall pay the fee set out in the rates and fees schedule.
- (3) When their taxicab is deemed to be inactive, the taxicab owner shall within seven (7) business days of the municipal plate becoming inactive:
 - (a) deliver their municipal plate to the Licensing Commissioner; and
 - (b) remove any equipment from the motor vehicle that identifies the vehicle as a taxicab.
- (4) Upon receipt of a notice of licence renewal, the owner of an inactive taxicab shall:
 - (a) renew their taxicab owner's licence; and
 - (b) reinstate the taxicab to active status.
- (5) In order to reinstate an inactive taxicab to active status, the owner of an inactive taxicab shall:
 - (a) give the Licensing Commissioner three (3) business days' notice of their intention to reinstate an inactive taxicab;
 - (b) provide the documents listed in the notice of licence renewal to the Licensing Commissioner; and
 - (c) pay the fee as set out in the rates and fees schedule.
- (6) Accessible taxicabs may not be considered to be inactive under this Schedule.

7. Deceased Taxicab Owner's Licence

- (1) Upon the death of a taxicab owner:
 - (a) the taxicab owner's licence shall be suspended, and the municipal plate and attached sticker shall be removed forthwith; and
 - (b) the municipal plate and attached sticker shall be returned to the Licensing Commissioner.

8. Vehicle Age

- (1) Upon a motor vehicle licensed as or to be licensed as a taxicab reaching ten (10) model years of age, the taxicab owner shall provide a safety standards certificate to the Licensing Commissioner six (6) months into the term of the licence. The age of the taxicab shall be calculated from July 31st of the model year of the said motor vehicle.
- (2) Despite subsection 8(1) of this Schedule, the Licensing Commissioner may deny the request to operate a vehicle over ten (10) years of age.

9. Taxicab Tariffs and Flat Rate

- (1) No taxicab owner, taxicab driver or taxicab broker shall charge:
 - (a) a higher fare or an additional charge for persons with disabilities than for persons without disabilities for the same trip; or
 - (b) charge for the storage of mobility aids or mobility assistive devices.
- (2) The tariffs charged by taxicab owners and taxicab drivers for the conveyance of passengers shall be set by the taxi brokerage or independent taxicab owner.
- (3) Tariffs for the conveyance of passengers shall be based on a monetary value for the distance travelled. If the taximeter is engaged, tariffs shall be defined as a drop rate and/or per kilometer travelled.
- (4) Taxicab brokers, taxicab drivers and taxicab owners can offer a negotiated flat rate for fares outside of the Town, discounted rates with fares booked directly through the broker and/or surge pricing based on bookings through a mobile app.

- (5) The **tariffs** charged by the taxicab brokerage **or independent taxicab owner** may be changed once every three (3) months.
- (6) **Despite subsection 19(2)(f) of this By-law**, the **taxicab** brokerage or independent taxicab owner shall give thirty **(30) calendar days'** notice to the Licensing Commissioner prior to any change to the **tariffs**.

10. Inspection of Taxicab

- (1) **The Licensing Commissioner or an Officer may schedule and conduct inspections of taxicabs in accordance with section 22 of this By-law.**

11. Taxicab Owner Regulations

- (1) Every licensed taxicab owner or person shall:
 - (a) keep at all times in the taxicab for which the person is the owner, the original or a copy of the following documents:
 - (i) the current vehicle ownership issued for that taxicab;
 - (ii) the current taxicab owner's licence issued under this By-law; and
 - (iii) the certificate of liability insurance for the taxicab in accordance with this By-law.
 - (b) **make the taxicab's registration and identification information available in an accessible format to persons with disabilities who are passengers, upon request;**
 - (c) have in or on the taxicab:
 - (i) the municipal plate firmly affixed to the **rear bumper of the taxicab in a conspicuous place;**
 - (ii) the municipal plate number for that taxicab, in numbers of at least fifteen (15) centimeters in height, affixed to the **rear bumper and door** not more than eight (8) centimeters below the top of the fenders and on the back of the taxicab in a clearly visible location, of a distinct contrasting colour to that of the vehicle to which they are affixed, or in a location or manner approved by the Licensing Commissioner;
 - (iii) affixed to the passenger visor so as to be visible to the passenger or in a location approved by the Licensing Commissioner, the current tariff card, which bears the municipal plate number of the taxicab; and

- (iv) an electrically illuminated roof sign which is securely attached to the top of the taxicab in a manner approved by the Licensing Commissioner.
- (d) employ or use only the services of taxicab drivers who are licensed under this By-law;
- (e) provide the Licensing Commissioner and, where applicable, any licensed taxicab broker with whom the owner may be associated, with the name of any licensed taxicab driver operating the taxicab within two (2) business days of the time when the licensed taxicab driver has commenced to operate the said taxicab;
- (f) provide training to all taxicab drivers who have entered into arrangements with the taxicab owner on taxicab driver expectations;
- (g) produce the taxicab owner's licence issued under this By-law and such other documentation as is requested upon an inspection by the Licensing Commissioner or an Officer;
- (h) forthwith remove the municipal plate and return or relinquish the municipal plate to the Licensing Commissioner if the owner's licence is cancelled, revoked or suspended;
- (i) produce a certificate of newly acquired insurance endorsed in accordance with the provisions of this By-law, or return the municipal plate to the Licensing Commissioner on the date and time of cancellation when a licensed owner cancels the owner's current insurance before the expiry date of the policy;
- (j) **despite subsection 19(2)(f) of this By-law**, file with the Licensing Commissioner at least five (5) **business** days prior to the expiry date of the current insurance policy, all insurance renewal policies or certificates of insurance. **This subsection does not apply to taxicabs that are deemed to be inactive in accordance with section 6 of this Schedule;**
- (k) ensure that the taxicab:
 - (i) meets the standards required for issuance of an Ontario Ministry of Transportation Vehicle Inspection Report or meets the standards for issuance of a Safety Standard certificate of mechanical fitness;
 - (ii) has an interior and exterior in good repair;

- (iii) is equipped with two doors on both sides;
 - (iv) has valid insurance;
 - (v) is equipped with a roof sign, municipal plate and side numbers in accordance with the provisions of this Schedule; and
 - (vi) has a taxicab meter that corresponds with the appropriate tariff set out by the brokerage or independent taxicab owner and as submitted to the Licensing Commissioner;
- (l) only operate or permit the operation of the owner's motor vehicle as a taxicab if it is a licensed taxicab under this By-law;
 - (m) not display any municipal plate, decal or sticker issued by any other municipal licensing authority or purporting to be issued by such municipal licensing authority;
 - (n) not display any name, address or telephone number or other identification on the taxicab or the taxicab's roof sign other than that of the taxicab broker with whom the owner is affiliated;
 - (o) not display or place on the taxicab any emblem, decal, roof sign or other markings which are the same colour or similar to any distinctive emblem, decal, roof sign or other marking being used by any taxicab broker with whom the owner is not affiliated;
 - (p) not operate the taxicab in affiliation with a taxicab broker who is not licensed under this By-law; or
 - (q) not display any sign, emblem, decal, ornament or advertisement on or in the taxicab except in a form and location approved by the Licensing Commissioner.

12. Taxicab Broker Regulations

- (1) Every licensed taxicab broker shall:
 - (a) maintain an office within the Town from which the taxicab brokerage business is conducted which provides adequate telecommunication devices, dispatch facilities and off-street parking;
 - (b) require all taxicab owners who have entered into arrangements with them for the provision of taxicab brokerage services to use the same design and colour scheme of roof sign which shall include the name of the taxicab broker;

- (c) ensure that independent taxicab owners have their broker's name and telephone number included on the taxicab's roof sign. if the independent taxicab owner is not associated with a broker, taxicab's roof sign shall contain the independent taxicab owner's operating name and telephone number;
- (d) carry on the taxicab brokerage business twenty-four (24) hours a day during the term of the licence unless otherwise directed by the Licensing Commissioner;
- (e) upon request, inform any customer of the anticipated length of time required for a taxicab to arrive at the pickup location;
- (f) when the volume of business is such that service will be delayed to a prospective customer, inform the customer of the approximate time of the delay before accepting the order. **The prospective customer may cancel service without charge if they believe the delay is too long;**
- (g) dispatch a taxicab to any person requesting service within the Town unless the person requesting service has not paid for a previous trip and these facts are verified by the broker, and the person requesting service is advised of the reason for refusing to dispatch the taxicab;
- (h) provide training to all drivers who have entered into arrangements with the broker on taxicab driver expectations;
- (i) have a tariff card setting out in full the tariff rates filed with the Licensing Commissioner, such tariff card to be kept in a laminated container and shown to any passenger upon request;
- (j) charge or advertise only the tariff as submitted to the Licensing Commissioner;
- (k) not accept orders for, or dispatch or direct orders to a taxicab:
 - (i) where the service requested of the taxicab broker or taxicab driver is prohibited under this By-law, or any other municipal by-law or provincial or federal statute; or
 - (ii) where the owner of the taxicab is not licensed under this By-law, unless otherwise approved by the Licensing Commissioner;
- (l) not require any taxicab driver to accept any order necessitating an expenditure of money by the driver on behalf of the customer;

- (m) not make any charge or financial demand, directly or indirectly, of a taxicab owner or taxicab driver other than dispatch fees; and
- (n) ensure there is a dispute resolution process for dealing with any complaints regarding fees, customer service, or any other issues arising from the taxi operations.

13. Taxicab Driver Regulations

(1) Every licensed taxicab driver shall:

- (a) display at all times while operating the taxicab and in a location approved by the Licensing Commissioner, their current taxicab driver's licence and a current tariff card as submitted to the Licensing Commissioner;
- (b) give a passenger a receipt bearing the name of the taxicab company, the date of the trip, the municipal plate number, the amount paid and the tax (HST number clearly thereon) if requested;
- (c) take the most direct available route to the destination requested by the passenger unless the passenger directs otherwise;
- (d) engage the taxicab meter at the commencement of the trip when the passenger enters the taxicab and keep it engaged throughout the trip, except where a flat rate is agreed upon;
- (e) operate a taxicab which:
 - (i) meets the standards required for issuance of an Ontario Ministry of Transportation Vehicle Inspection Report or meets the standards for issuance of a Safety Standard Certificate of mechanical fitness;
 - (ii) has an interior and exterior in good repair;
 - (iii) is equipped with two doors on both sides of the taxicab;
 - (iv) has valid insurance;
 - (v) is equipped with a roof sign, municipal plate and side numbers in accordance with the provisions of this Schedule; and
 - (vi) has a taxicab meter that corresponds with the appropriate tariff set out by the brokerage or independent taxicab owner and as submitted to the Licensing Commissioner;
- (f) not leave any passenger at any location other than the destination requested by the passenger unless:

- (i) the taxicab driver is unable to take the passenger to the requested destination by reason of;
 - 1. the taxicab being incapable of being operated safely;
 - 2. the taxicab driver being incapable of operating the taxicab safely; or
 - 3. the conduct of the passenger being such that the taxicab driver can no longer operate the vehicle safely;
- (ii) the taxicab driver has requested the attendance of another taxicab or the police at the location; or
- (iii) the other taxicab or the police have arrived at the location;
- (g) upon request of the Licensing Commissioner or an Officer, produce their licence issued under this By-law and such other documentation as may be required and set out in this Schedule;
- (h) immediately inform the Licensing Commissioner in writing by email or by registered mail if the licensee's Ontario driver's licence is cancelled, suspended, revoked or is expired in accordance with subsection 2(8) of this Schedule.
- (i) when a licensed taxicab driver's **driver record** shows six (6) demerit points, notify the Licensing Commissioner immediately, attend **a scheduled interview** and produce a further **driver record** within six (6) months of the interview;
- (j) have an ongoing duty to disclose to the Licensing Commissioner:
 - (i) any criminal charges relevant to the legislation set out in **Schedule 1** of this By-law;
 - (ii) any change in insurance; and
 - (iii) any accidents while operating as a taxicab driver; and
- (k) take a driver training course approved by the Licensing Commissioner when their driver record shows eight (8) demerit points.

14. Accessible Taxicab Regulations

- (1) Every applicant for an accessible taxicab owner's license shall provide the Licensing Commissioner with proof, to the satisfaction of the Licensing Commissioner, that the accessible taxicab meets the requirements of Ontario Regulation 629 under the Highway Traffic Act.



- (2) Every applicant for a licence to drive an accessible taxicab must show proof of successful completion of the training program provided by an approved trainer, or proof satisfactory to the Licensing Commissioner of successful completion of any other comparable program as approved from time to time by the Licensing Commissioner which qualifies the taxicab driver to serve persons with disabilities.
- (3) **Taxicab brokers with twenty (20) or more licensed taxicabs in their fleet, including any inactive taxicabs, must have at least one (1) accessible taxicab in service at all times.**
- (4) Drivers of an accessible taxicab shall:
 - (a) securely fasten all wheelchairs or any other passenger aids so that they are prevented from moving while the accessible taxicab is in motion;
 - (b) operate an accessible taxicab inside the boundaries of Oakville between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, except for the purpose of transporting a person with a disability;
 - (c) comply with all other requirements of a taxicab driver under this Schedule.
- (5) Taxicab brokers shall:
 - (a) if there is more than one taxicab broker licensed by the Town, where service requested is of a type which would require an accessible taxicab and the broker does not have an accessible taxicab immediately available to service the call, the broker shall advise the person requesting such service of any estimated delay in service and of the name and telephone number of other taxicab brokerages licensed by the Town;
 - (b) where service is requested by a person with a disability, provide priority service for such person;
 - (c) not dispatch an accessible taxicab on a call requiring the taxicab to operate outside the boundaries of Oakville between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, unless for the purpose of transporting a passenger with a disability;



- (d) meet the ratio of accessible taxicabs set out in subsection 14(3) of this Schedule; and
 - (e) not charge the owner of an accessible taxicab a higher dispatch fee than the dispatch fee applicable to other taxicabs.
- (6) Taxicab owners shall:
- (a) only operate an accessible taxicab which complies with this By-law;
 - (b) take such steps as may be required to ensure that accessible taxicabs are available to persons with disabilities on a continuous twenty-four (24) hour basis to the satisfaction of the Licensing Commissioner; and
 - (c) not permit an accessible taxicab to operate outside the boundaries of Oakville between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, except for the purpose of transporting a person with a disability.

15. Record Keeping

- (1) Taxicab brokers shall keep records respecting transportation services offered, operated or facilitated by it in the Town in accordance with section 20 of this By-law and retain said records for a period of at least three (3) years.

Schedule 32: Temporary Vendors

1. Definitions

(1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:

- (a) “Day Sales” includes the sale or provision of goods such as, but not limited to, flowers, foodstuffs, flags, clothing, publications, and miscellaneous small articles on private property;
- (b) “Regional Road” means a road forming part of Halton Region’s regional road system;
- (c) “Special Sale” means any sale or intended sale **by retail**, described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

Bankrupt	Moving Out	Fire
Insolvent	Selling Out	Smoke
Trustee	Lease Expiring	Water Damage
Receiver	Closing Out	Creditor
Liquidation	Discontinuing	Forced

- (d) “Transient Merchant” means any person who engages in temporary or travelling retail sales, who does not have a storefront and leases or occupies a building or structure in the course of such retail sales;
- (e) “Temporary Vendor” means a person who sells goods or services or offers goods or services for sale on a temporary basis, from one specific location in the Town, in the following classes:
 - (i) Class 1 – Day Sales;
 - (ii) Class 2 – Special Sale;
 - (iii) Class 3 – Transient Merchant; and

does not include an attraction, a second-hand goods shop or a fireworks vendor.

2. Licence Application/Renewal Requirements

(1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or at licence renewal, where applicable:

	Temporary Vendor Class 1 – Day Sales	Temporary Vendor Class 2 – Special Sale Class 3 – Transient Merchant
Licence Renewal Date	Per event	Per event
Applicant's information	✓	✓
Business address	✓	✓
Insurance Certificate	✓	✓
Licence fee	✓	✓
Article of Incorporation	✓	✓
Business partner information	✓	✓
List of vendors including their contact information, if applicable	✓	✓
Description of business including a list of the merchandise, goods or services offered for sale or provided by each vendor	✓	✓
Date(s) and location of sale	✓	✓
Proof of building permit, if applicable	✓	
Written approval from Halton Region if the sale is on the Region's property	✓	✓
Written permission from property owner, including the specific period for which the applicant is permitted to operate at such location, if applicable	✓	✓
Accurate drawing showing the location of temporary vendors on the property, if applicable	✓	
Health Department Approval, if applicable	✓	✓
Valid propane inspection certificate, if applicable	✓	
Canada Revenue Agency Registered Charity Number, if applicable	✓	✓
Additional documentation set out below		

✓ Required for initial and renewal application

- (2) The drawing showing the location of temporary vendors on the property required by subsection 2(1) of this Schedule shall include setbacks from the adjacent property lines, the proposed location of any parking and garbage/recycling containers as well as entrances and exits to the property, where applicable.

- (3) For Temporary Vendors Class 1 - Day Sales and Class 2 – Special Sale, the person operating the business shall obtain the necessary licence from the Licensing Commissioner.
- (4) For Temporary Vendors Class 3 – Transient Merchant, the event organizer or property owner shall obtain the necessary licence from the Licensing Commissioner.
- (5) A temporary vendor selling or providing goods for human consumption other than fresh fruit and vegetables from a temporary vendor location shall comply with all health regulations and shall submit approval from the Health Department.
- (6) In addition to the requirements prescribed in subsection 2(1) of this Schedule, a completed application for a Temporary Vendor Class 2 – Special Sale licence shall be accompanied by:
 - (a) the cost to the owner of the goods, wares or merchandise to be offered for sale and approximate retail value;
 - (b) the names and addresses of persons from whom goods were purchased and the date or dates of purchase;
 - (c) particulars of the ownership of the goods to be sold if they are not owned by the applicant and the relationship, if any between the owner of the goods and the applicant;
 - (d) particulars of any damage or other deterioration caused to the goods by fire, smoke, water or any other means; and
 - (e) particulars of the information to be included on any sign, pamphlet, flyer or other advertisement to be displayed, distributed, announced or published by any means before or during the sale, purporting to indicate the reason for such sale.
- (7) Registered charities must obtain the appropriate temporary vendor licence and shall pay a reduced licence fee as set out in the rates and fees schedule.

3. Exemptions

- (1) A temporary vendor licence is not required:
 - (a) by persons who operate or promote trade shows;

- (b) by local retailers if their temporary vending activity is an extension of the existing retail business at that location;
- (c) for an attraction that is properly licensed in accordance with Schedule 6 of this By-law;
- (d) by farmers located in Oakville, if the goods or produce they are selling is being sold from their own property and has been grown, produced and harvested by them; or
- (e) by a receiver, trustee or liquidator under any Act such as the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, or the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, a court or receiver appointed by the court, a bailiff, sheriff, executor or administrator.

4. Limitations on Licence

- (1) Temporary Vendor Class 1 – Day Sales, Class 2 – Special Sale, or Class 3 – Transient Merchant licences will not be issued by the Licensing Commissioner for sales to be held in a residential zone as designated in Part 6 of Zoning By-law 2014-014 or in areas with a residential use as designated in Zoning By-law 2009-189.

5. Term of Licence for Class 2 – Special Sale

- (1) A Temporary Vendor Class 2 - Special Sale licence issued under this By-law shall expire thirty (30) days after the date of issue.
- (2) A Temporary Vendor Class 2 - Special Sale licensee shall be entitled to apply for and receive a licence for one additional thirty (30) day period to permit the further sale of any goods, wares or merchandise unless the licence is revoked in accordance with this By-law.
- (3) Notwithstanding subsection 5(2) of this Schedule, no licence shall be extended where:
 - (a) an attempt is made to add to or replenish the goods described in the application or if any attempt is made to substitute other goods, wares or merchandise;
 - (b) the sale is advertised or conducted in any manner other than the one described in the application or is in any manner calculated to mislead or deceive the public, or contrary to the provisions of this By-law; or

- (c) the applicant refuses, when required to do so by the Licensing Commissioner or an Officer, to produce any books, documents, records or other information or refuses to permit the inspection of any goods or premises.

6. Number of Sales Events Per Location/Applicant

- (1) Class 1 – Day Sales licensees may hold a maximum of 4 (four) sales events per location, per calendar year. Each sales event may be held for a maximum of 3 (three) consecutive days.
- (2) Class 3 – Transient Merchant licensees may hold a maximum of 4 (four) sales events per location, per calendar year. Each sales event may be held for a maximum of 3 (three) consecutive days.

7. Regulations

- (1) A separate temporary vendor licence shall be obtained for each location where the goods or services are to be sold.
- (2) Despite subsection 6(1) of this By-law, a complete application for a temporary vendor licence must be submitted to the Licensing Commissioner at least fourteen (14) business days before the intended date of the sale.
- (3) The Licensing Commissioner shall not issue a temporary vendor licence for the provision, sale or offering for sale of any goods, merchandise or services on any Regional Road pursuant to Halton Region's By-law 109-00, A By-law to Prohibit Retail Sale on Regional Roads, or successor by-laws, without the express written permission of Halton Region.

8. Prohibitions

- (1) No Class 1 – Day Sales, Class 2 – Special Sale, or Class 3 – Transient Merchant licensee or person shall:
 - (a) sell, offer for sale or permit the sale of tobacco products, specialty tobacco products or vapour products at their temporary vendor location;
 - (b) sell, offer for sale or permit the sale of any goods or services in a residential zone as designated in Part 6 of Zoning By-law 2014-014 or a residential zone as designated in Zoning By-law 2009-189;
 - (c) act or carry on the business of a temporary vendor:

- (i) on lands owned or leased by the Town or at Town facilities without the express written permission of the Town;
 - (ii) within a municipal right-of-way; or
 - (iii) on Regional Roads without the express written permission of Halton Region;
- (d) operate as a temporary vendor on any private property without the express written permission of the property owner and for the specific time frame for which the applicant is permitted to operate at such location;
- (e) sell, offer for sale or provide any goods or services other than those goods or services identified on the list provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule;
- (f) sell, offer for sale or provide any goods or services if the licensee or person is not included on the list of vendors provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule;
- (g) permit a vendor or person who is not included on the list of vendors provided to the Licensing Commissioner in accordance with subsection 2(1) of this Schedule to sell, offer for sale or provide any goods or services;
- (h) park or permit to be parked any motor vehicle in respect of any temporary vendor location contrary to any Town by-law;
- (i) operate as a temporary vendor in the following designated business improvement areas in Oakville, or in any business improvement areas that may be designated in Oakville subsequent to the date this By-law comes into force, unless they are doing so under a Town permit, or unless they are permitted to do so by business improvement area and the Town:
 - (i) Bronte Village;
 - (ii) Downtown Oakville; or
 - (iii) Kerr Village; or
- (j) erect or place advertising of the provision or sale of any goods, merchandise or services at any location where the temporary vendor business may operate contrary to the Sign By-law.



- (2) No Class 1 – Day Sales or Class 3 – Transient Merchant licensee or person shall provide, sell or offer for sale any goods or services from the same location more than four (4) times per calendar year.
- (3) Licensees or persons operating a Class 3 – Special Sale shall:
 - (a) immediately produce such books, records or other documents or information as the Licensing Commissioner or an Officer considers necessary to corroborate any of the statements contained in the application for a licence; and
 - (b) ensure that all advertising material distributed or published relating to a special sale, including each radio or television broadcast, contains a statement that such sale is held pursuant to this By-law and shall state the licence number and licence expiry date and a similar statement shall be prominently displayed on the premises at which such sale is conducted.

Schedule 33: Tobacco Retailer

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Automatic Prohibition” means a notice issued by the Minister to the owner or occupier of a business that has been convicted of tobacco sales offences and satisfies the conditions set out in the Smoke Free Ontario Act, **where the appeal period has expired;**
 - (b) **“Minister “means as defined in the Smoke Free Ontario Act;**
 - (c) “Tobacco Retailer” means any person engaged in the business of selling tobacco products and/or specialty tobacco products, but does not include a retailer that sells only lighters, matches and ashtrays **and does not include a person engaged in the business of selling vapour products;**
 - (d) **“Tobacco Sales Offence” means as set out in the Smoke Free Ontario Act.**

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Tobacco Retailer
Licence Renewal Date	January 31
Applicant’s information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓

	Tobacco Retailer
Zoning Occupancy Certificate	⚠
Health Department inspection report	✓

✓ Required for initial and renewal application
 ⚠ Required for initial application only

- (2) No licence will be issued to an applicant if the intended premises for the retail sale or distribution of tobacco products, specialty tobacco products or tobacco product accessories is an outdoor property, a facility, a building or a property leased or owned by the Town, without the express written permission of Town.

3. Endorsements

- (1) In accordance with Section 11 of this By-law, a person holding a current and valid tobacco retailer licence may apply for an endorsement to perform the following additional business activity:
 - (a) Schedule 35 – Vape Shop

4. Regulations

- (1) All licensees and persons shall comply with the Smoke Free Ontario Act, the Tobacco Tax Act, R.S.O. 1990, c. T.10 and the Tobacco and Vaping Products Act, S.C. 1997, c. 13 and any other relevant legislation.
- (2) Every licensee or person shall immediately notify the Licensing Commissioner in writing by email or by registered mail upon a conviction for a tobacco sales offence under the Smoke Free Ontario Act.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) Subsections 5(2) to 5(6) inclusive apply in addition to the requirements contained in Section 13 of this By-law.



- (2) Upon a licensee's first conviction for a tobacco sales offence under the Smoke Free Ontario Act, the Licensing Commissioner shall issue a written warning to the licensee advising that their tobacco retailer licence issued under this By-law shall be suspended upon further convictions under the Smoke Free Ontario Act.
- (3) Upon the licensee's second conviction of a tobacco sales offence in the same premises during the five (5) years preceding the date of the licensee's second conviction, the Licensing Commissioner shall suspend the tobacco retailer licence issued under this By-law for six (6) months following the date of the automatic prohibition issued for the second conviction.
- (4) Upon the licensee's third conviction of a tobacco sales offence in the same premises during the five (5) years preceding the date of the licensee's third conviction, the Licensing Commissioner shall suspend the tobacco retailer licence issued under this By-law for nine (9) months following the date of the automatic prohibition issued for the third conviction.
- (5) Upon the licensee's fourth or subsequent conviction of a tobacco sales offence in the same premises during the five (5) years preceding the date of the licensee's fourth or subsequent conviction, the Licensing Commissioner shall suspend the tobacco retailer licence issued under this By-law for twelve (12) months following the date of the automatic prohibition issued for the fourth conviction.
- (6) There shall be no appeal under this By-law for a licence issued by the Licensing Commissioner that has been suspended under subsections 5(3) to 5(5) of this Schedule.

6. Prohibitions

- (1) No licensee or person shall fail to immediately advise the Licensing Commissioner of a conviction for a tobacco sales offence under the Smoke Free Ontario Act in accordance with subsection 4(2) of this Schedule.

Schedule 34: Transportation Network Company

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Fare” when used in reference to a TNC vehicle means the sum charged to a passenger or passengers for transportation provided in a TNC vehicle for a single trip;
 - (b) “Operate” when used in reference to a TNC vehicle means driving a motor vehicle and making it available to the public for transportation service and includes when the TNC driver is logged into or otherwise accessing a TNC platform;
 - (c) “Passenger” when used in reference to a TNC vehicle means any person other than the driver seated in a TNC vehicle;
 - (d) “Taxicab Stand” means an area set aside and designated by the Town to be used by a taxicab while it is waiting for or picking up goods or passengers.
 - (e) “TNC Driver” means an individual who is affiliated with a transportation network company to transport passengers for compensation using a TNC vehicle;
 - (f) “TNC Identifier” means a sign, decal, emblem, or symbol displaying the logo or name of the TNC through which a TNC driver is providing transportation service to passengers and such other information as required by the Licensing Commissioner, in a form approved by the Licensing Commissioner;
 - (g) “TNC Platform” means any software or application or telecommunications platform to connect passengers with TNC drivers;
 - (h) “TNC Vehicle” means a motor vehicle for hire for transportation of passengers from place to place, whose transportation services are arranged through a platform, but does not include a taxicab dispatched electronically in a manner similar to a TNC;
 - (i) “Transportation Network Company” or “TNC” means any person who offers, operates, or facilitates prearranged transportation services using a TNC platform to connect passengers with TNC drivers; and

- (j) “Trip” **when used in reference to a TNC vehicle** means the distance and time travelled or the distance and time to be travelled, measured from the time and point at which the passenger first enters the TNC vehicle to the time and point at which the passenger finally leaves the TNC vehicle.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Transportation Network Company
Licence Renewal Date	1-Feb
Applicant’s information	✓
Business address	✓
Licence fee	✓
Article of Incorporation	✓
Certified copy of annual return listing all shareholders of the corporation	✓
Business partner information	✓
Insurance certificate	✓
Proof that the applicant is at least 18 years of age, if an individual	⚠
Indemnity	✓
Number of vehicles in the company	✓
TNC identifier/logo	⚠
List of TNC drivers	✓
Self-declaration	✓
Additional documentation set out below	

- ✓ Required for initial and renewal application
- ⚠ Required for initial application only

- (2) In addition to the requirements set out in subsection 2(1) of this Schedule, a completed application for a transportation network company licence or for renewal of a licence shall be accompanied by:

- (a) a Certificate of Public Liability Insurance in the amount of five million dollars (\$5,000,000);
- (b) the address and contact information of the TNC's registered business address in the Province of Ontario, which is not a post office box, to which the Town may send, during business hours, any notice or documentation or communication that may be required under this By-law or the Administrative Penalties for Non-Parking Violations and Orders By-law and at which the applicant or the applicant's agent will accept receipt of such notice, documentation or communication together with the name, telephone number, and email contact information for the person authorized to receive and respond on behalf of the TNC to any and all communications from the Town relating to the TNC's licence or the TNC's conduct of the business;
- (c) the list of all TNC drivers affiliated with the TNC who will be driving a TNC vehicle in Oakville required by subsection 2(1) of this Schedule shall include the following information in a searchable electronic database in a form satisfactory to the Licensing Commissioner:
 - (i) confirmation of the affiliation between the TNC and the TNC driver;
 - (ii) the full name, date of birth, address and phone number of the TNC driver; and
 - (iii) the year, make, model and Ontario licence plate number of the vehicle affiliated with the TNC to be operated by the driver as a TNC vehicle.
- (d) the self-declaration required by subsection 2(1) of this Schedule shall confirm that all TNC drivers have provided the following to the TNC:
 - (i) a criminal record check and that each TNC driver complies with Schedule 1 of this By-law provided that the conviction directly affects the driver's ability to competently and responsibly carry on the services of a TNC driver or compromises the driver's ability to comply with the provisions of this By-law or its Schedules.
 - (ii) a Safety Standard Certificate and if the TNC vehicle has accumulated more than 50,000 km in any calendar year, an additional Safety Standard Certificate;
 - (iii) a driver record;

- (iv) proof of vehicle liability insurance required by the *Compulsory Automobile Insurance Act*, R.S.O. 1990, c. C.25 and an endorsement or a vehicle liability insurance form approved by the Financial Services Commission of Ontario for use by a TNC driver;
- (v) proof of a valid unrestricted Class G or A-F Ontario driver's licence;
- (vi) proof of at least one (1) year driving experience with an unrestricted Class G Ontario driver's licence; and
- (vii) proof that they are at least eighteen (18) years of age; and
- (viii) an indemnity in favour of the Town from and against claims, demands, losses, costs, damages, actions, suits, or proceedings that arise out of, or are attributable to, the TNC's business and services, which shall be in a form satisfactory to the Town.

3. Exemptions

- (1) This By-law does not apply to:
 - (a) taxicab services dispatched by a licensed taxicab broker and taxicab services provided by a licensed taxicab driver in accordance with this By-law;
 - (b) limousine services provided by a licensed limousine service in accordance with this By-law;
 - (c) a person who facilitates "carpooling" as that term is referenced by the Highway Traffic Act; or
 - (d) a passenger transportation system provided by the Town.

4. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

- (1) In addition to the requirements set out in Section 12 of this By-law, the Licensing Commissioner may refuse to issue or renew a licence if the TNC licensee or applicant has permitted a TNC driver to access the TNC platform where a criminal record check discloses that the TNC driver does not comply with Schedule 1 of this By-law provided that the conviction directly affects the driver's ability to competently and responsibly carry on the services of a TNC

driver or compromises the driver's ability to comply with the provisions of this By-law or its Schedules.

5. Regulations

(1) A TNC shall:

- (a) ensure that every affiliated TNC driver has submitted to the TNC, prior to commencement as a TNC driver and annually thereafter:
 - (i) a criminal record check that meets the requirements of Schedule 1 of this By-law provided that the conviction directly affects the driver's ability to competently and responsibly carry on the services of a TNC driver or compromises the driver's ability to comply with the provisions of this By-law or its Schedules;
 - (ii) a safety standards certificate;
 - (iii) a driver record that complies with Schedule 1 of this By-law;
 - (iv) proof of vehicle liability insurance required by the Compulsory Automobile Insurance Act, R.S.O. 1990, c. C.25 and an endorsement or a vehicle liability insurance form approved by the Financial Services Commission of Ontario for use by a TNC driver;
 - (v) proof that the TNC Vehicle used by affiliated TNC Driver is no more than seven (7) years old;
 - (vi) proof of a valid unrestricted Class G or A-F Ontario driver's licence; and
 - (vii) proof that the TNC driver is at least eighteen (18) years of age;
- (b) ensure that from the moment a ride is accepted up until the moment of passenger drop-off, all of its affiliated TNC drivers and the motor vehicle they operate shall maintain vehicle liability insurance with limits of not less than \$2,000,000.00 inclusive per occurrence for bodily injury, death and damage to property. The vehicle liability insurance shall be provided through an endorsement, or a vehicle liability insurance form approved by the Financial Services Commission of Ontario for use by a TNC or TNC driver. Such coverage may be maintained by the TNC driver, the affiliated TNC, or any combination of the two. In the event coverage maintained by a TNC driver in satisfaction of this subsection

- lapses or fails to provide coverage, such coverage maintained by the TNC shall apply. The insurance coverage required herein shall be endorsed to the effect that the Town shall be given at least ten (10) days' notice in writing of any cancellation or material variation to the policy;
- (c) maintain commercial general liability business insurance coverage of at least \$5,000,000.00;
 - (d) ensure that its TNC platform incorporates a global positioning system (GPS) in which all trips are recorded and are accessible for persons with disabilities;
 - (e) ensure that an affiliated TNC driver has no access to the relevant TNC platform in any of the following circumstances:
 - (i) the TNC driver's criminal record check **does not comply with Schedule 1 of this By-law** provided that the conviction directly affects the driver's ability to competently and responsibly carry on the services of a TNC driver **or compromises the driver's ability to comply with the provisions of this By-law or its Schedules**;
 - (ii) the TNC driver has had their Ontario driver's licence cancelled, revoked or suspended for any reason;
 - (iii) despite Schedule 1 of this By-law, the TNC driver's driver record shows eight (8) or more demerit points;
 - (iv) the Licensing Commissioner has reasonable grounds to believe that the motor vehicle being operated by the TNC driver is unsafe;
 - (v) the Safety Standard Certificate relating to the TNC vehicle is not renewed within twelve (12) months or required by this By-law;
 - (vi) the TNC driver does not maintain insurance as required by this By-law; or
 - (vii) the TNC driver does not display the TNC identifier when operating as a TNC vehicle;
 - (f) **immediately** notify the Licensing Commissioner when a TNC driver is removed from the relevant TNC platform for any reason;

- (g) when a TNC driver is removed from the relevant TNC platform in accordance with subsection 5(1)(f) of this Schedule, remove said TNC driver from the list of affiliated TNC drivers required by subsection 2(2)(c) of this Schedule, thereby making the TNC driver ineligible to operate a TNC vehicle in Oakville. The TNC shall advise the TNC driver when the driver has been removed from the list of affiliated TNC drivers;
- (h) keep a current list of every affiliated TNC driver and TNC vehicle operating Oakville in accordance with subsection 2(2)(c) of this Schedule;
- (i) ensure that driver training is available for all TNC drivers on the use of the TNC platform and driver expectations;
- (j) prior to the collection of any personal information, a TNC shall obtain a consent for such collection and potential disclosure to the Licensing Commissioner or an Officer from any TNC driver with whom it is affiliated in Oakville;
- (k) create passenger and driver accounts for use by the Licensing Commissioner and shall not obstruct any accounts created for law enforcement purposes;
- (l) provide a name, telephone number, email address, and address for service within Ontario, to which the Licensing Commissioner may send any communications, including any requests for information;
- (m) not impose any mandatory arbitration clause on TNC drivers or passengers whose transportation is offered, operated or facilitated by the TNC, and further shall not require that the law of any jurisdiction other than Ontario be applied in relation to the use of the relevant TNC platform in the Town by TNC drivers or passengers;
- (n) disclose on its website and/or TNC platform used to communicate between passengers and drivers, and make available for the public:
 - (i) fares to be charged, together with an explanation of the method used to calculate those fares;
 - (ii) the criteria applied by the TNC to drivers and vehicles allowed to operate on or through the relevant TNC platform;

- (iii) information on the types or categories of services available to passengers through the relevant TNC platform;
 - (iv) a clear explanation of insurance coverages of a TNC and the TNC vehicle, including detailed information on how to submit a claim; and
 - (v) advise that personal information collected by the TNC may be disclosed to the Town for the purposes of licensing enforcement when the passenger obtains transportation services within or from **Oakville**;
- (o) set fares to be charged to passengers transported by TNC drivers subject to the following conditions:
- (i) the fare for a trip shall be communicated to a potential passenger clearly and transparently prior to the start of the trip;
 - (ii) the TNC driver shall not commence the trip until the passenger has provided electronic acceptance of the fare communicated in accordance with subsection 5(1)(o)(i) of this Schedule;
 - (iii) the TNC driver shall charge the passenger the communicated and accepted fare in accordance with subsections 5(1)(o)(i) and 5(1)(o)(ii) of this Schedule; and
 - (iv) a TNC shall ensure that a record is maintained of the passenger's acceptance of the fare **that is communicated to the passenger**;
- (p) provide passengers with the following information prior to the start of a trip:
- (i) the vehicle make and model;
 - (ii) the TNC driver's first name;
 - (iii) the Ontario licence plate number of the TNC vehicle; and
 - (iv) a photograph of the TNC driver;
- (q) at the conclusion of every trip, require its TNC driver to provide the passenger with an electronic receipt containing at least the following information:
- (i) the fare charged;
 - (ii) the date and total time of the trip;

- (iii) the start and end locations of the trip; and
 - (iv) the TNC driver's name and the provincial licence plate number of the TNC vehicle;
- (r) that all of its affiliated TNC drivers affix securely to their TNC vehicle a TNC identifier when operating as a TNC vehicle;
- (s) only permit passengers requesting transportation to submit a request for transportation through a TNC platform;
- (t) not permit, encourage, or condone the acceptance of hails or the solicitation of passengers by TNC drivers, whether on the street or at a taxicab stand or in any other manner or at any other location;
- (u) ensure that all affiliated TNC drivers have an ongoing duty to disclose **to the TNC:**
 - (i) any criminal charges relevant to the nature of the services of a TNC driver, or directly affects the TNC driver's ability to competently and responsibly carry on the services of a TNC Driver, **including but not limited to the legislation contained in Schedule 1 of this By-law;**
 - (ii) any suspension of their Ontario driver's licence;
 - (iii) any change in insurance; and
 - (iv) any accidents while operating as a TNC vehicle;
- (v) ensure there is a dispute resolution process for dealing with any complaints regarding fees, customer service, or any other issues arising from the TNC operations;
- (w) issue to all affiliated TNC drivers a current identification card in writing or in an accessible electronic form bearing the following information:
 - (i) the first and last name and photograph of the TNC driver;
 - (ii) the make, model and **Ontario** license plate number of the TNC vehicle used by the TNC driver, and,
 - (iii) the name and contact information of the TNC with which the TNC driver is affiliated;
- (x) ensure that all affiliated TNC drivers have the identification card required under subsection 5(w) of this Schedule in the TNC vehicle at all times when transportation services affiliated with the TNC are offered

and provided, and is produced immediately upon request of the **Licensing Commissioner** or an Officer;

- (y) ensure all affiliated TNC Drivers are operating TNC Vehicles that are no more than seven (7) years old; and
- (z) not offer or facilitate prearranged transportation service for compensation using the TNC platform to connect any passenger with a TNC driver or with a TNC vehicle that do not meet the requirements of this By-law.

6. Prohibitions

- (1) No TNC **company shall permit a TNC** driver to:
 - (a) solicit or accept requests for transportation services that are not prearranged using the TNC platform of which the TNC driver is affiliated, including street hails or picking up fares at taxicab stands;
 - (b) provide transportation services affiliated with the TNC if the TNC driver does not have the insurance required under this By-law;
 - (c) **commence the trip until the passenger has provided electronic acceptance of the fare communicated in accordance with subsection 5(1)(o)(i) of this Schedule;**
 - (d) **charge the passenger any fare but the communicated and accepted fare in accordance with subsection 5(1)(o)(i) and 5(1)(o)(ii) of this Schedule;**
 - (e) accept payment by cash for a transportation service facilitated by the TNC of which the TNC driver is affiliated;
 - (f) fail to notify the TNC in writing of any change in any of the information required by the TNC prior to access to the TNC platform;
 - (g) operate a vehicle as a TNC vehicle unless the vehicle:
 - (i) is not more than seven (7) years old;
 - (ii) has four (4) doors;
 - (iii) displays the TNC identifier when operating as a TNC vehicle; and
 - (iv) has no roof light or markings that have the effect of making it look like a taxicab or identify it as being available for hire;

- (h) deviate from the shortest possible route to the destination requested by a passenger as determined by GPS unless the passenger designates another route;
- (i) fail to produce their identification card required under subsection 5(1)(w) of this Schedule, driver's licence, proof of insurance, or evidence that they are operating pursuant to a TNC platform immediately upon request by **the Licensing Commissioner or an Officer**;
- (j) leave any passenger at any location other than the destination requested by the passenger unless the TNC driver is unable to take the passenger to the requested destination by reason of:
 - (i) the TNC vehicle being incapable of being operated safely;
 - (ii) the TNC driver being incapable of operating the TNC vehicle safely; or
 - (iii) the conduct of the passenger being such that the TNC driver can no longer operate the TNC vehicle safely and in such cases, the TNC driver has requested the attendance of the police; and
- (k) **at the conclusion of every trip, fail to provide the passenger with an electronic receipt containing at least the following information:**
 - (i) **the fare charged;**
 - (ii) **the date and total time of the trip;**
 - (iii) **the start and end locations of the trip; and**
 - (iv) **the TNC driver's name and the Provincial licence plate number of the TNC vehicle.**

7. Record Keeping

- (1) **A TNC shall maintain a record, in accordance with section 20 of this By-law, for all trips completed by a TNC driver which shall include:**
 - (a) **the name of the TNC driver;**
 - (b) **pick-up location and destination;**
 - (c) **the date and time the trip commenced and terminated;**
 - (d) **the length of time elapsed between the passenger's service request and the start of the trip; and**
 - (e) **the fare paid for the trip**
- (2) **The TNC shall retain the record required by subsection 7(1) of this Schedule for a period of at least three (3) years from the date of entry.**

Schedule 35: Vape Shop

1. Definitions

- (1) In addition to the terms defined in Section 1 of this By-law, the following terms shall have the corresponding meaning:
- (a) “Vapour Product Sales Offence” means a contravention, with respect to vapour products, of subsections 3(1), 3(2), 6(1), section 7, section 8, section 9, or subsection 10(1) of the Smoke Free Ontario Act.
 - (b) “Vape Shop” means any place where vapour products are offered for sale, but does not include the selling tobacco products and/or specialty tobacco products.

2. Licence Application/Renewal Requirements

- (1) Applicants are required to provide the following information to the Licensing Commissioner on initial licence application or upon licence renewal:

	Vape Shop
Licence Renewal Date	January 31
Applicant's information	✓
Business address	✓
Insurance certificate	✓
Licence fee	✓
Article of Incorporation	✓
Business partner information	✓
Zoning Occupancy Certificate	⚠
Health Department inspection report	✓

✓ Required for initial and renewal application

⚠ Required for initial application only

- (3) No licence will be issued to an applicant if the intended premises for the retail sale or distribution of vapour products is an outdoor property, a facility, a

building or a property leased or owned by the Town, without the express written permission of Town.

3. Endorsements

(1) In accordance with Section 11 of this By-law, a person holding a current and valid vape shop licence may apply for an endorsement to perform the following additional business activity:

(a) Schedule 33 – Tobacco Retailer

4. Regulations

(1) All vape shop licensees and persons shall comply with the Smoke Free Ontario Act, the *Tobacco and Vaping Products Act*, S.C. 1997, c. 13 and any other relevant legislation.

(2) Every licensee or person shall immediately notify the Licensing Commissioner in writing by email or by registered mail upon a conviction for a vapour product sales offence under the Smoke Free Ontario Act.

5. Additional Grounds for Refusal to Issue or Renew a Licence, Suspend or Revoke a Licence

(1) Subsections 5(2) to 5(6) inclusive apply in addition to the requirements contained in Schedule 13 of this By-law.

(2) Upon being advised of a licensee's first conviction for a vapour product sales offence under the Smoke Free Ontario Act, the Licensing Commissioner shall issue a written warning to the licensee advising that their vape shop licence issued under this By-law shall be suspended upon further convictions under the Smoke Free Ontario Act;

(3) Upon the licensee's second conviction of a vapour product sales offence in the same premises during the five (5) years preceding the date of the licensee's second conviction the Licensing Commissioner may provide notice to the licensee that their vape shop licence issued under this By-law shall be suspended for six (6) months following the date the notice is deemed to be served.

(4) Upon the licensee's third conviction of a vapour product sales offence in the same premises during the five (5) years preceding the date of the licensee's third conviction, the Licensing Commissioner may provide notice to the licensee that their vape shop licence issued under this By-law shall be



suspended for nine (9) months following the date the notice is deemed to be served.

- (5) Upon the licensee's fourth conviction of a vapour product sales offence in the same premises during the five (5) years preceding the date of the licensee's fourth conviction, the Licensing Commissioner may provide notice to the licensee that their vape shop licence issued under this By-law shall be suspended for twelve (12) months following the date the notice is deemed to be served.

6. Prohibitions

- (1) No licensee or person shall fail to immediately advise the Licensing Commissioner of a conviction for a vapour product sales offence under the Smoke Free Ontario Act in accordance with subsection 4(2) of this Schedule.

List of Endorsements

Licensee - Primary Business		Endorsement - Additional Business Activity	
Schedule 5	Arboriculture Company	Schedule 11	Landscaping Contractor
		Schedule 11	Lawn Care Contractor
Schedule 5	Tree Company	Schedule 11	Landscaping Contractor
		Schedule 11	Lawn Care Contractor
Schedule 6	Attractions	Schedule 4	Animals for Entertainment
Schedule 8	Billiard Hall	Schedule 16	Food Shop/Restaurant
Schedule 11	Building Renovator	Schedule 11	Servicing and Road Cut Contractor
		Schedule 11	HVAC Contractor
		Schedule 11	Landscaping Contractor
		Schedule 11	Plumbing Contractor
Schedule 11	HVAC Contractor	Schedule 11	Plumbing Contractor
Schedule 11	Landscaping Contractor	Schedule 5	Arboriculture Company
		Schedule 5	Tree Company
		Schedule 11	Servicing and Road Cut Contractor
		Schedule 11	Pool Installation Contractor
Schedule 11	Pool Installation Contractor	Schedule 5	Arboriculture Company
		Schedule 5	Tree Company
		Schedule 11	Servicing and Road Cut Contractor
		Schedule 11	Landscaping Contractor
Schedule 11	Plumbing Contractor	Schedule 11	HVAC Contractor
		Schedule 11	Servicing and Road Cut Contractor
Schedule 16	Food Shop/Restaurant	Schedule 8	Billiard Hall
		Schedule 22	Nightclub
		Schedule 28	Refreshment Vehicle – Class A
		Schedule 28	Refreshment Vehicle – Class B
Schedule 16	Food Shop/Convenience	Schedule 15	Fireworks Vendor
		Schedule 33	Tobacco Retailer
		Schedule 35	Vape Shop
Schedule 21	Motor Vehicle Facility - Motor Vehicle Service Station	Schedule 16	Food Shop/Convenience
		Schedule 16	Food Shop/Restaurant
		Schedule 33	Tobacco Retailer
		Schedule 35	Vape Shop
Schedule 23	Nightclub	Schedule 16	Food Shop/Restaurant
Schedule 27	Public Hall	Schedule 16	Food Shop/Restaurant
Schedule 33	Tobacco Retailer	Schedule 35	Vape Shop
Schedule 35	Vape Shop	Schedule 33	Tobacco Retailer

Table of Changes

Appendix C

	Draft By-law	Current By-law 2015-075	Reason	Change Description
1	Recital #6	n/a	New	Respecting new clauses at s. 31 of the proposed by-law regarding the extension of licences in the event of an emergency.
General Provisions				
2	Section 1 Definitions	Schedule 1 Section 2 General Definitions	Enhancement	Definitions moved to the general provisions for ease of use. Definitions that apply only to a Schedule have been moved to that Schedule.
3	Section 1 Definitions	Schedule 1 Section 2 General Definitions	Enhancement	Definitions added for the following legislation and Town by-laws: <ul style="list-style-type: none"> • Administrative Penalties for Non-Parking Violations and Orders By-law • Animal Control By-law • Building Code and Building Code Act • Criminal Code • DOLA (Dog Owners' Liability Act) • Fire Code • Fire Protection and Prevention Act • Health Protection and Promotion Act • Lot Maintenance By-law • Noise By-law • PAWS (Provincial Animal Welfare Services Act) • Property Standards By-law • Regulated Health Professionals Act • Sign By-law • Zoning By-law
4	Section 1 Definitions	Schedule 1 Section 2 General Definitions	Enhancement	New definitions added for: <ul style="list-style-type: none"> • Business Improvement Area • Criminal Record and Judicial Matters Check • Deemed to be Served • Demerit Points • Driver Record • Enclosure • Endorsement • Guide Dog • Halton Region, Health Department • Holidays • Licensing Thresholds • Litter

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Non-Profit Organization • Nuisance • OMVIC • Ontario Driver's Licence • Outbreak • Parking Enforcement • Parking Management Plan • Person With a Disability • Premises • Prohibited Animal • Rates and Fees Schedule • Religious Institution • Safety Standards Certificate (HTA Safety Check in 2015-075) • Self-Declaration of Animal Offences • Service Animal • Veterinarian • Veterinary Clinic
5	Section 1 Definitions	Schedule 1 Section 2 General Definitions	Enhancement	<p>Updates to the following definitions:</p> <ul style="list-style-type: none"> • Animal • Animal Control Inspection • Business • Business Partner Information • Criminal Record Check (criminal reference check in 2015-075) • Description of Business • Fee • Fire Inspection • Health Department Approval • HVAC Inspection • Licence • Licensee • Motor Vehicle • Municipal Plate • Officer • Owner • Partnership • Person • Proof of Qualifications • Sign • Town

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Zoning Occupancy Certificate (“Zoning Compliance” in By-law 2015-075)
6	Section 1 Definitions	Schedule 1 Section 2 General Definitions	Enhancement	<p>The following definitions have been deleted:</p> <ul style="list-style-type: none"> • Approved Trainer • Automobile • Bowling Alley • Business Address • Clerk’s Department • Defensive Driving Course • Exclusive Concession Agreement • Fire Audit • Grossly Unclean Person • Insurance Certificate • Landscaping/Tree Company • Launderette • Letter from T.S.S.A. • Licensed Premises • Licensing Section • Owner’s Plate • Passenger with a Disability • Sensitivity Training Course • Sign Area • Special Occasion Limousine • Vehicle Insurance • Visually Impaired Person • Wheelchair Accessible Plate • Vulnerable Sector Screening
7	Section 2 Business Licence Required ss (1)	Schedule 1 Section 1 Businesses Requiring a Licence	Enhancement	Moved the table of businesses that require a licence to the general provisions for ease of use. Table also includes the licence renewal date.
8	Section 2 Business Licence Required ss (2) – (4)	n/a	New	Including language describing when a business is deemed to be carried on in Oakville, separate licence required for each business, licenses/fees not transferrable if the business changes ownership.
9	Section 3 Interpretation	n/a	New	New section 3 added.
10	Section 4 Prohibitions	Section 2 Prohibitions	Enhancement	<p>Additional prohibitions added:</p> <ul style="list-style-type: none"> • ss 4(1)(e), ss 4(2) (d), (f), (g)

	Draft By-law	Current By-law 2015-075	Reason	Change Description
11	Section 5 Administration	Section 4 Issuance of Licence & Grounds for Refusal	Enhancement	Additional authorities for the Licensing Commissioner: <ul style="list-style-type: none"> • ss 5(1)(b), (e),(f)
12	Section 6 Application for a Licence & Licence Renewal ss(1)	Section 3 Licensing Requirements ss (1)	Enhancement	<ul style="list-style-type: none"> • Re-organized the current language for clarity. • Added a requirement that applications for licences/renewals be submitted a minimum of 10 days from the date the licence is required. • Added ss 6(1)(b) and 6(1)(c).
13	Section 6 Application for a Licence & Licence Renewal ss(2) & ss(3)	n/a	New	<ul style="list-style-type: none"> • ss (2) - Added language stating that applicants must be 18 years of age before a licence or licence renewal will be issued, and proof of age might be required. • ss(3) - Added language stating that a licence application must be complete, accurate and be accompanied by required fees before the Licensing Commissioner will accept it.
14	Section 6 Application for a Licence & Licence Renewal ss(4)	Section 3 Licensing Requirements ss (2)	Enhancement	Included initial applications in the Licensing Commissioner's authority to waive any documentary requirements not related to public safety or consumer protection on a case-by-case basis.
15	Section 6 Application for a Licence & Licence Renewal ss(6), (7), (8)	n/a	New	<ul style="list-style-type: none"> • ss(6) - Added language regarding review of applications by departments/agencies. • ss(7) – Added language that if licence are not renewed with 6 months of the renewal date, a person will have to apply for a new licence. • ss(8)- Added language that receipt of the application does not constitute approval of the application or oblige the Town to issue or renew the licence.
16	Section 7 Public Liability Insurance	Schedule 1 Section 2 Definitions	Enhancement	<ul style="list-style-type: none"> • In the current by-law insurance requirements are contained in the definition of "insurance certificate". In the proposed by-law this language has been added to the general provisions as s. 7.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Public liability insurance must be for 5 million dollars rather than the 2 million in the current by-law. • The Town must be added as an additional insured. The requirement for “certificate holder” has been deleted. • Added language to require the licensee to immediately provide a new insurance certificate to the Licensing Commissioner when a policy is renewed during the licensing period.
17	Section 9 Licence Terms & Conditions	n/a	New	Added language in accordance with ss. 151(1) of the Municipal Act regarding powers re licences.
18	Section 10 Term of Licence	Section 5 Term of Licence	Enhancement	<ul style="list-style-type: none"> • Added language to clarify that a per event licence is valid for the time stated on the licence. • Added provisions for consequences if a licensee fails to renew their licence on time.
19	Section 11 Endorsements	n/a	New	New language added regarding endorsements.
20	Section 12 Grounds for Refusal to Issue or Renew a Licence	Section 4 Issuance of Licence & Grounds for Refusal	Enhancement	Grounds for refusal to issue or renew a licence have been expanded.
21	Section 13 Grounds for Suspension or Revocation of a Licence	Section 6 Revocation & Suspension	Enhancement	<ul style="list-style-type: none"> • Language has been added including grounds for licence revocation or suspension contained in the Schedules • Fees will not be refunded if a licence is revoked or suspended.
22	Section 15 Cease Operation of Business	n/a	New	Language added to explain the instances where operation of the business must cease.
23	Section 16 Return of Licence	Various	Enhancement	Language added regarding the return of a licence to the Licensing Commissioner. This requirement appears in many of the Schedules in the current by-law.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
24	Section 17 Appeal to the Appeals Committee	Section 7 Appeal	Enhancement	Language added to identify when appeals to the Appeals Committee are not permitted.
25	Section 18 Criminal Record Check and Criminal Record and Judicial Matters Check	n/a	New	In the current by-law, requirements for "criminal reference checks" are contain in the Definitions section. New section 18 refers to criminal records and criminal record and judicial matters checks in the general provisions of the by-law.
26	Section 19 General Regulations	Section 3 Licensing Requirements, various schedules	Enhancement	<ul style="list-style-type: none"> • Language added stating that licensees are responsible for the conduct of their employees while engaged in the business and patrons when at the business. • Language added to the general provisions regarding replacement of municipal plates. This information is currently found in various schedules.
27	Section 20 Record Keeping	Various schedules	Enhancement	<ul style="list-style-type: none"> • General recordkeeping requirements have been taken from various schedules in the current by-law and added to the general provisions. • Recordkeeping requirements particular to a business class are also included in the appropriate schedule.
28	Section 21 Nuisance Abatement	Various schedules	Enhancement	<ul style="list-style-type: none"> • General requirements for nuisance abatement contained in various schedules in the current by-law have been added to the general provisions. • Nuisance abatement particular to a business class are also included in the appropriate schedule.
29	Section 22 Inspection of Premises, Motor Vehicles	Section 11 Inspection, Various schedules	Enhancement	<ul style="list-style-type: none"> • Ss. 11(1) in the current by-law has been amended to include inspection regulations from s. 436 of the Municipal Act. • General inspection requirements contained in various schedules in the current by-law have been added to the general provisions. • Any inspection requirements particular to a business class are also included in the appropriate schedule.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
30	Section 23 Order	Section 8 Order	Enhancement	Language has been added to refer to the Administrative Penalties for Non-Parking Violations and Orders By-law.
31	Section 24 Administrative Penalties	Section 9 Administrative Penalties	Enhancement	Language has been added to refer to the Administrative Penalties for Non-Parking Violations and Orders By-law.
32	Section 26 Discrimination	n/a	New	Language has been added regarding discrimination.
33	Section 31 Extension of Licences in the Event of an Emergency	n/a	New	Language has been added regarding the extension of licences in the event of the declaration of an emergency.
34	Section 32 Repeal	Section 16 Repeal	Enhancement	Language has been updated to repeal the current licensing by-law and its amendments and Transportation Network Companies By-law 2016-083. Regulations regarding transportation network companies have been included in the proposed by-law.
35	Section 33 Transition	Section 15 Transition	Enhancement	Language has been added to provide that the repeal of the current by-law and By-law 2016-083 does not affect any charges or orders laid under those by-laws.
36	Each schedule	Schedule 1 Section 3 Licence Application/ Renewal Requirements	Enhancement	The current by-law contains a table of licensing requirements for each business class in one schedule. The proposed by-law contains a table of licensing requirements for each business class within the applicable schedule.
Schedule 1 – Licensing Thresholds				
37	Schedule 1	ss. 4(1)(b)(iii), (c) Various schedules	Enhancement	Licensing thresholds have been gathered in to Schedule 1 for ease of use and apply where an applicant must provide a criminal record check, a criminal record and judicial matters check or a driver record.
Schedule 2 – Adult Entertainment Establishment				
38	Schedule 2	Schedule 2	Enhancement	<ul style="list-style-type: none"> ● Added a definition for “provide”. ● Added language to clarify that an operator and attendant need to obtain a licence for each establishment they work in. ● Added requirement that attendants provide valid identification upon request of the Licensing Commissioner or Officer.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence.
Schedule 3 – Adult Entertainment Video Store				
39	Schedule 3	Schedule 3	Enhancement	<ul style="list-style-type: none"> • Changed the business name in the proposed by-law to “Adult Entertainment Video Store – Class A, B” rather than “Adult Entertainment Video Vendor – Class A, B” as in the current by-law. • Updated the definition for “adult video” to remove reference to the Ontario Film Review Board which no longer exists. • Added a definition for the Film Content Information Act and deleted reference to the Film Classification Act as it has been repealed. • Added language to provide that the owner of the grandfathered adult entertainment video store Class A must maintain their licence in order to continue the business at the grandfathered location. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language to require that the licensee ensure all employees of a Class A store complies with the by-law. • Added language to provide that the listing of titles can be kept electronically.
Schedule 4 – Animals for Entertainment				
40	Schedule 4	Schedule 4	Enhancement	<ul style="list-style-type: none"> • Amended the definition of “animals for entertainment”. • Added new definitions (b) – (e). • Added requirement to provide the Licensing Commissioner with a list of animals to be used, events to be attended, an animal control inspection if the animals are kept in Oakville. • Applicants will have to provide a self-declaration of animal offences per ss 4(1)(d) of the draft by-law.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • A description has been added for the types of businesses that require a licence. • Exemptions for the requirement to obtain a licence have been added. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • General regulations have been expanded upon. • Regulations for animals kept at premises located in Oakville have been added. • Regulations for animals kept temporarily in Oakville have been added. • Prohibitions have been expanded upon. • Added a list of animals that can be used as part of the business.
Schedule 5 – Arborist Consulting Company, Arboriculture Company, Tree Company				
41	Schedule 5	Schedule 36	Enhancement	<ul style="list-style-type: none"> • Deleted the business class for “Landscape/Tree Company” as this work is captured under the “Landscape Contractor” business class. • Added a definition for “Certificate of Errors and Omissions Insurance”, “Tree Risk Assessment” and “Tree Valuation”. • Added a table of the licensing sub-types to clarify what services each sub-type provides. • Requirement for licensees to obtain and keep their employees’ consent to share employees’ proof of qualifications with the Licensing Commissioner or an Officer at the time of initial application for a licence and when employees are hired during the term of the licence. • Added requirement that at the time of initial application, the applicant obtain and keep their employees’ proof of qualifications, to be provided to the Licensing Commissioner or Officer upon request. • Added requirement that licensees obtain and keep the consent, proof of qualifications for employees hired during the term of the

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>licence and update the employee, all to be provided to the Licensing Commissioner or Officer upon request.</p> <ul style="list-style-type: none"> • See Appendix B to staff report for list of endorsements. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Require the licensee to provide an itemized invoice to the person requesting the work, upon the completion of the work. • Added language to clarify that any sub-contractors must obtain their own licence, if required. • Added a prohibition for failing to install or maintain required tree protection measures and failing to provide documents licensees must obtain and keep with respect to their employees.
Schedule 6 – Attractions				
42	Schedule 6	Schedule 14 and Schedule 24	New/enhancement	<ul style="list-style-type: none"> • Combined current exhibition and outdoor market schedules into “attractions” schedule. • Updated the definitions from the current schedules. • Added language to clarify that the attraction organizer or promoter must obtain the licence and provide required documentation on behalf of their vendors at time of application. • Added language requiring the applicant to provide a list of vendors, the consent from the owner of the property for the attraction, a map of the location of the attraction on the property. • Added provision that the applicant obtain a noise exemption permit when directed to do so by the Licensing Commissioner or as may be necessary under the Noise By-law. • An animals for entertainment endorsement is available.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Applications must be submitted a minimum of 30 calendar days prior to the date of the event, except for markets. • Added limitations on licence issuance and the number of events per attraction licence. • Added exemptions to the requirement to obtain an attraction licence. • Not-for-profits and registered charities require a licence, but the fee will be reduced by 50%. • Added a requirement for the attraction organizer/operator to advise Fire, Halton Police and the Health Department of their event and provide proof of notification to the Licensing Commissioner, upon request. • Licensee to ensure that vendors have valid insurance, passes all required inspections and that they comply with the Fire Code and TSSA if applicable. • Licensee to advertise appropriate parking locations for event attendees. • Added prohibitions, including a prohibition against vendors participating in the exhibition who are not included on the list provided to the Licensing Commissioner.
Schedule 7 – Auctioneer, Auction House				
43	Schedule 7	Schedule 5	Enhancement/New	<ul style="list-style-type: none"> • Added licensing for auction houses that are located in Oakville • Added language that an owner of an auction house who acts as an auctioneer requires an auctioneer licence and a person who rents space from the auction house requires a licence if they are acting as an auctioneer. • Added language that the auction house owner only allow licensed auctioneers to sell goods at their auction house. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language requiring auction house licensees to ensure persons operating as

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>auctioneers at the auction house are properly licensed as auctioneers.</p> <ul style="list-style-type: none"> • Added requirement that the register be kept for at least one year after the information has been entered.
Schedule 8 – Billiard Hall				
44	Schedule 8	Schedule 6	Enhancement	<ul style="list-style-type: none"> • Amended the definition of “Billiard Hall” to state that a billiard hall is a premises with two or more pool or billiard tables. • Deleted the definition of “bagatelle table”. • A food shop/restaurant endorsement is available for persons who have a valid billiard hall licence. • Amended the hours a billiard hall may be open for business.
Schedule 9 – Body Rub Establishment – Owner/Operator/Attendant				
45	Schedule 9	Schedule 7	Enhancement	<ul style="list-style-type: none"> • Added a definition of “Perform” for the purposes of Schedule 8. • Deleted the requirement to provide a health inspection report pursuant to Health Department directive. • Added requirement that operators and attendants obtain a separate licence for all body-rub establishment employing them. • Added requirement that attendants provide valid identification upon request of the Licensing Commissioner or Officer. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Amended the hours the body-rub establishment may be open for business.
Schedule 10 – Commercial Parking Lot				
46	Schedule 10	Schedule 36	Enhancement	<ul style="list-style-type: none"> • Amended the definition of “Commercial Parking Lot”. • Added language to clarify that an applicant must attend a pre-consultation meeting with Planning and other staff prior to continuing with a licence submission.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added requirements for signage at access points and payment machines. • Added prohibitions regarding changes to consent to occupy the premises, posting signage, advising the Halton Regional Police Service of abandoned vehicles.
Schedule 11 - Contractors				
47	Schedule 11	Schedules 9, 11, 17, 18, 27, 28	Enhancement	<ul style="list-style-type: none"> • The proposed by-law gathers all classes of “contractor” into one schedule, namely: <ul style="list-style-type: none"> • building renovator; • servicing and road cut contractor; • HVAC contractor; • lawn care contractor; • landscaping contractor; • plumbing contractor; and • pool installation contractor. • Changed licence renewal date for all contractors to April 30. • Changed title of “Landscaping Contractor” business class to delete reference to property maintenance contractors. “Property maintenance contractors” have been included in the Landscaping Contractor definition. • Added a definition for “driveway” and “driveway work” • Amended definition for “Building Renovator” to exclude persons who paint buildings or structures. • Added a definition for Servicing, Servicing Pipe(s), Service Installation. • Amended the definition of “Drain Laying Contractor” to read “Servicing and Road Cut Contractor” and include sewage disposal systems, road cut work and service lateral work. • Amended the definition of “Pool Installation Contractor” to include pool maintenance services. • Added self-declaration at the time of initial application for a licence and at licence renewal, regarding obtaining a criminal

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>record check for employees and ensuring employees meet Schedule 1.</p> <ul style="list-style-type: none"> • Employee consent for HVAC and plumbing contractor applicants must provide for the sharing of proof of qualifications with the Licensing Commission or an Officer. • See Appendix B to staff report for list of endorsements. • Added exemptions to the requirement to obtain a servicing & road cut licence and a landscaping contractor licence for driveway work. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Require the licensee to provide an itemized invoice to the person requesting the work, upon the completion of the work as provided for in the contract for the work. • Added a prohibition that no building renovator, servicing and road cut contractor, HVAC contractor or plumbing contractor licensee shall permit an employee to provide a service on behalf of the licensee if the employee does not meet the licensing thresholds. • Amended the time to restore damaged sod, etc. on Town property depending on whether an excavation or driveway permit was issued.
Schedule 12 - Donation Box Operator				
48	Schedule 12	Schedule 10	Enhancement	<ul style="list-style-type: none"> • Added a definition for “bin fee” and “visibility triangle”. • Added language respecting the removal of donation boxes by the town that do not comply with the By-law. At the time of initial application and at licence renewal the applicant must sign a self-declaration acknowledging that non-compliant donation boxes will be removed. • Added language regarding when the bin fee may be waived.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added a limit of two donation boxes per municipal address, at the discretion of the Licensing Commissioner. • Added language requiring donation boxes to provide for a person's egress from inside the box. Proof of egress to be provided if required by the Licensing Commissioner. • Added language requiring donation boxes to be located a minimum of 0.6 m from property lines, not located in a visibility triangle and not located in an area with a residential use or in a residential zone. • Donation boxes located in a visibility triangle at the time the By-law comes into force must be moved as directed by the Licensing Commissioner or an Officer.
Schedule 13 – Driving Instructor, Driving Instruction Vehicle Owner				
49	Schedule 13	Schedule 12	Enhancement	<ul style="list-style-type: none"> • Proposed by-law will license driving instructors and the owner of the vehicle used to provide driving instruction. Driving schools no longer licensed. • Changed licence renewal date to December 31. • Added language to clarify that a driving instructor licence is not required to take students to the DriveTest Centre for a DriveTest exam. • Added a requirement for a criminal record and judicial matters check rather than a simple criminal record check for driving instructors. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language that licences will be automatically suspended if the licensee fails to maintain valid vehicle insurance or if their Ontario driver's licence becomes invalid for any reason and appeals are not available in these instances. • Added language stating that the Licensing Commissioner may revoke or suspend the

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>driving instruction vehicle owner's licence if the taxicab fails an inspection due to a significant mechanical failure.</p> <ul style="list-style-type: none"> • Added language to require an additional safety certificate six months into the term of the licence when the vehicle used for driving instruction reaches ten years of age. • Added equipment vehicles used for driving instruction must contain while being used for instruction.
Schedule 14 – Dry Cleaner/Laundromat				
50	Schedule 14	Schedule 13	Enhancement	<ul style="list-style-type: none"> • Deleted the term "launderette" and replaced it with "laundromat". • Added a definition for laundromat.
Schedule 15 – Fireworks Vendor				
51	Schedule 15	Schedule 15	Enhancement	<ul style="list-style-type: none"> • Changed renewal date from January 31 to March 31. • Added/updated definitions. • Added language to require submission of communication to Fire Dept. requesting a fire inspection. • Added language to permit sales of consumer fireworks five days prior to the days listed in the by-law. • Deleted the requirement that a licensee intending to sell consumer fireworks for use at religious or cultural celebrations notify the Licensing Commissioner a minimum of ten days prior to religious or cultural celebrations. • Added a prohibition regarding the advertising of consumer fireworks for sale.
Schedule 16 – Food Shop Restaurant, Food Shop/Convenience & Special Event Food Shop				
52	Schedule 16	Schedule 16	Enhancement	<ul style="list-style-type: none"> • Replaced the title "Food Shop/Auxiliary Use" with Food Shop/Convenience • New definition for Food Shop/Convenience that makes it clear that the primary purpose of this business is to sell a range of everyday items including milk, confectionary, etc. • New definition added for "minor variance". • Updated definition of Food Shop/Restaurant to include payment types and stationary

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>vehicles when permitted by zoning or with zoning relief.</p> <ul style="list-style-type: none"> • See Appendix B to staff report for list of endorsements. • Exemptions to the requirement to obtain a licence have been added. • Added language that a licence may be suspended if the Medical Officer of Health finds the business does not comply with regulations under the Health Protection & Promotion Act. • Food shop/restaurants with an annual licence or a special event food shop licence may operate at up to 4 special events per location in a calendar year.
Schedule 17 – Kennel				
53	Schedule 17	Schedule 26	Enhancement	<ul style="list-style-type: none"> • Requirements for kennels and pet shops are contained in separate schedules in the draft by-law. • Applicants to provide a self-declaration of animal offences per ss 3(1) of the draft by-law. • Added an exemption to licensing for dogs kept by law enforcement or the military. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language authorizing the Licensing Commissioner to close a kennel upon a veterinarian’s opinion that an outbreak of infectious or contagious disease at the kennel. • Added language to expand on the requirements for the construction of enclosures, environment, and sanitation. • Added additional regulations for kennels used for breeding purposes.
Schedule 18 – Limousine Owner/Driver				
54	Schedule 18	Schedule 19	Enhancement	<ul style="list-style-type: none"> • Amended the definition of “historic limousine”.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added a requirement for a criminal record and judicial matters check rather than a simple criminal record check. • No longer 3 classes of limousine. The proposed by-law has 1 class of limousine and historic limousines. • Deleted Special Occasion Limousine class. • Added language to clarify that a limousine owner who will also be driving the limousine needs an owner and driver's licence under the by-law. • Added language to clarify that limousines entering Oakville to drop-off passengers are not required to be licensed. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language that licences will be automatically suspended if the licensee fails to maintain valid vehicle insurance or if their Ontario driver's licence becomes invalid for any reason, and that appeals are not available in these instances. • Added language stating that the Licensing Commissioner may revoke or suspend the limousine owner's licence if the limousine fails an inspection due to a significant mechanical failure. • Added language to require an additional safety certificate six months into the term of the licence when the limousine reaches ten years of age. This requirement does not apply to an historic limousine. • Added language to clarify that tariffs are set by the limousine owner and may be changed once every 3 months with 30 days' notice to the Licensing Commissioner. The current by-law sets minimum fares. • Added language requiring that persons booking a limousine be informed of the fare at the time of booking and be provided with a receipt upon request.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
Schedule 19 – Lodging House Keeper				
55	Schedule 19	Schedule 20	Enhancement	<ul style="list-style-type: none"> • Amended the title of the Schedule to clarify that the “lodging house keeper” is being licensed, not the lodging house. • Added a definition for “WETT Inspection Report”. • Added language to require written consent from the owner of the property for the premises to be used as a lodging house. • Added a requirement for a WETT inspection report upon initial application for a licence if the lodging house has a wood-burning appliance. • Added a requirement that when a licence is suspended or revoked or any reason, the licensee shall advise their lodgers in writing and post a notice at the entrance of the lodging house. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence.
Schedule 20 – Mobile Sign Lessor				
56	Schedule 20	Schedule 21	Enhancement	<ul style="list-style-type: none"> • Added persons who install mobile signs to the definition of “mobile sign lessor”. • Added development A-frame signs to the Schedule.
Schedule 21 – Motor Vehicle Facility & Mobile Motor Vehicle Service				
57	Schedule 21	Schedule 22	Enhancement/ New	<ul style="list-style-type: none"> • Added a new requirement that applicants for a licence for a new or used motor vehicle dealership provide their valid OMVIC registration number at time of licence application or renewal. • Added a new licence type called “Mobile Motor Vehicle Service” to licence the provision of mobile motor vehicle services such as oil changes, tire changes, windshield wiper repair, etc. at a person’s home or other location. • Requirement for licensees to obtain and keep their employees’ consent to share

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>employees' proof of qualifications with the Licensing Commissioner or an Officer at the time of initial application for a licence and when employees are hired during the term of the licence.</p> <ul style="list-style-type: none"> • See Appendix B to staff report for list of endorsements. • An exemption to licensing has been added for persons selling used motor vehicle parts or tires if they have a valid salvage yard licence or second-hand goods shop licence. • A mobile motor vehicle service licence is not required: if the applicant has a valid motor vehicle facility licence (however, they must comply with regulations for mobile motor vehicle service businesses), by an automobile association providing roadside assistance such as battery service, lockout service; but automobile associations must have a mobile motor vehicle service licence for services like seasonal tire changes, for a temporary car wash event for fundraising purposes. • Vehicles/trailers used for mobile motor vehicle services must display the business name and phone number. • Added language requiring motor vehicle facility/mobile motor vehicle service licensees to provide written contracts, invoices to the person for whom the work is being done. • Added prohibition regarding storage and disposal of gasoline, oil, etc., engaging in mobile motor vehicle service on a roadway or vacant property or without property owner's consent. • Added language prohibiting the provision of mobile motor vehicle services from 9:00 pm – 7:00 am (9:00 am on Sundays).
Schedule 22 Nightclub				
58	Schedule 22	Schedule 23	Enhancement	<ul style="list-style-type: none"> • Updated definition of "nightclub" • See Appendix B to staff report for list of endorsements.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language requiring that the licensee provide security staff at the nightclub. • Added language requiring that at least one person in authority be in attendance at all times when the nightclub is operating.
Schedule 23 – Payday Loan Establishment				
59	Schedule 23	N/A	New	<ul style="list-style-type: none"> • Applicants for a business licence must hold a valid lender or broker licence under the Payday Loans Act, must provide a criminal record check and a zoning occupancy certificate. • If the licensee’s licence under the Payday Loans Act is suspended, revoked or expires, the business licence will also be suspended or revoked for a comparable period of time. There is no opportunity to appeal the suspension or revocation of the business licence in this instance. • Failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Limiting the number of business licenses issued to one per Ward. Current locations will be grandfathered as long as they continue to be operated as a payday loan establishment. New licences will only be issued as grandfathered businesses cease to operate. • Licensees to provide credit counselling information to persons interested in a loan and to display a credit counselling poster in the premises.
Schedule 24 – Personal Services Establishment & Mobile Personal Service				
60	Schedule 24	Schedule 25	Enhancement/ New	<ul style="list-style-type: none"> • Added a new licence type called “Mobile Personal Service” to licence the provision of personal services such as hairdressing, manicures, etc. at a person’s home or other location.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added self-declaration at the time of initial application for a mobile personal service licence and at licence renewal, regarding obtaining a criminal record and judicial matter check for employees and ensuring employees meet Schedule 1. • A mobile personal service licence is not required if the applicant has a valid personal services establishment licence, however, they must comply with regulations for mobile personal service businesses. • Added language to clarify that the schedule does not apply to any person who provides a personal service in their capacity as a duly authorized member of a self-regulating health profession, as provided for in Schedule 1 to the Regulated Health Professionals Act. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a mobile personal service licence. • Vehicles/trailers used for mobile personal services must display the business name and phone number when the vehicle/trailer is used to provide mobile personal services. • Added language to require that access doors for the public remain open while the establishment is open for business. • Added language to require the persons providing personal services and mobile personal services are completely and opaquely clothed. • Added language requiring personal services establishment/mobile personal services licensees to provide invoices prior to demanding payment for the service. • Added prohibition regarding engaging in a mobile personal service on a roadway or vacant property or without property owner's consent.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
Schedule 25 Pet Shop				
61	Schedule 25	Schedule 26	Enhancement	<ul style="list-style-type: none"> • Requirements for kennels and pet shops are contained in separate schedules in the draft by-law. • Added an exemption to licensing for pet shops that sell only live fish. • Applicants to provide a self-declaration of animal offences per ss 4(1) of the draft by-law. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Added language authorizing the Licensing Commissioner to close a pet shop upon a veterinarian's opinion that an outbreak of infectious or contagious disease at the pet shop. • Added language to expand on the requirements for the construction of enclosures, environment, and sanitation. • Added that dogs/cats shall only be obtained for sale from an animal shelter operated by a public authority as well as a registered humane society or an animal rescue group. • Enhanced the prohibitions.
Schedule 26 Private Parking Enforcement Company, Private Parking Enforcement Officer				
62	Schedule 26	N/A	New	<ul style="list-style-type: none"> • Private parking enforcement company licensee must provide an indemnity. • Private parking enforcement officers are appointed pursuant to the Community Safety and Policing Act, 2019 and Municipal Powers and Duties By-law 2023-021. • Enforce Parking on Private Property Without Consent By-law 1981-65, Fire Route By-law 1981-66, EV Charging Station By-law 2020-084. • Language added regarding submission of penalty notices issued by officers. • Added language to refer to failure to meet licensing thresholds as an additional ground

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<p>for refusal to issue, renew, suspend or revoke a licence.</p> <ul style="list-style-type: none"> • A parking enforcement company licence may be revoked or suspended if they fail to file penalty notices for parking violations within 2 business days of the issuance of a penalty notice. This decision may be appealed to the Appeals Committee • Situations have been included where an officer's licence may be revoked or suspended by the Licensing Commissioner • Halton Region and Halton Healthcare are not required to be licensed for parking enforced on their properties by their employees. The employees must be registered with the Licensing Commissioner. • Regulations prohibiting inclusion of certain terms or identifiers on officers' uniforms • Regulations prohibiting an officer from carrying bear spray or a firearm have been added, as well as carrying restraints, batons, knives, etc. unless the officer is also providing security services • Applicants for a parking enforcement officer licence must complete and pass a training session administered by the Licensing Commissioner • Requirements for signage at the parking lot entrance and exit have been added • A process for requesting the cancellation of penalty notices has been added. • Penalty notices are served by affixing them to the vehicle or handing them to the driver at the time of contravention. Service by mail is not permitted.
Schedule 27 Public Hall				
63	Schedule 27	Schedule 29	Enhancement	<ul style="list-style-type: none"> • See Appendix B to staff report for list of endorsements. • Added an exemption to public hall licensing for registered charities, religious organizations and not-for-profit organizations

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added a requirement to post the maximum occupancy load for the public hall
Schedule 28 Refreshment Vehicles				
64	Schedule 28	Schedule 30	Enhancement	<ul style="list-style-type: none"> • Changed licence renewal date for refreshment vehicles to May 31. • Updated definitions. • Added language regarding the inspection of the refreshment vehicle's exhaust/suppression system. • Added language that licences will be automatically suspended if the licensee fails to maintain valid vehicle insurance or fails to provide the exhaust/suppression inspection report to the Fire Chief upon request and that appeals are not available in these instances. • Added language stating that the Licensing Commissioner may revoke or suspend the refreshment vehicle licence if the taxicab fails an inspection due to a significant mechanical failure. • Requirements for the keeping of refreshments has been added. • Requirements for the refreshment vehicle have been added. • Regulations for refreshment vehicles operating in residential zones at special events have been added. • Defined areas where a refreshment vehicle may operate have been enhanced. • Prohibitions have been expanded.
Schedule 29 Salvage Yard				
65	Schedule 29	Schedule 31	Enhancement	<ul style="list-style-type: none"> • Added definitions for "salvage material" and "recyclable material". • Amended the definition for "salvage yard". • Proof of current and valid approvals under the Environmental Protection Act to be provided, if required. • A salvage yard licence is not required to sell used or wrecked vehicles, vehicle parts or used tires if the person has a current and valid motor vehicle facility licence or second-hand goods shop licence.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Updated language regarding fencing to require compliance with the Fence By-law. A grandfathering provision has been added for non-compliant fences. • Metal or other non-combustible drop-off containers may be placed outside the fence and must be emptied, and the contents disposed of at the close of business each day. • Licensees must remove dirt, debris, etc. that is tracked onto abutting properties and must make reasonable efforts to control rodents, vermin and eliminate odours. • A licensee who purchases a used or wrecked motor vehicle shall produce the vehicle portion of the permit or the notice from MTO that the vehicle has been destroyed, upon request. • Amendments have been made to the register the licensee must keep.
Schedule 30 Second-Hand Goods Shop				
66	Schedule 30	Schedule 32	Enhancement	<ul style="list-style-type: none"> • Added definitions for “antiques”, “buy in bulk”, “electronic products”, jewelry and precious metal business”, “precious metals”, “second-hand goods”. • Amended the definition of “second-hand goods shop”. • Expanded on the exemptions to licensing. • Added language to refer to failure to meet licensing thresholds as an additional ground for refusal to issue, renew, suspend or revoke a licence. • Increased the retention period for items purchased by the licensee to 15 days from 7 days, and that the police may request that these items be kept for longer than 15 days. • Prohibitions have been expanded. • Record keeping requirements have been expanded.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Licensees buying in bulk must maintain a record that contains a general description of the items purchased and the purchase price.
Schedule 31 Taxicab Owner/Broker/Driver				
67	Schedule 31	Schedule 34	Enhancement	<ul style="list-style-type: none"> • Updated some definitions. • Taxicab owner to advise Licensing Commissioner of changes to taxicab ownership within 3 days of the change. • Added requirement for taxicab driver to advise the Licensing Commissioner when they accumulate 6, 8 or 10 demerit points. • Added language to clarify that if a taxicab owner licence is renewed late and a new licence must be applied for, the municipal plate number may change. • Updated the vehicle insurance requirements. • Added language that a taxicab driver's licence will be automatically suspended if the licensee's Ontario driver's licence becomes invalid for any reason, and that appeals are not available in these instances. • Added language that a taxicab owner's licence will be automatically suspended if the licensee's fails to maintain vehicle insurance, and that appeals are not available in these instances. • Added language stating that the Licensing Commissioner may revoke or suspend the taxicab owner's licence if the taxicab fails an inspection due to a significant mechanical failure. • Enhanced the provisions for inactive taxicabs. • Updated regulations for transferring a plate in the event the taxicab owner is deceased. • Added language to require an additional safety certificate six months into the term of the licence when the taxicab reaches ten years of age. • Updated the tariff and flat rate requirements. • Included regulations for accessible taxicabs as required by the AODA.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added language to clarify that if a customer has to wait too long for service, they may cancel their request for service without charge. • Deleted taxicab ratio and taxi lottery provisions.
Schedule 32 Temporary Vendors				
68	Schedule 32	Schedule 33	Enhancement/New	<ul style="list-style-type: none"> • Included special sale in the class of temporary vendor along with day sales and transient merchants. • The person operating the business of day sales or special sales shall obtain a temporary vendor licence. • The event organizer or property owner for a transient merchant shall obtain the licence. • The sale of food, other than fresh fruit and vegetables, must comply with all health regulations. • Exemptions to licensing added. • Limitations on licensing and the number of events permitted per location/applicant added. • Regulations and prohibitions added.
Schedule 33 Tobacco Retailer				
69	Schedule 33	Schedule 35	Enhancement	<ul style="list-style-type: none"> • Tobacco retailer and vape shop separated into individual schedules. • Updated additional grounds to suspend a licence. • See Appendix B to staff report for list of endorsements.
Schedule 34 Transportation Network Company				
70	Schedule 34	By-law 2016-083	Moved into licensing by-law	<ul style="list-style-type: none"> • Moved the stand-alone TNC by-law into the general licensing by-law. • Updated some of the language to be consistent with the licensing by-law. • Added language requiring electronic acceptance of the fare prior to commencing a trip and to prohibit charging a fare other than the one communicated to and accepted by the passenger.

	Draft By-law	Current By-law 2015-075	Reason	Change Description
				<ul style="list-style-type: none"> • Added requirement for a TNC driver to provide a passenger with an electronic receipt at the conclusion of the trip.
Schedule 35 Vape Shop				
71	Schedule 35	Schedule 35	Enhancement	<ul style="list-style-type: none"> • Tobacco retailer and vape shop separated into individual schedules. • Replaced “electronic cigarette retailer” with “vape shop”. • Updated additional grounds to suspend a licence. • See Appendix B to staff report for list of endorsements. • Clarified the enforcement process.



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-101

A by-law to amend Licensing By-law 2015-075

WHEREAS Licensing By-law 2015-075 came into force November 16, 2015;

WHEREAS Section 3 of Schedule 34 – Taxicabs of By-law 2015-075 provides for the Licensing Commissioner to hold a lottery to issue new taxicab licences in accordance with the requirements of the Schedule;

WHEREAS a new licensing by-law is being developed and a lottery to issue new taxicab licenses in accordance with the requirements of Schedule 34 will not be required to be held prior to the date the new licensing by-law comes into force;

WHEREAS Council wishes to amend Schedule 34 of By-law 2015-075 to delete references to the taxicab lottery;

COUNCIL ENACTS AS FOLLOWS:

1. Subsections 3(4) and 3(6) to 3(17) inclusive of Schedule 34 of By-law 2015-075 be deleted.
2. That all other provisions of By-law 2015-075 hereby remain in force and effect.

PASSED this 17th day of June, 2024

MAYOR

CLERK

REPORT

Council

Meeting Date: January 31, 2022

FROM: Municipal Enforcement Services Department

DATE: January 18, 2022

SUBJECT: **Business Licensing By-law Review Update**

LOCATION: Town-wide

WARD: Town-wide

Page 1

RECOMMENDATION:

1. That the report dated January 18, 2022 from Municipal Enforcement Services regarding an update of the business licensing by-law review be received.
2. That comments from Council and the public with respect to the business licensing review, be received.
3. That the Director of Municipal Enforcement Services be authorized to continue by-law preparations in accordance with the direction set out within this report, considering any comments received and report back with a new licensing by-law at a future Council meeting.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Licensing By-law 2015-075 is over 6 years old and requires review and update
- Staff held public consultation with licensees to gather information
- A public survey was conducted, results are attached as Appendix A
- On September 23, 2019, Council requested that staff review opportunities to regulate a program for licensing payday loan businesses
- As a result of information gathered so far, the following new licensing types are currently being recommended
 - payday loan establishments
 - private parking enforcement contractors and private parking enforcement officers
 - mobile motor vehicle services

- mobile personal services and temporary vendors
- Staff are also recommending that bowling alley businesses no longer be licensed
- As a means of streamlining processes, reducing cost and improving customer service, staff is also proposing to implement licensing endorsements for certain primary businesses
- Stand-alone by-laws for tow trucks, transportation network companies and short-term accommodations are also being included in the proposed Licensing By-law
- A review of licensing and administration fees will be completed as part of the review process based on a full cost recovery model

BACKGROUND:

Licensing By-law 2015-075 is over 6 years old and requires review and update. This report sets out the direction that staff proposes for business licensing review.

On June 17, 2019, Community Services Committee directed staff to include the licensing and regulation of businesses selling vapour (vape, e-cigarette) products within Oakville as part of the licensing by-law housekeeping review, to be brought back to Council by the first quarter of 2020. On February 22, 2021, Council passed a by-law to amend the Licensing By-law to include electronic cigarette retailers. These regulations came into effect on March 1, 2021.

On September 23, 2019, Council directed staff to review opportunities to regulate the number and location of payday loan businesses as well as determine what other regulatory authority the Town might have to protect consumers from potentially onerous rates and predatory practices. Staff was asked to report back to Council with information and potential methods to regulate these businesses in the interest of consumer protection.

Review Goals and Principles

The primary goals of business licensing are to address issues related to:

- Public health and safety;
- Consumer protection;
- Nuisance control; and
- The general well-being of persons.

Considering these goals, staff have established the following guiding principles, which are in line with accountable governance, to further direct the review:

- Economic Development - reduce red tape for businesses, examine opportunities for fee reductions
- Financially responsible – leverage technology and streamline internal processes creating efficiencies

- Customer focused - create digital opportunities, simplify by-law format

Consultation with the public and businesses began with public open house sessions on February 18, 2020. In addition to the public meetings, staff worked with the Oakville Chamber of Commerce to develop and distribute a questionnaire that provided greater clarity and provided more opportunity for stakeholder input. General results are provided in Appendix A.

COMMENT/OPTIONS:

Licensing By-law 2015-075 was passed by Council on November 16, 2015 and has been amended a number of times since then. Over the intervening years, many industries have changed the way they do business and new business types have emerged. As such, staff recommends a complete review of the current licensing system with a view to adding new business classes, reducing duplication, simplifying administration and clarifying existing regulations. A list of the businesses that currently require a licence is attached as Appendix B.

The following additions and updates to the Licensing By-law's general provisions are being considered:

New Licensing Format - Endorsements

There is currently a licensing overlap for some businesses that provide more than one service, which results in the need for multiple licences. For example, a gas station that also sells food and cigarettes needs a motor vehicle facility licence to sell gas, a food shop licence to sell food and a tobacco retailer licence to sell cigarettes. The applicant in this example has to submit a separate application for each licence and in some cases submit the same documentation for each one. The applicant must also pay a separate fee for each licence. This need for multiple licensing creates a duplication of work for businesses and staff. In order to address this issue, staff is proposing the introduction of licensing endorsements for certain business classes.

Endorsements would be added to the main business license (the primary business) to create a single licence system. The gas station would apply for their primary licence (motor vehicle facility), submitting any additional documents required for the endorsed business classes at the same time (food shop and tobacco retailer). The application would be reviewed once and a single licence would be issued, permitting all approved uses. The applicant would pay for one licence with endorsements, rather than for three separate licences.

This single licence system will simplify the process for businesses. Business owners will only need to worry about a single license renewal each year as endorsements will expire at the same time as the primary business licence. Staff will conduct a process review and adjust fees to reflect any savings.

Should it be necessary to suspend or revoke a primary business license or an endorsement, the remaining business operations licensed or endorsed may continue to operate for the remainder of the licensing period, unless otherwise directed by the Licensing Commissioner.

Police Records Checks

Police records checks are searches of police databases conducted to screen a person to help determine their suitability for things like employment, volunteer positions, licensing, etc. A number of business classes require an applicant to submit a police records check.

The *Police Records Check Reform Act* standardizes police records checks in Ontario and provides for the following types of checks:

- **criminal record check** includes applicable criminal convictions and findings of guilt under the federal *Youth Criminal Justice Act*;
- **criminal record and judicial matters check** includes applicable criminal convictions, findings of guilt under the federal *Youth Criminal Justice Act*, absolute and conditional discharges, outstanding charges, arrest warrants, and certain judicial orders; and
- **vulnerable sector check** includes the same type of information that is disclosed in a criminal record and judicial matters check as well as applicable findings of not criminally responsible by reason of mental disorder, record suspensions (pardons) related to sexually-based offences and, in certain circumstances, non-conviction charge related information; when a strict test is met

Staff has included requirements for a criminal record check or a criminal record and judicial matters check for certain businesses classes based on the level of potential customer vulnerability.

Staff has also recognized a loophole in criminal record checks requested for business owners where only a single owner/director was required to provide a check. This enabled any person with a qualifying record to put forward the criminal record check for a disqualified person. As such, staff are proposing to add language that a copy of a criminal record check or criminal record and judicial matters check is required to be provided for officers or directors of a corporation or for each partner of a partnership upon request by the Licensing Commissioner. This language is in line with that used by the City of Toronto.

Appeals

Some business classes are required to have a licence/permit issued by the Province. For example, a payday loan establishment applicant requires a current and valid lender or broker licence issued by the Province. Similarly, a driving instructor requires a current and valid driving instructor permit issued by the Province and a current and valid Ontario driver's licence. This Provincial documentation must be submitted at the time of application for a business licence or renewal of a licence. Whether or not a licence is issued or renewed is predicated on the applicant having current and valid Provincial documentation.

Language is proposed that will clarify that a licensee cannot appeal the suspension or revocation of a business licence if the Province suspends or revokes a licence/permit that is required for licensing. For example: if the Province suspends or revokes a driving instructor's permit or their Ontario driver's licence, the Town's business licence is also suspended or revoked until the Province reinstates the driving instructor's permit/driver's licence. The driving instructor cannot appeal the Licensing Commissioner's revocation or suspension of their business licence to the Appeals Committee.

Language has also been added to the By-law to clarify that the Licensing Commissioner may suspend or revoke a licence if a licensee fails to maintain current and valid automobile insurance, if required. Again, a licensee would be unable to appeal this decision to the Appeals Committee.

Nuisance Abatement: New Section to By-law

Staff are proposing a new section to the By-law that adds general language regarding health and safety and "nuisance" activities that apply to all business classes. This language would address nuisance issues including obstruction of rights-of-way, compliance with the Noise By-law, dust, etc.

Additional nuisance issues that are specific to certain business classes will be captured within the Schedule for that business class. For example: an arboriculture company must ensure that properties they are working on function with respect to drainage and a pool installation contractor is prohibited from creating flooding or ponding on parkland.

Discrimination: New Section to By-law

To support accountable government, inclusion and the livability of Oakville for all members of our community, staff is proposing the addition of language that prohibits discrimination. This section will require all licensed businesses to carry out the delivery of service free from discrimination based on race, ancestry, place of origin,

colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability. In addition, this section will address discrimination against any person being accompanied by a guide dog or service animal.

New By-law Schedules

Staff is proposing to add the following new schedules to the Licensing By-law:

Licensing Thresholds

Licensing thresholds identify offences under various federal and provincial legislation and the frequency with which an applicant may be convicted of the specified offences. When an applicant fails to meet the threshold, a licence application will be denied or a licence will not be renewed. In this case, the applicant or licensee may appeal the Licensing Commissioner's decision to the Appeals Committee.

Currently, of the 39 business classes that require a licence, 26 require a criminal record check or a criminal record and judicial matters check, with only 9 of those classes currently containing licensing thresholds. Should a violation occur involving one of the remaining 17 classes that require a criminal record/criminal record and judicial matters check but do not contain thresholds, the Licensing Commissioner can only consider the impact to public safety and whether the business is adverse to the public interest when determining whether or not to licence the business. These considerations can be very subjective.

Staff is proposing to institute licensing thresholds for all business classes where an applicant is required to provide a criminal record check/criminal record and judicial matters check. This will create a level playing field and ensure that the applicant/licensee has a clear understanding of how their criminal record relates to their licensing status. It will also ensure consistency when the Licensing Commissioner reviews criminal record checks/criminal record and judicial matters checks.

Staff is recommending that applicable convictions are those that directly affect the applicant or licensee's ability to competently and responsibly carry on the business that is the subject of their licence or those that compromise their ability to comply with the provisions of the By-law. Thresholds will not apply to an offence for which a pardon has been granted.

Thresholds will include convictions under the following legislation:

- Criminal Code
- Highway Traffic Act

- Controlled Drugs and Substances Act
- Bankruptcy and Insolvency Act
- Dog Owners Liability Act (DOLA) - animal related licenses only
- Provincial Animal Welfare Service Act (PAWS) - animal related licenses only

Staff is also proposing to include overdue fines, any other amounts owing to the Town and any outstanding orders issued by the Town as part of the thresholds.

Employees of certain businesses classes must also meet the licensing thresholds in order to be approved to work in Oakville. As with applicants/licensees, applicable convictions are those that directly affect the employee's ability to competently and responsibly carry out their duties or those that compromise their ability to comply with the provisions of the By-law.

Mobile Motor Vehicle Service and Mobile Personal Services

The past year has highlighted some changing business trends as services become more mobile and are provided at a residence rather than at a brick and mortar premises. In recognition of these changes, staff want to ensure the same principals of licensing are applied to all licensed services, whether mobile or stationary.

New language is proposed to include mobile motor vehicle service and mobile personal service operations, defined as:

Mobile Motor Vehicle Service: a business that is operated from place to place, offering or providing a motor vehicle facility product or service. ie. oil changes, tire changes, glass repair. Excludes tow trucks

Mobile Personal Service: a personal services establishment that is operated from place to place, offering or providing a personal services product or service. ie. hair dressing and barbering, manicures, pedicures

A motor vehicle facility with a current and valid licence would not need a separate licence to provide mobile motor vehicle services. An automobile association would not need a mobile motor vehicle service licence for providing roadside assistance, but it does require a licence for providing services such as seasonal tire changes.

A properly licensed personal service business would not need a separate licence to provide mobile personal services, however, each employee who provides a mobile personal service must register with the Licensing Commissioner annually and provide a criminal record & judicial matters check. These employees may be entering a dwelling to provide a service and/or may be dealing with vulnerable people. These employees will have to meet the licensing thresholds in order to work in Oakville. A registration fee will be established as part of the licensing fee review

The regulations for both mobile business types include:

- the business name and telephone number must be displayed on vehicles used in the mobile business
- licensees must provide invoices to customers and have their business name and contact information on all business forms, invoices and stationary
- licensees are prohibited from providing services on a municipal right-of-way or on a vacant property, advertising or inviting customers to attend a location for service and erecting advertising/signs at a time other than when services are being provided. Signs must comply with the Sign By-law
- licensees must obtain the permission of the property owner or authorized tenant before providing mobile services

Payday Loan Establishments

On September 23, 2019, Council requested that staff review opportunities to regulate the number and location of payday loan businesses as well as determine what other regulatory authority the Town might have to protect consumers from potentially usurious rates and predatory practices. Staff was directed to report back to Council with information and potential methods to regulate these businesses in the interest of consumer protection.

Subsection 154.1(1) of the *Municipal Act* provides that a local municipality may define the area of the municipality in which a payday loan establishment may or may not operate and limit the number of payday loan establishments in any defined area in which they are permitted. Subsection 154.1(2) of the Act provides that a municipality may not prohibit the operation of all payday loan establishments in the municipality. There are currently 3 payday loan businesses operating in Ward 2 and 1 operating in Ward 5. These businesses have obtained the necessary licences from the Province.

The *Payday Loans Act* and Regulations covers, among other things: requirements for licences, regulation of licensees, borrower's rights and remedies, complaints, inspections and enforcement and prohibited practices. Considering these regulations, staff are proposing a payday loan establishment licensing program that would include:

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- a maximum of 1 payday loan establishment licence issued per Ward
 - existing locations will be grandfathered and specifically named in the By-law
 - licensees must comply with the *Payday Loans Act*
 - in order to be licensed by the Town, applicants must provide proof of a current and valid licence as a lender or loan broker issued under the *Payday Loans Act*
 - applicants must provide a criminal record check
 - the Town licence will be suspended or revoked if the licence issued under the *Payday Loans Act* is suspended, revoked, expires or ceases to be valid. The Licensing Commissioner's decision to suspend or revoke the Town licence cannot be appealed to the Appeals Committee
 - licensees must provide credit counselling information, approved in advance by the Licensing Commissioner, to a person who expresses an interest in a payday loan
 - specifications for a credit counselling poster, which must be visible to persons entering the payday loan establishment, are contained in the Schedule

Private Parking Enforcement Contractor and Private Parking Enforcement Officer

Private parking enforcement contractors and private parking enforcement officers do not currently require a licence but are approved and appointed by by-law. Private parking enforcement officers are currently appointed for the purpose of enforcing parking on private property. Said officers must submit an application form and a criminal record check in order to be appointed. There is currently no fee for this appointment process or any requirement to renew the appointment annually.

Staff is proposing to add private parking enforcement contractors and private parking enforcement officers as business classes that require licensing. Including these businesses in the licensing system will ensure that the program is restricted to qualified companies and individuals, streamline the approval process, allow for the enforcement of standards for parking on private property, provide standards for the conduct of officers, allow for cost recovery, as well as simplify the management of the program for staff.

The licensing program for private parking enforcement contractors and private parking enforcement officers will include:

- private parking enforcement contractors must provide: an annual criminal record check, insurance certificate, a list of properties the company enforces, proof of the property owner's consent to parking enforcement on their property and a list of the officers they employ
- private parking enforcement officers must provide: an annual criminal record check, a photograph and a letter of employment from the parking enforcement contractor

- regulations prohibiting a private parking officer's uniform or vehicle from displaying terms or identifiers that could reasonably lead a person to believe the officer is a police officer or an employee of the Town have been added
- regulations prohibiting a private parking officer from carrying bear spray or a firearm have been added, as well as carrying restraints, batons, knives, etc. unless the officer is also providing security services
- in addition to the By-law's general provisions, a parking enforcement contractor's licence may be revoked or suspended if they fail to file penalty notices for parking violations within 3 business days of the issuance of a penalty notice or as otherwise required by the Licensing Commissioner. The Licensing Commissioner's decision may be appealed to the Appeals Committee
- in addition to the By-law's general provisions, a parking enforcement officer's licence may be revoked or suspended if the Licensing Commissioner believes that the officer cannot carry out their duties on an impartial and objective basis due to a conflict of interest or the officer is engaging in fraudulent behavior or behavior that constitutes a breach of trust with the Town such as illegally obtaining money, falsifying records, circumventing Town procedure, etc. The Licensing Commissioner's decision may be appealed to the Appeals Committee
- applicants for a parking enforcement officer licence must complete and pass a training session administered by the Licensing Commissioner
- the Schedule includes requirements for signage at the parking lot entrance and exit

Temporary Vendors, Market, Special Sale, Transient Merchants

Staff is proposing a licensing program for temporary vendors. Market ("outdoor market" in the current By-law) and special sales have been rolled into the new temporary vendor schedule.

The 5 proposed classes of temporary vendors are as follows:

- Class 1 – Day Sales (flags, flowers, etc.);
- Class 2 – Seasonal Sales (gardening products, Christmas trees, etc.);
- Class 3 – Special Sales (liquidation, bankruptcy, fire damage, etc.);
- Class 4 – Transient Merchants (temporary warehouse sale, bridal/golf equipment sale at a hotel, etc.)
- Class 5 – Market (flea market, farmers market)

Temporary vendors would not include exhibitions, second-hand goods shops or fireworks vendors. These businesses have their own licensing requirements.

The following would be exempt from requiring a temporary vendor licence:

- persons who operate or promote trade shows;
- licensed refreshment vehicles, food shop/restaurants or special event food shops that are operating at a licensed Class 5 – Market
- Town organized special events

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- a Class 5 - Market that is operating pursuant to an approved minor variance that predates this By-law
 - local retailers if their temporary vending activity is an extension of the existing retail business at that location (ie. IKEA selling Christmas trees, garden centre at a grocery store)
 - farmers located in Oakville, if the goods or produce they are selling is being sold from their own property and has been grown, produced and harvested by them;
 - receivers, trustees or liquidators under any Act such as the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, or the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, a court or receiver appointed by the court, a bailiff, sheriff, executor or administrator

For ease of licensing, the person operating a Class 1 - Day Sale, Class 2 – Seasonal Sale or Class 3 – Special Sale business is required to obtain the necessary licence from the Licensing Commissioner. For Class 4 – Transient Merchants and Class 5 - Market, the event organizer or property owner must obtain the necessary licence from the Licensing Commissioner.

All applicants for a temporary vendor licence would be required to provide the Licensing Commissioner with:

- a list of vendors and a description of the merchandise, goods or services being offered for sale. Licensees are prohibited from allowing any person who is not on the list of vendors to sell any merchandise, goods or services and only the merchandise, goods or services included on the list may be sold.
- an accurate drawing showing the location of the temporary vendors on the property, if applicable. This drawing is required to ensure that traffic circulation at the site will be sufficient and that roadways will not be impacted by those attending the sales event.
- a parking management plan for a Class 5 - Market
- written permission from the property owner for the sales event, if applicable
- proof of a building permit, if applicable (ie. for a temporary tent)

Staff is also proposing that temporary vendors be prohibited from operating in a BIA without permission from the BIA and the Town.

The By-law contains language that limits the number of sales events held from the same location in a calendar year as follows:

- Day Sales – maximum of 4 sales events for up to 3 consecutive days
- Transient Merchants – maximum of 4 sales events for up to 3 consecutive days
- Seasonal Sales – maximum of 2 sales of up to 3 months each
- Markets - occurs on a regular weekly basis, but no more than 3 days in a 7 day period. This limit is included in the current licensing by-law.

Licences for special sales are valid for 30 days from the date of issuance and may be extended for one additional 30 day period. New merchandise or goods are not permitted to be sold under the extension of the licence.

Existing By-law Schedules with Major Changes

Bowling Alley

Currently only one business is operating under this business class. Staff has reviewed the history and believe that this is a low risk class of business and recommend its removal from the licensing program.

Animals for Entertainment

The current schedule for animals for entertainment will be enhanced as follows:

- language will be added to identify the types of businesses that require an animals for entertainment licence:
 - businesses that have a premises located in Oakville where animals used for entertainment are kept
 - businesses that provide animals to special events such as carnivals, circuses, parades
 - businesses that use animals in travelling presentations at, including but not limited to, schools, daycares, camps, workshops
 - businesses that provide animals to private functions that are not open to the public including, but not limited to, birthdays, weddings, corporate events
- additional licensing thresholds for applicants and licensees have been added to this schedule under the *Dog Owners' Liability Act*, the *Ontario Society for the Prevention of Cruelty to Animals Act*, the *Provincial Animal Welfare Services Act, 2019* and the *Animal Control By-law*
- added language that the Licensing Commissioner may advise the Oakville & Milton Humane Society of an event using animals for entertainment and an Animal Control Officer may inspect the event
- added regulations for animals for entertainment that are kept in a premises located in Oakville (ie. enclosures, environment, sanitation, veterinary care)
- added regulations for animals for entertainment kept temporarily in Oakville (ie. animals that are tethered or tied at a premises, animals in motor vehicles)
- added prohibitions against keeping animals that carry or produce a toxin known to be dangerous to humans and domestic animals or the keeping of any animal, excluding fish, that is not commonly domesticated

The Oakville & Milton Humane Society continues to provide feedback on the regulations contained in this Schedule.

Arborist Consulting Companies, Arboriculture Companies, Tree Companies

The landscaping/tree company business class currently contained in the By-law will be removed and replaced with a “tree company” class. The “landscaping” portion of the old landscaping/tree company class is captured by the landscaping contractor business class. This amendment will reduce duplication and confusion.

The following additions/amendments are proposed regarding licensing of arborist-type businesses:

- at the time of initial licensing, applicants must provide proof of qualification for their employees. Under the current By-law, this proof must be submitted to the Licensing Commissioner annually. Staff is proposing to amend the By-law to require that, upon licence renewal, licensees obtain and keep proof of qualifications rather than submitting the same documents annually. If a new employee is hired, the licensee must provide the Licensing Commissioner with proof of qualifications. The Licensing Commissioner may request that the licensee produce the proof of qualifications for inspection
- language to clarify that any sub-contractors retained by an arborist consulting company licensee or a tree company licensee must obtain their own licence from the Town, if required.

Billiard Hall

The definition of “billiard hall” has been amended to clarify that a business with 2 or more billiard, pool or bagatelle tables requires a business licence.

Commercial Parking Lot

The following additions/amendments are proposed regarding licensing of commercial parking lots:

- the current By-law provides for the licensing of the commercial parking lot operator. Staff propose to change this to license the commercial parking lot itself
- the current definition of “commercial parking lot operator” has been amended to apply to the parking lot, rather than the operator. As part of this amendment, reference to the temporary parking of vehicles has been deleted. The new definition of “commercial parking lot” does not contain a timeframe for parking a vehicle
- a prohibition that no licensee/person shall permit any person to conduct parking enforcement services at the commercial parking lot unless that person holds a private parking officer licence for that commercial parking lot
- added a requirement that the Licensing Commissioner must be notified in writing of a change to the consent provided by the property owner to permit the operation of a commercial parking lot on their property

- a requirement to provide for the posting of the owner's business name, the municipal address of the commercial parking lot and the business hours of the lot at the commercial parking lot. Said information must be posted in a conspicuous place in accordance with the Sign By-law
- a requirement for the licensee to notify the Halton Regional Police Service if a motor vehicle is left at the commercial parking lot for longer than 48 consecutive hours without appropriate payment

Contractors

The current Licensing By-law contains separate schedules for contractor-type businesses. Staff propose to roll these businesses into 1 schedule since many of the regulations are the same. Therefore, the contractor business class will be comprised of a base licence with the following sub-types available:

- building renovators
- drain laying contractors
- HVAC contractors
- landscaping contractors (includes property maintenance contractors)
- lawn care contractors
- plumbing contractors and
- pool installation contractors

The following additions/amendments are proposed regarding licensing of contractors:

- amending the definition of "pool installation contractor" to include persons providing pool maintenance services as well as persons installing pools
- the definition of "drain laying contractor" to include persons who install, replace, repair or maintain sewage disposal systems
- the licence renewal date for the various contractors is currently not consistent. Staff is proposing to set the renewal date of April 30 for all of this business class
- employees of building renovators, drain laying contractors, HVAC contractors and plumbing contractors have to register with the Licensing Commissioner annually and provide a criminal record check. These employees must meet the licensing thresholds in order to be approved to work in Oakville. A registration fee will be established as part of the licensing fee review

Donation Box Operators

The following additions/amendments are proposed regarding licensing of donation box operators:

- applicants/licensees must sign a self-declaration that confirms their understanding that their donation box will be removed by the Town, at the operator's expense, if the donation box contravenes the By-law

- applicants/licensees currently pay for a licence and a \$25 bin fee for each donation box they operate. Staff is proposing that a charity, religious institution or community organization may have 1 donation box on land which is primarily used for the operations or activities of the charity, religious institution or community organization without paying the bin fee. They would pay the bin fee for any additional donation boxes located at the site
- language to limit the number of donation boxes to a maximum of 2 per municipal address, at the discretion of the Licensing Commissioner
- in an effort to address recent deaths and injuries due to the design of donation boxes, a new requirement that donation boxes be designed to allow for egress from the box. The applicant/licensee must provide proof of the design upon request by the Licensing Commissioner

Driving School

The current By-law requires that driving schools and driving school vehicles obtain a licence. Staff is proposing to no longer license driving schools as off-road instruction is now generally held on-line or virtually rather than in a classroom. Driving instructors and the owners of vehicles used to provide driving instruction will require a licence.

The following additions/amendments are proposed regarding licensing of driving instructors and owners of vehicles used to provide driving instruction:

- the 10 year age limit on vehicles used for driving instruction to be deleted. Upon the vehicle reaching 10 years of age, the owner of the vehicle must provide an additional safety certificate. This is consistent with taxis and limousines
- the owner of the vehicle used to provide driving instruction to provide the Licensing Commissioner with a list of the individuals who will be using the vehicle for driving instruction
- the driving instructor's licence to be suspended or revoked if their Ontario driver's licence or their permit issued by the Province is suspended, revoked, expires or ceases to be valid. The Licensing Commissioner's decision to suspend or revoke the instructor's licence cannot be appealed to the Appeals Committee. The vehicle owner's licence may also be suspended or revoked by the Licensing Commissioner if the licensee fails to have proper vehicle insurance. This decision may be appealed to the Appeals Committee
- language added to require that vehicles used to provide driving instruction are equipped with: a properly functioning service brake actuator that may be operated by the driving instructor; dual mirrors which are in good working order and are positioned for ready use by the driving instructor when seated beside the student driver and a plastic roof sign, to be illuminated while providing driving instruction

Exhibition

The current schedule for exhibitions will be enhanced as follows:

- the definition of “exhibition” updated to include temporary public events that have a theme or general subject such as rides (ferris wheels, carousels), mechanical or electronic games, food and other vendors. This definition excludes markets
- applicants will be required to provide exhibition details and a list of vendors to the Licensing Commissioner when applying for a licence
- the organizer of the exhibition or the operator of the exhibition will be required to obtain the licence. Each vendor included on the list provided to the Licensing Commissioner does not need to be separately licensed
- applicants to provide notice to the Oakville Fire Department, the Health Department and the Halton Regional Police Service of the date(s) of the exhibition and provide proof of notice to the Licensing Commissioner, upon request

Firework Vendors

In Oakville, the discharge of fireworks is regulated by Fireworks By-law 2009-056 and the sale of fireworks is regulated by Licensing By-law 2015-075. Proposed changes to the current schedule for fireworks vendors are as follows:

- language added to clarify that a licensee can only sell consumer fireworks (low-hazard fireworks). However, display fireworks (high-hazard fireworks) and special event pyrotechnics may be sold if the vendor has the required licence under the Explosives Act
- the current Licensing By-law provides that consumer fireworks may only be sold 7 days prior to Victoria Day, Canada Day, New Year’s Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event. Staff is proposing to increase the time consumer fireworks may be sold to 10 days prior to Victoria Day, Canada Day, New Year’s Day and any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event.
- the current Licensing By-Law provides that every licensee or person shall notify the Licensing Commissioner of their intention to sell consumer fireworks at least 10 days prior to any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event. Staff is proposing to increase the time to 21 days prior to any religious or cultural celebrations where fireworks are used to celebrate the religious or cultural event. This will provide more time for staff to review the application and for the Fire Department to conduct a fire safety audit
- language to be added limiting advertising of fireworks sales to the timeframe set out in bullet 2 above and that signage must comply with the Sign By-law
- the licence renewal date for fireworks vendors is currently January 31. Staff is proposing to change the renewal date to March 31 as it is closer to the first date consumer fireworks may be sold (10 days before Victoria Day)

Food Shops

The following additions/amendments are proposed regarding licensing of food shops:

- the current food shop categories are food shop/restaurant, food shop/ancillary use and special event food shop. Instead of using the term “food shop/ancillary use”, staff proposes to use the term “food shop convenience” as it is more descriptive of the types of businesses that require this food shop licence
- cafeterias that are operated directly by a municipal, provincial or federal government, university, college, public school, separate school or board of education, not-for-profit organizations such as food banks, a registered charity or a religious organization; or a refreshment vehicle Class A or B will no longer need a food shop licence
- an additional ground for the suspension of a licence by the Licensing Commissioner will be added to provide that if the Medical Officer of Health finds that the operation and maintenance of the business does not conform to the requirements of the Health Protection and Promotion Act and Ontario Regulation 493/17 Food Premises, the food shop licence may be suspended until the situation has been rectified to the satisfaction of the Medical Officer of Health. This decision may be appealed to the Appeals Committee. In a situation that poses immediate danger to the health or safety of any person, property or animal, the Municipal Act provides that a licence may be suspended for not more than 14 days without a hearing (ie. without an appeal to the Appeals Committee)

Kennels

The current By-law provides regulations for pet shops and kennels in the same schedule. Staff proposes to separate pet shops and kennels into their own schedules. The following additions/amendments are proposed regarding licensing kennels:

- the definition of “kennel” will be amended to be consistent with the Zoning By-law and to clarify that kennels provide services on an overnight basis
- additional licensing thresholds for applicants and licensees to be added to this Schedule under the *Dog Owners’ Liability Act*, the *Ontario Society for the Prevention of Cruelty to Animals Act*, the *Provincial Animal Welfare Services Act, 2019* and the Animal Control By-law
- language added to provide that the Licensing Commissioner may close a kennel forthwith and suspend the kennel licence if a veterinarian has reasonable grounds to believe that a kennel has an outbreak of distemper, hepatitis, rabies, parvo virus or any infectious or contagious disease. The kennel may reopen and have its licence reinstated upon a written report from the veterinarian that they have

reasonable grounds to believe that the risk of new infections has passed. The Licensing Commissioner's decision may be appealed to the Appeals Committee. In a situation that poses immediate danger to the health or safety of any person, property or animal, the Municipal Act provides that a licence may be suspended for not more than 14 days without a hearing (ie. without an appeal to the Appeals Committee)

- standards for kennels and for animals kept in kennels (ie. enclosures, environment, sanitation, veterinary care) to be enhanced
- regulations regarding kennels used for breeding purposes to be added

The Oakville & Milton Humane Society continues to provide feedback on the regulations contained in this schedule.

Limousines

The current By-law provides licensing for 3 classes of limousines: Class A (seating for a maximum of 15 passengers), Class B (seating for 5-8 passengers) and Class C (vintage, classic, luxurious cars). To simplify this Schedule, staff proposes to amend the By-law to provide for "limousines" and "historic limousines" (vehicles 30 years of age and older), rather licensing 3 classes of limousine. The following additions/amendments are proposed regarding licensing limousines:

- the model year restriction for limousines (was 10 years old for Class A and 6 years old for Class B) will be deleted. Upon the limousine reaching 10 years of age, the owner of the vehicle must provide an additional safety certificate. This is consistent with taxis and vehicles used to provide driving instruction and does not apply to historic limousines
- the limousine driver's licence will be suspended or revoked if their Ontario driver's licence is suspended, revoked, expires or ceases to be valid. The Licensing Commissioner's decision to suspend or revoke the Town licence cannot be appealed to the Appeals Committee. The limousine owner's licence may be suspended or revoked by the Licensing Commissioner if the licensee fails to have proper vehicle insurance. This decision may be appealed to the Appeals Committee
- currently there is a 2 tier structure for limousine tariffs: Class A and C limousines – minimum 2 hours duration at a minimum \$50 for the first hour and \$30 for each additional hour. Class B limousines – minimum \$60 for the first hour or any part thereof and \$30 for each additional hour. In order to make limousine tariffs consistent with those of taxis, staff is proposing that limousine owners file their list of tariffs with the Licensing Commissioner at the time of licence application or renewal, rather than having the Town set the tariffs. The owner must provide the Licensing Commissioner with 1 month's notice if they want to make a change to any of the tariffs. Passengers must be advised of the cost of the trip when they book and they must be provided with a receipt, upon request.

Motor Vehicle Facility

The motor vehicle facility licence encompasses a broad range of businesses in the automotive sector including: dealerships, body shops, service stations and car rentals. The addition of mobile motor vehicle service licensing has been previously described in this report. Further additions to the licensing requirements for motor vehicle facilities will include:

- language added, similar to contractors, that the licensee must provide customers with a written contract and itemized invoices. Licensees require their business name and contact information on all business forms, invoices and stationary
- a prohibition against dumping or disposing of gasoline, oil, lubricants, tires or hazardous materials except in accordance with relevant by-laws and/or legislation has been added.

Motor Vehicle Storage Yard

The current By-law provides regulations for motor vehicle storage yards and salvage yards in the same schedule. Staff proposes to separate motor vehicle storage yards and salvage yards into their own schedules. The following amendment is proposed regarding licensing of motor vehicle storage yards:

- the By-law currently provides that a motor vehicle storage yard licensee must reply to a phone call from the owner of a vehicle being stored at the yard within 10 minutes of the call if the office is closed during the business hours set out in the Schedule. New language will be added to provide that if the storage yard is closed during these business hours, the licensee must, in addition to replying to the phone call, book an appointment with the vehicle's owner as soon as possible, or no longer than 7 days from the date of the phone call. No call-in fees, storage charges or any other fees may be charged to the owner from the date of the phone call to the date of the appointment. Storage fees may only be charged from the date of the phone call if the owner is unable to attend at the storage yard within 7 days of their phone call

Nightclub

The following additions/amendments are proposed regarding licensing of nightclubs:

- amending the definition of "nightclub" and removing the current requirement that the primary function of a nightclub is to provide a dance floor
- adding the requirement for the licensee to provide security staff, who are licensed under the *Private Security and Investigative Securities Act*, to regulate line-ups, prevent obstruction of exit doors, roadways, etc.
- adding language that licensees must ensure that at least 1 designated person of authority, as identified to the Licensing Commissioner, is in attendance at all times when the nightclub is open and operating

- in addition to the general nuisance provisions of the By-law, licensees must keep the premises suitably lighted and ventilated during business hours, install and maintain suitable storage facilities and garbage containers and keep the means of egress from the premises free from snow or ice

Personal Service Establishments

The addition of mobile personal services licensing has been previously described in this report. The following additions/amendments are proposed regarding licensing of personal service establishments:

- language added to clarify that persons who provide a personal service in their capacity as a duly authorized member of a self-regulating health profession, as provided for in Schedule 1 to the Regulated Health Professionals Act, do not require a licence
- language added to prohibit the tattooing or piercing of any person under 18 without the prior written consent of a parent or guardian of the person to be tattooed or pierced

Pet Shops

The current By-law provides regulations for pet shops and kennels in the same schedule. Staff proposes to separate pet shops and kennels into their own schedules. The following additions/amendments are proposed regarding licensing of pet shops:

- additional licensing thresholds for applicants and licensees have been added to this Schedule under the *Dog Owners' Liability Act*, the *Ontario Society for the Prevention of Cruelty to Animals Act*, the *Provincial Animal Welfare Services Act, 2019* and the *Animal Control By-law*
- language added to provide that the Licensing Commissioner may close a pet shop forthwith and suspend the pet shop licence if a veterinarian has reasonable grounds to believe that a pet shop has an outbreak of distemper, hepatitis, rabies, parvo virus or any infectious or contagious disease. The pet shop may reopen and have its licence reinstated upon a written report from the veterinarian that they have reasonable grounds to believe that the risk of new infections has passed. The Licensing Commissioner's decision may be appealed to the Appeals Committee. In a situation that poses immediate danger to the health or safety of any person, property or animal, the Municipal Act provides that a licence may be suspended for not more than 14 days without a hearing (ie. without an appeal to the Appeals Committee)
- a new exemption to licensing for pet shops that only sell live fish
- standards for pet shops (ie. enclosures, environment, sanitation, employee training) will be enhanced

The Oakville & Milton Humane Society continues to provide feedback on the

regulations contained in this schedule.

Public Halls

The current schedule for public halls will be enhanced as follows:

- language added to provide that no licence fee is required to be paid by any religious organization where they do not receive any remuneration for the use of their public hall; or any municipal, provincial or federal government, university, public school, separate school or Board of Education that does not charge a fee for the use of their public hall
- a requirement that the maximum occupancy load must be displayed in a prominent place at the entrance of the public hall and that no more people than that listed be allowed in the public hall
- language added that the licensee must ensure that every vendor operating from the public hall has a valid licence from the Town, if applicable

Refreshment Vehicles

The current By-law provides for the licensing of 3 classes of refreshment vehicles: Class A (food truck, coffee truck, ice cream truck), Class B (chip wagon) and Class C (ice cream bicycle). To simplify this schedule, staff proposes to amend the By-law to provide for Class A (previous Class A and B) and Class B (previous Class C) refreshment vehicles rather than for 3 classes of refreshment vehicles. The following additions/amendments are proposed regarding licensing of refreshment vehicles:

- staff is proposing to delete the requirement for employees operating refreshment vehicles to provide a criminal record check. Staff has heard from the industry that the provision of criminal record checks by employees is onerous and limits the movement of employees between restaurants and refreshment vehicles. Ice cream trucks are not permitted to operate in residential neighbourhoods where operators could come into contact with children. Refreshment vehicle owners and special event refreshment vehicle owners will still have to provide a criminal record check upon initial licensing or licence renewal
- the requirement for refreshment vehicle operators to be licensed will be deleted. Refreshment vehicle owners and special event refreshment vehicles will continue to require a licence
- the current licence renewal date for refreshment vehicles is January 31. Staff propose to change this date to May 31 since it is closer to the time of year that refreshment vehicles generally operate
- language will be added to provide that refreshment vehicles are prohibited from operating in a BIA without permission from the BIA and the Town

- a prohibition against dumping or disposing of litter, cooking oil or hazardous materials except in accordance with relevant by-laws and/or legislation will be added

Staff has been approached by members of the industry requesting that refreshment vehicles be permitted to operate on roadways and in parks. Some municipalities do permit this, with various regulations, including:

- the requirement to obtain permits in addition to a business licence;
- operating only in designated areas, on specific days of the week and at specific times of day;
- limiting the number of refreshment vehicles per block;
- limiting the number of hours a refreshment vehicle may be operated from the same location at any one time; and
- payment of a parking permit fee in advance when vending from a metered parking space

Staff are not recommending this change but direction can be added to the recommendations should Council wish a full review undertaken.

- **That Municipal Enforcement undertake a full food truck licensing review, including consultation with the industry, residents and BIAs, to develop a strategy framework for future licensing opportunities and report back to Council at a later date.**

Salvage Yard

The current By-law provides regulations for motor vehicle storage yards and salvage yards in the same schedule. Staff proposes to separate motor vehicle storage yards and salvage yards into their own schedules. The following additions/amendments are proposed regarding licensing of salvage yards:

- the definition of “salvage yard” amended to mean a premises or part thereof used for receiving, storing or dealing in scrap, salvage material (ie. used or wrecked motor vehicles or used or wrecked motor vehicle parts) or recyclable material
- language added to require an inspection of a salvage yard by the Fire Department prior to licensing
- new salvage yard prohibitions prohibiting the storage of materials in such a way that permits standing or stagnant water, failing to take all reasonable efforts to deal with rodents, vermin and odours and failing to clean debris and materials from properties abutting the salvage yard

Second-Hand Goods Shop

The following additions/amendments are proposed regarding licensing of second-hand goods shops:

- a definition of “second-hand goods” that includes examples of the types of goods captured by the Schedule
- exemptions to licensing for salvage yards, motor vehicle facilities, temporary vendor Class 5 – Market and auctioneers as long as they have a current and valid business licence
- an exemption for stores like the Apple Store, that take in goods they have produced or manufactured, refurbishes the item and then offers it for sale. A corner store selling refurbished phones would need a second-hand goods licence
- prohibitions regarding entering false or inaccurate information in the register they are required to keep and failing to advise the Halton Regional Police Service if the applicant/licensee is keeping second-hand goods in a location other than the licensed premises

Short-Term Accommodation

The following additions/amendments are proposed regarding licensing of short-term accommodations:

- the stand-alone Short-term Accommodation By-law, which has been in force since 2018, to be rolled into the general licensing by-law
- the current definition of “short-term accommodation (STA)” means the provision of a dwelling unit for temporary lodging to a maximum of 28 consecutive days. This definition includes a bed & breakfast establishment (B&B). The Zoning By-law provides that the rental of a house is considered to be a STA. The rental of units in a house is a B&B. In order to more closely align with the Zoning By-law, staff is proposing to amend the definition of STA to separate out B&Bs and provide regulations for both STAs and B&Bs
- language regarding the remittance of the Municipal Accommodation Tax
- language to clarify that only 1 STA/B&B licence will be issued per person since persons can have only 1 principal residence
- in an effort to manage “party houses”, staff is proposing to add language that no STA or B&B be used to host weddings, receptions or other commercial activities. This would not apply if a homeowner wanted to host a family wedding or reception at their home, as long as the homeowner complied with zoning requirements and obtained any other permissions or permits such as a building permit if a tent was being used

Taxicabs

The licensing provisions for taxi owners, brokers and drivers were amended in 2018, which relaxed some of the previous taxi regulations. For example, the Town no longer sets tariff rates; rather the taxi broker or independent operator provides a list

of their rates to the Licensing Commissioner. Staff is proposing to further reduce red tape by eliminating the current ratio of 1 taxi owner's licence per 1,500 population.

The following considerations apply:

- since at least 1983, the number of taxi owners' licences has been regulated; either by way of a ratio or by the use of a waiting list;
- there are currently 2 ways for a person to obtain a taxi owners' licence. They can enter the lottery when the ratio of 1:1,500 allows for new licences to be issued, or an existing licensee can transfer their licence to a qualified person;
- currently 130 taxi owners' licences have been issued;
- 68 of the 130 licensed taxi owners currently have an inactive plate status.
- a person must obtain a separate taxi owner's licence for each vehicle they want to operate as a taxi;
- a ratio on the number of accessible taxis will still apply. Staff are proposing that brokers with 5 or more taxis in their fleet have at least 1 accessible taxi in service at all times.

Limiting the number of taxi owners' licences artificially creates a shortage, which leads to licences becoming valuable commodities. This is the case even though the By-law states that licences are vested with the Town.

Placing a limit on the number of taxi owners' licences is arguably the most restrictive regulation found in the entire Licensing By-law, as the By-law does not limit the number of licences issued in any other business class. Removing the ratio will increase competition and allow anyone who satisfies the By-law's requirements to obtain a licence. Limiting the number of licences reduces the number of service providers that consumers have to choose from.

Eliminating the ratio will have a trickle-down effect. The lottery regulations and regulations regarding transferring a taxi owner's licence will no longer be required. The administration of these provisions and the resulting fees charged to taxi owners will also no longer apply.

The following additional amendments are proposed regarding licensing of taxi owners, brokers and drivers:

- the 10 year age limit on taxis to be deleted. Upon the taxi reaching 10 years of age, the owner must provide an additional safety certificate. This is consistent with limousines and with vehicles used to provide driving instruction
- language added regarding the provision of taxi services to persons with disabilities

Tow Trucks and Heavy Tow Trucks

The following additions/amendments are proposed regarding licensing of tow trucks and heavy tow trucks:

- the stand-alone Tow Truck Licensing By-law, which has been in force since 2019, to be rolled into the general licensing by-law
- tow truck drivers are not required to obtain a licence. Tow truck and heavy tow truck owners currently sign a self-declaration confirming that their drivers have provided them with a criminal record check. In order to ensure that tow truck drivers meet the new licensing thresholds, staff is proposing that each tow truck driver register with the Licensing Commissioner annually and provide a criminal record check. Drivers will have to meet the licensing thresholds in order to operate a tow truck or a heavy tow truck in Oakville. A registration fee will be established as part of the licensing fee review.
- language added to exempt Town owned or leased parking lots from the signage requirements respecting towing from private parking lots. Language has also been added to exempt parking lots from signage requirements where there is no presumption of public parking (ie. tenant parking, private driveways)

Transportation Network Company

The following additions/amendments are proposed regarding licensing of transportation network companies:

- the stand-alone Transportation Network Company By-law, which has been in force since 2016, to be rolled into the general licensing by-law
- language added to prohibit a TNC driver from commencing a trip until the passenger has provided electronic acceptance of the fare and charging a passenger any fare other than the one communicated to and accepted by the passenger
- language added to require a TNC driver to provide a passenger with an electronic receipt at the conclusion of the trip

By-law Schedules: Existing Schedules with NO Major Changes

The following schedules have no significant changes proposed at this time:

- Adult Entertainment Establishment
- Adult Entertainment Video Store
- Auctioneer
- Body-rub Establishment
- Dry Cleaner/Laundromat
- Lodging Houses
- Mobile Sign Lessor
- Tobacco Retailers/Electronic Cigarette Retailers

CONSIDERATIONS:

(A) PUBLIC

Public meetings were held on February 18, 2020. Staff reached out to businesses with the assistance of the Oakville Chamber of Commerce and the BIA's for information and comment through an online survey in December 2020.

(B) FINANCIAL

There are no financial impacts as a result of this report. A fee review will be completed as part of the review process based on a full cost recovery model.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Multiple departments including Enforcement Services and Legal have been involved in this by-law review. Enforcement Services will continue to engage impacted departments in the development and review of a new licensing by-law. Communications will be engaged to update the website assist with public notices.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- enhance our economic environment
- continuously improve our programs and services
- provide outstanding service to our residents and businesses
- be accountable in everything we do
- be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

Enforcement Services will consider environmental impacts with the development of licensing regulations.

APPENDICES:

Appendix A – Survey results

Appendix B – List of Businesses Currently Requiring a Licence

Prepared and Recommended by:

Selena Campbell

Manager, Enforcement Services

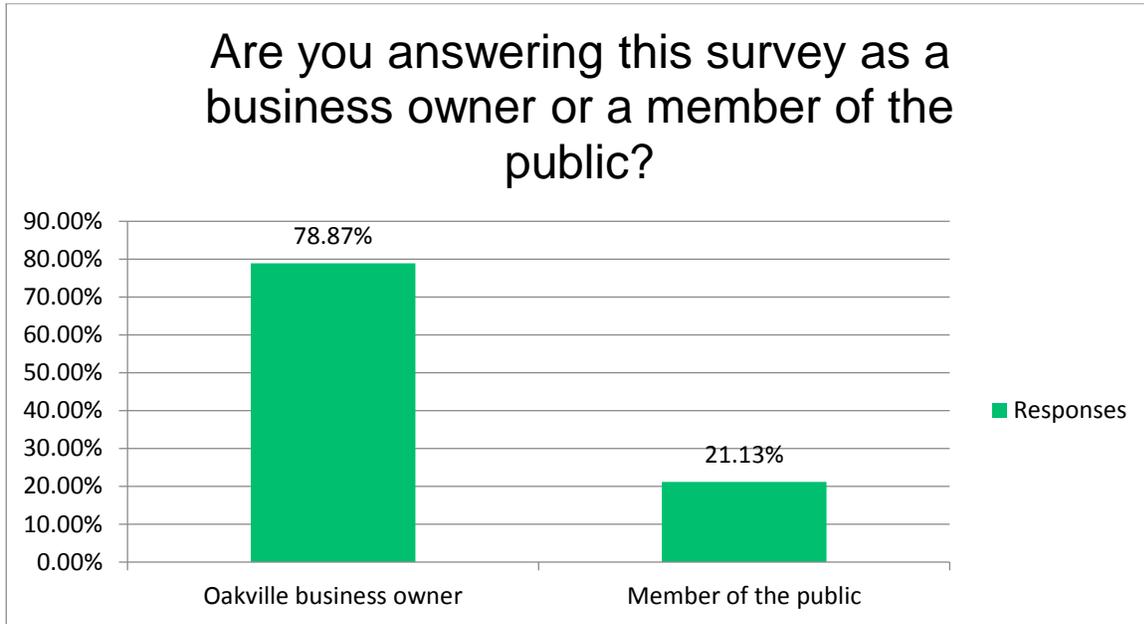
Submitted by:

Jim Barry

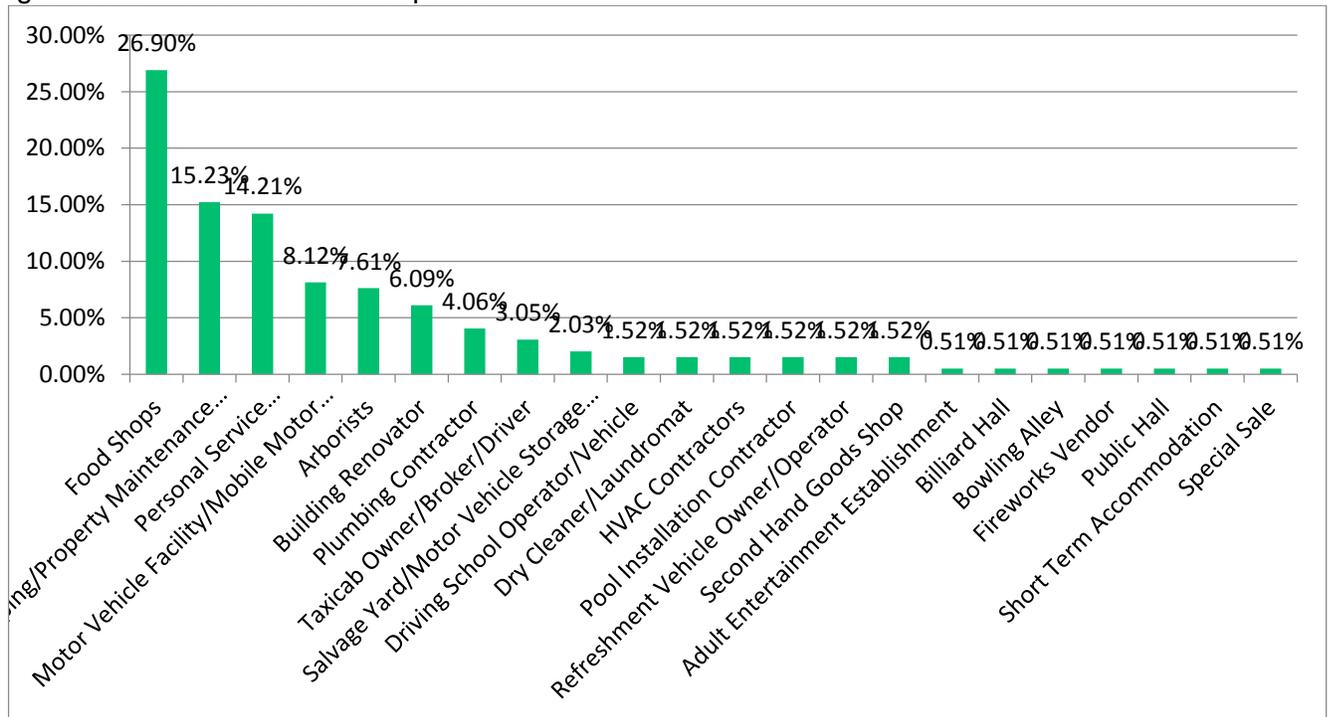
Director, Municipal Enforcement Services

Business Licensing By-Law Survey Results And Comments

355 respondents: 280 Oakville business owners, and 75 members of the public

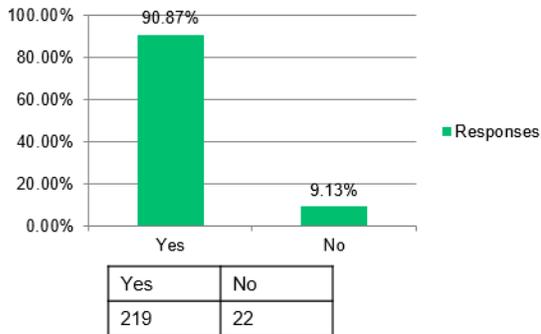


Licensing Classes with at least one response

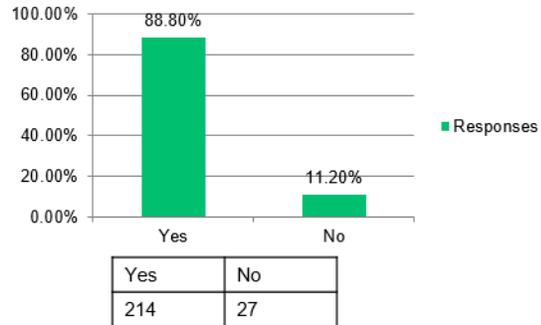


Online Licensing Questions

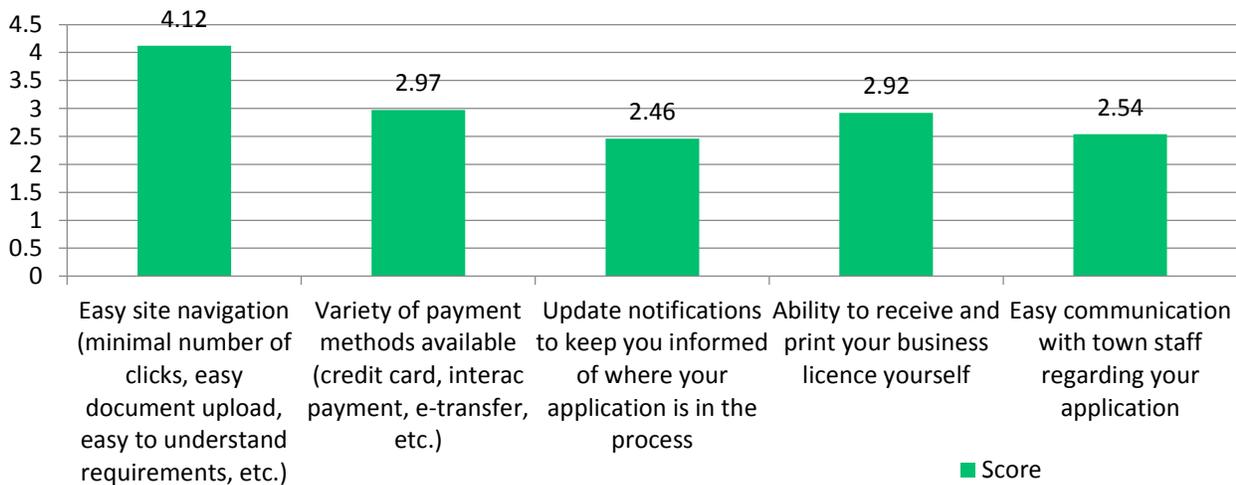
Business owners interested in using an online service to apply and pay for licence



Business owners who would like to receive their business licence electronically



What features are important to you in an online service? Please rank the following in order of preference (1 = most important, 5 = least important).



189 respondents

Responses from licensing classes with major changes

Proposed changes to responding classes as follows:

Arborists:

- Owner manage documents on behalf of their employees
- Remove landscaping/tree company class. These businesses would require a landscaping/property maintenance and/or lawn care licence
- Expand noise restriction from between 7pm and 7am of the following day to include Sundays or statutory holidays

Auctioneer:

- Obtain police records check for all employees who act as auctioneers

Bowling Alley

- Remove this licensing class

Commercial Parking Lot:

- Provide survey of the property
- Enforcement officer be licensed by the Town of Oakville require business name, address and business hours posted on the lot
- Notify HRPS if a car has be left on the lot over 24 hours without payment

Food Shops

- Obtaining additional licences if food is served in a billiard hall or night club
- Food Shop Ancillary is change to Food Shop Convenience
- Current licensees will require a separate license if selling tobacco (tobacco retailer licence)

Pool Contractor:

- Businesses maintain pools will require a license

Refreshment Vehicles:

- Refreshment Vehicle Operation license no longer required
- The applicant or owner is to gather and manager police records checks for their employees
- Applicant must provide current photograph of the refreshment vehicle to the town when applying for the licence
- Refreshments cannot be sold in the BIAs without permission from the BIA or the town

Taxicabs:

- Taxicab ratio does not apply to accessible taxicabs
- Accessible taxicabs may not be considered inactive
- Lottery does not apply to licences for accessible taxicabs
- Taxicab fares are based on a monetary value for the distance travelled and include a rate per kilometer
- The town may carry out a mandatory inspection of a newly licensed taxicab
- Brokers with five or more taxicabs in their fleet must have a least one accessible taxicab in service at all times

Tobacco Retailer:

- Applicants are to supply a copy of the Health Department's inspection report at the time of the licence application

- The town is to be immediately notified if an Automatic Prohibition is issued to the owner or occupier of the premises for a violation of the Smoke Free Ontario Act
- No licence will be issued to an applicant if tobacco products will be sold at an outdoor property, a facility, a building or a property leased or owned by the town, without the permission of the Town of Oakville
- Where an Automatic Prohibition is issued against a licensee's premises, the licence issued by the town will be automatically suspended for the period of time specified in the Automatic Prohibition
- A special food shop licence will be required if selling food items

Do you have any comments regarding the changes being considered?

License Class	Comment
Arborist	nope, makes sense
Arborist	-We believe the town should continue to collect data from each contractor rather than allowing them to collect their own data. -Landscape services should not be allowed to prune or remove trees without having a tree service license. We are trying to protect the tree canopy of Oakville. -Emergency services could be performed at anytime
Arborist	removing the Landscaping/Tree Company licence. These businesses would require a Landscaping/Property Maintenance and Lawn Care Contractor licence only- does this mean they can do tree work still?
Arborist	Tree Companies fall under "Working at Heights" regulations and should remain a separate class of license. (Landscaping/Lawn Care) is not "Working at Heights" If you want Police Background Checks for licensees, you (Town of Oakville) should manage them. We business owners have enough to keep track of! I would assume the noise requirements would except emergency work.
Arborist	only the owner needs to have a police check. Useless as you could have all prior criminals on staff and Oakville would welcome you. Also, I can still have poor business practices and have a clean criminal check. Get rid of the requirement.
Bowling Alley	I would welcome this change - and the financial saving that comes along with it - especially during this crazy 2020 (and fully expecting 2021 to be more of the same).
Driving School	Requiring the municipal plate number on the insurance certificate is cumbersome and unnecessary. This will make it complicated for driving schools holding permits with different cities.
Food Shop	in the area requesting a rating of services, the program will not allow the use of a number more than once. Some suggestions such as electronic downloading of licence as well as navigation and methods of payment should all be rated #1
Food Shop	Not really because I'm not affected by it.
Food Shop	Seems fair!
Food Shop	Why are Hookah lounges allowed to operate in Oakville? Smoking indoors is illegal. Why is this permitted? It should not be allowed at all.
Pool Installation Contractor	I agree that it should also be included but should be one license for Builders and Service/Maintenance Companies

Pool Installation Contractor	Don't do it
Public Hall	Good idea
Refreshment Vehicle	That's an improvement
Refreshment Vehicle	most changes are positive, except for BIA approval. Currently there are not any areas on public property where food trucks are permitted.
Second Hand Goods Shop	The first change listed is definitely a marked improvement.
Second Hand Goods Shop	These changes would be onerous. My staff changes constantly and managing and getting police checks for all of them would be onerous. Requiring storage of goods would make my business impossible to run. I buy and sell clothes... we have to move those quickly.
Taxicab	<ol style="list-style-type: none"> 1 it should apply to accessible to taxi ratio. 2. Accessible taxi cab should be issued through the lottery system. If any one refused to accept the accessible cab he can't apply for again for at least minimum for years. 3. Taxi cab meter should be same as now but you can reduce to 20% of present meter to get little bit more business. 4 The town should have mandatory inspections of all vehicles yearly. 5. The broker must have minimum 10 cars in brokerage and each brokerage have one accessible taxi cab on the ratio of 20:1.
Taxicab	<p>An issue with the changed to Taxicab fares is that the change would no longer account for traffic which is the same as not being paid for working. Taxicab Fares should consider distance travelled and time spent.</p> <p>The town should carry out an inspection of not only newly licensed taxicabs but all taxicabs.</p> <p>for every 10 cabs in their fleet brokers should have one accessible taxicab.</p>
Taxicab	Brokers with any number of taxicabs in their fleet should not have any restriction on the minimum number of accessible taxicabs they should have in service as customers have the choice of other transportation services such as Lyft and Uber who don't have any such restrictions in place.

Do you have any comments regarding the annual licensing process?

License Class	Comment
Arborist	Renewal should be as simple as making the payment
Arborist	Can the application annually not be so difficult? Also can the town consider using the information given when applying as a licensed business for other permits? Town tree pruning, park access application.... why do we need to constantly resubmit our wsib and insurance information?
Arborist	<p>It is a total abuse of government authority and an invasion of our freedom. We don't need government to run our lives....or businesses</p> <p>Go to Russia if you want to stick your nose in other people's business.</p> <p>Canada is great because of our entrepreneurial spirit...not because a beurocrat in Oakville decided who can trim a tree</p>

Arborist	Why do you require a police check yearly and if you have paid your debt in society in full what does that have to do with running a business. Slippery Slope!
Arborist	The Annual requirement to produce copies of the Letters Patent/Articles of Incorporation is a bit ... well, it's a bit stupid actually. These documents are fixed in time, and do not change from year to year. Why do we have to produce them every year???
Arborist	I consider a T of Oakville license as a waste of my business money as I can't be sure I will have work in Oakville in any given year. It costs approx. \$500 with license, criminal check, time to submit for a license. Easier just not to work in Oakville
Arborist	As a consultant, we are governed by our own licensing bodies and require to maintain strict status. We don't feel that an additional license to work in a municipality is necessary.
Driving School	Please change the deadline from 31st December to 31st March to coincide with Mississauga Licensing so that we do not have to pay twice to get criminal checks and safety certificates.
Food Shop	For businesses that have many locations and a central office it would be beneficial to have correspondence mailed to the central office or better yet don't mail anything and just email to the email on file for the location.
Food Shop	- An email notice for license renewal. - Minimize the required documents. Some documents are same as last year's.
Food Shop	I would prefer the following: Online application for licence renewal. Online payment for the licence. A downloadable copy of the licence.
Food Shop	Yeah I would like it if instead of annually the licensing process changes to 2 or 3 years meaning you pay a bit more but your license is good for 2 or 3 years.
Food Shop	No, seems right
Food Shop	Why insurance certificate is required to renew license. Other cities like Mississauga and Burlington do not have similar requirement.
Food Shop	Current process is old and outdated. Online would be much better. Glad you are considering this option.
Food Shop	Should be an option for getting the license for 2 years together
Pool Installation Contractor	The Criminal record check should not be required annually
Pool Installation Contractor	Cancel it
Refreshment Vehicles	The email version and payment is easier for us and time consuming
Refreshment Vehicles	There should not be any late fees for food trucks as the operation of these vehicles are typically from April thru November each year.
Second Hand Goods Shop	Would love to see it online. Other towns/cities have this and it is much more convenient and I believe very important during the current Covid situation
Second Hand Goods Shop	An online process would be great.
Taxicab	Annual license fee for brokerage \$100.00

	Taxi cab fee \$150.00 Brokerage can have virtual office to dispatch.
Taxicab	annual licensing fees should be reduced for brokerage as well as inactive taxi plates.

Do you have any other comments?

License Class	Comment
Arborist	We value the time and efforts the town has invested to protect the tree canopy. We are happy to comply.
Arborist	You have my vote to cancel the licensing program for tree service industry
Arborist	As a rule, barring 'vulnerable sectors' I strongly disagree with the practice of collecting Police Background Checks. Except as stated above, these tend to be used as bars to gainful employment, disguised as an exercise in Pearl Clutching "what-ifs"
Bowling Alley	I'm assuming that our snack bar would still require a license - which would make sense, but I always wondered why the bowling lanes themselves needed a license.
Food Shop	Steep fees
Pool Installation Contractor	I hate this blatant money grab which provides no useful service to the contractors or the general public
Refreshment Vehicle	Improve the by law like neighboring cities and towns for food trucks if we are licensed we can operate at privet property without zoning restrictions
Refreshment Vehicle	There should be permits to permit foodtrucks to operate in parks and legal parking spaces.
Second Hand Goods Shop	Value Village would like to include an exception in section 32 (4) 2ndhand goods for retail businesses that accept goods that are donated to nonprofits.
Taxicab	Lottery system for taxi cab fee should be minimum \$1000.00. Driver must have 5 years taxi cab license issued from the town of Oakville.
Taxicab	consider those things in which taxi industry and worker can survive atmosphere is not encouraging new people are not joining. experienced and old people leaving the industry. please and thank you

Responses from licensing classes with minor changes

Do you have any comments regarding the current licensing requirements or licensing process for your business?

	Comment
MC1	We are a Window & Door Supplier/Contractor. Why are required to provide a security clearance annually.
MC2	Thank you for your commitment. I would suggest that the licensing fee should be waived during the period for the business owner who is NOT actually doing their business, for example, during off-season(winter) for lawn maintenance. I want to get answered what's your opinion about this. Thanks again.
MC3	We currently are required to apply, pay, and renew annually for three separate licences: Landscaping, Pool Installer, & Arborist consulting. These happen at different times each needing a police record check within 30 days each time which is an inconvenience while trying to run a company. It would be better to have one licence application once per year where we check off all applicable licences, pay once (ideally less for multiple licences...), and only need to submit our police record check once.
MC4	I would like to see the Police clearance timeline extended to 2 or 3 years rather than going through that process annually.
MC5	No, but I do agree with the proposed changes.
MC6	The police record check for the owner seems redundant since a company can employ many people who have may have criminal records. It is not feasible to expect a company to pay for criminal record checks for all employees. The Region of Halton (Halton Police) should be able to provide access to the Town of Oakville regarding criminal record information for all business owners prior to the town issuing a permit.
MC7	Not sure why there is a requirement for criminal background check. this is cumbersome and why is it needed for one person when there can be literally hundreds of employees working at the business. This needs to be removed.
MC8	OVER PRICED, CITY HALL DOES NOTHING TO SUPPORT US
MC9	Would be nice to see applications and licensing done online rather than needing to go to the police station for back round check, then to town hall to pay for the license. All online would be very beneficial Also not have the fee always increasing - should be a set fee and not have increase.
MC10	No. But we pay a lot for operating our business in Oakville. I really hate seeing people working in Oakville without a license and I believe every business should have a license to operate no matter what the business is. And for us landscapers a license of 500.00 is very high!
MC11	working oline is good
MC12	The police record check is a bit of a pain- they always take so long, and since it has to be within 30 days it's not like we can get it done much sooner to have it on hand for our renewal. Maybe extend the number of days for the police check to 90? Or do away with it altogether, seeing as though it is only a snapshot in time anyways.
MC13	online process would be helpful!
MC14	please do police checks every 2 years perhaps. its seems redundant to do this yearly. As a matter of fact, do the license renewal every 2 - 3 years. less paperwork for everyone.

MC15	It would be nice to do everything online
MC16	ANY LICENSING IS RESTRICTIVE AND A \$\$ GRAB - NOT A FEELING OF A WELCOMING MUNICIPALITY
MC17	Compared to other municipalities the cost is excessive. It would be nice if this additional revenue was put towards policing of renovators who are not licensed since there are many in Oakville that are working without this license. It seems unfair that I pay this much and others do not with no consequences.
MC18	Definitely a group rate for services. We are a landscape company with a certified arborist and a pool install crew. This means that there are 3 licences to apply for. We have 2. Also the police check get a bit redundant.
MC19	Not at this time
MC20	like to see all be required to show vehicle with required signage
MC21	Keep the requirements simple. Allow for extended length of validity because going through the process each year is inefficient.
MC22	I would say this is a money grab and our opinion doesn't matter.
MC23	I pay enough taxes. We do not need a additional fee from you. I'm a member of Landscape Ontario. I have 2 million dollar insurance & pay into WSIB. This tax grab is an addition burden which I must pay and the end user ends up paying extra. Thus driving up prices they have to pay.
MC24	I feel it is unnecessary to have a police check every year for the owner - not sure of its purpose. In addition, the wait time for the police check varies, and can hold up the business application process.
MC25	There should be enforcement of the bylaw or get rid of it. otherwise, it is just a penalty on the good players.
MC26	Absolutely, a Money grab and to implement late fees in a year where you change your rules multiple times is completely unfair... it should be optional at best. Small Business' are getting destroyed in Oakville, you should be ashamed.
MC27	Email should be sent when applications are due for the new year.
MC28	Why is it necessary to do a criminal check every year, one year goes by so quickly?
MC29	To send renewal notes little earlier as police check take awhile and I am always afraid to be late for the renewal. As now I am waiting for the police check certificate and it is almost middle of December, they promised to send certificate in a 4-5 days, but because of delay I am not sure if I will receive on time to resend it to your office
MC30	The criminal background check is a additional step that is hardly necessary. I could have 100 criminals working for me and never set foot on a job site yet my record check means something.
MC31	The fees, if I just cut grass my licence would be 300 dollars cheaper but because I do extras I have to pay more.
MC32	stupid to have police check (only valid for the day it is processed)
MC33	COVID Help for Oakville Businesses

Responses to the Public Questions

Are there any businesses other than those listed above that you believe the town should license?

	Responses
PQ1	Towing companies. Storage facilities.
PQ2	Cannabis retailing Towing cars from commercial areas is still an issue that could use refinement
PQ3	Cannabis stores.
PQ4	Not aware of that any
PQ5	Good Additions
PQ6	Electronic Cigarette Retailers Privat Property Parking Enforcement (should be handled by police they do little as is). PAYDay Loan Ripoff Establishments
PQ7	More casual dining
PQ8	Privately owned liquor and beer stores.
PQ9	Pool Companies
PQ10	Good list

Are there any businesses you believe the town should stop licensing?

	Responses
PQ1	Payday loan
PQ2	Yes, there should be no licensing required for any business. it is just another layer of government that makes it expensive to run a business.
PQ3	Payday Loan Establishments
PQ4	Payday Loan Establishments. Electronic Cigarette Retailors
PQ5	No. But licensing should be integrated between the Town and the Region.
PQ6	Payday Loan Establishments Vaping Retailers
PQ7	Payday loan establishments VAPES
PQ8	I don't think we need any more E-cigarette retailers in town

PQ9	Not aware of that any
PQ10	Most towing companies
PQ11	More Real Estate agents
PQ12	Payday loan companies
PQ13	Payday loan, vapes retailers
PQ14	Yes base upon the working space & environment!
PQ15	All of them
PQ16	Arborists

Do you have any comments regarding the new businesses the town is proposing to licence? (Payday loan establishments, electronic cigarette retailers, temporary vendors, mobile personal service and mobile motor vehicle services and private property parking enforcement (company & Officers)

	Responses
PQ1	Please do not support payday loan businesses
PQ2	SC
PQ3	Again - there is no need to license any business at all!!! Vaping promotes smoking among young people. Why would you consider that a good business?
PQ4	Payday loans prey on the precariously employed.
PQ5	No- I think the town should make it easy for small business owners to set up and support them in prosperous in the town
PQ6	Why is the town proposing to license vape sales. Given the health risks associated with vape products, what efforts will be made to ensure that they are not available to minors.
PQ7	No to pay all the new businesses the Town is proposing to license especially pay day loans and vape shops. I don't understand the other categories and would need more information before providing my vote. Except for special events I don't thing temporary vendors should compete with permanent vendors.
PQ8	I think it is important to support businesses that reflect the population of the area as well as keeping out businesses that may harm the health and welfare of the citizenry.
PQ9	Pay day loan businesses are predatory and target the disadvantaged with unfair practices and exorbitant rates of interest.

PQ10	I do not see any benefit to vaping stores being allowed in Oakville
PQ11	I don't think we need any more E-cigarette retailers in town
PQ12	Just that I am pleased to see the Town reviewing regularly and staying up to date. Some of the additions, eg Parking, have been in the news of late.
PQ13	Parking enforcement is an issue. Arbitrary towing of vehicles causes many problems. What a property parking enforcement company can and cannot do needs close examination,
PQ14	I believe that Payday loan business's are not necessary. People can get into alot debt by using these companies
PQ15	I do not like the idea of Electronic Cigarette Retailers (Vapes) getting approved for a license. How is lighting up 'high' going to be monitored/policed?
PQ16	Payday loan attracts the wrong clientele and could lead to higher crime and violence.
PQ17	Should send inspectors to buildings checking upon operation?
PQ18	YES THE PRICING IS WAY TOO EXPENSIVE - COMPARED TO OTHER LICENCES. EG. TORONTO, MISSISSAUGA, BRAMPTON.
PQ19	Payday loans should not be allowed. They prey on people that can least afford to pay their ransom and they bring down society and neighbourhoods. Predatory business.
PQ20	How does this benefit or change anything? Other than municipal revenue, what exactly were the benefits for this?

List of Businesses Currently Requiring a Licence

- Adult Entertainment Establishment - Owner / Operator / Attendant
- Adult Entertainment Video Vendor - Class A, B
- Animals for Entertainment
- Arborist Consulting Company, Arboriculture Company, Landscaping/Tree Company, Tree Company
- Auctioneer
- Billiard Hall
- Body-Rub Establishment - Owner / Operator / Attendant
- Bowling Alley
- Building Renovator
- Commercial Parking Lot Operator
- Donation Box Operator
- Drain Laying Contractor
- Driving School - Operator / Vehicle
- Dry Cleaner / Launderette
- Exhibition
- Fireworks Vendor
- Food Shop/Restaurant & Food Shop/Ancillary Use & Special Event Food Shop
- HVAC Contractor
- Landscaping/Property Maintenance and Lawn Care Contractor
- Limousine - Owner / Driver / Special Occasion
- Lodging House
- Mobile Sign Lessor
- Motor Vehicle Facility
- Motor Vehicle Storage Yard
- Nightclub
- Outdoor Market
- Personal Services Establishment
- Pet Shop/Kennel
- Plumbing Contractor
- Pool Installation Contractor
- Public Hall
- Refreshment Vehicle – Owner / Operator / Special Event
- Salvage Yard
- Second Hand Goods Shop
- Short-term Accommodation Company/Operator
- Special Sale
- Taxicab - Owner / Broker / Driver
- Tobacco/Electronic Cigarette Retailer
- Tow Truck/Heavy Tow Truck Owner
- Transportation Network Company



OAKVILLE

REPORT

Council

Meeting Date: June 17, 2024

FROM: Asset Management Department

DATE: June 4, 2024

SUBJECT: **2024 Corporate Asset Management Plan – Part B for Non Core Assets**

LOCATION: Town-wide

WARD: Town-wide

RECOMMENDATION:

That the 2024 Corporate Asset Management Plan – Part B for Non-Core assets as included in Appendix A be approved.

KEY FACTS:

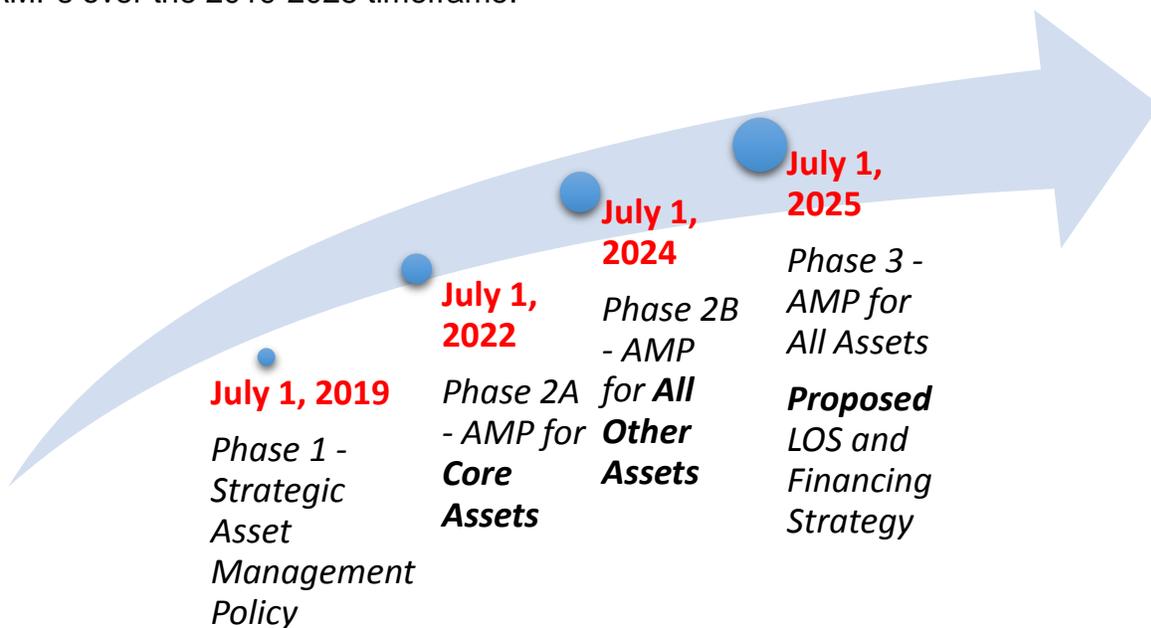
The following are key points for consideration with respect to this report:

- O. Reg. 588/17 identifies numerous key deliverables in a phased approach that municipalities must meet and include in future Asset Management Plan's (AMP) over the 2019-2025 timeframe.
- Asset management helps us put rigour and structure around the decision-making process by providing key information to manage our assets in a way that balances service levels, risk and costs in a long-term sustainable manner.
- In June 2022 the Corporate Asset Management Plan – Part A including information on Road and Stormwater Network assets owned by the town was approved by Council in accordance with the regulation.
- This report outlines the 2024 Corporate Asset Management Plan – Part B including information on the \$1.2 billion in Facilities, Parks, Fleet, Equipment and Information Technology assets owned by the town in accordance with the regulation.
- The Corporate Asset Management Plans include key information that will help guide future planning decisions to help balance cost, risk and levels of service.
- Requirements to meet the deadline for Phase 3 of the regulation for Proposed Customer Level of Service for all infrastructure are underway with plans to present to Council in the spring of 2025.

BACKGROUND:

The Town of Oakville’s (“town”) infrastructure and network of assets are the backbone of our community. They support a range of municipal services that enable the quality of life experienced by residents, businesses, and other stakeholders. The town’s Corporate Asset Management Program is designed to enable management of infrastructure assets in a way that connects Council strategies and community objectives to day-to-day asset management investment decisions.

The Province of Ontario enacted Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure (O. Reg. 588/17) in December 2017, which outlines guidelines and expectations for the application of asset management principles for municipalities. Most municipal infrastructure assets are intended to last for decades or beyond and as such it is imperative that the lifecycle costing, performance, risks and impacts of asset ownership are considered. O. Reg. 588/17 identifies numerous key deliverables in a phase approach that municipalities must meet and include in future AMPs over the 2019-2025 timeframe.



The AM department is taking a leading role in preparing the Corporate Asset Management Plan (CAMP) and ensuring O.Reg 588/17 is met. The following reports have been presented and approved by Council to date:

1. Asset Management Policy approved May 2021
2. Asset Management Strategy approved May 2021.
3. Corporate Asset Management Plan – Part A for Road and Storm Network approved June 2022.
4. State of Infrastructure Report for all infrastructure assets September 2023.

COMMENT/OPTIONS:

The purpose of an Asset Management Plan is to provide a comprehensive document that will guide corporate decision-making in regards to asset life-cycle activities, while minimizing risk and maximizing service delivery in a financially sustainable manner. Asset management helps us put rigour and structure around the decision-making process and the information we use to make strategic decisions. It starts with knowing what we own, where it is, what it is worth, what condition the assets are in, and what services they provide. With this information, it allows staff to make informed decisions which lead to purposeful practices, rather than reactionary oversight of the services we provide. Without this information we are unlikely to be able to identify possible service disruptions and other risks in a timely manner.

O.Reg 588/17 Phase 2 – Asset Management Plan Requirements

Phase 2 of the Regulations requires that *“Every municipality shall prepare an asset management plan in respect of its core municipal infrastructure assets by July 1, 2022, and in respect of all of its other municipal infrastructure assets by July 1, 2024.*

Core infrastructure assets (assets) is defined in the Regulation as Water, Wastewater, Stormwater, Roads, Bridges and Culverts and “All Other” assets for the town include Facilities, Park Network, Licensed Fleet, Equipment and Information Technology. For the purposes of categorizing these assets for the town, they are referenced as “Non-Core” assets in this report.

The regulation outlines that municipal Asset Management plans must include:

- the inventory of assets
- the current replacement value, age, and physical condition of the assets
- the current levels of service being provided, current performance and technical measures to support
- existing lifecycle activities and costs
- risks associated with the asset
- 10 year capital and operating cost required to maintain current levels of service in order to accommodate growth

Oakville’s Corporate Asset Management Plan (CAMP)

The town’s Corporate Asset Management Plan (CAMP) is a strategic document that states how the \$4.4 Billion worth of infrastructure assets under the direct ownership and control of the town are to be managed over a period of time. It includes key information that will help guide future planning decisions such as age, condition, replacement value, life-cycle strategies, risk and current levels of service (LOS), both from a Customer Level (CLOS) and a Technical Level (TLOS), along with identified performance measures and funding required to implement these actions.

The 2022 Corporate Asset Management Plan – Part A was prepared and approved by Council in June 2022 and represents asset management plans for the Transportation Network Services and the Storm water Network Services. The total value of Core

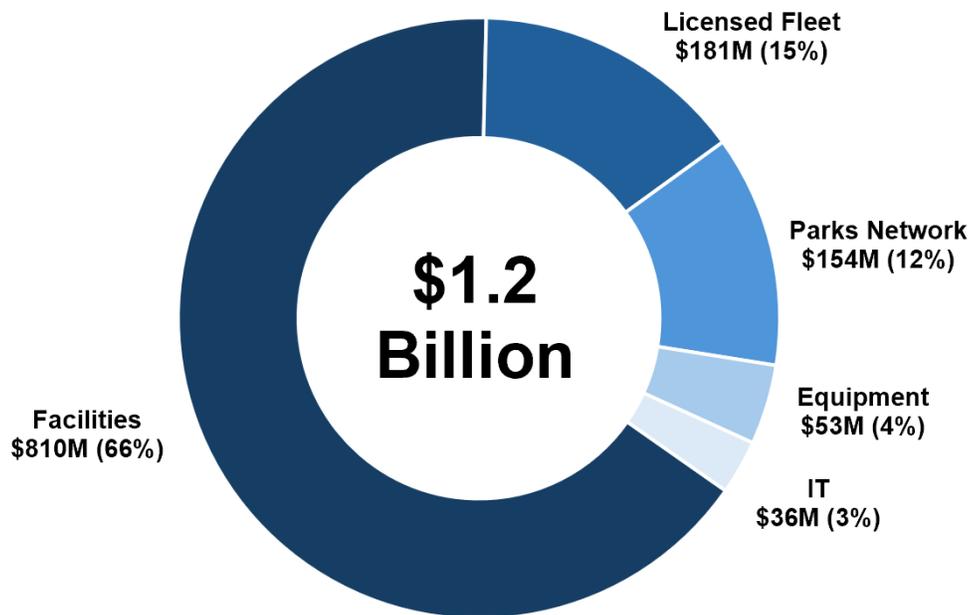
assets as of December 2023 is \$3.2 billion and represents 73% of the town’s total asset portfolio.

Non-Core Assets have a value of \$1.2 billion

Staff have been working on developing asset management plans for the Non-Core assets to meet the July 1, 2024 deadline of the regulation. The CAMP- Part B includes all information required by the regulation noted above for Facility, Parks Network, Licensed Fleet, Equipment and Information Technology assets. Appendix A provides the detailed information outlined by the legislation. Chapter 1 and 2 provides a summary of the guiding principles and framework of the AMPs and Chapters 3 through 7 provide details for each asset category.

The total value of Non-Core assets as of December 2023 is \$1.2 billion and represents 27% of the town’s total asset portfolio. A summary of the value by asset category is provided in Figure 1-2 below. As illustrated, the largest portion of Non-Core assets is Facilities with \$810 million (66%).

Figure 0-2: Non-Core Asset Classes and Current Replacement Value (2023\$)



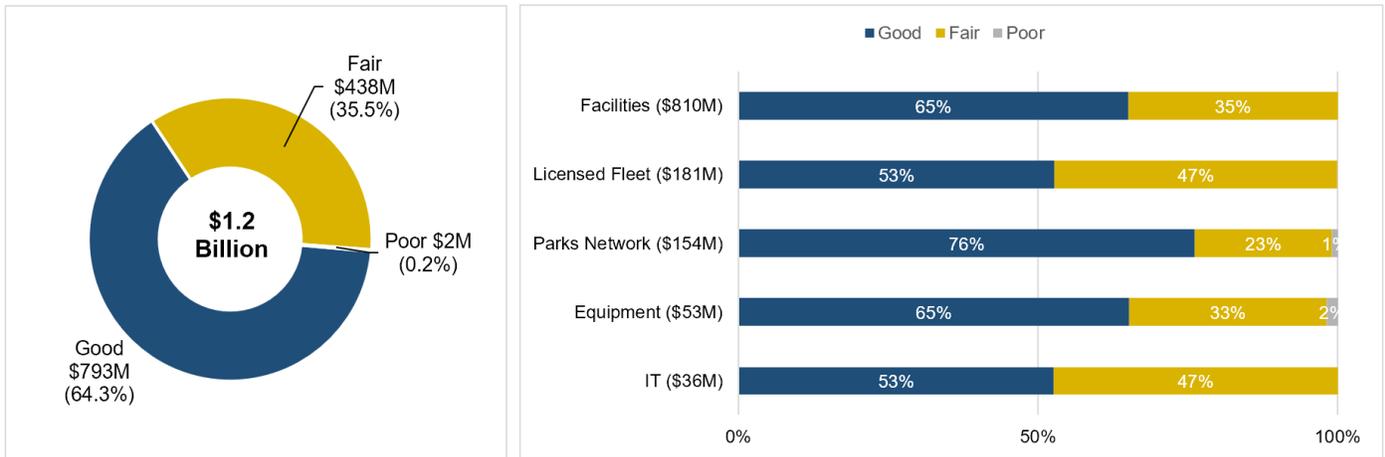
97% of Non-Core Assets are in Good or Fair Condition

Understanding the current condition of the assets is important for determining life cycle strategies and planning asset renewals. Assets in Good condition are generally new or are supported by robust maintenance schedules. Assets in Fair condition are midlife and still performing well but may need increased monitoring, maintenance or minor

repairs. Assets in Poor condition are typically reaching end of life and will be planned for replacement or disposal in the near term.

Based on information available at the time of the report, approximately 97% of the town’s Non-Core assets are in good or fair condition. The table below shows the percentage of assets in good, fair and poor condition summarized by current replacement value. Overall, the large majority of assets fall into the Good or Fair category with less than 1% in Poor condition. The small portions of assets in Poor condition are primarily within the asset classes of Equipment and Parks Network. It should be noted that in the absence of physical condition information, the asset conditions have been estimated based on the age and remaining useful life of the asset.

Figure 1-3: Overall Condition of the Non-Core Assets



Qualitative and Quantitative service levels help provide asset management alignment to the overall Corporate Vision

The regulation indicates that for each asset category, the municipality needs to provide the current levels of service, using both qualitative descriptions and technical metrics. The town has adopted the ISO55000 service level framework that includes a cohesive suite of level of service (LOS) measures to help demonstrate alignment from the corporate vision down to day-to-day asset management decision-making. Costs to maintain that LOS and can be used as the basis for assessing the benefits associated and enables the justification and/or prioritization of investments, considering the capability of a system now and into the future. This framework enables customers to assess the suitability, affordability, and equity of services offered in a format that is clear and easily understood.

LOS can be framed at the following three levels:

- **Corporate LOS** – answers the question ‘why we’re here’ and are typically high-level statements.

- **Customer LOS** – answers the question ‘what does the customer get’, are typically qualitative, in language that the customer understands.
- **Technical LOS** – answers the question ‘what we do’ and describes things about assets/activities that are measurable.

Oakville’s Service Level Profile focuses on quality, reliable and functional customer values.

Staff have developed a framework or “Service Level Profile” template to articulate the three different levels of service and illustrate the alignment from day-to-day asset management practices to the town’s Corporate Vision. It involves clearly identifying the customer expectation and the customer commitment then translating those goals into customer service values, customer service objectives and measurable outcomes.

Customer LOS – answers the question ‘what does the customer get’, and often refer to statements such as Safe, Quality, Reliable, Efficient, Accessible, Functional etc. When developing Service Profiles staff focused on 3 key customer values Quality, Reliable and Functional to use for both Part A and Part B CAMP to be consistent across each asset category.

- 1) **Quality** refers to condition of the asset and can be linked to capital renewal and replacement programs.
- 2) **Reliable** refers to minimizing breakdowns and service interruption and are linked to operating maintenance and inspection programs.
- 3) **Functional** is about the right asset to meet the service need and ensuring changes in demand/growth/climate are being considered and are linked to master plan projects, development charges study or climate action initiatives.

An example of LOS for an asset is to set a minimum target condition that an asset is to be maintained. At the town, we currently have a target to maintain the overall road pavement condition at a minimum Pavement Quality Index (PQI) of 70 and as such have determined an average spending of \$9.0 million over the next several years is required to maintain this level of service.

Service Level Profiles have been developed for all asset categories and illustrate the town’s current level of service. This framework and associated measures are useful for the town to measure the effectiveness of our asset management practices and to identify the costs and associated benefits of the services they provide.

Risk is an important component of managing asset service delivery.

Understanding risk is an important component of managing service delivery in a sustainable manner. While age or condition is a common indicator of likelihood of failure or need of replacement, an asset at the end of its useful life can continue to operate well beyond if well maintained. As a result, age or condition does not directly translate into

the need for a capital investment being urgent, the impact on the service delivery or the criticality should also be taken into consideration.

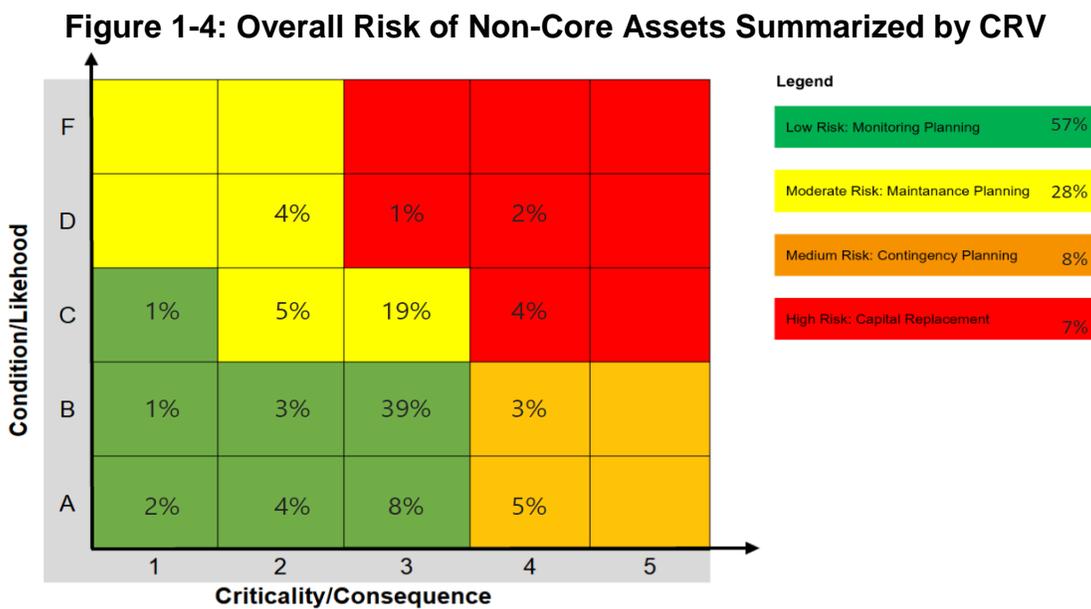
Risks can be assessed at both the asset-level (risk of any asset failing) and at the service-level (risk of not delivering the required service level). The risk assessment aims to pinpoint assets that play a more critical role in service delivery. For instance, the impact of a service disruption due to the closure of an individual trail differs significantly from the disruption caused by a road failure. Therefore, the town's approach to assessing risks involves evaluating both the Likelihood of Failure (LoF) and the Consequence of Failure (CoF). These factors are then amalgamated into an overall risk score, which guides the determination of risk levels and the identification of suitable risk mitigation actions.

85% of Non-Core Assets are in low to moderate risk

The overall risk rating of an asset is based on a matrix that combines the continuum of LoF (Condition) and CoF (Criticality). The Matrix is able to assess impact on service by:

- Identifying critical assets with the highest consequences
- Considers the likelihood of failure (condition) with the consequences to determine most urgent needs
- Links asset management activities to service levels
- Draw upon institutional knowledge and experience

Figure 1-4 below depicts the current matrix results for Non-Core assets based on current condition (Dec 2023) and Criticality Scores determined for each asset sub-category. Of the total \$1.2 Billion value of non-core assets 85% of assets fall into the low and moderate risk categories. Only 6% are classified as High Risk and would be earmarked for Capital Replacement in the near future and 8% fall into the Medium Risk category and would be planned for contingency measures.



As indicated in the matrix, assets in good condition and low criticality would be ranked at the bottom of the scale therefore have a low risk/priority; alternatively, assets in poor condition and high criticality would be ranked at the top of the scale therefore has a high risk/priority. Note that as the asset ages and the condition begin to deteriorate, the priority ranking of the individual asset would increase.

The average annual expenditure investment in Non-Core assets over the 10 Year Forecast is \$242 Million.

This CAMP – Part B presents a 10-year forecast of operating and capital needs based on the 2024-2026 operating budget and 2024-2033 capital forecast and relevant lines of business and capital projects categorized into the three (3) selected Customer Values Quality, Reliable, and Functional. This forecast presents an estimate of the costs associated with maintaining the various life cycle needs for the town's assets at their current level of service.

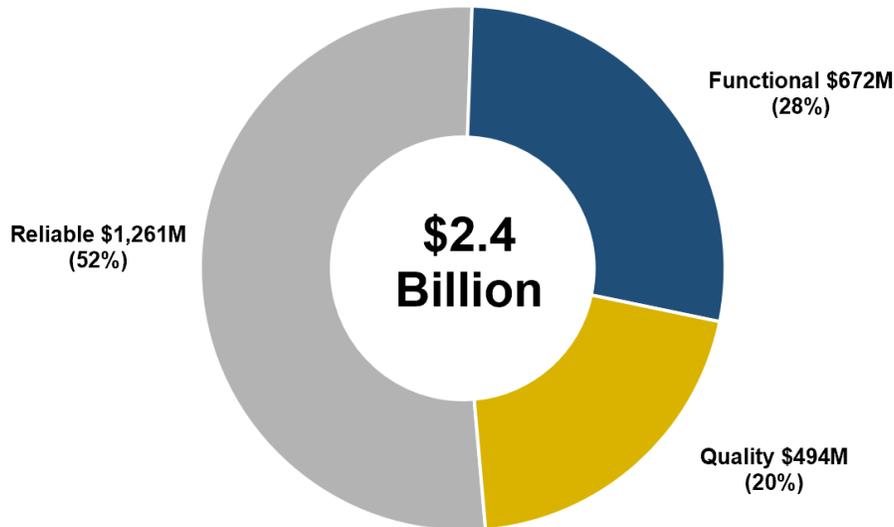
Reliable – Includes regularly scheduled inspections, preventative maintenance, and minor repairs are planned for in the town's work order management system and are funded from the town's operating budget.

Quality – Includes long-term renewal and replacement needs are primarily identified in the 10 Year capital forecast as part of the Infrastructure Renewal Forecast. These renewal and replacement programs are primarily determined by assessing condition or age of the asset.

Functional – includes Growth and Service Enhancement needs identified in the 10 Year capital forecast and are driven by the needs identified in the Development Charges Study, Master Plan studies or other service related studies. They can also be driven by legislative changes such as AODA or through policy to meet specific Council objectives such as Climate Action.

Based on the current forecast, the total expenditure for the Non-Core assets will amount to \$2.4 Billion over the 10-year period, with allocations of \$494 Million for the customer service value of Quality, \$1.3 Billion for Reliable, and \$672 Million for Functional. On an annual basis, the average expenditure investment is \$242 Million.

Figure 1-5: Overall Lifecycle Expenditure Forecast by Customer Value for Non-Core Assets



Conclusion and Next Steps

Overall, the town’s \$1.2 billion of Non-Core assets are in good condition and present very low risk to disruption in service delivery. This can be attributed to the robust operating and capital renewal/replacement asset management programs that departments managing these have in place, as well as the level of funding that that has been invested in these programs. Maintaining our assets in a State of Good repair has been a long-standing commitment by staff, management and Council and is a key strategic objective.

In the coming months, work will begin on Phase 3 of the regulation, which will be to assess the information gathered as part of development of the CAMPs and compare current service level and performance across all asset categories and determine if adjustments should be made. The intent of Phase 3 is to determine “proposed” levels of service, the amount of funding required to support those levels and to develop a financing strategy on how to meet those targets over time. This is where analysis on the long-term investment required to sustain those levels of service needs to be balanced against the risk, other funding needs, impact to reserves/reserve funds and the impact to taxpayers to determine what is financially sustainable. Currently, the regulation has set a target date for Phase 3 to be endorsed by Council by July 1, 2025.

The town is also currently participating in program called the *Natural Asset Management Roadmap Program* for municipalities in Ontario offered in partnership with

Intact Public Entities and the Natural Assets Initiative. The program provides direction, support and guidance to local governments in developing high-level plans to account for nature in their asset management strategies. A cross functional team of staff have been participating in a series of workshops to develop a roadmap that identifies actions to be taken over the short to medium term to integrate natural asset management into our AMPs.

Asset Management plans are intended to be a living document to be used on an on-going basis to help monitor asset performance and inform key infrastructure management decisions. As such, the regulation requires that municipalities review and update its asset management policy, strategy and plans every five years.

The Asset Management department provides an updated State of Infrastructure report to Council every two years which outlines key information to help the organization understand the overall age and condition of the different assets and inform the level of investment required in future budgets. In addition, a reporting mechanism to monitor and analyze trends related to the measures identified in this CAMP will be developed to be able to assess current asset performance against service level targets over time.

CONSIDERATIONS:

(A) PUBLIC

This report provides information to the public regarding Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure and information on the town's Corporate Asset Management plans for Non-Core assets in relation to the regulation guidelines.

(B) FINANCIAL

The 2024 Corporate Asset Management Plan – Part B sets out the governing principles and objectives to how the \$1.2 billion in Non-Core assets are being managed, based on existing life cycle practices, current levels of service and existing funding levels. These documents help guide corporate decision-making in regards to the construction, operation, maintenance, rehabilitation, replacement, capacity expansion, and disposal of the town's assets while minimizing risk and costs and maximizing service delivery.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

All departments that rely on asset performance to deliver town services have participated in Asset Management working groups to help inform the preparation and development of various aspects of the Corporate Asset Management Plan – Part B.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Accountable Government - Creating a comprehensive corporate asset management plan helps to guide decision-making with regards to asset

SUBJECT: 2024 Corporate Asset Management Plan – Part B for Non Core Assets

lifecycle needs of the town's assets while minimizing risk and costs to the taxpayers and optimizing service delivery.

- Livability – Effective management of the town's infrastructure leads to effective and predictable delivery of services and minimizes disruption.

(E) CLIMATE CHANGE/ACTION

O.Reg. 588/17 legislation includes climate change requirements that must be considered as part of the Asset Management Policy and planning. The town's Asset Management Policy, Strategy and Corporate Asset Management Plan all outline the town's commitment to consider the actions that may be required to address the vulnerabilities caused by climate change to the municipality's infrastructure assets.

APPENDICES:

Appendix A – Corporate Asset Management Plan – Part B

Prepared by:
Shawn Boast, Manager of Asset Management

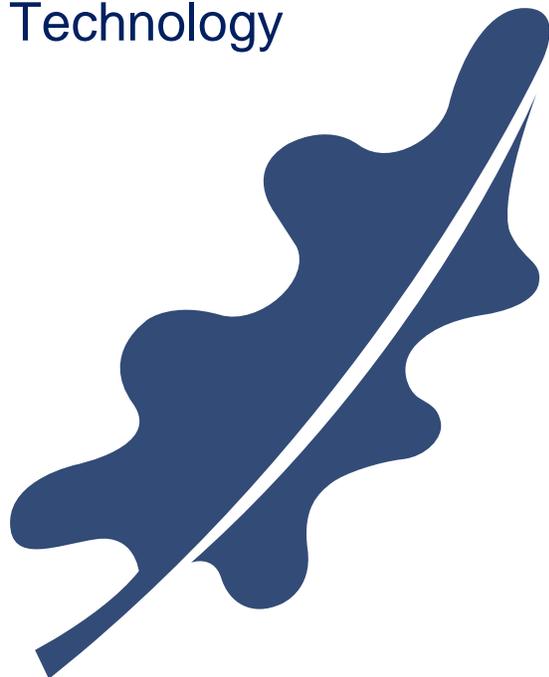
Submitted by:
Catharine Hewitson, Director of Asset Management



Town of Oakville

Corporate Asset Management Plan – Part B

Fleet, Equipment
Parks Network,
Facilities and Information Technology
Assets



June 2024

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Chapter 1

Introduction

1 Introduction

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1.1 Background

Nestled along the shores of Lake Ontario, Town of Oakville stands as a picturesque lakeside town, boasting a vibrant and impressive community within the Greater Toronto Area (GTA). Established in 1857, this charming town has evolved into one of Ontario's most sought-after residential and business hubs, and for good reason:

- Rich heritage, treasured and celebrated by both residents and visitors
- Coveted residential and business centers
- Well-maintained schools with a focus on quality education
- Full-service acute care community hospital
- Proximity to Lake Ontario and recreational areas
- Convenient access via QEW, 403, 407, and GO Transit
- Enchanting shopping districts in the downtown core
- Great neighborhoods
- Wonderful places for business
- A 30-minute drive from downtown Toronto and an hour from the U.S. border



Oakville is not only a desirable destination for residents but also a welcoming haven for visitors. The community offers an array of services, including acres of parks and outdoor spaces, well-maintained hiking trails, multi-use pathways, recreation and cultural centers, and libraries providing programs for all ages.



Roadway
Network



Active
Transportation
Network



Transit



Fire and
Emergency
Management



Parks &
Outdoor
Leisure



Storm Water
Management



Natural Space



Recreation /
Culture /
Library

The infrastructure/assets of the Town of Oakville serve as the fundamental support for our community, underpinning a variety of municipal services that contribute to the quality of life for residents, businesses, and other stakeholders. The town's Corporate Asset Management Program is crafted to facilitate the management of infrastructure/assets, aligning Council strategies and community objectives with day-to-day investment decisions.

Embarking on the asset management journey in 2013, the town has been working towards the ISO 55000 standards and has set specific objectives to further enhance the Asset Management plan. These objectives aim to establish a comprehensive asset management strategy, policy, and governance structure that maintains coordination with Council's strategic vision, fully integrating the town's organizational goals with the principles of asset management.

In February 2018, the staff presented the inaugural comprehensive Asset Management Plan to Council, concurrently with the 2018 Long-term Capital Forecast. To adhere more closely to the stipulations in O. Reg. 588/17 and align with [Council's latest Strategic Plan for 2023-2026](#), staff undertook revisions to several asset management documents to realign them with Council's Strategic Plan.

- a. [Asset Management Strategy \(2021\)](#): (will update in late 2024 to reflect new Council Priorities)
- b. [State of Infrastructure Report \(SOIR\) – Oct 2023](#)
- c. Asset Management Maturity Assessment (Nov 2023 updated. Chapter 9 maturity Summary)

1.2 Legislative Context for the Asset Management Plan

Over the past decade, asset management planning in Ontario has undergone a significant evolution. Prior to 2009, municipalities recorded capital assets as expenditures in the year of acquisition or construction, leading to a lack of a comprehensive capital asset inventory in both the municipality's accounting system and financial statements. The revision of section 3150 of the Public Sector Accounting Board (PSAB) handbook in 2009 mandated municipalities to capitalize tangible capital assets, thereby establishing an inventory.

In 2012, the province initiated the municipal Infrastructure Strategy, making it mandatory for municipalities and local service boards seeking provincial funding to demonstrate how proposed projects align with detailed asset management plans. Additionally, municipalities were required to prepare asset management plans encompassing all municipal assets by the end of 2016 to meet Federal Gas Tax agreement requirements. The province provided guidance through the document "Building Together: Guide for Municipal Asset Management Plans," outlining the necessary components, information, and analysis for such plans.

The Infrastructure for Jobs and Prosperity Act, 2015 (IJPA), proclaimed on May 1, 2016, laid out principles for evidence-based and sustainable long-term infrastructure planning. The IJPA granted the province authority to guide municipal asset management planning through regulation. In late 2017, O. Reg. 588/17 was introduced under IJPA, aiming to establish standard content for municipal asset management plans. The regulation specified requirements for defining current levels of service, identifying lifecycle activities, and providing a financial strategy to support both.

Ontario Regulation 588/17 outlines key requirements for asset management in the coming years, including the preparation of the first strategic asset management policy by July 1, 2020, with subsequent reviews every five years. The Town of Oakville intends to update its policy with each new council term. Furthermore, every municipality is required to prepare an asset management plan for core municipal infrastructure assets by July 1, 2022, and for all other municipal infrastructure assets by July 1, 2024. Core infrastructure assets include Water, Wastewater, Storm Water, Roads, Bridges, and Culverts, while the remaining assets are considered non-core. This plan has been developed to meet the July 1, 2024, requirements of O. Reg. 588/17, utilizing the best available information at the current time.

1.3 Asset Management Policy and Strategy

Ontario Regulation 588/17 has been crafted in response to escalating demands for enhanced transparency and scrutiny surrounding investment decisions in infrastructure assets, originating from both the province and the residents and stakeholders of municipalities. It integrates key concepts derived from the well-established discipline of Asset Management, now formally encapsulated in the international standard ISO 55000.

In ISO 55000, Asset Management is defined as the "coordinated activities of an organization to realize value from its assets." In the municipal context, this value materializes through the delivery of levels of service at the lowest achievable whole life cost and an acceptable level of risk. The Town of Oakville has been overseeing its assets since its inception but has embraced this more comprehensive Asset Management philosophy as a crucial approach to realizing value for the community and addressing current and future challenges.

Over the years, the town has undertaken the development and implementation of an asset management improvement program aligned with ISO 55000 requirements. This program encompasses fundamental aspects now mandated by Regulation 588, including policy formulation, defining levels of service, and creating asset management plans. The town has also cultivated an Asset Management culture through the continual provision of Asset Management Training courses and educational initiatives.

The town's Asset Management Policy and Asset Management Strategy jointly satisfy regulatory requirement (1) and establish a framework for the successful fulfillment of regulatory requirements for asset management plans. Both documents are accessible on the Corporate Asset Management page of the town's website.

Initially approved by Council in 2017, the town's Asset Management Policy underwent a recent revision in 2021 to incorporate principles related to the town's climate change strategy. The following is the revised policy, endorsed by Council in May 2021.

Town of Oakville

Asset Management Policy

The Town’s asset management mission is to protect and enhance the quality of life in Oakville by making the best possible decisions regarding Town of Oakville (town) assets in a way that provides targeted levels of service and manages risk in a cost-effective manner throughout the entire asset life cycle in order to create customer value through enhancing community asset management.

The town will manage infrastructure assets in a strategic, comprehensive, enterprise-wide manner through an integrated business approach that relies on well-devised strategies, trained knowledgeable staff, and good communication with all stakeholders to achieve desired levels of service. This requires that all assets be treated as interrelated components in a unified system, rather than as isolated parts.

This Policy supports our four Key Strategic Directions, as detailed in our Strategic Plan, and defines the principles by which we will develop our asset management capability, ensuring we understand our asset needs and develop effective solutions. Successfully delivering these principles will drive the required service and value from our assets, meeting or exceeding our customer expectations.

The scope of this Policy covers the management of all of the Town’s infrastructure asset portfolio. The principles below have been established in line with leading practices.

Our Key Strategic Directions

	<p>Create it! <i>How we will create our community</i></p>		<p>Live it! <i>How we will live in our community</i></p>		<p>Preserve it! <i>How we will preserve our environment</i></p>		<p>Afford it! <i>How we will afford our future</i></p>
--	--	--	---	--	--	--	---

Our Asset Management Principles

<p>Forward Looking and Sustainable</p>	<p>Sound Asset Information</p>
 <p>We will incorporate social, legislative, environmental and financial considerations into decisions, taking into account present and future service commitments, giving due attention to the long-term stewardship of assets</p>	 <p>We will collect, collate, control, and circulate the right asset information, at the right time, informing the right asset management decision-making.</p>
<p>Robust, Repeatable, & Transparent Decision-Making</p>	<p>Whole Life Cycle Cost Perspective</p>
 <p>We will utilize a formal but scalable, consistent, and repeatable approach to manage infrastructure assets, enabling services to be provided in the most efficient and cost-effective manner.</p>	 <p>We will consider the combined impact of all aspects of the asset life-cycle – acquiring, operating, maintaining, renewing, and retiring assets. No new assets will be constructed/acquired without considering future operating and maintenance costs. Asset performance will be monitored throughout the asset life cycle and will be used to inform recommendations on future asset acquisition.</p>
<p>Risk-Based Perspective</p>	<p>People-Focused(Customers and Staff)</p>
 <p>We will direct resources, expenditures, and priorities to achieve the agreed service outcomes and benefits, at acceptable levels of risk and proactively plan for climate related impacts that have the potential to compromise town assets.</p>	 <p>We will adopt a serviceability-based approach to managing our assets and will only accommodate additional demand for services without detriment to current levels of service. The town will recruit, train, and retain the right staff.</p>

This Asset Management Strategy is crafted to reinforce the implementation and sustained adherence to the principles articulated in the Asset Management Policy, aligning seamlessly with the Town of Oakville's overarching vision of “**a vibrant and livable community for all**”. The strategic guidance provided by the [Council Strategic Plan \(2023-2026\)](#), and [Livable Oakville Official Plan](#) serves as the cornerstone for the Asset Management Strategy, setting high-level

direction and strategic objectives while offering guidance for decision-making in pursuit of the unified vision for the future.

The Asset Management Strategy is intricately interwoven with and supportive of the Sustainable Community Framework's delivery. A pivotal concept in Asset Management is the creation of a "line of sight" connecting the town's strategic objectives, corresponding asset management objectives, and the associated asset management plans that delineate specific activities (such as capital projects, operation, and maintenance regimes) to be undertaken on the asset portfolio. The town's Asset Management strategy aligns with the recommended framework for Asset Management outlined in ISO 55000, providing a robust foundation for effective asset management practices.

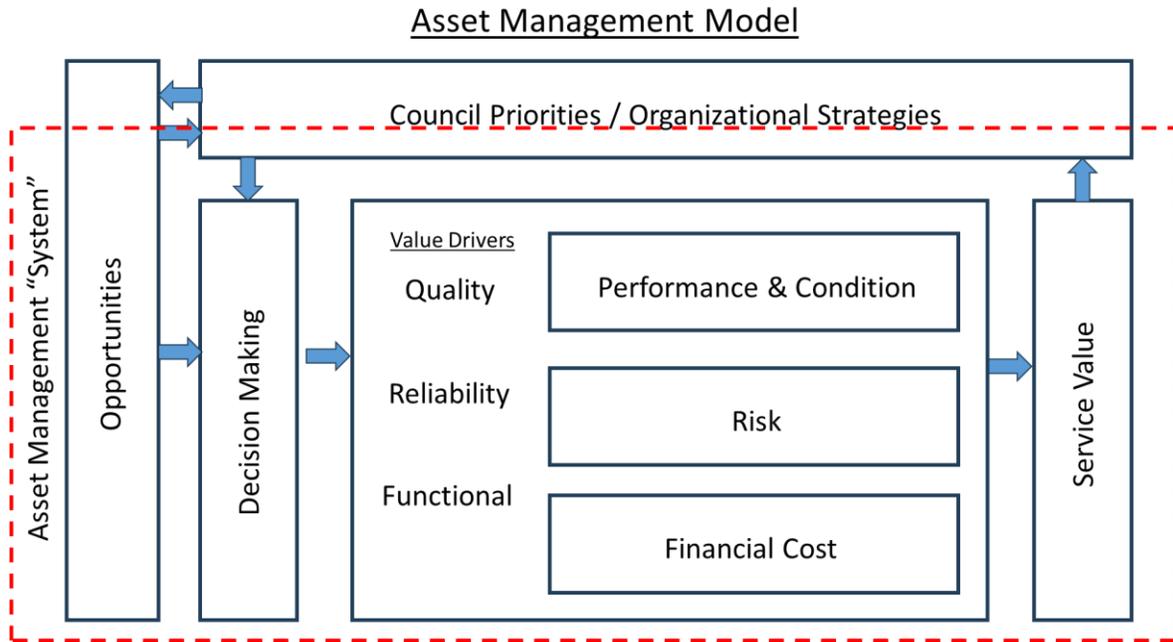


The "Organizational Strategic Plan" must align with the Guiding Principles and Strategic Directions outlined in the Sustainable Community Framework. The Asset Management Policy articulates the principles to be embraced from an asset management standpoint to achieve these organizational objectives.

Subsequently, the Asset Management Strategy, presented in this document, details the implementation of these asset management principles within the organization. It elucidates how the high-level strategic objectives are to be translated into more tangible asset management objectives, guiding asset management decision-making processes.

Asset Management Plans subsequently outline the activities, timelines, and resources—encompassing both capital and operational expenditures—needed to fulfill the previously

established asset management objectives. The Asset Management Plan encapsulates the Asset Management System as depicted below.



1.4 Land Use Planning and Growth Asset Management

Oakville functions as a lower-tier municipality within the Region of Halton. According to the "A Place to Grow – Growth Plan for the Greater Golden Horseshoe," Halton Region anticipates a population increase to 780,000 by 2031. The current Regional Official Plan guides growth and development to the year 2031. As part of the Municipal Comprehensive Review process, Regional Official Plan Amendment (ROPA) 49 updates the current Regional Official Plan to implement the results of the Region's Integrated Growth Management Strategy (IGMS) in accordance with the Province's 2019 Growth Plan for the Greater Golden Horseshoe. This strategy considers how to accommodate growth in Halton to the year 2051 and accommodates population and employment growth by expanding the Regional Urban Boundary to add new community lands and employment lands in Halton Region, this represents an additional 332,000 people and 150,000 jobs.

The Region's OP establishes the fundamental guidelines for the overall Regional Structure, defining Halton's fundamental stance on land use and natural resource utilization within its planning area. This framework serves as the basis for the preparation of Local Official Plans, amendments, and by-laws.

In accordance with the Region's most recent Official Plan and ROPA 49 Amendment, Oakville is allocated a target population of 349,990 and a target employment of 181,120 jobs by 2051, as outlined in the table below.

Municipality	Population 2021	Population 2041	Population 2051	Employment 2021	Employment 2041	Employment 2051
Burlington	195,000	240,050	265,160	98,340	114,330	124,390
Oakville	220,000	313,460	349,990	111,980	160,880	181,120
Milton	137,980	277,000	350,870	44,390	100,120	136,270
Halton Hills	66,010	98,890	132,050	24,510	45,900	65,460
Halton Region	620,990	929,400	1,098,070	279,220	421,230	507,240

The Town of Oakville's official planning document, known as "Livable Oakville," embodies the policies and land use designations that bring to life the town's vision of being "a vibrant and livable community for all." [The Livable Oakville Plan](#), encompassed within the 2009 Town of Oakville Official Plan and approved amendments, applies to all lands in the town, excluding the North Oakville East and West Secondary Plan areas. This plan delineates Council's policies for land use and growth management, aligning with Halton Region Integrated Growth Management Strategy, the requirements of the Places to Grow Act, 2005, and conforming to the Province of Ontario's Growth Plan for the Greater Golden Horseshoe, 2006.

As the town grows, the town is required to manage the infrastructure needs to ensure services and functions remain at the levels and standards that are currently enjoyed by residents. To ensure services are maintained and are financially sustainable, the town undertakes several studies that help predict growth demands and identify future infrastructure requirements through service-related Master Plans, Planning and Land Use studies, Community Benefit Charge study and Development Charges Background Study.

Municipalities are required to complete a Development Charges (D.C.) Background study every 5 years which helps translate the population and employment growth into housing and commercial/industrial unit forecasts which enable the town to anticipate future demand for town services and the related infrastructure required. Also, an analysis must be undertaken to assess the long-term operating cost impacts for the capital infrastructure projects identified within the development charge study. The incremental operating expenditures directly associated with these capital projects as well as life-cycle replacement costs are estimated within the [2022 Development Charges Study](#). The D.C. study allows the town to collect development charge fees to recover capital costs arising from growth and currently has a municipal-wide D.C. charge for services related to a highway, transit services, fire protection services, parks and recreation, library services, by-law enforcement and growth studies. A technical update of town's D.C. study is available on the town website titled: "[2022 Development Charges Background Study](#)".

Planning for growth related infrastructure needs is an integral part of the Corporate Asset Management Plan. The initial purchase or construction capital costs of an asset are significant, but the costs associated with operating and maintaining the assets through the duration of their lifecycle can often be more significant than the initial capital costs. The principles outlined in the CAMP will help ensure growth needs of the town are considered along-side of on-going renewal of existing assets to provide a comprehensive plan that realizes the greatest value of the town investments and minimize any risk.

Chapter 8 of this report outlines the planning strategies and procedures used to incorporate long-term capital and operating costs identified through the D.C. study into the CAMP and Budget forecasts. The estimated capital expenditures related to the lifecycle activities required to maintain the current levels of service considering the projected increases in demand caused by growth are included in the 10-year capital forecasts presented.

1.5 Asset Management Plan & Climate Change

The Town of Oakville has undertaken significant efforts to align asset management decisions with climate change considerations. Notably, the town recently declared a climate emergency and has formulated climate change action plans, along with establishing climate targets, including net-zero greenhouse gas (GHG) objectives. Recognizing the parallel need for long-term and forward-thinking approaches in both asset management and climate change, the town has initiated the integration of climate adaptation activities into its asset life cycle strategies.

Given the understanding that climate change introduces chronic stresses impacting both built and natural infrastructure, the town has proactively incorporated climate adaptation measures into its asset management planning. This proactive approach is in accordance with O. Reg. 588/17, which mandates municipalities to articulate their commitment to considering actions necessary to address vulnerabilities caused by climate change to the municipality's infrastructure, encompassing:

- Adaptation Opportunities
- Mitigation Approaches
- Disaster Planning and Contingency Funding
- The town's asset management plans address and mitigate the impact of climate change on infrastructure through:
 - Acknowledging the imperative to integrate and regularly update our comprehension of climate change and climate prediction models within plans influenced by climate considerations.
 - Evaluating infrastructure performance in alignment with predictive climate models and formulating responsive action plans to address identified needs.
 - Adapting and improving infrastructure standards to ensure that new developments meet anticipated demands in the future.
 - Amplifying and enhancing green infrastructure initiatives.
 - Reducing energy consumption across infrastructure systems.
 - Facilitating proactive inspections and maintenance, such as before the occurrence of adverse weather events.
 - Enhancing functional redundancy within the infrastructure to bolster resilience.

The town has several climate initiatives listed on the town's website at [Environment \(oakville.ca\)](https://www.oakville.ca/Environment). Some highlights are listed below.

- [**Climate Change Primer**](#)

This report depicts the expected trends in climate related to temperature, precipitation, wind, snow and ice under both high and low GhG emission scenarios. Each climate variable is compared to the baseline years of 1976-2005 and projected into the two future timeframes of 2021-2050 and 2051-2080. The findings of this report are being used to inform the town's asset and emergency management programs.

- [2020 Energy Conservation and Demand Management Plan](#)

The town's 2020 CDM Plan provides a comprehensive framework for energy conservation and management at town facilities, parks and street and road infrastructure. It also sets out the targets and areas of focus that corporate operations will focus on to reduce energy use and greenhouse gas (GHG) emissions from all of our corporate operations, including facilities. Work related to this plan will include the development of studies and standards that will determine the direction of the town's efforts to greatly reduce energy use and GHG emissions, in alignment with our corporate commitment to GHG emissions reductions. Energy efficiency and GHG emissions will become more important as our facilities are renewed.

- [Environmental sustainability indicators](#)

The town's Environmental Sustainability Plan (ESP) provides an overarching framework for the town's environmental sustainability efforts. The Town of Oakville tracks selected indicators that provide a snapshot of how we are doing on environmental sustainability.

- [Protecting our urban forest](#)

The urban forest is made up of all the trees growing in Oakville, including town-owned street and park trees, trees in forested areas, as well as trees on private property. The Town of Oakville strengthened our Private Tree Protection By-law to help us preserve healthy trees and protect our community's urban forest.

- [2024 Annual Service Plan – Oakville Transit](#)

The Annual Plan provides a roadmap to guide the necessary work on key projects and initiatives for Oakville Transit in the upcoming year. The plan will be finalized in the fall of 2024 this includes the implementation of battery electric buses.

The Town of Oakville maintains a strong focus on asset management. Since 2013, the town has been diligently working towards incorporating ISO 55000 principles and meeting current legislation. The town has a comprehensive Asset Management Plan presented to Council in 2018 and subsequent revisions to align with regulatory requirements. [Oakville's Asset Management Policy and Strategy](#), rooted in transparency and the ISO 55000 framework, ensure the effective management of municipal assets while aligning with long-term strategic objectives. Amidst anticipated growth The Town of Oakville integrates climate change considerations into its asset management practices, proactively addressing vulnerabilities and embracing sustainability initiatives to create a resilient and livable community for all.

Chapter 2

Overview

2. Overview

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The Corporate Asset Management Plan (CAMP) functions as a strategic blueprint outlining management’s approach for assets directly owned by the town over a designated timeframe. This plan defines the characteristics and condition of assets, the expected level of service derived from them, planned lifecycle activities, technical measures to ensure the assets meet service levels, and financial strategies for implementing these initiatives. This CAMP encompasses non-core municipal assets, which include the Parks Network, Licensed Fleet, Equipment, Information Technology, and Facilities. The comprehensive asset classes and sub-categories utilized in this CAMP are detailed in Table 2-1

Table 2-1 Asset Classes and Categories of town’s None-Core Assets

Asset Class	Asset Category
Parks Network	<ul style="list-style-type: none"> ▪ Courts and Related Components (Basketball, Tennis) ▪ Play Amenities and Related Components (Splash Pads, Playgrounds) ▪ Roadway & Parking Lots ▪ Site Improvements (Walkways, Irrigation ...) ▪ Sport fields and Related Components (Soccer, Baseball, Cricket) ▪ Structures and Related Components (Shade, Picnic and Gazebo structures) ▪ Trail System - Bridge & Stairs
Licensed Fleet	<ul style="list-style-type: none"> ▪ Buses ▪ Fire Suppression Vehicles ▪ Heavy Duty Type Vehicles ▪ Light & Medium Duty Type Vehicles ▪ Trailers
Equipment	<ul style="list-style-type: none"> ▪ Earth Moving & Road Equipment ▪ Emergency & Safety Equipment ▪ Facility Operational Equipment ▪ Grounds Maintenance Equipment ▪ Material Handling Equipment ▪ Program Equipment (Fitness, Hoists, Floor Scrubbers ...) ▪ Vehicular Service Equipment ▪ Waste Handling Equipment
Facilities	<ul style="list-style-type: none"> ▪ Recreation/Culture ▪ Operations Depot ▪ Administration ▪ Fire Buildings ▪ Library ▪ Storage/Vacant ▪ Washroom/Changeroom/Clubhouse ▪ Leased ▪ Parking Garage ▪ Museum/Heritage
Information and Technology (IT)	<ul style="list-style-type: none"> ▪ Software ▪ Hardware (Computers, Printers, Servers ...) ▪ Security and Communication Equipment (CCTV, Radios, Radio Towers, Fiber Optics)

2.1 State of Infrastructure

The State of Infrastructure assessment is an analysis of the town's assets, considering factors such as current replacement value, condition, age, and stage of life. This analysis proves invaluable in guiding capital investment decisions, particularly in situations where condition and performance information are difficult to assess, or interdependencies exist among different assets.

Within this Corporate Asset Management Plan (CAMP), the State of Infrastructure information is examined for each asset with the asset class and asset category. The gathered information is utilized with the capital budget process and updating for updating the town's asset management strategies and planning for future capital renewal needs.

2.1.1 Current Replacement Value (CRV)

As shown in Figure 2-1, The current replacement value of the town's non-core assets is estimated at \$1.2 billion, representing 27% of the total worth of the town's assets.

Figure 2-1 Current Replacement Value of the town's Assets (2023\$)

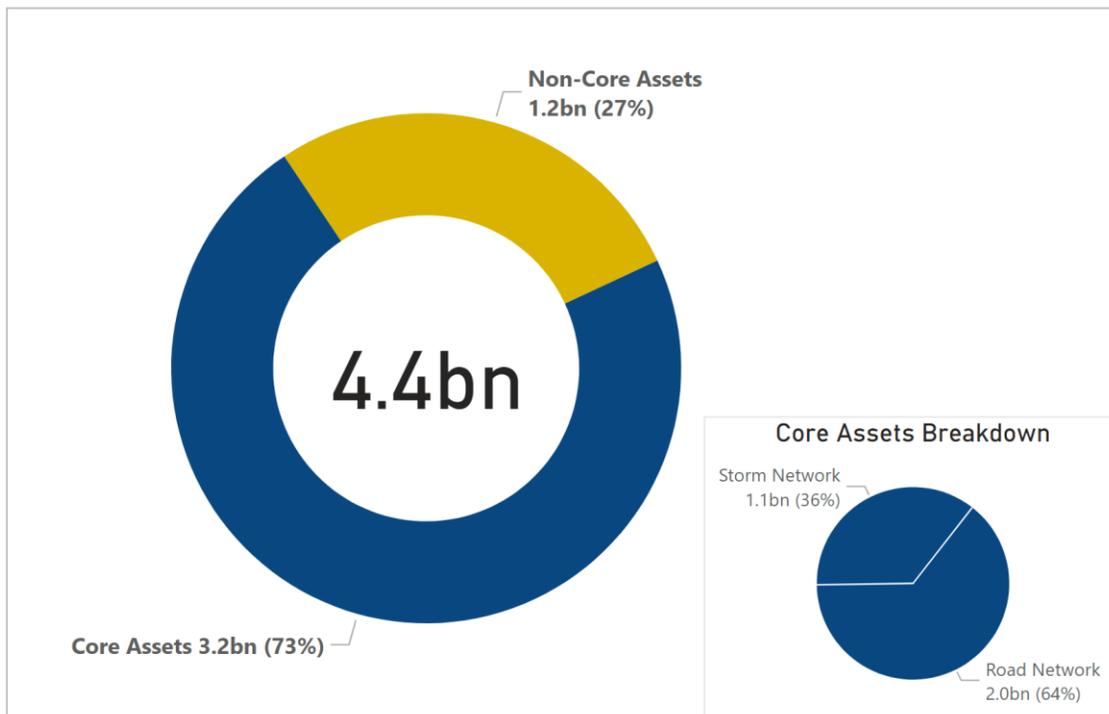
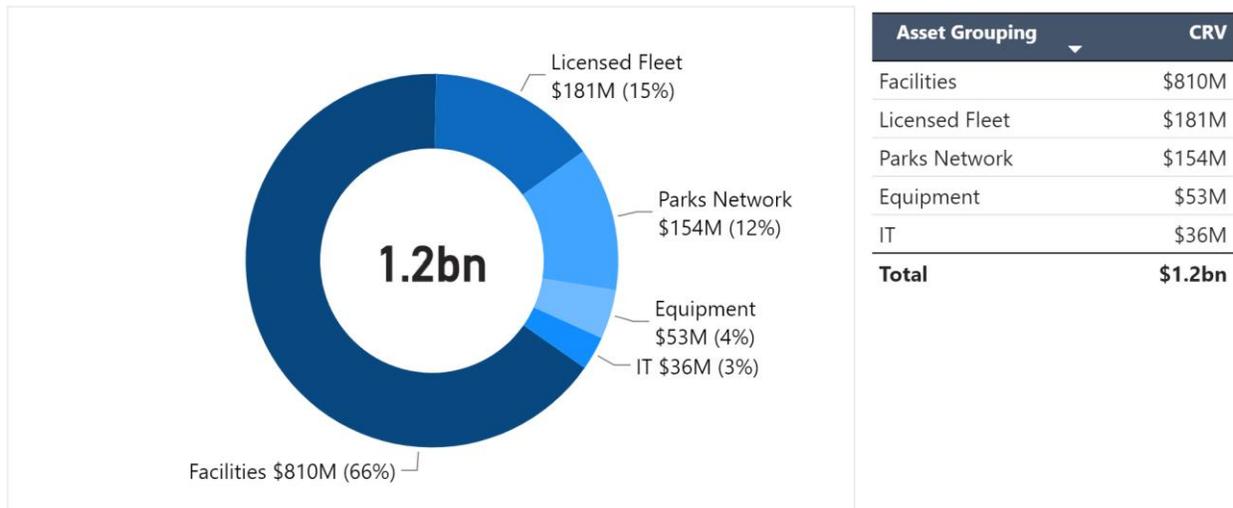


Figure 2-2 provides a breakdown of the total CRV by non-core asset classes. Facilities accounts for \$810 million of the CRV, representing the major portion of the total CRV at 65%. IT and Equipment account for smaller portions of the total CRV at \$36 million (or 3%) and \$53 million (or 4%), respectively.

Figure 2-2 Asset Classes and Current Replacement Value (2023\$)



2.1.2 Condition

Understanding the current condition of the assets is important for determining life cycle strategies and planning asset renewals. The condition rating framework used in this CAMP is described and summarized in Table 2-2.

- A 5-point grading system is used for condition assessment, with 1 representing 'Very Good' and 5 representing 'Very Poor'. The 5-point ratings correspond to the alphabetical rankings of A, B, C, D, and F, with A representing 'Very Good' and F representing 'Very Poor'.
- The 5-point ratings are grouped into three qualitative condition states of "Good", "Fair", and "Poor", with "Good" representing 1(A) and 2(B), "Fair" representing 3(C) and 4(D), and "Poor" representing 5(F).
- In absence of physical condition information, the asset conditions have been calculated based on the age and expected remaining useful life of the asset.

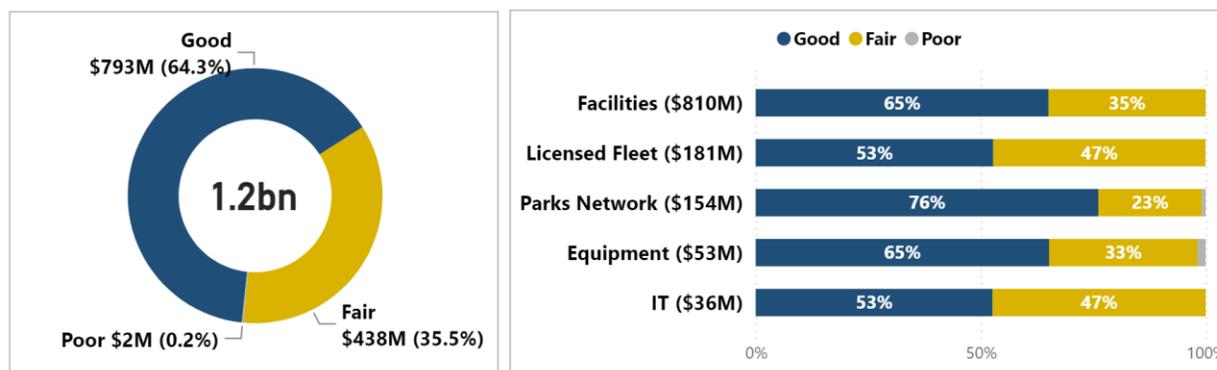
Table 2-2 Condition Rating Frame and Scale

Rank	Description of Condition	General Description	This CAMP
A/1	Very good condition. Only normal maintenance is required	Performing as expected. Operational and functional, appearance looks new	Good
B/2	Minor defects only. Minor maintenance required	Operational and functional, minor wear and tear.	
C/3	Regular maintenance and inspection are required to monitor the asset is still performing as expected	Operational. Minor breakdowns may occur. Performing as expected.	Fair
D/4	Significant maintenance and inspection are required to monitor that the asset is still performing as expected. Planning for renewal is required.	Operational with functional concerns. Serious Breakdowns may occur.	
F/5	Asset requires replacement	Not able to consistently provide expected service performance.	Poor

Assets in Good condition are generally new or are supported by robust maintenance schedules. Assets in Fair condition are midlife and still performing well but may need increased monitoring or minor repairs. Assets in Poor condition are typically reaching end of life and will be planned for renewal or replacement in the near term.

Figure 2-3 and present the overall condition of the assets summarized by CRV. In general, the assets are largely in Good to Fair condition. The minor portions of non-core assets in Poor condition are primarily within the asset classes of Equipment and Parks Network.

Figure 2-3 Overall Condition of the Assets (Non-Core) by CRV



2.1.3 Stage of Life

The age of assets assists with long-term planning from a high-level perspective, as well as estimating the timing of future financial outlays particularly for assets with an extremely long useful life.

For many assets, the estimated remaining useful life is considered a good starting point to estimate the overall well-being of an asset. When information on condition or performance is limited, and when interdependencies exist among different assets, age would be primarily used to determine life cycle strategies or facilitate prioritization in asset renewals.

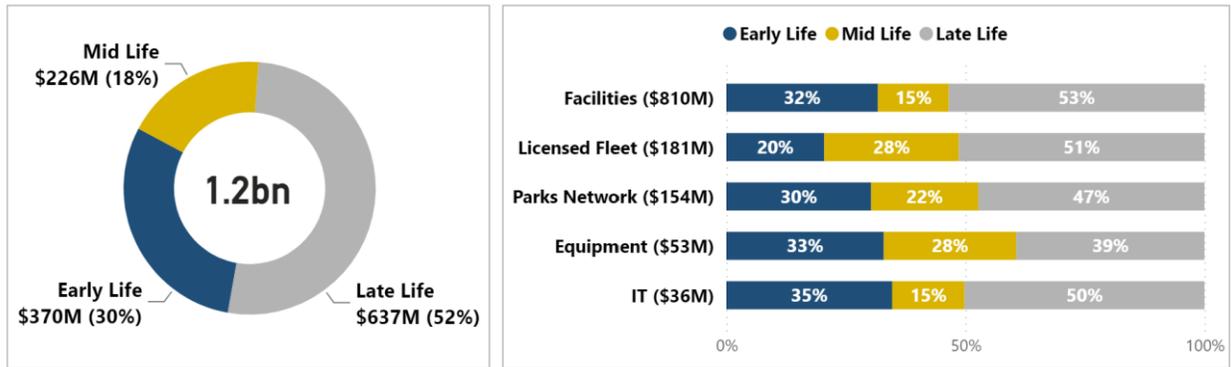
Examples of useful life in relation to maintenance activities are listed as follows.

- Certain assets, e.g., buildings categorized as vacant, receive little maintenance and/or rehabilitation throughout the asset life. Therefore, the assets may require replacement or renewal at end or close to end of life.
- Certain assets, e.g., playgrounds, receive proactive maintenance and/or regular rehabilitation to maintain their intended purpose. Therefore, the life of the asset may be prolonged beyond its useful life.
- Some assets, e.g., fleet and equipment, have a very proactive maintenance program with many variables factoring into assessing renewal. Therefore, it would be acceptable to let the asset run beyond its assigned end of life.
- Poor design, quality of build/installation, or improper/incorrect use of the asset would contribute to early asset failure. Therefore, it is necessary to routinely review the condition and performance of an asset.
- Climate factors such as extreme heat, Freeze Thaw cycles, increased participation contribute to assets having a shorter than expected useful life.

Stage of life is calculated as the ratio of age and useful life of an asset. The ratio is characterized into three stages: Early Life represents current age less than 1/3 of its estimated useful life, Mid Life represents current age between 1/3 to 2/3 of its estimated useful life, and Late life represents current age greater than 2/3 of its estimated useful life.

Figure 2-4 presents the overall condition of the assets summarized by CRV. In general, 48% of the assets are in Early and Mid-Life and 52% are in Late Life. Relatively larger proportions of assets are identified in the Late Life. Note that Late Stage of Life of an asset does not represent Poor Condition, which can be attributed to the proactive maintenance program.

Figure 2-4 Overall Stage of Life Summary of the Assets (Non-Core)



Overall, based on the analysis of the State of Infrastructure assets are grouped into several categories. Monitor stage this incorporates schedule performance inspection and increased maintenance. Renewal Stage this incorporates an inspection and placement within the 10 yr capital forecast. Performing stage this may include an inspection within a set time period but otherwise regular planned maintenance.

2.2 Level of Service

The ISO 55000 standards advocate for a comprehensive set of Levels of Service (LOS) measures. When these measures are strategically positioned within the organization, as depicted in Figure 2-5, they play a pivotal role in ensuring alignment from the corporate performance vision down to day-to-day asset management decision-making. This alignment empowers customers to evaluate the suitability, affordability, and equity of the services provided.

Levels of Service (LOS) statements delineate the outputs or objectives that the town aims to deliver to its customers. The provision of LOS fundamentally defines the town's purpose. LOS can be articulated at three distinct levels:

- **Corporate LOS** – answers the question ‘why we’re here’ and are typically high-level statements.
- **Customer LOS** – answers the question ‘what does the customer get,’ are typically quantitative, and are written in language that the customer understands.
- **Technical LOS** – answers the question ‘what we do’ and describes things about assets/activities that are measurable.

Figure 2-5 Level of Service Objectives



A service delivery approach involves identifying LOS and then costing how much is required to maintain the LOS. This approach can be used as the basis for assessing the benefits/costs associated with enhancing specific areas of service. It also enables the justification and prioritization of investment, considering the capability of a system of assets to deliver LOS to customers, now and into the future. The LOS framework and associated measures are useful for the town staff as they are used:

- As a basis to inform customers of the proposed LOS to be offered.

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- To identify the costs and associated benefits of the services offered – through linking investment to customer outcomes.
- To assess the suitability, affordability and equity of the services offered.
- As a measure of the effectiveness of the AMP and asset management principles.
- As a focus for developing the asset management strategies to deliver the agreed LOS.

Building on the ISO 55000 framework, the town has developed a Service Level Profile Framework which is also aligned with the stipulations of OReg 588/17. The Service Level Profile where is outlined the Table 2-3.

Table 2-3 Level of Service Profile Framework

Customer Expectations	The primary expectations of customers or stakeholders regarding service delivery, i.e. what is important to them?
Service Commitment	A short statement which sets out at a high level <u>what</u> the town will do, who it will do it for, and why
Service Values	Keywords which identify aspects of service important to Customers and which will be expanded upon in service outcome statements. Each service has defined at least 3 Service Values, typically - Quality, Functional, Reliable.
Service Objective	A set of succinct statements for each service value which expand upon the mission statement to clearly state what the town commits to deliver with regards to certain aspects of service
Customer Level of Service Measures	A suite of metrics which allow the town to measure and report upon performance against the service objectives in a way that is meaningful to customers and stakeholders
Programs (capital and operating)	The major capital and operational activities that contribute towards delivery of the Service Objective and associated Level of Service Measures
Technical Level of Service Measures	A range of metrics which allow town staff to track asset and operational performance characteristics, or programs performance, and how they may contribute to delivery of both current and target Customer Level of Service measures

As of 2023, the town has renewed its [Council Strategic Plan \(2023 – 2026 \)](#) with the vision as “A vibrant and livable community for all”.

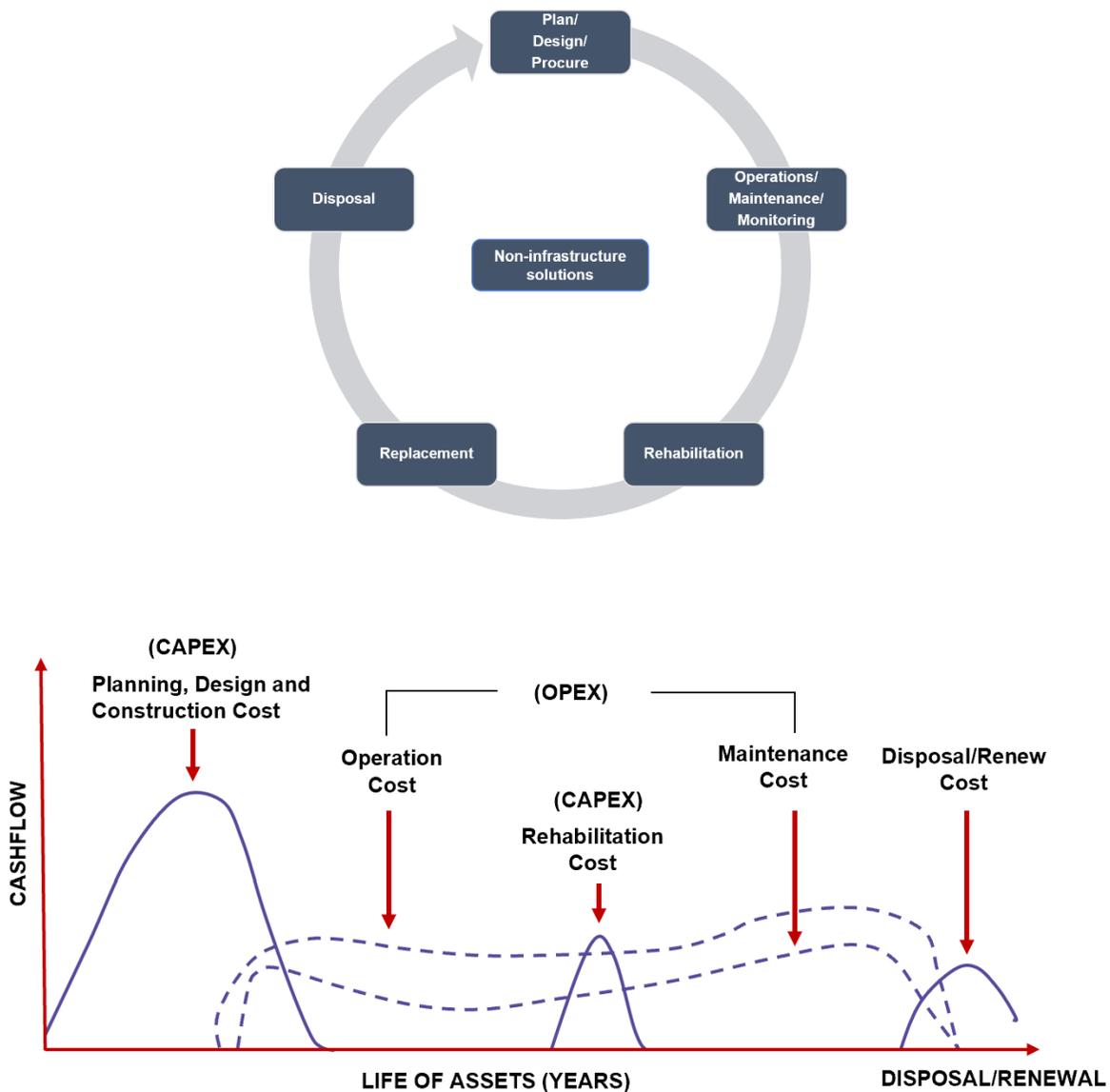
In addition to the prescribed LOS metrics identified in O. Reg. 588/17, the town has also established a set of customer LOS and technical LOS measures to quantify the customer service objectives, the objectives are based on the Customer Values that relate to service. The three (3) Customer Value words selected for this CAMP are:

- **Quality**, which relates to overall condition of an asset and the asset refurbishment, renewal, and replacement programs.
- **Reliable**, which refers to daily maintenance and operation activities required to minimize breakdown and service interruption.
- **Functional**, which ensures assets continue to meet the service needs and consider changes in demand/growth/climate.

2.3 Lifecycle Management Strategy

An asset lifecycle management strategy offers a thorough and efficient approach to asset management, as the stages of an asset are depicted in Figure 2-6 . This strategy empowers the town to effectively manage and optimize the cost and performance of an asset by considering its entire lifecycle. Within this lifecycle management strategy, consideration is given to climate change mitigation and adaptation measures. These measures aim to enhance the resilience of infrastructure to climate variations, mitigating the impact of extreme weather events and minimizing service disruptions.

Figure 2-6 Asset Lifecycle



There are a variety of strategies to cost-effectively manage an asset throughout its life cycle. The optimal strategy depends on the type of asset, the criticality of the asset, and the customer LOS that the asset is contributing to. The following are asset lifecycle stages:

- **Plan/Design/Procure** – the phase involves identifying the need, assessing requirements, and planning its acquisition and or construction. This includes planned activities to extend services to previously unserved areas or expand services to meet growth demands (e.g., Master Plan).
- **Operations/Maintenance/Monitoring** – This phase involves regular operations, maintenance, and monitoring to ensure optimal asset performance and longevity. This is the longest and usually the most expensive.
- **Rehabilitation** – when significant repairs are required to extend the asset’s life and keep the asset meeting the required level of service performance.
- **Replacement** – when the asset can no longer be cost-effectively operated, maintained, or rehabilitated to meet the required level of service; this is the time that the asset is to be replaced.
- **Disposal** – the phase in the asset life when it is required to be disposed of because it has reached the end of its useful life or is otherwise no longer needed by the municipality.
- **Non-infrastructure solutions** – actions or policies that can lower costs or extend useful lives.

The town takes all these lifecycle stages into account when defining the suite of lifecycle management activities and programs required to meet Service objectives. Where affordability or other relevant constraints are present, the town uses an overall asset level risk ranking to set the priority of individual assets in any given year.

2.3.1 Asset Management Programs

The asset management strategies and programs play a vital role in guiding the town's investment decisions regarding its assets, aiming to maximize their value for the organization. Traditionally, the town has employed an asset stewardship approach to determine the appropriate level of capital maintenance - capital expenditure required to sustain the current Level of Service (LOS) to the community and other stakeholders. This approach relies on three key parameters: condition, performance, and age.

The town has implemented various programs and services to effectively manage the overall lifecycle of its infrastructure. These programs are categorized to align with three selected Customer Values (Quality, Reliable, and Functional) and offer transparency regarding the financial investment required to deliver the identified customer LOS.

This Corporate Asset Management Plan (CAMP) provides an overview of the strategies and programs implemented to ensure the delivery of established LOS for each asset class.

2.3.2 Risk Assessment

The risk assessment aims to pinpoint assets that play a more critical role in service delivery. For instance, the impact of a service disruption due to the closure of an individual trail differs significantly from the disruption caused by a road failure. Therefore, the town's approach to assessing risks involves evaluating both the Likelihood of Failure (LoF) and the Consequence of Failure (CoF). These factors are then amalgamated into an overall risk score, which guides the determination of risk levels and the identification of suitable risk mitigation actions.

Likelihood of Failure (LoF)

Condition or age is a common indicator of LoF for an asset. However, an asset in poor condition or at the end of its useful life does not directly translate into a need for major intervention or capital replacement. The impact on the service, i.e., the consequence, needs to be taken into consideration as well.

Consequence of Failure (CoF)

The town has developed a scoring system to quantify the CoF based on a set of five (5) criteria in terms of health/safety/environmental impact, service impact, regulatory compliance, single point failure, and replacement times (ref. Table 2-4). The score of each criterion is determined for individual asset classes, based on available data combined with the experience and knowledge of town staff.

Table 2-4 Consequence Factors and Scoring System

Consequence Criteria and Percent Weight	Scoring Description	Score
Health & Safety/ Environmental Impact (35%)	Fatality/Serious illness/Reportable environmental incident	5
	Disabling injury (Long Term)	4
	Lost time injury (Set period of time)	3
	Minor injury	2
	No injury	1
Customer Service Impact (25%)	Major interruption in service until mitigation	5
	Moderate interruption/break in service until mitigation	4
	Minor break in service/customer concerns; no mitigation required	3
	Repeat occurrences/regular complaints; constant minor	2
	No effect	1
Regulatory Impact (20%)	Direct regulatory (Legislative effect)	5
	town policy or procedure	3
	No effect	1
Single Point Failure (15%)	Multiple/asset network effect	5
	One parent asset effect	3
	Single effect	1
Replacement Time (5%)	Major planned replacement (potentially more than 12 months)	5
	Requires planned replacement but can be done within 6-12 months	3
	replacement within normal operations (0-6months)	1

The weighted overall score of the five criteria represents Criticality, which identifies critical assets that will have greater impact on the service and the relevant importance of an asset over others. The Criticality Score ranges from 1 to 5 for each assessed asset class, with 1 representing very minor criticality and 5 representing major criticality. The criticality levels and the corresponding weighted criteria percent are outlined in Table 2-5.

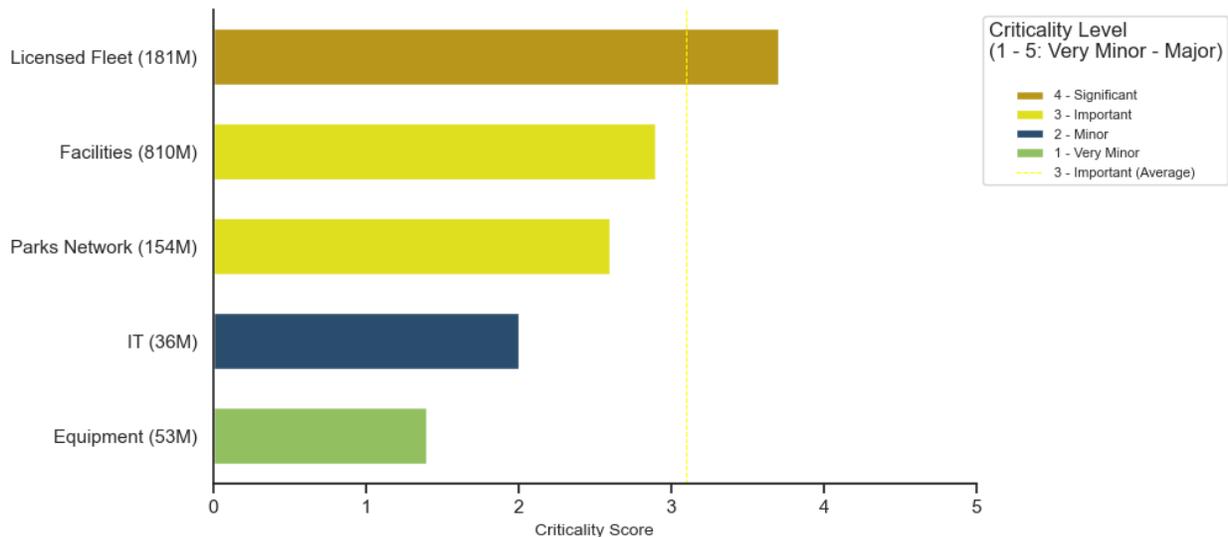
Table 2-5 Summary of Criticality Levels

Criticality Level	Criticality Score	Weighted Consequence Criteria
Very Minor	1	0 - 20%
Minor	2	21 - 40%
Important	3	41 - 60%
Significant	4	61 - 80%
Major	5	80 - 100%

This CAMP presents the assessment of the average criticality for each asset class and asset category.

The average criticality for each non-core asset class is presented in Figure 2-7. The average criticality scores range from 1.4 to 3.7 (Minor to Significant Criticality), with the overall mean score of 3.1 (Important Criticality).

Figure 2-7 Average Criticality of Non-Core Asset Classes



Overall Risk Rating

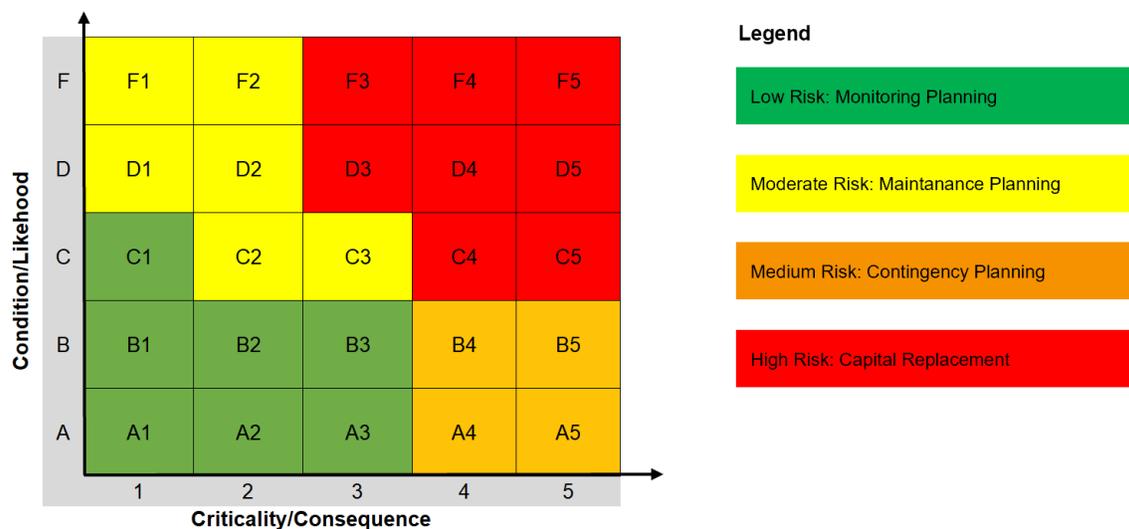
The Overall Risk Rating, i.e., the continuum of LoF (Condition) and CoF (Criticality), is illustrated in Figure 2-8. The Matrix is able to assess impact on service by:

- Identifying critical assets with the highest consequences
- Considers the likelihood of failure(condition) with the consequences to determine most urgent needs.
- Links asset management activities to service levels
- Draw upon institutional knowledge and experience.

As indicated in the matrix, assets in good condition and low criticality would be ranked at the bottom of the scale therefore have a low risk/priority; alternatively, assets in poor condition and high criticality would be ranked at the top of the scale therefore has a high risk/priority. Note that as the asset ages and the condition begin to deteriorate, the priority ranking of the individual asset would increase.

As a direction of the town's asset management strategy, assets that exhibit high risks are typically targeted for action with a higher priority such as capital replacement. Alternative strategies to capital replacement can be considered if the consequence of failure is lower, such as monitoring with increased inspections or undertaking preventative maintenance. If consequence is high but likelihood is low, then contingency plans can be put in place in the event where a service failure occurs.

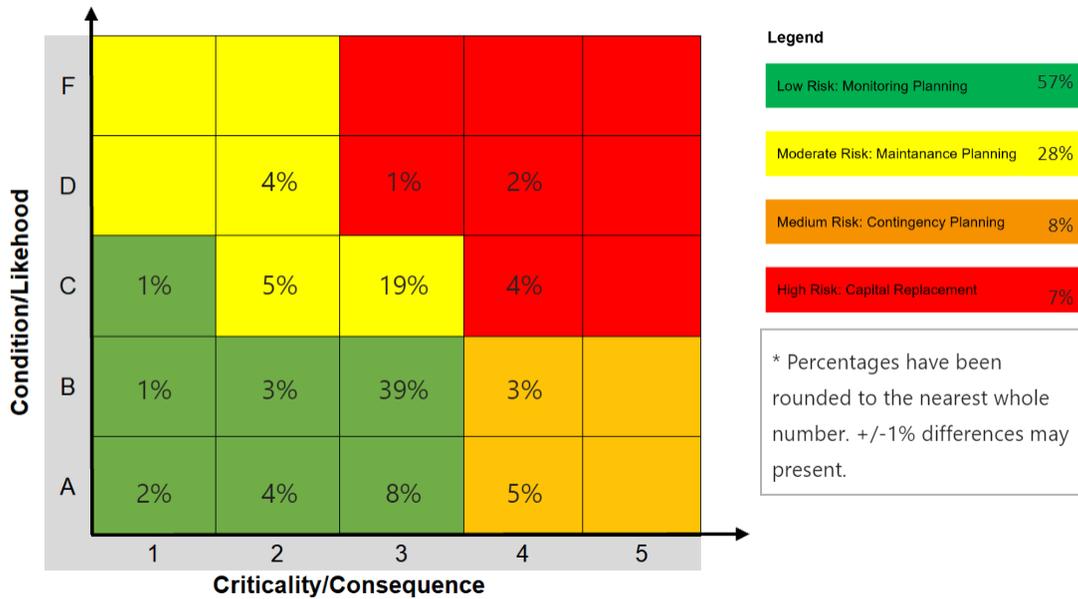
Figure 2-8 Asset Lifecycle Continuum of Asset Risk Strategies



Currently, asset risk is routinely but informally considered when proposing lifecycle management activities, based on the experience of the town's planning and operational staff. However, as identified as a next step in the Asset Management Improvement Plan, it will become a formal process to incorporate the risk assessment framework into the planning process and assess risk across all town assets.

Based on the town's Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the overall non-core assets, summarized by CRV, is presented in Figure 2-9.

Figure 2-9 Overall Risk of Non-Core Assets Summarized by CRV



In general, out of total \$1.2 Billion CRV of the non-core assets, 6% are classified as High Risk and are earmarked for Capital Replacement, 8% fall into the Medium Risk category and are planned for contingency measures, 29% are categorized as Moderate Risk and are slated for Maintenance Planning, and 57% are deemed Low Risk and are designated for Monitoring.

2.4 Asset Management Planning

2.4.1 Asset Management Planning Practices and Procedures

As indicated in the Asset Management Strategy, the principles and practices used to guide the development of Asset Management planning for the town have been built on the foundation of Council's vision "**a vibrant and livable community for all.**" The 2057 Sustainable Community Framework and Council's Strategic plan set out the high-level direction and strategic objectives and provides guidance for decision making towards this unified vision for the future.

Overall, the annual update of the Operating Budget and Long-term capital plan incorporates the various asset life cycle needs to be identified through the asset management plans and processes to ensure current service levels are maintained for the various programs and services offered across the town. The town's budget forecasts not only plan for renewal and replacement of existing infrastructure used to support town services, but also takes into consideration future needs.

[Section 7 of the Asset Management Strategy \(AMS\)](#) outlines the risk-based approach and decision-making principles used to identify, evaluate, and prioritize asset replacement, renewal, and maintenance needs. In particular, the table in section 7.6 of the AMS outlines the project prioritization and selection hierarchy that outlines broad strategies on how capital projects are evaluated or prioritized within the town. These strategies consider health and safety or legislative requirements, the benefit of the project to the community and alignment of the project with council's strategic goals. These principles have been adopted in the development of the Long-term Capital Forecast and have been explained in the Executive Summary of the budget document.

2.4.2 Current Budget Practices

The Town of Oakville's budget is prepared using a performance-based, program-based budgeting (PB2) methodology. PB2 focuses on programs rather than departments, and the emphasis is on the allocation of resources based on desired outcomes and measurement of actual program results against expected outcomes.

In general, asset maintenance activities, including regularly scheduled inspections, preventative maintenance, and minor repairs are planned for in the town's work order management system and are funded from the town's operating budget. The operating budget is also used to address unplanned repairs where emergency repairs are dealt with through the town's emergency repair policy. The capital budget includes larger life-cycle expenditures to address renewal/rehab activities, major repairs, and replacements for all asset types.

One of the key budget principles included in the annual budget is the need to address "Interdependency" and the need for "Multi-Year Budgets." "Interdependency" means that the operating and capital budgets must be reviewed with a coordinated effort as capital expenditures and financing decisions will impact future operating budgets. "Multi-Year Budgets" means that multi-year budgets will be developed for operating and capital expenditures according to an approved guideline.

Multi-year budgets will incorporate the operating impacts of capital initiatives. As such, it is the town's practice to forecast all anticipated operational costs as part of the capital plan development particularly for growth. These operating impacts include additional personnel, materials and

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supplies, utilities, contracted services, transfers to reserve for future replacement of assets and any revenues associated with fees for service. As a result, the Long-term Capital Forecast not only outlines the 10-Year capital requirements but also a 10-Year forecast of the operating cost required to support those assets.

In general, the Long-term Capital Forecast is built on a framework based on “drivers” in which the capital projects needs are reviewed and assessed. The projects are characterized into three categories: Infrastructure Renewal, Growth, and Service Enhancement / Strategic Priorities.

Infrastructure Renewal - The information stored in the Corporate Information System (CIS) is used to prepare the Infrastructure Renewal Capital Plan based on life cycle replacement and scheduled maintenance programs. Condition of assets is then evaluated at the beginning of each budget cycle to optimize the life of the assets while balancing risk of unanticipated failures. It is the town's practice that as replacement of assets are executed, existing assets are disposed, and any salvage value is transferred into the capital reserves.

Growth – Every 5 years a Development Charges Background Study is undertaken which outlines in detail the infrastructure required in order to maintain service levels as the town's population and employment grows. Detailed projects are included for the various asset classifications that would be required to meet program needs. The asset classifications involve Fire, Library, Recreation, Parks, By-law Enforcement, Roads, Road Operations and Transit, which have been identified through various Master Plans and assessments of needs. As a result of legislative changes to the *Planning Act*, the town has initiated a Community Benefits Charge Strategy, which will be completed every 5 years. The Strategy includes detailed projects to meet program needs for services that are ineligible for development charges and involves asset classifications of Parking, Civic Administration and Culture. On an annual basis project needs are re-evaluated based on actual population and employment growth development.

Service Enhancement and Strategic Priorities – These projects are for planned expansion activities that support infrastructure requirements to meet various community needs, as identified through Master Plan updates and to meet Council's strategic goals.

For the purpose of identifying the expenditures required to support the asset life cycle activities, the town's operating and capital budgets have been organized to align with the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional) and key asset management programs. Note that these costs represent direct costs only and will not match entirely to the related program budgets in the budget document.

2.4.3 10-Year Forecast

The 10-Year Forecast presents a preliminary estimate of the costs associated with maintaining the town's assets at their current level of service, based on information in the 2023 budget and long-term forecast. The cost estimate considers a combination of factors such as:

- deterioration models
- inspection and maintenance programs
- asset treatment strategies
- repair, rehabilitation and replacement recommendations.
- facilitated discussions between town's Finance and Asset Management Departments on the selection of proposed capital investment projects over the long-term planning period.

This CAMP presents the 10-year forecast of the budget for each asset class, categorized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional) and key asset management programs.

The 10-year lifecycle of expenditure forecast for the overall non-core assets is presented in Figure 2-10. The forecast predicts that the total expenditure for the non-core will amount to \$2.4 Billion over the 10-year period, with allocations of \$494 Million for the customer service value of Quality, \$1.3 Billion for Reliable, and \$672 Million for Functional.

On an annual basis, the average investment expenditure will be \$242 Million, with \$49 Million dedicated to Quality, \$126 Million to Reliable, and \$67 Million to Functional customer service values.

Figure 2-10 Overall Lifecycle Expenditure Forecast by Customer Value for Non-Core Assets



Additionally, Table 2-6 through Table 2-9 offers a breakdown of the lifecycle expenditure forecast by programs and asset classes.

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Table 2-6 Summary of Lifecycle Expenditure Forecast for Non-Core Assets (2023\$ Millions)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Reliable	107	111	116	119	123	127	134	138	142	145	1,261
Facilities	40	43	46	46	47	49	51	52	54	55	482
Licensed Fleet	31	33	35	36	38	41	43	45	48	49	398
Parks Network	27	29	30	30	31	31	32	33	34	34	312
Equipment	4.6	4.6	4.8	4.8	4.9	5.0	6.2	6.2	5.6	5.8	52
IT	4.2	1.2	1.3	1.0	1.9	1.3	1.2	1.2	1.4	1.3	16
Functional	88	88	139	51	57	41	54	51	54	50	672
Facilities	29	16	84	8.0	19	8.6	7.8	14	22	15	221
Parks Network	34	48	30	26	11	12	25	15	10	4.1	216
Licensed Fleet	19	18	19	11	20	15	15	17	16	25	173
Equipment	5.3	5.4	5.0	5.5	7.3	5.2	5.8	6.0	6.0	6.0	57
IT	0.6	0.7	1.1	0.2	0.2	0.5	0.8	0.2	0.4	0.2	4.9
Quality	53	67	45	40	41	40	44	52	55	58	494
Parks Network	14	19	16	9.9	9.6	9.9	12	16	19	22	147
Facilities	16	24	11	8.2	8.4	9.4	9.3	6.7	7.1	6.5	107
Licensed Fleet	10	11	6.5	8.4	4.8	6.3	7.8	15	16	14	100
IT	7.6	8.6	8.9	9.0	9.4	9.4	9.8	9.7	9.8	9.9	92
Equipment	5.6	4.2	3.0	4.7	8.5	4.6	4.9	5.0	2.5	5.4	48
Total	248	265	300	210	221	208	231	241	251	253	2,428

Table 2-7 Summary of Lifecycle Expenditure Forecast for Non-Core Assets (2023\$ Millions) - Quality

SOIR Grouping	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Parks Network	14	19	16	9.9	9.6	9.9	12	16	19	22	147
Park & Amenities Mtce & Renewal	11	16	15	7.5	8.4	8.8	9.9	12	17	20	127
Trails Mtce & Renewal	2.5	2.4	1.0	2.5	1.1	1.1	2.4	3.4	1.5	1.9	20
Facilities	16	24	11	8.2	8.4	9.4	9.3	6.7	7.1	6.5	107
Facility Asset Renewal Program	14	16	9.6	7.8	8.1	9.1	8.8	6.3	6.9	6.3	92
Facility Minor Renovation Program	2.2	8.6	1.5	0.4	0.3	0.3	0.4	0.4	0.2	0.2	14
Licensed Fleet	10	11	6.5	8.4	4.8	6.3	7.8	15	16	14	100
Transit Bus Refurbishment & Renewal Program	2.0	2.0	2.0	2.0	2.0	2.0	2.0	11	9.8	6.3	41
Vehicle Renewal Program	4.5	3.8	4.0	2.5	2.5	2.8	2.7	3.4	3.4	5.8	35
Emergency Vehicle Renewal Program	3.6	5.3	0.5	3.9	0.3	1.4	3.1	1.1	3.3	1.8	24
IT	7.6	8.6	8.9	9.0	9.4	9.4	9.8	9.7	9.8	9.9	92
Hardware Renewal Program	6.1	6.2	6.5	6.6	6.7	6.8	7.2	7.1	7.3	7.4	68
New Hardware	1.6	2.4	2.4	2.4	2.7	2.6	2.6	2.6	2.5	2.6	24
Equipment	5.6	4.2	3.0	4.7	8.5	4.6	4.9	5.0	2.5	5.4	48
Equipment Renewal Program	5.6	4.2	3.0	4.7	8.5	4.6	4.9	5.0	2.5	5.4	48
Total	53	67	45	40	41	40	44	52	55	58	494

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Table 2-8 Summary of Lifecycle Expenditure Forecast for Non-Core Assets (2023\$ Millions) - Reliable

SOIR Grouping	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Facilities	40	43	46	46	47	49	51	52	54	55	482
Facility Operational Mtce & Repair Program	39	43	45	46	47	49	50	52	54	55	480
Building Condition Audit Program	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	1.8
Licensed Fleet	31	33	35	36	38	41	43	45	48	49	398
Tranist Bus Maintenance Program	22	24	25	27	28	31	33	34	36	37	297
Vehicle Maintenance Program	5.5	5.8	5.9	6.1	6.2	6.4	6.7	6.9	7.2	7.4	64
Emergency Vehicle Mtce Program	3.3	3.6	3.6	3.6	3.7	3.7	3.8	3.9	4.0	4.0	37
Parks Network	27	29	30	30	31	31	32	33	34	34	312
Parks Inpection & Mtce & Repair Program	27	29	30	30	31	31	32	33	34	34	312
Equipment	4.6	4.6	4.8	4.8	4.9	5.0	6.2	6.2	5.6	5.8	52
Equipment Maintenance Program	4.6	4.6	4.8	4.8	4.9	5.0	6.2	6.2	5.6	5.8	52
IT	4.2	1.2	1.3	1.0	1.9	1.3	1.2	1.2	1.4	1.3	16
Software Upgrade	3.9	1.1	1.3	1.0	1.9	1.3	1.1	1.2	1.4	1.3	15
Cyber Security Program	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4
Total	107	111	116	119	123	127	134	138	142	145	1,261

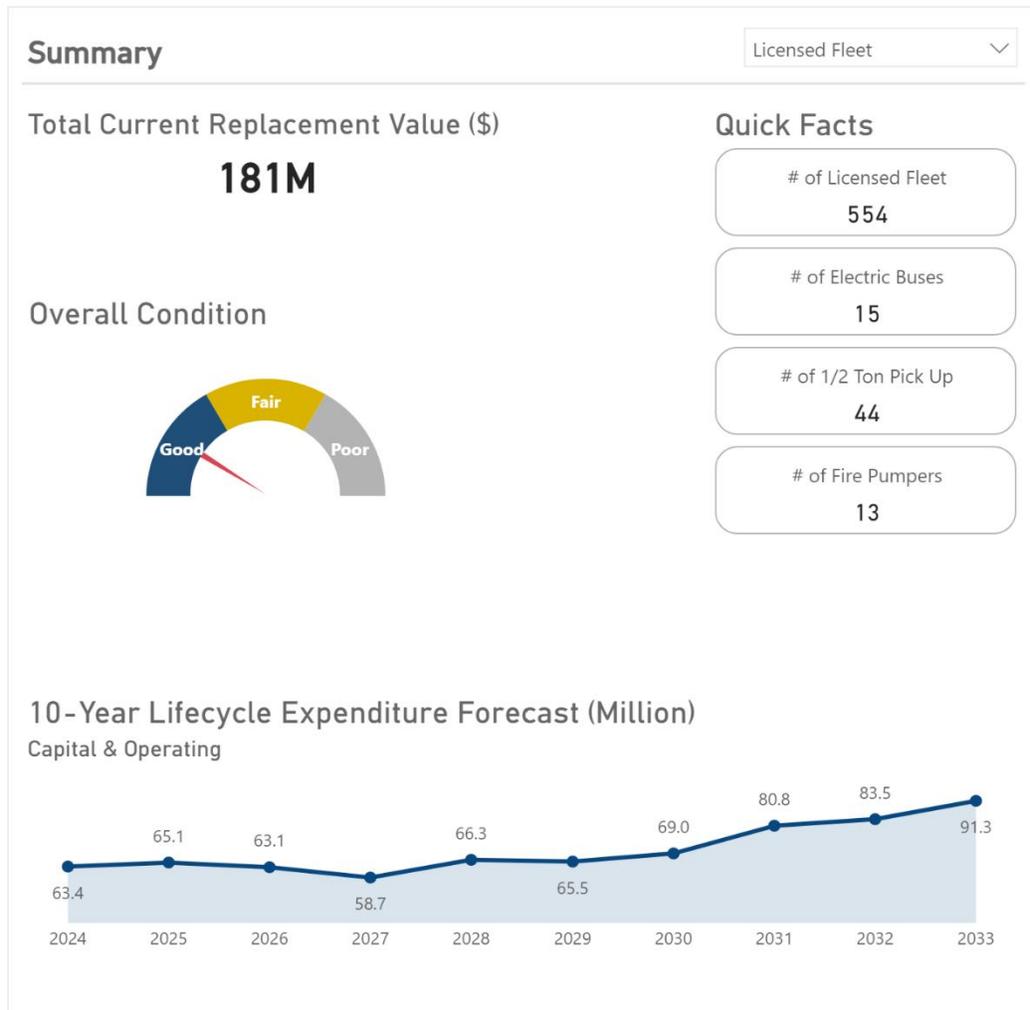
Table 2-9 Summary of Lifecycle Expenditure Forecast for Non-Core Assets (2023\$ Millions) - Functional

SOIR Grouping	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Facilities	29	16	84	8.0	19	8.6	7.8	14	22	15	221
Facility Provision, Expansion and Revitalization Program	29	15	83	7.6	18	8.1	7.4	13	21	14	216
Facility Energy Efficiency Program	0.3	0.8	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	4.7
Parks Network	34	48	30	26	11	12	25	15	10	4.1	216
Land Purchase Program	22	38	26	16	3.0	4.1	7.0	5.0	5.0	4.0	129
Master Plan Implementation	8.6	7.6	3.7	5.9	6.0	6.8	17	9.1	4.8	0.0	70
Park Enhancement Program	3.2	1.2	0.3	3.1	1.1	0.3	0.3	0.3	0.3	0.1	10
Trail Enhancement Program	0.7	1.9	0.3	1.2	1.1	0.3	0.3	0.3	0.0	0.0	6.1
Licensed Fleet	19	18	19	11	20	15	15	17	16	25	173
Transit Electrification Plan	15	16	18	10	20	15	14	16	15	23	161
Growth Fleet Plan Implementation	4.1	1.7	0.8	0.4	0.2	0.3	0.6	0.8	0.5	0.5	9.9
Vehicle Utilization & Electrification Plan	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.1	0.9	2.0
Equipment	5.3	5.4	5.0	5.5	7.3	5.2	5.8	6.0	6.0	6.0	57
Equipment Electrification Plan	4.5	4.6	4.6	4.8	4.8	4.9	5.1	5.4	5.3	4.3	48
Growth Equipment Plan Implementation	0.8	0.8	0.4	0.7	2.5	0.3	0.7	0.7	0.7	1.7	9.2
IT	0.6	0.7	1.1	0.2	0.2	0.5	0.8	0.2	0.4	0.2	4.9
Program Development	0.5	0.6	1.0	0.1	0.1	0.4	0.7	0.1	0.3	0.1	3.9
Growth IT Plan Implementation	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	1.0
Total	88	88	139	51	57	41	54	51	54	50	672

Chapter 3

Licensed Fleet

3. Licensed Fleet



Asset Category	Examples
Bus	Conventional & Specialized
Fire Suppression Vehicle	Pumpers, Aerials, Rescue
Heavy Duty Type Vehicle	Dump, 550's, Packers
Light & Medium Duty Type Vehicle	Pick Ups, 450s, SUV
Trailer	Single, Tri, Dump

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3.1 State of Infrastructure

In Section 2.1, the town's method for assessing the condition of its infrastructure assets is outlined. This assessment includes determining the Current Replacement Value (CRV), evaluating their condition, and considering their age (Stage of Life).

The Licensed Fleet comprises of five (5) categories. The five categories are Buses (e.g. Conventional & Specialized), Fire Suppression Vehicles (e.g. Pumpers, Aerials and Rescue presented in Table 3-1), Heavy Duty Type Vehicles (e.g. Dump, 550's, Packers), Light & Medium Duty Type Vehicles (e.g. Pick Ups, 450s, SUV), and Trailers (e.g. Single, Tri, Dump).

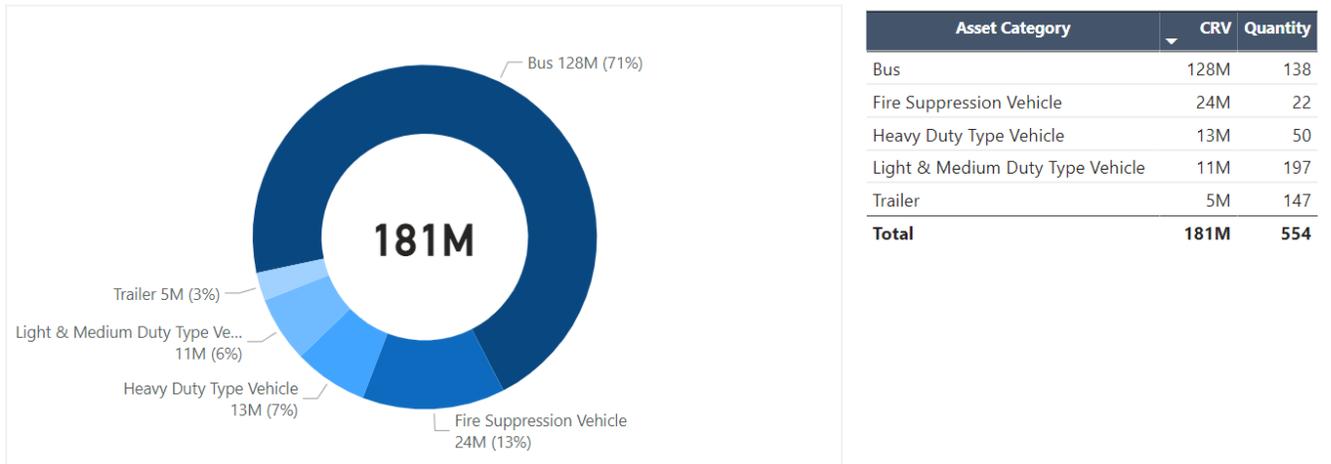
Table 3-1 Examples of Fire Suppression Vehicles

Fire Suppression Vehicles			
Pumpers		Aerials	
Rescue		Platoon Chief Vehicle	
ATV Rescue			

3.1.1 Current Replacement Value (2023)

The estimated 2023 current replacement value (CRV) of the Licensed Fleet assets is approximately \$181 Million. As shown by category in Figure 3-1, Buses accounts for the major proportion of the total CRV at \$128 Million (or 71%), followed by Fire Suppression Vehicles at \$24 Million (or 13%), Heavy Duty Vehicles at \$13 Million (or 7%) and Light & Medium Duty Vehicles at \$11 Million (or 6%). Trailers accounts for the smallest portion of the total CRV at \$5 Million (or 3%).

Figure 3-1 2023 Replacement Values by Asset Category – Licensed Fleet



3.1.2 Condition

The conditions of Licensed Fleet assets are assessed during annual safety inspections. In absence of physical condition information, the asset conditions have been based on the age and expected useful life of the asset.

The ratings as well as example images are summarized in Table 3-2.

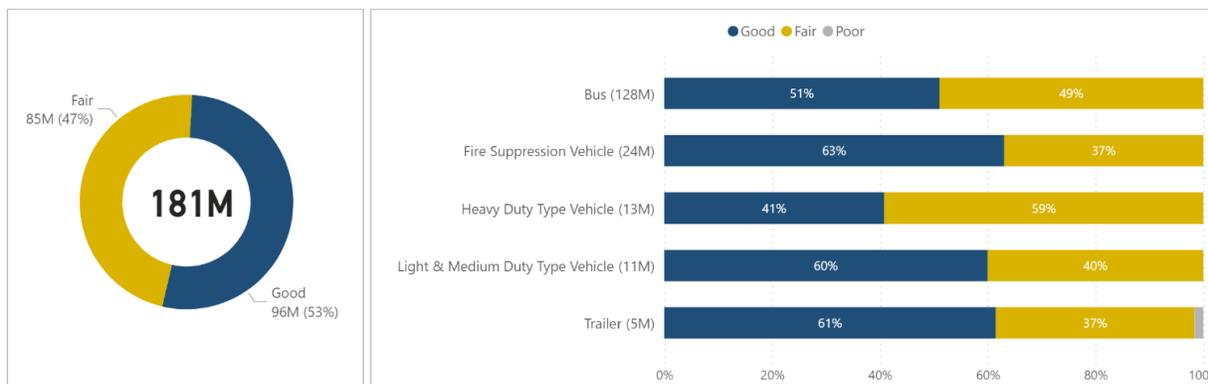
Table 3-2 Condition States – Licensed Fleet

Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	

Figure 3-2 offers an overview of Licensed Fleet asset conditions, categorized by type and CRV. Generally, the Licensed Fleet assets are in Good or Fair condition. On average, 53% are classified as Good condition and 47% as Fair condition. Among the 147 trailers assessed, only 6 were found

to be in poor condition, constituting approximately 2% of the CRV for trailers and a small percentage of the total CRV for the Licensed Fleet assets.

Figure 3-2 Asset Average Condition by CRV and Asset Category – Licensed Fleet



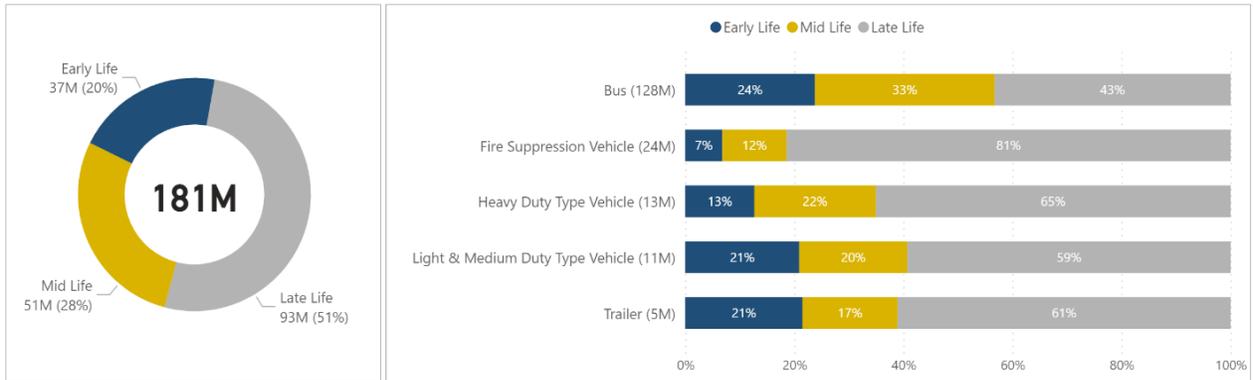
3.1.3 Age

The estimated average useful life of asset categories varies from 7 to 12 years, with the average age ranging from 6 to 12 years. Fire Suppression Vehicles are handled slightly differently, as their useful life is determined by their ability to function as front-line response vehicles. This is due to the requirement from underwriters that response vehicles not exceed 10 years of service before being transferred to a backup position for the remaining years. Generally, these vehicles have surpassed their expected useful life by 2 years, largely because of the extended lead time required for receiving replacement vehicles.

Figure 3-3 illustrates the average stage of life categorized by type and CRV. Overall, 48% of the assets are in the Early and Mid-Life stages, while 51% are in the Late Life stage. Each of the five categories shows a significant proportion of assets in the Late Life stage, ranging from 43% to 81%.

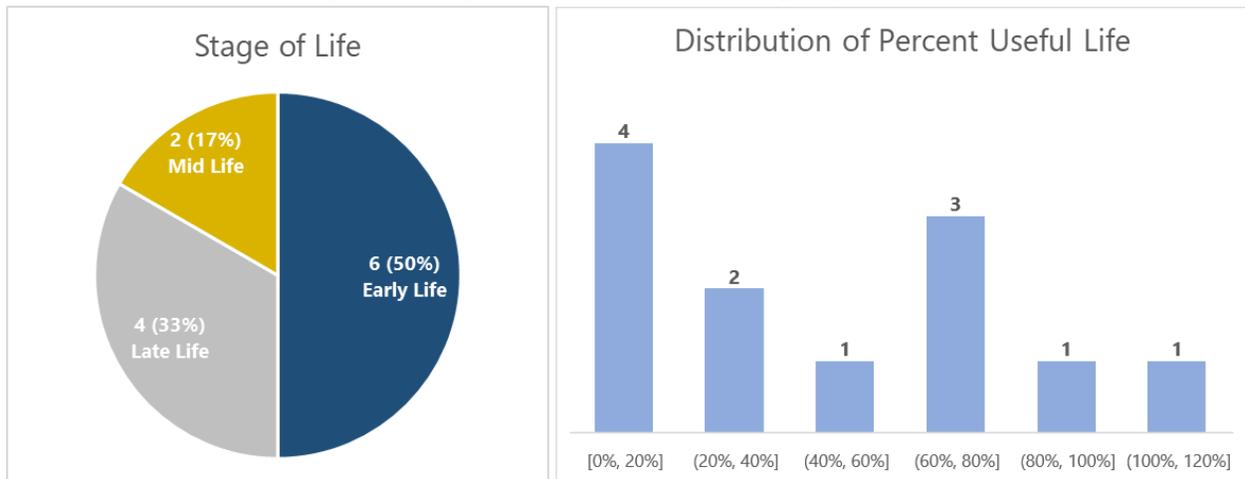
It's important to note that conditions are assessed annually for all vehicles to ensure they remain in good condition regardless of their stage of life. Renewal programs are implemented to review usage and explore potential electrification of vehicles. Furthermore, Fire Suppression Vehicles are renewed based on useful life according to fire guidelines and legislation. Therefore, being in the Late Stage of Life for an asset does not necessarily indicate poor condition, as evidenced by examining the average condition depicted in the figure.

Figure 3-3 Asset Average Stage of Life by CRV and Asset Category – Licensed Fleet



The 81% of Fire Suppression vehicles identified as late life is a reflection of practice noted above whereby once a vehicle reaches 10 years of age it is retained as back up vehicle to be used when front-line is in need servicing or in the event of a breakdown. Of the 22 Fire Suppression Vehicles, twelve (12) are front-line emergency vehicles. As shown in Figure 3-4, eight (8) of the front-line emergency vehicles are in the Early and Mid Life and four (4) are in the Late Life. Out of the 4 Late Life front-line emergency vehicles, one (1) is at the limit of useful life for Front-line emergency vehicles and has been budgeted for renewal for 2024. Fire Suppression Vehicles are handled slightly differently, as their useful life is determined by their ability to function as front-line response vehicle. This is due to the NFPA 1900 Standard that Fire Suppression Vehicles do not exceed 10 years of front-line service before being transferred to a backup position for the remaining years.

Figure 3-4 Stage of Life – Front Line Emergency Vehicles



3.2 Levels of Services

Section 2.2 of the document outlines the town’s Level of Service Framework. Table 3-3 summarizes the Level of Service objectives for Licensed Fleet at both the Corporate Level and the Customer Level. These objectives are aligned with three chosen Customer Values: Quality, Reliable, and Functional.

Table 3-3 Customer Service Objectives – Licensed Fleet

LOS Level		Statement/Objective	
Corporate	Organizational Objective/Vision	A vibrant and livable community for all.	
	Customer Expectation	Vehicles are in operational condition, appropriate for the intended use and available when required.	
	Service Commitment	To provide programs with appropriate and reliable vehicles to achieve the town’s service delivery commitments	
Customer	Customer Service Values	Quality	To manage the vehicle conditions to a reasonable quality to minimize service interruption.
		Reliable	To ensure vehicles are well maintained, available and dependable meeting prescribed standards and legislative requirements.
		Functional	To plan appropriately for vehicle needs, ensuring alignment with changes in service need, growth, and climate policies.

To quantify the customer service objectives, a set of customer LOS and technical LOS metrics have been established based on the Customer Service Values, i.e., Quality, Reliable, and Functional. The metrics along with the performance in 2023 are summarized in Table 3-4 and Table 3-5.

Table 3-4 Town of Oakville’s Customer LOS Metrics – Licensed Fleet

Performance Metric		Asset Category	2023 Performance
Quality	To manage the vehicle conditions to a reasonable quality to minimize service interruption.		
	The percentage of fleet vehicles be maintained in a “fair” or better rated condition ¹ .	All	99%
Reliable	To ensure vehicles are well maintained, available and dependable meeting prescribed standards and legislative requirements.		
	Maintain the ratio of preventive maintenance work orders to 80% ² .	Buses	77%
		Fleet	52%
Functional	To plan for vehicles needs ensuring alignment with changes in service needs, growth, and climate policies.		
	Percentage of growth buses purchased to date vs the total planned (42) to meet projected growth in transit ridership to 2031 ³ .	Buses	10% On Target
	To maintain the current 10 year average # of vehicle & equipment quantity per capita as the town grows ⁴	Emergency Vehicle/Equipment Target (.0003)	.0002 (2021)
		Fleet /Equipment Target (.0046)	.0044 (2021)

1. This is based on reviewing asset condition inspection information. Greater analysis is necessary to standardize the condition information and to determine what the lower limit of this target should be given the wide variation of vehicle types and service redundancies requirements.
2. The Preventative Maintenance Program (PM): The work order data and related data capture processes are being reviewed to better align the reporting requirements to the PM Metric and be reflective of the goal of the PM program.
3. From [2020 Energy Conservation and Demand Management Plan](#)
4. From [2022 Development Study Background Study](#)

Table 3-5 Town of Oakville’s Specific Technical LOS Metrics – Licensed Fleet

	Performance Metric	Related Asset Category	2023 Performance
Quality	To manage the vehicle conditions to a reasonable quality to minimize service interruption.		
	The percentage of disposed vehicles prior to reaching the end of their useful life.	All	12%
	The percent of front-line firefighting apparatus meet the NFPA ² 1900/ ULC ³ S515 Standard for automotive firefighting apparatus with a target of 10 years or less of front-line service.	Fire Suppression Vehicle	92%
Reliable	To ensure vehicles are well maintained, available and dependable meeting prescribed standards and legislative requirements.		
	Ensure that all scheduled MTO maintenance inspections are carried out punctually, achieving a 100% on-time completion rate.	Fleet & Buses	100%
	The number of work orders per 10,000 km traveled.	Bus	.9
Fleet		.8	
Functional	To plan for vehicles needs ensuring alignment with changes in service needs, growth, and climate policies.		
	The percentage of pickup trucks that travel less than the 25th percentile of the average annual mileage, set at 7,000 kilometers ⁹	Fleet	20%
	Ensure that all buses comply with AODA legislation, achieving a 100% adherence rate	Bus	100%
	Achieve a 40% electric bus fleet composition by the year 2026.	Bus	3% On target
	Per Capita Greenhouse gas emissions from fleet emissions be at 10 percent or less from 2014 levels by 2030 ² .	All	To Be Calculated

5. National Fire Protection Association 1900 Standard for Firefighting Vehicles and Fire apparatus.
6. Underwriters' Laboratories of Canada (ULC) establishes safety standards that are used in many industries.
7. As this is our inaugural year with electric buses, a specific target has not been established yet.
8. From [2022 Development Study Background Study](#)
9. Based determine from the Fleet Utilization and Optimization Study July 2020.

3.3 Life Cycle Management Strategy

In Section 2.2, the document details the stages of asset lifecycles, the town’s method for identifying asset management programs, and its risk assessment framework, which includes a scoring system for evaluating asset criticality.

3.3.1 Asset Management Programs

Table 3-6 to Table 3-8 provide summaries of the asset management programs aimed at ensuring the established Level of Service (LOS) for Licensed Fleet assets is maintained. These programs are divided into the three chosen Customer Values: Quality, Reliable, and Functional.

Table 3-6 Asset Management Programs (Quality) – Licensed Fleet

AM Programs – Quality
<p><u>Vehicle Renewal Program</u></p> <p>The objective of this program is to ensure vehicles are available and reliable through ensuring vehicles replacements are planned for based on a prioritization framework considering factors such as vehicle condition, usage, mileage and procurement timelines.</p> <p><u>Transit Bus Refurbishment & Renewal Program</u></p> <p>The objective of this program is to guarantee the availability and reliability of buses by implementing a mid-life refurbishment strategy, ensuring buses remain operational until their end-of-life phase, where planned replacements are scheduled.</p> <p><u>Emergency Vehicle Renewal Program</u></p> <p>The objective of this program is to ensure the availability and reliability of emergency vehicles by meticulously planning for their replacements, in adherence to legislative requirements and standards</p>

Table 3-7 Asset Management Programs (Reliable) – Licensed Fleet

AM Programs – Reliable
<p><u>Vehicle Maintenance Program</u></p> <p>The goal of this program is to establish a comprehensive preventative maintenance and corrective repair program, ensuring the availability and reliability of vehicles meeting the service area demands. Additionally, annual safety inspections are carried out to ensure compliance with MTO requirements, thus fulfilling legislative mandates.</p> <p><u>Transit Bus Maintenance Program</u></p> <p>The goal of this program is to establish a strong preventative maintenance and corrective repair program, ensuring that all required maintenance and inspections are diligently carried out on transit buses. Semi-annual safety inspections are conducted to fulfill legislative obligations. Additionally, annual safety inspections and prompt corrective repairs are executed to maintain the availability and reliability of transit buses.</p> <p><u>Emergency Vehicle Maintenance Program</u></p> <p>The goal of this program is to set up a comprehensive preventative maintenance and corrective repair program, guaranteeing that emergency vehicles are always available and dependable to meet the demands of the Fire service area.</p>

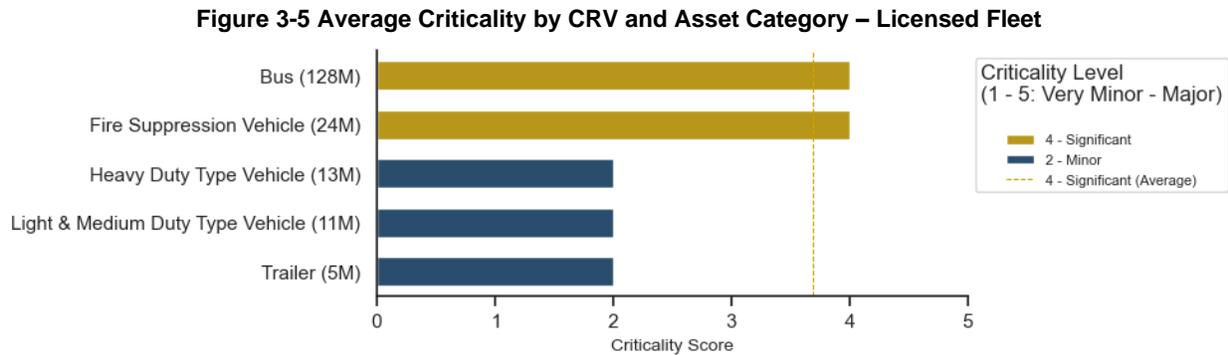
Table 3-8 Asset Management Programs (Functional) – Licensed Fleet

AM Programs - Functional
<p><u>Transit Bus Electrification Plan</u> The aim of this program is to decrease greenhouse gas emissions by substituting conventional transit buses with electric ones. Oakville Transit buses cover over six million kilometers each year, with diesel fuel being the primary source of greenhouse gas emissions from the town's operations. Battery electric buses represent a sustainable technology capable of generating zero emissions from energy production to bus operations. Implementing these technological advancements will not only lessen environmental harm but also enhance the overall customer experience.</p>
<p><u>Vehicle Utilization & Electrification Plan</u> The aim of this program is twofold: first, to decrease greenhouse gas emissions by substituting traditional vehicles with electric ones, and second, to optimize vehicle usage through regular reviews. By replacing traditional vehicles with electric ones, we aim to significantly reduce GHG emissions. Additionally, our plan involves closely monitoring and reviewing vehicle usage patterns to ensure efficient utilization. Through ongoing assessment and adjustments, we can maximize the benefits of electrification while meeting operational needs.</p>
<p><u>Growth Fleet Plan Implementation</u> The goal of this program is to ensure that as the town expands, service areas maintain ongoing access to the appropriate vehicles needed to meet growing demands.</p>

3.3.2 Criticality

According to the town's scoring system for assessing asset criticality, which quantifies the consequence of failure, the Criticality Score varies from 1 to 5 for each evaluated category. A score of 1 denotes very minor criticality, while a score of 5 represents major criticality.

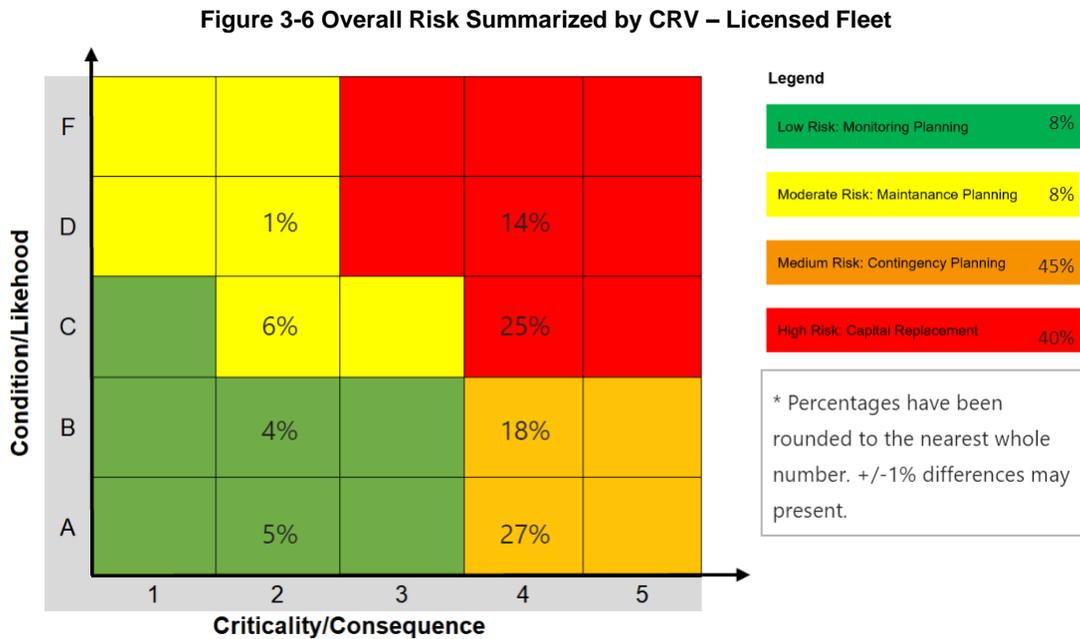
Figure 3-5 displays the average criticality of the Licensed Fleet assets, categorized by type and CRV.



Overall, the Licensed Fleet exhibits considerable criticality, with an average rating of 3.8. Buses, comprising the majority of the CRV, as well as Fire Suppression Vehicles, carry a higher criticality rating of 4, indicating significant criticality. Light & Medium Duty Type Vehicles, Trailers, and Heavy-Duty Type Vehicles would range from minor to significant criticality levels.

3.3.3 Risk

Based on the town’s Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the Licensed Fleet assets, summarized by CRV, is presented in Figure 3-6.



The figure illustrates that 40% of the assets are classified as High Risk and are earmarked for Capital Replacement, while 45% fall into the Medium Risk category and are planned for contingency measures. Assets with High or Medium Risk predominantly include Buses and Fire Suppression Vehicles.

Additionally, 8% of the assets are categorized as Moderate Risk and are slated for Maintenance Planning, whereas 8% are deemed Low Risk and are designated for Monitoring. These lower-risk assets primarily consist of Heavy-Duty Type Vehicles, Light & Medium Duty Type Vehicles, and Trailers.

3.4 Lifecycle Expenditure 10-Year Forecast

The 10-year lifecycle of expenditure forecast for the Licensed Fleet assets is presented in Figure 3-7, summarized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).

Figure 3-7 Lifecycle Expenditure Forecast by Customer Value - Licensed Fleet (2023\$)



The forecast indicates that the total expenditure for the Licensed Fleet will amount to \$672 million over the 10-year period. This allocation includes \$100 million designated for the customer service value of Quality, \$398 million for Reliable, and \$173 million for Functional.

On an annual basis, the average investment expenditure is estimated to be \$67 million. Of this, \$10 million is allocated for Quality, \$40 million for Reliable, and \$17 million for Functional customer service values.

Additionally, Table 3-9 offers a detailed breakdown of the lifecycle expenditure forecast by programs.

Chapter 3 Licensed Fleet | Lifecycle Expenditure 10-Year Forecast

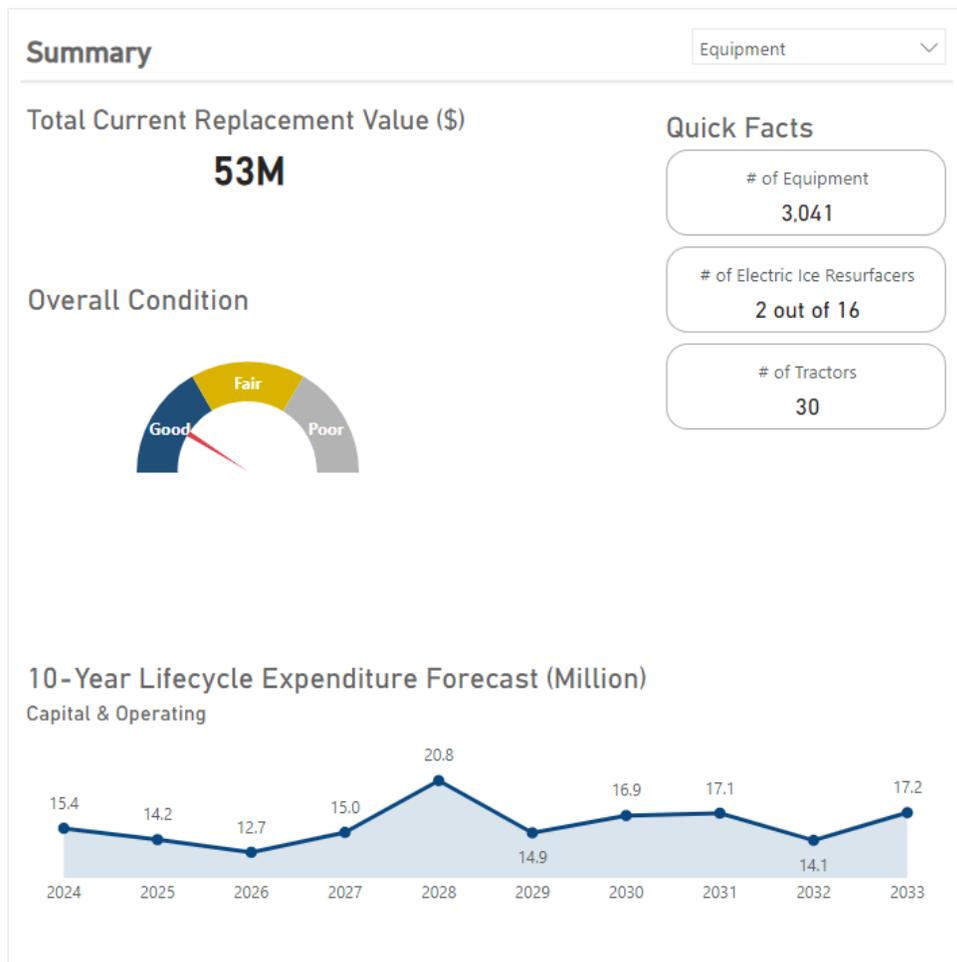
Table 3-9 Lifecycle Expenditure Forecast – Licensed Fleet (2023\$)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Reliable	\$31,039,155	\$33,154,175	\$34,516,905	\$36,250,205	\$38,241,529	\$40,664,414	\$42,984,347	\$45,096,711	\$47,558,009	\$48,796,928	\$398,302,378
Tranist Bus Maintenance Program	\$22,221,600	\$23,805,400	\$24,976,000	\$26,609,200	\$28,330,484	\$30,503,993	\$32,502,873	\$34,275,932	\$36,414,150	\$37,331,132	\$296,970,764
Vehicle Maintenance Program	\$5,483,855	\$5,776,875	\$5,949,905	\$6,050,005	\$6,248,225	\$6,424,345	\$6,670,676	\$6,933,765	\$7,179,105	\$7,421,747	\$64,138,503
Emergency Vehicle Mtce Program	\$3,333,700	\$3,571,900	\$3,591,000	\$3,591,000	\$3,662,820	\$3,736,076	\$3,810,798	\$3,887,014	\$3,964,754	\$4,044,049	\$37,193,111
Functional	\$19,217,600	\$17,764,600	\$18,894,500	\$10,791,400	\$19,834,600	\$15,108,600	\$14,576,800	\$16,874,400	\$15,613,000	\$24,673,200	\$173,348,700
Transit Electrification Plan	\$14,637,400	\$16,095,400	\$18,088,100	\$10,404,400	\$19,631,500	\$14,808,000	\$13,926,700	\$15,564,400	\$14,974,000	\$23,319,100	\$161,449,000
Growth Fleet Plan Implementation	\$4,145,200	\$1,669,200	\$806,400	\$387,000	\$203,100	\$300,600	\$613,500	\$755,200	\$544,900	\$466,800	\$9,891,900
Vehicle Utilization & Electrification Plan	\$435,000	-	-	-	-	-	\$36,600	\$554,800	\$94,100	\$887,300	\$2,007,800
Quality	\$10,184,400	\$11,066,300	\$6,489,400	\$8,413,900	\$4,829,900	\$6,265,500	\$7,808,500	\$15,048,400	\$16,499,400	\$13,870,000	\$100,475,700
Transit Bus Refurbishment & Renewal Program	\$2,012,000	\$2,012,000	\$2,012,000	\$2,012,000	\$2,012,000	\$2,012,000	\$2,012,000	\$10,542,000	\$9,839,200	\$6,331,500	\$40,796,700
Vehicle Renewal Program	\$4,528,400	\$3,787,500	\$3,957,300	\$2,543,400	\$2,520,800	\$2,840,000	\$2,689,700	\$3,374,100	\$3,358,200	\$5,751,300	\$35,350,700
Emergency Vehicle Renewal Program	\$3,644,000	\$5,266,800	\$520,100	\$3,858,500	\$297,100	\$1,413,500	\$3,106,800	\$1,132,300	\$3,302,000	\$1,787,200	\$24,328,300
Total	\$60,441,155	\$61,985,075	\$59,900,805	\$55,455,505	\$62,906,029	\$62,038,514	\$65,369,647	\$77,019,511	\$79,670,409	\$87,340,128	\$672,126,778

Chapter 4

Equipment

4. Equipment



S

Asset Category	Examples
Earth Moving & Road Equipment	excavator, backhoe, loader, tractor
Emergency & Safety Equipment	bunker gear, Self-Contained Breathing Apparatus
Facility Operational Equipment	ice resurfacer, floor scrubbers
Grounds Maintenance Equipment	mower, sweeper, dump, groomer
Material Handling Equipment	forklift, gantry
Program Equipment	audio/visual equipment, fitness equipment, pay and display machines
Vehicular Service Equipment	cranes, welder, hoist
Waste Handling Equipment	in-ground waste receptacle

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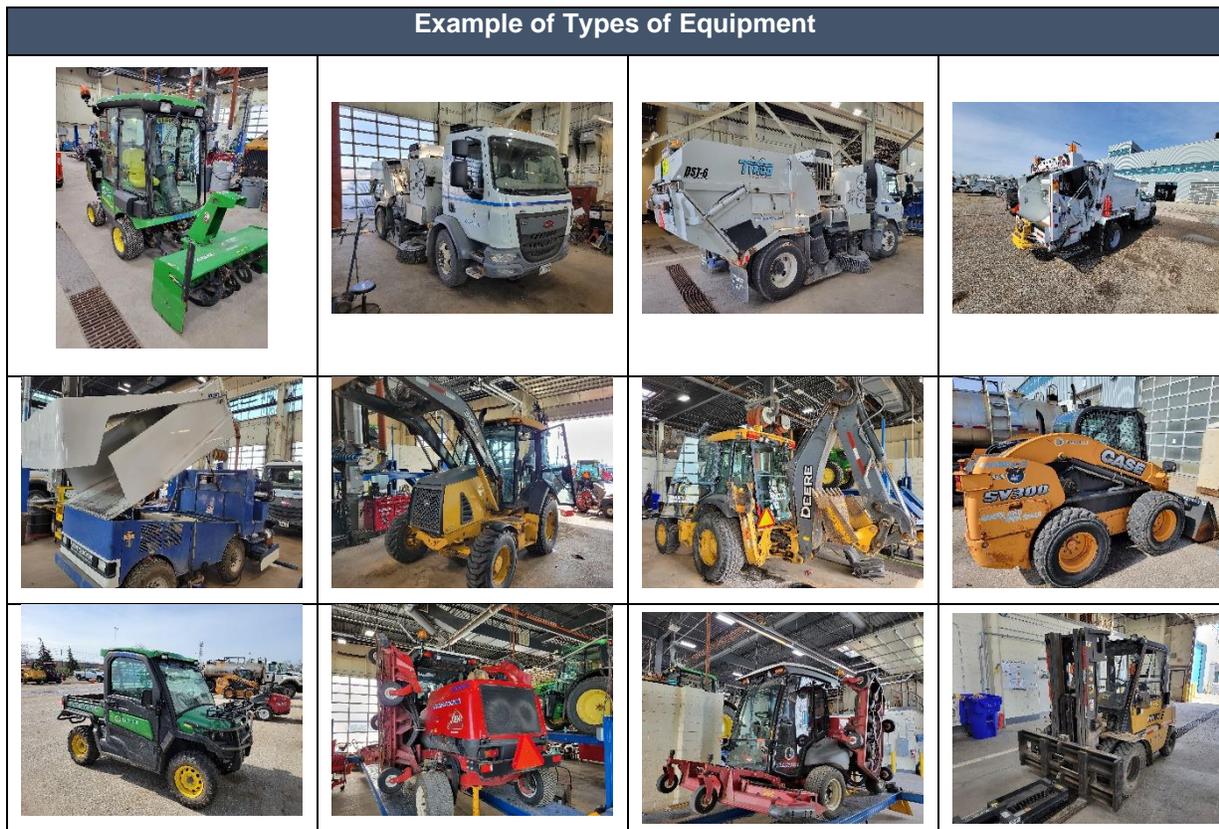
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4.1 State of Infrastructure

In Section 2.1, the town's method for assessing the condition of its infrastructure assets is outlined. This assessment includes determining the 2023 Current Replacement Value (CRV), evaluating their condition, and considering their age (Stage of Life).

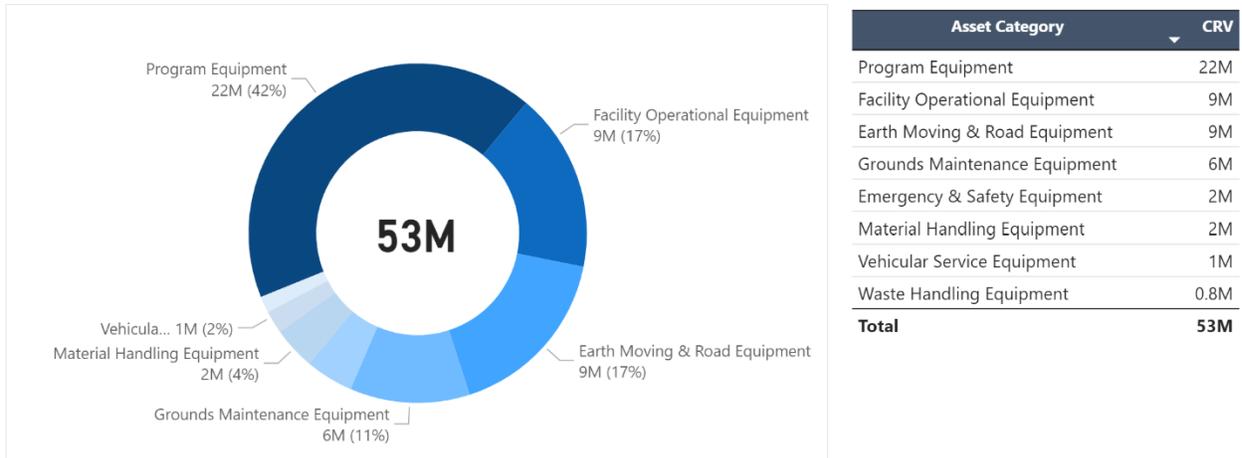
The Equipment Asset Class comprises of eight (8) categories which are Earth Moving & Road Equipment, Emergency & Safety Equipment, Facility Operational Equipment, Grounds Maintenance Equipment, Material Handling Equipment, Program Equipment, Vehicular Service Equipment, and Waste Handling Equipment.



4.1.1 Current Replacement Value (2023)

The Equipment assets have an estimated current replacement value (CRV) of around \$53 million. Figure 4-1 illustrates this breakdown by category. Program Equipment represents the highest portion of the total CRV at \$22 million (or 42%), followed by Facility Operational Equipment at \$9 million (or 17%), Earth Moving & Road Equipment also at \$9 million (or 17%), and Grounds Maintenance Equipment at \$6 million (or 11%).

Figure 4-1 2023 Replacement Values by Asset Category – Equipment



4.1.2 Condition

Asset condition programs are vital for maintaining the reliability and performance of various town assets. These programs involve systematically inspecting asset conditions, often on a recurring basis, to evaluate their overall health and functionality. Regular inspections enable a thorough assessment of both condition and performance, aiding in the timely identification of potential issues and facilitating proactive maintenance measures. However, certain assets may present challenges in terms of assessment due to limitations in accurately gauging their condition. In such cases, where assessing condition becomes difficult, a life cycle degradation calculation is performed based on the remaining useful life. Specialized strategies are then implemented to monitor and manage these assets effectively.

By employing asset infrastructure condition programs, the town can improve operational efficiency, prolong asset lifecycles, and minimize unexpected disruptions, ultimately contributing to a more resilient and sustainable infrastructure. The conditions of Earth Moving and Road Equipment assets are assessed during annual safety inspections. Additionally, routine condition inspections are conducted for Vehicle Service equipment, such as hoists and cranes, as part of the safety program. For the remaining assets, conditions are calculated based on their age and expected remaining useful life.

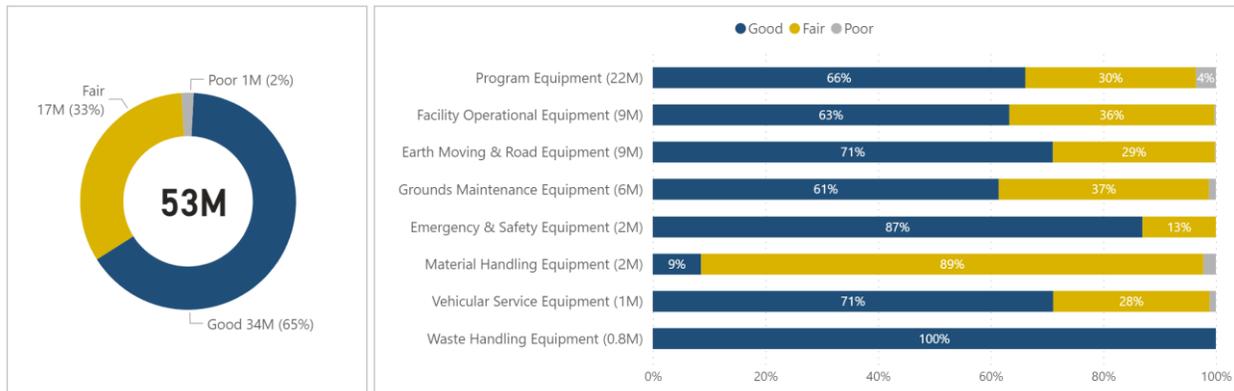
The ratings as well as example images are summarized in Table 4-1.

Table 4-1 Condition States – Equipment

Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	No Picture Available

Figure 4-2 offers a summary of Equipment asset conditions, categorized by type and CRV. Overall, the Equipment assets are predominantly in Good or Fair condition. On average, 65% are categorized as Good condition, while 33% are classified as Fair condition. A small portion, ranging from 1% to 4%, of the equipment assets have been identified as being in Poor condition within the categories of Program Equipment, Facility Operational Equipment, Grounds Maintenance Equipment, and Vehicular Service Equipment.

Figure 4-2 Asset Average Condition by CRV and Asset Category – Equipment



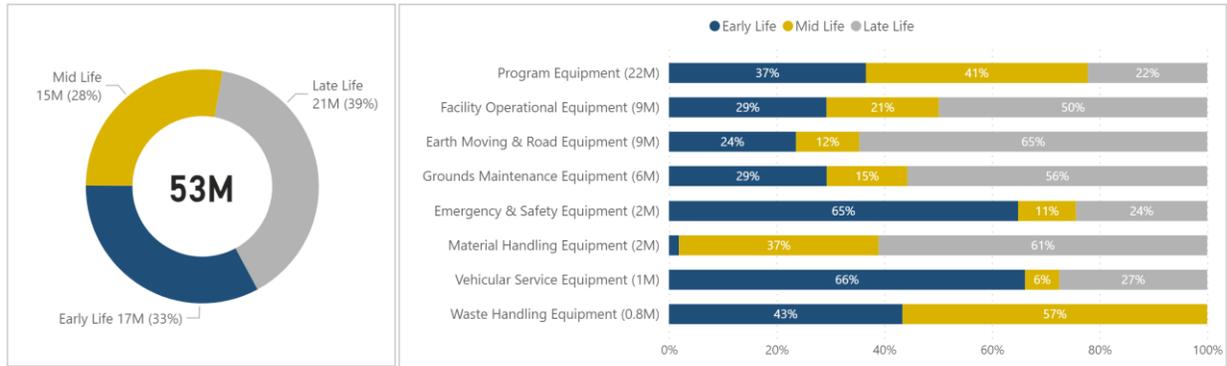
4.1.3 Age

The estimated average useful life of the asset categories ranges from 8 to 21 years and the average age ranges from 3 to 11 years.

Figure 4-3 displays the average stage of life categorized by type and CRV. Generally, 61% of the assets fall within the Early and Mid Life stages, while 39% are in the Late Life stage. With the exception of Waste Handling Equipment, all categories show a significant portion of assets in the Late Life stage, ranging from 22% to 65%.

It's important to note that there are renewal programs in place that assess the usage and potential electrification of equipment. Therefore, an asset being in the Late Stage of Life does not necessarily indicate Poor Condition, as indicated by examining the average condition depicted in the figure.

Figure 4-3 Asset Average Stage of Life by CRV and Category – Equipment



4.2 Levels of Services

Section 2.2 outlines the town's Level of Service Framework. The objectives for Equipment at both the Corporate Level and the Customer Level are summarized in Table 4-2. The customer service objectives are in line with three selected Customer Values: Quality, Reliability, and Functionality.

Table 4-2 Customer Service Objectives – Equipment

LOS Level		Statement/Objective	
Corporate	Organizational Objective/Vision	A vibrant and livable community for all.	
	Customer Expectation	Equipment is appropriate and in operational condition and available when required	
	Service Commitment	To have available appropriate and reliable equipment to achieve the town's program service delivery commitments	
Customer	Customer Service Values	Quality	To manage the equipment conditions to a reasonable quality and minimize service interruption.
		Reliable	To take appropriate actions to ensure equipment are available and dependable and meets standards and legislative requirements.
		Functional	To plan for equipment needs ensuring alignment with changes in service needs, growth, and climate policies.

To measure the customer service objectives, a collection of customer Level of Service (LOS) and technical Level of Service metrics have been set up, grounded on the Customer Service Values: Quality, Reliability, and Functionality. The metrics, along with their performance in 2023, are outlined in Table 4-3 and Table 4-4.

Table 4-3 Town of Oakville’s Customer LOS Metrics – Equipment

Performance Metric		2023 Performance
Quality	To manage the equipment conditions to a reasonable quality and minimize service interruption.	
	The percentage of equipment be maintained in a “fair” or better rated condition ¹ .	96%
Reliable	To take appropriate actions to ensure equipment are available and dependable and meets standards and legislative requirements.	
	Maintain the ratio of preventive maintenance work orders to 80% ²	40%
Functional	To enhance the efficiency of fuel operated equipment in terms of energy consumption, ensuring alignment with growing demands and adherence to climate policies.	
	Incrementally raise the proportion of electric motorized and power equipment ³ .	7%

1. This is based on reviewing asset condition inspection information. Greater analysis is necessary to standardize the condition information and to determine what the lower limit of this target should be given the wide variation of equipment and service redundancies requirements.
2. The Preventative Maintenance Program (PM): The work order data and related data capture processes are being reviewed to better align the reporting requirements to the PM Metric and reflective of the goal of the PM program.
3. An Electrical/Battery equipment strategy is being developed along with the associated metrics. These metrics will be used in future AMPS.

Table 4-4 Town of Oakville’s Specific Technical LOS Metrics – Equipment

Performance Metric		Related Asset Category	2023 Performance
Quality	To manage the equipment conditions to a reasonable quality and minimize service interruption.		
	The percentage of disposed equipment prior to reaching the end of their useful life ¹ .	All Equipment Categories	15%
	Ensure that 100% of emergency-related equipment does not surpass its life expectancy ² .	All Equipment Categories	100%
Reliable	To take appropriate actions to ensure equipment are available and dependable and meets standards and legislative requirements.		
	The number of engine hours per corrective work order	Equipment using Hrs.	42 Hrs.
Functional	To enhance the efficiency of fuel operated equipment in terms of energy consumption, ensuring alignment with growing demands and adherence to climate policies.		
	That 90% of ice re-surfacers will be electric by 2033 ³ .	Ice re-surfacer	13% On Target
	To maintain the current 10 year average # of vehicle & equipment quantity per capita as the town grows ⁴ .	Fleet /Equipment Target (.0046)	.0044 (2021)

1. This number usually equates to about 1 to 2 pieces of equipment per year where the maintenance cost is exceeding the remaining value left on the equipment.
2. The NFPA 1901 Standard for automotive fire apparatus or CAN/ULC S515 Standard for automobile fire fighting apparatus
3. From [2020 Energy Conservation and Demand Management Plan](#)
4. From [2022 Development Study Background Study](#)

4.3 Life Cycle Management Strategy

The asset lifecycle stages, the town’s approach of identifying asset management programs, and the town’s risk assessment framework including the scoring system for assessing asset criticality, are described in Section 2.2.

4.3.1 Asset Management Programs

Table 4-5 through Table 4-7 summarize the asset management programs for Equipment assets that are being implemented to ensure the established LOS are delivered. The programs have been categorized into the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).

Table 4-5 Asset Management Programs (Quality) – Equipment

AM Programs - Quality
<p><u>Equipment Renewal Program</u></p> <p>The aim of this program is to effectively oversee equipment conditions and renewals to maintain uninterrupted service delivery. Renewal projects are prioritized within a 10-year forecast, taking into account asset conditions as determined by inspections and the potential consequences of failure.</p>

Table 4-6 Asset Management Programs (Reliable) – Equipment

AM Programs - Reliable
<p><u>Equipment Maintenance Program</u></p> <p>The goal of this program is to conduct inspections and upkeep of equipment to ensure uninterrupted service provision.</p>

Table 4-7 Asset Management Programs (Functional) – Equipment

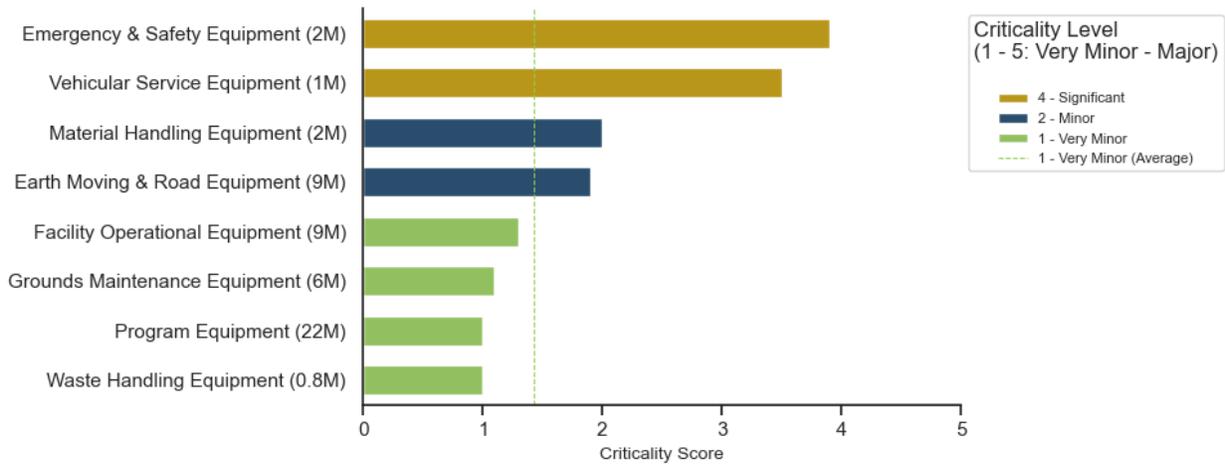
AM Programs - Functional
<p><u>Equipment Electrification Plan</u></p> <p>The aim of this program is to decrease greenhouse gas emissions by substituting traditional equipment with electric alternatives. These technological upgrades are intended to enhance fuel economy, decrease fuel expenses, and minimize environmental impact.</p>
<p><u>Growth Equipment Plan Implementation</u></p> <p>The goal of this program is to ensure that as the town expands, service areas maintain ongoing access to the appropriate equipment needed to meet growing demands.</p>

4.3.2 Criticality

Based on the town's scoring system for evaluating asset criticality, which quantifies the consequence of failure, the Criticality Score varies from 1 to 5 for each evaluated asset category. A score of 1 denotes very minor criticality, while a score of 5 indicates major criticality.

Figure 4-4 illustrates the average criticality of the Equipment assets, categorized by asset type and CRV.

Figure 4-4 Average Criticality by CRV and Asset Category – Equipment

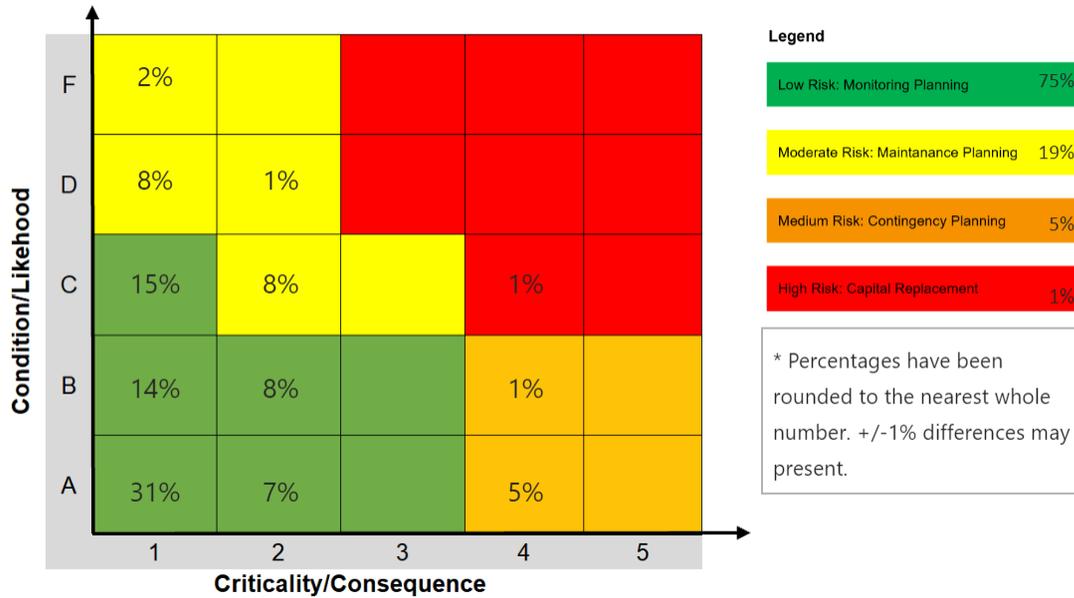


In General, Equipment assets would have Very Minor Criticality, with the average rating of 1.4. Emergency & Safety Equipment and Vehicular Service Equipment would have a higher criticality between 3 and 4, i.e., Important Criticality. The remaining categories would have the criticality ratings ranging from 1 to 2, representing Very Minor and Minor Criticality.

4.3.3 Risk

Based on the town’s Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the Licensed Fleet assets, summarized by CRV, is presented in Figure 4-5.

Figure 4-5 Overall Risk Summarized by CRV – Equipment



The figure shows that the Equipment assets carry a low level of risk. Only 1% of the Equipment falls into the High-risk category, indicating that they should be included in a 10-year renewal forecast. Around 5% of the assets fall into the Medium-risk category, which includes higher critical categories such as Emergency & Safety Equipment and Vehicular Service Equipment. Approximately 19% of the assets, spanning various categories, fall into the Moderate-risk category.

4.4 Lifecycle Expenditure 10-Year Forecast

The 10-year lifecycle of expenditure forecast for the Equipment assets is presented in Figure 4-6, summarized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).

Figure 4-6 Lifecycle Expenditure Forecast by Customer Value - Equipment (2023\$)



The forecast predicts that the total expenditure for Equipment will amount to \$158 million over the 10-year period, with allocations of \$48 million for the customer service value of Quality, \$52 million for Reliable, and \$57 million for Functional.

On an annual basis, the average investment expenditure will be \$16 million, with \$5 million dedicated to Quality, \$5 million to Reliable, and \$6 million to Functional customer service values.

Additionally, Table 4-8 offers a detailed breakdown of the lifecycle expenditure forecast by programs.

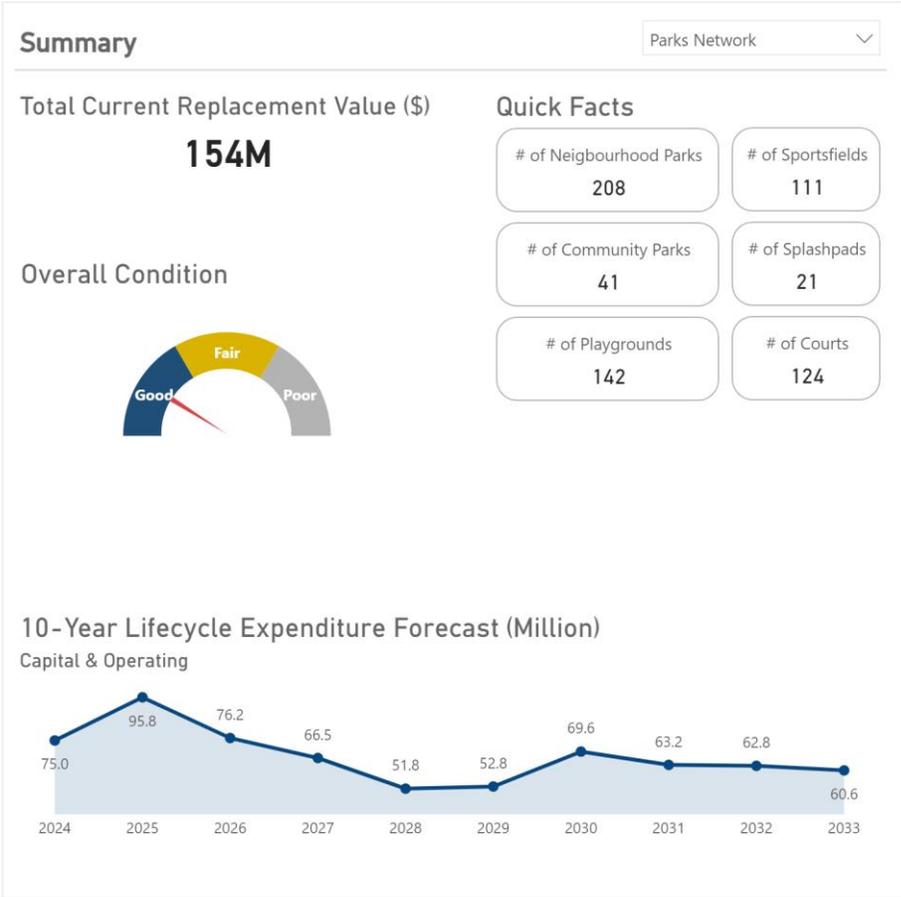
Chapter 4 Equipment | Lifecycle Expenditure 10-Year Forecast

Table 4-8 Lifecycle Expenditure Forecast – Equipment (2023\$)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Functional	\$5,274,100	\$5,371,600	\$5,006,300	\$5,464,800	\$7,349,000	\$5,240,500	\$5,762,000	\$6,016,100	\$5,989,300	\$6,001,100	\$57,474,800
Equipment Electrification Plan	\$4,521,600	\$4,560,800	\$4,647,800	\$4,756,600	\$4,842,100	\$4,934,400	\$5,053,800	\$5,356,200	\$5,323,300	\$4,324,400	\$48,321,000
Growth Equipment Plan Implementation	\$752,500	\$810,800	\$358,500	\$708,200	\$2,506,900	\$306,100	\$708,200	\$659,900	\$666,000	\$1,676,700	\$9,153,800
Reliable	\$4,594,445	\$4,626,725	\$4,772,695	\$4,769,595	\$4,908,067	\$5,034,974	\$6,231,327	\$6,158,419	\$5,573,192	\$5,813,249	\$52,482,688
Equipment Maintenance Program	\$4,594,445	\$4,626,725	\$4,772,695	\$4,769,595	\$4,908,067	\$5,034,974	\$6,231,327	\$6,158,419	\$5,573,192	\$5,813,249	\$52,482,688
Quality	\$5,561,400	\$4,157,400	\$2,956,300	\$4,736,200	\$8,542,700	\$4,645,600	\$4,875,000	\$4,959,800	\$2,515,700	\$5,378,200	\$48,328,300
Equipment Renewal Program	\$5,561,400	\$4,157,400	\$2,956,300	\$4,736,200	\$8,542,700	\$4,645,600	\$4,875,000	\$4,959,800	\$2,515,700	\$5,378,200	\$48,328,300
Total	\$15,429,945	\$14,155,725	\$12,735,295	\$14,970,595	\$20,799,767	\$14,921,074	\$16,868,327	\$17,134,319	\$14,078,192	\$17,192,549	\$158,285,788

Chapter 5 Parks Network

5. Parks Network



Asset Category	Park Network Examples
Sports fields and Related Components	Ball Diamonds, Cricket Pitches, Soccer, Field Hockey, Football
Site Improvements	Irrigation Systems, Lighting, Walkways
Play Amenities and Related Components	Playground, Skateboard Park, Splash Pad
Structures and Related Components	Shade Structures
Roadway & Parking Lot	Driveways, Parking Lots
Trail System - Bridge & Stairs	Park Bridges, Park Stairs
Courts and Related Components	Basketball Court, Tennis Courts, Pickleball Courts, Ball Hockey

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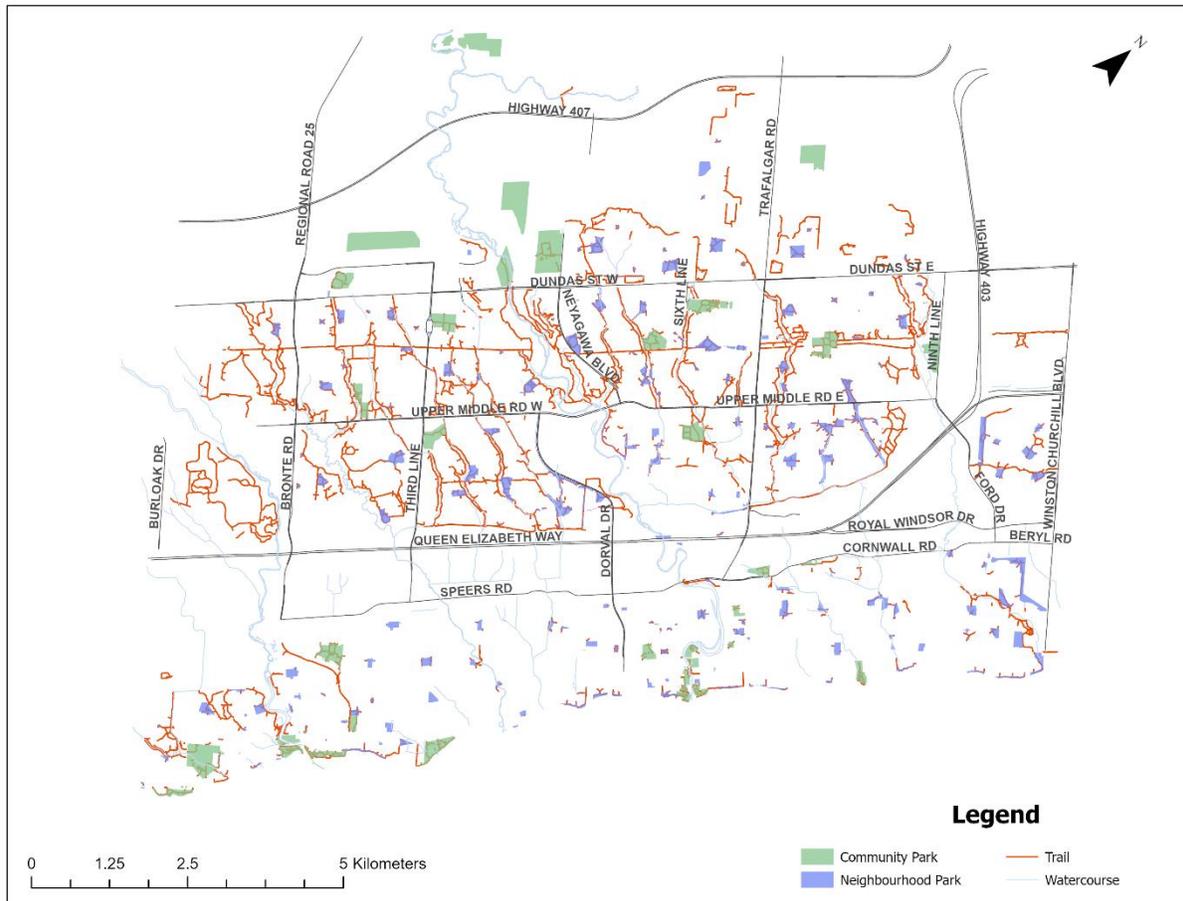
5.1 State of Infrastructure

In Section 2.1, the town's method for assessing the condition of its infrastructure assets is outlined. This assessment includes determining the 2023 Current Replacement Value (CRV), evaluating their condition, and considering their age (Stage of Life).

The Parks Network amenities encompasses seven (7) asset categories, collectively aimed at fulfilling customer expectations of accessible, high-quality parks. The assets fall within Community Parks, Neighbourhood Parks and the trail system assets. These categories include Courts and Related Components, Play Amenities and Related Components, Roadways & Parking Lots, Site Improvements, Sportfields and Related Components, Structures and Related Components, and Bridges & Stairs.

The town's major parks and trails are illustrated spatially in Figure 5-1. More details can be explored on the town's interactive map [Town of Oakville Information Map](#).

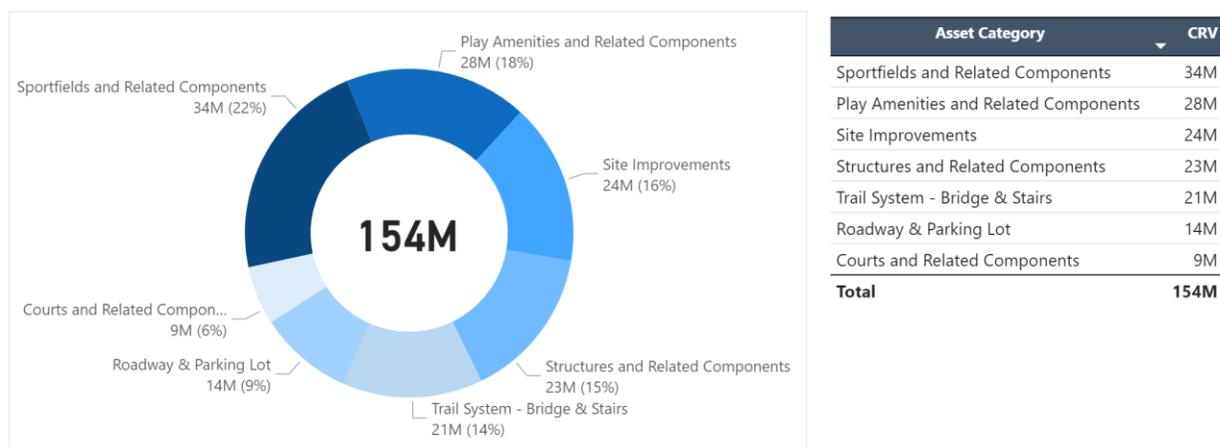
Figure 5-1 Parks Network



5.1.1 Current Replacement Value (2023)

The estimated 2023 current replacement value (CRV) of the Parks Network assets stands at around \$156 million. Illustrated by asset category in Figure 5-1, the distribution of the Total CRV appears relatively balanced. Sportfields and Related Components hold the largest proportions of the total CRV, totaling \$34 million (or 22%), followed by Play Amenities and Related Components at \$28 million (or 18%), and Site Improvements at \$24 million (or 16%). CRV for Structures and Related Components, Roadways & Parking Lots, and Trail System – Bridge & Stairs range from \$21 million to \$23 million (or 14 -15%). Courts and Related Components account for the smallest proportion of the total CRV at \$9 million (or 6%).

Figure 5-1 2023 Replacement Values by Asset Category - Parks Network



5.1.2 Condition

Parks Network assets undergo scheduled condition assessments. Bridges and stairs in parks are inspected by an engineering firm every two years, while shade structures are inspected every five years. The remaining assets are inspected annually by town’s Parks staff. In cases where there is no physical condition information available, the asset conditions are determined based on their age and expected remaining useful life.

The ratings, along with example images, are summarized in Table 5-1 through Table 5-5.

Table 5-1 Condition States - Bridges

CIRC Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	

Table 5-2 Condition States - Stairs

CIRC Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Poor)	D		
5 (Very Poor)	F	Poor	

Table 5-3 Condition States - Trails

CIRC Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	

Table 5-4 Condition States - Splashpads

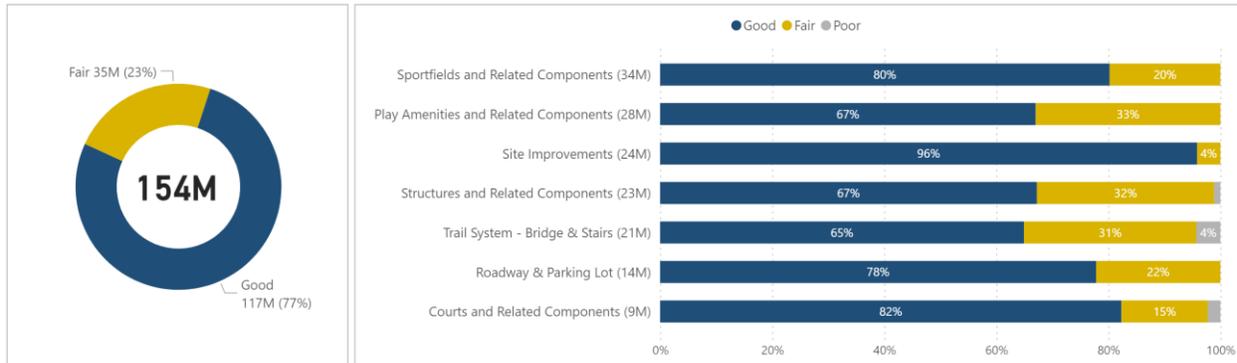
CIRC Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	No Picture Available

Table 5-5 Condition States - Playgrounds

CIRC Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	No Picture Available

Figure 5-2 presents an overview of Parks Network asset conditions, categorized by asset category and CRV. Overall, the Parks Network assets predominantly fall into the Good to Fair condition range. On average, 76% are classified as good condition, while 24% are classified as Fair condition.

Figure 5-2 Asset Average Condition by CRV and Asset Category - Parks Network



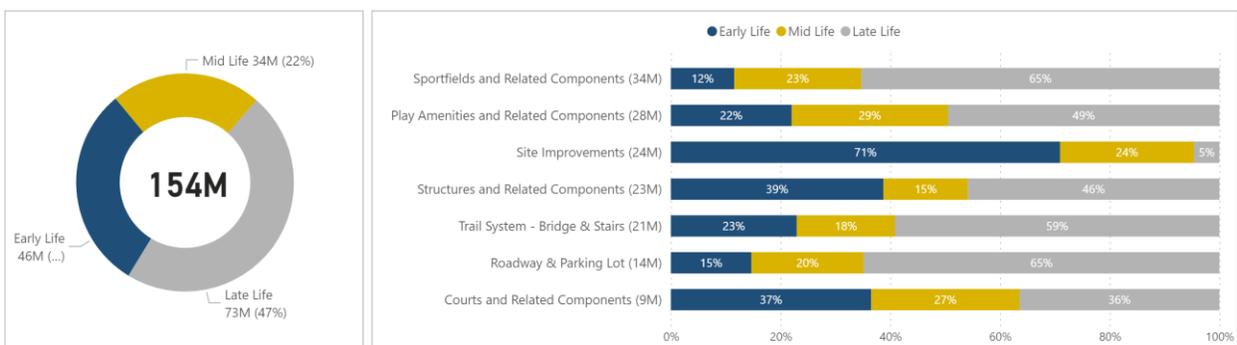
5.1.3 Age

The estimated average useful life of the asset categories ranges from 17 to 33 years, with the average age ranging from 5 to 24 years.

Figure 5-3 illustrates the average stage of life categorized by asset category and CRV. Overall, 55% of the assets are in the Early and Mid-Life stages, while 45% are in the Late Life stage. Each of the seven categories has a proportion of assets in the Late Life stage, ranging from 5% to 65%.

It is important to note that all Parks Network assets undergo cyclic inspections for condition and performance to ensure overall good condition regardless of their stage of life. Asset renewal programs are implemented to support servicing objectives outlined in the Parks master planning. Therefore, being in the Late Stage of Life for an asset does not necessarily indicate poor condition, as evidenced by reviewing the figure of the average condition.

Figure 5-3 Asset Average Stage of Life by CRV and Asset Category - Parks Network



5.2 Levels of Services

Section 2.2 of the document outlines the town’s Level of Service Framework. Table 5-6 summarizes the Level of Service objectives for Parks Network at both the Corporate Level and the Customer Level. These objectives are aligned with three chosen Customer Values: Quality, Reliable, and Functional.

Table 5-6 Customer Service Objectives – Parks Network

LOS Level		Statement/Objective	
Corporate	Organizational Objective/Vision	A vibrant and livable community for all.	
	Customer Expectation	Accessible quality parks and outdoor leisure spaces.	
	Service Commitment	Ensure that our parks are safe, welcoming, and enjoyable, helping people and families to discover, participate, belong, and thrive.	
Customer	Customer Service Values	Quality	To manage the condition of park assets to a reasonable quality and minimize service interruption.
		Reliable	To take appropriate actions to ensure park network assets are available and dependable and meets standards and legislative requirements.
		Functional	To plan the current and future connectivity of Parks and Open Spaces, aligning them with the town's growth and the evolving needs of the community and climate policies.

To measure the customer service objectives, a series of customer Level of Service (LOS) and technical Level of Service metrics have been developed, grounded in the Customer Service Values: Quality, Reliable, and Functional. These metrics, along with their performance in 2023, are outlined in Table 5-7 and Table 5-8.

Table 5-7 Town of Oakville’s Customer LOS Metrics – Parks Network

Performance Metric		Related Asset Category	2023 Performance
Quality	To manage the condition of park network assets to a reasonable quality and minimize service interruption.		
	The percentage of Park Amenities be maintained in a “fair” or better rated condition ¹	Park Amenities	94.5%
Reliable	To take appropriate actions to ensure park network assets are available and dependable and meets standards and legislative requirements.		
	That 100% of Park Asset Inspections are completed according to Canadian Standards Association guidelines ²	All parks with Playground & Splashpads	100%
Functional	To plan the current and future connectivity of Parks and Open Spaces, aligning them with the town's growth and the evolving needs of the community and climate policies.		
	To maintain the current 10-year average # of parkland amenities at .0038 per capita ³	Park Network	.0038 amenities per capita (2021)
	To maintain the current 10-year average total hectares of parkland at .0044 hectares per capita ³ .	Park Network	.0044 Hectares per capita (2021)
	To maintain the current 10-year average # parkland trails of .0007 linear kilometers of per capita ³	Park Network	.0006 km per capita (2021)

1. This is based on reviewing asset condition inspection information. Greater analysis is necessary to standardize the condition information and to determine what the lower limit of this target should be given the wide variation of park amenities and service redundancies requirements.
2. Canadian Standards Association CSA Z614:20 guidelines for Children’s playground equipment and surfacing
3. From [2022 Development Study Background Study](#)

Table 5-8 Town of Oakville’s Specific Technical LOS Metrics – Parks Network

Performance Metric		Related Asset Category	2023 Performance
Quality	To manage the condition of park network assets to a reasonable quality and minimize service interruption.		
	The percentage of Parks Assets disposed prior to reaching the end of their useful life ⁴ .	Park Network	18%
Reliable	To take appropriate actions to ensure park network assets are available and dependable and meets standards and legislative requirements.		
	Maintain the ratio of preventive maintenance work orders to unplanned maintenance work orders at 80% ⁵ .	Park Network	97%
Functional	To plan the current and future connectivity of Parks and Open Spaces, aligning them with the town’s growth and the evolving needs of the community and climate policies.		
	To ensure current year usage is within the 80% of the 3 year usage average.	Sportsfields, Community Parks	85%
		Sportfields, Neighbourhood Parks	89%
		Turf	90%
		Diamond	108%
		Cricket	102%
		Picnics	133%

4. This number usually equates to about 1 to 2 park amenities per year and aligns with any park upgrades.
5. The Preventative Maintenance Program (PM): The work order data and related data capture processes are being reviewed to better align the reporting requirements to the PM Metric and reflective of the goal of the PM program.

5.3 Life Cycle Management Strategy

In Section 2.2, the document details the stages of asset lifecycles, the town’s method for identifying asset management programs, and its risk assessment framework, which includes a scoring system for evaluating asset criticality.

5.3.1 Asset Management Programs

Table 5-9 through Table 5-11 provide summaries of the asset management programs implemented for the Park Network assets to ensure the established Level of Service (LOS) is delivered. These programs are categorized into the three selected Customer Values: Quality, Reliable, and Functional

Table 5-9 Asset Management Programs (Quality) – Park Network

Programs - Quality
<p><u>Trails Rehabilitation and Renewal Program</u></p> <p>This program aims to oversee the maintenance of trail conditions and the renewal of stairs and bridges to guarantee continuous access. Asset selection for the program is primarily determined by their conditions, evaluated through the following inspection schedule:</p> <ul style="list-style-type: none"> • Trails undergo an annual inspection. • Bridges and stairs are inspected every two years by an engineer from a third-party source. <p><u>Park and Amenities Maintenance & Renewal Program</u></p> <p>The primary goal of this program is to oversee the renewal process of parks and their associated amenities. Selection of parks and related amenities for the program is primarily based on their conditions, evaluated according to the following inspection schedule:</p> <ul style="list-style-type: none"> • Shade structures undergo assessment by a third-party engineer every five years. • All other park amenities meeting the criteria below are annually assessed by town staff: <ul style="list-style-type: none"> ○ Assets with 7 years or less of remaining useful life. ○ Assets with more than 7 years of remaining useful life and a current condition rating of C, D, or F. ○ Assets that are not run-to-fail and have planned replacements.

Table 5-10 Asset Management Programs (Reliable) – Park Network

Programs - Reliable
<p><u>Parks Operational Maintenance & Repair Programs</u></p> <p>The primary aim of this program is to ensure uninterrupted operations through maintenance activities for parks.</p> <p><u>Park Amenities Inspection & Repair Program</u></p> <p>The primary aim of this program is to ensure uninterrupted operations through regular inspections and maintenance activities for all park assets.</p>

Table 5-11 Asset Management Programs (Functional) – Park Network

Programs - Functional
<p><u>Master Plan Implementation</u></p> <p>The Parks, Recreation & Library Master Plan outlines the types of Parks and related assets to be developed for growth-related developments. In accordance with the Master Plan, developers for all newly identified developments are mandated to allocate a percentage of land for parks. The selection of Parks assets, such as sports fields and playgrounds, within each park is determined based on the anticipated demographics of the development.</p> <p>A review of the Master Plan is currently underway and is expected to be completed in early 2024. This review will utilize the updated provision targets to identify and plan for new parks and facilities, ensuring the continued alignment of the town's parks and related amenities with the evolving needs of the community.</p> <p><u>Parks Plan 2031</u> provides direction to address long-term needs with changes to land needs allowing for flexibility in parks design and use.</p> <p>As an example, the strategic growth area will provide the highest order of amenities for adjacent residents and businesses, as well as a full array of housing forms and tenures. Therefore, it is important to understand the trade-off between the suburban and urban park systems.</p> <p><u>North Oakville Trails Plan</u> is a unique trail system designed specifically for the New Communities of Oakville located north of Dundas Street. The plan serves as a guide to the planning, development, and management of a sustainable trail network which embraces the diversity of users and user groups, and supports social, cultural, health, economic and environmental benefits for the local communities.</p> <p><u>North Oakville Parks Facilities Distribution Plan</u> is to guide the location, configuration, design, and development of the hierarchy of parks as defined within the North Oakville East Secondary Plan. As outlined in the agreement signed between the town and the developers for the developments in North Oakville, there would be a finite amount of parkland that the town will acquire, as well as the approximate locations of parks and hundreds of hectares of natural open space lands. In addition, The Municipal Lighting Study has placed restrictions on which sports fields can be lit. As such, the town is actively looking to update the Parks Facilities Distribution Plan in combination with the 2023 review of the Parks Master Plan.</p> <p><u>Land Purchase Program</u></p> <p>The objective of this program is to acquire land to create more parkland. In addition to the agreement signed between the town and the developers, the town is currently working on a land acquisition strategy. In brief, when land becomes available, the town reviews the business case for purchase or lease. Acquiring land is a complex process that requires consideration of timing with respect to land prices and availability, as well as consideration of the town's long-term goals for future development and anticipated land use needs. As an example, the town has an Official Plan policy is to have a continuous linear trail at the waterfront which will require land acquisition over time.</p> <p><u>Park Enhancement Program</u></p> <p>The aim of this program is to upgrade parks to meet community needs and modernizations.</p> <p><u>Trail Enhancement Program</u></p> <p>The aim of this program is to upgrade trails to meet community needs and modernizations.</p>

5.3.2 Criticality

Based on the town's scoring system for assessing asset criticality, i.e., the quantified consequence of failure, the Criticality Score ranges from 1 to 5 for each assessed asset category, with 1 representing very minor criticality and 5 representing major criticality.

The criticality of Parks Network assets is closely related to the park classification, which are characterized as Active Community Parks (AC), Active Neighbourhood Parks (AN), Passive Community Parks (PC), and Passive Neighbourhood Parks (PN).

An Active Community Park (AC) is a type of park designed to accommodate a wide range of recreational activities and events, encouraging community engagement and physical activity. These parks typically offer various amenities such as playgrounds, sports fields, picnic areas, walking and biking trails. The emphasis is on providing opportunities for active pursuits, social interaction, and healthy living within the local community

An Active Neighbourhood Park (AN) is a park located within or near a residential area, designed to serve the recreational and social needs of the local neighborhood. These parks are typically smaller in size compared to larger community parks and often include amenities such as playgrounds, sports fields, or courts, walking paths, picnic areas, and benches. The focus of active neighborhood parks is to provide opportunities for outdoor activities, community gatherings, and leisure pursuits for residents living nearby.

A Passive Community Park (PC) is a type of park designed for relaxation, contemplation, and enjoying nature, rather than active recreational activities. These parks often feature amenities such as walking trails, open green spaces, gardens, ponds, and seating areas. Unlike active parks, which typically include sports fields and playgrounds, passive parks are more tranquil and serene, providing opportunities for quiet reflection and leisurely strolls.

A Passive Neighborhood Park (PN) is a type of park situated within or near residential areas, primarily designed for quiet enjoyment, relaxation, and appreciation of nature. These parks typically feature amenities such as walking paths, open green spaces, benches, and perhaps small garden areas. Unlike active neighborhood parks, which may include playgrounds or sports facilities, passive neighborhood parks are designed to provide a tranquil environment for residents to unwind, enjoy peaceful walks, or engage in low-impact activities such as reading or picnicking.

Therefore, the average criticality of the Parks Network assets, are summarized by Park Type and CRV and are presented in Figure 5-4 through Figure 5-7.

Figure 5-4 Average Criticality by CRV and Asset Category – Active Community Parks

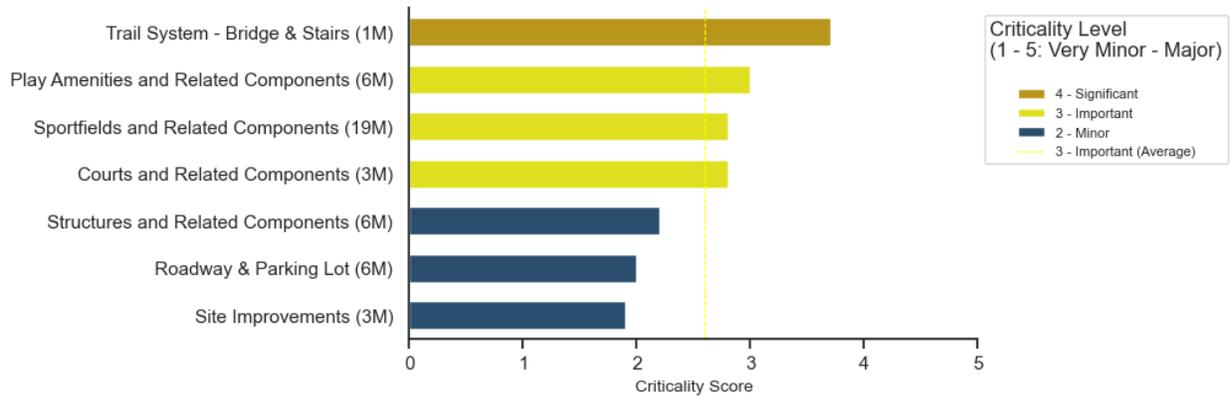


Figure 5-5 Average Criticality by CRV and Asset Category – Active Neighbourhood Parks

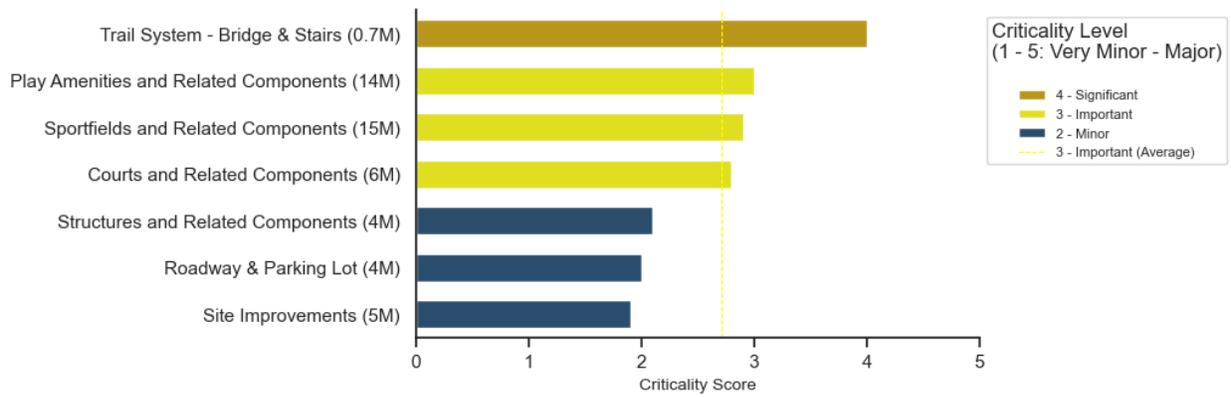


Figure 5-6 Average Criticality by CRV and Asset Category – Passive Community Parks

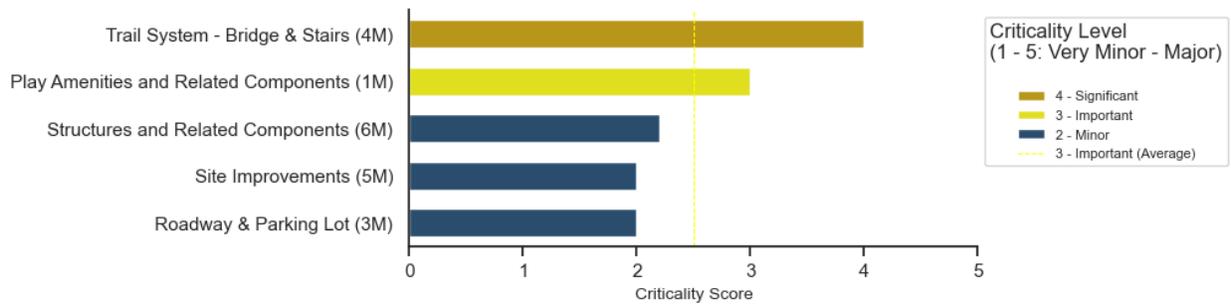


Figure 5-7 Average Criticality by CRV and Asset Category – Passive Neighborhood Parks

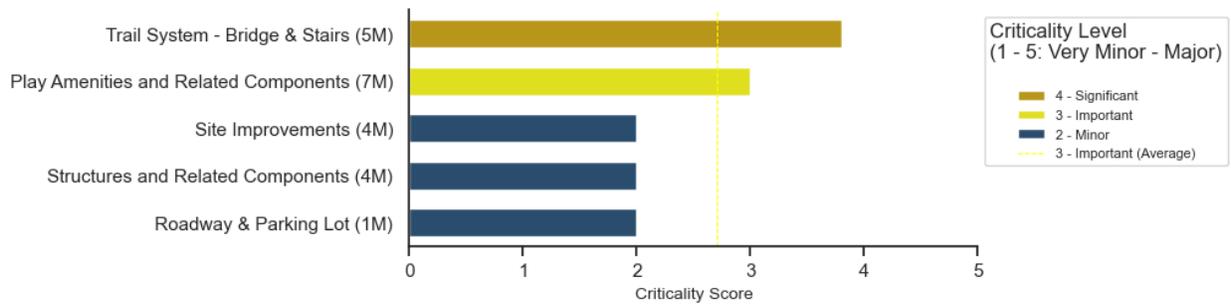


Table 5-12 Summary of Criticality by Park Type and Asset Category

Asset Category	1 - Very Minor				2 - Minor				3 - Important				4 - Significant				5 - Major			
	AC	AN	PC	PN	AC	AN	PC	PN	AC	AN	PC	PN	AC	AN	PC	PN	AC	AN	PC	PN
Site Improvements					X	X	X	X												
Play Amenities and Related Components									X	X	X	X								
Roadway & Parking Lot					X	X	X	X												
Structures and Related Components					X	X	X	X												
Trail System - Bridge & Stairs													X	X	X	X				
Courts and Related Components									X	X										
Sportfields and Related Components									X	X										

5.3.3 Risk

Based on the town’s Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the Parks Network assets, summarized by park type and CRV, is presented in Figure 5-8 through Figure 5-11.

Figure 5-8 Overall Risk Summarized by CRV – Active Community Parks

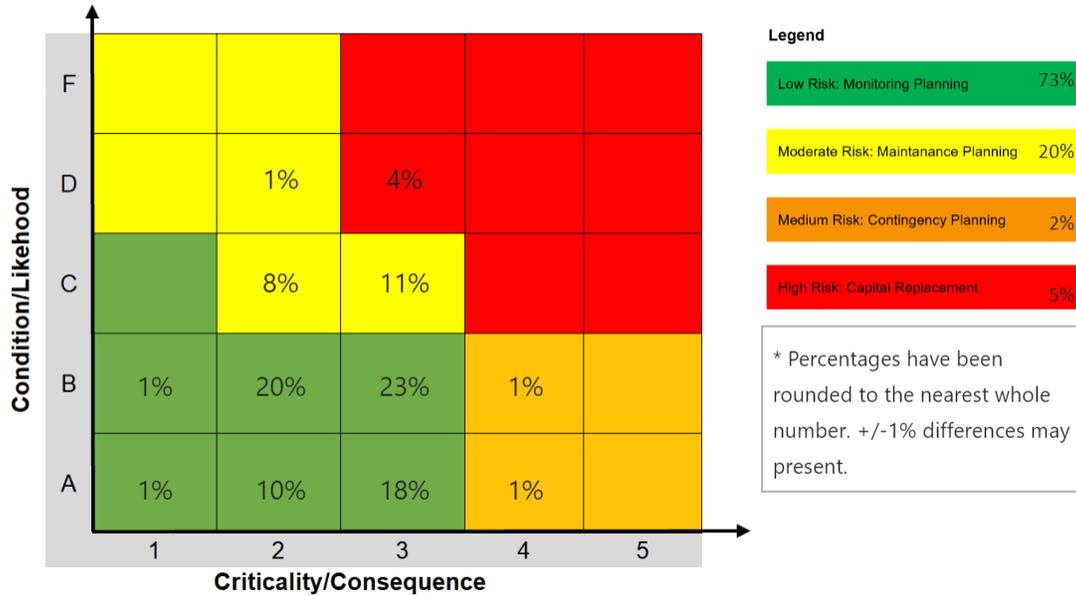


Figure 5-9 Overall Risk Summarized by CRV – Active Neighborhood Parks

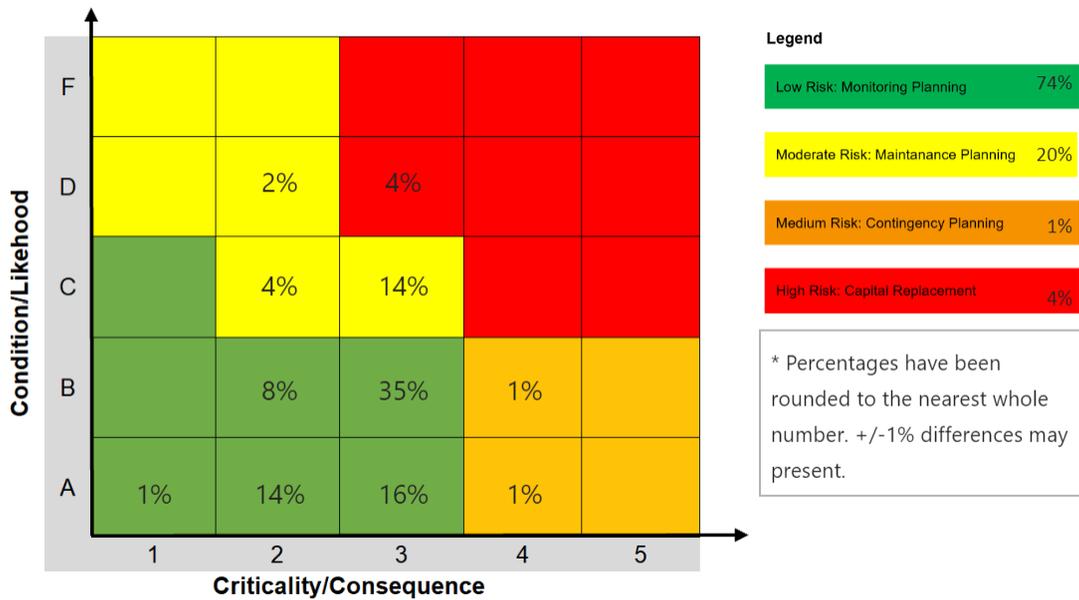


Figure 5-10 Overall Risk Summarized by CRV – Passive Community Parks

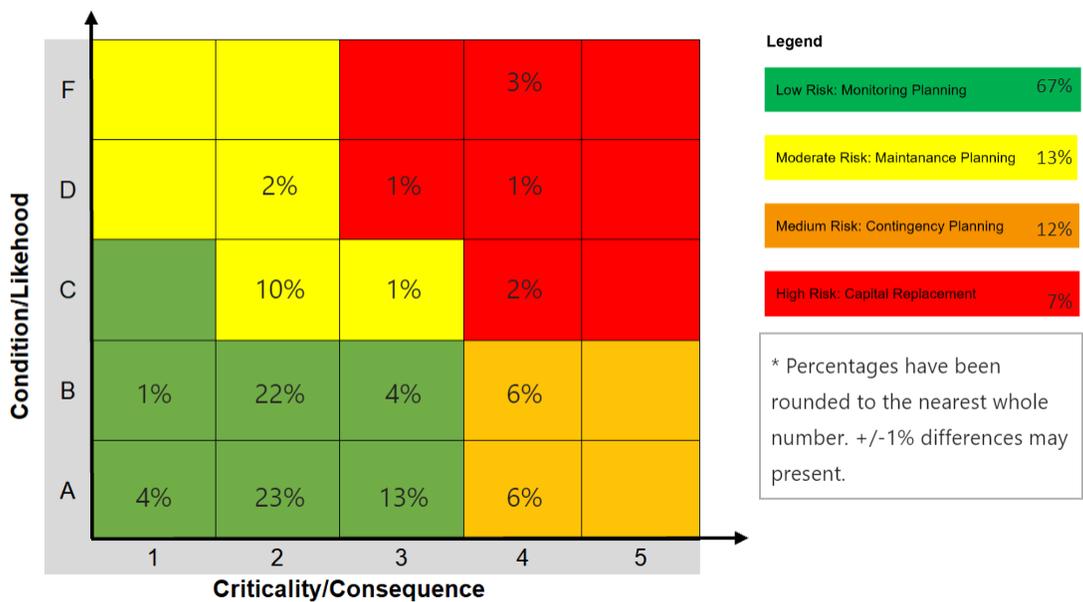


Figure 5-11 Overall Risk Summarized by CRV – Passive Neighborhood Parks

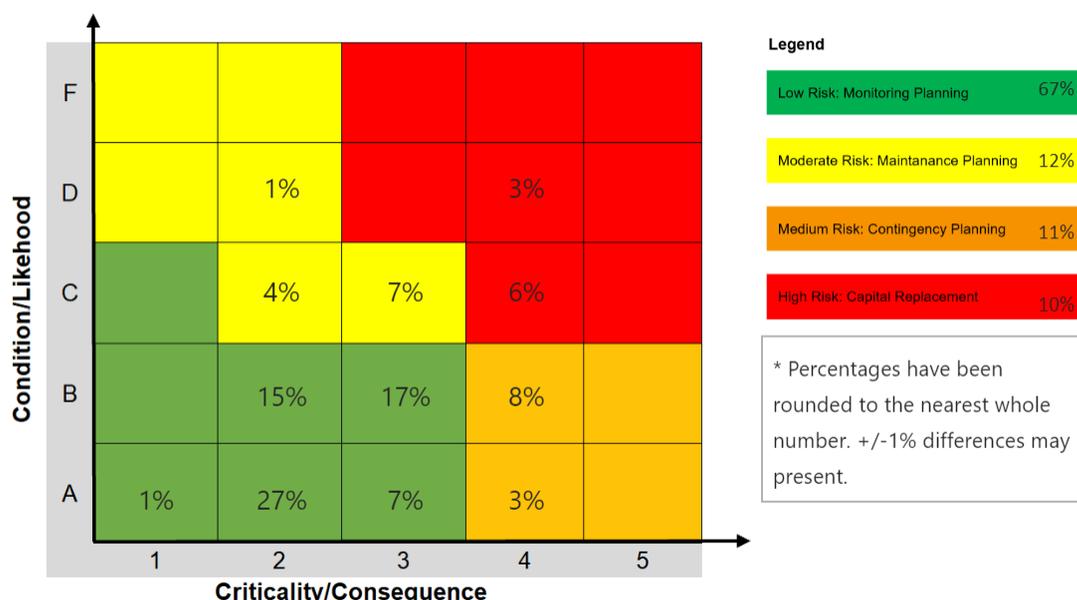


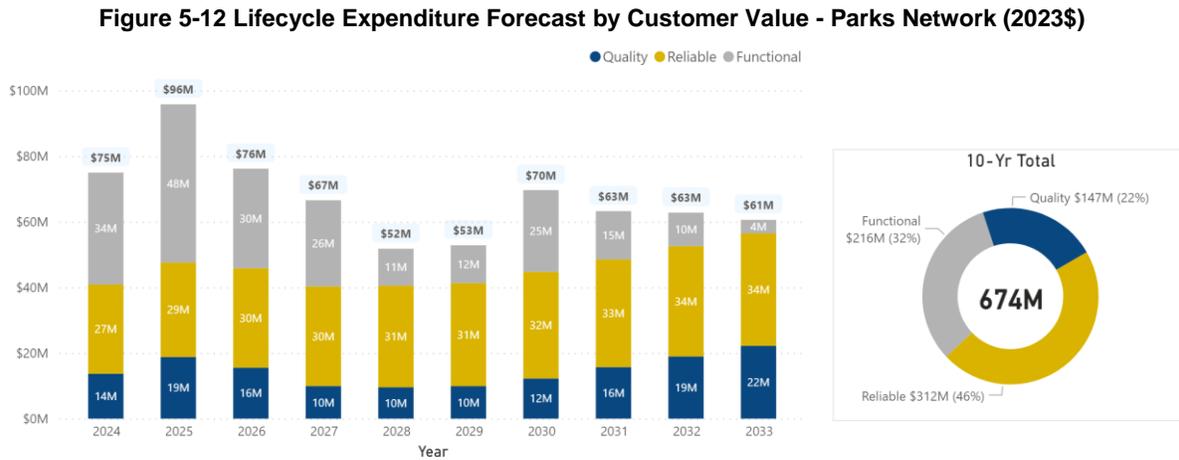
Table 5-13 provides a summary of the Current Replacement Value (CRV) at each risk level by park type. The summary indicates that 6% of the Parks Network assets fall into the High-Risk category, requiring planning for Capital Investment, while 5% are classified as Medium Risk, necessitating Contingency Planning. Generally, assets categorized as High Risk and Medium Risk largely belong to Trail System – Bridge & Stairs, Courts/Play Amenities/Structures and related components. Moderate and Low Risk assets span various categories.

Table 5-13 Risk Summarized by CRV and Park Type

Risk and Action	AC	AN	PC	PN	Total
1-Low: Monitoring Planning	73%	74%	67%	67%	72%
2-Moderate: Maintenance Planning	20%	20%	13%	12%	18%
3-Medium: Contingency Planning	2%	1%	12%	11%	5%
4-High: Capital Investment	5%	4%	7%	10%	6%
Total	100%	100%	100%	100%	100%

5.4 Lifecycle Expenditure 10-Year Forecast

The 10-year lifecycle of expenditure forecast for the Parks Network assets is shown in Figure 5-12, summarized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).



The forecast indicates that the total expenditure for the Parks Network will amount to \$674 million over the 10-year forecast period. This allocation includes \$147 million designated for the customer service value of Quality, \$312 million for Reliable, and \$216 million for Functional.

On an annual basis, the average investment expenditure is estimated to be \$68 million. Of this, \$15 million is allocated for Quality, \$31 million for Reliable, and \$22 million for Functional customer service values.

Additionally, Table 5-14 offers a detailed breakdown of the lifecycle expenditure forecast by programs

Chapter 5 Parks Network | Lifecycle Expenditure 10-Year Forecast

Table 5-14 Lifecycle Expenditure Forecast - Parks Network (2023\$)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Reliable	\$27,190,400	\$28,760,000	\$30,305,900	\$30,379,200	\$30,975,296	\$31,402,717	\$32,490,066	\$32,823,187	\$33,627,827	\$34,277,639	\$312,232,232
Parks Inspection & Mtce & Repair Program	\$27,190,400	\$28,760,000	\$30,305,900	\$30,379,200	\$30,975,296	\$31,402,717	\$32,490,066	\$32,823,187	\$33,627,827	\$34,277,639	\$312,232,232
Functional	\$34,099,300	\$48,224,300	\$30,317,500	\$26,235,700	\$11,263,600	\$11,522,800	\$24,908,400	\$14,699,300	\$10,192,500	\$4,121,900	\$215,585,300
Land Purchase Program	\$21,537,800	\$37,528,800	\$26,037,600	\$16,032,700	\$3,021,800	\$4,115,000	\$7,030,800	\$5,036,200	\$5,035,200	\$4,035,200	\$129,411,100
Master Plan Implementation	\$8,582,300	\$7,557,000	\$3,689,100	\$5,850,100	\$6,038,500	\$6,844,200	\$17,236,500	\$9,099,500	\$4,841,500	\$25,400	\$69,764,100
Park Enhancement Program	\$3,239,100	\$1,249,800	\$315,800	\$3,114,700	\$1,107,800	\$299,200	\$315,800	\$299,200	\$315,800	\$61,300	\$10,318,500
Trail Enhancement Program	\$740,100	\$1,888,700	\$275,000	\$1,238,200	\$1,095,500	\$264,400	\$325,300	\$264,400	-	-	\$6,091,600
Quality	\$13,688,200	\$18,799,000	\$15,543,600	\$9,932,600	\$9,550,500	\$9,903,600	\$12,245,300	\$15,710,900	\$18,952,700	\$22,176,800	\$146,503,200
Park & Amenities Mtce & Renewal	\$11,152,200	\$16,407,600	\$14,528,400	\$7,474,100	\$8,436,300	\$8,760,200	\$9,878,900	\$12,313,200	\$17,411,900	\$20,313,400	\$126,676,200
Trails Mtce & Renewal	\$2,536,000	\$2,391,400	\$1,015,200	\$2,458,500	\$1,114,200	\$1,143,400	\$2,366,400	\$3,397,700	\$1,540,800	\$1,863,400	\$19,827,000
Total	\$74,977,900	\$95,783,300	\$76,167,000	\$66,547,500	\$51,789,396	\$52,829,117	\$69,643,766	\$63,233,387	\$62,773,027	\$60,576,339	\$674,320,732

Chapter 6

Facilities

6. Facilities

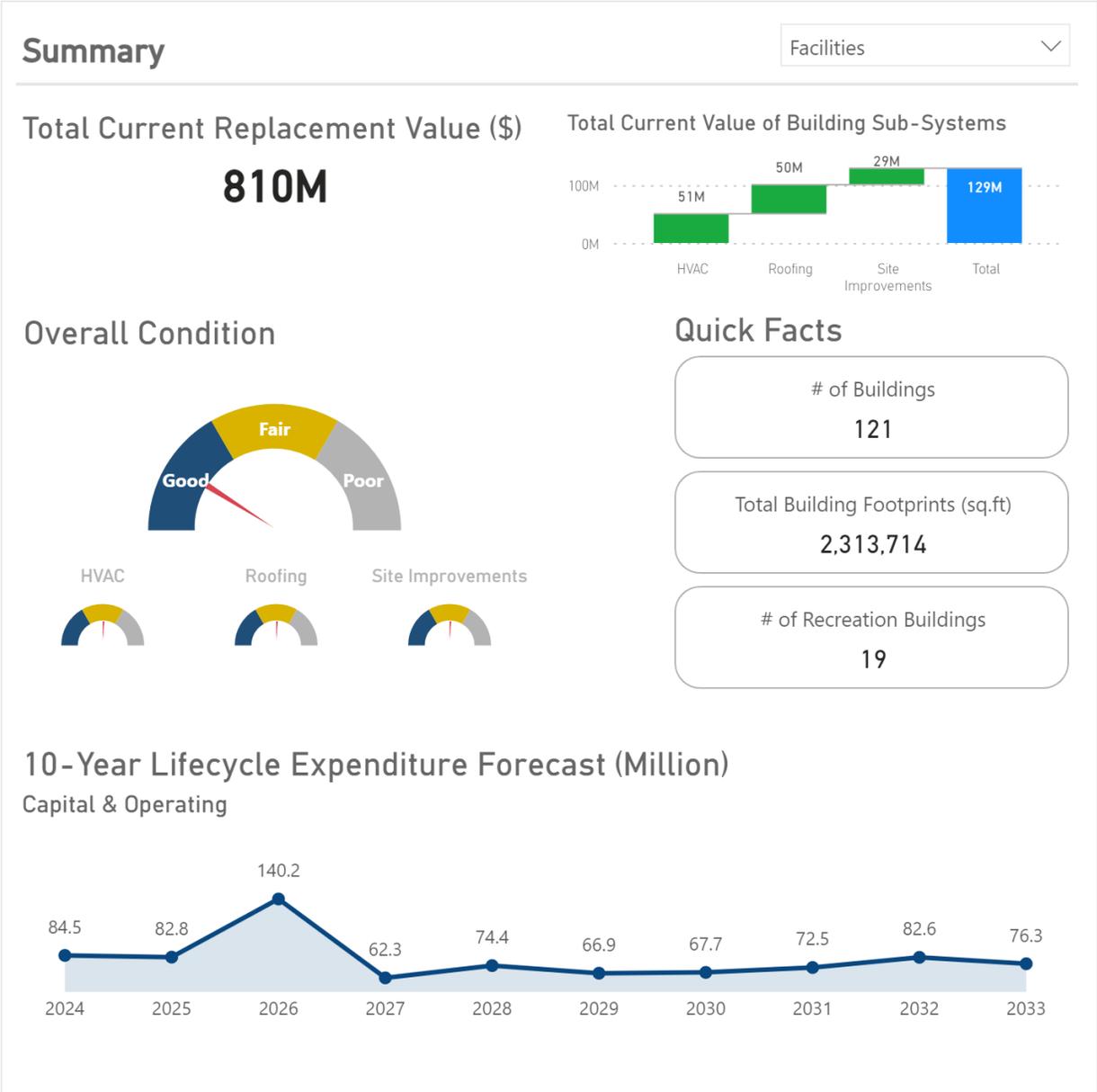


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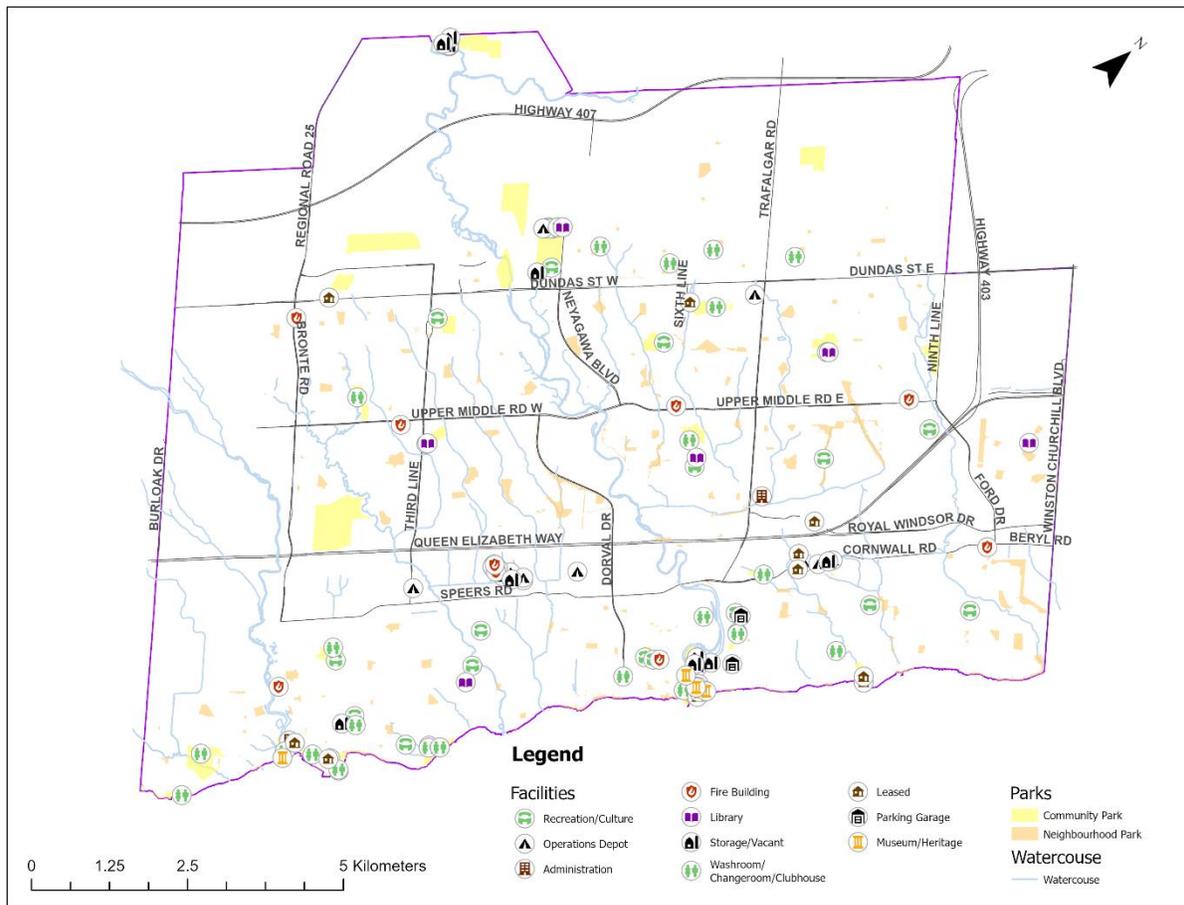
6.1 State of Infrastructure

The town's approach of assessing the State of Infrastructure of the assets is described in Section 2.1. The evaluation consists of 2023 Current Replacement Value (CRV), Condition, and Age (Stage of Life).

The Facilities are grouped into ten (10) categories: Recreation/Culture, Administration, Fire, Library, Operations, Storage/Vacant, Washroom/Changeroom/Clubhouse, Leased, Museum/Heritage and Parking Garage.

Additionally, selected major building sub-systems of Roofing, HVAC, and Site Improvements (parking lots, driveways, exterior lighting, fencing etc.) have been analyzed for the State of Infrastructure.

Figure 6-1 Facilities by Category

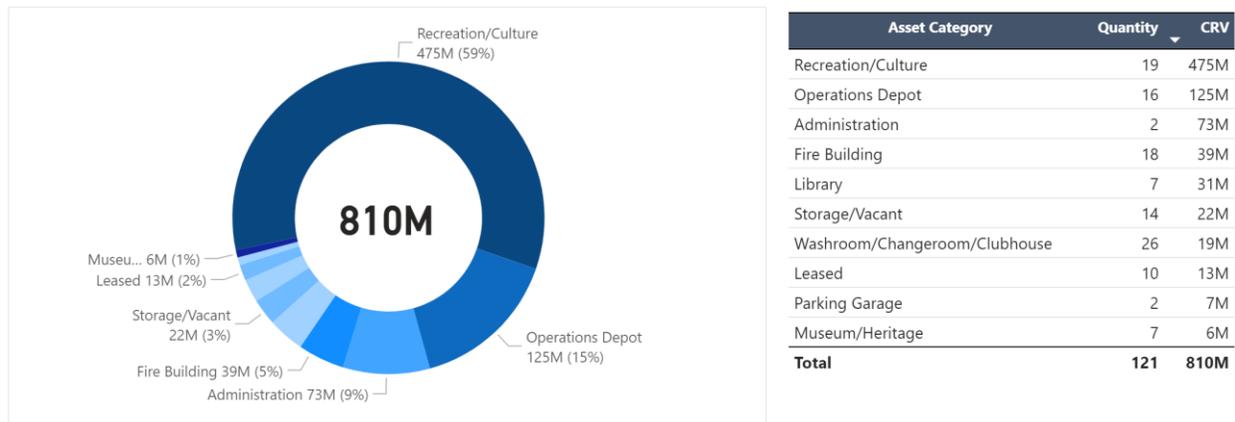


6.1.1 Current Replacement Value (2023)

The estimated current replacement value (CRV) of the facilities is \$810 Million.

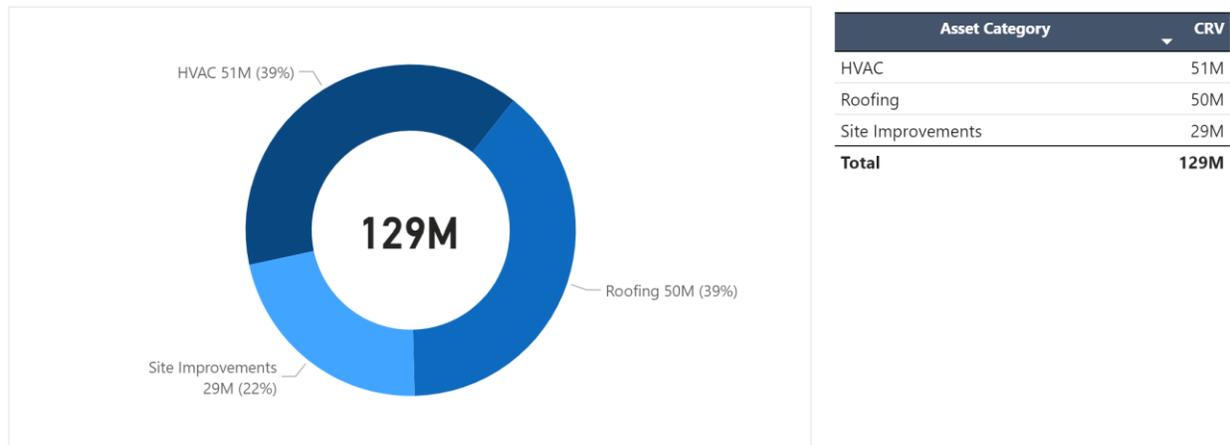
The facility usage category chart in Figure 6-2 below summarizes CRV by facility usage. Recreation/ Culture buildings account for the majority of the total CRV at \$475 Million (or 59%), Operations Depot buildings account for \$125 Million (or 15%), and Administration buildings account for \$73 Million (or 9%). The CRV of the remaining categories ranges from \$0.4 to \$36 Million (or 0.4% to 4%).

Figure 6-2 2023 Replacement Values by Facility Usage Category



As shown by Figure 6-3 Current Replacement Values by Facility Sub-system, the estimated current replacement value (CRV) of major building systems is approximately \$129 Million, representing 16% of the total CRV of facilities. HVAC and Roofing assets contribute to an equivalent CRV of approximately \$50 Million. Site Improvement assets contribute to \$29 Million of the CRV.

Figure 6-3 Current Replacement Values by Facility Sub-system



6.1.2 Condition

Annual Building Condition Audits (BCAs) are conducted on town facilities. Over the past three years, a total of 28 BCAs have been completed, accounting for 33% of all facilities. In addition, when a facility asset is due for renewal within the initial three years of the capital investment plan, the town's staff physically inspect the asset. Facility assets also undergo inspection and root cause analysis after significant service disruptions or unexpected failures. In cases where physical condition data is unavailable, the conditions of assets are determined based on their age and anticipated remaining useful life.

Condition ratings as well as example images are summarized in Table 6-1 through Table 6-3.

Table 6-1 Condition States – Facilities - Roof

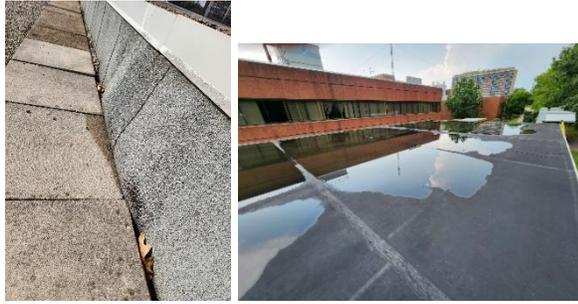
Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	

Table 6-2 Condition States – Facilities - HVAC

Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	 
4 (Fair)	D		
5 (Very Poor)	F	Poor	 

Table 6-3 Condition States – Facilities – Driveways / Parking Lots

Rating	Letter Score	Condition State	Example Image
1 (Very Good)	A	Good	
2 (Good)	B		
3 (Fair)	C	Fair	
4 (Fair)	D		
5 (Very Poor)	F	Poor	

Figure 6-4 gives an overview of the condition of the facilities, categorized by their usage and current replacement value (CRV). Overall, most facility assets are in good or fair condition. On average, 65% are in good condition, while the remaining 35% are in fair condition. Similarly, the facility systems, as depicted in Figure 64, are predominantly in good or fair condition.

Figure 6-4 Asset Average Condition by CRV and Facility Usage Category

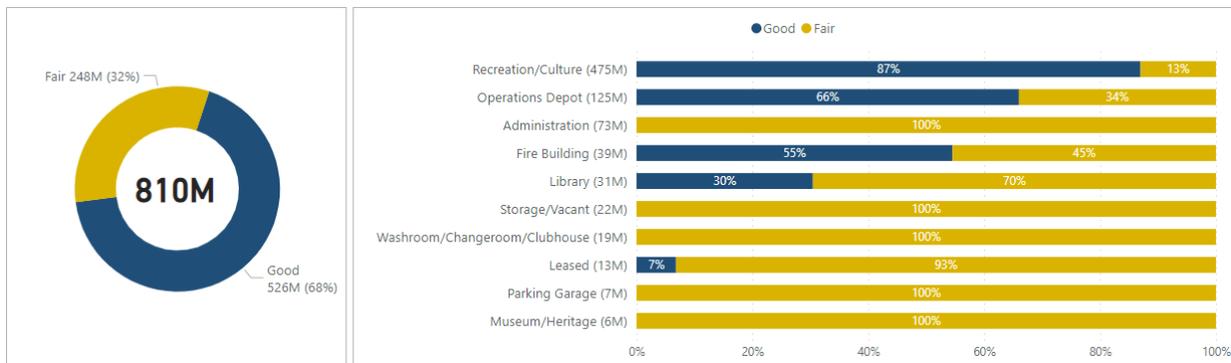
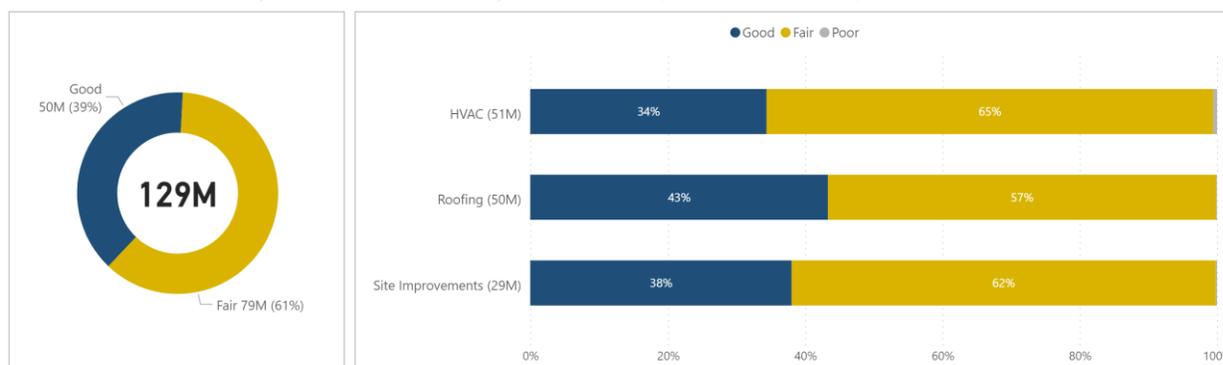


Figure 6-5 Asset Average Condition by CRV and Facility Sub-system



6.1.3 Age

Heritage buildings have been excluded from the analysis regarding age and stage of life because these buildings are preserved. Similarly, Storage/Vacant and Leased buildings have also been excluded from the analysis as they are typically slated for demolition or repurposing, and major renovations have not yet been scheduled.

The estimated average lifespan of the facilities varies from 32 to 45 years, with average ages ranging from 17 to 59 years. For facility sub-systems, the estimated average useful life ranges from 23 to 29 years, with average ages ranging from 15 to 17 years.

In Figure 6-6, the average stage of life is displayed based on facility usage category and CRV. 47% of the assets fall into the Early and Mid-Life category, while 53% are in the Late Life category. Apart from Operation Depot, all categories show a significant portion of assets in the Late Life stage, ranging from 56% to 100%.

-Note that the renewal planning for facility system assets involves utilizing Building Condition Audits, in-house inspections, and evaluating asset performance. It is important to understand that being in the Late Stage of Life does not necessarily mean the asset is in poor condition, as indicated by reviewing the average condition in Figure 66.

As depicted in Figure 6-7, 60% of the facility systems are categorized as Early and Mid-Life, while the remaining 40% are in the Late Life stage. This distribution does not imply poor condition or performance, as facility system assets benefit from a robust and comprehensive preventative maintenance program.

Figure 6-6 Asset Average Stage of Life by CRV and Facility Usage Category

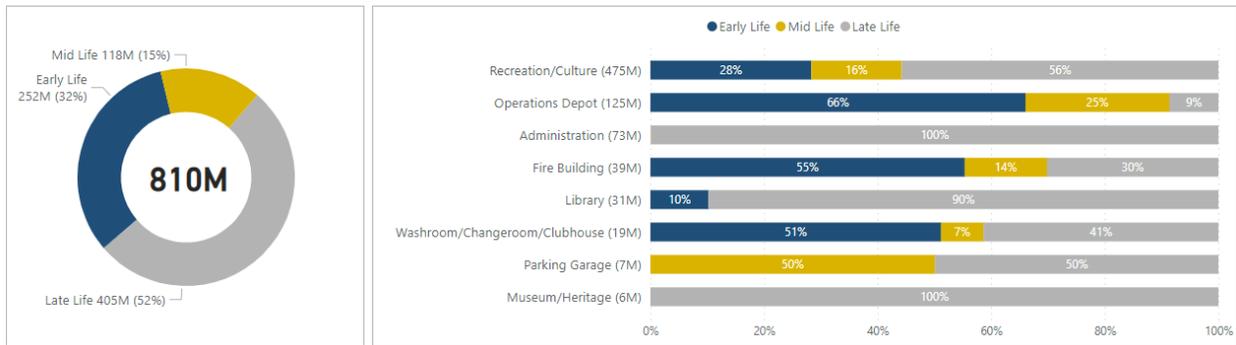
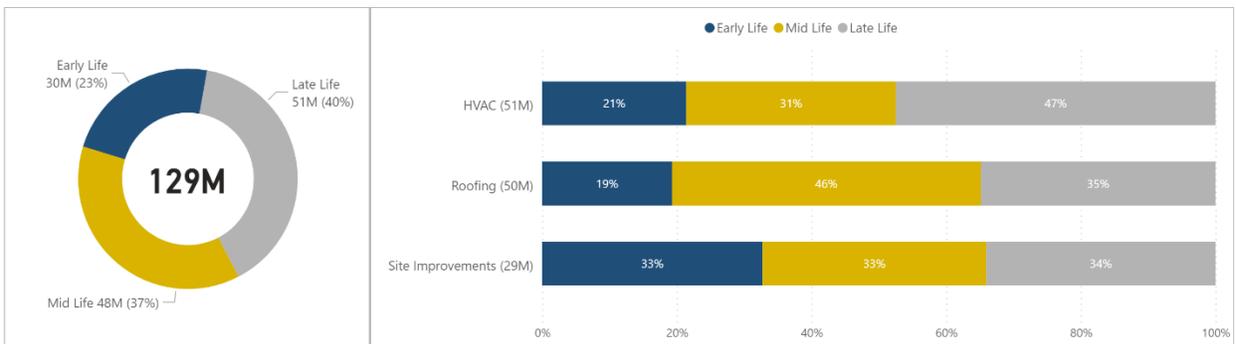


Figure 6-7 Asset Average Stage of Life by CRV and Facility Sub-system



6.2 Levels of Services

The town’s Level of Service Framework is described in Section 2.2. The Level of Service objectives at the Corporate Level and the Customer Level for Facilities are summarized in Table 6-4. The customer service objectives align with the three (3) selected Customer Values, i.e., Quality, Reliable, and Functional.

Table 6-4 Customer Service Objectives – Facilities

LOS Level		Statement/Objective	
Corporate	Organizational Objective/Vision	A vibrant and livable community for all.	
	Customer Expectation	Facilities are safe and in satisfactory condition, capable of meeting their intended purpose and accessible as needed.	
	Service Commitment	Facilities are safe, welcoming, and enjoyable, helping people and families to discover, participate, belong, and thrive.	
Customer	Customer Service Values	Quality	To manage the condition of facility assets to a reasonable quality and minimize service interruption.
		Reliable	To take appropriate actions to ensure facilities are available and meet standards and legislative requirements.
		Functional	To plan appropriately for facility needs, ensuring alignment with changes in service needs, growth, and climate policies.

To quantify the customer service objectives, a set of customer LOS and technical LOS metrics have been established based on the Customer Service Values, i.e., Quality, Reliable, and Functional. The metrics along with the performance in 2023 are summarized in Table 6-5 and Table 6-6.

Table 6-5 Town of Oakville’s Customer LOS Metrics – Facilities

Performance Metric		Related Facility Use Category	2023 Performance
Quality	To manage the condition of facility assets to a reasonable quality and minimize service interruption.		
	The percentage of all facilities be maintained in a “fair” or better rated condition ¹ .	All Facility Type Categories	70%
Reliable	To take appropriate actions to ensure facilities are available and meet standards and legislative requirements.		
	Maintain the ratio of preventive maintenance work orders to unplanned maintenance work orders at 80% ²	All Facility Type Categories	70%
Functional	To plan appropriately for facility needs, ensuring alignment with changes in service needs, growth, and climate policies.		
	To maintain the current 10-year average # square foot of facilities (excluding transit) at 6.8 per capita ³	All Facility Type Categories excluding Transit	6.4 sq ft per capita (2021)
	Achieve a 20 percent reduction in natural gas energy consumption by 2024 from 40,012,661 ekWh to 31,217,891 ekWh ⁴	All Facility Type Categories	On Target

1. This is based on reviewing asset condition inspection information. Greater analysis is necessary to standardize the condition information and to determine what the lower limit of this target should be given the wide variation of vehicle types and service redundancies requirements.
2. The Preventative Maintenance Program (PM): The work order data and related data capture processes are being reviewed to better align the reporting requirements to the PM Metric and be reflective of the goal of the PM program.
3. From [2022 Development Study Background Study](#)
4. From [2020 Energy Conservation and Demand Management Plan](#)

Table 6-6 Town of Oakville’s Specific Technical LOS Metrics – Facilities

Performance Metric		Related Asset Category	2023 Performance
Quality	To manage the condition of facility assets to a reasonable quality and minimize service interruption.		
	The percentage of disposed facility assets prior to reaching the end of their useful life ¹ .	All Facility Type Categories	23%
Reliable	To take appropriate actions to ensure facilities are available and meet standards and legislative requirements.		
	To achieve annual completion of at least 9 Building Condition Audits or structural inspections.	All Facility Type Categories	100%
Functional	To plan appropriately for facility needs, ensuring alignment with changes in service needs, growth, and climate policies.		
	100% of facilities will meet AODA legislation by Jan 1 by 2025.	Exclude Storage/Vacant/Leased Facilities	74% On Target
	Amount of indoor space at town-owned culture, recreation and library facilities per resident ²	Culture, Recreation and Library facilities	.54m ²
	Per Capita Greenhouse gas emissions from town building emissions be at 30 percent or less from 2014 levels by 2030 ³ .	All Facility Type Categories	On Target

1. This number usually equates to about 1 to 2 facility assets per year and aligns with any facility upgrades.
2. From [Council Strategic Plan Dashboard \(oakville.ca\)](https://www.oakville.ca/council-strategic-plan-dashboard)
3. From [2020 Energy Conservation and Demand Management Plan](#)

6.3 Life Cycle Management Strategy

Section 2.2 outlines the various stages of the asset lifecycle, the town's method of identifying asset management programs, and the town's risk assessment framework, which includes the scoring system used to evaluate asset criticality.

6.3.1 Asset Management Programs

Table 6-7 through Table 6-9 summarize the asset programs for Facilities assets that are being implemented to ensure the established LOS are delivered. The programs have been categorized into the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional)

Table 6-7 Asset Management Programs (Quality) – Facilities

AM Programs - Quality
<p><u>Facility Asset Renewal Program</u></p> <p>This program aims to oversee the renewal of facility systems and components.</p> <p>Renewal initiatives are strategically prioritized within a 10-year plan, utilizing data from inspections to assess asset conditions. The objective is to manage the renewal of facility systems and components.</p> <p>Renewal projects are prioritized within the 10-year plan based on asset condition output from inspections, ensuring efficient maintenance and upkeep.</p>
<p><u>Facility Minor Renovation Program</u></p> <p>The program focuses on identifying opportunities for minor renovation to improve aesthetics, and overall user experience within the facilities.</p>

Table 6-8 Asset Management Programs (Reliable) – Facilities

AM Programs - Reliable
<p><u>Facility Operational Maintenance & Repair Program</u></p> <p>The primary aim of this program is to uphold facilities assets in a state of optimal repair, guaranteeing dependable service delivery.</p> <p>By prioritizing regular maintenance and efficient repair protocols, this program ensures that facilities remain operational, reliable, and available to meet service demands effectively.</p>
<p><u>Building Condition Audit Program</u></p> <p>The primary goal of this program is to safeguard operational continuity by conducting thorough inspections, analyzing findings, and developing comprehensive plans for asset renewal and maintenance.</p>

Table 6-9 Asset Management Programs (Functional) – Facilities

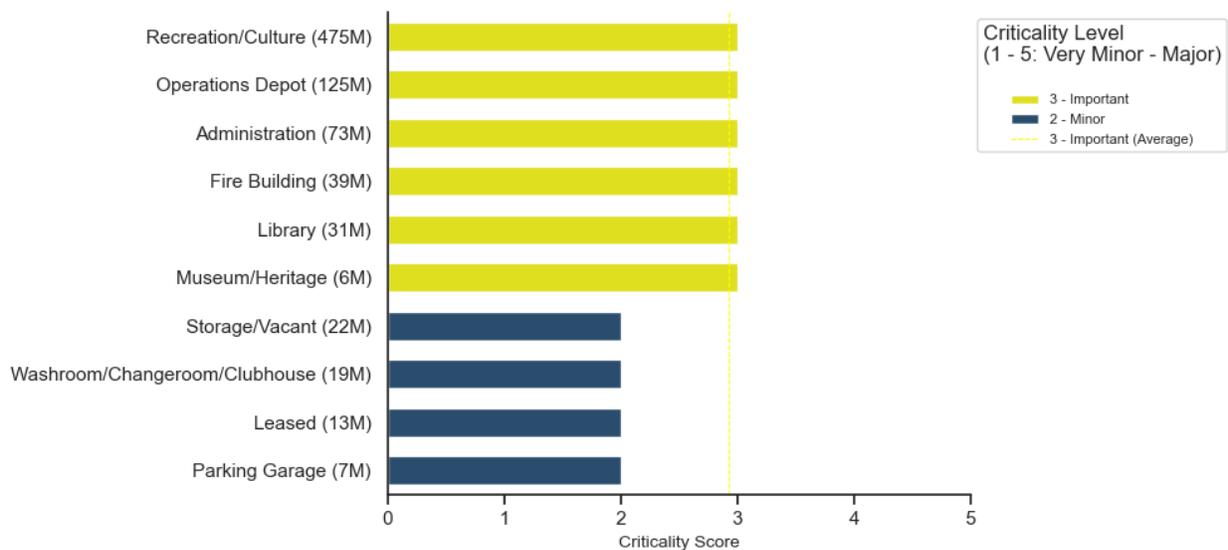
AM Programs -Functional
<p><u>Facility Provision, Expansion and Revitalization Program</u></p> <p>The objective of this program is to revitalize and expand existing facilities outlined in the Master Plan while also accommodating the town's growth with new facilities. Our commitment includes adhering to the guidelines set forth in the Accessibility for Ontarians with Disabilities Act (AODA)</p>
<p><u>Facility Energy Efficiency Program</u></p> <p>The energy management program aims to decrease the town's expenditures on electricity, natural gas, and water while also lowering carbon emissions in municipal buildings. This aligns with the town's objective of achieving Net Zero by 2050 and addresses the Council's declaration of a Climate Emergency.</p>

6.3.2 Criticality

Based on the town's scoring system for assessing asset criticality, i.e., the quantified consequence of failure, the Criticality Score ranges from 1 to 5 for each assessed asset grouping, with 1 representing no criticality and 5 representing significant criticality.

The average criticality of the facilities, summarized by asset category and CRV, is presented in Figure 6-8.

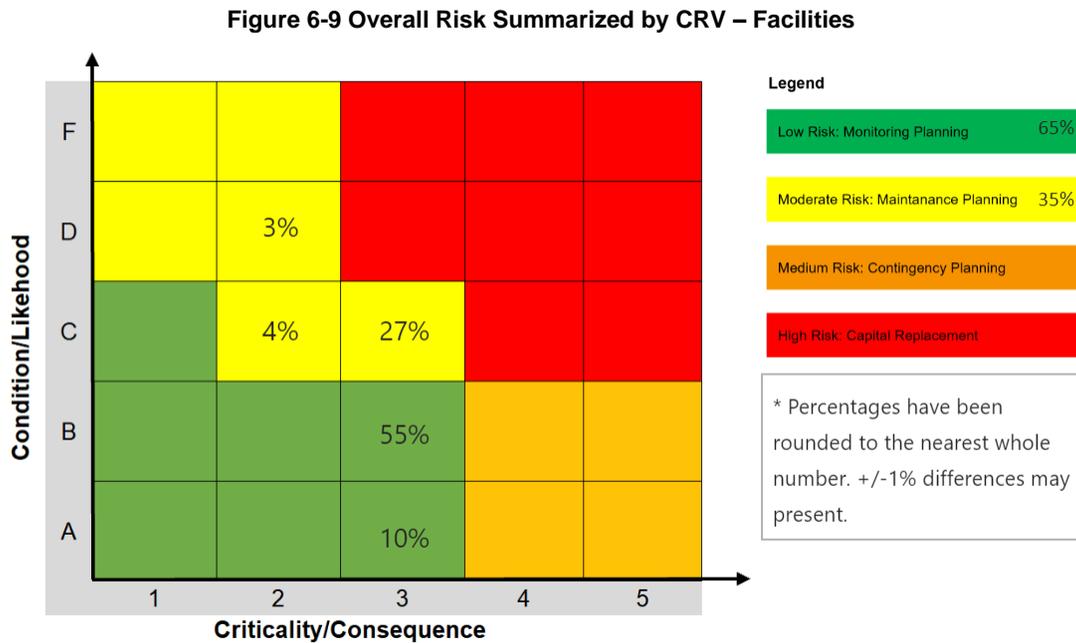
Figure 6-8 Average Criticality by CRV and Asset Category – Facilities



In General, the facilities would have an Important Criticality, with the average rating of 2.9. recreation/culture buildings, operations depots, administration buildings, fire buildings, libraries, and museums/heritage buildings would have Important Criticality with the rating of 3. The remainder of the facilities would have Minor Criticality with the rating of 2.

6.3.3 Risk

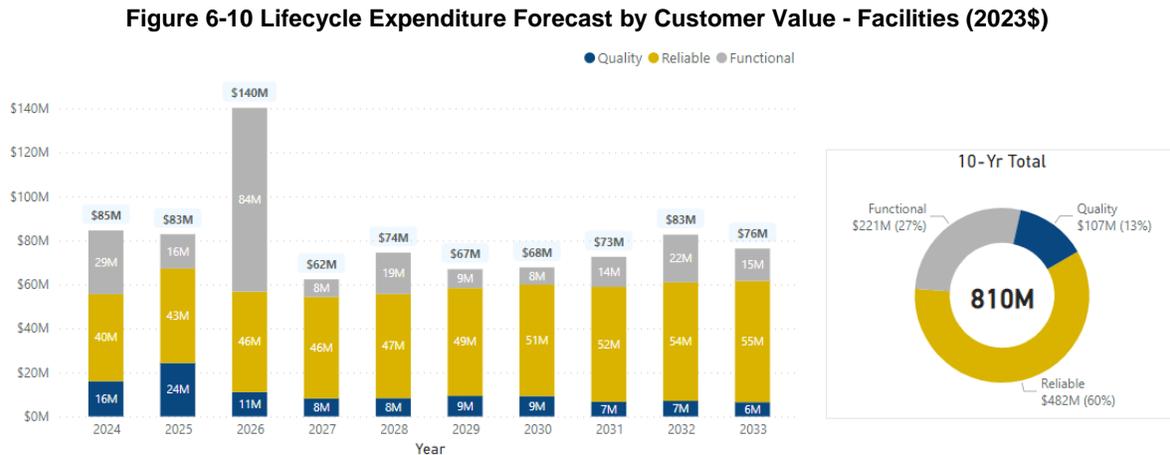
Based on the town’s Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the facilities, summarized by CRV, is presented in Figure 6-9.



The data shows that 35% of the facilities are classified as Moderate Risk and are designated for Maintenance. These include facilities in the Recreation/Culture, Library, Fire Building, Museum/Heritage, and Operation Depot categories. 65% of the facilities are classified as Low Risk and are scheduled for Monitoring. These encompass facilities in the Storage/Vacant, Washroom/Change Room/Clubhouse, Leased, and Parking Garage categories.

6.4 Lifecycle Expenditure 10-Year Forecast

The 10-year lifecycle of expenditure forecast for the Facilities assets is presented in Figure 6-10, summarized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).



The projected forecast outlines a total expenditure of \$810 Million for Facilities over the 10-year forecast period. Within this, \$107 million to the customer service value of Quality, \$482 million is allocated to the customer service value of Reliable, and \$221 million to the customer service value of Functional.

On an annual basis, the average expenditure investment is \$81 million, distributed as follows: \$11 million for the customer service value of Quality, \$48 million for the customer service value of Reliable, and \$22 million for the customer service value of Functional.

A further breakdown of the lifecycle expenditure forecast by programs is provided in Table 6-10.

Chapter 6 Facilities | Lifecycle Expenditure 10-Year Forecast

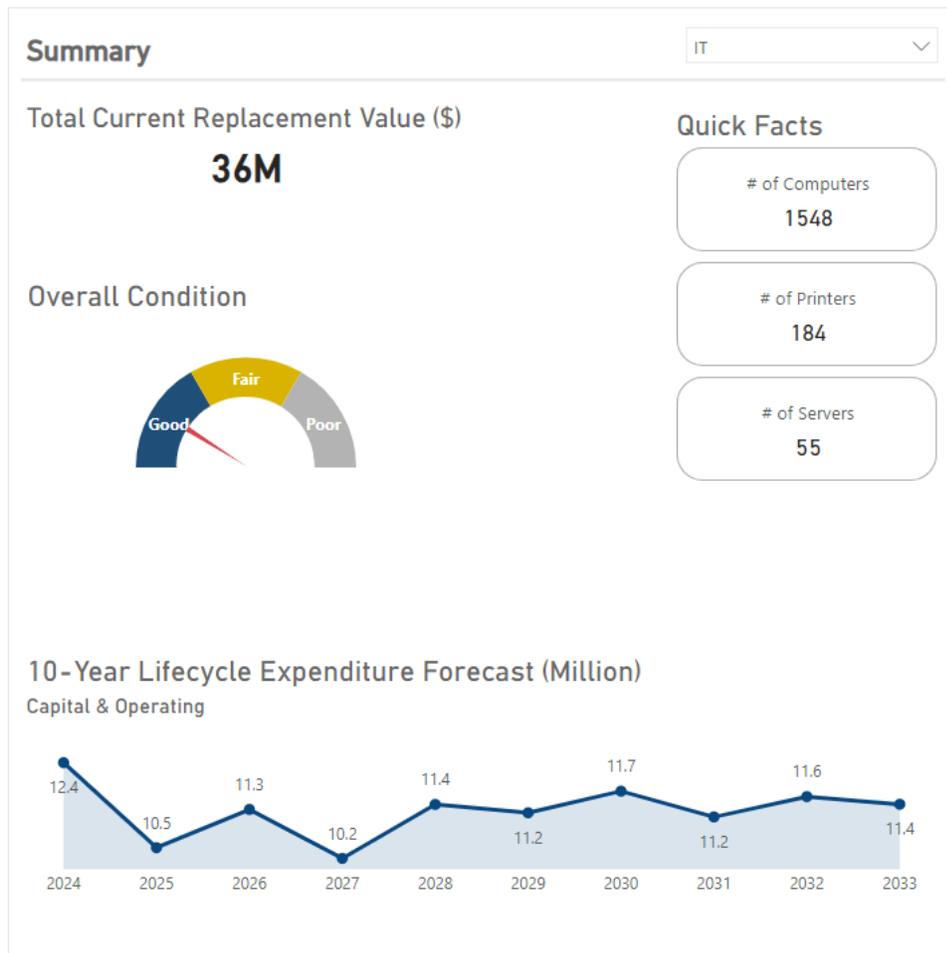
Table 6-10 Lifecycle Expenditure Forecast – Facilities (2023\$)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
Reliable	\$39,544,700	\$42,933,000	\$45,606,500	\$46,112,500	\$47,329,330	\$48,919,224	\$50,635,895	\$52,229,655	\$53,885,064	\$55,052,069	\$482,247,937
Facility Operational Mtce & Repair Program	\$39,301,200	\$42,763,400	\$45,436,900	\$45,942,900	\$47,159,730	\$48,749,624	\$50,466,295	\$52,060,055	\$53,715,464	\$54,882,469	\$480,478,037
Building Condition Audit Program	\$243,500	\$169,600	\$169,600	\$169,600	\$169,600	\$169,600	\$169,600	\$169,600	\$169,600	\$169,600	\$1,769,900
Functional	\$28,913,800	\$15,566,100	\$83,518,200	\$8,001,100	\$18,753,800	\$8,580,400	\$7,807,800	\$13,637,600	\$21,611,200	\$14,720,100	\$221,110,100
Facility Provision, Expansion and Revitalization Program	\$28,594,800	\$14,727,100	\$83,073,700	\$7,556,600	\$18,309,300	\$8,135,900	\$7,363,300	\$13,193,100	\$21,166,700	\$14,275,600	\$216,396,100
Facility Energy Efficiency Program	\$319,000	\$839,000	\$444,500	\$444,500	\$444,500	\$444,500	\$444,500	\$444,500	\$444,500	\$444,500	\$4,714,000
Quality	\$16,042,300	\$24,297,200	\$11,061,700	\$8,205,500	\$8,350,700	\$9,420,100	\$9,268,300	\$6,673,500	\$7,082,200	\$6,498,800	\$106,900,300
Facility Asset Renewal Program	\$13,858,600	\$15,730,800	\$9,611,000	\$7,844,400	\$8,065,300	\$9,093,900	\$8,847,700	\$6,300,900	\$6,850,100	\$6,269,600	\$92,472,300
Facility Minor Renovation Program	\$2,183,700	\$8,566,400	\$1,450,700	\$361,100	\$285,400	\$326,200	\$420,600	\$372,600	\$232,100	\$229,200	\$14,428,000
Total	\$84,500,800	\$82,796,300	\$140,186,400	\$62,319,100	\$74,433,830	\$66,919,724	\$67,711,995	\$72,540,755	\$82,578,464	\$76,270,969	\$810,258,337

Chapter 7

Information Technology (IT)

7. Information Technology



Asset Category	Examples
Software	applications
Hardware	laptop, desktop, tablet, server, Printer, plotter, scanner, wireless access point, network equipment
Security & Communication Equipment	CCTV security camera, fibre optics, radio tower

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7.1 State of Local Infrastructure

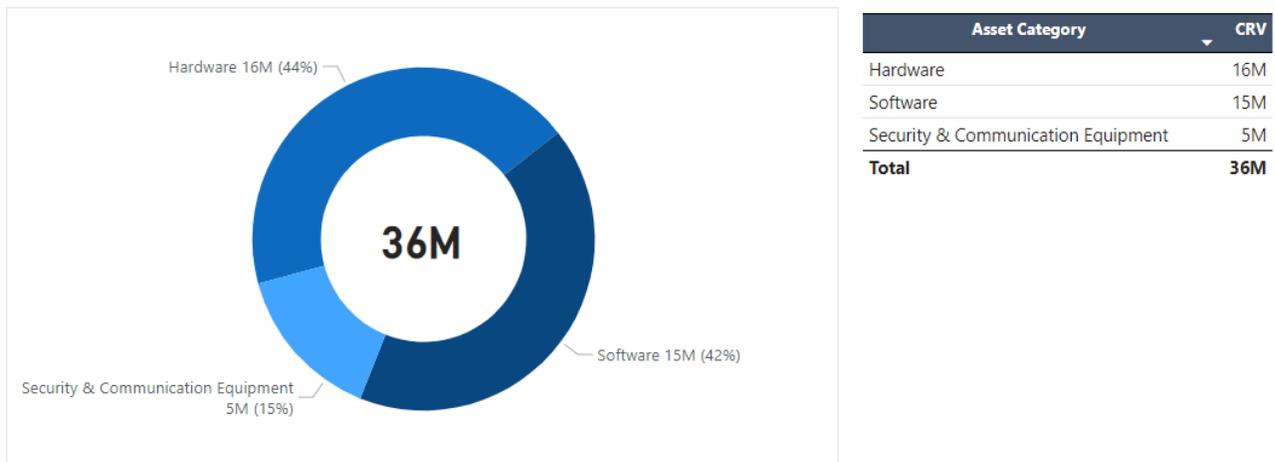
The town's method of evaluating the State of Infrastructure of its assets is outlined in Section 2.1. This assessment involves considering the 2023 Current Replacement Value (CRV), Condition, and Age (Stage of Life).

The Information Technology (IT) Service encompasses three asset categories: Software, Hardware, and Security & Communication Equipment.

7.1.1 Current Replacement Value (2023)

The estimated current replacement value (CRV) of the Information Technology (IT) assets is approximately \$36 million. According to the asset categories depicted in Figure 7-1, Software and Hardware collectively represent the majority of the total CRV, amounting to \$31 million (or 86%).

Figure 7-1 2023 Replacement Values by Asset Category – IT



7.1.2 Condition

Figure 7-2 offers an overview of the condition of IT assets, categorized by asset category and CRV. Overall, the IT assets are primarily in Good or Fair condition. On average, 79% are classified as good condition, while the remaining 20% are in Fair condition. Table 7-1 provides a summary of the life cycle compliance of endpoint assets as of January 2024.

Figure 7-2 Asset Average Condition by CRV and Asset Category – IT

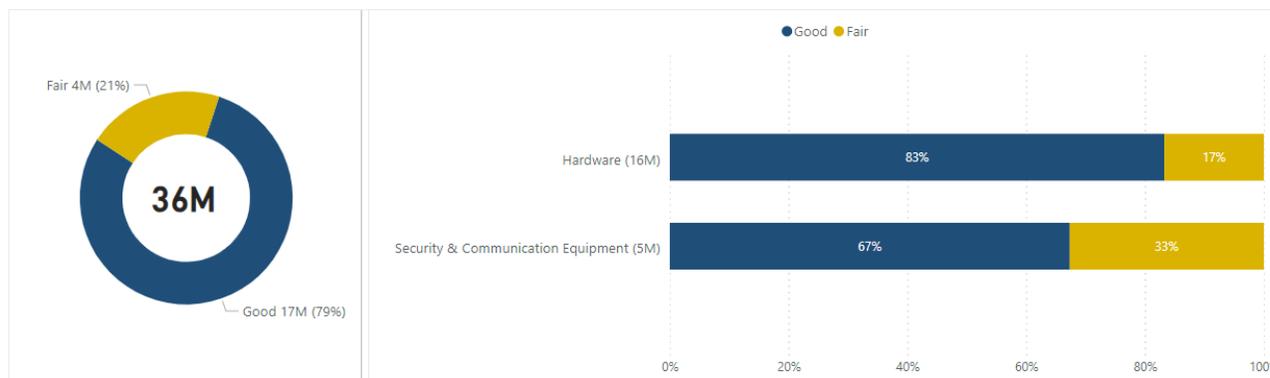


Table 7-1 IT Endpoint Asset Standardization (As of January 2024)

Category	Lifecycle (years)	In Service	End-Of-Life (2024)	Deployed (2024)	Lifecycle Compliance
Laptops & Tablets	4	1061	63	0	94%
Desktops (Communal)	4	487*	259	0	47%
Smart Phones	3	719	161	1	78%
Printers (Communal)	5	184**	1	0	99%

* End Target is 350 units once One Device Policy is complete implemented

** Excludes individual printers (e.g. Director's Offices) -- these are run to failure

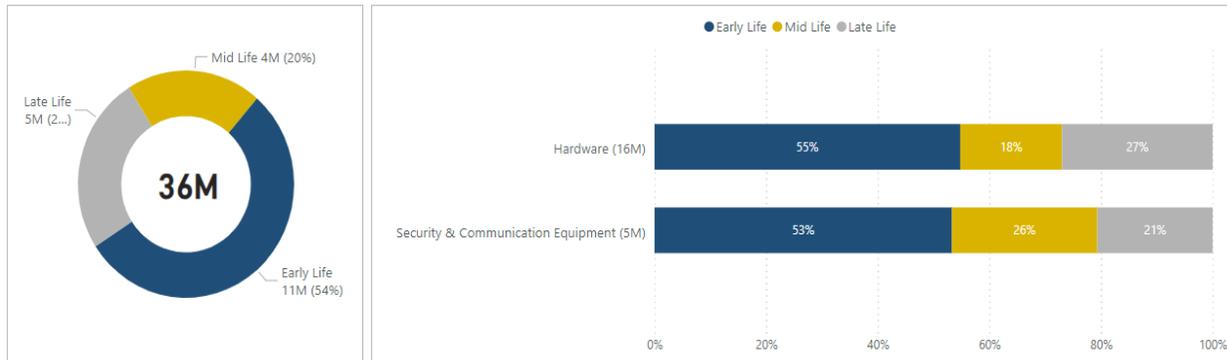
7.1.3 Age

Software has been excluded from the analysis of age and stage of life due to corporate policy, which mandates that software be maintained up to the current version. In general, Hardware has an average useful life of 7 years and an average age of 3 years. Security & Communication Equipment has an average useful life of 22 years and an average age of 9 years.

Figure 7-3 illustrates the average stage of life categorized by asset category and CRV. Overall, 75% of the assets are in the Early and Mid-Life stages, while 25% are in the Late Life stage. It's important to note that renewal programs are in place to review the utilization of IT assets to meet service performance requirements.

Therefore, Late Stage of Life of an asset does not represent Poor Condition, which can be observed by reviewing the figure of the average condition.

Figure 7-3 Asset Average Stage of Life by CRV and Asset Category – IT



7.2 Levels of Services

Section 2.2 of the document outlines the town’s Level of Service Framework. Table 7-2 summarizes the Level of Service objectives for Information Technology (IT) at both the Corporate Level and the Customer Level. These objectives align with three selected Customer Values: Quality, Reliable, and Functional.

Table 7-2 Customer Service Objectives – IT

LOS Level		Statement/Objective	
Corporate	Organizational Objective/Vision	A vibrant and livable community for all.	
	Customer Expectation	Access to appropriate systems and information wherever and whenever required.	
	Service Commitment	Provide reliable, relevant, and secure information technology	
Customer	Customer Service Values	Quality	To manage the conditions of the IT Assets in accordance with standards and business needs
		Reliable	To maintain optimal functionality, security, and availability of IT assets.
		Functional	To implement suitable technological solutions to ensure it meets business requirements.

To measure the customer service objectives, a series of customer Level of Service (LOS) and technical Level of Service metrics have been developed based on the Customer Service Values: Quality, Reliable, and Functional. The metrics, along with their performance in 2023, are summarized in Table 7-3 and Table 7-4.

Table 7-3 Town of Oakville’s Customer LOS Metrics – IT¹

Performance Metric		Asset Category	2023 Performance
Quality	To manage the conditions of the IT Assets in accordance with standards and legislative requirements.		
	Ensure that a minimum 75% of End Point devices adhere to the standard Useful life	Hardware	83%
Reliable	To maintain optimal functionality, security, and availability of IT assets.		
	Acknowledge and assign 60% of ITS calls within a 24-hour timeframe	All IT Asset Categories	68%
Functional	To implement suitable technological solutions to ensure it meets business requirements.		
	The percentage of the budget allocated for accommodating the growth of the town's population should be a minimum of 4%	All IT Asset Categories	5%

Table 7-4 Town of Oakville’s Specific Technical LOS Metrics – IT¹

Performance Metric		Asset Category	2023 Performance
Quality	To manage the conditions of the IT Assets in accordance with standards and legislative requirements.		
	Ensure that a least 70% of technology (hardware and software) is current and/or meets business needs	All IT Asset Categories	58%
Reliable	To maintain optimal functionality, security, and availability of IT assets.		
	Maintain the average number of help desk tickets per year per town employee with log-in rights to remain below ¹	All IT Asset Categories	4.7
	Ensure that the internal network availability, represented by the percentage of network uptime, remains at or above 95%	All IT Asset Categories	97%
Functional	To implement suitable technological solutions to ensure it meets business requirements.		
	Maintain a satisfaction rate of 90% from clients ranging from satisfied to very satisfied with the support provided	All IT Asset Categories	96%

1. More effective metrics are being investigated to track the performance of the IT services and will be reflected in the future AMP.

7.3 Life Cycle Management Strategy

Section 2.2 of the document outlines the stages of asset lifecycles, the town’s method for identifying asset management programs, and its risk assessment framework, which includes a scoring system for evaluating asset criticality.

7.3.1 Asset Management Programs

Table 7-5 through Table 7-7 summarize the asset management programs for IT assets that are being implemented to ensure the established LOS are delivered. The programs have been categorized into the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).

Table 7-5 Asset Management Programs (Quality) – IT

AM Programs – Quality
<p><u>Hardware Renewal Program</u></p> <p>This program aims to oversee the hardware lifecycle, e.g. endpoint devices, servers, network, and security appliances, to guarantee continuous access. Asset selection for the program is based on an obsolesce and end of life criteria.</p>
<p><u>New Hardware Program</u></p> <p>The aim of this is to ensure that information management systems (software and hardware) run seamlessly and efficiently.</p>

Table 7-6 Asset Management Programs (Reliable) – IT

AM Programs – Reliable
<p><u>Software Upgrade Program</u></p> <p>The program aims to ensure that software is up to date and meet the functionality requirement.</p>
<p><u>Cybersecurity Program:</u></p> <p>The program ensures the confidentiality, integrity, and availability of our information systems and data through comprehensive risk management, robust security policies, and continuous monitoring.</p>

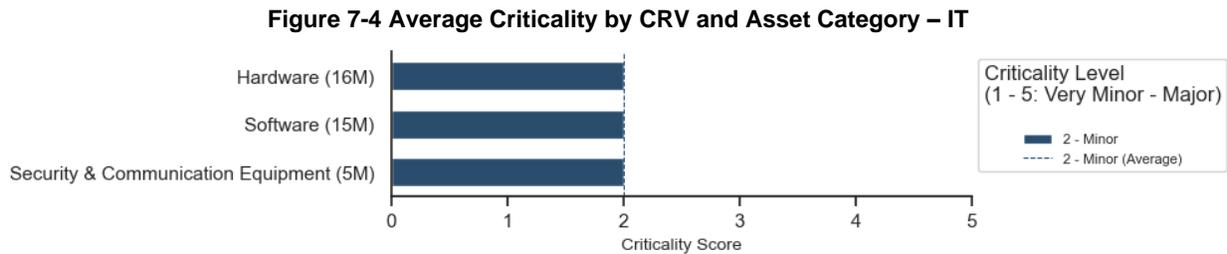
Table 7-7 Asset Management Programs (Functional) – IT

AM Programs - Functional
<p><u>Program Development / Growth IT Program Implementation</u></p> <p>The aim of the program is to provide application infrastructure enhancements for lifecycle management of IT hardware and modernization of network/telecom.</p>

7.3.2 Criticality

Based on the town's scoring system for evaluating asset criticality, which quantifies the consequence of failure, the Criticality Score varies from 1 to 5 for each evaluated asset category. A score of 1 denotes very minor criticality, while a score of 5 indicates major criticality. IT assets play a vital and critical role throughout all the services within the town and because of this the network was designed to be resilient and have built in redundancies to ensure continued operations for the critical services.

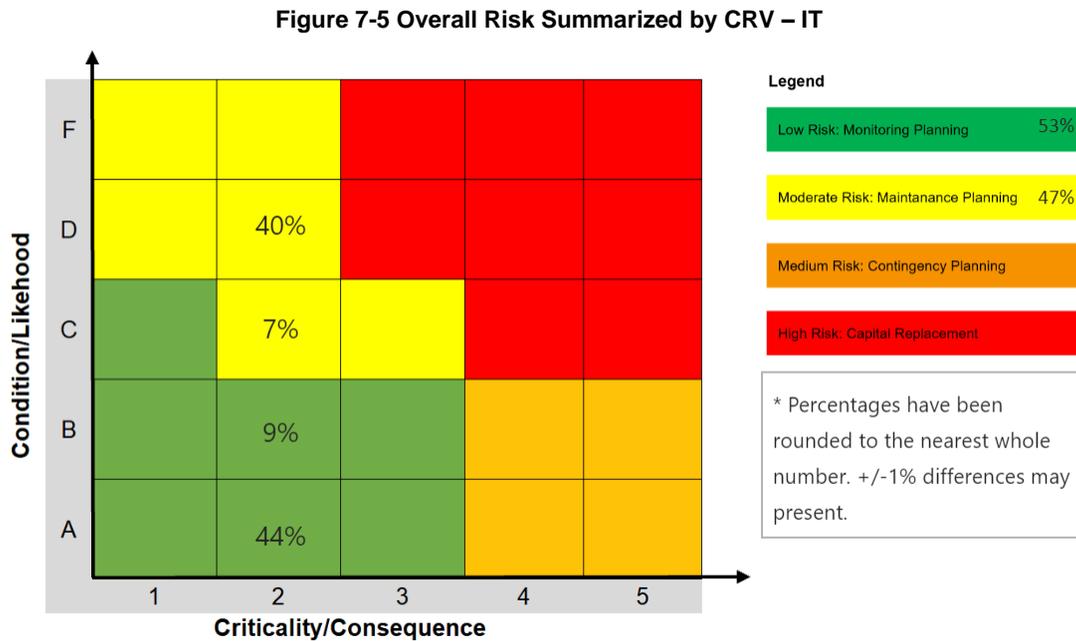
The average criticality of the IT assets, summarized by asset category and CRV, is presented in Figure 7-4.



In general, each category would have a criticality rating of 2, i.e. Minor Criticality, resulting in an overall Minor Criticality.

7.3.3 Risk

Based on the town’s Asset Lifecycle Continuum of Asset Risk Strategies, the overall risk of the IT assets, summarized by CRV, is presented in Figure 7-5.



The figure shows that 47% of the assets are classified as Moderate Risk and scheduled for Maintenance, while the remaining 53% are deemed Low Risk and scheduled for Monitoring. Since the IT assets have a consistent criticality rating of 2, the level of risk and associated activities are determined by the age of the assets because of how quickly technology progresses.

7.4 Lifecycle Expenditure 10-Year Forecast

The 10-year lifecycle of expenditure forecast for the IT assets is presented in Figure 7-6, summarized by the three (3) selected Customer Values (i.e., Quality, Reliable, and Functional).

Figure 7-6 Lifecycle Expenditure Forecast by Customer Value – IT (2023\$)



The forecast indicates that the total expenditure for the Information Technology (IT) would amount to \$113 Million over the 10-year forecast period. This allocation includes \$92 Million designated for the customer service value of Quality, \$16 Million for Reliable, and \$5 Million for Functional.

On an annual basis, the average investment expenditure is estimated to be \$11 Million. This includes \$9 Million for Quality, \$2 Million for Reliable, and \$0.5 Million for Functional customer service values.

A further breakdown of the lifecycle expenditure forecast by programs is provided in Table 7-8.

Chapter 7 Information Technology | Lifecycle Expenditure 10-Year Forecast

Table 7-8 Lifecycle Expenditure Forecast – IT (2023\$)

Programs by Customer Value	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Total
☐ Quality	\$7,642,600	\$8,609,000	\$8,933,400	\$8,986,700	\$9,376,302	\$9,416,020	\$9,777,002	\$9,743,798	\$9,767,758	\$9,939,434	\$92,192,014
Hardware Renewal Program	\$6,078,000	\$6,229,300	\$6,538,600	\$6,586,900	\$6,704,702	\$6,819,920	\$7,165,902	\$7,127,698	\$7,252,358	\$7,373,634	\$67,877,014
New Hardware	\$1,564,600	\$2,379,700	\$2,394,800	\$2,399,800	\$2,671,600	\$2,596,100	\$2,611,100	\$2,616,100	\$2,515,400	\$2,565,800	\$24,315,000
☐ Reliable	\$4,161,400	\$1,150,600	\$1,284,600	\$1,046,900	\$1,882,500	\$1,300,700	\$1,168,100	\$1,216,000	\$1,435,500	\$1,292,600	\$15,938,900
Software Upgrade	\$3,909,800	\$1,140,500	\$1,274,500	\$1,026,800	\$1,862,400	\$1,280,600	\$1,148,000	\$1,185,800	\$1,405,300	\$1,262,400	\$15,496,100
Cyber Security Program	\$251,600	\$10,100	\$10,100	\$20,100	\$20,100	\$20,100	\$20,100	\$30,200	\$30,200	\$30,200	\$442,800
☐ Functional	\$583,100	\$696,600	\$1,107,100	\$180,200	\$180,200	\$532,700	\$794,600	\$195,400	\$412,900	\$210,500	\$4,893,300
Program Development	\$502,500	\$616,000	\$1,026,500	\$84,600	\$84,600	\$437,100	\$683,800	\$84,600	\$302,100	\$84,600	\$3,906,400
Growth IT Plan Implementation	\$80,600	\$80,600	\$80,600	\$95,600	\$95,600	\$95,600	\$110,800	\$110,800	\$110,800	\$125,900	\$986,900
Total	\$12,387,100	\$10,456,200	\$11,325,100	\$10,213,800	\$11,439,002	\$11,249,420	\$11,739,702	\$11,155,198	\$11,616,158	\$11,442,534	\$113,024,214

Chapter 8

Financing Strategy

8 Financing Strategy

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The financing strategy serves as a blueprint for effectively managing funds to execute the asset management plan. Drawing upon the latest financial data from the ongoing budget cycle, as outlined in the comprehensive [2024 Operating and Long-term Capital Forecast](#), accessible through the municipality's official website, ensures informed decision-making. Enhancing the caliber of information and planning methodologies stands as a pivotal endeavor for the sustained progress of the town's Corporate Asset Management Plan (CAMP) in the future.

Ensuring the effective execution of the Corporate Asset Management Plan (CAMP) necessitates strong integration with the municipality's financial planning, long-term budgeting, and departmental strategies. Developing a comprehensive financial blueprint that aligns with asset maintenance schedules enables the town to accurately assess the funds required for sustainable asset management. This encompasses considerations such as long-term asset needs, agreed-upon Levels of Service (LOS), regulatory obligations, and anticipated growth trajectories.

An effective financial strategy is paramount for implementing the CAMP. It demonstrates the municipality's commitment to harmonizing asset management planning with financial planning and budgetary processes. This optimization leverages available financing mechanisms for infrastructure development.

8.1 Financing Policies and Assumptions

The long-term capital forecast and financial strategy has been developed with the following financing policies and assumptions. These financial strategies form the basis of the town's strong financial position and are monitored to ensure the town's long-term financial position is sustained into the future:

- Debt re-payment levels remain within the council approved policy limits.
- Outstanding debt to reserve levels do not exceed the 1:1 ratio to maintain AAA credit rating.
- The 1% Capital levy increase is maintained over the 10-year period.
- Timing of Growth projects aligns with anticipated residential and non-residential development.
- Development Charge reserve funds maintain a surplus position.
- Capital reserves are maintained at sufficient levels to minimize risk, support future initiatives, and provide for unknown contingencies.
- Equipment reserves are maintained at sufficient levels to support on-going life cycle replacements; and
- Building replacement reserve contributions are maintained and as new facilities are built contributions are increased.

The long-term capital forecast is built on a framework based on drivers to review and assess capital project needs. As some financing sources are specific for only certain types of projects, all financial tools available to the town need to be managed with the overall fiscal picture in mind.

The capital investment program is funded from a wide range of sources. Broadly speaking there are five main sources:

- Capital Levy– is annual tax revenue received in the fiscal year that is allocated directly to the capital program.
- Debt – external borrowing within strict limits.
- Reserves – the town maintains several reserves that are built up and drawn down to cover peaks in expenditures.
- Other levels of government – Provincial and Federal grants, subsidies and programs that may be ongoing or time limited; and
- Growth Funding Tools – such as development charges, community benefits charges and parkland dedications

The operating budget is primarily financed through the tax levy, which is offset by user fees and external recoveries for specific programs. Table 8-1 provides an outline of all the sources of funding that may be available to the town; not all are currently utilized.

Table 8-1 Source of Funding

Source	Description
Property Taxation	Each year the town levies and collects property taxes for the provision of services. These are based on a tax rate applied to assessed values of land and buildings.
User Fees	Charges to residents or the public for use of certain amenities, such as entry fees to recreation centers (swimming pools and ice arenas) and transit fees.
Capital Reserves	Funds that are set aside for future purchases (new and replacement) of assets. These reserves are increased through one-time funding (ex. Sale of land) and through annual operation transfers calculated according to different formulas, such as equivalent to a year's worth of depreciated value of an asset.
Growth Funding Tools	Monies are collected from developers under the town bylaws for growth fundings tools. Development Charges, Community Benefit Charges and parkland (Cash in lieu or dedication) are used to finance the development (growth) share of the capital programs and are stored in designated reserve funds until they are needed to pay for growth-related land and infrastructure as prescribed in the Bylaws.
Capital Levies	Current revenues, including property taxes collected from residents, are used to finance tax-supported programs. Rate supported budgets which are separate from property tax supported budgets are used finance self-support programs (such as Harbours, Cemeteries and Parking)
Grants & Subsidies	Transfers from Provincial and Federal government, such as Gas Tax Funding. Grants are often the result of a stimulus or other one-time funding events.
Donations	Monies that are given to the organization.
Public-Public Partnerships	A capital project delivery method whereby two or more public entities co-operate for the purpose of delivering public infrastructure
Public Private Partnerships (P3s)	A form of cost sharing. A capital project delivery method whereby the town (public entity) partners with a private entity for the purpose of delivering public infrastructure. The Federal government may offer grants in support of these shared initiatives.
Contribution from operating	A surplus in the operating fund is re-appropriated towards a capital expense.
Prior years surplus brought forward	Unspent surplus from the operating budget is brought forward as an input to the following year as revenue.
Contingencies	Funds are set aside within the operating budget to address unknown, unbudgeted expenditures that arise during the year.
Stabilization	The utilization of an operating reserve for one-time initiatives that impact the current year's operations only.
Debt Funding/ Debt Management	The province sets a debt-capacity guideline for municipalities which is currently 25% of the individual municipality's operating revenues

8.2 Funding Allocation

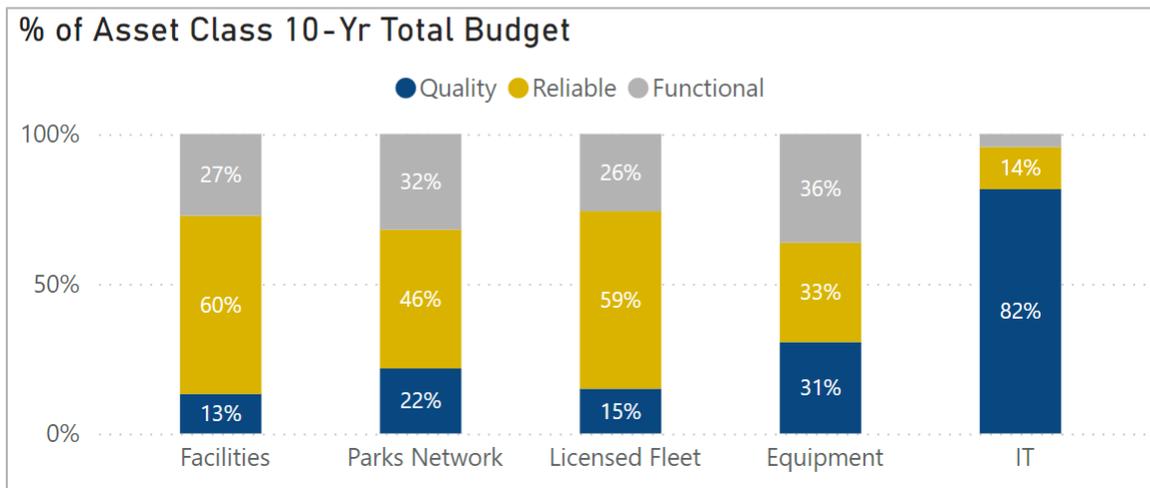
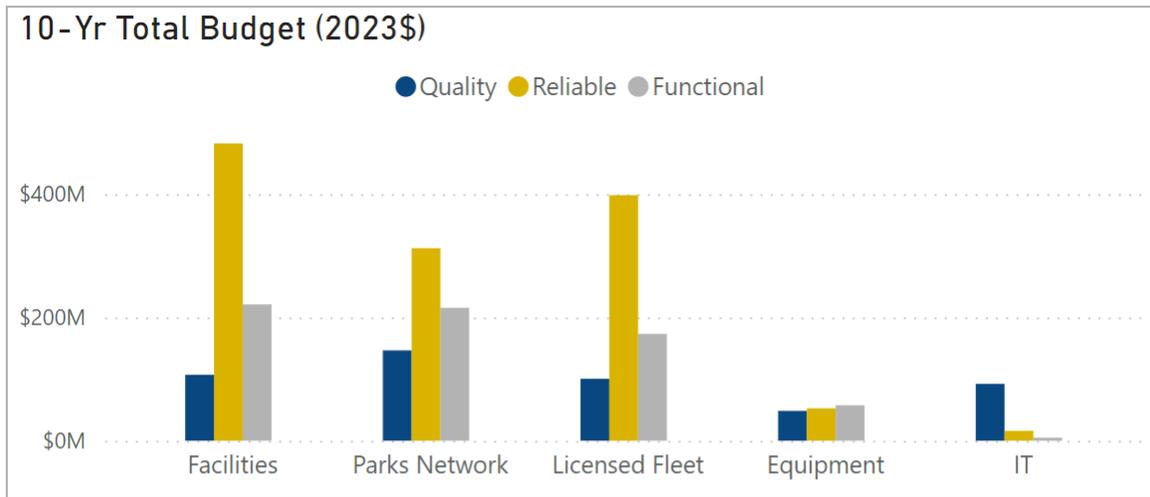
As indicated in the preceding sections, the total 10-year expenditures includes the costs to support renewal, operating and growth based on council’s strategic priorities. The forecasted 10-year expenditures to provide relevant services is summarized for each asset classification by the three customer values and presented in Table 8-2.

Table 8-2 Summary of 10 Yr. Capital and Operation Expenditures by Customer Value (\$ in Millions)

Asset Class	Quality	Reliable	Functional	Total
Facilities	\$107	\$482	\$221	\$810
Parks Network	\$147	\$312	\$216	\$674
Licensed Fleet	\$100	\$398	\$173	\$672
Equipment	\$48	\$52	\$57	\$158
IT	\$92	\$16	\$4.9	\$113
Total	\$494	\$1,261	\$672	\$2,428

Figure 8-1, titled "Summary of Expenditures by Customer Value," illustrates the allocation of total expenditures over a 10-year period by asset classes. The expenditures are categorized into three customer values areas: Quality (renewal), Reliable (operating), and Functional (growth). These categories reflect the strategic priorities set forth by the council, ensuring that resources are allocated efficiently to maintain services. The chart highlights how each asset class contributes to these values over the 10 years, demonstrating an approach to sustaining current operations, investing in new developments, and renewing existing assets to meet future demands.

Figure 8-1 Summary of Expenditures by Customer Value



Chapter 8 Financing Strategy | Funding Allocation

As noted in the preceding sections, funding is available through various sources to support the required services. It is through the long-term financial plan that future reserve and reserve fund requirements are determined. The [Adopted 2024 Operating and Capital Budget](#) (pg. 27 – 28) provides the Capital Financing Summary for this 10 year period.

The financing strategy outlined serves as a guideline for managing funds to execute the long-term capital forecast and the Corporate Asset Management Plan (CAMP), ensuring continued review of the latest financial data from the ongoing budget cycle as well as the various service master plans. The town aims to enhance the caliber of financial and asset information for the sustainability of the town's Corporate Asset Management Plan. Key financial policies and assumptions, including debt repayment levels, capital levy increases, and reserve maintenance strategies, are integral to maintaining the town's strong financial position and supporting future initiatives. The capital investment program relies on various funding sources, such as capital levies, debt, reserves, government grants, and development charges, with a focus on addressing renewal, operating, and growth needs. Through careful allocation and management of these resources, the plan aims to ensure sustainable asset management and support the evolving needs of the community.

Chapter 9

Asset Management Improvement Plan

9. Plan Improvement

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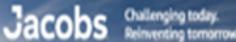
9.1 Overview

An effective asset management plan is based on having a culture of continuous improvements around information, operations and people. Because of this approach an asset management maturity assessment is updated every 5 years. This maturity assessment allows the town to benchmark our progress along the asset management journey as well as highlight an areas that may need additional resources to improve asset planning.

Effective asset management necessitates a forward-thinking, integrated approach that considers entire system with a long-term perspective. Implementing such plans requires enhancements in asset management practices, competencies, and capabilities across both individual services and the entire municipality. In 2017, a Comprehensive Asset Management Review and Assessment (CAMRA) tool was employed for an asset management maturity assessment, aligning with ISO55000 Asset Management requirements. The resulting roadmap aimed to elevate the organization from a "developing" to a "competent" maturity level and concluded in 2021. A subsequent CAMRA assessment in 2023 led to the creation of a new five-year roadmap, charting a course for continuous improvement in the town's asset management practices. This updated roadmap identifies initiatives to advance the town's current asset maturity level.

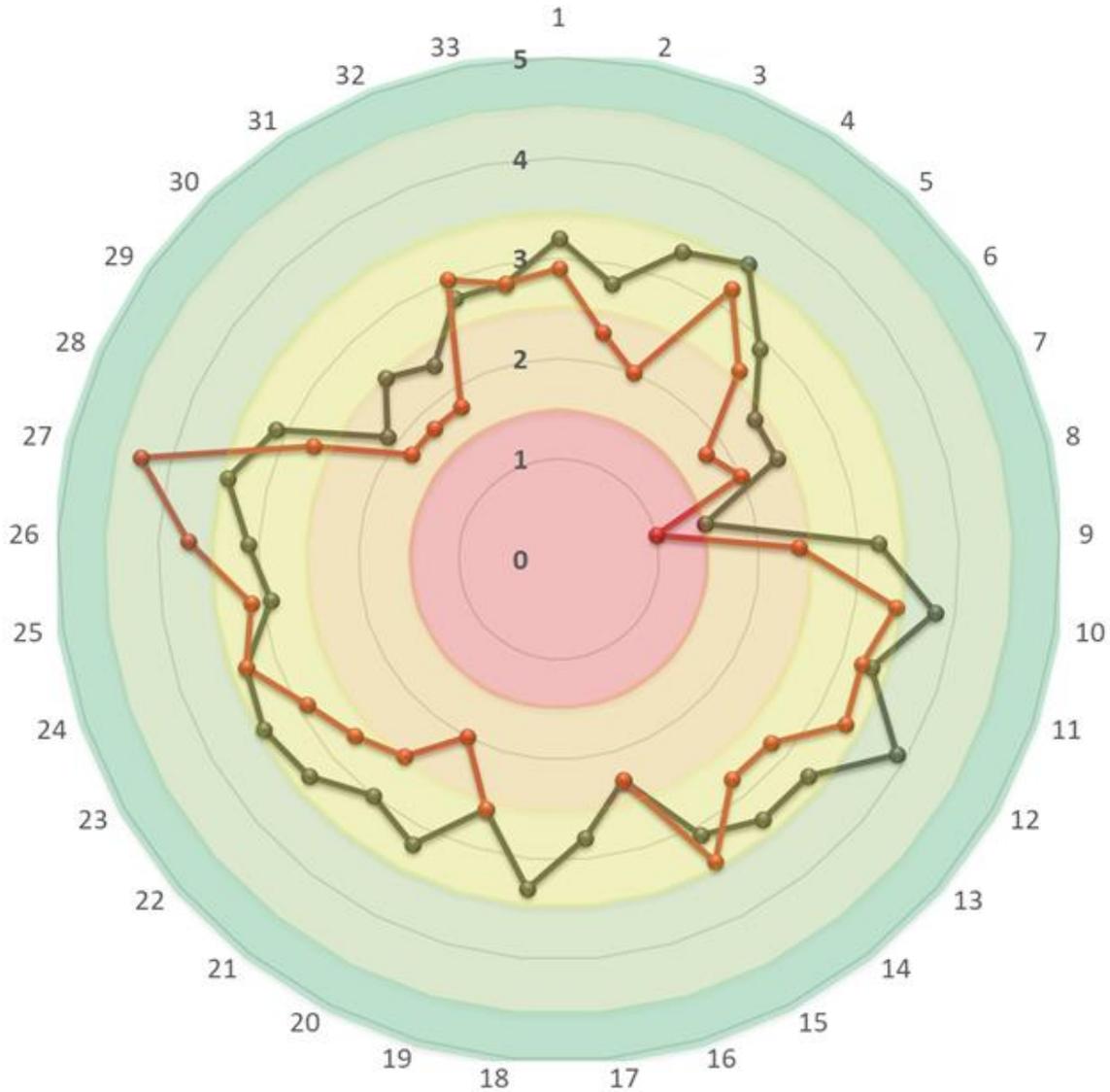
The average results of the 2023 maturity assessment viewed in isolation have limited utility, they serve as a tool to assess the general progress of the Asset Management program over the preceding 5 years. The average maturity scores for 2016/2017 and 2022/23 are 2.6 and 3.0, respectively.

While the overall improvement may not be immediately apparent, it is crucial to recognize that only a selected few of the 33 topic areas were prioritized in the initial 5-year roadmap. The focused topic areas resulted maturity changes in their scores. The Asset Management roadmap should be viewed as part of a long-term continual improvement strategy, anticipating multiple iterations to propel the organization toward overall sustainable competence (level 4). The average scores for each question are outlined below for a comprehensive overview.

 			C					
#	Focus Area	Topic	Storm	Roads	Parks	Buildings	Fleet	Transit
1	Organizational Context	Organizational Strategic Plans	3.0	3.5	3.5	2.5	2.5	4.0
2	Organizational Context	Scope of the Management System for Asset Management (the Asset Managemen	3.0	3.0	3.5	2.5	3.0	2.0
3	AM Vision & Leadership	Asset Management Policy & Strategic Asset Management Plan	3.5	3.5	2.5	3.5	3.5	3.0
4	AM Vision & Leadership	Asset Management Leadership & Governance	4.0	4.0	2.5	3.5	4.0	3.0
5	AM Vision & Leadership	Asset Management Roles & Responsibilities	2.5	3.0	3.5	3.0	3.5	2.0
6	AM Vision & Leadership	Master Plan For Development Of Asset Management Business Processes & F	2.5	2.5	2.5	3.0	2.5	1.5
7	AM Vision & Leadership	Master Plan for Development of Asset Management Skills & Competences	2.5	2.5	2.0	2.5	3.0	2.0
8	AM Vision & Leadership	Master Plan For Development of Asset Management Information Technology	1.5	1.5	1.5	1.5	2.0	1.0
9	Asset Management Objectives & Targets	Service Performance Measures/ Levels of Service	3.5	3.5	3.5	2.0	2.5	4.0
10	Asset Management Objectives & Targets	Future Trends (Impact Of Growth)	4.0	4.0	3.5	4.0	3.0	4.0
11	Asset Management Objectives & Targets	Legal, Regulatory & Statutory Requirements	2.0	2.5	3.5	3.0	4.0	5.0
12	Asset Management Information Requirements	Asset Inventory	4.0	3.5	4.5	3.5	4.5	3.5
13	Asset Management Information Requirements	Asset Information	2.5	3.0	4.0	3.0	4.5	3.0
14	Asset Management Information Requirements	Information Management	2.5	3.5	4.0	3.0	4.0	3.0
15	Asset Management Information Requirements	Business Applications	3.0	3.0	3.5	3.0	3.0	3.0
16	Planning To Achieve Asset Management Objectives	Risk Framework - Strategic Level & Asset Level	2.5	2.5	2.5	2.0	2.0	2.0
17	Planning To Achieve Asset Management Objectives	Asset Strategies	3.0	2.5	2.5	2.5	3.0	3.5
18	Planning To Achieve Asset Management Objectives	Long Term Renewals Planning	3.0	2.5	3.5	3.5	3.5	3.5
19	Planning To Achieve Asset Management Objectives	Optimized Asset Intervention Planning	3.0	2.0	3.0	2.5	2.5	2.5
20	Planning To Achieve Asset Management Objectives	Asset Management Plans	4.0	3.5	3.0	2.5	3.0	3.0
21	Planning To Achieve Asset Management Objectives	Capital Investment Plan Development & Governance	3.0	3.0	3.0	3.0	3.5	2.5
22	Operational Planning & Control	Capital Projects - Planning, Design & Construction	2.5	2.0	3.5	3.5	4.0	4.0
23	Operational Planning & Control	Operations Management	3.0	3.0	3.5	3.5	4.0	3.5
24	Operational Planning & Control	Maintenance Management	3.5	3.0	3.0	3.0	4.0	3.5
25	Operational Planning & Control	Investigation And Recording Of Routine Asset Failures & Reactive Work	2.5	3.0	2.0	3.0	4.0	3.0
26	Operational Planning & Control	Materials Management	2.0	3.0	3.5	2.5	4.0	3.5
27	Operational Planning & Control	Emergency Preparedness & Response	3.5	2.0	3.5	3.5	3.5	4.5
28	AM Enablers & Support	Control of Documented Information	2.0	3.5	2.5	3.0	4.0	3.5
29	AM Enablers & Support	Learning & Development	2.0	2.5	2.0	2.0	2.0	2.0
30	AM Enablers & Support	Knowledge Retention & Succession Planning	2.5	2.5	2.5	2.5	2.5	2.5
31	AM Enablers & Support	Asset Management Quality Assurance & Management Review	2.0	2.0	2.0	2.5	2.5	2.5
32	AM Enablers & Support	Continual Improvement Culture	3.0	2.5	3.0	3.0	2.5	3.0
33	AM Enablers & Support	Communication & Change Management	3.5	3.0	2.5	3.0	2.5	2.5

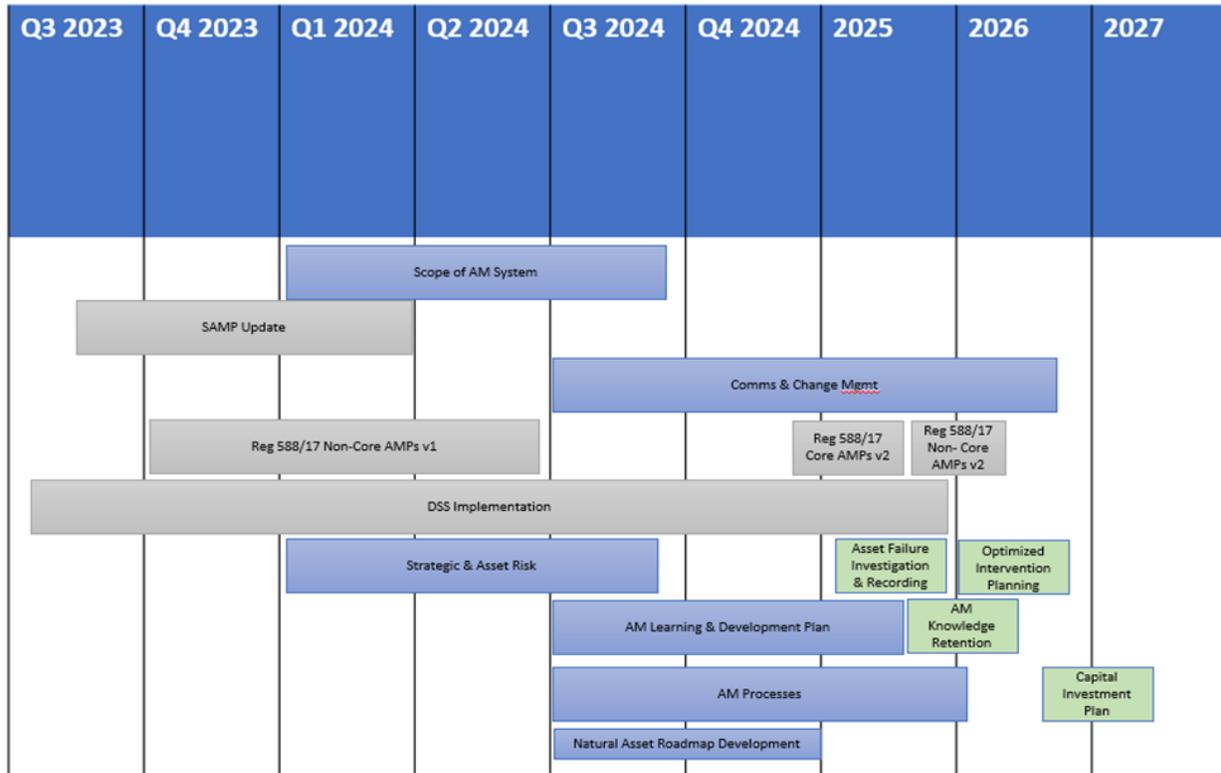
Chapter 9 Asset Management Improvement Plan | Overview

The plot below shows these 2023 average results (green line) compared with the 2017 average results (red line). As a general observation slight improvements were made in most areas and a normalization of scores in others.



Chapter 9 Asset Management Improvement Plan | Overview

The diagram below highlights the proposed roadmap over the next 4 years. The details of the roadmap will need to be resourced accordingly as the town continues the asset management journey.



From strategic planning and organizational alignment to operational efficiency and continuous improvement, ISO 55000 maturity topic areas offer a structured approach to assess and enhance an organization's asset management capabilities. These topic areas serve as a comprehensive framework, guiding the town towards optimizing their asset management practices to maximize value, minimize risks, and ensure continued sustainability. By delving into these areas, the town can systematically evaluate their maturity levels, identify areas for enhancement, and establish a roadmap for achieving excellence in asset management practices.

In the short-term horizon, the focus on these six critical areas ensures that the foundational elements of asset management are robust and aligned with organizational goals. Updating the Strategic Asset Management Plan (SAMP) with council priorities and integrating Master Plans with asset renewal plans are immediate priorities to maintain alignment with the broader organizational strategic objectives. Clearly defining the scope of the Asset Management System and updating processes and roles by 2025 are essential steps to establish a structured and effective asset management framework. Developing and disseminating the Asset Management Policy and SAMP will guide decision-making and improve organizational maturity. Establishing a comprehensive risk framework is crucial for managing both strategic and asset-level risks, ensuring that resources are efficiently allocated to mitigate potential failures. Planning for long-term renewals and integrating these plans into current financial strategies will create a sustainable approach to asset management. Lastly, robust development and governance of Capital Improvement Plans (CIPs) will ensure that immediate capital investments are well-justified and

aligned with strategic priorities, setting a strong foundation for future growth and resilience. Table 9-1 summarizes the 6 focus areas over the next 12 months.

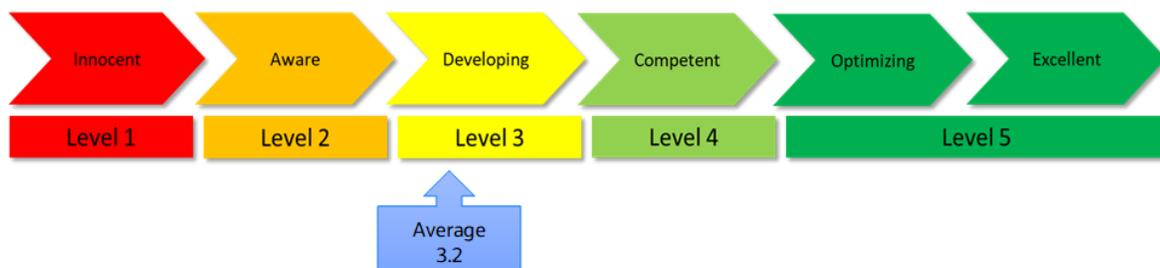
Table 9-1 Short Term Focus Areas

Focus Area	Objectives
Organizational Strategic Plans	<ul style="list-style-type: none"> • Align asset management objectives with organizational goals. • Update the Strategic Asset Management Plan (SAMP) with council priorities every election cycle to ensure a "line of sight" to organizational objectives. • Integrate Master Plans with asset renewal plans to progress from the developing to the competent stage.
Scope of the Asset Management System	<ul style="list-style-type: none"> • Update processes by 2025 to reflect changes in roles and responsibilities, moving towards a competent level of maturity.
Risk Framework - Strategic & Asset Level	<ul style="list-style-type: none"> • Update the risk framework and align with strategic objectives to manage both strategic and asset-level risks.
Long Term Renewals Planning	<ul style="list-style-type: none"> • Plan for long-term asset renewal and refurbishment by developing an understanding of the required investment and factoring this into asset management plans and financial decision-making. • Model lifecycle behaviors and estimate costs over a suitable time horizon (e.g., 25 years) to ensure sustainability.
Capital Investment Plan Development & Governance	<ul style="list-style-type: none"> • Prioritize projects based on asset risk and business case evaluations, ensuring that capital investments are justified and aligned with strategic goals.
Service Performance Measures / Levels of Service	<ul style="list-style-type: none"> • Track current performance and establish targets

9.2 Areas of Focus (Short Term)

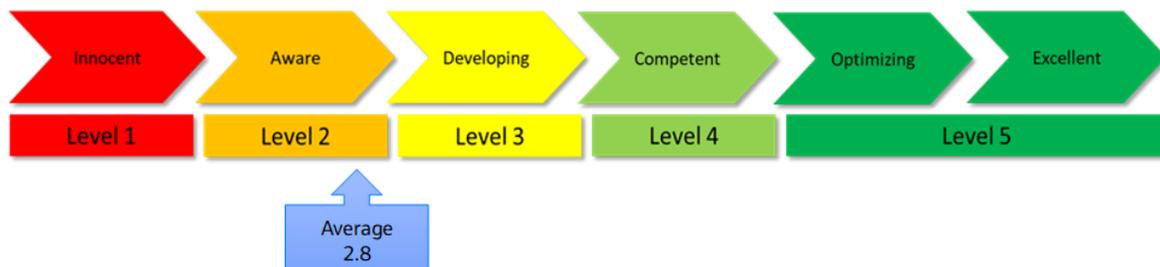
9.2.1 Organizational Strategic Plans

A key concept in Asset Management is “line of sight” where asset management objectives and associated decision-making practices are clearly aligned with overarching organizational objectives. These organizational objectives set out what top management is aiming to achieve on behalf of customers and stakeholders – both internal and external; and should be clearly defined within an “Organizational Strategic Plan” or Council Strategic Priorities. This is one of the key reasons the Strategic Asset Management Plan (SAMP) is updated when the Council Strategic Priorities are refreshed after each election cycle. This ensures the SAMP maintains a line of sight to the organizational priorities. The Area of focus within the next several years is to further incorporate Master Plans (Recreation, Facilities, Parks ...) with current asset renewal plans. Currently we are within the developing stage and over the next several years should be able to be firmly within the Competent Stage.



9.2.2 Scope of the Asset Management System

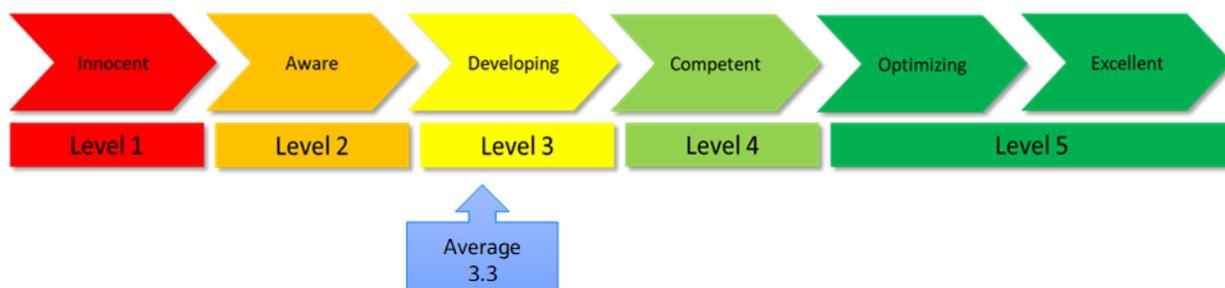
The Asset Management System can be considered the collective set of documentation, processes and procedures guiding and controlling the application of Asset Management in the town. This question therefore seeks to determine if there is clear definition of the Asset Management System, usually in the form of an overarching high-level process map and accompanying documentation, together with clearly defined ownership and processes for ongoing review. This content may be included within the Strategic Asset Management Plan (SAMP). With the formation of an Asset Management Department the documentation, processes and procedures need to be updated to reflect those changes of roles and responsibilities. The plan is to update the processes and better define roles and responsibilities by end of 2025. This should put us close to the competent level.



9.2.3 Asset Management Policy and Strategic Asset Management Plan

The Asset Management Policy is a formal document that sets out the high-level principles by which the town will manage its assets, as formally expressed by its leadership. Its main goal is to guide how asset management decision-making will support the achievement of organizational objectives. It should be formally endorsed by top management and communicated to all relevant staff.

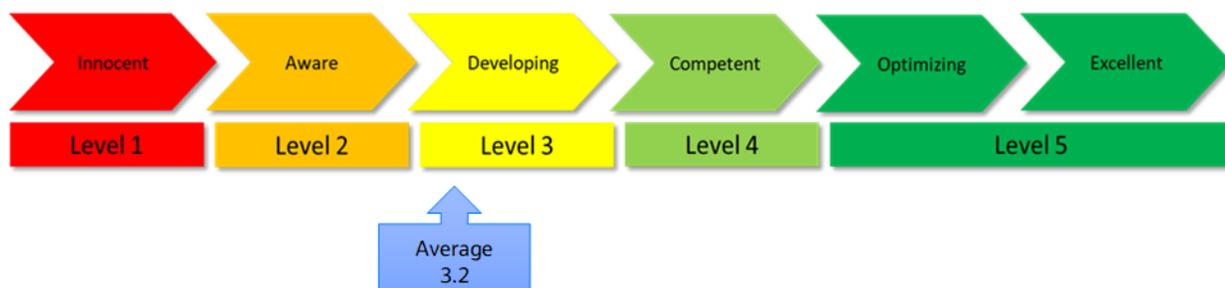
The AM Strategy (or SAMP) documents the approach to implementing the Asset Management Policy and how Asset Management will support the organizational objectives. The SAMP includes an overview of the town’s services and assets, sets out the asset management objectives, its governance structure, decision making criteria (e.g. risk framework), roles and responsibilities and strategies for the implementation and development of the asset management system. The town is in the developing stage; the plan is to distribute and educate key positions within all asset intensive service areas on the SAMP. This should move our maturity from a 3.3 to a solid 4.



9.2.4 Service Performance Measures / Levels of Service

To develop a clear line of sight, it is necessary to clearly define a suite of Asset Management objectives that clearly link back to the organizational strategic plan and organizational objectives. The asset management objectives referred to in this topic relate specifically to the performance of the assets and the value that they deliver for customers and stakeholders and are commonly referred to as Levels of Service.

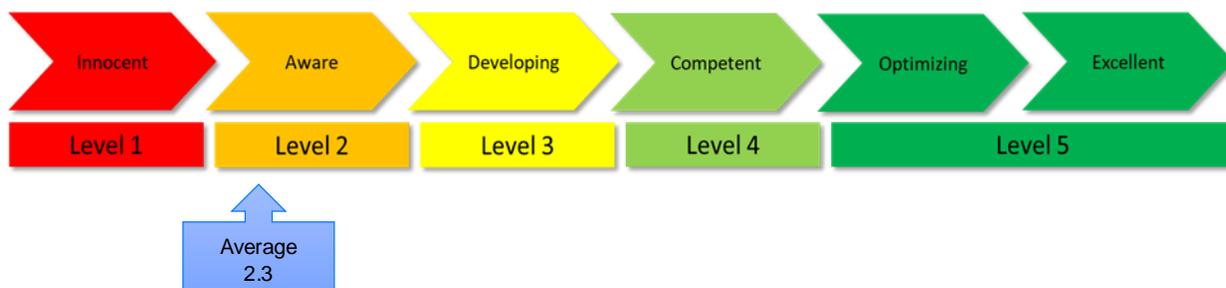
Current performance should be tracked, and the costs associated with delivering performance analyzed to understand trends and facilitate forward planning. Targets should be established so that they meet the “SMART” criteria of being specific, measurable, achievable, realistic and time bound.



9.2.5 Risk Framework - Strategic Level & Asset Level

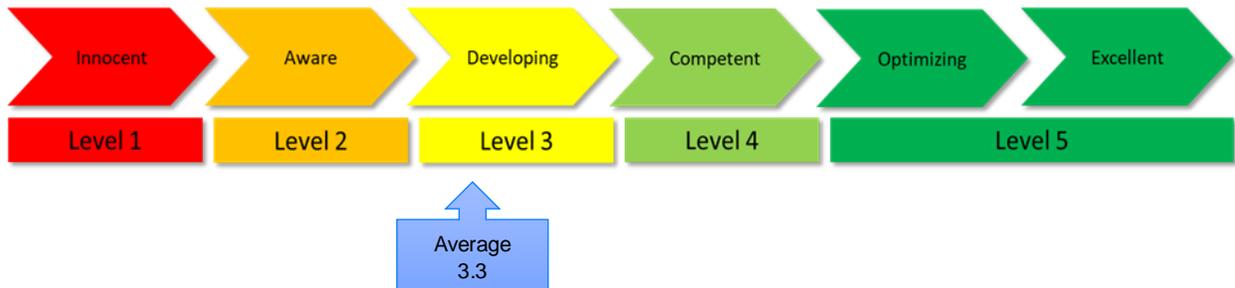
Strategic Risk assessments typically consider high-level threats to objectives associated with both the internal and external environment in which the service area operates. External strategic risks may include threats to organizational objectives such as funding sources, the political environment, regulatory changes, changing demographics, etc. Internal strategic risks may include labor shortages, organizational culture issues, staffing competences and skill shortages, information technology aspects, budget constraints, major asset failures etc. To manage risks at the strategic level, a risk framework and risk register should be developed which is aligned with the organization’s strategic objectives.

In addition to these “top-down” strategic risks, each Service Area should also consider the “bottom-up” risks associated with failures or deficiencies arising within the asset portfolio. Assets can fail in many ways and due to many causes. Such failures can significantly affect the achievement of levels of service and associated strategic objectives. A good understanding of asset-related risks is therefore essential to appropriately target capital investment or operations and maintenance resources to reduce the likelihood and consequences of asset failures. Typically, the short-term refurbishment and replacement program on the asset base should be driven by a rigorous understanding of asset risk based on available data and consultations with operations and maintenance staff. To ensure that the true priorities are identified and addressed, a consistent asset risk framework and associated risk assessment processes are required. The current risk framework will be reviewed and updated to incorporate service and asset risk.



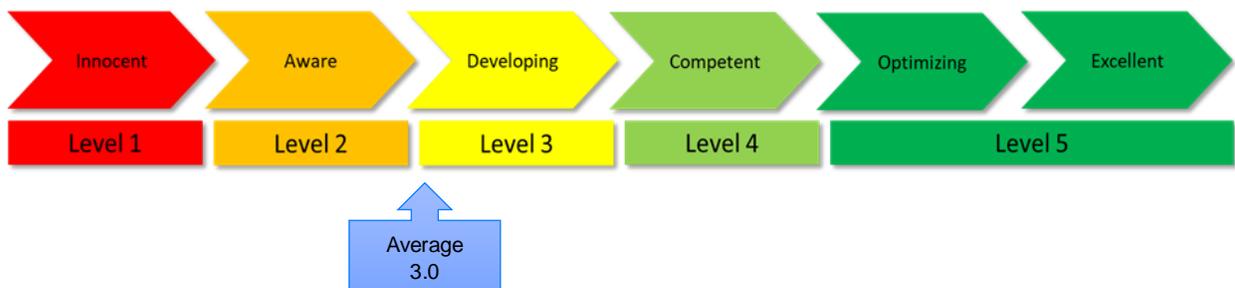
9.2.6 Long Term Renewals Planning

Assets typically deteriorate over time/with use and require refurbishment or replacement at appropriate points in their lifecycle. To plan for the long-term, it is necessary for organizations to develop an understanding of the underlying refurbishment and renewal investment that may be required and factor this into asset management plans and associated financial decision-making. This long-term planning involves the modelling of lifecycle behaviors over a suitable time horizon (i.e., 25 years or so) and applying cost estimates to the refurbishment and renewal actions that are projected.



9.2.7 Capital Investment Plan Development & Governance

The typically high costs associated with asset related capital investments, requires robust processes and procedures for developing capital improvement plans (CIPs) to ensure that available funds are targeted at the highest priority needs in line with the asset management and organizational objectives. This topic considers the key elements of good CIP (capital improvement plans) development and governance, covering well documented rationales behind identified needs (including the use of asset risk), use of Business Case Evaluations which include Whole Life Cost comparison of options and prioritization of candidate projects based on clearly stated criteria.





Community Spirit Awards Committee

MINUTES

Date: May 29, 2024
Time: 2:00 p.m.
Location: Oakville and Trafalgar Rooms

Members Present: Mayor Burton
Councillor Gittings
Councillor Nanda
Pedram Beheshti
Gisela Briceno
Angela Parsons
Zhen Zhou

Staff Present: Natasha Coric, Council and Committee Coordinator

Others: Julie Pennal, Program Supervisor - Seniors

The Community Spirit Awards Committee met on this 29th day of May, in the Oakville and Trafalgar Rooms of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 2:00 p.m.

1. Regrets

There were no regrets for this meeting.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Confidential Discussion Item

Moved by Councillor Nanda

CLOSED SESSION

That this meeting resolve into a closed session for the purpose of personal matters about identifiable individual, including municipal or local board employees.

CARRIED

3.1 Community Spirit Awards Nomination Package

Moved: Angela Parsons

That the names selected in the closed session remain confidential and be made public at the Community Spirt Awards on Thursday June 6, 2024 at 7:00 p.m.

CARRIED

Moved by Councillor Gittings

This committee resolved back into open session at 2:31 p.m.

CARRIED

4. Adjournment

The Mayor adjourned the meeting at 2:32 p.m..

DATE OF ITEM	<p style="text-align: center;">May 15 - 21, 2024</p> <p style="text-align: center;">COUNCIL INFORMATION INDEX</p> <p style="text-align: center;">CONTENT</p>	DATE RECEIVED	PAGE
May 13, 2024	EMAIL – AMO Education RE: Competing Rights: What You Need to Know!	May 14, 2024	1
May 13, 2024	EMAIL - Township of Alnwick/Haldimand RE: Alnwick/Haldimand Resolution - MFIPPA Modernization	May 14, 2024	3
May 14, 2024	EMAIL – AMO Communications RE: Get Involved with AMO! Board Nominations Now Open	May 14, 2024	5
May 15, 2024	EMAIL – AMO Education RE: Cybersecurity for Municipal Councillor's	May 15, 2024	7
May 15, 2024	INTERNAL – Office of the Mayor RE: Novae Res Urbis Vol. 27 No. 20	May 15, 2024	8
May 07, 2024	EMAIL - Municipality of Casselman RE: Regulatory changes under the Conservation Authorities Act	May 16, 2024	24
May 14, 2024	EMAIL - Township of Lake of Bays RE: Correspondence from the Township of Lake of Bays	May 16, 2024	26
May 15, 2024	EMAIL – Town of Bradford West Gwillimbury RE: Resolution 2024-172 - Well-Water Testing	May 16, 2024	27
May 16, 2024	EMAIL – AMO Communications RE: AMO Watchfile - May 16, 2024	May 17, 2024	29
May 17, 2024	EMAIL – AMO Education RE: Managing Communications Through Crisis Workshop	May 17, 2024	32
May 17, 2024	EMAIL -Municipality of Clarington RE: The Perfect Storm - Impact of Provincial Changes on our Community	May 21, 2024	33
May 17, 2024	EMAIL – AMO Policy RE: AMO Policy Update: National Housing Strategy Funding, Ontario Health Teams, Enhancing Digital Security and Trust, Next Building Code Edition, Affordable Housing Bulletin, Housing and Planning Submissions	May 21, 2024	35
May 21, 2024	EMAIL – Town of Halton Hills RE: Resolution No. 2024-0079 - Court Resources within Halton Area	May 21, 2024	40

DATE OF ITEM	May 22 - 28, 2024 COUNCIL INFORMATION INDEX CONTENT	DATE RECEIVED	PAGE
May 21, 2024	EMAIL – Matt Mundy RE: Objection	May 22, 2024	1
May 22, 2024	INTERNAL – Office of the Mayor RE: Novae Res Urbis Vol. 27 No. 21	May 22, 2024	7
May 22, 2024	EMAIL – OCA RE: Terry Branch May 21, 2024 presentation	May 22, 2024	23
May 22, 2024	EMAIL – AMO Education RE: Cybersecurity for Municipal Councillor's	May 23, 2024	35
May 23, 2024	EMAIL – AMO EDUCATION Re: Managing Communication through Crisis	May 23, 2024	36
May 23, 2024	EMAIL – AMO Re: AMO Watchfile	May 23, 2024	38
May 23, 2024	EMAIL – ENBRIDGE - Desiree Swance Re: Update on Enbridge's Rate Rebasing Application	May 24, 2024	40
May 23, 2024	EMAIL – Gary Carr Re: Letter from Halton Regional Chair Gary Carr: Funding Reduction under the National Housing Strategy (NHS)	May 24, 2024	41
May 24, 2024	EMAIL – AMO Education RE: Navigating Conflict Relationships as an Elected Official (NCR 1.0)	May 24, 2024	47
May 24, 2024	EMAIL - The Corporation of the Town of Cochrane RE: Operational Budget Funding Resolution	May 24, 2024	51
May 24, 2024	EMAIL – ROMA Communications RE: 3 Upcoming In Person Teeny Tiny Summits - Invitation to Register and Please Share with your Networks	May 24, 2024	52
May 25, 2024	EMAIL – AMO Events RE: Celebrate at AMO 2024	May 27, 2024	55
May 28, 2024	EMAIL – AMO Policy RE: AMO Policy Update - National Housing Strategy	May 28, 2024	57
May 27, 2024	EMAIL – Municipality of Mattawan RE: Support Resolution - Provincial Regulations Needed to Restrict Keeping of Non-native ("exotic") Wild Animals	May 28, 2024	58

DATE OF ITEM	May 29 – June 4, 2024 COUNCIL INFORMATION INDEX CONTENT	DATE RECEIVED	PAGE
May 29, 2024	INTERNAL – Office of the Mayor RE: Novae Res Urbis Vol. 27 No. 22	May 29, 2024	1
May 30, 2024	EMAIL – AMO - AMO 2024 Pre-conference Workshop: Strengthening Municipal Codes of Conduct	May 30, 2024	14
May 30, 2024	EMAIL – AMO Education RE: Disability Inclusion Workshop and Panel Discussion	May 31, 2024	16
May 30, 2024	EMAIL – AMO Communications RE: AMO Watchfile - May 30, 2024	May 31, 2024	17
May 31, 2024	EMAIL – AMO Education RE: Navigating Conflict Relationships as an Elected Official (NCR 1.0)	May 31, 2024	20
May 31, 2024	EMAIL – AMO Education RE: Cybersecurity for Municipal Councillors	May 31, 2024	22
May 31, 2024	EMAIL – Callander Ontario RE: Huron Shores Request to Resume Assessment Cycle	May 31, 2024	23
June 01, 2024	EMAIL – AMO Events RE: AMO 2024: Concurrent Session Highlights Celebrating 125 Years	June 03, 2024	25
June 03, 2024	EMAIL – Corbett Land Strategies RE: Special Council Meeting on June 3, 2024 - Response Letter	June 03, 2024	27
June 03, 2024	EMAIL – ROMA Communications RE: Approving broadband projects will be a priority	June 04, 2024	35
June 03, 2024	EMAIL - Janine Churchill-Smith RE: Midtown	June 04, 2024	36
June 03, 2024	EMAIL – Julia Mori RE: Midtown	June 04, 2024	37
June 03, 2024	EMAIL – Ken Miner RE: Special Council Meeting June 3 2024 Delegation	June 04, 2024	38

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Rainwater Management Financial Plan, Stormwater Fee Development and Consideration of Green Stormwater Infrastructure	11/30/2024	1. That staff report back in 2024 with an update on the recommended stormwater fee structure and implementation plan.	Council	9/18/2023 18:30	Asset Management Department
Tasks before Escribe	9/30/2024	3. That staff develop and report back on a Parks and Open Space Strategy.	Council	1/1/2020 9:00	Parks and Open Space Department
Fishing from Town Parkland Update	9/30/2024	That Council approve an evening fishing pilot program as outlined within the report and staff report back to Council Q1 2024.	Council	4/24/2023 18:30	Parks and Open Space Department
48 Bronte Road	9/30/2024	Staff be directed to report on the potential public ownership of the former Greb Property in order to address such issues as: Potential threats to this section of the Bronte Creek due to extreme weather events/flooding, in consultation with Conservation Halton; The role of this property and section of the Bronte Creek to provide protection/climate proofing, reduction in erosion risks and public infrastructure, and loss of top of bank, in consultation with Conservation Halton; The strategic role of this property to provide a connection to the Fishermans Park and pier, Bronte Heritage Waterfront Park, the Bronte Inner Harbour lands, with connections to Berta Point and Bronte Beach for recreational purposes in consultation with Conservation Halton and Halton Region; A potential role of this property as a cultural heritage landscape and as part of the Harbours portfolio of offerings to boaters and connection to Bronte Road; and, The ability to access any available Federal, Provincial, and Regional funding and other programs for climate proofing.	Council	11/20/2023 18:30	Parks and Open Space Department
Tasks before Escribe	11/30/2024	That staff review and discuss options for the creation and operation of a waterfront attraction or destination or feature with the Oakville Yacht Squadron and potentially other third parties and that the proposal be a recommendation under the forthcoming Harbours Master Plan.	Council	1/1/2020 9:00	Parks and Open Space Department
Tasks before Escribe	11/30/2024	That staff report on the maintenance and design standards for new and existing walkways including standards for widths, construction, fencing, lighting, safety and security, plantings and landscaping, winter and summer seasonal maintenance and the process for interacting with abutting landowners when changes to walkways occur.	Council	1/1/2020 9:00	Parks and Open Space Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Sunningdale Tennis Court	11/30/2024	That staff report back on the feasibility and options for the acquisition, leasing, or other forms of acquisition or for entering into an agreement for the management of the Sunningdale Tennis Court located at Sunningdale Public School as a town facility from the Halton Distract School Board with the goal of keeping it open to the public and repairing and maintaining it in accordance with the standards offered at other Town owned and operated tennis courts.	Council	5/25/2022 18:30	Parks and Open Space Department
Potential Park Uses for McCraney Reservoir Park	11/30/2024	That staff report on potential park uses of the McCraney Reservoir Park upon completion of the Regions Master Plan for the McCraney Reservoir.	Council	8/9/2022 18:30	Parks and Open Space Department
Region Pumping Station in Bronte Beach August 9, 2022	11/30/2024	4. That in using a build back better approach, the Region be requested to cost share with the planned Town Phase 2 improvements at Bronte Beach Park that will incorporate the pumping station in a plan that benefits the residents of Oakville. 5. That staff report back to Council once discussions have been completed.	Council	8/9/2022 18:30	Parks and Open Space Department
Parks & Open Space Strategy: Town of Oakville Parks Plan 2031 and Parkland Dedication By-law 2024-034	11/30/2024	That prior to the finalization of the Land Acquisition Strategy, Staff continue to monitor land acquisition opportunities within the towns Strategic Growth Areas, and where acquisition supports community and infrastructure needs, staff will present options to Council for consideration.	Planning and Development Council	4/8/2024 18:30	Parks and Open Space Department
Tasks before Escribe	12/31/2024	1. That the report from the Parks and Open Space department, dated May 22, 2012, entitled Marina Facility at Bronte Harbour - Oakville Harbours Section, be received; 2. That the continued operation of the Marina Facility at Bronte Harbour be approved as identified in Option 1 of the staff report; and 3. That staff be requested to conduct a further analysis of the marina facility in Bronte Harbour in five (5) years and at that time, provide recommendations for the continued operation of the marina facility.	Council	1/1/2020 9:00	Parks and Open Space Department
Urban Forest Strategic Management Plan	3/31/2026	That staff to report back to Council within three years to assess the impact of recommended canopy cover targets in achieving the goal of 40% canopy cover target by 2057.	Council	3/25/2024 18:30	Parks and Open Space Department
Tasks before Escribe	11/30/2025	That staff delay the release of the public tender/RFP for lease proposals for the Deerfield Golf Course until the short term extension with the current tenant expires, and report back to Council with the results of the tender.	Council	1/1/2020 9:00	Legal Services
Old Oakville Heritage Conservation District Revised Study	9/30/2024	That the Old Oakville Heritage Conservation District Revised Study as attached in Appendix A to the staff report dated January 23, 2024 and revised in accordance with the memo dated February 5, 2024 from Planning Services, be approved. That staff be directed to continue work on the Old Oakville Heritage Conservation District Update to create a revised Plan and Guidelines.	Planning and Development Council	2/5/2024 18:30	Planning Services Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
North Oakville Driveway Extensions Report for Information	11/30/2024	That the report titled North Oakville Driveway Extensions Report for Information be received and staff report back in 2023 with any recommended changes to the Zoning By-law or process.	Planning and Development Council	6/7/2022 18:30	Planning Services Department
Information Report Warehousing and Distribution Industries Review (File No. 42.15.61)	11/30/2024	1. That this item be referred back to staff to seek additional research from other jurisdictions, identify options for definitions that recognize the difference between warehouses and distribution centres in terms of scale, operational impacts, and best practices in land use compatibility requirements for Q1 2024. 2. That this will allow staff to identify implications from the 2023 Provincial Planning Statement, and provide residents a greater opportunity to review and comment to Planning and Development Council.	Planning and Development Council	6/12/2023 18:30	Planning Services Department
Housing Strategy and Action Plan including the Housing Accelerator Fund Application	11/30/2024	1. That staff undertake a public engagement program on the Housing Strategy and Action Plan, report back to Council on what was heard, and refine the Housing Strategy and Action Plan, as necessary, in coordination with other ongoing provincial initiatives	Planning and Development Council	7/10/2023 18:30	Planning Services Department
White Paper: Planning Act Tools to Facilitate Development of Affordable Housing	11/30/2024	That staff initiate and undertake work programs in an efficient, and where possible, concurrent manner to investigate, and if deemed appropriate, implement the following Planning Act tools: Inclusionary Zoning within Protected Major Transit Station Areas; Community Planning Permit System within Midtown Oakville and with opportunity to do so in other parts of the Town; and Community Improvement Plan to incentivize affordable housing across the Town.	Planning and Development Council	3/18/2024 18:30	Planning Services Department
Recommendation Report FCHT Holdings (Ontario) Corporation Z.1612.14 and OPA 1612.14 - 271 Cornwall Road and 485 Trafalgar Road By-laws 2022-051 and 2022-052	12/30/2024	That the site plan for this application be brought to Council for final approval.	Planning and Development Council	5/16/2022 18:30	Planning Services Department
Implementation of Bill 109 Amendments to Site Plan Control By-law 2019-114 (July 11, 2022) By-law 2022-093	12/31/2024	That staff arrange for a Council workshop regarding this issue.	Planning and Development Council	7/11/2022 18:30	Planning Services Department
Parks & Open Space Strategy: Town of Oakville Parks Plan 2031 and Parkland Dedication By-law 2024-034	12/31/2024	That prior to the finalization of the Land Acquisition Strategy, Staff continue to monitor land acquisition opportunities within the towns Strategic Growth Areas, and where acquisition supports community and infrastructure needs, staff will present options to Council for consideration.	Planning and Development Council	4/8/2024 18:30	Planning Services Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Public Meeting Report Town-initiated Official Plan Amendment Midtown Oakville Urban Growth Centre (File No. 42.15.59) April 22, 2024	12/31/2024	<p>That the analysis of the following matters of interest to Council be included as part of the recommendation report:</p> <p>There is a desire for a complete community, and density to ensure viability; There is a desire for a complete community, and density to ensure viability; There is a desire for a walkable, urban environment that includes sufficient; density - consider the Copenhagen model to achieve this; Concerns regarding the planned population, density and height of buildings leading to insufficient amount of greenspace and adversely affecting the character of the area; Concerns regarding the transportation network and capacity; There is a desire to ensure that financial pressures on the tax base related to Midtown be mitigated to the greatest extent possible; and Need further clarification around how matters such as:</p> <p>how a landowners group will function, phased redevelopment of sites, ratio of non-residential uses, delivery of supporting community amenities (i.e. schools, community centres), implementation tools (i.e. zoning, financial, green development standards, area design plans), terminology, climate change resiliency</p>	Planning and Development Council	4/22/2024 18:30	Planning Services Department
Public Meeting and Recommendation Report Town-initiated Official Plan and Zoning By-law Amendments Four Units As-of-Right and Sheridan College Housing Area (File No. 42.15.62 and 42.15.63) May 6, 2024	12/31/2024	<p>Staff be directed to create a Sheridan College Housing Taskforce with the objective to enable, advance, and accommodate the development of residential uses, including student housing, on the Sheridan College campus; and Staff be directed to create a work program, in alignment with ongoing HAF initiatives, to bring forward any necessary recommendations, including programs, Official Plan and/or Zoning By-law Amendments, to achieve the findings of the Sheridan College Housing Taskforce to expedite the delivery of student housing on the Sheridan Campus.</p>	Planning and Development Council	5/6/2024 18:30	Planning Services Department
Tasks before Escribe	11/30/2025	3. That Planning Services be directed to report back on the implementation initiatives and incentives for Midtown as outlined in the report dated May 13, 2014 (PD-009-14), which includes a Community Improvement Plan, a municipal parking strategy and alternative parkland dedication requirements.	Council	1/1/2020 9:00	Planning Services Department
Tasks before Escribe	11/30/2025	That staff be requested to report back to Council on the timing and type of Community Improvement Plan, and funding sources, that may be appropriate for Bronte Village following the conclusion of the growth area review and Livable Oakville Plan policy update for Bronte Village.	Council	1/1/2020 9:00	Planning Services Department
Tasks before Escribe	11/30/2025	practice for locating seniors residential developments in the Town of Oakville. That staff also define the uses occurring within these developments and what additional infrastructure needs may be required to accommodate the needs of the residents.	Council	1/1/2020 9:00	Planning Services Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Public Meeting and Recommendation Report Deferred Items from OPA 34, North West Area and Palermo Village OPA 37 and OPA 38 By-law 2021-096 and By-law 2021-097 July 5, 2021	11/30/2025	4. That Planning staff report back on potential official plan policy updates with respect to parking for the Palermo Village growth area upon completion of the town-wide Parking Strategy.	Planning and Development Council	7/5/2021 18:30	Planning Services Department
Community Planning Permit System	11/30/2025	That staff prepares a report that explores the use of the provinces Community Planning Permit System as a planning tool to help support local priorities while still accommodating growth, including where this has been used in Ontario, its benefits, and where it might be applicable in Oakville as a pilot project.	Council	12/19/2022 18:30	Planning Services Department
Bronte Village Revitalization Comprehensive Plan	11/30/2025	That staff prepare a report outlining the terms of reference, workplan, resources, and timing needed to create a comprehensive and integrated plan to better coordinate the vision, revitalization, and investments in Bronte Village, comparable to the approach taken for the Downtown Oakville Plan, their strategic action plan and associated initiatives.	Council	3/27/2023 18:30	Planning Services Department
Opportunities to allow sports activities on local residential streets in Oakville	6/17/2024	That staff report to Council on opportunities to allow sports activities (i.e. road hockey, basketball or similar activities) to take place on local residential streets in Oakville, and that the report identify any by-law amendments or other changes that would be required to allow for these activities to happen.	Council	11/7/2022 18:30	Transportation and Engineering
Tasks before Escribe	9/16/2024	8. That staff report to a future Community Services Committee meeting on the advisability of encouraging use of the Local Improvements tool for traffic calming where the warrants are not met but residents still desire traffic calming. CSC 06/17/2019	Council	1/1/2020 9:00	Transportation and Engineering
Request for Report Traffic Calming on Loyalist Trail	9/30/2024	That staff report back related to traffic safety on Loyalist Trail following assumption of the road.	Planning and Development Council	12/5/2022 18:30	Transportation and Engineering
Streetscape Improvements	11/30/2024	That staff report on options to improve the streetscapes on arterial and collector roads.	Council	2/27/2023 18:30	Transportation and Engineering
Climate Emergency Declaration Progress Report	5/27/2024	That staff explore a ban on small powered gas equipment including but not limited to, leaf blowers, lawn mowers, trimmers and edgers as a priority project in the update to the community energy strategy and options to reduce the need to use those forms of equipment.	Council	7/11/2023 18:30	Strategy, Policy and Communications Department
Town of Oakville Council Strategic Plan and 2023/2026 Action Plan	8/31/2024	That staff report back on how green space is measured.	Council	7/11/2023 18:30	Strategy, Policy and Communications Department
Climate Emergency Declaration Progress Report	8/31/2024	That staff report on the operation, success and progress of the Guelph local improvement charge program.	Council	7/11/2023 18:30	Strategy, Policy and Communications Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Tasks before Escribe	11/30/2024	<p>WHEREAS Regional Governance review by the Province has begun and is moving quickly; and</p> <p>WHEREAS the Public and Council require fulsome fact-based information on the potential impact a change in our governance model may have on our finances, services, current priorities and future.</p> <p>THEREFORE staff be directed to prepare a report forthwith on best practices in municipal governance including finances and debt level, potential service changes and service level changes and possible risks in consultation with our Regional Government, and provide it to Council at the next Council meeting.</p>	Council	1/1/2020 9:00	Strategy, Policy and Communications Department
Requests for Reports	9/30/2024	<p>Recovery of Sport in Oakville</p> <p>To support the recovery of sport in Oakville and maximize the use of indoor and outdoor sport facilities, Council requests that staff conduct a review of the Towns Facility Allocation Policy in consultation with community sports organizations; and report back to Council on recommended policy updates including municipal policy comparator information, summary of consultation results with community sport organizations, identification of any impacts to sports organization access to town assets and alignment with the towns Recovery Framework by the end of 2021.</p>	Council	5/25/2021 18:30	Recreation and Culture
Requests for Reports	9/30/2024	<p>That staff report back to Council on the relocation of TOWARF Headquarters and operations.</p>	Council	4/26/2021 18:30	Facility Services
TOWARF Vessel Replacement	9/30/2024	<p>That Council requests staff to bring back a business plan, in consultation with key stakeholders, with recommendations to ensure the long-term financial viability of Harbours. The recommendations will include the fee requirements to ensure all Harbours infrastructure is maintained in a state of good repair and funding is available to replace all Harbours assets at the end of their useful life, including the current and future replacement TOWARF vessels and fund the new vessel through reserves.</p>	Council	2/27/2023 18:30	Facility Services
Tasks before Escribe	11/30/2024	<p>That staff report back on the creation of a safety protocol for homeowners/tenants in private residences where they are unable to self-evacuate. That the report includes, but is not limited to, a communication strategy developed in partnership with community agencies serving vulnerable populations on how to develop a personal fire emergency escape plan, information on current subsidies available for renovations, creation of a registry for dwellings that have residents with mobility issues.</p>	Council	1/1/2020 9:00	Oakville Fire
Options for Enhanced Fire Station Signage	11/30/2024	<p>That staff report provide options for enhanced signage in front of our fire stations to indicate stopping is prohibited for safe egress of the fire vehicles.</p>	Council	5/25/2022 18:30	Oakville Fire

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Tasks before Escribe	9/16/2024	<p>1. That staff report on what the stormwater management standards are for ditches and culverts in residential areas including the design standards for depth, width and slope of ditches, the accepted materials in ditches such as plantings, stones or retaining walls, the process for property owners to make any changes to adjacent ditches as well as water retention and conveyance standards for ditches.</p> <p>2. That staff update the Town of Oakville web site to include this information in a user friendly and accessible format.</p> <p>3. That staff report on options, such as the use of a standard leaflet distributed to property owners, to improve proactive communications about the Towns standards, maintenance plans and upcoming works for stormwater ditches and culverts particularly on residential streets including for regular inspections.</p> <p>Council 05/25/2020</p>	Council	1/1/2020 9:00	Roads and Works
Notice of Motion: Election Sign Regulations	5/31/2024	<p>THEREFORE BE IT RESOLVED THAT: No person shall display an Election Sign at any location other than entirely on private property; No person shall display an Election Sign on private property without the permission or consent of the owner of the property; No person shall display, or permit to be displayed, an Election Sign which is in a state of disrepair so as to be unsafe or unsightly; and THAT staff develop a comprehensive set of rules that ensure signs are installed safely so as not to cause harm or hazard to residents on private property That the motion be referred to staff to undertake community consultation and report back, including legal advice, on the existing by-law regulations and availability of election signage, and options to further regulate and prohibit election signage, including third party elections signs on public property and the resources and cost of implementation.</p>	Council	1/30/2023 18:30	Municipal Enforcement Services Department
Predatory Towing on Private Property	5/31/2024	Staff be directed to review the private property parking by-law and report back with options by May 2024, or sooner, including removal of towing authority for private property parking offences, to address predatory towing in Oakville.	Council	3/25/2024 18:30	Municipal Enforcement Services Department
Tasks before Escribe	6/30/2024	That staff report to Council in the fourth quarter of 2021 on the Bronte Village commercial parking pilot program outcomes and next steps.	Council	1/1/2020 9:00	Municipal Enforcement Services Department
Bronte Paid Parking Pilot Program	6/30/2024	<p>That the report from Municipal Enforcement Services, titled Bronte Paid Parking Pilot Program, dated November 2, 2021 be received;</p> <p>That the pilot commercial parking program in the Bronte Village continue; and</p> <p>That staff report to Council in the first quarter 2023 on the Bronte Village commercial parking pilot program outcomes and next steps.</p>	Council	11/15/2021 18:30	Municipal Enforcement Services Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Business Licensing By-law Review Update	9/30/2024	3.That the Director of Municipal Enforcement Services be authorized to continue by-law preparations in accordance with the direction set out within this report, considering any comments received and report back with a new licensing by-law at a future Council meeting. 4.That Municipal Enforcement undertake a full food truck licensing review, including consultation with the industry, residents and BIAs, to develop a strategy framework for future licensing opportunities and report back to Council at a later date, maintaining the priority of the property standards and noise by-law review.	Council	1/31/2022 18:30	Municipal Enforcement Services Department
Sale and Discharge of Consumer Fireworks Response to Staff Direction	9/30/2024	That Council and staff consult with the public on the use and sale of consumer fireworks and report back to Council in the Fall of 2024.	Council	11/20/2023 18:30	Municipal Enforcement Services Department
Noise By-law Update	9/30/2024	That staff be authorized to engage in further public consultation to seek input on the draft Noise By-law attached as Appendix A to the staff report dated November 21, 2023, from Municipal Enforcement Services, and report back with a final version of the Noise By-law by the first quarter of 2024.	Planning and Development Council	12/4/2023 18:30	Municipal Enforcement Services Department
Tasks before Escribe	11/30/2024	THEREFORE, staff are requested to review opportunities to regulate the number and location of Pay Day Loan businesses as well as determine what other regulatory authority the Town might have to protect consumers from potentially usurious rates and predatory practices and to report back to Council with information and potential methods to regulate these businesses in the interest of consumer protection.	Council	1/1/2020 9:00	Municipal Enforcement Services Department
Tasks before Escribe	11/30/2024	That staff report to Council in the fourth quarter of 2021 on the outcomes of the pilot overnight parking program in downtown Oakville and next steps.	Council	1/1/2020 9:00	Municipal Enforcement Services Department
Requests for Reports	11/30/2024	That staff report on the feasibility, costs, implications and timing of switching out level 1 EV charging stations installed on Lakeshore Road East (Downtown Oakville) with level 3 fast charging stations. And that staff review the implications and considerations of some or all of the costs of installing level 3 chargers being off-set by sponsors.	Council	7/5/2021 16:00	Municipal Enforcement Services Department
Teo's Law	12/31/2024	That staff report back to Council on the feasibility of implementing a by-law for pool safety when hosting guests at their home where there is a unsecured pool present.	Council	8/15/2023 18:30	Municipal Enforcement Services Department
Elementary School Traffic Management	12/31/2024	Staff be requested to prepare a report on elementary school traffic management and municipal enforcement with specific reference to incidents and enforcement activity at Montclair Public School on January 9th 2024.	Council	4/29/2024 18:30	Municipal Enforcement Services Department

outstanding issues listing

Agenda Item	Due Date	Description	Meeting Type	Meeting Date	Department
Noise By-law Review Proposed Noise By-law 2024-079	12/31/2024	That staff consider and bring back to Council options for commercial areas, Business Improvement Areas and mixed use areas regarding time restrictions.	Council	5/27/2024 18:30	Municipal Enforcement Services Department
Youth/Fireworks in Bronte Village	12/31/2024	That staff explore additional steps that may be taken by the Town to help proactively mitigate the ongoing issue of excessively large groups of youth congregating and being attracted to Bronte Village on holiday weekends, especially Victoria Day and Canada Day, to set off fireworks in the streets and parks that are often targeted at people, vehicles, buildings, and sensitive uses such as gas stations, a seniors building, athletic fields, playgrounds and a school. Also exploring the potential for additional youth programming during these times through our Special Events Strategy and/or further restrictions through our exploration of a fireworks ban to help mitigate this issue in Bronte Village.	Council	5/27/2024 18:30	Municipal Enforcement Services Department
Procedure By-law Review	11/30/2024	<p>That the Budget Standing Committee size and composition be amended to reflect a membership of all Council members, and that a Chair be elected annually.</p> <p>That revisions to the Procedure By-law reflecting this change be brought forward to a future Council meeting.</p> <p>That the Clerk consider the comments of Council in finalizing the draft procedure by-law for consideration by Council.</p> <p>That staff report back with a draft version of the Procedure By-law 2023-066 in June 2023.</p> <p>Further revisions to be considered 1st quarter 2024.</p>	Council	5/29/2023 18:30	Clerk's Department



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-104

A by-law to confirm the proceedings of a meeting of Council.

COUNCIL ENACTS AS FOLLOWS:

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.

PASSED this 17th day of June, 2024

Rob Burton

Mayor

Vicki Tytaneck

Town Clerk