



Staff Report C2025-01

Committee 2025-01-13

Council 2025-01-27

Amendments

Submitted To: Committee of the Whole | Council

Submitted By: Sara Almas, Director, Legislative Services/Clerk
Karen Cubitt, Director, Parks, Recreation and Culture

Prepared By: Becky Dahl, Manager, Legislative Services/Deputy Clerk

Subject: Designation of Municipally Significant Events Policy

Recommendation

THAT Staff Report C2025-01, Designation of Municipally Significant Events Policy, be received;

AND THAT Council approve the Designation of Municipally Significant Events Policy as provided in Appendix A of the report.

Amendments

None.

1. Executive Summary

The Alcohol and Gaming Commission of Ontario (AGCO) requires a Special Occasion Permit (SOP) to be obtained to sell and serve alcohol on special occasions and events that are open to the public with some required to be deemed as significant to the municipality within which the event is being held. For events to be deemed significant, an event must have a letter from the municipality or resolution of Council designating it as a Municipally Significant Event.

Delegated authority was provided through By-law No. 2020-059, as amended, to the Director of Parks, Recreation and Culture, Clerk or written designate, with the condition that if there is uncertainty to the approval of a request to designate an event as being

municipally significant, the request is to be referred to Council for consideration and that Council be notified of all approvals of municipally significant events.

The policy provided in Appendix A provides criteria to evaluate these requests, outlines the responsibility of the Applicant and the Town, and additional requirements to reduce risk and liability to the municipality should something happen at an event that has been deemed significant by the municipality through this process. With the short turn around often required with these requests, the policy confirms that the decision is final, consistent with other municipalities.

2. Analysis

Background

Special Occasion Permits (SOP) are issued through the Alcohol and Gaming Commission of Ontario (AGCO) in accordance with the provisions of the Liquor Licence and Control Act for the purpose of selling alcohol at private or public events.

What is a Municipally Significant Event designation and when is it required?

As part of the application process, events that are open to the public may require a special designation from the municipality deeming the event as “municipally significant”. For events to be deemed significant, an event holder is required to obtain a Council resolution or letter from the municipality designating it as a Municipally Significant Event which forms part of their application to the AGCO.

The AGCO classifies public events as being open to the public and can include public events, industry promotional events, tailgate parties and auctions. It should be noted that under the Town of Collingwood’s Municipal Alcohol Policy, tailgate events are not currently permitted on municipal property as per the Municipal Alcohol Policy.

Need for Policy

Staff were provided delegated authority through the Delegated Authority By-law 2020-059, as amended, to administer requests to designate an event as being municipally

significant for the purpose of obtaining a Special Occasions Permit through the AGCO. Since this delegation, the Town has received approximately five requests. In reviewing these requests, it was determined that a process to evaluate requests in a fair and transparent manner is needed as the AGCO doesn't provide any guidance or criteria for municipalities to evaluate a request to designate an event as being municipally significant and leaves it to the discretion of the municipality to determine. Requests that we receive generally require a short turnaround time for circulation to appropriate departments and agencies, and as such the proposed policy confirms that the decision is final. A Council approved policy provides Council and the public the assurance that an appropriate, fair and transparent process is established. In accordance with our Community Based Strategic Plan, and supporting our Pillar #2, the Town fosters well-being, belonging and understanding through spaces, places and activities; Staff feel it is important to support external organizations and parties that wish to further positively activate our community. If requests meet the criteria of the approved policy, the Town is supportive of providing such designation and supporting community events and approvals will not be unreasonably withheld. External third party events that are supported by the Town come with some risk. The risk involved in providing these designations was also recognized as the majority of the events were not hosted through a Special Event Permit issued by the Town as they were often held on private property or did not meet the threshold of requiring a Special Event Permit. As such, we have conducted a jurisdictional scan of other similar policies to determine best practices and ensure appropriate criteria and assurances are in place to protect the public interest as best possible.

To provide a clear application and evaluation process of these requests, a Designation of Municipally Significant Events Policy has been drafted (appended to this report) that provides clear steps on the evaluation process and outlines the responsibilities of the applicant and staff. It also includes a requirement for the applicant to submit a certificate of insurance to the municipality at least 10 business days prior to the event, and requires the Special Occasion Permit (SOP) holder to indemnify and save the Town of Collingwood harmless from all claims arising from the permit or event. As the

designation of an event to be municipally significant involves the consumption of alcohol through the issuance of an SOP by the AGCO, this insurance requirement will assist in reducing the Town's risk and liability should a personal injury or other incident occur as a result of providing this designation.

If a request for designation cannot be supported as a municipally significant event, the event organizers always have to opportunity to serve alcohol through a private Caterers AGCO license and endorsement and the requestor(s) would be responsible for pursuing such option.

Alternative Option [not recommended]: Not offer Municipally Significant Event Designations to any external third Party event organizer(s)

Some municipalities choose not to provide Municipally Significant Event designations. The decision to designate an event as municipally significant is often based on local priorities, resources, and risk management strategies. There are a few reasons why municipalities might opt-out:

1. Risk Management:

- Concerns about liability and potential legal issues could lead municipalities to avoid designating events as municipally significant, especially if such events involve alcohol consumption.

2. Resource Limitations:

- Limited staff or resources may constrain a municipality's ability to evaluate and oversee such designations responsibly.

3. Policy Priorities:

- A municipality may prioritize other initiatives or feel that the designation process does not align with its strategic goals or community values.

4. Limited Need:

- Smaller municipalities or those with fewer large events might not encounter sufficient demand, warranting a formal designation process.

5. Alternative Solutions:

- Organizers can apply independently for an application for private AGCO licensing and event management as an alternative to municipal designations, or use of a Caterers License/Endorsement.

Financial Impacts

Should Council support the proposed policy, and continuation of Municipally Significant Event designations, to assist in the recovery of administrative resources required to undertake the review, department and agency circulation, decision and issuance of letters of municipal significance, an application fee of \$100.00 was incorporated into the 2025 Fees and Service Charges By-law.

Conclusion

Staff recommend the approval of the Designation of Municipally Significant Events Policy with its purpose being to clarify and streamline the process for organizers of public events who wish to have the Town of Collingwood designate their event as a Municipally Significant Event to acquire a Special Occasion Permit through the AGCO for the sale and service of alcohol at their public event, and reduce risk and liability to the municipality by requiring insurance coverage by the SOP holder.

3. Input from Other Sources

Other Ontario municipalities were consulted that have adopted a similar policy. This report and draft policy were reviewed by Department Heads on October 1, 2024 and January 7, 2025.

4. Applicable Policy or Legislation

Community Based Strategy Plan: Pillar #2

We foster well-being, belonging, and understanding through spaces, places, and activities.

Liquor Licence and Control Act: <https://www.ontario.ca/laws/statute/19l15b>

Provides regulations to the issuance of Special Occasion Permits. Permits are administered and issued by the AGCO with a requirement of a letter or council resolution to designate an event as being municipally significant as part of the application process for specific public events wishing to serve alcohol.

AGCO Website: <https://www.agco.ca/en/alcohol/special-occasion-permits>

Provides general information to the public on what is required to obtain an SOP and the required application forms.

5. Considerations

2024-2028 Community Based Strategic Plan: Progress towards achieving CBSP Goal

Sustainable Connected Vibrant Responsible

Services adjusted if any Governance Support

Climate Change / Sustainability: Not Applicable

Communication / Engagement: Not Applicable

Accessibility / Equity, Diversity, Inclusion: Not Applicable

Registered Lobbyist(s) relating to content: Not Applicable

Next steps and future action required following endorsement:

Should the policy be approved by Council, a webpage and application form will be created and posted to the Town of Collingwood website.

6. Appendices and Other Resources

Appendix A: Draft Designation of Municipally Significant Events Policy

Resource 1: <https://www.agco.ca/en/alcohol/special-occasion-permits>

Resource 2: <https://www.ontario.ca/laws/statute/19l15b>

7. Approval

Prepared By:

Becky Dahl, Manager, Legislative Services/Deputy Clerk

Reviewed By:

Sara Almas, Director, Legislative Services/Clerk

Karen Cubitt, Director, Parks, Recreation & Culture

CAO Comments:

Endorsed by CAO Skinner on January 8, 2025 to proceed to COW.