



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** November 1, 2023

**Report Number:** SRCFS.23.056

**Department:** Corporate and Financial Services

**Division:** Office of the Clerk

**Subject:** **SRCFS.23.056 - Municipally Significant Event Designation Policy**

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### **Purpose:**

To recommend the adoption of a policy and process for responding to requests for designation of an event as municipally significant, as required by the Alcohol and Gaming Commission of Ontario for the issuance of a Special Occasion Permit that authorizes the sale and service of alcohol at an event in the City of Richmond Hill.

### **Recommendation(s):**

- a) That SRCFS.23.056 be received; and
- b) That the draft Municipally Significant Event Designation Policy, attached as Attachment A to this staff, report be approved.

### **Contact Person:**

Ryan Ban, Manager, Legislative Services/Deputy City Clerk, extension 5547

Stephen M.A. Huycke, Director, Legislative Services/City Clerk, extension 2529

### **Report Approval:**

**Submitted by:** Sherry Adams, Commissioner of Corporate and Financial Services

**Approved by:** Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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### Background:

At its meeting on May 24, 2023, Council adopted a resolution that included the following clause:

“c) That staff be directed to report back regarding delegated authority for special occasion permits, liquor licenses and deeming events to be considered as municipally significant in accordance with the Alcohol and Gaming Commission of Ontario (AGCO).”

### Special Occasion Permits – Current Process

The AGCO (“AGCO”) is responsible for a Special Occasion Permit (“SOP”) program, which allows for the sale and service of alcohol at private events, such as cash bars at weddings or private receptions, as well as at public events, such as charity fundraisers. A SOP is required any time alcohol is offered for sale anywhere other than a liquor licensed establishment (such as a restaurant or bar).

In the case of some events that are open to the public, the AGCO requires that the proposed event be designated by the municipality as a municipally significant event in order for the SOP to be issued. While alternatives to municipal significance are also eligible, such as charity events conducted by a charitable organization or events of provincial, national, or international significance, it is solely the determination of the AGCO whether a municipal significance designation is required in any individual case. If designation as a municipally significant event is required, the applicant is required to request it from the municipality.

Currently, all requests for designation as a municipally significant event go to Council for approval. Event Services consolidates as many requests as possible into a single staff report each year for Council’s consideration, however this requires considerable lead time and coordination and does not accommodate any unexpected or late requests. Where requests for a SOP are made outside of Event Services’ staff report, they are forwarded to Council as correspondence from the applicant for Council’s approval.

Due to the administrative inefficiency of the current approach, applicants requesting designation of events on relatively short notice may not be able to have their events designated as municipally significant in time for their event as requests may not conform to Council’s meeting schedule. Additionally, the need to include these requests on a Council agenda, either as correspondence or a consolidated staff report, produces administrative burden on both staff and Council. Finally, there is currently no specific formalized process or criteria in place for evaluating requests to designate an event as municipally significant at Richmond Hill and the AGCO does not provide guidelines or suggestions for municipalities in their evaluation of municipal significance; it is entirely up to each municipality to determine what this means in their own specific case.

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### Analysis

Staff conducted a review of several Ontario municipalities regarding how they handled requests to deem an event municipally significant and found the following:

- Approximately 60% of municipalities surveyed formally delegate this authority to staff
- Almost all municipalities that formally delegate this authority to staff use some or all of the following language in formally defining a municipally significant event:
  - A one-time, annual, or infrequently occurring event with a pre-determined opening and closing time which:
    - a) has local, regional, national, or international historical or cultural significance;
    - b) builds awareness of diverse cultures;
    - c) promotes the social, cultural, or economic development of the City; or
    - d) benefits the community at large
- Some municipalities that delegate this authority to staff circulate applications to elected officials, usually the Ward Councillor representing the location of the event and some or all City-wide elected officials, to provide them with the opportunity to evaluate the municipal significance of the application

Staff also engaged with internal stakeholders and were advised that Richmond Hill Fire and Emergency Services and Community Standards could benefit from being circulated on applications, and that Event Services will need to be worked with closely when dealing with events occurring on City property to ensure compliance with all relevant City requirements. No disruption to any existing processes resulting from the implementation of this policy were identified.

### Draft Municipally Significant Event Designation Policy

Staff recommend that the draft Municipally Significant Event Designation policy (attached as Appendix 'A') be adopted which defines the parameters and criteria for designation as a municipally significant event in Richmond Hill, formalizes the process for applicants and delegates approval authority to the City Clerk to allow for more flexibility and efficiency in processing requests to designate an event as municipally significant.

Staff in the Risk Management Division confirmed that there are no liability considerations associated with the draft policy. Other policies, such as the Municipal Alcohol Policy, already address relevant indemnification, liability, and insurance considerations, and no additional considerations need to be addressed for the specific purpose of the draft policy (which is limited to the designation of an event as municipally significant for the purpose of applying for an AGCO SOP).

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The draft policy proposes that the authority to designate events as municipally significant is delegated to the City Clerk. It establishes the criteria for designating events, ensures the appropriate level of engagement between applicants and the City, and emphasizes to applicants that they are fully and solely responsible for conducting their events in a manner that is safe and legal.

In order to be designated as a municipally significant event, events must meet the draft policy's defined criteria:

A one-time, annual, or infrequently occurring event with a pre-determined opening and closing time which:

- a) has local, regional, national, or international historical or cultural significance;
- b) builds awareness of diverse cultures;
- c) promotes the social, cultural, or economic development of the City; or
- d) benefits the community at large;

and may include the following, or similar:

- a) a community event or festival;
- b) concert, theatre show, art gallery / book store / or similar opening or gala event;
- c) pop-up promotion / product launch / customer appreciation event;
- d) professional / networking or club / members event;
- e) private, invite-only or members-only event taking place in a public space and therefore requiring a Special Occasion Permit (for example, invitation-only launch / anniversary parties / client / members / professional / workplace events);
- f) charitable fundraiser; or
- g) sports event in an unlicensed venue.

To be considered for designation, applicants will need to submit an application on a prescribed form with the details of their event, an explanation of how it satisfies the definition above, and a declaration that they understand that they retain full responsibility for their event.

Applications will be received and reviewed by the Office of the Clerk. The City Clerk will determine if the event meets the policy's defined criteria of a municipally significant event and verify that the applicant has completed a declaration affirming their understanding that they retain full responsibility for the event. If these basic conditions are met, the City Clerk will circulate the application to the Ward Councillor applicable to the location where the event will take place, both Regional and Local Councillors, the Mayor, Richmond Hill Fire and Emergency Services, Community Standards Division, and, in the case of events being held on City property, Event Services. If all of the

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parties circulated on the application provide the City Clerk with their approval, the designation will be granted in writing to the applicant. If any of the parties circulated on the application object or require additional information, the City Clerk will facilitate further engagement as appropriate.

In cases where designation cannot be granted, the City Clerk will provide the applicant with a notice indicating as such. Subsequently, the applicant will be provided the opportunity to request Council's approval to designate the event. Applicants wishing to request Council's consideration of an event that was not approved through the standard process will have five (5) business days after the City Clerk's notice to submit their request in writing. Their request should set out for Council's consideration the reasons why they believe the designation should be approved.

The policy stipulates that events that are subject to the Member of Council Events Policy will not be considered by the City Clerk or follow the process outlined above and will be forwarded directly to Council for consideration. Should Council wish to grant the designation, it may do so through a Council resolution.

### **Financial/Staffing/Other Implications:**

As the proposed improved process uses existing resources with increased collaboration and efficiency, no financial or staffing implications are applicable to this staff report. There are no liability considerations associated with the designation of an event as municipally significant and the proposed policy and process ensures that applicants are aware that they retain full responsibility for conducting the event in a manner that is safe, legal, and responsible.

### **Relationship to Council's Strategic Priorities 2020-2022:**

By facilitating the efficient and responsible delivery of events in the City of Richmond Hill, the proposed policy would encourage a vibrant and active community and support Council's strategic priority of a Strong Sense of Belonging. By making the City of Richmond Hill an attractive place for organizations to hold their events and using staff resources optimally, the proposed policy would support Council's priority of Fiscal Responsibility.

### **Climate Change Considerations:**

Climate change considerations are not applicable to this staff report.

### **Conclusion:**

Staff recommend that Council approve and adopt the attached draft Municipally Significant Event Designation Policy to allow for the efficient and effective response to requests for designation of events as municipally significant which the AGCO may require for an event to obtain a Special Occasion Permit.

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### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment A – Draft Municipally Significant Event Designation Policy

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### Report Approval Details

Document Title:	SRCFS.23.056 Municipal Significance Designation.docx
Attachments:	- Appendix A - Draft Municipal Significance Designation Policy.docx
Final Approval Date:	Oct 15, 2023

This report and all of its attachments were approved and signed as outlined below:

**Stephen Huycke - Oct 13, 2023 - 2:50 PM**

**Sherry Adams - Oct 13, 2023 - 3:32 PM**

**Darlene Joslin - Oct 15, 2023 - 7:56 PM**