

Staff Report

Report To: City Council
Report From: Pamela Coulter, Director of Community Services
Meeting Date: September 14, 2026
Report Code: CS-26-085
Subject: Delegation of Powers and Duties – Site Plan Control and Facility Use Agreements

Recommendations:

THAT in consideration of Staff Report CS-26-085 respecting the delegation of powers and duties for site plan control and facility use agreements, City Council directs staff to bring forward a by-law to amend Delegation of Powers and Duties By-law No. 2014-109 to:

1. Amend Schedule A, Section 27 to include certificates of compliance and the associated release of security;
2. Amend Schedule A, Section 31 to delegate authority to execute facility use agreements in City facilities to the Director of Community Services and the Manager of Arena Operations, acting jointly; and
3. Amend Schedule A to include Section 31.1 to delegate authority to the Director of Community Services, the Manager of Parks & Open Space, and the Manager of Arena Operations, acting jointly, to execute facility use agreements in City parks, as outlined in the report.

Highlights:

- This report recommends updates to the Delegation of Powers and Duties By-law to delegate certificates of compliance and related security releases/returns to the Director of Community Services and

Manager of Planning and Heritage, improving the efficiency and timeliness of final site plan close-out.

- The changes also propose revising the signing authority for recurring facility and park use agreements to align with the current organizational structure: the Director and Manager of Arena Operations for City facilities; and the Director, Manager of Parks & Open Space, and Manager of Arena Operations for City parks.

Vision 2050 - Strategic Plan Alignment:

[Strategic Plan](#) Priority: The recommendation contributes to core service delivery or a corporate initiative that enables service delivery for one or more strategic priorities.

Previous Report/Authority:

[Delegation of Powers and Duties By-law No. 2014-109](#)

Background:

Under the Authority of the *Municipal Act*, the City has a by-law respecting the delegation of powers and duties in certain matters to staff as outlined.

This report addresses the powers and duties of staff relating to:

1. Site Plan Control under the *Planning Act*; and
2. Signing Authority for Facility and Park Use Agreements.

Analysis and Options:

Site Plan Control

Through Bill 109, *More Homes for Everyone Act, 2022*, the *Planning Act* was amended by the Province to require municipalities that had enacted site plan control to appoint an officer, employee, or agent as the authorized person to approve site plans, removing approval from Council. This change came into effect July 1, 2022.

The City updated its Site Plan Control By-law (2019-185) in 2022, via By-law No. 2022-075, to appoint the Director of Community Services as the authorized person to issue site plan approval, in accordance with the updated requirements under the *Planning Act*. The City's Delegation of Powers and

Duties By-law defines the Director of Community Services as a person who possess a Registered Professional Planner (RPP) designation and delegates approval authority for Site Plan Control, in accordance with the Site Plan Control By-law (2019-185, as amended by 2022-075).

Section 27 of the Delegation of Powers and Duties By-law further delegates signing authority for Site Plan Agreements to the Director of Community Services and the Manager of Planning and Heritage, acting jointly. This is to ensure that the fulfillment of site plan approval conditions can be completed expeditiously at the staff level, consistent with the provincial direction provided under the *Planning Act*.

The City's standard Site Plan Agreement template provides, as a last step in the site plan approval process, that a certificate of compliance be issued when a development has been completed in accordance with the approved plans and all other requirements and obligations under the agreement have been fulfilled. Normally, along with a certificate of compliance, there is a release or return of the required security. Traditionally, these certificates have been issued by the Mayor and Clerk, based on a recommendation from the Planning and Heritage Division.

Through this report, it is recommended that the Delegation of Powers and Duties By-law be updated to delegate this authority and the associated release of security to the Director of Community Services and Manager of Planning and Heritage, acting jointly. This change will improve the efficiency and timing relating to this last step in the process.

Signing Authority for Facility and Park Use Agreements

The delegation of authority for facility use agreements and the approval authority for conditions of delegated facility use agreements is delegated to the Director of Community Services and Manager of Community Development and Marketing, acting jointly. This applies where an event has previously been approved by Council, is being held in the same location with the same format and subject to the same conditions as the event that was approved by Council and has been running regularly since the approval with no more than a two-year hiatus.

The Manager of Community Development and Marketing position is not currently filled and the Facilities Booking Coordinator reports to the Manager of Arena Operations. With this change in structure, the following update is recommended to the Delegation of Powers and Duties By-law:

1. For an event that meets the criteria noted above, located in a City facility, the agreement conditions could be cleared and the agreement signed by the Director of Community Services and Manager of Arena Operations, acting jointly;
2. For an event that meets the criteria noted above, located in a City park, the agreement conditions could be cleared and the agreement signed by the Director of Community Services, Manager of Parks & Open Space, and Manager of Arena Operations, acting jointly.

Resource Alignment:

Financial Resources

N/A.

Human Resources

The delegation of authority relating in particular to facility and park use creates efficiencies that save staff and Council time.

Time and Scheduling

If approved, the amended Delegation of Powers and Duties By-law will come forward on September 28 and take effect immediately.

Technology and Infrastructure

N/A.

Climate and Environmental Impacts:

There are no anticipated climate or environmental impacts.

Communication and Engagement:

This report has been posted to the City's website with the agenda in advance of the meeting. It is not anticipated that users will note any difference with the updates.

Report Developed in Consultation With:

City Clerk, Manager of Parks & Open Space, Manager of Arena Operations, and Manager of Planning & Heritage.

Attachments:

None.

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Pamela Coulter, Director of Community Services at pcoulter@owensound.ca or 519-376-4440 ext. 1252.