

PROPOSED LAND USE BYLAW AMENDMENTS

SPECIAL EVENTS

PROPOSED AMENDMENTS TO THE LAND USE BYLAW - SPECIAL EVENTS

DEFINITIONS:

The following definition shall be deleted:

~~**SPECIAL EVENT** shall mean any event or activity, whether indoors or outdoors, which is held at any place within the County and to which members of the public are invited or admitted, whether or not an admission fee is charged, but shall not include family gatherings, community sponsored events such as Christmas parties, breakfasts, card parties, or other similar social functions. More information on special events can be found in the Special Events Bylaw 66/97" attached as Appendix H of this bylaw.~~

The following definitions included in the Special Events Bylaw included in the Land Use Bylaw for clarity:

MAJOR SPECIAL EVENT means a private or public event expected to have an attendance of 500 or more people. Due to the size and/or nature of the event, it may have a potential for higher degree of impact on neighboring properties by way of noise, traffic, and/or light pollution.

MINOR SPECIAL EVENT means an event which meets the following parameters:

- a. a public event expected to have an attendance of less than 500 people,
- b. a private event expected to have an attendance of more than 150 people but less than 500 people.
- c. private events, expected to have an attendance of more than 50 but less than 150 people, held on a site more than twice annually.

Due to the size and the nature of these events, they are expected to cause minimal nuisance or impact on neighboring properties by way of noise, traffic, and/or light pollution. An otherwise minor special event may be "upgraded" to a major special event if the nature of the event may cause additional impact or nuisance (i.e. a high intensity of animals or dogs are included as part of the event, noise, light pollution, or other potential impact on neighboring properties).

NON-PROFIT ORGANIZATION means a society, credit union, or cooperative established under federal or provincial legislation or:

- a. a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding up; or
- b. any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

PRIVATE CORPORATE FUNCTION means an event, held by a corporation or business for their staff, clients, or stakeholders, by invitation only, for the purposes of holiday parties, team building, etc.

PRIVATE EVENT – means an event or gathering, intended for guests by invitation only such as, but not limited to birthday parties, family reunions, family weddings, barbeques, or holiday celebrations and may include private corporate functions.

PUBLIC EVENT means an event or gathering open to the general public, including but not limited to: Exhibitions, expositions, fairs, festivals, entertainment, cause-related awareness, fundraising, and leisure events.

REMEDIAL ORDER means an order written pursuant to Section 545 of the Municipal Government Act.

SPECIAL EVENT – an event, which, depending on the event type, location, and size, is sub-categorized as follows, and may or may not require a Development Permit or Special Event License in

VIOLATION TICKET means a notice or ticket in a form approved by the Council issued by the County allowing voluntary payment of a fine established under this bylaw or other County bylaws.

The definitions are amended as follows:

BYLAW ENFORCEMENT OFFICER means a person ~~who has been appointed by the County for the purposes of enforcing County Bylaws. – under the provisions of the Foothills County Bylaw Enforcement Officer Bylaw number 23/2013, and as amended from time to time.~~ A Bylaw Enforcement Officer is, in the execution of their enforcement duties, a person responsible for the maintenance and preservation of the public peace and as such, is deemed to be a Peace Officer.

SECTION 4.2.1 NO DEVELOPMENT PERMIT REQUIRED

The following shall be added to Section 4.2.1 No Development Permit Required:

- 4.2.1.62 No Development Permit is required for any Special Event that is held at a site that has been specifically designed, built, and approved under an existing valid Development Permit, for hosting such events and the said event is in compliance with the conditions of the permit. I.e., Event Venue, Agricultural Society. Any special events that exceed the approvals for the site, shall require additional Development Permit or Special Event License approvals in accordance with the Special Event Bylaw.
- 4.2.1.63 Where listed as a permitted use, no Development Permit is required for a Special Event, Minor, unless the Approving Authority determines that the event may have undue impact on neighboring properties. A Special Event License is required for all Special Events, Major in accordance with the Special Events Bylaw XX/23.
- 4.2.1.64 No Development Permit is required for a Special Event that has been issued a Special Event License except for:
 - a. a Minor Special Event, with an expected attendance of more than 150 people, held on a property more than twice annually.
 - b. Where development ancillary to the Special Event itself requires a Development Permit under the Land Use Bylaw.
- 4.2.1.65 No Development Permit is required for a Special Event exempt from a Special Event License in accordance with Bylaw XX/23.
- 4.2.1.66 No Development Permit is required for any Special Event hosted by the County or authorized by the County pursuant to the terms of a lease, license, or facility rental agreement, on lands owned or controlled by the County.
- 4.2.1.67 Any Special Event held on lands owned or controlled by a local school board.

Where Special Events are exempt from the requirement of a Development Permit, the County may rely on the Special Events License process to ensure that the event meets the requirements of the County in accordance with the Special Events Bylaw xx/23.

The following section of 4.2.1 pertaining to signage shall be amended to read as follows:

- 4.2.1.45 Temporary signs (no more than 14 days) with an area of less than 1.0 sq. m. (11 sq. ft.) intended to advertise any local event being held for charitable purposes, ~~or for a special event that has been approved by Development Permit or Special Event Licence or is exempt from requiring a Development Permit or Special Event License. which may be religious, education, cultural, political, social or recreation, but~~ (not for commercial purposes).

SECTION 9.26 OF THE LAND USE BYLAW AMENDED TO READ AS FOLLOWS:

- 9.26.1 No person shall operate, maintain, hold, conduct, promote or advertise a Special Event in the County unless they have first obtained a ~~the applicable~~ Development Permit ~~and or~~ Special Event ~~Permit~~ ~~License~~ from the County in respect of such ~~activity~~ event.
- 9.26.2. Special Events must be ~~conducted~~ in accordance with Bylaw ~~11/97~~ ~~XX/23~~ for the regulation of “Special Events” included as Appendix H of this bylaw.
- 9.26.3 A Development Permit is required for all Special Events not exempt under Section 4.2.1 “No Development Permit Required” of this Bylaw. It is the landowner’s/applicant’s responsibility to ensure they have obtained all necessary permits and Special Event Licenses.
- Where special events are exempt from the requirement of a Development Permit, the County shall rely on the special events license to ensure that the event meets the requirements of the County.*
- 9.26.4 A Special Event Licence is required for all Special Events not requiring a Development Permit or listed as exempt from a Special Event Licence in accordance with the Special Events Bylaw XX/23.
- 9.26.5 Notwithstanding Section 9.26.3 to 9.26.4, the County may require a Special Event Licence or Development Permit, where it is determined by the Licensing Officer that any special event, due to the size and nature of the event, may have undue impact on neighboring properties. (ie. where animals or dogs involved with the event are brought to the site, or the event involves nuisance outside of what is expected under the defined level of special event).
- 9.26.6. Special Events held on County or Provincial Road rights of ways must apply for approval through the County’s Legislative Services Department by submitting a completed “Application to hold an event on Highways and/or Municipal Roads in Foothills County” at least 90 days before the event. A Traffic Safety Plan may also be required for approval by Public Works. Where events are held on or impacting Provincial Highways, you may require an additional approval from Alberta Transportation and Economic Corridors.
- 9.26.7 Special Events may require approval by other Municipal, Provincial or Federal jurisdictions depending on the nature of the event. The landowner/application is responsible for complying with all relevant municipal legislation, policies, bylaws, regulations, safety requirements, and approvals applicable to any aspect of a Special Event.
- 9.26.8 The Approving Authority may impose such conditions on the Special Event that he/she in his/her discretion, reasonably determine as being necessary to protect the health, safety, welfare and property of the Special Event Attendees, County residents and/or member of the public. Schedule A of the Special Event License Bylaw xx/23, attached as Appendix H of this Bylaw, includes a list of conditions that may be required on a Special Event depending on the scale and nature of the event.

Major Special Events

- 9.26.8 Where Special Event, Major is not listed as a use under the current land use district, a bylaw must be enacted to redesignate the lands to an appropriate land use district prior to the development authority considering the development permit.
- 9.26.9 Development permit applications for Special Event, Major shall be made to the Approving Authority on the prescribed Special Event Application form with accompanied Declaration of Understanding and the necessary application fee outlined in the Foothills County Fee Bylaw a minimum of ninety (90) days prior to the proposed date of the event.

Minor Special Events

- 9.26.12 Applications for Special Event Licenses for a Special Event, Minor shall be made to the Licensing Officer on the prescribed Special Event Application form with accompanied Declaration of Understanding and the necessary application fee outlined in the Foothills County Fee Bylaw a minimum of forty-five (45) days prior to the proposed date of the event in accordance with the Special Event Bylaw XX/23.
- 9.26.13 Application for Special Event Licenses will be processed in accordance with the Special Event Bylaw XX/23 (Appendix H to this Bylaw)

APPENDIX H

Appendix H will be replaced with the updated Bylaw XX/23 for Special Events

The following chart will be added to Section 9.26 for information:

MAJOR SPECIAL EVENT	
Development Permit	<ul style="list-style-type: none"> Development Permit required where Special Event is listed as a use Redesignation to Direct Control District #35 – Event Venue may be required in advance of a Development Permit where a special event is not listed as a use in existing land use district.
Special Event License	No Special Event License is required where a Development Approval for the Special Event (s) has been approved, unless the Special Event is in excess of the events allowed under the Development Approval..
Attendance	Public or Private Event with expected attendance of 500 or more people.
Nuisance	Due to the size and/or nature of the event, it may have potential to cause a higher degree of nuisance or impact on neighbouring properties by way of noise, traffic and or light pollution during the event.
Camping	Camping may be permitted subject to approval by the Approving Authority.
Parking	Parking to be approved by Approving Authority.
Signage	Temporary signage is permitted subject to approval by the Approving Authority prior to the event in accordance with the Land Use Bylaw.
MINOR SPECIAL EVENT	
Development Permit	No Development Permit required (in accordance with Section 4.2.1. of the Land Use Bylaw and Special Event Bylaw XX/32.)
Special Event License	Special Event License required in accordance with the Special Event Bylaw.
Attendance	<ul style="list-style-type: none"> <u>Public Event</u> expected to have an attendance of less than 500 people. <u>Private event</u> expected to have an attendance of more than 150 people but less than 500 people. More than two (2) <u>private events</u> on a property annually with expected attendance of more than 50 people but less than 150 people.
Nuisance	Due to the size and/or nature of the event, it is expected to cause minimal nuisance or impact on neighbouring properties by way of noise, traffic and or light pollution during the event.
Camping	Camping may be permitted subject to approval by the Licensing Officer.
Parking	Parking to be approved by Licensing Officer.
Signage	Temporary signage is permitted subject to approval by the Licensing Officer prior to the event in accordance with the Land Use Bylaw.
See Bylaw XX/23 for further details on requirements and conditions for Special Events.	

The following highlights the uses included within land use districts within the Land Use Bylaw:

Red – Added Special Event as a use

Black – Already exist as a use

SPECIAL EVENT AS A USE IDENTIFIED UNDER LAND USE DISTRICTS		
LAND USE DISTRICT	PERMITTED	DISCRETIONARY
Agricultural Agricultural Business	Special Event, Minor	Special Event Special Event, Major
County Residential	Special Event, Minor	Special Event, Major
Cluster Residential Country Estate Residential District Residential Community Residential Multi-Family Residential Manufactured Home	Special Event, Minor	
Highway Commercial Industrial Edge Recreation District Service District Municipal Land/Reserve	Special Event, Minor	Special Event Special Event, Major
Business Park Community Commercial Rural Business	Special Event, Minor	Special Event, Major
Hamlet Industry General Industry Natural Resource Extraction Low Intensity Industry	Special Event, Minor	Special Event, Major
Open Space District Environmental Protection	Special Event, Minor	Special Event, Major
Public Utility Federal/Provincial Jurisdiction	Special Event, Minor	Special Event, Major
All DC District not noted below	Special Event, Minor	Special Event, Major
DC#35 Event Venue	Special Event, Minor Special Event, Major	Special Event
DC#1 Spruce Meadows	Special Event, Special Event, Minor Special Event, Major	
DC#8 Telecommunication facilities DC#12 NE 29-18-02 – Gas Plant DC#28 Waste Management	None	None
All other DC Districts	Special Event, Minor	Special Event, Major