

**Subject: Bylaw No. 21/016 - Land Use Bylaw No. 99/059
Amendment: Special Events****APPROVALS:****Jamie Doyle**_____
Director_____
Chief Administrative Officer**Recommended Motion:**

1. THAT Bylaw No. 21/016, being an amendment to Land Use Bylaw No. 99/059 specific to Special Events, be read a second time.
2. THAT Bylaw No. 21/016 be read a third and final time.

Summary:

In 2013, Bylaw No. 13/004 (Attachment 2) was passed, being an amendment to Land Use Bylaw No. 99/059 which provided rules for special events. In early 2021, this bylaw was quashed by the Court of Queens Bench (Attachment 3), resulting in the loss of provisions pertaining to special events. The proposed Bylaw seeks to address this gap, allowing special events to take place on public and private land and regulations to ensure they occur responsibly.

Background:

In June 2013, an amendment to Land Use Bylaw No. 99/059 (Bylaw No. 13/004) was passed, which included provisions regulating special events in the Regional Municipality of Wood Buffalo (Municipality). The amendment defined what a special event and garage sale are, provided specific rules that regulated how these developments would take place, and included when a development permit would not be required for a garage sale or special event.

On January 21, 2021, a judgement by the Court of Queens Bench quashed Bylaw No. 13/014 on the grounds that the Bylaw is "internally contradictory and contrary to the Municipal Development Plan". As a result, Land Use Bylaw No. 99/059 no longer contains any rules or definitions for special events or garage sales. This subsequently made it challenging for the Municipality to facilitate any special events on public or private land.

This Bylaw introduces the provisions from the proposed Land Use Bylaw presented to

Council in May 2021. These provisions were developed based on public engagement and improvements based on Administration’s experience with Bylaw No.13/014. The proposed Bylaw includes the following:

1. Definitions for special event and garage sale. These definitions have been altered from those in Bylaw No. 13/014 to add clarity.
2. Development not requiring a development permit. Exempts garage sales from requiring a development permit and special events when they:
 - a. are held on land owned by the Municipality and have obtained authorization pursuant to Council Policy PRL-130;
 - b. are held on a road subject to authorization by the Municipality; or,
 - c. occur at or within a school or lands operated by a school.
3. The Special Event use is added to land use districts. Special event has been added as a discretionary use in multiple land use districts, which can be characterized as:
 - a. Recreation Districts;
 - b. Institutional Districts;
 - c. Commercial Districts; and
 - d. Industrial Districts.

Special events would not be allowed in any residential land use district.

4. Provisions guiding special events. To ensure special events occur responsibly, and there is sufficient guidance for both applicants and the Development Authority, several provisions have been added. These include:
 - a. separation distances from residential districts;
 - b. limitations on the number of days a special event can occur; and,
 - c. providing sufficient parking and at an appropriate location.

Budget/Financial Implications:

The proposed Bylaw allows for special events to occur in certain locations, and in some cases, without requiring a development permit. This will reduce administrative costs associated with reviewing a development permit.

Rationale for Recommendation:

Although the judgment indicates Bylaw No. 13/014 was quashed due to contradictions with the Municipal Development Plan (MDP), events themselves are generally supported by the MDP. For example, policy 5.1.1 Celebrate cultural diversity speaks to the promotion of cultural diversity by partnering with others to support multicultural events. Additionally, policy 5.2.3 Promote public events and festivals commits to promoting events to increase exposure to arts and culture. It also supports “street and block parties, local fairs, and other events that promote social interaction and cohesion.”

The table below shows the number of special event applications that have been received by the Planning and Development Department from 2019 to April 2021. The table shows more applications are received for events on public land as opposed to private lands; however, in anticipation of heightened interest in special events as COVID-19 restrictions are lifted, it is prudent to provide opportunities and regulations to govern them on private lands.

| YEAR | SPECIAL EVENTS ON PRIVATE LAND | SPECIAL EVENTS ON PUBLIC LAND |
|--------------|---|--|
| 2019 | 5 | 159 |
| 2020 | 1 | 70 |
| 2021 | | 18 |
| TOTAL | 6 | 247 |

Without the provisions provided by Bylaw No. 13/014, there is no guidance for the Development Authority on when special events require permits and where they can occur, which can result in frustration and confusion for applicants. The proposed provisions address this gap and facilitate garage sales, as well as the responsible occurrence of special events on municipal and private land.

Strategic Priorities:

- Responsible Government
- Downtown Revitalization
- Regional Economic Development
- Rural and Indigenous Communities and Partnerships

Attachments:

- 1. Bylaw No. 21/016**
 - 2. Bylaw No. 13.014 Special Event Bylaw**
- 5257_Redacted**