



Subject: *Motion C24(306)- Outdoor Event Regulations*
To: CAO for Planning Advisory Committee, April 15th, 2025
Date Prepared: April 9, 2025
Related Motions: C24(306)
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Approved by: John Woodford, Director of Planning and Development

Summary

In September of 2024, East Hants Municipal Council passed a motion directing staff to review the current outdoor event regulations with respect to hours of operation, noise and facilities. This report outlines the current regulations for Small- and Large-Scale Special Events and the proposed changes to the Land Use Bylaw.

At their September, 2024 meeting, Council passed the following motion:

Moved that staff conduct a review of the outdoor event regulations around hours of operation, noise and facilities, etc., and that this review include a jurisdictional scan of regulations in other areas.

This staff report addresses Motion C24(225), and recommends that First Reading be given to the amendments.

Financial Impact Statement

There is a cost to the Municipality if Council decides to proceed with amendments to the Land Use Bylaw, including advertising. There is no immediate cost to the Municipality with the adoption of this report outside from advertising costs.

Recommendation

That Planning Advisory Committee recommends that Council give First Reading and authorize staff to schedule a Public Hearing.

Recommended Motion

- *Planning Advisory Committee recommends that Council give First Reading to amend the Land Use Bylaw by amending the definitions of Small- and Large-Scale Special Events and the regulations for Large Scale special events to restrict the hours of operation; and authorize staff to schedule a Public Hearing*

Background

At their September 2024 Regular Meeting, Council passed the following motion:

C24(306) *Moved that staff conduct a review of the outdoor event regulations around hours of operation, noise and facilities, etc., and that this review include a jurisdictional scan of regulations in other areas.*

Due to an event that occurred within East Hants in July 2024, a motion was made by Council to have staff review the current regulations for both small- and large-scale events that occur within the Municipality. Staff have drafted amendments to the current regulations; however, PAC and Council may wish to proceed with alternative options.

Discussion

Under the East Hants Land Use Bylaw, there are definitions for both Small Scale Special Events and Large-Scale Special Events. The definitions are as follows:

Special Event, Large-Scale means an event held outside an enclosed permanent structure where there is an assembly of **1000 persons or more at any given point in time during the event**. It is a temporary, short-term use of land for the purpose of fundraising, promotional activities, celebrations, or for entertainment or amusement. This use does not include parades and firework displays.

Special Event, Small-Scale means an event held outside an enclosed permanent structure where there is an assembly of **less than 1000 persons at any given point in time during the event**. It is a temporary, short-term use of land for the purpose of fundraising, promotional activities, celebrations, or for entertainment or amusement. This use does not include parades and firework displays.

The main difference between these definitions is the numbers of persons at the events at any given point. 1000 persons is the current number differentiating the two definitions. Staff are proposing an amendment to the definitions to reduce the number of persons from 1000 to 500. This change would mean any outdoor event expected to have 500 persons or more would require a permit from the Municipality in accordance with the Large-Scale Special Events provisions as outlined in section 3.34 of the Land Use Bylaw. An amendment is also proposed to exclude Municipal and Provincial events from these regulations.

The proposed amended definitions would be as follows:

Special Event, Large-Scale means an event held outside an enclosed permanent structure where there is an assembly of ~~1000~~ **500 persons or more at any given point in time during the event**. It is a temporary, short-term use of land for the purpose of fundraising, promotional activities, celebrations, or for entertainment or amusement. This use does not include **Municipal or Provincial events**, parades and firework displays.

A large-scale special event also includes any event where there is an assembly of 200 persons or more at any given point in time during the event that is intended to be semi-private, but is accessible to the general public via a ticket, admission fee, or similar where electronically amplified music will be played.

Special Event, Small-Scale means an event held outside an enclosed permanent structure where there is an assembly of less than ~~1000~~ **500 persons at any given point in time during the event**. It is a temporary,

*short-term use of land for the purpose of fundraising, promotional activities, celebrations, or for entertainment or amusement. This use does not include **Municipal or Provincial events**, parades and firework displays.*

Section 3.34 of the Land Use Bylaw details the requirements for hosting a Large Scale Special Event within the Municipality. A development permit is required prior to the event commencing and a number of documents and plans must be submitted to the Development Officer prior to the issuance of a permit.

Section 3.34: Large Scale Special Events

- a) Large-scale special events shall be permitted in all zones except in the LR, CR, R1, R2, R3, MH, HF, WS, and WG Zones.*
- b) Nothing in this Bylaw shall exempt the applicant of a large-scale special event from complying with the requirements of a Municipal Bylaw or regulation or from obtaining any license, permit, authority, or approval required by any statute and/or regulation of the Province of Nova Scotia or Government of Canada.*
- c) The applicant shall submit a site plan indicating the setbacks of any proposed tent(s) or any other temporary structures, the size of the subject property, location of parking, and the neighbouring property uses.*
- d) The proposed hours of operation shall be provided to the Development Officer.*
- e) A security plan shall be submitted to the Development Officer and the RCMP, the acceptance of the security plan shall be based on the review of the RCMP, if the RCMP deems it applicable. Included with the security plans shall be the company name, number of security guards, name of volunteers, etc.*
- f) The applicant shall indemnify and save the Municipality harmless from any and all claims, demands or causes of action, together with all costs, charges, damages and expenses that may arise against the Municipality as a result of the event taking place.*
- g) The applicant shall provide insurance coverage with specific reference to the event. The insurance must include, for each incident, personal liability and property damage coverage at least in the amount of 2 million dollars and general liability coverage of 2 million dollars. The Municipality must be added as a co-insured. The applicant shall provide to the Municipality, from time to time as requested, a copy of the Certificate of Insurance satisfactory to the Municipality.*
- h) Once set up of the temporary event is complete, it must be checked by the Municipal Fire Inspector prior to the event taking place.*
- i) A Development Permit will be provided to the applicant once all requirements of this section are met.*

An amendment is being proposed to clause “d” of this section to add hours of operation in which a Large-Scale Special Event shall not operate. The proposed amendment is as follows:

- d) The proposed hours of operation shall be provided to the Development Officer. **No Large-Scale Special Event shall operate between the hours of 12am and 7am.***

A copy of the permit is provided to the RCMP to enable them to enforce the requirements of the Land Use Bylaw regarding Large Scale Special should they need to.

The East Hants Community Standards Bylaw contains the regulations on noise within the Municipality. Section 7 of the Bylaw states that no person shall cause or allow to be made any noise that unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood, including any shouting, movement, music, or activity. Furthermore, no owner or occupier of a premises shall cause or allow to be made any noise which originates from the premises and unreasonably disturbs the peace and tranquility of a neighbourhood, including any shouting, movement, music or activity. Residents are typically required to keep a log of noise in their neighbourhood and provide that information to the Municipality. The RCMP may enforce this bylaw as well if needed.

JURISDICTIONAL SCAN

West Hants Regional Municipality has a special events bylaw which defines a special event as:

“Special Event” means any event where a large number of people (five hundred or more) are brought together to watch or participate in entertainment, performance or gathering or other event where:

- i. the performance or event is held for the purpose of providing entertainment or information, whether such entertainment or information is free or for profit or gain;
- ii. tickets may be provided or sold and/or an entrance or attendance fee is charged for persons to attend; and
- iii. music, noise or sound of any kind or source, including but not limited to amplified, recorded or computer-generated music, amplified recorded or computer-generated sounds, live music, sound or band music is performed or played.

The Town of Truro, under their Special Events Policy for Events on Town owned Land states the following:

“A Special Event Application is required when any **one** of the following applies:

- a) an event is held in a Town Park or any other Town owned property and attendance is expected to exceed 200 people and/or requires a Special Occasion Liquor License.
- b) any event intended to be semi-private, but is accessible to the general public via a ticket, admission fee, or similar.
- c) events that impact traffic flows and/or could result in road closures; or
- d) any event where public safety may be an issue.”

Halifax Regional Municipality requires approval for events occurring on Municipal lands, where food and drinks are to be sold, and if Municipal services (roads, police, security, infrastructure, etc.) are to be used. Events on private property would not require approval however, must respect and comply with their Noise Bylaw. Exemptions to the Noise Bylaw can be applied for through the Municipality.

STRATEGIC ALIGNMENT

Amendments to the East Hants Official Community Plan aligns with Council’s Strategic goal to build strong communities by ensuring the East Hants official community plan is effective in managing changes in the community, reducing land use conflict and protecting both natural resources and community character.

LEGISLATIVE AUTHORITY

The Municipality has Legislative Authority to create land use policies and regulations under Part 8 of the Municipal Government Act.

FINANCIAL CONSIDERATIONS

There is a cost to the Municipality if Council decides to proceed with amendments to the Land Use Bylaw, including advertising. There is no immediate cost to the Municipality with the adoption of this report outside from advertising costs.

Citizen Engagement

Planning staff will comply with the Citizen Engagement Policies of the Municipal Planning Strategy when processing the amendments. A notice outlining the proposal and indicating that it is under review by staff will be advertised.

A Public Information Meeting is not required as there are no amendments proposed to the Municipal Planning Strategy. A Public Hearing is required before any decisions are made by Council. A notice of Public Hearing will be advertised, if authorized by Council to schedule the Hearing.

Conclusion

Staff are recommending the proposed amendments be approved to both Small- and Large-Scale special events. PAC and Council may select an alternative number then 500 persons to define the events, however staff do not recommend this number be below 200 persons.

Attachments

There are no attachments to this report.