



Staff Report

Legal Services – By-law

Report To: Committee of the Whole Meeting
Meeting Date: Meeting Date
Report Number: FAF.22.093
Title: Blue Mountain Resorts, 115 Swiss Meadows Blvd. – Noise By-law Relief Requests
Prepared by: Wayne DeWitt, Supervisor By-law Enforcement

A. Recommendations

THAT Council receive Staff Report FAF.22.093 “Blue Mountain Resorts, 115 Swiss Meadows Blvd. – Noise By-law Relief Requests”; and

THAT Council grant relief from the provisions of the Noise By-law for the following two weddings at 115 Swiss Meadows Blvd.:

- Saturday, July 16th, 2022 from 4:00 p.m. to 1:00 a.m., with noise from a DJ playing amplified music.
- Friday, August 12th, 2022 from 4:00 p.m. to 1:00 a.m., with noise from a DJ playing amplified music.

B. Overview

This report provides the details of two requests for relief from the provisions of the Noise By-law for Council’s consideration.

C. Background

The Town is in receipt of two requests from Blue Mountain Resorts for relief from the provisions of the Noise By-law (Attachment 1) for weddings on Saturday, July 16th, 2022 and Friday, August 12th, 2022 at 115 Swiss Meadows Blvd. Both requests are from 4:00 p.m. to 1:00 a.m., with noise from a DJ playing amplified music.

Due to the requested end time of 1:00 a.m. for both events, these require approval from Council.

D. Analysis

Blue Mountain Resorts has noted in their application that the natural surrounding of trees and a rock wall will mitigate the sound. Previous applications submitted by Blue Mountain Resorts

for similar events at this location have noted that the nearest homes are greater than 600 metres away in all directions, with tree cover and earthen berms between event location and the nearest homes.

Blue Mountain Resorts (BMR) has submitted similar Noise By-law exemption requests in previous years and Council resolved to grant these requests.

By-law Enforcement has not received any complaints about BMR events at 115 Swiss Meadows Blvd. in previous years.

Section 3 e) of the Noise By-law permits the making of noises or sounds related to the non-residential use of land permitted by a by-law enacted by the municipality pursuant to the applicable Zoning By-law from 07:00 to 19:00.

It is noted that outdoor events in themselves outside of 07:00 to 19:00 are not prohibited. The making of noise is prohibited in the instance where such events are likely to disturb the peace, quiet, comfort or repose of any inhabitant.

The properties within 120 metres of 115 Swiss Meadows Boulevard are all vacant properties so the neighbours were not circulated with this request.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

F. Environmental Impacts

N/A

G. Financial Impacts

N/A

H. In Consultation With

N/A

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

J. Attached

1. Office Consolidation of the Noise By-law
2. Copy of the applications from Blue Mountain Resorts.

Respectfully submitted,

Wayne DeWitt
Supervisor By-law Enforcement

Will Thomson
Director Legal Services

For more information, please contact:
Wayne DeWitt, Supervisor By-law Enforcement
bylawadmin@thebluemountains.ca
519-599-3131 extension 243

Report Approval Details

Document Title:	FAF.22.093 Blue Mountain Resorts, 115 Swiss Meadows Blvd. – Noise By-law Relief Requests.docx
Attachments:	- Att. 1 2002-9-Noise-By-law-Office-Consolidation.pdf - Att. 2 Blue Mountain Resorts - Noise By-law Relief Applications.pdf
Final Approval Date:	Apr 25, 2022

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

Wayne DeWitt - Apr 22, 2022 - 4:08 PM

Will Thomson - Apr 25, 2022 - 1:09 PM