



Staff Report

Legal Services – By-law

Report To: Committee of the Whole Meeting
Meeting Date: August 9, 2022
Report Number: FAF.22.123
Title: Montana Calver – 19 Wellington Street S – Noise By-law Relief Request
Prepared by: Wayne DeWitt, Supervisor By-law Enforcement

A. Recommendations

THAT Council receive Staff Report FAF.22.123, entitled “Montana Calver – 19 Wellington Street S – Noise By-law Relief Request”;

AND THAT Council grant relief from the provisions of the Noise By-law for a wedding on Saturday October 1st, 2022 at 19 Wellington Street S with a reception and a DJ playing music from 4:00 p.m. to 1:00 a.m.

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 a request for relief from the provisions of the Noise By-law (Attachment 1) for a wedding on Saturday October 1st, 2022 at 19 Wellington Street S with a reception and a DJ playing music from 4:00 p.m. to 1:30 a.m.

Due to the requested end time of 1:30 a.m., this requires approval from Council.

D. Analysis

The applicant has noted that the wedding will take place in a field on a five-acre property which should mitigate the impact of the noise.

Because there are a number of residential properties within 120 metres of the event location, By-law staff are recommending that Noise By-law relief be granted to 1:00 a.m., not 1:30 a.m. as requested by the applicant.

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.

In accordance with the procedures set out in our Policy & Procedures for Noise By-law Relief Requests, notice to the residents within 120 metres was circulated. Due to the timing of the application, the deadline for residents to submit comments exceeds the date of submission for this report. As of the date of submission of this report no responses were received, however, any additional information will be provided by a representative of the Enforcement Services Department at the Committee of the Whole meeting on August 9, 2022.

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 Wayne DeWitt, Supervisor By-law Services bylawadmin@thebluemountains.ca.

J. Attached

1. Office Consolidation of Noise By-law 2002-9
2. Copy of the Application
3. Map of event location and properties within 120 metres

Respectfully submitted,

Wayne DeWitt
Supervisor By-law Enforcement

Will Thomson
Director Legal Services

For more information, please contact:
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Report Approval Details

Document Title:	FAF.22.123 Montana Calver – 19 Wellington Street S – Noise By-law Relief Request.docx
Attachments:	<ul style="list-style-type: none">- Att.1 2002-9 Noise By-law Office Consolidation.pdf- Att.2 Application.pdf- Att.3 Map of Event Location.pdf
Final Approval Date:	Jul 19, 2022

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

Wayne DeWitt - Jul 19, 2022 - 2:31 PM

Will Thomson - Jul 19, 2022 - 3:02 PM