

May 3, 2023

To the Mayor and Council
Town of Blue Mountains

Subject: Opposition to Astec's Request for Relief from the Provisions of the Noise By-Law

Dear Council,

As a resident and participant in the Community Engagement Committee, I'm submitting my deputation with great concern and caution in granting Astec a permanent or further temporary exemption to the Noise By-Law until 11:00 pm Monday-Friday.

While some progress has been made in respect to providing limited noise reduction by the use of filling gaps in the existing wall of storage containers along the north side of their property as well as increased privacy, I have not experienced a significant reduction in noise. Noise from motor revving sounds and forklifts moving around the yard, startling crash type sounds from materials being loaded or dropped off continue to be regular noise disturbances heard on a daily basis.

All 3 of the conditions in the motion that was established by Council on May 10, 2022, for the temporary exemption have not fully been met:

#1 That Astec install noise detection equipment, and to establish a noise baseline and retain the records of same that can be provided to the Town on request:

We understand that noise detection equipment has been installed. However, residents participating in the Committee have repeatedly asked for a baseline data or measurement of noise levels and Astec has not been able to provide this to the Committee. Has this been provided to the Town?

#2. That Astec (BTI) establish a Community Engagement Committee that includes a Town staff person as an observer, with the founding meeting before the amendment to the By-law is permitted, to resolve issues, and that minutes of the Community Engagement Committee, are provided to Council, through correspondence;

Minutes of meetings were written by Astec, and despite many requests from the residents in attendance to have a proper review and approval process this was repeatedly turned down by Astec until the May 2, 2023, where we were able to collectively go through this process the first time for the March 7, 2023 meeting. Additionally, only a few meetings had a Town staff person in attendance.

3. That Astec (BTI) be invited to present to Council through a deputation, when the above conditions have been met.

To my knowledge, this never occurred.

Astec has repeatedly ignored the By-Law; most recently on 2 Sundays (Easter Sunday April 9 and April 16) where complaints were made for noise, including forklifts moving items in their yard. One of the complaints was made by myself and was answered by a By-Law Department representative indicating

that what I was hearing was the “white noise” was from forklifts. However, there was no answer to my question as to why forklifts are being operated on a Sunday when it is my understanding that this is in violation of the Noise By-Law?

The Noise By-Law exists for a reason and is common across many municipalities. It could be understandable that Astec would request temporary exemptions during special, time-limited projects, as has been done with other requests.

I would ask Council; How is it equitable that Astec is allowed to make noise 16 hours of a day (Monday-Friday) while residents would be left with the balance of 8. In addition, Astec’s claim of significant weekend hours is deeply troubling and must be addressed. Otherwise, this is not a balanced and sustainable approach for our community.

I would ask Council to question why is Astec asking for an exemption, or for the Noise By-Law to be written to specifically accommodate their business to make additional noise from 7 pm to 11 pm (Monday to Friday)? Why are the residents having to shoulder the burden? Perhaps Astec should be looking for alternate solutions, such as extending their building so that outside traffic would move to indoors thus removing any noise issues. What is going to happen when other companies ask for the same thing?

I reported in my original deputation that we moved knowing we backed onto a manufacturing facility. The Bylaw as it stood provided us with some protection (7am to 7 pm). The Town and Council have a responsibility to uphold this By-Law and protect the quality of life of the residents in the community and ensure a balanced approach for ALL those that reside or work in the community. An extension or change to the By-Law of this nature tips the balance in favour of business.

Respectfully submitted.

Cathy & Dan Genge