

From: [REDACTED]
To: [Bylaw Info](#)
Cc: [Shawn Everitt](#); [Ryan R. Gibbons](#); [REDACTED]
Subject: Noise By-law Exemption Request - 171 Tyrolean Lane
Date: Friday, May 31, 2024 8:29:16 AM
Attachments: [V0.1 Noise By-law Exemption Request - 171 Tyrolean Lane PRNBR20240000262_2024-08-11.docx](#)
[Notice of By-Law Relief Request.pdf](#)
Importance: High

Good morning.

Please find attached our comments regarding a noise by-law exemption request for 171 Tyrolean Lane, a known party-house that is in the Short Term Accommodation (STA) Exception Area. The request, which was sent to us by mail, is attached for reference.

We are **STONGLY OPPOSED** to this request and are **STUNNED** that the Town of the Blue Mountains is even entertaining this request. Indeed, STA By-laws were created by Council to protect neighbours from noise, drunken/stoned and unruly behaviour at STA Licenced properties. The Town should not be granting "Licences to Disturb" that will prevent neighbouring property owners' rights to quiet enjoyment of their properties.

I am copying Shawn Everitt, Chief Administrative Officer, Town of the Blue Mountains, who is given the authority under Section 11.1 of By-law 2021-71 to administer and establish any practices, policies, and procedures necessary to implement By-law 2021-71, which was created to establish a comprehensive system of administrative monetary penalties for the Town of the Blue Mountains. Indeed, we feel Town staff should be trained to ensure that requests of this type should not be accepted in the future given Council has already provided clear direction that excessive noise should not be tolerated at STA Licensed properties (i.e., when they created the STA By-laws).

We would appreciate it if you could confirm receipt of this email as we would like to make sure our concerns are heard. Hopefully, we do not have to respond to blatant attempts by STA License holders to circumvent STA by-laws and the responsibilities that go with renting their properties in the future.

Sincerely,

[REDACTED]
[REDACTED]

**RE: Noise By-law Exemption Request PRNBR20240000262
Birthday Party Gathering
171 Tyrolean Lane**

Good afternoon,

We are writing in response to a request from the owner of 171 Tyrolean Lane for an exemption to the Town's Noise By-law on Sunday, August 11, 2024 for a birthday party, which the Town of the Blue Mountains advised us of via regular mail on May 10, 2024. We are residential property owners [REDACTED] and are speechless that the Town accepted this request.

We **STRONGLY OPPOSE** this request for the following reasons:

1. Inconsistent with previous Council Direction designed to control Short Term Accommodation (STA) Properties.

- The request comes from the owner of a licensed STA property (171 Tyrolean Lane).
- The Town of the Blue Mountains recognizes the negative impact STA properties can have on neighbouring properties and has passed By-laws to control them, including By-laws 2021-70 and 2020-71.
 - Schedule B of By-law 2021-70 specifies a Noise By-law (2002-9, as amended) conviction could be subject to five demerit points.
- Why would the Town even consider exempting an STA Licensed Property from By-laws/penalties designed to protect neighbouring properties from being able to enjoy their properties?
- My family does not want to hear loud music and hooting and hollering/swearing that goes hand in hand with competitive games like tug of war, which normally occurs in conjunction with the over-consumption of alcohol in the STA Exception Area.
- If the Town approves this Noise By-law exemption request, we will have no ability to complain about excessive noise on August 11th as By-law Enforcement Officers will cite the exemption if they are called to tend to the property.

2. Noise By-law exemptions should only be granted by the Town in limited/special circumstances.

- The event does not:
 - promote charitable, educational or community objectives;
 - support the community provincially, nationally, or internationally; and,
 - is not financially supported by the Town.
- Birthday celebrations, Bachelor/Bachelorette and other parties happen all the time in the STA Exception Area given the number of people the chalets can accommodate, and these large gatherings are known to create problems.
 - These celebrations are not "special" or worthy of Noise By-law exemptions.

3. **Sets a dangerous precedent for STA Licensed properties to seek Noise By-law exemptions ALL THE TIME.**

- The Noise By-law, and the potential to extend penalties to STA Licensed Owners under the STA By-laws are in place for a reason.
- Where does it end if the Town allows a Noise By-law exemption for an STA License property owner? If approved, will the Town be granting future Noise By-law exemptions for people celebrating long weekends?
- We feel the granting of a Noise By-law exemption in cases like this could undermine the entire STA Licensing Program.
- The STA Exemption Area is already known as “Party Town,” does the Town really want to reinforce the Wild-Wild-West party atmosphere in the area.

4.

- The owner of the STA licensed properties [REDACTED] has exposed our family to drunk/stoned and unruly behaviour ALL THE TIME.
 - It is bad enough that we constantly endure these nuisances, but a Noise-By-law exemption on this date will make things even worse for my family.
 - [REDACTED]
 - The backyards at 171 and 173 Tyrolean Lane (the adjacent 20-person party house next to 171 Tyrolean Lane) are shared and used by guests of both properties (i.e., there is no fence between them). It would be impossible for By-law Enforcement to address infractions in the backyard or contain the party if it spills into the next yard.
 - Given the lack of buffer, the Town should not only reject this specific request, they should reject ALL such Noise By-law exemption requests linked to these properties moving forward.
- [REDACTED]

5. The exemption was requested by the STA License holder, NOT the renter.

- We see this as nothing more than an attempt by the owner of the STA Licensed property trying to dodge their responsibilities regarding having to control their renters, and the associated penalties with not doing so.
- Why is the Town even accepting a request from the person that is not holding the event themselves?

6. The request for 12 HOURS of noise relief is excessive.

- My family does not want to be disturbed by excessive noise created by renters for an extended period (which usually includes swearing, vulgar music being played, and hooting and hollering).
- By-law Enforcement will not be available past 11 pm to monitor the event and we do not want to put our faith in a Responsible Person (whose loyalty is to the STA License holder) to control an event late in the evening, especially after what could be a full day of drinking/partying by renters [REDACTED].
- The request to extend until 12 am may also encourage others, who are not staying overnight at the property, to continue to participate in the Birthday activities beyond 10 pm (which would be a violation of the STA By-laws).

7. History/Previous STA By-law Infractions at 171 Tyrolean Lane.

- We have witnessed By-law Enforcement Officers having to attend this property on multiple occasions over the years for assorted reasons, including for noise and other STA-related by-law infractions.
 - This suggests it is difficult to control nuisances at this property under normal circumstances. How much worse will things be if a Noise By-law exemption is granted for this property on August 11, 2024?

8. Impact on Neighbouring Properties.

- We note, the Town often overlooks the fact that the STA Exception Area also includes residential owners who have a right to the quiet enjoyment of their properties. Please do not forget this fact when reviewing this request.

We respectfully ask that you reject this request for a Noise By-law exemption, which would be in effect a licence to disturb our family. Further, we would hope that the Town's CAO and/or Town Council would provide clear direction that Town staff should not consider future Noise By-law exemption requests of this type. Indeed, it is a waste of Town resources/our time to have to respond to blatant attempts to circumvent the Town By-laws which are in place to protect the ability of residents to enjoy their properties.

Sincerely,

[REDACTED]