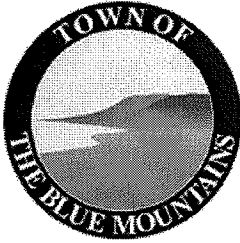


STAFF REPORT: BUILDING & BY-LAW DEPARTMENT



REPORT TO: Council
MEETING DATE: May 12, 2008
REPORT NO.: SRB.08.27
SUBJECT: 2071400 Ontario Limited, 53 Bruce Street South, "The Dam Pub", Request for Relief from the Noise By-law – May 24, 2008
PREPARED BY: Sharon Long, Admin. Assistant, Building & By-law

A. Recommendations

THAT COUNCIL receive Staff Report SRB.08.27 and make a determination with respect to the proponent's request for relief from the Town's Noise By-law.

B. Background

The Request

The Town is in receipt of a request from the Operator of the subject premises for relief from the provisions of the Town's Noise By-law (Addendum "A") on May 24, 2008 from 19:00 to 23:00. This request is related to the Operator's "grand opening of the deck".

The Noise By-law

Section 3 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. Council has authority to grant exceptions to this By-law so as to permit the making of noise likely to disturb for other time periods.

Previous Requests for Exception

Council recently considered and denied a request from the proponent for an exception to the Noise By-law for an extended period during the late spring and summer for Thursday evenings from 19:00 – 21:00, Friday evenings from 19:00 – 23:00 and Saturday evenings from 19:00 – 23:00.

On a number of occasions, Council has granted relief from the Noise By-law for special events such as significant family gatherings, "special" birthday celebrations and weddings as well as Community and Charitable Events.

Summary

The proponent is requesting an exception to the Noise By-law for a specific event. Town Staff are not making a recommendation to Council with respect to this request.

Note: Town Staff will be reporting to the next Finance & Administration Committee with respect to an interim policy related to the processing of requests for exceptions to the Town's Noise By-law including criteria and fees for same.

C. The Blue Mountains' Strategic Plan

"Providing a strong, well managed municipal government."

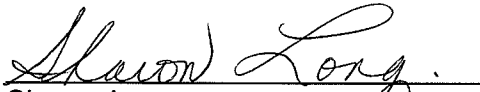
D. Budget Impact

N/A


E. Addendums

- A. Request from Proponent (The Dam Pub)
- B. Sample Notice Letter & Circulation Area
- C. Council approved criteria re "Community Festival and Significant Event Designation"

Prepared by:


Sharon Long
Administrative Assistant, Building & By-law

Respectfully submitted by:


David Finbow
Director, Building & By-law

APPLICATION FOR EVENT NOISE BY-LAW EXEMPTION

From: The Dam Pub
53 Bruce Street
Thornbury, Ontario
N0H 2P0
519-599-2110
stephanie@thedampub.ca

Please accept this document as a request for exemption to The Town of Blue Mountains "noise by-law".

The Dam Pub has a special event planned for Saturday May 24th, 2008 and is requesting exemption until 11PM that evening.

Yours truly,

Stephanie Price

DELIVERED VIA EMAIL

Page 1 of 1

Sharon Long

From: Stephanie Price [slprice63@sympatico.ca]
Sent: Tuesday, April 29, 2008 1:39 PM
To: Sharon Long
Subject: RE: Noice By-Law Exemption Request

Sorry, forgot that part. It is the grand opening of the deck.

From: Sharon Long [mailto:slong@thebluemountains.ca]
Sent: Tuesday, April 29, 2008 12:51 PM
To: Stephanie Price
Subject: RE: Noice By-Law Exemption Request

Please advise what the special event is. Thanks, Sharon.

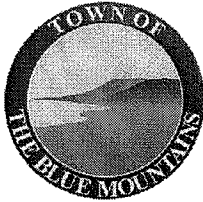
From: Stephanie Price [mailto:slprice63@sympatico.ca]
Sent: Tuesday, April 29, 2008 12:32 PM
To: Sharon Long
Subject: Noice By-Law Exemption Request

Good morning Sharon,

Please see attached document for my request.

Yours truly,

Stephanie Price



Town of The Blue Mountains

26 Bridge Street East
Box 310
THORNBURY, ON N0H 2P0
www.thebluemountains.ca

2.

May 1st, 2008

HAND DELIVERED

**RE: Noise By-law Exemption Request
53 Bruce Street South ("Dam Pub")
The Blue Mountains**

Please be advised that the Town is in receipt of a request from the owner and/or operator of the subject premises for an exemption to the Town's Noise By-law. In particular, the owner and/or operator is requesting permission to:

Permit the making of noise on May 24th, 2008 until 11:00 p.m. to celebrate the opening of their deck.

This request will be considered by Town Council at its regularly scheduled meeting on May 12th, 2008 at the Beaver Valley Community Centre. If you wish to provide your comments related to this request, you can do so by delivering a letter to the Town Clerk clearly marked "Noise By-law Exemption Request – 53 Bruce Street South" or by email to slong@thebluemountains.ca both by May 6th, 2008.

If you have any questions, please contact myself at 519.59.3131, extension 249 or slong@thebluemountains.ca.

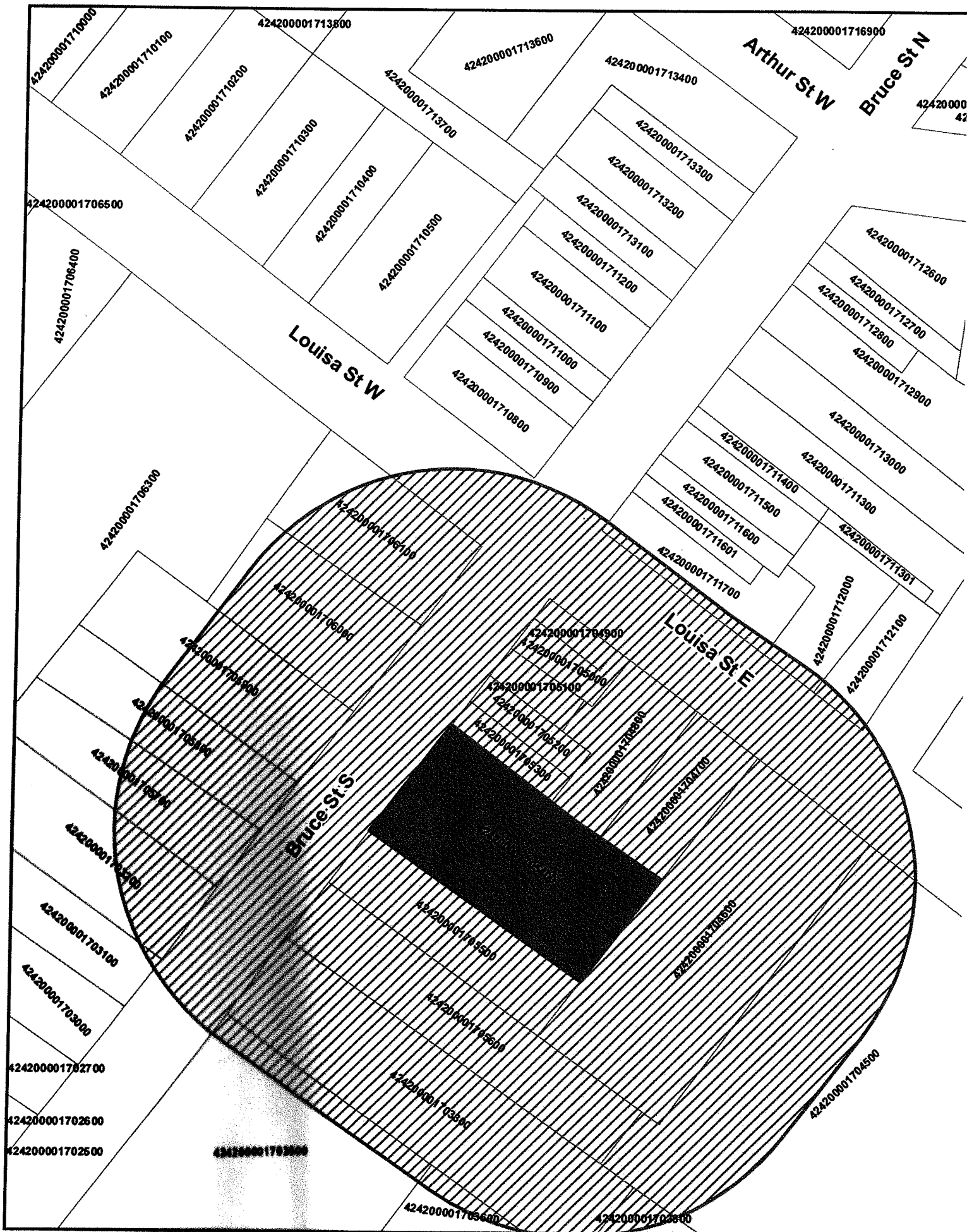
Yours truly,

TOWN OF THE BLUE MOUNTAINS

Sharon Long
Administrative Assistant
Building & By-law

K:\BEO\2008\Noise\Residents 53 Bruce Street South 051208.doc

BUILDING & BY-LAW DEPARTMENT
Phone: 519-599-3131 Ext. 249
Facsimile: 519-599-6032
slong@thebluemountains.ca



**Criteria for Community Festival and Significant Event Designation
Town of The Blue Mountains**

Community Festival Event

Qualifiers Promotes charitable objectives
Promotes educational objectives
Promotes community objectives

Significant Event

Qualifiers Expected to bring people to the area
Expected to create employment (temporary or full time)
Expected to promote the area provincially, nationally,
or internationally

Cultural Event

Qualifiers Promotes the area's cultural heritage
Promotes the area's natural heritage
Promotes the area's artistic heritage

Town Supported

Qualifiers Financially supported by the Town

An event can then be:

A community festival event, a significant event, a cultural event, a Town supported community festival or significant event or cultural event or any combination thereof, depending on the criteria met.