A. Recommendations

THAT Council receive Staff Report CSPW.19.055, entitled “Request for Municipally Significant Event Designation and Exemption from the Noise By-law for Beaver Valley Fall Fair”; 

AND THAT Council designate the “Beaver Valley Fall Fair” a municipally significant event; 

AND THAT Council approve the request for relief from the provisions of the Town’s Noise By-law, as outlined in the report, subject to approval through the Special Event Notification process.

B. Overview

This report outlines a request to Council from the Beaver Valley Agricultural Society to designate the Beaver Valley Fall Fair event as Municipally Significant and receive relief from the provisions of the Town’s Noise By-law.

C. Background

In order to host a licensed event that is open to the public, the Alcohol and Gaming Commission of Ontario (AGCO) requires that the event be designated “of significance and/or to raise funds for charitable purposes and objects that benefit the public-at-large”. As such, Special Occasion Permits for public events are only issued to:

- Registered charities
- Non-profit organizations whose object is to promote charitable, educational, religious or community objects
- Events of municipal, provincial, national or international significance
Committee of The Whole
CSPW.19.055

• Tailgate event held at outdoor premises that are at ground level, where the event is held in connection with, and in proximity to, a live professional, semi-professional or post-secondary sporting event

In 2015, Council set a criterion for the designation of municipally significant events (Attachment 1). This criterion requires that, in order to be designated as a municipally significant event, the event must be:

1. Expected to bring people to the area; and
2. Expected to create a minimum of 10 temporary or fulltime employment opportunities; and
3. Expected to promote the area regionally, provincially, nationally or internationally.

With respect to the exemption to the Noise By-law request, Section 3e) 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, however, 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 Beaver Valley Fall Fair is scheduled to take place on September 6 and 7, 2019. This community event requires relief from the Noise By-law from 9:00 a.m. to 11:00 p.m. on September 6 and from 10:00 a.m. to 11:00 p.m. on September 7 for amplified sound, loud speakers, farm equipment and live music.

D. Analysis

Community Services staff received a request from the Beaver Valley Agricultural Society to host a licensed public event in the Beaver Valley Community Centre (BVCC) and parking lot. The AGCO will not issue the Special Occasion Permit for the event because it does not meet the permit requirements.

The event organizers have requested that Council designate the event as municipally significant in order to meet the AGCO requirements and obtain the required Special Occasion Permit. The request and description of how they will meet the Town’s municipally significant designation criteria is outlined in Attachment 2.

Staff recommend that this event be designated by Council as a Municipally Significant Event.

In conjunction with the request for a Municipally Significant Event designation, the event organizers have submitted an application to extend the original exemption to the Town’s Noise By-law which was approved by Council on April 24, 2019. The original request was from 9:00 a.m. to 9:00 p.m. and this end time is proposed to be extended to 11:00 p.m. due to an unexpected opportunity that presented itself to the Agricultural Society. The application has been submitted to Fire and Enforcement Services for circulation to local residents and the
public consultation requirement to for relief from the Noise By-law has been initiated, however, at the time of drafting this report was not completed. Staff will provide follow up information at the July 15, 2019 Council meeting to reflect the results of the public comments.

In accordance with the procedures set out in the Town’s Policy and Procedures for Noise By-law Relief Requests, notices to the residents within 120 meters of the event locations were circulated for all events. No objections were received by the Town regarding the initial Noise Exemption application notices sent to residents early this spring. The revised Noise Exemption Request Application has been included as Attachment 3 to this report.

E. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability
Objective #1 Retain Existing Business
Objective #2 Attract New Business
Objective #3 Promote a Diversified Economy
Objective #4 Support Value-Added Agriculture and Culinary Tourism
Objective #5 Improved Visibility and Local Identity

Goal #2: Engage Our Communities & Partners
Objective #1 Improve External Communication with our Constituents
Objective #3 Strengthen Partnerships

F. Environmental Impacts

Minimal

G. Financial Impact

None

H. In consultation with

Morley Moore, AGCO
Beaver Valley Agricultural Society
Fire and Enforcement Services

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Ryan Gibbons, directorcs@thebluemountains.ca.
J. **Attached**

1. Staff Report CSPW.15.38 – Criteria for Designation of a Municipally Significant Event
2. Municipally Significant Event Designation Request
3. Noise By-law Exemption Application

Respectfully submitted,

______________________________
Ryan Gibbons
Acting Director of Community Services

For more information, please contact:
Ryan Gibbons
directorcs@thebluemountains.ca
519-599-3131 extension 281
A. Recommendations

THAT Council receive Report CSPW.15.38 entitled “Criteria for Designation of a Municipally Significant Event”;

AND THAT Council adopt the revised criteria for designating an event as municipally significant as follows:

1. Expected to bring people to the area; and,
2. Expected to create a minimum of 10 temporary or fulltime employment opportunities; and,
3. Expected to promote the area regionally, provincially, nationally or internationally

B. Background

Currently, for an event to be designated as “municipally significant”, it must meet at least one of a list of three criteria. The existing criteria for designating an event as municipally significant require that the event is;

1. Expected to bring people to the area
2. Expected to create employment (temporary or fulltime)
3. Expected to promote the area provincially, nationally or internationally

Permitting that the event in question meets at least one of the above noted criteria, it can receive designation as a municipally significant event.

Staff is recommending the following amendments be made to the existing criteria that, to be designated municipally significant, an event must achieve all of the following;

1. Expected to bring people to the area
2. Expected to create a minimum of 10 temporary or fulltime employment opportunities
3. Expected to promote the area regionally, provincially, nationally or internationally

Generally, requests for a municipally significant event designation are made in order to obtain eligibility for a Public Event Special Occasion Permit from the Alcohol and
Gaming Commission of Ontario (AGCO) that would allow for the sale of alcohol at an event and allow the organizer to:

- Profit from the sale of alcohol
- Advertise the event publically

The AGCO requires that a Public Event Special Occasion Permit can be issued:

- To a registered charity under the Income Tax Act of Canada
- To a non-profit organization or association organized to promote charitable, educational, religious or community objects
- For an event of provincial, national or international significance
- For an event designated by a municipal Council as an event of municipal significance

Organizers who cannot meet the above eligibility criteria for a Public Event Special Occasion Permit would rely on an application for a Private Event. A Private Event is held for invited guests only; the public cannot be admitted and there can be no intention of profiting from the sale of alcohol at the event. Private Events also cannot be publically advertised. Information about Private Events may be shared with invited guests and members only.

Staff is recommending that weddings, wedding receptions, stag and does, anniversaries, birthday parties, baptisms and other events that are typically not eligible for consideration of being designated as municipally significant events be eligible for Private Events.

This recommended criteria provides clarity when evaluating requests for such designation.

C. The Blue Mountains’ Strategic Plan

Providing a strong, well managed municipal government

D. Environmental Impact

None

E. Budget Impact

None

F. In Consultation With

Town Clerk
Senior Management Team
G. Attachments

Respectfully submitted,

____________________________

Shawn Everitt
Director of Community Services

For more information, please contact
Shawn Everitt
severitt@thebluemountains.ca
519-599-3131 ext. 281
Beaver Valley Agricultural Society
Box 334
Clarksburg, ON N0H 1J0

June 11, 2019

Town of The Blue Mountains
32 Mill Street
Thornbury, ON N0H 2P0
Attention: Ryan Gibbons, Acting Director of Community Services

Re: Municipally Significant Event Designation Request

The Beaver Valley Agricultural Society organizes the Beaver Valley Fall Fair which is more than just farmers comparing their annual notes on livestock and crop success and failure. In the days before the telephone, never mind the Internet, people had to meet to communicate. Now we choose to meet to celebrate the annual harvest, to educate tourists and residents alike on our farming history and culture, to promote the local agricultural industry and lifestyle, and to celebrate our community’s life and pride by providing the longest-running community event in The Blue Mountains. 2019 marks the 149th year of the Fall Fair with 2020 marking the 150th year of the Fair.

As part of the entertainment on Friday night of the 2019 Fair, Manny Blu, an up and coming country music artist has offered to play a 90-minute set at our fair at no cost to the Agricultural Society. With such a great opportunity to draw attendance from the Grey & Simcoe County regions, the Agricultural Society would like to hold a beer garden at the Fair. The Agricultural Society would hold the liquor licence and hire security and bartenders to work at the event. In addition to the music venue, the Fall Fair also provides a family atmosphere, drawing in visitors of all ages.

The Agricultural Society works effectively with Community Services staff to ensure that all town requirements are met regarding set-up and clean up. BVCC Staff have indicated that they would assist with setting up the fencing to contain the licenced area.

The money raised from this event will be used to at the 2020 Beaver Valley Fall Fair which marks the 150th year of fall fairs in our area.

The Fall Fair is always the weekend after Labour Day. For 2019, this event will be held on September 6. It is anticipated that four (4) security personnel along with six (6) bartending staff will be hired to work the event. Additional personnel will be required to assist with the clean up at the end of the event.

In order to apply for a liquor licence, the Agricultural Society requires a resolution of Council by July 6, 2019. The AGCO requires that the licence be issued 60 days before the event.

Should you have any questions regarding our event, please do not hesitate to contact us.

Regards,

Serena Wilgress
2nd Vice President
Application number: PNB2019-167  
Exemption number (if different):  
Date received: (revised application) June 25/19  
Roll number: 18-153-00  
Application submitted to: TOWN OF THE BLUE MOUNTAINS  
32 Mill Street Box 310, Thornbury, ON  
Tel: (519) 599-3131 Toll Free: 1-888-258-6867 ext. 249  
Bylawservices@thebluemountains.ca www.thebluemountains.ca

A. Event Location (Location of the event relief is being requested)

<table>
<thead>
<tr>
<th>Building number, street name</th>
<th>Unit number</th>
<th>Lot/con.</th>
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<tbody>
<tr>
<td>BVCC - 58 Alfred Street West, Thornbury</td>
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<table>
<thead>
<tr>
<th>Postal code</th>
<th>Plan number/other description</th>
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B. Applicant

<table>
<thead>
<tr>
<th>Applicant is: Owner or Authorized agent of owner</th>
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<tr>
<td>Liz Saunders</td>
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<table>
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<tr>
<th>Street address</th>
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<td>32 Mill Street, Thornbury</td>
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<thead>
<tr>
<th>Municipality</th>
<th>Province</th>
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<tr>
<td>(519) 599-3131</td>
<td></td>
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<tr>
<td>(519) 599-7723</td>
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C. Owner (if different from applicant)

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<tr>
<th>Last name</th>
<th>First name</th>
<th>Corporation or partnership</th>
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<tr>
<td>Saunders</td>
<td>Liz</td>
<td>Town of The Blue Mountains</td>
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D. Event Type (Other events may be considered at the sole discretion of Council)

- Charitable Event
- Wedding/ Family Gathering
- Construction Related
- Other

E. Event Details

<table>
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<tr>
<th>Event Name (if applicable):</th>
<th>Date of the Event:</th>
<th>Time of the Event:</th>
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<tbody>
<tr>
<td>Beaver Valley Fall Fair</td>
<td>Sept 6 &amp; 7, 2019</td>
<td>9am - 11pm</td>
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- Does the Event promote charitable, educational or community objectives? Yes / No
- Does the Event support the community provincially, nationally or internationally? Yes / No
- Is the Event financially supported by the Town? Yes / No
- Have there been any prior noise by-law infractions associated with this event? Yes / No

Description of the source of sound:
- Amplified sound, loud speakers, farm equipment and live music

Proposed provisions to mitigate impact of noise to affected residential premises:
The use of loud speakers will be kept to a minimum and bands will be advised to keep amplified sound to a reasonable level throughout the event.

Reasons the noise by-law exemption should be support (in the applicant's opinion):
The Beaver Valley Fall Fair is the longest running community event in The Blue Mountains and provides opportunities for all members of the community to compete, celebrate achievements and have fun.

F. Declaration of Applicant (Note: if owner is not the applicant attach the "Authorization to Act as Agent" form)

Liz Saunders  
(print name)

I certify that:

the information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

June 25, 2019  
(Signature of applicant)

Note:

1. Every application for an exemption shall be submitted a minimum of four (4) weeks in advance of the proposed event.
2. Every person who contravenes any provision of the Noise By-law No. 2002-09, as amended is guilty of an offence and on conviction is liable to a penalty as provided in the Provincial Offences Act.

Personal information contained in this form and schedules is collected under the authority of the Municipal Freedom of Information and Privacy Act and will be used in the administration and enforcement of the Short Term Accommodation Licensing By-law. Questions about the collection of personal information may be addressed to the Manager, Building & By-Law Services or The Town Clerk, Town of The Blue Mountains, 32 Mill Street, Thornbury, ON NOH 2P0 (519) 599-3131.