



**City of Kingston  
Report to Council  
Report Number 16-174**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Commissioner, Community Services  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** June 7, 2016  
**Subject:** Request for Noise Exemptions – Queen’s University Orientation Week Events

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**Executive Summary:**

The Orientation Roundtable (ORT) of the Alma Mater Society, Queen’s University, has made application for exemptions to the City’s Noise Control By-Law for five events to take place during their Orientation week events.

The ORT is requesting exemptions for a carnival, a “Frosh Night Out” event, a “Frosh Night In” event, a mystery concert and an outdoor semi-formal. The events are scheduled to take place in the Queen’s campus area between Wednesday, September 7, 2016 and Saturday, September 10, 2016. The ORT is requesting an exemption until 11:00 p.m. for all five events.

The amplified noise associated with these events is not permitted at any time in residential areas. No objections were received in response to the public notice of these noise exemption requests. Staff supports noise exemptions to allow these events.

**Recommendation:**

**That** Queen’s Alma Mater Society is granted an exemption from Schedule “B” of By-Law Number 2004-52, “A By-Law To Regulate Noise”, to permit the following events during Queen’s University Orientation Week:

1. A Carnival on Wednesday, September 7, 2016, located on Nixon Field, University Avenue at Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;

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2. A “Frosh Night Out” event on Thursday, September 8, 2016, located at Tindall Field, 160 Union Street. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;
3. A “Frosh Night In” event on Thursday, September 8, 2016, located at Summerhill, near Arch Street at Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;
4. A Mystery Concert on Friday, September 9, 2016, located at the Miller Hall parking lot behind Miller Hall, 36 Union Street. It is proposed that sound testing be conducted between 12:00 p.m. and 7:00 p.m. and that the event will follow from 7:00 p.m. to 11:00 p.m.; and
5. An outdoor semi-formal on Saturday, September 10, 2016, located at the Agnes Benidickson Field, off 5th Field Company Lane, 43 University Avenue. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.



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**Options/Discussion:**

The Orientation Roundtable of the Alma Mater Society, Queen's University, has made application for exemptions to the City's Noise Control By-Law for five events:

1. A Carnival on Wednesday, September 7, 2016, located on Nixon Field, University Avenue at Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;
2. A "Frosh Night Out" event on Thursday, September 8, 2016, located at Tindall Field, 160 Union Street. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;
3. A "Frosh Night In" event on Thursday, September 8, 2016, located at Summerhill, near Arch Street at Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.;
4. A Mystery Concert on Friday, September 9, 2016, located at the Miller Hall parking lot behind Miller Hall, 36 Union Street. It is proposed that sound testing be conducted between 12:00 p.m. and 7:00 p.m. and that the event will follow from 7:00 p.m. to 11:00 p.m.; and
5. An outdoor semi-formal on Saturday, September 10, 2016, located at the Agnes Benidickson Field, off 5th Field Company Lane, 43 University Avenue. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.

An exemption in each case is necessary because the amplified noise associated with these events is not permitted at any time in residential areas.

In 2015, Council granted noise exemptions for Queen's University Orientation Week events. No noise complaints were received arising from these events.

An advertisement of this request for exemption was placed on the City Page in the Kingston Whig-Standard on April 26, 2016 (Exhibit A) and a public notice was posted on the City of Kingston's website. The notices are published in order to give the public a chance to have input on the proposed request for exemption. No objections were received as a result of the notices.

Event organizers will provide City By-Law Enforcement and Kingston Police with a contact during the events to allow for any issues or complaints that may arise to be communicated directly to them.

Event organizers advise that they will walk the perimeter of the event site and adjacent neighbourhood streets with a sound meter during the events. If noise levels are deemed in excess, the volume will be reduced to a more appropriate level.

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**Existing Policy/By-Law:**

Council has granted exemptions to By-Law Number 2004-52 "A By-Law to Regulate Noise" for this event in the past and the authority to do so is specifically granted to Council under Subsection 129 (3) of the *Municipal Act*.

**Notice Provisions:**

The *Municipal Act* no longer requires public notification, but notice is given in order to provide Council with some community feedback before deciding on these requests.

An advertisement of this request for exemptions was placed on the City Page in the Kingston Whig-Standard on April 26, 2016 and was posted on the City's website. The advertisement stated that anyone wishing to object to the exemption should deliver their concerns in writing or by email by 4:30 p.m. on Friday, May 6, 2016, to Licensing and Enforcement. No responses were received.

**Accessibility Considerations:**

Not applicable

**Financial Considerations:**

Queen's AMS is required to pay a \$119.00 fee to help cover the cost of processing noise exemption requests as well as the full cost for publishing the notice in the newspaper.

**Contacts:**

Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

Greg McLean, Policy and Program Coordinator 613-546-4291 extension 1336

**Other City of Kingston Staff Consulted:**

Brandi Timpson, Supervisor, Enforcement, Transportation Services Department

**Exhibits Attached:**

Exhibit A Kingston Whig-Standard Advertisement

**Public Notice Section**

**Request for Noise Exemptions – Queen’s University Orientation Week Events**

The Orientation Roundtable of the Alma Mater Society, Queen’s University, on behalf of the Arts and Science Undergraduate Society Orientation Week, has applied for exemptions to the City of Kingston’s Noise Control By-Law for the following events:

A ‘Carnival’ on Wednesday, September 7, 2016, located on Nixon Field, University Avenue at Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.

A ‘Frosh Night Out’ on Thursday, September 8, 2016, located at Tindall Field, 160 Union Street. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.

A ‘Frosh Night In’ on Thursday, September 8, 2016, located at Summerhill, near Arch Street and Stuart Street. It is proposed that sound testing be conducted between 7:30 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.

A ‘Mystery Concert’ on Friday, September 9, 2016, located in the Miller Hall parking lot behind Miller Hall, 36 Union Street. It is proposed that sound testing be conducted between 12:00 p.m. and 7:00 p.m. and that the event will follow from 7:00 p.m. to 11:00 p.m.

An outdoor semi-formal on Saturday, September 10, 2016, located at the Agnes Benidickson Field, off 5th Field Company Lane, 43 University Avenue. It is proposed that sound testing be conducted between 7:00 p.m. and 8:00 p.m. and that the event will follow from 8:00 p.m. to 11:00 p.m.

The amplified noise associated with these events is not permitted at any time in residential areas, according to Section 4.2, under Schedule B of the City of Kingston’s Noise Control By-Law 2004-52.

Anyone wishing to object to these exemptions should deliver their concerns in writing or by e-mail by 4:30 p.m. on Friday, May 6, 2016 to:

City of Kingston  
Greg McLean, Licensing & Enforcement  
216 Ontario Street  
Kingston, ON K7L 2Z3

Phone: 613-546-4291 ext 1336  
Fax: 613-542-1332  
Email: gmclean@cityofkingston.ca  
Located at: 216 Ontario Street

This matter will be considered during the regular Council Meeting that commences at 7:30 p.m. on Tuesday, June 7, 2016.

Notice of Collection: Personal Information collected is pursuant to the Municipal Freedom of Information and Protection of Privacy Act (and all other applicable privacy provincial and federal legislation). Such legislation is reviewed and applied for the collection, use, disclosure and destruction of the information. The personal information collected as a result of this public notice will be used to assist in making a decision on this matter. All names, addresses, opinions and comments collected will be made available for public disclosure. Questions regarding this collection should be forwarded to Greg McLean, Licensing and Enforcement, 216 Ontario Street, Kingston, Ontario, K7L 2Z3 or by e-mailing [gmclean@cityofkingston.ca](mailto:gmclean@cityofkingston.ca)