



**City of Kingston
Report to Council
Report Number 18-178**

To: Mayor and Members of Council
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: July 10, 2018
Subject: Request for Noise Exemptions – Queen’s University AMS
Orientation Week Events

Executive Summary:

The Orientation Roundtable (ORT) of the Alma Mater Society, Queen’s University, has submitted an application for exemptions to the City’s Noise Control By-Law for five events to take place during their 2018 Orientation Week.

The ORT is requesting exemptions for a “Carnival” event, a “Frosh Night In” event, a “Frosh Night Out” event, a mystery concert and an outdoor semi-formal. The events are scheduled to take place on Queen’s campus and on Cricket Field immediately north of City Park between Monday, September 3 and Saturday, September 8, 2018. The ORT is requesting a noise exemption until 10:00 p.m. for one event, until 10:30 p.m. for another event, and until 11:00 p.m. for the remaining three events.

The amplified noise associated with these events is not permitted at any time in residential areas.

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” event on Monday, September 3, 2018 at Tindall Field, 160 Union Street. It is proposed that the event take place from 8:00 p.m. to 11:00 p.m.

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2. A “Frosh Night In” event on Tuesday, September 4, 2018, on Summerhill lawns located at the northwest corner of Arch and Stuart Streets on Queen’s Main Campus. It is proposed that the event will take place from 8:00 p.m. to 10:30 p.m.;
3. A “Frosh Night Out” event on Wednesday, September 5, 2018, on Cricket Field immediately north of City Park. It is proposed that the event will take place from 7:00 p.m. to 10:00 p.m.;
4. A “Mystery Concert” on Friday, September 7, 2018, located at the Miller Hall parking lot behind Miller Hall, 36 Union Street, and at the Medical Quadrangle, 40 Arch 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 8, 2018, located at the Biosciences Atrium and Courtyard, 166 Barrie Street, and at the Medical Quadrangle, 40 Arch Street. It is proposed that the event will take place from 8:00 p.m. to 11:00 p.m.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Lanie Hurdle, Commissioner, Community Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Denis Leger, Commissioner, Corporate & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

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

1. A "Carnival" event, consisting of rotations of carnival activities, including food, games and inflatable structures on Monday, September 3, 2018 at Tindall Field, 160 Union Street. It is proposed that the event take place from 8:00 p.m. to 11:00 p.m.
2. A "Frosh Night In" event, consisting of the screening of a movie, on Tuesday, September 4, 2018, on Summerhill lawns located at the northwest corner of Arch and Stuart Streets on Queen's Main Campus. It is proposed that the event will take place from 8:00 p.m. to 10:30 p.m.;
3. A "Frosh Night Out" event, consisting of a series of outdoor challenges for friendly competition, on Wednesday, September 5, 2018, on Cricket Field immediately north of City Park. It is proposed that the event will take place from 7:00 p.m. to 10:00 p.m.;
4. A "Mystery Concert" on Friday, September 7, 2018, located at the Miller Hall parking lot behind Miller Hall, 36 Union Street, and at the Medical Quadrangle, 40 Arch 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, including a DJ stationed inside a tent playing music, on Saturday, September 8, 2018, located at the Biosciences Atrium and Courtyard, 166 Barrie Street, and at the Medical Quadrangle, 40 Arch Street. It is proposed that the event will take place 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 2017, Council granted noise exemptions for Queen's University Orientation Week events. No noise complaints were received arising from these particular events.

An advertisement of this request for exemptions was placed on the City Page in The Kingston Whig-Standard on May 10, 2018 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. It is important to note that the AMS has changed the location for two (2) events ("Frosh Night In" and "Frosh Night Out") since the publication of the notice.

Event organizers will provide City By-Law Enforcement and Kingston Police with a contact person 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 Orientation week events 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. Two (2) locations changed following the public notification.

An advertisement of this request for exemptions was placed on the City Page in The Kingston Whig-Standard on May 10, 2018 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 18, 2018, to the Licensing and Enforcement Division.

Accessibility Considerations:

Not applicable

Financial Considerations:

Queen's AMS is required to pay a \$127.00 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

Lacricia Turner, Manager, Licensing & Enforcement 613-546-4291 extension 3222

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

Other City of Kingston Staff Consulted:

Not applicable

Exhibits Attached:

Not applicable