

Without Prejudice

My name is Donna Querengesser. My husband and I own the property at 241 Mt. Nebo Road, south of Omemee. I am here to today to discuss the potential negative impacts of noise on neighbours from wedding events.

On May 11, 2016, this Council approved a "Country Inn" establishment, that may be used for weddings, on the property immediately west of ours. This approval was granted by Council with no professional acoustical engineering advice.

Through the public process in 2016, four neighbours and two councilors identified noise as a concern. At an earlier application on Lifford Road in 2014, seven neighbours either wrote or spoke about noise concerns. This one statement from a neighbour on Lifford Road summarizes the noise concerns of all:

- Then there is the fact this complex is going to be built on the edge of a large valley and then it's going to play loud music for its guests. Heather, I can hear the casual conversations of my neighbour who owns the horse farm on top of the hill and they live 700 metres away from us. The sound of that music will come thump, thump, thumping down that hill nearly every weekend. We are also very worried about our home losing value. It's not fair to expect us to accept the noise and the loss of property value this complex will no doubt bring. As much as you might welcome the new opportunity for tourism, don't forget the people who already live on this road.

Today's Council agenda includes two requests from residents for exemptions to the Noise By Law for private weddings. The fact is: Weddings generate noise. You know it, we all know it.

The Pre-Consultation meeting for the Sutcliffe application was held on August 11, 2016. According to the minutes, the following were in attendance: Councillor Heather Stauble, Planners Chris Marshall and Sherry Rea, and Municipal Law Enforcement Manager Aaron Sloan. Although additional technical reports were requested for agricultural and environmental impacts, no noise impact report was requested.

Fast forward to April 11, 2018 when the public meeting was held under the Planning Act. The minutes of the Planning Advisory Committee Meeting state:

- From Sherry Rea, Development Planning Supervisor: "The application conforms to the Growth Plan".
- From Stephen Bedford: "the proposed uses are within the current provincial guidelines" and "the application represents good planning."

The Growth Plan says that "development outside of settlement areas may be permitted on rural lands" provided that uses "are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape".

Through the public process, four people expressed concern for the Sutcliffe uses related to noise:

- Adjacent property owner, Mrs. Parker, 858 Hwy 7A: Often at 11 pm, she can clearly hear the music from inside her house.

- Mr. Dell, 930 Gray Road: My neighbours and I will be subjected to a further loss in our quality of life in what should be a quiet peaceful rural farm community.
- The Millers, 1037 Gray Road: Expressed opposition due to noise concerns.
- Kathy Morton, farmer and business person in Bethany: I wish to express my continued concerns on the City of Kawartha Lakes Planning Department decision to rezone the Iron Horse property. The following items need to be re-addressed: c) projected noise.

In the Planning Advisory Committee Report (July 4, 2018), Planner Sherry Rea reveals that an Environmental Noise Feasibility Study has been prepared by Valcoustics Canada Ltd. (May 15, 2018), and states that "with the appropriate sound level restrictions (ie sound level feedback systems) in place for sound emissions from the barn, the guideline limits can be met at all receptors identified under all scenarios."

That noise study continues with "It should be noted that this does not mean that sources operating at the event venue will be inaudible at all times. Rather, the predicted sound levels are based on a one-hour energy average sound level. This means that some sources may be audible for short periods of time, but will not be present during the majority of the one-hour period."

Also, the noise study conclusions are based on computer modelled predictions rather than actual sound measurements, and only evaluate locations north of the event barn (closer to Highway 7A). At two of the receptors, the predicted hourly sound levels were at the exclusion limits for the wedding banquet scenario. The Valcoustics report outlined, not once but twice, the following caution: "It would be possible to validate the above analysis with sound measurements" "to confirm the predictions contained in this report."

According to the Ontario government publication: Citizens' Guide 3, Zoning Bylaws (May 2018), "council must ensure that the policies of the PPS are applied as an essential part of the land use planning decision-making process." This includes the Growth Plan and the requirement that "development outside of settlement areas" be "compatible with the surrounding rural landscape."

Given the descriptions of noise pollution from past events and the potential loss of property values for neighbours, I believe that Council requires further information to make a decision. I believe that the City should follow its "Guide to the Rezoning Process" (page 5) and require a peer review of the Valcoustics Noise Feasibility Study, confirm the predictions contained in the Study with field measurements, and ensure that exclusion limits, required mitigation measures, and required monitoring and audit measures are clearly stated in the Sutcliffe Zoning By-law Amendment. This approach will result in the best possible protection for neighbours from noise impacts, with the costs for planning and engineering that benefit Shawn Sutcliffe being paid for by Shawn Sutcliffe, rather than by the neighbours.

All that said about noise, in general, I do not agree with the Planners that wedding and other special event venues are a compatible land use with rural properties. I do not believe that the broader farming community benefits claimed by the Planners outweigh the losses in peaceful enjoyment and property values by those located near these commercial facilities. Therefore, I believe that the City should also conduct a peer review of the Planning opinions on this application.

Finally, I ask Councilor Stauble to request that the vote be recorded.