



RESOLUTION OF COUNCIL MEETING NO. 10 DATED MAY 15, 2012

REPORT NO. 31 – GENERAL COMMITTEE

(4) MARKHAM VILLAGE MUSIC FESTIVAL (3.5)

- 1) That the Briefing Note provided to Council at its meeting held on May 15, 2012 be received; and,
- 2) That the standard noise exemption until 11:00 p.m. be granted for the Markham Village Music Festival on June 15, 2012; and,
- 3) That the Main Street Markham Road be closed from 3:00 p.m. on Friday June 15, 2012 to 6:00 p.m. Saturday June 16, 2012; and further,
- 4) That the approval of the above Clauses 2 and 3 are subject to the conditions outlined in the Briefing Note to the satisfaction of Town staff.

for Kimberley Kitteringham
Town Clerk

Copy to: Paul Ingham, Director, Operations
Bill Wiles, Manager, By-law Enforcement and Licensing
Todd Wilkinson, By-law Enforcement
Olivia Bella, Special Events Coordinator



File

Briefing Note

Corporate Services Commission

MARKHAM VILLAGE MUSIC FESTIVAL- JUNE 15TH & 16TH

1. Road Closure & Noise By-law Exemption Requests

The Town receives and approves applications for road closures and exemptions to the Noise By-law for community events each year. In 2011, staff approved over 350 applications for community events and over 40 noise exemptions. To review and approve the requests, staff developed consistent practices to follow. The practices are based on applicable regulations/ by-laws, past experiences with the group, comments/ concerns from various agencies and on the location of the event. Since implementing the current approval process and consistent practices, resident complaints with noise and traffic have been avoided.

The current practice is to permit road closures only during the time period that a community event is occurring with multiple day events. The road is reopened over night and closed again for the event on the next day. This ensures unrestricted passage of emergency service vehicles throughout the night and allows for street maintenance operations. Re-opening the road overnight also reduces activity on the street which mitigates noise and parking issues and allows for the surrounding residents to freely access their homes and businesses, outside of the event hours.

Noise exemptions are granted to 11 p.m. only for events adjacent to residential areas. (Exemptions have been granted to midnight at Markham Fairgrounds where there is no adjacent residential area) The 11 p.m. limit has been established based on positive public feedback. The feedback established 11 p.m. as a reasonable compromise to those who live in the immediate area and who would prefer not to hear noise at night.

2. Markham Village Music Village Festival Request

The Markham Village Music Festival has previously followed the standard road closure requirements and noise exemption limit. This year, the Festival is asking for approval to maintain the road closure overnight (Beginning on Friday, June 15th at 3 p.m. and ending on Saturday, June 16th at 6 p.m.) and is asking for the noise exemption to be extended for a further hour to 12 p.m. on Friday night only. The additional road closure will mean that the Festival organizers will not have remove stages, tables, vendor booths etc. from the road and will allow the festival to continue for an extra hour.

Staff Concerns with Overnight Road Closure & Midnight Noise Exemption:

1. Town has implemented an 11 p.m. limit on noise exemptions for Main Street, Community Events, and for events at the Civic Centre. The 11 p.m. limit has become an expectation for surrounding residents, some who were originally opposed to any noise exemption. Allowing the exemption will set a precedent for other community groups and similar requests.
2. Access on Main Street being blocked by unmanned barriers during the overnight period-impeding emergency services and access for local residents;
3. Vandalism and security concerns with tables etc. enticing persons to remain out on Main Street;
4. Noise complaints;
5. Parking in adjoining residential areas causing nuisances for residents and noise with persons returning to the vehicles late at night;
6. Fire- advises that response time would be impacted two ways: (a) having to pass through barriers (b) travelling down a restricted fire lane on Main Street
7. Funeral Home- Any visitations on the Friday end at 4 p.m., the funeral home requested and the Town has established 4 p.m. as the earliest time to block direct access.

Options for Council's Consideration

Four options have been prepared for Council's consideration.

Option 1	(Staff Recommendation) Standard approval of road closure during the event only, with road re-opened over night and noise by-law exemption till 11 p.m.
Option 2	(Request of Markham Village Music Festival) Permit Road Closure from 4:00 p.m. on Friday, June 15 th to 6:00 p.m. on Saturday, June 16 th and provide an exemption to the Noise By-law to midnight on the Friday, June 15 th . Subject to the following: <ol style="list-style-type: none"> 1. All road closures barriers be staffed at all times and that pay duty police officers be specifically required to at Hwy.7 barrier at all times (York Region requirement); 2. 18' Fire Lane be maintained along Main Street at all times; 3. Two security officers be maintained on Main Street throughout the night; and, 4. Town staff approve a Traffic Management Plan
Option 3	Noise exemption till 11 p.m. and permit overnight road closure as per Option 2.
Option 4	Permit the Noise Exemption to midnight; however, require the road to be reopened over night

Circulation:	Mayor & Councillors, Senior Staff
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