

April 8, 2024

General/Finance Committee
Township of Muskoka Lakes
1 Bailey Street
Port Carling ON
P0B 1J0

Dear Chair Mazan and Members of the General/Finance Committee,

**Re: Special Event By-law Amendment
Agenda Item 10b General/Finance Committee Meeting - April 10, 2024**

The Muskoka Lakes Association (“MLA”) supports the proposed Special Event By-law Amendment (the “Amendment”) being considered by the General/Finance Committee on April 10, 2024, to require a special event permit for an outdoor event on private property with more than 500 attendees.

The MLA represents over 11,500 people who are full-time and seasonal residents in Muskoka, approximately 70% of whom are residents in the Township of Muskoka Lakes (the “Township”). The MLA is a volunteer membership-based organization advocating for the responsible stewardship and enjoyment of the unique environment of the Muskoka Lakes. We have been active in the region since 1894.

We note that a special event permit is an existing requirement under the Township’s Special Event By-law for events held on Township property, and the existing process for an event organizer to obtain a permit requires them to provide certain information to the Township to establish that the event will be well planned and safe for the attendees and the community.

The MLA fully supports extending the existing Special Event By-law to large outdoor events of more than 500 people on private property, since these events could create the same risks for the attendees and the community as an event on Township property.

In particular, as noted in the Staff report, large events of more than 500 people on private property have the potential to create public health and safety hazards. They could create an increased demand for police, paramedic and other emergency services, as well as requiring enhanced municipal services such as by-law enforcement (for noise, garbage disposal, sewage disposal and dark sky lighting by-laws) and public works.

For example, the vehicle traffic associated with a large special event on private property could restrict emergency vehicles (eg. fire truck, ambulance) from accessing an emergency at the event or at a neighboring property. This is of particular concern on the many narrow roads in the Township, which can often be reduced to one lane.

We support the proposed requirement for organizers of large outdoor special events on private property to apply for a special events permit and submit detailed plans describing how they will deal with risks to both attendees and the community, including plans relating to parking, traffic, sewage and solid waste disposal, security and emergency services, and compliance with municipal by-laws relating to noise and dark sky lighting.

The MLA's membership is particularly concerned with water quality, and the proposed Amendment will enable the Township to ensure there is adequate septic system capacity and/or portable toilets for a large event on private property. Our membership also greatly values peaceful enjoyment of their Muskoka properties, and the proposed Amendment will enable the Township to ensure arrangements are in place to comply with the noise and dark sky lighting by-laws.

In summary, the MLA believes that special events permits should only be issued for a large event on private property if the organizers are able to satisfy the safety and public health requirements of the Township and other relevant regulatory authorities (including the OPP, EMS, Simcoe Muskoka District Health Unit, Ministry of Transportation and the Alcohol and Gaming Commission).

We offer the following comments on specific terms of the Amendment.

Fines

Unfortunately, the amount to be gained from holding a special event without a permit may far exceed the penalty provided in the draft Amendment (maximum \$100,000). We urge the Township to consider with its legal counsel other options for a penalty that is large enough to be an effective deterrent, in light of the significant adverse impact that a poorly planned, large special event could have on attendees and the community.

For example, section 14.4 of the Township's Tree Conservation By-law provides that every person who contravenes the by-law is liable for a special fine in circumstances where there is an economic advantage or gain from the contravention and the special fine may exceed \$100,000. Similarly, sections 14.5 through 14.9 of the Tree Conservation By-law and sections 10.7 through 10.11 of the Township's Dark Sky By-law include provisions relating to continuous offenses and multiple offenses. We urge the Township to consider whether similar provisions should be included in the Amendment.

Lastly, we note that the Township's Noise By-law dates from 2005 and contains a penalty provision in section 9 similar to the penalty provision in sections 10.1 and 10.2 of the Special Event By-law. We suggest the Township consider strengthening the Noise By-law by adding penalty provisions similar to those being considered for the Special Events By-law (ie. sections

10.3 to 10.5), as well as provisions relating to continuous offenses and multiple offenses as noted above.

Application Due Date - Transition Period

We agree with the proposal for special event permit applications to be submitted 90 days in advance of the event in order to provide the Township and other relevant authorities with sufficient time to review the application. We also agree the 90 day period should be reduced during a transition period. We support Staff's recommendation of a minimum of 30 days prior to the event for events held prior to July 15, 2024, and a minimum of 60 days prior to the event for events from July 15 to August 14, 2024.

Information to be Provided with Permit Application

We recommend that the application for a special event permit include plans for dealing with sewage and solid waste, and plans for complying with the Township's noise and dark sky lighting by-laws. We have submitted our suggested language to Staff, along with other wording changes we recommend to improve clarity and enforceability of the Amendment.

Thank you for this opportunity to provide our comments, which we hope are helpful.

Sincerely,



Susan Eplett
President

Cc: Derrick Hammond, CAO
James Cox, Economic Development Officer
Crystal Parsochy, Clerk