

Noise By-law Review

Council Meeting – May 27, 2024

Background

At its Planning and Development meeting on December 4th, 2023, Council instructed staff to engage in further public consultation to seek input on the draft Noise By-law and report back with a final version.

Public Consultation

- Staff engaged the public with an online questionnaire between February 14- 29, 2024
- An open house for public engagement was conducted on February 28, 2024 at townhall
- An initial consultation was initiated in April of 2022 which consisted of an online questionnaire and public engagement

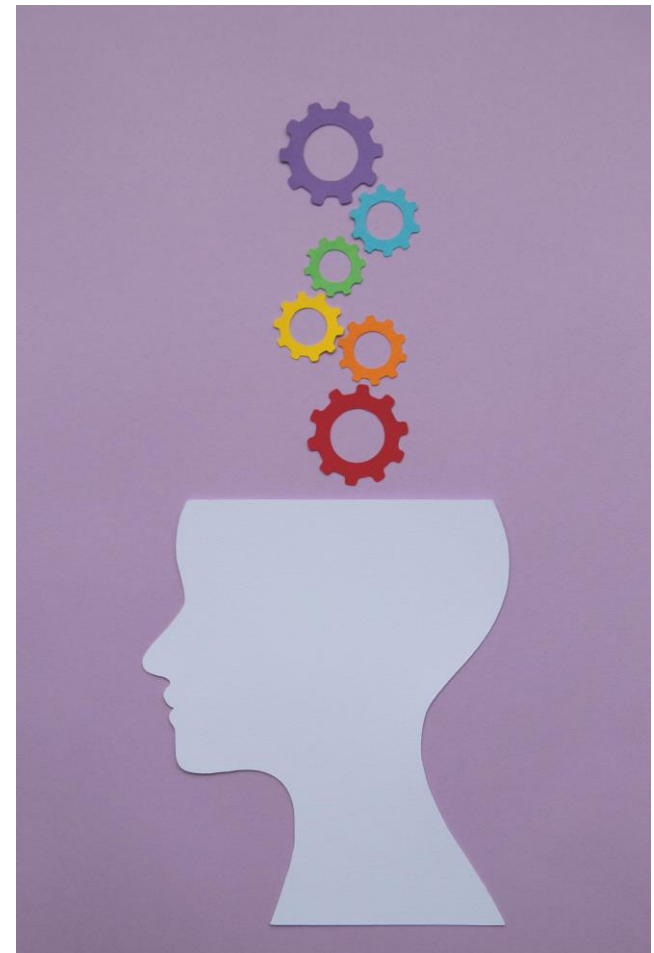
Questionnaire Results

847 people participated in the questionnaire

Over 400 individual written comments were submitted for consideration

Common concerns include noise from:

- construction
- motor vehicles & motorcycles
- fireworks
- domestic garden tools



Can I cut my lawn right now?

- A by-law that is excessively detailed and complicated , containing numerous specific provisions and stipulations will frustrate and challenge the average resident



Guiding Principles

- Noise Reduction
 - Non-permitted Residential construction hours reduced 2 hours from 9pm to 7pm in the evening
 - Sound level for music reduced from 55dBA to 50dBA
 - Interior noise levels will realize the most benefit with a potential 10dBA reduction from the current standard of 45dBA
- Fiscal Responsibility
 - New methods of investigating steady-state sound such as air conditioners will allow MES to maintain service levels despite increased demand
- Customer Focus
 - Separating Industrial noise sources from Residential/Commercial allows for greater flexibility and control over noise limits
 - Aligning noise thresholds and time restrictions promotes consistency and ease of understanding
 - Restructured noise permit process will enhance the review process and address concerns raised by the public

Construction Noise

- Construction noise from all sources are aligned to an evening 7pm time limit
- Construction noise from Residential Renovations is permitted on Sundays and Holidays until 7pm (previously 9pm) unless performed by a contractor or subject to a building permit
- Construction equipment means any equipment intended for use in construction.
- Domestic Power Tools such as lawn mowers and leaf blowers are not Construction Equipment as defined in the by-law and are permitted until 9pm
- Fines for Construction noise offences have been significantly increased due to the impact and severity of the offences

Leaf Blowers



- Staff are not recommending any changes to the current method of controlling noise from these sources
- Limiting the use of these devices by time is still the most effective & cost-efficient method of control
- Over 75% of respondents agree with the current approach to regulation
- Gas-powered devices will be addressed in item 10.2 to be presented tonight by staff from Strategy Policy and Communications

Motor Vehicle Noise

- HTA does not contain measurable noise limits for automobiles
- HTA qualitative sound limits for automobiles are enforced by police
- Municipal officers do not have authority to stop vehicles
- Stationary roadside tests such as those by the Society of Automotive Engineers (SAE) do not provide measurable noise limits for automobiles



Recommendations

- That By-law 2024-079, a by-law to prohibit and regulate noise within the Town of Oakville, and to repeal By-law 2008-098, as amended, attached as Appendix A to the report from Municipal Enforcement Services dated May 14, 2024 be passed.

Recommendations

- That Council request the Government of Ontario make our neighbourhoods quieter by establishing effective enforcement tools with requisite funding for police services to limit noise associated with loud performance and altered exhausts installed on motor vehicles by:
 - Establishing regulations setting limits on permitted decibel (dB) limits for motor vehicles and providing the authority to enforce the Highway Traffic Act using automated Camera-based Sound Level Meters;
 - Increasing fines for violations of modified exhaust and excessive vehicle noise under the Highway Traffic Act, and that a violation results in demerit points, and
 - Banning the sale of modified exhausts explicitly used to increase the sound output of a motor vehicle.
- That new noise exemption permit fees listed in Appendix D to the Report from Municipal Enforcement Services department dated May 14, 2024 be approved, effective on November 25, 2024, and such fees be included in the Rates and Fees schedule

Questions

