



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Susie Spry, Manager of Enforcement Services

**DATE:** March 29, 2023

**REPORT NO.:** ADMIN-2023-013

**SUBJECT:** Amendments to the Noise By-law No. 2010-0030

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### RECOMMENDATION:

THAT Report No. ADMIN-2023-013 dated March 29, 2023 regarding the amendments to the Town's Noise By-law 2010-0030 be received;

AND FURTHER THAT Council approve and execute the amendments to reflect changes to the noise exemption process as well as other housekeeping amendments to By-law 2010-0030 as outlined in the draft By-law (Appendix A)

### KEY POINTS:

The following are key points for consideration with respect to this report:

- The current Noise By-law was passed by Council in 2010.
- Since that time, staff have identified some areas within the by-law that require updating due to changes in the noise exemption process which now includes an application fee and a change to the application process with respect to how the public is notified of an exemption request.
- In addition, the current list of public events listed in Schedule "B" is out of date and requires updating to reflect the events currently taking place within Halton Hills on an annual basis.

### BACKGROUND AND DISCUSSION:

In 2010, Council received and approved report CS-2010-0045 in which staff brought forward the final draft of the Noise By-law 2010-0030. With the approval of this report,

staff began the enforcement of both qualitative (prohibitions by time and place) and quantitative (regulating noise with the use of sound levels) noise complaints.

New regulations were introduced with respect to noise exemptions which permitted Council to approve or deny noise exemption requests through a formal application process.

Section 5.1 of the Town's Noise By-law 2010-0030 states:

*Council may, by resolution upon receipt of a written application, grant an exemption from the provisions of Part 2 or Part 3 in connection with an event or activity, to any Person, with respect to any source of Sound for which a Person might otherwise be prosecuted, for such period of time and subject to such terms and conditions as Council deems advisable, and Council may refuse to grant any exemption or may grant an exemption of lesser effect than applied for and any exemption granted shall specify the time period during which it is effective.*

As part of the application process, the applicant is required to send written notification to owners of neighbouring properties who may be impacted by the noise by way of written notice; by personal service or prepaid first-class mail within 60 metres of the area to which the application applies in an **Urban** Class 1 Area and 500 metres of the area to which the application applies within a **Rural** Class 2 Area.

The applicant is also required to place a notice of intention to apply for an exemption to the Noise provisions of this By-law, which must contain the information required in Part 5, Section 5.2 of the By-law thereof, and shall state the date upon which the application to Council is intended to be heard. Proof of the publication (for two consecutive days) no less than ten (10) days before the day of the hearing of the application, in a newspaper of general circulation within the Town must also be provided.

Staff have received and processed many noise exemption application since 2010 and are initiating these changes to place the onus on staff to ensure proper notification of the application is completed. Previously, there had been some issues with some applicants completing the requirements of section 5 within the prescribed time lines. Therefore having the notification process completed by staff will improve efficiency and has simplified the process for the applicant.

By-law 2010-0030 would be amended as follows:

Section 5.2 will be amended to read;

5.2 An application for an exemption under Part 5.1 shall be filed with the Designated Official and submitted on an application in the form prescribed by the Designated Official with payment as set out in the Town's Rates and Fees By-law and shall provide:

Section 5.2.9 will be amended to read;

No less than ten (10) days before the day of the hearing of the application for an exemption, Town staff shall send notification to the owner of neighbouring properties who may be impacted by the Noise by way of delivery of a written notice, by personal service or prepaid first class mail;

Section 5.2.11 will be amended to read;

Town staff shall provide public notification for two consecutive days no less than ten (10) days before the day of the hearing of the application in a newspaper of general circulation within the Town, of a notice of intention to apply for an exemption to the Noise provisions of this By-law, containing information required in Part 5, Section 5.2 thereof, and stating the date upon which application to Council is intended to be made.

Schedule “B” will be amended to read:

	<b>SPECIAL EVENTS</b>	<b>MONTH</b>	<b>LOCATION</b>
1.	Acton Canada Day Concert & Fireworks	July	Fairy Lake
2.	Acton Fall Fair	September	Fairgrounds, Acton
3.	Acton Farmers Market	June	
4.	Acton Leathertown Festival	August	Mill Street, Acton
5.	Acton Santa Clause Parade	November	
6.	Classics Against Cancer	June	Cedarvale Park
7.	Georgetown Beer Festival	September	TSP
8.	Georgetown Fall Fair	September	Fairgrounds, Georgetown
9.	Georgetown Farmers Market	June	Main Street
10.	Georgetown Highland Games	June	Fairgrounds, Georgetown
11.	Georgetown RibFest	August	TSP
12.	Georgetown Santa Clause Parade	November	Guelph Street
13.	Glen Williams Canada Day Parade	July	
14.	Light Up the Hills	November	Dominion Gardens
15.	Remembrance Day Parade - Acton	November	
16.	Remembrance Day Parade - Georgetown	November	
17.	Remembrance Day Parade – Glen Williams	November	
18.	Rock N’ Roll Classics	August	Main Street, Georgetown

**STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town’s Strategic Plan.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

The Town Solicitor, the Town Clerk, as well as Recreation and Parks staff have been consulted on the preparation of the report and the final draft of the proposed amendments to the Noise by-law.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Valerie Petryniak, Town Clerk & Director of Legislative Services

Chris Mills, Chief Administrative Officer