



COUNCIL REPORT

Report Date: March 26, 2024
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Meeting Date: April 23, 2024
[Submit comments to Council](#)

TO: Vancouver City Council
FROM: General Manager of Development, Buildings and Licensing
SUBJECT: Noise Control By-law Review – Phase One

Recommendations

- A. THAT Council approve, in principle, amendments to the Noise Control By-law, as described in this report and as attached in Appendix A;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the necessary amendments to the Noise Control By-law, generally in accordance with Appendix A.
- B. THAT, subject to Council's approval of Recommendation A, Council approve, in principle, a consequential amendment to the Animal Control By-law, as described in this report and as generally set out in Appendix B;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the necessary amendments to the Animal Control By-law, generally in accordance with Appendix B.
- C. THAT, subject to Council's approval of Recommendation A, Council approve, in principle, consequential amendments to the Ticket Offences By-law, as described in this report and as generally set out in Appendix C;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment the necessary amendments to the Ticket Offences By-law, generally in accordance with Appendix C.

Purpose and Executive Summary

This report brings forward recommendations based on a staff review of the Noise Control By-law (the By-law). The review determined that while the current By-law sets out a

comprehensive framework for regulating noise and sound in Vancouver, there are opportunities to modernize and reformat it. The proposed amendments aim to improve navigation and language clarity, update the content, enhance administrative processes and alignment with other City by-laws (see amended By-law in Appendix A).

The By-law review also identified the need to retain the expertise of an acoustical engineer to undertake a technical review, particularly the sound and noise-related regulations for commercial premises and arts and special events in Vancouver. This work will be undertaken in consultation with external stakeholders and other City departments.

Council Authority/Previous Decisions

- [Section 323 \(b\)](#) of the *Vancouver Charter* authorizes Council to make by-laws to regulate noises or sounds within the city which disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity.
- The Noise Control By-law was introduced in 1989 and subsequently was amended to include additional regulations pertaining to the noise from [leaf blowers](#), [commercial premises](#) and the noise/sound [regulations](#) in the Event zone, among other amendments.
- In 1996-1997, the Urban Noise Task Force conducted a wide-spectrum review of the noise-related issues in Vancouver, issuing a [report](#). The review covered a multitude of noise and sound sources, including those that are outside of the scope and/or jurisdiction of the Noise Control By-law.

City Manager's Comments

The City Manager concurs with the foregoing recommendations.

Context and Background

The Noise Control By-law (the By-law) sets out regulations for noise and sound in Vancouver with the objective to balance peaceful enjoyment of the city while facilitating economic growth and development. The By-law has been amended over time to include new regulations as new noise-related nuisance issues were identified.

Staff initiated a review of the By-law to modernize it by streamlining the structure and updating the language of the regulations. As a part of the review process, staff conducted a jurisdictional scan of noise and sound regulations in other municipalities, reviewed complaints data, researched best practices, consulted with the public and undertook a review of the operational application of the By-law.

In May 2023, staff conducted a public survey to hear feedback on noise-related concerns. The survey generated significant interest and the results can inform future work across City departments. In December 2023, staff provided Council a summary of the results of the engagement (see Appendix D).

Discussion

The review determined that the By-law sets out a comprehensive framework for regulating noise and sound in Vancouver. The regulations are prescriptive, cover a variety of noise sources, establish decibel limits that are measurable for enforcement and define exceptions. However, there are areas that could be improved and clarified. As a result of multiple amendments over time, the By-law became complex and difficult to navigate and interpret. The review found some outdated by-law provisions as well as some areas that could have enhanced processes and better alignment with other by-laws. These findings informed the proposed amendments to the By-law, as outlined the Appendix A.

Staff also identified that the specific decibel limits in the Noise Control By-law should be reviewed at a future date by an acoustical engineer to ensure they are current and applicable to today's city soundscape. In addition, some areas require additional work to align with implementing the City of Vancouver UNDRIP Strategy and Council direction on outdoor events, Granville Street Planning and the Music Strategy. In particular, staff need to work with partners and stakeholders to review the By-law for any potential barriers for music and culture events as well as commercial premises. Staff are currently in the planning stages of scoping this work.

Staff focused the proposed recommendations in this report on opportunities to improve structure, clarify the language, remove outdated provisions, and align with other by-laws. The amended By-law sets out sound and noise-related regulations in a more consistent and easier to navigate format. Based on the operational review of the By-law, there are proposed amendments to improve processes and clarify the regulations for the public.

Improved Structure and Format

The proposed structural changes of the By-law include grouping relevant regulations together and making the language consistent across all sections to improve alignment and readability. The proposed regulations are laid out in a new structure and layout with new numbering of sections. For example, all prohibited sounds have been combined under one section for easier understanding and referencing. Also, the structure of the Sound Levels section has been updated to use a consistent format for all zones. The review also identified missing and miscategorised district schedules in Schedules A and B, the proposed amendments add and corrects the Schedules accordingly.

Enhanced Clarity

The proposed amendments are intended to clarify the existing regulations and ensure the intention of the By-law is clear. For example, the section regulating collection of waste has been amended to clarify that the section applies to the noise or sound made by a mechanical or hydraulic lift attached to the motor vehicle, rather than noise from the motor vehicle itself as sound and noise from motor vehicles, including idling, is regulated by the Motor Vehicle Noise and Emissions By-law. Further, the proposed amendments to the By-law clarify that this regulation excludes noise made by the City during the collection of solid waste overnight, to mirror section 8.2 of the Solid Waste By-law, which allows the City to collect Solid Waste at night in the night shift area.

Modernization of By-law

The review identified opportunities to modernize the content of the By-law and remove outdated provisions. For example, the National Day for Truth and Reconciliation was added to the list of holidays. Proposed amendments that address outdated standards and terms include updating the definition of “approved sound meter” by removing specific references to types of models and replacing it with a general industry standard, and the removal of the provision regulating noise from vehicle-mounted carpet cleaning equipment, as no complaints were being made under that section, and that noise can be enforced under the more general sections of the By-law regulating decibel limits based on the noise zoning area or the noise and sound emanating from a street.

Additionally, in 2002, the By-law was amended to introduce regulations requiring a decal certifying a leaf blower meets a low- noise (Category 1) ANSI standard. The review identified that the specified ANSI standard is no longer in place and, therefore, is not enforceable. Staff recommend removal of this outdated requirement from the By-law. This update will not result in a change to how the sound from leaf blowers is enforced as leaf blowers in the existing and proposed Noise Control By-law are included in the definition of power equipment, which is already regulated under the By-law. If Council approves the recommended updates to the By-law, the Ticket Offences By-law will also be amended to remove the provision related to the requirement for an ANSI decal on leaf blowers.

Alignment with Other City By-laws

Staff propose amendments to better align the Noise Control By-law with other City by-laws. These amendments include updating some of the definitions to improve clarity and align with the definitions in other referenced by-laws. For example, the definitions of “restaurant” and “extended hours liquor establishment” have been updated to reference the definitions as set out in the Licence By-law.

Staff recommend moving regulations pertaining to animal and bird noises and sounds from the Noise Control By-law to the Animal Control By-law. The regulation regarding dog barking was transferred from the Noise Control By-law to the Animal Control By-law in 2005, as it is enforced by Animal Control Officers. Applying the same rationale to sounds and noise from other animals and birds, staff recommend that the authority for responding to, investigating, and enforcing such complaints be transferred to Animal Control Officers.

Enhanced Processes

To enhance internal processes, staff recommend transferring the authority to review and approve Noise Exception Permit for construction noise applications from the Chief Licence Inspector (CLI) to the Chief Building Official (CBO). Any complaints regarding construction-related noise are directed to Building Inspections for investigation and follow-up. This transfer of authority will result in better alignment with reporting structures as the CBO is the role responsible for issuing building permits related to construction.

To increase administrative clarity, staff propose that the CBO and CLI be given the authority to require additional documentation prior to making a decision on whether to grant an exception through a Noise Exemption Permit. The aim of this recommendation is to enhance the

assessment of potential noise impacts by enabling the ability for the CBO and CLI to request documents such as a report from a registered professional acoustical engineer assessing potential noise impacts and outlining mitigation measures or a report from a professional engineer to confirm that the proposed work must be completed outside of permitted hours. The Chief Licence Inspector will retain the authority to review and grant exemptions for sound and noise generated by special events.

To assist the public in submitting complaints about the noise or sounds from construction projects, staff also recommend that all development and/or construction sites be required to post signage with the contractor's and the City's contact information for noise complaints. The current By-law does not require signs for the construction of single detached homes or duplexes, or projects that do not exceed a building permit value of \$500,000.

Upcoming Work: Noise and Sound Management in Commercial Premises and for Events

The next phase of the Noise Control By-law review will use departmental funding to retain an acoustical engineer to provide technical expertise. Staff will work together with the acoustical engineer, partners and stakeholders on a review of the sound and noise-related regulations for commercial premises and for arts and special events in Vancouver. The aim of this work is to support a vibrant arts and culture environment in Vancouver. Staff will seek ways to reduce barriers and increase opportunities including a review of the noise exception process for special events, and the regulations for commercial premises, including restaurants and liquor establishments, and will also look for options to mitigate impacts on neighbourhoods. This work will be aligned with the implementation of the City of Vancouver UNDRIP Strategy, Music Strategy, and Culture|Shift, as well as Council direction on outdoor events and Granville Street Planning.

Financial Implications

There are no financial implications requiring Council's consideration.

Legal Implications

There are no legal implications requiring Council's consideration.

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APPENDIX A

DRAFT By-law to amend Noise Control By-law No. 6555 regarding miscellaneous amendments

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of Noise Control By-law No. 6555.
2. Council strikes out section 1 and substitutes the following:

“PART 1 INTERPRETATION

By-law name

- 1.1 This by-law may be cited as the "Noise Control By-law".
3. Council renumbers section 2 as section 1.2.
4. In section 1.2, Council:
 - (a) strikes out “In this By-law where any abbreviation or technical standard is used but not defined specifically or by context, it shall be interpreted by reference to the definitions and technical standards last published by the Canadian Standards Association (CSA), the American Standards Institute (ANSI), the International Organization for Standardization (ISO), or the International ElectroTechnical Commission (IEC), as applicable and, unless the context otherwise requires:” and substitutes the following:

“Definitions

- 1.2 In this by-law, unless the context otherwise requires:”;
 - (b) in the definition of activity zone, strikes out “Schedule “A”” and substitutes “Schedule A, but does not include any areas that are located within the portions of the city shown outlined in Schedule B.1 or Schedule G.1”;
 - (c) in the definition of “approved sound meter”, strikes out “means an instrument calibrated to measure levels of sound pressure in accordance with the minimum specifications for type 2 general purpose sound level meters set out under ANSI S1.4 or IEC 123, and includes Bruel and Kjaer's Sound Level Meter Type 2232, 2230, and 2205 as well as Larson-Davis Laboratories Model 700” and substitutes “means an ANSI or IEC Type 2 precision integrating meter that is calibrated for the measurement of sound”;
 - (d) adds a new definition for “commercial-size container” in the correct alphabetical order as follows:

““commercial-size container” has the meaning set out in the Solid Waste By-law;”;
 - (e) strikes out the definition of daytime and substitutes the following:

““daytime” means:

- (a) unless otherwise provided in this by-law, from 7:00 a.m. to 10:00 p.m. on any weekday or Saturday, and from 10:00 a.m. to 10:00 p.m. on any Sunday or holiday; and
- (b) in the case of B.C. Place Stadium, Rogers Arena, and a civic plaza in the event zone, from 7:00 a.m. to 11:00 p.m. on any weekday or Saturday, and from 10:00 a.m. to 11:00 p.m. on any Sunday or holiday;”;
- (f) strikes out the definition of downtown area in its entirety;
- (g) in the definition of event zone, strikes out “Schedule “B.2”” and substitutes “Schedule G.1”;
- (h) in the definition of extended hours, strikes out “means the difference between the time at which any particular class of standard hours liquor establishment opens or closes for business in any particular area, and the time at which the same class of extended hours liquor establishment opens or closes for business in the same area” and substitutes “has the meaning set out in the Licence By-law”;
- (i) in the definitions of extended hours liquor establishment and standard hours liquor establishment, strikes out “License By-law” and substitutes “Licence By-law”;
- (j) strikes out the definition of holiday and substitutes the following:
 - ““holiday” includes:
 - (a) Sunday, Christmas Day, Good Friday and Easter Monday;
 - (b) Canada Day, Victoria Day, British Columbia Day, Labour Day, National Day for Truth and Reconciliation, Remembrance Day, Family Day and New Year’s Day;
 - (c) December 26; and
 - (d) a day fixed by the Parliament of Canada or by the Legislature, or appointed by proclamation of the Governor General or the Lieutenant Governor, to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday;”;
- (k) in the definition of intermediate zone, strikes out “Schedule “B” and that portion of the City shown outlined on Schedule “B.1”” and substitutes “Schedule B and that portion of the city shown outlined on Schedule B.1, but does not include any areas that are located within the portion of the city shown outlined in Schedule G.1”;
- (l) strikes out the definition of point of reception and substitutes the following:
 - ““point of reception” means:
 - (a) a point in a lane or street, adjacent to but outside of the property occupied by the recipient of the noise or sound, that represents the shortest distance between that property and the source of the noise;

- (b) where no lane, street, or other public property exists between the recipient and the source, any point outside the property line of the real property from which the noise or sound emanates; or
- (c) in the case of noise emanating from inside Rogers Arena, a point as defined in subsection (a) or (b) or a point immediately adjacent to and outside of any dwelling unit located within the site legally described as PID: 018-500-374, Lot 221, Plan LMP 12038,

and in any case, at least 1.2 m above the surface of the ground;”;

- (m) in the definition of power equipment, adds “, but does not include chain saws” after “hand-operated power tools”;
- (n) in the definition of quiet zone, strikes out “City” and substitutes “city”;
- (o) strikes out the definitions of Restaurant – Class 1 and Restaurant – Class 2 in their entirety and substitutes the following:
 - ““restaurant” has the meaning set out in the Licence By-law;”;
- (p) in the definition of slow response, strikes out “means the pre-determined setting of a sound level meter, which setting meets the minimum specifications set out in ANSI S1.4 or IEC 123” and substitutes “means the slow response setting of an approved sound meter “; and
- (q) in the definition of “sound level”:
 - (a) adds “, with the energy average equivalent level (leq)” after “approved sound meter”, and
 - (b) strikes out “.” and substitutes “;”.

5. Council adds the following new sections in the correct numerical order:

“Schedules

1.3 The schedules attached to this by-law form part of this by-law.

Severability

1.4 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law and is not to affect the balance of this By-law.”.

6. Council strikes out sections 3, 3A, 4, 4A, 4B, 5, 6, 6A, 7, 8, 9, 10, 11, 11A, 11B, 11C, 11D, 11E, 12, 12A, 13, 13A, 14, 14A, 14B, 14C, 14D, 15, 16, 17, 18 and 19, and substitutes the following:

“PART 2

SOUND LEVELS

Continuous sound in quiet zone

2.1 In a quiet zone, a person must not make, cause or permit to be made or caused, continuous sound, the sound level of which:

- (a) during the daytime:
 - (i) exceeds a rating of 55 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 60 dBA on an approved sound meter when received at a point of reception within an intermediate zone, an activity zone or an event zone; or
- (b) during the nighttime:
 - (i) exceeds a rating of 45 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 55 dBA on an approved sound meter when received at a point of reception within an intermediate zone, an activity zone or an event zone.

Continuous sound in intermediate zone

2.2 In an intermediate zone, a person must not make, cause or permit to be made or caused, continuous sound, the sound level of which:

- (a) during the daytime:
 - (i) exceeds a rating of 60 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 70 dBA on an approved sound meter when received at a point of reception within an intermediate zone, an activity zone or an event zone; or
- (b) during the nighttime:
 - (i) exceeds a rating of 50 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 65 dBA on an approved sound meter when received at a point of reception within an intermediate zone, an activity zone or an event zone.

Continuous sound in activity zone or event zone

2.3 In an activity zone or an event zone, a person must not make, cause or permit

to be made or caused, continuous sound, the sound level of which:

- (a) during the daytime:
 - (i) exceeds a rating of 60 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 70 dBA on an approved sound meter when received at a point of reception within an intermediate zone or an activity zone; or
- (b) during the nighttime:
 - (i) exceeds a rating of 55 dBA on an approved sound meter when received at a point of reception within a quiet zone, or
 - (ii) exceeds a rating of 65 dBA on an approved sound meter when received at a point of reception within an intermediate zone or an activity zone.

Non-continuous sound in all zones

2.4 In a quiet zone, an intermediate zone, an activity zone, or an event zone, a person must not make, cause or permit to be made or caused, non-continuous sound, the sound level of which:

- (a) during the daytime exceeds a rating of 75 dBA on an approved sound meter when received at the point of reception; or
- (b) during the nighttime exceeds a rating of 70 dBA on an approved sound meter when received at the point of reception.

Noise emanating from a street

2.5 Noise or sound emanating from a source on a street is, for the purposes of sections 2.1, 2.2, 2.3 and 2.4, deemed to be emanating from an activity zone, and must be measured at the point of reception or at least 6.1 m from the source of the noise or sound, whichever is greater.

Noise received on a street

2.6 Where noise or sound emanating from a source on a parcel of real property is received on a street, for the purposes of sections 2.1, 2.2, 2.3 and 2.4, the street is deemed to be an activity zone, and the noise or sound must be measured at least 6.1 m from the source of the noise or sound.

PART 3

PROHIBITED NOISES OR SOUNDS

Prohibited noises or sounds

3.1 The following noises or sounds are prohibited, despite the fact that such noises or sounds may not constitute a violation of any other provision of this by-law, and a person must not make, cause or permit to be made or caused, any such noise or sound:

- (a) the bass noise or bass sound made by a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, in commercial premises, the level of which:
 - (i) during the daytime, exceeds a rating of 70 dBC on an approved sound meter for a period of three minutes at the point of reception,
 - (ii) during the nighttime, exceeds a rating of 65 dBC on an approved sound meter for a period of three minutes at the point of reception,
 - (iii) if residential premises are in the same building or share a party wall with the commercial premises, or if a wall of residential premises and the wall of the commercial premises are flush against one another, exceeds a rating of 55 dBC on an approved sound meter for a period of three minutes in such residential premises at the centre of the living room or bedroom which is closest to the commercial premises in the same building or with which such residential premises shares a party wall or wall that is flush to a wall of the commercial premises, or
 - (iv) if the commercial premises are an extended hours liquor establishment:
 - (A) located in any area outlined in black on Schedule F – Map 1 or Schedule F – Map 4, exceeds a rating of 80 dBC, or
 - (B) located in any area outlined in black on Schedule F – Map 2, Schedule F – Map 3, Schedule F – Map 5, Schedule F – Map 6, or Schedule F – Map 7, exceeds a rating of 75 dBC,during extended hours, on an approved sound meter for a period of one minute at a distance of 3 m from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 m above the ground;
- (b) the noise or sound made by a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, in commercial premises the level of which:
 - (i) exceeds 3 dBA above the background noise on an approved sound meter when measured for a period of three minutes at the

- point of reception,
- (ii) if residential premises are in the same building or share a party wall with the commercial premises, or if a wall of residential premises and the wall of the commercial premises are flush against one another:
 - (A) during the daytime, exceeds a rating of 50 dBA, or
 - (B) during the nighttime, exceeds a rating of 45 dBA,on an approved sound meter for a period of three minutes, in such residential premises, at the centre of the living room or bedroom which is closest to the commercial premises in the same building or with which such residential premises shares a common wall or party wall or wall that is flush to a wall of the commercial premises, or
 - (iii) if the commercial premises are an extended hours liquor establishment, during extended hours, exceeds 3 dBA above the background noise on an approved sound meter for a period of one minute at a distance of 3 m from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 m above the ground;
- (c) the noise or sound made by music, whether recorded or live, whether amplified or not, in commercial premises, the sound level of which exceeds an interior rating of 90 dBA on an approved sound meter when measured within the premises at a distance of not less than 6.1 m from the source, unless a notice containing the word "CAUTION" in bold face, followed by the words "THE SOUND LEVEL WITHIN THESE PREMISES MAY BE HAZARDOUS TO YOUR HEARING" in capital letters and the symbol shown on Schedule "D", is posted in a prominent location at the entry to the premises, and is constructed so that:
- a. it is rectangular in shape,
 - b. it is at least 15 cm high and 30.5 cm wide,
 - c. the lettering for the word "CAUTION" is at least 2 cm high and in red and for the balance of the script is at least 1 cm high and in any colour which contrasts with the background, and
 - d. the symbol is at least 10 cm high;
- (d) the noise or sound made by live entertainment in a restaurant after 9:00 a.m. and before 1:00 a.m., that exceeds an interior rating of 90 dBA on an approved sound meter when measured within the restaurant for a period of three minutes at a distance of 2 m from an exterior or party wall, and at a height of at least 1.2 m above the floor;
- (e) the noise or sound made by power equipment:
- (i) during the nighttime, or

- (ii) during the daytime that exceeds a rating of 77 dBA on an approved sound meter when received at the greater of 15.2 m or a point of reception;
- (f) the noise or sound made by a chain saw:
 - (i) during the nighttime, or
 - (ii) during the daytime that exceeds a rating of 87 dBA on an approved sound meter when received at a point of reception;
- (g) the noise or sound made by beach screening equipment owned by the Vancouver Park Board that exceeds a rating of 77 dBA on an approved sound meter when received at the greater of 15.2 m or a point of reception;
- (h) the noise or sound resulting from construction:
 - (i) in or adjacent to residential premises, but not including a street, the continuous sound level of which exceeds a rating of 85 dBA on an approved sound meter when measured at the property line of the parcel of land where the construction is taking place that is nearest to the point of reception of the noise or sound, or
 - (ii) that disturbs the quiet, peace, rest or enjoyment of the public, except:
 - (A) from 7:30 a.m. to 8:00 p.m. on any weekday that is not a holiday, or from 10:00 a.m. to 8:00 p.m. on any Saturday that is not a holiday, or
 - (B) for construction on a street, from 7:00 a.m. to 8:00 p.m. on any weekday or Saturday, or from 10:00 a.m. to 8:00 p.m. on any Sunday or holiday;
- (i) the noise or sound made by a mechanical or hydraulic lift attached to a motor vehicle used for the transportation of solid waste when collecting solid waste from a commercial-size container that is located in or adjacent to residential premises:
 - (i) outside the area shown outlined in Schedule C except from 7:00 a.m. to 8:00 p.m. on any weekday, or from 10:00 a.m. to 8:00 p.m. on any Saturday, Sunday, or holiday, or
 - (ii) inside the area shown outlined in Schedule C except from 6:00 a.m. to midnight on any weekday, or from 10:00 a.m. to midnight on any Saturday, Sunday, or holiday, except when such noise or sound is made by the City between 10:00 p.m. and 7:00 a.m. in the night shift area, as defined in the Solid Waste By-law;
- (j) any noise or sound made in a street, park or similar public place that disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.

Prohibited noises or sounds from premises

3.2 The following noises or sounds are prohibited, despite the fact that such noises or sounds may not constitute a violation of any other provision of this by-law, and the owner or occupant of any premises must not make, cause or permit to be made or caused, any such noise or sound:

- (a) the noise or sound made by live entertainment in a restaurant after 1:00 a.m. and before 9:00 a.m.;
- (b) the noise or sound made by a leaf blower:
 - (i) operated within the boundaries of the area of the city outlined in black on Schedule E, or
 - (ii) operated in any area of the city outside the boundaries outlined in black on Schedule E, within 50 m of any residential property line except between the hours of 8:00 a.m. to 6:00 p.m. on any weekday or between the hours of 9:00 a.m. to 5:00 p.m. on any Saturday;
- (c) the following noises or sounds emanating from premises when they are clearly audible to an individual or member of the public who is not on the same premises:
 - (i) noise resulting from a gathering of two or more persons at any time, where one or more human voice is raised beyond the level of ordinary conversation;
 - (ii) the sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, except when the sound emanates from commercial premises, or
 - (iii) the noise resulting from construction except during the hours and days during which section 3.1(h)(ii) permits a person to carry on construction.

Construction sign requirement

3.3 The owner of a parcel of land upon which construction is taking place must:

- (a) post a sign in a prominent location on the parcel of land that is clearly visible from at least one adjacent street that:
 - (i) is rectangular in shape,
 - (ii) is at least 42.5 cm high and 27.5 cm wide,
 - (iii) contains script that is at least 1.25 cm high, and is in a colour that contrasts with the background of the sign, and
 - (iv) sets out the sections of this by-law that apply to the construction,

the name of the general contractor for the construction on the parcel of land, the name and telephone number of an individual representative of that general contractor that persons may contact during all on-site working hours, and the City's contact information for complaints; and

- (b) maintain the sign during the course of construction.

PART 4 EXCEPTIONS

Application of certain sections

4.1 Sections 2.1, 2.2, 2.3, 2.4 and 3.1(j) of this by-law do not apply to noise or sound made:

- (a) as a consequence of the construction, cleaning, or other maintenance of any building, street, sewer, water main, electrical duct, or other public utility;
- (b) by the sound of church bells, chimes, or carillons, whether amplified or not; or
- (c) as a consequence of the lawful testing of an emergency generator provided that it is not operated more than once a month during the daytime, and for a maximum of 60 minutes, plus once a year for a maximum of 180 minutes, and its continuous sound level does not exceed a rating of 80 dBA on an approved sound meter when measured at the point of reception or at least 6.1 m from its source, whichever is the greater.

Application of zone sound levels to prohibited noises or sounds

4.2 Despite any other provision of this by-law, if a sound level has been set out for a noise or sound in section 3.1 that exceeds the sound levels set out in sections 2.1, 2.2, 2.3 and 2.4 of this by-law, then the sound levels set out in sections 2.1, 2.2, 2.3 and 2.4 do not apply to that noise or sound.

Exceptions

4.3 Despite any other provision of this by-law, a person may make, cause or permit to be made or caused, a noise or sound that exceeds the sound levels set out in this by-law where such noise or sound:

- (a) emanates from residential premises and the point of reception is in the same building;
- (b) is made by equipment used to remove snow or ice;
- (c) is made when performing works of an emergency nature for the preservation or protection of property, life or health, including sound made by any equipment or vehicles used for that purpose;

- (d) is made by a participant in and as a consequence of a festival, race, parade or other special event provided such program, festival, race, parade or event has been authorized by Council;
- (e) emanates from B.C. Place Stadium and is caused by a concert or an event using motor vehicles, provided that the total number of such concerts or events does not exceed 10 in a year;
- (f) emanates from B.C. Place Stadium and is caused by the cheering of crowds at a sporting event; or
- (g) emanates from Rogers Arena during a concert or sporting event, provided that the sound level does not exceed an average of 82 dBC when measured using an approved sound meter at the point of reception, for a continuous period of 15 minutes.

Exceptions for construction and special events

4.4 In any case where it is impossible or impractical to comply with sections 3.1(h)(i) or (ii) or where, as the result of a special event, sections 2.1, 2.2, 2.3, 2.4 or 3.1(j) cannot be complied with, an application in the form prescribed by the Chief Building Official may be made to the Chief Building Official for an exception in the case of construction work, and an application in the form prescribed by the Chief Licence Inspector may be made to the Chief Licence Inspector in the case of a special event, and the Chief Building Official or Chief Licence Inspector may give consent in writing to carry on any such works or events outside the prescribed limits and upon such terms as the Chief Building Official or Chief Licence Inspector determines, except that an exception must not be granted for a period longer than 180 days, and:

- (a) the Chief Building Official or Chief Licence Inspector may require additional documentation prior to making a decision whether to grant an exception, including a report from a registered professional acoustical engineer;
- (b) the application must be submitted at least five working days prior to the date of the proposed works or events;
- (c) in any case where, because of an emergency or other unforeseen circumstance, an application cannot be submitted within the time limit prescribed in (b) above, the Chief Building Official or Chief Licence Inspector may waive that limitation;
- (d) the Chief Building Official or Chief Licence Inspector may suspend an exception issued under this section at any time; and
- (e) each application must be accompanied by the following non-refundable fee:
 - (i) for an application submitted at least five working days prior to the date of the proposed activity.....\$237.00, and
 - (ii) for an application submitted less than five working days prior to the date of the proposed activity, if the time limit has been waived under (c) above.....\$470.00.”.

7. Council strikes out section 20 and substitutes the following:

**“PART 5
OFFENCES AND PENALTIES**

Offences under by-law

- 5.1 A person who:

- (a) violates any of the provisions of this by-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law;
- (b) neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law; or
- (c) does any act which violates any of the provisions of this by-law,

is guilty of an offence against this by-law and liable to the penalties hereby imposed, and each day that a violation is permitted to exist shall constitute a separate offence.

Fines for offences

- 5.2 Every person who commits an offence against this by-law is liable to a fine and penalty of not more than \$10,000.00 and not less than \$250.00 for each offence, except that:

- (a) every person who commits an offence against section 3.1(h)(ii) by carrying on construction other than within the times specified or section 3.1(i) by causing noise from solid waste collection other than within the times specified is liable to a fine of not less than \$500.00 for each offence; and
- (b) every person who commits an offence against section 3.1(a)(i), (ii) or (ii) or section 3.1(b)(i) or (ii), is liable to a fine of not less than \$500.00 for each offence.

Fine for continuing offence

- 5.3 Every person who commits an offence of a continuing nature against this by-law is liable to a fine not less than \$250.00 and not more than \$10,000.00 for each day such offence continues.”.

8. Council strikes out sections 21 and 22.
9. Council renumbers sections 23 and 24 as sections 6.1 and 6.2, respectively.
10. Council:
- (a) adds the following section heading below section 5.3:

**“SECTION 6
REPEAL AND ENACTMENT”;**

- (b) adds the following heading immediately above section 6.1:
“Repeal”; and
- (c) adds the following heading immediately above section 6.2:
“Force and effect”.
11. In Schedule A, Council:
- (a) adds “I-3” and “I-4” under “The following districts, which are more particularly described in the Zoning and Development By-law of the City of Vancouver, constitute part of the Activity Zone:”;
- (b) strikes out “405 (8326) 395 West 5th”;
- (c) strikes out “(8459)” under the column for By-law # in the line for CD-1 (411) and substitutes “8459”;
- (d) strikes out “412” under the column for CD-1 # in the line for by-law 8546 and substitutes “414”;
- (e) adds “237” under the column for CD # in the line for by-law 6475; and
- (f) strikes out the entries for CD-1 (20) By-law 4015 and CD-1 (24) By-law 4065 and substitutes the following:
- | | | |
|------|------|----------------------------|
| “321 | 7232 | 1601 West Georgia Street |
| | | 1601-1650 Bayshore Drive”. |
12. In Schedule B, under “The following districts, which are more particularly described in the Zoning and Development By-law of the City of Vancouver, constitute part of the Intermediate Zone:”, Council:
- (d) strikes out “I-3”; and
- (e) adds “C-5A”, “C-7” and “C-8”.
13. Council renumbers Schedule B.2 as Schedule G.1.
14. Council strikes out Schedule E.
15. Council renumbers Schedule F as Schedule E.
16. A decision by a court that any part of this by-law is illegal, void, or unenforceable severs that part from this by-law, and is not to affect the balance of this by-law.
17. This by-law is to come into force and take effect on the date of its enactment.

How were engagement opportunities promoted and shared?

An extensive communications plan to bring awareness to the survey was implemented.

Communications efforts included:

- Posters at all libraries, community centres, police stations and public facing work areas across the City
- Media outreach including a news release, interviews and statements
- Extensive digital campaign across the City's social media channels.
- Email outreach to industry stakeholders

The survey was promoted in 6 languages, and participants could utilise the auto-translation function, available in 16 languages, on the Shape Your City platform during the survey.

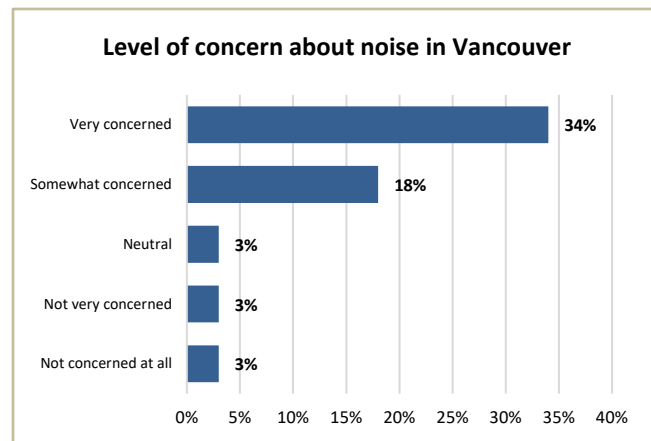


Survey Respondents Demographics

In terms of participants, 78% identified as residents and another 18% stated that were business operators and industry representatives or workers in Vancouver. Among industry representatives that indicated their area of work, the top three included event organizers and entertainers (42%), commercial industry (34%) and restaurant/hospitality (15%). Additionally, a majority (61%) of the respondents live in an apartment or condo building followed by single detached house residents (25%). Almost 80% of respondents were between 30 and 69 years old.

General Noise Concerns

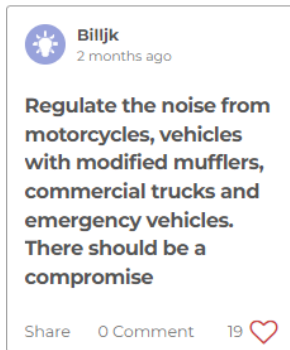
With respect to noise in Vancouver, over half (52%) indicated that they are either very or somewhat concerned about it. An overwhelming majority (85%) of respondents said that the city noise has significantly or somewhat increased over the recent years. When asked about familiarity with noise regulations in Vancouver, more than half of the respondents (61%) stated they are somewhat or very familiar with how sound/noise is regulated by the City.



The survey also provided an opportunity to submit general feedback on noise-related issues in Vancouver and received almost 2,600 responses. The main themes identified in these submissions are similar to the concerns reflected in the first part of the survey with one additional area (vehicle noise). The main issues identified through the open-ended feedback are:

- Vehicle noise such as excessive traffic noise, loud motorcycles, and sirens of emergency vehicles are considered to be a nuisance and health issue by the respondents.
- Noise from landscaping equipment such as gas-powered leaf blowers are also considered to be a common noise and pollution concern. Respondents called for stricter regulations that are consistent across the city.
- Several respondents identified a need for quieter spaces in the city and the necessity to enhance enforcement of the existing regulations.

- Construction noise was also identified as a major noise concern with the need for stronger enforcement in this area, especially with multiple or large construction projects in close proximity to or in residential neighbourhoods.



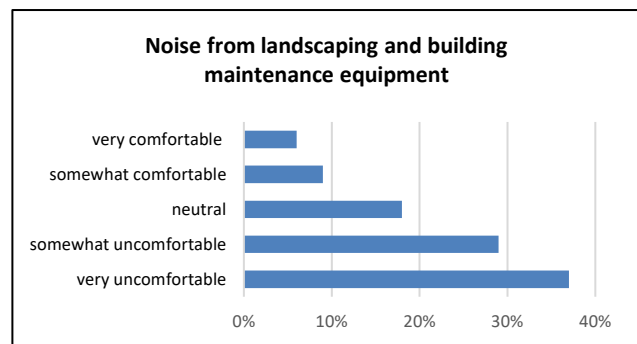
The Ideas tool also provided an opportunity for the respondents to provide unstructured input on noise issues in Vancouver. 79 ideas were submitted using this tool with 684 overall contributions (commenting, voting). The main themes that emerged through this engagement platform were concerns about vehicle and motorcycle noise (including modified exhaust systems on cars and motorcycles, emergency vehicle sirens, delivery and garbage collection trucks, etc.) and traffic noise, call for stronger enforcement of existing noise regulations, call for ban of gas-powered leaf blowers and concerns about other types of noise in public spaces.

Types of Noise Concerns

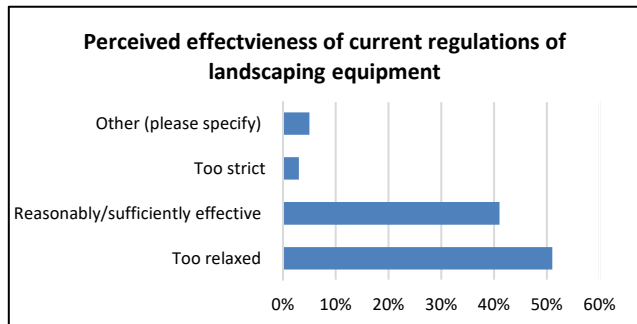
When asked about how concerned people are about specific sources of noise and sound, respondents were the most uncomfortable with landscaping and building maintenance equipment (66%) and construction noise (65%). Indoor special events noise received the lowest rating for concern. Half of the respondents also identified noise from residential premises as a concern, such as parties, music and loud talking/shouting. Comparatively, sound and noise from the commercial premises (bars and restaurants, etc.) was only identified as a concern by less than a third of all respondents.

Landscaping equipment

When asked about how concerned people are about specific sources of noise and sound, respondents were most uncomfortable with landscaping and building maintenance equipment (66%).

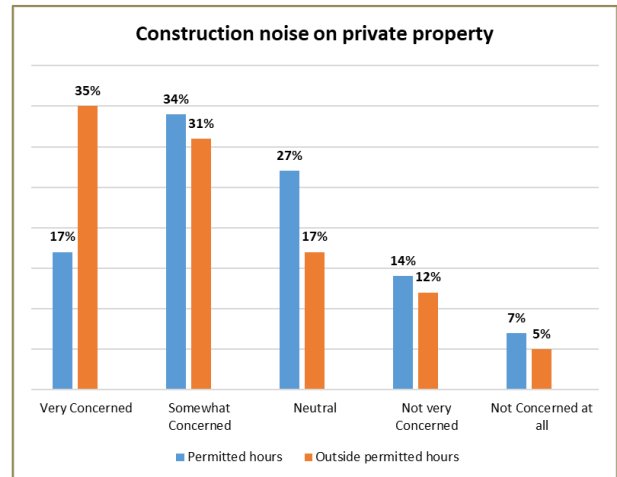


The majority (51%) of respondents also consider the current regulations to be too relaxed, while 41% considered the current regulations to be sufficiently effective. People commented on the need for stronger enforcement, consistent regulations across the city and call for ban of gas-powered leaf blowers for noise and environmental reasons.



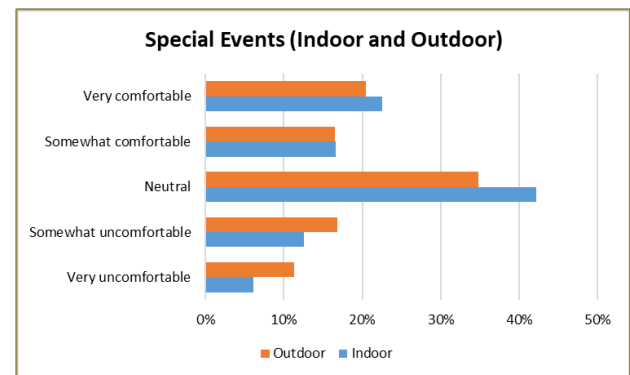
Construction noise

Construction noise has been identified as one of the main noise concerns in the city both through the complaints data and through the survey. Over half (52%) of respondents indicated their overall dissatisfaction with how the current By-law regulates construction noise. Two thirds of respondents were especially concerned about private property construction noise occurring outside of permitted hours. Almost all respondents who provided additional feedback on this issue called for shorter hours of construction (later start and/or earlier end time), stronger enforcement and/or not allowing construction on weekends. Construction on the public property such as street or sidewalk repair was tolerated slightly better.



Special events

The majority (52%) of respondents expressed their support for more arts, culture and community events in Vancouver, with stating they have little or no concern about noise from special events. With respect to attitudes towards allowing the City to issue special event noise exemption permits almost half of the respondents (46%) supporting this initiative, 18% being neutral to it and 36% not in support. The majority (54%) of the respondents also supported the special event noise exemption permit to be issued only in Intermediate, Activity and Event zones.



Conclusion

This public engagement exercise provides detailed information to Council on how the public feels about noise in Vancouver, its current regulations and what areas and types of noise are of most concern. Based on these findings, staff will seek Council’s direction to prioritize future work in these areas to address public concerns and consult with industries to reduce potential impact, wherever possible, and to find effective solutions in an evolving urban landscape.