

70 dbs at point of reception is likely 90 debs at the patio and represents the status quote.

70 dbs is too loud to be sustained by residents over several hours, potentially daily, because that sound level will filter into their private homes.

This provision is also mute on the issue of patio noise being generated by inside speakers. At midnight bar owners can switch from patio speakers to indoor speakers - technically making them compliant with the noise by-law but still generating loud amplified music.

This is currently the case. The Barking Frog and Jacks are two examples where these bar owners do not place speakers directly on patios but can still generated amplified sounds on patios that can be heard several blocks away.

Last summer, by-law enforcement officers working only Friday and Saturday evenings from 7pm to 3am between August and September logged almost 1100 noise complaints without speakers on patios.

I think it is important to understand, and I address this specifically to Councillor Helmer and Salih, and Councillor Squire – who is an attorney, that private property owners are equal under the law. Commercial property owners do not have any greater rights or authority to disturb the quiet enjoyment of one's private property or home simply because they are generating income for themselves.

This is why other cities stipulate that amplified entertainment on private property cannot be heard beyond the property line for both residential and commercial property because under the law they are equal and no custom made noise by-law can change that.

This noise by-law is based on the issuance of permits and the conditions of those permits are at the discretion of the city by-law office. My understanding of how this will be implemented is that the by-law office has sole discretion on the conditions of that permit including permissible sound levels. For example, Bungalow the restaurant located at Waterloo and Cheapside may have a lower

permissible dbs of 40 at the point of reception because it is surrounded by single family homes but single family homes on John Street for example, next to the Barking Frog, will receive 70 dbs at the point of reception because it is in an entertainment district.

This is discriminatory based on locations and the type of person affected and is illegal. The impacts of noise is serious, not just because it negatively impacts your physical and mental health but also because it impacts on our ability to rent our apartments which is a source of income for us and many others that provide affordable housing.

The same can be said for extending concert performances to midnight. While the music may end at midnight, the streaming of individuals through neighbourhoods is long lasting and creates as much of a disturbance as the concert itself. People waiting to go to sleep do not fall asleep at midnight once the music stops. They continue to be disturbed as parked cars move in and out of their neighbourhoods, people's voices streaming through are also loud and realistically it can take over an hour before streets are quiet again. A 11pm curfew is a fair compromise for both residents and concert promoters.

Finally, there was no public meeting regarding penalties for repeat offenders of the noise by-law for concert organizers. I just want to state on the record that Rock the Park has become an open festering wound and there is a growing disdain for this event. Not just from the residents in the neighbouring areas but from across the city that have to put up with sound distortions as far away as Byron and South London. I feel that council has belittled the concerns of residents last week when they stated that this is not an urgent matter and now are posed to extend it further to midnight.

I am asking you to please respect the concerns of residents, as it is residents take make up the backbone of any successful community.

Thank You

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