

TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON FEBRUARY 20, 2019
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	SOUND BY-LAW – PUBLIC PARTICIPATION MEETING OUTDOOR PATIO TIME EXEMPTION AND HOUSEKEEPING AMENDMENTS

RECOMMENDATION

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the attached proposed By-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council Meeting on March 5, 2019 to amend the Sound By-law PW-12 to extend the minimum time conditions for amplified sound on outdoor patios, effective from 12:00 midnight to 1:00 a.m. and other housekeeping amendments.

BACKGROUND


On January 29, 2019, Municipal Council amended the Special Events Policies and Procedures Manual to extend the hours for sound arising from the outdoor stage in the Budweiser Gardens parking lot to 2:00 a.m. for JUNO week. At the same time Council directed Civic Administration to report back with an amendment with respect to temporary permits for the amplification of sound for outdoor patios for March 14-17, 2019.

The Sound By-law delegates the authority to the Manager of By-law Enforcement (“Manager”) to review applications for temporary sound permits. The Manager may issue, refuse to issue, cancel, revoke, suspend or impose conditions on temporary sound permits. For amplified sound on outdoor patio applications, considerations are given to surrounding land uses, patio floor plans, location and direction of amplification and sound mitigation protocols. Businesses who are successful in obtaining a permit, are permitted amplified sound no louder than 70 decibels and no later than 12:00 midnight. Each approval is based on its own locational attributes; decibel and time regulations may differ in the downtown entertainment area in comparison to suburban neighbourhood patios associated with restaurants. In 2018, ten applications were approved for amplified music on patios.

The impact of hosting a significant event much as the JUNO’s is well documented, most recently in a report to Community and Protective Services Committee (“CPSC”) on January 22, 2019 by Scott Stafford, Managing Director of Parks and Recreation. Multiple events will be held across the City during JUNO week. It would be reasonable to provide the general public access to amazing arts and culture, yet recognizing the impact sound might have on adjacent land uses by extending the permitted time for amplified music on patios from 12:00 midnight to 1:00 a.m.

It is important to highlight that each application is evaluated on its own merit. The one hour extension possibility is only for 4 days maximum. Lastly, the 70 decibel regulation will not change.

There are two additional housekeeping amendments. The first extends the maximum time period for temporary noise permits from 6 months to 12 months. Construction and patio permit applications often apply for such extensions beyond 6 months. The second housekeeping amendment deletes the requirement for annual reporting, as all permits are listed on the City’s Website.

PREPARED BY:	RECOMMENDED BY:
	
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