

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council
From: Brianna Coughlin, Division Leader – Civic Affairs
Date: July 12, 2022
Subject: Noise By-law Update

Recommendation

This report is for information only.

Background

At the July 6, 2022 Special meeting, Council passed Resolution #276-07-2022:

Direct Administration to prepare a report on noise management, including the prioritization of an update to the Noise By-law for Council's consideration.

Noise within the jurisdiction of the Municipality of Lakeshore is currently regulated through By-law 106-2007, being a by-law to control noise (Appendix A).

Complaints relating to excessive noise are investigated and enforced, if applicable, by both the By-law Division (during regular business hours) and the Ontario Provincial Police. In 2021, the By-law Compliance Division investigated 6 noise complaints and the OPP investigated 187.

It is noted that the above-noted OPP data may not reflect all noise complaints, as they may have occurred as part of a criminal or other enforcement action. As such, they are not recorded separately.

Comments

Each year, Administration prepares 100 to 150 by-laws for Council's consideration. These may be routine by-laws, approvals or delegations, policy development, or regulatory by-laws. Regulatory by-laws require policy analysis, extensive internal collaboration, civic engagement, and at least one report to Council for direction.

The following is a list of large-scale by-laws currently identified for development, review, updating or replacement, with those identified for full comprehensive review with public consultation marked accordingly:

- Purchasing By-law
- User Fee By-law
- Delegation By-law
- Interpretation By-law
- Indemnification By-law
- Parkland Dedication By-law
- Smoking By-law
- Property Standards By-law
- Road Fouling By-law (comprehensive/new)
- Zoning By-law (comprehensive)
- Sewer Use By-law (comprehensive)
- Traffic By-law (comprehensive)
- Road Occupancy & Road Use By-law (comprehensive)
- **Noise By-law**
- Public Spaces By-law (comprehensive)
- Parking By-law (introduction of Administrative Monetary Penalty System) (comprehensive)
- Campground Licensing By-law (comprehensive/new)
- Use of Golf Carts on Municipal Roads in Lighthouse Cove (comprehensive/new)
- Lottery By-law

Administration typically prepares to conduct 1 to 3 large regulatory by-law or policy reviews per year in order to balance workloads and avoid public engagement fatigue. The following is a list of projects that are anticipated in 2023, along with an update on those being finalized in 2022:

- a public consultation process regarding a Campground Licensing By-law to take place in 2023;
- a review of the Sewer Use By-law in 2023 in accordance with the Flood Mitigation Framework;
- in the event that the Province amends the *Highway Traffic Act* to permit golf carts on highways, Administration will seek direction regarding implementation of a program in Lakeshore;
- the Procedure and Delegation of Authority by-laws are wrapping up and will be presented to Council in the early fall;
- the Parkland Dedication By-law review is underway and a report anticipated to be presented in the early fall;
- the User Fee review is underway and a report anticipated to be presented in late 2022;
- the Purchasing By-law review is underway and a report anticipated to be presented in late 2022;

- a public consultation process regarding greenhouses is underway and a report is anticipated to be presented in late 2022. Depending on the direction of Council at that time, this process may require additional regulatory work in 2023.
- a Lottery By-law is anticipated to be drafted to clarify the roles and responsibilities of the Municipality and charities in the permit process. This is particularly important should cGaming be introduced.
- the Traffic By-law update is a multi-stage process, with data gathering planned for 2023 and the by-law review planned for 2024.

The Noise By-law is currently on the list for a narrow review, however should Council wish to proceed with a comprehensive review and prioritize the review for 2023, Administration recommends that a resolution be passed with this direction, in order to plan accordingly in the 2023 Budget.

Others Consulted

Ontario Provincial Police – Lakeshore Detachment

Financial Impacts

The cost of public consultation for a regulatory by-law update is estimated to be approximately \$7,000. Should Council wish to prioritize an update to the Noise By-law in 2023, the cost will be included in the 2023 Budget.

Attachments

Appendix A – By-law 106-2007 (Noise By-law)

Report Approval Details

Document Title:	Noise By-law Update.docx
Attachments:	- Appendix A - By-law 106-2007 - Noise Control.pdf
Final Approval Date:	Aug 4, 2022

This report and all of its attachments were approved and signed as outlined below:

Prepared by Brianna Coughlin

Submitted by Kristen Newman

Approved by Justin Rousseau and Truper McBride