



General Purposes Committee

Date: Monday, February 6, 2012

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Absent: Councillor Linda Barnes

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded
*That the minutes of the meeting of the General Purposes Committee held on
Monday, January 16, 2012, be adopted as circulated.*

CARRIED

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LAW & COMMUNITY SAFETY DEPARTMENT

1. **NOISE AND SOUND REGULATION**

(File Ref. No. 12-8060-20-8855/8856/8857/8858) (REDMS No. 3424640)

Phyllis Carlyle, General Manager, Law & Community Safety, accompanied by Wayne Mercer, Manager, Community Bylaws, and Doug Long, City Solicitor, provided background information on the proposed Noise Regulation Bylaw No. 8856, and explained how the proposed Bylaw addresses particular situations that have been complex and problematic, such as noise in the Caithcart Road residential area and at the River Wind development.

Ms. Carlyle also spoke about:

- the extensive time period during which the community consultation was undertaken;
- how Council's role and involvement would expand in dealing with noise issues, and how the proposed Noise Regulation Bylaw would provide Council with the authority to grant permission to allow more noise in some instances; and
- enforcement of the proposed Noise Regulation Bylaw, including measuring sound levels to determine compliance with the provisions of the Bylaw, and prosecution of offenders when necessary;

A discussion ensued amongst members of the Committee, staff and Mark Bliss, Acoustics Consultant, BKL Consultants Ltd. about:

- specific details related to the demographics of those who participated in the public consultation process;
- the handling of noise complaints by Richmond Health, and the reported increase in noise complaints, in particular noise related to construction. It was noted that Richmond Health provides the City with a semi-annual report on the trends of the noise complaints. Staff advised that such a report may be provided to Council through the Community Safety Committee;
- addressing noise concerns in connection to development during the Development Application Process;
- sources of noise and priorities identified. It was noted that the leading priorities were noise related to air traffic and public transit, neither of which are under the City's jurisdiction;
- the definition of "point of reception". It was noted that point of reception is at the exterior of the building unless there is no point of reception outdoors because the sound is within the same building;

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- how the proposed Noise Regulation Bylaw does not address sound made by an occupant of a strata lot or rental unit used for residential occupancy where the source of the sound and the point of reception is within the same building. It was noted that the Strata Council would deal with noise complaints in such circumstances;
- how the proposed Noise Regulation Bylaw would impact existing businesses;
- the rationale for basing some of the regulations on the City of Vancouver's model;
- the specific exemptions noted in Section 4.1 of the proposed Noise Regulation Bylaw, in particular the exemptions related to garbage collection and construction, and changing the times during which the exemptions are allowed generally in order to gain consistency throughout the Bylaw; and
- the difference in the length of time that noise would be an issue when generated by garbage collection in comparison to noise generated by construction.

It was moved and seconded

- (1) ***That Public Health Protection Bylaw No. 6989, Amendment Bylaw No. 8855 (Attachment 1) be introduced and given first, second and third reading;***
- (2) ***That Noise Regulation Bylaw No 8856 (Attachment 2) be introduced and given first, second and third reading, with the following revisions:***
 - (a) *Section 1.1.2, under the definition of "daytime", subsection (b) to read as:*

*"from 10:00 a.m. to 6:00 p.m. on a Sunday or **holiday**;"*
 - (b) *Section 4.1.1 (j) is deleted in its entirety, and replaced with:*

*"by a garbage collection service during the **daytime**;"*
 - (c) *Section 4.1.1 (m) to read as:*

*"by **construction**, provided that it has a **rating level** which does not exceed 85 **dBA** when measured at a distance of 15.2m (50 feet) from that source of **sound**, and only:*
 - (i) *between 7:00 a.m. and 8:00 p.m. Monday through Friday that is not a **holiday**;*
 - (ii) *between 10:00 a.m. and 8:00 p.m. on a Saturday that is not a **holiday**; and*
 - (iii) *between 10:00 a.m. and 6:00 p.m. on a Sunday or **holiday**;"*

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- (3) *That Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 8857 (Attachment 3) be introduced and given first, second and third reading; and*
- (4) *That Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 8858 (Attachment 4) be introduced and given first, second and third reading,*

CARRIED

OPPOSED: Cllr. Au

Prior to adjournment, staff was requested to send an email to the affected residents and businesses advising them of (i) the revisions to the Noise Regulation Bylaw No. 8856 that had been recommended by the General Purposes Committee; and (ii) that the Noise and Sound Regulation will be considered at the Regular Council meeting which will be held on Monday, February 13, 2012. Staff were also requested to circulate to members of Council the semi-annual reports provided by Richmond Health relating to noise trends and complaints.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:10 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, February 6, 2012.

Mayor Malcolm D. Brodie
Chair

Shanan Dhaliwal
Executive Assistant
City Clerk's Office