
Diversity and Inclusion Advisory Committee

Date: September 9, 2020
Time: 6:30 PM
Location: Online Video Conference

Members

Mayor Bonnie Crombie	Mayor
Councillor Ron Starr	Ward 6
Councillor Sue McFadden	Ward 10
Abdul Qayyum Mufti	Citizen Member
Bhagwan (Gary) Grewal	Citizen Member
Brad Bass	Citizen Member
Cindy Stevens	Citizen Member
Denise Gordon-Mohamud	Citizen Member
Hanoz Kapadia	Citizen Member
Irfan Malik	Citizen Member
Jo-Anne Beggs	Citizen Member
John Henry He	Citizen Member
Josephine Bau	Citizen Member
Kaukab Usman	Citizen Member
Raihana Hirji-Khalfan	Citizen Member

Participate Virtually

Any member of the public interested in speaking to an item listed on the agenda may register at megan.piercey@mississauga.ca or call 905-615-3200 ext. 4915 by Tuesday, September 8, 2020 before 12:00 P.M.

Please note the Diversity and Inclusion Advisory Committee will not be streamed or video posted afterwards. If you are interested in attending the meeting virtually, please contact megan.piercey@mississauga.ca or call 905-615-3200 ext. 4915 by Tuesday, September 8, 2020 before 12:00 P.M. in order to join the meeting.

Contact

Megan Piercey, Legislative Coordinator, Legislative Services
905-615-3200 ext. 4915
Email megan.piercey@mississauga.ca

1. **CALL TO ORDER**

2. **APPROVAL OF AGENDA**

3. **DECLARATION OF CONFLICT OF INTEREST**

4. **MINUTES OF PREVIOUS MEETING**

4.1 Diversity and Inclusion Advisory Committee Minutes – February 12, 2020

4.2 Diversity and Inclusion Advisory Committee Minutes – August 6, 2020

5. **DEPUTATIONS**

5.1 Item 7.1 Sam Rogers, Director, Enforcement and Alexandra Schwenger, Policy Analyst

6. **PUBLIC QUESTION PERIOD - 15 Minute Limit**

Pursuant to Section 42 of the Council Procedure By-law 0139-2013, as amended:

Diversity and Inclusion Advisory Committee may grant permission to a member of the public to ask a question of Diversity and Inclusion Advisory Committee, with the following provisions:

1. The question must pertain to a specific item on the current agenda and the speaker will state which item the question is related to.
2. A person asking a question shall limit any background explanation to two (2) statements, followed by the question.
3. The total speaking time shall be five (5) minutes maximum, per speaker.

7. **MATTERS TO BE CONSIDERED**

7.1 Noise Control By-law Review

7.2 Physical Expression of Pride in Mississauga – Recommended Use of Regional Funding

8. **INFORMATION ITEMS - Nil**

9. **OTHER BUSINESS**

10. **DATE OF NEXT MEETING**

Wednesday, October 14, 2020

11. **ADJOURNMENT**

Diversity and Inclusion Advisory Committee

Date: February 12, 2020
Time: 6:30 PM
Location: Civic Centre, 2nd Floor
 Hearing Room
 300 City Centre Drive, Mississauga, Ontario, L5B 3C1

Members Present

Councillor Ron Starr	Ward 6 (Co-Chair)
Abdul Qayyum Mufti	Citizen Member
Bhagwan (Gary) Grewal	Citizen Member
Brad Bass	Citizen Member
Cindy Stevens	Citizen Member
Denise Gordon-Mohamud	Citizen Member (Vice-Chair)
Hanoz Kapadia	Citizen Member (departed at 7:50 pm)
Irfan Malik	Citizen Member
Jo-Anne Beggs	Citizen Member
John Henry He	Citizen Member
Josephine Bau	Citizen Member
Kaukab Usman	Citizen Member
Raihana Hirji-Khalfan	Citizen Member

Members Absent

Mayor Bonnie Crombie	Mayor
Councillor Sue McFadden	Ward 10 (Co-Chair) (Resolution 0299-2019)

Staff Present

Ivana Di Millo, Director, Strategic Communications
 Sacha Smith, Manager, Legislative Services and Deputy Clerk
 David Ferreira, Manager, City Marketing and Planning
 Jennifer Cowie Bonne, Manager, Community and Neighbourhood Development
 Megan Piercey, Legislative Coordinator

1. CALL TO ORDER – 6:30 pm
2. APPROVAL OF AGENDA
Approved (J. H. He)
3. DECLARATION OF CONFLICT OF INTEREST - Nil
4. MINUTES OF PREVIOUS MEETING
- 4.1 Diversity and Inclusion Advisory Committee Minutes – December 4, 2019
Approved (J. H. He)

5. DEPUTATIONS

5.1 David Ferreira, Manager, City Marketing and Planning with respect to the 2019 Citizen Satisfaction Survey Results

Mr. Ferreira provided a summary of the 2019 Citizen Satisfaction Survey and presented the committee with the key findings, which included results for overall satisfaction and quality of life, value for taxes, communication and citizen engagement and a breakdown of city services. Committee members enquired about the sample size, methodology and impacts to strategic planning.

RECOMMENDATION DIAC-0001-2020

That the deputation from David Ferreira, Manager, City Marketing and Planning with respect to the 2019 Citizen Satisfaction Survey Results be received for information.

Received (D. Gordon-Mohamud)

5.2 Jennifer Cowie Bonne, Manager, Community and Neighbourhood Development with respect to the Welcome to Mississauga Roadshow

Ms. Cowie Bonne provided a summary on the Welcome to Mississauga Roadshow which included stakeholder engagement, roadshow events, outreach tools, the city webpage and the program evaluation. Committee Members enquired about 311 services, outreach to the LGBTQ+ community and the future of the program.

Norman James, Resident enquired about employment opportunities at the City with respect to diverse hiring practices. Sacha Smith, Manager, Legislative Services and Deputy Clerk advised that staff could work with Human Resources staff to arrange a presentation at a future Diversity and Inclusion Advisory Committee meeting.

H. Kapadia left the meeting at 7:50 pm.

RECOMMENDATION DIAC-0002-2020

That the deputation from Jennifer Cowie Bonne, Manager, Community and Neighbourhood Development with respect to the Welcome to Mississauga Roadshow be received for information.

Received (D. Gordon-Mohamud)

6. PUBLIC QUESTION PERIOD - Nil

7. MATTERS CONSIDERED - Nil

8. INFORMATION ITEMS - Nil

9. OTHER BUSINESS

Josephine Bau, Citizen Member advised the committee of the Coronavirus Information Session on February 18, 2020 at 7150 Edwards Boulevard.

A.Q. Mufti, Citizen Member advised the committee of the Family Day Walkathon on February 23, 2020 at the Mississauga Civic Centre.

10. DATE OF NEXT MEETING - May 13, 2020
11. ADJOURNMENT – 8:02 pm (I. Malik)

DRAFT

Diversity and Inclusion Advisory Committee

Date: August 6, 2020
Time: 6:00 PM
Location: Online Video Conference

Members	Mayor Bonnie Crombie Councillor Ron Starr Councillor Sue McFadden Abdul Qayyum Mufti Bhagwan (Gary) Grewal Brad Bass Cindy Stevens Denise Gordon-Mohamud Hanoz Kapadia Irfan Malik John Henry He Josephine Bau Kaukab Usman Raihanna Hirji-Khalfan	Mayor Ward 6 (Co-Chair) Ward 10 (Co-Chair) Citizen Member Citizen Member Citizen Member Citizen Member Citizen Member (Vice-Chair) Citizen Member Citizen Member Citizen Member Citizen Member Citizen Member Citizen Member
Members Absent	Jo-Anne Beggs	Citizen Member

Staff Present

Gary Kent, Commissioner, Corporate Services and CFO
 Andra Maxwell, City Solicitor
 Christ Giles, Manager, Compliance and Licensing Enforcement
 Alexandra Schewnger, Policy Analyst
 Diana Rusnov, Director, Legislative Services and City Clerk
 Sacha Smith, Manager, Legislative Services and Deputy Clerk
 Megan Piercey, Legislative Coordinator

1. CALL TO ORDER – 6:00 PM
2. APPROVAL OF AGENDA
Approved (I. Malik)
3. DECLARATION OF CONFLICT OF INTEREST - Nil
4. DEPUTATIONS - Nil
5. PUBLIC QUESTION PERIOD - Nil
6. MATTERS TO BE CONSIDERED
- 6.1 Request from Hindu Forum Canada for an exemption to the Noise By-law

Committee Members reviewed the request from Hindu Forum Canada for an exemption to the Noise By-law. Councillor Damerla provided the committee with background information on the subject matter. Committee Members engaged in discussion and noted support for the exemption to the Noise By-law.

RECOMMENDATION DIAC-0003-2020

That the Diversity and Inclusion Advisory Committee supports the request from Hindu Forum Canada that the enforcement of the Noise Control By-law 360-79, as amended, be suspended for the broadcasting of the evening hymns at 7:00 p.m. from local Mandirs, between August 11, 2020 and September 1, 2020, provided the broadcast is only for five minutes.

Approved (I. Malik)

7. INFORMATION ITEMS - Nil
8. ADJOURNMENT- 6:35 PM (A. Q. Mufti)



Proposed Changes to Noise Control By-law 360-79

The Noise Control Program Review [Corporate Report](#), which was presented to Council on July 8, 2020, proposes 25 recommendations across four areas: by-laws, noise exemptions, enforcement operations and public awareness.

Key recommendations include:

- Introduction of a persistent sound provision to address noise that is either not captured in other categories or unreasonable noise that occurs during the permitted periods
- Introduction of a general prohibition that will prohibit the use of devices to amplify sounds for the purpose of reaching persons outside of the property from which the sound is originating – this will include **Broadcasting Audible Expressions of Faith**
- Introduction of a priority response model to deliver onsite noise investigation
- Joint enforcement of vehicle noise with Peel Regional Police
- Updates to the noise exemption process

Changes to *Schedule 2 Prohibited Periods of Time* for noise are summarized below:

Activity	Current Regulation	Proposed Changes
Auditory Signaling (e.g., Ringing of bells or gongs and the blowing of horns or sirens or whistles)	Quiet zones - at any time	No changes proposed
	Residential areas- 7 p.m. to 7 a.m. and all day Sunday and Statutory Holidays	Residential areas - 7 p.m. to 9 a.m. (including Sunday and Statutory Holidays)
Amplified Sound (e.g., Music, loud speakers)	Quiet zones - at any time	No changes proposed
	Residential area - 5 p.m. to 7 a.m. (9 a.m. Sunday)	Residential area - 7 p.m. to 9 a.m. Monday to Thursday, Sunday and Statutory Holidays; 10 p.m. to 9 a.m. Friday to Saturday
Loading, unloading, delivering, packing, unpacking <i>(Due to Provincial Regulation 70/20, this is not enforceable until September 2021)</i>	Quiet zone - 7 p.m.-7 a.m. (9 a.m. Sunday)	No changes proposed
	Residential areas- 7 p.m. to 7 a.m. and all day Sunday and Statutory Holidays	No changes proposed
Construction equipment <i>(Due to Provincial Regulation 131/120, this is not enforceable until October 2021)</i>	Quiet zones - 5 p.m. to 7 a.m. and all day Sunday and Statutory Holidays	No changes proposed
	Residential areas - 7 p.m. to 7 a.m. and all day Sunday and Statutory Holidays	No changes proposed
Fireworks or other non-construction detonation devices	Quiet zones - at any time	Remove from the Noise Control By-law (This activity will be addressed through other City By-laws)
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sunday) unless permitted by By-law 160-74 (Fireworks: Residents)	
Firearms	Quiet zones - at any time	Remove from the Noise Control By-law (This activity will be addressed by Peel Regional Police)
	Residential areas - at all times unless in accordance with the provisions of By-law 331-77 (Discharging of Firearms)	

Activity	Current Regulation	Proposed Changes
Operation of a Combustion engine which is not used for conveyance (e.g., Generator)	Quiet zones - at any time	No changes proposed
	Residential areas- 11 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
Operation of a powered rail car while stationary on property not owned or controlled by a railway governed by the Canada Railway Act	Quiet zones - at any time	No changes proposed
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
Operation of any motorized conveyance other than on a highway or other place intended for its operations (e.g., Stationary motor vehicle)	Quiet zones - at any time	No changes proposed
	Residential areas - 7 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
venting, release or pressure release of air, steam, or other gaseous material product or compound	Quiet zones - at any time	No changes proposed
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
Persistent barking, calling or whining by a domestic pet	Quiet zones - at any time	No changes proposed
	Residential areas - at any time	Residential areas- 10 p.m. to 7 a.m. (9 a.m. Sunday)
Operation of any powered or non-powered tool for domestic purposes other than snow removal (e.g., Leaf blower, lawn mower)	Quiet zones - 11 p.m. to 7 a.m. (9 a.m. Sundays)	Quiet zones- 7 p.m. to 7 a.m. (9 a.m. Sundays)
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sundays)	Residential areas- 7 p.m. to 7 a.m. (9 a.m. Sundays)
Operation of solid waste bulk lift or refuse compacting equipment	Quiet zones - 7 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
Operation of a commercial car wash with air drying equipment	Quiet zones - 7 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
	Residential areas - 7 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed
Yelling, shouting, whistling or singing	Quiet zones - at any time	No changes proposed
	Residential areas - 11 p.m. to 7 a.m. (9 a.m. Sundays)	No changes proposed

If you have questions or comments on the proposed By-law changes, please contact Alex Schwenger, Noise Control Program Lead at Alexandra.Schwenger@mississauga.ca or 905-615-3200, ext. 4193.

Date: June 12, 2020	Originator's files:
To: Mayor and Members of Council	
From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works	Meeting date: July 8, 2020

Subject

Noise Control Program Review

Recommendation

1. That the report from the Commissioner of Transportation and Works, dated June 12, 2020 entitled "Noise Control Program Review" be approved.
2. That a by-law be enacted to amend the Noise Control By-law 360-79, as amended, to implement Phase 1 recommendations relating to the City's Noise Control Program Review as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2020 entitled "Noise Control Program Review."
3. That the Nuisance Type Noise By-law 785-80, as amended, be repealed.
4. That staff report back to Council at a future date on Phase 2 recommendations relating to the City's Noise Control Program Review as outlined in the report from the Commissioner of Transportation and Works, dated June 12, 2020 entitled "Noise Control Program Review."

Report Highlights

- Staff conducted a comprehensive review of the Noise Control Program Review, in order to identify and develop program improvements that will better meet the needs of the City.
- Community engagement on the Noise By-laws resulted in 130 residents attending in person sessions and 4,015 completing the online survey.
- The report identifies 25 recommendations for changes to the by-law, noise exemption periods, enforcement of vehicle noise and public awareness activities.
- Staff recommend implementing a priority response model to deliver onsite noise investigation services with existing resources.

- Given the financial pressures resulting from COVID-19, a phased implementation is recommended with the introduction of decibel limits and full implementation of service level changes occurring in Phase Two.

Background

Beginning in early 2019, several Councillor enquiries regarding matters related to noise were received by staff. In response to these enquiries a comprehensive review of the Noise Control Program was initiated.

COVID-19 Financial Constraints

The financial impact of COVID-19 on the City is an evolving situation. Given this financial uncertainty, staff have changed the original approach of this review and will be reporting to Council in two phases:

- Phase 1: All recommendations with no financial impacts such as by-law amendments, policy and process changes.
- Phase 2: All recommendations with a financial impact such as consulting services, changes to service levels and staffing levels.

This report includes all Phase 1 recommendations. The Phase 2 recommendations will be brought forward at a later date following the recovery phase of COVID-19.

By-laws and Legislation

There are two separate independent noise by-laws in the City: Nuisance Type Noise By-law 785-80 (“Nuisance Type Noise By-law”) and Noise Control By-law 360-79 (“Noise Control By-law”).

Noise is managed and regulated through municipal, provincial and federal laws, regulations and guidelines (See Appendix 1). *The Municipal Act, 2001* empowers municipalities to prohibit and regulate noise.

In response to COVID-19, the Province passed Regulation 70/20 on March 19, 2020 pursuant to s. 451.1 of the *Municipal Act, 2001*, which provides that a municipality does not have the power to prohibit and regulate with respect to noise made in connection with the delivery goods in a municipality. Regulation 70/20 is revoked on September 19, 2021.

The Province also passed Regulation 131/20 on April 7, 2020 pursuant to s. 451.1 of the *Municipal Act, 2001*, which provides that a municipality does not have power to prohibit and regulate with respect to noise made in connection with the following:

1. Construction projects and services in a municipality associated with the healthcare sector, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space, at any time of the day or night.

2. Any other construction activity in a municipality between the hours of 6 a.m. and 10 p.m. Regulation 131/20 is revoked on October 7, 2021.

Both Regulations 70/20 and 131/20 supersede the time periods noted in the City's Noise Control By-law in relation to delivery of goods and construction activities.

Present Status

Noise Control Program Elements

The Noise Control Program consists of four primary program elements:

1. By-Laws: This includes the legal and administrative activities related to periodic by-law amendments and assessment.
2. Enforcement Operations. This includes the receipt and investigation of public complaints as well as proactive and joint enforcement operations. There are currently 18 Municipal Licensing and Enforcement Officers (MLEOs) who enforce the Noise Control By-law and the Nuisance Type Noise By-Law.
3. Noise Exemptions. Noise exemptions are managed and administered by eight divisions and nine business lines within the City. Noise exemption types include construction, road and capital work, film, residential, community events and festivals, and events at City facilities such as Celebration Square.
4. Program Development and Awareness. This includes public education & awareness initiatives, performance metrics, reporting and continuous improvement projects.

Public Complaints

In 2019, there were 1,451 noise complaints and 631 inquiries about noise which did not lead to a service request. Noise complaints represented 13% of the total complaint volume in 2019. The most common noise complaints received by the City were about amplified sound, which received 463 service requests, barking dogs, which had 363, and construction equipment, which had 194 (See Appendix 2). However, it is important to note that it is likely that this does not represent the true scope of noise complaints in the City due to a lack of public awareness of the noise by-laws and service levels. Complaints do not always represent violations.

Comments

Review Methodology

Each of the four preceding program elements were assessed through a six step process:

1. Jurisdictional Scan
2. Community Engagement
3. Assessment of Current State
4. Options Development and Gap Analysis
5. Identification of Short Term Improvement Opportunities
6. Identification of Medium and Long Term Improvements Opportunities

Below are the key findings for steps one and two. Following that, each of the four program elements are addressed separately for steps three to six.

JURISDICTIONAL SCAN

Staff conducted a jurisdictional scan of noise control programs in 11 jurisdictions; Brampton, Burlington, Calgary, Edmonton, Hamilton, Newmarket, Oakville, Ottawa, Toronto, Vancouver, and Vaughan (Appendix 3).

The City of Mississauga's Noise Control By-law is the oldest dated by-law of all the jurisdictions benchmarked. Mississauga does not use a level of measurement to enforce types of noise emitted but does have prohibited times for noise types. This is not consistent with the jurisdictions benchmarked as seven of 11 jurisdictions have both a level of measurement and prohibited times to enforce noise related issues.

Six of nine jurisdictions equip officers with various forms of noise measuring devices. Mississauga is consistent with four jurisdictions which have a response rate greater than three days. However five jurisdictions aim to respond to noise complaints the same day or in less than three days, though the response window is dependent on the nature of the complaint.

After a four year review, the City of Toronto updated its Noise By-law (Municipal Code Chapter 591) in 2019. The revised by-law includes new and updated definitions to improve clarity and consistency in the interpretation of the by-law, and quantified noise level limits for amplified sound and motorcycles to enhance objectivity. The revised by-law also includes the introduction of an "Unreasonable and Persistent Noise" provision to be applied only when noise is not captured by a specific prohibition, and a more streamlined exemption permit process, with the ability to revoke permits and impose conditions when necessary.

In conjunction with the revised by-law, Toronto also made changes to the enforcement of noise such as the implementation of a priority response model, updating the policy and standard operating procedures for noise investigations, and changing the By-law enforcement hours of coverage to allow for 19 hour daily coverage and 21 hour daily coverage during peak season. To ensure effective implementation, the City of Toronto's Municipal Licensing and Standards Division introduced a dedicated noise team, composed of 24 By-law Enforcement Officers, along with management and administrative support.

COMMUNITY ENGAGEMENT

Between December and February 2020, staff conducted community engagement, which was composed of six facilitator lead community sessions, three targeted focus group sessions with key stakeholders from Ratepayer Associations, the construction industry and Business Improvement Areas (BIAs) and an online survey (See Appendix 4).

The facilitated sessions allowed residents to share their concerns with the current noise by-law program in a neutral setting. Participants were asked to provide their input on types of noise in their neighbourhoods, communication preferences, by-law provisions and service levels.

Several common themes emerged from the 105 residents who attended the community sessions and 23 community representatives who attended the focus group sessions. Vehicle and construction noise were identified as the most common kind of noise impacting residents. Residents expressed that there is a need for increased enforcement and investigation of noise complaints, increased service levels and quantitative measurement. Participants were generally supportive of updating the permitted periods.

The online survey was completed 4,015 times. Respondents were asked about their knowledge of the current noise by-laws, and for their opinions on potential changes to the permitted periods and noise categories and the introduction of quantitative measures (Appendix 5). Responses were polarized with few strong conclusions, although a number of questions highlighted a lack of awareness of the current Noise Control By-law and permitted periods.

Key results included:

- Respondents said that they were most impacted by noise from motor vehicles, construction, and music.
- There was little awareness of current by-law provisions: 49.6% didn't know where to look to find out when noise is permitted.
- There was support for simplifying the by-law: 60% of respondents supported simplifying the by-law by consolidating periods.
- There was opposition to expanding the hours when construction is permitted. 62% of respondents didn't support extending the time frame when construction is permitted.
- There was limited support for allowing additional noise on Sundays: 52% of respondents strongly disagreed or disagreed with aligning Sunday construction to the rest of the week.

These results demonstrate the need for broader public awareness and taking a balanced approach to updating the Noise Control by-law.

PROGRAM ASSESSMENT AND IMPROVEMENT OPPORTUNITIES

Each of the four program elements are assessed below and recommendations are provided.

PROGRAM ELEMENT #1 – BY-LAWS

In addition to the proposed housekeeping amendments, which are summarized in Appendix 6, the following changes are recommended:

a. Consolidation of By-laws

The Noise Control By-law contains the general prohibitions, noise categories and outlines the exemption process. The Nuisance Type Noise By-law is intended to supplement the Noise Control By-law and identifies three specific prohibitions. Thus, it does not stand on its own.

Recommendation 1 – That the Nuisance Type Noise By-law be repealed and consolidated into the Noise Control By-law.

b. Introduction of Persistent Sound Provision

Nuisance Type Noise causes confusion since the provisions in the Nuisance Type Noise By-law prohibit certain activities at all times but are similar to the categories of noise in the Noise Control By-law, which have permitted periods of time. A more objective and consistent means to address these issues is required in the by-law.

‘Persistent sound’ will be defined as noise continuously heard for a period of at least ten consecutive minutes or intermittently over a period of at least one hour. This will capture the types of noise that the Nuisance Noise By-law was intended to address, while also providing the flexibility for it to address other types of noise not captured in the other categories or unreasonable noise that occurs during the permitted periods.

Recommendation 2 - That a new definition for ‘persistent sound’ be added to the Noise Control By-law to replace the current types of noises included in the Nuisance Type Noise By-law.

c. Introduction of Decibel Limits

Decibel levels provide a quantifiable measurement of sound, allowing for a more objective approach. It is recommended that decibel limits be adopted for select noise types that can be appropriately measured. This is consistent with Toronto’s approach.

Recommendation 3 - That decibel limits for “Amplified Sound” and “Stationary Motor Vehicles” (formerly “The operation of any motorized conveyance” other than on a highway or other place intended for its operations”) be introduced in the second phase of implementation.

d. Changes to the Exemption Process

This section of the By-law allows for the issuance of exemptions for any source of sound or vibration outside of the permitted periods. The current noise exemption process has no automatic exemption for City work and the process does not have the flexibility to meet the needs of the City.

There are eight divisions within the City that are responsible for administering Noise Control by-law exemptions, each with varying levels of administration. It is proposed that a provision be added to the Noise Control By-law to allow divisions not covered by Schedule Three to have their own noise exemption procedures. (See Program Element #3 - Noise Exemptions).

Recommendation 4 - That Section 7 of the Noise Control By-law be updated to outline the updated exemption application process and application requirements.

e. Fines and Penalties

The current fines in the Noise Control and Nuisance Type Noise By-laws, which are set under *the Provincial Offences Act*, are a fine of no more than \$5,000 and a set fine of \$305 respectively. When the By-laws are consolidated, new fines and penalties will be required to be established. Staff recommend that the same fine amounts be included in the new Noise Control By-law.

Recommendation 5 - That staff apply to the Ministry of the Attorney General for permission to establish a fine in the Noise Control By-law of no more than \$5,000 and a set fine of \$305 in the By-law pursuant to the provisions of the Provincial Offences Act.

f. Changes to Schedule One- Vehicle Noise

In order to conduct joint vehicle enforcement with Peel Regional Police, staff need to have the ability to charge motorists under the By-law. In the interim, staff will use the Nuisance Type Noise By-law, but it is recommended that Schedule One be updated with a provision addressing loud engine noise (See Program Element #2-Enforcement Operations).

Recommendation 6 - That Schedule One of the Noise Control By-law be updated to include a provision prohibiting drivers from making unreasonable or unnecessary noise: "A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, or install a modified muffler or exhaust with the express intention to create unreasonable noise, nor shall the driver at any time operate or cause the motor vehicle to make any unnecessary noise or noise likely to disturb an inhabitant of the City of Mississauga."

g. Changes to Schedule Two- Prohibited Periods of Time

Schedule Two of the Noise Control outlines the activities included in the by-law and their prohibited periods of time. The current provisions are summarized in Appendix 7 and proposed revisions, including housekeeping amendments, are highlighted in Appendix 8.

Recommendation 7 - That redundant categories in Schedule Two of the Noise Control By-law be removed and other categories consolidated.

h. Amplified Sound

Amplified Sound refers to sound made by any electronic device or a group of connected electronic devices incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound. The current permitted period for amplified sound is from 7:00 a.m. to 5:00 p.m.

Based on the community engagement, jurisdictional scan and other permitted periods, it is recommended that the permitted period for Amplified Sound be updated to 9:00 a.m. to 7:00 p.m. Monday-Thursday, Sunday and Statutory Holidays and 9:00 a.m. to 10:00 p.m. on Friday and Saturday. This approach aligns with the permitted periods for other common noise categories while also allowing for flexibility on weekends. It is also more in line with resident expectations.

Recommendation 8 - That the permitted period for Amplified Sound in Schedule Two of the Noise Control By-law be updated from 7:00 a.m. to 5:00 p.m. to 9:00 a.m. to 7:00 p.m. Monday-Thursday, Sunday and Statutory Holidays and 9:00 a.m. to 10:00 p.m. on Friday and Saturday.

i. Auditory Signalling

Auditory signalling refers to the operation of auditory signalling devices, such as the ringing of bells or gongs and the blowing of horns or sirens or whistles. It is recommended that this permitted period be aligned with the permitted period for Amplified Sound since they are similar noise types.

Recommendation 9 - That the permitted period for Auditory Signalling in Schedule Two of the Noise Control By-law be updated from 7:00 a.m. to 7:00 p.m. to 9:00 a.m. to 7:00 p.m. Monday to Saturday and on Sundays and Statutory Holidays.

j. General Prohibition for Amplified Sound and Auditory Signalling

Amplified Sound and Auditory Signalling differ from most noise types because they have the potential to disrupt many people and with the exception of signalling for safety purposes, the volume of noise can be adjusted by the group or individual(s) making the noise. It is recommended that amplified sound or auditory signalling for the purpose of reaching an audience outside of the property be prohibited in the By-law.

Recommendation 10 - That the use of devices to amplify sounds for the purpose of reaching persons outside of the property from which the sound is originating, be prohibited.

Recommendation 11 - That the use of auditory signalling devices for the purpose of reaching persons outside of the property from which the sound is originating, be prohibited.

k. Sports Related Noise

Sports related noise refers to noise from organized sport activities including whistling, shouting and cheering. The use of whistles to referee a game is considered to be a reasonable aspect of this activity, and is covered under auditory signalling. However, to reflect the multi-faceted nature of sport activities, it is proposed that this noise type be

included under the Yelling and Shouting Category. This aligns with the permitted periods and approved use of sports fields.

Recommendation 12 - That noise from sports activities be added to the category of Yelling and Shouting in Schedule Two of the Noise Control By-law.

I. All Selling or Advertising by Shouting or Amplified Sound

Selling or advertising by shouting or amplified sound refers to individuals operating a business who promote their business verbally, such as newspaper sellers. This category can be addressed through the Amplified Sound and Yelling and Shouting categories.

Recommendation 13 - That the category of Selling or advertising by shouting or amplified sound be removed from Schedule Two of the Noise Control By-law.

m. Loading, Unloading and Deliveries

Due to Ontario Regulation 70/20, this permitted period is not enforceable until September 19, 2021. At this time, it is recommended that the permitted period for loading and unloading return to 7:00 a.m. to 7:00 p.m. Monday to Saturday.

Recommendation 14 - That the permitted period for loading and unloading noise in Schedule Two of the Noise Control By-law return to 7:00 a.m. to 7:00 p.m. Monday to Saturday once O.Reg 70/20 expires.

n. Construction

During the Review, residents were vocal about the prevalence of construction noise and expressed a desire to maintain the permitted period of 7:00 a.m. to 7:00 p.m. Monday to Saturday, with no construction permitted on Sundays. Due to Ontario Regulation 131/120 this is not enforceable until October 2021. At that time, it is recommended that the permitted period for Construction noise return to 7:00 a.m. to 7:00 p.m. Monday to Saturday.

Recommendation 15 - That the permitted period for construction noise in Schedule Two of the Noise Control By-law return to 7:00 a.m. to 7:00 p.m. Monday to Saturday once O.Reg 131/20 expires.

o. Firearms

It is recommended that this category be removed as firearm use is better addressed through the Criminal Code.

Recommendation 16 - That the Firearms category be removed from Schedule Two of the Noise Control by-law.

p. The operation of any powered or non-powered tool for domestic purposes other than snow removal

This category allows for the use of power tools, including loud devices like lawn mowers and leaf blowers until 11:00 p.m., which is more permissive than the construction noise category. Based on the community engagement, jurisdictional scan and other permitted periods, it is recommended that the permitted period for this category be updated to 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays).

Recommendation 17 - That the permitted period for “The operation of any powered or non-powered tool for domestic purposes other than snow removal” be changed from 7:00 a.m. to 7:00 p.m. (9:00 a.m. Sundays) to 7:00 a.m. to 7:00 p.m.(9:00 a.m. Sundays) in Schedule Two of the Noise Control By-law.

q. Persistent barking, calling or whining by a domestic pet

The current permitted period of “at any time” creates unrealistic expectations since it is not possible for dog owners to completely eliminate barking since it is a method of communication for dogs. It is recommended that permitted periods be added to address barking in the evening and early morning.

Recommendation 18 - That the permitted period for “Persistent barking, calling or whining by a domestic pet” in Schedule Two of the Noise Control By-law be changed from “at any time” to 7:00 a.m. to 10:00 p.m.

The preceding recommendations will make the Noise Control By-law easier to understand and interpret, which may result in higher compliance.

PROGRAM ELEMENT #2 – ENFORCEMENT OPERATIONS

Current Service Levels

Noise complaints are rarely investigated by an MLEO. When a complaint is reported, a letter is sent to the person(s) creating the noise advising them that they are required to restrict the noise. A letter and package is also sent to the complainant which includes a noise log sheet to document the time the noise starts and ends, the dates and type of noise for three to four weeks. If the matter proceeds to legal action, the complainant is often required to serve as the witness to the violation.

One of the strongest themes that emerged from the community engagement sessions was a desire for increased enforcement and investigation of noise complaints. Residents are dissatisfied with the current service levels and indicated that they would like quicker response times and on-site investigation of complaints.

Increasing the current service level to provide MLEO onsite response and investigation services would require a significant financial investment. The current staff (18 MLEOs) and coverage (weekday business hours) would be required to be expanded to allow for evening & weekend coverage as well as a 10% increase in case file volume. Given the current financial impacts resulting from COVID-19, investment opportunities will not be recommended or pursued at this

time. The short term result will be that service levels will not fully satisfy the public demand for enforcement services.

Recommendation 19 - That staff report back in Phase 2 with the staff requirements necessary to expand the current service levels.

However, introducing a Priority Response Model will partially satisfy the public demand for onsite noise enforcement services. The model will also inform future resourcing needs to be included in a Phase 2 report.

Priority Response Model

Prioritizing complaints rather than treating all noise complaints the same will allow for the introduction of onsite investigation services in a gradual and measured approach. With a priority response model and improved data management practices, MLEOs will begin to conduct more onsite complaint investigations with existing resources. The proposed response model is summarized below:

Priority Level	Description	Response Time	Example
Priority One	An urgent matter that requires an MLEO to conduct an on-site investigation. This is a matter that it outside of the permitted hours. <ul style="list-style-type: none"> • HIGH Likelihood of reoccurrence; AND • HIGH impact to residents 	Within 24 hours	<ul style="list-style-type: none"> • Construction excavation creating noise outside of permitted hours. • Commercial and industrial loading/unloading noise.
Priority Two	A non-urgent matter that requires an MLEO to conduct an on-site investigation. It is a matter that is either outside of the permitted hours or an instance of persistent noise. <ul style="list-style-type: none"> • HIGH Likelihood of reoccurrence; OR • HIGH impact to residents 	Within 5 Business Days	<ul style="list-style-type: none"> • Noise occurring from a malfunctioning air conditioner. • Persistent amplified sound from a residence within the permitted times. • Dog barking – multiple complaints from multiple residents.
Priority Three	An non-urgent matter that does not require an on-site investigation by an MLEO. <ul style="list-style-type: none"> • LOW Likelihood of reoccurrence; OR • LOW impact to residents 	Letter may be sent out to the subject of the complaint.	<ul style="list-style-type: none"> • An isolated noise event such as a backyard wedding where a complaint is entered on the following business day.

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Priority Level	Description	Response Time	Example
			<ul style="list-style-type: none"> • Dog barking – single complaint.

It should be noted that the subject of a complaint may progress through all three priority levels over time. As the number of complaints and the number of complainants increases, so will the priority level. For example a house party, on a first occurrence, would typically be a priority three complaint. However, if the location had a second house party, with multiple complainants in each instance, the occurrence would be escalated to a priority one or two depending on the impact level.

Data collection and analysis will be a critical factor in tracking and classifying complaints. If done properly, patterns of non-compliance will emerge over time and an appropriate level of enforcement action will be more likely to occur.

Priority Response Model Implementation

In order to assess the feasibility of adopting the priority response mode, staff analyzed 2019 service request data to determine how the 2019 complaints would have been classified using the recommended priority response model:

Category	Projected Number of Complaints
Priority One	389 (21.5%)
Priority Two	573 (31.7%)
Priority Three	847 (46.8%)

Based on historical data, it is estimated (conservatively) that 1,000 annual onsite noise investigations would be required. This represents 10% of the total annual complaint volumes for Compliance and Licensing Enforcement. On average, a priority one or two complaint will require four to eight hours of total staff time.

Achieving a 100% service level for onsite response service will not be possible with the existing staff level. However, establishing the response model and service levels will allow staff to establish a baseline and at least begin to deliver services where staff capacity exists.

Recommendation 20 - That staff implement the priority response model and begin to deliver onsite investigative services with existing resources.

Decibel Limits

Another common theme that emerged through the community engagement was objectivity. Objective rules, noise thresholds and investigative processes were all identified as areas that should be addressed.

Decibel limits are recommended to be added to a future noise by-law for “Amplified Sound” and “stationary motor vehicles” (Formerly “The operation of any motorized conveyance other than on a highway or other place intended for its operations”) noise categories as they are best suited to a quantifiable measure. However, as a first step, technical expertise is required to establish the appropriate decibel limits, determine investigative practices, identify equipment needs and train staff.

Many residents communicated a vision of Enforcement Officers responding to a location equipped with sound level meters. If the sound meter reading exceeded the threshold stated in the by-law, fines or charges would be issued. Unfortunately, there are many steps required to implement this vision. Taking an accurate and consistent decibel reading that would be admissible as court evidence is highly technical and must be conducted by properly trained individuals under precise circumstances. Further consulting, equipment and training is required prior to equipping MLEOs with sound level meters for field enforcement operations.

Recommendation 21 - That staff seek the consulting services of an acoustical engineering firm through the Phase 2 report in order to determine appropriate decibel limits and enforcement practices.

Joint Enforcement: Vehicle Noise

Throughout the community engagement, loud vehicles were cited by many residents as the noise that most impacts them. While MLEOs can address noise from stationary vehicles, moving vehicles are regulated through the *Highway Traffic Act* and are the responsibility of Peel Regional Police. Historically, Peel Regional Police have conducted enforcement blitzes in response to community concerns regarding excessively loud vehicles in Mississauga, but it is not a top priority.

Staff have engaged Peel Regional Police and are currently developing a joint enforcement strategy which will see Peel Officers and Bylaw Officers riding together and utilizing the *Highway Traffic Act* as well as the Noise Control and Nuisance Type Noise By-laws as tools to educate and enforce in an effort to reduce vehicle noise within the city.

Recommendation 22 - That Municipal Licensing Enforcement Officers participate in joint enforcement actions with Peel Regional Police Road Safety Services, where Municipal Licensing Enforcement Officers will ride in police cars with Peel Officers and utilize the Noise Control By-law to enforce unnecessary vehicle noise.

Vehicle Noise Enforcement: Technology

Although some jurisdictions, such as Edmonton, have piloted the use of automatic technology to enforce vehicle noise, it is not recommended at this time. The current technology being utilized cannot identify the particular vehicle emitting the noise, resulting in officers having to be present to identify the non-compliant vehicle.

Vehicle Noise Enforcement: Decibel Limits

Decibel limits are not recommended for vehicle noise because acceptable decibel limits for vehicles are not included in the *Highway Traffic Act*. The *Highway Traffic Act* relies on the observations and opinion of the Officer completing the investigation.

Additionally, many fleet vehicles such as buses or work trucks would be above the typical dBA range of 85-90 dBA implemented by other jurisdictions.

PROGRAM ELEMENT #3 – NOISE EXEMPTIONS

Noise exemptions are required to be sought by residents or organizations that are planning on making noise outside of the permitted periods. The current noise exemption process was identified by stakeholders as being onerous and difficult to navigate.

Noise Exemption Types

There are six divisions, eight sections and ten types of noise exemptions administered by the City:

Division and Group	Noise Exemption Type	Example
Culture, Culture Services, Creative Industries	Film permit exemptions	Film shoots outside of City facilities
Culture, Meadowvale Theatre and Celebration Square	Automatic (Schedule Three) exemption	Events at Celebration Square
Culture, Museums and Small Arms Building	Automatic (Schedule Three) exemption	Events at museums or the Small Arms Building
Recreation, Sport and Community Development, Community and Neighbourhood Development	Automatic (Schedule Three) exemptions, Parks exemptions	Community events and festivals
Parks and Forestry, Parks Operations	Parks booking permits	Organized events in City parks
Enforcement, Compliance and Licensing Enforcement	Commercial construction exemptions	Construction noise exemption for condominium construction
Enforcement, Compliance and Licensing Enforcement	Residential exemptions	Amplified sound exemption for a backyard wedding
Enforcement, Compliance and	Other noise category	Amplified sound

Division and Group	Noise Exemption Type	Example
Licensing Enforcement	(Schedule Two) exemptions	exemption for a restaurant patio
Infrastructure Planning and Engineering, Capital Works Delivery	Capital works construction exemptions (facilitated through Traffic Operations)	Water main construction project outside of the permitted period for construction
Traffic Management and Municipal Parking, Traffic Services and Road Safety	Road construction exemptions	Road re-paving outside of the permitted period for construction

Due to the number of processes and the wide variety of activities they encompass, there are inconsistencies between processes and deviations from the prescribed by-law provisions, which in many instances are limiting to the Divisions. Therefore, it is recommended that the Noise Control By-law allow Divisions to have their own exemption procedure. These procedures will adhere to the requirements outlined in the Noise Control By-law, but be determined, and administered by Divisions. This will allow Divisions the flexibility to create procedures that work for their clients and prevent inconsistencies. Noise exemptions will be centrally tracked through 311.

Recommendation 23 - That City Divisional Directors be delegated the authority by the Commissioner T&W to create and administer noise exemption procedures specific to their respective lines of business.

Noise Exemption Application Process and Requirements

Directors will be delegated the authority to grant exemptions by the Commissioner of Transportation and Works. All of the divisional procedures will, at a minimum, be required to detail the following in their applications:

Activity and Type of Exemption Required:

Applicants will be required to provide a description and location of the activity as well as the sources of sound that an exemption is being sought for. For instance, a community street festival may include amplified sound, loading and unloading and yelling and shouting. This requirement will allow applications to be directed to the appropriate Division for review and approval.

Period of time:

Divisions will be allowed to determine the period of time the exemption will be valid for, but it will be limited to no more than six months.

Public notification process:

This requirement will be determined by the Divisions and will allow them to identify a process that works with their exemption type and stakeholder group. Requirements may include distribution of a flyer to all residents within a 500 metre radius, posting a notification in a local paper for two consecutive days or displaying the notification at the exemption location in advance of the exemption date. For instance, for filming exemption permits, it may only be necessary to notify residents on the street where the filming is taking place, but for water main construction a larger notification area may be required.

Application Fees:

Divisions will have the authority to determine their fees and charges, based on the amount of work required to process an application. Fees will be added to the User Fees and Charges By-law.

Application Evaluation Process:

Divisions will determine criteria to evaluate applications on a case by case basis, enabling them to use their discretion and determine what is reasonable for their exemption type. This criteria may include, depending on the exemption type: consultation with the affected Ward Councillor, consideration of proximity of the sound to a residential area, and identification of noise mitigation measures. Regardless of whether the local Ward Councillor is consulted, they must be notified in advance of the exemption date. However, they will not be required to approve the exemption application unless the Division deems it necessary.

Criteria will be tailored and proportional relative to the potential impact of the noise. For instance, a low impact, one-time event application would only require notifying the direct area around the application site, while a high impact, high frequency event application would require a study by a Sound Engineer, a sound mitigation plan, distribution of notices within 500 metres of the application site and consultation with the Ward Councillor.

Terms and Conditions:

Directors will have the authority, as delegates, to determine whether terms and conditions should be imposed on an exemption. Terms and conditions could include noise mitigation strategies, time restrictions and exemption revocation processes.

Automatic (Schedule Three) Exemptions

The Noise Control By-law has a schedule of community events and festivals and City facilities which receive automatic exemptions to the Schedule Two permitted periods. Council approval in the form of a corporate report from the Division administering the exemption will be required for addition to the Schedule.

PROGRAM ELEMENT #4 – PROGRAM DEVELOPMENT AND AWARENESS

This includes public education & awareness initiatives, performance metrics, reporting and continuous improvement projects.

Public Education and Awareness

Community engagement activities revealed that residents have a limited understanding of the current by-law provisions and permitted times. It is recommended that awareness and education activities be undertaken to improve public awareness of the permitted periods and complaint process, and to encourage residents to be courteous of their neighbours.

These activities will take a phased approach and begin with digital materials, then printed materials and if necessary, materials specific to certain activities, such as vehicle noise or weekend construction. Activities in Phase One will be undertaken using existing budget.

Recommendation 24 - That free or low cost public awareness activities be undertaken to improve awareness of the new Noise Control by-law, with more comprehensive activities introduced in Phase Two as required.

Continuous Improvement

During the Review it was determined that more detailed data is required to obtain a better understanding of current noise service requests. Staff are in the process of implementing changes that will allow for better data collection. With increased data on types of complaints and complaint locations, staff will be able to use this data to make service level decisions, inform their response and conduct targeted public education.

Enforcement staff also reviewed existing processes related to noise investigations and enforcement to streamline efforts and to ensure consistency in response. Changes being implemented include changing the language and process of submitting noise complaints to make it more straightforward and easier to do online, updating standard operation procedures for closing complaints and updating the noise Knowledge Base so complaints are properly directed.

Mediation

Mediation is a form of alternative dispute resolution where individuals or groups resolve a dispute with the help of a neutral third party who serves as a mediator. Since 2012, the City has funded a Community Mediation Service run through the Dixie Bloor Neighbourhood Centre. In 2019, the Centre mediated 420 cases on a wide variety of subjects using volunteer mediators. Mediation is often an appropriate tool to address noise complaints, particularly when the noise is occurring during permitted periods, or in the case of disputes between neighbours. Currently, information about mediation is included in the package that is sent to the complainant, but there is often low uptake because both parties need to be willing to participate.

Recommendation 25 - That staff promote the Community Mediation Service to residents as a method of resolution, when appropriate.

Summary of Recommendations

Program Element	Recommendation
By-law	1- That the Nuisance Type Noise By-law be repealed and consolidated into the Noise Control By-law.
	2- That a new definition for 'persistent sound' replace the current 'nuisance' definition in the By-law.
	3- That decibel limits for "Amplified Sound" and "stationary vehicles" (Formerly "The operation of any motorized conveyance other than on a highway or other place intended for its operations") be introduced in the third phase of implementation.
	4- That section 7 of the Noise Control By-law be updated to outline the updated exemption application process and application requirements.
	5- That staff apply to the Ministry of the Attorney General for permission to establish a fine in the Noise Control By-law of no more than \$5000 and a set fine of \$305 in the By-law pursuant to the provisions of the Provincial Offences Act.
	6- That Schedule One of the Noise Control By-law be updated to include a provision prohibiting drivers from making unreasonable or unnecessary noise: "A person having the control or charge of a motor vehicle shall not sound any bell, horn or other signalling device so as to make an unreasonable noise, or install a modified muffler or exhaust with the express intention to create unreasonable noise, nor shall the driver at any time operate or cause the motor vehicle to make any unnecessary noise or noise likely to disturb an inhabitant of the City of Mississauga."
	7- That redundant categories in Schedule Two of the Noise Control By-law be removed and other categories consolidated.
	8- That the permitted period for Amplified Sound in Schedule Two of the Noise Control By-law be updated from 7:00 a.m. to 5:00 p.m. to 9:00 to 7:00 p.m. Monday-Thursday, Sunday and Statutory Holidays and 9:00 a.m. to 10:00 p.m. on Friday and Saturday.
	9- That the permitted period for Auditory Signalling in Schedule Two of the Noise Control By-law be updated from 7:00 a.m. to 7:00 p.m. to 9:00 a.m. to 7:00 p.m. Monday to Saturday and on Sundays and Statutory Holidays.
	10- That the use of devices to amplify sounds for the purpose of reaching persons outside of the property from which the sound is originating, be prohibited.
	11- That the use of auditory signalling devices for the purpose of reaching

Program Element	Recommendation
	<p>persons outside of the property from which the sound is originating, be prohibited.</p> <p>12- That noise from sports activities be added to the category of Yelling and Shouting in Schedule Two of the Noise Control By-law.</p> <p>13- That the category of Selling or advertising by shouting or amplified sound be removed from Schedule Two of the Noise Control By-law.</p> <p>14- That the permitted period for loading and unloading noise in Schedule Two of the Noise Control By-law return to 7:00 a.m. to 7:00 p.m. Monday to Saturday once O.Reg 70/20 expires.</p> <p>15- That the permitted period for construction noise in Schedule Two of the Noise Control By-law return to 7:00 a.m. to 7:00 p.m. Monday to Saturday once O.Reg 131/20 expires.</p> <p>16- That the Firearms category be removed from Schedule Two of the Noise Control By-law.</p> <p>17- That the permitted period for "The operation of any powered or non-powered tool for domestic purposes other than snow removal" be changed from 7:00 a.m. to 11:00 p.m. (9:00 a.m. Sundays) to 7:00 a.m. to 7:00 p.m. (9:00 a.m. Sundays) in Schedule Two of the Noise Control By-law.</p> <p>18- That the permitted period for "Persistent barking, calling or whining by a domestic pet" in Schedule Two of the Noise Control By-law be changed from "at any time" to 7:00 a.m. to 10:00 p.m.</p>
Enforcement Operations	<p>19- That staff report back in Phase 2 with the staff requirements necessary to expand the current service levels.</p> <p>20- That staff implement the priority response model and begin to deliver onsite investigative services with existing resources.</p> <p>21- That staff seek the consulting services of an acoustical engineering firm through the Phase Two report in order to determine appropriate decibel limits and enforcement practices.</p> <p>22- That Municipal Licensing Enforcement Officers participate in joint enforcement actions with Peel Regional Police Road Safety Services, where Municipal Licensing Enforcement Officers will ride in police cars with Peel Officers and utilize the Noise Control By-law to enforce unnecessary vehicle noise.</p>
Noise Exemption Permits	<p>23- That City Divisional Directors be delegated the authority by the Commissioner T&W to create and administer noise exemption procedures specific to their respective lines of business.</p>
Awareness and Development	<p>24- That free or low cost public awareness activities be undertaken to improve awareness of the new by-law, with more comprehensive activities introduced in Phase Two as required.</p> <p>25- That staff promote the Community Mediation Service to residents as a method of resolution, when appropriate.</p>

Timeline for Noise Control By-law Amendment

Staff intends to bring forward the proposed Noise Control By-law amendment recommended as part of Phase 1 to the September 16, 2020 Council meeting for Council approval.

Financial Impact

There is no financial impact associate with the current recommendations. Staff will provide a future Phase 2 report at a later date with financial impacts.

Conclusion

The primary purpose of the Noise Control Program Review was to identify and develop program requirements to better meet the needs of Council and the community. Thorough community engagement revealed that noise is a significant issue for many residents. A modernized by-law will provide clarity and allow for more effective enforcement. Enhanced service levels are required to fully meet resident expectations but there are many short and medium term actions that can be implemented to improve the program model in the interim.

Attachments

Appendix 1: Federal and Municipal Noise Regulations

Appendix 2: 2019 Noise Complaints

Appendix 3: Noise Control Jurisdictional Scan

Appendix 4: Community Engagement Summary

Appendix 5: Online Survey Key Results

Appendix 6: Summary of Proposed Housekeeping Amendments to Noise Control By-law 360-79

Appendix 7: Current Schedule Two: Permitted Periods

Appendix 8: Recommended Changes to Schedule Two: Permitted Periods



Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

Prepared by: Alexandra Schwenger, Policy Analyst, Enforcement

Federal Municipal and Provincial Noise Regulations

Noise is managed and regulated through municipal, provincial and federal guidelines and regulations:

Federal Government	Provincial Government	Municipal Government
<ul style="list-style-type: none"> National guidelines and regulations for various types of noise, including general guidelines for exposure in the workplace, noise from aircraft, transportation, federal infrastructure projects, federal railways and wind turbines The <i>Canadian Transportation Act</i>- Includes regulations for aircraft noise management, aviation regulations for noise, as well as guidelines for complaints over railway noise and vibration Motor Vehicle Safety Regulations set noise emissions standards for motor vehicles Noise under federal regulation includes federal infrastructure projects, federal railways, airports and aircraft 	<ul style="list-style-type: none"> <i>Occupational Health and Safety Act</i>- Noise protection requirements from workplaces, including construction, health care, schools and fire/police services <i>Highway Traffic Act</i>- Provisions to manage noise from the operation of motor vehicles <i>Environmental Protection Act</i>- Regulates environmental noise emissions by establishing sound level limits for stationary industrial and renewable energy sources, and setting requirements for noise impact studies for land use planning decisions Noise under provincial regulations includes provincial infrastructure project, provincial railways, highways and wind turbines 	<ul style="list-style-type: none"> <i>The Municipal Act, 2001</i> empowers municipalities to enact noise by-laws to control sound (noise)

2019 Noise Complaints

In 2019, there were 1451 noise complaints and 631 inquiries about noise which did not lead to a service request. 1300 of the 1451 noise complaints were analyzed to determine noise type. Due to data inaccuracies not all complaints had sufficient information to be classified.

Noise Types	Description	Number of Complaints in 2019
Auditory signalling	Ringling of bells or gongs and the blowing of horns or sirens or whistles	20
Amplified Sound	Amplified sound (for example, music emanating from speakers from bars, night clubs, restaurants, cafes/patios, buskers or concerts)	463
Power Device Noise	Power devices (for example, leaf blowers, chain saw, lawn mowers, grass trimmers).	16
Commercial and Industrial including Loading and Unloading Noise ¹	Noise from loading, unloading, delivering, packing, unpacking and otherwise handling any containers, products or materials.	195
Stationary Source Noise	A sound from a stationary source or residential air conditioner	49
Motor Vehicle Noise	Clearly audible noise from vehicle repairs, rebuilding, modifying or testing	25
Construction noise	Includes erection, alteration, repair, dismantling, demolition, structural maintenance, land clearing, earth-moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, application of concrete, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection with these activities	194
Animal Noise	Persistent noise, including barking, calling or whining or other similar persistent noise, made by any animal kept or used for any purpose	363
Yelling or shouting or other human noises	Yelling, screaming, shouting, singing, loud parties, children playing	123

¹ Includes five categories- Loading and unloading, stationary powered rail cars, venting, release or pressure release of air, steam or other gaseous material, the operation of a solid waste bulk lift or refuse compacting equipment and the operation of a commercial car wash

Noise Control Jurisdictional Scan

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
Is there a Noise By-law?	Noise By-law 93-84	The Nuisance and Noise Control By-law 19-2003	Noise Control By-law 11-285	Noise By-law 2017-76	Noise By-law 2008-098	Noise By-law 2017-255	Toronto Municipal Code Chapter 591, Noise	The Noise Control By-law 062-2018	Community Standards By-law 5M2004 Part 9 – Regulation of Noise	Community Standards By-law 14600 Part III – Noise Control	Noise Control By-law No. 6555	Noise Control By-law 360-79
Is there a Nuisance By-law?	Public Nuisance By-law 136-2018	Yes	No	No	Nuisance By-law 2007-143	No	No	The Nuisance By-law 195-2000	No	No	No	Nuisance Type Noise By-law 785-80
Does it apply to noise enforcement?	Yes. unreasonable noise, including loud music is included in the definition of public nuisance.	Yes			Yes			Yes				
What is the date of the Noise By-law	2014 – Amended	2019 – Amended	2017 – Amended	2017 – Enacted	2016 – Amended	2019 – Amended	2019 – Updated	2019 – Amended	2017 – Amended	2019 – Consolidated	2020 – Consolidated	1980 – Passed
Are noise levels listed in the Noise By-law?	No Noise levels are not used	No Noise levels are not used	No Noise levels are used only	No Noise levels are not used	Yes A decibel level is used	Yes A decibel level is used	Yes A decibel level is used	Yes A decibel level is used	Yes A decibel level is used	Yes A decibel level is used	Yes A decibel level is used	No Noise levels are not used

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
Are prohibited times listed within the Noise By-law?	No Prohibited times are not listed	References are made to the Ministry of Environment s (NPC's) Noise Pollution Control publications which use dBA levels.	for exemptions		to measure noise (dBA)	to measure noise (dBA)	to measure noise (dBA & dBC) for amplified noise, "A" weighted sound levels(dBA) are used to enforce stationary sources, motorcycle noise and noise exemption permits.)	to measure noise (dBA)	to measure noise (dBA)	to measure noise (dBA)	to measure noise (dBA)	
	No Prohibited times are not listed	Yes Prohibited times for noise types are listed in Schedule 2 of the By-law	No Prohibited times are only listed for exemptions	Yes Prohibited times for noise types are listed in Schedule A of the By-law	Yes Prohibited times for noise types are listed in Schedule 2 of the By-law	Yes Prohibited times for noise types are listed within the By-law	Yes Prohibited times for noise types are listed within the Municipal Code	Yes Prohibited times for noise types are listed in Schedule 2 of the By-law	Yes Prohibited times for noise types are listed within the By-law	Yes Prohibited times for noise types are listed within the By-law	Yes Prohibited times for noise types are listed within the By-law	Yes Prohibited times for noise types are listed in Schedule 2 of the By-law
		8 prohibited periods depending on the type of noise		13 prohibited periods depending on the type of noise	6 prohibited periods depending on the type of noise	13 prohibited periods depending on the type of noise	7 prohibited periods depending on the type of noise	7 prohibited periods depending on the type of noise	5 prohibited periods depending on the type of noise	5 prohibited periods depending on the type of noise	8 prohibited periods depending on the type of noise	7 prohibited periods depending on the type of noise

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
What are the associated penalties for noise?	Provincial Offences Act	Provincial Offences Act	APS then a Provincial Offences Notice	Provincial Offences Act	POA fines Range from \$115-\$255 Note: currently looking at amending the noise by-law to include APS. Once this is approved, the fine amount will be \$300.	APS then a Provincial Offences Notice	POA – Part I for some offences, and Part III for remaining. Orders can be written for non-compliance.	AMPS and Provincial Offences Act	Typically a fine between \$250-\$500 is issued	Typically a fine between \$250-\$500 is issued	Fine not more than \$10,000 and not less than \$250.00	Provincial Offences Act
What is the complaint process for noise?	Noise complaints can be registered by phone or online Reporting package is available online	Noise complaints can be registered by phone, email or online	Noise complaints can be registered by phone or online	Noise complaints can be registered by phone or online Receive most complaints through customer service phone line	Noise complaints can be registered by phone or email through ServiceOakville As of June 1, the following Noise complaints can be	Noise complaints can be registered by phone or online 24 hours a day.	Noise complaints can be registered by phone or online	Noise complaints can be registered by phone, online, or Access Vaughan App	Noise complaints can be registered by phone, online, or through the City's 311 App	Noise complaints can be registered by phone, online, or through the City's 311 App	Noise complaints can be registered by phone via 311.	Noise complaints can be registered by phone or online Many complaints received by Peel Police Most noise complaints register

Appendix 3: Noise Control Jurisdictional Scan

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
					submitted online: Barking Dog Construction Event/party							outside the operating hours of Compliance

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
What is the enforcement process for noise?	No noise equipment or training is administered Officers typically respond to a registered complaint the same or next day but it depends on the nature of the complaint Residents can call 311 or report on line using app. Anonymous caller will not be accepted Full details of the noise, dates, times, type of noise... is required If sufficient grounds to suspect an offence has taken place, a Notice of violation may	Noise equipment is outdated and not used. 3 of the 5 Officers are certified in noise by the MLEOA Officers typically respond to registered complaints within 2 days 2 business days IF during seasonal noise enforcement program with Halton Regional Police Services Bylaw response went from 2 days to approximately 10 minutes and HRP's when from 2+ hours to approx. 2 mins as dedicated	Officers receive training from MLEOA and carry decimal readers but do not use them Officers typically respond to registered complaints the same day Typically an officer is assigned to noise complaints Police may deal with some noise complaints depending on the nature of the matter Thursday-Sunday an Officer will ride with local police to respond to noise complaints Sometimes a team is assembled for special events	No noise equipment or training is administered Officers typically respond to registered complaints within 1-3 days Complaints are received by customer service, a reporting package is then sent to the resident and once it is completed it is sent back to the town where it is then provided to the area officer for investigation	Officers use a noise reading device called Larsen Davis LXT1 and receive MLEO noise training Officers typically respond to a registered complaint the same day but it could depend on the nature of the complaint If the location is a party, they may refer the call to the police Priority placed on party noise, construction, deliveries, pool/pumps. Longer investigations include stationary source complaints such as	Officers receive in-house training and carry decimal readers Officers typically respond to a registered complaint the same day but it could depend on the nature of the complaint If a complaint comes in after hours, the next available officer will pick up the case in the morning. Service operating hours: Sunday-Thursday: 6AM-2AM Friday-Saturday: 6 AM-4 AM	There is a dedicated Noise Enforcement Team who is trained on subjective and objective (e.g. decibel limits) measurement. They respond on a priority basis. For example, within 24 hours for Priority One, 3 days for Priority 2, and 5 days for Priority 3. Priority 4 requests receive no investigative action from an Officer.	Officers recertified their training for noise in November 2018, they also purchased Piccolo noise meters but do not carry them Officers typically respond to a registered complaint between 3-5 days if it is a non-emergency and depending on the nature of the complaint Special events are monitored the day of by Officers	Officers use a noise decimal device and receive informal training Officers do not base a noise offence charge on a measurement but rather focus on complaints and investigation If a charge requires a noise level measurement it is referred to a noise expert outside of the City Officers typically respond to a registered complaint between 7-10 days depending on the nature of the complaint and work load of the officers High priority (3-5 day	The operator will take the complaint, our clerk will then receive the complaint and open a case file which is then assigned to the district inspector to investigate Noise complaints are handled as quickly as possible not unlike other complaints they receive Try to contact the complainant within 2-3 days of receiving the complaint Many layers to the	No noise equipment or training is administered Officers typically respond to registered complaints within 5 days Officer discretion and complaint logs are the primary forms of evidence used to address noise complaints	

Appendix 3: Noise Control Jurisdictional Scan

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
	<p>be issued to defendant</p> <p>If noise continue, charges may be laid</p> <p>We typically need two separate complaints to proceed with charges</p>	<p>personnel available to respond</p> <p>Noise Enforcement program from May-September with Halton Police has an approximately 10 min response time</p>			<p>delivery noise etc.</p> <p>Low priority calls are barking dogs</p>				<p>response)</p> <p>Standard Priority (5-7 day response)</p> <p>Emergency (24 hour response)</p> <p>Noise does not fall under emergency response</p>		<p>enforcement process and how its carried out; what type of noise, where the noise comes from and received, when it is occurring, our inspectors if need be will do noise readings to see if it is in compliance</p> <p>The noise meters are from Quest Technologies , Model 2200, type 2. Our training was from a gentleman by the name of Eric Zwerling (Director, Rutgers Noise technical Assistance</p>	

Appendix 3: Noise Control Jurisdictional Scan

Category	Brampton	Burlington	Hamilton	Newmarket	Oakville	Ottawa	Toronto	Vaughan	Calgary	Edmonton	Vancouver	Mississauga
											Center) from Rutgers University. Eric has made his way to Vancouver (on our request) on two occasions. We have also sent some of our inspectors to Seattle when he had an engagement down there to have the training as well.	

Community Engagement Summary


**noise control
by-law review**



**City of Mississauga
Enforcement Division
Noise Control By-law Review
Community Engagement Summary**

Community Consultations

January 20th, 2020 Huron Park Recreation Centre ----- Page 3

Ward 7

6-8pm

Approximately five participants

January 21st, 2020 Malton Victory Hall ----- Page 6

Ward 5

6-8pm

Zero participants

January 22nd, 2020 Clarke Memorial Hall ----- Page 7

Ward 1

6-8pm

Approximately 80 participants

January 23rd, 2020 Meadowvale Theatre ----- Page 12

Ward 9

6-8pm

Approximately five participants

January 29th, 2020 South Common Community Centre ----- Page 16

Ward 8

6-8pm

Approximately 10 participants

January 30th, 2020 Tomken Twin Arena ----- Page 21

Ward 3

6-8pm

Approximately five participants

Focus Group Sessions

February 4th, 2020 Rate Payers Associations ----- Page 25

Mississauga Civic Centre

6-8pm

Approximately six participants

February 6th, 2020 Construction Industry ----- Page 28

Mississauga Civic Centre

10-12pm

Approximately 10 participants

February 12th, 2020 Business Improvement Areas ----- Page 30

Mississauga Civic Centre

10:30-12:30pm

Approximately seven participants



Noise Control By-law Review Community Consultation 1
Monday, January 20, 2020
6:00 - 8:00pm
Huron Park Recreation Centre
830 Paisley Boulevard West

Participants

Approximately five participants attended this community consultation.

Welcome / Project Background

Chris Giles, Manager, Compliance and Licensing provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation, introduced Karyn Stock-MacDonald, Facilitator and her role to this project, and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, types of noise the by-laws do and do not address, current state and response processes, changes under consideration and next steps.

Due to the attendance this community consultation did not follow the World Café model where tables were created based on four main themes; Types of Noise, Communication Preference, By-law Exemptions, and Service Levels. Rather this consultation followed an open table discussion regarding the Noise Control By-law guided by Karyn Stock-MacDonald while staff took notes. The feedback from this community consultation based on the open table discussion is captured below.

Open Table Discussion

- A quiz regarding facts of the Noise Control By-law was completed by the participants and answers were discussed.
 - What surprised you the most about the information provided by the quiz?
 - The prohibited time periods
 - Music playing not permissible past 5pm
 - No mention of motor vehicles
- What are some of the main noise issues for you?
 - Motor vehicles
 - Noise being persistent
 - home modification needed to be done in attempt to mitigate the noise
 - Unable to sleep
 - City vehicles, especially buses are sometimes the loudest emitters of noise
 - Getting cooperation from Police and Provincial or Federal governments
 - Motor vehicles
 - Modified

- Idling
 - Violating Highway Traffic Act but no consequences
 - Construction work
 - 7am is too soon to allow noise and should reflect regular business hours
 - Sports field
 - Leads to
 - Swearing,
 - Whistle blowing; and
 - Many related issues up until 11pm
- What are some of your ideas? How do you suggest noise be dealt with?
 - More quiet zones or a development of more types of zones which limit the types of noise permitted
 - Decibel levels for objective enforcement
 - Use of technology to enforce and monitor noise
 - A recognition that noise is pollution and requires a mind shift
 - City is spending a lot of money on noise walls and they don't do anything
 - Toronto is doing a noise program to enforce vehicle noise while we just pay Peel Police who are not enforcing vehicles that violate laws
 - Why do Police say it is a "City Issue"
- What brought you here today?
 - Was affected by noise at 3am and was extremely angry and came across the survey and community consultations while online researching
 - Filed a complaint to their Councillor and the Mayor, who forwarded the consultation schedule to them
 - Director of Enforcement emailed the information
- Best way to communicate to the public?
 - City website
 - Mayor and councillor newsletters
 - Insauga
 - Associations like condo boards
- Key themes for you?
 - Vehicle noise
 - Different groups of governments need to come together
 - Enforcement or lack there of
 - If enforcement cannot follow up right away then what help does that provide
 - Constant shouting on the sports field in their neighbourhood
 - Location issues
 - More noise in some areas compared to others
 - Construction happening at 1am
 - Noise needs to be dealt with right away
 - Use of technological equipment to enforce noise
 - Establishing decibel levels for objective enforcement
 - A review of the prohibited periods and quiet zones
 - Limiting times and loud noise emitted from religious institutions

- General time restrictions should be consistent rather than varying by type or day
- Noise is pollution

Closing Remarks

Karyn Stock-MacDonald provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.

Feedback from Participants

Participants were asked to fill out a feedback form at the conclusion of the community consultation. Participants were asked to rate the consultation on a scale from 1 (strongly disagree) to 4 (strongly agree) based on varying statements. Participants who completed the feedback forms mostly agreed/strongly agreed that this community consultation was effective and were happy with the result. Some participants added further comments and are captured below:

- The low turnout rates at community consultations or for the online survey should not be discouraging and rather the feedback provided by those who have participated should be taken into greater consideration when developing options/approaches
- Would like to know about the outcomes of this by-law review
- Would like to know how the community consultations will be used
- Provide a non-online option for the survey

Main Themes

The main themes that emerged from the Huron Park Community Centre Noise Community Consultation are captured below:

- Enforcement
 - Enforcement Officers are not available when noise issues are the most prominent
 - No cooperation between Peel Police, Government of Ontario and Enforcement
- Noise Issues
 - Both vehicle and motorcycle noise,
 - Includes City vehicles like buses
 - Noise emitted from parks and sport fields
 - Construction
- Solutions
 - Prohibited / permitted times are not equitable and need to change
 - Complaint process should be clearer and deliver a resolution immediately
 - Vehicle noise is a top complaint but it is outside the City's authority so how do we solve this?



Noise Control By-law Review Community Consultation 2
Tuesday, January 21, 2020
6:00 - 8:00pm
Malton Victory Hall
3091 Victory Crescent

Participants

No participants attended this community consultation.



Noise Control By-law Review Community Consultation 3
Wednesday, January 22, 2020
6:00 - 8:00pm
Clarke Memorial Hall
161 Lakeshore Road West

Participants

Approximately 80 participants attended this community consultation.

Welcome / Project Background

Councillor Dasko, who was present for this community consultation, provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation, introduced Karyn Stock-MacDonald, Facilitator and her role to this project, and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, types of noise the by-laws do and do not address, current state and response processes, changes under consideration and next steps.

The community consultation followed a World Café model where tables were created based on four main themes; Types of Noise, Communication Preference, By-law Exemptions, and Service Levels. Participants would spend time at each table and generate a discussion based on each theme. Enough time was allotted to allow participants to contribute in discussion at each table for each theme. Each table had a facilitator (a member of the City's Innovation Coaches group) who facilitated the discussion by asking some guiding questions and took detailed notes. Once the exercise was complete, Karyn Stock-MacDonald asked each facilitator to discuss the main topics of discussion at their tables. The feedback from the community consultation based on four main themes is captured below.

Types of Noise

- What are some of the issues around noise in your neighbourhood?
 - Construction noise both due to vehicles and power tools being used, especially outside of the permitted times
 - Motor vehicle and motorcycle noise, due to vehicle modifications and racing
 - Domestic units; gas powered leaf blowers, A/C units, lawn mowers, and pressure washers
 - Live music events; those occurring in restaurants/bars or public parks
 - Highway traffic, aircrafts, and water crafts
- What kinds of noise may come from your home/yard that can be heard by other neighbours?

- Domestic units; lawn maintenance tools, A/C units
- Pets
- Small backyard events
- Music
- How loud or frequent do you think noise needs to be before it becomes a nuisance?
 - Traffic noise
 - Regular partying
 - Fireworks
 - Noise after 11:00 p.m. or before 7:00 a.m.
 - Intentionally trying to cause a disturbance
 - Unable to sleep or open your windows
- What are some of your ideas on how noise could be handled in your neighbourhood?
 - Guidelines for businesses regarding noise level and possible penalties
 - Objective criteria like decibel levels
 - Officers equipped with noise measurement tools
 - Better availability of Enforcement Officers during “off-peak” hours
 - Pro-active policing
 - Reviewing the hours for noise

Communication Preference

- How did you hear about this meeting and why did you attend?
 - Facebook
 - City Signs
 - Councillor newsletter
 - Family friend
 - Town Of Port Credit Association (TOPCA) email
 - Lakeview Rate Payer Association
 - Lack of enforcement
 - Noise is a disturbance
 - No resolutions or penalties for offenders
- If you had a noise complaint, what would you do?
 - Call 3-1-1
 - Call the Councillor’s office
 - Call the MPP
 - Speak to the individual(s) emitting the noise
 - Call police
- What is the best method of communication for the City to use moving forward with this project?
 - Councillor mass emails
 - Community association groups, their social media and/or email accounts
 - Signage in City facilities
 - Door-to-door flyers or personal mail
 - Local newspapers

By-law Exemptions

- A quiz on the Noise Control By-law was completed by the participants and their responses guided the discussion of this theme.
- What stood out or surprised you about the Noise Control By-law?
 - Periods for music
 - Firework restriction in quiet zones
 - Advertisement or shouting
 - Whistling
 - Operation of combustible engines
- What changes may you recommend to the By-law?
 - Increase availability of Officers
 - Both an increase in fines and stricter enforcement
 - Change in timeframes
 - Enforcement of vehicles
 - Updating the by-law to remove things that no longer apply
 - Develop decibel limits
 - Enforcement in quiet zones

Service Levels

- List the types of noise complaints you think may warrant on-site intervention?
 - Persistent noise
 - Time noise is occurring (e.g. evening)
 - Loud parties
 - Speeding or modified vehicles
 - Construction
- Based on the different types of noise, where do you think Enforcement staff should focus their resources?
 - Have dedicated noise officers
 - Immediate response
 - Extending Officer availability
 - Vehicle noise
 - Permit allowance / exemptions
 - Construction
 - Restaurant / bar noise
- What expectations do you have or what changes would you like to see?
 - Permit changes
 - Response times
 - Collaboration with police
 - Establishing decibel levels
 - Use of technology for enforcement
 - Heavier fines
 - Quick turnaround time for resolutions

Feedback from Participants

Participants were asked to fill out a feedback form at the conclusion of the community consultation. Participants were asked to rate the consultation on a scale from 1 (strongly disagree) to 4 (strongly agree) based on varying statements. Participants who completed the feedback forms mostly agreed that the community consultations were effective and were happy with the result. Some participants added further comments and these are captured below.

- Staff should have provided the information regarding Noise Community Consultations to more residents
- Enforcement Officers are usually off -duty when noise is an issue
- The facility did not met accessibility needs
- Use complaint data to inform where noise enforcement should occur
- Would like to know about the outcomes of this by-law review
- Would like to know how the community consultation will be used
- Not enough discussion on enforcement practices
- Heavier punishments

Closing Remarks

Chris Giles, Manager, Compliance and Licensing provided closing remarks and thanked the participants for taking the time to attend and inform our approaches moving forward. Staff remained at the facility to answer any further questions.

Main Themes

The main themes that emerged from the Clarke Memorial Hall Noise Community Consultation are captured below:

- Enforcement
 - Enforcement Officers are not available when noise issues are the most prominent
 - There is no enforcement of noise violations
 - No cooperation between Peel Police and Enforcement for noise
- Noise Issues
 - Both vehicle and motorcycle noise has increased over time and is a prominent issue in Port Credit. This includes;
 - Vehicle modifications
 - Racing or revving engines
 - Vehicles traveling in large groups
 - Construction noise relating to tools and vehicles, especially during times when it is not permitted
 - Lawn maintenance tools
 - Live events at restaurants and bars during late hours of the night into early hours of the morning
- Solutions

- Increasing the availability of Enforcement Officers or dedicated Officers for noise
- Use of technological equipment to enforce noise
- Establishing decibel levels for objective enforcement
- A review of the prohibited periods and quiet zones
- Guidelines for businesses
- 'Edmonton model' of vehicle enforcement



Noise Control By-law Review Community Consultation 4
Thursday, January 23, 2020
6:00 - 8:00pm
Meadowvale Theatre
6315 Montevideo Road

Participants

Approximately five participants attended this community consultation.

Welcome / Project Background

Councillor Saito, who was present for this community consultation, provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation, introduced Karyn Stock-MacDonald, Facilitator and her role to this project, and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, types of noise the by-laws do and do not address, current state and response processes, changes under consideration and next steps.

Due to the attendance this community consultation did not follow the World Café model where tables were created based on four main themes; Types of Noise, Communication Preference, By-law Exemptions, and Service Levels. Rather this consultation followed an open table discussion regarding the Noise Control By-law guided by Karyn Stock-MacDonald while staff took notes. The feedback from this community consultation based on the open table discussion is captured below.

Open Table Discussion

- What noise issues pertain to you?
 - House backs on to railway tracks, but acknowledges he knew when buying the house that this could be an issue
 - Neighbours who play music or refuse to even turn down the bass
 - People not acknowledging that their noise affects others
 - Loud mufflers
 - Industrial noise like rooftop units
 - Fireworks
 - 2am phone conversations taken by neighbours outdoors
 - Vehicle noise
- What types of noise may you cause?
 - Occasional gathering
 - Pets
 - Music

- What consists of a nuisance type noise?
 - Rather than the type of noise
 - Frequency
 - Noise level; and
 - Time are of much greater concern
- What are your ideas for noise?
 - Central place for people to do fireworks
 - By-law officers available right away
 - Letter or poster to remind people of the rules
 - Increase awareness to regulation and the particular by-laws
 - If we have quite zone restrictions we should/need to enforce them
 - People may/can be receptive to informing them that the noise they are emitting is creating a nuisance
 - Why do animal noise calls require an address?
 - Simplified version of the by-law (this is what you are and are not permitted to do)
- What types of noise warrant an on-site intervention?
 - Anything intermittent
 - Continuous noises
 - If it is a health hazard
- What are the most serious noise emitters?
 - Animal noise (in the case that an animal is in danger)
 - Noise occurring at night
 - Prioritizing types of noise is not an effective way as people might have different issues with the level of noise or the frequency of it
 - People can be affected in different ways by the same type of noise
 - Planes
 - Acknowledges it is not in the scope of this project
 - Lawn maintenance
- Communication methods
 - Councillor newsletter
 - Through community organizations and/or groups
 - Personal mail
 - Banners on popular Mississauga websites
 - YouTube ads; Utilizing location settings
 - Automated calls
 - But can be a nuisance to some
 - Email
 - Sometimes when you provide your email nothing is ever sent regarding progress or completion of the particular project
 - Ads on websites and/or social media platforms
- How have you or how would you file a noise complaint?
 - Talk to person(s) emitting the noise
 - Called 3-1-1
 - Called Councillor
 - Call police non-emergency number

- Councillor informed the group that waiting to report a by-law violation is not a good method and rather than waiting months or even years residents should call as soon as possible to document the issue

Closing Remarks

Karyn Stock-MacDonald provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.

Feedback from Participants

Participants were asked to fill out a feedback form at the conclusion of the community consultation. Participants were asked to rate the consultation on a scale from 1 (strongly disagree) to 4 (strongly agree) based on varying statements. Participants who completed the feedback forms mostly strongly agreed that this community consultation session was effective and were happy with the result. Some participants added further comments and are captured below:

- Happy to see active participation from City staff on multiple nights and locations
- Not clear on what the by-law consists of or deals with
- Would enjoy more follow-up from staff during or after the completion of a project
- What are the health impacts of noise?
- How do we determine what is an urgent noise complaint and what is not?

Main Themes

The main themes that emerged from the Meadowvale Theatre Noise Community Consultation are captured below:

- Enforcement
 - Lack of enforcement from by-law or police
 - Availability of officers
 - How animal noise complaints are dealt with in comparison to other noise complaints
- Noise Issues
 - Loud and persistent music
 - Placing an importance on the level and/or frequency of noise as opposed to the particular type or form of noise emitted
 - Industrial noise
 - Fireworks
 - Noise caused late at night and/or early morning
- Solutions
 - Increased public education of the Noise Control By-law
 - Simplified version of the Noise Control By-law
 - On-site interventions for noise issues

- Ways to report urgent noise complaints compared to low priority complaints
- Use of Ping Street for noise complaints
- Method for audio and/or visual evidence submission
- Re-thinking of reasonable time periods
- Police blitz for vehicle noise



Noise Control By-law Review Community Consultation 5
Wednesday, January 29, 2020
6:00 - 8:00pm
South Common Community Centre
2233 South Millway Road

Participants

Approximately 10 participants attended this community consultation.

Welcome / Project Background

Ross Spreadbury, Supervisor, Compliance and Licensing provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation, introduced Karyn Stock-MacDonald, Facilitator and her role to this project, and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, types of noise the by-laws do and do not address, current state and response processes, changes under consideration and next steps.

Due to the attendance this community consultation did not follow the World Café model where tables were created based on four main themes; Types of Noise, Communication Preference, By-law Exemptions, and Service Levels. Rather this consultation followed an open table discussion regarding the Noise Control By-law guided by Karyn Stock-MacDonald while staff took notes. The feedback from this community consultation based on the open table discussion is captured below.

Open Table Discussion

- What are some of the noise issues pertaining to you?
 - Construction noise
 - Late at night
 - Early morning
 - Many of the older homes in the area are being renovated and contractors may be violating the by-law(s)
 - Dogs, especially dogs left outside in backyards which are constantly barking
 - Not calling 3-1-1 for noise issues is a problem because then the City doesn't have relevant data
 - Having to call the City and Police, however neither are able to resolve the issue
 - Parties at late hours
 - Multiple times a week
 - Police are not informed of the noise by-laws
 - On weekends everyone is cutting grass and/or hosting parties
 - communal noise
 - Becoming victim to retribution for filing a noise complaints

- Some feared attending the event
 - Not having an immediate response from enforcement
 - Increase in backyard outdoor living areas and pools
 - Leaf blowers
 - Automobiles
 - Modified RAM 1500 in the neighbourhood
- What would warrant an on-site intervention?
 - 3am in the morning
 - Blatant offenders of the by-law
 - Issue of moving cars
 - This can lead to vehicle lights shining in homes, causing a nuisance
 - If officers can't respond to complaints issue can arise between neighbours
 - Lighting nuisance is linked with noise
 - Not the event but the on-going persistence of noise
 - What would be the availability of an officer?
 - Friday - Sunday night issues
 - The time of the event
 - Length of time
 - Short term accommodation issues like noise by-law violations
 - Noise levels
- Communication Preferences
 - Email
 - Websites
 - Councillor newsletters or emails
 - Rate payer associations groups
 - Ping street usage
- Noise Log
 - Keep it simple and use old office templates (Word 2000)
 - It needs to be accessible
 - Both hand written forms and electronic
 - Logs can have more direction on how they are organized and
 - Completing the noise log can be very difficult
 - Don't understand how valuable or invaluable it is to achieving a resolution
 - More education on the log to understand how they need to be filled out
 - Many choose not to do it due to confusion
 - How to submit supporting evidence
 - Video and audio
- General Input
 - Educating contractors on by-law requirements, especially with regards to construction
 - Can't assume that people know the by-laws or possible violations –
 - Animal services education brochures are great
 - Noise is a health hazard and it effects everyone
 - Especially kids or older adults
 - Hiring companies that do too many houses in one area/neighbourhood

- Want police present at these meetings
- Daycares and home babysitting continue to open in residential areas
- Development and intensification in the area and allowing developments to do whatever they like
- Noise should be considered pollution and wants Peel Public Health to start taking this issue seriously
- Complainants need to be present as a witness in courts and this is where charges “fall in the cracks” because they often do not want to be identified or can take the time off work
- Officers need support from police and the court system
- If particular noise issues are outside the jurisdiction of the City then make it clear in the by-law
- The by-law needs to be clear as to what and why certain things are not included
- Sometimes Federal or Provincial governments may have the resolution processes but even these still require support from the City and often times the City does not support residents in these processes that involve multiple levels of government
- Try to help prosecutions to substantiate a charge
- Questions
 - What do you mean about bundling types of noise together?
 - How do you regulate/enforce noise when its permitted to occur but may be causing a disturbance?
 - Why are we permitting so many houses to add additions to their home which directly contribute to noise issues?
 - What kind of noise is considered a public safety issue so police will respond?
 - Will we see the recommendations before they go to council?
 - What will be the difference between the new and old by-law?
 - Will the “new” by-law have a chart within it to inform people what is and is not allowed?
 - Rate payer associations are upset and would like to have an increased presence in these processes and would like to know why there is a lack of acknowledgement and inclusion of these groups by the City/Council?
 - Feeling that these meetings generate discussion but then in the final stages the end result does not reflect the input that was provided by residents

Closing Remarks

Karyn Stock-MacDonald provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.

Feedback from Participants

Participants were asked to fill out a feedback form at the conclusion of the community consultation. Participants were asked to rate the consultation on a scale from 1 (strongly disagree) to 4 (strongly agree) based on varying statements. Participants who completed the feedback forms mostly agreed that this community consultation was effective and were happy with the result. Some participants added further comments and are captured below:

- Disagreed with the statement “Information provided by the City helped me to prepare for the engagement”
- Hope the comments are taken seriously
- Not many people attended. Maybe 7-9pm is a better time
- Did not agree with being asked to identify a statement that applied to them (i.e visible minority, person with a disability, Indigenous person, etc.)
- Excellent session, looking forward to seeing the results
- Why is the Noise Control By-law being reviewed?
- Concerned with Airbnb’s operating in their neighbourhoods and the corresponding by-law violation renters may cause
- Complainants are often attacked or threatened by the accused and are in fear of the retribution from making a complaint
- Direction by the City and Council regarding intensification and development is not aligned with what the citizens want

Main Themes

The main themes that emerged from the South Common Community Centre Noise Community Consultation are captured below:

- Enforcement
 - Greater punishment
 - Communication between Officers and complainant
 - Quicker response/resolution times
 - By-law awareness/education for public but also for contractors operating in the City
 - Complainants are often attacked or threatened by the accused and are in fear of the retribution from making a complaint
 - Greater cooperation between police, enforcement and the courts to effectively enforce noise
 - Need objective measurements
- Noise Issues
 - Parties
 - Causing loud music
 - Multiple times a week
 - Dogs barking
 - Late night/early morning noise

- Frequent and persisting noise
- Multiple vehicles on a property
 - Noise and lighting nuisances caused when all those vehicles are moved/rearranged
- Construction
 - Home renovations
- Solutions
 - Noise log needs to be updated
 - Accessible format
 - Written and online submission methods
 - Ability to add audio or visual evidence
 - Clear instructions or guidelines on how to complete a log
 - Greater availability of Enforcement Officers on weekends and late at night
 - By-law regulation and penalty awareness
 - Noise should be considered/recognized as a health issue by government agencies



Noise Control By-law Review Community Consultation 6
Thursday, January 30, 2020
6:00 - 8:00pm
Tomken Twin Arena
4495 Tomken Road

Participants

Approximately five participants attended this community consultation.

Welcome / Project Background

Councillor Fonseca was present for this community consultation.

Ryan Regent, Municipal Law Enforcement Officer, Compliance and Licensing provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation, introduced Karyn Stock-MacDonald, Facilitator and her role to this project, and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, types of noise the by-laws do and do not address, current state and response processes, changes under consideration and next steps.

Due to the attendance this community consultation did not follow the World Café model where tables were created based on four main themes; Types of Noise, Communication Preference, By-law Exemptions, and Service Levels. Rather this consultation followed an open table discussion regarding the Noise Control By-law guided by Karyn Stock-MacDonald while staff took notes. The feedback from this community consultation based on the open table discussion is captured below.

Open Table Discussion

- Types of noise affecting you?
 - Vehicles
 - Street racing
 - Modification of vehicles
 - Soccer field that installed light fixtures in their neighbourhood
 - Construction
 - City led road construction
 - Water main repair/construction
 - Councillor Fonseca spoke on construction noise
 - City age and water main issues need to be done in order to deal with City centre growth
 - High concentration of projects in a small area
 - Need a rest from constant construction noise

- Vehicle reverse safety sound
 - Increase in high-rise construction and intensification causes more people in the area with vehicles and attempting to find parking and general traffic
 - Fireworks
- What warrants an on-site visit?
 - Fireworks –
 - People have courts and it becomes a firework central
 - Cherry bombs
 - Swearing and shouting
- How would you file a complaint?
 - 3-1-1
 - Police
 - Depending on the noise they would make a choice on who should be called
 - Police
 - 3-1-1
- Solutions for noise issues?
 - Enforcement is nonexistence especially for fireworks
 - Enforcement blitz in areas that are known for high firework usage on prohibited days/times
 - Create/increase public education and awareness
 - Administer strict penalties and report these charges in local media to create fear
 - Automated update on complaint
 - Complainants could input their service request # and can receive a status update
 - Would like to actually have officers respond on scene or maintain communication with complainant
- Communication preferences?
 - City websites
 - Mississauga local news outlets
 - Ads in local papers
 - Hard copy to everyone
 - Mailing
 - City signs
- General input
 - Question 10 of the public survey that asks if the City should allow construction on Sundays implied the City was working with construction companies and not thinking about residents
 - Wording on question 10 could be better
 - Having construction for seven days is unfair and residents need a break
 - Noise is pollution and it hinders people's health
 - No construction past 7pm
 - There was no acknowledgement or thank you after submitting a completed survey entry
 - How long would a complaint via a noise log take for a response or resolution?
 - Will decibel measurements be used?

- Lights are a nuisance and may be separate from this review but large industrial lights do create noise
- No special by-law privileges for school, companies, and/or contractors
- People can complain about dogs or parties but not about noise created on an adjacent sports field?
- Resident put up their own DIY signs about fireworks not being permitted in the park
- Audio and video submission for noise logs
- No follow-up on complaints when they are made –
- Should have a feature for 3-1-1/call centre to inform officers that complainant wants an update on the situation and its progress
- Having outcome information sent to complainant
- Online forum
- Greater control on the expansion and intensification of the City especially since Enforcement Officers have not increased
- A sense of apathy and people not contributing because they feel that they are not being acknowledged or heard
- Intensification should be halted until we can respond to it accordingly
- How are officers divided
 - Their hours
 - Availability
 - City areas
- Afraid of retribution
- How does the City allow the school board to set up a sports field or any other developments that they know will cause noise or nuisances
- Tiny dogs left in the backyard and they are barking in the backyard and not being let in
- People's common sense and knowing the rules seems to be lacking
- Why is the City trying to compact so much in such small areas
- Support an emergency water main construction that may cause noise but not proactive construction all the time without breaks for residents
- What is the priority level of the water main construction or all City lead construction projects?
- Construction causes many to not be able to enjoy outdoor activities
- Police not directing traffic or helping people on scene of those construction projects

Closing Remarks

Karyn Stock-MacDonald provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.

Feedback from Participants

Participants were asked to fill out a feedback form at the conclusion of the community consultation. Participants were asked to rate the consultation on a scale from 1 (strongly disagree) to 4 (strongly agree) based on varying statements. Participants who completed the feedback forms mostly agreed that this community consultation was effective. Some participants added further comments and are captured below:

- Was not satisfied with the engagement process
- There should be better advertisement of events
 - Newspapers
 - Flyers
- City intensification and development is not aligning with resident's desires
- As a white female, believes she is a visible minority
- High density of the City is leading to an increase in issues, in this case by-law related issues
- Seniors are increasingly being forgotten in the City
- By-laws need to be more specific and not broad in nature

Main Themes

The main themes that emerged from the Tomken Twin Arena Noise Community Consultation are captured below:

- Enforcement
 - Lack of response
 - Don't know when Officers would be available
 - Retribution for contacting making a complaint
 - School boards or contractors receiving special privilege to cause noise in the City
 - No staffing increase for Enforcement Officers
- Noise Issues
 - Fireworks
 - Sports field
 - Shouting and swearing
 - Construction
 - Dog barking
- Solutions
 - Limiting City construction
 - More of a response from Enforcement Officers
 - Enforcement Officers providing updates on the status of complaints
 - Enforcement blitz of firework usage during prohibited periods



Noise Control By-law Review Focus Group Session 1
Tuesday, February 4, 2020
6:00 - 8:00pm
Mississauga Civic Centre, Committee Room A
300 City Centre Drive

Participants

Approximately six participants representing various Rate Payer Associations attended this focus group session.

Welcome / Project Background

Ross Spreadbury, Supervisor, Compliance and Licensing provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, key themes from the community consultations, preliminary survey results, and next steps. The focus group session also included a Noise Control By-law Schedule Two Permitted Period consolidation activity that asked participants to suggest how the 16 activity types in Schedule Two could be consolidated. The feedback from this focus group is captured below.

Feedback

- Noise Control By-law
 - The different classification for Prohibited Periods of Time is confusing (A / B / C / D / E / F)
 - Having to flip back and forth to understand which letter corresponds to which timeframe and sound type is bothersome
 - Would prefer is clapping, the instrument of a whistle, and air horns be included in the by-law (referring to noise emitters at sporting events)
 - Do Ice Cream Truck Vendors fall under the by-law?
 - If activity types are consolidated into general categories there would need to be a description of what the category would include or what would be in scope
 - Remove the different types of zones and have the by-law apply to every area the same
 - Sundays should remain separate from other days of the week in regards to noise regulation
- Enforcement Process
 - If resident only call police for noise complaints the City will not have any record of it. Thus a complaint should always be made to 3-1-1 either before or after submitting a noise complaint to the police

- People may not want to complete a noise log in fear of being identified as the complainant
- Use of Ping Street Application
- Modification of motor vehicles
- How are Ice Cream Trucks Vendors enforced?
- Complainant should receive a written follow-up to every complaint made.
- Questions Asked By Staff
 - Would you like to see objective measures in the by-law?
 - Yes
 - Apply a decibel limit
 - Have this apply to more than just 3 or 4 activities
 - Do you believe one-time live events should require a permit?
 - Yes
 - 500 metres is a large requirement
 - Would you support exemption zones for areas of the City where live music and festivals are common?
 - Unsure
- General input
 - The idling of city vehicles is concerning (especially Parks and Recreation)
 - If the by-law becomes very specific as to what is and is not permitted it may present a risk when attempting to enforce or lay charges for non-compliance
 - People who install sound systems should have to present evidence that they are not impeding on their neighbourhoods
 - Noise exemption require a 500 meter notification radius but construction only has a 60 meter requirement, why is that?
 - Memorial Park has increased the amount of events in recent years and residents are rarely notified. For example, the Ribfest
 - Less and less parking available in Port Credit
 - Celebration Square should be the only space to be considered an exemption area
 - Need an increase in enforcement officers
 - Desire for a more tangible result on complaints
 - Staff should of mailed notices for the community consultations
 - Afraid that reviewing the Noise Control By-law will result in more noise
 - Issues with Judges and Prosecutors being able to lay charges for non-compliance

Noise Control By-law Schedule Two Permitted Periods

- An activity was undertaken with participants to identify types of noise that could be consolidated into one category under schedule two of the Noise Control By-law
 - Category A
 - 1. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar



Noise Control By-law Review Focus Group Session 2
Thursday, February 6, 2020
10:00 - 12:00pm
Mississauga Civic Centre, Committee Room A
300 City Centre Drive

Participants

Approximately 10 participants representing various construction companies attended or phoned in for this focus group session.

Welcome / Project Background

Sam Rogers, Director, Enforcement provided some opening remarks.

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, key themes from the community consultations, current state, response model, exemption process, and next steps. The focus group was asked three particular questions to facilitate the discussion. The feedback from this focus group is captured below.

Questions asked to the group

- From your perspective what would be the advantages or disadvantages of decibel levels?
- Input:
 - If an exemption was granted could the project then be allowed to go over decibel limit in the by-law?
 - High-rise construction has different restrictions than a smaller scale construction project so how would decibel levels reflect that?
 - Would decibel levels be for all the time?
 - Decibel levels are very challenging in the construction industry
 - Technical aspects of measurements are very inconsistent
 - Other stakeholders are unsure about decibel levels
 - Toronto does not apply decibel limits to construction
 - A general No was expressed for this question due to many gaps in the regulation
- What are some options to mitigate construction noise and what role can Enforcement play?
- Input:
 - Toronto's exemption was to make all parties clear and have the information available (developer/city/resident)
 - Making information available and being able to inform residents of exemptions

- Maybe residents associate noise to construction and place blame on developers but this may be an error in assessing the source of the sound
- Pin pointing noise is an issue
- Identify the noise being emitted and assess if it is the construction industry
- There was no general answer provided to this question
- What changes would you like to see made to the noise exemption process?
- Input:
 - Asking about the role of the councillor in approving the exemption
 - Exemption has a six month duration starting at the commencement of the project
 - No provision of when you start but you only have six months when you begin
 - There was no general answer provided to this question

General Input

- What are residents complaining about in regards to construction?
- Separate the type of construction complaints during the intake process
- Development vs homeowners vs City construction
- What is the construction noise?
- How does Enforcement respond to a complaint which has had exemption granted?
- Exemption process onerous?
- Road work gets a different exemption process
- Filming has a different process / Parks as well
- Is there an opportunity to see the draft of the report?
- Limited in the ability to try and mitigate noise for the industry
- Making people aware of the exemptions in place for projects
- Point of reception is extremely important if a decibel level would be implemented

Closing Remarks

Alex Schwenger provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.



Noise Control By-law Review Focus Group Session 3
Wednesday, February 12, 2020
10:30 - 12:30pm
Mississauga Civic Centre, Committee Room B
300 City Centre Drive

Participants

Approximately seven participants representing various Business Improvement Area (BIA) attended this focus group session.

Welcome / Project Background

Alex Schwenger, Project Lead for the Noise Control By-law Review welcomed people to the consultation and gave a brief presentation to the participants. This presentation included some background information about the by-laws pertaining to noise, key themes from the community consultations, current state, response model, exemption process, and next steps. The focus group was asked three particular questions to facilitate the discussion. The feedback from this focus group is captured below.

Questions asked to the group

- Would you like to see 'exemption areas' in parts of the City where live music and festivals are common?
- Input:
 - Not many restaurants play live music in Streetsville
 - Door 55 used to have issues
 - Streetsville has a unique village aspect to it
 - Maybe some BIAs may benefit from it
 - There was no general answer provided to this question
- How can Enforcement help 'keep the peace' when it comes to continuous issues like music on outdoor patios where there are competing interests from businesses and local residents?
- Input:
 - Having events on the radar for 3-1-1 and discussing that the event they are calling about has been approved
 - Decibel levels could help enforcement (some BIAs try to monitor their events)
 - What about the availability of staff for enforcement
 - There was no general answer provided to this question
- What changes would you like to see made to the noise exemption process?
- Input:
 - Online option
 - There was no general answer provided to this question

General Input

- What is the tolerance for specific types of music
- Music festival once wanted to be allowed but too many residential homes
- Where can people access debrief from community input
- When is the report going to be finished
- How will you give updates to residents or tell them about the changes
- Will there be changes to the prohibited times for noise restrictions
- BIAs will be using the current by-law for their events this year

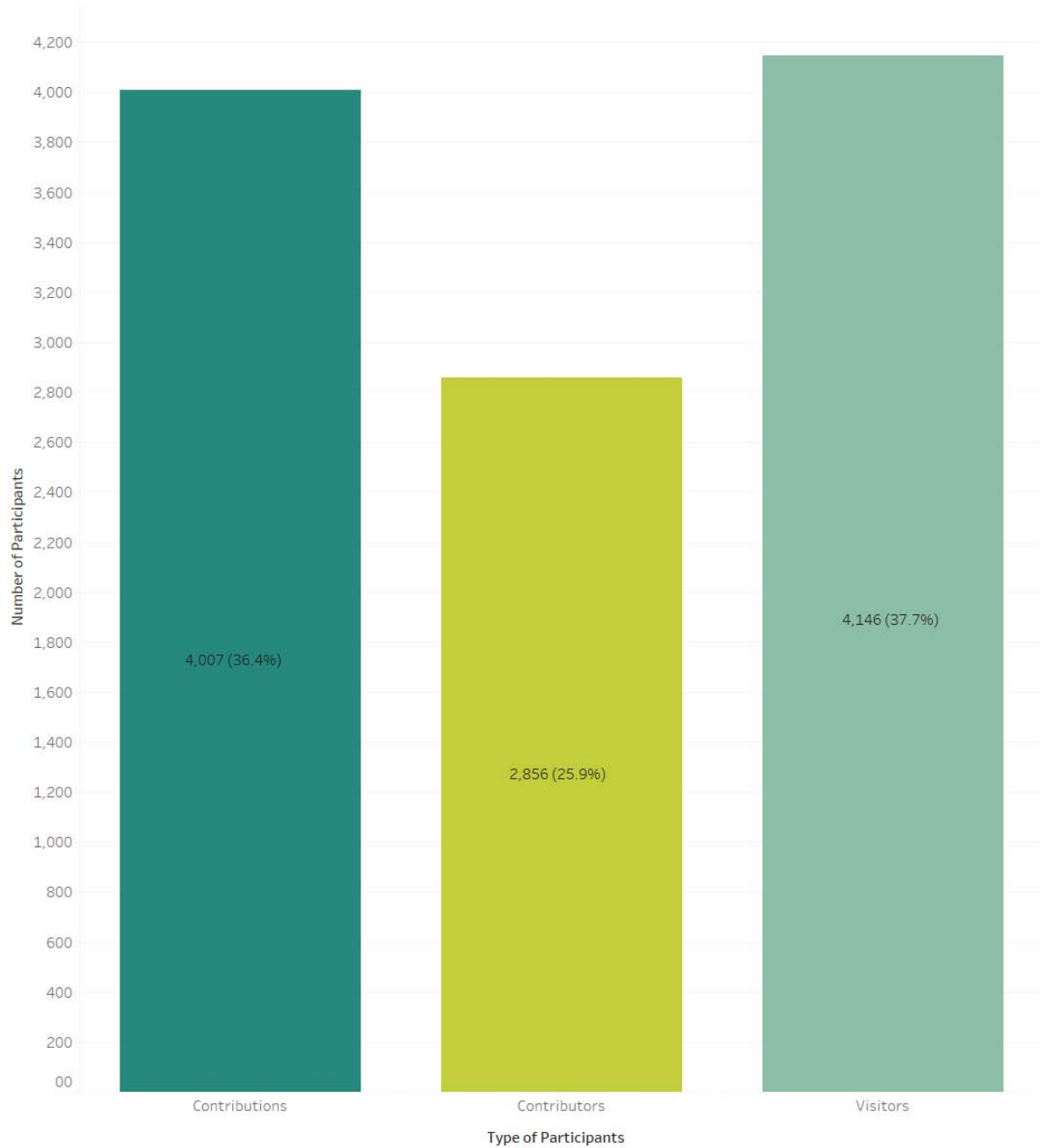
Closing Remarks

Alex Schwenger provided closing remarks and thanked the participants for taking the time to attend and provide their feedback. Staff remained at the session to take personal questions from participants and provide information to those requesting it.

Online Survey Key Results

The online survey was also available between December 16th - February 29th. 4,015 residents completed the survey:

Noise Control By-law Review Survey Type of Participants

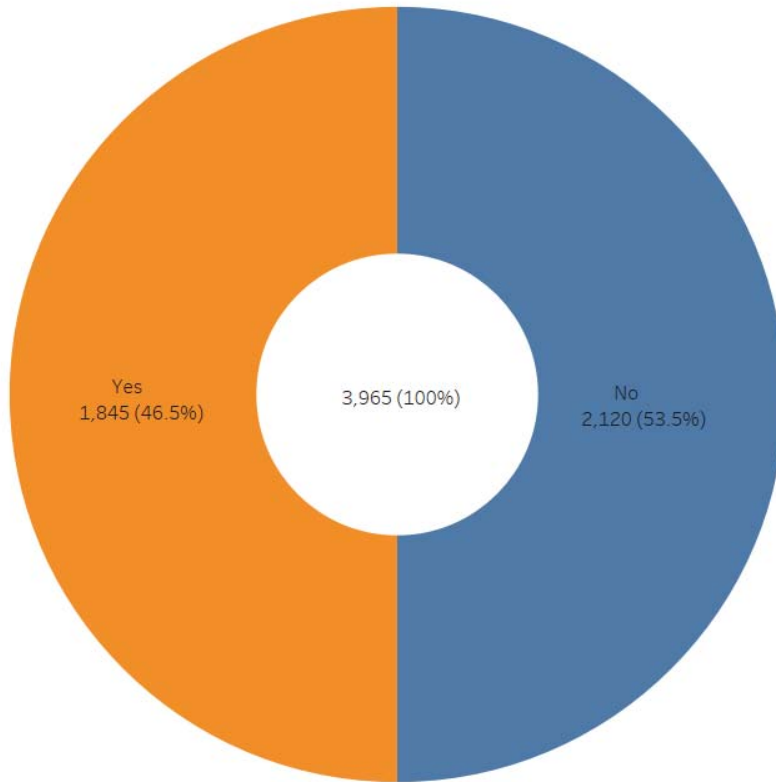


Visitors - The number of people who have visited the site.

Contributors - The numbers of users who have responded to the survey. This includes registered and unregistered users and anonymous responses.

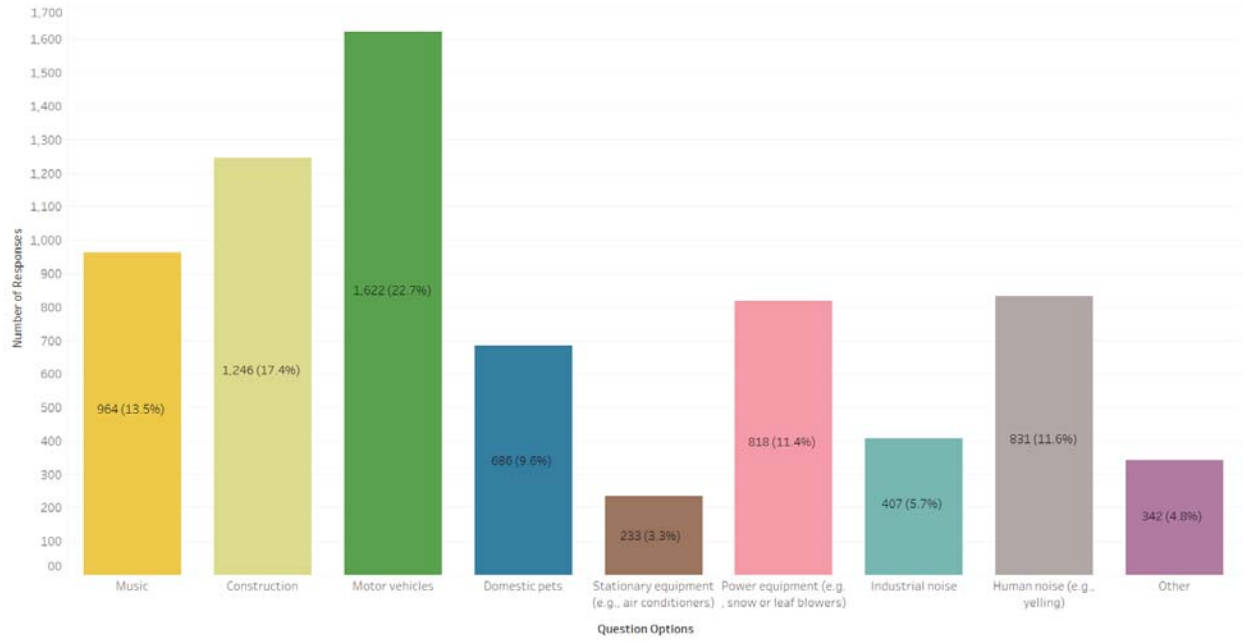
Contributions: The total actions taken place within the project

Do you know that Mississauga has two noise By-laws, Noise Control 360-79 and Nuisance Type Noise 785-80?



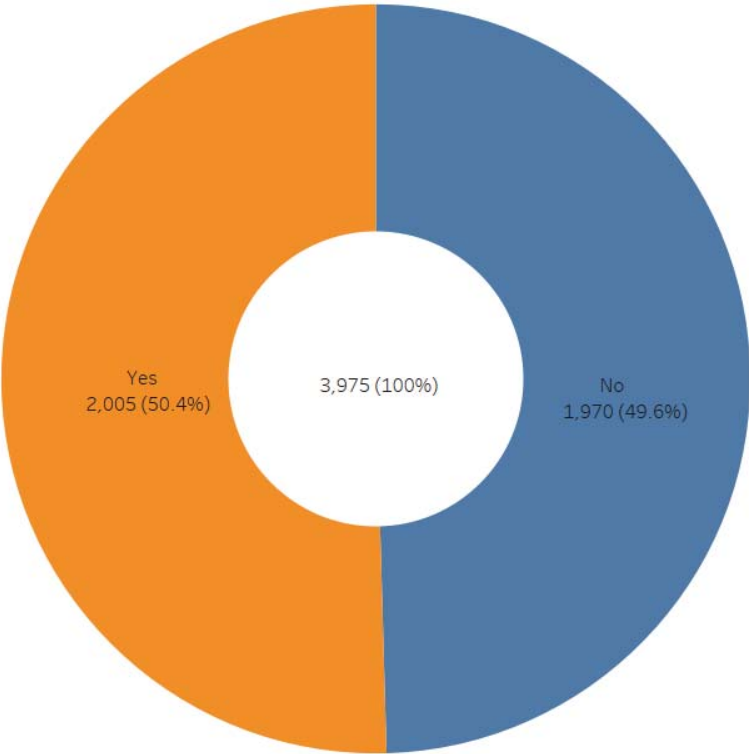
3,965 responses, 42 skipped

Which of the following noise issues impact you?



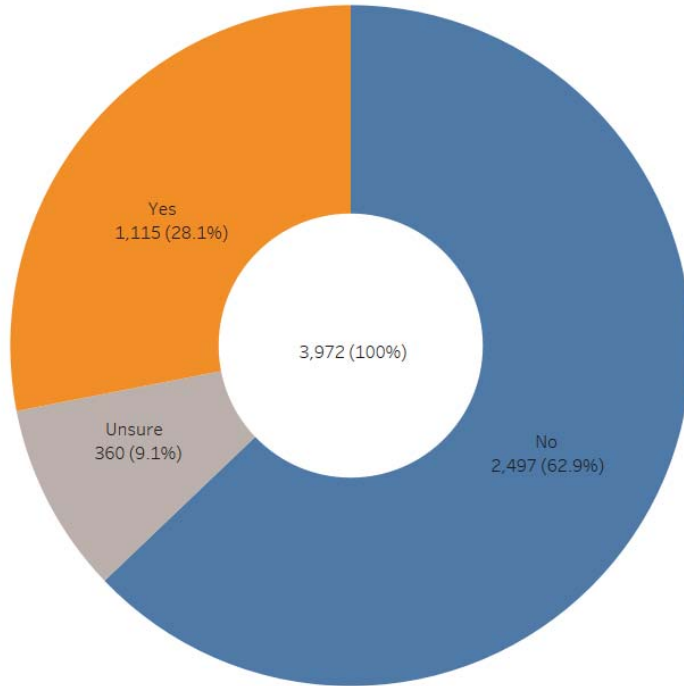
2,978 responses, 1,029 skipped

Do you know where to look to find out when noise is permitted?



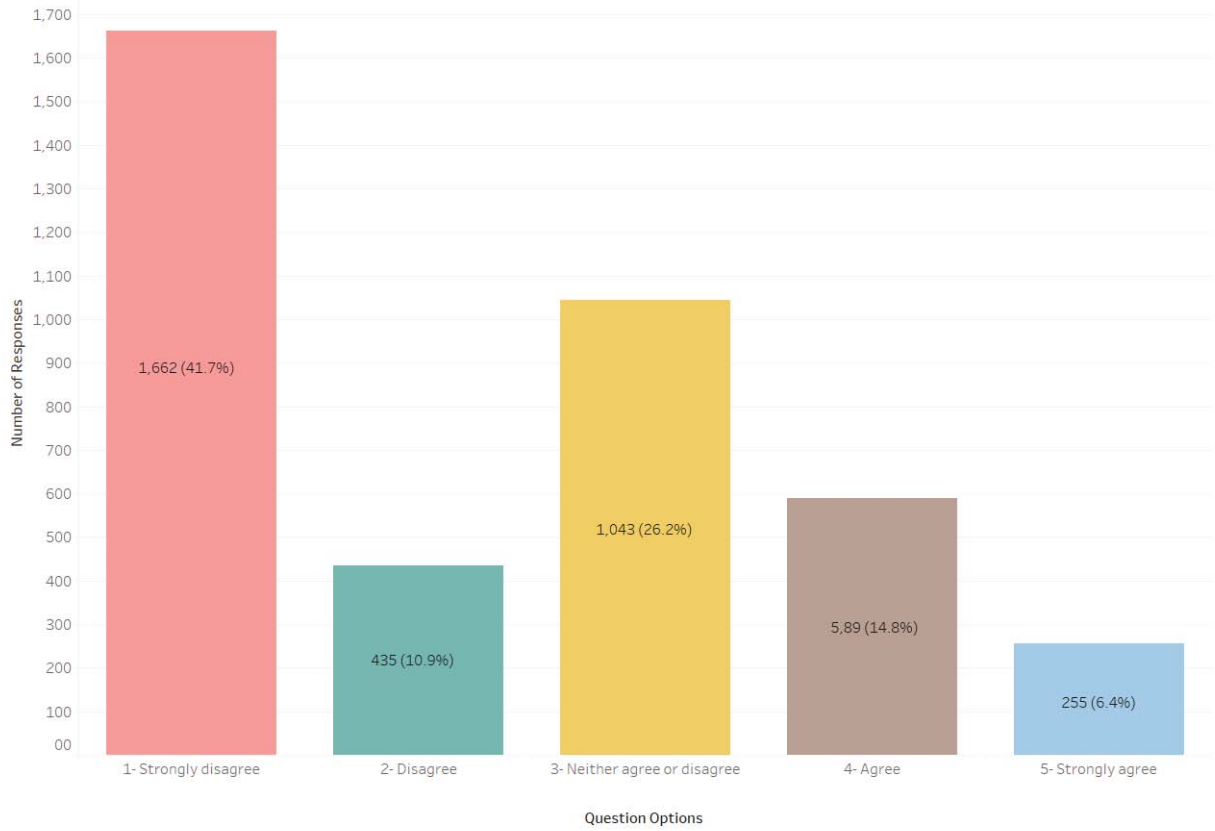
3,975 responses, 32 skipped

Do you support extending the time frame that construction noise is permitted?



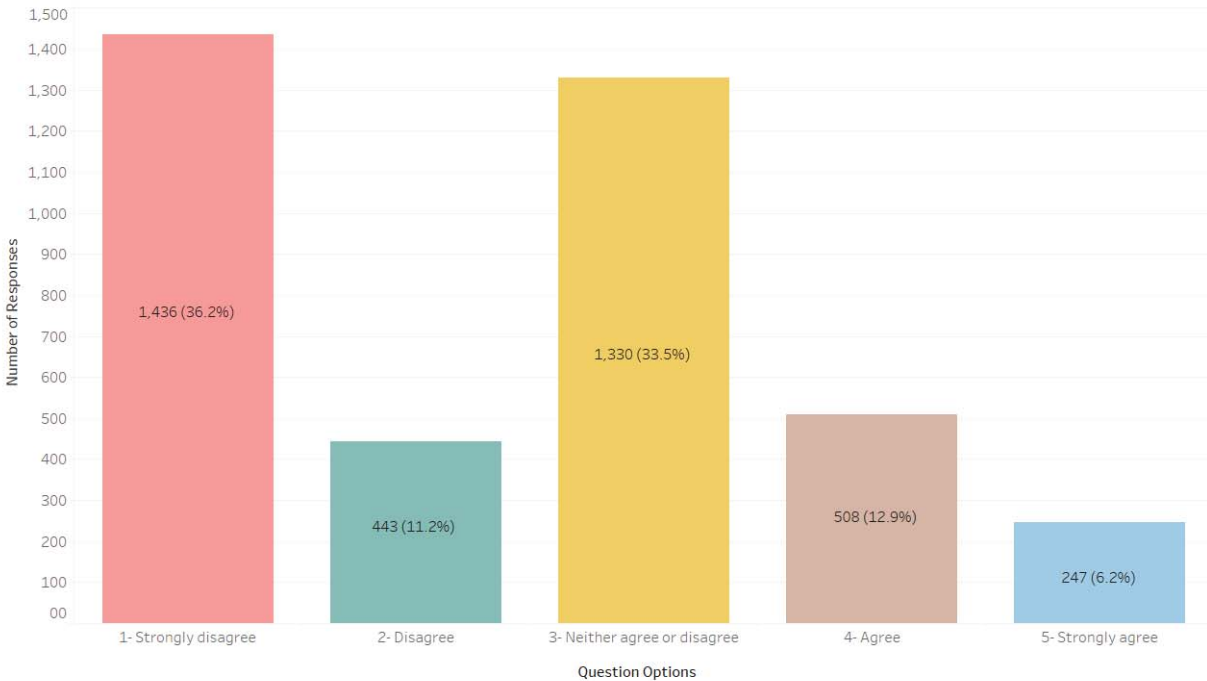
3,972 responses, 35 skipped

On a scale of one to five, with one being strongly disagree and five being strongly agree, please rate the following statement: I support aligning the Sunday construction noise periods with the permitted periods for all the other days of the week.



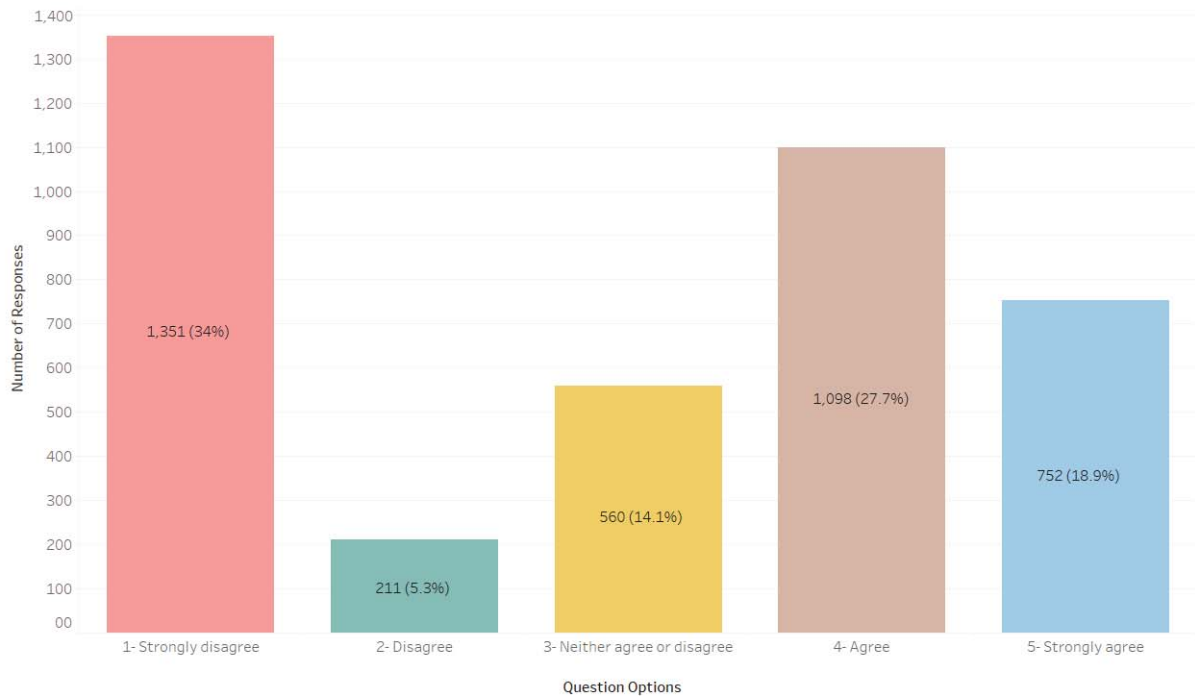
3,984 responses, 23 skipped

On a scale of one to five, with one being strongly disagree and five being strongly agree, please rate the following statement: I support aligning Sunday noise types with the types for all other days of the week.



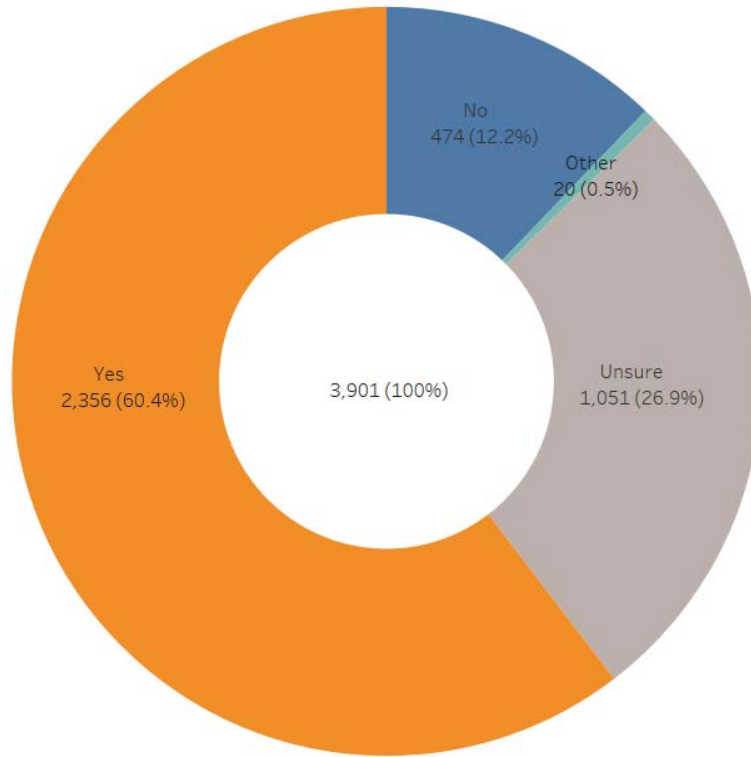
3,964 responses, 43 skipped

On a scale of one to five, with one being strongly disagree and five being strongly agree, please rate the following statement: I support introducing objective measures to the updated Noise By-law such as decibel limits.



3,972 responses, 35 skipped

Do you support simplifying the By-law by combining the 16 noise types?



3,901 responses, 106 skipped

Appendix 6:
Summary of Proposed Housekeeping Amendments to Noise Control By-law 360-79

Summary of Proposed Housekeeping Amendments to Noise Control By-law 360-79

By-law Provision	Recommendation
Construction definition (1)	Update definition
Highway definition (1)	Update definition
Minister and Ministry definition (1)	Remove since no longer required
Auditory Signalling definition	Add definition to By-law
Amplified Sound definition	Add definition to By-law
Sports Noise definition	Add definition to By-law
Exemption for Higher Orders of Government	Add in an exemption for work conducted by the Region of Peel, and the provincial and federal governments. Formalizes the existing working relationships between the City, the region and the provincial government.
Schedule Two- Quiet Zone periods	Update the Quiet Zone periods to reflect the updates to the permitted periods
Schedule Two- "Yelling, shouting, hooting, whistling or singing"	Remove the term 'hooting'; no longer a commonly used term
Schedule Two- "The operation of any motorized conveyance" other than on a highway or other place intended for its operations"	Re-title to Stationary Motor Vehicles
Schedule Three- Activities to Which the By-law Doesn't Apply	Update to include the Small Arms Institute

Appendix 7: Current Schedule Two: Permitted Periods

Current Schedule Two: Permitted Periods

Activity	Prohibited Periods of Time
Auditory Signaling (Ringing of bells or gongs and the blowing of horns or sirens or whistles)	Quiet zones- At any time
	Residential areas- 7:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
Amplified Sound	Quiet zones- At any time
	Residential area- 5:00 p.m. to 7:00 a.m. (9:00 a.m. Sunday)
All selling or advertising by shouting or amplified sound	Quiet zones- At any time
	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays) and All day Sundays and Statutory Holidays
Loading, unloading, delivering, packing, unpacking	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 7:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
Construction equipment	Quiet zones- 5:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
	Residential areas- 7:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
Fireworks or other non-construction detonation devices	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays) unless permitted by By-law 160-74 (<i>Fireworks: Residents</i>)
Firearms	Quiet zones-At any time
	Residential areas- At all times unless in accordance with the provisions of By-law 331-77 (<i>Discharging of Firearms</i>)
The operation of a combustion engine which is not used for conveyance	Quiet zones- Ay any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of a powered rail car while stationary on property not owned or controlled by a railway governed by the Canada Railway Act	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of any motorized conveyance other than on a highway or other place intended for its operations	Quiet zones- At any time
	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The venting, release or pressure release of air, steam, or other gaseous material product or compound	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Persistent barking, calling or whining by a domestic pet	Quiet zones- At any time
	Residential areas- At any time
The operation of any powered or no powered tool for domestic purposes other than snow removal	Quiet zones- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of solid waste bulk lift or	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)

Activity	Prohibited Periods of Time
refuse compacting equipment	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of a commercial car wash with air drying equipment	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Yelling, shouting, hooting, whistling or singing	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)

Appendix 8: Recommended Changes to Schedule Two: Permitted Periods

Recommended Changes to Schedule Two: Permitted Periods

Activity	Prohibited Periods of Time
Auditory Signaling (Ringing of bells or gongs and the blowing of horns or sirens or whistles)	Quiet zones- At any time
	Residential areas- 7:00 p.m. to 9:00 a.m. Monday to Saturday, Sundays and Statutory Holidays
Amplified Sound	Quiet zones- At any time
	Residential area- 7:00 p.m. to 9:00 a.m. Monday to Thursday, Sunday and Statutory Holidays; 10:00 p.m. to 9:00 a.m. Friday to Saturday
Loading, unloading, delivering, packing, unpacking (Due to Regulation 70/20, not enforceable until September 2021)	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 7:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
Construction equipment (Due to Regulation 131/120, not enforceable until October 2021)	Quiet zones- 5:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
	Residential areas- 7:00 p.m. to 7:00 a.m. and all day Sundays and Statutory Holidays
Fireworks or other non-construction detonation devices	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays) unless permitted by By-law 160-74 (Fireworks: Residents)
The operation of a combustion engine which is not used for conveyance	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Commercial/Industrial: <ol style="list-style-type: none"> 1. The operation of a powered rail car while stationary on property not owned or controlled by a railway governed by the Canada Railway Act 2. The venting, release or pressure release of air, steam, or other gaseous material product or compound 3. The operation of solid waste bulk lift or refuse compacting equipment 	Quiet zones- 1 and 2- At any time; 3- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Stationary Motor Vehicles	Quiet zones- At any time
	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Persistent barking, calling or whining by a domestic pet	Quiet zones- At any time
	Residential areas- 10:00 p.m. to 7:00 a.m. (9:00 a.m. Sunday)
The operation of any powered or no	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)

Activity	Prohibited Periods of Time
powered tool for domestic purposes other than snow removal	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of solid waste bulk lift or refuse compacting equipment	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
The operation of a commercial car wash with air drying equipment	Quiet zones- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
	Residential areas- 7:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)
Yelling, shouting, whistling or singing (Including the noise from sports activities)	Quiet zones- At any time
	Residential areas- 11:00 p.m. to 7:00 a.m. (9:00 a.m. Sundays)

Date: August 26, 2020	Originator's files:
To: Chair and Members of Diversity and Inclusion Advisory Committee	
From: Shari Lichterman, CPA, CMA, Commissioner of Community Services	Meeting date: September 9, 2020

Subject

Physical Expression of Pride in Mississauga – Recommended Use of Regional Funding

Recommendation

1. That funding available from the Region of Peel for physical expressions of pride as per Resolution 2019-712 be used by the City of Mississauga to design and install a Rainbow Cross Walk/Ground Mural in a highly visible location.
2. That the City engage residents and community stakeholders to finalize the design, location and unveiling plan for the Rainbow Cross Walk/Ground Mural.
3. That the City continue to explore opportunities for collaboration and partnership with community organizations to implement additional activities to ensure that Mississauga is a welcome and inclusive community for residents that identify as 2SLGBTQ+.

Background

On July 11, 2019, the Region of Peel approved annual funding for each Municipality to implement a Rainbow Cross Walk (Resolution 2019-712). A total of \$25,000 in funding was approved to be divided equally among the 3 local municipalities with each municipality receiving \$8,333.

In response to feedback from municipalities and the Region's Diversity, Equity and Anti-Racism Committee regarding the scope of funds available and the need for further engagement with local stakeholders, on April 9 2020, Regional Council approved a revision to the original resolution to provide greater flexibility to municipalities for the use of the funds to support physical expressions of pride that are meaningful to the local community that may include but not be limited to Rainbow Cross Walks. The revised resolution reads as follows:

Whereas, the Region of Peel recognizes Pride Month in July and is a supporter of 2SLGBTQ+ communities;

And whereas, symbols of Pride are a reflection of the diversity in the Region of Peel;

And further, that the Region of Peel allocate funds on an annual basis, up to a maximum of \$25,000, between the Cities of Brampton and Mississauga and the Town of Caledon with each receiving up to one third of the funds;

And further, that the funds be applied toward visible demonstrations of Pride across the Region as determined through consultation with the communities and staff of each respective municipality;

And further, that visible demonstrations may include but are not limited to flags, murals and crosswalks;

And further, that funds will not be used for entertainment or event purposes.

The City of Mississauga has been engaged in a number of initiatives that recognize and support the inclusion of individuals who identify as 2SLGBTQ+. Examples include: an annual Pride Flag raising ceremony in partnership with the community, lighting of the Civic Centre in rainbow colours to recognize Pride Month, the creation of a City Pride Logo, gender neutral washrooms in City facilities and various programmatic activations such as drag story time and 2SLGBTQ+ author talks through the Mississauga Library. The City is also actively pursuing opportunities for collaboration and partnership with community organizations such as the Rainbow Sauga Alliance to further enhance the variety and choice of initiatives and engagement opportunities for residents that make Mississauga more 2SLGBTQ+ friendly.

As part of 2020 Pride Month activities, Rainbow Sauga Alliance coordinated a number of community initiatives including a virtual discussion attended by staff on the Community Development Team in Recreation to discuss ideas for physical expressions of pride in the City of Mississauga. The following is a summary of key ideas shared by participants:

- Mississauga could be more 2SLGBTQ+ friendly.
- Expressions of pride are very meaningful to the community to create a sense of belonging.
- Expressions of pride should be a combination of permanent and temporary initiatives.
- The locations of expressions of pride are just as important as the type.
- There was strong support by participants for a “rainbow” crosswalk, as implemented in other jurisdictions including Goderich, Hamilton, London, and Toronto.
- Other ideas identified included: public art installations; beautification activities in parks such as “rainbow” gardens, benches, picnic tables; and beautification/recognition at Mississauga Celebration Square such as banners, stair treads, and content for digital screens particularly during Pride Month.
- Where possible, expressions of pride should be woven into other projects and strategic initiatives in the public and private sector to gain the benefit of collective impact.

Comments

Staff are recommending that funding available from the Region of Peel be used to design and install a Rainbow Cross Walk/Ground Mural in a highly visible location. City staff would engage residents and community organizations stakeholders to determine the design, location and unveiling plan. The proposed project would involve the following:

- Utilize the 2020 funding allocation from the Region of Peel to develop a design for the Rainbow Cross Walk/Ground Mural through the City's Public Art Program and determine the location. This process would include opportunities for engagement of residents and community stakeholders with targeted approaches to ensure the inclusion of individuals who identify as 2SLGBTQ+ as part of the process. The City's Public Art Program would commission one or more professional artists identifying as 2SLGBTQ+ to create a unique and community-informed design for the crosswalk/ground mural, intended to deliver meaningful representation and inclusive social dialogue.
- Utilize the 2021 funding allocation from the Region of Peel to install the crosswalk/ground mural. While the intention is for the installation to be permanent, it may need to be refreshed over time. Material selected for the installation will consider durability to minimize costs for ongoing maintenance.
- Expected timeline for completion will be by mid-2021 ideally to be unveiled as part of 2021 Pride Celebrations in Mississauga.

The Rainbow Cross Walk/Ground Mural is only one example of how the City of Mississauga can signal that it is a welcoming and inclusive community for all residents. It is recommended that the City continue to explore opportunities for collaboration and partnership with community organizations to implement additional physical expressions of pride such as those identified in the virtual discussion coordinated by Rainbow Sauga Alliance and additional activities throughout the year (i.e. not just in Pride month) to ensure that residents that identify as 2SLGBTQ+ feel that they belong and can thrive.

Financial Impact

The estimated cost of this project is approximately \$15,000. It is expected that this project can be fully funded with annual funding of \$8,333 from the Region of Peel in 2020 and 2021. Annual maintenance costs will be determined based on the lifecycle of the material used. Funding available from the Region of Peel in 2022 and beyond will be utilized to cover maintenance costs as a priority and to address emerging priorities identified through continued community engagement within the scope of the Regional Council Resolution and available resources.

Conclusion

A Rainbow Cross Walk/Ground Mural is a meaningful expression of pride that can make a positive contribution to creating a welcoming and inclusive community for all residents and particularly those who identify as 2SLGBTQ+. This project can set the tone for continued

engagement and collaboration with residents and stakeholders to realize Mississauga's strategic vision to be a place where people choose to be.



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