



August 20, 2014

Mayor and Council

City of Victoria
#1 Centennial Square
Victoria, BC
V8W 1P6

Attention: Mayor and Council

Regarding: City of Victoria Bylaw No. 03-12 (Noise Bylaw) – Amendment to Point of Reception Definition

I understand that councilor Ben Isitt is planning to introduce an amendment to the City of Victoria Noise Bylaw (No. 03-12) to clarify interpretation of the term “Point of Reception”. The current definition is shown below with the proposed revisions in bold font:

"point of reception"

means a position that is located at least 1.2 m above the surface of the ground,
and **where the greater equivalent sound level is measured between:**

- (a) a position on, or just inside, the property line of the real property occupied by the recipient of a noise or sound, that represents the shortest distance between that property and the other property from which that noise or sound emanates, or
- (b) a position within the property line of the real property occupied by the recipient of a noise or sound that best represents the location at which that noise or sound, emanating from another property, is received and the resulting disturbance experienced;

When drafting the language of the current Noise Bylaw, it was the intention of Wakefield Acoustics Ltd. (WAL) to permit flexibility in selecting noise measurement locations on the

affected property. More specifically, Clause (b) above was intended to address cases in which, for example, a high fence would shield ground level (1.2 m) measurement positions but not locations on elevated decks or in upper story windows. This clause was not intended to be interpreted as requiring noise measurements to always be made where the noise is most often experienced. Rather it was intended to permit the noise to be measured where it was most likely to be found to exceed one or more of the bylaw limits. It is the opinion of WAL that the proposed revision captures, and in fact clarifies, the intended definition of "Point of Reception"

I trust this has provided you with all the information you require at this time. Please call me if you have any questions.

Sincerely,

Wakefield Acoustics Ltd.



Andrew Williamson, P. Eng.

