

Hillside-Quadra Neighbourhood Action Group  
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August 19, 2014

To the Mayor and Council  
City of Victoria  
#1 Centennial Square  
Victoria BC V8W 1P6

**RE: City of Victoria Noise Bylaw**

I am writing this letter to follow up on the concerns expressed by the Hillside-Quadra Neighbourhood Action Group (NAG) in our letter of August 1, 2013 regarding enforcement of the City of Victoria's Noise Bylaw. I have attached a copy of that earlier letter for your reference. As you will recall, our concern was that the legal interpretation which the bylaws officers have received from the City's legal department was instructing them to measure nighttime decibel levels from inside a residence rather than from elsewhere on the property. This is directly contrary to the intent behind the bylaw when originally written, and leads to absurd situations where noise levels can be less regulated at night than they are during the day.

I understand that an amendment will soon be proposed to the Noise Bylaw involving a change to a single line as follows:

*"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*

1. (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*
2. (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;*

I believe that this simple change would address the concerns we have, and I urge council to pass this amendment or similar wording so that the City's bylaw officer may enforce the regulations as they were originally intended.

Sincerely,

Keith Macgowan  
Chair, Hillside-Quadra Neighbourhood Action Group