



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

NOTICE OF MOTION

From: Councillor Duncan Cavens and Councillor Ken Armour

Introduced: Council Meeting – October 16, 2023

Subject: **Revision of “Maintenance of Property and Nuisance Regulation Bylaw” with Respect to Construction Noise**

WHEREAS the Township’s bylaws regulating construction noise are outdated and less stringent than those in neighbouring communities and that construction noise negatively impacts our residents;

THEREFORE, BE IT RESOLVED that Council direct staff to amend the “Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826” to limit construction or demolition work to occur between the hours of 7am and 7pm on weekdays, and 9am and 6pm on Saturdays;

AND BE IT FURTHER RESOLVED that staff prepare an impact assessment, including timelines, of a more complete revision to the noise portion of the Bylaw for inclusion in the November 2023 Council Priorities Refresh process.

BACKGROUND

The township currently regulates construction noise using Bylaw 2826. It was last updated in 2014, before the Township was experiencing considerable construction and associated noise.

A scan of neighbouring noise bylaws in the CRD indicates that Esquimalt’s current construction noise hours are out of step with our neighbouring jurisdictions:

Municipality	Hours	Source
Esquimalt	7am to 10pm weekdays 9am to 10pm weekends and holidays	https://www.esquimalt.ca/sites/default/files/docs/municipal-hall/bylaws/bylaw_no.2826_-_maintenance_of_property_bylaw_revised_may_2014.pdf
City of Victoria	7am-7pm	https://www.victoria.ca/assets/City~Hall/Bylaws/bylaw-03-012.pdf
District of Saanich	7am-9pm except Sunday	https://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/noise-suppression-bylaw-1993-no-7059.pdf
View Royal	7am-7pm	https://www.viewroyal.ca/assets/Town~Hall/Bylaws/523%20Noise%20Bylaw%20-%202003.pdf
Colwood	7am-7pm Monday to Saturday only Blasting 8am to 5pm	https://colwood.civicweb.net/document/118919/
Langford	7am-7pm Monday to Friday 9am to 5pm Saturday blasting 8am to 5pm only	https://langford.ca/wp-content/uploads/2022/05/Noise-Regulation-Bylaw-No.-2056-SIGNED.pdf
Metchosin	7am to 10pm Monday to Saturday	https://metchosin.civicweb.net/document/10/
Highlands	7am to 7pm	https://www.highlands.ca/DocumentCenter/View/5056/961---CRD---Noise-Abatement?bidId=
Central Saanich	7am to 9pm Monday to Saturday	https://www.centralsaanich.ca/sites/default/files/uploads/bylaws/noise_bylaw_933.pdf
Sindey	7am to 7pm Monday to Friday 9am to 5pm Saturday	http://www.sidney.ca/Assets/Development+Services/Bylaws/1689+Noise.pdf
Oak Bay	7am to 7pm 9am to 5pm if a "renewal" permit	https://www.oakbay.ca/sites/default/files/municipal-hall/3210%20-%20Anti-Noise%20Bylaw%20-%20Consolidated%20to%204594.pdf
North Saanich	7am to 7pm Monday to Friday 8am to 4pm Saturday	https://northsaanich.ca/wp-content/uploads/Noise-Bylaw-1383.pdf

It is worth noting that anecdotally, very little construction activity occurs outside of the proposed hours.

Updating this noise bylaw, while continuing to issue exception permits when needed, would strike a better balance between residents' needs for quiet and construction companies' requirements.