

BYLAW NO. 626	
Bylaw name:	Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment No. 1
Participants:	Electoral Area A (Baynes Sound/Denman-Hornby Island), Electoral Area B (Lazo North), Electoral Area C (Puntledge/Black Creek)
Purpose:	To regulate complaints of noise deemed excessive and originating from industrial properties and to regulate the effect of that noise on residential premises in the immediate area
Amends bylaw:	102
Repeals bylaw:	N/A
Staff contact:	Manager of Bylaw Compliance

STATUS	
Committee approval:	EASC, October 5, 2020 – “THAT the board consider giving readings to Bylaw No. 626 being the “Electoral Areas Noise Control Regulation Bylaw No. 102, 2010, Amendment No. 1” as attached to the staff report dated September 29, 2020. AND FURTHER THAT the board consider giving readings to Bylaw No. 627 being “Municipal Ticket Information Bylaw No. 104, 2010” Amendment No. 18” to reflect the changes outlined in the staff report dated September 29, 2020.”
1st & 2nd readings:	
Public hearing:	N/A
3rd reading:	
Ministry approval:	N/A
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 626

A bylaw to amend the noise control regulations bylaw to regulate complaints of noise deemed excessive and originating from industrial properties and to regulate the effect of that noise on residential premises in the immediate area.

WHEREAS the Comox Valley Regional District Board adopted Bylaw No. 102 being the “Electoral Areas Noise Control Regulations Bylaw No. 102, 2010” on April 27, 2010 to regulate or prohibit objectionable noise;

AND WHEREAS the Board wishes to amend the bylaw to regulate complaints of noise deemed excessive and originating from industrial properties and to regulate the effect of that noise on residential premises in the immediate area;

NOW THEREFORE the Board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Amendment

(1) Bylaw No. 102 being “Electoral Areas Noise Control Regulation Bylaw No. 102, 2010” is hereby amended as follows:

(a) Inserting definitions under Section 2 “Interpretation” as follows:

“Industrial use” means any of the following uses as defined in the Rural Comox Valley Zoning Bylaw, No. 520, 2019: Light industrial use; Industrial equipment, sales and service; Automobile wrecking yard; Water and beverage bottling; Heavy industrial use; Log handling and storage facility; Processing of sand and gravel; Industrial equipment maintenance and repair; Storage and sale of aggregate material and products; Boat building and repairs and service and sales; Seafood processing; Barge facility; Waterfront freight handling facility; Storage and works yard and warehousing; Bulk storage; Craft beverage processing; Domestic industrial use; General contractor services and storage yard; Manufacturing; Sawmill; Scrap salvage yard; Warehousing; Wood processing; and similar activities.

“Point of Reception” means the place where a meter is located to measure the decibels from a source of noises or sounds.

(b) Replacing Residential Premises which reads:

“Residential Premises” means land upon which is located, a building or structure, including a mobile home used seasonally or permanently for human occupancy.

with the following:

“Residential Premises” means land zoned under Part 700, Residential Zones or on which a single detached dwelling or residential use is a permitted principal or accessory use pursuant to the “Rural Comox Valley Zoning Bylaw, No. 520, 2019”.

- (c) Adding Section 7 “Industrial Noises” as follows, and renumber the remaining sections accordingly:

Industrial Noises

- 7. In addition to the prohibitions imposed under section 4 and section 5 of this bylaw, no person shall commit, cause or permit the commission of an act on real property used for industrial use which results in the emission of a noise that is:
(1) in excess of 65 decibels;
(2) audible at a point of reception on a separate legal parcel containing residential premises;
(3) from 9:00 pm to 8:00 am.

Citation

This Bylaw No. 626 may be cited as “Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment No. 1”.

Read a first and second time this day of 2020.
Read a third time this day of 2020.
Adopted this day of 2020.

Chair

Deputy Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 626, being “Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment 1” as adopted by the board of the Comox Valley Regional District on the day of 2020.

Deputy Corporate Legislative Officer