



Staff Report DSES-2025-034
Planning Committee
October 16, 2025

TO: Chair Bosomworth and Members of Planning Committee

AUTHOR: Rachel Miners, Chief Municipal Law Enforcement Officer

SUBJECT: Update to Noise Control By-law 2005-83

RECOMMENDATION

BE IT RESOLVED THAT Committee endorse the proposed plan for the update of Noise Control By-law 2005-83 as outlined in Staff Report DSES 2025-034;

AND THAT staff be directed to publish a public survey to gather feedback on noise concerns and potential updates to the Noise Control By-law.

REPORT HIGHLIGHTS

This report provides the following information in support of updating the current Noise Control By-law:

- Background information on the current Noise Control By-law as well as the current approach to noise enforcement;
- A summary of common local noise concerns received by by-law enforcement staff;
- A list of criteria staff will use to guide the update of the Noise Control By-law;
- A review of approaches to noise enforcement and the benefits and limitations of each;
- A review of noise enforcement approaches of area municipalities; and
- An outline for a proposed consultation plan for the update to the Noise Control By-law to ensure public and Committee engagement with a goal to bring forward a draft updated noise by-law to Council's consideration by summer 2026.

BACKGROUND

Existing Noise Control By-law

In 2005, Council passed Noise Control By-law 2005-83, attached as Appendix "I", and no major amendments have since occurred. Noise Control By-law 2005-83 provides definitions of certain types of noise, prohibits types of noise (for example, the operation of electronic devices for amplifying sound/ music is prohibited between 11:00 pm – 7:00 am) and within established zones (Residential and Community Commercial, Waterfront Residential and Environmental Protection, and Rural and Open Space), and grants

exemptions to certain businesses (tourist entertainment operations). Further, the by-law establishes offences through a Point of Reception approach, meaning that a contravention of the by-law occurs when noise originating from a property is heard beyond its boundaries, and by a witness at another property, during the established prohibited time as set out in the by-law.

In 2023, Council passed a motion to reprioritize the review of Noise Control By-law 2005-83 to follow the Short Term Rental Accommodation Licensing By-law. As the Short Term Rental Accommodation Licensing By-law has passed, staff are starting to review the Noise Control By-law.

Current Enforcement Approach

The current enforcement approach to Noise Control By-law 2005-83 is through a complaint driven basis. When a complaint is received, staff investigate and usually rely on evidence from witnesses to determine if a contravention of the by-law has occurred. A contravention of the by-law occurs when noise originating from a property is heard beyond its boundaries, and by a witness at another property, during the established prohibited time in the by-law; this is referred to as a 'Point of Reception'. If staff make the determination that an offence has occurred, and the witness is willing to attend a hearing or court trial, staff can issue administrative monetary penalties (AMPS), Part I Offence Notices, or Part III Summons to Provincial Offences Court (POA). Staff often rely on evidence from witnesses because it is not feasible nor realistic for staff to be present throughout the Township at all times, given its vast geography and potential for noise to be emitted from any location during the prohibited periods of time as set out in the by-law.

Although the By-law Division's goal is to educate and promote compliance with by-laws, it is important to note that staff cannot prevent a by-law contravention from occurring, in the same way that police cannot prevent a motorist from exceeding the speed limit. Enforcement staff respond to complaints and observed violations after the fact, with the goal of achieving compliance through education, warnings, and, where necessary, formal enforcement action.

ANALYSIS

Noise Concerns in Muskoka Lakes

Based on the concerns, inquiries, and communication with the community, as well as general research, staff have created a list of identified more common noise related concerns within the Township of Muskoka Lakes Noise Control By-law (see Table 1 below). These are also some of the topics and concerns that staff will be reviewing, and providing opportunity for public and Committee feedback on:

Table 1 – Common Types of Noise Concerns in the Township of Muskoka Lakes

Noise Related Concerns by Topic	Description of Limitations of Current Noise Control By-law to Address Concerns
Sources of noise (construction equipment, conveyances, motor vehicles, etc.)	The current by-law has vague definitions and doesn't cover all sources of noise. Sound regulations pertaining to the discharge of fireworks does not align with the Fireworks By-law.
Prohibited periods of time for noise sources (construction equipment starting too early on weekends)	The current by-law only confines some types of noise to time frames, and time frames have been perceived as both too prohibitive, and not prohibitive enough.
Noise zones	Received delegations for consideration of restructuring established zones, and introducing quiet zones.
Tourist Entertainment Operations (as defined in the by-law: businesses which provide live or recorded music, and serve alcoholic beverages to the public for consumption)	Concerns of current exemptions such as extended hours for music and human noise. May not be consistent with AGCO requirements.
Animal noise (other than dogs and domestic pets)	Received delegations for consideration of noise restrictions on other types of animals, including those within Zoos and Wildlife Sanctuaries.
Daytime noise	Currently there are no restrictions on daytime noise, specifically related to loud human noise and loud music.
Noise in public spaces	Currently there are no restrictions on noise in public spaces such as sidewalks, roads, and for buskers.
Nuisance noise	Currently there are no restrictions on nuisance noises such as amplified sound systems used to deter wildlife and faulty security alarm systems.

Considerations for Updating the Regulation of Noise

The regulation of noise can be complex as there are a variety of sources of noise and competing interests amongst residents and visitors of cottage country. The Township is a home for many permanent residents who work and rest, a seasonal home for people to vacation, and a popular destination for tourists throughout all seasons. There are various places for people to enjoy music, outdoor restaurants, and special events. The Township also experiences a high volume of construction activity for private property development, and seasonal workforces across various industries.

Staff suggest the following key criteria be considered when creating and / or amending any municipal by-law to ensure an effective and enforceable by-law is implemented:

1. Jurisdiction / Legal Authority: Ensure the Township has authority to regulate the topic in a municipal by-law;
2. Reducing Impacts / Achieving Improvements: Ensure the by-law achieves goals set out in the Strategic Plan such as enhancing our natural environment, strengthening our culture and community fabric, and delivering sustainable public services and infrastructure;
3. Objective, Reasonable, and Enforceable Regulations; and
4. Administratively Feasible: The regulations are easily employable from an administrative perspective.

Each of these four (4) criteria will be reviewed in detail below, as it relates to any updates to the noise by-law.

Jurisdiction / Legal Authority

Section 129 of the Municipal Act gives the Township the authority to pass by-laws that prohibit and regulate noise. However, it cannot create by-laws to regulate specific types of noise that does not fall within its jurisdiction including noise from moving motor vehicles including general traffic, delivery vehicles, and aircraft, as well as noise from railways, blasting operations, landfills, quarries, and federal and provincial projects. The Noise Control By-law will not apply to projects requiring Environmental Compliance Approvals through the Ministry of Environment. However, the Ministry of Environment does provide sound level limits that may be incorporated into a Noise Control By-law as set out in the Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300).

Reducing Impacts on Residents and the Environment

The Noise Control By-law should be designed to uphold the community's interest that all

residents should be able to enjoy their private property without noise that may be excessive, unwarranted, persistent, or otherwise causes disturbances that negatively impact daily life. Undue noise can have impacts on physical and mental health such as sleep disruption, increased stress levels, and interference with concentration. From an environmental perspective, undue noise and vibration can have impacts on wildlife and ecosystems, making it crucial to ensure natural soundscapes are preserved.

Objective, Reasonable, and Enforceable Regulations

Similar to all by-laws, it is crucial to ensure a Noise Control By-law utilizes precise and clear language to set out standards that are easily read and understood by staff and the community. This will promote voluntary compliance, effective enforcement, and successful prosecutions. Regulations should reflect the reality of the Township's character including seasonal populations, supporting responsible development, and promoting tourism and culture. This will assist in supporting a fair and consistent approach to noise concerns and reduce conflicts throughout the community.

Administratively Feasible

Determining whether a Noise By-law will be administratively feasible will require evaluation of practical resources and financial costs required to implement and enforce regulations in a sustainable manner. Staff service levels also need to be assessed to understand if current levels can manage additional responsibilities such as enforcing daytime noise or enforcing noise outside of regular office hours. The by-law should be designed with simplicity to minimize administrative burden, simplify concern reporting, and ensure that enforcement procedures are straightforward.

Approaches to Noise Enforcement

The following provides a brief description of the two main approaches available for noise enforcement as well as the benefits and limitations of each. At this time, staff are only providing information on the approaches and are not making recommendations on which approach to use.

Table 2 – Approaches to Noise Enforcement

Approach	Description	Benefits	Limitations
Point of Reception	The current approach to the Noise Control By-	Creates a practical standard that is easy for people to	The current process for submitting noise

	law which establishes that a contravention of the by-law occurs when noise originating from a property is heard beyond its boundaries, and by a witness at another property, during the established prohibited time in the by-law. Point of reception could be further focused by imposing distances for certain noise types. For example, a driver of a parked motor vehicle has the radio playing very loudly, a regulation could be implemented that would prohibit them to play it at a volume whereby it is audible at a distance of 9 metres (30 feet) from the parked motor vehicle.	understand and self-regulate. Confines noise to each property and focuses on impacts beyond property boundaries to protect neighbours. Cost effective as it doesn't require the use of specialized equipment, training, and consulting. If noise is occurring outside of office hours, staff can rely on witness evidence and testimony to take enforcement action. Provides flexibility to complainants.	concerns and evidence isn't clear for complainants and leads to frustration amongst community. Staff are committed to improving this process to ensure noise concerns are addressed swiftly and effectively.
Decibels	Sets specific sound levels in decibels for specific types of noise, during certain days/ time, and specific locations. Staff would use decibel readers to measure sound levels at a property	Sound levels are quantified and measurable. If noise occurs during staff hours, officers can collect their own evidence instead of relying on witnesses.	Difficult for people to self-regulate as a regular person doesn't usually own specialized equipment. Requires purchasing of specialized equipment

	boundary to measure compliance.		including decibel readers and calibration equipment which require regular servicing. Requires the implementation of policies, and regular staff training which may not be available. Requires complex review with legal and specialized experts to create standards for various type of noise sources (barking dog vs loud music). Equipment does not account for tone, frequency, or vibration, such as bass in amplified music. Equipment may be sensitive to environmental factors such as wind, ambient noise, shields, reflection/ echo, and temperature. Staff are unable to take enforcement action for noise concerns outside of office hours as most of the general
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			public do not have equipment, and if they did, it may not be usable for enforcement action. May cause frustration for complainants in cases where noise is technically under the decibel limit but is still disturbing due to frequency (barking dogs may be quiet but persistent).
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Review of Noise Enforcement by Local Municipalities

Within the District of Muskoka, all other lower tier municipalities (Georgian Bay, Gravenhurst, Bracebridge, Huntsville, Lake of Bays) appear to generally follow a common approach to Noise Control By-laws. Similar to the Township, all of the other area municipalities utilize a point of reception approach as opposed to decibel readers for Noise Control By-laws. Regulations involve prohibiting certain sources of noise during specific days and times and within specific zones. Some municipalities have further developed specific zones by creating quiet zones along specific waterfront properties through consent by all impacted property owners.

Next Steps: Proposed Plan for the Update of the Noise Control By-law

It is important for most by-law updates to include a public consultation component in an effort to understand and address trends / experiences in the community. Therefore, staff propose that the next step in updating the by-law include community engagement through an active communication effort and public survey. The purpose of the survey will be to understand common noise concerns, experiences with the Noise Control By-law and collect feedback on select noise enforcement approaches and potential regulations.

A timeline for each of the steps is provided below:

1. Community Engagement – Fall 2025

- a. Create an Engage Muskoka Lakes webpage
 - b. Publish an online public survey
2. Staff Report to Planning Committee – Fall 2025 / Winter 2026
 - a. Staff report to summarize survey results
 - b. Committee recommendations for a draft by-law
3. Draft By-law to Planning Committee – Winter / Spring 2026
 - a. Draft Noise Control By-law based on public and previous Committee input
 - b. Committee consideration for circulation of draft bylaw
4. Approval & Implementation – Spring / Summer 2026
 - a. Public Meeting on draft bylaw and subsequent consideration of approval
 - b. Community engagement and education

In summary, staff anticipate the completion of the update to the noise by-law by the summer of 2026.

ALTERNATIVES

Committee could choose to advise staff to not review and update Noise Control By-law 2005-83. This is not recommended as it is contrary to Council's previously approved direction to complete the update by summer of 2026.

FINANCIAL IMPLICATIONS

There are no direct financial implications to the Township as a result of this report.

STRATEGIC PLAN

Goal: Enhance our Natural Environment

Goal: Strengthen our Cultural & Community Fabric

Goal: Deliver Sustainable Public Services & Infrastructure

COMMUNICATIONS

This staff report was distributed to Committee and all those registered to receive notification through the meeting agenda electronic notification system and was published on the Township's website in accordance with the Township's Procedural By-law.

ATTACHMENTS

Appendix I – Noise Control By-law 2005-83

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