

From: Lakewood Beach Community Council

Sent: April 13, 2021 8:57 AM

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Subject: Loophole in Urban Hamilton Official Plan re: Noise Mitigation

Dear Planning Committee Members,

With an increase in the number of local residents suffering with Tinnitus (ear buzzing likely from highway traffic noise), we wanted to bring to your attention that our Urban Hamilton Official Plan appears to allow developments along our highways that might not be in the public's best interest in regards to health issues.

Presently, our Urban Hamilton Official Plan is silent on a definition of OLAs (outdoor living areas) in the Glossary, Chapter G section.

Hence, the default definition appears to be governed by the MOECP's definition of OLAs which is: Balconies etc that have a minimum depth of 4ms, provided they are the only OLA for the occupants, are to be evaluated for dBA noise levels.

In our respectful submission, we contend this isn't good enough.

A balcony facing the highway that is 3.9ms deep (no matter the width) should not be allowed to skirt a Detailed Noise Study & any potential noise mitigation measures required to protect the health of the occupants.

A balcony greater than 4 ms deep - in a complex that also has an alternate OLA such as a ground level common area - should also not be allowed to skirt a Noise Study & any potential noise mitigation measures for the occupants of that unit.

Outdoor Living Areas are suppose to meet the provincial target of 55 dBAs or less. We know that our community OLAs noise levels have been *estimated** closer to 80 dBAs; and some days like Sunday evenings, depending on the wind direction, it is significantly higher. The Ministry of Labour occupational safety threshold is 85 dBAs. For ease of reference, see chart below.

We ask for your consideration on amending our UHOP via a housekeeping Motion in order to close up what appears to be a way around the provincial guidelines that were put in place to protect the long term health of the public.

Respectfully,

Viv / Anna / Nancy

Lakewood Beach Community Council