



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2010-070

A by-law to amend the By-law 2007-143, being a by-law to prohibit or regulate public nuisances, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors within the
Town of Oakville

WHEREAS Council considers light emanating from illuminated sports fields to be a nuisance to be managed in a manner that balances the needs of sports field users and the impacts on adjacent residential properties, particularly within existing neighbourhoods.

COUNCIL ENACTS AS FOLLOWS:

1. By-law 2007-143 is hereby amended by adding a new definitions as follows:

”Abut” or “Abutting” means sharing a common property line.

”Adjacent” means nearby, within sufficient distance to experience the impacts regulated by this by-law.

”Sports Field” means the playing surface of an outdoor recreational field designed to accommodate the following sports: baseball, hardball, softball, soccer, field hockey/lacrosse, cricket, football, rugby and athletics, (track and field), including special events or other activities that may occur on such fields, but does not include facilities used exclusively as tennis courts, golf courses or driving ranges.

2. By-law 2007-143 is hereby further amended by adding a new section 4A as follows:

“4A. Notwithstanding Subsection 4(c), no Owner or Occupant of a Property shall permit light to be broadcast from light standards directly illuminating a sports field located on the Property,

- a) For sports fields illuminated prior to April 6, 2010:
 - i. at any time between the hours of 11 p.m. and 8 a.m. on the following day;

- b) For sports fields that were not illuminated prior to April 6, 2010:
 - (1) If the sports field does not abut any residential properties and is separated from any adjacent residential properties by a major arterial road or non-residential uses, other than recreational trails:
 - i. at any time between the hours of 11 p.m. and 8 a.m. on the following day.

 - (2) If the illumination of the sports field is the subject of a warning clause within a subdivision agreement registered against title to the adjacent residential properties:
 - i. at any time between the hours of 11 p.m. and 8 a.m. on the following day;
 - ii. at all other times, at levels in excess of 1.1 lux, measurable on the horizontal plane, at the property line of any adjacent residential property.

 - (3) For all other sports fields adjacent to residential properties,
 - i. at any time between the hours of 9 p.m. on Friday and 8 a.m. on Monday or Tuesday if the Monday is a statutory holiday;
 - ii. at any time between the hours of 9 p.m. and 8 a.m. the following day, for days not subject to 4A(b)(3)(i);
 - iii. at all other times, at levels in excess of 1.1 lux, measurable on the horizontal and vertical planes, at the property line of the property on which the field is located or 0.11 lux measured on the horizontal plane 3 m beyond that property line;

- c) For the purposes of Section 4A b), light levels shall be measured by holding a light meter at a height of 1 m or more from the ground in a position parallel to sea level (to measure on the horizontal plane) or perpendicular to sea level (to measure on the vertical plane)

3. By-law 2007-143, as amended is hereby further amended by:
- a) replacing the words “section 3” in section 3 with the words “section 4”;
 - b) replacing the words “section 2” in section 4 with the words “section 3”.

PASSED this 7th day of April 2010.

ROB BURTON

MAYOR

VICKI TYTANECK A/TOWN CLERK