

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

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Condo Smarts

Headline: Adapt bylaws to suit restrictions on noise

Topic: Noise bylaws

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Noise in multi-family dwellings is probably the major irritant experienced by everyone. A strata's noise bylaws are different from municipal noise bylaws, which limit tolerable noise to certain times of the day. Strata noise bylaws set the limitation at "reasonable" noise levels.

from another apartment and a Kelowna strata has a noise bylaw that prohibits the use of exercise machines after 7 p.m. While silence is preferred by many, it is rarely obtainable in strata living.

Strata law: The standard bylaw of the act requires that an owner, occupant or visitor must not use a strata lot, the common property or common assets in a way that causes unreasonable noise.

Unfortunately, it does not define what is unreasonable noise. However, the courts have granted injunctions or orders to prevent or direct specific activities that limit certain activities. The expectation is that we should be able to use our strata lots and common property in reasonably undisturbed circumstances.

Tips: Tolerance levels differ with everyone, and the strata and owners are compelled to find reasonable expectations of noise to make their strata a harmonious place to live. The only method to address noise problems -- once the problems have been identified -- is to create bylaws to be enforced by the whole corporation. A strata in Victoria defines noise in its bylaws to include any excessive noises that may be heard

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