

## Licensing and Standards Committee – Item 6.2

*Considered by City Council on July 16, 17, 18 and 19, 2007*

LS6.2	REFERRED			Ward: All
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### Noise from the Operation of Construction Equipment on Sundays and Statutory Holidays

#### City Council Decision

City Council on July 16, 17, 18 and 19, 2007, referred this Item back to the Licensing and Standards Committee.

(May 25, 2007) Report from Executive Director, Municipal Licensing and Standards

#### Committee Recommendations

The Licensing and Standards Committee recommends that Council receive the report (May 25, 2007) from the Executive Director, Municipal Licensing and Standards.

#### Financial Impact

With the adoption of the amendments to Chapter 591, Noise, of the Toronto Municipal Code proposed in this report, together with the amendments to the by-law adopted in 2006 related to noise from loudspeakers and other amplification devices, and noise from construction activities in low-rise residential neighbourhoods on Sundays and statutory holidays, the equivalent of six full time employees (FTE's) will need to be added to the Municipal Licensing and Standards Division complement to alleviate additional pressures on enforcement staff and to avoid further service levels impacts. Additionally, it is estimated that 0.2 FTEs of administrative support will be required to support the officers.

The hiring of additional staff will add a pressure to the 2008 operating budget of approximately \$523,943 based on \$442,943 for salary and benefits, plus \$63,000 in additional start-up and annual operating costs (e.g., computers, software, clothing, workstation, mileage, and training) related to enforcement and \$18,000 for administrative support (annualized based on 2008 rates).

Additionally, to support the bylaw, and those affected by the city-wide prohibition, a communications strategy will need to be developed with messaging for specific audiences including the construction industry and the general public. The public education campaign will include advertising in a variety of media and City of Toronto publications, developing supporting materials such as fact sheets and a brochure and posting of information on the City of Toronto web site. A budget of \$20,000 is required to support the bylaw to help ensure effective implementation. A funding request for this initiative will be included in the 2008 operating budget submission.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concur with the financial impact statement.

### **Summary**

The proposed amendment, referred to the Executive Director, Municipal Licensing and Standards Division by Council at its meeting of September 25, 26, 27 and 28, 2006, will be difficult to enforce as determination of the distancing factor will be onerous.

To increase the ability to enforce the provision, the amendment should be simplified to prohibit noise from the use of construction equipment on Sundays and holidays, excluding the continuous pouring of concrete and large crane work, necessary municipal work, and any emergency work that cannot be performed during regular business hours. Additionally the terms “regular business hours,” “continuous pouring of concrete,” “large crane work” and “necessary municipal work” should also be defined.

The report was prepared in consultation with Technical Services, Transportation Services, Toronto Water, Toronto Building, Legal Services, and the Toronto Transit Commission.

### **Background Information**

Noise from the Operation of Construction Equipment on Sundays and Statutory Holi  
(<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-4506.pdf>)

### **Communications**

(June 27, 2007) letter from Jean A. Smith (LS.New.LS6.2.1)

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Council also considered the following communication:

- (July 16, 2007) from Geoff Kinney. (LS6.2.2)

### **Speakers**

Jim Teeple, TTC