

**City Council****Notice of Motion**

MM55.71	ACTION			Ward:All
---------	--------	--	--	----------

**Excessive motorcycle noise - by Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Licensing and Standards Committee. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow, recommends that:

1. City Council request the Executive Director, Municipal Licensing and Standards to report to City Council through the Licensing and Standards Committee at its first meeting of the new term on options for improving regulations, management, and enforcement of excessive motorcycle noise; such report to include consultation with interested City Councillors and Provincial officials where appropriate.
3. City Council request the Province of Ontario to take effective steps to ensure that the Highway Traffic Act, Section 195 is protecting citizens from harmful noise.

**Summary**

Recent media reports and residents suggest that motorcycle noise is burdensome and excessive in many of Canada's neighbourhoods, including Toronto.

The Toronto Municipal Code, Chapter 591, Noise, prohibits in Section 3, Paragraph C, specific types of noise: "The operation of a vehicle, engine, motor, construction equipment or pneumatic device without an effective exhaust, intake-muffling device or other sound attenuation device." Further, the provincial Ontario Highway Traffic Act, Section 75, requires every motor vehicle, including motorcycles, to have a muffler in good working order and in constant operation to prevent excessive noise, however, currently no provisions exist within the Toronto Municipal Code, Chapter 591, to enable the City to effectively manage or enforce constituent complaints related to excessive motorcycle noise.

The lack of a municipal management and enforcement capability impacts people who cannot enjoy their homes peacefully because of excessive motorcycle noise from motorcycles that are either idling or are in motion. Residents are left without a municipal body to appropriately report to. More importantly, residents do not have a municipal body to enforce concerns regarding motorcycle noise, despite Chapter 591 of the Municipal Code.

This situation has been observed for many years, without any apparent improvement.

The lack of a management and enforcement mechanism to control excessive motorcycle noise complaints through municipal by-laws must be addressed. Although the control of vehicles is the jurisdiction of the Provincial government, the regulation, investigation and enforcement of prohibited noise is the jurisdiction of the City.

Unlike Toronto, other municipal jurisdictions, such as Calgary and Saskatoon, regulate excessive motorcycle noise. It is in the interest of responsible motorists and the peaceful enjoyment of homes that management and enforcement mechanisms for the City are needed.

(Submitted to City Council on August 25 and 26, 2014 as MM55.71)

**Background Information (City Council)**

Member Motion MM55.71