

Re: LS9.1

Amendments to Chapter 591, Noise

**Licensing and Standards Committee
January 22, 2016**

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Municipal Licensing and Standards**

- Toronto is a vibrant and growing City. Noise is one of the realities of City living.
- Some noise is necessary to:
 - Build housing for residents to live
 - Maintain the City's roads, transit, infrastructure
 - Entertain us
 - Provide and deliver goods and services
- Proposed changes intend to strike a balance between the City's economic and infrastructure development and ensuring that residents are able to enjoy their homes and neighbourhoods.

Existing Toronto Municipal Code, Chapter 591, Noise:

- sets out specific standards for noise within the City of Toronto.
- This by-law has not been reviewed comprehensively since it was harmonized in 2002.
- Despite various amendments to the noise by-law throughout the years, it is outdated and does not reflect the current realities of the City.

ML&S conducted the review to:

- Update the by-law to reflect the current City environment and address requests made by Council and Committee over the past 3 years.
- Consider issues raised by City divisions, stakeholders and the public.
- Ensure that the by-law is easy for everyone to understand and consistently enforce.

Competing City priorities:

- Reducing traffic congestion:
 - by speeding up transit/traffic construction projects
 - Allowing off-peak delivery hours
- Investing in culture and business:
 - Supporting the development of cultural scenes, music and festivals
- While supporting quality of life for residents:
 - Setting time of noise restrictions and noise levels

- The number of noise service requests being submitted to 3-1-1 have increased over the past 5 years.
- The manner in which these service requests are recorded has been changed to better assess the impact to residents.

To ensure noise by-law concerns were identified, comprehensive public and stakeholder engagement was undertaken:

- 5,000 residents feedback through survey
- 15 external stakeholder meetings
- internal meetings with other City divisions

The key proposed changes address concerns from public and stakeholders that the by-law needed to be more:

- flexible
- rigorous
- easier to understand

General Prohibition:

- Defined time periods which prohibits noise
- Residential area:
 - 11:00 pm – 7:00 am Mon – Fri
 - 11:00 pm – 9:00 am Sat, Sun. Statutory Holidays
- Quiet Zones:
 - 7:00 pm – 7:00 am Mon – Fri
 - 7:00 pm – 9:00 am Sat
 - All day Sundays & Statutory Holidays
- This captures all types of noise except those exempted (e.g., sirens, train whistles/bells, safety devices – back up beepers).

Construction:

- Remove "blanket" exemption for concrete pours and large crane work.
- Prohibited hours remain the same. However, exemption permits will be required for construction outside of permitted hours.
- If granted then noise mitigation measures will be implemented to reduce impact.
- Clarified what constitutes necessary municipal work.

Amplified sound:

- Added flexibility to allow for some sound to occur but set measureable limits on sound levels, both in dB(A) and dB(C) to control the impact of sound.
 - dB(A) measures what the human ear can hear
 - dB(C) measures beyond this including what can be felt (e.g., thumping of music)
- Reference: SS Wilson Associates, 2015 Acoustic Training Manual

Household appliances	Sound level in dB(A) ¹
Rustling of leaves	20
Refrigerator	33 to 53
Public library	40
Clothes dryer	51 to 65
Dishwasher	54 to 85
Vacuum cleaner	62 to 87
Water faucet	62
Busy traffic intersection	80
Gasoline Lawn Mower	87 to 92

Amplified sound:

- The dB(A) and dB(C) limit will be 85 dB(A) / 105 dB(C) in the daytime and 45 dB(A) / 65 dB(C) at night.
- All measurements will be taken at the point of reception (measure at the source of the complaint).

Industry and manufacturing

- Clarification that manufacturing operations which have MOE approval are governed by such approval and must comply with it.

Animals, Motor vehicles and motorcycles

- The provisions in the current by-law are adequate and no additional provisions are required.
- Fines and Penalties
 - Seeking higher fines and penalties for those who do not comply.

Noise By-law Exemption Process:

- Providing the City with the authority to impose noise monitoring and mitigation strategies.
- Providing the authority to revoke the permit for those who do not comply.
- Removing burden and simplifying the process for applicants by allowing applicants to apply for one event or a series of events or activities.

Councillor's role:

- The Councillor's role in the noise exemption permit process remains the same
- Councillors will still have 14 days to comment on an application for noise exemption permit for their Ward
- However, it is proposed that for applications that may impact adjoining wards, the application will also be sent to those Councillors so that they may also comment
- Applicants who are refused a permit may still appeal to Community Council, who can issue or refuse a permit

- Transition provisions will ensure that exemptions previously granted, including any terms and conditions will remain in effect after the amendments to Chapter 591, Noise are in effect

- Proposed changes to the by-law intend to strike a balance in serving residents and enabling the economic and social vibrancy of the City
- This balance is created by:
 - Enabling greater flexibility (e.g., of time periods, exemptions process)
 - Increasing rigour (e.g., dB(A) and dB(C) limits for amplified sound)
 - Imposing conditions for proactive noise mitigation
 - Increasing fines and penalties for those who do not comply

- It is proposed that changes to the by-law come into effect July 1, 2016
- ML&S will:
 - Revise its public and internal materials and procedures to address the amendments to Chapter 591, Noise
 - Develop a mechanism to inform the public about noise by-law exemption permits granted in their Ward
 - Provide ongoing staff training on noise measurement and enforcement

THANK YOU