



May 18th, 2016

Attention: City Councillor Cesar Palacio, Chair

Licensing and Standards Committee (ML&S)

10th floor, West Tower, City Hall

100 Queen Street West

Toronto, ON

M5H 2N2

Dear ML&S Committee Members:

RE: Proposed Changes to City of Toronto Noise By-law

On behalf of our members, we are writing to express our concerns with the proposed changes to the City's noise by-law.

Exemptions for continuous pouring of concrete and large crane work:

The proposed changes to the by-law remove the explicit exemption in 591-2.1 B (2) which states that the prohibited period for construction does not apply to continuous pouring of concrete and large crane work that cannot be performed during regular business hours. We remind the Committee that these exemptions were originally put in place because these particular construction activities are unique, taking a significant period of time and preparation. Continuous pouring of concrete and large crane work is also subject to unforeseen delays such as the weather, traffic, labour disruptions and health and safety issues.

In 2007 City Council recognized this need and agreed that an exemption for continuous pouring of concrete and large crane work helped to ensure that the public was not inconvenienced by unnecessary noise for an extended period of time. Requiring these activities to now flow-through the noise exemption application process will create a misconception that Councillors and the public may be able to restrict construction activity if they are not supportive of a particular development project. This would be highly counterproductive to Toronto's housing market and the residential development industry. Moreover, the removal of these exemptions will create an additional administrative hurdle which will delay the construction process, increase costs and extend the noise timeframe – potentially creating even more noise disruptions.

"Notice of use" Form Submission:

Our industry agrees that the City of Toronto should be able to better track continuous pouring of concrete and large crane work activities. We also support greater accountability to the communities our members operate in. To that end, we recognize the need to introduce new measures such as a noise mitigation plan, greater engagement with members of Council, requirements to provide notice to surrounding communities and the enforcement mechanisms contemplated in the proposed noise by-law.



However, we believe that the by-law must clearly maintain the exemption provision. We are therefore proposing that the by-law be amended to include language to that affect and introduce a **"notice of use" form submission** which will be linked to the set of conditions City staff have proposed. We also hope to work with staff to refine the implementation of these new requirements.

The development industry is critical to Toronto's continued economic success. Because of the strong demand for housing in the City, our sector is one of the strongest performing in Ontario. We encourage your Committee to ensure that the new noise by-law strikes the balance between the public interest and the practical realities of the construction process.

Our industry members would be happy to meet with City staff and Committee members to discuss these issues further. Please contact us if we can be of any assistance. We can be reached by email at lyall@rescon.com and Dchin@bildgta.ca. Thank you for your consideration.

Sincerely,

Richard Lyall
President, RESCON

Danielle Chin MCIP, RPP
Senior Manager, BILD

CC: *Peter Wallace, City Manager, City of Toronto*
Tracey Cook, Executive Director, Municipal Licensing and Standards Division
Mark Sraga, Director, Investigation Services, Municipal Licensing and Standards Division