

September 6, 2017

Chair and Members of the Planning & Growth Management Committee

Re PG22.13: Balancing Music Venues and New Development

The Toronto Noise Coalition was formed in 2016 in response to proposals for a new Noise Bylaw and has been part of the Working Group to advise MLS on an appropriate new bylaw provisions. Our objective is that the new noise bylaw be based on the need to ensure the health and quality of life for residents. Appropriate regulation of outdoor and amplified music is one of the key areas of focus.

The purpose of this proposed initiative, as stated in the title of the report, is **“To ensure the success of the music industry in Toronto, the City must balance the impacts of development and the needs of live concert venues.”** This implies equal needs and rights of one particular commercial sector and the needs and rights of Toronto residents. We disagree. Rather the operations of live concert venues must be regulated in ways that protect residents from negative impacts of such uses, such as through a new effective noise bylaw noise with effective exemption polices and enforcement provisions that will protect residents (in new and existing developments) as well as workers and visitors, from such impacts.

The bias of this proposed initiative is further evident in the report, which frames the issue as: **“ The interests of the music industry may not adequately be represented on the development review or consultation process. To ensure that live concert venues are not “pushed out” of the City by new developments, we are asking that Economic Development and Culture Division be included in the City’s planning approval process.”** The concert venues that are “pushed out” are the ones that generate complaints because they create noise and other issues for communities, problems that cannot be solved through nearby new residential development applications. Acceptable venues are appropriately located, comply with appropriate noise regulations and exemption criteria and that consult and work with nearby residents to mitigate impacts. Venues such as the Sony Centre and Roy Thompson Hall are not the problems but ones that are in parks, public spaces and other outdoor locations as well as those where crowd mitigation and traffic issues are not effectively managed.

If the music industry wishes to comments on a development application, it should use the existing public planning process, mandated by the Planning Act, where their comments and recommendations can be heard, discussed and become part of the planning review and reporting. It does not need special and privileged access via City Staff to comment on applications.

The report is asking that Economic Development and Culture Division staff **“provide comments and advice on how new developments can be music-friendly will ensure harmonious relationships between residents and live concert venues”** and suggests that **“noise proofing, crowd mitigation**

strategies or simply informing new residents that a live concert venue is nearby could help create better relationships between new communities and Toronto's valuable concert venues.” Only “noise proofing” requirements would be applicable to new development applications. Crowd mitigation strategies must be provided by the venue, not through a development application. Simply informing residents of a nearby concert venue is inadequate: ongoing consultation and working relationships of the venue with the nearby residents as well as the venue’s compliance with the City bylaws noise bylaws will create better relationships.

We need City leadership to advocate for the residents right to a liveable city that is home to many different activities, including an active commercial music industry. This can be done. New York City has done it, combining a healthy entertainment economy with an award winning noise bylaw. Success means working together to create a new Toronto noise bylaw with effective implementation strategies as well as appropriate planning policies, such as through the ToCORE review, as well as venues working on an ongoing basis with communities to revolve issues that may arise.

The Toronto Noise Coalition recommends that this report be referred to the Community Councils for public discussion of the important issues involved.

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