

EC3.6.18

From: [Jessica Wilson](#)
To: [Economic and Community Development](#)
Cc: [Brent Gilliard](#); [Ric Amis](#)
Subject: West Side Community Council etter re noise bylaw review
Date: March 29, 2019 11:56:14 AM
Attachments: [WSCC-Noise-bylaw-review.pdf](#)

Greetings,

I would like to request that letter previously submitted by the WSCC to the MLS Policy team as input into the Noise Bylaw Review be included in the item and made publicly available. Attached is the letter.

Thanks and best wishes,
Jessica

Jessica Wilson
Representative, WSCC
President, OCA
416-531-3638



March 1, 2019

To whom it may concern:

I write as Chair of the West Side Community Council, an umbrella organization of twelve West End community associations,¹ to provide input into the review of Toronto's Noise Bylaw. The comments to follow reflect concerns frequently raised by members of our various organizations—in particular, over the past decade.

We start with two general comments:

1. *The general provision against disturbing noise.* The present noise bylaw contains a general provision according to which “No person shall make, cause or permit noise or vibration, at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants” (§591-2).

We are aware that a previously proposed revision to the existing noise bylaw removed this general provision. Such a removal would leave members of our communities with no way to prevent sources of noise disturbance that for whatever reason are not specifically enumerated in the new noise bylaw. **We strongly oppose removing the general provision on disturbing noise from the by-law.**

2. *The de facto requirement that noise bylaw officers be direct witnesses to noise bylaw violations.* In the experience of our groups and their members, this de facto requirement means that there is effectively no enforcement of the noise bylaw.

This must change. In an age where practically everyone has the means of digital recording, residents should be able to record and submit evidence of bylaw infractions, or in lieu of such recordings, testify to the occurrence of said infractions, in such a way that action can be taken even if a noise bylaw officer has not directly witnessed the infraction. **We call for an overhaul in the de facto requirements for action to be taken in enforcing the noise bylaw.**

Next, we offer comments of a more specific variety, pertaining to (1) construction noise, (2) amplified music, and (3) air conditioners and other stationary mechanical devices.

1. *Construction noise.* A frequent source of complaint and concern among members of our associations concerns construction noise. Construction companies blatantly disregard time and day limits in the present noise bylaw, often starting before 7am on weekdays, or before 9am Saturdays, or engaging in construction on Sundays; similarly, construction often continues long after it is supposed to stop at the end of the day.

¹The WSCC comprises, from east to west: Grange CA; Harbord Village RA; Garment District NA; Trinity-Bellwoods CA; Ossington CA; Lakeview Avenue NA; Liberty Village RA; Beaconsfield Village RA; Active 18; Bloordale CIA; Parkdale RA; and Roncesvalles–MacDonnell RA.

It is our understanding that a previous proposed revision to the noise bylaw, rather than taking steps to address and alleviate disturbance due to construction noise, instead extended the current construction noise allowances to Sundays. This is unacceptable. The revised noise bylaw should make things better for residents, not worse. **We strongly oppose increasing allowable construction start/stop times and days, and again call for an improved enforcement mechanism for violations.**

2. *Noise from amplified music.* Another frequent source of complaint from members of our associations concerns noise from amplified music. Everyone appreciates the benefits that accrue to being in a lively city, but when time restrictions are ignored or decibel level limits are exceeded, there must be a mechanism of enforcement. In any case, the current time and decibel limits strike us as fine—if they are enforced. **We strongly favour conserving the present music times and decibel level restrictions, and again call for an improved enforcement mechanism for violations.**
3. *Air conditioner noise.* Air conditioner and other stationary mechanical noise has become a serious problem for many, especially when these devices are placed on roofs or rooftop decks in ways broadcasting vibrations or noise to many residences in the vicinity. The present decibel-level-based noise restrictions on such devices (see §591-6) are unsatisfactory, since the disturbing noise at issue is typically not a matter of the decibel level, but rather of a continuous clearly audible and annoying drone. **We strongly urge that sections of the noise bylaw dealing with air conditioners and other stationary devices be updated to address disturbing noise due not just to high decibel level but also to continuous audible drone.**

We suggest the following changes:

It is required that air conditioners or other stationary mechanical devices (i) not exceed the stated decibel levels **OR** produce audible drones on proximal residences, and (ii) air conditioners or other stationary mechanical devices in violation of either condition be subject to sound mitigation procedures.

Thank you for taking our comments into consideration.

Sincerely yours,

Ric Amis
Chair, West Side Community Council
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