

April 2, 2019

Councillor Michael Thompson
City of Toronto
Economic Development Committee
100 Queen Street West
Toronto, ON M5H 2N2

Dear Councillor Thompson:

RE: EC3.6 NOISE BY-LAW REVIEW - PROPOSED AMENDMENTS TO CHAPTER 591, NOISE

The Toronto Financial District is Canada's premier business district and the economic engine for Toronto. It contains 20% of the region's office space, approximately 16% of the city's jobs and contributes nearly 6% of Toronto's total property taxes. As steward for this area, the Toronto Financial District BIA works to ensure the public realm supports efficient operations for area businesses. Given the unique nature of the Financial District, it is critical to ensure the specific needs of the commercial environment are addressed.

In its current form, Chapter 591 is focused on addressing the noise concerns of Toronto residents, with only "inhabitants" (defined as persons who reside in Toronto) being permitted to file a complaint. In February 2019, the Toronto Financial District BIA hosted a Financial District consultation with Municipal Licensing and Standards staff and Financial District property managers to ensure the revised bylaw also meets the needs of Toronto's businesses and commercial properties.

In a letter to Municipal Licensing and Standards dated February 22, 2019, we identified several concerns of Financial District stakeholders and opportunities to make improvements in these areas. While the revised bylaw addresses many of the concerns discussed at the consultation, the most critical concern remains outstanding.

The revised bylaw prohibits noise from construction between 7 p.m. to 7 a.m. and on Sundays, times when almost all interior construction in office buildings occurs. Common practice within commercial properties only permits interior construction (tenant buildouts, building renovations, etc.) to be conducted overnight and on weekends to minimize disruption to businesses and employees. The proposed bylaw enables tenant businesses and employees to submit noise complaints about commercial property renovations and tenant construction during these hours, where this previously could not result in a charge under the bylaw.

While City staff have advised that businesses may apply for exemption permits, this is an unrealistic expectation and unduly burdensome to the business community. In large commercial office buildings, at any given point in time, there are several full-floor or smaller tenant buildouts occurring. Commercial properties have a limited supply of contractors and work moves based on trade scheduling requirements. Often these schedules are developed at the last minute.

It is imperative that the revised Chapter 591 address this issue. Thus, we request that the Committee:

- 1. Amend Chapter 591 591-2.3. to allow for construction internal to a commercial or non-residential building (e.g., tenant improvements interior to an enclosed commercial building) to occur between 7pm and 7am; OR**

2. Defer this item pending staff review to address this issue, with a return to Committee.

We appreciate your consideration of these concerns. Should you have any questions, please contact our operations manager, Amy Harrell, at aharrell@torontofinancialdistrict.com.

Best regards,



Grant Humes
Executive Director

cc: Councillor Mark Grimes
Councillor Shelley Carroll
Councillor Joe Cressy
Councillor Michael Ford
Councillor Cynthia Lai
Carol Kaustinen
Elizabeth Glibbery, Municipal Licensing and Standards
Carleton Grant, Municipal Licensing and Standards