



REPORT FOR INFORMATION

Supplementary Report: Item # IE16.1 - Freight and Goods Movement Strategy

Date: October 23, 2020
To: City Council
From: General Manager, Transportation Services
Wards: All

SUMMARY

At its meeting held on October 6, 2020, the Infrastructure and Environment Committee adopted, as amended, Item IE16.1 entitled, 'Freight and Goods Movement Strategy', including the following recommendation:

“6. City Council request the Ontario Ministry of Municipal Affairs and Housing to introduce the necessary legislative and regulatory changes to make off-peak delivery a permanent program.”

On October 7 2020, the Province introduced [Bill 215, Main Street Recovery Act, 2020](#) as part of Ontario's [Main Street Recovery Plan](#) to assist businesses in financial recovery from losses caused by the impacts of the COVID-19 pandemic. The proposal includes permanently allowing 24/7 deliveries to businesses that include retail stores, restaurants, and distribution facilities.

The purpose of this supplementary report is to provide additional context regarding the Main Street Recovery Act, 2020.

FINANCIAL IMPACT

There are no current or future year financial impacts arising from the recommendation contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

DECISION HISTORY

At its meeting on October 6, 2020 the Infrastructure and Environment Committee adopted, as amended, the report of the General Manager, Transportation Services entitled 'Freight and Goods Movement Strategy' (Item IE16.1). The Committee decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE16.1>

COMMENTS

Background

Under the Noise Bylaw (Chapter 591, Noise), noise made in connection with deliveries is prohibited from 11 p.m. to 7 a.m. the next day, except until 9 a.m. on Saturdays, Sundays and statutory holidays. To ensure continued access to goods during the City's state of emergency, on March 16, 2020 the City suspended its enforcement of the loading and unloading provision of the Noise Bylaw, therefore permitting off-peak deliveries. Following this, on March 19, 2020, the Government of Ontario exempted all off-peak deliveries from the Noise By-law by introducing O. Reg. 71/20. O. Reg. 71/20 amended the City of Toronto Act, 2006 by removing the City's authority to prohibit or regulate noise made in connection with the delivery of goods. This regulation was to be revoked on September 19, 2021.

On October 7 2020, the Ontario Ministry of Municipal Affairs and Housing, in conjunction with the Ministry of Economic Development, Job Creation and Trade announced Ontario's Main Street Recovery Plan and the associated Bill 215: Main Street Recovery Act, 2020. This Bill would supersede O. Reg. 71/20 by amending the City of Toronto Act, 2006 to remove the City's authority to prohibit and regulate noise, except as otherwise authorized by regulation, in connection with deliveries to following places:

1. Retail business establishments.
2. Restaurants, including cafes and bars.
3. Hotels and motels.
4. Goods distribution facilities.

The amendment provides that the Minister of Municipal Affairs and Housing may make regulations authorizing the City to prohibit and regulate with respect to noise made in the City in connection with the delivery of goods to the listed places. The regulations may also define the listed places.

This proposed amendment to the City of Toronto Act, 2006, implemented together with the appropriate regulations, aligns with Recommendation No. 6 of Item IE16.1: Freight and Goods Movement Strategy considered at the October 6 2020 Infrastructure and Environment Committee: that "City Council request the Ontario Ministry of Municipal Affairs and Housing introduce the necessary legislative and regulatory changes to make
Supplementary Report: Freight and Goods Movement Strategy

off-peak delivery a permanent program." As per notice received from the Province, if the proposed amendment to the City of Toronto Act, 2006 and an identical amendment to the Municipal Act, 2001 are enacted, the government will be consulting broadly prior to these changes being implemented and any associated regulations being made. Once that information becomes available, Transportation Services and Municipal Licensing and Standards will coordinate comments back to the Province, if the need arises.

CONTACT

Elyse Parker
Director, Policy and Innovation
Transportation Services Division
Tel: 416-338-2432
Elyse.Parker@toronto.ca

Nazzareno A. Capano, P.Eng.
Manager, Transportation Policy & Innovation
Transportation Services
Tel: 416-392-7766
Nazzareno.Capano@toronto.ca

SIGNATURE

Barbara Gray
General Manager, Transportation Services