

## City Council

### Notice of Motion

MM35.15	ACTION			Ward: All
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### **Stop Excessive Construction Noise - Getting the Province to Back Off From Overriding Toronto's Noise Bylaw - By Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

### **Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow, recommends that:

1. City Council request the Government of Ontario to repeal Limitation 2 to Ontario Regulation 130/20 of the City of Toronto Act, returning the power to regulate construction noise to the City of Toronto.

### **Summary**

Last spring, at the beginning of the pandemic, the Province meddled with the City of Toronto Act to change permitted hours of residential construction to 6:00 a.m. to 10:00 p.m. every day of the week. This represents a significant departure from the City's By-laws, which permit noise from construction between 7:00 a.m. to 7:00 p.m. from Monday to Friday, 9:00 a.m. to 7:00 p.m. on Saturdays, and not at all on Sundays. This was an unconscionable decision during a time when the Ford government was asking people to do their part to stop the spread of COVID by staying home.

In 2013, City Council initiated an extensive review and community consultations on the Noise Bylaw. The amended by-law came into effect on October 1, 2019. Under the City's noise by-law, construction equipment can only operate Monday to Friday 7 a.m. to 7 p.m. and Saturdays 9 a.m. to 7 p.m. No construction noise is permitted on Sundays and statutory holidays. These by-law hours were established after extensive consultation with residents, noise experts, developers and the construction industry. They provide a balance to allow residents living near construction sites the reasonable ability to enjoy their homes while allowing construction to occur at a reasonable pace.

Residents across the City have complained that their mental health and work have suffered from these extended construction hours. Extending construction hours should have never happened in the first place, but it's certainly well past time that this decision was reversed.

While the Regulation is currently scheduled to be revoked on October 7, 2021 residents across the City have had to deal with extended and excessive construction noise for over a year. City Council must support our residents by making it clear to the Province that they must take action by immediately repealing Limitation 2 to Ontario Regulation 130/20 of the City of Toronto Act that allows for “construction activity in the City between the hours of 6 a.m. and 10 p.m.”

Please consider this recommendation to request that the Provincial Government end this unreasonable policy and return control of construction noise regulation to the City of Toronto.

**Background Information (City Council)**

Member Motion MM35.15