

NoMoreNoise *Toronto!*

PH8.2 - Recommended Amendments to Zoning By-laws for Bars, Restaurants and Entertainment Venues as part of the Night Economy Review - Final Report

November 30, 2023

No More Noise Toronto

- Ingrid Buday, Founder
- I live in Ward 4
- I value data and am process oriented
- I've been measuring sound for over 2 years with meters from homes to create a data centered approach around understanding and managing noise
- Founded organization over year ago after learned I am not the only one who is experiencing significant health issues



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PH's Primary Focus

The Planning and Housing Committee's primary focus is on

- urban form
- housing development

With a mandate to monitor and make recommendations on

- planning
- property standards
- growth
- housing development and services
- **public health**

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311 Noise Complaints

Noise Service Type	2020	2021	2022	2023 (as of Aug 31)	Total	% Total
Amplified Sound	6,821	9,822	9,890	6,283	32,816	73%
Construction Noise	2,238	2,795	4,855	3,156	13,044	29%
Loading and Unloading Noise	404	447	457	125	1,433	3%
Motor Vehicle Noise	449	565	677	401	2,092	5%
Power Device Noise	255	345	326	286	1,212	3%
Stationary Source Noise	905	1,372	1,125	689	4,091	9%
Unreasonable and Persistent Noise	2,129	1,977	2,137	1,441	7,684	17%
Grand Total	13,201	17,323	19,467	12,381	45,049	100%

Activity-based Licensing Framework

Eating establishments that are open late or provide entertainment will have additional requirements, such as a **Noise Control Plan**.

This is **an enhancement** from the current licensing system which considers all eating and drinking establishments under the same category.

This **responds to concerns from residents in mixed-use buildings** where more lively eating establishments, some operating as illegal nightclubs, have been established and where noise, vibration and other nuisance concerns have been an issue for residents living **above** these establishments.

And:

- under
- beside
- across
- behind

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“Lively Business” Noise Nuisance Issues

Inside Venue:

- noise

Outside Venue

- public urination and vomiting
- fighting
- noise from the establishment
- vehicles idling or honking
- People yelling and talking loudly

For the neighbours

- Living next to a party every weekend
- No rest on the weekends due to amplified sound
- Vibration of bass through walls and floors
- Random sound of barbells being dropped on the floor

Outdoor
Patios!

More
common than
you may think

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Activity-based Licensing for Eating and Drinking Establishments

Category Requirements

Retain existing requirements

- Licence application (to MLS and Toronto Public Health [TPH])
- Food safety reports available for review
- Notify MLS of any change in management

In addition:

- Cleanliness and litter control
- Discretion for MLS to dispense of class-specific requirements if desired

Class-specific Requirements

Class	Indicators*	Additional Requirements
	If any indicator is bolded, must be in Class	In addition to Category Requirements
1	<ul style="list-style-type: none"> • No liquor service • Hours of operation – never open past 11pm 	+ Provide Level 1 noise control plan
2	<ul style="list-style-type: none"> • Liquor service • Hours of operation - open past 11PM • Capacity 150+ • Amusement, live entertainment, or performance 	+ Provide list of persons of authority + Level 2 noise control plan + Crowd control plan + Provide copy of liquor licence

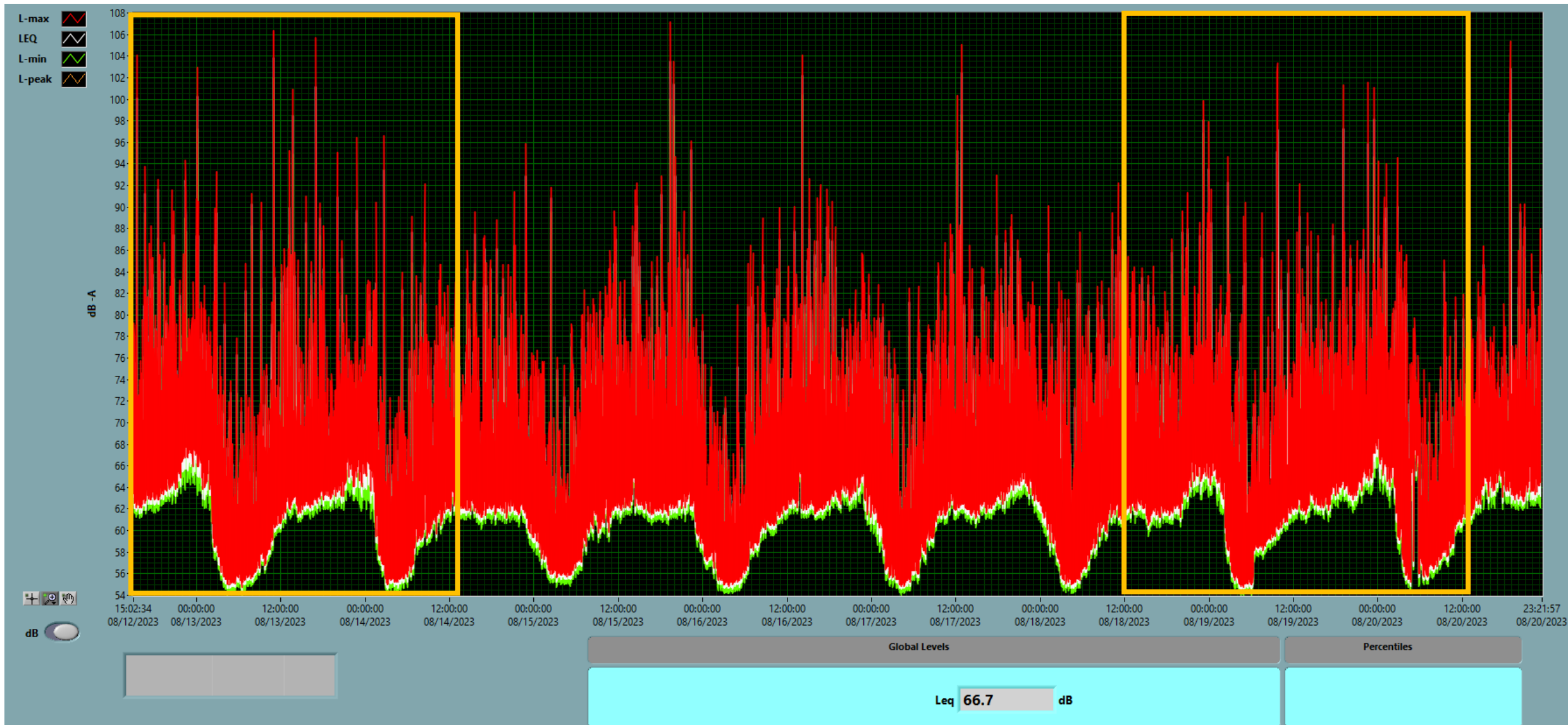
Measuring sound at the bedroom window

- Has lived here for a number of years.
- Bedroom window is 20 meters away from the operator
- Problem began during pandemic
- Is pregnant
- Had to be taken to emergency for a panic attack when noise didn't stop till 4 am (BEO only work till 2 AM)
- Had to have BEO in their home 2 different times at 1 am for 2 measurements
- Has had no resolution

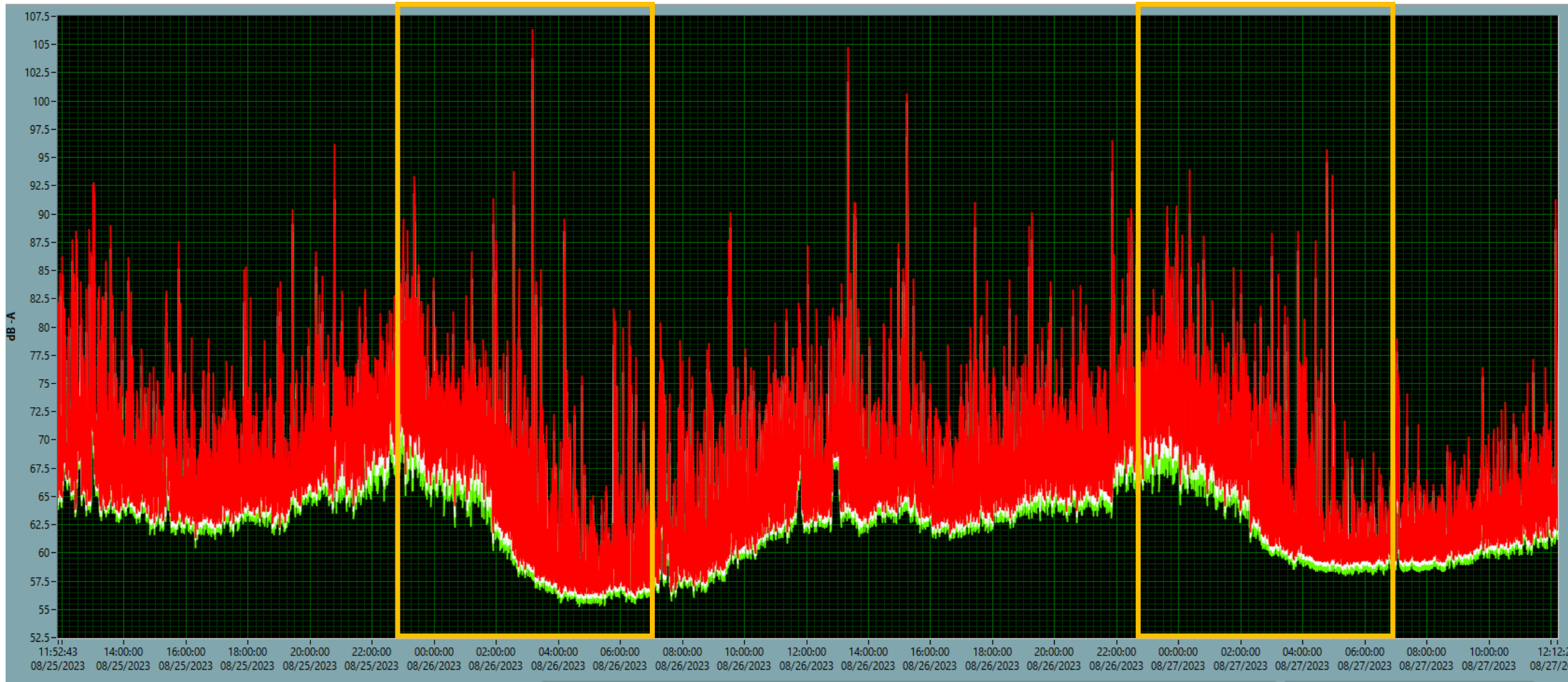


Sound level Measurements at the Bedroom Window

August 12 to 21 (Sat - Mon)



A normal weekend Aug 25 Friday + Saturday Aug 26



Noise Control Plans

Complaints	2019	2020	2021	2022	Total	% of total complaints
Eating / Drinking	1020	798	1865	2140	5823	61%
Retail	135	165	1335	1752	3387	35%
Ent /Nightclub	62	11	26	26	125	1%
Public Hall	38	9	34	42	123	1%
Amusement	8	45	28	23	104	1%
Billard Hall	11	8	12	10	41	0%
Total	1274	1036	3300	3993	9603	

Currently only required for Nightclubs, two categorizations are proposed:

Level 1 (Basic)

- An acknowledgement
- **Availability of (Upon request)** community-based mediation services to resolve noise complaints
- Information identifies all sound-producing or amplification equipment

Level 2 (Comprehensive) Applies to nightclubs & similar venues

- identification of maximum volume levels,
- wattage of equipment
- sound insulation method

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These items should be mandatory:

- How and when the operator will **monitor noise levels emanating** from the premises;
- What action the operator will take to **alleviate excessive noise** while the establishment is operating;
- How and when the operator will monitor the exterior of the premises to **address noise and loitering issues** involving patrons of the establishment;
- What process the operator will use to **engage with nearby residents**, resident groups, and other establishments about noise or nuisance issues related to the establishment; and
- What process the operator will use to **respond to persistent resident complaints** about noise, including specific actions it will take if the establishment operates in a building that also contains residential accommodation.

Recommendations

- Level 1 noise plan all “upon request” items made mandatory
- Ensure that eating and drinking establishments and retail all submit complete level 1 noise control plans.
- Review 8.13 & 8.14 together with Noise Bylaw review is complete
- Improve reporting and enforcement process
- Measure noise at the source and don't leave the residents with the burden
- BEO proactive enforcement visiting areas with sound level meters
- Noise zoning, not just physical zoning

Noise is a global health issue

- From a 2017 TPH report, How Loud is Too Loud? over 92% of residents are over the WHO recommended level of 45 decibels for a restorative, restful sleep.
- Suffer long term health impacts (sleep disturbance, chronic fatigue, annoyance, reduced cognitive functioning, anxiety and depression, ischemic heart disease, strokes, induced hopelessness, etc.)
- This needs to be addressed as a public health issue.

Toronto Public
Health Report

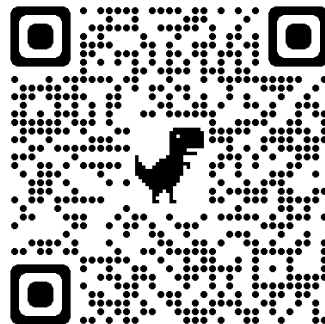


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