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January 5th, 2024

Chair and Members of the Economic and Community
Development Committee
Toronto City Council
2nd Floor
Toronto City Hall
100 Queen Street West
Toronto, Ontario
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Via E-mail – Committee Clerk – Nancy Martins - ecdc@toronto.ca

Re: EC9.5 - Implementation Review of the Noise By-law

Chair Bravo and Members of the Economic and Community Development Committee:

The Residential Construction Council of Ontario (RESCON) welcomes this opportunity to provide comments on EC 9.5, the Implementation Review of the Noise By-Law for the City of Toronto.

RESCON is Ontario's leading association of residential builders. Our members construct 80% of the residential homes built across the province of Ontario.

We respectfully submit our comments at a time when the residential construction sector is contending with the most challenging economic environment experienced in generations. These challenges are manifest in the City of Toronto, and throughout the province of Ontario generally, as new homeowners and renters face the most significant and enduring housing crisis ever experienced.

Those constructing direly needed residential homes in the City of Toronto and across the province are having to contend with exorbitant taxes, fees and levies, labour supply shortages, ever-increasing material costs and shortfalls, pressures associated with increased interest rates that affect financing, a plethora of new and emerging regulatory considerations from municipalities and slow and cumbersome planning and approvals processes.

It is in this context that we provide observations with respect to the City of Toronto Noise By-Law Implementation Review and hope that efforts will be made to ease the regulatory situation so that the residential construction sector can more easily build the homes that new homeowners and renters need.

With respect to the matter before the ECDC Committee, we are assured that the recommendations before the members, and eventually City Council, are not as negatively impactful as may have been the case.

However, we would like to make some recommendations for your consideration in terms of supporting the accelerated and less cumbersome process of building homes in the City.

We would recommend that:

1. The regulation (591-2.3) regarding the permitted times for residential construction work be amended to have a commencement time of 6:00 am. We do not object to a concluding time of 7:00 pm. On Saturdays, we would request that the time be expanded from 8:00 am until 7:00 pm
2. Additionally, we would request that where provincially mandated (exempt from noise by-law regulations) or other exempted projects are operating, that residential construction projects adjacent to these sites be permitted the same exemption automatically.
3. In terms of 591-3.2D(6) we respectfully request that exemption terms not require specific equipment be identified as part of the exemption and therefore the only such machinery to be used – often within construction sites this can be difficult to predict in terms of what is required on any given site.
4. Regarding 591-3.2F, we would ask that permission be given for the distribution by any party affiliated with site and not specifically the permit holder provided of course that the notice is distributed as outlined in the by-law. This additional flexibility, while ensuring that the notice is indeed distributed, reflects the reality of residential construction projects and the many parties involved in given projects.
5. We fully support increased delegated authority being extended to the Executive Director of Municipal Licensing and Standards but would encourage the wording of the by-law to provide the Executive Director with flexibility in both directions, that is, where warranted the Executive Director could reduce or amend certain requirements where practicable.

We trust the member of the ECDC committee will take these recommendations into consideration and make amendments as appropriate before the final Staff Report advances to City Council.

Thank you once again for the opportunity to share our comments, observations and recommendations with you and members of City Council.

Yours truly,



Richard Lyall
President
RESCON