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To: [Economic and Community Development](#); [Councillor Bravo](#); [CORRA Communication](#)
Subject: [External Sender] CORRA Feedback on Report on Outstanding Noise Directives and the omission of the category Air Conditioners and Other Stationary Devices
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Attachments: [CORRA Feedback on Report on Outstanding Noise Directives and the omission of the category Air Conditioners and Other Stationary Devices" including generators and heat pumps.pdf](#)
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Importance: High

CORRA

Confederation of Resident & Ratepayer Associations in Toronto



Thursday, January 11, 2024

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

Confederation of Resident and Ratepayer Associations (CORRA)'s Feedback on Report on Outstanding Noise Directives and the omission of the category Air Conditioners and Other Stationary Devices' (including generators and heat pumps)

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Further to the consultation meetings on the Outstanding Noise Directives, CORRA is glad to hear the good news that the City is proposing to *lower* the decibel limits for Amplified Noise to 35db(A) in living areas at night. That's an important improvement, since higher limits empirically lead to **serious negative health impacts associated with sleep disruption**. The bad news is that the City is (so far) not proposing to lower the decibel limits for the category of 'Air Conditioners and Other Stationary Devices' (including generators and heat pumps). **Decibel limits for Air Conditioners/Stationary devices are very high: 50dB(A) day or night, measured inside or out. Manufacturers and Dealers are advertising different models of**

air-conditioners with 30 - 35dB(A) and the City needs to catch up with these regulations:

1. In general, we endorse the potential bylaw refinements under consideration for noise due to Amplified Sound (591-2.1), Construction (591-2.3), Loading/Unloading (Waste Collection) (591-2.4), Motor Vehicles (591-2.5), Power Devices (591-2.6), and Unreasonable and Persistent Noise (591-2.9). Where options for bylaw refinements are given, we state our preferred options below; we also call for an additional refinement of the Amplified Noise section, to allow measurement from a point of reception in an indoor area irrespective of whether measurement from a point of reception in an outdoor area is 'reasonable'.
2. We strongly object to the omission of any corresponding mitigating treatment of noise due to Stationary Sources and Residential Air Conditioners (591-2.8). We call for 591-2.8 to also be refined, in order to address clear public health concerns associated with overly loud nighttime decibel limits for such devices, and offer a clearly implementable suggestion for such refinement.
3. We call for the notion of a 'point of reception' to be defined (or an example included) to apply to 'the proximal plane of a window, open or closed, in a building'.



Section 1: Potential bylaw refinements as in the 'Reference Sheet'

In general, the potential bylaw refinements under consideration in the Reference Sheet strike us as a significant improvement. We are especially supportive of measures taken to minimize noise impact at night for Amplified Sound, Construction, Loading/Unloading, and Power Devices. It is well-known that sleep disturbance due to high levels of noise has serious negative health impacts, including increased cardiovascular risk, higher cortisol levels, fatigue and inability to concentrate, and many others. For this reason, mitigating all sources of sleep-disrupting noise (including Stationary Devices/Air Conditioners; see below) is a public health imperative.

In some cases, options for bylaw refinement were offered; in what follows we state our preferences. Upon occasion (as in the case of Amplified Sound) we call for a further refinement.

591-2.1 Amplified Sound: Reflecting the overriding public health need to mitigate severe health impacts of sleep disruption, we call for the bylaw to be refined to allow measurement from a point of reception in an indoor area irrespective of whether

measurement from a point of reception in an outdoor area is 'reasonable'.

591-2.4 Loading/Unloading (Waste Collection): We endorse the removal of the waste collection exemption, as applicable to both public and private purveyors.

591-2.5 Motor Vehicles: We endorse the introduction of a stationary motor vehicle noise decibel limit.

591-2.6 Power Devices: We endorse further restricting of time constraints, and amending the definition to add decibel limits and to capture additional property tools such as power washers.

Section 2: The need to refine the bylaw treating Stationary Sources and Residential Air Conditioners (591-2.8).

We strongly object to the perplexing and problematic omission of any mitigating treatment of noise due to Stationary Sources and Residential Air Conditioners (591-2.8). We call for 591-2.8 to also be refined, in order to address clear public health concerns associated with overly loud nighttime decibel limits for such devices.

To repeat: sleep disturbance due to high levels of noise has serious negative health impacts, including increased cardiovascular risk, higher cortisol levels, fatigue and inability to concentrate, and many others. Hence it is that the recent WHO guidelines specify that "the mean sound level prevailing in bedrooms should not exceed 30 dB(A)".

In the current bylaw, decibel limits for Stationary Sources/Air Conditioners are very high: 50 dB(A) day or night, measured inside or out. That is 20 dB(A) over the recommended WHO limit, and 15 dB(A) over the proposed 35 dB(A) nighttime indoor limit for Amplified Sound. Bylaw 591-2.8 is clearly unsatisfactory, especially given that Stationary Sources/Air Conditioners may be continuously run for months. We call for Stationary Sources/Air Conditioners to be subject to the same daytime and nighttime limits as Amplified Sound.

There is no in-principle barrier to implementing lower decibel limits for Stationary Sources/Air Conditioners. There are known strategies for making such devices quieter, using interior noise blankets, exterior sound baffles, etc. The City could proactively work with developers to ensure that mechanical equipment is integrated and as quiet as possible. Another clearly practical solution would be to require Stationary Sources/Air Conditioners louder than 35 dB(A) to be turned off between 11pm and 7am.

In any case, sleep disruption due to Stationary Sources/Air Conditioners is a public health issue, and so needs to be addressed, somehow or another.

Section 3: The need to refine the definition (or examples) of a 'point of reception'

The current definition of a point of reception is "Any location on the premises of a person where sound originating from other than those premises is received"; the definition then offers some examples of points of reception, including "An indoor area that is inside a building with windows and doors closed."

Given the general definition, these examples should not exclude measurements being taken in the plane of an open window, but in practice they do so. Requiring that indoor measurements be taken with windows closed unfairly impacts residents who do not have air conditioners and so need to open their windows for cooling. We call for example (2) to be revised, or for an additional example to be included, to accommodate the following as a point of reception: 'The proximal plane of a window, open or closed, in a building'.

Conclusion

With the arrival of global warming this summer even in parts of Canada with temperatures rising to 40C daytime and 30C+ nighttime, it is urgent that the City get proactive, creative and resourceful putting regulations and an implementation plan before these temperatures become a yearly reality. Noise, lack of sleep are as great health hazards as the upcoming global warming temperatures which we have already experienced this year. In addition to the amendments already suggested in this feedback submission, we make the following practical suggestions:

1. Regulate the decibel levels of all air-conditioners to be between **30 - 35dB(A)** using interior noise blankets, exterior sound baffles, etc. to mitigate any further noise
2. Prohibit the use of stationary window air-conditioners, exterior condenser/fan systems whose installation produces noise which cannot be controlled by exterior sound baffles or decibel regulation.
3. Promote the use of mobile interior air conditioners which can be moved from room to room, vented through the windows, support evaporative cooler systems and whose manufacturer's design includes interior noise blankets with decibel limits between **30 - 35dB(A)**
4. Work with developers and designers to produce and support integrated furnace, generator and internal ductless and central air conditioning condenser systems which support evaporative cooling with venting through the duct work to the outside. The whole internal system can be controlled and subject to the **30 - 35dB(A) regulated decibel limit with the help of interior noise blankets**

These are just a few suggestions to allow the City to be proactive, creative and resourceful with a plan to offset the health issues and stresses of Climate, Global Warming and noise induced sleep deprivation to name but a few. Manufacturers and Developers are already producing product with these issues in mind. The City needs to get in front of this movement, taking the lead in defining the regulations.



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Many thanks from The CORRA Team