

# Implementation Review of the Noise Bylaw: Motor Vehicle Noise Meeting

September 18, 2023



# Overview and Purpose of Consultation

- City Council approved amendments to the Noise Bylaw in 2019 after a multi-year review
- As per direction from City Council, an implementation review is now being conducted to assess the successes and challenges with the 2019 amendments and consider potential refinements
- **Purpose of consultation** - gather information regarding experiences with the Bylaw and present and seek feedback on draft potential refinements
- **Timeline** - Staff intend to report to the Economic and Community Development Committee in **November 2023**
- **Note** - The City does not intend to pursue wide-ranging changes to the categories or to completely reframe definitions in the Bylaw at this time

# Toronto's Noise Bylaw

- [Toronto Municipal Code, Chapter 591, Noise](#) ("Noise Bylaw") provides standards for noise and applies to all properties in Toronto
- Certain levels of noise are reasonable and reflect life in a densely populated city and the Bylaw aims to strike a balance between setting reasonable standards for certain types of noise and addressing the needs of residents and visitors
- The Municipal Licensing and Standards (MLS) Division responds to persistent and recurring noise using a priority response model
  - MLS is not resourced on an emergency basis

# What types of noise can be regulated under the Noise Bylaw?



## Municipal response available

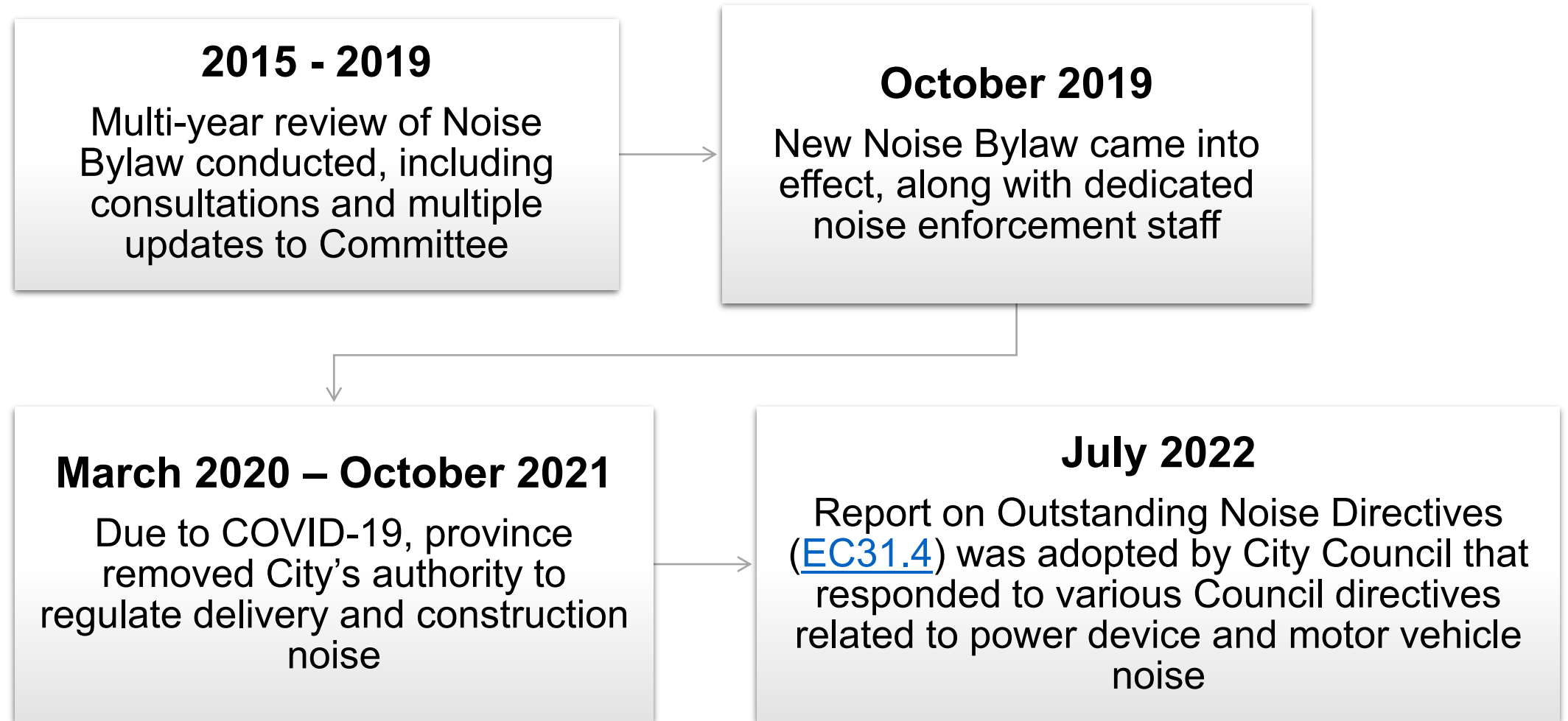
- Animal Noise
- Amplified Sound (such as music)
- Auditory Signalling Devices (such as bells, horns and gongs)
- Construction Noise
- Domestic Tools & Power Equipment
- Residential Air Conditioners
- Stationary Sources (such as generators and fans)
- Stationary Motor Vehicle Noise



## Outside of City's jurisdiction







- Moving Motor Vehicle Noise
- Airport/Aircraft Noise
- Noise from Provincial or Federal Infrastructure Projects
- Railway Noise
- Wind Turbines

# Noise Bylaw Developments



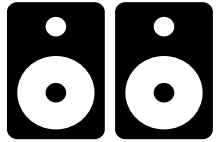
# Criteria for Considering Bylaw Amendments

## Criteria

<b>Jurisdiction/Legal Authority</b>		Falls within the legal and jurisdictional authority of the City of Toronto and more specifically, the Noise Bylaw
<b>Reduces Impact on Residents</b>		Responds to the expectation that residents should be able to live without undue noise
<b>Reasonable</b>		Reflects the reality of a growing and vibrant city; such as, densification, infrastructure improvements and the promotion of culture and music
<b>Enforceable</b>		Promotes compliance as a first step and considers the City's resources available to reasonably enforce and prosecute the bylaw
<b>Administratively Feasible</b>		Administrative effort is worth the return (e.g. it may be costly and staff intensive, but it is an effective deterrent)
<b>Objective</b>		Reduces the subjective nature of the bylaw, providing more certainty to residents, businesses and MLS

# 2019 Noise Bylaw Review

## Key Amendments (1)



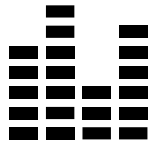
Introduced daytime and nighttime numerical limits (decibels) to measure amplified sound from a point of reception



Added a decibel limit and test procedure for motorcycles at idle (92 db(A))



Time prohibition on all construction noise (7 p.m. – 7 a.m. weekdays, 7 p.m. to 9 a.m. on Saturdays)



Continuous concrete pouring and large crane work exemption replaced by a streamlined exemption permit process

# 2019 Noise Bylaw Review

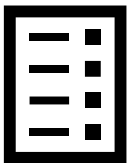
## Key Amendments (2)



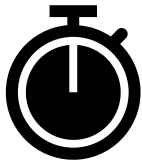
Introduced an online 311 reporting system and a Dedicated Noise Enforcement Team, which currently has 27 staff and late night-coverage (to 2 a.m.)



Replaced the general prohibition with a provision for "unreasonable and persistent noise"



Introduced a more streamlined exemption permit process with the ability to revoke permits and impose conditions, like a noise mitigation plan, when necessary



Removed quiet zones and harmonized time constraints across all specific prohibitions



# Motor Vehicle Noise Regulations

# Overview

CITY OF TORONTO	GOVERNMENT OF ONTARIO	GOVERNMENT OF CANADA
NOISE BYLAW	HIGHWAY TRAFFIC ACT (HTA)	MOTOR VEHICLE SAFETY ACT
<ul style="list-style-type: none"><li>• Prohibits unnecessary vehicle noise and noise from vehicle repairs</li><li>• Applicable to City roads and expressways, but not major highways (400-series)</li><li>• City Bylaw Enforcement Officers do not have the authority to stop moving vehicles and <u>can only enforce against stationary vehicles</u></li></ul>	<ul style="list-style-type: none"><li>• Classifies traffic offences and regulates noise created by the operation of motor vehicles in Ontario</li><li>• Outlaws installation or modification of equipment in ways that unnecessarily increase motor vehicle noise</li><li>• Enforceable by police services and Ontario Transportation Enforcement Officers, who <u>have authority to stop moving vehicles</u></li></ul>	<ul style="list-style-type: none"><li>• All vehicles manufactured or imported must federal safety requirements</li><li>• Noise emission standards (sound level limits) are set out for newly manufactured motor vehicles</li></ul>

# Current Regulations

CITY OF TORONTO	GOVERNMENT OF ONTARIO	GOVERNMENT OF CANADA
NOISE BYLAW	HIGHWAY TRAFFIC ACT (HTA)	MOTOR VEHICLE SAFETY ACT
<ul style="list-style-type: none"><li>• Unnecessary motor vehicle noise is prohibited</li><li>• Time prohibition on sound from repairing, rebuilding, modifying or testing of a vehicle (9 p.m. until 7 a.m. weekdays, 9 a.m. on weekends)</li><li>• 92 dB(A) limit for motorcycles, measured 50 cm from the exhaust while the engine is at idle – enforced via joint initiatives with Toronto Police</li></ul>	<p>The following are prohibited under the HTA:</p> <ul style="list-style-type: none"><li>• <u>Exhaust modifications</u> that exacerbate vehicle noise [section 75(1)]</li><li>• <u>Operation of a motor vehicle that produces excessive noise</u> [section 75(4)]</li><li>• <u>Removal or modification of the “original emission control system” (exhaust)</u> in a way that increases emissions [section 75.1, new as of April 1, 2022]</li><li>• <u>Speeding</u> exceeding established limits (section 128) and <u>stunt driving</u> (section 172)</li></ul>	<ul style="list-style-type: none"><li>• Noise emission standards (sound level limits) vary by vehicle type and align with international industry standards</li></ul>

# Implementation Update

# What Has Happened Since 2019

## Impacts of pandemic:

- Enforcement staff were redirected to enforce public health orders
- Province limited the City's authority, affecting data trends and the City's ability to respond to certain noise concerns

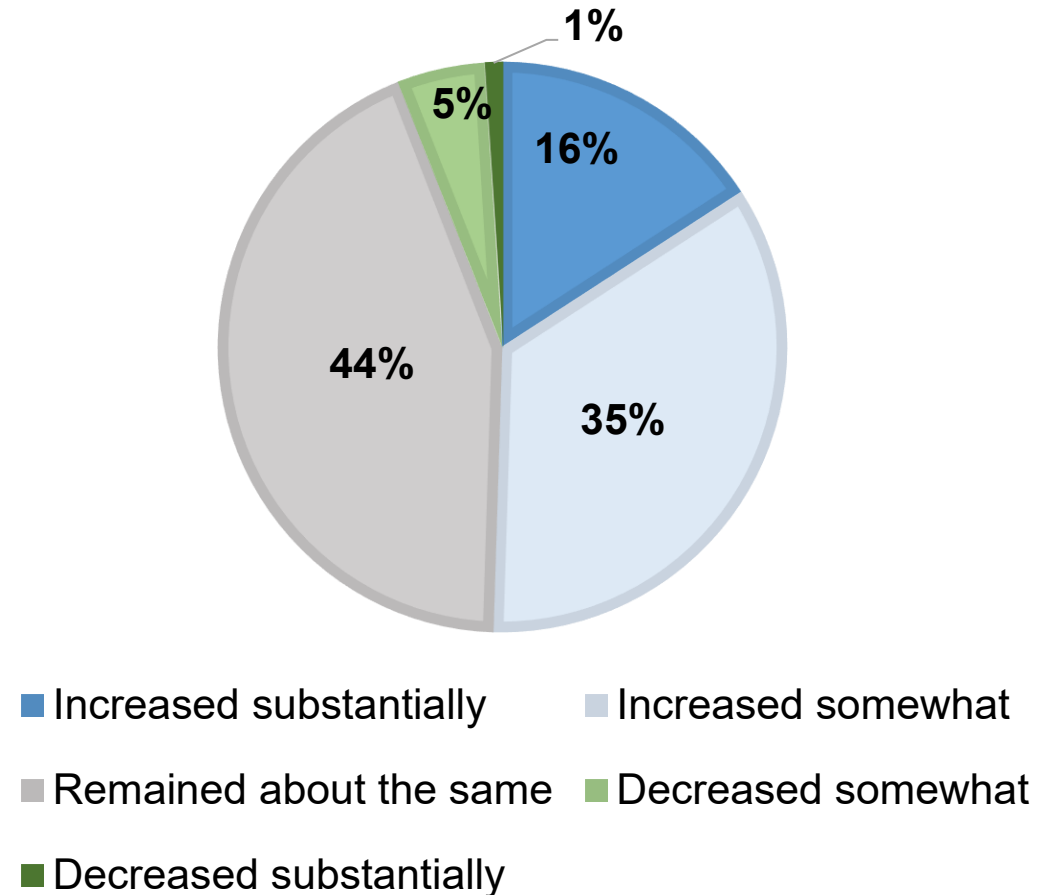
## Implementation concerns:

- Increase in construction projects and use of outdoor patios
- Research shows that conflict related to sound and noise remain top of mind for residents
- High volume of noise complaints has strained enforcement resources, with 811 case files per officer (2022 average)

# 2023 Public Opinion Research

- Conducted by a third-party firm, with a sample size of approx. 1000
- Full analysis will be included in the staff report
- Majority agree with using sound level limits to enforce the Noise Bylaw, with **70%** agreeing that they should be used to measure how loud an event or object is, and **68%** agreeing they should be measured from the location of the complainant

**OVER THE PAST YEAR, I FEEL THAT NOISE LEVELS IN THE CITY HAVE...**



# 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%
<b>Grand Total</b>	<b>13,201</b>	<b>17,323</b>	<b>19,467</b>	<b>12,381</b>	<b>45,049</b>	<b>100%</b>

# \*New\* Moving Motor Vehicle Noise Complaints

- As of June 2023, it is now possible to submit complaints about moving motor vehicle noise through 311
- Complaints are not investigated, but data will be used to guide future policy and enforcement initiatives (in collaboration with police)

## Motor Vehicle Noise

Motor Vehicle Noise

Report noise from moving or stationary vehicles.

Tell Us More About Your Request

Is the noise from a moving motor vehicle?

Yes

[Back to Create a Service Request](#)

Continue

**185 complaints were issued June 1 to August 31, 2023**  
(22 in June, 79 in July, 84 in August)



# Potential Refinements

# How were the potential refinements created?

- ✓ July 2023 public opinion research
- ✓ Feedback from residents, stakeholders, and enforcement staff since 2019 (including 311 complaints and enforcement data)
- ✓ Draft technical assessments from acoustic engineering firm
- ✓ Jurisdictional scan of noise regulations from other municipalities

**Note:** Potential refinements are in draft form, may not be fully detailed, and are subject to approval by City Council. For discussion purposes only.

# Potential Refinements

CURRENT BYLAW	POTENTIAL REFINEMENT 1	POTENTIAL REFINEMENT 2	POTENTIAL REFINEMENT 3
§ 591-2.5 Motor vehicles	Clarify City's authority	Introduce stationary motor vehicle noise decibel limit	Consider replacing or adding to motorcycle noise decibel limit
<ul style="list-style-type: none"> <li>- Unnecessary motor vehicle noise prohibited</li> <li>- Time restriction for vehicle repair/rebuilding</li> <li>- Decibel limit for motorcycles at idle</li> </ul>	<ul style="list-style-type: none"> <li>- Clarify language in Bylaw to reflect that MLS responds to persistent issues about <u>stationary vehicles</u></li> </ul>	<ul style="list-style-type: none"> <li>- Consider limits at idle or at a specific level of revolutions per minute (RPM) (while vehicle remains stationary)</li> </ul>	<ul style="list-style-type: none"> <li>- Consider replacing or adding to the existing motorcycle provision with a limit at a specific level of revolutions per minute (RPM) (while vehicle remains stationary)</li> </ul>
		<ul style="list-style-type: none"> <li>- Decibel limits and test procedures require support from an acoustical engineer</li> </ul>	

# Noise Fees

Changes to exemption permit application and noise monitoring fees will be proposed in the staff report (subject to additional analysis), the report will also include consideration of a late fee for exemption permit applications

	EXEMPTION PERMIT APPLICATION FEE	NOISE MONITORING FEE
SUMMARY	Fee is required for each application	If monitoring is required as a condition of the exemption permit, staff must be made available
CURRENT AMOUNT	\$100 (not adjusted annually)	\$60 per staff per hour (not adjusted annually)
RATIONALE	<ul style="list-style-type: none"><li>- Fees do not differ depending on impact of event</li><li>- Updated analysis is needed to ensure the fee is fully cost recovery per the City's User Fee Policy</li></ul>	<ul style="list-style-type: none"><li>- Per hour calculation is not reflective of current salaries or staff overtime</li><li>- Updated analysis is needed to ensure full cost recovery per the City's User Fee Policy</li></ul>

# What's Next?

**September 2023**

Public Consultation  
Meetings

**October 15, 2023**

Last day to submit written  
comments to

[MLSfeedback@toronto.ca](mailto:MLSfeedback@toronto.ca)

**November 2023**

Report considered by the  
Economic and Community  
Development Committee

# Appendix

# What Noise Guidelines & Regulations Exist?

LOCAL



INTERNATIONAL

## Municipal

Toronto  
Municipal Code,  
Chapter 591,  
Noise (the Noise  
Bylaw)

## Provincial

- Highway Traffic Act – Motor Vehicle Noise
- Occupational Health & Safety Act
- Environmental Protection Act
- Environmental Compliance Approvals and Environmental Activity & Sector Registry
- Noise Pollution Control Guidelines:
  - NPC 300 – Stationary Sources
  - NPC 216 – Residential Air Conditioners

## Federal

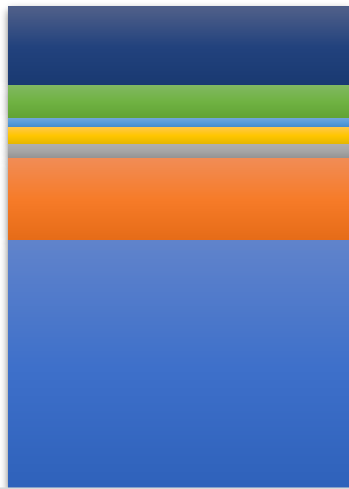
- Health Canada – Guidance for Evaluating Health Impacts in Environmental Noise

## World Health Organization

- Environmental Noise Guidelines for the European Region

# 311 Noise Complaints

13,201



2020

17,323



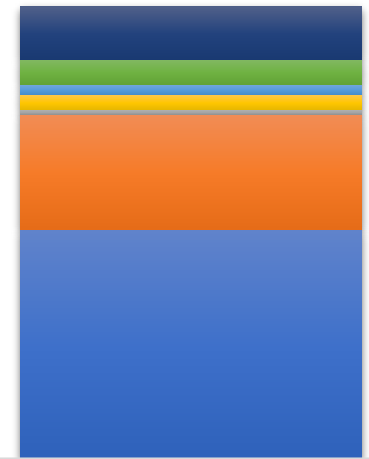
2021

19,467



2022

12,381  
(As of Aug 31 2023)



2023

■ Amplified Sound  
■ Loading and Unloading Noise  
■ Power Device Noise  
■ Unreasonable and Persistent Noise

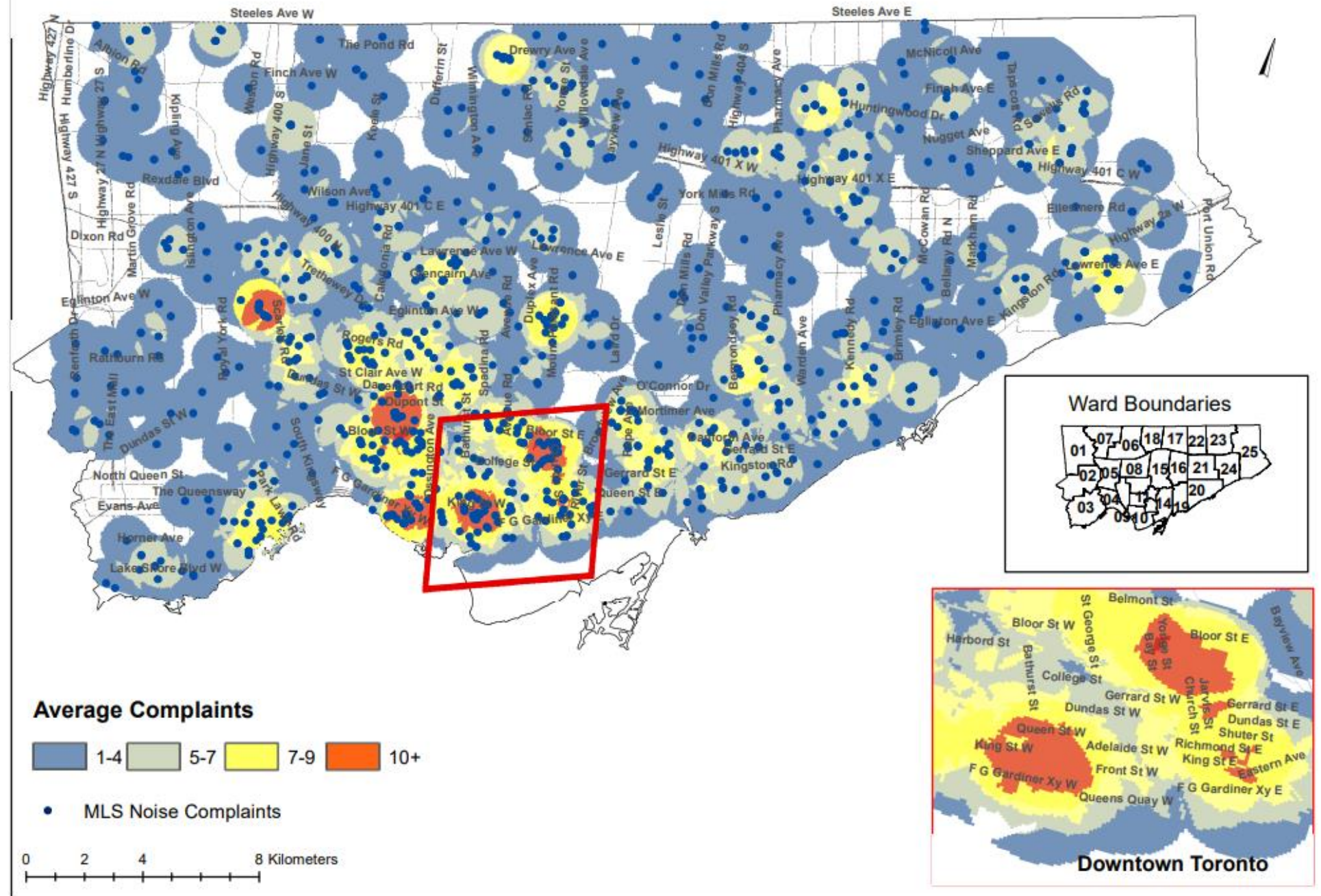
■ Construction Noise  
■ Motor Vehicle Noise  
■ Stationary Source Noise



# Motor Vehicle Noise 311 Complaints

October 2019-  
April 2022

Item EC31.4

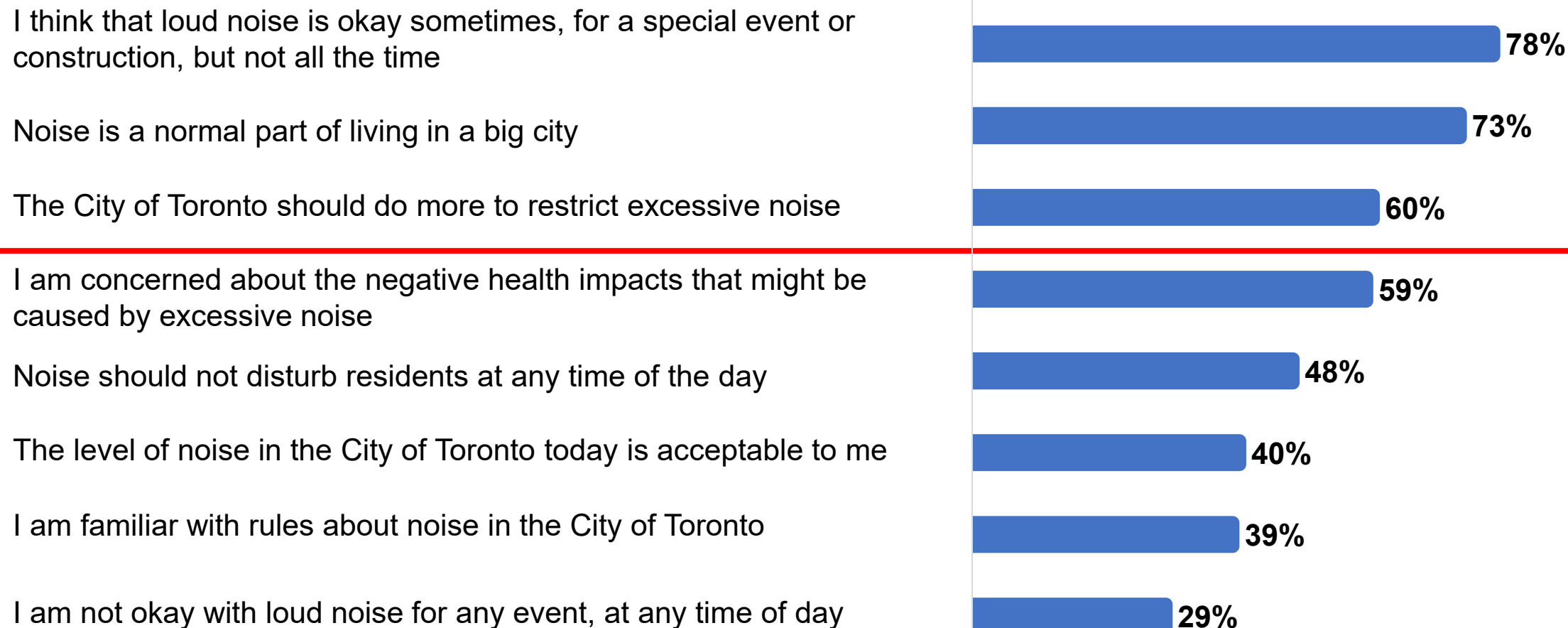


# Public Opinion Research

## General Attitudes Towards Noise

Please indicate to what extent you agree or disagree with each of the following statements (n = 1003)

% of respondents who strongly or somewhat agree with the following statements:



# Outstanding directives

**Introduce a decibel limit for motor vehicles at idle**

**Consider options for decibel limits for power devices**

**Continue to monitor technology developments related to automated noise enforcement / noise radar**

**Review noise from City vehicles and fleets, including waste collection services**

**Consult with Toronto Public Health (TPH) about the health impacts of noise.**

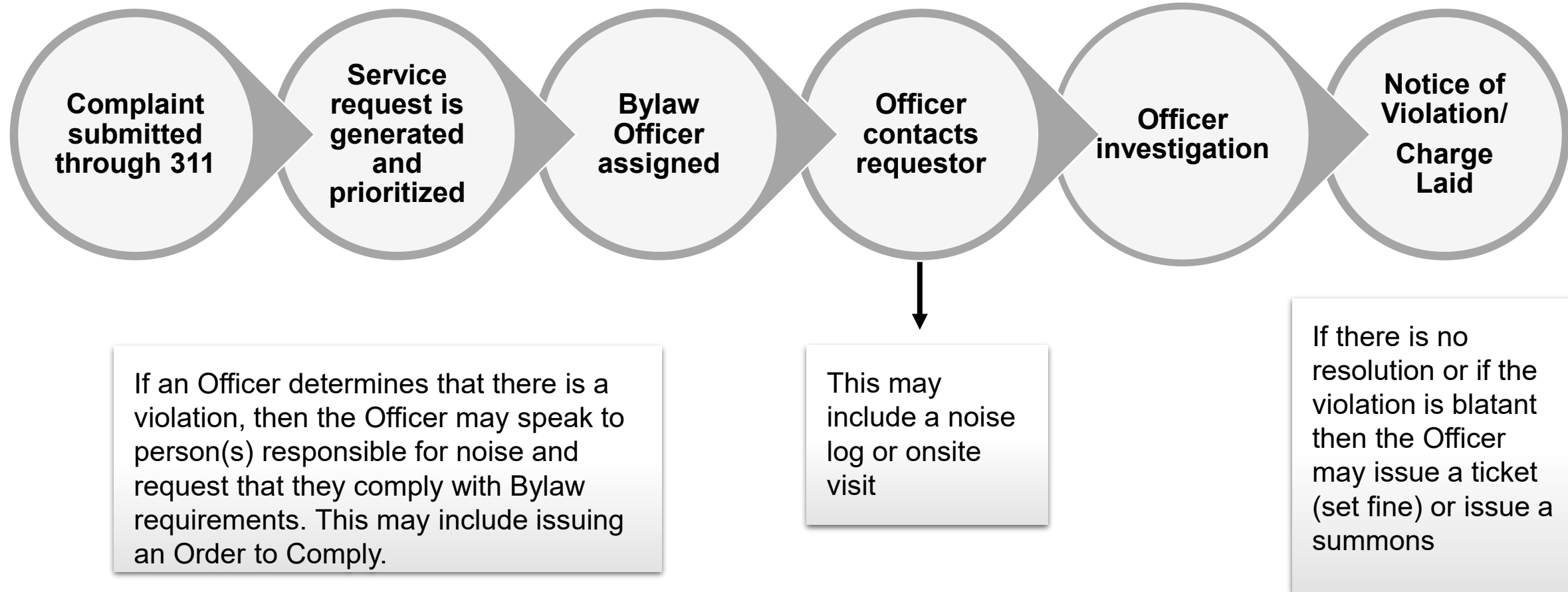
**Review the implementation of 2019 Bylaw changes, including:**

- new measurement standards
- new hierarchy of limitation provisions
- impacts to the construction industry
- patterns and trends in complaints and resolutions;
- issues related to amplified sound within residential areas; and
  - impacts to enforcement.

**Review developments on motor vehicle noise, including:**

- complaint levels and locations
- results of enforcement blitzes, and
- assessing additional options to support a reduction in motor vehicle noise

# Investigating a Noise Complaint



# Offences and Charges

Any person who contravenes any provision of the Bylaw, or fails to comply with an exemption permit or order issued under the Bylaw, is guilty of an offence and upon conviction is liable to a fine of no more than \$100,000

- There is a special fine in an amount equal to any economic gain obtained from non-compliance
- Each offence can be designated as a continuing offence with a maximum daily fine of \$10,000 if the offence continues and a total fine which may exceed \$100,000

Charges include:

- **Set Fines:** There are currently 13 set fines ranging from \$500 - \$700 for the Noise Bylaw. MLS applies for set fines through the Ontario Court of Justice
- **Summons:** The defendant must appear before a Justice of the Peace