



## FEEDBACK SUMMARY

On Wednesday, September 13, 2023, the City of Toronto hosted the second of six public meetings to seek public input into the successes and challenges of implementing the Noise Bylaw amended in 2019, and to present and seek feedback on draft potential refinements to the Noise Bylaw. This meeting focused on seeking feedback on Amplified Sound. 166 members of the public attended the meeting. Representatives from Municipal Licensing and Standards (MLS), including the Noise Enforcement team, also participated.

This draft summary was written by Third Party Public Inc., the engagement team retained by the City to facilitate the public meetings. It is subject to participant review before being finalized. It reflects the points discussed verbally, as well as written comments received at the meeting.

**The intent of this summary report is to capture the range of perspectives that were shared at the meeting. It does not assess the merit or accuracy of any of these perspectives nor does it indicate an endorsement of any of these perspectives on the part of Municipal Licensing and Standards or the City of Toronto.**

Note that the numbering of the points is intended for ease of reference only and not intended to imply any type of priority. Responses from MLS are *in italics*.

The points below summarize the overall feedback received at the meeting. More details related to each point follow.

### OVERALL

1. **Many residents reported an increase in issues with amplified sound since 2019**, especially from bars, special events, concert venues, party boats, restaurants/clubs, AirBnBs, and buskers.
2. **Many participants focused on the impacts of vibration** and want to see vibration measured and limitations placed.
3. **Concerns were raised about enforcement, with many who said they consider it ineffective.** Stiffer penalties and other consequences were suggested, along with more resources for enforcement.
4. **Several suggestions focused on how businesses and residents can better co-exist.**
5. **There were different perspectives on the potential refinements shared by the City.** Some support lowering the decibel limits and others do not (Refinement 1). Some support measurement at the source, while others disagreed (Refinement 2). Refinement 3 was unclear to many.
6. **Suggestions related to exemption permits** focused on minimizing the number issued and making noise mitigation plans mandatory.
7. **Other feedback** related to the need for more education and several areas covered in the other five consultation meetings.

## DETAILED FEEDBACK

### 1. Many residents reported an increase in issues with amplified sound since 2019.

These participants said:

- ☐ They're experiencing more noise since the pandemic especially from bars, special events, concert venues, party boats, restaurants/clubs, AirBnBs, and buskers. Concert and festival venues are much louder, and festivals are not appropriate in residential areas (especially those that are densely populated).
- ☐ Concerns were raised about an increase in noise from monster homes squeezed into small lots and the increased number of high rise buildings. This means that noise is bouncing much louder and further making it difficult to identify the source.
- ☐ They have concerns related to increasing noise across the city, with the waterfront (low-beats and sound that carries on the water), King-Portland/King-Bathurst, along with Ossington and Queen, and the southwest area of Scarborough (noise by the water and at night) mentioned most frequently.
- ☐ Concern that the densification of the City is out-pacing noise bylaw changes with some considering that the updates from 2019 are already obsolete.
- ☐ Impacts from multiple sources of sound are creating a disturbance, including noise from clients on the sidewalk or noise from an open door.
- ☐ Concern was raised that the City is advancing the notion that "vibrancy" requires residents to tolerate harmful noise pollution when the onus should be on certain business owners to make the investments required to mitigate the problem.
- ☐ It was suggested that noise levels be reduced in line with the World Health Organization suggested levels for health reasons.

Some participating business owners said their experience has improved because the decibel levels introduced four years ago have brought clarity to the limits. Other operators expressed concern that the City is too strict on noise and less friendly to music producers and those in the live music industry, which is especially hard post-pandemic because there are significantly fewer music venues in the city today. One

participant said that the regeneration of King Street, for example, has become more residential at the expense of the music scene.

It was noted that most participants at the meeting were residents and not business operators. It was also observed that not many artists and cultural organizations were participating.

### 2. Many participants focused on the impacts of vibration and want to see vibration measured and limitations placed.

They reported that bass-heavy noise can be heard and felt in living rooms, bedrooms, in the vibration of walls, windows, and furniture, etc. Vibration was referred to, by some, as a sonic weapon, and it was suggested that low frequency sound also be measured.

### 3. Concerns were raised about enforcement, with many who said they consider it ineffective.

- ☐ Any bylaw changes are only meaningful if coupled with effective enforcement.
- ☐ There needs to be more enforcement of businesses not in compliance.
- ☐ Concern was expressed about the poor availability of bylaw officers and the restricted hour they work (noting that noise issues often occur outside of these hours).
- ☐ There is no mechanism for addressing noise disturbances from boats because they often cannot be identified without help from marine police, also because marine police do not have a mechanism to measure noise decibels. As a result, there is no way to hold party boats accountable.
- ☐ There was support for larger and more immediate issuing of fines, as well as an increase in enforcement staff.
- ☐ It was suggested that the City consider an option where residents can book noise monitoring in advance, when there's a pattern of disturbing noise every weekend.
- ☐ Consider more significant consequences for offending businesses, including suspension of licenses, larger fines for repeat offenders, scaling fines to the size of the venue and whether its commercial or residential, and/or a "three strikes and you're out" option.

### 4. There were suggestions on how businesses and residents can better co-exist, by:

- ☐ Requiring businesses to close their doors and windows by 11pm. Some participants

said that they live next to patios with DJs that are playing outside until 3am.

- Use better sound proofing in new residential buildings to protect from amplified sounds (e.g., laminated windows, soundproofing insulation).
- Condo owners and landlords need to know and apply the “agent of change” principles where landlords are required to let tenants know they are living in the entertainment district and the associated levels of noise they’re likely to experience (so they’re not surprised).
- Addressing situations where businesses apply for a restaurant license and misuse the license to operate clubs that are open until 3am immediately underneath condos. It was suggested that these licenses should be revoked for misuse. It was also noted that many businesses follow the rules, so the focus should be on the few that continually break them.

**5. There were different perspectives on the proposed refinements shared by the City.**

There were participants who supported Refinement 1 (lowering the decibel levels), however others do not because the existing range gives business owners in the entertainment district good parameters to work from. There were participants, including a senior consultant specializing in noise, vibration, and acoustics, who noted that:

- Lowering decibel limits will not resolve ongoing noise complaint issues because their experience is that ambient sound levels throughout the city are, in most cases, greater (or significantly greater) than the proposed limits.
- It is not practical to separate out amplified noise from all the other noise caused by a business, including noise from patrons on the business’ patio, noise on the immediate sidewalk, increased car traffic, honking, etc.

Related to Refinement 2 (creating an additional enforcement pathway), there were different opinions on where to measure sound.

- Some support measurement at the source because entering private property, especially at night, was perceived as an invasion of privacy. There was also a concern that the burden of dealing with excessive noise is currently on the complainant and little is expected of the business owner – noting that it is not

reasonable for the City to conclude that excessive noise is only adversely affecting the people that complain since there are many reasons someone may not complain (e.g., some neighbours said that they are not comfortable filing a complaint because they are afraid of retaliation).

- Others disagreed, with a preference for measuring at the point of reception – noting that if the sound doesn’t bother anyone, there should be no need to enforce. Two participating event producers that work on concerns and festivals explained that the current bylaw which measures sound 20 metres from the source with a limit of 85 dBA is not considered to be an acceptable concert audio level of the audience or the talent on stage (with a suggestion that a reasonable limit would be 85 dB at the perimeter of the site or 100db at 30 meters from the source). They explained that audio technicians can become targets of hostility from the audience. The potential danger of the bylaw, as currently written, should be considered.

There were a range of comments related to proposed refinement 3 (separate sections for commercial and living areas) including:

- Confusion about how this proposed refinement would work (i.e., would separate noise standards or limits be based on actual land use or zoned use?).
- Some support for separating commercial and living area requirements, but only if that lowers the noise that residents are subject to. It was also suggested that there be no difference between commercial and residential area decibel levels because sound travels and bounces off large/tall buildings.
- It was suggested that parks be considered residential, not commercial; however, one participant considers this commercial/residential framework misconceived and that public space should be one of the City’s main considerations.
- Consider differentiating how the bylaws apply to music-specific events versus general commercial uses.
- Add parks and streets to the bylaw categories. These are public spaces that should be enforced and measured, with one participant noting that public space needs to be protected from noise pollution everywhere (e.g., speakers outside stores,

loudspeakers mounted on sidewalks rather than in backyards, loudspeakers in some places of worship, and residents blasting sound from porches or balconies.

- Consider adding a separate section for “Quiet areas” where decibel levels would be lower than residential (e.g., for nature, park areas).

Other comments related to the refinements:

- Interest in clarity on how bylaws apply to mixed use buildings, particularly for buildings where people sleep right on top of patios and restaurants that act as night clubs and said the City should not allow these uses to disturb the comfort of living at any time.
- Some suggested the City modify the bylaw to better reflect the importance of the context in which noise is experienced. They suggested different decibel limits for the entertainment district, parks, the waterfront, and residential areas.

**6. Suggestions related to potential refinements to exemption permits included:**

- Add a definition of what is considered the “source” when the by-law says “Sound levels emitted from any equipment shall not exceed a sound level of 85 dBA when measured 20 metres from the *source*.” This is important because without a definition it is left up to interpretation and at a music festival, for example, the source could be ambient noise from the crowd, food trucks, generators, in addition to the speakers. Without the definition, confusion is created between MLS Noise Monitoring Officers, property owners, and event organizers.
- Minimize the number of exemption permits.
- Make noise mitigation plans mandatory for anyone requesting an exemption permit.
- Concern that the process of getting an exemption permit is being weaponized against community event organizers.

**7. Other feedback included:**

- A request that the City report the number of unique callers to 311 with noise complaints, and not just the total number of calls (since many may come from the same people).
- It was suggested that a general provision for amplified sound be re-instated. Participants with this concern explained that changes to the Bylaw made in 2019 have taken the City a step backwards, now permitting noise

24/7 that was illegal until 2019. Amplified sound from patios open to the street is a problem that falls between two stools: limiting the levels of sound that “leaks” out of businesses and what should be a complete prohibition of piping amplified sound into a public space (except with a permit for an event). Patios likely require very low decibel limits and a restriction of hours.

- There’s a need for more education and awareness on sound regulations in the city.
- Interest in understanding how the Night Economy Review overlaps with the Noise Bylaw, with a suggestion that a Noise Control Plan be a requirement as an operator in the Night Economy.
- Interest in more information on the noise coming from commercial businesses versus house parties.
- Interest in seeing music venues protected just like culture and heritage sites are protected.
- Interest in seeing leaf blowers banned.
- Interest in seeing low flying helicopter impacts being addressed (at Harbourfront).
- Strengthen enforcement of after-market modifications to cars to increase noise. Also strengthen enforcement of car racing noise by working with Toronto Police Services.
- Ambulance noise addressed, including interest in seeing the City explore alternatives during certain times of day.
- Seniors that “age in place” can end up being “trapped” in their homes when new loud uses are introduced.

## NEXT STEPS

The City thanked participants for attending and reminded them of the opportunity to share additional comments with MLS by October 15, 2023, to be considered as part of the Review. MLS will bring forward a staff report with recommendations to Economic and Community Development Committee in the coming months. To subscribe for e-updates about the Implementation Review, add your email on the City’s website [www.toronto.ca/noisereview](http://www.toronto.ca/noisereview).