

To: Economic and Community Development Committee for the meeting of April 3, 2019.

I am writing on behalf of the Greater Yorkville Residents' Association (GYRA) and a member of the Toronto Noise Coalition to comment on the Noise By-law Review - Proposed Amendments to Chapter 591, Noise.

As a member of the Toronto Noise Coalition, we have spent well over 4 years working on improving the current Noise Bylaw. So it is very disappointing and unfair to expect the public to digest the proposed amendments which we received on March 27th and provide thoughtful comments within 7 days. What we think is even more shameful is that the public has had no time to meet with ML&S to hear directly from them about their rationale for proposing these changes. Some of the proposed amendments are very complicated and it appears that the staff simply want to get these amendments approved without proper discussion. Many of these proposed amendments were not raised during the public consultation meetings so we don't know where they came from.

There are a number of proposed amendments which we have hands on experience and I will detail them below. I will leave other proposed amendments to other members of our Toronto Noise Coalition who have expertise in those areas.

34. While we're happy to see that the proposal is now addressing excessive muffler noise, this is not solely about motorcycles. All motor vehicles (as defined in 12.) should be included in this proposal. In addition the maximum proposed decibel level at 92 dB(A) is far too high. We suggested 82 dB(A) considering that 80 is the approximate level from the standard equipment supplied by major motorcycle companies and supported by the American Motorcycle Association. We are disappointed that no increased in fines are proposed similar to what many other cities are using. We proposed increasing fines to \$350-\$400 as a more serious deterrent.

24. It is beyond us why they are proposing to delete section 591-2.1, prohibiting amplified sound from being projected beyond the lot line into any street or public space.

This makes no sense and removes the responsibility of excessive amplified sound from the source. It also removes the easiest way to measure if sound is excessive. This was never proposed at the Public Consultation Meeting or mentioned in the resulting summary and must not be allowed to be deleted.

25. & 26. It appears that the proposed amendments have not included measuring at point of source such as outdoor patios, which was a major recommendation made at the public consultation. It makes no sense to exclude point of source measuring because it is far and away the easiest way to determine if the noise is excessive. This proposal continues to put the onus on residents (including keeping a log) and the requirement for the inspectors to go into their residence. Inspectors very often are not available to attend the residences when the music is causing a problem. Measuring at source puts the onus on the establishment where it belongs and is far easier to measure by the enforcement staff.

29. It appears that this proposed amendment is changing the prohibition of construction from 7pm to 7am. They now appear to allow construction outside of these hours providing that they don't make noise. Good luck in trying to enforce that. Again this proposed amendment puts the onus on residents. How does this amendment improve the noise problems in the city? What is wrong with the current construction restrictions....no construction work from 7 pm to 7 am weekdays? This proposed amendment must not be allowed to pass.

It seems to us that many of the proposed amendments were made to make it easier for the enforcement staff and not for the benefit of residents who are suffering from excessive noise. In addition, there is no proposed increase in enforcement staff which was a main topic at every meeting that we attended and was included in the summaries.

Unfortunately, I will be out of the country on April 3rd so will not be able to attend.

Again, we are asking that the public be provided with an opportunity to hear directly from and discuss directly with the ML&S staff about the rationale behind these proposals and until such time, these proposed amendments should be tabled.

Yours truly,

Alan Baker

President

Greater Yorkville Residents' Association – GYRA

Member of the Toronto Noise Coalition - TNC