

TORONTO NOISE COALITION

Noise Working Group - June 26, 2017

(Text of Powerpoint Presentation)

BACKGROUND

- The Toronto Noise Coalition was formed in Spring 2016 to protest the City's revisions to the Noise Bylaw that further degraded an out of date ineffective Noise Bylaw and neglected to address the appalling lack of enforcement.
- Toronto's noise complaints have increased 319% since 2009.
- Toronto must respond with a new Noise Bylaw that reflects the City's changing landscape and advances in acoustic technology.
- This is a complex issue. Complex strategy is required, **NOT** tinkering with out of date rules.

THE EVIDENCE IS CLEAR

The Toronto Board of Health report, "*How Loud Is Too Loud*", confirms noise is a serious health issue for Torontonians.

This is not a surprise to the people of Toronto who have been suffering for years from too loud noise.

Mayor Tory and Council **must** provide leadership to refocus the basic purpose of Toronto's Noise Bylaw to preserve Torontonian's quality of life and health and set expectations that this Bylaw will be enforced.

Noise management is a public health concern NOT an economic development exercise.

A COMPREHENSIVE APPROACH TO NOISE MANAGEMENT IS OVERDUE

- The Toronto Board of Health approved the Medical Officer of Health's recommendation to develop a Noise Management Action Plan that identifies measures for the City to reduce adverse health impacts from exposure to environmental noise.
The Toronto Noise Coalition and thousands of Torontonians agree.
- The Noise Management Action Plan **must** include a Noise Bylaw that reaches international standards for health protection and noise control.
- The Toronto Noise Bylaw **must** do its job of protecting the health of Torontonians from excessive noise including noise from construction, amplified sound, and mechanical equipment.

ENSURING AN EFFECTIVE NOISE BYLAW FOR TODAY AND TOMORROW

The Toronto Noise Coalition's report of May 2016 calls for:

- Effective regulations
- Effective mitigation
- Effective enforcement
- Effective exemption policy

The New York City Noise Code sets the standards that must be met.

EFFECTIVE REGULATIONS

- **Provide an overriding General Prohibition** for 24/7 protection. "No person shall make, cause or permit noise or vibration, at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of inhabitants of the City."
- **Limit base noise to protect health** by setting WHO limits of 55dBA daytime, 40dBA night time, the exception decibel level to 65dBA not 85dBA, AND providing specific hours for locations where certain noisy activities are regulated, such as leaf blowers in residential areas, commercial construction on weekdays only and home-owner allowed construction on weekends.
- **Ensure regulations are easy to understand and enforce** by including decibel limits for measuring noise at its source and adjusted limits for distance, allowing for point of reception measurement where appropriate, using a test of "plainly audible across a property boundary" to specify sound restrictions for loudspeakers, and specifying how to measure noise levels for motorcycles, leaf blowers and mechanical equipment.

EFFECTIVE MITIGATION

- Ensure noise mitigation plans for city-wide construction and amplified noise exemptions are approved before permits are granted.
- Provide specific standards that must be in place for these plans.
- Provide industry support and resources to assist emitters in mitigating noise at source.
- Require that applicants monitor their sound emissions levels and demonstrate that their levels are compliant.
- Require posting of noise mitigation plans on location.

EFFECTIVE ENFORCEMENT

- Increase the number of Noise Bylaw Enforcement Officers to meet demand for timely responses to noise complaints, not just between 9 AM to 5 PM.
- Provide Enforcement Officers with the authority to issue summons, tickets and notices for violations of the Noise Bylaw.
- As a deterrent, increase fine levels and provide escalating fines for repeat offenders.
- Coordinate enforcement with the Alcohol and Gaming Commission Organization and the Toronto Police Services.
- Promote the importance of a healthy noise environment to gain broad public support and compliance, including the principle of **QUIET HOURS** between 10 PM and 7 AM.
- Evaluate enforcement effectiveness with performance-based measurements.

EFFECTIVE EXEMPTION POLICIES

- **Strictly limit** and regulate exemptions so as not to undermine the Noise Bylaw. Noise levels should never exceed 65 dBA.
- Require Noise Mitigation Plans be submitted with exemption applications.
- Issue series approvals only to applicants with an established record of good compliance.
- Notify the proximate public, including residents, BIAs, Residents Associations, and the local Councillor of applications well in advance to allow for review, recommendations and objections before a permit is issued.

An effective Noise Bylaw HELPS noisemakers be responsible and accountable for obeying the law.

ACTION PLAN FOR A NEW NOISE BYLAW

1. The Toronto Board of Health's recommendations regarding the Medical Officer of Health's report "*How Loud Is Too Loud*" necessitate the deferral of the revisions to the Noise Bylaw to align it with the City's Noise Management Action Plan. The existing Noise Bylaw can remain in place until then.
2. To support the implementation of a new comprehensive Noise Bylaw, MLS **must**:
 - a. Develop, in consultation with stakeholders and noise-making industries, mitigation strategies that reflect best practices for large urban municipalities, particularly for amplified sound and construction and develop noise limitation standards for mechanical equipment,

- b. Publish mitigation standards and resources for emitters,
 - c. Develop, in partnership with Toronto Police and AGCO, effective enforcement responsibilities, and,
 - d. Develop and have approved a new escalating fine schedule that will deter offences and repeat offenders.
3. Ensure the MLS 2018 budget proposals include an increase for effective enforcement, including for enforcement staff, and the development and publication of mitigation standards and resources. Funding can come from increased fines.
4. Continue to seek the advice of the Noise Bylaw Working Group until the completion of the new Noise Bylaw.

The Mayor likes to call Toronto a
“World Class City”.

It’s time Toronto opened its mind to World Class 21st century standards for noise management, mitigation and control.