

Toronto's new noise bylaw targets motorcycles, concerts, clubs and construction

By Francine KopunCity Hall Bureau
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Five years in the making, Toronto's revised noise bylaw was approved by city council on Wednesday, introducing new restrictions and higher fines for violators.

"This bylaw is as good as it's going to get and I think that we should support it," said Councillor Kristyn Wong-Tam (Ward 13 Toronto Centre), summing up what seemed to be the general feeling among councillors and in particular staff, who have been working on the proposed amendments since 2015.



The updated noise bylaw requires construction companies to seek exemptions for certain work after hours. (Steve Russell / Toronto Star file photo)

Council voted against a motion that would have extended the discussion by another two months — as requested by the Toronto Noise Coalition — after Carleton Grant, director of policy and strategic support for Toronto's municipal licensing and standards (MLS) division, said he didn't think more discussion would lead to greater consensus.

“Does it make everyone a little unhappy, yes, but it is a workable piece that is enforceable, that is far more objective and quantitative than the current one,” Grant told council during hours of discussion conducted over two days.

The new rules set measurable sound levels for outdoor concert and club venues, making enforcement less subjective; require construction companies to seek exemptions for certain work after hours; set sound level limits for motorcycles; and limit the operation of power tools, including gas-powered leaf blowers, to 7 p.m. instead of 9 p.m.

Maximum fines have been increased to \$100,000, from the current \$5,000.

The construction industry had been critical of proposed changes to the rules around concrete work, but an amendment proposed by Councillor Ana Bailao (Ward 9 Davenport) and adopted by council helped smooth the waters.

Continuous pouring of concrete is currently exempt from the noise bylaw and it had been proposed that contractors would have to instead apply for permits to complete concrete work after hours, and have the permits renewed every three months.

Bailao’s amendment put staff in charge of approving the permits instead of leaving it to the discretion of councillors as originally proposed, and also removed the three-month renewal condition.

“It’s a compromise and we’ll work with that,” said Richard Lyall, president of the Residential Construction Council of Ontario.

The Toronto Noise Coalition argues that missing in the bylaw is a strong general provision, clearly stating that the objective of the bylaw is to protect citizens from disturbing noise, which has been identified as a public health issue by the World Health Organization.

“We were volunteer residents, working with the city to try and get a bylaw that was appropriate for a big and complicated city and the MLS really didn’t move much at all,” said the coalition’s Cathie Macdonald.

“Their objective was to make it as simple as possible and easy to enforce, so the subtleties of what was needed went by the wayside.”

Councillors voted in favour of an amendment by Councillor Stephen Holyday (Ward 2 Etobicoke Centre), requiring staff to submit a report at the end of 2020 on how well the new regulations are working.

The bylaw was last updated in 2010, but has not been comprehensively reviewed since 2002, according to a staff report.

According to public opinion research conducted on behalf of the city, 64 per cent of residents believe that noise levels in Toronto are reasonable and reflect life in a big city, while 36 per cent

of residents believe that more needs to be done to restrict noise because of potential negative health consequences.

“When it comes to noise it is very, very hard to find a balance,” said Councillor Joe Cressy (Ward 10 Spadina Fort—York).

***Correction - April 17, 2019:** This article was edited from previous version that misspelled Richard Lyall's name. As well, the article was updated to include Lyall's reaction to the amendments by Councillor Ana Bailao.*