



January 11, 2024

Councillor Alejandra Bravo
Chair
Economic & Community Development Committee
City of Toronto

Re: Implementation Review of the Noise Bylaw TORONTO MUNICIPAL CODE CHAPTER 591, NOISE

Dear Councillor Bravo,

The Federation of South Toronto Residents' Associations (FoSTRA) is a federation that currently represents 26 residents' associations (RAs) in the five downtown Toronto wards; Wards 4, 9, 10, 11 and 13 and, through these RAs, hundreds of thousands of Toronto residents.

FoSTRA appreciates the complexity and competing influences that affect the creation of an effective policy, particularly one so charged and sensitive as Noise. Equally, there are few Bylaws that impact so many residents on so many fronts, and ultimately, define the quality of life in our city. FoSTRA applauds the inclusive consultation process and the efforts of the City in trying to develop practical and enforceable solutions in an increasingly diverse environment

Having made a submission during the Implementation Review of the Noise Bylaw TORONTO MUNICIPAL CODE CHAPTER 591, Noise Bylaw and having reviewed proposed amendments to the Noise Bylaw being considered by the Economic and Community Development Committee on January 11, 2024, FoSTRA submits the following comments and recommendations regarding the proposed revisions.

1. We are concerned that the party boat noise issue in Toronto's inner harbour has not been addressed. This would require coordination with other levels of government. As the city is already reaching out to the province to obtain permission to use noise-activated monitoring devices, it would be appropriate to also request support from the federal government and PortsToronto for better control of noise levels on Toronto's inner harbour.



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2. We are disappointed that the city is not investing in more enforcement officers as we had suggested in our previous submission other than a new enforcement coordinator position. The proposed higher fees for fines and penalties, as well as the increase in permit, and exemption fees, would certainly cover the cost of new bylaw enforcement officers and officers of the Toronto Police Marine Unit, and ensure that the new bylaw actually has teeth.
3. We are discouraged that the City has not considered sanctioning readily available software applications for the measurement of sound to facilitate the submission of complaints and laying of fines and penalties. The current process requires compliance officers to register the sound levels resulting in the complaint yet these compliance officers are often unable to attend at the site until some time (often days) after the infraction has occurred.

We reiterate our fundamental recommendations:

- **Clear rules** to follow.
- **Ease of reporting and enforcement** – measurement standards should be easily understood and tools to take measurements simple to obtain and use. The city should consider consulting sound engineers to help simplify the standards and methods of measurement.
- **Sufficient staff** - staff levels of bylaw enforcement officers and the Toronto Police Marine Unit should be increased, and additional funding costs obtained from increased fines and Exemption Permit Fees,
- **Proportional** - fines should act as a deterrent and should escalate for repeat offenders and bad actors that abuse the process.

Also

- We must ensure that bad actors are not able to circumvent the enforcement and exemption permit process by hiding behind shell companies and fronting organizations. For commercial operators, the cost of violation must be proportional. For an enterprise that earns \$100k on an evening a fine of \$1k is a cost of doing business and will not change behaviour. Closing the business for 30 days after the third strike will ensure compliance.



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- More needs to be done to ensure noise compliance along Toronto's Waterfront. Amplified Noise along the Toronto Waterfront is especially challenging as noise can carry for significant distances over water. Unfortunately, it is not always clear to residents who has the authority to enforce noise issues on the waterfront (City, Ports Toronto, Marine Police Unit). The City bylaws may not apply on the water or in the Inner Harbour. Many Party Boat Charters use amplified Noise on their late-night tours which can carry for great distances and disturb the many residents along the waterfront and the Toronto Island. We would encourage clear language in any proposed bylaw changes to ensure Amplified Noise can be effectively managed along the waterfront.

In Conclusion

The City is strongly urged to consider refining the noise limits and improving the noise measurement capabilities while increasing the number of enforcement officers and the time of day that they are available to ensure compliance.

Streamlining the prosecution for noncompliance while working with other jurisdictions to ensure coordination of enforcement efforts is vital to an effective noise mitigation strategy.

The foregoing is offered to assist in revising the Amplified Noise Bylaws and improving their enforcement to ensure an effective balance between the interests of commercial enterprises and residents. We welcome the opportunity to discuss these suggestions with City staff to improve our great City's livability.

Regards,

Rick Green
Chair, FoSTRA