

Noise Bylaw Review: Update

Date: March 28, 2018

To: Licensing and Standards Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

This report provides a summary of the work accomplished to date and next steps for the review of Municipal Code, Chapter 591, Noise, which sets out specific standards for noise in the city of Toronto.

Regulating noise is a complex undertaking due to the vast array of sources of noise, competing interests, and the natural occurrence of noise that exists in a growing and vibrant city like Toronto. For many, the city is not only a place to work and rest, but also to enjoy music, festivals, and outdoor cafés. Toronto is a dense urban environment where neighbours reside in very close proximity to each other. The City is also experiencing a high volume of construction activity as housing and transportation infrastructure is being built to meet the needs of the city's growing population.

Municipal Licensing and Standards (MLS) began reviewing the noise bylaw in 2015. In 2016, MLS reported on proposed amendments to the noise bylaw to Licensing and Standards Committee. The Committee referred the report back to MLS with a request to convene a Noise Working Group (NWG) and report back with proposed amendments once the NWG had completed its review and Toronto Public Health had completed its noise monitoring study.

Over the past year, MLS has met nine times with the NWG to review the current and proposed amendments to the noise bylaw. The NWG included a diverse group of stakeholders including members from the Toronto Noise Coalition (TNC), representatives from the construction, manufacturing and music industries, acoustical noise engineers and staff from different City divisions.

The NWG meetings highlighted a number of outstanding issues that require further exploration such as the effectiveness of the general prohibition, challenges with the point of reception measurement and whether the exemption permit process can effectively mitigate the impact of noise.

The City's approach to the enforcement of noise is also undergoing a review. Incorporated in this review is a recommendation from the Toronto Police Service Transformational Task Force Report, which outlines the modernization of policing in the City. It recommends diverting non-emergency calls to other city divisions and services. Non-emergency calls, such as noise complaints that do not require police attendance, will be directed to MLS, as the division with primary responsibility for the enforcement of the noise bylaw. MLS is actively working with Toronto Police Services (TPS) and the City Manager's Office to determine the extent of any operational and/or financial impacts that may result. A report outlining the outcomes of this review is expected at the appropriate standing committee in 2018.

The work necessary to determine the extent of any possible budgetary and staffing impacts of the increased volume in calls and service level changes is underway. In the meantime, MLS is proposing to implement a priority response approach to noise complaints in order to improve service levels, enhance the effectiveness of investigations, and use current resources more efficiently. This will allow officers to respond faster to noise events that are identified as high priority, such as those that occur with greater frequency and have a larger effect on an individual and/or community.

MLS will continue to undertake additional research and consultation to address the outstanding issues in the noise bylaw and advance the review of Chapter 591, by:

- Procuring an independent acoustical engineering firm, to provide a technical review of the current and proposed noise bylaw as well as the feedback collected from members of the NWG,
- Conducting broad and statistically significant public opinion research on resident attitudes, experience and concerns with noise in the city of Toronto,
- Pursuing additional research and data analysis; including jurisdictional best practices/approaches, and
- Undertaking further consultation with internal and external stakeholders.

Staff will also continue to work with Toronto Public Health (TPH) to ensure that the noise bylaw is aligned with TPH's upcoming work on a noise management action plan, aimed at reducing exposure to ambient environmental noise over time. TPH is expected to report to the Board of Health with a noise management action plan in 2019.

MLS is planning to report on proposed changes to Chapter 591, Noise by the third quarter of 2019, once this additional research, analysis, and consultation has been completed.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council direct the Executive Director, Municipal Licensing and Standards to complete additional research and consultation for the review of Chapter 591, Noise and report back by the third quarter of 2019 with recommended changes to the bylaw.

FINANCIAL IMPACT

There are no financial impacts beyond what has already been approved in the current year's budget. MLS is actively working with TPS and the City Manager's Office to determine the extent of any operational and/or financial impacts that may result from the Toronto Police Service Transformational Task Force Report. Any operational and/or financial impacts will be reported through the 2019 Budget process.

The Acting Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On June 12, 2017, the Board of Health adopted with amendments [HL20.5 Health Impacts of Environmental Noise in Toronto](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.HL20.5) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.HL20.5>). In addition to forwarding the report and all written submissions to the Executive Director, MLS, the Board also requested the Medical Officer of Health develop and report back on a noise management action plan aimed at reducing exposure to ambient environmental noise over time.

On September 21, 2016, Licensing and Standards Committee referred [LS13.1 Noise - Amendments after Further Consultation](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS13.1) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS13.1>) to the Executive Director, MLS to convene a NWG and report back with proposed amendments to Chapter 591 after the NWG has completed its review and Toronto Public Health has completed its Noise Monitoring Study.

On May 19, 2016, the Licensing and Standards Committee deferred [LS11.2 Noise - Amendments after Further Consultation](http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS11.2) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS11.2>) with the request that the Executive Director, Municipal Licensing and Standards establish a working group with representatives from the Toronto Noise Coalition, Residents' Associations, construction and entertainment, business associations, BIAs, and other relevant stakeholders, and report back on September 21, 2016.

On January 22, 2016, the Licensing and Standards Committee referred [LS9.1 Amendments to Chapter 591](#) (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS9.1>) to the Executive Director, MLS for further community consultation. MLS was directed to report back on eight motions, including additional consultation, enforcement of motorcycle and amplified sound, adequate staffing for enforcement, expanding prohibited times for construction noise, options to ban or restrict leaf blowers and additional amendments to the exemption process.

COMMENTS

Update on the Noise Working Group

In May 2016, the Licensing and Standards Committee directed MLS staff to convene a NWG comprised of relevant internal and external stakeholders. Chaired by the Manager, Policy and Planning of MLS, senior management and divisional staff endeavoured to facilitate an open discussion between members of the NWG on issues related to noise in Toronto and the proposed changes to the noise bylaw.

The goal of the NWG was to provide advice to the Executive Director, MLS on amendments to Municipal Code, Chapter 591, Noise. The following organizations participated in the NWG at one or more meetings:

Actinium Engineering	Metrolinx
Arts & Crafts/Field Trip Music & Arts Council	Ontario Formwork Association
BILD	Public Health Ontario
City Planning	Pumpcrete
Councillor Cressy's Office	Redpath Sugar
Councillor McConnell's Office	RESCON
Councillor Robinson's Office	Residents
Councillor Wong-Tam's Office	Ryerson University
Embrace Presents	TABIA (Toronto Association of BIAs)
Engineering & Construction	The Phoenix Concert Theatre
Entertainment District BIA	Toronto Industry Network
Environment & Energy Division	Toronto Music Industry Advisory Council
Film & Entertainment Office, Music Unit	Toronto Noise Coalition/Resident Associations
GHD Consulting	Toronto Public Health
Gladstone Hotel	Toronto Youth Cabinet
J.E. Coulter Associates	Transport Action
Liuna Local 183	

From December 8, 2016 to September 27, 2017, the NWG met nine times. The first four meetings focused on identifying key items for further examination, determining and agreeing to a terms of reference and reviewing the current and proposed amendments to the noise bylaw. The next four meetings focused on an in-depth exploration of individual topics: the current bylaw and potential amendments to the general noise

prohibition, amplified sound, exemption permits, construction and small engine equipment. At the final meeting, the Chair provided a presentation on feedback received to date and afterwards, members participated in a facilitated, small group deliberation exercise.

Outcomes Report

Feedback from the NWG is being documented and summarized in an Outcomes Report to the Executive Director, MLS. It is expected that the draft Outcomes Report will be finalized by the spring of 2018. The report is intended to advise and inform the Executive Director, MLS on the recommendations arising from this review of the noise bylaw. In addition to general feedback, the Outcomes Report will include specific proposals from different members of the NWG regarding the regulation of noise in Toronto. The proposals are included to ensure all perspectives are given due consideration in the development of recommendations to City Council.

Lessons Learned

The NWG brought together a diverse set of stakeholders with different perspectives and involvement. During the nine meetings, members of the group identified and discussed their respective issues with the current and proposed noise bylaw.

Overall, the Working Group provided an opportunity for MLS staff to work more in-depth with stakeholders. MLS staff answered numerous questions from working group members as well as presented on various topics; such as the current complaint and exemption process. Some members of the Working Group, including the Toronto Noise Coalition and RESCON, also had the opportunity to present their own ideas for the noise bylaw.

The NWG process presented a number of challenges, but also lessons learned. Staff heard from members of the group that the process would have benefitted from using third party facilitators and independent sound experts to enhance deliberation and facilitate consensus building. During its final meeting, MLS received facilitation support from the City's Public Consultation Unit of the Policy, Planning, Finance and Administration Division.

The lessons learned and feedback from the NWG will be documented in an Outcomes Report prepared for the Executive Director, MLS.

Noise Bylaw Considerations

The following section outlines some of the outstanding issues of the noise bylaw review including the current regulations, proposed regulations and feedback from the NWG and other stakeholders.

General Prohibition

The general prohibition currently states that "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 the inhabitants of the City."

In the May 2016 staff report, MLS proposed time constraints to the general prohibition in an effort to make the bylaw clearer. The proposed time constraints were based on the daytime and evening hours of the Noise Pollution Control guidelines (NPC-300) of the Province of Ontario. In addition to improving the clarity of the noise bylaw, adding time constraints to the general prohibition reduces the need for specific prohibitions.

Some members of the NWG expressed concerns with introducing time constraints to the general prohibition because it could leave people who live and/or work in Toronto vulnerable to noise during the day. The NWG was unable to agree to the proposed time constraints or alternative time constraints.

Specific Prohibition; Amplified Sound

Currently, Chapter 591, Noise sets out restrictions for loudspeakers and other amplified sound projected on streets or public places. The existing bylaw prohibits individuals from causing or permitting amplified sound, at any time, that projects beyond the lot line of the property and into any street or public space.

The bylaw also includes specific time prohibitions for amplified sound in quiet and residential zones. Amplified sound is prohibited at any time in a quiet zone. In a residential zone, amplified sound is prohibited overnight from 11 p.m. to 7 a.m. on Monday through Saturday mornings and from 11 p.m. to 9 a.m. on Sunday and statutory holiday mornings.

In the January and May 2016 staff reports, MLS proposed removing the specific prohibition for amplified sound projected into any street or public space and introduced time constraints and quantitative noise limits (decibel limits) for amplified sound by time and place.

Feedback during consultations identified that using quantitative noise limits (decibel limits) could increase the objectivity of the noise bylaw as it sets a limit that can be monitored by business, industry and the public (through approved noise meters) easily and readily. Businesses (including music venues) stated that they have limited ability to determine if they are operating within the "clearly audible" limit set by the current noise bylaw due to the subjective nature of the requirement. Ultimately, the music industry stakeholder group would favour a reasonable amount of noise to be permissible but subject to specific decibel limits. They also favour point of reception measurement, or measurement at the property line of the complainant.

MLS staff originally proposed daytime decibel limits of 85 dB (A) or 105 dB (C) and nighttime limits of 45 dB (A) or 65 dB (C), measured at the point of reception, in the January 2016 staff report. Members of the public and stakeholders expressed concern that these initial daytime limits proposed by MLS were too high. In response, MLS staff proposed in the May 2016 staff report residential daytime decibel limits of 50 dB (A) or 60 dB (C) and residential nighttime limits of 50-55 dB (A) or 65-70 dB (C), when

measured at a point of reception, indoors or outdoors. MLS staff also proposed new rules for ambient sound levels to account for noisier neighbourhoods (due to traffic, density, and local businesses), where noise is not in compliance if it is 5 decibels (measured in dB (A) or dB (C)) above the ambient sound level.

Some members of the NWG supported quantitative measures, time constraints by time and place and an additional measurement for ambient sound because they believe it assists with the collection of evidence, creates certainty for businesses by providing specific compliance standards and facilitates consistent bylaw interpretation. On the other hand, others believe the point of reception measurement is onerous and intrusive for complainants as it may require Municipal Standards Officers to measure noise from their premises. The NWG was also unable to agree to the proposed time constraints, an ambient sound level or alternative time constraints for amplified sound.

Specific Prohibition; Construction

The existing noise bylaw sets out prohibited time periods for construction noise; in a residential area or quiet zone from 7:00 p.m. to 7:00 a.m. the next day; before 9:00 a.m. and after 7:00 p.m. on Saturdays and all day Sunday and Statutory Holidays. Large crane work, continuous concrete pouring and necessary municipal work are currently exempt from the time prohibitions.

If construction activities need to take place outside the permitted hours, for those activities other than described above, companies or individuals can apply for a noise exemption. Under the current bylaw, any person may apply for a permit for an exemption from a noise prohibition or noise limitation. Applicants must pay a \$100 application fee and in some cases, may be required to undertake noise monitoring. Exemption permits are subject to approval/denial by the local City Councillor.

In the May 2016 report, staff recommended retaining these time prohibitions but removing the blanket exemption for continuous concrete pouring and large crane work. The report also proposed requiring certain terms and conditions as part of the noise exemption process, including public notice and noise mitigation plans. Companies or individuals who were not compliant would risk the revocation of their noise exemption permit and/or face fines.

Stakeholders and members of the NWG were divided on the issue of retaining the existing time constraints for construction activities. Some residents indicated that further restrictions to the prohibited time periods are necessary. Feedback from the construction industry indicates that additional restrictions could have negative implications for construction project timelines.

Stakeholders are also divided over the current blanket exemption for continuous concrete pouring and large crane work. Residents and members of the TNC are supportive of removing this exemption as they would like the construction industry to participate in the exemption permit process. They are concerned that additional construction work, beyond continuous concrete pouring and large crane work, is occurring during prohibited times.

The construction industry would like to keep the blanket exemption for continuous concrete pouring and large crane work. Members of the NWG from the construction industry noted that continuous concrete pouring and finishing is time sensitive work. They are concerned that the process of obtaining exemption permits will cause delays to this work, and that these additional delays to their projects can increase the duration of construction noise.

Exemption Permits and Noise Mitigation Plans

Currently, noise exemption permits may be requested for special events, events in parks, and construction activity that extends beyond permitted hours. Exemption permits are subject to approval/denial by the local City Councillor.

In an attempt to increase the rigour of proactive noise mitigation and enforcement, MLS proposed several changes to exemption permits in the January and May 2016 staff reports. Changes included the authority for the Executive Director, MLS to revoke exemption permits and impose conditions such as noise mitigation plans.

Feedback to changes to exemption permits was mixed. The TNC supports noise mitigation plans as a strategy to mitigate noise. However, they are concerned with the quantitative noise limit of 85 dB (A) measured at a point of reception. Members of the TNC believe this is too loud. There is also general support for a graduated system of exemptions; one for low impact events and one for high impact events. Although, members did not agree on how each event would be defined.

While there is general acceptance for noise mitigation plans by residents and members of TNC, the construction industry is not supportive of this additional condition. Members of the construction industry also do not support the recommendation by TNC to require noise mitigation plans for all construction activities, including construction activities occurring during permitted times. If noise mitigation plans are added to the exemption permit process, the construction industry would like to know what would be included in the plan, who would review and approve the plan as well as how quickly it would be processed.

There is unanimous agreement between industry and residential members that if noise mitigation plans were introduced, the review and approval of these plans must be timely and efficient. All stakeholders are also interested in what components will be included in the noise mitigation plan and its approval process.

Staff are continuing to study the opportunities and challenges of changing the current exemption permit process.

Leaf Blowers

The existing noise bylaw sets out periods of time where the operation of any power device including leaf blowers is prohibited:

- In quiet zones, overnight from 7:00 p.m. to 7:00 a.m. on Monday through Saturday mornings; all day Sunday and Statutory Holidays,

- In residential zones, overnight from 9:00 p.m. to 7:00 a.m. on Monday through Saturday mornings; all day Sunday and Statutory Holidays.

On January 22, 2016, Licensing and Standards Committee directed MLS to report on options for banning or setting a decibel limit of 45 decibels for leaf blowers sold or used in the city of Toronto. In the May 2016 staff report, it was noted that in 2015 MLS received 52 noise complaints related to leaf blowers. In 2016, MLS received 27 noise complaints related to leaf blowers.

To assess the feasibility and effectiveness of these regulatory approaches, staff have conducted a jurisdictional scan and consulted members of the retail, landscaping, manufacturing and golf industries. Industry members unanimously disagree with banning or setting a decibel limit of 45 decibels for leaf blowers because they are often necessary maintenance tools for trades and businesses. They have indicated that banning leaf blowers could cause significant cost increases to businesses and consumers. If businesses were to rely on the physical removal of leaves (i.e. raking) or less efficient leaf blower models (i.e. battery operated) it could increase the time and cost to complete a task.

Industry also noted that a decibel limit of 45 is currently unachievable for leaf blowers. Retailers raised the issues that banning or setting decibel limits for leaf blowers only deals with one type of garden equipment, and does not address other loud equipment such as snow blowers and lawn mowers.

The City of Toronto Environment and Energy Office also reported to City Council on the environmental effects of leaf blowers in their report, Transform TO. They noted that the "total amount of emissions from small engine equipment in relation to other sources (e.g. transportation, heating equipment in buildings) is very small. There is insufficient data to support discussions about an absolute ban under the City's powers to regulate for the purpose of the health, safety and well-being of persons and the environmental well-being of the City. Based on available research, not enough evidence exists to make a strong link between the use of small engine equipment and air quality and climate change concerns."

Staff are continuing to review and consult on the issues of noise from power devices such as leaf blowers and will include specific recommendations in the 2019 report of the noise bylaw review.

Motor Vehicles

In the current and previously proposed amendments to the noise bylaw, motor vehicles are listed as a specific prohibition. No person shall emit sound, that is clearly audible at a point of reception, from the following acts;

- Racing a motor vehicle outside of a regulated racing event
- Squealing tires
- Operating a motor vehicle without an effective exhaust, intake-muffling device or other sound attenuation
- Banging, clanking, squealing or other sounds due to an improperly secured load

- Using a horn or other warning device except where required or authorized by law

Motor vehicles are also regulated under the *Ontario Highway Traffic Act, 1990*. Section 75 of the Act requires every motor vehicle (including motorcycles) to have a muffler in good working order and in constant operation to prevent excessive noise. It also prohibits a driver from altering a muffler to create excessive noise.

Members of the NWG expressed concern that greater enforcement is needed for motor vehicle noise, particularly noise from motorcycles.

While MSOs have the authority to enforce the noise bylaw for stationary motor vehicles (e.g. in a parking lot, garage, etc.), they do not have the authority to pull over vehicles in motion. This specific authority is granted only to a police officer "in the lawful execution of his or her duties and responsibilities" (Section 216 (1) of the *Ontario Highway Traffic Act, 1990*). Staff are continuing to explore possible solutions to this noise issue.

During consultations, MLS staff also heard concern over noise from emergency vehicles. Emergency vehicles are exempt from the noise bylaw when they are carrying out their core functions. Emergency vehicles are also exempt under the provincial *Highway Traffic Act, 1990*. Under this Act, they are "the only vehicles allowed to operate a siren horn or a device producing a sound which so nearly resembles that produced by a siren horn."

Some emergency services have internal policies that require officers responding to emergency calls to use discretion when there is no traffic; particularly, in residential neighbourhoods.

In the January and May 2016 staff report, MLS recommended the continued exemption of emergency vehicles. It is recognized that noise from emergency vehicles is necessary when undertaken for the immediate health, safety or welfare of the inhabitants of the City.

Public Opinion Research

Based on the outcomes of the NWG and the research conducted thus far, staff have identified the need for a broader consultation and more complete understanding of attitudes, experiences and impacts of noise in the city of Toronto. For this purpose, MLS has procured the services of a public opinion research company. The company will conduct a survey that includes a representative sampling frame of the general population by age, gender, region within the city, and other demographic variables. Interviewing quotas and statistical weighting will be applied to the data to ensure that the results of the survey are representative of the city of Toronto's population. The survey will extend across the entire geography of the city of Toronto, to ensure the scope of local community impacts and experiences arising from various noise sources are understood.

Third-Party, Independent Sound Engineering Report

Staff also procured an independent, third party acoustical engineering firm to advise on some of the more technical aspects of the proposed noise bylaw, such as using decibels to measure amplified sound

Valcoustics is the contracted consultant, and is currently reviewing the proposed changes to the noise bylaw as well as feedback from the NWG. They will provide third-party, independent advice in the form of a report for the Executive Director, MLS. The report will detail (1) issues and areas of concern in the proposed noise bylaw; (2) issues and areas of concern in the current noise bylaw that have not been addressed in the proposed bylaw; (3) solutions and enforcement options for all identified issues and areas of concern; and (4) comments on the feedback received from the NWG.

Toronto Public Health and Noise Management Action Plan

In June 2017, TPH reported to the Board of Health on the Health Impacts of Environmental Noise in Toronto. As part of this report, TPH presented the results of their noise monitoring study, "How Loud is Too Loud." The monitoring study found the average 24-hour equivalent noise levels across the city to be 62.9 dB (A). Average daily levels at each site monitored ranged from a low of 50.4 to a high of 78.3 dB (A). Overall the study found that 62% of the time the mean noise level was above the Ontario Ministry of Environment and Climate Change guideline of 55 dB (A) during the day and 54% of the time above 50 dB (A) at night. The modelling indicated that 59% of the noise in Toronto can be attributed to traffic.

The Medical Officer of Health concluded that the available evidence suggests that environmental noise in Toronto occurs at levels that could be detrimental to health. With this information, the Board of Health requested the Medical Officer of Health to develop a noise management action plan aimed at reducing exposure to ambient environmental noise over time. A draft noise management action plan is expected in 2019.

Modernizing the Enforcement Approach to Noise Complaints

MLS is committed to identifying new ways to improve service delivery, including new models of enforcement, coordination, technological solutions and business process transformations. During public consultations, and meetings with the NWG, MLS heard that residents are frustrated with the current service levels for enforcement related to noise. The Licensing and Standards Committee also requested that MLS report back with the staff complement necessary to provide overnight and weekend enforcement of noise by-laws, whether through additional full-time employees or shift changes. This feedback as well as the upcoming work of the Toronto Police Transformational Task Force (TTF) have prompted MLS to review its current approach to the enforcement of noise complaints.

Toronto Police Transformational Task Force and the Redirection of Non-Emergency Calls

The Toronto Police Services Board formed the Transformational Task Force (TTF) to determine how best to modernize the structure and service delivery of the TPS as well as how to deliver policing services more efficiently and effectively. One of the recommendations in the TTF's final report, *The Way Forward*, is to divert non-emergency calls to the appropriate city division and/or service provider. In an effort to refocus the TPS on priority responses, this recommendation ensures police officers are responding to calls for service where there is a clear risk to public safety. As a result of this work, all noise complaints that do not demonstrate a clear risk to public safety will be appropriately redirected to MLS.

MLS is currently working with the TPS to support this transformation work. MLS is expecting the redirection of non-emergency calls to have an impact on service levels, or cause increased staffing and budgetary needs. The extent of the impact is still to be determined and will be reported to the appropriate standing committee and City Council once determined.

In the meantime, MLS proposes to implement a priority response approach for noise complaints. The goals of this approach are to improve service levels and use current resources more efficiently while also preparing to respond to the redirection of noise calls from TPS.

Priority Response Approach for Noise Complaints

MLS enforces the noise bylaw by investigating noise originating from licensed establishments (e.g. restaurants, bars and night clubs), private residences, animals, as well as noise resulting from certain activities such as construction.

Currently, the budgeted service levels for response to noise complaints varies according to the type of noise. Noise from licensed establishments is expected to be responded to within 48 hours (80% of the time); stationary noise sources (e.g. air conditioners), construction noise, and noise complaints in private residences are responded to within 5 days (70% of the time); and noise from animals (e.g. barking dogs) is responded to within 2 - 48 hours, depending on the risk to animal welfare.

Further prioritization of noise calls is intended to facilitate a faster response to those assessed as a high priority and provide for alternative response approaches to those that are assessed as a lower priority. Priority for response increases for issues that are occurring with greater frequency and have a larger scale effect on individuals and/or the community.

Frequency is defined by how often and how regularly the noise occurs. For example, a complaint about construction noise that occurs on a daily basis would be considered greater frequency, but a complaint about someone playing drums on a one-off basis would be considered lower frequency.

Effect will be defined by a number of factors, including if the complaint is related to a repeat offender, if there are multiple complainants, and if the noise is occurring during permitted or prohibited times. High effect could be considered noise emanating from a licensed establishment that impacts several residents during prohibited hours. Low effect could be considered a complaint from one complainant about noise, during permitted hours.

Based on the priority assigned to a complaint, MLS would propose different service levels that would be applied across all noise types.

Priority Response Model:

Priority	Proposed Service Level	Example of a Complaint
<p>1</p> <p>High Frequency, High Effect</p>	<p>Goal is to begin investigation within 24 hours</p>	<ul style="list-style-type: none"> • Noise heard every day • Multiple complainants • Requires immediate response to investigate effectively <p>If applicable,</p> <ul style="list-style-type: none"> • Occurring during prohibited times • Related to an establishment/residence with a history of noise complaints
<p>2</p> <p>Medium Frequency, Medium Effect</p>	<p>Goal is to begin investigation within 5 days</p>	<ul style="list-style-type: none"> • Noise heard once every week/two weeks • Multiple complainants • Does not require immediate response to investigate effectively <p>If applicable,</p> <ul style="list-style-type: none"> • Occurring during prohibited times • Related to an establishment/residence with a history of noise complaints
<p>3</p> <p>Low Frequency, Low Effect</p>	<p>Alternate response e.g. monitoring</p>	<ul style="list-style-type: none"> • Noise is a one-off occurrence • One complainant • Does not require immediate response to investigate

The target implementation of the Prioritization Response Model is June 2018. It will be monitored for the first five months, after which an assessment will be made as to whether or not additional staff resources are needed to meet and continue these revised service levels for the 2019 budget.

MLS will continue to assess how to most effectively deploy resources to meet demand using its existing complement, and continue to review the existing processes related to noise complaints in terms of investigation and enforcement steps and tools, with an aim to streamline across the division, ensure consistency in response, and provide options for responding to different types and priorities of noise complaints.

It is expected that these measures will enable MLS to efficiently and effectively respond to the redirection of noise complaints from TPS. MLS will continue to monitor the level of complaints and performance against service levels related to noise and will report back if additional staff are needed as part of its 2019 budget process.

Next Steps

Prior to proposing amendments to the noise bylaw, MLS staff will undertake the analysis of the following findings:

- NWG Outcomes Report
- Expert, third-party feedback
- Public opinion research
- Updated research and data
- Additional feedback from internal and external stakeholders
- Outcomes of the Toronto Police Service Transformational Task Force, and Toronto Public Health - Noise Management Action Plan

Based on these findings and analysis, MLS staff will draft new recommendations to amend the noise bylaw and consult internal and external stakeholders including the Toronto Noise Coalition, as well as representatives from the construction, manufacturing and music industries, on these recommendations.

Staff will report on the recommended changes to the noise bylaw by the third quarter of 2019.

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