

MINUTES OF MEETING #76, Tuesday, March 12, 2019
Radisson Admiral Hotel, 249 Queens Quay West

Chaired by Angelo Bertolas

1. Adoption of the agenda.

On a motion from Ulla Colgrass, seconded by Claire Sparks, the agenda was adopted.

2. Adoption of Minutes from January 16, 2019 meeting

On a motion from Carolyn Johnson, seconded by Ulla Colgrass, the Minutes were adopted without amendment.

3. Treasurer's Report

In the absence of Treasurer Angie Rivers, Claire Sparks reported that as of the end of February the balance stood at \$1317.65. At the January meeting donations amounted to \$110. Regular expenses are a bank service charge of \$1.95 per month and an annual fee of \$121.90 for the website.

4. Proposed changes to the Toronto Noise By-law – Tiffany Vong, MLS.

Tiffany advised that the public consultation stage of the study concluded on February 28, 2019. Over 300 emails were received, including from YQNA. Staff are reviewing these comments and adding them to the research to reach conclusions and recommendations. The presentation comprises the material given during the consultation process along with a few outcomes.

The study began in 2015. On direction from the then Licensing and Standards Committee, staff were directed to convene a working group, which met 9 times during 2017.

More recently, polling firm Ipsos Reid was hired to survey a representative sample of Toronto residents about noise issues, and two acoustical engineers were retained to provide advice. The general public was consulted with the help of a professional facilitator. Staff are now compiling their report taking all this input into consideration. The report is going to the April 3 meeting of the Economic and Community Development Committee, and will be available for review on March 27. The committee can receive letters and deputations.

Tiffany noted that there are noise regulations at all levels of government, including the World Health Organization. The City deals with issues under its jurisdiction. The Toronto Police Service responds to noise concerns relating to motor vehicles in motion, large crowd events, and public safety. Other noise complaints are directed to MLS, which deals with episodic noise rather than environmental noise like airports and wind turbines. Toronto Public Health is also working on a Noise Action Plan to be released later this year, which may address matters such as general traffic noise.

Some early findings from the study are that attendees liked the consultation sessions. They supported objective measurements, a public health focus, and putting the onus for mitigation on the noise-makers, not the recipients. The Ipsos Reid survey found that 2/3 of respondents have no noise concerns, but the public is confused about the current rules. The current process is that noise complaints go to 311. A Noise Bylaw Officer is assigned to follow up with the complainant within certain time frames. This contact may lead to the keeping of noise logs, and a conversation with the noise maker with the goal of obtaining compliance. There are set fines ranging from \$155 to \$303, which may be too low and are under review. For more serious offences the culprit may be summoned to appear before a Justice of the Peace. MLS has a staff of 230 officers administering 9 by-laws.

During the study, staff reviewed the regulations in some other cities, the input from the working group and the data from complaints, to develop some policy options. The key criteria are that the rules be objective and enforceable. Five areas are being considered.

Power Equipment, like leaf blowers. The existing bylaw defines residential and quiet zones, which may now be irrelevant given mixed-use developments. Prohibited times may be 7:30 pm to 8 am, with distance requirements and decibel limits on the equipment.

Vehicle Noise is covered by the Highway Traffic Act and MLS cannot pull over vehicles in motion. They can only deal with stationary vehicles on private property. The rules would cover excessive engine revving or loading operations, for example.

Amplified Sound. The current regulations include time and distance measures. The proposals include decibel limits both indoors and outdoors, time restrictions and ideas from the Province and other cities.

Construction. This area generates many complaints, but the industry has to work for new builds and for maintenance. Currently continuous concrete pours and large crane work are exempt from noise rules. Proposals include removing these exemptions except for special applications, requiring a rationale for an exemption, and noise mitigation strategies.

General Prohibition. The existing wording is seen as subjective as it mentions “noise likely to disturb” the residents. Proposals include decibel measurements of ambient noise, time constraints from 7:30 pm to 8 am and later on weekends. Feedback in this area was that residents are not adequately protected merely by time limits.

Exemptions require Councillor action within 14 days. If there is no response the application is approved, and cannot be revoked. Proposals include a default of application refusal if the Councillor does not approve it in time, multiple exemptions, revocation for infractions, staff delegation, imposition of conditions and a requirement for justification and mitigation.

Q & A

Q. Is a bylaw officer permitted to demand a person’s name?

A. No.

Q. Is this work City-wide? What about the City’s own causes of noise, like paving materials on the Gardiner? Annual events like loud music outside the Rogers Centre and at marathons need to be regulated. The noise observation timeline is useless as the event is long over.

A. Annual events may have a bylaw officer assigned. People can call 311 even on the weekend when officers are working. The Public Health Action Plan will address the City’s own noise sources.

Q. You mentioned that the Ipsos survey found the public confused about the rules. Does MLS have a public education plan?

A. Yes, that will be part of the implementation strategy, with improved on-line communication. Also 311 operators will receive training to correctly direct the calls.

Q. You mentioned that some technical studies were used - what were they?

A. Public Health did a study entitled How Loud is Too Loud which informed MLS.

Q. Noise travels in odd ways in an urban environment. Sound can be louder at 30 stories up than at ground level. Have your studies taken this into account?

A. The acoustical engineers reviewed the proposed decibel limits.

Q. Noise travels far over water. As we found with the Rebel nightclub, its sound affected the entire harbour.

Q. You have mentioned leaf blowers. What about the environmental pollution they also cause with fumes and stirring up dust etc.?

A. This issue was raised during the consultations. Public Health is looking at it.

Q. Why not include this in the bylaw?

A. The Noise Bylaw only deals with nuisance noise.

Q. Will MLS be hiring more officers?

A. This will be addressed in the report.

Q. Sidewalk Labs will be collecting sound measurements. Perhaps we could install meters at key locations. As for permits, perhaps the Office of Neighbourhoods could get involved.

Q. Are there any penalties or consequences beyond fines that would amount to more than the cost of doing business?

A. Yes there is the court summons route.

Q. Do you have any statistics on fines or court cases?

A. Not with me.

Q. The Ipsos Reid survey is leading to the creation of policy. On the waterfront there are 9 venues creating noise. People complain but nothing happens so they stop complaining which skews the results.

A. MLS is informed by many other inputs.

Q. Harbourfront Centre does not understand noise very well. In fog the water droplets enhance the sound level. Organizers of events need to better understand the weather effects and the size of the audience in terms of dampening sound.

Q. There was a recent Nature of Things edition on air pollution in this area, which has high levels.

Q. Outdoor noise can be too loud. Do you also deal with noise in indoor venues which is too loud?

A. MLS can only deal with noise outdoors and between residential units.

Q. Some smart phones have a decibel meter app. Will MLS accept its results?

A. No, measurements must be taken with an approved sound meter.

5. Sidewalk Labs Update – Angelo Bertolas

Co-chair Angelo Bertolas reported that at the most recent SAC meeting the focus was on data collection, as Sidewalk is finally realizing that the public is very concerned about this aspect of the operation. A great deal of data will be collected to ensure that Quayside works; matters such as weather conditions, sewer flow rates and electricity consumption. All personal information will be expunged. Privacy and protection of data is a City-wide, even world-wide concern.

Q & A

Q. How will Sidewalk Labs make money?

A. The data will be stored in a public trust. Money could be made from innovations in Quayside. One example is street lights. It currently costs \$5000 to change a lamp because of

the equipment and traffic controls required. Sidewalk have invented a “koala” fitting that can accept a variety of inserts and is easy to swap in and out of.

Q. The public trust may not be adequately staffed and funded.

A. It is early days yet.

Q. What about Councillor Cressy’s idea for a City policy on data?

A. It is a good idea.

Q. Are we in danger of losing Sidewalk?

A. They were frustrated at the last meeting. They have high-powered executives flying in for the meetings. However, it is a potential marketing tool and test bed for them. Toronto has an undeveloped waterfront close to the downtown. Sidewalk is still committed to its vision of an eco-friendly neighbourhood with wood construction and solar panels.

Q. Sidewalk seems to have a prime site picked out for Google. How much will they pay for it?

A. This has not come up.

Q. Sidewalk has been working on this for over 18 months. They should be telling us more about their plans.

A. Yes, I have been explaining that local developers do a far better job of marketing their ideas.

6. Harbourfront Centre (HC) Update – Chris Hutchinson

Chris noted that he is a last-minute replacement for Heather Waddell. He knows that a key summer attraction will be HC’s role as a hub for Luminato 2019 in June. The Brave festival will have a new theme this year.

Regarding noise, he attended the consultation on amplified sound where there were many representatives from the entertainment industry. Venues don’t want to have to provide sound insulation. At HC the main complaints relate to the small stage. HC has new sound technicians, and sound is being monitored both at the source and at the property boundary. HC is using dB C meters as well to deal with bass and vibration which is the main cause for complaints. For this one needs a special impulse meter, while the bylaw addresses sustained noise.

Q & A

Q. Could a noise barrier be installed at the side of the concert stage?

A. There are no plans at present.

Q. Does HC have a new tenant for 245 Queens Quay (former Pawsway)?

A. The Happy Place moved out at the end of January and we are still looking.

Q. Will there be fireworks this summer?

A. HC has no funding. If the City can find the money then we will.

Q. There used to be nice playgrounds for children at HC but they were taken out. The space over the parking garage is quite barren.

A. There are no plans so far but I will take that idea back.

7. Union Station Link – Carolyn Johnson

Co-chair Carolyn Johnson stated that she attended the recent meeting at HC to discuss the findings of the study on how to link Union Station to Queens Quay. She noted that some

years ago there was an approved EA study that proposed a street car service from Union in a modified tunnel to the east, with a portal around Freeland Street and a terminal loop by the sales office for Aquavista.

More recently, Council directed a fresh look at waterfront transit from the Humber to Woodbine. There was a very well-attended meeting about a year ago at HC to consult on the ideas along the waterfront, with an emphasis on this area. At that time staff were looking at options including a funicular in the tunnel.

Last week a less-well-attended meeting heard about the latest study findings. The study team looked at the route for a streetcar going east from Union, and at the option for a driverless shuttle like the one at Pearson Airport between Union and Queens Quay, with streetcars travelling east-west along Queens Quay. A variant of the latter option would see streetcars on the surface, but this was ruled out because of the large platforms needed, which would block access to Harbour Square and the Westin Hotel, and involve large crowds crossing Queens Quay. They then studied the option of an underground station, with an extension of the tunnel southward to deliver riders direct to the ferry terminal and reduce the crowds crossing Queens Quay in the summer.

The outcome of the analysis is that the streetcar link is preferred, with extended platforms on both sides of the tunnel at both Union and Queens Quay stations. The widening will involve changes to the piers supporting the rail corridor above and to the teamways. Due to changes to the Federal Building Code, better ventilation is required so the track bed will have to be lowered to provide more headroom for the equipment. During construction over 3 to 5 years Bay Street will be affected. Carolyn noted that she had obtained copies of the drawings for the station options which could be viewed after the meeting. City staff will be taking their report, as part of a larger report on transit projects across the City, to Executive Committee on April 9, 2019. Council will then decide on funding and priorities for the projects.

Q & A

Q. What would be the cost?

A. Both options came out at \$650 to \$700 million.

8. York Park Design Update – Angelo Bertolas

Co-chair Angelo Bertolas reported that he attended a recent SAC meeting. Staff are now working on the implementation stage. The project has a budget of \$7 million. The design firm, Claude Cormier was in attendance. This firm designed Berczy Park and Sugar Beach. Three trees are to be removed. All the bents will be removed.

Angelo noted that discussion included the size of the pond and its use in winter. A formal skating rink is ruled out because of the chilling equipment needed, but with the water level lowered it could be allowed to freeze naturally. Summer use as a wading pool is not going to be feasible because of safety requirements for a life guard. The pavilion as proposed will be too expensive so a cheaper wood building is planned. Washrooms may be eliminated, which raised a concern from the nearby office building managers that the public would want to use their facilities. Waterfront Toronto is planning for tenders to be issued in the Fall with construction beginning next Spring.

9. Update from Queens Park – MPP Chris Glover

Chris advised that he had just come from a Town Hall on health care, dealing with the Provincial Government's plans to alter health care management and potentially open up private delivery. The draft Bill makes no mention of public healthcare.

On **Ontario Place**, Ontarioplacforall is doing a good job of raising the profile. On the **OPP**, Ron Taverner is no longer going to be the chief. On the **autism funding cuts**, the government action is callous. Children in the spectrum cannot deal well with change. On April 1 the funding will end and the children will have to be put into the schools which cannot cope. The **cut to tuition** with no funding is impacting the colleges and universities. Chris noted that he has been visiting colleges around the Province and students are mobilizing.

Locally, Chris is working with some progressive change groups addressing gun violence and affordable housing. The latest idea is affordable condos built by Options for Homes. On March 27 Chris will be hosting a Town Hall. For details, see chrishgloverndp.ca. As well, there will be a party to celebrate the constituency office renovations featuring an art show about Disappearing Toronto.

Q & A

Q. Premier Ford has not been at Queens Park much lately. Why?

A. Likely he did not want to deal with questions about the Taverner affair.

Q. Is there a group yet for health care? What is the NDP position on running a deficit?

A. Governments should not run deficits in good economic times. The NDP platform is to increase taxes on the wealthy and reverse the corporate tax cuts. It has been calculated that a national pharmacare program could save \$4.2 billion, of which Ontario's share would be \$1.8 billion. Groups are just getting together. The Labour Council of Ontario is directing the effort.

Q. What about the subway upload?

A. Council has passed two somewhat contradictory resolutions, opposing the upload but authorising staff to discuss the value of the subway system. The solution may lie in the terms of the agreement. The City has a charter right to the property it owns, so the Province cannot just take it away.

10. Ontario Place Update – Angelo Bertolas

Angelo reported on the recent meeting. There was strong opposition to any commercialization or a casino, and support for better links to Exhibition Place, possibly with a wider bridge.

11. Office of Neighbourhoods – Angelo Bertolas

Angelo noted that there is a proposal to set up an Office of Neighbourhoods to provide resources to group such a YQNA. Neighbourhood Associations could potentially take on some of the Councillors' work on small local matters.

12. Sign Application at 11 Bay Street- Angelo Bertolas

Angelo reported that an application has been made for an electronic sign on the corner of the Westin Conference Centre facing the Gardiner. YQNA has written in opposition to the sign because of the precedent set if it is approved.

Bushra Mir from Councillor Cressy's office added that the hotel is on land leased from the City, and Real Estate staff have recommended refusal of the sign application.

13. Donation to Toronto Noise Coalition – Ulla Colgrass

Ulla advised that members of the coalition have spent their own money on work related to the Noise Bylaw changes, and asked if YQNA would support a donation of \$150. The meeting approved the donation unanimously.

14. Billy Bishop Airport Update – Hal Beck

Hal reported on a recent meeting of the Community Liaison Committee (CLC) with Ports Toronto. The committee agreed to set up a special fund using money from curfew violation fines of \$10,000 per incident. These incidents are quite rare. The fund would provide support to registered charities in the area that meet certain criteria. Hal requested that ideas for suitable candidates be submitted to YQNA. A member of the audience suggested Harbourfront Centre.

Hal advised that the meeting received a presentation from Nav Can about planned flight inspection changes. The DH8-100 test plane is being retired after its March test, and replaced by a CRJ which looks and sounds like a jet. The new plane will test in June and then generally twice a year. The test flight is only a fly-by without landing.

Hal noted that the committee received a Noise Management Report, which he found to be rather a Noise Complaints Report. Ports Toronto agreed to discuss this matter with him further. A Noise Subcommittee was formed, and at its next meeting it will generate questions of the MOE about its noise regulations NPC 300. Ports Toronto has prepared a draft Terms of Reference for a Noise Study, but Hal feels the scope is not clear and has submitted detailed comments, copied to YQNA's Planning Committee.

With regard to the Master Plan, they are reviewing noise modelling. A public meeting is planned for late April or early May and they are looking for a large enough venue.

The audience made several suggestions which Hal will take back.

15. New Secretary

Co-chair Angelo Bertolas asked for a volunteer for this vacant position, but there were no offers.

16. Adjournment

The meeting was adjourned at 9:05 pm.

Next meeting is scheduled for May 14, 2019