



July 6, 2018

City Hall. West Tower, 16 Floor
100 Queen St. West,
Toronto, M5H 2N2
Attn; Julie Lavertu
Via email: lsc@toronto.ca

RE: LS27.2 Proposed By-law to Regulate Residential Construction Dust

Dear Chair Cesar Palacio and Members of Licensing and Standards Committee,

Construction dust from residential infill projects is a serious concern for residents as well as construction workers. It is both a nuisance and health issue . Representatives of the Federation of North Toronto Residents' Associations (FoNTRA) participated in the Municipal Licensing & Standards consultation leading up to this report and provide the following comments.

1. FoNTRA SUPPORTS THE RECOMMENDATIONS OF THE STAFF REPORT - AS A START TO DEVELOPMENT OF A COMPREHENSIVE PROGRAM TO REGULATE CONSTRUCTION DUST

FoNTRA supports the recommendations of the staff report as they will help address **some** problems of construction dust in residential neighbourhoods. More must be done as noted below. It is critical that the City has its own bylaws and accepts the responsibility for effective enforcement. Presently some key elements of dust control are left to the provincial Ministry of Labour and advice from building inspectors, as noted in the City's "Good Neighbour Guide for Residential Infill".

We also endorse the proposed improvements to capture dust complaints in the City's Integrated Business Management System and the updates to the 311 knowledge base. These improvements will allow for better monitoring of this problem, and should lead to future improvements driven by experience data.

2. FoNTRA CALLS FOR FURTHER REPORTING ON A COMPREHENSIVE APPROACH TO CONSTRUCTION DUST MANAGEMENT

FoNTRA representatives attending a consultation meeting with MLS staff strongly recommended a comprehensive approach to regulating construction dust. This proposed bylaw only addresses some dust control measures for residential infill and largely focuses on stone cutting. All construction dust emission sources must be covered, including mechanical blowing, demolition and excavation, earth moving, track out (dust or mud falling from a truck), bulk material handling (construction debris loaded into a dumpster), stock piles and abrasive blasting (cleaning stonework). All relevant construction work must be included, including City works. All areas of the City must be covered, particularly mixed use areas that include residential uses. We note that the Streets and Roads Bylaw covers cleaning City streets.

The UK's Institute of of Air Quality Management (IAQM) guidance document for municipalities (aqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf) provides an excellent background with terminology and assessment methods. Also relevant is the recent comprehensive City of Fort Collins, Colorado Dust Prevention and Control manual for both large scale commercial developments and smaller scale residential infill developments. It includes nine dust sources and mitigation measures. (<https://www.fcgov.com/airquality/pdf/dust-prevention-and-control-manual.pdf>)

We also note that some major projects have construction management plans which include a range of dust issues and involve participation of nearby residents. Experience from these plans and can be used to provide more comprehensive solutions for all development.

3. FoNTRA CALLS FOR DEVELOPMENT OF A PUBLIC EDUCATION TO PROMOTE PUBLIC AND INDUSTRY KNOWLEDGE OF THE NEW REGULATIONS

FoNTRA representatives who attended the consultation meeting strongly recommended a public education program to ensure the construction industry and the residents understand the new regulations. We assume the Good Neighbours Guide will be updated to include the new bylaw. Additional clarity is required to identify how Toronto Public Health and the Ministry of Labour can provide immediate help to neighbours to resolve short duration infractions (including worker safety) that are beyond the MLS jurisdiction.

4. FoNTRA CALLS FOR FURTHER REPORTING TO ASSURE OF EFFECTIVE ENFORCEMENT

Our residents routinely highlight the problems with enforcement of other types of City bylaws. There must be adequate resources to enable effective enforcement of the new regulations. Time lags between the actual dust activity and the arrival of an inspector is of course a problem. Enforcement is largely complaint driven, but having effective regulations in place that are relevant and well understood will help with compliance. Will there be sufficient staff and resources to do so?

We thank MLS for initiating public consultation on this important matter. FoNTRA would be pleased to work with staff to complete future work required to provide a comprehensive solution to the construction dust problem.

Yours truly,

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C.C. Mayor John Tory and City Councillors
Councillor Jaye Robinson, Chair, Public Works and Infrastructure Committee
Tracey Cook, Executive Director, Municipal Licensing and Standards
Will Johnston, Chief Building Official and Executive Director, Toronto Building

The Federation of North Toronto Residents' Associations (FoNTRA) is a non-profit, volunteer organization comprised of over 30 member organizations. Its members, all residents' associations, include at least 170,000 Toronto residents within their boundaries. The residents' associations that make up FoNTRA believe that Ontario and Toronto can and should achieve better development. Its central issue is not whether Toronto will grow, but how. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social wellbeing.

