

Staff Report 2019-10

Meeting Date: Tuesday, January 15, 2019

Subject: Noise By-law Exemption Request Extension – Dixie Road
Sanitary Sewer and Watermain Construction (Dixie Road – from
Mayfield Road to Old School Road) Ward 2

Submitted By: Laura Hall, Interim General Manager, Corporate Services

RECOMMENDATION

That the existing Noise By-law exemption to Technicore Underground Inc. from Section 15 of Table 3-1 of Noise By-law 86-110 to permit construction activity between the hours of 11:00 p.m. and 6:00 a.m. be extended to March 11, 2019 subject to the conditions outlined in Schedule B of Staff Report 2019-10.

REPORT HIGHLIGHTS

- Peel Region has retained the services of Technicore Underground Inc. (“the contractor”) to carry out the construction of a sanitary sewer and watermain along Dixie Road, from Mayfield Road to Old School Road.
- Staff received a request from the contractor for an extension to their existing exemption from the Town’s Noise By-law to permit construction activity to occur outside of the permitted hours as set out in the By-law.
- The original exemption to work outside of the permitted hours expired on August 31, 2018, but the work has been delayed due to unforeseen circumstances.
- The purpose of the request is for operation efficiency and productivity in an effort to reduce the duration and disruption of the project.
- Aspects of the construction activity are expected to occur Monday to Friday inclusively until March 11, 2019, between the hours of 11:00 p.m. and 6:00 a.m.
- The Town’s Noise By-law does not contain an exemption process with the exception of emergency situations, therefore anyone seeking to perform activities related to noise outside of the permitted times requires approval from Council.
- Approximately 45 properties are located on the stretch of roadway of the proposed activity, and as such may be impacted by the work. The Noise By-law does not specify the measurement of impact; as a result, this is staff’s best estimate.
- The Region has advised that minimal surface noise will occur between the hours of 11:00 p.m. and 6:00 a.m. and will be limited to the use of a crane and generator which contain noise dampeners to limit the sound emitted. Sound monitoring equipment will be set-up to monitor noise levels.
- Staff is recommending the extension request be approved subject to notification to impacted property owners and the Town prior to commencement of the work.

DISCUSSION

Staff received a request for an extension to their existing exemption from the Town's Noise By-law to permit construction activity to occur outside of the permitted hours as set out in the By-law. The purpose of this report is to provide details of the request and receive approval for the exemption request.

Project Details

Peel Region has retained the services of Technicore Underground Inc. to carry out the construction of a sanitary sewer and watermain along Dixie Road, from Mayfield Road to Old School Road. The project is expected to be completed by March 11, 2019.

The contractor has requested approval to operate a loader, a crane and generator Monday through Friday, 24 hours a day to install sanitary sewer tunneling. The contractor has indicated that minimal surface work will occur outside the permitted noise by-law hours (6:00 a.m. - 11:00 p.m.). The contractor states that the night shift work activity will be stockpiled by the day shift in order to mitigate construction activity.

In addition, the contractor has advised that no deliveries will be scheduled between 11:00 pm and 6:00 am and that the generators will have dampeners for noise reduction. Sound monitoring equipment will be set-up to monitor noise levels. The Noise By-law does not specify the measurement of impact; as a result, this is staff's best estimate.

The contractor has indicated that the expected decibel level of noise will not exceed 85 decibels. For comparison purposes noise emitted from traffic exceeds 85 decibels. The industry standard is set at 92 decibels for motor vehicle traffic. The current Noise by-law does not capture decibel levels with respect to construction activities only with sounds related to motor vehicles. This construction approach is expected to minimize the time the contractor is performing the work, decreasing the impact on the area.

Exemption Details

The contractor is requesting approval to perform certain aspects of the project outside of the permitted hours of the Town's Noise By-law. The Noise By-law prohibits noise related to construction activity to occur between the hours of 11:00 p.m. and 6:00 a.m.

The Town's Noise By-law does not contain an exemption process with the exception of emergency situations, therefore anyone seeking to perform activities related to noise outside of the permitted times requires approval from Council.

Staff Report 2019-10

Potential Impact

In reviewing the request and the particular location, staff has determined that approximately 45 properties may be impacted (attached as Schedule A to this report provides further details) by the noise of the construction.

Conditions of Approval

Staff is recommending the exemption extension request be approved subject to the following conditions intended to mitigate potential impacts to area property owners:

1. Written notification be provided to each property captured in Schedule A of Staff Report 2018-34 with the following information included in the notification:
 - a. Project scope
 - b. Timeline of activity, including dates when the work is expected to performed between the hours of 11:00 p.m. and 6:00 a.m.
 - c. What type of noise or nuisance i.e. lighting, vibrations, etc. may occur
 - d. Contact information for questions and to report any disturbances
2. Notify the Town at least 24 hours in advance of each occurrence.
3. A sign posted at the property capturing the above information.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report.

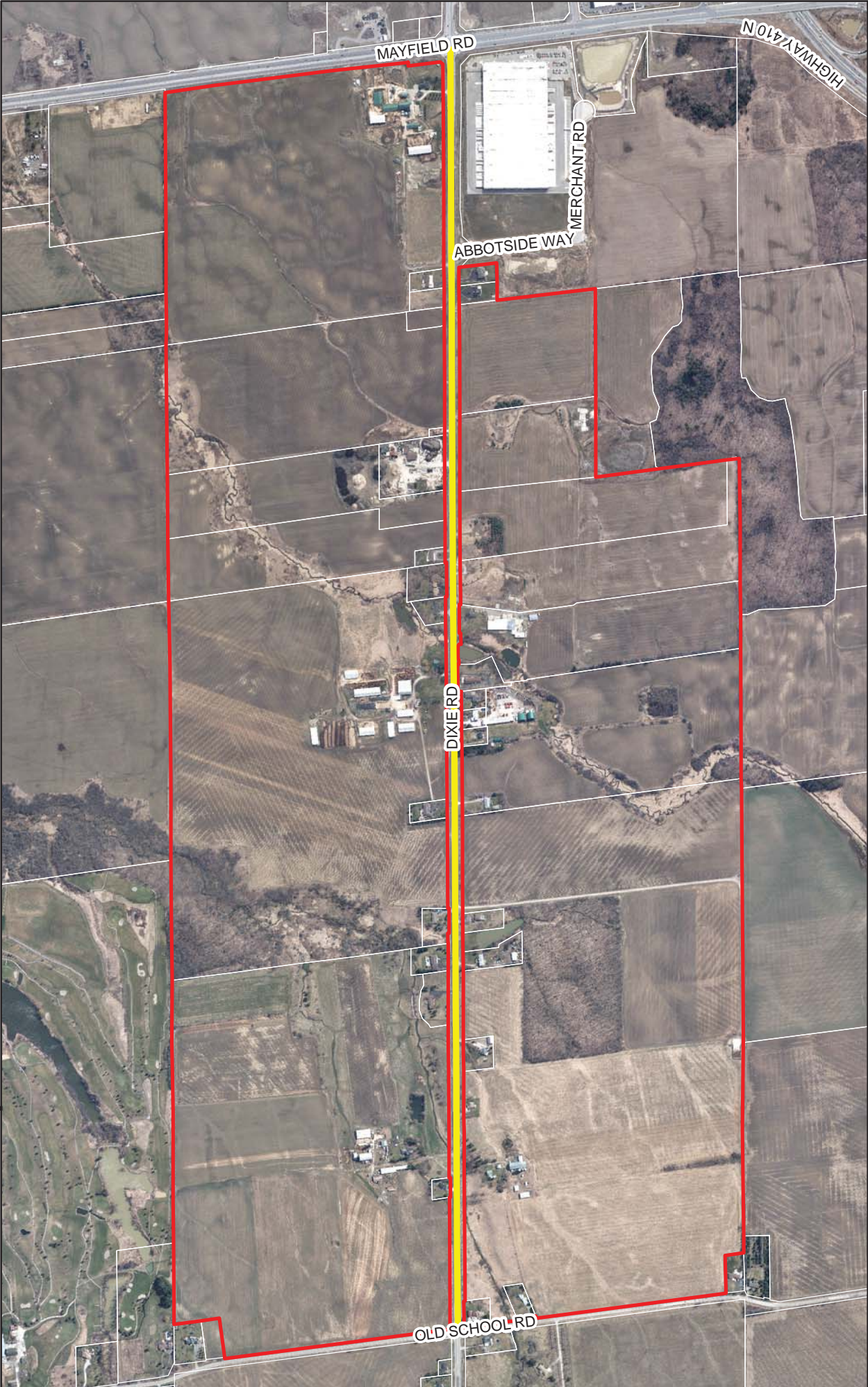
COUNCIL WORK PLAN

Customer Service – to adopt an innovative approach that adapts to the changing needs and expectations of our community while supporting best practices

ATTACHMENTS

Schedule A – Map demonstrating the properties directly impacted by the exemption request

Schedule B – Conditions of the Exemption



- Work Area
- Impacted Property

This data is provided for your convenience only. The data is not warranted or certified or guaranteed in any way. The Town of Caledon accepts no liability for any damages whatsoever, including any consequential damages, for any deficiency in the data. The reproduction of this data, in whole or in part, is forbidden without the express written permission of the Town of Caledon.

Schedule B to Staff Report 2019-10
Conditions of Exemption to Noise By-law 86-110, as amended

The following conditions shall be imposed onto Techicore Underground Inc. as part of the exemption of the Town's Noise By-law 86-110, as amended:

1. Written notification be provided to each property captured in Schedule A of Staff Report 2019-10 with the following information included in the notification:
 - a. Project scope
 - b. Timeline of activity, including dates when the work is expected to performed between the hours of 11:00 p.m. and 6:00 a.m.
 - c. What type of noise or nuisance i.e. lighting, vibrations, etc. may occur
 - d. Contact information for questions and to report any disturbances
2. Notify the Town at least 24 hours in advance of each occurrence.
3. A sign posted at the property capturing the above information.