

Staff Report 2019-0118

Meeting Date: September 17, 2019

Subject: Noise By-law Exemption Request – Caledon East Sewage Pump Station Upgrades (15897 Airport Road) Ward 3

Submitted By: Laura Hall, Manager, Regulatory Services, Corporate Services

RECOMMENDATION

That the existing Noise By-law exemption to Baseline Constructors Inc. from Section 15 of Table 3-1 of Noise Bylaw 86-110 to permit construction activity between the hours of 11:00 p.m. and 6:00 a.m. be extended until December 31, 2019 subject to the conditions outlined in Schedule B of Staff Report 2019-0118.

REPORT HIGHLIGHTS

- Peel Region has retained the services of Baseline Constructors Inc. to carry out upgrades to the Caledon East Sewage Pumping Station.
- The purpose of the request was to permit the dewatering equipment related to the construction to operate twenty four (24) hours per day until September 2019. Dewatering equipment is required to operate continuously until the underground construction work is complete.
- Staff received a request from the contractor for an extension to their existing exemption to permit the activity to occur until December 31, 2019 due to dewatering issues on site.
- The original exemption was approved on May 1, 2018 through Staff Report 2018-39.
- To date, the Town has not received any complaints relating to this request.
- Staff is recommending the extension request be approved subject to notification to impacted property owners and the Town prior to commencement of the work.
- It is anticipated that a substantial amount of the work will be completed by the end of the year and the final restoration will be done in spring 2020.

DISCUSSION

The Caledon East Sewage Pump Station project is not yet complete due to dewatering issues on site. The contractor has requested that the Town consider an additional extension to an existing exemption to permit construction activity to occur outside of the permitted hours as set out in the By-law until December 31, 2019. Attached as Schedule C to this report is the original report to Council regarding the exemption.

The project manager facilitating the work has confirmed that the project is expected to be completed in spring 2020, with a bulk of the activity to be done by December 31, 2019.

It is important to note that staff have not received any complaints to date regarding noise resulting from the construction site.

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.

Project Details

Peel Region has retained the services of Baseline Constructors Inc. to carry out the upgrades to the Caledon East Sewage Pumping Station at 15897 Airport Road.

The contractor has requested approval to operate a dewatering pump seven days a week, 24 hours a day. The dewatering equipment is required for the underground excavation work related to the project. The contractor has indicated that construction work will not occur before 7 a.m. or after 7 p.m. with the exception of the operation of the dewatering equipment. The Region has advised that they will monitor the effectiveness of the noise mitigation measures to ensure neighbouring property owners are not impacted. This aspect of the project is expected to be completed by December 31, 2019.

Measures have been taken on site to control noise resulting from the operation of the dewatering equipment. Results from noise measurements around the work site before and after the installation of dewatering equipment indicates average noise levels in close proximity to the property have not increased. At this time, the decibel level of the noise is 60. 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. The Region has advised that they are committed to addressing any concerns brought forward by the public regarding the noise (refer to Schedule C of this report for further details).

Potential Impact

In reviewing the request and the particular location, staff have determined that approximately 50 properties may be directly impacted (attached as Schedule B to this report provides further details) by the noise of the dewatering equipment. The contractor has advised that the area has been hoarded with solid 12 foot walls to assist in localization of the sound inside the site. The contractor will also provide additional sound deadening covers over equipment intended to operate outside of the permitted times. The Noise By-law does not specify the measurement of impact; as a result, this is staff's best estimate. The Region has committed to addressing any concerns brought forward by property owners and will address those on a case by case basis.

Conditions of Approval

Staff is recommending the exemption 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 2019-118 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

Subject matter is not relevant to the Council Work Plan.

ATTACHMENTS

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

Schedule B – Conditions of the Exemption

Schedule C – Staff Report 2018-39