

DECISION/DIRECTION NOTE

Title: Temporary Exemption to the St. John's Noise by-law

Date Prepared: October 26, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Sandy Hickman, Transportation & Regulatory Services

Ward: Ward 2

Decision/Direction Required:

For consideration of Council to approve a temporary exemption to the St. John's Noise By-Law to allow work to be carried out at 266 Portugal Cove Road (Chancellor Park Long Term Care Facility) for an intermittent period from November 2020 to April 2021 between the hours of 11 p.m. and 7 a.m.

Discussion – Background and Current Status:

Depending on the scope and complexity of the work involved, Inspection Services, occasionally, receives requests from developers/contractors to work outside the St. John's Noise By-Law, which limits construction work taking place between the hours of 11 p.m. and 7 a.m.

A request has been submitted from the contractor, MC Management, who is involved with the construction of the new long term care facility at 266 Portugal Cove Road, to work from 11:00 p.m. to approximately 3:00 a.m., at intermittent intervals, to enable them to erect the cast in place concrete walls and floor system. The work will involve the pouring of concrete and the installation of night-time lighting to facilitate such in a safe manner. While the requested exemption is November to April it will likely be several weeks in between individual occurrences.

The contractor advises that it is imperative to continue with the concrete pour into the early morning hours to maintain the integrity of the floor/wall system and to ensure project timelines are maintained.

The contractor ensures it will take as many steps as necessary to mitigate the effects of noise and will locate the lighting such that it will have a minimal impact on the nearby residential area.

Key Considerations/Implications:

1. Budget/Financial Implications: Not Applicable

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2. Partners or Other Stakeholders: Not Applicable
3. Alignment with Strategic Directions/Adopted Plans: Not Applicable
4. Legal or Policy Implications: Exemption to the City of St. John's Noise By-Law (Section 3) and The Provincial Occupational Health and Safety Act (Section 5).
5. Privacy Implications: Not Applicable
6. Engagement and Communications Considerations: Public notification would be arranged by the contractor to advise the public of the work taking place.
7. Human Resource Implications: Not Applicable
8. Procurement Implications: Not Applicable
9. Information Technology Implications: Not Applicable
10. Other Implications: : As noted above, the residents in the neighbourhood will be affected by this work taking place during the night along which will include noise and site lighting. To date we have received a number of complaints from the area residents.

Recommendation:

That Council permit the temporary exemption to the St. John's Noise By-Law from November 2020 and April 2021 between the hours of 11 p.m. to 7 a.m. subject to public notification prior to the work taking place.

Prepared by:

Susan Kane, Supervisor, Inspection Services

Approved by:

Jason Sinyard, P. Eng., MBA, Deputy City Manager, Planning, Engineering & Regulatory Services

Report Approval Details

Document Title:	266 Portugal Cove Road .docx
Attachments:	- Aerial View 266 Portugal Cove .docx
Final Approval Date:	Oct 29, 2020

This report and all of its attachments were approved and signed as outlined below:

Randy Carew - Oct 28, 2020 - 10:48 AM

Jason Sinyard - Oct 29, 2020 - 12:09 PM