



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Susie Spry, Manager of Enforcement Services

**DATE:** October 8, 2024

**REPORT NO.:** ADMIN-2024-023

**SUBJECT:** Exemption Request from the Noise By-law 2010-0030 at 79 Main Street South, Town of Halton Hills

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### RECOMMENDATION:

THAT Report No. ADMIN-2024-023 dated October 8, 2024, regarding a request for an exemption to the Noise By-law No. 2010-0030 for noise for construction noise due to concrete pours be received;

AND FURTHER THAT Council grant the request to allow noise associated with concrete pours with the conditions contained in this report;

AND FURTHER THAT the exemption be granted for the until April 2025 or as soon as the concrete pours are complete, whichever takes place first.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- Enforcement Services received a Noise Exemption Application to allow for noise from construction at 79 Main Street South, Town of Halton Hills for a duration of six (6) months between October 2024 and April 2025.
- The Noise By-law 2010-0030 section 2.1 places limitations on types of sound based on time and place
- Schedule "A", section 2 **prohibits** the operation, loading, or unloading of any Construction equipment at any Construction site or in connection with Construction between 7:00 pm one day to 7:00 am the following day Monday to Thursday, 7:00 pm Friday to 8:00 am Saturday and 6:00 pm Saturday to 7:00 am

Monday and on any statutory holiday in accordance with the *Retail Business Holidays Act*.

## **BACKGROUND AND DISCUSSION:**

On September 11, 2024, the Town of Halton Hills Enforcement Services received a Noise Exemption Application for construction noise at 79 Main Street South. The Noise By-law 2010-0030 section 2.1(Schedule A) limits types of sound based on time and place.

Schedule "A", Section 2 **prohibits** the operation, loading, or unloading of any construction equipment at any construction site or in connection with construction between 7:00 pm one day to 7:00 am the following day from Monday to Thursday, 7:00 pm Friday to 8:00 am Saturday, and 6:00 pm Saturday to 7:00 am Monday, as well as on any statutory holiday in accordance with the *Retail Business Holidays Act*.

The property, formerly the site of the McGibbon Hotel, is currently under development by AMICO. The project will require multiple concrete pours per floor due to the size of the development, which are dependent upon many factors including, but not limited to, inclement weather, material, equipment, and staff availability. Due to the uncertainty of these factors, AMICO is requesting a blanket six (6) month window for the exemption, with every intention to operate within the permitted hours, except for incidents when a concrete pour must continue past a permitted time. AMICO has confirmed that no construction activity will occur on any Sunday over the duration of the exemption request. The source of the sound will mainly consist of power trowels used for finishing the concrete and the pours themselves when they are required to be continuous.

### **Conditions**

Staff recommend allowing the noise exemption for construction noise related to concrete pours with the following conditions:

1. Extend the time frame to allow noise related to the concrete pour to be no later than 11p.m., Monday to Friday only.
2. Notification must be provided to area residents prior to any work commencing, informing them of the project and related anticipated noise.
3. Provide hand delivered notification as soon as reasonably possible to area residents indicating the date(s) of the concrete pours.
4. Adhere to all other requirements as set in the Noise By-law 2010-0030 Section 5.

Section 5.5 of the Noise By-law 2010-0030 states “a breach by the applicant of any of the terms or conditions imposed by Council in granting an exemption shall immediately render the exemption null and void”.

## **STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town’s Strategic Plan.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows: Notice of the application can be found on the Town's website as of October 15, 2024 and the publication in the local newspaper general circulation within the Town has occurred on October 16, 2024. As per section 5.2.9.2 of the Noise By-law, written notification of the application has been sent to all properties within 60 metres of the area to which the application applies.

**INTERNAL CONSULTATION:**

Staff have communicated with the applicant that a report will be going forward on October 28, 2024, for Council consideration.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Valerie Petryniak, Town Clerk & Director of Legislative Services

Chris Mills, Chief Administrative Officer