

Report

Date March 15, 2023
Subject Temporary Noise Bylaw Exemption for New Hospital Concrete Pour

File:

PURPOSE

To consider allowing the construction of the Cowichan District Hospital Replacement Project to proceed outside of regular working days or hours from time to time.

BACKGROUND

Noise Bylaw No. 2857 restricts the typical noise coming from construction sites to the hours between 7am and 8pm Monday through Saturday and 9am to 6pm on Sundays.

The new hospital project is one of the largest building projects in North Cowichan in a generation and cannot comply with the bylaw during extensive, continuous, but short-term requirements for actions such as a large concrete pour that is estimated to take 16 to 20 hours to complete and will require concrete and trucking from at least two sources.

Ellis Don has proactively reached out seeking solutions from the Municipality by suspending the noise bylaw for specific activities such as the raft slab concrete pour of 2,300 cubic metres (3,000 cubic yards (375 regular concrete trucks)). This concrete pour is scheduled for the latter half of April without an exact date set.

DISCUSSION

Staff believe there is no alternative but to allow the project to proceed outside the regular working hours for the raft slab pour. Restricting the hours would result in redesigning the foundations solely on the basis of noise over one day which is nonsensical. Staff also believe that Council should authorize the CAO, or their delegate, to use their discretion when directing bylaw compliance officers to enforce noise infractions under Noise Bylaw No. 2857 as they pertain to the Cowichan District Hospital Replacement Project when deemed appropriate.

Potential mitigation options include:

- Information signs installed in the neighbourhood to give warning of the upcoming disruptions to traffic on Bell McKinnon Road and to expect noise outside of regularly permitted hours. These signs would give warnings well in advance to allow residents to adjust their activities and schedules as needed.
- A detailed traffic management plan submission well in advance so that the work can be performed safely and efficiently. With 375 trucks on Bell McKinnon Road, it will be noticed. Staff will be on the lookout for resulting road damage and require repairs as needed. Residents will also need to be informed of the heavy traffic during the day of the pour and to expect delays, noise and either mud or dust. It is unavoidable.

- Clean up afterwards based on observations and inspections by staff and working with Ellis Don to help get back to the normal routine related to the project.

OPTIONS

1. **(Recommended Option)** THAT Council direct the CAO, or their delegate, to use their discretion when directing bylaw compliance officers to enforce noise infractions under Noise Bylaw No. 2857 as they pertain to the Cowichan District Hospital Replacement Project on Bell McKinnon Road in order to allow for construction to proceed outside of the regular construction hours when necessary until the project is completed.
 - This option is kept simple so that the CAO can work with staff, Ellis Don and Island Health to ensure municipal support of the project while respecting the neighbourhood.

RECOMMENDATION

That Council direct the CAO, or their delegate, to use their discretion when directing bylaw compliance officers to enforce noise infractions under Noise Bylaw No. 2857 as they pertain to the Cowichan District Hospital Replacement Project on Bell McKinnon Road in order to allow for construction to proceed outside of the regular construction hours when necessary until the project is completed.

Report prepared by:



David Conway
Director, Engineering Projects
Community Services

Report reviewed by:



George Farkas
General Manager, Planning, Development and

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer