

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. LS-2024-0015**

**FOR THE CONSIDERATION OF  
COUNCIL**

June 19, 2024

**SUBJECT: NOISE BY-LAW EXEMPTION – PEFFERLAW ROAD BRIDGE REPLACEMENT**

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**1. RECOMMENDATION:**

1. That Council receive Report No. LS-2024-0015 prepared by the Municipal Law Enforcement Division, Legislative Services dated June 19<sup>th</sup>, 2024 respecting an Application for a Noise By-Law Exemption from Graham Bros. Construction Ltd. for the replacement of a bridge structure on Pefferlaw Road.
2. That Council approve the Application for a Noise By-law Exemption from Graham Bros. Construction Ltd. for the replacement of a bridge structure on Pefferlaw Road between July 5<sup>th</sup>, 2024 and July 29<sup>th</sup>, 2024.

**2. PURPOSE:**

This report is presented to seek Council's approval of an Application for a Noise By-law Exemption for for the replacement of a bridge structure on Pefferlaw Road by Graham Bros. Construction Ltd.

**3. BACKGROUND:**

On June 4<sup>th</sup>, 2024, the Municipal Law Enforcement Division received a Noise By-law Exemption request from Graham Bros. Construction Ltd. to replace the bridge structure on Pefferlaw Road, between Pete's Lane and Griffith Avenue.

The request includes daily and evening work seven days a week up until 10:00 p.m., between the dates of July 5<sup>th</sup>, 2024 and July 29<sup>th</sup>, 2024. Originally a request was received in the Municipal Law Enforcement Division to permit work seven days a week, twenty-four hours each day; however, due to the proximity of the work to residential properties, the request was amended to allow work to proceed until 10:00 p.m.

The Senior Project Manager with Capital Planning and Delivery, Transportation Operations, Public Works Department of The Regional Municipality of York believes that permitting their contractor's request for relief from the Noise By-law will ensure that the duration of the impact to residents and road users is minimized. There is a

tight work schedule with a necessary road closure that should not extend past July 29<sup>th</sup>, 2024.

**4. ANALYSIS:**

The Municipal Law Enforcement Division has determined that a Noise By-law Exemption must be approved in order for the project to proceed as requested. Section 2(e)(v) of Town of Georgina Noise By-law No. 2003-0075 (PWE-1) prohibits the operation of any equipment in connection with construction from 8:00 p.m. one day to 7:00 a.m. the next day, and all day on Sundays and Statutory Holidays.

The Town of Georgina Noise By-law provides certain exemptions from the provisions of the By-law, but this project does not fall within the scope of those exemptions.

As per Section 4(a) of the Noise By-law, any person may make application for Council's consideration of a Noise By-law exemption.

MLE staff are recommending a Noise By-law Exemption between the dates of July 5<sup>th</sup>, 2024 and July 29<sup>th</sup>, 2024 within the area shown on Attachment 1, which will provide the contractor the opportunity to work extra hours and reopen the road as quickly as possible. If Council approves the request, it will provide the contractor with two extra hours of work each day and fifteen hours of work each Sunday.

**5. RELATIONSHIP TO STRATEGIC PLAN:**

Not applicable.

**6. FINANCIAL AND BUDGETARY IMPACT:**

There are no financial or budgetary impacts associated with this exemption request.

**7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

There is no obligation under the Town of Georgina Noise By-law to notify the public of this application; however, Council must give the applicant and any person opposed to the application an opportunity to be heard. Representatives of Graham Bros. Construction Ltd. have been invited to the meeting today as have representatives of The Regional Municipality of York.

If approved, The Regional Municipality of York will provide advance notice to local residents and road users.

**8. CONCLUSION:**

This report contains a staff recommendation for Council to approve an application for a Noise By-law Exemption. Staff recommend granting the Noise By-law Exemption from July 5<sup>th</sup>, 2024 to July 29<sup>th</sup>, 2024 for work between the hours of 7:00 a.m. and 10:00 p.m., seven days per week.

**APPROVALS**

Prepared By: Mike Hutchinson, Manager, Municipal Law Enforcement

Recommended By: Michael Bigioni, Director, Legislative Services

Approved By: Ryan Cronsberry, Chief Administrative Officer

***Attachments:***

Attachment 1 – Location – Pefferlaw Road Bridge Replacement