

Item 12.1.1

HALIFAX

Changes to By-Law N-200: Construction Related Noise

Community Planning and Economic Development
Standing Committee

2022-06-16

Background

CPED & Council motions to consider:

- Potential changes to the Noise By-law (N-200) to better align prohibited times for construction related noise with reasonable standards when adjacent to residential areas (CPED, Dec. 2017)
- A permit process for temporary rock breaking/crushing, including environmental and noise related to rock breaking/crushing (RC, Jan. 2021)
- CPED recommendation report & request for supp. report (CPED, Sept. 29, 2022)



N-200 Construction Hours

CPED Report (July 16, 2021)

Current Hours:

- 7:00 am to 9:30 pm (M-F)
- 8:00 am to 7:00 pm (Sat.)
- 9:00 am to 7:00 pm (Sundays and statutory holidays)
- exemptions for certain public agencies and their agents

Proposed Changes (July 16, 2021 CPED report):

Construction

- 7 am – 8 pm (M-F), no change on weekends & holidays

Rock Breaking

- New definition
- 8 am – 6 pm (M-F) ONLY

New Staff Exemption Process

- extended consecutive hours are required to complete concrete finishing or concrete pouring;
- a need to temporarily reduce noise impacts during the day as identified in the project's approved Construction Mitigation Plan under AO-2018-005-ADM; and
- there is limited access (seven days or less) to specialized trades or equipment.

Supplementary Report Request

CPED Motion, Sept. 29, 2021

1. Explores options to expand the notification area and communication methods for exemptions.
2. Explores expanding or improving notification for blasting and construction-related noise that includes further communication to affected properties
3. Explores changes to weekday end-time hours (Monday to Friday) 9:00 p.m. for non-explosive rock-breaking.
4. Explores options for time reductions for non-explosive rock breaking.

Notification Area & Communication Methods for Exemptions

Proposed Notification:

- hand deliver written notice a minimum of 48 hours prior to commencing the work, to all property owners and businesses located within 30 metres of work site
- sign on-site and a website with e-mail contact or social media link
- notice must include reason for the exemption, duration, and contact information

Supp. report: provision that allows staff to require a larger notification area based on residential context and the type of exemption

Notification for Blasting and Construction-Related Noise

Current Notification:

- 300 metres from the Blasting Area & can be expanded by the Inspector
- notice must contain key contact information, the start of the blasting, duration, and location
- public information meeting may be required by the Inspector
- detailed notice to any school, hospital, or other health care facility within the notification area and at least 2 hours prior to each blast

Supp. report: no changes proposed due to existing discretion & variety of sites and contexts

Changes to Weekday End-time Hours (Monday to Friday) 9:00 p.m. for Non-Explosive Rock-Breaking

- only one municipality with rock breaking regulations permits rock breaking until 9 pm (5 pm or 6 pm is more typical)
- rock breaking noise levels considered to be “annoying” to “extremely loud” & take place over extended periods of time

Supp. report: maintain initially proposed hours of 8 am – 6 pm M-F & allow public works to continue rock breaking activities in the right-of way under currently permitted hours



Other Options for Time Reductions for Non-Explosive Rock Breaking

- Sundays & holidays are not recommended
- Saturdays from 8 am to 6 pm could be added to the proposed hours as an alternative

Other changes

- Maintain the currently permitted hours of 7 am to 9:30 pm Monday to Friday for general construction activities due to:
 - current pressures on the housing system and construction industry
 - additional impacts on the length and cost of construction projects
 - fewer complaints



Recommendation

It is recommended that the Community Planning and Economic Development Standing Committee recommend that Regional Council:

- Adopt the revised By-law N-207, amending By-law N-200 Respecting Noise, as set out in Attachment B of this report.