

# Report to Council



**Date:** August 28, 2012  
**File:** 1550-20  
**To:** City Manager  
**From:** Purvez Irani , Manager for Roads, Drainage & Solid Waste Projects  
**Subject:** Bernard Avenue Revitalization - Noise Bylaw Exemption

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## **Recommendation:**

THAT Council receives, for information, the Report from the Manager, Roads, Drainage & Solid Waste Projects dated August 28, 2012 with respect to amending the Noise Bylaw for the Bernard Avenue Revitalization project;

AND THAT Kelowna Noise and Disturbances Control Bylaw No. 6647 be amended to allow construction activities associated with the Bernard Avenue Revitalization project to occur from 0600 hours to 2400 hours from Sept 11, 2012 to May 30, 2014 to facilitate the construction schedule for the project;

AND THAT the contractor be permitted on occasions to perform minor works between 0000hrs and 0600 hours, to reduce inconveniences to businesses and pedestrians during daytime business hours;

AND FURTHER THAT Bylaw No. 10754 being Amendment No. 9 to Kelowna Noise and Disturbances Control Bylaw No. 6647 be advanced for reading consideration.

## **Purpose:**

To request council to provide an exemption to the Noise Bylaw No.6647, so that construction work hours can be extended for the Bernard Avenue project.

## **Background:**

As a result of several public meetings and workshops with the businesses and nearby residents on Bernard Avenue, a construction schedule was developed to minimize disruptions and inconveniences to businesses within the project limits.

With no summer construction work in 2012 and no construction during the months of July and August in 2013, generally regarded as prime construction season, the contractor will have to implement two shifts of construction crews in order to achieve the project completion milestone dates.

qv

Kelowna Noise and Disturbances Control Bylaw No. 6647 restricts construction activities to the hours of 7am to 10pm.

CGL Contracting Ltd. will be starting full time construction work on the Bernard Avenue Revitalization Project on Sept 4, 2012.

Due to the condensed work schedule, it is recommended that the construction work hours be extended and the contractor be permitted to work from 6 am to 12pm (midnight) daily during each construction stage from September 11, 2012 to May 30, 2014.

To minimize disruptions and to maintain pedestrian access to the businesses during the day, occasional minor works may also be required between 0000 hrs and 0600 hours. Generally, these works would include providing new water, storm, sanitary and other utility services to the buildings.

**Internal Circulation:**  
**Legal/Statutory Authority:**  
**Legal/Statutory Procedural Requirements:**  
**Existing Policy:**  
**Financial/Budgetary Considerations:**  
**Personnel Implications:**  
**External Agency/Public Comments:**  
**Communications Comments:**  
**Alternate Recommendation:**  
**Considerations not applicable to this report:**

Submitted by:



P. Irani, P.Eng., PTOE    Manager for Roads, Drainage & Solid Waste Projects

Approved for inclusion:



W.J. Berry, P.Eng.  
Director, Design & Construction Services

cc:    General Manager, Community Services  
      General Manager, Community Sustainability  
      General Manager, Corporate Sustainability  
      Director, Infrastructure Planning  
      Director, Communications  
      Director, Corporate Services