

Request for Decision City Council




Type of Decision									
Meeting Date	Thursday, September 29, 2005				Report Date	Friday, September 23, 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
TELEPHONE POLL - REQUEST FOR A NOISE BY-LAW EXEMPTION T.A. CLARKE & ASSOCIATES INC. - NEW SUDBURY CENTRE

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p><u>Policy Implication:</u></p> <p>T.A. Clarke & Associates Inc. has requested an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law).</p> <p>The telephone poll is in accordance with the policies set out in Council's Procedure By-law.</p> <p><u>Budget Impact:</u></p> <p>There is no financial impact associated with this Request for Decision.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to T.A. Clarke & Associates Inc. and its contractors in order to perform remedial asphalt work at the new Walmart, New Sudbury Centre;</p> <p>AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted for the following dates and times:</p> <p style="text-align: center;">September 26-28, 2005 between the hours 11:00 p.m. to 6:00 a.m.</p>	
<input type="checkbox"/>	Recommendation Continued

Recommended by
 Caroline Hallsworth Executive Director of Administrative Support Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: Friday, September 23, 2005

Report Prepared By



Corrie-Jo Caporale
Council Secretary

Division Review

BACKGROUND:

The City Clerk's Office has received a request from Mr. Steve Smith, P.Eng. of T.A. Clarke & Associates Inc. for an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) for the period of September 26-28, 2005 in order to perform remedial asphalt work that is required to the drive aisle in front of the new Walmart store and extending to their loading dock. Mr. Smith indicated that this work must be done after store hours to facilitate a safe work environment and not disrupt the store operation.

A telephone/email poll was authorized by the Acting Chief Administrative Officer in accordance with the policies set out in Council's Procedure By-law.

This poll was conducted of Members of Council on Friday, September 23, 2005 with the following motion being presented:

"THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to T.A. Clarke & Associates Inc. and its contractors in order to perform remedial asphalt work at the new Walmart, New Sudbury Centre;

AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted for the following dates and times:

September 26-28, 2005 between the hours 11:00 p.m. to 6:00 a.m."

Date: Friday, September 23, 2005

RESULTS:

The results of that poll were as follows: a total of seven (7) Members of Council responded and seven (7) were in favour.

YEAS	NAYS	NO RESPONSE
Caldarelli Callaghan Dupuis Gasparini Kett Rivest Mayor Courtemanche		Bradley Berthiaume Gainer Reynolds Thompson

Accordingly, the resolution contained in this report appears on the Agenda for formal ratification by Council in accordance with the Rules of Procedure By-law 2002-202.

Attach.

- 1) Letter dated September 22, 2005 - T.A. Clarke & Associates Inc.



T.A. Clarke
and Associates Inc.

September 22, 2005

City of Greater Sudbury,
PO Box 5000,
Station A,
Sudbury, Ontario,
P3A 5P3

Attention: Mr. Brian Gutjahr ,Bylaw Division
Re: New Sudbury Center

Dear Sir,

To confirm conversations between yourself and Mr. C. Fortowsky of Redcliff Realty Management Inc., there is some remedial asphalt work that is required to the drive aisle in front of the new Walmart store and extending to their loading dock. As the store is now open, this work must be done after store hours to facilitate a safe work environment and not disrupt the store operation.

We have scheduled this work for September 26 through September 28 after 9:00 pm.

We are requesting relief from the noise bylaws for these periods to allow this work to be completed.

Thank you for your consideration.

Yours truly,

Steve Smith, P. Eng.
Project Manager
TAC

c.c. Mr C. Fortowsky

Redcliff Realty Management Inc.

Project and Construction Management Facilities Management

760 Pacific Road, Suite 24, Oakville, ON L6L 6M5 Telephone 905-465-0665 Facsimile 905-465-0581