



Request for Decision City Council



Type of Decision											
Meeting Date		September 27, 2006				Report Date		September 21, 2006			
Decision Requested		<input checked="" type="checkbox"/>	Yes		No	Priority		<input checked="" type="checkbox"/>	High		Low
		Direction Only				Type of Meeting		<input checked="" type="checkbox"/>	Open		Closed

Report Title
NOISE BY-LAW EXEMPTION - PIONEER CONSTRUCTION CONTRACT 2006-16 KINGSWAY FOUR LANING

Budget Impact & Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p> <p><u>Policy Implication:</u></p> <p>Pioneer Construction has requested an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law).</p> <p><u>Budget Impact:</u></p> <p>There is no financial impact associated with this Request for Decision.</p>	<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 Pioneer Construction for Contract 2006-16 Kingsway Four Laning, which involves the excavation of earth and rock, crushing, pulverizing, granular placement and asphalt pavement;</p> <p>AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted for 24 hours per day, 7 days per week from September 28, 2006 to July 15, 2007;</p> <p>AND THAT Pioneer Construction advise the City of Greater Sudbury when paving will commence;</p> <p>AND THAT approval of this exemption be subject to Pioneer Construction providing public notice of this construction activity.</p>
<input checked="" type="checkbox"/> Background Attached	Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
<p>Caroline Hallsworth Executive Director of Administrative Services</p> 	<p>Mark Mieto Chief Administrative Officer</p> 

Date: September 21, 2006

Report Prepared By



Corrie-Jo Caporale
Council Secretary

Division Review



Angie Haché
City Clerk

Background:

A letter dated September 1, 2006 was received from Mr. K. Edwards, Vice-President, Operations, Pioneer Construction requesting an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) for Contract 2006-16 Kingsway Four Laning.

Pioneer Construction is requesting permission to work 24 hours per day, 7 days per week on the above project from September 28, 2006 to July 15, 2007. This would include earth and rock excavation, crushing pulverizing, granular placement and asphalt pavement and would be constructed at night as well as 24 hours per day, when safe to do so, to efficiently expedite the job and reduce the impact of the construction on the travelling public.

This request has been circulated to the Executive Officer to the Chief of Police, the City Solicitor, the Manager of By-law Enforcement Services, and the City Engineer. No comments or conditions have been received.

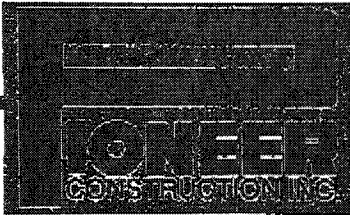
Attach.

- 1) Letter dated September 1, 2006, Pioneer Construction

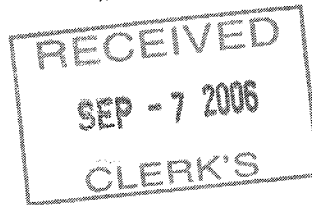
BGC SEP 07 2006

cc Bob F

Angie - for cc - Sept 27,



- ROAD BUILDERS
- MINING, PIPELINE & RAILWAY CONTRACTORS
- AGGREGATE & ASPHALT PRODUCERS



HEAD OFFICE
P.O. BAG 3000
COPPER CLIFF, ONTARIO
P0M 1N0

TELEPHONE • OFFICE (705) 560-7200
OFFICE FAX (705) 560-8263
SHOP (705) 560-7204
SHOP FAX (705) 560-9042
www.pioneerconstruction.ca

September 1, 2006

City of Greater Sudbury
P.O. Box 5000, Station 'A'
Sudbury, Ontario P3A 5P3

Attn: Greg Clausen

Dear Sir,

RE: Contract 2006-16 Kingsway Four Laning Falconbridge Hwy to S/E By-Pass

The purpose of this letter is a request for permission to work 24 hours per day, 7 days per week on the above project. Some of the operations including earth and rock excavation, crushing, pulverizing, granular placement and asphalt pavement when safe to do so would be constructed at night as well as 24 hours per day to efficiently expedite the job. This will also reduce the impact of the construction on the traveling public.

Other components of the work such as trenching and pipe placement, drilling and blasting would be done daytime only due to safety concerns.

Trusting this is in order and awaiting your response, we remain,

Yours truly,

Ken Edwards, V.P., Operations.

CC: John Bulfon
Kevin Shaw

RECEIVED
SEP - 1 2006

CITY OF GREATER SUDBURY ENGINEERING

plaine

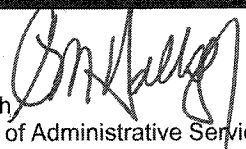

Request for Decision City Council



Type of Decision									
Meeting Date	September 27, 2006				Report Date	September 21, 2006			
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
NOISE BY-LAW EXEMPTION - INCO LIMITED TOTTEN MINE PROJECT

Budget Impact & Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p> <p>Policy Implication:</p> <p>INCO Limited has requested an exemption to Noise By-law 93-424 of the former Town of Walden.</p> <p>Budget Impact:</p> <p>There is no financial impact associated with this Request for Decision.</p>	<p>THAT this Council has no objection to the granting of an exemption to Noise By-law 93-424 of the former Town of Walden to INCO Limited for the site preparation and construction activities of the Totten Mine Project, located on the south side of MR 4 (Fairbank Lake Road), in the former townsite of Worthington;</p> <p>AND THAT exemption to Noise By-law 93-424 of the former Town of Walden be granted for the following dates and times: September 29, 2006 to December 31, 2006 from the hours of 8:00 p.m. of any day and 7:00 a.m. of the next following day;</p> <p>AND THAT approval of this exemption be subject to INCO Limited providing public notice of this construction activity.</p>
<input checked="" type="checkbox"/> Background Attached	Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
<p>Caroline Hallsworth Executive Director of Administrative Services</p> 	<p>Mark Mieto Chief Administrative Officer</p> 

Date: September 21, 2006

Report Prepared By



Corrie-Jo Caporale
Council Secretary

Division Review



Angie Haché
City Clerk

Background:

A letter dated September 20, 2006 was received from Mr. M. Sinclair, Hinds & Sinclair, on behalf of INCO Limited requesting an exemption to Noise By-law 93-424 of the former Town of Walden for the site preparation and construction activities for the Totten Mine project, which is located on the south side of MR 4 (Fairbank Lake Road) in the former townsite of Worthington.

INCO Limited has stated that construction is proposed to be around the clock from September 29, 2006 to December 31, 2006. By-law 93-424 prohibits *"any unnecessary noise arising between the hour of eight o'clock p.m. of any day and seven o'clock a.m. of the next following day from any excavation or construction work whatsoever including the erection, demolition, alteration or repair of any building..."*, therefore, the exemption would be for the hours of 8:00 p.m. of any day and 7:00 a.m. of the next following day.

This request has been circulated to the Executive Officer to the Chief of Police, the City Solicitor, the Manager of By-law Enforcement Services, and the City Engineer. No comments or conditions have been received.

Attach.

- 1) Letter dated September 20, 2006, Hinds & Sinclair

HINDS & SINCLAIR
BARRISTERS & SOLICITORS

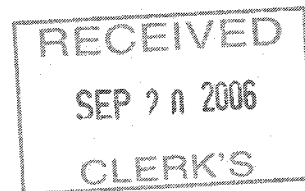
J.S. HINDS, Q.C. M.D. SINCLAIR, Q.C.
IAN M.G. SINCLAIR

214 Alder Street
Sudbury, Ontario, P3C 4J2
TELEPHONE (705) 674-7597
FAX (705) 674-4916
E-MAIL ADDRESS:
thefirm@hindsandsinclair.ca

DELIVERED

September 20, 2006

Ms. Angie Hache
Clerk
City of Greater Sudbury
City Hall
200 Brady Street
Sudbury, Ontario



Dear Ms. Hache:

Re: Inco Limited
 Totten Mine Project

We are solicitors for Inco Limited, the owner of Totten Mine located in Lot 2, Concession 1, and Lot 2, Concession 2, of the geographic Township of Drury, on the south side of Municipal Road No. 4 (Fairbank Lake Road), in the former townsite of Worthington. As you may know, Inco has undertaken to reactivate the Totten Mine and in this respect proposes to undertake a significant amount of site preparation and some construction related activity. Construction is proposed to be around the clock and for this purpose we are writing to request on behalf of Inco Limited the exemption from the provisions of the noise By-Law No. 93-424 of the former Town of Walden. The exemption period requested would be from September 29, 2006, to the 31st day of December, 2006.

May we ask you to bring this request to the Council and if required we would be more than pleased to provide further particulars to you.

We thank you for your attention to this matter.

Very truly yours,

Mac. Sinclair

MDS:mh
[C:\W\Sep\HacheAngie1]