

Interoffice Correspondence

May 29, 2019

File #: 751-8/17-6

TO: Planning Committee

FROM: J. Ferrigan

RE: Application for Zoning By-law Amendment – Nathan & Darlene Nicholson – Part of PIN 73373-0100, Parcel 5579, Lot 1, Concession 4, Township of Waters (15 Kalio Road, Lively)

This memo is intended to update the Planning Committee on the above referenced application, which has been scheduled for a decision at the Planning Committee Meeting of June 24, 2019.

For the benefit of the Planning Committee and the public, the City retained RWDI to provide acoustical expertise and to complete a peer review of a Noise Study that was first submitted by the owner to the City on September 21, 2017. RWDI identified several areas of concern through their peer review with respect to the methodology used to complete the Noise Study that was submitted by the owner. Staff has since been informed by the applicants that no further submissions with respect to their Noise Study will be provided for consideration.

In the absence of an updated peer reviewed Noise Study, staff requested RWDI to consider two important questions for the benefit of staff and Planning Committee:

1. Based on the information we have, or in general, could noise be feasibly and economically mitigated with respect to the kennel?; and,
2. If so, what are some typical methods, or examples, that could be utilized to mitigate noise related to a kennel?

RWDI has advised that, in general, noise from a free-run dog kennel can be successfully mitigated with technically and economically feasible solutions, however in the absence of an updated Noise Study it is not possible to determine the appropriate extent and feasibility of noise mitigation as it relates to the kennel located at 15 Kalio Road in Lively. Further, RWDI noted that mitigation may not even be required if the Noise Study demonstrated that predicted noise levels from the kennel are within applicable exclusionary limits as set out and described in Environmental Noise Guideline – Stationary and Transportation Sources - NPC-300.

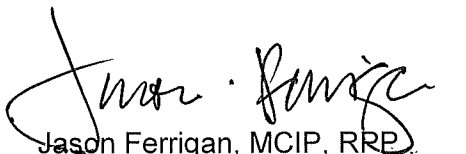
In general, the following mitigation options are typically considered for a kennel when there is a Noise Study demonstrating that mitigation (and to what degree) is required:

1. Establishing required setback and buffer distances between a kennel and sensitive land uses (e.g. 300 metres as set out in the City's current in-force Zoning By-law);
2. Orientation and placement of kennel buildings and dog pens in a manner whereby the buildings and dog pens provide a physical noise barrier between a kennel and nearby sensitive land uses;

3. Installation of physical noise barriers (e.g. acoustic blankets, hay bales, permanent walls, etc.); and,
4. Administrative controls (e.g. limiting outdoor play to daytime hours only, limiting the number of dogs are outside at the same time, separating highly-interactive dogs, etc.)

In the absence of an updated, methodologically acceptable and peer reviewed Noise Study, staff remains unable to support the rezoning to permit a kennel in this particular location and would recommend that the application be denied.

GF/JF/kh



Jason Ferrigan, MCIP, RRP.
Director of Planning Services

cc: A. Kosnick
B. Adair
E. Labelle