



**Durham Region Home Builders' Association**

1-1255 Terwillegar Avenue  
Oshawa, Ontario L1J 7A4  
Tel. (905) 579-8080

May 28, 2020

Kenneth Man  
City of Oshawa  
50 Centre Street South  
Oshawa, Ontario L1H 3Z7

**Re: Proposed Noise Exemption Request Process**

---

The Durham Region Home Builders' Association (DRHBA) proudly represents over 170 member companies that are involved in the construction and renovation industry, and is the voice of the residential construction industry in Durham Region.

First, DRHBA would like to thank City staff for reaching out to us for feedback on the proposed noise exemption request process. We really appreciate how the City of Oshawa involved the development community in their decision making processes.

The Durham Region Home Builders' Association fully supports the ability of staff to work with builders and developers to allow construction to continue past the set out municipal noise bylaw times as may be required. This is essential to builders during certain circumstances, for example, a continuous concrete slab pour is in many cases needed for structural integrity. Screeding and finishing of concrete must occur after a concrete pour and takes many hours to complete (often well into the night) and needs to be completed while the concrete is still wet. Yet another example is a repair to infrastructure (such as water main or sanitary sewer repair), that may need to be completed during off hours.

However, the Durham Region Home Builders' Association has a few concerns with the process proposed.

In the City of Oshawa's proposal, it states that council directed staff to examine the following in relation to noise exemption requests: "That in the future, when the City of Oshawa receives an application for extension of hours for noise generation that the City circulate a notice to area residents prior to the application being heard at committee." In response, the City's proposal includes that "Applicants will be required to submit an application and pay a \$250 application fee at least 60 days in advance of the activity. The 60 day timeline is required to allow sufficient time for staff to undertake public notice activities and to allow for public feedback to be received."

It is completely valid to send notices to area residents that may be affected by construction operating outside of normally accepted hours, but feedback should not be solicited. It's entirely likely that when feedback is solicited, no extension will ever be granted. It is very concerning to the Association that with public feedback requested and received that some applications could be denied. As with the concrete example above, it is a part of construction that must be continuous and cannot be stopped and restarted. With a denied application, it would be difficult, if not impossible, for developers and builders who may be required to perform any of these tasks that require extended hours to continue to operate in Oshawa, which is certainly not ideal in the current climate of needing more investments into local economies.

Without the public feedback portion of the notice, the City of Oshawa can also eliminate the 60 day notice period as would be required in the proposed bylaw.

Collecting feedback from the public on this matter will also add delays to construction timelines, and delays equal increased costs.

By mandating that council approval will be required, the timeline is delayed even further. The proposal also does not specify, what, if any, recourse is available to a builder/developer if their application is denied. If the builder/developer must reapply, all of the delays are again added to the timeline.

The Durham Region Homebuilders' Association believes that since noise is sometimes required during construction that it would be more productive to educate the public instead of inviting feedback and complaints.

With these concerns in mind, the Durham Region Home Builders' Association recommends that staff be given the authority to review and approve requests to work outside of the municipal noise restrictions. When a request is granted by City staff, a notice can be placed on the City's website and notices sent out to residents within the specified area, ensuring they are aware of what will be taking place, but removing the delays and complaints that come with public consultation. The Association feels that with these minor changes to the process, building can continue unabated and allow the City of Oshawa to grow at an appropriate pace.

We appreciate that the City of Oshawa will take our comments into consideration and we are available to answer any further questions you may have.

Sincerely,



Stacey Hawkins  
Executive Officer

Durham Region Home Builders' Association

cc:

Paul Ralph, City Manager, City of Oshawa

Warren Munro, Commissioner of Development Service, City of Oshawa

Johnathan Schickedanz, president, DRHBA

Tiago Do Couto, vice-president, DRHBA