

ITEM	6
MANAGER'S REPORT NO.	35
COUNCIL MEETING	93/05/25

TO: CITY MANAGER 1993 MAY 18

FROM: MEDICAL HEALTH OFFICER

SUBJECT: DAIRYWORLD FOODS, DAIRYLAND ICE CREAM DIVISION,
4047 LOZELLS AVENUE, BURNABY, B.C.

PURPOSE: TO PROVIDE COUNCIL WITH AN UPDATE ON THE OPERATIONAL
NOISE FROM DAIRYWORLD FOODS, DAIRYLAND ICE CREAM
DIVISION LOCATED AT 4047 LOZELLS AVENUE, BURNABY, B.C.

RECOMMENDATIONS:

1. THAT staff measure site specific and ambient noise levels after the placement of an acoustical noise barrier on the north side of Winston Street at Lozells Avenue, in order to evaluate the effectiveness of the noise mitigating improvement.
2. THAT a copy of this report be forwarded to:
 - a) Mr. V. Milosavljevic, 7580 Dorchester Drive, Burnaby, B.C., V5A 2Z3.
 - b) Mr. Ron Brown, Plant Manager, Dairyland Ice Cream Division, Dairyworld Foods, 4047 Lozells Avenue, Burnaby, B.C., V5A 2Z4.
 - c) Mr. Don Smith, Vice President Industrial Division, Dairyworld Foods, P.O. Box 6590, Vancouver, B.C., V6B 4C3.

REPORT

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1.0 INTRODUCTION

At the regular Council meeting on 1993 April 26, correspondence was received from Mr. V. Milosavljevic regarding concerns about operational noise from Dairyland Ice Cream Division located at 4047 Lozells Avenue, Burnaby, B.C.

The following report provides Council with an update on the subject issue.

2.0 BACKGROUND

At the regular Council Meeting on 1992 June 01, Council received and reviewed the City Manager's Report No. 40. This report noted noise mitigating modifications undertaken by Dairyland Ice Cream Division officials in response to the concerns raised by neighbouring residents.

A subsequent report was presented to Council which provided a historical summary of noise levels emanating from the noted site, including a comparison of noise levels between the summer months with the rest of the year. This report concluded that noise levels generated from the Dairyland Ice Cream Division, while recognizably higher in the summer as compared with the rest of the year, were, except on two occasions, in compliance with the Burnaby Noise or Sound Abatement Bylaw No. 7332.

However, a comparison of the 24 hour noise measurements taken between 1990 to 1992 showed an average increase in the ambient noise levels which was largely attributed to traffic increases on Winston Street. This interpretation was supported by the study undertaken by Barron, Kennedy, Lyzun & Associates in the fall of 1991.

In order to mitigate the impact of the Winston Street traffic noise on the residence at 3957 Lozells Avenue, Burnaby, B.C., the Engineering Department recommended to Council the construction and placement of an acoustical barrier. Council has approved the placement of acoustical barrier and it is anticipated to be constructed on or before 1993 June.

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3.0 OPERATIONAL NOISE FROM DAIRYLAND ICE CREAM DIVISION

As a standard practice, Environmental Health Services' staff have promptly responded to all complaints regarding operational noise from Dairyland Ice Cream Division and have also obtained noise readings from the perimeter of the subject site during investigations to determine compliance.

With the exception of noting excessive noise readings from the operation on two specific occasions for which summary of charges have been presented to the Crown Counsel's Office, noise readings taken at all other times have been in compliance with the Burnaby Noise or Sound Abatement Bylaw.

The two specific occasions when the noise readings from the site exceeded the Burnaby Noise or Sound Abatement Bylaw were 1992 July 08 and 1993 January 15 respectively. These violations were directly related to excessive noise during the delivery of liquid sugar to the Dairyland Ice Cream operation. The trial date for the 1992 July 08 incidence has been set for 1993 July 16 at the Burnaby Provincial Court.

According to Mr. V. Milosavljevic's letter of 1993 March 06 to Council, a potential solution regarding the subject issue is to restrict the hours of operation in the plant. The subject operation is located in an M1 zone which according to the Licence Department has no restrictions on the hours of operation.

4.0 CONCLUSION

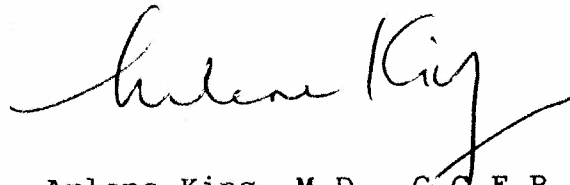
The investigation by Environmental Health Services' staff conclude that the Dairyland Ice Cream Division failed to comply with the Burnaby Noise or Sound Abatement Bylaw on two occasions; 1992 July 08 and 1993 January 15. Charges have been laid and the trial date for the first violation has been set for 1993 July 16 at the Burnaby Provincial Court.

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Dairyland Ice Cream Operation is located in an M1 zone, and there exists no legislated restrictions on the hours of operation.

In view of the noise concerns raised by the neighbours, staff recommend that site specific and ambient noise levels be measured after the placement of the acoustical barrier on the north side of Winston Street at Lozells Avenue in order to evaluate the effectiveness of the noise mitigating improvement.



Arlene King, M.D., C.C.F.P., M.H.Sc., F.R.C.P.(C)
MEDICAL HEALTH OFFICER

DD/AK/js

cc: Chief Environmental Health Officer
Director Administrative &
Community Services
Director Engineering