

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018

Item 13, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 11, 2018.

13 REQUEST FOR CONSTRUCTION NOISE EXEMPTION TRANSIT CITY CONDOMINIUMS – CONCRETE POURING – PORTAGE PARKWAY AND BUTTERMILL AVENUE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated April 4, 2018:

Purpose

This report seeks Council approval of a request from the Transit City Condos Corporation (Transit City) and Multiplex Construction Canada (Multiplex) for a noise exemption to By-law 96-2006, as amended, for the activities related to concrete pouring.

Recommendations

1. That Transit City Condos Corporation (Transit City) and its Construction Manager, Multiplex Construction Canada (Multiplex), the Applicants, be granted a 24-hour noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of construction work that involves concrete pouring, at 898 Portage Parkway and 5 Buttermill Avenue, for the period of June 30, 2018 through to December 31, 2018; and
2. That this request for extension be granted with the following conditions:
 - a) That the Applicants make every reasonable effort to complete concrete pouring related activities between 7:00 am and 7:00 pm;
 - b) That construction communication notices be sent to surrounding residents and business owners within a 60-metre radius, in keeping with City standards, advising them of the impending work;
 - c) That the construction communication notices to residents and business owners include contact information for Transit City and Multiplex;
 - d) That Transit City and Multiplex monitor and investigate any complaints regarding construction noise;
 - e) That Transit City and Multiplex take measures to minimize any unnecessary noise, including but not limited to idling of construction vehicles, unnecessary revving of engines, use of airbrakes, and to maintain equipment in good working order (including muffling devices) to minimize noise impacts; and
 - f) That no construction takes place on Sundays and Statutory Holidays.

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Report Highlights

- Transit City and Multiplex seek approval for a noise exemption for concrete pouring for a construction of two 55-storey condominium towers and a commercial parking garage close to the Vaughan Metropolitan Centre subway.
- This noise exemption would enable the Applicants to vary and shorten construction activities and length of construction time, resulting in reduced disruption to residents and businesses in that area.

Background

The City of Vaughan's Noise Control By-law No. 96-2006, as amended, prohibits noise created from the use of "construction equipment" as defined, between the hours of 7:00pm of one day to 7:00am the following day and on Sundays and statutory holidays.

Any noise created by construction activity during these prescribed hours requires an exemption to the provisions of the By-law. Exemption requests for construction noise are governed by the By-law provisions of Section 19, Exemption – Construction.

Transit City and Multiplex are undertaking construction to develop two 55-storey condominium towers and a residential and commercial parking garage at 898 Portage Parkway and 5 Buttermilk Avenue, in close proximity to the new Vaughan Metropolitan Centre subway station located in the Highway 7 and Highway 400 area.

They previously received a Noise Exemption from Council for the period of January, 2018 to June 30, 2018 for caisson drilling associated with this project; they would now like to request a Noise Exemption from June 30, 2018 to December 31, 2018, for the concrete pouring portion of their project.

Concrete pouring is a necessary construction activity that requires use of a troweling tool which emits a noise similar to the volume of a lawn mower. Concrete pouring requires that several activities take place concurrently, and so, once started must be completed without interruption. In addition, concrete setting can take longer on colder days, which may extend the pouring time beyond 7:00 pm on some occasions.

This request for a noise exemption, pursuant to the City of Vaughan's Noise Control Bylaw No. 96-2006, as amended, exceeds the delegated authority of the Director of Bylaw & Compliance, Licensing & Permit Services. Therefore, Council authorization for the exemption to the By-law is required to permit the applicant to proceed with the required work as planned.

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Noise Mitigation

A condition of the noise exemption will include the requirement to minimize idling of construction vehicles, avoid unnecessary revving of engines, use of airbrakes, as well as the requirement to maintain equipment in good working order (including the use of muffling devices) to minimize noise impacts.

Previous Reports/Authority

Previous report for this applicant, requesting a noise exemption for caisson drilling at the same site: [REQUEST FOR CONSTRUCTION NOISE EXEMPTION TRANSIT CITY CONDOMINIUMS – CONCRETE POURING - PORTAGE PARKWAY AND BUTTERMILL AVENUE](#)

Analysis and Options

Staff support this noise exemption for the reasoning that this would allow the period of construction to be shortened, thus lessening the impact to residents and businesses.

Financial Impact

Adoption of this report has no economic impact for the City.

Broader Regional Impacts/Considerations

There are no anticipated regional impacts.

Conclusion

Staff believe that the noise exemption for condominium construction should be endorsed by Council pursuant to the recommendations set out in this report.

For more information, please contact: Gus Michaels, Director of By-law & Compliance, Licensing & Permits Services

Attachments

1. Project map
2. Letter to residents and businesses

Prepared by

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)