

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 17, Report No. 44, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 11, 2017.

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**REQUEST FOR CONSTRUCTION NOISE EXEMPTION
VANMAR CONSTRUCTORS ON INC. – CONCRETE POURING
WOODBIDGE AFFORDABLE HOUSING – 275 WOODBRIDGE AVENUE
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services and the Director of By-law & Compliance, Licensing & Permit Services, dated December 5, 2017:

Recommendation

The Deputy City Manager, Community Services and the Director of By-law & Compliance, Licensing & Permit Services, recommend:

1. That VanMar Constructors ON Inc. (VanMar), under contract to the Regional Municipality of York, be granted a noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of concrete pouring construction work for development of a new Affordable Housing apartment building at 275 Woodbridge Ave. (north of Kipling Avenue and Highway 7), for the period of December 18, 2017 through to March 31, 2018; and
2. That this request for extension be granted with the following conditions for VanMar (the Applicant):
 - a) 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;
 - b) That the construction communication notices to residents and business owners include contact information for VanMar;
 - c) That the Applicant monitor and investigate any complaints regarding construction noise;
 - d) That the Applicant take all reasonable measures to complete concrete pouring between the hours of 7:00 am and 7:00 pm;
 - e) That the Applicant 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.

Contribution to Sustainability

The City supports initiatives that contribute to sustaining the ongoing growth of the City and Affordable Housing opportunities, while promoting the health and well-being of its residents by mitigating the adverse impacts that such development may have on the surrounding communities.

Economic Impact

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

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Communications Plan

Further to the notice already provided to the surrounding community for the earlier Noise Exemption, the Applicant has been instructed by the City to provide further written notification to surrounding residents and businesses within a 60-metre radius that may be affected by the construction activities of this project. Further, the Applicant has provided a draft of such notice (Attachment No. 1).

Purpose

This report is to seek Council approval of a request from VanMar Constructors ON Inc. for a noise exemption to By-law 96-2006, as amended.

Background - Analysis and Options

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 7:00 pm of one day to 7:00 am 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.

VanMar has been contracted by the Regional Municipality of York to construct a project to build a six-storey, 162-unit, multi-residential Affordable Housing apartment building by March 2019, and has requested a noise exemption for concrete pouring activities for the period of December 18, 2017 through to March 31, 2018. The company believes that this noise exemption would support the timely progress of creation of further Affordable Housing opportunities for Vaughan residents.

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. VanMar anticipates that they may undertake up to 14 non-consecutive days of concrete pouring, to be scheduled in accordance with appropriate weather conditions.

VanMar has been granted a noise exemption for work between December 6 and December 17, 2017, and has submitted an application for a further noise exemption for the period until March 31st. This second request for a noise exemption, pursuant to the City of Vaughan's Noise Control By-law No. 96-2006, as amended, exceeds the delegated authority of the Director of By-law & 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.

Noise Mitigation

A condition of the noise exemption will include the requirement to make every effort to complete concrete pouring activities between the hours of 7:00 am and 7:00 pm, 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.

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Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This noise exemption is directly related to the Term of Council Priority and Service Excellence Strategy Map by facilitating the development of the Affordable Housing and continuing to ensure the health and safety of residents.

Regional Implications

There are no Regional implications.

Conclusion

Staff believes that the noise exemption for this Affordable Housing development's construction should be endorsed by Council pursuant to the recommendations set out in this report.

Attachments

1. Letter to residents and businesses
2. Overview of work and project map

Report 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.)