

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017

Item 5, 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 TRANSIT CITY CONDOMINIUMS – CAISSON DRILLING PORTAGE PARKWAY AND BUTTERMILL AVENUE WARD 4

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 Transit City Condos Corporation (Transit City) and its Construction Manager, Multiplex Construction Canada (Multiplex), be granted a noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of construction work that involves caisson drilling, at 898 Portage Parkway and 5 Buttermill Avenue, for the period of January 1, 2018 through to June 20, 2018; and
2. That this request for extension be granted with the following conditions:
 - 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 Multiplex;
 - c) That the Contract Administrator monitor and investigate any complaints regarding construction noise;
 - d) 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
 - e) 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, 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

The Applicant has been instructed by the City to provide written notification at least 14 days in advance of the commencement of construction 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 the Transit City Condos Corporation (Transit City) and Multiplex Construction Canada (Multiplex) 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 7:00pm 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.

Between January 1, 2018 and June 30, 2018, Transit City and Multiplex would like to undertake 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. The construction activity expected to generate noise will involve the use of heavy machinery to drill large caissons into the earth to provide shoring and foundation support.

These companies would like a noise exemption in order to employ a 24-hour work period, which they believe would have the following positive impacts for the City:

- Decrease the heavy drilling period, and thus noise generation, by 2 to 3 months
- Drill when most businesses are closed, in the early morning and late evening
- Reduce impact on local traffic by shifting deliveries to off-peak hours

This 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 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.

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 Vaughan Metropolitan Centre and continuing to ensure the health and safety of residents.

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Regional Implications

There are no Regional implications.

Conclusion

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

Attachments

1. Letter to residents and businesses
2. Project map
3. Letter confirming Multiplex is the Construction Manager for Transit City

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.)