

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.

5

**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:

Carol Ramchuram
Regulatory Policy Analyst
By-law & Compliance, Licensing & Permit Services

(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.)

**REQUEST FOR CONSTRUCTION NOISE EXEMPTION
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Report prepared by:

Carol Ramchuram
Regulatory Policy Analyst
By-law & Compliance, Licensing & Permit Services

Respectfully submitted,

Mary Reali
Deputy City Manager
Community Services

Gus Michaels
Director, By-law & Compliance,
Licensing & Permit Services

MULTIPLEX

November 1, 2017

RE: Transit City Condos Construction – Noise Bylaw Exemption Application

To the neighbours and residents within the zone of influence of construction activities,

We are the Construction Manager for Transit City, a development consisting of two 55-storey condominium towers and a residential and commercial parking garage located at 898 Portage Pkwy & 5 Buttermilk Ave, Vaughan, ON.

In an effort to maintain a positive and proactive relationship with our neighbours in the immediate vicinity of the Transit City, we would like to offer regular communication to all residents with regards to our upcoming construction activities on site.

We are anticipating commencing construction activities in January 2018 and our first phase of construction involves drilling large caissons into the earth to provide shoring and foundation support for our development. The design of the project employs deep structural caissons that are drilled with heavy machinery and concrete poured into place. During this process, there will be noise and vibration emanating from our site. While we will do our best to mitigate such impacts and will work within the requirements of the City of Vaughan, the nature of this work requires heavy drilling that will cause disturbance at times. It is currently anticipated that the heavy drilling will commence in January 2018 and be completed in June 2018. The project team considers this work to be the heaviest influence to noise and vibration levels during the course of construction.

In an effort to reduce the duration of disturbance to our neighbours during our heavy drilling phase, we have submitted an application to the City of Vaughan for a noise bylaw exemption permit which would allow construction operations to execute scheduled activities for 24 hour periods for the duration of the project. Justification for consideration of this exemption can be supported by the following benefits;

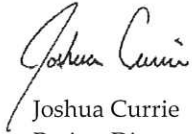
- Decrease to the duration of noise and vibration influence from heavy drilling. The project team estimates that by employing a 24 hour work period, approximately 2-3 months can be saved off of the heavy drilling schedule.
- Additional work would take place in the late evening and early morning when the majority of our commercial neighbours businesses are closed. This would allow for heavy drilling activity to occur while there is the lowest possibility of disturbance.
- Decreased influence on local traffic by shifting deliveries to off hour premiums. This would include all project deliveries from concrete supply to interior finishes. Reduced traffic during business hours would greatly improve the burden to residents and business in the region.

As construction manager's for the development, Multiplex Construction Canada's first priority will be to focus on efforts to maintain a clean and safe site, which includes immediate public pedestrian and vehicular traffic ways. We are committed to preserving the safety of the public and their right for enjoyment of a peaceful living and working environment. Should any local resident require the need to communicate their concerns or have further questions to the impact of construction on the area for Transit City, we encourage residents to contact the undersigned of this letter.

Further information on the details of the project can be found at the following; <https://www.transitcity.com/>

MULTIPLEX

Sincerely,



Joshua Currie
Project Director

Multiplex Construction Canada Ltd

130 King street, W., Suite 2350, Toronto, ON M5X 2A2

Phone: (416) 428-2276

Email: joshua.currie@multiplex.global

CC; Shamez Virani, President, CentreCourt, svirani@centrecourt.com
Bhupesh Ghulati, Sr Vice President- Construction, SmartREIT, bghulati@smartreit.com
Paula Bustard, Sr Vice President – Development, Smart REIT, pbustard@smartreit.com

Transit City Condominiums Project Map – Site of Caisson Drilling at Portage Parkway and Buttermilk Avenue – Ward 4

Map of project site

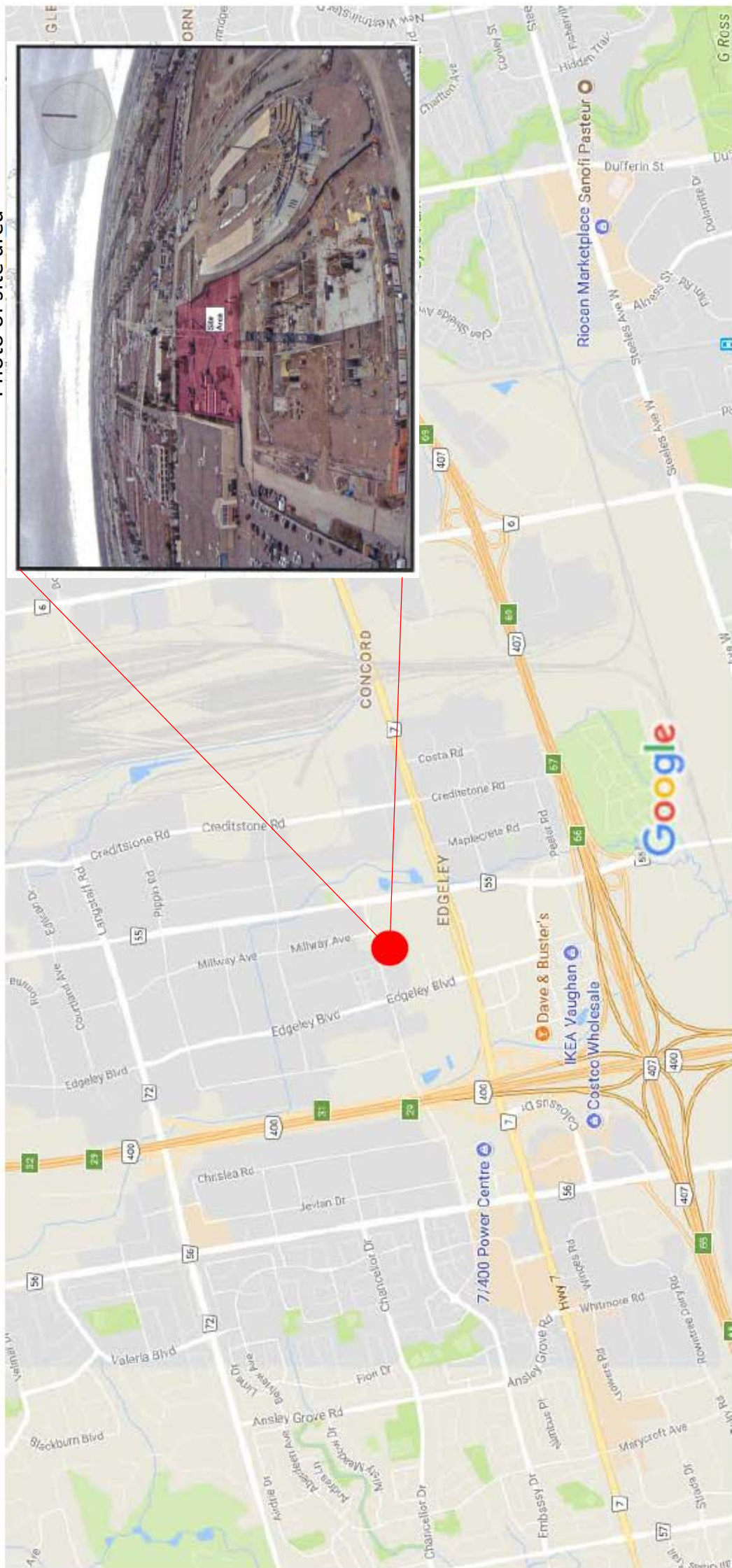


Photo of site area

Map data ©2017 Google

500 m

October 30, 2017

City Of Vaughan
By-law & Compliance, Licensing & Permit Services
2141 Major Mackenzie Dr.,
Vaughan, ON,
L6A 1T1

RE: Transit City Condos Construction – Designated Contractor

To whom it may concern,

Please be advised that we the developer known as, Vaughan Residences Limited Partnership, of Transit City condos located at municipal address 898 Portage Parkway and 5 Buttermill Ave, in the City of Vaughan, have engaged the services of our Contractor, Multiplex Construction Canada Ltd., for purposes of managing all construction related aspects of the development.

Transit City has proposed mobilizations commencing late in 2017 with full construction activity scheduled for commencement early January 2018. The Contractor has been retained to manage all coordination aspects of the work and will act as primary connection for any public concerns or emergency contact. The project lead for the Contractor will be Joshua Currie, joshua.currie@multiplex.global, 416 428 2276.

Further information on the details of the project can be found at the following; <https://www.transitcity.com/>

Sincerely,



Shamez Virani
Authorized Signing Officer
Vaughan Residences Limited Partnership
Phone: (647) 454 2192
Email: svirani@centrecourt.com

CC; Bhupesh Ghulati, Sr Vice President- Construction, SmartREIT, bghulati@smartreit.com
Paula Bustard, Sr Vice President – Development, Smart REIT, pbustard@smartreit.com