

## Committee of the Whole (2) Report

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**DATE:** Tuesday, September 17, 2024

**WARD(S):** 4

**TITLE: NOISE EXEMPTION REQUEST FOR THE CONSTRUCTION OF MIXED-USE RESIDENTIAL AND COMMERCIAL TOWERS LOCATED AT 8960 JANE STREET AND 27 KORDA GATE**

**FROM:**

Gus Michaels, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

This report seeks Council approval for a noise exemption as per Noise By-law 121-2021 (the Noise By-law), for work required for the construction of three mixed-use residential and commercial towers being constructed by Granerola Residence Ltd. (the Applicant), located at 8960 Jane Street and 27 Korda Gate from September 24, 2024, to July 1, 2025.

**Report Highlights**

- A noise exemption as per Noise By-law 121-2021, is being requested for a variety of work related to the construction of three mixed-use residential and commercial towers.
- The exemption is being requested to mitigate disruptions to the flow of traffic during peak travel times.
- This project supports provincial and municipal priorities to create more housing.

**Recommendations**

1. THAT the Applicant, Granerola Residence Ltd., be granted a noise exemption, in accordance with the City's Noise Control By-Law 121-2021, for the purposes of construction of three mixed-use, residential and commercial towers located at

- 8960 Jane Street and 27 Korda Gate from September 24, 2024, to July 1, 2025, 6:00 a.m. to 7:00 p.m., Monday through Friday, except on statutory holidays; and
2. THAT this request for exemption be granted with the following conditions for the Applicant:
    - a) that construction communication notices be sent to surrounding residents and business owners within a 60-metre radius, in a manner approved by the City;
    - b) that the construction communication notices to residents and businesses include 24-hour contact information for the Applicants, including the on-site construction supervisor and/or any person having care, control and over-sight over all construction activity taking place on the subject property;
    - c) that the Applicant monitor, investigate and respond to any complaints received 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 air brakes, and to maintain equipment in good working order (including muffling devices) to minimize noise impacts;
    - e) that no construction outside of hours permitted by the by-law take place on Saturdays; and
    - f) that no Construction noise be made on Sundays or statutory holidays.

## **Background**

The City of Vaughan's Noise Control By-law prohibits noise created from the use of "construction equipment", as defined, between the hours of 7:00 p.m. of one day to 7:00 a.m. 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 stated in by-law section 20, Exemption for Construction Equipment.

## ***Requested Work Period***

The Applicant has requested a work period of September 24, 2024, to July 1, 2025, Monday through Friday to work between the hours of 6:00 a.m. and 7:00 p.m., daily, excluding Saturdays, Sundays and statutory holidays, at the site located at 8960 Jane Street and 27 Korda Gate. The applicant is requesting the one-hour earlier start to mitigate traffic disruptions to morning commuters caused by delivery of materials and equipment to the site. If the Applicant is granted the requested exemption, residents and businesses will be less inconvenienced by traffic disruptions as deliveries can be scheduled for off-peak travel times.

The Applicant was previously granted a short-term, administrative noise exemption from July 1 to September 24, 2024, as the request for this exemption was received after the deadline for June Committee reports.

### ***Stakeholder Engagement***

If the noise exemption is approved, the Applicant will distribute communication notices with details of the project to all residents and businesses within 60 metres of the project site which will include contact information for the Applicant, as well as the on-site supervisor.

### **Previous Reports/Authority**

[City of Vaughan Noise Control By-law](#)

### **Analysis and Options**

#### ***Supporting New Development***

This project supports the construction of a mixed-use residential and commercial development in that is compatible with the existing and planned uses of the surrounding area, and which enables good long-term planning and achieves the desired vision for the growth of the City. Additionally, this development supports the municipal, provincial and federal priority to develop more housing.

#### ***Noise mitigation***

The construction supervisor will comply with standard noise exemption mitigation measures, including that they 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.

#### ***Minimizing Disruption to Residents***

The Applicant is requesting the ability start construction one hour earlier than is permitted by the Noise By-law, starting at 6 am, Monday through Friday for a period of one year. The rationale of the Applicant is that this will minimize traffic disruptions on Jane Street which is a major road, by having material and equipment deliveries to the site start prior to the morning commute. At the time of the preparation of this report, no complaints have been received regarding the project.

### **Financial Impact**

None.

### **Operational Impact**

Staff have confirmed through the Building Standards Department that this project has obtained all required City permits and approvals.

### **Broader Regional Impacts/Considerations**

None.

### **Conclusion**

Staff believe that the noise exemption for this project should be endorsed by Council pursuant to the recommendations set out in this report, and the recommendation are in line with the Term of Council priorities of Transportation and Mobility, and improving the reliability and safety of Vaughan's road network and infrastructure, and City Building, building a world-class City.

**For more information**, please contact: Susan Kelly, Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8952

### **Attachments**

1. Notice to Residents and Businesses
2. Site Map

### **Prepared by**

Alexandra Scarr, Policy Implementation Specialist, ext. 8448