

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 28, 2020

Item 16, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 28, 2020.

**16. REQUEST FOR CONSTRUCTION NOISE EXEMPTION –
CENTRECOURT CONSTRUCTION (EB) INC. CONSTRUCTION OF
RESIDENTIAL CONDOMINIUM TOWER AT 175 MILLWAY AVENUE,
VAUGHAN.**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Community Services, dated January 21, 2020, be approved subject to the following amendments, in accordance with Communication C2, from the Deputy City Manager, Community Services, dated January 15, 2020, as follows:**

That the above noted report be amended as follows:

Amend recommendation 2. b) so as to now read: "That construction communication notices be sent to surrounding residents and business owners within a 60-metre radius two weeks prior to the start of each portion of the project and/or at any reasonable time as identified by the City";

Amend recommendation 2. f) so as now to read: "That no construction take place on Statutory Holidays and that any significant and substantiated complaints from residents or businesses may result in the revocation of the exemption to perform work on Sundays";

Add recommendation 2. g) as follows: "That where the City believes that a violation of the conditions of the noise exemption have or are taking place, in accordance with the City's Noise By-law provisions, the City reserves the right to revoke the exemption in its entirety or any condition of the exemption and/or impose additional conditions to mitigate unnecessary noise or require revised noise exemption applications to be submitted accordingly"; and

Add recommendation 2. h) as follows: "That the applicant advise the Chief Licensing Officer and/or designate of any public complaints received regarding noise within 72 hours of having received them; and

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- 2) That the deputation of Mr. Ian Veloso, Peter Street, Toronto, on behalf of the applicant, be received.**

Recommendations

1. That the Applicant, CentreCourt Construction (EB) Inc., be granted a noise exemption, in accordance with the City's Noise Control By-Law 62-2018, as amended, for the purposes of construction of a residential condominium tower located at 175 Millway Avenue, for the period of January 14, 2020 through August 31, 2023, 12:00 am to 11:59pm.
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, once annually on the anniversary of the initial exemption approval date, that provides an update on construction progress to date and outlines expected construction activities for the year;
 - b. That construction communication notices be sent to surrounding residents and business owners within a 60 metre radius two weeks prior to the start of each portion of the project;
 - c. That the construction communication notices to residents and businesses include 24-hour contact information for the Applicants, including the construction supervisor and/or any person having care, control and over-sight over all construction activity taking place on the subject property;
 - d. That the Applicant monitor, investigate and respond to any complaints received regarding construction noise;
 - e. That the applicant takes 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; and
 - f. That no construction take place on Statutory Holidays.

Committee of the Whole (2) Report

DATE: Tuesday, January 21, 2020

WARD(S): 4

**TITLE: REQUEST FOR CONSTRUCTION NOISE EXEMPTION –
CENTRECOURT CONSTRUCTION (EB) INC. CONSTRUCTION
OF RESIDENTIAL CONDOMINIUM TOWER AT 175 MILLWAY
AVENUE, VAUGHAN.**

FROM:

Mary Reali, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

This report is to seek Council approval for a noise exemption to By-law 062-2018, as amended, for work required for the construction of two residential condominium towers by CentreCourt Construction (EB) Inc. (the Applicant), located at 175 Millway Avenue, beginning January 14, 2020 to August 31, 2023.

Report Highlights

- A noise exemption from By-law 062-2018, as amended, is being requested for a variety of work related to the construction of a residential condominium tower.
- The noise exemption will enable the project to be completed in a shorter period of time and minimize traffic impact to local residents and businesses during regular business hours. This project supports the development of the Vaughan Metropolitan Centre in the City's new downtown.
- No residents currently reside within the required notification area, anticipated 5,174 residents will occupy the area over the next 3 years

Recommendations

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 - b) That construction communication notices be sent to surrounding residents and business owners within a 60 metre radius two weeks prior to the start of each portion of the project;
 - c) That the construction communication notices to residents and businesses include 24-hour contact information for the Applicants, including the construction supervisor and/or any person having care, control and oversight over all construction activity taking place on the subject property;
 - d) That the Applicant monitor, investigate and respond to any complaints received regarding construction noise;
 - e) That the applicant takes 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; and
 - f) That no construction take place on Statutory Holidays.

Background

Legislation

The City of Vaughan's Noise Control By-law No. 062-2018, as amended, prohibits noise created from the use of "construction equipment" as defined, between the hours of 7:00pm 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 20, Exemption – Construction Equipment.

Requested work period

The Applicant, CentreCourt Construction (EB) Inc., is requesting a work period of January 14, 2020 through August 31, 2023, to work up to and including 24 hours per day, except on statutory holidays, at the site located at 175 Millway Avenue, at the south-west corner of Portage Parkway and Jane Street, directly east of the York Regional Transit Bus Terminal.

The intent of the work is to construct two of three residential condominium buildings located within the Vaughan Metropolitan Centre (VMC) SmartCentres Place development located in close proximity to the TTC Vaughan Metropolitan Centre station.

The applicant is requesting the ability to perform a variety of construction work, including excavation, dewatering, concrete manufacturing, fill and refuse removal, concrete pumps, form work, rebar work, window and elevator work, up to 24 hours per day, with the exception of statutory holidays, for the duration of the exemption period in order to accommodate the complex nature of the development and in order to achieve the project completion date. If the Applicant is granted the requested exemption, the end date for the project may be sooner than indicated on the application.

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 at least two weeks prior to the start of each portion of the project that will entail work outside of regular hours in line with the Noise Control By-law.

Previous Reports/Authority

Noise Control By-law: [062-2018, as amended](#)

Analysis and Options***Supporting Vaughan Metropolitan Centre development***

This project supports the construction of a Council approved mixed-used development in the Vaughan Metropolitan Centre that is compatible with the existing and planned uses of the surrounding area, represents good planning and achieves the desired vision for the VMC,. The VMC is an unprecedented city-building initiative for the City of Vaughan. Located on a 179-hectare (442 acre) site, Vaughan's emerging downtown will include more than 1.5 million square feet of commercial office space and 750,000 square feet of new retail space.

Staff continue to support the required construction to achieve this vision. When complete, these new developments will create a world-class skyline that stands tall, proud and embodies Vaughan's promising future. This evolving skyline is reaching heights beyond those contemplated in the Secondary Plan, reflecting the momentum of transit-oriented redevelopment and capitalizing on the significant infrastructure investments.

These projects are guided by a robust planning, infrastructure and policy framework. Over the past several years, a number of plans and studies have been completed that provide a vision for transformation of the downtown into a vibrant, transit-oriented and sustainable centre. These plans build on each other to provide a framework for growth, implementation and activation of the VMC to achieve the desired vision.

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 project length and community disruption

If the Applicant is granted the noise exemption to perform work outside of times normally permitted by the Noise Control By-law, this is expected to shorten the project length, and to minimize impacts on residents and businesses, both in terms of impact to traffic during regular business hours and prolonged disturbance to the community.

Staff have confirmed that within the required notification area, there are no residential units that are currently occupied. Anticipated residential occupancy within the required notification area is outlined in the chart below. In order to provide a reasonable assurance of notification to new residents, staff have proposed an annual notification of works being undertaken and expected for the year.

DATE OF COMPLETION	PROJECT	ADDRESS	UNITS	RESIDENTS
2020	The Met	7895 Jane Street	510	1,010
2021	Transit City 3	950 Portage Parkway	631	1,249
2023	SmartCentres East Block (Transit City 4 & 5 + Rental Building)	175 Millway Avenue	1,472	2,915
TOTAL			2,613	5,174

Financial Impact

Adoption of this noise exemption has no economic impact for the City

Broader Regional Impacts/Considerations

This project supports the development of the Vaughan Metropolitan Centre, the City's new downtown, a vibrant, modern urban centre for residents and businesses that encompasses all amenities of urban lifestyle: inspiring multi-use office towers, residences, subway access, open green space, urban squares, pedestrian shopping areas and restaurants and walking and cycling paths.

Conclusion

Staff believe that the noise exemption for this project should be endorsed by Council pursuant to the recommendations set out in this report. This recommendation is being brought forth in consultation with the Vaughan Metropolitan Centre Program.

For more information, please contact: Gus Michaels, Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8735.

Attachments

1. Site Map
2. Letter to residents and businesses

Prepared by

Alexandra Scarr, Policy Implementation Specialist, By-law & Compliance, Licensing & Permit Services, ext. 8448.



December 2, 2019

Transit City Towers 4 & 5 – Letter to Neighbours

CentreCourt Construction (EB) Inc. is the Construction Manager for Transit City Towers 4 and 5, a development consisting of a three-level underground parking garage with two towers; each 45 and 50 storeys above grade. The towers include a 7-storey podium at each tower base connected by a suspended bridge. The two towers will comprise of a total 1,111 units (mixture of condominium and purpose-built rental units) and various retail spaces at the ground level.

The project is located at the southwest corner of Portage Parkway and Jane Street, directly east of the York Regional Transit Bus Terminal.

As the Construction Manager, our direct objective is to establish and maintain a positive, proactive and open relationship with our neighbours in the immediate vicinity of the project through regular communication of our upcoming construction activities on site.

In our plans to drive the success of the project, we are requesting for a noise exemption application for the construction of our development from December 23rd, 2019 to August 31, 2023. During this timeline, we plan to proceed with the construction of the diaphragm wall, caissons, site excavation, dewatering, forming, windows and landscaping. This work will include working with excavators, drill rigs, concrete and rebar delivery trucks, dump trucks, tower cranes and small machinery which will be closely managed and controlled by our on-site supervisors.

The proposed working times are 24 hours per day from Monday through Sunday, excluding Statutory Holidays, to ensure a safe and efficient completion of this project component.

It is our priority to focus our efforts to maintain a clean, safe and cohesive site by the means of providing clearly identified pedestrian and vehicular passageways, traffic control personnel, directional signage and daily sidewalk maintenance surrounding to our site. We are committed to preserving a safe, peaceful and healthy environment of the existing fabric of the neighbourhood.

Should any residents have further questions to the construction or development of the Transit City area, we encourage to contact the undersigned.

Further information about this development can be found at <https://www.transitcity.com/>

Regards

Jeff Pauletto
Sr Project Manager
CentreCourt Construction (EB) Inc.
Email: jpauletto@centrecourt.com

CC: Gavin Cheung, Vice President, CentreCourt Construction (EB) Inc.
Bhupesh Ghulati, Sr Vice President – Construction, SmartREIT
Paula Bustard, Sr Vice President – Development, SmartREIT

134 Peter Street, Suite 200, Toronto, ON., M5V 2H2 Office: 416.324.5400 Fax: 416.519.8767
Email: info@centrecourt.com