

**DATE:** January 15, 2020

**TO:** Hon. Mayor and Members of Council

**COPY:** Gus Michaels, Director & Chief Licensing Officer,  
By-law & Compliance, Licensing & Permit Services  
Senior Leadership Team

**FROM:** Mary Real, Deputy City Manager, Community Services

**RE:** **Committee of the Whole (2), January 21, 2020 – Item No. 16**  
**Request for Construction Noise Exemption – 175 Millway Avenue**

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**COMMUNICATION**  
CW (2) - January 21/2020  
ITEM - 16

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**Recommendation:**

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."

**Purpose:**

To amend the staff report regarding the request for construction noise exemption for the construction of residential condominium towers at 175 Millway Avenue, by adding conditions on the proposed noise exemption permit in addition to the conditions recommended in the original report. These amendments are being proposed as a result of additional consultation in order to better ensure monitoring and compliance.

**Analysis and Options:**

Given the length and scope of the proposed exemption and the importance of the associated construction work, staff have, in consultation with the applicant and the Office of the VMC Program, arrived at a series of measures that are considered reasonable in order to both expedite the work being undertaken and mitigate the adverse impacts on affected residents and businesses in the area. The additional proposed conditions take fully into account the ongoing impacts the construction work will have on affected residents and businesses as development

and occupancy progresses at the VMC and provides the ability to staff to ensure that affected parties are properly notified, and mitigation measures are implemented.

Respectfully Submitted,



Mary Reali  
Deputy City Manager, Community Services