

## **REPORT**

### ***Planning and Development***

**To:** Mayor Johnstone and Members of Council  
**Date:** May 27, 2024

**From:** Jackie Teed,  
Director, Planning and Development  
**File:** #2492871  
**Item #:** 2024-315

**Subject:** **Construction Noise Bylaw Exemption Request: 612 Seventh Avenue – Marcon Construction Ltd.**

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#### **RECOMMENDATION**

**THAT** Council grant a noise exemption to Marcon Construction Ltd. from Construction Noise Bylaw No. 6063, 1992 on Saturday June 15, 2024 or Saturday June 22, 2024 from 7:00 AM to 9:00 AM and 6:00 PM to 10:00 PM to enable a large concrete pour at 612 Seventh Avenue, New Westminster.

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#### **PURPOSE**

The purpose of this report is to request that Council grant an exemption from the Construction Noise Bylaw to Marcon Construction Ltd. to enable a large concrete pour at 612 Seventh Avenue (formerly known at 616-640 Sixth Street).

#### **BACKGROUND**

PC Urban is building a 29 storey mixed-use building at 612 Seventh Avenue with at-grade retail fronting Sixth Street, 338 secured rental units (including 10 below-market units) and 271 off-street parking spaces. The development will also include a privately owned, publicly accessible plaza at the corner of Sixth Street and Seventh Avenue. Marcon has been contracted to complete the work by February 2026.

Construction Noise Bylaw No. 6063, 1992 permits construction noise between 7:00 AM and 8:00 PM on weekdays and between 9:00 a.m. and 6:00 p.m. on Saturdays, and does not include Sundays or other holidays.

Since the commencement of the project, four residents have contacted the City regarding construction noise disturbances occurring outside of permitted hours. City records indicate eight occurrences since mid-March 2024 with most related to noise occurring prior to 7 AM. In response to the complaints, two municipal fines were issued (April 16, 2024 at \$200 and April 24, 2024 at \$400). No further complaints have been received since issuance of the fines.

## **ANALYSIS**

The work involves a large 700 cubic metre concrete pour that is required to complete the tower. All remaining concrete pours for the remainder of the project are for less than 200 cubic metres and can be accommodated within permitted hours.

The pour will involve 2 large pump trucks: one located on Sixth Street within the existing construction zone and one on Seventh Avenue. An estimated 70 concrete trucks are scheduled to make multiple trips to and from the site all day to supply the required 100 cubic metres per hour for seven hours. Noise will be generated from the truck's back-up beepers and from the spinning of the concrete pump. For anywhere from two to four hours following the concrete pour, power trowels will be in operation to remove any excess water and to apply a smooth finish to the concrete slab. The noise generated from this activity will be the scraping of the spinning metal plate used along the surface of the slab. An early morning start on Saturday will ensure the finishing work does not extend late into the night.

Another reason for the exemption request is that diminished commuter traffic typical of a Saturday morning will better accommodate the 70 truckloads expected on site.

The work is not weather dependent however there are many other delays and challenges that can occur during construction. It is for those unforeseen circumstances that a second proposed pour date has been included in the exemption request.

## **DISCUSSION**

Marcon has given assurances they understand the potential impact an exemption to the bylaw would have on nearby residents and have committed to the following:

- Educating and supervising construction personnel to ensure potential noises are minimized.
- Avoiding unnecessary idling, revving, use of airbrakes and banging of tail gates.
- Turning off equipment when not in use.
- Ensuring all equipment is in good operating order.
- Operating equipment at minimum engine speeds consistent with effective operation.
- Ensuring a contact person is available to respond to any calls from affected residents.

A sample notification for local residents and businesses is attached Appendix A. If approved, notifications will be hand-delivered to properties identified in the Notification Area attached in Appendix B.

Marcon has also advised they are in regular communication with representatives of MetroVan regarding a sewer upgrade project due to commence in the next few weeks and are committed to ensuring the tower's building schedule is created in consideration of the sewer project. MetroVSan will not be conducting any sewer upgrade work on either of the Saturdays that are the subject of this exemption request.

### **Transportation Impact**

While the pump truck located on Sixth Street will not result in any additional traffic implications, the pump truck located on Seventh Avenue will affect the east bound lane. A Traffic Management Plan and application for road closure has been submitted to the Engineering Transportation Department and is currently under review and will require approval prior to the work associated with the requested exemption.

### **FINANCIAL IMPLICATIONS**

No financial impact to the City is anticipated by granting the exemption. If the exemption is not granted, the project will likely be delayed which may result in financial impacts for the applicant.

### **OPTIONS**

There are two options to consider:

1. That Council grant a noise exemption to Marcon from Construction Noise Bylaw No. 6063, 1992 on Saturday June 15, 2024 or Saturday June 22, 2024 from 7:00 AM to 9:00 AM and 6:00 PM to 10:00 PM to enable a large concrete pour at 612 Seventh Avenue, New Westminster.
2. That Council provide staff with alternative direction.

Staff recommend Option 1.

### **ATTACHMENTS**

Appendix A: Sample Notification Letter

Appendix B: Area of Notification to Residents

## **APPROVALS**

This report was prepared by:  
Kim Deighton, Manager, Integrated Services

This report to be approved by:  
Serena Trachta, Acting Director, Planning and Development  
Lisa Spitale, Chief Administration Officer