

**THE CORPORATION OF THE TOWN OF GEORGINA**

**REPORT NO. DS-2021-0085**

**FOR THE CONSIDERATION OF  
COUNCIL**

**August 18, 2021**

**SUBJECT: APPLICATION FOR NOISE BY-LAW EXEMPTION – PHASE 10, MURC  
BLOCK EARTHWORKS**

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**1. RECOMMENDATION:**

- 1. That Council receive Report No. DS-2021-0085 prepared by the Development Engineering Division, Development Services Department, dated August 18, 2021 respecting the application for Noise By-law exemption related to Phase 10, MURC Block Earthworks.**
- 2. That Council approve the application for a Noise By-law exemption from DG Group for the Phase 10, MURC Block Earthworks.**

**2. PURPOSE:**

The purpose of this report is to seek Council's approval for a Noise By-law exemption for the Phase 10, Multi-Use Recreational facility (MURC) Block earthworks by DG Group.

**3. INFORMATION:**

<u>OWNERS/APPLICANT:</u>	Wesrow Estates Inc., c/o DG Group
<u>AGENT:</u>	KLM Planning Partners Inc.
<u>PROPERTY DESCRIPTION:</u>	Part of Lots 2, 3, 4 and 5, Concession 3(NG)
<u>FILE NUMBER:</u>	S.9.180 PH.10

**4. BACKGROUND:**

On August 13<sup>th</sup>, 2021 municipal staff received a request for a Noise By-law exemption from DG Group related to the Phase 10, MURC Block Earthworks.

Draft Plan of Subdivision 19T-18G01, commonly referred to as Phase 10 is approximately 91.61 hectares in size and located on the west side of Woodbine Avenue, south of Glenwoods Ave. The MURC Block, which is Block 588 of Draft

Plan of Subdivision 19T-18G01 will accommodate the Town's approved multi-use recreation facility.

On April 28, 2021 Council passed resolution C-2021-0136 authorizing the Mayor and Clerk to enter into an Earthworks Agreement between Wesrow Estates Inc. as the Owner and the Corporation of the Town of Georgina relating to the MURC Block and future Garrett Styles road extension. The Agreement was signed and executed on June 8<sup>th</sup>, 2021. Clause 5.11 of the Earthworks Agreement required that the Owner complete the earthworks related to the MURC Block, on or before September 30<sup>th</sup>, 2021.

Upon completion of the earthworks by the Owner, the MURC Block will be transferred to the Town and the Town's contractor will commence their works.

## **5. ANALYSIS:**

The earthworks includes the installation of sediment and erosion control measures, importation of fill material and the required cut/fill grading works. Further to the execution of the Earthworks Agreement, the Owner had obtained all required approvals and commenced the importation of fill material. The Owner is required to import approximately 40,000 m<sup>3</sup> of fill as per the grading plan for the MURC Block.

In order to fulfill their obligations under the Earthworks Agreement and to complete all grading work related to the MURC Block, DG Group are now requesting an exemption to the Noise By-law to permit the importation of fill and grading works outside of the permitted hours under the Town's Noise By-law. The current permitted hours of operation are Monday to Saturday, 7:00 a.m. to 8:00 p.m. The applicant is proposing an operation with two shifts, one running from 7:00 a.m. to 7:00 p.m. and a second one from 7:00 pm to 7:00 am. This will commence immediately and continue until the Phase 10, MURC Block Earthworks are completed.

DG Group are also proposing to utilize the Phase 10 lands as a source of fill for the MURC Block in addition to the existing approved source sites to accelerate the works. The fill will be imported from the future commercial/employment lands within Phase 10 located south of the MURC Block. The works will remain outside of the LSRCA jurisdiction and will not require the removal of any trees. Once the rest of the Phase 10 land works are advanced, the developer will be required to import additional fill.

The importation of fill from a local source is in line with Excess Soil Best Management Practices and O.Reg. 406/19 On-Site and Excess Soil. The importation of fill from Phase 10 to the MURC Block will guarantee the quality and suitability of the material imported, reduce overall disturbance to the community as the fill is imported from an adjacent block and complete the grading works faster. While staff do not anticipate any impacts on abutting properties which are largely agricultural/vacant, should concerns be raised by the Town or members of the public, the applicant will be required to address the concerns promptly. Should

concerns not be addressed promptly, the Town may stop the work or withdraw the Noise By-law exemption. Prior to commencing the works the Owner will be required to provide revised engineering drawings for the Town's approval.

**6. RELATIONSHIP TO STRATEGIC PLAN:**

Promote a high quality of life; and

Engage our community & build partnerships

**7. FINANCIAL AND BUDGETARY IMPACT:**

There are no financial or budgetary impacts.

**8. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:**

There is no obligation under the Town of Georgina Noise By-law to notify the public, however Council may permit the applicant and any person opposed to the application an opportunity to be heard.

**9. CONCLUSION:**

Staff recommend that Council approve the application for a Noise By-law exemption relating to the Phase 10, MURC Block earthworks.

**APPROVALS**

Prepared By:	Zaidun Alganabi Manager of Development Engineering
Reviewed By:	Lawrence Artin Head of Special Capital Initiatives
Reviewed By:	Harold Lenters Director of Development Services
Approved By:	Ryan Cronsberry Deputy Chief Administrative Officer

**Report Approval Details**

Document Title:	Noise By-Law Exemption - Phase 10 MURC Block.docx
Attachments:	
Final Approval Date:	Aug 17, 2021

This report and all of its attachments were approved and signed as outlined below:

**No Signature found**

Harold Lenters

Ryan Cronsberry