

## **NOTICE OF MOTION**

### **By-law to regulate vibrations caused by construction activity**

**Moved By:**                **Councillor Walker**

**Seconded By:**         **Councillor Jenkins**

“ **WHEREAS** certain construction activities utilize equipment and methods, such as a vibratory hammer or pile driver, that may cause vibrations that travel beyond the property where the construction activity takes place; and

**WHEREAS** such vibrations may impact adversely on the use and enjoyment of adjacent properties although the level of vibrations may be below a level that causes actual damage to property or an impact on the structural integrity of adjacent buildings or structures; and

**WHEREAS** section 129 of the *Municipal Act, 2001* S.O. 2001, c. 25, provides that “a local municipality may prohibit and regulate with respect to noise, vibrations, odour, dust and outdoor illumination.”

### **NOW THEREFORE BE IT RESOLVED THAT:**

1. City Council request the Commissioner of Urban Development Services in consultation with the City Solicitor to undertake a study and to report to City Council with recommendations for a draft by-law to regulate vibrations caused by construction activity: and
2. That the report make recommendations for appropriate standards for the measurement of vibrations from construction activities at levels that minimize the adverse impacts of construction vibrations, including the methodology of measurement of construction vibrations, the time such vibrations may be prohibited or regulated, and the resources necessary for implementation and enforcement of the by-law .

**AND BE IT FURTHER RESOLVED THAT** the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of this Notice of Motion at the meeting of Council to be held on November 23, 2004.”