

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018**

Item 12, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 11, 2018.

#### **12      REQUEST FOR CONSTRUCTION NOISE EXEMPTION – HIGHWAY 427 EXPANSION FROM FINCH AVENUE TO MAJOR MACKENZIE DRIVE**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated April 4, 2018:

##### **Purpose**

This report is to seek Council approval of a staff request for a noise exemption to By-law 96-2006, as amended, for the Ministry of Transportation and Infrastructure Ontario Highway 427 Expansion from Finch Avenue to Major Mackenzie Drive, for the period of May 1, 2018 through to October 1, 2020.

##### **Recommendations**

1. That Ministry staff and their construction manager LINK 427 (the Applicants), be granted a noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of the Highway 427 Expansion from Finch Avenue to Major Mackenzie Drive, for the period of May 1, 2018 through to October 1, 2020 for a 24-hour work period; and
2. That this request for extension be granted with the following conditions for the Applicants:
  - a. That construction communication notices be sent to surrounding residents and business owners within a 60-metre radius, in keeping with City standards, advising them of the impending work;
  - b. That the construction communication notices to residents, and businesses include contact information for the Applicants;
  - c. That the City staff and the construction supervisor monitor and investigate any complaints regarding construction noise;
  - d. That City staff and the construction supervisor take measures to minimize any unnecessary noise, including but not limited to idling of construction vehicles, unnecessary revving of engines, use of airbrakes, and to maintain equipment in good working order (including muffling devices) to minimize noise impacts; and
  - e. That no construction takes place on Statutory Holidays.

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#### **Report Highlights**

- A noise exemption from By-law 96-2006, as amended, is being requested for the Ministry of Transportation and Infrastructure Ontario Highway 427 Expansion from Finch Avenue to Major Mackenzie Drive, for the period of May 1, 2018 through to October 1, 2020.
- This exemption would be in support of the Ministry of Transportation Ontario requirement that lane closures occur in off-peak hours.
- This project supports the City of Vaughan Term of Council priorities to invest, renew and manage infrastructure and assets and continue to ensure the safety and well-being of citizens.

#### **Background**

##### ***Legislation***

The City of Vaughan's Noise Control By-law No. 96-2006, as amended, prohibits noise created from the use of "construction equipment" as defined, between the hours of 7:00 pm 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 19, Exemption – Construction.

The Director, By-law and Compliance, Licensing and Permit Services (BCLPS) has the authority to grant noise exemptions for construction work up to 90 days; this project's request exceeds the 90-day period.

##### ***The Highway 427 Expansion***

LINK427 has been selected by the Ministry of Transportation and Infrastructure Ontario to undertake the design, build, finance and maintenance of the Highway 427 Expansion project from Finch Avenue to Major Mackenzie Drive within the City of Vaughan and City of Toronto.

Due to the nature of the work required, LINK427 is requesting a Noise Bylaw Exemption from the Spring of 2018 until Fall 2020. Certain activities such as excavation, placing granulars, erecting girders, and paving will require lane closures on municipal roads throughout the project. The geographical boundaries for the Municipal Infrastructure (crossing roads) within the Lands north of Highway 7, and subject to the construction phase, include the following:

1. Zenway Boulevard from east of New Enterprise Way Intersection to and including Rainbow Creek Drive Intersection

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2. Langstaff Road from Station
3. Rutherford Road from Station
4. Major Mackenzie Road from east of Regional Road 50 to and including Baron Street
5. Huntington Road from north of Major Mackenzie Drive southerly to south of Major Mackenzie Drive.
6. McGillivray Road from east of Huntington Road easterly for 200m.
7. Regional Road 99 from Highway 7 northerly to Zenway Boulevard.

Lane closures are restricted to off-peak time periods as per Ministry of Transportation requirements and thus performed after 7:00 pm.

Typical noise levels generated would be as follows:

<b>TYPICAL NOISE LEVELS OF CONSTRUCTION EQUIPMENT</b>	
<b>Equipment Type</b>	<b>Typical Sound Level at 50 ft (dBA)</b>
Backhoe	80
Bulldozer	85
Compactor	82
Compressor	81
Concrete Mixer	85
Concrete Pump	82
Crane, Derrick	88
Crane, Mobile	83
Loader	85
Pavement Breaker	88
Paver	89
Pile Driver, Impact	101
Pump	76
Roller	74
Truck	88

#### ***Requested work period***

To mitigate traffic disruption, the Applicants are requesting a 24-hour work period, in order to schedule activities when they would least impact the community.

#### ***Stakeholder engagement***

In line with Ministry practices, the Applicants have begun undertaking extensive public engagement for this project, such as public consultations beginning in 2018, and will continue to do so over the course of their work. This will include distribution of notices to residents and businesses which will be impacted by the project, at least 60 days prior to the commencement of construction.

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#### **Previous Reports/Authority**

Noise Control By-law: [96-2006](#) | [207-2007](#)

#### **Analysis and Options**

This project supports the City of Vaughan Term of Council priorities to invest, renew and manage infrastructure and assets and continue to ensure the safety and well-being of citizens.

#### ***Noise Mitigation***

The Applicants 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.

#### **Financial Impact**

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

#### **Broader Regional Impacts/Considerations**

This extension supports local and regional growth planning strategies and is part of the Province of Ontario's transportation objectives for the 2006 Growth Plan for the Greater Golden Horseshoe.

#### **Conclusion**

Staff believes that the noise exemption for this City of Vaughan Infrastructure Delivery Project should be endorsed by Council pursuant to the recommendations set out in this report.

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

#### **Attachments**

1. Previous notice of public consultation and project map

#### **Prepared by**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

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### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 11, 2018**

Item 13, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 11, 2018.

#### **13      REQUEST FOR CONSTRUCTION NOISE EXEMPTION TRANSIT CITY CONDOMINIUMS – CONCRETE POURING – PORTAGE PARKWAY AND BUTTERMILL AVENUE**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated April 4, 2018:**

##### **Purpose**

This report seeks Council approval of a request from the Transit City Condos Corporation (Transit City) and Multiplex Construction Canada (Multiplex) for a noise exemption to By-law 96-2006, as amended, for the activities related to concrete pouring.

##### **Recommendations**

1. That Transit City Condos Corporation (Transit City) and its Construction Manager, Multiplex Construction Canada (Multiplex), the Applicants, be granted a 24-hour noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of construction work that involves concrete pouring, at 898 Portage Parkway and 5 Buttermill Avenue, for the period of June 30, 2018 through to December 31, 2018; and
2. That this request for extension be granted with the following conditions:
  - a) That the Applicants make every reasonable effort to complete concrete pouring related activities between 7:00 am and 7:00 pm;
  - b) That construction communication notices be sent to surrounding residents and business owners within a 60-metre radius, in keeping with City standards, advising them of the impending work;
  - c) That the construction communication notices to residents and business owners include contact information for Transit City and Multiplex;
  - d) That Transit City and Multiplex monitor and investigate any complaints regarding construction noise;
  - e) That Transit City and Multiplex take measures to minimize any unnecessary noise, including but not limited to idling of construction vehicles, unnecessary revving of engines, use of airbrakes, and to maintain equipment in good working order (including muffling devices) to minimize noise impacts; and
  - f) That no construction takes place on Sundays and Statutory Holidays.