

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

**7 REQUEST FOR CONSTRUCTION NOISE EXEMPTION – YORK REGION
WATERMAIN REHABILITATION – FILE NO. W03, 78519-EI13026
WARD 2**

Recommendation

1. That the Regional Municipality of York and its appointed agents/contractors, be granted a noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of watermain rehabilitation works at Mackenzie Street, Highway 7 between Kipling Avenue to Islington Avenue and Islington Avenue between Highway 7 to Steeles Avenue West for the period of October 1, 2017 through to May 18, 2018, and for the period of October 1, 2018 through to May 17, 2019; and
2. That this request for extension be granted with the following conditions:
 - 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 at least two weeks in advance of commencement of night work;
 - b) That the construction communication notices to residents and business owners include contact information for York Region and its appointed agents;
 - c) That the Contract Administrator monitor and investigate any complaints regarding construction noise; and
 - d) That the Applicant take measures to minimize any unnecessary noise, including but not limited to:
 - a. Minimize and restrict unnecessary idling of construction vehicles, use of airbrakes, revving of engines; slamming of tailgates and shutting down equipment not in use;
 - b. maintaining equipment in good working order (including muffling devices) to minimize noise impacts;
 - c. ensure no construction takes place on Sundays or statutory holidays;
 - d. direct mobile light stands away from oncoming vehicular traffic and neighbouring properties; and
 - e. That no construction takes place on Sundays or Statutory Holidays.

The initiatives outlined in the request for noise exemption for the purposes of watermain rehabilitation is related to the delivery of water that feeds the West Woodbridge Elevated Tank to

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serve residents and businesses within the Woodbridge community and contributes to the sustainability of the City of Vaughan and Regional infrastructure.

Economic Impact

Adoption of this report has no adverse economic impact for the City.

Communications Plan

The Applicant has been instructed by the City to provide notification of the commencement of night time construction at least two weeks prior to commencement of night time construction related activities in local Vaughan newspapers and in letter form to surrounding residents and businesses within a 60-metre radius that may be affected by the construction activities of this project. Further, the Applicant has provided a draft of such notice (Attachment No. 1).

Purpose

This report is to request Council approval of a request from the Regional Municipality of York (York Region) for a noise exemption to By-law 96-2006, as amended.

Background - Analysis and Options

The City of Vaughan Noise Control By-law #96-2006, as amended, prohibits noise created from the use of "construction equipment" as defined, between the hours of 7:00pm of one day to 7:00am 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 provisions of Section 19, Exemption – Construction.

York Region has written to City of Vaughan By-law & Compliance, Licensing & Permit Services (Attachment No. 2) requesting an exemption to the City's Noise Control By-law from October 1, 2017 through to May 18, 2018 and from October 1, 2018 through to May 17, 2019, to avoid peak water demands during the summer period. The planned construction is in connection with York Region's Project File No. W03, 78519-EI3026, specifically relating to the rehabilitation of the Islington Avenue Watermain, which feeds the West Woodbridge Elevated Tank and serves part of the Woodbridge community within the City of Vaughan.

The Region anticipates up to 2 consecutive days of night work every 4-6 weeks for construction activities that will include:

- cure-in-place piping chamber rehabilitation and ancillary work, which can only be completed with a watermain shutdown;
- valve replacement, which will require interruption of water service to local residents; and
- temporary lane closures.

The types of equipment used will include heavy construction equipment, such as:

- excavators;
- boiler trucks;
- cranes;
- generators;
- pumps;
- wet-out equipment, including conveyor belts and rollers; and
- Miscellaneous other smaller construction related vehicles and equipment.

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As described within the Application documents, construction activity is required during prohibited evening hours to minimize the impact and inconvenience of water availability to local residents and to mitigate potential traffic disruption due to lane closures during the day.

Noise Mitigation

The Applicant had also committed to implement noise mitigation measures in an effort to minimize noise and disruptions to residents, which will include:

- the use of mufflers on equipment where applicable;
- shutting down equipment not in use;
- mobile light stands positioned to direct light away from neighbouring properties; and
- ensure no construction takes place on Sundays or statutory holidays.

In addition to the above, the applicant will be required to:

- direct mobile light stands away from oncoming vehicular traffic;
- 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 to minimize noise impacts; and
- restrict unnecessary noise related to equipment (eg. no slamming dump truck tailgates).

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This noise exemption is directly related to the Term of Council Priority and Service Excellence Strategy Map by investing, renewing and managing infrastructure and assets and continuing to ensure the safety and well-being of citizens.

Regional Implications

The proposed work is being carried out by York Region and its appointed agents/contractors.

Conclusion

This request for a noise exemption, pursuant to the City of Vaughan Noise Control By-law #96-2006, as amended, exceeds the delegated authority of the Director of By-law & Compliance, Licensing & Permit Services. Therefore, Council authorization for the exemption to the By-law is required to permit the Applicant to proceed with the required work as planned.

Staff believes that the watermain rehabilitation project is necessary municipal work and the request received for a noise exemption should be endorsed by Council pursuant to the recommendations set out in this report.

Attachments

1. Draft – Notice to Residents/Businesses
2. York Region Application Letter
3. Project Map

Report 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.)