

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015**

Item 27, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 20, 2015.

#### **27 NOISE EXEMPTION REQUEST – REGIONAL MUNICIPALITY OF YORK EAST VAUGHAN PUMPING STATION CONSTRUCTION WARD 1**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Commissioner of Legal & Administrative Services/City Solicitor and the Director of By-law & Compliance, dated October 7, 2015:**

##### **Recommendation**

The Interim Commissioner of Legal & Administrative Services/City Solicitor and the Director of By-law & Compliance recommend:

- 1) That the Regional Municipality of York and its contractor Kenaidan Contracting Ltd. be granted a noise exemption, in accordance with the City's Noise By-law #96-2006, for the purposes of construction of a new pipe connection to the existing municipal drinking water reservoir at the East Vaughan Pumping Station situated at 900 Teston Road (just east of Quail Run Blvd. and east of Bathurst) for a period of 30 days, commencing October 21, 2015 through to November 21, 2015.
- 2) That this request for noise exemption be granted with the following conditions:
  - a) That notice of the impending work be provided to surrounding residents and business owners within a minimum 60 metre radius;
  - b) That the notice to residents and business owners include contact information for the Regional Municipality of York and/or contractors conducting the work;
  - c) That no construction take place on Sundays and statutory holidays;
  - d) That demolition activities will be restricted to 7:00am to 7:00pm Monday through Saturday to minimize noise; and
  - e) That noise mitigation measures be implemented by ensuring that:
    - unnecessary noise related to equipment be minimized where possible;
    - there be no unnecessary idling of vehicles.

##### **Contribution to Sustainability**

The initiatives outlined in the request for Noise Exemption contribute to the City's Community Sustainability Plan by supporting available water infrastructure

An integral part of a sustainable city is effectively maintaining the water systems. The proposed construction and addition of a new pipe connection will ensure access and continued water service for area residents and businesses.

##### **Economic Impact**

Adoption of this Report has no adverse economic impact.

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#### **Communications Plan**

The Regional Municipality of York (Applicant) has been instructed by the City to provide notification of the impending work to area residents and businesses within a minimum 60 metre radius and to those local services that may be affected by the construction activities of this project and have provided a draft notification letter as part of their Application (Attachment No. 1).

#### **Purpose**

The purpose of this Report is to seek Council's approval in support of an Application for Exemption to the City's Noise By-law #96-2006 in support of necessary water connection work at the East Vaughan Pumping Station situated at 900 Teston Road. The noise exemption is being sought for the period of October 21, 2015 through November 21, 2015 for necessary intermittent construction, as a precautionary measure and will not be implemented unless necessary.

As this request exceeds staff's delegated authority of a maximum of 11 calendar days, authorization for this exemption requires the approval of City Council.

#### **Background - Analysis and Options**

The City of Vaughan Noise By-law #96-2006 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 or 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.

The East Vaughan Pumping Station, situated at 900 Teston Road supplies water for firefighting purposes and potable water for domestic use to both Vaughan and significant portions of Richmond Hill.

The Applicant submitted a written request to the City of Vaughan By-law & Compliance Department requesting an exemption to the Noise By-law for the purposes of constructing and connecting a new pipe to the existing municipal drinking water reservoir to meet current supply and demand. The Director of By-law & Compliance has granted and approved a temporary eleven (11) day exemption for the periods of October 7 to 10, 13 to 17 and 19 to 20 as an interim measure pending consideration of City Council.

In order to connect the new pipe, one reservoir cell representing approximately 25 percent of the existing reservoir volume must be drained. In order to ensure minimal water flow disruption, for public use and firefighting purposes the reservoir must be out of service for the shortest time possible. The Applicant's contractor has agreed that every effort will be made to conduct the work within permitted times as outlined in the Noise By-law and will only be required to work overnight intermittently in an effort to reduce impact on residents and businesses. The Applicant's consultant, GHD Inc. will be providing full-time inspection for all construction activity at the site.

The construction activities will include the use of the following equipment:

- excavators
- trucks
- overhead tower crane
- concrete cutting equipment (including: saws; chipping hammers and similar equipment)

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- concrete placement equipment
- pump truck
- and other equipment as may be required

As described within the application documents, construction activity is required during prohibited evening hours to minimize the inconvenience of water disruption and potential safety risks associated with firefighting.

The Applicant has been instructed by the City to ensure that the following standard noise mitigation measures will be taken:

- no unnecessary idling of vehicles and construction equipment
- equipment will be maintained in good working condition in order to reduce noise from construction activities
- demolition activities will be restricted to 7:00am to 7:00pm Monday through Saturday to minimize noise

A written Notification of Road Construction will be provided to surrounding area residents and businesses within a minimum 60 metre radius prior to the commencement of construction.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This Report is in keeping with the priorities previously established by Council to plan and manage growth and economic viability.

#### **Regional Implications**

The work proposed to be carried out is required as necessary municipal work, and will be carried on as part of a tendered contract overseen by GHD Inc., the Applicant's consultant.

#### **Conclusion**

This request for a noise exemption pursuant to the City of Vaughan Noise By-law #96-2006 exceeds the delegated authority of the Director of By-law & Compliance. 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 water pipe construction work 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**

Attachment 1: Draft Notification Letter  
Attachment 2: Construction Area Map

#### **Report prepared by:**

Janice Heron, Office Coordinator

(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.)