

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 15, 2015

Item 21, Report No. 44, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 15, 2015.

**21 REQUEST FOR NOISE EXEMPTION - KIEWIT ELLISDON VIVANEXT / H2VMC PROJECT
WARD 4**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Acting Deputy City Manager of Community Services and the Director of By-law & Compliance, Licensing & Permit Services, dated December 1, 2015:

Recommendation

The Acting Deputy City Manager of Community Services and the Director of By-law & Compliance, Licensing & Permit Services recommend:

1. That Kiewit-EllisDon, A Partnership be granted a noise exemption, in accordance with the City's Noise By-law 96-2006, for the purposes of road widening construction activities related to the installation of dedicated bus lanes associated with vivaNext Rapid Transit routes on Highway 7 (from Highway 400 east to 100m east of Bowes Road) for the period of January 1, 2016 through December 31, 2016.
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;
 - b) That the construction communication notices to residents and business owners include contact information for York Region Rapid Transit Corporation;
 - c) That the Applicant take measures to minimize idling of construction vehicles, avoid unnecessary revving of engines, use of airbrakes, banging of tailgates and to maintain equipment in good working order (including muffling devices) to minimize noise impacts.
 - d) That no construction take place on Sundays or Statutory Holidays.

Contribution to Sustainability

This noise exemption is part of the vivaNext/H2VMC Project, contributing to accessible and frequent local transit service associated with vivaNext Rapid Transit routes, supporting compact urban form and offering alternative modes of transportation.

Economic Impact

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

Communications Plan

York Region Rapid Transit Corporation employs a comprehensive communications program to keep residents and businesses informed of the work schedule in advance by means of newsletter mailings, e-mail bulletins, face-to-face meetings, social media posts, electronic variable message signs, as well as providing a dedicated liaison that works closely with the community and those within the construction zone. York Region Rapid Transit Corporation has provided an email outlining details of their comprehensive communications plan, along with previously used notices for this project (Attachment No. 1).

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Purpose

This report is to request Council approval of a request from Kiewit-EllisDon (“KEW”) for an additional long term noise exemption to By-law 96-2006. KEW applied for, and was granted a similar noise exemption from January 20, 2015 to December 31, 2015, Item 20, CW Report No. 2.

Background - Analysis and Options

The City of Vaughan Noise By-law 96-2006 delegates authority to grant noise exemptions for construction purposes up to eleven days to the Department Head of Enforcement Services.

KED has written to the City of Vaughan By-law & Compliance, Licensing & Permit Services requesting an additional exemption to the Noise By-law for the purposes of construction in connection with the vivaNext/H2-VMC Project (Attachment No. 2).

The scope of this phase of the vivaNext/H2-VMC Project consists of road widening to allow for the installation of dedicated bus lanes associated with Viva Rapid Transit Routes and includes grading, paving, fence and barrier installations, completion of sidewalk and station platform, completion of the CN McMillan Bridge and hard and soft landscaping.

Construction work activities that will occur outside of the Noise By-law restrictions will include the use of excavators, breakers, milling machines, dozers, trucks, rollers and compactors for the purposes of paving and sub-base construction, electrical, drainage and utility works.

Noise Mitigation

The Applicant will be required to minimize idling of construction vehicles, avoid unnecessary revving of engines, banging of tailgates and use of airbrakes, as well as be required to maintain equipment in good working order (including the use of muffling devices) to minimize noise impacts.

KED has included a list of their additional “Best Management Practices”, which will include:

- Focus on maintenance on lubrication and replacement of worn parts and correction of deficient exhaust systems;
- Shutting down of heavy equipment that is not active (when practical);
- Select travel routes to avoid noise sensitive areas.

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 continuing to develop transit options to get around the City.

Regional Implications

The proposed work is in the Region of York, who are co-applicants and project owners.

Conclusion

This request for noise exemption 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 KED to proceed as planned.

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Attachments

1. York Region Transit Corporation – Communication Program Information
2. Letter of Intent KED (Consultant for the York Region Rapid Transit Corporation)

Report prepared by:

Janice Heron,
Office Coordinator, By-law & Compliance, Licensing & Permit Services

(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.)