

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017

Item 11, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 19, 2017.

**11 REQUEST FOR CONSTRUCTION NOISE EXEMPTION - YORK REGION
PAVEMENT IMPROVEMENTS - RUTHERFORD ROAD/ISLINGTON AVENUE INTERSECTION
WARD 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services and the Director of By-law & Compliance, Licensing & Permit Services, dated April 4, 2017:

Recommendation

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

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 pavement improvements to the intersection of Rutherford Road and Islington Avenue for the period of May 15, 2017 through to September 1, 2017; 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;
 - 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;
 - d) That the Applicant 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 Sundays or Statutory Holidays.

Contribution to Sustainability

The initiatives outlined in the request for noise exemption for the purposes of pavement improvements contribute to the City's Community Sustainability Plan by supporting transportation 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 construction in local Vaughan newspapers and in letter form to surrounding residents and

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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 July 1, 2017 through September 1, 2017. The construction is in connection with York Region's Road Rehabilitation and Pavement Preservation Management Program, specifically Contract No. 17-151 – Improvements to Rutherford Road/Islington Avenue Intersection.

Construction activities are in relation to pavement rehabilitation and intersection improvements and will include, but are not limited to:

- Removal of existing asphalt and repaving with new asphalt
- Repairs to curbs, catchbasins and maintenance holes
- Upgrading cross-walks at the intersection to meet the new Access for Ontarians with Disabilities Act (AODA) requirements;

The types of equipment used will include:

- Pavement grinding machines
- Paving and asphalt compaction machines
- Dump trucks
- Miscellaneous other smaller construction related equipment

The after-hours construction activities are expected to be completed during the night period due to the complexity of traffic management during pavement removal and paving operations and will mitigate potential substantial traffic disruption and road/lane closures during the day.

Noise Mitigation

A condition of the noise exemption will include the requirement to 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.

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; improving the municipal road network; and, continuing to ensure the safety and well-being of citizens.

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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 pavement improvement 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:

Janice Heron,
Supervisor, Client Services & Business Administration
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.)

**REQUEST FOR CONSTRUCTION NOISE EXEMPTION - YORK REGION
PAVEMENT IMPROVEMENTS - RUTHERFORD ROAD/ISLINGTON AVENUE INTERSECTION
WARD 2**

RECOMMENDATION

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 - e) That no construction takes place on Sundays or Statutory Holidays.

Contribution to Sustainability

The initiatives outlined in the request for noise exemption for the purposes of pavement improvements contribute to the City's Community Sustainability Plan by supporting transportation 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 construction 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).

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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; improving the municipal road network; and, continuing to ensure the safety and well-being of citizens.

Regional Implications

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Conclusion

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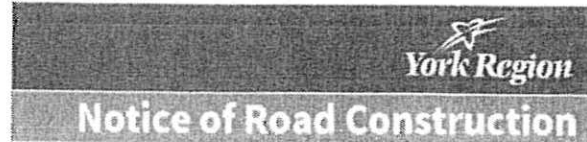
Report prepared by:

Janice Heron,
Supervisor, Client Services & Business Administration
By-law & Compliance, Licensing & Permit Services

Respectfully submitted,

Mary Reali
Deputy City Manager
Compliance, Community Services

Gus Michaels
Director, By-law &
Licensing & Permit Services



Rutherford Road and Islington Avenue
Intersection Improvements
Including Night Work from July 1 to September 1, 2017
City of Vaughan
Contract No. 17-151

The Regional Municipality of York works continuously to maintain the condition of our regional roads for motorists, cyclists and pedestrians. York Region is making intersection improvements at Rutherford Road and Islington Avenue in the City of Vaughan and you are receiving this notice because the road construction will be close to your residence or business.

York Region's priority throughout construction is to minimize disruption to those living, working and travelling in the area. In order to do this, some of the required work will be completed at night, **between 7:00 pm and 6:00 am**, with every effort being made to minimize the impact of construction noise. As with all construction projects, some work may be rescheduled due to weather. York Region will provide advance notice whenever possible.

The intersection will remain open to traffic during the road construction, however lane restrictions will be in place for the duration of the road work.

The project includes the following work:

- Removal of the existing asphalt and repaving with new asphalt
- Repairs to curbs, catchbasins and maintenance holes
- Upgrading of the cross-walks at the intersection to meet the new Access for Ontarians with Disabilities Act (AODA) requirements.

Please contact us if you observe any unsafe issues in and around the construction corridor as we want to do everything possible to ensure the safety of our residents. Motorists are advised to reduce their speed through the construction area. York Regional Police will be on site during this night work.

We recognize this work may be disruptive and thank you for your patience. If you have any questions regarding this project, please do not hesitate to contact York Region.

General Inquiries:

Chris Lumsdon | Communications & Community Engagement Specialist | York Region
1-877-464-9675 ext. 75560 | chris.lumsdon@york.ca | www.york.ca

After-Hours Emergencies:

York Region Roads Dispatch Representative | 1-877-464-9675 ext. 75200



Transportation Services
Transportation Services
Fax: 905-836-4590

March 1, 2017

****VIA E-MAIL ONLY****

Rudi Czekalla-Martinez
By-law Policy Manager
City of Vaughan
2141 Major Mackenzie Drive
1st Floor
Vaughan ON
L6A 1T1

E-mail: Rudi.Czekalla-Martinez@vaughan.ca

Dear Mr. Czekalla-Martinez,

Re: Request for Exemption to City of Vaughan Bylaw 96-2006 to Allow Night Work for:

Contract No. 17-151: Improvements to Rutherford Road/Islington Avenue intersection, in the City of Vaughan

The Regional Municipality of York (Region) requests that the City of Vaughan approve an exemption to City Bylaw 96-2006 to allow for night-time construction work during the period July 1, 2017 to September 1, 2017 for Contract No. 17-151 for improvements to the Rutherford Road and Islington Avenue intersection in the City of Vaughan.

As part of our ongoing *Road Rehabilitation and Pavement Preservation Management Program*, the Region is planning to undertake pavement rehabilitation and intersection improvements on the above referenced contract including the following scope of work:

- Removal of the existing asphalt and repaving with new asphalt
- Repairs to curbs, catchbasins and maintenance holes
- Upgrading of the cross-walks at the intersection to meet the new Access for Ontarians with Disabilities Act (AODA) requirements.

Due to the complexity of traffic management for the pavement removals and paving operations, these operations are expected to be completed during the night period.

Construction is anticipated to commence July 1, 2017 and complete by September 1, 2017.

To reduce the overall disruptions to road users in the City of Vaughan, increase the productivity of the construction, and reduce the duration of the construction, we would like to undertake this work during the night.

If the work is done during the daytime period, the typical duration for construction is from 7:00 a.m. to 7:00 p.m. with no lane reduction allowed during the morning peak hours (7:30 a.m. to 9:30 a.m.) and afternoon peak hours (3:30 p.m. to 7:00 p.m.). The short 6-hour work shift will limit the amount of works that the contractor can complete during the day.

Request for Noise By-law Exemption to Allow Night Work:
 Contract No. 17-151 Improvements to Rutherford Road and Islington Avenue Intersection,
 City of Vaughan
 March 1, 2017

Permitting the contractor to work at night will allow the Region to complete this work efficiently and expeditiously. If the contractor is allowed to work at night, work can commence at approximately 7:00 p.m. and be complete by 6:00 a.m. each day, for a full 11-hour work shift at full productivity.

The main equipment used for this type of project includes:

- Pavement grinding machines
- Paving and asphalt compaction machines
- Dump trucks
- Miscellaneous other smaller construction equipment

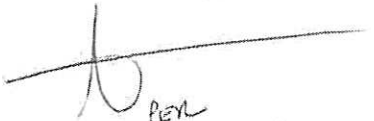
The noisiest parts of the project will be while the existing curb is being removed and during the grinding of the asphalt. The remainder of the work will be quieter, with the main noise sources being the engines of the equipment and trucks.

The anticipated length of night construction is approximately 30 days working in close proximity to the local community.

Region staff will also ensure and will provide proper notification to affected residents and businesses, at least one (1) week prior to the start of construction works including summary and schedule of work activities proposed.

I trust this gives you enough information to process our request. If you have any questions or require further information please do not hesitate to contact the undersigned.

Sincerely,



Edward Chiu, P.Eng.
 Senior Project Manager

EC/DA/NW

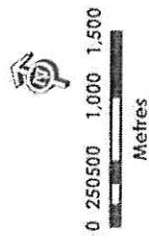
Copy to: Janice Heron, Supervisor, Client Services & Business Administration, City of Vaughan, via e-mail only
 Dave Atkins, Manager of Capital Planning and Delivery, York Region via e-mail only
 Salim Alibhai, Director of Capital Planning and Delivery, York Region via E-mail only
 Joseph Petrungaro, Director of Roads and Traffic Operations, York Region via e-mail only

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City of Vaughan

2017 SCHEDULED MINOR CAPITAL WORK

- Rural Road
- Regional Road
- Freeway
- Railway
- Forest
- Water Body
- Municipal Boundary
- 2017 Rehabilitation Candidates
- 2017 Preservation Candidates



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 Planning and Delivery, Transportation Services
 February 2017
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