#### **CITY OF VAUGHAN**

#### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017

Item 12, 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.

# 12 REQUEST FOR CONSTRUCTION NOISE EXEMPTION - YORK REGION PAVEMENT PRESERVATION PROJECT – JANE STREET & WESTON ROAD WARDS 3 AND 4

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:

- 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 preservation on Jane Street from Highway 407 to Langstaff Road, and pavement preservation of Weston Road from Highway 7 to Langstaff Road for the period of May 15, 2017 through to July 28, 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/contractors;
  - 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 and preservation 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).

# **CITY OF VAUGHAN**

## EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017

## Item 12, CW Report No. 13 - Page 2

## <u>Purpose</u>

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 May 15, 2017 through July 28, 2017. The construction is in connection with York Region's Road Rehabilitation and Pavement Preservation Management Program, specifically Contract No. 17-174 – Pavement Preservation on Jane Street from Highway 407 to Langstaff Road and Weston Road from Highway 7 to Langstaff Road.

The after-hours construction activities are expected to be completed during the night period due to reduce overall traffic disruptions, increase productivity and reduce the duration of construction.

Construction activities will consist of micro-surfacing of pavement; repairing of curbs, catch basins and maintenance holes and will include the use of the following equipment:

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

#### Noise Mitigation

Grinding of asphalt and removal of existing curb work will have the most impact on noise levels, with the remainder of the noise sources being attributed to equipment and truck engine noise. 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 improving the municipal road network; and, by investing, renewing and managing infrastructure and assets.

# Regional Implications

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

# **CITY OF VAUGHAN**

#### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017

# Item 12, CW Report No. 13 - Page 3

#### 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 preservation 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 Notices 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.)

# COMMITTEE OF THE WHOLE APRIL 4, 2017

### REQUEST FOR CONSTRUCTION NOISE EXEMPTION - YORK REGION PAVEMENT PRESERVATION PROJECT – JANE STREET & WESTON ROAD WARDS 3 AND 4

#### **RECOMMENDATION**

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

- 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 preservation on Jane Street from Highway 407 to Langstaff Road, and pavement preservation of Weston Road from Highway 7 to Langstaff Road for the period of May 15, 2017 through to July 28, 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/contractors;
  - 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 and preservation 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).

# <u>Purpose</u>

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.

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The after-hours construction activities are expected to be completed during the night period due to reduce overall traffic disruptions, increase productivity and reduce the duration of construction.

Construction activities will consist of micro-surfacing of pavement; repairing of curbs, catch basins and maintenance holes and will include the use of the following equipment:

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

## Noise Mitigation

Grinding of asphalt and removal of existing curb work will have the most impact on noise levels, with the remainder of the noise sources being attributed to equipment and truck engine noise. 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 improving the municipal road network; and, by investing, renewing and managing infrastructure and assets.

# **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 preservation 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 Notices to Residents/Businesses
- York Region Application Letter
  Project Map

# Report prepared by:

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

Respectfully submitted,

Mary Reali Deputy City Manager Community Services

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

ATTACHMENT NO. 1

# **GREAT** STREETS Building Roads that Build Community



Jane Street from Highway 407 to Langstaff Road Microsurfacing - Road Preservation and Resurfacing Including Night Work from May 15 to July 28, 2017 City of Vaughan Contract No. 17-174

The Regional Municipality of York works continuously to maintain the condition of our regional roads for motorists, cyclists and pedestrians. York Region is making improvements to Jane Street from Highway 407 to Langstaff Road in the City of Vaughan, and you are receiving this notice because routine road preservation and resurfacing will be carried out 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, all 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. Although Jane Street from Highway 407 to Langstaff Road will be under construction between May and August, the active construction will be a moving operation with only a few hundred metres under construction on any one night.

The road preservation treatment being used is called Microsurfacing. A common and cost effective road maintenance treatment, Microsurfacing is effective on roads showing small amounts of distress and can extend the life of a road. The treatment applied in a thin layer and it seals the surface of the road by mixing coarse stones and asphalt cement together. The road surface can feel rougher and sound noisier after the Microsurfacing treatment because the stones used to improve the skid resistance and strengthen the road have not yet kneaded together.

During the Microsurfacing treatment, access to residences and business will be maintained. One lane of road will be open at all times and on site personnel will help with the movement of traffic in the area. Motorists are advised to reduce their speed through the construction area. As with all road work, some work may be rescheduled due to weather. York Region will provide advance notice whenever possible.

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. 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

# **GREAT STREETS** Building Roads that Build Community



Weston Road from Highway 7 to Langstaff Road Microsurfacing - Road Preservation and Resurfacing Including Night Work from May 15 to July 28, 2017 City of Vaughan Contract No. 17-174

The Regional Municipality of York works continuously to maintain the condition of our regional roads for motorists, cyclists and pedestrians. York Region is making improvements to Weston Road from Highway 7 to Langstaff Road in the City of Vaughan, and you are receiving this notice because routine road preservation and resurfacing will be carried out 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, all 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. Although Weston Road from Highway 7 to Langstaff Road will be under construction between May and August, the active construction will be a moving operation with only a few hundred metres under construction on any one night.

The road preservation treatment being used is called Microsurfacing. A common and cost effective road maintenance treatment, Microsurfacing is effective on roads showing small amounts of distress and can extend the life of a road. The treatment applied in a thin layer and it seals the surface of the road by mixing coarse stones and asphalt cement together. The road surface can feel rougher and sound noisier after the Microsurfacing treatment because the stones used to improve the skid resistance and strengthen the road have not yet kneaded together.

During the Microsurfacing treatment, access to residences and business will be maintained. One lane of road will be open at all times and on site personnel will help with the movement of traffic in the area. Motorists are advised to reduce their speed through the construction area. As with all road work, some work may be rescheduled due to weather. York Region will provide advance notice whenever possible.

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. York Regional Police will be on site during this night work.

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# General Inquiries:

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# After-Hours Emergencies:

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

ATTACHMENT NO.2



Transportation Services Transportation Services Fax: 905-836-4590

# \*\*VIA E-MAIL ONLY\*\*

Rudi Czekalla-Martinez By-law Policy Manager City of Vaughan 2141 Major Mackenzie Drive 1<sup>st</sup> Floor Vaughan ON

March 1, 2017

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. 17-174: Pavement Preservation of Jane Street from Highway 407 to Langstaff Road, and Weston Road from Highway 7 to Langstaff Road, 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 May 15, 2017 to July 28, 2017 for Contract No. 17-174 for the pavement preservation on Jane Street from Highway 407 to Langstaff Road, and Weston Road from Highway 7 to Langstaff Road in the City of Vaughan.

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

- Microsurfacing of pavement
- Repairs to curbs, catchbasins and maintenance holes.

Construction is anticipated to commence May 15, 2017 and complete by July 28, 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.

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 Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1 Tel: 905-830-4444, 1-877-464-9675 Internet: www.york.ca 2

Request for Noise By-law Exemption to Allow Night Work:

Contract No. 17-174 Pavement Preservation of Jane Street from Hwy. 407 to Langstaff Rd., and Weston Road from Hwy. 7 to Langstaff Rd. City of Vaughan March 1, 2017

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.

For the pavement preservation projects on Jane Street and Weston Road, although each site is approximately 2 km in length, the area under active construction at any one time will be much smaller in general, only a few hundred metres of the site will have construction activity ongoing on any one night.

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.

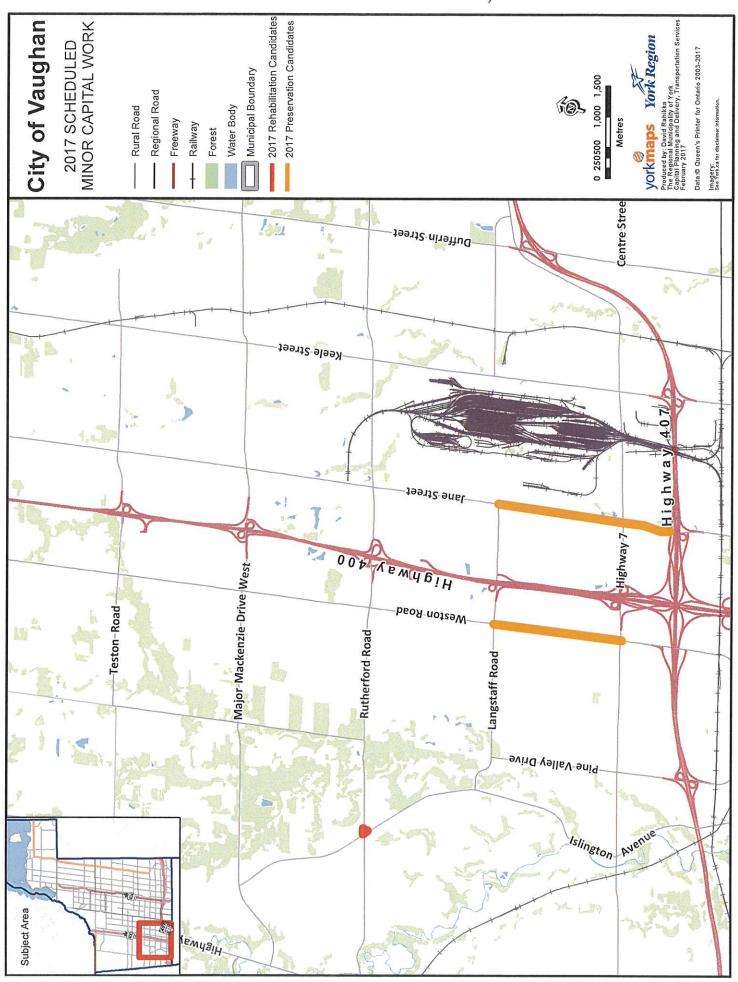
Sincerely,

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 Alibhaí, 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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ATTACHMENT NO. 3