

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014**

Item 38, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 24, 2014.

**38                      NOISE EXEMPTION REQUEST - REGIONAL MUNICIPALITY OF YORK  
                                 HIGHWAY 427 ROAD RECONSTRUCTION / PAVING  
                                 WARD 2**

**The Committee of the Whole recommends:**

- 1)        That the recommendation contained in the following report of the Commissioner of Legal & Administrative Services/City Solicitor and the Director of By-law & Compliance, dated June 17, 2014, be approved subject to replacing “7:00 pm” in recommendation 2) d) with “7:00 am”.**

**Recommendation**

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

- 1) That the Regional Municipality of York (and their agents) be granted a noise exemption, in accordance with the City's Noise By-law 96-2006, for the purposes of road reconstruction (including traffic staging; mobilization and demobilization; equipment and material delivery; relocation of temporary concrete barriers; pavement marking/painting; pavement removal; and paving of Highway 427 from 0.5 km south of Highway 7 to Zenway Boulevard) for the period of August 5, 2014 through October 1, 2014.
- 2) That this request for noise exemption be granted with the following conditions:
  - a) That notices be sent to surrounding businesses within a 60 metre radius, in keeping with City standards, advising them of the impending work;
  - b) That the notice to businesses include contact information for contractors conducting the work;
  - c) That no construction take place on Saturdays or Statutory Holidays; and
  - d) That no construction take place on Sundays prior to 7:00pm.

**Contribution to Sustainability**

The initiatives outlined in the request for Noise Exemption for the purposes of reconstruction and paving of Highway 427 contributes to improvement of the City's key transportation routes by supporting transportation infrastructure.

**Economic Impact**

Adoption of this report has no adverse economic impact.

**Communications Plan**

The Applicant has been instructed by the City to provide notification of the use of construction equipment to businesses within a 60 metre radius of the proposed work and have provided a draft of such notice as part of their application.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014**

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#### **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 from the Regional Municipality of York – TCP Department-Roads ("Applicant"), in support of the necessary municipal/regional work, proposed to take place from August 5, 2014 through October 1, 2014. As this request for granting an exemption to the provisions of the City of Vaughan Noise By-law exceeds staff's delegated authority of a maximum of eleven calendar days, authorization for exemption of the time proposed 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.

On April 24, 2014, the Applicant submitted a written request (Attachment No. 1) to the City of Vaughan, By-law & Compliance Department, requesting an exemption to the Noise By-law for the purposes of Highway 427 road reconstruction, between Highway 7 and Zenway Boulevard, Contract No. 14-185. The proposed road reconstruction includes traffic staging; mobilization and demobilization; equipment and material delivery; relocation of temporary concrete barriers; pavement marking/painting; pavement removal; and paving.

The construction is primarily located in areas zoned commercial and industrial and is scheduled to take place in two phases.

#### **Phase 1**

The first phase of the project will include the closure of northbound Highway 427, between Highway 7 and Zenway Boulevard. During this closure, the contractor will complete the removal of existing pavement and resurfacing the area. This phase of the project should be completed before August 31, 2014.

#### **Phase 2**

The latter half of the project (Phase 2) will include the closure of southbound Highway 427 between Zenway Boulevard and Highway 7. During this portion of the closure, the contractor will be removing pavement and resurfacing the area. The 2<sup>nd</sup> phase of the project should be completed before September 30, 2014.

As described within the Application documents, construction activity is required during prohibited evening hours to accelerate construction for the following purposes:

- Layout traffic staging;
- Mobilization and demobilization;
- Material and equipment delivery;
- Relocation of temporary concrete barriers;

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014**

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- Pavement marking painting;
- Pavement removal; and
- Paving.

The work being conducted after hours (i.e. between 7:00pm - 7:00am) will only be executed Sunday evening through Friday (and will not include Saturdays or statutory holidays). Commencement of work on Sundays will occur in the evening only with a start time of 7:00pm or later.

A written Notification of Road Construction will be provided to surrounding residents and businesses prior to commencement of construction (Attachment No. 2).

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

This report is in keeping with the priorities previously established by Council to plan and manage growth, economic viability as well as supporting transportation infrastructure.

**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 with the Region of York.

**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 Regional Municipality of York to proceed with the required work as planned.

Staff believe that this request, if approved with the recommended conditions, is necessary municipal work. Construction will be carried out during a time that will minimize disruptions to traffic and should be supported accordingly. Staff believe this request for an exemption is reasonable as proposed.

**Attachments**

Attachment 1: Written Request by Stantec (Consultant for the Regional Municipality of York)

Attachment 2: Draft Letter to Businesses

Attachment 3: Contract & Construction Area Map(s)

**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.)

## **COMMITTEE OF THE WHOLE – JUNE 17, 2014**

### **NOISE EXEMPTION REQUEST - REGIONAL MUNICIPALITY OF YORK HIGHWAY 427 ROAD RECONSTRUCTION / PAVING WARD 4**

#### **Recommendation**

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

- 1) That the Regional Municipality of York (and their agents) be granted a noise exemption, in accordance with the City's Noise By-law 96-2006, for the purposes of road reconstruction (including traffic staging; mobilization and demobilization; equipment and material delivery; relocation of temporary concrete barriers; pavement marking/painting; pavement removal; and paving of Highway 427 from 0.5 km south of Highway 7 to Zenway Boulevard) for the period of August 5, 2014 through October 1, 2014.
- 2) That this request for noise exemption be granted with the following conditions:
  - a) That notices be sent to surrounding businesses within a 60 metre radius, in keeping with City standards, advising them of the impending work;
  - b) That the notice to businesses include contact information for contractors conducting the work;
  - c) That no construction take place on Saturdays or Statutory Holidays; and
  - d) That no construction take place on Sundays prior to 7:00pm.

#### **Contribution to Sustainability**

The initiatives outlined in the request for Noise Exemption for the purposes of reconstruction and paving of Highway 427 contributes to improvement of the City's key transportation routes by supporting transportation infrastructure.

#### **Economic Impact**

Adoption of this report has no adverse economic impact.

#### **Communications Plan**

The Applicant has been instructed by the City to provide notification of the use of construction equipment to businesses within a 60 metre radius of the proposed work and have provided a draft of such notice as part of their application.

#### **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 from the Regional Municipality of York – TCP Department-Roads ("Applicant"), in support of the necessary municipal/regional work, proposed to take place from August 5, 2014 through October 1, 2014. As this request for granting an exemption to the provisions of the City of Vaughan Noise By-law exceeds staff's delegated authority of a maximum of eleven calendar days, authorization for exemption of the time proposed requires the approval of City Council.

## **Background - Analysis and Options**

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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.

On April 24, 2014, the Applicant submitted a written request (Attachment No. 1) to the City of Vaughan, By-law & Compliance Department, requesting an exemption to the Noise By-law for the purposes of Highway 427 road reconstruction, between Highway 7 and Zenway Boulevard, Contract No. 14-185. The proposed road reconstruction includes traffic staging; mobilization and demobilization; equipment and material delivery; relocation of temporary concrete barriers; pavement marking/painting; pavement removal; and paving.

The construction is primarily located in areas zoned commercial and industrial and is scheduled to take place in two phases.

### **Phase 1**

The first phase of the project will include the closure of northbound Highway 427, between Highway 7 and Zenway Boulevard. During this closure, the contractor will complete the removal of existing pavement and resurfacing the area. This phase of the project should be completed before August 31, 2014.

### **Phase 2**

The latter half of the project (Phase 2) will include the closure of southbound Highway 427 between Zenway Boulevard and Highway 7. During this portion of the closure, the contractor will be removing pavement and resurfacing the area. The 2<sup>nd</sup> phase of the project should be completed before September 30, 2014.

As described within the Application documents, construction activity is required during prohibited evening hours to accelerate construction for the following purposes:

- Layout traffic staging;
- Mobilization and demobilization;
- Material and equipment delivery;
- Relocation of temporary concrete barriers;
- Pavement marking painting;
- Pavement removal; and
- Paving.

The work being conducted after hours (i.e. between 7:00pm - 7:00am) will only be executed Sunday evening through Friday (and will not include Saturdays or statutory holidays).

Commencement of work on Sundays will occur in the evening only with a start time of 7:00pm or later.

A written Notification of Road Construction will be provided to surrounding residents and businesses prior to commencement of construction (Attachment No. 2).

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

This report is in keeping with the priorities previously established by Council to plan and manage growth, economic viability as well as supporting transportation infrastructure.

### **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 with the Region of York.

### **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 Regional Municipality of York to proceed with the required work as planned.

Staff believe that this request, if approved with the recommended conditions, is necessary municipal work. Construction will be carried out during a time that will minimize disruptions to traffic and should be supported accordingly. Staff believe this request for an exemption is reasonable as proposed.

### **Attachments**

Attachment 1: Written Request by Stantec (Consultant for the Regional Municipality of York)

Attachment 2: Draft Letter to Businesses

Attachment 3: Contract & Construction Area Map(s)

### **Report prepared by:**

Janice Heron, Office Coordinator

Respectfully submitted,

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Gus Michaels  
Director, By-law & Compliance

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MaryLee Farrugia  
Commissioner of Legal and Administrative Services /  
City Solicitor



April 24, 2014  
File: 8136-1 T02

**Attention: Gus Michaels**  
City of Vaughan  
Bylaw and Compliance Department  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

Dear Gus Michaels,

**Reference: Application for Noise Exemption Letter of Intent Highway 427**

Scope

Grading, Gravelling, Hot Mix Asphalt Paving, Traffic Control and Drainage Works.

Location

Highway 427 from 0.5 km south of Highway 7 to Zenway Boulevard in the City of Vaughan

Time

Sunday at 8:00pm – Friday at 7:00am. August 5, 2014 to September 30, 2014

Work Detail

Highway 427 northbound between Highway 7 and Zenway Blvd. shall be closed to traffic for a maximum of 20 Working Day Period. During Highway 427 northbound closure, the Contractor shall complete the removal of existing pavement and resurfacing between Highway 7 and Zenway Blvd. The northbound lanes closure period shall be completed before August 31, 2014.

After the completion of works on Highway 427 northbound lanes, Highway 427 southbound between Zenway Blvd and Highway 427 shall be closed to traffic for a maximum 20 Working Day Period. During closure, the Contractor shall complete the removal of existing pavement and resurfacing between Highway 7 and Zenway Blvd. The southbound lanes closure period shall be completed before September 30, 2014 and will include the Zenway Blvd. W-S ramp to Highway 427.

After hours work will be necessary to layout the traffic staging, mobilization and demobilization, delivery of materials and equipment, temporary concrete barrier relocation, pavement marking painting, pavement removal and paving.



April 24, 2014  
Gus Michaels  
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#### Equipment

Standard equipment for pavement work shall be used in the work area.

Regards,

Vlad Manalastas, P.Eng., PMP  
Project Manager  
Phone: (905) 415-6358  
Fax: (905) 474-9889  
vlad.manalastas@stantec.com

Attachment: Attachment

c. Cc List

vm document1



Capital Delivery, Roads  
Fax: 905-836-4590

## NOTIFICATION OF ROAD CONSTRUCTION

Contract No. 14-185

**Hwy 427 (Y.R.99)  
from  
Hwy 7 to Zenway Blvd.  
in the  
City of Vaughan**

A contract for the reconstruction of Hwy 427 from Hwy 7 to Zenway Boulevard has been awarded to [enter name of contractor]. Construction is commencing approximately on August 5, 2014. Completion is estimated to be October 1, 2014.

The Contractor will be closing Hwy 427 in the northbound direction for approximately four (4) weeks. Northbound traffic will be notified of the closure via message sign boards and will exit at Hwy 7. Upon construction completion, the northbound lanes will then be re-opened to traffic. Construction of the southbound lanes will be conducted in the same manner. Every attempt will be made to keep the inconvenience to a minimum; however, should one occur, we respectfully request your patience and understanding.

A general description of the work includes road resurfacing, full depth reconstruction, ditch grading and associated works.

We understand that the surrounding area is generally commercial; however children are attracted to heavy construction equipment as it creates excitement, but we are extremely concerned for their safety and request that if you observe children playing around the equipment to contact us as noted below.

If you have any questions regarding the work, either now or during the construction, please do not hesitate to contact the Region's as follows:

Daily / General Enquiries:

Contract Administrators name and telephone number and / or  
Inspectors name and telephone number and /or

Emergencies outside of normal business hours:

For all emergency enquiries outside of normal business hours, please contact our Roads Dispatch Representative at 1-877-464-9675, ext. 5200.

Insert author's/typist's initials

## Reconstruction on Hwy427 from Hwy7 to Zenway Blvd.

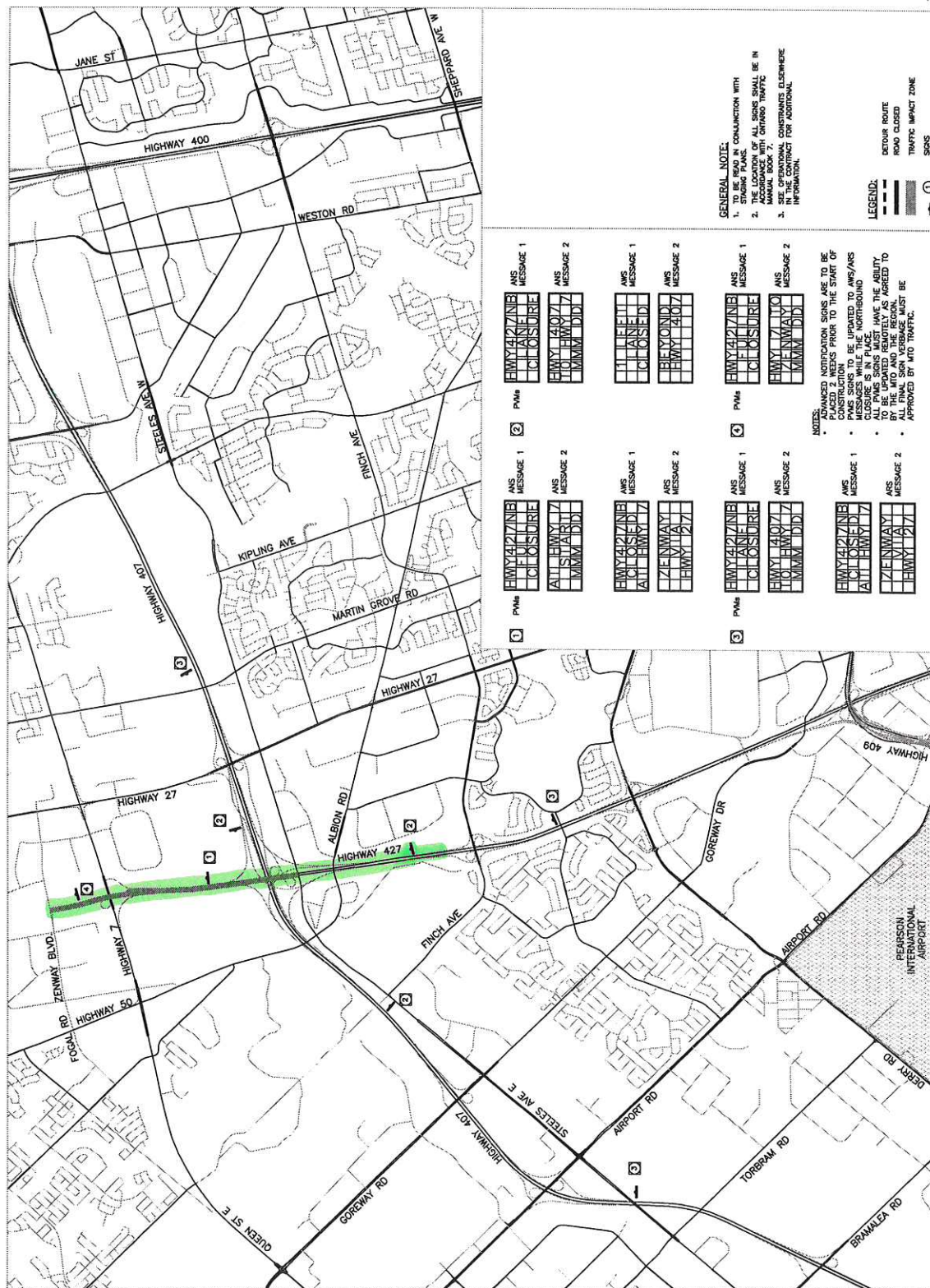
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## Transportation and Community Planning











**GENERAL NOTE:**

1. TO BE READ IN CONJUNCTION WITH STAGING PLANS.
2. THE LOCATION OF ALL SIGNS SHALL BE IN ACCORDANCE WITH ONTARIO TRAFFIC MANUAL BOOK 7.
3. SEE OPERATIONAL CONSTRAINTS ELSEWHERE IN THE CONTRACT FOR ADDITIONAL INFORMATION.


**LEGEND:**

-  DETOUR ROUTE
-  ROAD CLOSED
-  TRAFFIC IMPACT ZONE
-  SIGNS

**NOTES:**

- ADVANCED NOTIFICATION SIGNS ARE TO BE PLACED 2 WEEKS PRIOR TO THE START OF CONSTRUCTION.
- ALL PMS SIGNS MUST BE UPDATED TO AHS/MS MESSAGES WHILE THE NORTHBOUND CLOSURE IS IN PLACE.
- ALL PMS SIGNS MUST HAVE THE ABILITY TO BE UPDATED REMOTELY AS AGREED TO BY THE MTO AND THE REGION.
- ALL FINAL SIGN VERBIAGE MUST BE APPROVED BY MTO TRAFFIC.

AWS  
 MESSAGE 1  
 HWY 42 INB  
 CLOSED  
 AT HWY 7



PEARSON  
INTERNATIONAL

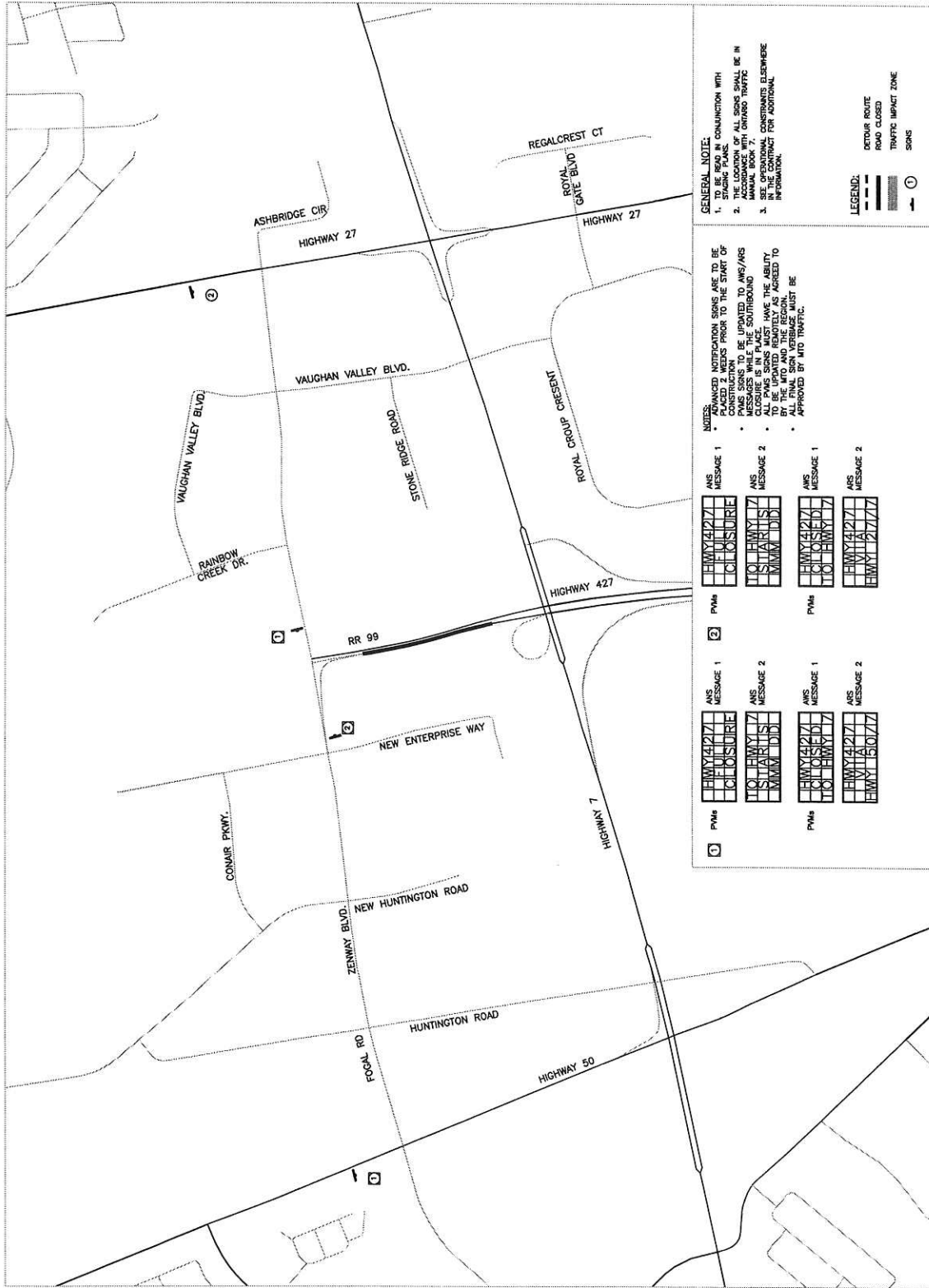
NOTE: THE LOCATION OF UTILITIES IS APPROXIMATE ONLY, AND THE EXACT LOCATION SHOULD BE DETERMINED BY CONSULTING THE MUNICIPAL AUTHORITIES AND UTILITY COMPANIES CONCERNED. THE CONTRACTOR SHALL PROVE THE LOCATION OF UTILITIES AND SHALL BE RESPONSIBLE FOR ADEQUATE PROTECTION FROM DAMAGE DURING CONSTRUCTION.


**Stantec**

No.	DATE	REVISIONS	BY
1	04/25/14	BOOK REVISIONS	RIB

**York Region**  **Transportation and  
Community Planning**

DESIGN V.M.	HIGHWAY 427 (Y.R. 98) RECONSTRUCTION SOUTH OF HIGHWAY 7 to ZENWAY BOULEVARD	DWG. NO. T12-010802
DRAWN N.C.S.	TRAFFIC MANAGEMENT PLAN	CONT. NO. 14-158
CHECKED V.M.	NORTHBOUND CLOSURE	SHEET NO.



GENERAL NOTE:  
1. TO BE READ IN CONJUNCTION WITH STAGING PLAN.  
2. ADVANCEMENT OF TRAFFIC SIGNS SHALL BE IN ACCORDANCE WITH MANU. BOOK 7.  
3. ALL SIGNS MUST HAVE THE ABILITY TO BE REMOVED OR RELOCATED WITHOUT DAMAGE TO THE SIGN OR THE ROADWAY.  
4. ALL FINAL SIGN VERBAGE MUST BE APPROVED BY MTO TRAFFIC.

NOTES:  
\* ADVANCED NOTIFICATION SIGNS ARE TO BE PLACED IN THE ADVANCEMENT OF TRAFFIC PRIOR TO THE START OF CONSTRUCTION.  
\* PMS SIGNS TO BE UPDATED TO AHS/ANS VERBAGE IN THE ADVANCEMENT OF TRAFFIC.  
\* ALL PMS SIGNS MUST HAVE THE ABILITY TO BE REMOVED OR RELOCATED WITHOUT DAMAGE TO THE SIGN OR THE ROADWAY.  
\* ALL FINAL SIGN VERBAGE MUST BE APPROVED BY MTO TRAFFIC.

ANS MESSAGE 1	ANS MESSAGE 2	ANS MESSAGE 1	ANS MESSAGE 2
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LEGEND:  
- - - - - DETOUR ROUTE  
- - - - - ROAD CLOSED  
- - - - - TRAFFIC IMPACT ZONE  
- - - - - SIGNS

SCALE  
200m 0 400m

NOTE:  
THE LOCATION OF UTILITIES IS APPROXIMATE ONLY, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL PROTECT ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION.



# Transportation and York Region Community Planning

DESIGN	BY	DATE	REVISIONS
V.M.	BB	05/23/14	DES. REVISIONS
DRAWN			
CHECKED			
IN CHARGE			

HIGHWAY 427 (Y.P. 98) RECONSTRUCTION  
SOUTH OF HIGHWAY 7 TO ZENWAY BOULEVARD  
TRAFFIC MANAGEMENT PLAN  
SOUTHBOUND CLOSURE

DWG. NO. 115-018803  
CONT. NO. 14-108  
SHEET NO. 7