

September 9, 2014

**CORPORATE SERVICES REPORT –
LEGISLATIVE SERVICES 2014-18**

TO: Committee of the Whole

SUBJECT: *VivaNext D1 Project (Noise By-law Exemption)*

ORIGIN: Director, Legislative Services/Town Clerk & Supervisor, By-law Enforcement

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services 2014-18 dated September 9, 2014 regarding vivaNext D1 Project Request for Exemption from the Noise By-law be received and the following recommendations be adopted:

- 1. THAT the request from Kiewit EllisDon for a noise exemption to perform necessary works for the vivaNext D1 project between the hours of 10:00 pm to 7:00 am from December 25, 2014 until December 25, 2015 be approved;**
- 2. AND THAT this approval is subject to ongoing staff supervision and community impact assessment and revocation if community impact is deemed excessive by staff or Council.**

COMMENTS

This report is to seek Council's approval of request for an exemption from the Noise By-law (By-law 2004-94) from Kiewit EllisDon in regarding to the vivaNext D1 project located at various locations on Davis Drive. Appendix A includes a letter of request from Anthony Fanelli, Civil Field Engineer, Kiewit EllisDon. The request relates to various works to be performed for the vivaNext project. The work is to take place from December 25, 2014 to December 25, 2015.

Attachment "A" outlines details to the request.

Corporate Services Department

TOWN OF NEWMARKET
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PO Box 328 STN Main
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The Region's request is to undertake the work at non-peak hours being (10 p.m. through 7a.m.) when the traffic is less congested so as to minimize disruption to businesses and residents

The Noise By-law restricts the operation of construction equipment or the conduct of any alteration or repair of any building between the 8 p.m. and 7 a.m. Monday through Friday and 8 p.m. to 9 p.m. on Saturdays, Sundays and holidays.

The York Region Rapid transit Corporation's Liaison Specialists will coordinate advanced communication and notification with the public.

Given the context for the process required to be undertaken, staff recommends approval of the exemption request to the Noise By-law during the hours requested.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This report relates to the "Well Equipped and Managed" link of the Town's community vision implementing policy and processes that reflect sound, accountable governance.

CONSULTATION

There was no consultation required in regard to this report.

HUMAN RESOURCE CONSIDERATION

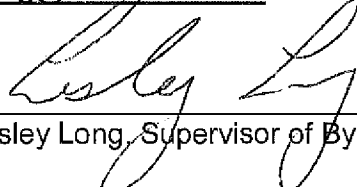
There are no human resources considerations related to this report.


BUDGET IMPACT (CURRENT AND FUTURE)

There are no budget impacts related to this report.

CONTACT

For more information on this report, please contact Lesley Long, Supervisor of Bylaws at llong@newmarket.ca or at 905 953-5300, ext. 2222


Lesley Long, Supervisor of Bylaw Enforcement


Andrew Brouwer, Director, Legislative Services /Town Clerk


Anita Moore, Commissioner of Corporate Services



2014-August-18

Attention: Ms. Janice Bondi

Subject: 2015 vivaNext Noise By-Law Exemption

Dear Ms. Janice Bondi,

Please include the following "Noise By-Law Exemption Request" in the addendum report for the next Committee of the Whole meeting:

Kiewit-EllisDon, A Partnership (KED) is respectfully requesting an exemption from the Town's Noise By-Law to perform the following work during irregular working hours:

- Watermain mainline connections
- Hydrant leads and connections
- Sanitary sewer mainline, crossings and connections
- Storm sewer mainline and crossings
- Line markings for construction staging and traffic control set up
- Grinding and paving of roadways, including intersections
- Water pumping at various locations along the Davis Drive corridor
- Boulevard construction
- Western Creek Culvert South Extension
- Roadway operations, including paving
- Installation of temporary and permanent traffic signals
- Keith Bridge North Construction
- Construction of Retaining Walls
- Construction of Station Platforms (Canopies)

This work needs to be done as part of the vivaNext D1 project. This work will take place during the remainder of 2014 and 2015, between December 25, 2014 and December 25, 2015. A portion or all of the operations listed above are required to be performed between the hours of 10pm and 7am in order to reduce traffic congestion and minimize business and public disturbance. York Region Rapid Transit Corporation's Community Liaison Specialists will coordinate advanced communication and notification to the public.



Please let me know if any additional information is required for the Committee of the Whole and the agenda.

Sincerely,

Anthony Fanelli
Civil Field Engineer, vivaNext | D1 Project
647-539-3031
afanelli@ellisdon.com

AF/