



CITY OF
ST. CATHARINES

Corporate Report

Report from Transportation & Environmental Services, Operations

Date of Report: March 26, 2013

Date of Meeting: April 22, 2013

Report Number: TES-90-2013

File: 10.13.5

Subject: Request for Exemption from Noise By-law 95-198
Highway 406 Pavement Rehabilitation

Recommendation

That Council approve the request from the Ministry of Transportation, Ontario, seeking an exemption from By-law 95-198 (A By-law to Regulate and Prohibit Noise), to permit night work associated with the rehabilitation of Highway 406, south of Westchester Crescent; and

That the City Clerk be directed to make the necessary notifications. FORTHWITH

Background

The Ministry of Transportation, Ontario (MTO) is planning to rehabilitate 0.7 km of the northbound lanes on Highway 406, south of Westchester Crescent. The length of the contract is from mid-July to the end of October. The majority of the work involves milling and resurfacing of the northbound lanes as well as slope stabilization and improved drainage on the east embankment. Given the volume of traffic which utilizes Highway 406 on a daily basis and the operating speed of the highway, lane closures will be required to perform this work efficiently and safely. As such, night time work is being proposed by the MTO for this project and they are seeking an exemption from By-law 95-198 (A By-law to Regulate and Prohibit Noise) to perform this work.

Report

Sections 3.1 (e) and 3.2 of By-law 95-198 prohibit the operation of construction equipment between 23:00 hours one day and 07:00 hours the next day. Although By-law 95-198 expressly prohibits construction activities during these hours, it is common for such activities to take place on the Provincial highway system given the operational and safety issues associated with this type of work.

Staff have reviewed MTO's request and support the exemption provided no piling or blasting activities take place during the exempted hours. Based on the project brief provided by MTO, these activities are not planned for this project. In order to

address any noise complaints that do result from this overnight work, MTO has developed and will implement a process for dealing with such complaints as they arise.

Financial Implications

Not Applicable

Notification

It is in order that Graziano Masiello, Environmental Planner – Acoustics, Planning & Environmental Office, Ontario Ministry of Transportation, Bldg D, 3rd Flr., 1201 Wilson Ave., Downsview ON M3M1J8 be so advised.

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