
For Information

REPORT TITLE: **Noise Wall Petition for De Rose Avenue, Town of Caledon, Ward 5**

FROM: Kealy Dedman, Commissioner of Public Works

OBJECTIVE

To provide an update in relation to the petition submitted by the residents of De Rose Avenue in Caledon requesting a new noise wall.

REPORT HIGHLIGHTS

- On July 13, 2021, a petition was received at Town of Caledon Council entitled “Sound Barrier for Residents of De Rose Ave” requesting the replacement of an existing noise wall for 13 homes backing onto Emil Kolb Parkway. As Emil Kolb Parkway is a Regional road, Town Council adopted Resolution 2021-129 to forward the petition to the Region of Peel.
 - The 170-meter concrete noise wall currently in place was installed by the developer of the subdivision and is privately owned by the respective property owners of De Rose Avenue.
 - The De Rose Avenue noise wall qualifies for conversion to a public noise wall under the Region’s Private Noise Wall Conversion Program.
 - The program prioritizes conversions and replacement of noise wall assets based primarily on their level of deterioration.
 - Based on the latest inspection conducted in 2020, the De Rose Avenue noise wall was found to be in ‘good’ condition overall. Therefore, it is not currently prioritized for conversion/reconstruction within the Region’s 10-year capital plan.
 - The overall Private Noise Wall Conversion Program is estimated to cost \$62 million and will convert and reconstruct approximately 40 kilometers of private noise walls over the next 30 years.
 - The Region will continue to inspect the De Rose Avenue private noise wall every three years as part of the regular inspection program. Results from each inspection cycle will be used to update the placement of this noise wall on the Region’s schedule for conversion/reconstruction.
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DISCUSSION

1. Background

On September 10, 2015, under Resolution 2015-663, Regional Council endorsed a program to convert private noise walls backing or siding onto Regional roads to public ownership and assume responsibility for reconstruction. The corresponding Regional Policy (W30-04) approved under the same resolution provides guidelines for the overall program. Based on

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asset management planning, including regular condition assessments, the conversion program is estimated to span approximately 30 years.

The Region's Private Noise Wall Conversion program is funded in full by the Region through a tax-supported capital replacement reserve at an approximate cost of \$62 million over the 30-year span. Within that timeframe, the Region plans to replace approximately 40 kilometers of private noise wall in Caledon, Brampton, and Mississauga. Conversion projects are prioritized based on several criteria including condition of the noise wall, risk to public safety, estimated remaining service life, and level of deterioration.

The Policy helps the Region prioritize the conversion and replacement of private noise walls in a manner that is fair, ensures equity among residents, and distributes capital spending over a number of years to mitigate tax rate impacts.

Noise walls on private property remain the responsibility of the property owners until such time as they have been assumed by the Region.

2. Current Circumstances

On July 13, 2021, a petition was received at the Town of Caledon Council meeting entitled "Sound Barrier for Residents of De Rose Ave". The petition contained 118 signatures from individuals residing across Canada. The petition requests the replacement of an existing noise wall which protects the Outdoor Living Areas or backyards of 13 homes located on De Rose Avenue in Caledon. As these homes back onto Emil Kolb Parkway, which is a Regional road, Town Council adopted Resolution 2021-129 to forward the petition to the Region of Peel.

The existing concrete noise wall is 170 meters in length and is located on the east side of Emil Kolb Parkway just north of King Street in the Town of Caledon. The 2.0-metre noise wall was installed by the developer of the De Rose Avenue subdivision and is privately-owned. The De Rose Avenue private noise wall meets the criteria for conversion under the Region's Private Noise Wall Conversion Program.

The 2020 inspection for the De Rose Avenue private noise wall found the structure to be in 'good' condition overall. As a result, it has been placed on the priority list for conversion behind other locations in greater need of replacement, consistent with Council's Policy. The De Rose Avenue noise wall conversion currently falls outside the 10-year capital plan.

The request of the petition is for immediate replacement of the De Rose Avenue private noise wall. Specifically, the petition mentions a noise study that was completed in 2019 by Candevcon Limited for a new subdivision north of the De Rose Avenue homes. Based on the results, noise walls were recommended for the new subdivision at three different locations with heights of 3.1 metres, 2.2 metres and 2.2 metres based on a variety of factors. The existing De Rose Avenue private noise wall is 2.0 metres and the residents are requesting it be taken into public ownership and replaced with a new 3.0-metre noise wall.

Since receiving the petition, Staff have reached out to the organizer of the petition and continue to share information regarding the Region's Noise Wall Conversion Program.

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3. Proposed Direction

The De Rose Avenue noise wall has been scheduled for conversion/replacement relative to other private noise wall conversion projects based on infrastructure condition, consistent with Council's Policy. The Region of Peel will continue to inspect the private noise wall through regularly scheduled inspections occurring every three years. The conversion of DeRose Avenue private noise wall, along with all other privately-owned noise walls in the Region, will be reviewed and adjusted following each cycle of inspection.

It should be noted that the De Rose Avenue residents' concern that the current wall provides insufficient noise mitigation will be verified and addressed at the time of new construction. This type of concern is common in relation to noise wall conversion projects. As part of regular practice, a noise study is conducted prior to reconstruction to determine the appropriate height and length of the new noise wall to mitigate current and future noise conditions.

CONCLUSION

Region Staff have reviewed the petition entitled "Sound Barrier for Residents of De Rose Ave" requesting the expedited replacement of an existing private noise wall for 13 homes backing onto Emil Kolb Parkway.

The De Rose Avenue private noise wall qualifies under the Region's Private Noise Wall Conversion Program and was most recently inspected in in 2020. This noise wall has been prioritized in a manner consistent with Council's Policy, and reconstruction of the wall falls outside of the Region's 10-year capital plan.

The De Rose Avenue private noise wall will be inspected and re-prioritized every three years as part of the Region's inspection program.

For further information regarding this report, please contact Anna Lee, Program Manager, Ext. 7866, anna.lee2@peelregion.ca.

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Reviewed and/or approved in workflow by:

Department Commissioner, Division Director, Financial Support Unit and Legal Services.