

**Date:** 2023-06-08

**Subject:** **Retrofit Noise Wall Located adjacent to Howden Boulevard/Vodden Street East – Ward 7 (RM 19/2023)**

**Contact:** Bishnu Parajuli  
Manager Engineering,  
Capital Works, Public Works and Engineering

**Report Number:** Public Works & Engineering-2023-541

**Recommendations:**

1. That the report from Bishnu Parajuli to the Committee of Council Meeting on June 21, 2023, re: **Retrofit Noise Wall Located adjacent to Howden Boulevard/Vodden Street East – Ward 7 (RM 19/2023)**, be received, and;
2. That direction be provided to staff on one of the options below to address the deteriorating noise wall located adjacent to Howden Boulevard/Vodden Street East:
  - A. Subject to the City securing agreements from all requisite property owners and tenants, approve the replacement and relocation of the existing noise wall from 72 Leeward Drive to 1 LaFrance Road in the estimated amount of \$1.9 million with funding from Reserve # 4- Asset Repair & Replacement;
  - B. Direct homeowners to continue pursuing Local Improvement process in May 2024 after the expiry of the two-year waiting period from the date the last petition was declared unsuccessful; and
  - C. Direct homeowners replace the noise wall at their own cost by enforcing the Property Standards By-law.

**Overview:**

- **On March 8, 2023, Council directed staff to report back on the replacement and relocation of the noise wall from 72 to 134 (all even) Leeward Drive adjacent to Howden Boulevard/ Vodden Street East in Ward 7.**
- **The existing noise wall was constructed by the developer as per the Subdivision Agreement dated January 20, 1988. Based on the**

**Subdivision Agreement, homeowners of 72 to 134 Leeward Drive (even numbers) are responsible for the maintenance and replacement of the noise wall.**

- **The condition of the noise wall is deteriorating and in poor condition poses safety concerns to pedestrians on the sidewalks.**
- **Through the Local Improvement process, the City would fund 75% of the cost of the noise wall if supported by 2/3 of the benefitting homeowners representing 50% of the assessed value of all benefitting properties.**
- **In 2017, homeowners petitioned to the City for the replacement and relocation of the noise wall as a Local Improvement project, but the petition was unsuccessful as it could not obtain 2/3 support of the homeowners as required under provincial regulation 586/06. In 2021, a similar attempt was also unsuccessful.**
- **The cost of replacing and relocating the noise wall is estimated to be \$1.9 million.**
- **Since 2018, Council has approved noise wall projects worth \$ 4.7 million in total.**

### **Background:**

The existing noise wall was constructed as part of the development within the boundaries of each subdivision lot and as per the Subdivision Agreement dated January 20, 1988 (Attachment 1). Schedule D, Clause 1.3 of the Subdivision Agreement states, "...a covenant satisfactory to the City of Brampton requiring that the acoustical barrier, as installed shall be retained, repaired or replaced by the purchaser. Any maintenance, repair or replacement shall be with the same material, to the same standards, and having the same colour and appearance of the original."

The existing wooden noise wall ranges from 1.8 metres to 2.0 metres in height and the length is approximately 472 metres. The condition of the existing noise wall is very poor. In 2017, the homeowners of Leeward Drive petitioned to the City to replace and relocate the noise wall as a Local Improvement project. The City would fund 75% of the cost of the noise wall through the Local Improvement process if supported by 2/3 of the benefitting homeowners representing 50% of the assessed value of all benefitting properties. The petition was unsuccessful as it could not get support of 2/3 of the benefitting homeowners. Similar attempt was made by the homeowners in 2021 but it was unsuccessful again.

The existing noise wall is over 30 years old and at most locations, it does not meet the standards to mitigate noise level due to very poor condition. The noise wall is losing its

structural integrity due to deterioration and is unsafe posing safety concerns to pedestrians on the sidewalks adjacent to the noise wall. In addition to the safety, the existing noise wall has lost its original appearance and the overall neighborhood looks aesthetically unpleasant.

Since 2018, Council has approved noise wall projects worth of \$ 4.7 million in total. These projects were mostly funded through property tax in the form of Tax Supported Debt (\$3.05 million) and Reserve # 4- Asset Repair & Replacement (\$0.63 million) with minor contributions from Development Charges (\$0.68 M) and Residential contribution of (\$0.35 million) to one of the projects that was approved as a Local Improvement initiative.

### **Current Situation:**

On March 8, 2023, a delegation from property owners of Leeward Drive delegated to the Committee of Council meeting and presented the safety concerns as a result of poor condition of the noise wall. The delegation requested the City to help remedy the situation as a one-time exception since their petition to replace the noise wall through the Local Improvement project has failed twice. Through Resolution CW091-2023, Council directed staff to report back on the replacement and relocation of the noise wall from 72 to 134 Leeward Drive (even numbers) adjacent to Howden Boulevard Vodden Street East, Ward 7 (Attachment 2). 1 LaFrance Road was not included in the subdivision agreement as it was constructed as part of a different subdivision. However, in order to make the noise wall effective, noise wall will need to be installed on part of 1 LaFrance Road.

A noise assessment was previously conducted and a 2-metre high and approximately 472 metres long concrete noise wall is required to mitigate the noise in the area. The estimated cost of replacement and relocation of the noise wall is \$1.9 million. Replacement and relocation of the noise wall will bring the current acoustical barrier to current standards and address the safety concern and improves the aesthetic look of the overall neighborhood. On receiving Council approval and subject to the City securing the necessary agreements from each property owner, design of the noise wall can commence as early as the summer or fall 2023 with construction in spring 2024. The new noise wall will be constructed on City property once the existing wall can be removed from the private properties and the City will own and maintain the noise wall in the future.

The other alternatives to the City replacing and relocating the noise are:

1. Continue pursuing local improvement process. Given that two attempts have been made to install the noise wall through this process have failed, it is unlikely that future attempt will be successful; and
2. Have affected homeowners replace the noise wall at their own cost enforcing the Property Standards By-law. This will have significant cost burden to the homeowners.

## Corporate Implications:

### Financial Implications:

As per the recommendations in this report, a budget amendment and new capital project are required in the amount of \$1.9 million for Retrofit Noise Wall at Leeward Drive and 1 LaFrance Road; with funding to be transferred from Reserve # 4- Asset Repair & Replacement, subject to Council approval.

Staff also note that the approval of this amendment will require reprioritization of capital projects forecasted to be funded against Reserve # 4- Asset Repair & Replacement as this initiative was not included in the 2023-2025 approved Capital budget and will directly reduce the amount of funding available for projects approved in-principle for 2024 and beyond.

Furthermore, since 2018, Council has approved noise wall projects worth of \$ 4.7 million in total. These projects were mostly funded through property tax in the form of Tax Supported Debt (\$3.05 million) and Reserve # 4- Asset Repair & Replacement (\$0.63 million) with minor contributions from Development Charges (\$0.68 M) and Residential contribution of (\$0.35 million) to one of the projects that was approved as a Local Improvement initiative.

Noise walls	Project Number	Funding Sources [\$]				Total
		Dev. Chg. Reserves	Res#4-Asset R&R	External Tax Supported Debt	Cost Recovery (Residential Contribution)	
Noise wall Assessment for Sandalwood Parkway and Howden Boulevard/Vodden Street East	184300-001		300,000			300,000
Trailside Pond, Bovaird Dr. E	204300-001	675,000	75,000			750,000
Rosedale Village Noise Wall	224300-001			1,050,000	350,000	1,400,000
Brussels Avenue Noise Wall	224300-002			2,000,000		2,000,000
Noise Studies	224300-003		250,000			250,000
<b>Total</b>		<b>675,000</b>	<b>625,000</b>	<b>3,050,000</b>	<b>350,000</b>	<b>4,700,000</b>
Budget Amendment						
Retrofit Noise Wall - Leeward Drive and 1 LaFrance Road			1,900,000			1,900,000
<b>Total</b>		<b>675,000</b>	<b>2,525,000</b>	<b>3,050,000</b>	<b>350,000</b>	<b>6,600,000</b>

In absence of any new or dedicated funding source for private noise walls, approval of such projects will likely impact the City's longer-term ability to invest in related growth infrastructure and further reduce the amount of funding available for existing infrastructure repair and replacement.

## Term of Council Priorities:

This report achieves the Term of Council Priority "Brampton is a Safe & Healthy City" by addressing neighborhood noise issue to uphold health and wellbeing of its residents.

**Conclusion:**

Staff seek Council direction on the options listed in this staff report to address the deteriorating noise wall located adjacent to Howden Boulevard/Vodden Street East. A City funded project would cost \$1.9 million for the replacement and relocation of the existing noise wall. Alternatively, the City would fund 75% of the cost of the noise wall through the Local Improvement process. The City may direct homeowners to replace the noise wall at their own cost through the enforcement of the Property Standards By-law.

Authored by:

Reviewed by:

---

Bishnu Parajuli, P. Eng.  
Manager, Capital Works  
Public Works and Engineering

---

Sunil Sharma, P. Eng.  
Director, Capital Works  
Public Works and Engineering

Approved by:

Submitted by:

---

Marlon Kallideen  
Interim Commissioner, Public Works  
& Engineering

---

Marlon Kallideen  
Chief Administrative Officer

**Attachments:**

- Attachment 1 – URBAN Subdivision Agreement - 21T-81048B
- Attachment 2 – Project Area Map