PW-A3-1

Region of Peel
Working for you

REPORT
Regional Council

DATE: December 1, 2010

REPORT TITLE: **LOCAL IMPROVEMENT PROJECT
CONSTRUCTION OF A NOISE ATTENUATION WALL
AT PEEL CONDOMINIUM CORPORATION NO. 282
ON REGIONAL ROAD 1 (ERIN MILLS PARKWAY),
CAPITAL PROJECT 11-4520
CITY OF MISSISSAUGA, WARD 8**

FROM: Dan Labrecque, Commissioner of Public Works

RECOMMENDATION

That a noise attenuation wall be constructed adjacent to the common elements of Peel Condominium Corporation No. 282, from The Collegeway to approximately 145 metres south of The Collegeway, at a total estimated cost of $214,800 (excluding applicable taxes), under new Capital Project 11-4520, in the City of Mississauga, Ward 8, as a local improvement under *Local Improvement Charges – Property Lien Status regulation (O.Reg 586/06)* filed under the *Municipal Act, 2001*;

And further, that total funding to cover the Region of Peel's portion of the work in the amount of $107,400 be allocated from the Roads Capital Financing Stabilization Reserve (R0210) to Capital Project 11-4520;

And further, that the portion allocated to the property owners in the amount of $107,400 be set up as an external recovery under Capital Project 11-4520, and be collected as a special charge;

And further, that these actions will not affect the debt capacity of the Region, as this type of financing is considered "self-liquidating" by the Province of Ontario;

And further, that the necessary by-law be presented to Regional Council authorizing the undertaking of the works under the *Local Improvement Charges – Priority Lien Status Regulation (O.Reg. 586/06)*, filed under the *Municipal Act, 2001*, and the owner's share of the cost shall be specially charged to Peel Condominium Corporation No. 282 in a lump sum by the Region of Peel upon completion of the noise attenuation wall;

And further, that should the payment not be made as agreed by the Peel Condominium Corporation No. 282, the owner's portion in the amount of $895 per unit will be assessed to the tax roll of each of the 120 units;

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And further, that notice of the intention to pass a local improvement construction by-law authorizing the dismantling and removal of the existing fence, as well as the installation of the new noise attenuation wall, be given in accordance with *O.Reg. 586-06*;

And further, that upon completion of the project, the estimated cost and external recovery be adjusted to reflect actual costs, and the special charge be due in one lump sum;

And further, that the Regional Clerk forward a copy of the report of the Commissioner of Public Works, dated December 1, 2010, titled "Local Improvement Project, Construction of Noise Attenuation Wall at Peel Condominium Corporation No. 282 on Regional Road 1 (Erin Mills Parkway), Capital Project 11-4520, City of Mississauga, Ward 8" to the City of Mississauga.

REPORT HIGHLIGHTS

- Property owners of Peel Condominium Corporation No. 282, have submitted a sufficient petition for the construction of an approximately 179 metres (587 feet) long noise attenuation wall, under *O.Reg. 586/06.*
- The proposed noise attenuation wall will abut the common elements of Peel Condominium Corporation No. 282 on Erin Mills Parkway, and extend from approximately The Collegeway to approximately 145 metres (476 feet) south of The Collegeway, as indicated on Appendix I.
- The total estimated cost for the construction of the noise attenuation wall is $214,800; the Region's portion is estimated at $107,400, and the owner's portion at $107,400.

DISCUSSION

1. Background

Noise protection from Erin Mills Parkway traffic is provided to the residents of Peel Condominium Corporation No. 282, as indicated on Appendix I, with an existing Evercrete concrete noise attenuation wall. The noise barrier was built on private property as part of the conditions of the subdivision agreement in the 1980's. The noise wall has deteriorated over time and is not providing sufficient noise protection.

The property owners of Peel Condominium Corporation No. 282 have submitted a sufficient petition, under *O.Reg. 586/06*, for the dismantling and removal of the existing noise wall, as well as the construction of a new noise attenuation wall adjacent to their properties and abutting Erin Mills Parkway as a local improvement project.

2. Local Improvement

The proposed 179 metres (587 feet) of new noise attenuation wall will extend from approximately The Collegeway (wrapping around the corner) to 145 metres (476 feet) south on Erin Mills Parkway and abuts properties located within Peel Condominium Corporation No. 282. Owners of 80 benefitting properties out of a possible 120 properties (representing 67 per cent (two-thirds) sufficiency and 67 per cent of a required 50 per cent of the total

assessment value of the affected properties) have signed in favour of the petition. The Regional Clerk has certified the petition to be sufficient under *O.Reg. 586/06* filed under the *Municipal Act, 2001*.

The proposed construction of the noise attenuation wall is expected to be completed by the fall of 2011.

FINANCIAL IMPLICATIONS

The total estimated cost for the construction of approximately 179 metres (587 feet) of noise attenuation wall on Erin Mills Parkway, adjacent to the common elements of Peel Condominium Corporation No. 282, is $214,800 (excluding applicable taxes).

It is proposed that the Region's portion of the funding, $107,400, under Local Improvement Capital Project 11-4520, be financed from the Roads Capital Financing Stabilization Reserve (R0210).

Further, it is proposed that the owner's portion of the funding, $107,400, under Capital Project 11-4520, be set up as an external recovery and collected as a special charge to Peel Condominium Corporation No. 282 to be paid in full upon completion of the noise attenuation wall from their reserve fund. If payment is not made as agreed by the Condominium Corporation, the owner's portion will be set up as an external recovery and collected as a special charge on the owners' tax bills as per *O.Reg. 586/06*. This amount represents the total assessable charges, at a rate of $895 per unit assessed to the tax roll for each of the 120 units.

The Region of Peel is offering a 50/50 cost sharing agreement with the property owners of Peel Condominium Corporation No. 282, for the proposed dismantling and removal of the existing noise wall, as well as the construction of a new noise attenuation wall adjacent to their properties, abutting Erin Mills Parkway. Upon completion of construction, total project cost and external recoveries will be adjusted to reflect actual cost of the project.

CONCLUSION

The property owners of Peel Condominium Corporation No. 282 have submitted a sufficient petition, under *O.Reg. 586/06*, for the construction of an approximately 179 metre long (587 feet) noise attenuation wall adjacent to their properties, abutting Erin Mills Parkway.

It is recommended that the proposed works be completed in accordance with the *Local Improvement Charges – Priority Lien Status Regulation (O.Reg. 586/06)*, filed under the *Municipal Act, 2001*, and that the necessary by-law for the recovery of the owner's share of the noise attenuation wall cost be enacted.

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Dan Labrecque
Commissioner of Public Works

Approved for Submission:

D. Szwarc, Chief Administrative Officer

For further information regarding this report, please contact Liz Brock at extension 7902 or via email at liz.brock@peelregion.ca

Authored By: Liz Brock

c. Legislative Services
Manager, Financial Support Unit (FSU)

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APPENDIX I

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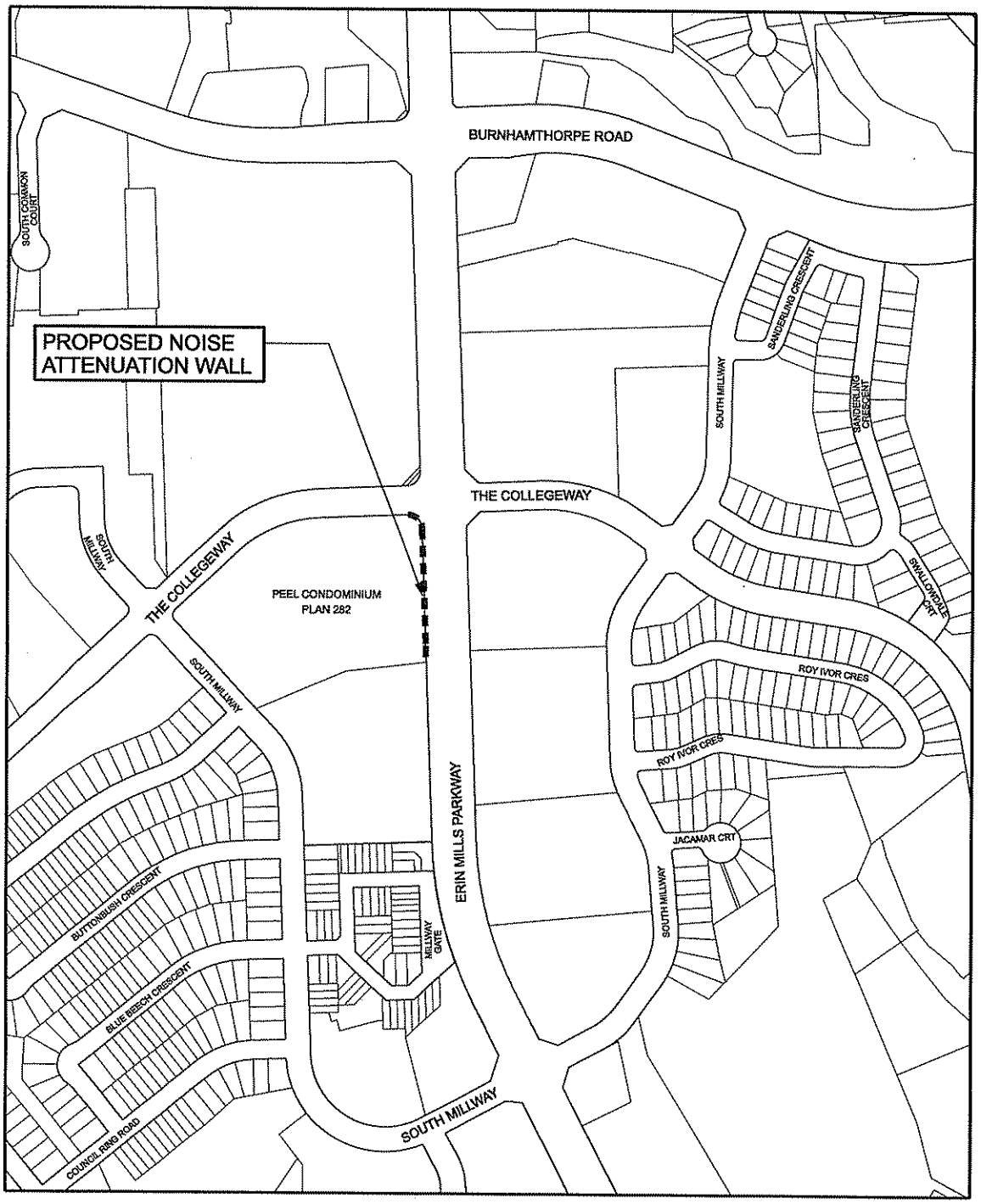

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