

L.1 Regional Noise Wall Conservation Policy

CATEGORY: WORKS

SUBCATEGORY: ROADS

SUBJECT: PRIVATE NOISE ATTENUATION WALLS CONVERSION POLICY

A. PURPOSE

On September 10, 2015, under Resolution 2015-663, Regional Council endorsed a program to rebuild and relocate private noise attenuation walls adjacent to Regional roads on the property line bounding the Regional Road. This program was approved to be funded in full by the Region of Peel.

The policy provides a fair and consistent approach for the conversion of existing noise attenuation walls on private property and adjacent to Regional Roads to be rebuilt and reconstructed onto the property line abutting Regional Property.

Based on asset management best practices, including regularly assessing the condition of the private noise attenuation walls, the conversion program will span over an estimated timeframe of 30 years. This program provides for a timely and justifiable approach to determining the priority of work while providing fairness to residents and providing the Region with the ability to reconstruct over a reasonable timeframe. As well, planning for the use of taxpayer funded reserves to fund the conversion program to maintain long term financial sustainability will be achieved.

B. SCOPE

This policy applies to existing noise attenuation walls on private property with reverse frontage adjacent to Regional Roads (a rear or side lot), existing as of September 10, 2015, representing Regional Council's resolution endorsing the conversion program.

C. DEFINITIONS

1. "Noise Attenuation Wall" means a continuous, solid concrete or wooden structure to lower sound levels.
2. "Regional Noise Attenuation Wall" means a noise attenuation wall built on the property line abutting Regional Property.
3. "Private Noise Attenuation Wall" means an existing noise attenuation wall on private property with rear yards or side yards abutting a Regional road. The Region will participate only in noise attenuation walls designed in accordance with current technology to give a minimum anticipated noise attenuation of 5 decibels.

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4. "Permission to Enter" means formal permission that must be obtained from the resident before entering a property.
5. "Conversion" means the reconstruction and relocation of existing private noise attenuation walls onto the property line abutting Regional Property.

D. POLICY

Noise attenuation walls in existence as of Regional Council's endorsement of the noise wall conversion program, being September 10, 2015 that are currently located on private property adjacent to Regional Roads will be rebuilt and relocated onto the property line abutting Regional Property. The cost of the replacement of the walls including design, construction and maintenance will be funded in full by the Region of Peel.

1. GENERAL

- a) The replacement of private noise attenuation walls will be determined based on priority – primarily according to the level of deterioration of the walls. For more details, refer to the Prioritization Criteria section on page four (4).
- b) The construction costs to convert the private noise attenuation walls to Regional noise attenuation walls will be one hundred per cent (100%) funded by the Region through a tax-supported capital replacement reserve. Ongoing maintenance and any future replacements of the noise attenuation walls will be the responsibility of the Region.
- c) Until the Region reconstructs the private noise attenuation walls which will be situated, whenever possible, on the property line, the repair of deteriorating noise attenuation walls on private property will remain the sole responsibility of the property owner. The Region of Peel is not responsible for any kind of liability, suit, claim, demand or proceeding of any kind or for any damage incurred or injury suffered by any individual or property owner as a result of the private noise attenuation wall. The Property Standards By-law for each local municipality, Brampton, Mississauga, and Caledon, establishes the requirements of property owners with respect to the maintenance of their property.

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Each local municipality will ensure that noise attenuation barriers situated on private property are maintained to an acceptable level through enforcement of the Property Standards By-law.

- d) In situations where there is a capital works project planned to widen a Regional Road and construct Regional noise attenuation walls, any affected private noise attenuation walls will be removed as part of the capital works regardless of the condition of the walls.
- e) To initiate start-up of the conversion program, a full inventory of private noise attenuation walls will be gathered followed by detailed condition assessments. This information will be used in combination with the Prioritization Criteria, in order to establish the priority in which the private noise attenuation walls will be converted.
- f) While efforts will be made to meet the related project timelines for inventory collection, condition assessment and construction, the Region makes no representation that the private noise attenuation walls will be converted in any given timeframe.
- g) Generally, the noise attenuation wall conversion undertaken by the Region will be to replace entire blocks where condition warrants replacement.

2. INVENTORY COLLECTION

- a) Prior to undertaking condition assessment and prioritization of conversion construction projects, a comprehensive inventory of all private noise attenuation walls on properties that abut or side Regional Roads will be undertaken to collect the spatial data for all private noise attenuation walls within the Region of Peel.
- b) Following the initial inventory collection and confirmation, at least once every ten years a review of all the private noise attenuation walls within Region of Peel will be undertaken for ongoing verification of inventory accuracy.

3. CONDITION ASSESSMENT

- a) Noise attenuation walls condition assessment is important to order to identify defects and deterioration, identify the functional ability to deliver the service and prioritize the replacement of private noise attenuation walls.

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- b) The condition rating program for private noise attenuation walls involves site inspection of each private noise attenuation wall following an inspection process with standard criteria to identify defects and to determine an overall rating on each noise attenuation wall based on a review of the panels, foundations and posts.
- c) Conditions are rated using a visual performance rating of the components of Poor, Fair, Good and Excellent.
- d) Upon completion of the initial inventory collection, a detailed visual condition assessment will be undertaken. Going forward, on a regular basis, there will be a visual condition assessment inspection for the inventoried private noise attenuation walls. The inventory collection and inspection work will be undertaken internally.

4. PRIORITIZATION CRITERIA

- a) Several criteria have been established to assist in prioritizing the conversion of private walls. Criteria to determine and prioritize locations include:
 - 1. Public safety and urgency of replacement of observable distresses;
 - 2. Structural integrity and performance of private noise attenuation walls;
 - 3. The estimated service life and level of deterioration; and
 - 4. Consistency in the materials and aesthetics of private noise attenuation walls.
- b) Condition of the noise attenuation walls, public safety, estimated service life and level of deterioration will carry a higher weighting as these are most predominate and quantifiable measures.

5. PRIORITIZATION MODEL

- a) The data gathered for each of the Prioritization Criteria will be assessed to establish the priority of converting the private noise attenuation walls inventory to Regional noise attenuation walls.
- b) Based on the prioritization criteria, a priority listing of all private noise attenuation walls will be developed. Prioritization will be reviewed and updated based on updated condition assessment data.

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- c) The model will prioritize noise attenuation walls into four categories: Excellent, Good, Fair and Poor. Private noise attenuation walls will be scheduled for replacement based on the wall nearing the end of its useful life – progressing to the poor and/or fair categories. An assessment by the Region of Peel or the related results of the assessment is not an assumption of risk of the condition of the wall, and the risk and liability remains solely with the property owner until the Conversion is completed.

6. LONG TERM FINANCIAL SUSTAINABILITY CONSIDERATIONS

- a) A typical construction of a noise attenuation wall is anticipated to span over the course of two (2) years.
- b) During the first year, a detailed design will commence that will take into consideration the most current Regional road noise attenuation wall design standards. Reasonable notice will be provided by the Region of Peel to all affected property owners prior to the year in which a design for converting a private noise attenuation wall is planned to commence.
- c) The Region of Peel will consult with affected property owners during the detailed design phase and permission to enter will be requested.
- d) Wherever possible, the private noise attenuation wall will be relocated on the property line. Where exceptions due to the nature of the design are required, such as land availability, the wall may be reconstructed on private property and the Region will secure adequate property rights, if necessary.
- e) The location of the noise attenuation wall and related land requirements will be identified during detailed design. The timing of physical construction will be dependent upon securing the relevant property rights, as required, and the permission to enter onto private lands.
- f) During the second year, construction will be undertaken based upon the approved detailed design for the noise attenuation wall. The approval of the local Municipality, as to the height and type of wall proposed, will be required prior to construction.
- g) Noise attenuation walls abutting Regional Property shall be constructed of either masonry, wood or approved composite materials with due consideration to streetscape, and future maintenance requirements at the discretion of the Region of Peel.

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7. COMMUNICATION PLAN

- a) Ongoing communication throughout the program will be undertaken to ensure updates on inventory, prioritization, and upcoming design and construction work are readily available to keep the public, Regional Councillors, and Region of Peel staff up to date.
- b) Communication will include, but not limited to: regular updating of the Region's external website to provide information on the conversion program; providing written notice to affected property owners of upcoming capital works (design and construction); consulting with affected property owners throughout the capital work; and regularly advising Regional Councillors of the status of inventory collection, prioritization, and construction.

E. GUIDELINES

1. Region of Peel, Standard Specification for Concrete Noise Barrier Walls
2. City of Mississauga, Corporate Policy and Procedure for Noise Attenuation Barriers on Major Roadways
3. Peel, Mississauga, Brampton - Harmonization of Noise Wall Standards and Specifications
4. Region of Peel, Corporate Policy for Asset Management, F10-06
5. Region of Peel Website for Roads Serviced by the Region of Peel

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