The General Manager and City Engineer, Environmental and Engineering Services, recommends that:

(a) The replacement of an existing, privately owned, noise abatement wall along the frontage of Huntington Downs be deleted from this project – it being noted that the existing wall provides adequate noise abatement and the deletion of such work from this project could save $420,000; and

(b) The $420,000 saved on this project be advanced to the Oxford Street Widening project, from Hyde Park Road to Sanatorium Road - for advance property purchases from willing sellers and for possible temporary works which may be needed before the ultimate construction project proceeds.

BACKGROUND

Purpose:
In consideration of the budgetary pressures facing Council, staff continue to seek ways of minimizing expenditures. The proposal contained herein recommends that Council reconsider its direction to replace an existing private noise wall, still functioning adequately, with a new City owned noise wall.

Context:
The Environmental Study Report (ESR) for this project was completed in the Spring of 2002 and presented to ETC on June 10, 2002. It concluded that a noise wall replacement along the Huntington Downs frontage was not justified. The ESR was approved but the matter of the noise wall was referred back to staff for further consideration but ultimately approved by Council. The corresponding staff report to ETC was provided on June 24, 2002 (Appendix ‘A’). Council’s resolution is contained in Appendix ‘B’.

Discussion:
The staff report of June 24th relates that developers have the option of constructing noise walls to City standards if the City is to take ownership or to a lower standard if the noise walls are to be privately owned by the abutting owners. The latter circumstance applies to the Huntington Downs subdivision and the City has no obligation to assume any corresponding liabilities. The liability in this case is $420,000 to construct a new noise wall to City standards. In addition, in order to remove the old wall, limited interests must be purchased from adjacent owners for construction access. This could add an additional $80,000 or more, if some owners are not willing and must be expropriated.

While Council showed some empathy towards the residents of Huntington Downs, for the substantial future replacement or repair costs of the existing wall, it is not clear why all London
taxpayers should bear costs that benefit a relatively few homeowners — homeowners who already enjoy the noise abatement provided by the existing wall.

In tabling this potential action now, it is recognized that the eventual ESR that was made available for public review contained Council's direction to replace the wall. Because Council's actions superseded the ESR recommendations, staff do not feel that an addendum to the ESR would be necessary but, if challenged and legally supported, time is available to undertake the addendum.

Lastly, given the budgetary pressures facing Council, the Oxford St. Widening project to the west (from Hyde Park Rd. to Sanatorium Rd.) has had to be deferred — a deferral vigorously opposed by residents adjacent to that project. The reassignment of the $420,000 to allow advance property purchase from willing sellers will provide assurance to those residents that the City is still committed to these works and will provide funds for interim services that may be required prior to the ultimate construction.

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<tr>
<th>SUBMITTED BY:</th>
<th>RECOMMENDED BY:</th>
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<tr>
<td>DIRECTOR</td>
<td>GENERAL MANAGER &amp; CITY ENGINEER</td>
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<td>ROADS &amp; TRANSPORTATION</td>
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<td>SERVICES</td>
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February 11, 2004

Appendix 'A' – June 24, 2002 Staff Report
Appendix 'B' – July 3, 2003 Council Resolution
# APPENDIX A

| FROM: | MADREEN A. LOBBY  
COMMISSIONER OF ENVIRONMENTAL SERVICES & CITY ENGINEER |
|---|---|
| SUBJECT: | MEETING ON:  
MONDAY, JUNE 24TH, 2002  
OXFORD STREET WEST WIDENING  
SANATORIUM ROAD TO WONDERLAND ROAD NORTH  
NOISE ATTENUATION WALLS |

## RECOMMENDATION

That, on the recommendation of the Commissioner of Environmental Services & City Engineer, NO. ACTION be taken with regard to this replacement of the existing noise attenuation wall along Oxford Street West as part of the road widening project.

## BACKGROUND

At its June 17th session, Council referred the issue regarding the replacement of the existing noise attenuation wall along Oxford Street West back to the Environment and Transportation Committee (ETC). On June 10th, 2002 ETC was presented the Environment Study Report (ESR) for the widening of Oxford Street West from Sanatorium Road to Wonderland Road North. The recommended design consisted of the widening of Oxford Street West to four lanes, two-way left turn lanes, light rail at key intersections, improved street lighting, concrete sidewalks, multi-use pathways, upgraded underground infrastructure and noise attenuation barriers.

The need and justification for the installation of noise attenuation walls can be found within Council’s policies and guidelines from the Ministry of Environment which are outlined below:

### 1. Council Policy: Noise Barriers on Arterial Road 25(12)

(a) General Principles:

The installation of noise barrier walls is intended to ensure that residential backyards backing onto arterial roads which are to be widened to four lanes or greater are not subjected to significant noise level increases in the design year.

(b) Specific Requirements:

(i) Developers of all new residential subdivisions or developments which back onto arterial roads regardless of the number of traffic lanes will be required to install noise barrier walls as described above, if the project will be served by the Developer.

(ii) The Protocol applies to the MTO Capital Construction Program but its guidelines are useful when considering municipal road widening projects. The Protocol states that if noise levels increase by 5 dBA above ambient noise levels then no mitigation is required. If the noise levels are anticipated to increase by more than 5 dBA over the ambient levels, then noise attenuation measures should be considered. If noise control measures are introduced then they should achieve a minimum of 5 dBA attenuation.
Noise studies were undertaken as part of the ESR for this project. These studies indicated that the noise levels around the outdoor recreational areas would increase by 2 to 4 dBa as traffic volumes increased. This was consistent with the recommendations made by the Council's Policy 29(12) which directs that noise attenuation walls will form part of the widening project. The noise studies also indicated that the installation of noise attenuation walls with a top elevation 2.5m (8') above the centroid of the road would be adequate for the noise levels as predicted. These walls will be constructed of 53mm X 158mm (2'' X 6'') tongue & groove boards with either brick pilasters or wood posts with the tops of the walls being 2.5m (8') above the centroid of the road. Both of these walls have been constructed to satisfy the requirements of noise attenuation.

Notwithstanding the above, affected property owners requested that the City remove the existing noise attenuation walls and replace them with the standard 2.4m high wall which will be built along other sections of the project. The major concern expressed by the property owners is the durability of the wood style wall. The wood style wall has the same visual characteristics as the masonry "Dubbel" style wall but its long-term maintenance needs are higher. One of the concerns regarding the wood style wall is the appearance of the wood as it ages. Many people do not like the appearance of the aged gray wood and it was suggested that the City be pressured to provide an ongoing program to seal and maintain the wood. Many developers expressed concern over the higher construction cost of the masonry "Dubbel" noise attenuation wall and proposed the construction of the wood style wall. To satisfy the desires of the development community and needs of the City, the wood noise attenuation wall was accepted by the City with the condition that it was constructed entirely on private property. This compromise allowed development to construct less expensive walls while the City was protected from future maintenance costs. The wood noise attenuation walls along Oxford Street West have been installed as per this agreement with the entire wall located on private property.

A review of subdivision agreements since Policy 29(12) was adopted by Council in 1991 indicates that there have been subdivisions constructed with noise attenuation walls along arterial roads. The removal of these walls and their replacement with "Dubbel" style walls will have a significant impact on the budget for future road widening projects without providing any additional noise attenuation. The estimated cost to replace the wood wall along this section of Oxford Street West is $240,000.

Based on the above analysis, it is recommended that no action be taken with respect to the replacement of the existing noise attenuation wall along Oxford Street West as part of the road widening project.

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**PREPARED BY:**

Shane Maguire, P.Eng.
Division Manager
Transportation

**RECOMMENDED BY:**

Maureen A. Lobby, MEng., P.Eng.
Commissioner of Environmental Services & City Engineer

June 19th, 2002

C:\Projects\Oxford Noise Wall.doc

To: Cumming Cookburn Limited
July 3, 2002

M. A. Looby
Commissioner of Environmental Services
& City Engineer

I hereby certify that the Municipal Council, at its session held on July 2, 2002 resolved:

4. That, notwithstanding the recommendation of the Commissioner of Environmental Services & City Engineer, a dural wall BE CONSTRUCTED to replace the wood wall on the north side of Oxford Street fronting the Huntington Downs subdivision, at a cost of $420,000. (See attached added communication from R. Chatrand, 73 Cedar Crescent). (4/13/ETC)

[Signature]
G. H. Hallinan
City Clerk

Attach:

cc: R. Chatrand, 73 Cedar Crescent, London, ON N6H 5P5
    J. & E. Jarecka, 1554 Western Road, London, ON N6G 1H4
    D. Riddell, Associate Vice-President, Physical Plant and Capital Planning, UWO
    P. Cameron, 1510 Western Road, London, ON N6G 1H4
    Cumming; Cockbum Ltd. 390 Oxford Street West, London ON N6H 1T3
    M. St. Amant, City Treasurer
    S. Magnaite, Division Manager Environmental Services Transportation