

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #1

REQUEST

Reference: EB-2012-0451, Exhibit EGDI. IR.City of Markham.20130705, Page 1

Question

- a) Please confirm that Enbridge has had on-going consultation with regards to GTA Project pipeline route and facility location with the City of Markham since December 13, 2011.*
- b) Please confirm that the drawings provided in the City of Markham's June 28, 2013 evidence (Figures 1 to 4) were not previously provided to Enbridge.*
- c) Please confirm the City of Markham is willing to work with Enbridge to develop a mutually beneficial plan to accommodate Enbridge and the development's needs.*

RESPONSE

- a) The City of Markham can confirm that there have been on-going discussions between Enbridge and the City regarding the GTA Project pipeline route and facility location, but cannot confirm the exact date when those discussions were initiated.
- b) The City of Markham cannot confirm that the drawings included in the City's June 28, 2013 evidence (Figures 1 to 4) were or were not previously provided to Enbridge by any party other than the City. The City of Markham did not provide these drawings to Enbridge prior to filing its evidence on June 28, 2013.
- c) The City can confirm that the City of Markham has been working with Enbridge and is willing to continue to work with Enbridge to develop a mutually beneficial plan to accommodate Enbridge and the City of Markham's best interest.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #2

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 1 & 2

Question

a. Please confirm City of Markham's attendance at the April 5, 2013 meeting.

RESPONSE

a) Alan Brown, Director of Engineering, and Rachel Prudhomme, Manager of Special Projects, both from the City of Markham, attended the meeting on April 5, 2013.

Question

b. Please confirm the following action items were included in the minutes at the April 5, 2013 meeting:

- Alan Brown will send out potential dates for another meeting with Enbridge, the developers and their consultants in 1 month.*
- Condor and Angus Glen to provide Enbridge and City of Markham more details on the proposed development including preliminary grading profiles.*
- Condor and Angus Glen to provide Enbridge and City of Markham conceptual profiles of South Blvd to Enbridge.*

i. Did City of Markham arrange subsequent follow up meetings with Enbridge and the developers? If not, why not?

ii. When were the plans and cross sections contained in the City of Markham's evidence (Figures 1 to 4) provided to the City of Markham?

iii. Was an independent City of Markham review of the cross sections

iv. provided by Schaeffer & Associates undertaken? If yes, by whom?

v. Were alternative cross sections provided for review? If so, by whom?

vi. What was the timeframe for review and comment?

vii. Why were the drawings not forwarded to Enbridge at the same time for review and comment?

RESPONSE

- b) The City of Markham can confirm that the following “Next Steps” item, not “Action Item”, is included in the minutes of the April 5, 2013 meeting as they were drafted by Enbridge and as they were sent to the City of Markham by Lisa Dumond of Enbridge on April 23, 2013:

“Alan Brown will send out potential dates for another meeting with Enbridge, the developers and their consultants in 1 month”

Furthermore, the City of Markham can confirm that the following “Action Items” are included in the minutes of the April 5, 2013 meeting as they were drafted by Enbridge and as they were sent to the City of Markham by Lisa Dumond of Enbridge on April 23, 2013:

“Condor and Angus Glen to provide Enbridge and City of Markham more details on the proposed development including preliminary grading profiles”

“Condor and Angus Glen to provide Enbridge and City of Markham conceptual profiles of South Blvd to Enbridge”

- i) The City of Markham held subsequent follow-up discussions with the developers to verify that work was progressing on the action items that were assigned to them as a result of the April 5, 2013 meeting. A meeting was not arranged with Enbridge and the developers by the City of Markham within the 1 month period because the developers’ information was not ready to be presented.
- ii) The City of Markham received the plans and cross sections contained in the City’s evidence (Figures 1 to 4) on June 26, 2013 at 3:00 pm.
- iii) No, an independent City of Markham review of the cross sections provided by Schaeffer & Associates was not undertaken.
- iv) Same as Response (iii) above.

- v) No, alternative cross sections were not provided.

- vi) Not applicable.

- vii) The drawings were not forwarded to Enbridge by the City of Markham because as this was not an action item assigned to the City of Markham. The drawings were not created by Markham, and Enbridge never asked Markham to provide them. Markham was not aware of whether or not Enbridge might have asked the developers for the drawings.

Question

c. City of Markham states: "The data contained in the technical drawings confirms the position of the City of Markham that there is a lack of sufficient physical space in the Langstaff ROW area for the proposed EGDI gas main pipeline."

i. When did the City of Markham first identify there was insufficient space in the south boulevard for the GTA pipe?

ii. Please provide the rationale for this conclusion.

iii. Did the City of Markham advise Enbridge during previous consultation of their position as stated above at (c)?

RESPONSE

c) Responses below:

- i) The EA process and the public meetings that were held regarding the GTA pipeline showed the proposed general alignment running along the south of Hwy 407, without being specific about the exact line and grade of the pipeline. On several occasions, the City of Markham requested more specific information regarding the exact alignment of the GTA pipe because Markham staff had concerns about future development properties in the general area. It was not until November 12, 2012, that Enbridge shared information with the City of Markham

showing that the alignment of the proposed GTA pipeline was, in fact, not along the south edge of Hwy 407, but rather directly in the future Langstaff development. Once it became evident to Markham that the new proposed alignment of the GTA pipeline was within the right-of-way of a future road in the Langstaff development, the City of Markham expressed its concern about the alignment through the development to Enbridge. Markham was concerned that there would be insufficient space in the south boulevard ROW for the GTA pipeline and that the future road and bridge would be compromised by the proposed alignment, resulting in significant impacts on the entire plan.

- ii) Based on the road cross-section and profile information available to Markham, it is quite evident that the proposed location of the GTA pipeline in the future road is inappropriate. As previously stated, there is insufficient space within the south boulevard ROW to accommodate the GTA pipeline. Furthermore, the future road and bridge appear to be compromised by the proposed location of the GTA pipeline. The entire plan is likely to be impacted.
- iii) The City of Markham advised Enbridge of the requirements of the future development in the area. The EA process for the GTA pipeline, as well as the public meetings that were held, showed the proposed alignment of the GTA pipeline in the general area of the south corridor of Hwy 407, without being more specific about line and grade.

On October 30, 2012, at 9:20 a.m., Rachel Prudhomme of the City of Markham sent an e-mail to Bonnie Adams of Enbridge requesting more detailed drawings of the pipeline alignment through Markham, stating "*Would it be possible for us to receive more detailed drawings of the pipeline alignment as it goes through the City of Markham please? We would greatly appreciate receiving drawings (pdf would be great) showing details of both line and grade if these are available. Our*

interest focuses mostly on Enbridge's proposed pipeline as it crosses under Markham's roads and potential development properties".

A response dated November 12, 2012, at 3:24 pm, from Lisa Dumond of Enbridge to Rachel Prudhomme of Markham indicated that the proposed route alignment through the Langstaff Gateway lands was adjacent to the Holy Cross Cemetery and that the alignment had been discussed with the landowners and developers. The e-mail stated that "*Noting that other potential routing alignments were discussed with the developers in this area, we plan to work towards finalizing the route alignment between Yonge and Bayview in coordination with the landowners, the developers, and the City of Markham.*" Attached to that e-mail from Lisa Dumond was a project shape file that could be inserted into the City of Markham's GIS system. Ms. Dumond stated that "*The files are the proposed alignment, as currently identified, and is subject to change based on the final design drawings.*" Furthermore, Ms. Dumond stated that "*Once we have the design drawings ready we will submit them to the City of Markham for review and alignment approval*".

On February 21, 2013, at 1:53 PM, Rachel Prudhomme of Markham sent a follow-up e-mail to Lisa Dumond of Enbridge, asking if there was any update to the alignment of the pipeline and requesting "*new shape files to reflect the more recent changes in the alignment*" that had been alluded to by Enbridge in informal conversations.

On March 5, 2013, at 9:47 AM, Rachel Prudhomme of Markham received an e-mail from Sam McDermott of Enbridge stating that the shape files that had been sent to Markham on November 12, 2012, were the most recent ones and that there were "*no new updates available*". Furthermore, Mr. McDermott wrote that Enbridge "*will be happy to provide you with updated shape files in your desired format reflecting the pipeline alignment as it goes through the City of Markham as soon as they are available*".

On March 5, 2013 at 2:54 PM, Rachel Prudhomme responded to Sam McDermott of Enbridge, indicating that *"We are happy to hear that you have held discussions with the developers of the Langstaff Gateway development. However, having superimposed the previous shape files you sent us on our Markham mapping system, we have some concerns regarding potential encroachment between the location of the pipeline and the future development."* Rachel Prudhomme also wrote *"We would be pleased to set up a meeting with the appropriate individuals to ensure that you are apprised of our concerns. Please provide the names and contact information of the individuals who would be participating and I can contact everyone to set up a suitable time"*.

Mr. McDermott's response to Ms. Prudhomme's request came March 5, 2013 at 10:44 PM simply stating *"I will get back to you tomorrow. Sam"*.

Having not heard back from Mr. McDermott, on March 14, 2013 at 2:07 PM, the City of Markham (Lynda Davis, through Alan Brown's calendar) sent a meeting request for a meeting to be held on April 5, 2013, from 9 AM to 11 AM. The invitation was sent to Enbridge representatives Jim Arnott, Mohammed Koussarnia, Byron Madrid, Lisa Dumond, Bill Coldicott, Hussein Bhujwalla and Cindy Mills of Enbridge, asking her to invite anyone from the Enbridge office she felt should attend and indicating that *"Developers in the Langstaff area, Sam Balsamo from Condor Properties, Michael Montgomery and Patrick O'Hanlon from Angus Glen will be joining the first part of this meeting from 9:00 – 10:00am"*.

The meeting was held on April 5, 2013 as planned. Concerns were discussed and the minutes were recorded by Enbridge. As a result of that meeting, the Developers accelerated the production of cross-section drawings at Enbridge's request. Markham had still not received any updated information regarding the line

and grade and detailed alignment of the pipeline that it had requested several months prior.

The new shape files that were requested on February 21, 2013, were received via e-mail from GTA Document Control [gta.documentcontrol@enbridge.com] on May 10, 2013 at 11:26 AM, with the following message: "*Good Day Rachel: Please find attached Shape Files for the GTA Project. If you have any questions regarding this email please contact me directly. If you have any questions regarding the content please contact Lisa Dumond. Kindest Regards, Felicia Baylis, Document Control Lead – GTA Project*". The new shape files appeared to be identical to those sent on November 12, 2012 and did not offer any further detail on the line and grade nor on the specific location of the pipeline through the Langstaff development.

Question

d. Please provide minutes of meetings, relevant correspondence, drawings and presentations pertaining to south collector road ROW development plans and profiles since April 5, 2013 between Markham Gateway (and its consultants), City of Markham and all other stakeholders.

RESPONSE

d) There are no minutes of meetings, drawings and presentations since April 5, 2013 between Markham Gateway (and its consultants), City of Markham and all other stakeholders to our recollection. There have been informal phone calls and discussions, but these have been with no written notes, no agendas and no minutes to our knowledge. Enbridge was cc'd on relevant correspondence since the April 5, 2013 meeting.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #3

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 2 & 3.

Question

a. The technical drawings attached to the statement and referenced throughout refer only to lands west of the CN Rail Corridor. Please confirm the City of Markham has no objection with the GTA Project routing from CN Rail Corridor to Bayview Ave.

RESPONSE

a) The City of Markham has the same concerns and objections to the GTA Project routing from CN Rail Corridor to Bayview Ave. The City of Markham has requested updated information regarding the specific alignment of the GTA pipeline through Markham's roads and development properties on several occasions. Markham is still waiting for Enbridge to provide more detailed design drawings in accordance with its e-mail of November 12, 2012. The general alignment of the pipeline during the EA process and the public consultations does not reflect the current alignment, which was changed by Enbridge sometime between the EA process and November 12, 2012, quoted above. Having not received this information, the City of Markham will challenge the validity of the Enbridge consultation process and EA study to the OEB.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #4

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 3 & 4

Question

a. When were each of these features (underground parking structures, pedestrian underpass and the PRT) introduced into the proposed development?

i. Which of these features were included in the development and approval of the Secondary Plan for this development? If not, please explain.

RESPONSE

a) The services and utilities referenced in this question were identified in the Langstaff Master Plan (See Attachment 1), which was one of the background studies to the Langstaff Gateway Secondary Plan (See Attachment 2). The Secondary Plan requires that comprehensive master servicing studies, transportation and transit studies be undertaken prior to any development approvals. Furthermore, the secondary plan sets out policies promoting the development of innovative transportation, transit, servicing and utility solutions in the Langstaff Gateway.

i) The services and utilities referenced in this question were identified in the Langstaff Master Plan, which was one of the background studies to the Langstaff Gateway Secondary Plan. The Secondary Plan requires that comprehensive master servicing studies, transportation and transit studies be undertaken prior to any development approvals. Furthermore, the secondary plan sets out policies promoting the development of innovative transportation, transit, servicing and utility solutions in the Langstaff Gateway. No amendment to the Secondary Plan is required to implement these projects as they are contemplated in conceptual form through Secondary Plan policies and will be further analyzed in subsequent servicing and transportation studies (as required by Secondary Plan policies) and implemented through subsequent

planning approvals. No amendment to the secondary plan is required to implement these infrastructure elements.

Question

b. As stated in Exhibit L.EGD.COM.1 Page 2, “The cross-sections attached hereto show that the entire right-of-way is filled with infrastructure necessary for the Langstaff Gateway development...”

i. Define the criteria used to identify “necessary” items.

ii. Why were some of these items not identified in the originally approved Secondary Plan?

iii. Is an amendment required for inclusion of additional “necessary” items in the Secondary Plan? If yes, what is the process? What are the timelines for review, consultation and approval?

iv. Would a Municipal Class Environmental Assessment (MCEA) be required for these changes?

RESPONSE

b) Responses below:

- i) “Necessary” items are those items that form part of the vision for the Secondary Plan.
- ii) Some of these items would evolve through studies that were yet to be submitted to the City.
- iii) The services and utilities referenced in this question were identified in the Langstaff Master Plan, which was one of the background studies to the Langstaff Gateway Secondary Plan. The Secondary Plan requires that comprehensive master servicing studies, transportation and transit studies be undertaken prior to any development approvals. Furthermore, the Secondary Plan sets out policies promoting the development of innovative transportation, transit, servicing and utility solutions in the Langstaff Gateway. No amendment to the Secondary Plan

is required to implement these projects as they are contemplated in conceptual form through Secondary Plan policies and will be further analyzed in subsequent servicing and transportation studies (as required by Secondary Plan policies) and implemented through subsequent planning approvals. No amendment to the Secondary Plan is required to implement these infrastructure elements.

- iv) There are no changes to the cross-sections of the development, as these were produced specifically to satisfy a request made by Enbridge at the meeting of April 5, 2013. Such detailed cross-sections are not normally required until the Precinct Plan and Draft Plan stages because the infrastructure to be included in the ROW is well-known. They are not required at the Secondary Plan stage. However, the developer accelerated the design of the cross-sections in this instance to satisfy Enbridge's request from the April 5, 2013 meeting. No cross-sections existed prior to these drawings, and no changes could be made to something that did not exist.

Question

c. As illustrated in Figure 2 – Section 1 referencing pneumatic garbage collection system, please provide the process of approval and current status.

RESPONSE

- c) The pneumatic garbage collection system will be finalized at the Precinct and Draft Plan stage.

Question

d. As illustrated in Figure 2 – Section 1:

i. How does the proposed cross section address the existing York Region waste water infrastructure?

RESPONSE

d) The proposed cross section addresses the existing York Region waste water infrastructure by accommodating the future Regional / City sanitary forcemain going east.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #5

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 4

Question

- a. Please provide the proposed timeline for official submission and review.*
- b. What does the review process involve with respect to schedule and circulation for review by utilities and other stakeholders?*

RESPONSE

- a) The Developers or their consultant should respond to the request regarding the proposed timeline for official submission of a Precinct Plan and a Draft Plan. This process and its timeline are not driven by the City of Markham.
- b) The City of Markham has a circulation list for the Secondary Plan that includes Enbridge Gas Distribution, among several other utilities and stakeholders. Once ready in draft form, the Secondary Plan is circulated to the stakeholders on the list. If written comments are received, they are reviewed for possible inclusion as revised Secondary Plan polices. In this particular case, Enbridge was on the circulation list for the Secondary Plan but did not provide any comments.

In addition, there was an extensive consultation process associated with the preparation of the Langstaff Master Plan which involved, among other matters, a series of workshop meetings with agencies and utilities during the summer and fall of 2008. Enbridge was invited to all of these meetings but did not attend.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #6

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 4 & 5

Question

- a. Please state the assumptions used and the information that was reviewed to come to the above stated conclusion.*
- b. What setback considerations were used? Please provide individual setback requirements for all infrastructure.*
- c. What is considered a reasonable depth?*
- d. Please provide the requirements that were reviewed to identify what was needed for "safety and room for future maintenance".*

RESPONSE

- a) This conclusion is based on the City of Markham's knowledge as a municipal approval authority regarding various utilities and services competing within limited underground space.
- b) The setback considerations were based on the fact that Enbridge requires a 6 meter easement for the GTA pipeline.
- c) Reasonable depth is considered to be a depth to which conventional excavation methods can be used in an open cut construction scenario.
- d) "Safety and room for future maintenance" is based on future maintenance or repair using conventional excavation methods in an open cut construction scenario.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #7

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 5

Questions

- a. Please state the assumptions used and provide the information reviewed to come to the above stated conclusion.*
- b. Were other configurations reviewed? If yes, when were they available.*
- c. Can the proposed local sanitary/storm sewer be located elsewhere (i.e. further north)? If no, please explain.*
- d. Please provide the standards used to determine the separation distance between the sanitary and storm sewer.*

RESPONSE

- a) This conclusion is based on the City of Markham's knowledge as a municipal approval authority regarding various utilities and services competing within limited underground space.
- b) No other configurations were reviewed.
- c) No. Other services, streetscaping and utilities are to be located in the right-of-way.
- d) These are dictated by Ministry of the Environment standards. Please refer to MOE standards.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #8

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 5 & 6

Question

- a. Please state the assumptions used and provide the information reviewed to come to the above stated conclusion.*
- b. What setback guidelines are referred to by the City of Markham in the reference above?*
- c. Please provide the City of Markham's setback requirements for all infrastructure identified.*
- d. What is considered a reasonable depth?*
- e. Please detail the "safety and room requirements for future maintenance" that were used.*

RESPONSE

- a) This conclusion is based on the City of Markham's knowledge as a municipal approval authority regarding various utilities and services competing within limited underground space.
- b) The setback considerations were based on the fact that Enbridge requires a 6 meter easement for its pipeline.
- c) The Developers or their design consultant should respond to this request based on the information and standards used in their design. The City of Markham would either approve or reject the design based on minimum standards. A set of engineering design standards for the City of Markham can be provided upon request.
- d) Reasonable depth is considered to be a depth to which conventional excavation methods can be used in an open cut construction scenario.
- e) "Safety and room for future maintenance" is based on future maintenance or repair using conventional excavation methods in an open cut construction scenario.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #9

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 6

Question

a. Please explain the difference in the above statements for Figure 2 – Section 1, Figure 3 – Section 2, and Figure 4 – Section 3.

RESPONSE

a) The statements are based on the City of Markham's understanding of the vision for the development. The fact that the drawings "appear" to meet the City's requirements and specifications is based on the premise that it cannot be confirmed that the drawings meet the City's requirements and specifications until an official submission by the developers is made and a formal review has been completed by the City of Markham.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #10

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 6

Question

a. Figure 2 – Section 1 identifies underground parking structures as 2 levels. However, on the approved municipal plan, the underground parking structure is identified as multiple (greater than 2) levels. Has this change been reviewed with utilities?

RESPONSE

a) The developers or their design consultant should respond to this request.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #11

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 7

Question

a. Please confirm that York Region has requested that the City of Markham include a local sanitary sewer, a 550mm sanitary sewer and a 750mm sanitary force main as identified in Figure 3 – Section 2.

RESPONSE

a) The developers or their design consultant should respond as to where they obtained the information leading to their design of the sanitary sewers.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #12

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 7

Question

a. What specifications, guidelines, or building codes prevent a greater depth of cover?

b. What specifications, guidelines, or building codes would prevent Enbridge's pipeline from being located below the tunnel?

RESPONSE

- a) The Developers or their design consultant should respond to this request. The City of Markham does not design tunnels. In this statement, the City was simply reporting what is currently shown in the drawings.
- b) It is up to Enbridge to confirm what restrictions there would be to building and constructing any infrastructure or various elements of the Langstaff development directly above the pipeline.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #13

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 7 & 8

Question

a. Please confirm whether the CV provided is for Rachel Prudhomme or Alan Brown.

RESPONSE

a) The CV provided is for Alan Brown.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #14

REQUEST

Reference: EB-2012-0451, Exhibit EGDI_IR_City of Markham_20130705, Page 8

Question

a. Please provide the analysis that was completed that identifies the detrimental impacts on the project plan with the introduction of the proposed gas pipeline.

i. Please provide a list of “detrimental impacts”.

RESPONSE

a. The statement referenced in Question 14 is based on my professional planning experience and my interpretation of the intent of the Provincial, Regional and City planning documents referenced in my witness statement. No detailed technical analysis of the impacts of the proposed pipeline has been undertaken.

i. “Detrimental impacts” to the Langstaff Gateway development resulting from the proposed location of the GTA pipeline may include, but are not limited to, potential discontinuities in the interconnected road pattern established by the Langstaff Secondary Plan; potential reductions in roadway right of way widths; reduced land areas of development blocks or changes to the configurations of development blocks identified in the Secondary Plan that would result in reductions to density and building floor area yields within development blocks, thereby compromising the potential to achieve the minimum densities (floor space indexes) required by the Secondary Plan, RYOP and Provincial Growth Plan; potential barriers to the achievement of the City’s Urban Design objectives resulting from the proposed pipeline including the placement of buildings close to the street and the achievement of continuous building walls along streets; and any other changes to the Secondary Plan associated with the GTA pipeline that might compromise the ability of the development to fully implement the goals,

objectives and policies of the Langstaff Secondary Plan, the YROP or the Provincial Growth Plan.

Question

b. Define what is meant by “fundamental changes”.

RESPONSE

b. “Fundamental changes” to the plan include any proposals that would result in detrimental impacts, as well as those requiring an amendment to the plan pursuant to the provisions of *Planning Act*.

Question

c. As referenced in the Official Plan for the City of Markham, the Growth Centre was approved by the Region of York through amendments 183 and 184. Those approved plans did not include consideration of garbage disposal collection piping, personal rapid train (“PRT”), underground pedestrian passageway and underground parking within the ROW.

i. Has an amendment been completed for the secondary plans? Please provide the documentation substantiating stakeholder consultation and approval to incorporate garbage disposal collection piping, PRT, underground pedestrian passageway and underground parking within the ROW.

ii. If the above has not occurred, when will the amendment be carried out?

RESPONSE

c. i) The services and utilities referenced in this question were identified in the Langstaff Master Plan, which was one of the background studies to the Langstaff Gateway Secondary Plan. The Secondary Plan requires that comprehensive master servicing studies, transportation and transit studies be undertaken prior to any development approvals. Furthermore, the Secondary Plan sets out policies promoting the development of innovative transportation, transit, servicing and utility solutions in the Langstaff Gateway. No amendment to the Secondary Plan is required to implement these projects as they are contemplated in conceptual

form through Secondary Plan policies and will be further analyzed in subsequent servicing and transportation studies (as required by Secondary Plan policies) and implemented through subsequent planning approvals.

ii) As noted above, no amendment to the Secondary Plan is required to implement these infrastructure elements.

Question

d. As part of the “integrated and inter-connected” plan, were all the utilities required to service this development included and consulted?

i. If yes, please provide documentation to support the above.

RESPONSE

d. i) Yes. There was an extensive list of utility companies and agencies that were circulated during the course of the Secondary Plan Study. Specifically, a series of meetings and workshop sessions were held in July, August and November of 2008. Enbridge was invited to all these meetings, but did not attend any of them.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #15

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 9

Question

a. The GTA Project is proposed to address growth and to provide continued system reliability and access to diversified natural gas supply sources. In Mr. Blake's experience as a planner, does the proposed Enbridge GTA infrastructure support the YROP?

RESPONSE

- a. Based on my knowledge of the YROP, the Regional Plan does not provide detailed policy guidance on specific infrastructure projects such as the GTA pipeline.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #16

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 9

Question

a. Has the City of Markham coordinated with public and private utilities during the planning of the development?

RESPONSE

- a. See response to Question 14 d. above

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #17

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 9 & 10

Question

a. Does “shared rights of way for utility infrastructure” include Enbridge?

RESPONSE

- a. The intent of the Secondary Plan is to promote shared rights of way for all utilities, including Enbridge. However, the GTA pipeline is exceptional and was not contemplated at the time the Secondary Plan was approved.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #18

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 10

Question

- a. The approved secondary plan did not include the proposed PRT, underground pedestrian passageway, and underground parking structure expansion under the ROW. When were these changes made?*
- b. Please provide the rationale for the changes and/or introduction in infrastructure noted in (a) above and how they meet the planning references provided in Mr. Blake's evidence.*
- c. Please justify why the changes and/or introductions for the future infrastructure noted in (a) above precludes the siting of the proposed GTA Project pipeline.*

RESPONSE

- a) There were no changes made. The Secondary Plan stage does not require detailed cross-sections, which are only developed for the Precinct Plan or Draft Plan stage. The developer agreed to accelerate the production of detailed cross-sections to accommodate a request made by Enbridge at a meeting held at the City of Markham on April 5, 2013. The services and utilities referenced in this question were identified in the Langstaff Master Plan, which was one of the background studies to the Langstaff Gateway Secondary Plan. They were anticipated at the time of approval of the Secondary Plan, although the details were to be provided at a later stage.
- b) Not applicable, as there were no changes.
- c) Based on road cross-section and profile information and on the various utilities and underground services shown on the drawings, there is too much competition within the right-of-way to allow space for the 6 meter easement required for the proposed GTA pipeline.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #19

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Pages 10 & 11

Question

- a. Is the proposed development plan based on York Region guidelines for efficient placement of transportation infrastructure? Please explain.*
- b. According to the above statement supporting transportation infrastructure, would City of Markham agree that the Transportation Demand Management Strategies present restrictions to Enbridge's proposed GTA pipeline being constructed in the Parkway Belt corridor?*

RESPONSE

- a. The Secondary Plan policies are consistent with and implement the policies of the YROP relating to Transportation Demand Management and active transportation strategies, growth management and intensification, and transit-supportive development patterns.
- b. I understand that the pipeline right of way location has not been finalized. A pipeline right of way configuration would compromise the potential to meet Regional TDM/Active Transportation Strategies and TOD standards or the City's pedestrian/transit supportive urban design or streetscape standards if, for example, it restricted the ability to locate high densities adjacent to transit infrastructure; compromised the potential to locate buildings adjacent to the street within Langstaff Gateway; compromised the ability to develop individual blocks in accordance with the policies of the Secondary Plan; or compromised the ability to meet the minimum density targets of the YROP or Langstaff Secondary Plan.

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #20

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 11

Question

a. Please confirm the date when the Langstaff Gateway Secondary Plan was approved by City council.

RESPONSE

- a. The Langstaff Secondary Plan was adopted by City Council on June 8, 2010. Leading up to the adoption of the Secondary Plan was an extensive Master Planning study for the Langstaff area that was initiated during the spring of 2008. The Master Planning study involved extensive consultation with utilities, agencies and the public and a variety of technical meetings with authorities, utilities and agencies as set out in the response to Question 14 d. i).

CITY OF MARKHAM RESPONSE TO
ENBRIDGE GAS DISTRIBUTION INC. INTERROGATORY #21

REQUEST

Reference: EB-2012-0451, Exhibit EGDI.IR.City of Markham.20130705, Page 11

Question

a. Define what "major and detrimental impact" the GTA Project would have on the planned development project.

b. Provide a list of the detrimental impacts and how they were assessed.

RESPONSE

- a. See response to Question 14 a. i) above
b. See response to Question 14 a i) above