

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 19, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 21, 2015.

**19 REQUEST FOR NOISE EXEMPTION - MICHELS CANADA CO.
 ENBRIDGE GAS PIPELINE
 WARDS 4 & 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Interim Commissioner of Legal and Administrative Services / City Solicitor and the Director of By-law & Compliance, dated April 14, 2015:

Recommendation

The Interim Commissioner of Legal and Administrative Services / City Solicitor and the Director of By-law & Compliance recommend:

1. That MICHELS Canada Co. be granted a long term noise exemption, in accordance with the City's Noise By-law 96-2006, for the purposes of upgrading and expansion/installation of Enbridge Gas pipeline from Keele/CNR Station to Yonge Street (extending along the hydro corridor and parallel to Hwy 407);
2. That the long term noise exemption be approved from April 21, 2015 through to April 30, 2016;
3. That this request for noise exemption be granted with the following conditions:
 - a) That construction communication notices be sent to surrounding residents and business owners within a 60 metre radius, in keeping with City standards, advising them of the impending work;
 - b) That the construction communication notices to residents and business owners include contact information for MICHELS Canada Co.;
 - c) That measures are taken to minimize idling of construction vehicles, avoid unnecessary revving of engines / use of airbrakes and to maintain equipment in good working order (including muffling devices and noise attenuation where appropriate) to minimize noise impacts.
 - d) That no construction take place on Sundays or Statutory Holidays.

Contribution to Sustainability

This noise exemption is related to the delivery of natural gas to residents and businesses and contributes to sustainability of the City of Vaughan and Regional infrastructure.

Economic Impact

There is no economic impact for the City as a result of this Report.

Communications Plan

MICHELS Canada Co. has been instructed by the City to notify area residents and businesses in Vaughan of the proposed work schedule in advance of the commencement of the work and have provided a draft of such notice as part of their Application (Attachment No. 1). The Applicant has

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committed to notifying properties within a 200 metre radius, well above the 60 metre City Standard notification requirement.

Purpose

The purpose of this Report is to seek Council's approval of MICHELS Canada Co.'s request for a long-term noise exemption. The delegated authority under By-law 96-2006 allows the Director of By-law & Compliance to approve noise exemptions up to 11 days. This request exceeds the delegated authority of the Director of By-law & Compliance and therefore the authorization of Council is required.

Background - Analysis and Options

MICHELS Canada Co. has written to the City of Vaughan By-law & Compliance Department (Attachment No. 2) requesting an exemption to the Noise By-law from March 16, 2015 through to March 16, 2016 (since revised to April 21, 2015 through to April 21, 2016) for the purposes of construction in connection with the Enbridge Gas mainline pipeline construction located at Keele/CNR Station, extending across Wards 4 & 5, to Yonge Street (along the hydro corridor and parallel to Hwy 407) as outlined on the construction area maps (Attachment No. 3). The intention of this long term noise exemption request is to allow for continuous work activities such as welding and pipe pull support on a contingent basis as the noise emission will not always be after hours.

The letter of intent provided by the Applicant (Attachment No. 4) outlines the scope of the project to primarily consist of the replacement and laying of new gas pipeline to address the current demand and supply of natural gas to the GTA. The construction work after hours may include:

- Equipment back up alarms;
- Lighting and generator use;
- Movement of equipment;
- Pile hammering;
- Radio communication;
- Sandblasting;
- Ultrasound Scanning;
- Welding and water pumping
- Air Compressor

Noise Mitigation

MICHELS Canada Co. will be required to minimize idling of construction vehicles, avoid unnecessary revving of engines / use of airbrakes, to maintain equipment in good working order (including muffling devices) to minimize noise impacts, erect noise barriers where required and to ensure lighting is directed away from residential areas.

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the priorities previously established by Council.

Regional Implications

Continuous demand for natural gas due to GTA population growth requires the proposed work to be carried out. The proposed work is part of a contract between the Applicant and Enbridge Gas and falls within the jurisdiction of the City of Vaughan, within the Region of York and spans across borders of several municipalities.

Conclusion

This request for a noise exemption under By-law 96-2006 exceeds the delegated authority of the Director of By-law & Compliance. Therefore, Council authorization for the exemption to the By-law is required to permit MICHELS Canada Co. to proceed as planned.

Attachments

Attachment 1: Draft Notice of Work
Attachment 2: Request for Noise Exemption - MICHELS Canada Co.
Attachment 3: Letter of Intent – MICHELS Canada Co.
Attachment 4: Construction Area Maps

Report prepared by:

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)