

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 19, 2016

Item 16, Report No. 34, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 19, 2016.

**16 REQUEST FOR NOISE EXEMPTION – TRANSCANADA PIPELINE LIMITED
 VAUGHAN MAINLINE EXPANSION PROJECT
 WARDS 1 AND 2**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Director, By-law & Compliance, Licensing & Permit Services, dated October 5, 2016, subject to amending recommendation 3 f) to read:

- 3. f) That no construction take place on Statutory Holiday long weekends.**

Recommendation

The Director, By-law & Compliance, Licensing & Permit Services recommends:

1. That TransCanada PipeLines Limited and its agents be granted a long-term noise exemption, in accordance with the City's Noise By-law 96-2006, for the purposes of connecting into the approved King's North Connection Pipeline and the existing TransCanada Line 200-2 pipeline northwest of the intersection of Major Mackenzie Drive and Huntington Road;
2. That the long-term noise exemption be approved from October 19, 2016 through to December 31, 2017; and
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 of the impending work;
 - b) That copies of further communication notices be submitted to the City of Vaughan, By-law & Compliance, Licensing & Permit Services;
 - c) That the construction communication notices to residents and business owners include contact information for TransCanada PipeLines Limited and/or its agents;
 - d) That measures are taken to minimize idling of construction vehicles, avoid unnecessary revving of engines and unnecessary use of airbrakes, to maintain equipment in good working order (including muffling devices and noise attenuation where appropriate) to minimize noise impacts;
 - e) That measures are taken to direct lighting away from residential areas; and
 - f) That no construction take place on Statutory Holidays.

Contribution to Sustainability

This noise exemption is related to the delivery of growing natural gas supplies in the Ontario and Eastern Canada markets and will provide Ontario with improved access to new natural gas supplies from the U.S. Northeast.

Economic Impact

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 19, 2016

Item 16, CW Report No. 34 – Page 2

Communications Plan

TransCanada PipeLines Limited (TransCanada) and its agents have a comprehensive communication plan and held several public meetings introducing the project as well as sent out several project notification letters and updates throughout 2015 and early 2016.

TransCanada have further been instructed by the City to notify area residents and businesses in the City of Vaughan of this recent proposed work schedule in advance of the commencement of the work and will provide a draft of such notice. The Applicant has committed to notifying properties within a one (1) kilometer radius, well above the 60 metre City Standard notification requirement.

Purpose

The purpose of this Report is to seek Council's approval for the TransCanada PipeLines Limited (TransCanada) 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 and therefore the authorization of Council is required.

Background - Analysis and Options

TransCanada has submitted an Application for a noise exemption to the City of Vaughan, By-law & Compliance, Licensing & Permit Services requesting an exemption to the Noise By-law from October 19, 2016 through to December 31, 2017 for the purposes of connecting into TransCanada's approved King's North Connection Pipeline Project and the existing TransCanada Line 200-2 pipeline. The intention of this long-term noise exemption request is to allow for continuous work activities such as horizontal directional drilling and horizontal directional boring, installation and construction of new pipeline. The expected locations of after-hours trenchless construction are outlined on the construction area map (Attachment No. 1) and could expand to other areas along the route map.

The majority of construction activities will occur during the daytime hours within the permitted times between 7:00am and 7:00pm.

The letter of intent provided by the Applicant (Attachment No. 2) outlines the scope of the project and addresses demand and supply of natural gas to Ontario and eastern Canada markets. The construction work after-hours may include:

- HDD and HDB equipment;
- directional drill/bore and power-pack unit;
- mobile equipment (loaders, lifts, cranes, side-booms, excavators);
- pump(s) air-compressor (s);
- generator(s);
- welding equipment;
- light towers with diesel generator(s); and
- service trucks.

Noise Mitigation

TransCanada has already developed an Environmental Protection Plan (EPP) for the Project. The EPP requires that noise abatement equipment on machinery must be in good working order and that reasonable measures be taken to control construction related noise near residential

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 19, 2016

Item 16, CW Report No. 34 – Page 3

areas, which includes following applicable local by-laws and project agreements. In addition, TransCanada will be responsible and available throughout the construction phase to receive and address any complaints/concerns raised.

As part of the noise exemption, TransCanada and their agents 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.

Relationship to Term of Council Priorities and Service Excellence Strategic Initiatives

This report is in keeping with the priorities established by Council, specifically: Invest, renew and manage infrastructure and assets.

Regional Implications

Continuous demand for natural gas requires the proposed work to be carried out. The proposed work falls within the jurisdiction of the City of Vaughan, within the Region of York.

Conclusion

This request for a noise exemption under By-law 96-2006 exceeds the delegated authority of the Director of By-law & Compliance, Licensing & Permit Services. Therefore, Council authorization for the exemption to the By-law is required to permit TransCanada and its agents to proceed as planned.

Attachments

1. Construction Area Maps
2. Letter of Intent

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.)