

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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EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

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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:

Janice Heron, Office Coordinator, By-law & Compliance

(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.)

COMMITTEE OF THE WHOLE - APRIL 14, 2015

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

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Report prepared by:

Janice Heron, Office Coordinator, By-law & Compliance

Respectfully submitted,

Heather Wilson
Interim Commissioner of Legal & Administrative Services
/City Solicitor

Gus Michaels
Director, By-law & Compliance



March 14, 2015

NOISE EXEMPTION

FOR
CITY OF VAUGHAN

To whom it may concern

This notice is to inform all residential and commercial accommodation within 200m radius of construction concerning the Enbridge Gas Mainline Pipeline Construction. Michels Canada Co. agrees that every effort will be made to keep noise to a minimum.

In according with Section Noise Control By-law 96-2006, this noise exemption is hereby granted to Michels Canada Co. for March 16, 2015 to March 16, 2016, 24Hr a day and 7 days a week for Enbridge Gas Mainline Pipeline construction in the city of Vaughan. This exception will be used for contingencies. The noise emission will not be produced on a daily basis and after hours. The noise will be emitted like any typical pipeline constructions including equipment back-up alarm, light plants and generator vibration/noise, moving of equipment etc. Activities including radio communication, automated welding, water pumping, multiple pieces of equipment and personnel. Vehicle movements should be arranged so as to minimize the back-up warning device. Crews are to take appropriate measures to eliminate all unnecessary noise and noise barriers will be erected if necessary. The light tower should be arrayed to point away from the residential area to reduce the impact in the neighborhood.

Yours truly,

Darel Malcolmson
Construction Manager

Cc: City of Vaughan
Bylaw and Compliance Department
2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

PERMIT REQUESTED BY: JONATHAN YU - 780-699-0292

Jonathan Yu

Subject: Noise Exemption Application

To whom it may concern,

My name is Jonathan. I would like to apply for a noise exemption for installation of Enbridge Gas Pipeline. Please find my contacting information at the bottom of the email.

Michels Canada is applying for Noise Exemption for Enbridge Gas Pipeline Installation in the city of Vaughan. The noise exemption will be used for contingencies. The noise emission will not always be produced on a daily basis and after hours.

The noise will be emitted like any typical pipeline contractors including equipment back-up alarm, light plants and generator vibration/noise, moving of equipment. Activities including pile hammering, trenching, radio communication, sand blasting, ultra sound scan, automated welding, water pumping, air compressor operation multiple pieces of equipment and personnel.

Please refer to the maps and sketches for locations.

The time frame that we are look at is from Mar 16, 2015 to Mar 16, 2016 for 24hr and 7 days a week.

Please do not hesitate to contact me for any further information.

Regards,

Jonathan Yu | Engineer

MICHELS Canada Co.

office: 780.955.2120 x1265 | cell: 780-699-0292

JonathanYu@michelscanada.com | www.michelscanada.com

1102-16 Avenue

Nisku, Alberta T9E 0A9

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March 16, 2015

NOISE EXEMPTION APPLICATION

FOR
CITY OF VAUGHAN

City of Vaughan
By-law and Compliance
Enforcement Service Department
City Hall Level 100
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mrs. Janice Heron

With the steady Greater Toronto Area population growth, the demand for natural gas continues growing at the same pace. As Enbridge is one of the major gas distributors in the GTA, there is a need to upgrade the existing facilities and requires an expansion to the current supply of natural gas to the GTA. Michels Canada are contracted by Enbridge to install an approximated 50km of 36-42" Enbridge gas pipeline. There are possibilities that the pipeline construction will need to be extended to afterhours due to the nature of the continuous work activities such as welding and pipe pull support.

Construction generally will be practiced between 7:00 A.M. and 7:00 P.M., Monday through Saturday in accordance with Noise Control By-law 96-2006. However, this noise exemption is intended to be used for contingencies where a continuous work must be performed after hours. Michels Canada Co. is applying for a noise exemption to permit construction between the period of March 16, 2015 and March 16, 2016, 24Hrs a day and six days a week excluding statutory holidays for any major unforeseen emergencies. This exception will be only used for contingencies. The noise emission will not be produced on a daily basis and afterhours. The noise emitted will be like any typical pipeline construction including equipment back-up alarm, light plants and generator vibration/noise, moving of equipment and etc. Activities including, moving equipment, radio communication, automated welding and water pumping.

Vehicle movements should be arranged so as to minimize the use of back-up warning device. Crews are to take appropriate measures to eliminate all unnecessary noise and noise barriers will be erected if necessary. The light tower should be arrayed to point away from the residential area to reduce the impact in the neighborhood.

The proposed work area would be located within the proximity of the city of Vaughan right of way and be in use for a period of time greater than 12 months. Michels Canada Co. are requesting that the City's Committee of the Whole grant a year amendment to the Noise Control By-law 96-2006 to exempt Michels Canada Co., mainline pipeline contractor, from noise restrictions for pipeline construction.



March 16, 2015

The location of the proposed work area is described in the following, the 36" new gas pipeline is parallel to the existing Hydro One Corridor. The alignment starts from Keele St., about 350m north of Steeles Ave. It goes through all the major highways and streets including Centre St., Dufferin St., Bathurst St. and Yonge St. We are enclosing a Google Earth map and drawings for your reference.

We trust the above is satisfactory and should you have any questions or concerns regarding the foregoing, please do not hesitate to contact Jonathan Yu for any further questions.

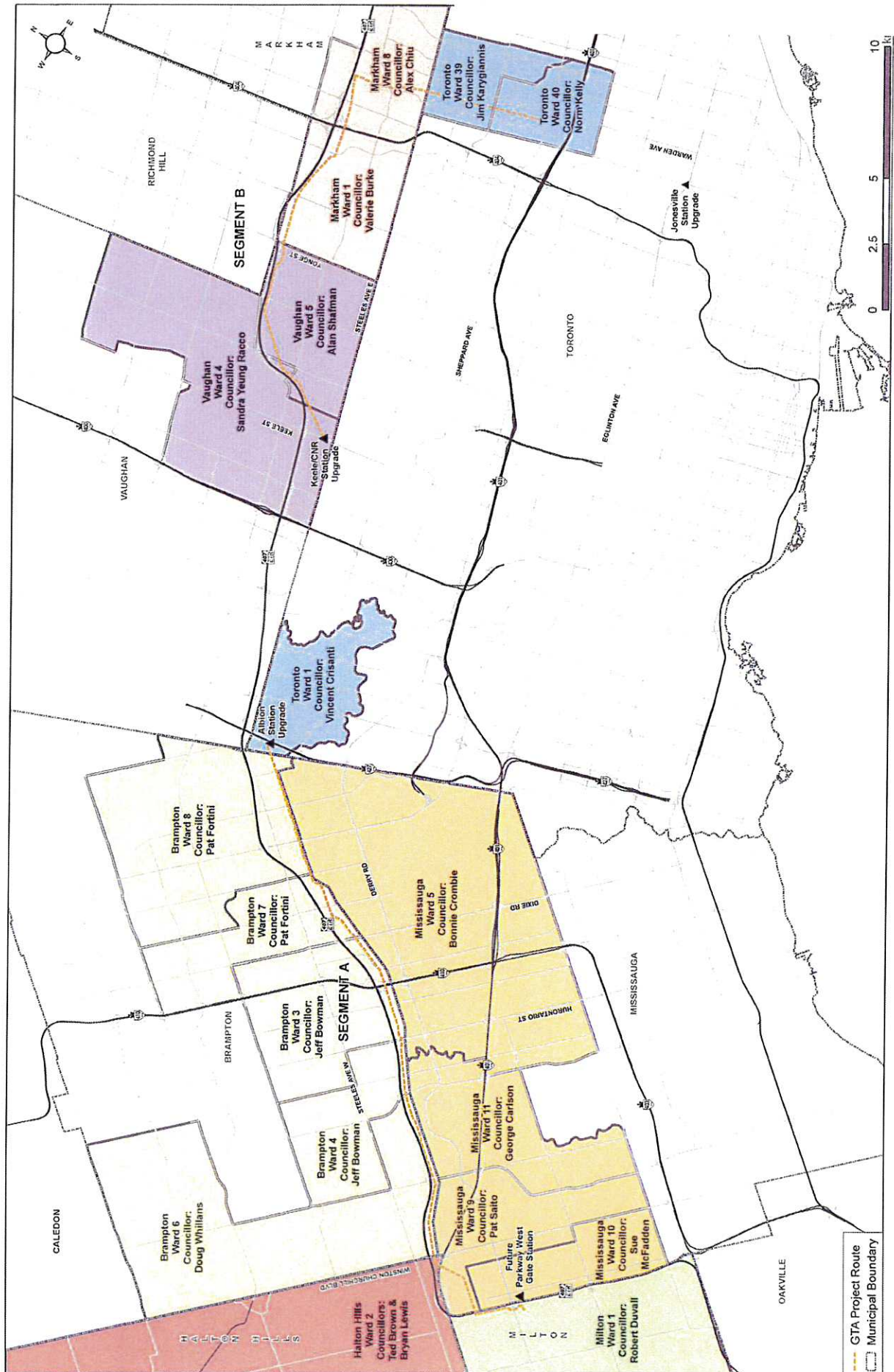
Yours truly,

Darel Malcolmson
Construction Manager

Cc: Darel Malcolmson, Michels Canada Co.
Mark Wilson, Enbridge Gas Distribution
Mary Kantorek, Enbridge Gas Distribution

PERMIT REQUESTED BY: JONATHAN YU - 780-699-0292

ATTACHMENTS No. 4





Alignment