

Enbridge Gas Distribution Inc.
Interrogatories for City of Markham

1. Reference: Exhibit L.EGD.COM.1 and Exhibit L.EGD.COM.2
 - 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.

2. Reference: Exhibit L.EGD.COM.1, Page 1.

Preamble:

At the April 5, 2013 meeting at the City of Markham, in attendance were representatives from Enbridge, the City of Markham, Condor Developments, Angus Glen Developments and Schaeffer & Associates. It was recognized that there is a need for the GTA Project pipeline but there were concerns related to the proposed alignment in the South Boulevard. As noted in the meeting minutes, commitments were made to provide conceptual profiles of the South Boulevard to Enbridge for review by April 22, 2013.

No documents were provided until June 28, 2013 in Exhibit L.EGB. MG.1 Appendix C as part of the regulatory proceeding.

Further, at the April 5, 2013, Enbridge indicated "There are no development setbacks associated with the pipeline, except some restrictions in the easement itself (6m wide). Enbridge can provide comment/propose mitigation to reduce potential constraints once development plans are reviewed."

Request:

- a. Please confirm City of Markham's attendance at the April 5, 2013 meeting.
- 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?
 - 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)?
 - 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.
3. Reference: Exhibit L.EGD.COM.1, Page 1.

Preamble:

Exhibit L.EGD.COM.1, Page 1 states:

"The technical drawings represent one plan view and three cross-sections of the Langstaff Right-of-way ("ROW") design for the Langstaff Gateway development. 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.”

Request:

- 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.
4. Reference: Exhibit L.EGD.COM.1, Page 2.

Preamble:

Exhibit L.EGD.COM.1, Page 2 states:

“The cross-sections attached hereto show that the entire right-of-way is filled with infrastructure necessary for the Langstaff Gateway development, specifically:

- garbage collector pipes*
- Markham District Energy piping*
- sanitary sewers*
- sanitary forcemain*
- storm sewers*
- underground utilities*
- planting requirements for streetscape improvements*
- several levels of underground parking structures*
- personal rapid train underground service”*

The underground parking structures, pedestrian underpass and the personal rapid train (“PRT”) were not identified or discussed at the April 5, 2013 meeting with Enbridge, the City of Markham and the Langstaff Developers, nor in any subsequent emails, phone calls, or correspondence.

Request:

- 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.

- 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?
 - c. As illustrated in Figure 2 – Section 1 referencing pneumatic garbage collection system, please provide the process of approval and current status.
 - d. As illustrated in Figure 2 – Section 1:
 - i. How does the proposed cross section address the existing York Region waste water infrastructure?
5. Reference: Exhibit L.EGD.COM.1 , Page 3, Figure 2 – Section 1:

Preamble:

Exhibit L.EGD.COM.1 Page 3 states the following regarding Figure 2 – Section 1:

“It should be noted that this proposed cross-section produced by the Consultants is only at the conceptual stage and has not yet been officially submitted for formal review and approval by the City’s Development Engineering or Planning and Urban Design Departments.”

Request:

- 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?
6. Reference: Exhibit L.EGD.COM.1, Page 3, Figure 2 – Section 1.

Preamble:

Exhibit L.EGD.COM.1 Page 3 states the following regarding Figure 2 – Section 1:

“The cross-section, as it is being proposed, does not contain any additional space to be able to accommodate Enbridge’s proposed GTA pipeline within a

reasonable depth and with the expected space allocation for setbacks to ensure safety and room for future maintenance.

Request:

- 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”.
7. Reference: Exhibit L.EGD.COM.1, Page 3, Figure 2 –Section 1.

Preamble:

Exhibit L.EGD.COM.1 Page 3 states the following regarding Figure 2 – Section 1:

“Any other configuration of the underground elements in this cross-section would very likely result in the same conclusion.”

Request:

- 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.
8. Reference: Exhibit L.EGD.COM.1 Pages 3 and 4, Figure 3 – Section 2.

Preamble:

Exhibit L.EGD.COM.1 Page 3 states the following regarding Figure 2 – Section 1:

“The cross-section, as it is being proposed, does not contain any additional space to be able to accommodate Enbridge’s proposed GTA pipeline within a reasonable depth and with the expected space allocation for setbacks to ensure safety and room for future maintenance.”

Request:

- 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.
9. Reference: Exhibit L.EGD.COM.1 pages 3 and 4.

Preamble:

Page 3 notes that Figure 2 – Section 1 "*appears to include all of the developer's requirements while meeting the City's typical requirements and specifications*".

Page 3 notes that Figure 3 – Section 2 "*reflects the developer's needs*" and "*appears to provide a realistic scenario of the City's requirements and specifications*".

Page 4 does not make mention of the developer's requirements or needs regarding Figure 4 – Section 3, and notes that "*the City cannot comment any further on this design as the standards and specifications for Go Train facilities are neither developed nor administered by the City*".

Request:

- a. Please explain the difference in the above statements for Figure 2 – Section 1, Figure 3 – Section 2, and Figure 4 – Section 3.
10. Reference: Exhibit L.EGD.COM.1 Figure 2 – Section 1.

Request:

- 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?

11. Reference: Exhibit L.EGD.COM.1, Figure 3 – Section 2.

Preamble:

York Region is currently undertaking a capacity analysis for sanitary and water infrastructure. Any water or sanitary construction in York Region will be based on the infrastructure requirements and the proposed development phasing plan. If additional capacity is determined to be required, York Region has indicated they would complete an Environmental Assessment and routing analysis. Enbridge is not aware that York Region has completed its assessment.

Request:

- 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.

12. Reference: Exhibit L.EGD.COM.1, Page 4, Figure 4 – Section 3.

Preamble:

Exhibit L.EGD.COM.1 Page 4 states the following regarding Figure 4 – Section 3:

“The cover depth between the top of the tunnel and the proposed grade level on the surface above is being shown on the drawing as being 2.5 metres.”

Request:

- 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?

13. Reference: Exhibit L.EGD.COM.1, Page 1.

Preamble:

Exhibit L.EGD.COM.1, Page 1 states: “Curriculum Vitae of Rachel Prudhomme...”

Request:

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

14. Reference: Exhibit L.EGD.COM.2, Page 2.

Preamble:

Exhibit L.EGD.COM.2, Page 2 - Statement of Support states:

“The introduction of the proposed EGD gas pipeline through the Langstaff area would have a major and detrimental impact on the entire project plan. As the following indicates, each aspect of the plan is integrated and inter-connected and any fundamental changes would negatively affect, possibly even terminate, the entire plan.”

Request:

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

15. Reference: Exhibit L.EGD.COM.2 Page 4 - Markham Official Plan and Langstaff Secondary Plan section.

Preamble:

Exhibit L.EGD.COM.2 Page 4 - Markham Official Plan and Langstaff Secondary Plan section includes the following statement:

“From a servicing standpoint, the YROP promotes a “conservation first” approach to servicing which aims to maximize the use of existing infrastructure while strategically leveraging future infrastructure investments.”

Request:

- 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?

16. Reference: Exhibit L.EGDI.COM.2, Page 5 - Markham Official Plan and Langstaff Secondary Plan.

Preamble:

Exhibit L.EGDI.COM.2, Page 5 - Markham Official Plan and Langstaff Secondary Plan section includes the following statement:

“Provides for public and private utilities for development to be planned and constructed in a coordinated manner, to the greatest extent possible”

Request:

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

17. Reference: Exhibit L.EGD.COM.2 Page 5

Preamble:

Exhibit L.EGD.COM.2 Page 5 states:

“Promoting shared rights of way for utility infrastructure to minimize land requirements and increase the efficiency of utility construction and maintenance; and To coordinate the provision of services and to encourage the integration of utilities.”

Request:

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

18. Reference: Exhibit L.EGD.COM.2

Preamble:

Exhibit L.EGD.COM.1 provided Figures illustrating the current proposed development layout, with infrastructure plans that are not presented in the approved secondary plan.

Request:

- 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.

19. Reference: Exhibit L.EGDI.COM.2 Page 4.

Preamble:

Exhibit L.EGDI.COM.2 Page 4 states the following:

“Trip reduction including the efficient use of existing and future transportation infrastructure through the use of Transportation Demand Management Strategies; active transportation strategies; transit-supportive development patterns that focus the highest densities and greatest mix of uses in compact intensification areas (like Langstaff Centre) that are or will be served by the highest order and range of transit infrastructure (subway, GO Transit, 407 Transit Way) and require buildings to be pedestrian-oriented and directly address the street;”

Request:

- 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?

20. Reference: Exhibit L.EGDI.COM.2, Page 5 - Markham Official Plan and Langstaff Secondary Plan section.

Request:

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

21. Reference: Exhibit L.EGDI.COM.2, Pages 6 and 7.

Preamble:

Exhibit L.EGDI.COM.2, Pages 6 and 7 Conclusion section includes the following statements:

"The introduction of the proposed EGDI gas pipeline through the Langstaff Gateway area would have a major and detrimental impact on the planned development project."

"Furthermore, both the YROP and Langstaff Gateway Secondary Plan require a highly coordinated approach to transportation, utility and infrastructure planning, environmental planning and land use and urban design, which strongly discourages fragmented approaches to utility planning and focuses on shared utility trenches, comprehensive utility plans and a strong integration between the planning for services and utilities and the planning of the overall community."

Request:

- 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.