

**MARKHAM GATEWAY INC. ("MG") RESPONSES TO**  
**ENBRIDGE GAS DISTRIBUTION INC. ("EGD") INTERROGATORIES**  
**OF JULY 5, 2013**  
**(A. R. Steedman)**

**MG RESPONSE TO EGD INTERROGATORY #1**

Request:

- a. Please confirm that the review and Markham Gateway's evidence pertain to the Langstaff Gateway west of the CN Railway and does not include lands east of the CN Railway.

Response:

***Markham Gateway's evidence pertains to the proposed pipeline route from Yonge Street to the CN Railway. Nevertheless, some of the points raised may be applicable to the lands east of the CN Railway.***

- b. Provide a detailed map identifying the areas referenced in Markham Gateway's evidence, including the "Richmond Hill/Langstaff Gateway Urban Growth Centre", the "company's lands" as well as the "Markham portion".

Response:

***The requested map is being prepared but will not be available until after July 19/13. The "Markham portion" of the Richmond Hill/Langstaff Gateway Urban Growth Centre is shown on Appendix "B", page 7, of the Witness Statement of Allan R. Steedman dated June 27, 2013 and also on Appendix "C", page 12 of the same Witness Statement.***

**MG RESPONSE TO EGD INTERROGATORY #2**

Request:

- a. Please provide a map of the Richmond Hill/Langstaff Gateway Urban Growth Centre and identify the geographic limits of Markham Gateway's involvement.

Response:

***The map being provided in 1b will contain this information. The Markham portion of the Growth Centre may also be seen as referenced above in 1B. The geographic limits of the company's lands are within the area bounded by the cemetery lands on the south, the CN Railway lands on the east, the 407 and Markham municipal boundary on the north and Yonge Street on the west.***

**MG RESPONSE TO EGD INTERROGATORY #3**

Preamble:

Page 1, paragraph 4 indicated that the lands and the Growth Centre were approved by the Region of York through amendments 183 and 184 to the Official Plan for the City of Markham. 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.

Request:

- a. Has Markham Gateway completed an amendment 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.

Response:

***The question contains an inaccurate premise. No amendment to the approved Secondary Plan is required to permit the proposed facilities in the 30m ROW. When the subsequent precinct plans are complete, the City will insure that the process for approval of all of the proposed facilities, at that time, will undergo due process.***

Request:

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

Response:

***See response in 3a. No secondary plan amendment is necessary.***

#### **MG RESPONSE TO EGD INTERROGATORY #4**

Request:

- a. The original 30m ROW was planned to include local underground services. Please compare the services identified in the original plan with the one submitted in Markham Gateway's evidence and list all incremental infrastructure.

Response:

***Markham Gateway is protecting the 30m ROW for all potential local services. The extent of the 'incremental infrastructure' is not ascertainable at this time.***

#### **MG RESPONSE TO EGD INTERROGATORY #5**

Preamble:

Exhibit L.EGD.MG.1, Page 3, paragraph 10 states:

*"The types and extent of services which will be required in the 30 m ROW are not typical of any other roadway in Markham, the Region of York or the Greater Toronto Area. The services are far more space intensive owing to the high density development approved for the Growth Centre."*

Request:

- a. When the requirement for utilities and structures within the ROW exceeds the expectation of the original design, is it standard practice to revisit the allocated width of the ROW?

Response:

***Nothing can be considered 'standard' for this unique development. All services shown were expected arising out of the approved design and as illustrated, would not have required a revisiting of the ROW***

***width. However, the Enbridge proposed gas pipeline was unexpected and was not planned for.***

### **MG RESPONSE TO EGD INTERROGATORY #6**

**Request:**

- a. Please confirm the City of Markham/York Region approved “Langstaff Land Use & Built Form Master Plan” as illustrated on pg. 83 does not show any requirement for the PRT, underground pedestrian passageway and underground parking to extend under the road.

**Response:**

***The Master Plan is a general guideline and does not necessarily show all of the details of the development. Details will be finalized at later stages of the development process.***

### **MG RESPONSE TO EGD INTERROGATORY #7**

Reference: Exhibit L.EGD.MG.1, Page 2, paragraph 7 (Langstaff Land Use & Built Form Master Plan (Appendix B, Street Sections – Circulation & Transit, page 85)

**Request:**

- a. Cross section over the CN tracks as illustrated on pg. 85 is part of the approved “Langstaff Land Use & Built Form Master Plan” and does not show an arched concrete structure over the CN tracks. Please provide justification for changing the design to the new structure.

**Response:**

***The Master Plan illustrates a grade separated crossing of the 30m ROW and the CN tracks. The ‘arched structure’ is only to show that the crossing will be grade separated. One should not infer that this is the structure that will be constructed. The Precinct Plans for this area will further determine the details of grade separation of the CNR tracks pursuant to the requirements of the Secondary plan.***

- b. Please confirm that Metrolinx has been consulted. If yes, please provide a copy of the consultation record.

Response:

***Metrolinx has not been consulted on this bridge design by Markham Gateway to our knowledge.***

### **MG RESPONSE TO EGD INTERROGATORY #8**

Request:

- a. The plan identifies the south side of the 30m ROW as south linear greenway having multi use creating a pedestrian and cycle supportive neighbourhood also acting as a landscape buffer for neighbouring land uses (Holy Cross cemetery). Does placement of the PRT override this identified requirement? If yes, what is the justification for overriding this?

Response:

***The PRT is shown to protect space for it. It is not intended to override any particular feature.***

- b. For all changes/deviations from the approved plan, has there been public consultation?

Response:

***There are no changes/deviations from the approved plan. Public consultation would be in accordance with the Planning Act and/or other policies of the approval agencies. Public consultation has occurred to the extent required to achieve the present level of approvals.***

- c. Please confirm who has been consulted on the identified changes to the approved secondary plan.

Response:

***As previously noted, the approved secondary plan does not require amendment. See item 8b above.***

- d. What is the process for changes to the master plan?

Response:

***The Master Plan is a guidance document. Changes to it may not require an OPA unless deemed so by the municipality/approval agencies.***

- e. Have any of those been reviewed/approved following the approved process? If not, what is the timeline/schedule to complete? If yes, please provide documentation.

Response:

***No changes are contemplated or required at this time. Servicing allocation has been confirmed and the precinct plan for the first phases of the project is underway. Final timelines cannot be ascertained.***

### **MG RESPONSE TO EGD INTERROGATORY #9**

Request:

- a. The retaining wall is located above the PRT structure. Please identify the engineering requirements that were considered with respect to loading and vibration.

Response:

***Loading and vibration (and other considerations) are an issue at the detailed design stage – not at this stage of the project.***

- b. Please provide details of the proposed retaining wall.

Response:

***Details can be provided when they are available.***

- c. Please justify the current location of the PRT. Identify all other locations that were considered along with the reasons for rejection.

Response:

***The final location of the PRT is not yet determined. As noted earlier, space for it is being provided. Whether this space is***

***'traded' with another service in other locations, for example, will only be known later in the development process as precinct plans are approved.***

## **MG RESPONSE TO EGD INTERROGATORY #10**

### **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 Shaeffer & 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.EGD.MG.1 Appendix C as part of the regulatory proceeding.

Further, at the April 5, 2013 meeting, 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. Have the plans and cross sections provided in the evidence been reviewed by engineers with experience in pipeline design and construction?

### **Response:**

***The plans and cross sections have been prepared and reviewed by technical people with experience in underground municipal services.***

- b. Has Markham Gateway consulted with Enbridge on limitations and coordination of uses within the 6m easement prior to release of the easement?

### **Response:**

***Markham Gateway has been present at two meetings with Enbridge. On both occasions Enbridge has been advised that a pipeline as***

***proposed is not wanted, planned for, or consistent with, a development project of this kind.***

- c. Based on review of the South Boulevard cross section by Enbridge, there are opportunities to allow the proposed GTA Project pipeline in the ROW. Is Markham Gateway willing to work with Enbridge to develop a mutually beneficial plan to accommodate Enbridge and the development's needs?

Response:

***Markham Gateway has previously met with Enbridge. Except for the confines of the OEB process, these meetings can continue until there is no further useful purpose.***

- d. Why were the plans and cross sections not provided to Enbridge and the City in a timely manner to allow Enbridge to comment and propose mitigation with respect to the 6m easement?

Response:

***The preparation of the cross sections took longer than expected. The plans were only ready for Enbridge when the OEB process for filing came due.***

- e. 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:

***The resultant plans as provided to Enbridge through the OEB process are the outcome of the discussions and meetings with Markham. No other minutes or correspondence was prepared to our knowledge.***

## **MG RESPONSE TO EGD INTERROGATORY #11**

Preamble:

All existing City of Markham ROWs are based on current requirements. Paragraph 10 states:



*"The types and extent of services which will be required in the 30 m ROW are not typical of any other roadway in Markham, the Region of York or the Greater Toronto Area. The services are far more space intensive owing to the high density development approved for the Growth Centre."*

Request:

- a. Please provide comparative examples of existing 30m ROW vs. proposed.

Response:

***Existing 30m ROWs are available at the City of Markham. Enbridge can undertake its own comparison.***

- b. Will the new design be required in any other proposed developments that Enbridge should be planning for?

Response:

***Not to our knowledge.***

- c. Will this require the City of Markham to develop new cross sections with all stakeholders?

Response:

***That is a question for the City of answer. However Markham Gateway is likely to be a 'one off' and not to be repeated in Markham.***

- d. Did Markham Gateway and the City of Markham consider a wider ROW to accommodate the additional space intensive services and structures being proposed? If "no", why not?

Response:

***The 30m ROW is considered adequate for the non-Enbridge local services being contemplated. Markham Gateway is not aware of consideration for a wider ROW. If one is required, it would impact on the achievement of the planned development project.***

- e. What is the process and expected timing for the development and

approval of unique ROW cross sections and which stakeholders will be consulted?

Response:

***As noted earlier, a precise time table cannot be determined at this time. The process to be followed will be as required by the Planning Act and those processes and procedures required by the approval agencies.***

### **MG RESPONSE TO EGD INTERROGATORY #12**

Request:

- a. Appendix C, Figures 2 & 3 also illustrates extensive parking areas within the Municipal ROW. Please provide the rationale for introducing parking structures within the ROW since the April 5, 2013 meeting.

Response:

***Parking within Municipal ROW's has been utilized in the GTA. Efficient use of space will be a major consideration for this high density project.***

### **MG RESPONSE TO EGD INTERROGATORY #13**

Preamble:

Enbridge proposes the following correction to the evidence. Enbridge did not 'reject' the location for the pipeline easement on the Parkway Belt utility corridor to the north of Hwy 407. Enbridge reviewed the lands within the Parkway Belt north of the Hwy 407 with respect to availability, and constructability and determined that due to existing development and structures, Transitway and MTO setbacks and Viva expansion, routing through this area was not feasible. This information was also provided at the April 5, 2013 meeting, an email response dated April 26, 2013 (Enbridge Correspondence Table found at Exhibit B, Tab 2, Schedule 1 –

Attachment 5, Page 68, Line 14. ), and at the June 12-13, 2013 Technical Conference.

Request:

- a. Has Markham Gateway reviewed Enbridge's list of route constraints that was provided April 26, 2013 and in the above noted evidence? Has feedback been provided to Enbridge on the list of route constraints?

Response:

***Markham Gateway has reviewed the 'shopping list' of constraints provided by Enbridge. Markham Gateway has on several occasions asked for a detailed metre by metre analysis of these constraints but it has not been provided by Enbridge. The list of constraints does not exist at every stretch of the utility corridor and Markham Gateway is not satisfied that a route could not be 'threaded' through this corridor which was intended to contain facilities such as those Enbridge is proposing.***