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April 2, 2019

Ms. Armine Hassakourians,  
Senior Planner  
The Corporation of the City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

C 15  
COMMUNICATION  
CW (PH) - April 2/19  
ITEM - 3

Via email: [armine.hassakourians@vaughan.ca](mailto:armine.hassakourians@vaughan.ca)

Dear Ms. Hassakourians:

**RE: Block 41 Draft Secondary Plan Commenting Matrix**  
**Our file: PAR 29981**

Further to our submission package sent on behalf of TransCanada PipeLines Limited ("TransCanada") to the City dated March 29, 2018, enclosed are TransCanada's comments within the commenting matrix provided by the City in the Secondary Plan circulation package. The matrix contains additional comments, our revisions and recommended policies related to the Secondary Plan.

We look forward to meeting with the City on April 10, 2019 to discuss the Secondary Plan, our comments and concerns as outlined at the TAC #5 meeting March 5, 2019.

Given the limited time within which to review and provide comments, we reserve our right to provide additional comments following the public meeting.

Yours truly,

Dana Anderson, MA, FCIP, RPP  
Partner  
On behalf of TransCanada PipeLines Limited

Enclosure

**Commenting Table – TransCanada Comments – April 2, 2019**

**Draft Block 41 Secondary Plan (File #26.4.2)**

Section # (Please reference Section and/or Policy Number from Draft Secondary Plan)	Comment
I. Purpose	The policies are designed to enable the creation of a complete community and ensure high quality development that is <b>compatible with the surrounding land uses. The principle of compatibility is critical to the Plan.</b>
II. Location	TransCanada compressor station is recognized as <b>Infrastructure and Utilities</b> . This description should also include the <b>pipeline rights-of-way</b> .
III. Basis (Section 1)	<p>Section 1 Acknowledges that the land use is important. Provincial interests must be upheld (Part III PPs 2014). Among the key principles of a strong community is the policy for a “clean and healthy environment”. “Land use must be carefully managed to accommodate <b>appropriate</b> development to meet a <b>full range of current and future needs</b> while achieving efficient development patterns and <b>avoiding</b> significant or <b>sensitive</b> resource and areas which may pose risk to public health and safety (Part IV PPS 2014). <b>Sections 1.1.1(c), 1.1.3.4, 1.5.1(a), 1.2.6.1, 1.3.1, 1.6 and 3.0, are</b> not mentioned but are to be assessed to confirm consistency with the PPS. Specifically, policies for <i>Infrastructure and Public Service Facilities</i> state:</p> <p><i>1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.</i></p> <p><i>1.6.1: Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective</i></p>

	<p><i>manner that considers impacts from climate change while accommodating projected needs. Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:</i></p> <ul style="list-style-type: none"> <li><i>a) Financially viable over their life cycle, which may be demonstrated through asset management planning; and,</i></li> <li><i>b) Available to meet current and projected needs.”</i></li> </ul> <p><u>This reference should be made in Section 1 of the Basis of the Plan.</u></p> <p><u>As noted above, Section 1.6.1 specifically refers to current and future needs.</u> The Plan must consider current and future needs of TransCanada’s industrial site and gas transmission system. Station 130 is currently being upgraded. TransCanada has executed agreements with customers seeking further expansion of its system which will require TransCanada to add compression facilities at a number of locations in Ontario, including the Maple compressor station.</p> <p>As referenced in TransCanada’s submission letter, the CSA Z663-18 Standard entitled “Land Use Planning in the Vicinity of Pipeline Systems” further identifies the importance of proper planning related to compatible land uses near the pipelines and pipeline facilities and the need for appropriate land uses to protect public health and safety.</p>
Basis (2)	<p>Under this section of the Basis there is reference to the Growth Plan and the statement that the Block 41 Plan has been prepared in conformity with the Growth Plan. The Growth Plan, like the PPS, defines Infrastructure and speaks to its importance and need for protection. The achievement of complete communities includes the need for infrastructure and its protection and the need for compatible land uses.</p> <p>The introduction of sensitive land uses adjacent to Station 130 creates new compliance requirements that can result in regulatory non-compliance and nuisance complaints. These critical issues are avoidable with appropriate land use compatibility assessment and planning and an appropriate policy framework to avoid non-compliance.</p> <p>Recently proposed changes to the Growth Plan through Amendment 1 further addressed compatibility by</p>

	<p>requiring that “an appropriate interface between employment areas and adjacent non-employment areas” be provided “to maintain land use compatibility”.</p> <p>The proposed Growth Plan amendment also states that “the development of sensitive land uses... will avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.” The proposed Growth Plan policies make it clear that the onus for mitigation will continue to rest with the proponents of development and further addresses this issue by clarifying and codifying compatibility requirements to ensure the long-term sustainability of industry. While not in effect, the principles conveyed through these policies should be assessed.</p>
Basis 5 and 6	<p>The Secondary Plan “implements the results of a detailed Secondary Plan Process that included consultation throughout the Study process”.</p> <p>In the last 15 months, there has been limited consultation or responses to requests for further information as outlined in TransCanada’s comment submission letter. TransCanada has not received copies of any updated noise impact analysis or review completed by the City. There does not appear to have been any additional planning analysis related to land use compatibility and noise impacts provided with the proposed Secondary Plan. There appears to be no planning report to accompany the final Plan from the consultants.</p> <p>There has been no substantive response or analysis to Stantec’s January, 2018 Noise Assessment of Block 41’s conceptual neighborhood design (despite requests for meetings and information). There has also been no response from Vaughan regarding TransCanada’s questions and requests for further information in relation to the East Purple Creek Subwatershed Study.</p> <p>There appears to have been no public consultation between January 18, 2016 (Status Update Report to Committee of the Whole) and Feb 12, 2019 Public Open House #3. TransCanada recognizes the importance of the City to provide for growth and manage growth in its future development areas. This however must ensure impacts related to sensitive land uses due to existing uses are fully assessed and properly addressed through the Secondary Plan process.</p> <p>While there is reference to the original technical studies (planning and transportation) to support the emerging land use concept, as the City has moved towards more detailed land use designations and policies, the issues of</p>



	<p>compatibility and noise, access, trails and stormwater management required considerably more detailed discussion to discuss and address issues. This has not occurred through the recent consultation.</p>
Basis 7	<p>The Secondary Plan is said to be based on detailed background studies.</p> <p>Again, TransCanada has provided comments on the East Purpleville Creek Subwatershed study and requested information and responses in its letter dated May 13, 2018. To date no additional information has been provided on the impacts of the proposed stormwater management pond north of Station 130.</p> <p>Specifically, the East Purpleville Creek Subwatershed Study does not appear to use the correct flow targets, does not indicate whether it took the TransCanada industrial site or TransCanada buffer lands into account in terms of the flow design or impact and does not provide information about outflow from proposed stormwater management sites, in particular the site directly adjacent (north) and upstream of TransCanada's industrial site.</p> <p>Despite TransCanada posing questions during the comment period, no information was provided to TransCanada and as a result TransCanada was not able to conduct a meaningful assessment to determine if the overall storm water management plan poses any risks or results in adverse effects to TransCanada's buffer lands or site.</p>
Part A – Preamble 1.0 Context	<p>We recommend that an acknowledgement of the importance of compatibility be added to this section. The presence of TransCanada's facilities is a defining element of the Block, and should be included in the Context for the Secondary Plan.</p> <p>An additional sentence at the end of the section that states "The community will be designed to be compatible with the existing uses in the Block, including the Estate Residential subdivision, and TransCanada Pipeline and Compressor Station."</p>
1.1 Purpose	<p>If the purpose of the Secondary Plan is to establish a land use planning and urban design policy framework to guide development in the Block 41 Secondary Plan Area then time should be taken at this stage to address land use compatibility, noise impacts, road crossings and existing access points, as well as stormwater management.</p>

2.0 Secondary Plan Area	The size and scale should be added to description of "TransCanada's Maple Compressor Station 130". "TransCanada's Maple Compressor Station 130 is located on just under 100 acres of land central in the Secondary Plan".
3. Secondary Plan Process  Phase 3 – Foundation Studies	<p>We note that while reference is made to the NVNCTMP being prepared in parallel with the Secondary Plan, there are schedules to the TMP that are different from the Secondary Plan, particularly in that the NVNCTMP inappropriately shows Trails being located on, and Natural Areas (as opposed to Greenbelt Plan Area) being identified within, TransCanada lands. The NVNCTMP needs to be updated to be consistent with the Secondary Plan in that regard.</p> <p>TransCanada has been providing comments on potential issues and requesting information and clarification throughout the process to which we have not received any formal responses. TransCanada is very concerned that the City is now advancing the plan toward approval given there remain a significant number of unresolved issues.</p> <p>Foundational studies that are said to clarify the constraints on development, the limits of development, and the necessary mitigation strategies that will need to be undertaken as part of the development process do not appear to include any noise studies. A complete noise study and analysis is a foundational study. Its results need to be implemented prior to the designation of land uses.</p>
Phase 4 – Emerging Land Use Concept Report	<p>The Emerging Land Use Concept Report and Technical Planning Reports that were completed as part of the underlying Land Use and Urban Design Strategy, were completed without the benefit of the required technical information and noise analysis. For the purposes of developing a theoretical design plan, they may have been sufficient but moving towards the detailed plan and policies, should have built on a detailed compatibility and noise assessment, as well as finalized technical studies that have addressed all comments.</p> <p>We note that there is reference in the Emerging Land Use Concept Report to a peer review of work carried out by Valcoustics. TransCanada has not been provided with a copy of this peer review.</p>
Phase 5 – Draft Secondary Plan	The Secondary Plan is said to be developed on the foundation of comprehensive directions established through the previous phases. It is said to reflect the community's vision. TransCanada remains concerned that land use compatibility, public health and safety interests have not been adequately addressed as stated in its submission letter.

4.0 Consultation and Engagement	<p>The consultation refers to meetings held with TransCanada. In addition to the TAC meetings, there was only one meeting with TransCanada post 2016 related specifically to the Secondary Plan.</p> <p>As a major landowner and operator of significant energy infrastructure which is proposed to be surrounded by the new community, there have not been further meetings to discuss specific issues or information received based on our written requests.</p> <p>We do note that because of weather TransCanada was unable to attend the February, 2019 Public Open House. We had understood a further open house would be held because of the weather, but none was scheduled.</p>
Section 5.0 Policy Context	<p>In addition to the policies listed, reference should also be made to the Ministry of the Environment Land Use Compatibility Guidelines, as well as CSA Z663-18 "Land use planning in the vicinity of pipeline systems". The list of matters to be addressed should include:</p> <ul style="list-style-type: none"> <li>• "Avoiding land use patterns which may cause public health concerns;</li> <li>• "Ensuring sensitive land uses are appropriately designated and where permitted appropriately buffered and separated from existing infrastructure and utilities to prevent or mitigate adverse effects from noise."</li> </ul>
Section 6 Existing Conditions and Opportunities	<p>Consideration should be given to adding the word "constraints" to the title of this section. The presence of the TransCanada facilities represents a land use constraint and it should be identified as such.</p> <p>The existing conditions and opportunities refers to the conclusions of the East Purple Creek Subwatershed Study and NVNCTMP. TransCanada has identified concerns with those studies and there are outstanding requests for information related to the East Purple Creek Subwatershed Study. We trust that these studies will not be finalized until our concerns have been adequately addressed.</p> <p>This section also states that the Secondary Plan responds to the existing conditions through the technical background analysis to the TransCanada natural gas pipeline right-of-way (should be referred to as "rights-of-way") and the TransCanada Maple Compressor Station, noise mitigation strategies and setbacks.</p> <p>TransCanada is not aware of the technical background analysis referred to in this section or "noise mitigation strategies". The issues and impacts of noise related to the current and future build out of the facility have not been addressed and the current Secondary Plan policies do not protect TransCanada's infrastructure.</p>

PART B – The Secondary Plan 2.0 Vision and Guiding Principles	The Development Principles should include a statement about “ensuring compatibility between existing infrastructure and utilities, sensitive land uses and all land uses (roads, open spaces, pathways)”. We note that the ability to achieve the principles and Vision contained in this section may be compromised if questions around land use compatibility with Station 130 are not properly addressed now.
2.1b.10	Add “buffers” after “land use” to read “Provide appropriate land use, buffers and built form transitions...”  A further principle should be added which reads: <ul style="list-style-type: none"> <li>Streets should be laid in a manner that is compatible with existing land uses and ownership patterns</li> </ul>
ADD 2.1.b.11	There should be a Development Principle that speaks specifically to land use compatibility: <p>11. Ensure sensitive land uses are compatible with existing and future uses</p> <ul style="list-style-type: none"> <li>Ensure sensitive land uses are planned to minimize risk to public health and safety and to ensure the long-term protection and viability of major facilities and infrastructure.</li> <li>Provide for adequate separation distances between sensitive land uses and major facilities and infrastructure.</li> <li>Ensure that the implementation of sensitive land uses achieves mitigation to address adverse effects and adverse impacts of major facilities and infrastructure</li> </ul>
3.0 – Community Structure	
3.1.4	Each of the Neighbourhoods that abut TransCanada’s facilities should have a reference to those facilities in their description. This gives certainty to the Plan of the existing conditions and potential constraints.  The descriptions for N1, N2 and N3 should state: “The neighbourhood is adjacent to TransCanada’s compressor station and pipelines”



3.1.6 Street Network	The street network proposes a public road to cross TransCanada's existing pipelines and private driveway access. The Secondary Plan does not appear to address the fact or take into consideration the existing federally regulated infrastructure. Several comments have been provided on the NVNCTMP that require revisions and alignment with the Secondary Plan.
3.1.7 Parks and Trails Networks	We note and support the removal of proposed parks and trails from TransCanada's lands.
Section 3.1.9 a) Infrastructure and Utilities	<p>This section should reiterate the significance of TransCanada's facilities and add another sentence to the end of a) "No land use designation of <i>sensitive land uses</i> shall occur until it has been demonstrated that they are compatible with TransCanada's facilities."</p> <p>Policy language should also be added requiring the City to consult with TransCanada during the Subdivision, Zoning, and Site Plan Approval process for all developments to ensure compatibility with its existing and potential operations</p>
Section 3.1.10 – Sensitive Uses	<p>This section should be titled "Sensitive Land Uses".</p> <p>This section should be modified to properly take into consideration the importance of the TransCanada facilities and the need to ensure land use compatibility. We suggest the following wording:</p> <p>3.1.10 Sensitive Land Uses</p> <p>a) All new development shall be considered in accordance with the Ministry of the Environment Land Use Compatibility Guidelines which provide recommendations to ensure sensitive land uses are appropriately located, designed, buffered and separated from areas of influence.</p> <p>b) In addition to the policies of Section 8.4.3 of the VOP, the TransCanada Maple Compressor Station and pipeline rights-of-way are located adjacent to the Secondary Plan. These lands are designated Major Facilities</p>

and Infrastructure. These lands have an area of influence within which sensitive land uses shall only be permitted in accordance with the policies and requirements of the Secondary Plan.

c) The following policies apply to development adjacent to the high pressure natural gas pipelines operated by TransCanada PipeLines Limited and identified on Schedules A and B:

i. no permanent building or structure may be located within 7 metres of the pipeline right-of-way. A reduction in the 7 metre setback shall only be considered if agreed to by TransCanada PipeLines Limited and if all necessary municipal approvals are obtained;

ii. accessory structures shall have a minimum setback of 3 metres from the limit of the pipeline right-of-way;

d) This Secondary Plan recognizes the importance of TransCanada's Compressor Station 130 in supplying and transmitting natural gas supply throughout Ontario and eastern Canada. New development shall not limit the ability of the Station to expand its operations in the future.

e) An overlay designation, Noise Influence Area, shall be identified on Schedules B and C of the Secondary Plan. This overlay designation represents the area of influence related to the future build out of the Station 130 lands within which no sensitive land uses shall be permitted, without evidence to substantiate the mitigation of adverse impacts and adverse effects through a separation distance from the lands designated Major Facilities and Infrastructure or mitigative measures that are in conformity with the principles and policies for design, connectivity and complete communities, as set out in the Secondary Plan.

f) Prior to the permission of land uses as provided by the underlying land use designation within the Noise Influence Area overlay, a noise feasibility analysis that assesses the impacts of noise from the TransCanada Compressor Station operations, present and future, including Low Frequency Noise, shall be completed. The noise feasibility assessment shall be completed in accordance with the NPC-300 Guidelines to the satisfaction of the City, the MOEECP and TransCanada, and shall recommend appropriate measures for the separation of land uses and/or mitigation of any adverse impacts and adverse effects from noise that are identified.

	<p>g) Mitigation measures shall meet the general design policies of the Secondary Plan (Section 3.12) and the more detailed urban design policies to accompany the Block Plan.</p> <p>h) Mitigation of adverse impacts and adverse effects from noise are the responsibility of the development proponent and shall be carried out in accordance with an agreement with the City and TransCanada to be implemented through future development applications.</p> <p>i) Applications for residential development and other sensitive land uses located within the Block 41 Secondary Plan area shall also address potential noise, vibration and air pollution impacts from major streets and transportation infrastructure and facilities.</p> <p>j) The City shall consult with TransCanada during the Block Plan, Subdivision, Zoning and Site Plan approval processes for all developments, as well as the design process for public spaces, including trails, within 200 metres of the rights-of-way and Station 130 lands to ensure compatibility with its existing and future operations.</p>
3.9.1	Should read "rights-of-way"
3.9.2	Add reference "provided they are compatible with and do not cause any adverse impacts or adverse effects to existing TransCanada compressor station site, operations, storm water management or adjacent buffer lands"
4.1.1 Street Network	<p>We agree with the reference in policy 4.1.1. b i) which recognizes the constraints posed by the TransCanada pipeline. The policy should also acknowledge the privately-owned and federally regulated lands as well.</p> <p>In particular, we note that Street 4 on Schedule E of the Secondary Plan crosses the privately-owned driveway access to TransCanada's industrial facility. TransCanada requires unimpeded and unrestricted access to its Station 130 for operations, maintenance and emergency response purposes, and in the event of future expansion. Further discussion and review is required to determine if a street in this location can be permitted.</p>

	TransCanada does not agree to showing a road crossing of its lands at this time.
5.3(b)	We are unclear what is intended by the reference to "pipeline safety buffers". We would appreciate clarification on the scope and intent of this policy.
8.0 Services and Sustainable Development 8.1 General Water, Stormwater and Wastewater Policies 8.1.1	Consider adding having regard for "existing adjacent industrial infrastructure and utilities and" prior to the words "...the long term development potential..."
8.2.1	We note that the East Purpleville Creek Subwatershed Study should not be considered finalized until we have had our questions responded to and our comments addressed so that TransCanada can ensure there is no potential for adverse impact to its compressor station site, operations, storm water management or buffer lands.
8.4 Sustainable Development	<b>Add</b> "Ensuring sensitive land uses are appropriately designated/buffered or separated from existing infrastructure and utilities to prevent or mitigate adverse effects from noise"
8.5 Energy Efficiency 8.5.2	The question of the potential for waste heat recovery has previously been raised with TransCanada, and we have advised that this is not something that is feasible or appropriate at this location. Reference to the potential for such a project with TransCanada should be deleted.



9.3	We agree that TransCanada should be consulted early in any future Planning Act applications.
Schedules	<p>Schedule B – should be modified to reflect the proposed modifications to policy 3.1.10, above, to reflect the addition of a “Noise Influence Area Overlay” Designation</p> <p>Schedule E – should be amended to remove the proposed road crossings of TransCanada’s lands, and the NVNCTMP should be amended accordingly.</p> <p>Schedule G – should reflect a final Noise Influence Area based on current and future analysis carried out by TransCanada in consultation with the City.</p>