

October 4, 2022

Jennifer Le
Municipal Services Office – Central Ontario

Ministry of Municipal Affairs and Housing
777 Bay Street, 13th Floor
Toronto, ON
M7A 2J3

Via email: Jennifer.Le@ontario.ca

Dear Jennifer Le

RE: Halton Region Regional Plan Amendment No. 49
Our File: PAR 44121

MacNaughton Hermsen Britton Clarkson (“MHBC Planning”) are the planning consultants for TransCanada PipeLines Limited (“TCPL”). This letter is in response to the notice of posting for the Halton Regional Official Plan Amendment No. 49 (“ROPA 49”) by the Environmental Registry of Ontario.

TCPL has two (2) high-pressure natural gas pipelines contained within a right-of-way (“easement”) and associated facilities crossing Halton Region. TCPL’s pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (“NEB”). As such, certain activities must comply with the *Canadian Energy Regulator Act* and associated regulations. The Act and the regulations can be accessed from the CER’s website at www.rec-cer.gc.ca.

TCPL’s pipelines and facilities are defined as Infrastructure in the Provincial Policy Statement (“PPS”). Section 1.6.8.1 of the PPS states that: *“planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs”*. The Growth Plan (2020) also references the importance of protecting and maintaining planned infrastructure to support growth in Ontario.

MHBC, on behalf of TCPL have been actively participating in the ROPA 49 process and have submitted response letters to the Region on September 9, 2020 and May 12, 2022. These letters requested policy additions in the *“ENERGY AND UTILITIES”* section of ROPA 49 to reflect TCPL’s current infrastructure and associated regulations. We also requested that TCPL’s right-of-way be included on *Map 1B: Parkway Belt Transportation and Utility Corridors*. These requests were not included in ROPA 49 as submitted to the Province. As such, we request that the following policies be incorporated into ROPA 49 in the *“ENERGY AND UTILITIES”* section:

1. TransCanada PipeLines Limited (“TCPL”) operates two (2) high-pressure natural gas pipelines contained within a right-of-way (“easement”) and associated facilities crossing Halton Region, as shown on Map 1B.
2. TCPL is regulated by the Canada Energy Regulator (CER) which has a number of requirements regulating development in proximity to its pipelines, including approval for activities within 30 metres of the pipeline centreline (the “Prescribed Area”).
3. New development can result in increasing the population density in the area that may result in TCPL being required to replace its pipeline(s) to comply with CSA Code Z662. Therefore, the Region of Halton shall require early consultation with TCPL or its designated representative for any development proposals within 200 metres of its pipelines.
4. TCPL’s pipeline right-of-way may be should be limited to passive open/green space or as part of a linear park system.
5. No buildings or structures shall be located within 7 metres of TCPL’s right-of-way. No accessory structures shall be located with 3 metres of TCPL’s right-of-way.
6. In addition to the requirements of setbacks for buildings and structures, the following should be setback a minimum of 7 metres from the right-of-way:
 - a. Road rights-of-way (paralleling pipeline rights-of-way), paved private driveways, parking spaces and parking areas; and,
 - b. Stormwater management facilities.

Thank you for the opportunity to comment on the New Official Plan. If you have any questions, please do not hesitate to contact TCEnergy@mhbcplan.com.

Sincerely,



Kaitlin Webber, MA
Planner | MHBC Planning

On behalf of TransCanada PipeLines Ltd.