

October 29, 2024

Clara Vani
Secretary Treasurer, Committee of Adjustment

City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Via email: coa@brampton.ca

Dear Secretary Treasurer:

RE: Application for Consent
12 Cadetta Road & 10514 Coleraine Drive
2689336 Ontario Inc. c/o King Consultants Inc.
Municipal File: B-2024-007
MHBC File: PAR 50427

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to notification of the consent application outlined above. We understand the purpose of the consent is to sever a portion of land from 10514 Coleraine Drive and add it to 12 Cadetta Road. TCPL has one (1) high-pressure natural gas pipeline contained within a right-of-way (easement) crossing the benefitting lot, 12 Cadetta Road.

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 ("Act") and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

TCPL requests the following regulatory and development requirements be forwarded to the Proponent in the event of any future activity in proximity to the pipelines:

1. Written consent from TCPL must be obtained before any of the following:
 - a. Constructing or installing a facility across, on, along or under a TCPL pipeline right-of-way. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
 - b. Conducting ground disturbance (excavation or digging) on TCPL's pipeline right-of-way or within 30 metres of the centreline of TCPL's pipe (the "Prescribed Area");
 - c. Driving a vehicle, mobile equipment or machinery across a TCPL pipeline right-of-way outside the travelled portion of a highway or public road;
 - d. Using any explosives within 300 metres of TCPL's pipeline right-of-way; and,
 - e. Use of TCPL's Prescribed Area for storage purposes.

How to apply for written consent:

- Determine the location of your work relative to TCPL's facilities.
 - When planning, and before any of the work or activities, listed above, can begin, a request for written consent must be submitted to TCPL through our online application form
 - We no longer accept applications through email
 - Location of the work is required, along with the proximity to TCPL's right-of-way
 - This information can be obtained through survey plans, or through a locate request
 - Make a locate request either online (ClickBeforeYouDig.com) or by calling your local One-Call Centre.
 - The One-Call Centre will notify the Proponent of buried utilities in your area, who will send representatives to mark these facilities with flags, paint or other marks, helping you avoid damaging them. Often written consent for minor activities can be obtained directly from a regional TCPL representative through a locate request.
 - Apply for written consent using TCPL's [online application form](#) or call 1-877-872-5177.
 - Application assessment and consent. Once your information has been assessed and potential impacts have been evaluated, TCPL may:
 - Grant consent without any conditions
 - Grant consent that requires certain conditions to be met to assure safety, or
 - Not grant consent
2. During any construction activities in proximity of the right-of-way, the Proponent must install and maintain temporary fencing along the limits of TCPL's right-of-way to prevent unauthorized access onto the right-of-way with heavy equipment. The fence must meet TCPL's specifications concerning type, height and location and must be maintained by the Proponent for the duration of construction.
 3. No buildings or structures shall be installed anywhere on TCPL's right-of-way. Permanent buildings and structures are to be located a minimum of 7 metres from the edge of the right-of-way. Temporary or accessory structures are to be located a minimum of 3 metres from the edge of the right-of-way.
 4. A minimum setback of 7 metres from the nearest portion of a TCPL right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated drive aisle or driveway.
 5. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
 6. Any landscaping of TCPL's right-of-way is to be approved in writing by TCPL and done in accordance with the following guidelines:
 - a. TCPL's right-of-way is to be seeded with Canada #1 seed.
 - b. A 5-metre continuous access way shall be maintained over, through and within the right-of-way to facilitate access for future pipeline operation and maintenance activities.
 - c. No portion of a tree or shrub (including the canopy) at the time of maturity shall encroach within 5 metres of the edge of the TCPL pipeline within the right-of-way.
 - d. No trees or shrubs at the time of maturity that will reach a height greater than 4 metres shall be planted within the right-of-way.
 - e. Tree roots must not interfere with the pipeline.
 - f. A minimum of 10 metres between all groups of trees/shrubs will be established. A group is defined as 3-5 trees/shrubs.
 - g. Irrigation systems are not permitted within TCPL's right-of-way.

7. If TCPL's pipelines experience contact damage or other damage as a result of construction, stop work immediately and notify TCPL at once.
8. The Proponent shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Enclosed is a copy of TC Energy's Work Safely Handbook for additional information on constructing near TCPL's pipelines. Additional information can be found on TC Energy's [website](#).

Thank you for the opportunity to comment. Kindly forward a copy of the Notice of Decision to TCEnergy@mhbcplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,

MHBC



Kaitlin Webber, MA
Planner | MHBC Planning

on behalf of TransCanada PipeLines Limited