

From: circulations@wsp.com
Sent: 2021/12/06 4:29 PM
To: Caruso, Carmen
Subject: [EXTERNAL]OPA/ZBLA (OZS-2021-0052) & Draft Plan of Subdivision (21T-21022B), 10124 & 10244 Mississauga Rd, Brampton

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2021-12-06

Carmen Caruso

Brampton

, ,

Attention: Carmen Caruso

Re: OPA/ZBLA (OZS-2021-0052) & Draft Plan of Subdivision (21T-21022B), 10124 & 10244 Mississauga Rd, Brampton; Your File No. OZS-2021-0052,21T-21022B

Our File No. 92060

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell's development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell's behalf. WSP is not responsible for Bell's responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca

Should you have any questions, please contact the undersigned.

Yours truly,

Ryan Courville
Manager - Planning and Development
Network Provisioning
Email: planninganddevelopment@bell.ca

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-LAEmHhHzdJzBITWfa4Hgs7pbKl

March 22, 2022

Carmen Caruso

Development Planner
The City of Brampton
Planning & Development Services
2 Wellington St W
Brampton ON L6Y 4R2

Reference: **Notice of Application and Request for Comments**
Application for Official Plan, Zoning By-Law Amendment and
Proposed Draft Plan of Subdivision
ARGO TFP BRAMPTON LIMITED AND ARGO TFP BRAMPTON II LIMITED
GLEN SCHNARR & ASSOCIATES INC.
10124 and 10244 Mississauga Road
File Number: **OZS-2021-0052**
Subdivision Number: **21T-21022B**

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified that this **residential** development will be serviced by **Community Mailbox**.

In order to establish mail service:

- ⇒ The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of CMBs and to indicate these locations on appropriate servicing plans;
- ⇒ The owner/developer will confirm to Canada Post that the final secured permanent CMB locations will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
- ⇒ The owner/developer will install a concrete pad at each CMB location as well as any required walkway across the boulevard and any required curb depression for wheelchair access as per Canada Post's concrete pad specification drawings;
- ⇒ The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary CMB location. This location will be in a safe area away from construction activity in order that CMB may be installed to service addresses that have occupied prior to the pouring of the permanent CMB pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy;
- ⇒ The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- ⇒ The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of the Canada Post CMB site location, as approved by Canada Post and the City of Brampton;

- ⇒ The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated CMB, and to include the exact location thereof; and further, advise any affected homeowners of any established easements granted to Canada Post. Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Regards,



Christopher Fearon
Delivery Services Officer | Delivery Planning
200-5210 Bradco Blvd
Mississauga ON L4W 1G7
416-433-6271
christopher.fearon@canadapost.ca

December 9, 2021

Carmen Caruso
Development Planner
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Mr. Caruso:

Re: Notice of Application and Request for Comments
Application to Amend the Official Plan, Zoning By-law and Proposed Draft Plan of Subdivision
Glen Schnarr & Associates Inc. – TFP Mayching Developments Ltd.
Northwest quadrant of Mississauga Rd and Bovaird Dr W
File: 21T-21022B (OZS 2021-0052)
City of Brampton – Ward 6

The Dufferin-Peel Catholic District School Board has reviewed the above noted application based on its School Accommodation Criteria and provides the following comments:

The Board notes that schools sites were not adequately addressed during the secondary plan process. Proceeding to Tertiary plan ahead of a typical Block plan process, will impact the Boards ability to adequately secure and distribute school sites adequately within Heritage Heights. Catchment areas for the Board are typically larger than the proposed Tertiary plan and as such the Board will continue to count these units towards the development of the Heritage Heights Secondary Plan. When considering this development and surrounding lands, they generate the need for an elementary school site somewhere south of the CN Railway.

The applicant proposes the development of 169 detached, 691 townhouse, estimated 222 medium density units and estimated 468 high density units which are anticipated to yield:

- 156 Junior Kindergarten to Grade 8 Students; and
- 95 Grade 9 to Grade 12 Students

The proposed development is located within the following school catchment areas which currently operate under the following student accommodation conditions:

Catchment Area	Host School	Enrolment	Capacity	# of Portables / Temporary Classrooms
Elementary School	St. Jacinta Marto	335	504	0
Secondary School	St. Augustine	994	1320	3

The Dufferin-Peel Catholic District School Board is committed to the phasing of residential development coincidental with the adequate provision and distribution of educational facilities. Therefore, the Board requests that the City of Brampton include the following school accommodation condition:

"Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the developer/applicant and the School Boards for this plan."

The Board requests that the following conditions be incorporated in the conditions of draft approval:

1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to erect and maintain information signs at all major entrances to the proposed development advising the following: "Please be advised that students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available." These signs shall be to the Dufferin-Peel Catholic District School Board's specifications, at locations determined by the Board and erected prior to registration.
2. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots until the permanent school for the area has been completed.
 - (a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
 - (b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

The Board will be reviewing the accommodation conditions in each elementary and secondary planning area on a regular basis and will provide updated comments if necessary.

Yours sincerely,



Krystina Koops, MCIP, RPP
Planner
Dufferin-Peel Catholic District School Board
(905) 890-0708, ext. 24407
krystina.koops@dpcdsb.org

c: N. Hanson, Peel District School Board (via email)

August 9, 2022

Stephen Dykstra
Development Planner III
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Mr. Dykstra,

**RE: Review and comments of MPH (51-3) resubmission 21T-21022B & OZS-2021-0052
Northwest corner of Mississauga Road and Bovaird Drive West
City of Brampton (Ward 6)**

The Peel District School Board has reviewed the above-noted resubmission and confirms the school site size and location have been satisfied. The school site will be 6.75 acres with 2 street frontages, which meets the Board needs.

The Board would like to reaffirm the other school conditions of draft plan approval continue to be a requirement.

Conditions of Draft Approval:

The Board requires the inclusion of the following conditions in the Conditions of Draft Approval as well as the Development Agreement:

1. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.
2. The Peel District School Board requires the following clause be placed in any agreement of purchase and sale entered into with respect to any units on this plan, until the permanent school for the area has been completed:
 - a) “Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy #39. You are advised to contact the Planning and Accommodations Department of the Peel District School Board to determine the exact schools.”

- b) "Whereas, despite the efforts of the Peel District School Board, please be advised that noise, dust and truck traffic are normal circumstances during the construction of a school, and once constructed, the school will have normal operating conditions for a school such as noise, exterior lighting, portable classrooms (including installation and removal), and increased traffic on surrounding streets during peak A.M. and P.M. hours and during special events."
- c) "The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the students will meet the school bus on roads presently in existence or at another designated place, designated by Peel District School Board. Bus stop locations will be assessed and selected by the Student Transportation of Peel Region's Bus Stop Assessment (STOPR012) procedure and process"
3. The developer shall agree to erect and maintain signs at the entrances to the subdivision which shall advise prospective purchases that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools, according to the Peel District Board's Transportation Policy.
 4. Any amendment or adjustment to the subdivision that would result in an increase of proposed residential units should address to the satisfaction of the Peel District School Board the adequacy of school capacity to support the increase in proposed residential units beyond Block #295.
 5. The applicant is required to arrange a site inspection in order to assess the suitability for the construction of an elementary school on Block #295.
 6. Prior to registration of the plan, the City of Brampton requires that satisfactory arrangements shall have been made with the Peel District School Board for the acquisition, or reservation for future acquisition, of School Block #295 designated in the plan for public school purposes.
 7. The developer shall agree to install fencing to municipal standards.
 8. The developer shall agree to post and maintain "No Dumping" signs along the perimeter fence as required by the Peel District School Board.
 9. A clause and securities be included in the servicing agreement which prohibits the stockpiling of any soils or material on School Block #295.
 10. In order to ensure that sanitary, storm, and utility easements (hydro, gas, water, etc.) do not interfere with approved site plans, it is requested that such easements be approved by the Peel District School Board prior to their establishment on the proposed school site.
 11. The developer shall agree to confirm in writing to the Peel District School Board that capacity for a new school with regards to natural gas and hydro is adequate.
 12. The applicant will ensure that Community mailboxes are not located along the frontage of School Block #295.
 13. The developer shall agree that during construction of the surrounding development they will provide any traffic control as required by the municipality at no cost to the Peel District School Board.

The Board wishes to be notified of the decision of Council with respect to this proposed application.

The Board is also requesting a phasing plan.

If you require any further information, please contact Phillip Sousa at phillip.sousa@peelsb.com.

Yours truly,

A handwritten signature in cursive script, appearing to read 'S. Blakeman'.

Suzanne Blakeman
Manager, Planning and Enrolment

c. K. Koops, Dufferin-Peel Catholic District School Board (email only)

21T-21022B comment.doc

August 11, 2022

Carmen Caruso
Development Planner
Planning, Building & Economic Development Services
City of Brampton
2 Wellington St W
Brampton, ON L6Y 4R2

Dear Carmen,

Re: Draft Plan of Subdivision, Official Plan Amendment, Zoning By-law Amendment
Glen Schnarr & Associates Inc. – TFP Mayching Developments Ltd.
10124 and 10244 Mississauga Road
City of Brampton
File No.: 21T-21022B, OZS-2021-0052

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

2193914 Canada Limited (operated by Enbridge Gas Inc.) does not object to the proposed application(s).

The applicant shall obtain a 2193914 Canada Limited CER permit for all installations and excavations within 30m of the CER regulated pipe and pipeline corridor.

The applicant shall contact 2193914 Canada Limited by emailing Mark-Ups@Enbridge.com as soon as possible to discuss the applicant's design. There may be design limitations due to the presence of the pipe and pipeline corridor.

This response does not constitute permission.

Sincerely,

A handwritten signature in blue ink, reading "Casey O'Neil". The signature is written in a cursive, flowing style.

Casey O'Neil

Sr Analyst Municipal Planning
Engineering

ENBRIDGE

TEL: 416-495-5180

500 Consumers Rd, North York, ON M2J1P8

enbridge.com

Safety. Integrity. Respect. Inclusion.

From: SHETTY Dolly <Dolly.Shetty@HydroOne.com> on behalf of Dennis De Rango <landuseplanning@hydroone.com>
Sent: 2022/01/31 10:10 AM
To: Caruso, Carmen
Subject: [EXTERNAL]Brampton - 10124 and 10244 Mississauga Road - OZS-2021-0052

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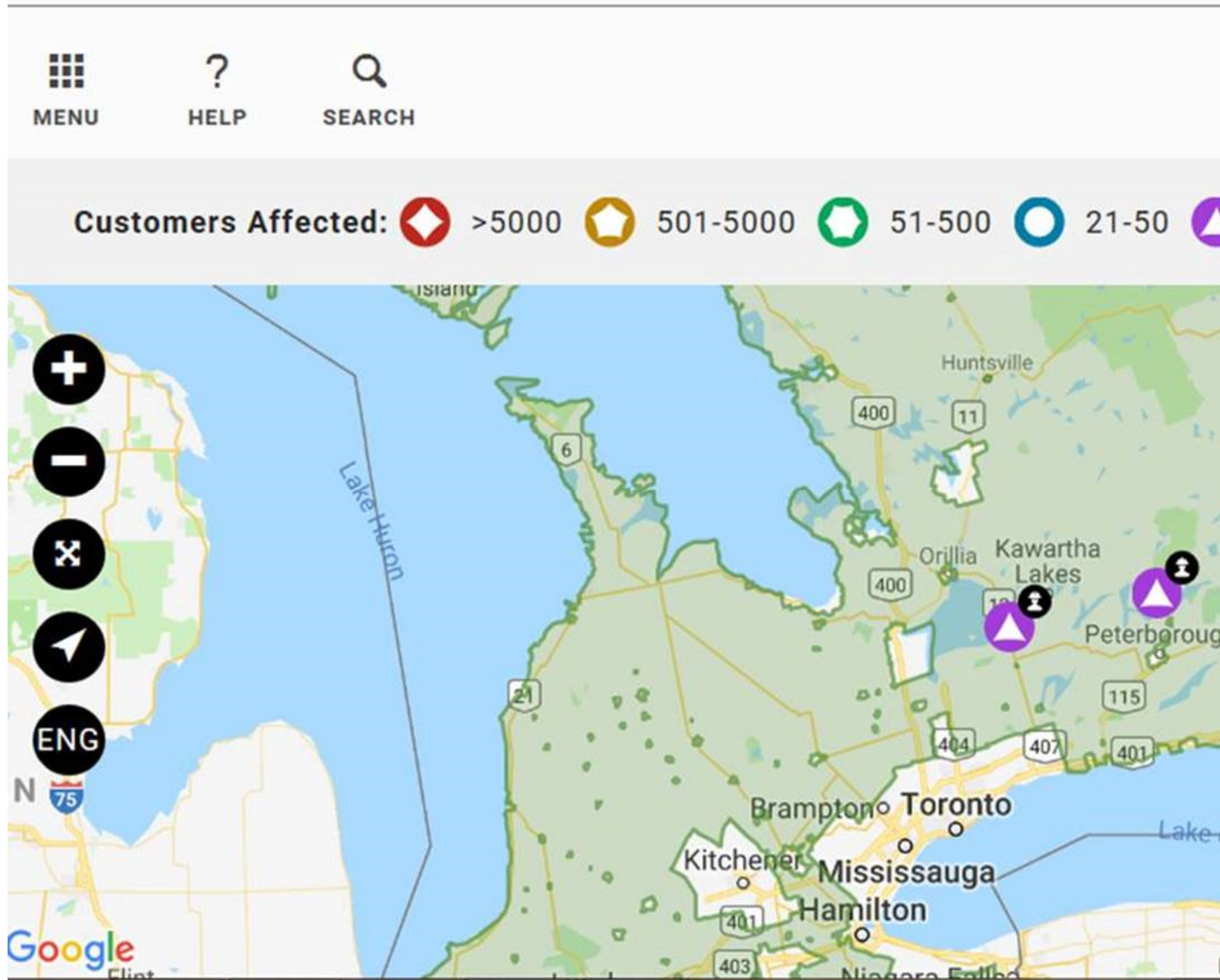
Hello,

We are in receipt of Application OZS-2021-0052 dated December 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map.



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Best Wishes,

Dolly Shetty

Real Estate Assistant | Land Use Planning

Hydro One Networks Inc.

185 Clegg Road (R32)

Markham, ON | L6G 1B7

Email: Dolly.Shetty@HydroOne.com



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Date: December 15, 2021

To: Carmen Caruso

From: Reshma Fazlullah

Subject: OPA/ZBA Subdivision Application Review – 10124 & 10244 Mississauga Road, Brampton

File: OZS-2021-0052

Submission:

- Phase One Environmental Site Assessment, 10124 Mississauga Road (Southern Parcel), Brampton, Ontario, prepared by DS Consultants Ltd., dated September 30, 2021.
- Phase One Environmental Site Assessment, 10244 Mississauga Road, Brampton, Ontario, prepared by DS Consultants Ltd., dated September 30, 2021.
- Phase Two Environmental Site Assessment, 10124 Mississauga Road (Southern Parcel), Brampton, Ontario, prepared by DS Consultants Ltd., dated September 30, 2021.
- Phase Two Environmental Site Assessment, 10244 Mississauga Road, Brampton, Ontario, prepared by DS Consultants Ltd., dated September 30, 2021.

Comments:

Staff have reviewed the above-noted reports in support of a development proposal consisting of mixed use (residential, elementary school and open spaces) on the subject properties.

The Phase One Environmental Site Assessment (ESA) conducted on the subject properties identified Potentially Contaminating Activities (PCAs) on and in the vicinity of the proposed development site, contributing to Areas of Potential Environmental Concern (APEC) on the site. Subsequently, a Phase Two ESA was conducted on these properties, to investigate the APECs identified.

The Phase Two investigation concluded that exceedances of the applicable standards (Table 1 Ministry of Environment and Climate Change publication “Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act” for potable and non-potable groundwater conditions for residential/ parkland/ institutional/ industrial/ commercial/ community property use) were found, for parameters in soil (petroleum hydrocarbons Fraction 4 (PHCs F4), and polycyclic aromatic hydrocarbons (PAHs)) samples analyzed from the southern portion of the proposed development site (i.e. 10124 Mississauga Road).

The Phase Two ESA report recommends a supplemental investigation to laterally and vertically delineate the soil impacts identified. The report also suggests a soil remediation program to meet applicable site condition/specific standards, along with any future site alteration activities to support the development.

Given the preceding, staff provide clearance with respect to the ESAs, subject to the following conditions:

- It is determined that, as a result of Phase Two ESA, Risk assessment and/or Remediation maybe required to address impacts identified on the proposed development site.
- The Risk Assessment (if opted), must be completed to obtain the Certificate of Property Use (CPU) issued by the Ministry of Environment, Conservation and Parks (MECP) and placed on the title of the properties. Please be aware that the City will require the CPU (if a risk assessment is completed), prior to draft plan approval.
- A Record of Site Condition must be filed for both the properties (10124 & 10244 Mississauga Road) in the Ministry's Environmental Site Registry, before the development can proceed (i.e. prior to registration of the plan of subdivision or site plan approval and the issuance of a building permit).
- Copies of the final reports supporting the RSC application and the Ministry approved RSC, certifying that the properties are suitable for the intended use, must be provided to the City, when available.

Note: City of Brampton Building Department reserves the right to request additional environmental requirements in accordance with their policy and procedures. Prior to the issuance of a building permit the owner must file a RSC on the ESR, if the proposed development would otherwise be prohibited by the EPA as described under s.168.3.1 of EPA and Part IV, s. 14.1 of O. Reg. 153/04. A Record of Site Condition will be required for any parcel or portion of land that is to be conveyed to the City.

Reshma Fazlullah

Environmental Engineering | Environment and Development Engineering |

T: 416.848.5350 | E: reshma.fazlullah@brampton.ca

December 16, 2021

City of Brampton
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Attn: Carmen Caruso

Re: Request for Comments
Glen Schnarr & Associates Inc – TFP Mayching Developments Ltd.
Asley South Phase 2 - Heritage Road & Steeles Avenue West
City Files: OZS-2021-0052 & 21T-21022B
Alectra EP File: B2-21

Dear Carmen, We are in receipt of your request for comments regarding the above project. We respond as follows.

A/ The proposed location of the transformer cannot be guaranteed by Alectra Utilities Brampton. The transformer location will be finalized when Alectra completes designing the project. The applicant shall provide the required clearances and space for the transformer or switchgear according to Alectra Utilities Brampton standards.

B/ Please include as a condition of approval the following:

- The owner/developer shall grant all necessary aerial or underground easements, as may be required to service this development, at no cost to Alectra Utilities. These will be confirmed during the final design of the roads and subdivision.
- The owner/developer shall enter to a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
- The owner/developer shall be responsible for the costs associated with the hydro plant expansion to supply the development.
- The owner/developer shall be responsible for the costs of the relocation of existing plant to accommodate the new roads or driveways.
- Applicant shall observe all aerial and underground clearances as may be required.
- We supply one point of connection per legally severed lot. The designer will need to design this and any future additions from a single distribution point.
- The maximum transformation capacity supplied by Alectra Utilities Brampton is 3,000 kVA.

C/ The above comments are preliminary and does not guarantee a supply. If their application is approved, and this Customer wishes to proceed with their Hydro servicing, please advise the applicant to contact Alectra Utilities Brampton regarding permanent electrical supply to the site as soon as possible. Equipment delivery times may take up to 20-26 weeks.

D/ The Developer/Customer/Engineering Firm is strongly advised to consult Alectra Utilities Conditions of Service, as they must adhere to all the conditions. This can be found on our web site at <https://alectrautilities.com/conditions-service>.

E/ If there is any existing plant in the proposed location/area in the applicant's design, Alectra Utilities will not allow permanent structure over any such existing plant. If such a scenario exists, the property owner will be responsible for all costs associated with the relocation of the existing plant and must coordinate/consult with Alectra Utilities for the relocation of the plant. If Alectra Utilities determines that an easement is required, the property owner will be solely responsible for the full cost and expense for easement registration, obtaining and registering any required postponements and/or discharges and, the reference plan of survey.

F/ The owner/developer shall contact Alectra Utilities Subdivisions Department to obtain a subdivision application form (SAF) and to discuss the electrical service installation requirements and schedule. The owner/developer shall submit the SAF at least 6 months prior to the start of electrical distribution system (EDS) installation. SAF is available by visiting <https://alectrautilities.com/find-form?parent=9> (under Construction Services).

I can be reached at 905-452-5541 if there are any questions.

Yours Truly,

Gaurav Rao
Supervisor, Distribution Design – ICI & Layouts
Alectra Utilities

August 10, 2022

Stephen Dykstra
Planner
Planning, Building & Economic Development

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

Via email: stephen.dykstra@brampton.ca

Dear Stephen Dykstra:

RE: Draft Plan of Subdivision Revision 1
Argo TFP Brampton Limited and Argo TFP Brampton II Limited
10124 and 10244 Mississauga Rd, City of Brampton
Your File: OZS-2021-0052 and 21T-21022B
Our File: PAR 44248

This letter is in response to Revision 1 of the Proposed Draft Plan of Subdivision 21T-21022B, as noted above for 10124 and 10244 Mississauga Road in the City of Brampton (the "Subject Lands"). TCPL has two (2) high pressure natural gas pipelines contained within an easement ("right-of-way") crossing the Subject Lands.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board. As such, certain activities must comply with the Canadian Energy Regulator Act (Act) and the National Energy Board Damage Prevention Regulations (Regulations). The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

Our first comment letter dated December 15, 2021 (attached) outlined TCPL's initial requested Conditions of Draft Plan Approval to also be incorporated within the City's Subdivision Agreement with the Owner. TCPL respectfully requests that these conditions be amended with the revised conditions below.

Draft Conditions:

The following are requested as conditions of the Draft Plan approval at this time and are requested to be incorporated into the municipality's Subdivision Agreement where noted. We also request as a condition

of approval that the Owner be required to enter into an agreement with TCPL respecting the conditions requested herein and that the same be required to be registered on title to the Subject Lands prior to the registration of the subdivision plan. Please note that additional comments and draft plan conditions may arise.

1. TCPL's right-of-way shall be dedicated to the municipality as passive open space or parkland subject to TCPL's easement rights. TCPL's right-of-way shall be identified on all municipal plans and schedules as a pipeline/utility corridor.
2. A crossing and encroachment permit/agreement must be approved by TCPL for ongoing activities such as mowing or maintenance of the right-of-way on public lands, including the proposed gravel access driveway.
3. The conditions, restrictions or covenants specified by TCPL shall be included in a separate agreement between TCPL and the Owner, and the Owner shall register such agreement against title to the Subject Lands prior to registration of the subdivision by way of application to register conditions, restrictions or covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.

Subdivision Agreement:

TCPL requests that the following conditions be included by the Municipality in their Subdivision Agreement with the Owner:

1. 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 buildings are to be located a minimum of 3 metres from the edge of the right-of-way.
2. A minimum setback of 7 metres from the nearest portion of a TCPL pipeline 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. The Medium Density Block 292 will be evaluated at the site plan stage for TCPL requirements.
3. Roads, including the proposed gravel access road (Block 312), parallel to the pipeline right-of-way must maintain a 7 metre setback from the edge of pipeline, including curbs and sidewalks.
4. All infrastructure associated with site servicing, grading, and stormwater management including, but not limited to subdrains, retention walls, storm culverts, storm ponds and riprap, shall be setback a minimum of 7 meters from the edge of TCPL's right-of-way.
5. The proposed small wildlife linkage culvert under Lagerfeld Drive shall be setback a minimum of 7 metres from the edge of the pipeline.
6. Written consent must be obtained from TCPL prior to undertaking the following activities:
 - a. Constructing or installing a facility across, on, along or under a TCPL 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 a ground disturbance (excavation or digging) on TCPL's right-of-way or within 30 metres of the centreline of TCPL's pipeline (the "Prescribed Area");
 - c. Driving a vehicle, mobile equipment or machinery across a TCPL right-of-way outside the travelled portion of a highway or public road;
 - d. Using any explosives within 300 metres of TCPL's right-of-way; and
 - e. Use of TCPL's Prescribed Area for storage purposes.
- 7. For any proposed crossings of TCPL's pipelines by utilities, written consent from TCPL is required. The following general requirements are applicable for crossings of TCPL's pipelines by utilities:
 - TCPL shall retain the upper position in the crossing area.
 - The minimum separation between buried facilities shall be 600mm for open cut excavations and 1000mm for horizontal directional drill installation methods.
 - The utility depth shall be maintained for the entire width of the right-of-way.
 - The utility shall have no bends within the pipeline right-of-way
 - The utility shall have no joints, splices or other connections within the TCPL's right-of-way.
 - Pipeline crossings should not be placed within 7m of a TCPL pipeline bend.
- 8. For any proposed road crossings, written consent from TCPL is required. TCPL is required by the Canada Energy Regulator (CER) to prepare a detailed engineering analysis of all loads expected during the construction and operation of the road crossing and will provide designs for appropriate mitigation. The cost of this engineering assessment, analysis and design work, the costs of any required mitigation, and any pipe modification required due to the development, if incurred will be 100% the responsibility of the Owner.
- 9. During construction of the site, temporary fencing must be erected and maintained along the limits of the right-of-way by the owner(s) to prevent unauthorized access by heavy machinery. The fence erected must meet TCPL's specifications concerning type, height and location. The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.
- 10. Permanent fencing may be required along the limits of TCPL's right-of-way. The fence erected must meet TCPL's and the municipality's specifications concerning type, location, and height. Any excavations for fence posts on, or within 30 metres of the pipeline must be done by hand or hydro vac. There shall be no augers operated on the right-of-way. The Owner shall notify TCPL 3 business days prior to any excavation for fence posts located on or within 30 metres of the pipeline. All fences made of metallic materials must be approved by TCPL prior to being erected on or within 30 metres of the pipeline.
- 11. Storage of materials and/or equipment on TCPL's right-of-way is not permitted.
- 12. Planting and Vegetation Plans will minimize vegetation on TCPL's right-of-way and ensure:
 - a. A 5 metre wide, continuous access way is provided on each side of the pipeline within the right-of-way;
 - b. TCPL's right-of-way is seeded with Canada #1 seed;
 - c. No portion of a tree or shrub (including the canopy) at the time of maturity encroaches within 5 metres of the edge of TCPL's facilities;
 - d. No trees or shrubs that will reach a height greater than 4 metres are planted within the right-of-way;
 - e. Tree roots do not interfere with or cause damage to the pipeline.

- f. A minimum 10 metre separation is established between all groups of trees/shrubs. A group may consist of no more than 5 trees/shrubs; and
 - g. Where high-pressure gas is contained within an enclosed building (such as a Meter station or a building housing a compressor).
- 13. Sidewalks/Pathways may be permitted within the right-of-way but shall:
 - a. Not exceed 3 metres in width;
 - b. Cross TCPL's pipeline as close to 90 degrees as possible, but no less than 45 degrees;
 - c. Limit the number of crossings of TCPL's pipelines;
 - d. Use company supplied signage for crossings installed by a Third Party; and
 - e. Have expansion joints installed 3 metres on either side of TCPL's pipeline(s) if the pathway is cement or asphalt.
 - f. All Sidewalk/Pathway designs within the right-of-way must be approved by TCPL.
- 14. Where TCPL consents to any ground disturbances in proximity to the pipeline, original depth of cover over the pipelines within TCPL's right-of-way shall be restored after construction. This depth of cover over the pipelines shall not be compromised due to rutting, erosion or other means.
- 15. Facilities shall be constructed to ensure drainage is directed away from the right-of-way so that erosion that would adversely affect the depth of cover over the pipelines does not occur. Catchment basins, drainage swales or berms are not permitted within TCPL's right-of-way.
- 16. Should pooling of water or erosion occur on the right-of-way as a result of any facility installation or landscaping, the Owner will be responsible for the remediation to TCPL's satisfaction.
- 17. Any large scale excavation adjacent to the right-of-way, which is deeper than the bottom of the pipe, must incorporate an appropriate setback from TCPL's right-of-way and must maintain a slope of 3:1 away from the edge of the right-of-way.
- 18. Mechanical excavation within 1.5 metres of the edge of TCPL's pipeline is prohibited. Hand or hydrovac excavation must be utilized within this distance.
- 19. In no event shall TCPL be held liable to the Owner respecting any loss of or damage the Owner may suffer or incur as a result of the operations of TCPL. The Owner shall be responsible for all costs involved in replacing the Owner's facility damaged or removed during TCPL's operations and shall indemnify and save harmless TCPL from all actions, proceedings, claims, demands and costs brought against or incurred by TCPL as a result of the presence of or damage to the Owner's facility on the TCPL right-of-way
- 20. Vehicle barriers, of a design acceptable to TCPL or as may be required by law, shall be installed across the width of the right-of-way, where public roads cross the right-of-way. The location of these barriers must be approved by TCPL.
- 21. All display plans in the lot/home sales office shall identify the TCPL pipeline right-of-way corridor.
- 22. The Owner shall include notice of the following in all offers of purchase and sale:
 - a. Notice of the easement agreement registered against the property which may affect development activities on the property;
 - b. Notice of the 30 metre Prescribed Area as regulated by the CER Act;

- c. The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
 - d. The setback for all permanent structures and excavations from the limits of the right-of-way; and,
 - e. The local One Call number 1-800-400-2255 or www.clickbeforeyoudig.com.
23. TCPL's prior approval must be obtained for the Site Plans for the permanent structures to be erected on lots and/or Blocks which are encumbered by, or are adjacent to TCPL's right-of-way.
24. If TCPL's pipelines experience contact damage or other damage as a result of construction, stop work immediately and notify TCPL at once.
25. All associated work, signage or any other engineering protection measures must be completed by TCPL or its qualified contractors at the sole expense of the Owner. The complete scope of work that may be required is subject to other conditions that may be necessary related to a finalized design that is approved by TCPL. Additionally, prior to TCPL or its contractors conducting any associated work, TCPL and the Owner must execute a reimbursement agreement, including financial assurances, which provides that the entire cost of conducting this associated work is 100% reimbursable to TCPL.
26. The owner shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.

Thank you for the opportunity to provide comments and draft conditions. Kindly forward a copy of the decision to the undersigned by mail or by email to TCEnergy@mhbcplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Kaitlin Webber, MA
Planner

on behalf of TransCanada PipeLines Limited