



March 6th, 2020

City of Burlington
426 Brant Street
Burlington, Ontario
L7R 3Z6

Attention: New Zoning Bylaw Project Team

RE: File/application No/ Name.: proposed new residential zoning Bylaws
Proposed Development location: City Wide

Dear Project Team:

Thank you providing Trans-Northern (TNPI) with the opportunity to offer comments on the proposed new residential zoning Bylaws. As you are likely aware, TNPI operates a petroleum products transmission pipeline through the City of Burlington just north of Lakeshore Blvd between Burloak Drive and Maple Ave and continuing down Burlington Beach.

Please note the following as requested additions to the draft plan for planning purposes as follows, with a section dedicated to TNPI pipelines:

- Protection for the TNPI pipeline right-of-way for current and projected needs
- Recognition that increased population growth may impact our pipelines and might drive our need to upgrade/replace a pipeline portion. Early consultation recommend within 200m to recognize potential impacts on the pipeline industry, striving to avoid adverse impacts to energy infrastructure
- CER Prescribed Area of 30 m from the pipeline, requiring authorizing within this area
- Setbacks to be determined based on the type of pipeline and stress level of the pipeline with consultation with the pipeline operator – recommended 10 m from the pipeline Right-of-Way
- Easements to be incorporated into development plans, recommending open spaces, walkways and not to be incorporated into individual lots. Consultation with operator and written consent for right-of-way or near the right-of-way

Please note, any development plans within the right-of-way will require a permit which can be requested by following the steps described near the end of this response.

TNPI reminds the City that section 335 (1) and (2) of the Canada Energy Regulator Act provide that:

- **335 (1)** *It is prohibited for any person to construct a facility across, on, along or under a pipeline or engage in an activity that causes a ground disturbance within the prescribed area unless the construction or activity is authorized or required by the orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them.*

- **Prohibition — vehicles and mobile equipment**

(2) *It is prohibited for any person to operate a vehicle or mobile equipment across a pipeline unless*

TORONTO

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109-5305 McCall Way NE, Calgary AB T2E 7N7
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TRANS-NORTHERN PIPELINES INC.

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- **(a)** that operation is authorized or required by orders made under subsection (3) or (4) or regulations made under subsections (5) or (6) and done in accordance with them; or
 - **(b)** the vehicle or equipment is operated within the travelled portion of a highway or public road.

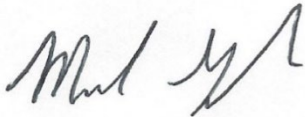
Additionally, should the applicant propose to cross the pipeline with a vehicle or construct a facility across, on, along or under the pipeline, the applicant would be required to contact TNPI prior to commencement of their work to receive the required authorization.

Our pipelines are registered with On1Call, which upon receiving your request, quickly connects you/your representative with an individual at TNPI who will determine if a written approval is required before you can begin your proposed activities. If required, you will be prompted to request a Crossing Agreement/Permit and provided with information on how to proceed. Crossing Permits, issued for activities proposed within TNPI's easement, can be requested by email submission at crossingrequestseast@tnpi.ca. Please note that it may take up to 10 business days to receive approval once all necessary information has been received.

Should the applicant require further information on the technical requirements related to ground disturbance or crossing of the pipeline, they may contact Michelle Gruszecki, Property and Right-of-Way Administrator via email at : mgruszecki@tnpi.ca

As always, Trans-Northern Pipeline Inc. appreciates being circulated development applications.

Yours truly,



Michelle Gruszecki
Property and Right of Way Administrator