

May 27, 2025

Official Plan Update Team

City of Richmond Hill
225 East Beaver Creek Road
Richmond Hill, ON L4B 3P4

Via email: OPUpdate@richmondhill.ca

Dear Official Plan Update Team:

**RE: Official Plan Update Project
City of Richmond Hill**
MHBC File: 50196

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to the update notice for the City of Richmond Hill's Official Plan Update Project. TCPL has three (3) high-pressure natural gas pipelines contained within its easement(s) ("TCPL Pipeline Right-of-Way") and associated facilities crossing the City of Richmond Hill.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER). 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.

Policy Context

TCPL's pipelines are defined as *infrastructure* in the *Provincial Planning Statement, 2024 ("PPS")*. In accordance with Policy 3.3.1 of the PPS, "*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*".

TCPL's pipelines and facilities are also defined as *major facilities* in the PPS. In accordance with the policies in Section 3.5 of the PPS, where avoidance is not possible, planning authorities shall protect the long-term viability of existing or planned major facilities that are vulnerable to encroachment by ensuring that the planning and development of adjacent sensitive land uses is only permitted if potential adverse effects to the proposed adjacent sensitive land uses are minimized and mitigated, and potential impacts to major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

Appropriate setbacks to the TCPL Pipeline Right-of-Way are needed to manage the safety and integrity of the pipelines, as well as ensuring adequate access for emergencies, operations and maintenance. TCPL also provides feedback on official plan policies and zoning regulations to align with TCPL's Damage Prevention Best Practices.

In the York Region Official Plan (2022), the following policies apply to TCPL:

"It is the policy of Council:

6.7.3 That local municipalities identify and include policies to protect existing and planned TransCanada Pipelines and facilities in accordance with the following:

- a. Early consultation with the utility provider;*
- b. That development within 200 metres of its pipelines and within 750 metres of a compressor station should be undertaken to ensure TransCanada Pipelines can assess potential impacts and provide recommendations to avoid adverse impacts; and,*
- c. That notwithstanding policy 6.7.7, use of rights-of-way should be limited to municipal open space uses."*

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In the City of Richmond Hill's current Official Plan, policies related to TCPL are found in Section 3.1.9.7, Utilities:

"3.1.9.7 Utilities

- 9. Development within 30 metres of the TransCanada pipeline right-of-way shall be required to ensure the safety and integrity of TransCanada pipeline facilities."*

For greater alignment with TCPL's current development and regulatory standards, we request that policy 3.1.9.7.9 be removed and replaced with the following:

"9. TransCanada PipeLines Limited (TCPL):

- a. TCPL operates high pressure natural gas pipelines within its rights-of-way which cross through the City of Richmond Hill as identified on Schedule A2 to this Plan.*
- b. TCPL is regulated by the Canada Energy Regulator (CER), which has a number of requirements regulating development in proximity to the pipelines, including approval for activities within 30 metres of the pipeline centreline.*
- c. New development can result in increasing the population density in the area, and may result in TCPL being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TCPL for any development proposals within 200 metres of its facilities.*
- d. New development in proximity to a TCPL pipeline right-of-way shall incorporate appropriate setbacks in accordance with TCPL's development standards and the City's Zoning By-law.*
- e. Within the Settlement Area, the City will encourage the use of TCPL's right-of-way for passive parkland or open space subject to TCPL's easement rights."*

The TCPL Pipeline Right-of-Way is identified as "Natural Linkage" on Schedule A2, Land Use. We request that this be changed to "Utility Corridor".

It also appears that the TCPL policies in the North Leslie Secondary Plan are out-of-date. As such, we request the following amendments:

(~~red strikethrough~~ = deletion, green underline = addition)

9.6.6.2 Parks

- f. The TransCanada ~~Pipeline~~ PipeLines Limited (TCPL) lands are identified as a major open space link through the North Leslie Secondary Plan Area and may be used for passive parkland purposes subject to ~~TransCanada~~ TCPL's easement rights and private landowner permission. The ~~TransCanada-Pipeline~~ TCPL lands will not be accepted as part of the required parkland dedication under the Planning Act.

9.7.2.5. Utilities and Telecommunications

- a. A ~~TransCanada Pipelines Limited~~ TCPL pipeline right-of-way crosses the North Leslie Secondary Plan Area. The Canada Energy Regulator (CER) ~~National Energy Board~~ has a number of requirements regulating development in proximity to the pipelines within the right-of-way. This includes approval requirements for certain activities within 30 metres of the right-of-way for such matters as excavation, blasting and movement of heavy equipment. The City shall require early consultation with TransCanada, or its designated representative, for any development proposals within 200 metres of its right-of-way.

~~b. A setback of 7 metres shall be required from the limits of the TransCanada Pipeline right-of-way for all permanent structures and excavations. A reduction in the 7 metre setback will be considered if it can be demonstrated, to TransCanada's satisfaction, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained. New development in proximity to a TCPL pipeline right-of-way shall incorporate appropriate setbacks in accordance with TCPL's development standards and the City's Zoning By-law.~~

Please note that TCPL has also recently submitted a letter in response to the City's Comprehensive Zoning By-law Project (attached).

Thank you for the opportunity to comment. We look forward to reviewing the updated Plan. If you have any questions, please do not hesitate to contact our office at TCEnergy@mhbcplan.com.

Sincerely,

MHBC



Kaitlin Webber, MA, RPP, MCIP
Intermediate Planner | MHBC Planning

on behalf of TransCanada PipeLines Limited

attach. Comprehensive Zoning By-law Project response letter, May 23, 2025