



**PUBLIC HEARING MEETING AGENDA
CARSTAIRS MUNICIPAL OFFICE
MONDAY, JUNE 22, 2020, 7:00 P.M.**

Page

1. CALL TO ORDER

2. ATTENDEES

3. PURPOSE

- a) The purpose of this Public Hearing is to receive and consider; application to amend Schedule A, Land Use District Map of Bylaw No. 1044 for Land Use Redesignation of NE 1/4 section 4, Township 30, Range 1, West of the 5th meridian; the southeast land adjacent to the 2A Highway, to be redesignated from Urban Reserve District to Direct Control District.

4. DELEGATIONS

- a) Urban Systems: Planner Becky Soby, File: LUR 2020-01, Brar Land Use Redesignation Application Review (addendum 4.a)



5. GENERAL DISCUSSION

6. ADJOURNMENT

2 - 39



MEMORANDUM

Date: June 22, 2020
To: Town of Carstairs Council
From: Becky Soby, Urban Systems Ltd.
File: LUR 2020-01
Subject: Brar Land Use Redesignation Application Review

Urban Systems Ltd. (USL) has received and reviewed applications to redesignate the site legally known as 5;1;30;4;NE in Carstairs, Alberta:

- That portion of the north east quarter which lies to the south and west of the railway on Plan RY9 containing 5.55 hectares (13.74 acres) more or less

BACKGROUND

The site is located at the southern most boundary of Carstairs, adjacent to Highway 2A, with Mountain View County to the south. The subject site is not within an approved Area Structure Plan (ASP). The parcel to be redesignated has an area of approximately 5.55 hectares (13.74 acres). The parcel is currently zoned as Urban Reserve (UR).

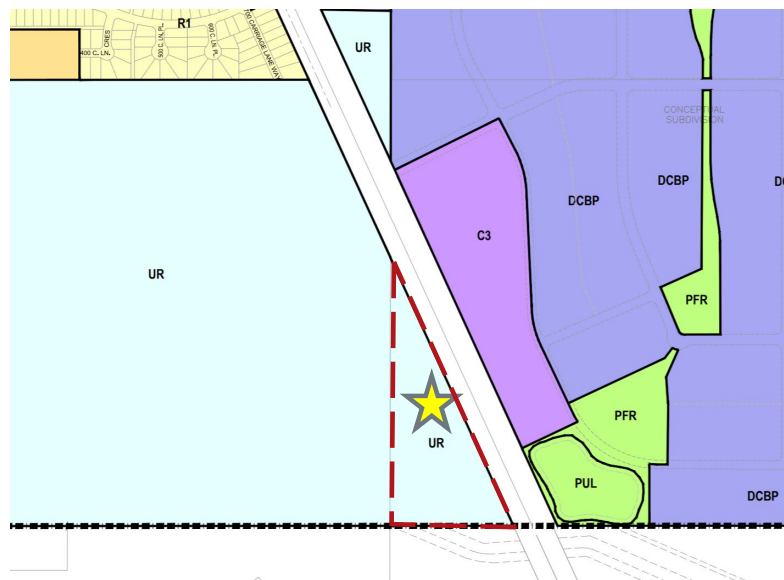


Figure 1. Existing Land Use Map

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**PLANNING ANALYSIS**

The land use redesignation application proposes to redesignate from Urban Reserve (UR) to a Direct Control District (DC-1). The subject site is neighboring a large Urban Reserve (UR) parcel to the west, and is directly adjacent to a major highway, with lands directly across the road designated as Highway Commercial District (C3) and Public Facility and Recreation District (PFR). The site is situated directly adjacent to Highway 2A and the Canadian Pacific Railway right of way.

A Direct Control District stands in place as a regular Land Use Bylaw district but includes specific regulations and uses that relate only to the vision of the specific parcel. The applicant has indicated that the intent of the application is to redesignate to a land use that can support the development of an Agri-Food plant and warehouse. Agri-food is a general term for food production and does not fall within a district within the current Land Use Bylaw. It is Urban Systems understanding that the type of Agri-food plant anticipated for the subject site is a flour mill. In order to regulate the Direct Control land use, a Direct Control Bylaw is proposed; Bylaw No. 2003.

Alignment with the Municipal Development Plan (MDP)

The redesignation proposes a Direct Control District that's purpose is to provide for a range of agricultural uses engaged in production and distribution of products, which may require an indoor storage component. Urban Systems would like to note that the proposed uses for this site do not directly align with the Land Use Plan within the MDP that identifies this site as Commercial. The applicant's intent is to develop a flour mill and a warehouse on this lot, uses which do not suitably align with the purpose of the commercial districts within the Land Use Bylaw or the Commercial goals/policies of the MDP. Therefore, in order to properly regulate these uses, a Direct Control District is being proposed.

The Direct Control Bylaw is modeled after the Light Industrial District due to the industrial like, food production operation proposed (i.e. a flour mill). Urban Systems would like to highlight that in section 8 Industrial Development, the MDP states that it is important to ensure the appropriate level of servicing is available for new industrial developments in suitable and viable areas. Future developments within this district shall address servicing capacity.

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Direct Control Bylaw No. 2003

The Direct Control Bylaw is modeled after the Light Industrial District (I1) of the Land Use Bylaw with revisions being made to reflect the specific development concept of the subject site. The general purpose of this district is to provide for a range of agricultural uses engaged in production and distribution of products, which may require an indoor storage component. The indoor storage component is to support the development of a warehouse on the site. Agri-food services has been added under Section 2.0 Listed Uses as discretionary and is defined in Section 4.0 Definitions as "Agri-food service."

The permitted uses for this district are as follows:

- Building supply centres
- Greenhouses, commercial
- Light manufacturing
- Office support services
- Offices
- Public utility buildings
- Warehousing

The discretionary uses for this district are as follows:

- Agri-food services
- Accessory uses
- Detached dwellings
- Greenhouses (wholesale only)
- Lumber Yards
- Open storage yards
- Parking facilities for uses in this District
- Signs

Urban Systems would like to advise Council that although there is both permitted and discretionary use categories included, because this bylaw is a Direct Control District, all development permits, not just those that are discretionary, shall be decided upon and issued at the discretion of the Development Authority.

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For Section 3.0 General Development Regulations of the bylaw, Urban Systems would like to note the following additions as they relate specifically to the intended purpose of this Direct Control District:

- The inclusion of Detached dwellings as a use is to accommodate the existing residential dwelling on the site. Sub section 3.7 stipulates that only one (1) dwelling unit will be permitted within this district. Residential is not a compatible use within this site due to the proposed Agri-food service and the proximity of the parcel to the railway. The maximum allowed one dwelling unit is to accommodate the dwelling already existing on the site.
- Sub section 3.8 Performance Standards includes standards that are put in place to help mitigate off-site impacts of operations proposed within the district. No use or operation shall create conditions that impact the surrounding area through factors such as noise, odour, groundwater pollutants etc. Additionally, the Development Authority shall refer to the *Guidelines for New Development in Proximity to Railway Operations* when considering applications for development within the site. This is to help ensure that all applicable regulations for development are met with Canada Pacific Railway including, but not limited to, access points across the tracks, required setbacks from the tracks, and fence standards for buffering between the tracks and future development.
- Sub section 3.9 requires that where parking is located within the front yard, adjacent to Highway 2A, it must be adequately landscaped to the satisfaction of the Development Authority. This standard is added to help mitigate the visual impacts of parking in the front yard along the Highway 2A through the provision of landscaping as a means of screening.
- Sub section 3.11 requires all development within the district to be circulated to the right-of-way holder / pipeline operator for review and commenting. This is to ensure that development is in accordance with the right-of-way holders' regulations, including but not limited to, setback requirements for development within or in proximity to the right-of-way, pipeline crossings, etc.

CIRCULATION:

The application was circulated by Urban Systems to the appropriate agencies and adjacent landowners on May 11th, 2020. One landowner responded to the circulation and had no

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objections. Nine agencies responded, and none offered any objections, however, Urban Systems would like to highlight the following responses:

Canada Pacific Railway (CPR) has no objections to the application, however, is not in favor of residential uses being located adjacent to the right-of-way as this land is not compatible with railway operations. Furthermore, CPR has indicated that should any proposed residential subdivision application adjacent to railway right of way receive approval, CPR requests that all recommended guidelines are considered as it relates to residential development adjacent to the CPR. The Direct Control Bylaw No. 2003 captures these concerns by only allowing a maximum of one (1) residential dwelling within the district and stipulates that the Development Authority shall have regard to the most current Guidelines for New Development in Proximity to Railway Operations when considering applications for development within this district.

Alberta Transportation (AT) does not have objections to the redesignation, however, has noted that the applicant should be advised that the access onto Highway 2A is considered for limited, temporary use only. The existing access will not be considered for increased use or commercial purposes.

Trans Canada (TC) Energy was circulated due to their pipeline infrastructure located in the south western portion of the subject site. As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. TC Energy does not have objections to the land use redesignation, however, has requested that a clause be added to the Direct Control Bylaw that requires all applications within this district to be circulated to the right-of-way holder/pipeline operator for review and comment. This clause has been added to the bylaw.

All responses from these agencies are attached, and it is the responsibility of the applicant to review and meet all requirements or conditions from agencies.

ENGINEERING ANALYSIS

1. As per the Master Servicing Study, currently there are no existing water or sanitary mains adjacent to the site. A future sanitary main and watermain are proposed to be

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installed through this property. During development of the site, ensure property space is maintained for a future easement.

2. As per the Master Servicing Study, the south storm ditch drains through the south portion of the property. This ditch is to be maintained to convey overland drainage.
3. Ensure approvals for access are obtained from Alberta Transportation and Canada Pacific Railway.

RECOMMENDATION:

Urban Systems recommends that Council approve this redesignation application.

Please contact the undersigned with any questions.
Sincerely,

URBAN SYSTEMS LTD.

A handwritten signature in black ink that reads "Becky Soby".

Becky Soby
Planner

**TOWN OF CARSTAIRS
Bylaw No. 2003**

BEING a Bylaw of the Town of Carstairs in the Province of Alberta, to amend Bylaw No. 1044, being the Land Use Bylaw

WHEREAS the Council deems it desirable to amend the said Bylaw;

WHEREAS the Council of the Town of Carstairs has received an application to amend Schedule A, Land Use District Map of Bylaw No. 1044 to redesignate parcel NE 4-30-1-5 from Urban Reserve District to Direct Control District as shown on the attached Schedule 'A'; and

WHEREAS Council held a Public Hearing and has given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and all amendments thereto.

NOW THEREFORE Council of the Town of Carstairs enacts the following:

1. That Schedule A, Land Use District Map of Bylaw No. 1044 be amended by redesignating parcel NE 4-30-1-5 from Urban Reserve District to Direct Control District as shown on the attached Schedule 'A' forming part of this Bylaw.
2. That the regulations of the Direct Control District comprise:
 - 1.0 General Regulations
 - 2.0 Listed Uses
 - 3.0 General Development Regulations
 - 4.0 Definitions
- 1.0 General Regulations
 - 1.1 The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the land subject of this Bylaw.
 - 1.2 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
 - 1.3 Part One (General), and Part Two (Development Permits, Contravention and Appeal) of the Land Use Bylaw No. 1044 shall apply unless otherwise specified in this Bylaw.
 - 1.4 General Purpose of this district is to provide for a range of agricultural uses engaged in production and distribution of products, which may require an indoor storage component.

2.0 Listed Uses

Permitted Uses: Building supply centres
Greenhouses, commercial
Light manufacturing
Office support services
Offices
Public utility buildings
Warehousing

Discretionary Uses: Agri-food services
Accessory uses
Detached dwellings
Greenhouses (wholesale only)
Lumber Yards
Open storage yards
Parking facilities for uses in this District
Signs

3.0 General Development Regulations

3.1 Minimum Front Yard: 6 m (19.7 ft)

3.2 Minimum Side Yard: 6 m (19.7 ft)

3.3 Minimum Rear Yard: 6 m (19.7 ft)

3.4 Maximum Parcel Coverage: 80%

3.5 Maximum Number of Dwelling Units: 1 (one)

3.6 Landscape Requirements: Soft landscaping shall be provided within the boulevard and at a minimum depth of 6 m (19.7 ft) from the front property line along the frontage of the parcel.

3.7 Maximum Building Height: 12 m (39.4 ft)

3.8 Performance Standards:

3.8.1 No use or operation shall cause or create conditions that may be objectionable beyond the boundaries of this District, such as noise, odour, surface or groundwater pollutants, earthborne vibrations, heat, or high brightness light sources.

3.8.2 The Development Authority shall have regard to the most current *Guidelines for New Development in Proximity to Railway Operations* when considering applications for development.

3.9 Parking: Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority and shall comply with the “Industry” parking provisions in Schedule B, of the Land Use Bylaw No. 1044.

3.10 Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

3.11 All development permit applications on the subject parcel shall be circulated to the right-of-way holder / pipeline operator for review and comment.

4.0 Definitions

4.1 “**Agri-food service**” means a service that engages in the production and distribution of food products that includes suppliers, producers, and transporters. These operations are intended to primarily use agricultural products that are produced on site and shall have minimal off-site impacts. This may include, but is not limited to, services such as flour mills, aquaculture, packaged food production, etc.

READ A FIRST TIME THIS _____ DAY OF _____, 2020

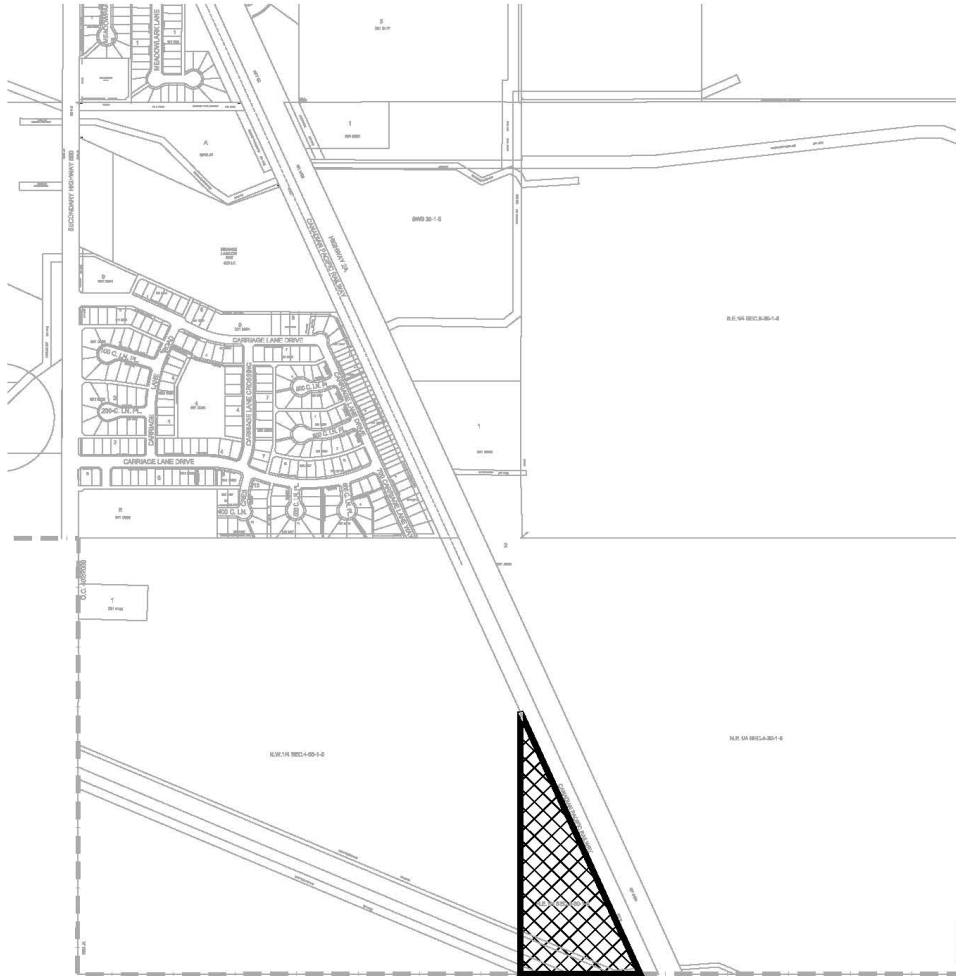
READ A SECOND TIME THIS _____ DAY OF _____, 2020

READ A THIRD AND FINAL TIME THIS _____ DAY OF _____, 2020

Lance Colby, Mayor

Carl McDonnell, CAO

**SCHEDULE 'A'
DC BYLAW NO. 2003**

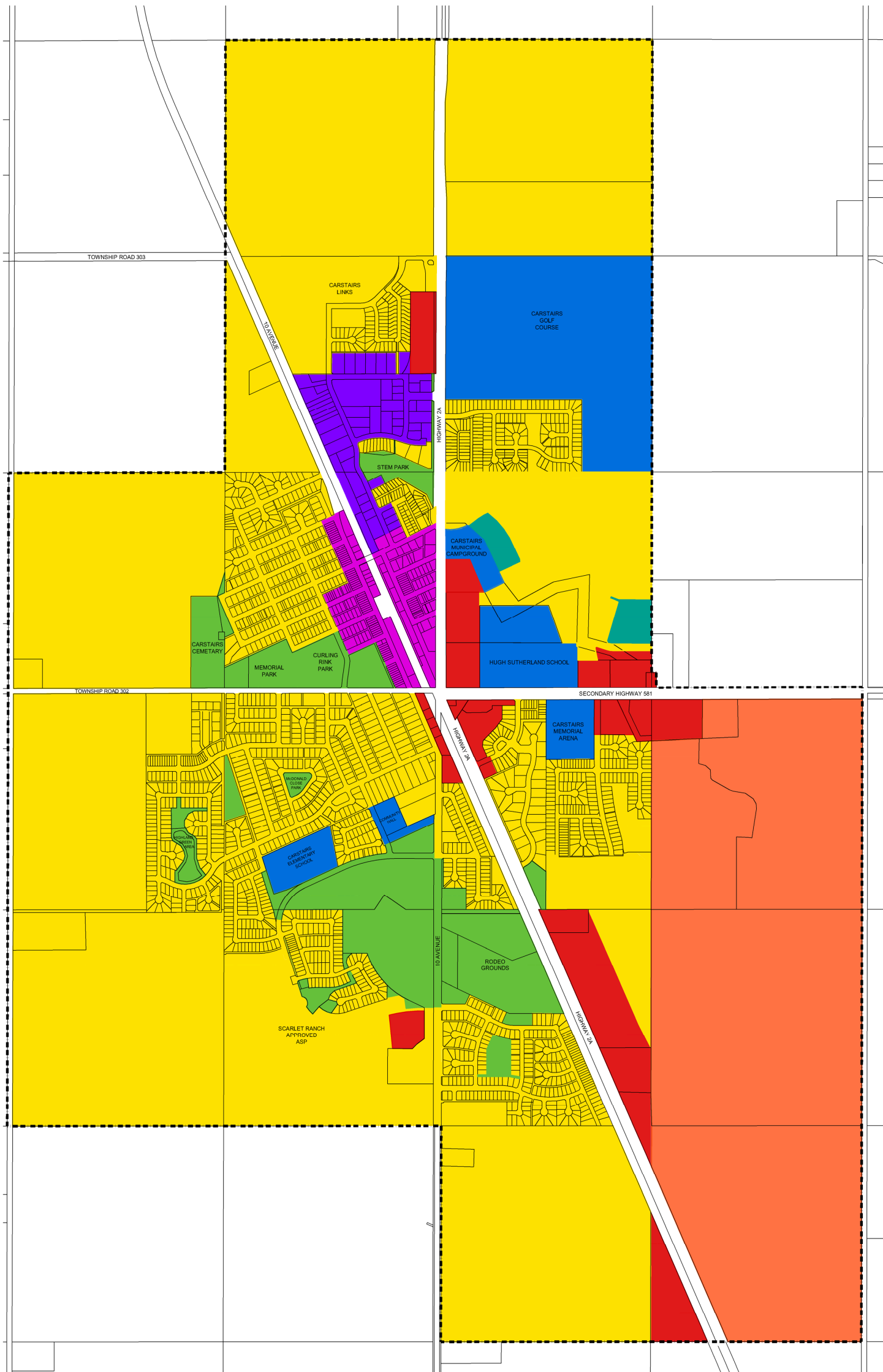


Mountain View County

AMENDMENT FROM:
UR TO Direct Control District
Legal Description - Portion of Section 4, Twp.30, R.1 W5M

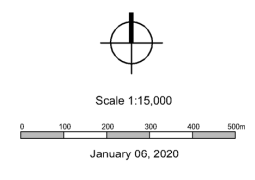


-  TOWN OF CARSTAIRS BOUNDARY
-  SUBJECT LANDS (5.55 ha/13.74ac)
-  DC-1 - DIRECT CONTROL DISTRICT



LEGEND

- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OPEN SPACE
- COMMUNITY AND RECREATIONAL FACILITIES
- SOCIAL AND EMERGENCY SERVICES
- DOWNTOWN
- AGRIHOOD



TOWN OF CARSTAIRS

Municipal Development Plan Map

Becky Soby

From: Abdul Majeed Qureshi <qureshiabdulmajeed47@gmail.com>
Sent: June 5, 2020 1:56 PM
To: Becky Soby
Subject: Reply to Brar Land Use Re- Designation Application, File # LUR 2020-02

CAUTION: External Email.

Attn. Becky Soby,
Urban Systems

Thank you for your letter dated May 11th, 2020, asking for comments, recommendations and / or requirements with respect to the above mentioned application. As land owners and neighbors to the said land mentioned in the application, we have NO OBJECTIONS to this Land Use Re-Designation application, however we have following concerns and comments,

- (1)- No objection provided that the said lands are used in accordance with the Town of Carstairs, Noise, Pollution, Safety and Environmental By Laws.
- (2)- No objection provided the use of the said lands are in accordance with the safe Environmental and non Pollution standards of province of Alberta.
- (3)-No objection provided, after the Re-Designation approval of the said lands, these lands and it's subsequent private and/ or commercial use, will not have any adverse impact on the sale and/or development of our property, as prime Residential dwellings in the near future.

Thank you kindly,
Abdul Majeed Qureshi,
P.O. Box 490,
Carstairs, AB.
TOM ONO.
Cell # 403 701 9858
Res # 403 337 5898
Email, qureshiabdulmajeed47@gmail.com
Dated: June 5th, 2020.

Becky Soby

From: Becky Soby
Sent: June 17, 2020 3:55 PM
To: Carol Brittain
Subject: RE: LUR 2020-02; Brar Land Use Redesignation Application

Good afternoon,

Thank you for the response. A development permit has not been submitted for the proposed flour mill. I will include your comments in this land use report for Council's information.

Thank you,

BECKY SOBY
Planner | urbansystems.ca
t 403-29101193 x4361 | c 403-650-6605

From: Carol Brittain <Carol.Brittain@albertahealthservices.ca>
Sent: June 17, 2020 3:34 PM
To: Becky Soby <BSoby@urbansystems.ca>
Subject: RE: LUR 2020-02; Brar Land Use Redesignation Application

CAUTION: External Email.

Hi Becky,

Have you received a business plan/development permit application for the flour mill?

At this level (re-designation), I do not have any objections but I would be interested in learning more about the proposed development and will likely have more comments at that point in time.

Thank you,

Carol Brittain BSc, CPHI(C)
Public Health Inspector II Land Use Specialist
Environmental Public Health
Alberta Health Services, Calgary Zone

Airdrie Regional Health Centre
604 Main Street South, Airdrie, AB T4B 3K7
Direct Line: 403-912-8459 Fax: 403-912-8537 Secretary: 403-943-2296

<http://www.albertahealthservices.ca/eph/eph.aspx>

Visit AHS'COVID-19 page for the latest updates and accurate information: ahs.ca/covid

Thank you,

BECKY SOBY

Planner | urbansystems.ca

t 403-29101193 x4361 | c 403-650-6605

From: Becky Soby

Sent: June 15, 2020 8:40 AM

To: Carol Brittain <Carol.Brittain@albertahealthservices.ca>

Subject: RE: LUR 2020-02; Brar Land Use Redesignation Application

Hello,

I apologize for the delayed response, for some reason your email ended up in my junk folder.

The Agri-food use will support a flour mill business on the subject site. Please let me know if you require additional information or clarification.

Thank you,

BECKY SOBY

Planner | urbansystems.ca

t 403-29101193 x4361 | c 403-650-6605

From: Carol Brittain <Carol.Brittain@albertahealthservices.ca>

Sent: June 4, 2020 4:04 PM

To: Becky Soby <BSoby@urbansystems.ca>

Subject: LUR 2020-02; Brar Land Use Redesignation Application

CAUTION: External Email.

Hello,

I am the Alberta Health Services representative who is reviewing this file. I wondered if you are able to tell me what type of agri-food business the applicant is planning for the subject property as that may influence some of the comments in my response.

Thank you,

Carol Brittain BSc, CPHI(C)

Public Health Inspector II Land Use Specialist

Environmental Public Health

Alberta Health Services, Calgary Zone

Airdrie Regional Health Centre

604 Main Street South, Airdrie, AB T4B 3K7

Direct Line: 403-912-8459 Fax: 403-912-8537 Secretary: 403-943-2296



Office of the Operations Manager
Central Region

#401, 4920 - 51 Street
Red Deer, Alberta

Telephone 403/340-5166
Fax 403/340-4876

May 14, 2020

Our File: Carstairs (Sub)
Your File: LUR 2020-02

Urban Systems
bsoby@urbansystems.ca
Suite 101, 2716 Sunridge Way NE
Calgary, Alberta T1Y 0A5

Attention: Becky Soby, Planner

**RE: PROPOSED REDESIGNATION
WEST PORTION OF THE NE 04-30-01-W5
TOWN OF CARSTAIRS, HIGHWAY 2A**

We would offer no objections in principal to the redesignation of the parcel from Urban Reserve to Direct Control District.

While we do not have objections to the rezoning, the applicant should be advised that the access on to Highway 2a is considered for limited, temporary use only. The existing access will not be considered for increased use or commercial purposes.

The department is looking forward to working with the applicant and the Town of Carstairs to develop alternate access and development opportunities for this parcel.

Please feel free to call me at the above number if you have any questions or concerns

Yours truly,

Carly Cowles
Development/Planning Technologist

/cc

M:\DS\CR\RD OPS\JOINT.DEV\Town-City\Carstairs\Sub\NE 4-30-1-5\14May2020.doc

Classification: Protected A

Becky Soby

From: CirculationsGrowthandImprovement <CirculationsGrowthandImprovement@atco.com>
Sent: May 15, 2020 9:45 AM
To: Becky Soby
Subject: Respond - Town of Carstairs: LUR 2020-02 due June 11, 2020

CAUTION: External Email.

Good Morning,

The Engineering Design Department of ATCO Gas Distribution has reviewed the above named plan and approves the work provided the following conditions are met:

Right-of-ways will be required for the gas mains within property, and should be 2.4 metres wide if provided for the sole use of ATCO, and 3.5 metres if shared with other shallow utilities. **CITY OF CALGARY ONLY:** [In some areas right of ways should be 2.4 metres if shared with other shallow utilities. In these areas if gas mains are required in the side yard, a right of way of 3.4m is required.] Please note, all costs associated with obtaining the right-of-way will be borne by the developer/owner.

The utility right-of-way requirements within the subdivision may change depending upon actual gas main layout, direction of development and boundary locations of the different construction phases. Final rights-of-way requirements must be satisfied at the time of gas main design.

All right-of-ways are to be registered as general utility rights-of-way granted to Town of Carstairs and are to be registered simultaneously with the legal plan of the subdivision.

ATCO requires that a suitable alignment be provided within the boulevards of all arterial and major roads for the ATCO Gas Distribution feeder mains.

A gas main extension will be required to service the proposed development. Natural gas service may be obtained by making formal application with our office in Calgary at 403-245-7888

Before ATCO can process a work order for gas main installation in the area, we must be in receipt of the following:

1. Legal plan.
2. Utility right-of-way plan.
3. Complete set of approved engineering drawings, including profiles, coordinate plan, building grades (if applicable) and the location of all other utilities
4. Construction schedule.
5. A digital file of the computer base plan in the "DWG" or "DGN" format (Autocad 2010) in modelspace).

We require at least nine (9) months to complete the distribution system design, and to process a work order for our Construction Department to schedule. Prior to the installation of gas mains, the area must be within 150 mm (6") of final grade, all obstructions must be removed from the gas main alignment, and the installation of all other underground utilities must be completed.

The developer must ensure that driveways are not constructed prior to the installation of gas mains in the subdivision. If driveways are pre-installed, a sleeve must be provided at the proper depth and alignment for our use. Otherwise, the cost of coring under the driveway or cutting out and replacing the driveway will be invoiced to the developer at the prevailing rates. The locations of sleeves will be confirmed during the design of the gas mains.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO Gas website.

If gas service is required, to avoid delays, the owner / developer should follow the steps listed on the ATCO Gas website (<http://www.atcogas.com/Services/Service-Request/Install-a-Service-Line>) or contact **ATCO Customer Assistance Centre at 310-5678**, or their local ATCO Gas Distribution agency office at their earliest convenience to discuss the service contract, gas load requirements, timing details and any associated costs. To avoid delays a minimum notice of 6 months is recommended. Note, each lot / unit is to have a separate service line.

For further information and requirements for natural gas servicing, please refer to the "Guide to Natural Gas Servicing" found on the ATCO Gas website.

It will always remain the responsibility of the proponent to verify exact location and depths of nearby facilities by arranging for an in-field location with Alberta One-Call at 1-800-242-3447 or albertaonecall.com. Please contact Alberta One-Call Corporation prior to any surface construction.

- (1) Contact Alberta One Call (1-800-242-3447) for locates to verify alignment of the existing gas facilities.
- (2) Contact ATCO South Operations Dispatch at 403-245-7220 for an inspection of the exposed lines (including hydrovac holes) prior to backfill. Inspection services are available Monday to Friday, 8am – 4pm.
- (3) Hydrovac or hand expose facilities to verify horizontal and vertical alignment of all gas mains in conflict areas. This should be done as soon as possible to determine if the main will need to be relocated.
- (4) If existing gas mains require lowering or relocation due to the proponent's project, notification must be given to our ATCO Gas Distribution Engineering Department with a minimum of one (1) year notice. Forward plans and requirements to the ATCO Gas Distribution Engineering Department at 909 – 11th Ave. SW Calgary, AB, T2R 1L8.

Please refer to the "Working Around Natural Gas" Safety Handbook found on our website at:
http://www.atcogas.com/Safety/Safety-Education-and-Resources/Documents/Safety_Resources_Contractor_WorkingAroundNaturalGasPipelines.pdf

Thank You

Maria Franssen
Administrative Coordinator
Distribution Engineering - Growth
Natural Gas
5th Floor, 909 – 11 Ave SW | Calgary, Ab. | T2R 1L8
Tel. 403-245-7442 Cell 587-572-7847
email: maria.franssen@atco.com

[ATCO.com](http://www.atco.com) [Facebook](#) [Twitter](#) [LinkedIn](#)



From: Becky Soby <BSoby@urbansystems.ca>
Sent: Monday, May 11, 2020 12:04 PM
To: Becky Soby <BSoby@urbansystems.ca>
Cc: Mike Coldwell <mcoldwell@urbansystems.ca>; Rob McKay <robm@carstairs.ca>; Carl McDonnell <carlm@carstairs.ca>; Cathy Lensen <cathyl@carstairs.ca>; Erin Eyre <eeyre@urbansystems.ca>
Subject: Town of Carstairs: LUR 2020-02

****Caution – This email is from an external source. If you are concerned about this message, please forward it to spam@atco.com for analysis.****

Becky Soby

From: Circulations, HP <HP.Circulations@atco.com>
Sent: June 2, 2020 1:54 PM
To: Becky Soby
Subject: 20-1588 Response - Town of Carstairs: LUR 2020-02
Attachments: 2020-05-11 - Brar LUR Application Circulation Package_Redacted.pdf

CAUTION: External Email.

Good Morning,

ATCO Transmission high pressure pipelines has no objections.

Questions or concerns related to ATCO high pressure pipelines can be forwarded to hp.circulations@atco.com.

Thank you,

Maira Wright

Sr. Land Administrative Coordinator | Operations Engineering | Gas Transmission
ATCO Pipelines & Liquids Global Business Unit

A: 7210 42 Street, Edmonton, AB T6B 3H1
E: Maira.wright@atco.com

ATCO.com [Facebook](#) [Twitter](#) [LinkedIn](#)



From: Becky Soby <BSoby@urbansystems.ca>
Sent: Thursday, May 14, 2020 2:13 PM
To: Circulations, HP <HP.Circulations@atco.com>
Subject: Town of Carstairs: LUR 2020-02

****Caution – This email is from an external source. If you are concerned about this message, please forward it to spam@atco.com for analysis.****

Due to a previous bounce back from the email Isabel.Solis@atco.com, this circulation is being forwarded to HP.Circulations@atco.com. *****Please indicate if the Isabel.Solis@atco.com email is no longer valid for circulations.**

	TOWN OF CARSTAIRS
DATE:	May 11, 2020
DUE DATE:	June 11, 2020
FILE NO:	LUR 2020-02
SUBJECT:	BRAR LAND USE REDESIGNATION APPLICATION
PROJECT LEAD:	Becky Soby, Urban Systems

PROPOSAL:

Becky Soby

From: Cyrus Njung <Cyrus_Njung@cpr.ca>
Sent: May 14, 2020 11:41 AM
To: Becky Soby
Subject: RE: Town of Carstairs: LUR 2020-02

CAUTION: External Email.

Hi,

Please be made aware that Canadian Pacific Railway is not in favor of residential uses adjacent to our right-of-way as this land use is not compatible with railway operations.
The health, safety and welfare of future residents could be adversely affected by railway activities.

Should any proposed residential subdivision application adjacent to railway right of way receive approval. Canadian Pacific Railway requests that all recommended guidelines are considered as it relates to residential development adjacent to the CPR, which can be found at the following link - <http://www.proximityissues.ca>

We would appreciate being circulated with all future correspondence related to Residential or Commercial developments.

Thank you



Cyrus Njung
Real Estate Technician
Phone: 403-319-6456
7550 Ogden Dale Road S.E.
Calgary, AB T2C 4X9

From: Becky Soby <BSoby@urbansystems.ca>
Sent: Monday, May 11, 2020 12:04 PM
To: Becky Soby <BSoby@urbansystems.ca>
Cc: Mike Coldwell <mcoldwell@urbansystems.ca>; Rob McKay <robm@carstairs.ca>; Carl McDonnell <carlm@carstairs.ca>; Cathy Lensen <cathyl@carstairs.ca>; Erin Eyre <eeyre@urbansystems.ca>
Subject: Town of Carstairs: LUR 2020-02

This email did not originate from Canadian Pacific. Please exercise caution with any links or attachments.

Becky Soby

From: Pounall, Diana <diana.pounall@fortisalberta.com> on behalf of Land Service <landserv@fortisalberta.com>
Sent: May 11, 2020 12:25 PM
To: Becky Soby
Subject: Town of Carstairs: LUR 2020-02 DUE JUNE 11
Attachments: 2020-05-11 - Brar LUR Application Circulation Package_Redacted.pdf

CAUTION: External Email.

Good day,

FortisAlberta has no concerns, please contact 310-WIRE for any electrical services.

Warm Regards,

Diana Pounall | Land Coordinator

FortisAlberta Inc. | 15 Kingsview Rd. SE Airdrie, AB T4A 0A8 | Tel: 587-775-6264

[Project Status Portal](#) | Check the status of your New Service Connection or Project.

[Get Connected](#) | Getting connected with us is a five-phase process. Learn more here.



For more information please visit fortisalberta.com

From: Becky Soby <BSoby@urbansystems.ca>
Sent: Monday, May 11, 2020 12:04 PM
To: Becky Soby <BSoby@urbansystems.ca>
Cc: Mike Coldwell <mcoldwell@urbansystems.ca>; Rob McKay <robm@carstairs.ca>; Carl McDonnell <carlm@carstairs.ca>; Cathy Lensen <cathyl@carstairs.ca>; Erin Eyre <eeyre@urbansystems.ca>
Subject: [EXTERNAL] Town of Carstairs: LUR 2020-02 DUE JUNE 11

EXTERNAL EMAIL: Use caution with links and attachments.

	TOWN OF CARSTAIRS
DATE:	May 11, 2020
DUE DATE:	June 11, 2020
FILE NO:	LUR 2020-02
SUBJECT:	BRAR LAND USE REDESIGNATION APPLICATION
PROJECT LEAD:	Becky Soby, Urban Systems

PROPOSAL:

Becky Soby

From: Chris Rvachew <CHRIS.RVACHEW@telus.com> on behalf of circulations <circulations@telus.com>
Sent: May 11, 2020 2:03 PM
To: Becky Soby
Subject: RE: Town of Carstairs: LUR 2020-02

CAUTION: External Email.

TELUS Communications Inc. has no objections to the above mentioned land use redesignation.

Thanks,

Chris Rvachew | Real Estate Specialist
Customer Network Implementation | TELUS | Rights of Way
2930 Centre Avenue NE, Calgary, AB T2A 4Y2
Phone: (403) 384-3066 | circulations@telus.com

Please do NOT e-mail me directly. To avoid delays in processing, send all e-mails to circulations@telus.com.

TELUS Restricted – Privileged & Confidential
Not to be forwarded or copied without express consent of the originator.

From: Becky Soby [mailto:BSoby@urbansystems.ca]
Sent: May 11, 2020 12:04 PM
To: Becky Soby <BSoby@urbansystems.ca>
Cc: Mike Coldwell <mcoldwell@urbansystems.ca>; Rob McKay <robm@carstairs.ca>; Carl McDonnell <carlm@carstairs.ca>; Cathy Lensen <cathyl@carstairs.ca>; Erin Eyre <eeyre@urbansystems.ca>
Subject: Town of Carstairs: LUR 2020-02

	TOWN OF CARSTAIRS
DATE:	May 11, 2020
DUE DATE:	June 11, 2020
FILE NO:	LUR 2020-02
SUBJECT:	BRAR LAND USE REDESIGNATION APPLICATION
PROJECT LEAD:	Becky Soby, Urban Systems

PROPOSAL:

In accordance with Part 17 of the *Municipal Government Act*, please consider this letter as a formal request for comments, recommendations, and/or requirements with respect to the above noted application.

Urban Systems is acting on behalf of the **Town of Carstairs** for these applications. Accordingly, we have enclosed a copy of the plans. Please reply directly to bsoby@urbansystems.ca on or before **the 11th day of June, 2020** indicating File No **LUR 2020-02**. If you wish to respond by mail, please send your comments to:

Becky Soby
Urban Systems Ltd



June 4, 2020

Sent via email: bsoby@urbansystems.ca

Urban Systems Ltd.
Attn: Becky Soby
Ste. 101, 134 – 11 Avenue SE
Calgary, AB T2G 0X5

Dear Ms. Soby:

Re: Brar Land Use Redesignation File No. LUR 2020-02

Thank you for your email dated May 11, 2020 with respect to the above noted Application. The letter and material were circulated to the Planning and Development Services Department as well as the Operational Services Department.

Comments on this circulation were as follows:

Director of Planning and Development Services:

The parcel is located within the Town of Carstairs. The southern boundary of the subject quarter section is also the boundary between the Town and the County.

The County lands to the south of the subject quarter falls within the IDP Referral Area; and within the Wessex ASP that identifies future land use as Business Park. The DC will be compatible with the future land use.

The County lands to the east of the subject quarter falls within the IDP Referral Area; and within the Wessex ASP that identifies future land use as Low Density Residential. It is noted that the Town's wastewater treatment lagoons are located further east and will have limitations on future residential development. The separation by Hwy 2A and the rail will provide sufficient separation from the proposed use and potential residential to the east.

It is noted that the IDP is under review.

Thank you for your consideration to include us in your referral agencies.

Sincerely,

Lee-Ann Gaudette, Administrative Assistant
Planning and Development Services

/lg

T 403.335.3311 1.877.264.9754 F 403.335.9207
1408 · Twp Rd 320 Postal Bag 100 Didsbury, AB, Canada T0M 0W0
www.mountainviewcounty.com

Building Rural Better





June 9, 2020

Town of Carstairs CO. Urban Systems
Suite 101, 134 – 11 Avenue SE
Calgary, AB T2G 0X5

Sent via email to: bsoby@urbansystems.ca

ATTN: Becky Soby

RE: Brar Land Use Redesignation to Direct Control District

Your File #: LUR-2020-02

Our Reference #: R01592AB

Thank you for sending B&A Planning Group notice of this project on May 11, 2020. B&A is the land use planning consultant for TC Energy in Western Canada. On behalf of TC, we work with municipalities and stakeholders regarding land use and development surrounding their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

As per the requirements of the Canada Energy Regulator (CER), additional development in proximity to TC's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC and the applicant prior to development assists both parties in determining the best course of action to proceed with potential remediation and development. This is to help prevent pipeline damage, unwarranted crossings, and identify development within proximity to the pipeline that may trigger a pipeline Class upgrade.

Description of Proposed Development

We understand that this application is to re-designate a 13.9 acre parcel in Carstairs from Urban Reserve to Direct Control.

Please refer to **Attachment 01 Approximate Location of TC Infrastructure** for maps that show the proposal in relation to the approximate location of TC's infrastructure.

Assessment of Proposed Development

As demonstrated in **Attachment 01 Approximate Location of TC Infrastructure**, there are four TC Energy pipelines intersecting the southwest corner of the parcel. Schedule A, included within the proposed bylaw, demonstrate the site area as excluding the pipeline ROWs, however the parcel itself is not subdivided in that way.

Based on a review of the application information provided for the new Direct Control District **TC Energy has requested that several recommendations be considered or implemented within the Direct Control District and/or future development.**

 TCEnergy@bapg.ca





Recommendations

As noted above, the following recommendations should be dictated within the DC district and/or adhered to for future development:

1. In order to identify the precise alignment of the pipeline on the subject lands, a Locate Request must be made prior to any ground disturbance taking place. Locate requests can be made online at www.clickbeforeyoudig.com or by calling your local One-Call Centre. Locate requests generally take 72 hours to be completed.
2. No work may take place within TC's pipeline right-of-way without a TC representative on site.
3. All permanent or temporary crossings of pipelines require written consent from TC Energy. Written consent may be obtained online through TC's Canadian Third Party Crossing Application Portal at writtenconsent.tcenergy.com or by calling 1-877-872-5177.
 - o If the proponent plans to cross the pipeline in the future and applies through the online application portal noted above, please advise them to send the application # ("D#") associated with that application to tcenergy@bapg.ca for our records.
4. Ground disturbance is any work, operation or activity that results in an addition to or reduction of the earth cover on the ground, including but not limited to excavating, digging, ditching, plowing, stripping topsoil etc. Any ground disturbance within 30m of the pipeline, known as the "prescribed area" requires written consent from TC Energy. Written consent may be obtained online at writtenconsent.tcenergy.com or by calling 1-877-872-5177. It is preferable that all ground disturbance activities maintain a 30m setback from the pipeline.
5. Permanent structures shall not be installed anywhere on the ROW. TC Energy's preference is that permanent structures should be placed at least seven (7) metres from the edge of the ROW and twelve (12) metres from the edge of the pipeline.
6. Temporary structures shall not be installed anywhere on the ROW. TC Energy's preference is that temporary structures should be placed at least three (3) metres from the edge of the ROW and eight (8) metres from the edge of the pipeline.
7. As per the requirements of the Canada Energy Regulator (CER), TC Energy is required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. Therefore, please keep us informed regarding any additional development within the Pipeline Assessment Area indicated in **Attachment 01 Approximate Location of TC Infrastructure**.
8. In order to ensure that the future site plans are in compliance with TC Energy recommendations and requirements, we request that the following policy be included within the Direct Control District:
 - *"All development permit applications on the subject parcel shall be referred to the right-of-way holder / pipeline operator for review and comment."*
9. TC Energy would be happy to review and provide comment on Development Permit application site plans prior to municipal submission to ensure safe development adjacent to their infrastructure, and hopefully prevent late stage revisions to the plan.

 TCEnergy@bapg.ca





Requirements and guidelines for development on or near TC Energy's pipelines and infrastructure are included within **Attachment 02 Development Within Proximity to TC Energy Infrastructure** and **Attachment 03 Work Safely Booklet**, and we recommend that they be reviewed in full.

Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC's pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to tcenergy@bapg.ca. Thanks again for providing us with the opportunity to provide comments on this project and we look forward to working with you in the future.

Sincerely,

Kayla McCarthy

Community Planner | MPlan

(403) 692 4531 | kmccarthy@bapg.ca

B&A Planning Group 600, 215 - 9 Avenue SW | Calgary, AB T2P 1K3 | www.bapg.ca

Attachments

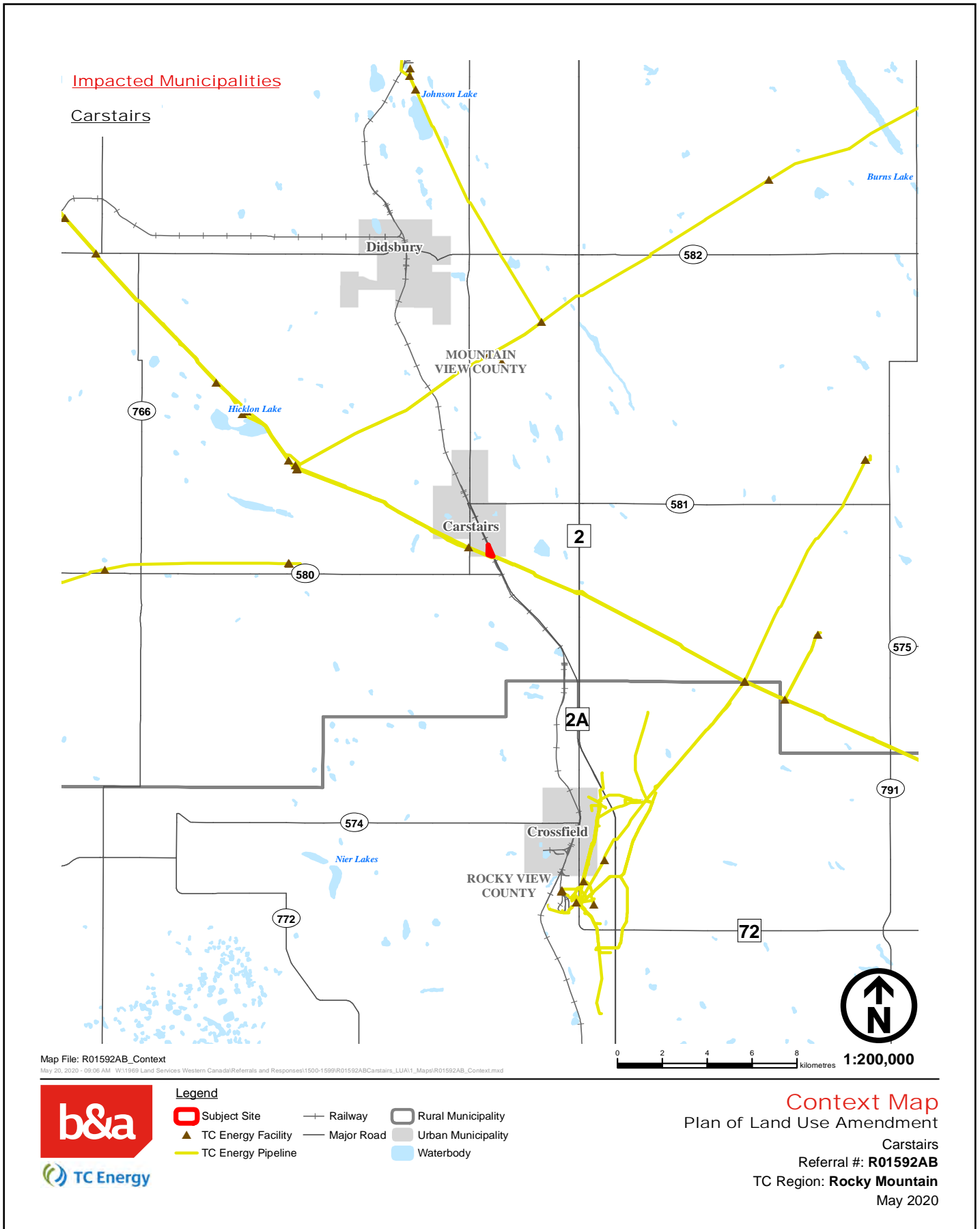
Attachment 01 Approximate Location of TC Infrastructure

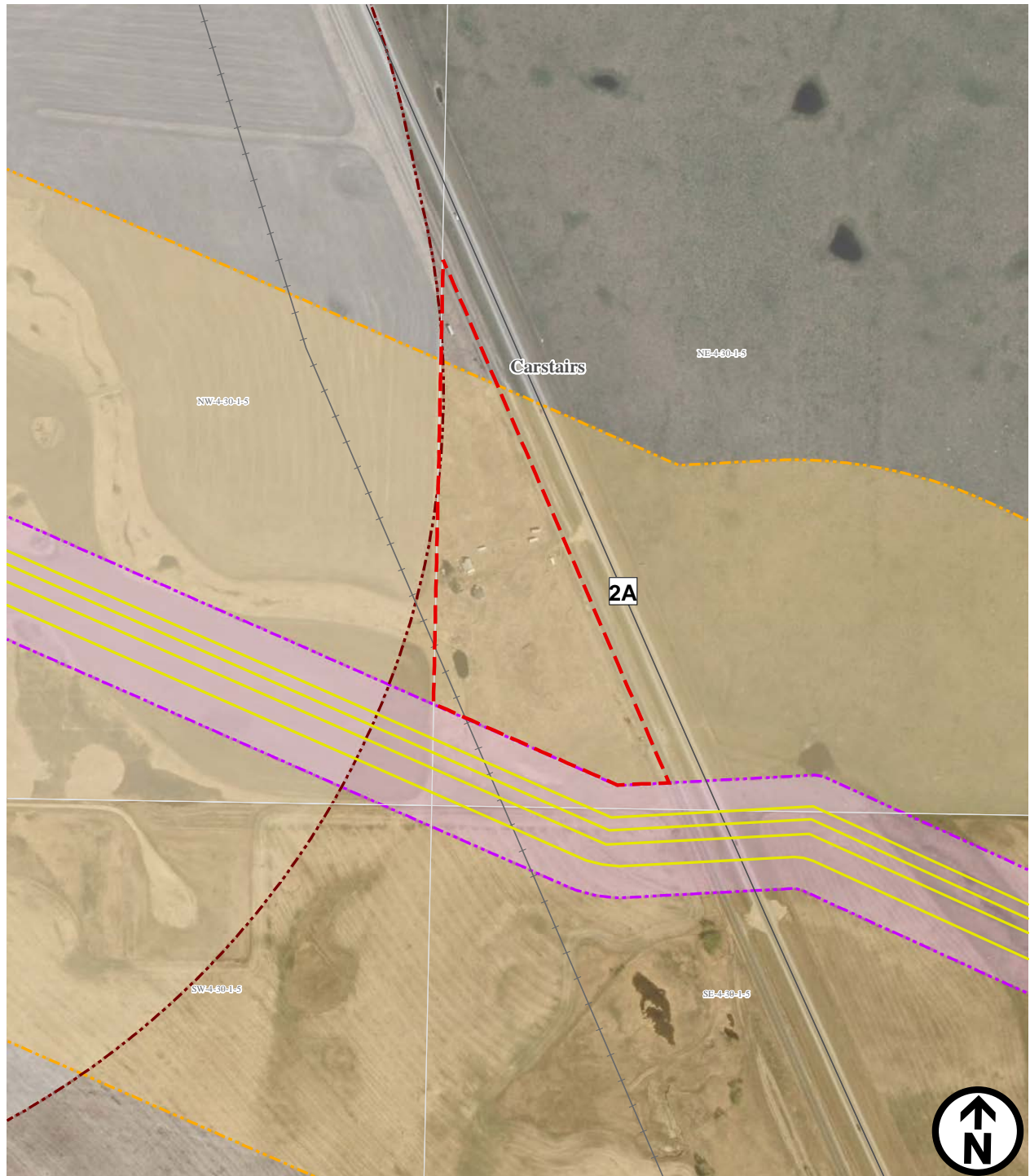
Attachment 02 Development Within Proximity to TC Infrastructure

Attachment 03 Work Safely Booklet

 TCEnergy@bapg.ca







Map File: R01592AB_Concept

May 20, 2020 - 10:27 AM W:\1989 Land Services Western Canada\Referrals and Responses\1500-1599\R01592ABCarstairs_LUA1_Maps\R01592AB_Concept.mxd

0 50 100 150 200 metres **1:5,000**



Legend

- Subject Site
- TC Energy Pipeline
- Prescribed Area (30m)
- Pipeline Assessment Area (379m)
- Facility Assessment Area (800m)
- Railway
- Quarter Section
- Urban Municipality

TC Energy Infrastructure
Plan of Land Use Amendment

Carstairs

Referral #: **R01592AB**

Map and data for informational and planning purposes only
Conceptual alignment only. Aerial Source: ESRI

May 2020



Attachment 02_ Development within proximity to TC Pipelines

TC infrastructure rights-of-way and setbacks:

A **right-of-way** is a surveyed area of a certain width and an agreement which grants legal rights of access to operate and maintain a facility.

- TC’s buried infrastructure is commonly situated within a **right-of-way** which grants legal rights of access to operate and maintain the facility in an effective and expeditious manner. Structures and appurtenances constructed within or adjacent to the right-of-way may impede company access and timely response for maintenance obligations and operational inspections. In this regard **development within the right-of-way is discouraged**.
- In some circumstances TC may be required to mobilize equipment and conduct excavations which encompass the entire right-of-way width. Resultantly, **structures abutting the right-of-way** may be directly impacted by such activities. The integrity of these structures may be affected due to proximity to open excavations and alternately may cause safety concerns for employees working within the excavation.

A **setback** is the minimum distance required between a property line and a structure as dictated by a regulator and/or municipality.

- Many **municipalities have by-laws** prescribing distances at which permanent and temporary structures may be situated in relation to the edge of utility corridors. Where municipal setbacks are in place, TC will request adherence to these set-backs under most circumstances.
- Right-of-way widths may be inconsistent, as is the positioning of the pipeline within the right-of-way, however *applicants should be aware of municipal setback requirements and incorporate them in their planning*.
- Generally, permanent structures (structures with permanent footings, pilings or poured concrete foundations or basements) placed at a distance of 7 metres outside of the right-of-way and 12 metres from the edge of the pipeline will not typically be adversely impacted by routine operation maintenance and construction. Any ground disturbance **within 30 metres** of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC’s **written consent**. For detailed guidelines about applying for written consent from TC, visit writtenconsent.transcanada.com or call 1.877.872.5177. A copy of the guidelines can also be provided upon request.

 TCEnergy@bapg.ca





In general, please be aware that *no work may take place within TC's pipeline right-of-way, or within a TC designated exclusion area, without a TC representative on site.* If you are planning to undertake construction within proximity to TC infrastructure, please remember the following:

- Any paralleling workspaces have a preferred separation distance of 7 metres minimum from TC infrastructure;
- The instructions and directions of the TC's representative must be strictly adhered to;
- Hand excavation of the pipeline prior to mechanical excavation within 5 metres is necessary in all circumstances; and
- Check with the local municipality to determine if there are any additional set-backs required from pipeline right-of-way.

If any **excavation or digging** within 30 metres from the centreline of the pipeline or any **temporary or permanent crossings** are required, the landowner must apply for written consent through the online application process.

A **crossing** includes any of the following activities:

- Constructing or installing a facility across, on, along or under a TC pipeline Right-Of-Way;
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 meters from the centreline the pipeline); and
- Driving a vehicle, mobile equipment or machinery across a TC pipeline right of-way outside the travelled portion of a highway or public road.

Any proposed crossings will require crossing agreements that must be applied for through TC's online third party crossing tool: *Canadian Third Party Crossings Application Portal*. Click here to access the tool online: <https://pi-iaqforms.tcenergy.com/Runtime/Form/Welcome.Form/>.

Please note that:

- Crossings must occur as close as possible to 90 degrees.
- Crossings must not occur at a bend in the pipeline.
- Paralleling roads must be located outside of TC's ROW.
- TC highly recommends that **roads** be a minimum of **7m from the edge of the pipeline**, and if abutting the ROW only be limited to one side of the ROW (any exceptions to this may require additional pipeline modifications or protective measures to be completed and reimbursed to TC; this is determined at the detailed design and assessment stage).
- A **road** must be constructed so that the travelled surface is no less than 1.5 metres above the top of the pipeline.
- The bottom of the ditches adjacent to **roads** should not be less than 1.4 metres above the top of the pipeline.

 TCEnergy@bapg.ca





- Minimum cover for **railway crossings** (below base of rail) is 3.05 metres for uncased pipe.

If you are installing or constructing **utilities in proximity to TC pipelines or infrastructure**, please remember that:

- TC will retain the upper position in the crossing area;
- The Minimum separation between buried facilities must be:
 - For open cut excavations – 300mm (600mm during installation)
 - For horizontal directional drills (HDD) – 1000mm
- The utility depth must be maintained for the entire width of the pipeline right-of-way;
- The utility must have no bends within the pipeline right-of-way;
- The utility must have no joints, splices or other connections within the pipeline right-of-way;
- Utility crossings must not be placed within seven (7) metres of a pipeline bend.

For more detailed requirements on development in proximity to TC pipelines and facilities please click on the following Link: <https://www.tcenergy.com/sustainability/safety/safe-digging/canada/landowners-and-neighbours/>.

Recommended Resources:

- 1) TC's **Work Safely booklet** containing guidelines for development near their pipelines and facilities (enclosed).
 - This booklet outlines what TC does, its pipelines, regulatory requirements, and safety requirements for working around its facilities, crossing requirements, and requirements for development on or near TC's pipeline ROWs. Important contact information is also provided.
- 2) Canadian Standards Association's (CSA) **Z663-18 Standard**: "*Land use planning in the vicinity of pipeline systems.*" Available for purchase (\$200) at <https://store.csagroup.org/>.
 - This Standard aims to address the challenges facing land use planning near pipelines in Canada; outlining key elements that, when consistently applied, will enhance safe and informed development.
- 3) CSA's **Z662-19 Standard**: "*Oil and gas pipeline systems.*" Available for purchase (\$798) at <https://store.csagroup.org/>.
 - This technical Standard details the safe design, construction, and maintenance of pipeline systems across the Canada. Z662 is referenced in provincial, territorial, and federal legislation.

 TCEnergy@bapg.ca



Work safely.

Development near our pipelines and facilities

These guidelines are intended to provide useful and timely safety information. TC Energy endeavors to ensure the information is as current and accurate as possible.

[TCEnergy.com](https://www.tchenergy.com)



About us

For over 65 years, TC Energy has proudly delivered the energy millions of North Americans rely on to power their lives and fuel industry.

Guided by our values of safety, responsibility, collaboration and integrity, our more than 7,000+ employees are deeply rooted in their communities and ensure that we develop and operate our facilities safely, reliably and with minimal impact on the environment. We are committed to listening to our neighbours and working with all our stakeholders to develop better project plans and create long-term opportunities and economic benefits in the communities where we operate across Canada, the U.S. and Mexico.

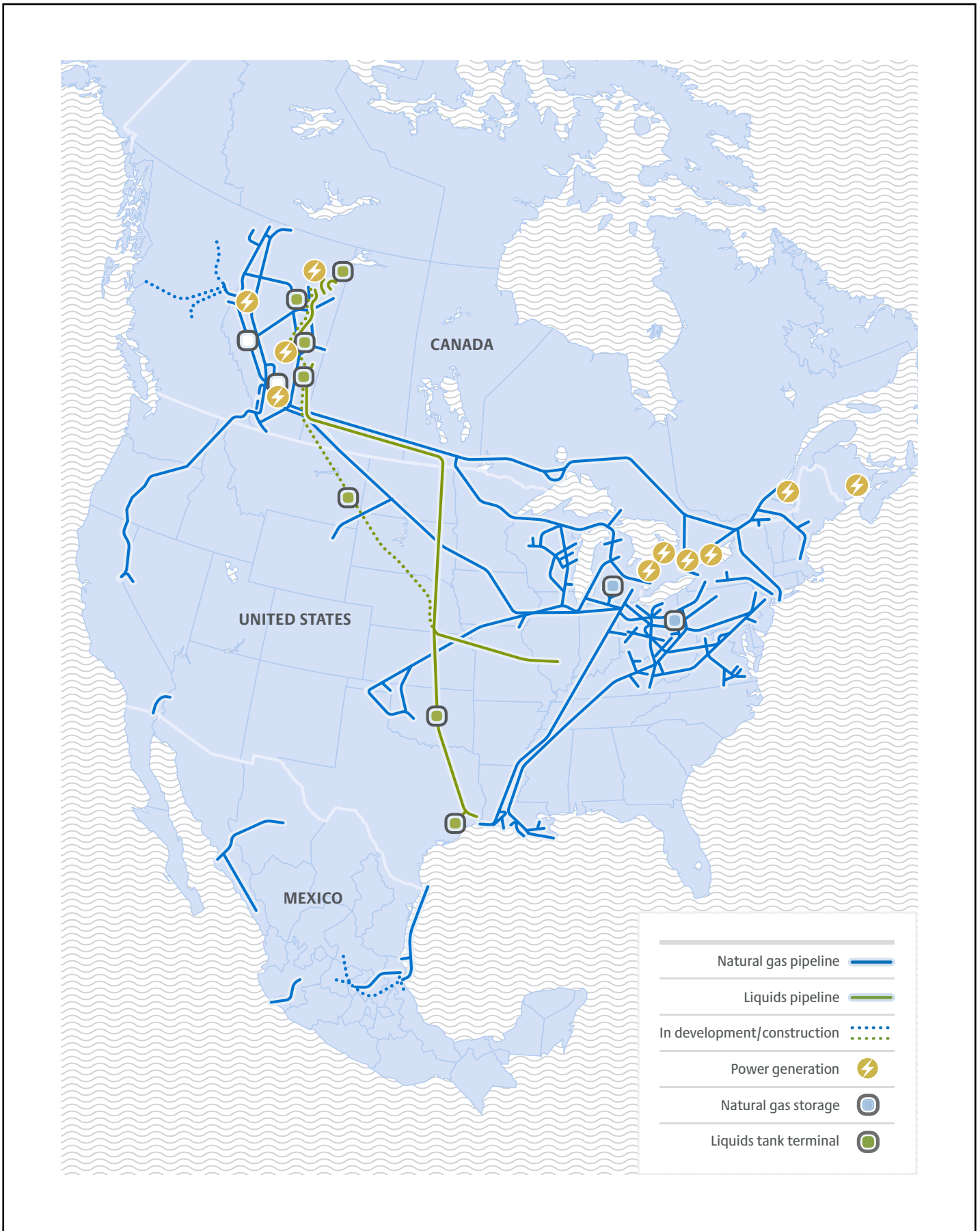
In May 2019, we changed our name from TransCanada to TC Energy to better reflect the scope of our operations and to reinforce our position as a leading North American energy infrastructure company. Whether our stakeholders know us as TC Energy in English, TC Énergie in French, or TC Energía in Spanish, our neighbours, partners and investors can continue to count on us to follow through on our commitments and live up to our values in everything we do.

Our pipelines

Pipelines are the safest and most efficient method to transport natural gas and oil to market. Natural gas is odourless, colourless and will dissipate quickly when released because it is lighter than air. However, the gas is flammable and can be explosive if ignited. Crude oil is a liquid mixture of naturally occurring petroleum hydrocarbons and can possess a rotten egg, gasoline, tar or "skunk-like" odour. Crude oil vapours are volatile, and can be flammable and explosive.

Typically, TC Energy does not own the land where our pipelines are located, but instead acquires the right prior to construction to install and operate the pipeline and related facilities within a pipeline right-of-way through an easement or right-of-way agreement with the landowner. The terms of the right-of-way agreements vary but generally provide TC Energy with the right to access, construct, operate, maintain and abandon the pipeline within the right-of-way.

The width of the right-of-way is based on the size and type of the pipeline and related facilities. By contrast, TC Energy does typically own the land where both compressor stations, which re-pressurize gas along the pipeline to ensure the gas flows continuously at a desired flow rate, and pump stations, which pump oil through the pipeline from one point to the next, are located. The lands required for meter stations, which measure product volume, are either leased directly from landowners or owned by TC Energy.



Regulatory requirements

TC Energy's pipeline design, construction and maintenance programs meet or exceed industry and government standards. In Canada, our operations are regulated by provincial and federal authorities including the Canada Energy Regulator (CER). Legislation and regulations set out the requirements governing activities in proximity and on pipeline rights-of-way, including vehicle and equipment crossings, construction of facilities on or near a right-of-way, and other activities that could cause ground disturbances, which might impact the pipeline. Such legislation and regulations aim to ensure the safety and protection of the public, our employees, the environment as well as our pipeline facilities and other property.

Safety

At TC Energy, we seek to anticipate and minimize hazards of every description. From design and construction to operation and maintenance, safety is an integral part of everything we do. TC Energy regularly communicates pipeline safety information to stakeholders through our public awareness program.

Our safety practices include monitoring changes in land use near our pipeline facilities. This can involve meetings with landowners, municipal decision makers, administrative staff and land use planners.

TC Energy also has an extensive pipeline maintenance program that ensures our pipeline facilities are regularly monitored, inspected and repaired in order to meet or exceed best industry practices and regulatory requirements. Our entire pipeline transmission system is monitored from our control centres 24 hours a day, 7 days a week. In addition, TC Energy carries out the following activities as part of our pipeline maintenance program:

Aerial patrols – TC Energy carries out aerial patrols of the pipeline route to identify hazards from outside sources, including unauthorized construction and ground disturbances near the pipeline. Sensitive detection equipment may be used during these patrols to identify gas leaks.

In-line pipeline inspections – TC Energy conducts in-line pipeline inspections using tools that travel through the pipeline collecting data and looking for locations where corrosion, metal loss or dents may have occurred.

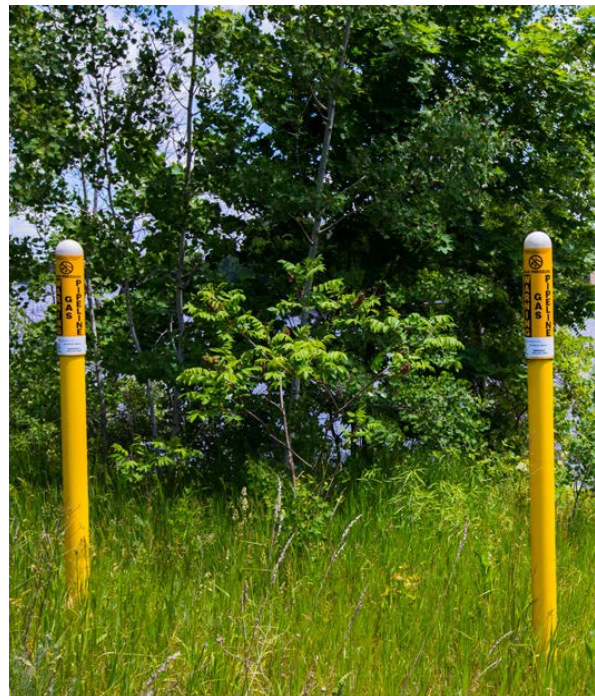
Hydrostatic testing – TC Energy uses hydrostatic testing, typically at the completion of pipeline construction, but to verify the safety of existing pipelines. Sections of the pipeline are filled with water and the pressure is increased beyond normal operating pressure to test pipeline strength and identify any pipeline leaks.

Cathodic protection – TC Energy uses cathodic protection, which involves applying a low-voltage electrical current to the metal pipe to protect the pipeline against corrosion. The cathodic protection system is monitored regularly to ensure proper protection against pipeline corrosion.

Pipeline signage – TC Energy installs pipeline signs at all road, rail, and waterbody crossings and at other strategic points along the pipeline route to identify the approximate location of our pipelines. Pipeline signs contain important information such as:

- The owner of the pipeline
- The product shipped in the pipeline
- Emergency contact numbers

BE AWARE: Pipeline signs will not designate the exact location, depth or number of pipelines in the area. Contact your local one-call centre and TC Energy will send a representative to the proposed excavation site to mark the pipeline.



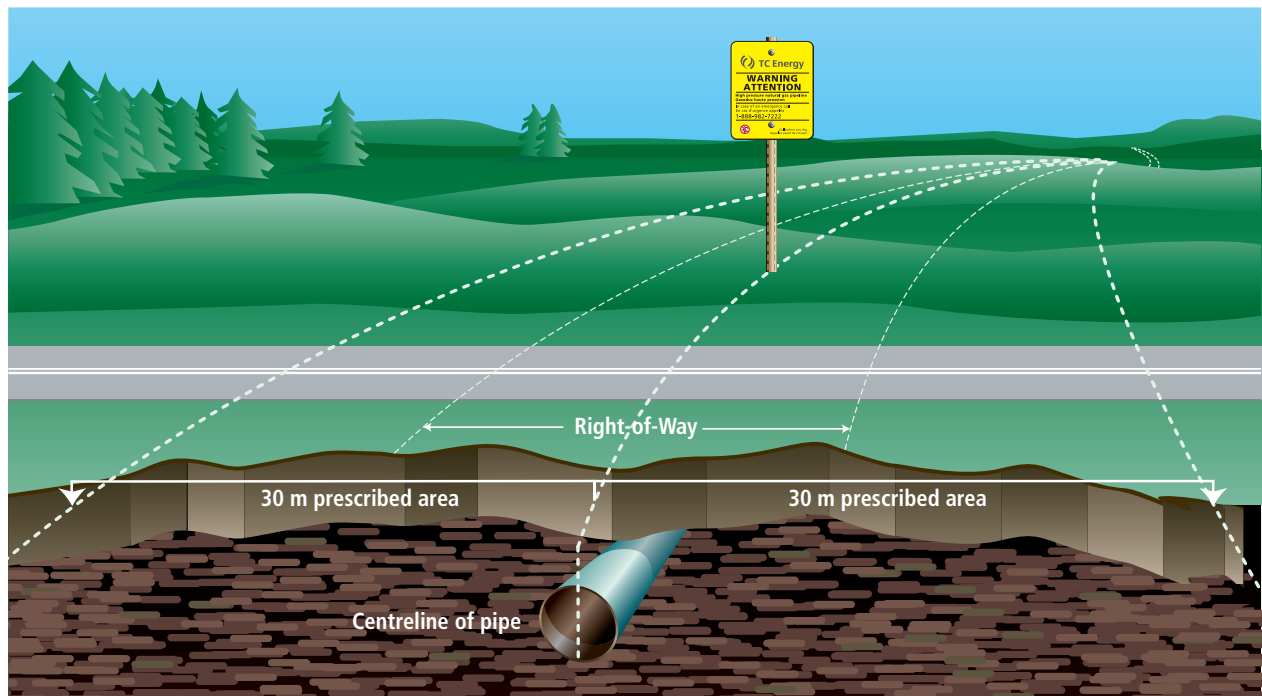
**Approvals for working around
TC Energy’s facilities**

To ensure our pipelines and facilities operate safely, written consent from TC Energy must be obtained in Canada before any of the following:

- Constructing or installing a facility across, on, along or under a TC Energy pipeline right-of-way
- Conducting ground disturbance (excavation or digging) on or within the prescribed area (30 metres or 100 feet from the centreline of the pipeline)
- Driving a vehicle, mobile equipment or machinery across a TC Energy pipeline right-of-way outside the travelled portion of a highway or public road
- Using any explosives within 300 metres or 1,000 feet of TC Energy’s pipeline right-of-way
- Use of the prescribed area for storage purposes

**The following are examples of
ground disturbances:**

- Digging
- Excavation
- Trenching
- Tunneling
- Boring/drilling/pushing
- Augering
- Topsoil stripping
- Land leveling/grading
- Plowing to install underground infrastructure
- Tree or shrub planting
- Cleaning and stump removal
- Subsoiling
- Blasting/using explosives
- Quarrying
- Grinding and milling of asphalt/concrete
- Seismic exploration
- Driving fence posts, bar, rods, pins, anchors or pilings
- In-ground swimming pools



Locate request

Any person planning to construct a facility across, on, along or under a pipeline (including the right-of-way), conduct a ground disturbance activity within 30 metres of the centreline of a pipe, or operate a vehicle or mobile equipment across a right-of-way, must request a locate service.

Locate requests can be made online (www.clickbeforeyoudig.com), via mobile apps (Saskatchewan and Quebec) or via phone (see the back of this booklet for more details). The locate request must be made at least three working days in advance of the ground disturbance, construction activity, or vehicle or mobile equipment crossing.

The One-Call Centre will notify TC Energy to send a representative to mark the facilities with flags, paint or other markings in order to help you avoid damaging them. The TC Energy representative will explain the significance of the markings and provide you with a copy of the locate report. The service is free and could prevent accidents, injuries or deaths.

Written consent

After you apply for written consent, TC Energy will assess the planned work to ensure it does not pose a risk of damage to the pipeline and to ensure that access to the pipeline for maintenance or emergency purposes is not impeded.

Obstacles on a right-of-way, such as sheds, trailers, boats, garbage and vegetation can interfere with TC Energy's pipeline maintenance program (detailed in safety section above). In some cases, TC Energy may require additional time to assess the situation prior to providing consent.

In review, prior to commencing any activities in proximity to the pipeline, you must:

- Make a locate request
- Obtain TC Energy's written consent (apply online at writtenconsent.transcanada.com or call 1-877-872-5177). Often written consent for minor activities can be obtained directly from regional TC Energy representative through a locate request.
- Obtain TC Energy's safety practices to be followed while working in the vicinity of its pipes or prescribed area and information that clearly explains the significance of the locate markings.

Mobile equipment and vehicle crossings

The operation of a vehicle or mobile equipment across a TC Energy right-of-way requires TC Energy's written consent, except in the following circumstances:

- Vehicle or mobile equipment is operating within the travelled portion of a highway or public road across the right-of-way
- Vehicle and mobile equipment is being used to perform an agricultural activity and the following conditions are being met:
 1. The loaded axle weight and tire pressures of the vehicle is being operated within the manufacturer's approved limits and operating guidelines; and
 2. The point of crossing has not been identified by TC Energy as a location where a crossing could impair the pipeline's safety or security

Agricultural activities

Agricultural activity involves the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, and pasturing but does not include the construction of new buildings or the placement of footings, foundations, pilings or posts.

The following agricultural activities do not require written consent from TC Energy:

- Cultivation activities (e.g. tillage, plowing, disking and harrowing) to a depth of less than 45 centimetres, as these activities are exempt from the applicable statutory definitions of a ground disturbance (See the Approvals for Working Around TC Energy's Facilities section).
- Agricultural vehicle and mobile equipment crossings as described in the mobile equipment and vehicle crossings section above.



Warning sign



Warning sign



Vent marker



Aerial marker

Development on or near the pipeline right-of-way

It is important for municipal authorities, developers and landowners to consult with TC Energy early in the planning stage of a development project on or near a right-of-way to ensure that TC Energy’s pipelines and facilities are appropriately incorporated into the plan and that any new development near our facilities meets regulatory and TC Energy requirements.

Contact TC Energy before developing within 750 metres of TC Energy compressor stations and pump stations so that we can analyze potential impacts and recommend measures to protect adjacent lands from industrial impacts.

TC Energy requires significant advance notice for any development which increases the population density within approximately 200 metres of a pipeline. Population growth means potential changes to the operating requirements of the pipeline, and could result in a revision to operating pressure, a pipeline replacement, and/or other mitigation actions as necessary. Failure to consult with TC Energy in advance may result in significant delays and costs to the development.

during these patrols to identify gas leaks.

Municipalities often prescribe minimum setback distances to restrict the building of a structure within a prescribed distance from a curb, property line, right-of-way or structure. These setbacks can help to minimize the risk of damage to buried infrastructure. As municipal setback requirements vary, contact the local authority and TC Energy to determine the requirements in your area.

Any ground disturbance within 30 metres of the centerline of the pipe, construction of a facility across, on, along or under a pipeline (including the right-of-way), or vehicle or mobile equipment crossing the pipeline right-of-way may not occur without TC Energy’s written consent.

For detailed guidelines about applying for written consent from TC Energy, visit writtenconsent.transcanada.com or call **1-877-872-5177**. A copy of the guidelines can also be provided upon request.

The following must be taken into consideration when planning a development project.

Subdivisions – Contact TC Energy early in the design process so that we can comment on the proposed subdivision plans. TC Energy’s practice is that our right-of-way be used as a passive green space or as part of a linear park system. Permanent structures on the right-of-way are not permissible.

Roads and Utilities – Contact TC Energy when designing roads and utilities. Roads may be permitted to cross and/or run parallel to the right-of-way, but no portion of a road allowance can be located on the right-of-way (apart from approved road crossings). TC Energy will also review the location of utilities, which are often proposed to be installed within road allowances.

Blasting – Contact TC Energy before conducting any blasting activities within 300 metres of the pipeline right-of-way so TC Energy can review your plans for potential impacts to its facilities. Blasting activities related to prospecting for mines and minerals within 40 metres of a federally regulated pipeline right-of-way require permission from the CER.

Landscaping – Contact TC Energy for written consent before landscaping. Projects such as pedestrian pathways and the planting of trees and shrubs may be permitted as long as they do not impede TC Energy’s access along its right-of-way for operational or maintenance activities. Our written consent will specify the permitted landscaping requirements.

Important contact information

Canadian One-Call centres

British Columbia 1-800-474-6886
Alberta 1-800-242-3447
Saskatchewan. 1-866-828-4888
Manitoba 1-800-940-3447
Ontario 1-800-400-2255
Quebec 1-800-663-9228
www.clickbeforeyoudig.com

Mobile phone apps

Saskatchewan. Sask1st Call
Quebec Info-Excavation
Emergency 1-888-982-7222

General inquiries

Phone 1-855-458-6715
Email public_awareness@tcenergy.com

Landowner inquiries

Phone 1-866-372-1601
Email cdn_landowner_help@tcenergy.com

Applying for written consent

Online. writtenconsent.transcanada.com
Phone. 1-877-872-5177

Crossings inquiries

Email crossings@tcenergy.com
Quebec email. quebec_crossings@tcenergy.com

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. For more information on CER-regulated pipelines, visit www.cer-rec.gc.ca.

