

December 22, 2025

Blaine Yatabe
Municipal Services Office North (Sudbury)
159 Cedar Street, Suite 401
Sudbury, ON P3E 6A5

Dear Blaine Yatabe:

**RE: Approval of a municipality's official plan
Municipality of Powassan**

ERO number: 025-1221

MHBC File: PAR 50343

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC") are the planning consultants for TransCanada PipeLines Limited ("TCPL"), an affiliate of TC Energy Corporation ("TC Energy"). This letter is in response to the Municipality of Powassan's adopted new Official Plan. TCPL has two (2) large-diameter, high-pressure natural gas pipelines contained within its easement(s) ("TCPL Pipeline Right-of-Way") and associated facilities crossing the Municipality of Powassan.

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

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.

Upon review of the adopted Municipality of Powassan Official Plan, we are requesting the following revisions to Section 7.6, Utility Corridors, for greater accuracy and alignment with the CER Act and associated Regulations, and TCPL's Damage Prevention Best Practices.

Green underline = addition

~~Red-strikethrough~~ = deletion

7.6 Utility Corridors

7.6.1 All development in the Municipality shall recognize the importance of the high-pressure natural gas pipelines and hydro transmission lines identified on Schedule 'A', 'D' and 'E' of this Plan. ~~Any development within 200 metres of a utility corridor may affect the safety and integrity of the line.~~ The Municipality shall require early consultation with TransCanada PipeLines Limited (TCPL) for any development proposed within 200 metres of ~~a gas pipeline~~ its facilities, as increased population density may result in TCPL being required to replace its pipeline(s) to comply with CSA Code Z662.

7.6.2 ~~A setback of 10 metres shall be maintained from the limits of the utility right-of-way for all permanent structures and excavations. In the case of a natural gas pipeline, a reduction in the 10 metre setback will only be considered if it can be demonstrated to the satisfaction of the pipeline corporation, 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 Municipality's Zoning By-law.

7.6.3 ~~Activities on or within 30 metres of the TransCanada pipeline such as excavation, blasting and any movement of heavy equipment requires approval from the National Energy Board 2.~~ TCPL is regulated by the Canada Energy Regulator, which has a number of requirements regulating development in proximity to the pipelines, including approval for activities within 30 metres of the pipeline centreline.

7.6.4 Within the Urban Service Area and the Trout Creek Settlement Area, the Municipality will encourage the development of ~~TransCanada~~ TCPL's right-of-way for passive parkland or open space purposes subject to ~~TransCanada~~ TCPL's easement rights.

Thank you for the opportunity to comment. We look forward to reviewing the final Official 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