

October 20, 2023

Municipal District of Bonnyville No. 87
4905 - 50 Avenue Bag 1010
Bonnyville, AB T9N 2J7

Sent via email to: spurich@md.bonnyville.ab.ca

ATTN: Scott Purich, Planner

RE: This referral is policy related and is for an update to the Land Use Bylaw for the Municipal District of Bonnyville. The Rural Municipality of Bonnyville sent over a draft version of the updated Land Use Bylaw which included the removal of most energy related policy. There are two specific policies to be removed that will have a direct effect on Enbridge including elements within new subdivisions and building setbacks from ROWs. The Municipal District of Bonnyville contains 2 pipelines and 2 facilities belonging to Enbridge.

Your File #: Bylaw No. LU 577

Our Reference #: ENB_R230921-005AB_MDofBonnyvilleNo.87_LUB

Thank you for sending Enbridge notice of this project. B&A is the land use planning consultant for Enbridge's Liquids Pipeline network across Canada. On behalf of Enbridge, we work with municipalities and stakeholders regarding planning and development in proximity to their pipeline infrastructure to ensure that it occurs in a safe and successful manner.

We request that this response package is provided in full to the landowner / applicant, as applicable, as it contains useful and important information, including certain requirements that must be followed, in respect of development in proximity of pipelines.

Description of Proposed Development

We understand that this LUB update intends to amend and remove policies that restrict development and subdivision within proximity of oil and gas infrastructure. The update proposes to amend section 57.1 and removed the policies 57.2, 57.3, and 57.4.

As demonstrated in **Attachment 01 | Approximate Location of Pipeline Infrastructure** the proposed Land Use Bylaw Update applies to the entirety of the Municipal District and contains 2 pipelines and 2 facilities belonging to Enbridge. The approximate location is in a north south orientation and located generally between the Town of Bonnyville and the City of Cold Lake.

Assessment & Requirements

The Land Use Bylaw (LUB) was reviewed, and appears to contain some existing policies with respect to development in proximity of pipeline infrastructure, including:

- “In all Districts, new development shall meet all setbacks requirements as per the Alberta Energy Regulator requirements.”
- “No structures shall be located on a registered Right of Way.”

We appreciate the consideration of Enbridge’s pipeline infrastructure in the existing draft and recommend that some additional maps and policies be considered for inclusion.

Policy Recommendations:

- 1) **Mapping:** We recommend that Enbridge’s pipelines (and any other pipelines) and facilities be indicated on one or more maps within the LUB. Requests for GIS data from Enbridge should be sent to notifications@Enbridge.com.
- 2) To ensure that no unauthorized ground disturbance or pipeline crossings occur when development progresses, we recommend the following policy be included within the LUB update.
 - a. “All development within 30m or crossings of a pipeline shall require written consent from the pipeline company and is the responsibility of the applicant to obtain prior to development approval.”
- 3) As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. To ensure that all development within the pipeline assessment area is referred to Enbridge for review and comment, we recommend inclusion of the following policy:
 - a. “When a neighbourhood plan, zoning amendment, subdivision application or development permit application is proposed that involves land within 200m of a pipeline, as demonstrated in “Map xx:” (per recommendation #1), Administration shall refer the matter to the pipeline company for review and input.”

Future Development Requirements

Although the LUB details a long-term future development vision, there are development requirements that will be mandatory at the subdivision and development stage that will be helpful to consider prior to application submission. Please review **Attachment 02 | Enbridge Development Requirements** for requirements for planning and development in proximity of pipelines. In addition, for more information about when written consent is required and how to submit an application, see **Attachment 03 | Enbridge Pipeline Crossing Guidelines**. For additional resources on safe development in proximity of Enbridge’s pipeline network please view [Enbridge’s Public Awareness Brochures](#) or visit the [Land Use Planning and Development website](#).

Please continue to keep us informed about the outcome of the project and any future policy, land use, subdivision, and development activities in proximity to Enbridge's pipelines and facilities. All future project notifications should be sent to notifications@Enbridge.com, while questions about the details of this letter may be sent to the contact listed below. 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,



Oliver Prcic

Community Planner | *B.A. Urban Studies, MPlan*

403.692.4535 | oprcic@bastudios.ca

B&A | 600, 215 – 9 Avenue SW | Calgary, AB T2P 1K3 | www.bastudios.ca



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RE: This referral is policy related and is for an update to the Land Use Bylaw for the Municipal District of Bonnyville. The Rural Municipality of Bonnyville sent over a draft version of the updated Land Use Bylaw which included the removal of most energy related policy. There are two specific policies to be removed that will have a direct effect on TC including elements within new subdivisions and building setbacks from ROWs. The Municipal District of Bonnyville contains 29 pipelines and 40 facilities belonging to TC.

Your File #: Bylaw No. LU 577

Our Reference #: TCE_R230921-005AB_MunicipalDistrictOfBonnyvilleNo.87_LUB

Thank you for sending B&A notice of this project on September 19, 2023. B&A is the land use planning consultant for TC Energy in Western Canada. On behalf of TC Energy, 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, development in proximity to TC Energy's pipelines with potential new residents, employees, structures, ground disturbance, and crossings could warrant pipeline remediation. Consultation between TC Energy 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 LUB Update

We understand that this LUB update intends to amend and remove policies that restrict development and subdivision within proximity of oil and gas infrastructure. The update proposes to amend section 57.1 and removed the policies 57.2, 57.3, and 57.4.

Please refer to **Attachment 01 Pipeline Assessment Area and Prescribed Area** for maps that show the proposal in relation to the TC Energy pipeline assessment area and prescribed area, which the following recommendations apply to.

Assessment of Proposed LUB Update

The Land Use Bylaw update was reviewed, and contains several policies related to development in proximity to pipeline infrastructure, including:

- *“In all Districts, new development shall meet all setbacks requirements as per the Alberta Energy Regulator requirements.”*
- *“No structures shall be located on a registered Right of Way.”*

The above policies are not sufficient for regulating pipeline operators that are required to follow the federal Canadian Energy Regulators policies.

Recommendations

Based on a review of the draft Land Use Bylaw, the following list represents TC Energy’s recommendations for inclusion in the plan to ensure safe development adjacent to pipeline infrastructure:

1. We recommend that all pipeline rights-of-way and associated facilities be indicated on one or more maps within the Land Use Bylaw.

We recommend inclusion of the following policies:

2. To support compliance with Canada Energy Regulator requirements, when a planning, policy, land use / zoning, subdivision or development application is received that involves land within up to 400 metres of an oil or gas pipeline right-of-way, Administration shall refer the matter to the pipeline operator for review and input prior to approval.
3. As per Provincial and Federal regulations, all ground disturbance or development within 30 metres (the “prescribed area” or “controlled area”) or crossing a pipeline shall require written consent from the pipeline operator and is the responsibility of the applicant to obtain prior to construction.
4. Landowners are encouraged to collaborate with pipeline operators prior to submission of an application concerning lands that are within up to 400 metres of pipeline infrastructure (the “pipeline assessment area”).
5. No buildings or structures shall be installed anywhere over a pipeline right-of-way.
6. As part of plan preparation at all stages, applicants shall identify the location of all pipeline systems within the plan area as well as their associated setbacks as applicable based on federal, provincial or pipeline operator specifications.
 - a. Permanent buildings and structures (i.e. including a foundation or anchored to the ground) shall be located a minimum of seven (7) metres from the edge of a TC Energy right-of-way, or twelve (12) metres from the pipeline, whichever is greater.
 - b. Temporary or accessory buildings (i.e. without a foundation and not anchored to the ground) shall be located a minimum of three (3) metres from the edge of a TC Energy right-of-way.

7. Oil and gas pipeline rights-of-way should be preserved as passive open space. A crossing and encroachment permit/agreement must be approved by the pipeline operator for ongoing activities such as mowing or maintenance of the right-of-way.

Additional best practices and guidelines for development adjacent to pipelines in the land use planning process are included within **Attachment 02 TC Energy Living and Working Near Pipelines**.

Conclusion

Please continue to keep us informed about this project and any future policy, land use, subdivision, and development activities in proximity to TC Energy's pipelines and facilities. Referrals and any questions regarding land use planning and development around pipelines should be sent to tcenergy@bastudios.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,

Oliver Prcic

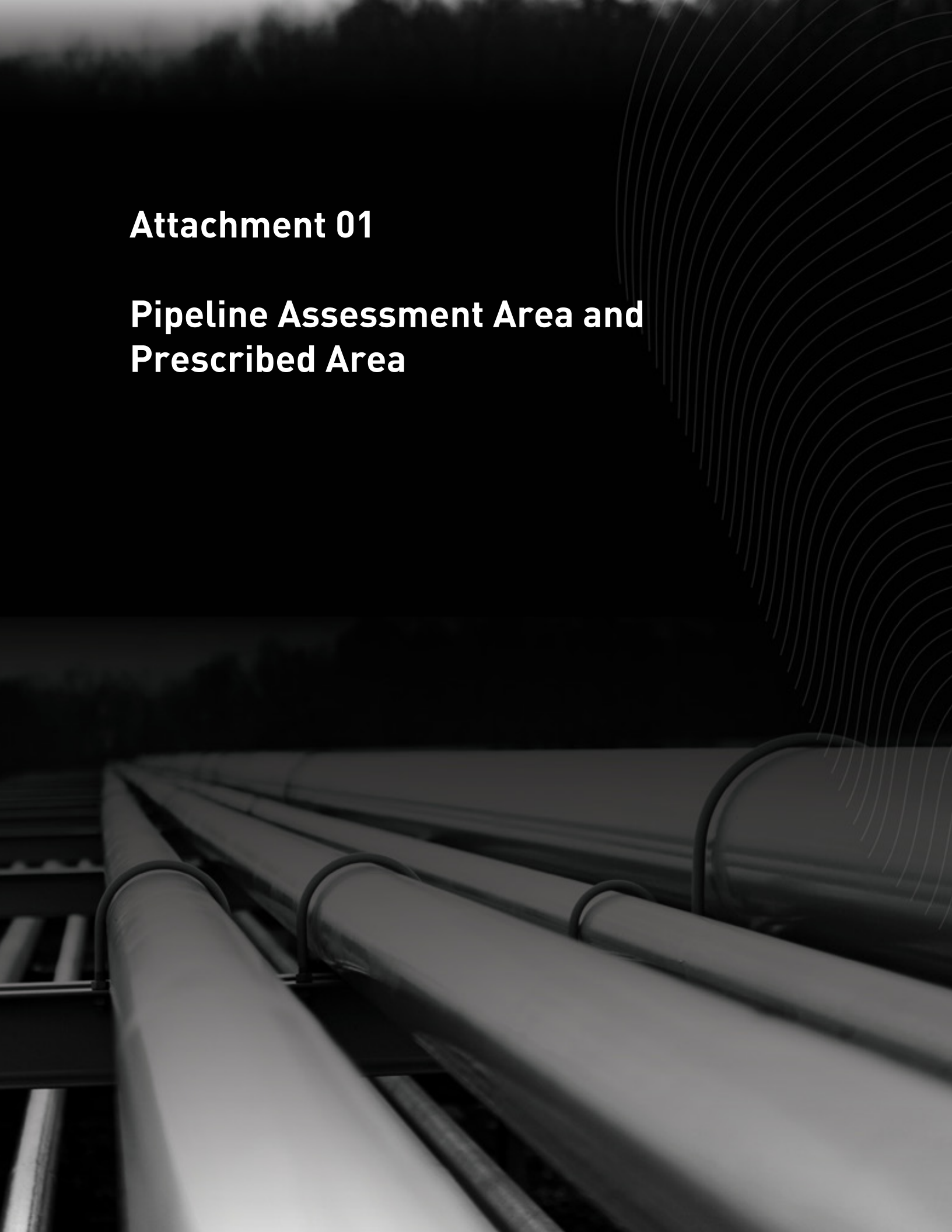
Community Planner | BA, MPlan

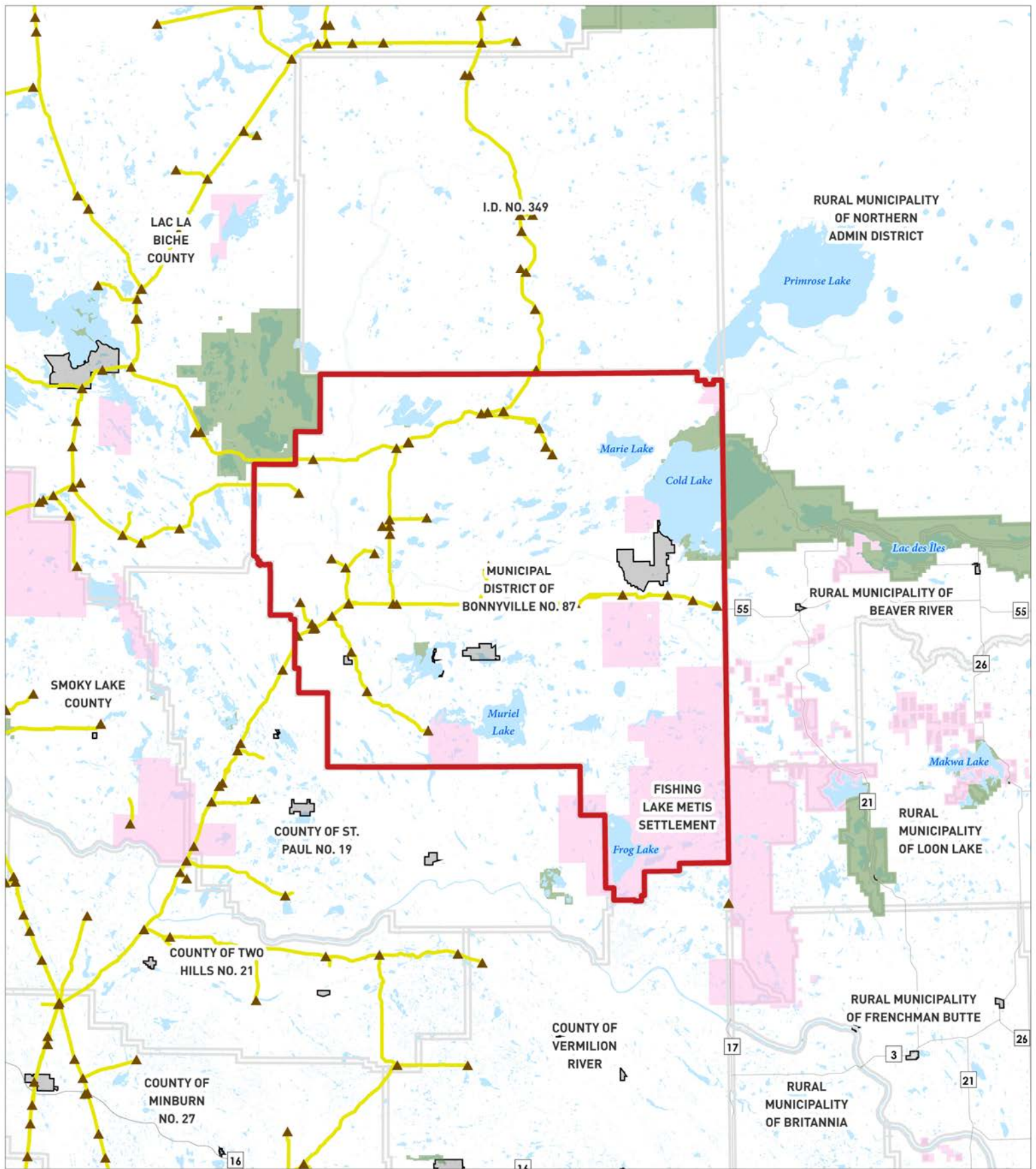
(403) 692 4535 | oprcic@bastudios.ca

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

Attachment 01

Pipeline Assessment Area and Prescribed Area





Coordinate System: NAD 1983 UTM Zone 12N

Geographic Coordinates: -110.6347, 54.3827



1:1,000,000

- Subject Site
- ▲ TC Energy Facility
- TC Energy Pipeline
- First Nation/Métis Settlement
- Municipality - Rural

- Municipality - Urban
- Park/Protected Area
- Province
- Waterbody

Regional Context

Land Use Bylaw

Municipal District Of Bonnyville No. 87

Referral ID: R230921-005AB

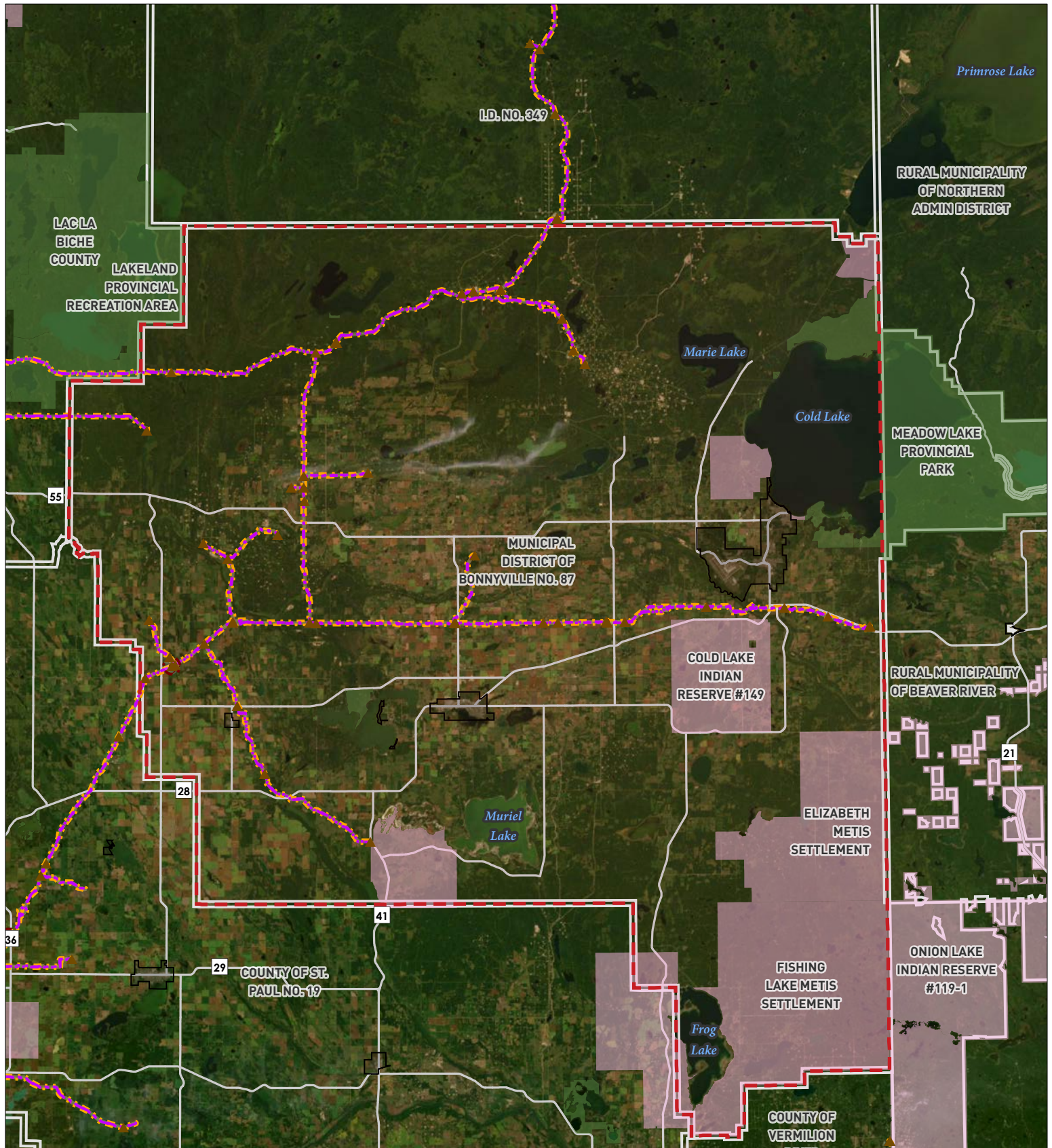
September 2023



0 10 20 30 40 kilometres

Date Saved: Sep 21, 2023

Map and data are conceptual and for informational and planning purposes only.



PLEASE CONTACT YOUR LOCAL ONE CALL CENTRE (WWW.CLICKBEFOREYOU.DIG.COM) FOR ANY GROUND DISTURBANCE WITHIN THE PRESCRIBED AREA AS SHOWN ON THIS MAP.

Coordinate System: NAD 1983 UTM Zone 12N

Geographic Coordinates: -110.6347, 54.3827



1:587,500

- Subject Site
- ▲ TC Energy Facility
- Facility Footprint
- Facility Assessment Area (800m)
- Pipeline Assessment Area (220m)
- Prescribed Area (30m)

- Major Road
- First Nation/Métis Settlement
- Municipality - Rural
- Municipality - Urban
- Park/Protected Area

0 7,000 14,000 21,000 28,000 metres

Date Saved: Sep 21, 2023

Local Context

Land Use Bylaw

Municipal District Of Bonnyville No. 87

Referral ID: **R230921-005AB**

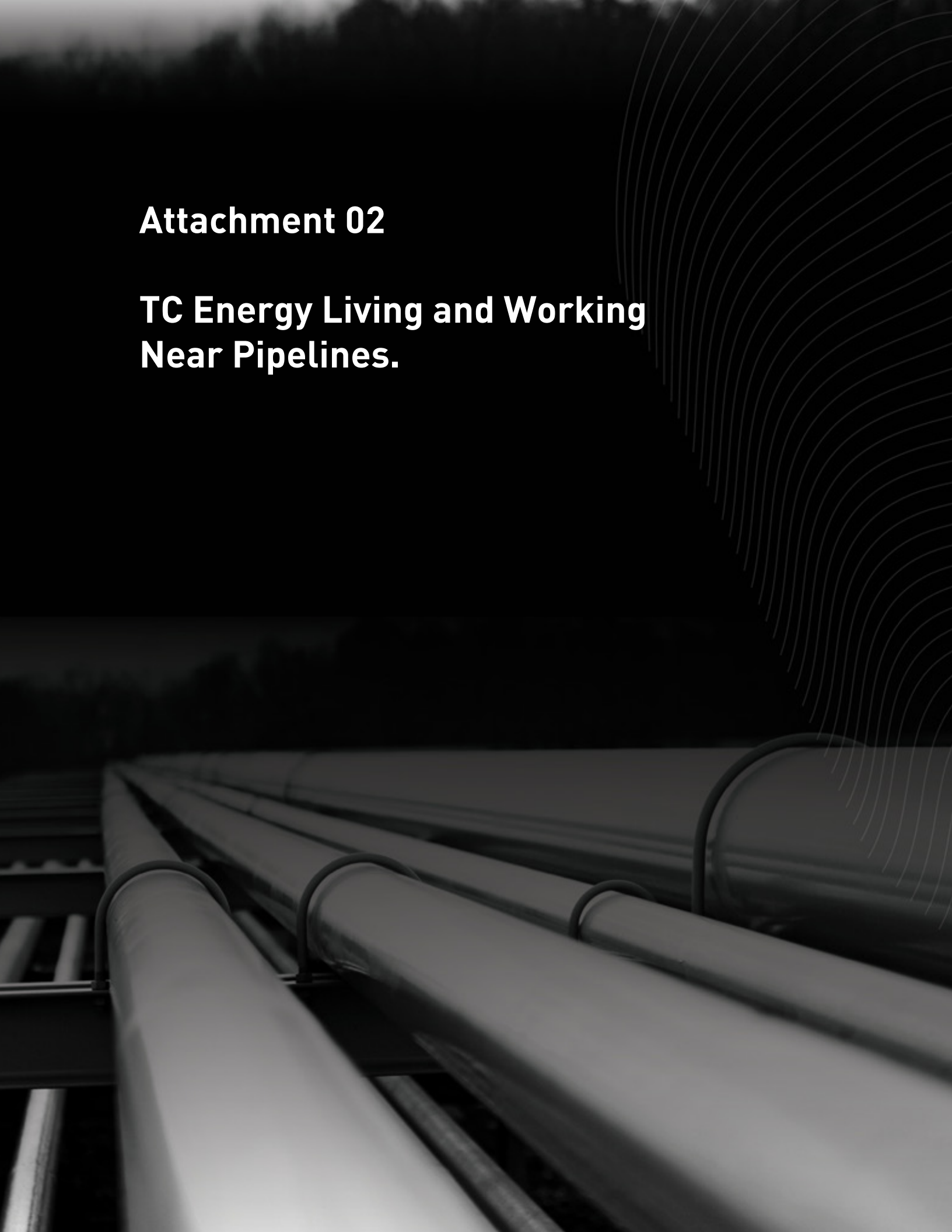
September 2023



Map and data are conceptual and for informational and planning purposes only.

Attachment 02

TC Energy Living and Working Near Pipelines.



Living and working near pipelines.

What you need to know - Natural gas

Please keep this brochure for future reference in case of an emergency.
To request additional copies for tenants, please contact us. See inside cover for details.



Why are you receiving this brochure?

This brochure contains important safety information for those who live and work near pipelines. This includes information about:

- What you can do to ensure safety around pipelines
- How to recognize a pipeline in your area
- Recognizing the signs of a pipeline leak
- What kind of activities are permitted on a pipeline right-of-way
- How TC Energy works to ensure the safety of pipelines

To help you understand the role you play in contributing to pipeline safety, we ask that you review the information provided. If you would like more information, have questions or to request additional copies of this brochure, please contact us at public_awareness@tcenergy.com or call 1-855-458-6715.

In the case of a pipeline emergency or to report suspicious activity along the right-of-way, please call 911 and local law enforcement, and then call TC Energy's emergency number at 1-888-982-7222. The emergency telephone number can also be found on the nearest pipeline marker, or on the back of this brochure.

TC Energy respects your privacy. To find out more about TC Energy's commitment to privacy and protecting your personal information, please see www.TCenergy.com/privacy.

The majority of TC Energy's pipelines are regulated by the Canada Energy Regulator in Canada, with some pipelines regulated provincially. This brochure is intended to provide safety information in compliance with regulatory requirements. For more information, visit www.cer-rec.gc.ca or www.tcenergy.com.

Purpose of pipelines and pipeline facilities

Pipelines are the safest and most efficient method to transport the energy that we need and use every day. Our pipelines and pipeline facilities are built using industry best practices, which include using the highest quality materials during construction and implementing a rigorous pipeline maintenance program. This includes the facilities required to safely operate the pipeline, like meter stations and compressor stations.

Meter stations measure the volume of natural gas transported through the pipeline, both at entry points (receipt station) and delivery points (sales station).

Compressor stations are necessary to maintain controlled and appropriate pressure levels along the length of the pipeline to ensure continuous and safe gas flow.

Prevent an incident, before it happens



Click or call before you dig—it's free

The best safety practices stop accidents before they happen. Just like you won't drill into a wall without knowing where the studs are, it makes sense to find out where the underground utilities are located. Unfortunately, digging without a locate is the leading cause of pipeline incidents.

Before conducting any excavation, either by hand or with machinery, contact your local One-Call Center at least 3 business days (5 in Ontario) in advance by visiting www.clickbeforeyoudig.com - Canada's source for provincial One-Call rules, regulations and contact information.

The One-Call Center will notify the facility owners in your area, who will send representatives to mark these facilities with flags, paint or other marks, helping you to avoid damaging them. Even with a locate, any excavation on a TC Energy right-of-way requires a TC Energy representative be present.

A notification to the One-Call Center is required by law in some areas, and not making a One-Call could result in fines or penalties. The service is free and could prevent accidents, injuries or deaths.

Learn more about the One-Call requirements in your province by visiting www.clickbeforeyoudig.com.

Know what utility markings mean

When you request a locate, coloured flags and/or paint are used to mark the location and type of underground utility.

Proposed excavation

Temporary survey markings

Electric power lines, cables, conduit and lighting cables

Gas, oil, steam, petroleum or gaseous materials

Communication, alarm or signal lines, cables or conduit

Potable water

Reclaimed water, irrigation and slurry lines

Sewers and drain lines

Recognizing a pipeline in your area

The general location of pipelines can be determined by two characteristics: a pipeline right-of-way (ROW) and pipeline markers.

Right-of-way

- A ROW can usually be recognized as a cleared strip of land in a linear or fairly straight line, cleared of structures and trees.
- The ROW contains the pipeline and the prescribed area that extends 30 metres on either side of the pipeline where certain activities require written consent from the pipeline operator to ensure the continued safety and integrity of the pipeline.
- The ROW must be kept clear of fences, buildings, trees or any other type of structure. The impact of a fence post, weight of a shed or the roots of a tree can cause either immediate or long-term damage to the pipeline.
- Structures or development could also impede access to the area for any required maintenance or emergency situations, resulting in safety risks and possible costly impacts to structures on the ROW.
- **The existence of the prescribed area does not necessarily mean development of the land cannot occur within the prescribed area, so contact TC Energy early to discuss your plans.**



Pipeline markers

- Found within line-of-sight on a ROW and at locations where the pipeline crosses streets, highways, waterways and railways.
- Markers only show the approximate location of the pipeline, and the depth of the line may vary. **You CANNOT use pipeline markers as a determination of where or where not to dig.**
- Pipeline markers display the pipeline operator, emergency number and the product transported in the pipeline.
- It is against the law to willfully deface, damage, remove or destroy any pipeline sign.
- Only a TC Energy representative can determine the location and depth of the pipeline. Pipelines may not follow a straight course between marker signs.



Warning sign



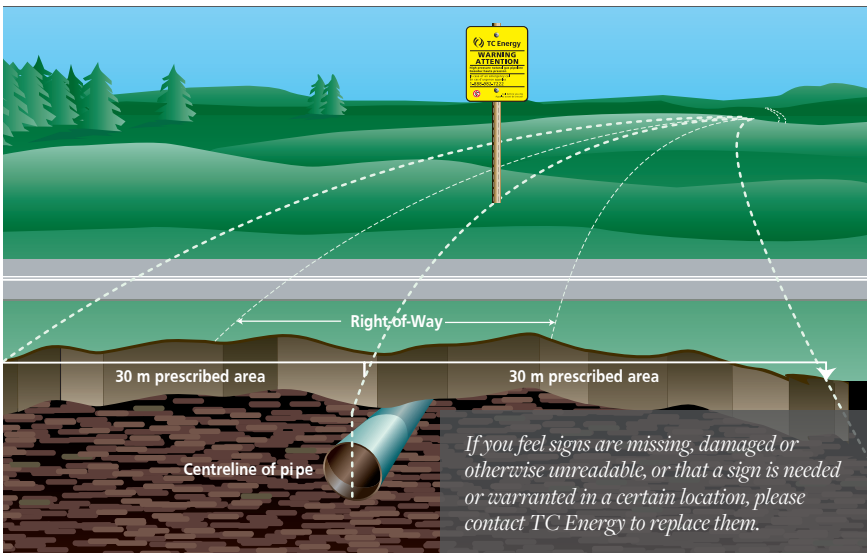
Line marker



Vent marker



Aerial marker



Recognizing a gas pipeline leak

Although a pipeline leak is rare, it is important to know how to recognize the signs. Use your senses of sight, smell and hearing to detect a potential pipeline leak.



You might see:

- Dead or dying vegetation on/near the right-of-way in an area that is usually green.
- Bubbles in a body of water.
- Dirt being blown into the air.
- Ground frosting in summer.
- Possible fire or flames above the ground, if the leak has been ignited.



You might smell:

- An odour similar to fuel, oil or propane.
- No odour. Natural gas transmission lines are not usually odourized, though smaller gas distribution lines often have an additive to give it a sulphur or “rotten egg” smell.



You might hear:

- A roaring, hissing or whistling noise.

Possible hazards of a gas pipeline leak or rupture

- Dizziness or suffocation if a leak occurs in a confined space or high concentration
- Ignition/fire if a spark or other ignition source is present
- Potential explosion if the natural gas is mixed with air
- Projectiles from site of leak or rupture propelled by the force of escaping gas

Responding to a leak or pipeline strike

A “strike” is any contact with a pipeline and can include mechanical equipment like a backhoe, or hand tools such as a shovel.

Any contact with a pipeline can affect the pipeline’s integrity or the protective corrosion coating, so it’s important to follow these steps so that a TC Energy representative can inspect the pipeline and its coating for any damage.



If you strike a pipeline or witness any of the typical signs of a leak, or any other unusual sights, sounds or smells near a pipeline location, it is important that you follow these steps:

1. Stop all excavation and construction. Shut off all machinery if safe to do so and move away from the area on foot – warn others to do the same.
2. Do not attempt to repair the pipe or operate any valves.
3. Call '911' as soon as you are in a safe location. Describe the situation and inform the operator of any injuries, leaking product or fire.
4. Call TC Energy’s emergency number at **1-888-982-7222** and explain the incident. This number is available on all pipeline marker signs.
5. Do not continue your project until authorized by a TC Energy representative.

If you cause or witness even minor damage to a pipeline or it’s coating, please notify TC Energy immediately. A gouge, scrape, dent or crease requires an inspection and possible repairs for the long-term safety of all parties and the surrounding area.

Do not cover a pipeline that has been disturbed, as it will make it more difficult to find the damaged area.

Consequences of unsafe digging

Unsafe excavations can have potential consequences for those individuals conducting the work, and negatively impact the greater community.



Risk of serious injuries and death.



Interrupted services such as electricity, gas and water.



Fines and repair costs to fix the underground utility line(s).

What if I need to use the right-of-way?

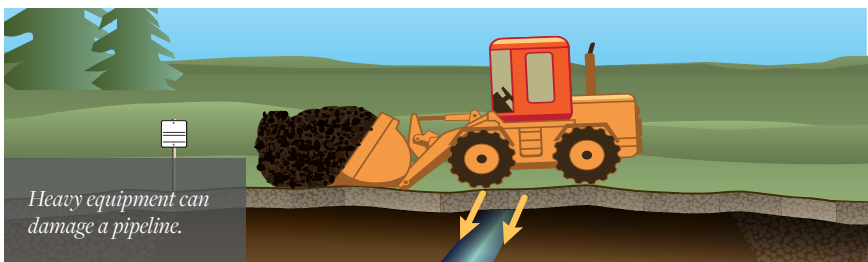
Depending on your plans or activity, it can still be possible for you to work on or use the ROW. Some activities are permitted under normal farming practices, while crossings and encroachments require approval and oversight from TC Energy.

A crossing or encroachment is a temporary or permanent structure across, on, along or under a facility or pipeline right-of-way. A crossing can also mean equipment or machinery crossing over the pipeline right-of-way or facility site. Both need an agreement so that the pipeline operator can understand the scope of work, the risk and what measures need to be taken to mitigate those risks.

You can learn more about permitted activities and crossing agreements at www.tcenergy.com/sustainability/safety/safe-digging. Often written consent for minor activities can be obtained directly from a regional TC Energy representative through a locate request.

We're here to help. If you think your activity might require a crossing agreement with TC Energy, you can use our online application form at writtenconsent.tcenergy.com or contact us by phone at **1-877-872-5177** or email at crossings@tcenergy.com. To better serve you and speed up your request, please provide the following information:

- Proposed activity – what are you planning to do?
- Location of proposed work (GPS coordinates are preferred)
- Make and model of any equipment that will cross/encroach the pipeline facilities
- Proposed activity date
- Axle load (weight)
- Your name and phone number
- Email address



What does TC Energy do to ensure pipeline safety?

TC Energy conducts a rigorous pipeline maintenance program to ensure the integrity and safety of our systems. This includes but is not limited to:

- 24/7 Monitoring of our facilities
- In-line inspections of pipelines that can identify the smallest of issues or defects for repair
- Regular patrols of the right-of-way
- Multiple shut-down valves to isolate and limit potential releases
- Cathodic protection to prevent corrosion
- Hydrostatic testing
- Investigative digs
- Ground surveys

In addition to this, TC Energy invests millions every year in research and development to improve and enhance the safety of our pipelines, from smart drone patrolling, fiber optic monitoring, greenhouse gas reduction and environmental sustainability. TC Energy's employees are trained to meet or exceed all regulated training in Canada.

In the interests of public safety, some segments along TC Energy's pipelines have been designated as High Consequence Areas (HCAs) where extra precautions are taken, known as Integrity Management Programs (IMPs). For information regarding these measures, contact TC Energy at public_awareness@tcenergy.com.



Pipeline Inspection Gauges, or “PIGs” travel through the pipeline to collect information that can then be analyzed to spot imperfections, corrosion, dents or other signs that maintenance may be needed.

TC Energy's response to a pipeline incident

A pipeline incident could involve an uncontrolled or unplanned release of natural gas or oil from the pipeline system. TC Energy's state-of-the-art leak detection systems, elevated safety features and specially trained staff ensure that leaks will be quickly identified and addressed.

In the unlikely event an incident should occur, TC Energy's top priorities are to ensure the safety of the public and emergency responders, and to minimize effects on the environment and surrounding properties. TC Energy will immediately respond by:

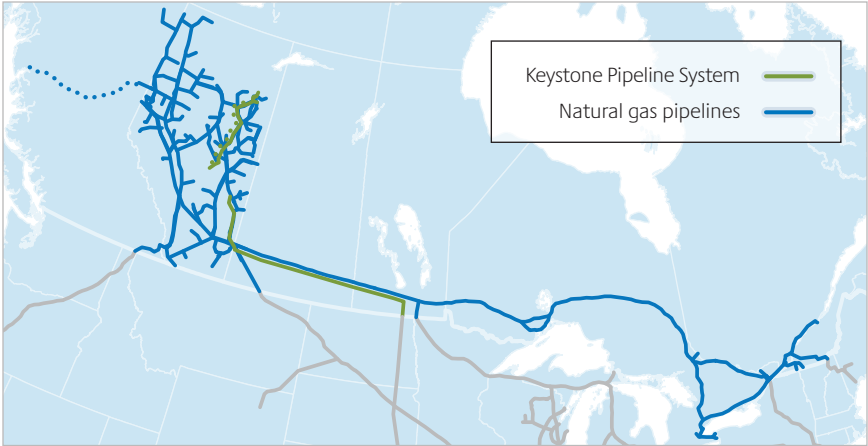
- Shutting down the affected pipeline if necessary
- Isolating the impacted section of the pipeline through either automatic valve shutoff or manual valve operation
- Dispatching emergency personnel to the location of the incident

Trained crews that are dispatched to the site will coordinate a response with local emergency services. TC Energy will not restart the pipeline until the issue has been addressed and it is safe to do so, with the approval of industry regulators.

TC Energy's policies and practices for emergency response planning go above and beyond the standard regulatory requirements for emergency response.



Emergency responders and TC Energy staff work together at an emergency exercise to ensure all are prepared in the rare event of an emergency.



Important contact information

Emergency 1-888-982-7222

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

General inquiries

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

Applying for written consent

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

Crossings inquiries

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

