

January 11, 2017

Ms. Elaine Gunnell,
Municipal Clerk
The Municipality of Temagami
7 Lakeshore Dr.
P.O. Box 220
Temagami, ON
POH 2H0

Via email: planning@temagami.ca

Dear Ms. Gunnell:

**Re: Consent Application C-16-03 & Zoning By-law Amendment Z-16-02
Lanny Dennis of Wayne Simpson & Associates on behalf of Temagami Bays
Development Corporation
Kanichee and Net Lake Properties – Legally described Strathy PT Mining Location
WD 257 PCL 1014; Strathy Location WD258 PCL 1014NIP Mining Claim; Strathy
PCL 2497 PT Mining Location WD 259 Mining Claim; and Strathy Location WD260
PCL 1011 Mining Claim.
Our File No. PAR 35104**

TransCanada PipeLines Limited (“TransCanada”) has reviewed the notices provided for the applications noted above and offer the following comments:

TransCanada has three high pressure natural gas pipelines crossing WD257 & WD258. TransCanada’s practice is to engage with municipal authorities, developers and landowners early in the planning stage of any development project occurring within 200 metres of TransCanada’s pipeline right-of-way (“**ROW**”). This consultation allows for TransCanada’s facilities to be appropriately incorporated into the development plan, and ensures that considerations are made for the safety and protection of the public, the environment as well as TransCanada’s pipeline facilities and other property.

We request as a condition of consent approval the landowner be required to enter into an agreement with TransCanada and same be registered on title. Our recommended wording for the condition is as follows:

1. The conditions, restrictions or covenants specified by TransCanada PipeLines Limited (TransCanada) shall be registered against title (by agreement) in relation to the “Lands” by way of application to register conditions, restrictions or covenants as applicable, pursuant to the Land Titles Act, or any amendments thereto.

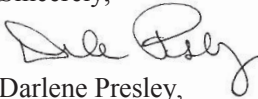
The agreement set out in the recommended condition would contain the following items:

1. Pursuant to the *National Energy Board Pipeline Damage Prevention Regulations – Authorizations*, and the *National Energy Board Pipeline Damage Prevention Regulations – Obligations of Pipeline Companies*, written consent must be obtained from TransCanada prior to undertaking the following activities, and a locate request must be made to the local one-call notification centre (“**One-Call Centre**”) a minimum of three business days in advance of any crossing activity:
 - Constructing or installing a facility across, on, along or under a TransCanada pipeline ROW. A facility may include, but is not limited to: driveways, roads, access ramps, trails, pathways, utilities, berms, fences/fence posts;
 - Conducting a ground disturbance (excavation or digging) on TransCanada’s pipeline ROW or within 30 meters on either side of centreline of TransCanada’s pipe (“**Prescribed Area**”);
 - Driving a vehicle, mobile equipment or machinery across a TransCanada pipeline ROW outside the travelled portion of a highway or public road; and
 - Using any explosives within 300 meters of TransCanada’s pipeline ROW.
2. During construction activities, if development is in proximity of the ROW, the owner must install and maintain temporary fencing along the limits of TransCanada’s pipeline ROW to prevent unauthorized access onto the pipeline ROW with heavy equipment. The fence must meet TransCanada’s specifications concerning type, height and location and must be maintained by the owner for the duration of construction.
3. Paving is not permitted on the pipeline ROW, except at authorized crossings. Parking is not permitted on the ROW.
4. Landscaping requires TransCanada’s written consent. TransCanada may also specify additional protective measures which will be outlined in the written consent.

The TransCanada Pipelines setback outlined in Section 6.45 of By-Law No. 06-650 also applies.

Thank you for the opportunity to comment. Kindly forward a copy of the decision to the undersigned by mail or by email to dpresley@mhbcpplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Darlene Presley,
Planning Co-ordinator
on behalf of TransCanada PipeLines Limited