

# Enbridge Gas's Feedback on Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario

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## **About Enbridge Gas Inc.**

*Enbridge Gas is Canada's largest natural gas storage, transmission and distribution company based in Ontario, with more than 170 years of service to customers. The distribution business provides safe, affordable, reliable energy to about 3.8 million homes, businesses and industries and is leading the transition to a clean energy future through net-zero emissions targets and investments in innovative low-carbon energy solutions. The storage and transmission business offers a variety of storage and transportation services to customers at the Dawn Hub, the largest integrated underground storage facility in Canada and one of the largest in North America. Enbridge Gas is owned by Enbridge Inc., a Canadian-based leader in energy transportation and distribution.*

*Learn more at [enbridgegas.com](https://enbridgegas.com)*



## Introduction

Enbridge Gas appreciates having the opportunity to comment on the proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario posted by the Ministry of Natural Resources and Forestry. Overall Enbridge Gas sees this as a positive change and offers suggested recommendations throughout the below comments.

## Mapping of Regulated Areas

Enbridge Gas would like clarification if a single shape file will be available of Regulated areas. A single shape file would allow us to integrate the file to the Enbridge Gas customer application tool decreasing administrative time of checking 30 different maps as well as decreasing the risk of not recognizing that work is in a regulated area (permit required). Of the 36 Conservation Authorities, 25 have individual GIS mapping available of Regulated Areas (available through each Conservation Authority's website), 3 refer to Municipal mapping, and the remaining 8 do not have mapping available. Where mapping of regulated areas is not available, Enbridge Gas will check available natural features mapping for regulated features to determine if a Conservation Authority Permit may be required. Available mapping used includes Ontario's Make a Map: Natural Heritage Areas or AgMaps. Enbridge Gas connects approximately 50,000 new customers each year and a single platform would provide a great deal of efficiency.

## Permit Fees

Enbridge Gas would like clarification on the intended impacts to permit fees and existing Service Level Agreements. Current permit fees within the province vary from \$125 to \$4000 (average \$520) for review of an application for a single service connection. Reviews for main line extensions or more complicated projects can increase fees. Application packages and proposed construction/mitigation methodologies are consistent for all Conservation Authorities. Review times and requested clarifications are variable across the province. Under the current regulatory framework, Enbridge Gas applies for an average of 750 Conservation Authority permits per year. Due to the high volume of permits with the Toronto Region Conservation Authority and high expenditure of permit fees (\$1,750,000 on TRCA permit fees from 2017-2021) Enbridge Gas has entered into a Service Level Agreement where a monthly retainer and hourly fee is paid for permit application review in an attempt to reduce fees and improve processing times. Clarification is needed on whether Service Level Agreements will be voided with the proposed regulation changes and if there will be a consistent approach applied across the province.

## Potential Impact with Indigenous Interests

Finding adequate housing that fits a family's current and future needs is a critical matter. Indeed, Enbridge Gas is supportive of the Ontario government taking the required steps to deliver on its goal of building 1.5 million homes in Ontario over the next 10 years. Streamlining the approvals that will be required to build these homes is a sensible approach. However, Enbridge Gas encourages the Ontario government to maintain respect and consideration for Indigenous interests, rights, and title. To that end, Enbridge Gas submits that housing developments that are built as part of the *Housing Supply Action Plan* could result in erosion of crown lands that may have otherwise been used to exercise Indigenous rights in the province. Enbridge Gas encourages the Ontario government to consider any potential impacts to Indigenous interests and, in doing, ensure that adequate consultation is undertaken as part of these new developments.



## Interaction with Other Agencies

Other agencies with overlapping jurisdiction include the Niagara Escarpment Commission (NEC) and the City of Toronto Tree, Ravine and Natural Features. Currently for projects located in areas with overlapping jurisdiction, multiple applications for the same activity are required, including acknowledgement from entities for permission of installation. For example, a service installation within a landowner's property that is in an area regulated by both Niagara Escarpment Commission and Conservation Halton may require proof of landowner permission (municipal easement acknowledgement) and confirmation of a NEC permit prior to the Conservation Authority granting an additional permit. This includes Conservation Authorities requiring written permission from NEC that an activity is exempt for each permit. Having multiple levels of approval is administratively heavy and can take several additional months to grant approval for a simple gas service. Enbridge Gas is looking for clarification on whether the proposed regulation change would help streamline interactions between Conservation Authorities and entities with similar environmental protection goals. Furthermore, if the verification of landowner permission would still fall within the scope of the Conservation Authorities.

## Scoping of Low-Risk Work

Within the proposed regulation change, "installation of a utility pole and anchor" is deemed a low-risk activity. Enbridge Gas would like further clarification and scoping of utility installation work that is considered to be low risk including service connections to new and existing structures and integrity work on existing infrastructure. Enbridge Gas maintains consistent and proven best practices for erosion and sediment control.

In conjunction with the Department of Fisheries and Oceans, Enbridge Gas has prepared a Generic Sediment Control Plan for all low-risk watercourse crossings. This agreement has been endorsed by the DFO and includes an annual summary report on the number of crossings conducted. This streamlined approach has been successful at ensuring consistent mitigation measures and efficient construction installation. Similar content is prepared for each Conservation Authority Permit. Enbridge Gas suggests a similar level of approval for low-risk Conservation Authority regulated activities.

## Conclusion

Enbridge Gas appreciates the opportunity to provide additional feedback and recommendations on the proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario. If you have any questions or require additional information, please do not hesitate to contact Nicole Gruythuyzen, Senior Advisor Government Affairs ([nicole.gruythuyzen@enbridge.com](mailto:nicole.gruythuyzen@enbridge.com)).