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Date: May 30, 2019
To: Mayor and Council
Author: G.A. Plancke / Director of Municipal Services
RE: Pipeline Easement Agreement
Report No.: MS 2019 - 26

AIM

To recommend to Council that the Town enter into a Pipeline Easement Agreement with Enbridge Gas Inc. for the purpose of site access to a new reinforcement station located on Road 2 E.

BACKGROUND

Municipal Services was contacted by Enbridge Gas Inc. (Enbridge) in March of 2019 regarding a planned reinforcement station project which is to be located immediately adjacent to the Ruthven Pump Station.

DISCUSSION

In order for Enbridge to install the new station, they require land, and accordingly a purchase agreement with the land owner was reached. While performing survey work related to the land purchase, the survey identified that the Town of Kingsville owns a 6 m block from the Right of Way (R.O.W.) fronting the planned station location. The 6m Town owned block was acquired to support infrastructure requirements related to the sanitary sewer network in the Ruthven area. As this Town owned block is not considered R.O.W., the current Franchise Agreement in place between Union Gas (now Enbridge) and the Town does not apply.

As such Enbridge requires a perpetual easement to allow them to cross the Town owned block to access and install infrastructure to their site.

A Pipeline Easement Agreement was drafted and vetted through Municipal Services, Corporate Services as well as outside counsel, in order to secure rights and privilege for both Enbridge and the Town.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

Enbridge Gas Inc. has agreed to cover all legal expenses related to the execution of this agreement.

CONSULTATIONS

Enbridge Gas Inc.
Corporate Services
Municipal Services
David Halliwill (Pearsall, Marshall, Halliwill & Seaton LLP)

RECOMMENDATION

That the Town of Kingsville enters into a Pipeline Easement Agreement with Enbridge Gas Inc. for perpetual access to their new Transmission Reinforcement station site on Road 2 E;
And that the Mayor and Clerk execute the agreement on behalf of the Town and advise Enbridge Gas Inc. accordingly.

G.A. Plancke

G.A. Plancke Civil Eng Tech (Env)
Director of Municipal Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer