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November 7, 2013  
File No.: 211780.11889/11889

**By Email**

Ontario Energy Board  
P.O. Box 2319  
27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, Ontario  
M4P 1E4

**Attention: Board Secretary**

Dear Madams/Sirs:

**Re: Enbridge Gas Distribution Inc. - Proposed GTA Pipeline**  
**Ontario Energy Board File No: EB-2012-0451/EB-2012-0433/EB-2013-0074**

We act as solicitors for Contango Holdings Ltd., M.A.N. Enterprises Ltd and AGS Consultants Ltd, the owners of lands located respectively at 206 Langstaff Avenue, 205 Langstaff Avenue and 3 Essex Avenue in Langstaff Gateway Secondary Plan area in Markham, Ontario. These lands would be potentially impacted by the proposed GTA Pipeline Project of Enbridge Gas Distribution Inc. ("Enbridge"). Our clients requested Observer status by letter dated May 8, 2013.

It is our understanding that Enbridge has confirmed to our clients that it proposes to locate a section of the Segment "B" GTA Pipeline between Bayview Avenue and Yonge Street (the "Pipeline") within the proposed east-west arterial road that will ultimately serve our client's built-out lands, being South Boulevard in the Langstaff Gateway development. Part of our client's above reference lands would comprise part of South Boulevard through which it is anticipated that the GTA pipeline would be constructed.

As a result of the Pipeline proposal, our clients have been in discussions with staff from Enbridge in an effort to understand the potential impact of the Pipeline and to ensure that the Pipeline will not result in the loss of developable land associated with its Langstaff Gateway development (by way of actual taking or setbacks required beyond the proposed South Boulevard road allowance) and does not result in additional costs to the development of the project.

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Based upon the discussions that have been held with Enbridge staff, our clients understand that the east-west profile of the required gas pipeline will be located wholly within (and below) the future South Boulevard road allowance and that no development related restrictions (for setbacks, excavation or filling), other than standard setbacks and provisions contained in the municipality's zoning by-law for residential uses adjacent to road allowances, will impact the development of our clients' lands for residential uses.

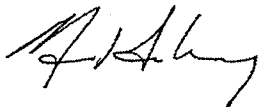
We trust that the evidence before the Board in this proceeding has supported the foregoing proposition regarding the location of the portion of the Segment "B" pipeline that concerns our clients' lands as has been represented by Enbridge to our clients. It was in reliance on these representations that our clients chose not to intervene in these proceedings. We note that the Enbridge Gas Distribution Inc.'s Response to Interrogatory No. 3 of Markham Gateway dated June 7, 2013 would be consistent with our client's understanding and Enbridge's representation in this regard.

To the extent the Board is able to do so, we respectfully request that the Board's Order reflect that the profile of the gas pipeline in Segment "B" adjacent to our clients' properties, as not extending beyond the limits of the proposed east-west South Boulevard road allowance and that no development restrictions be imposed with respect to the development of lands adjacent to the road allowance for residential purposes.

Our clients look forward to continuing to work with Enbridge as this matter moves forward so as to ensure that any of their concerns are addressed.

Yours truly,

**FASKEN MARTINEAU DuMOULIN LLP**



Neil M. Smiley

NS/sk

cc. Batul Rahimtoola, Case Administrator