

October 13, 2021

Christine Long
Registrar
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON
M4P 1E4

**Re: Enbridge Gas Inc (Enbridge Gas)
Ontario Energy Board File No. EB-2021-0079
Corunna and Ladysmith Well Application
Intervenor Submissions**

Dear Ms. Long:

In accordance with Procedural Order No 1, please find enclosed intervenor submissions from Claire & Helen Robbins in the above noted proceedings.

Please find the following attachments:

Attachment 1	St. Clair Township Report
2	Email to St. Clair Township Council
3	Enbridge Letter to St. Clair Township Council

If you have any questions, please contact us at 519-864-1275 or email us at crobns@hotmail.com.

Thank you for taking the time to review our submissions.

Sincerely,

Claire & Helen Robbins

Claire & Helen Robbins

Submission 1

Reference:

Exhibit 1. Staff .4, Attachment 1, Page 1 of 1

In relation to the Letter of Support, we believe the two projects are of no comparison. To support this statement, we would like Enbridge Gas to disclose the distance of the referenced tenant's residence and livestock operation in relation to the proposed TC8 Corunna drill site.

Submission 2

Reference:

Letter of Acknowledgement

(Filed: 2021-09-30, EB-2021-0079, Exhibit 1. STAFF. 5, Attachment 6, Page 1 of 16)

In reference to point # 9 of the document, "If provided a written Direction from HONI and/or St. Clair Township, Enbridge Gas will pay the laneway payment to us for the laneway within HONI and/or St. Clair Township lands."

See Attachments 1,2 & 3 pertaining to the Sale of Township Property Containing Gravel Laneway at Courtright Line.

The attached documents will demonstrate that the purchase of this property was not an act of goodwill on Enbridge Gas's behalf.



REPORT

MEETING TO BE CONSIDERED: Council

DATE: Monday, March 1st, 2021

TO: Mayor Steve Arnold & St. Clair Township Council
John Rodey, CAO
Jeff Baranek, Clerk

FROM: Brian Black, P.Eng., Director, Public Works
Public Works Department

RE: **Sale of Township Property Containing Gravel Laneway at Courtright Line**

Recommendation:

Be it resolved that the "Sale of Township Property Containing Gravel Laneway at Courtright Line" report submitted by the Director of Public Works, Brian Black be received as information and that the following recommendations be approved by Mayor and Council:

- The property subject to this report be deemed surplus;
- That the policy to offer half the width of the subject land parcel to each abutting landowner be waived;
- That Enbridge be offered the land at the cost of \$1 (plus legal and survey costs) subject to them improving the contained laneway;
- That an easement be approved to provide access to the 250mm watermain owned by the Township within the subject lands.

Background

Enbridge has expressed interest in purchasing the property containing the gravel laneway located just south of Courtright Line and just west of Tecumseh Rd. for access to their property associated with the Enbridge Ladysmith Natural Gas Storage Field.

Attached is a diagram showing the gravel laneway.

Following land title search by both Enbridge and Township Legal Counsel it was found that part of the laneway is owned by the public authority but there is no evidence that either the Township or County has passed a by-law claiming ownership of the property. The County has recently provided communication to St. Clair Township waiving their interest in this property.

The eastern section of the laneway is situated on the land owned by the Gary Robbins as determined by the most recent survey of the associated land parcels. Ryan Bell had identified this portion of the laneway to fall on Hydro-Electric Power Commission of Ontario/Ontario Hydro lands based on land registry data. The attached map titled "Survey Map" clearly shows the eastern section of the laneway wandering north of both the Public Authority Property and the Hydro Property. Therefore only the western portion of the laneway (section contained in the Public Authority owned land parcel) would be sold to Enbridge. Also attached is the Service Ontario Property Index Map identifying the subject land/laneway as pin 43303-0111.

There is an existing safety issue related to the gravel laneway which has been known to be used by vehicles travelling along Courtright Line as a detour to pass slower vehicles. Enbridge has indicated that they would be willing to mitigate the safety risks by upgrading the laneway based on recommendation from both the Township and the County. These recommendations include re-orienting the approach to the laneway to place it at 90 degrees to Courtright Line and to install gates and associated signage.

An agreement will be established between the Township and Enbridge capturing the purchase of the subject land parcel and the required upgrades at Enbridge expense.


An existing 250mm PVC, Township owned, watermain is located within the property proposed for sale. An easement will be required to contain the watermain and arranged as part of the sale agreement to Enbridge.

Attachments: Diagram of the gravel Laneway adjacent to Courtright Line, an email from Ryan Bell with comments regarding the laneway and associated land parcels and a diagram from the land registry, Service Ontario, showing the parcel of land owned by the Public Authority

Respectfully Submitted,



Brian Black, P.Eng.
Director Public Works



John Rodey
CAO

Gravel Laneway Connecting to Courtright Line



Hi Brian,

I have reviewed the searcher's notes and conducted my own cursory search as well. If you look at the attachment "43303-0111" search, page 9 (extracted and attached), you can see from the parcel map that the road is not one piece.

1. There is a narrow wedge shaped parcel (Pin 43303-0111) which connects to the road at the western edge of the "s" and comes to a point at roughly the mid point of the "s". This is owned ?

by "Public Authority Having Jurisdiction" and it does not appear that either the county or the municipality has ever passed a dedicating by-law.

2. There is also an irregular rectangular piece (PIN 43310-0100) which connects to the middle of the "s" and extends past the western end of the "s" and ends in the field. This piece is owned by the Hydro-Electric Power Commission of Ontario/Ontario Hydro.

Enbridge should secure the permission of Ontario Hydro and also the Township/County. With no dedication by-law it's unclear to me who has jurisdiction as between the County/Township. Further research would be required to establish this.

Let me know if you need anything further on this.

Ryan

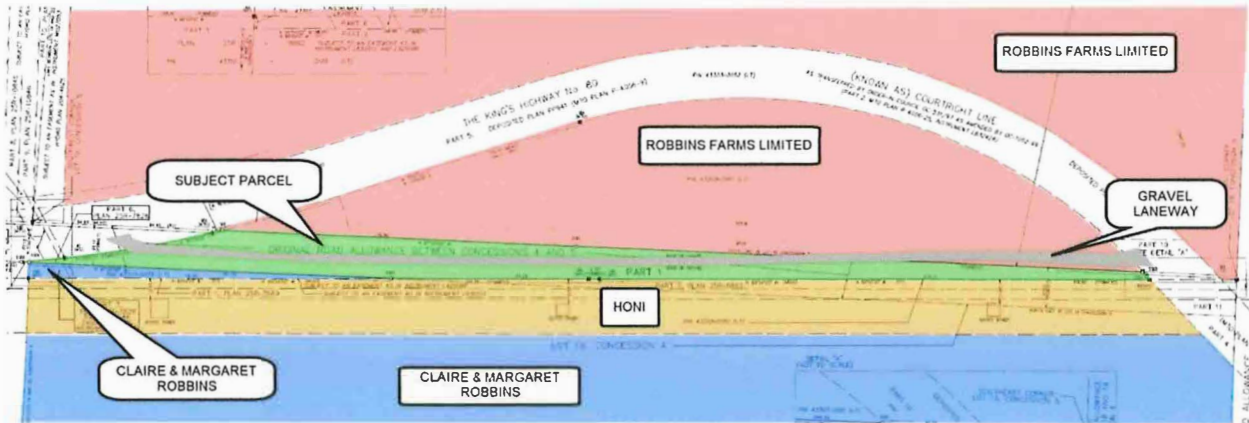
D. Ryan Bell, J.D.

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*For Courier Deliveries use 222 North Front Street, Sarnia, ON N7T 5S5

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Survey Map



Service Ontario Property index Map



Sale of Township Property Containing Gravel Laneway at Courtright Line

Claire Robbins <crobns@hotmail.com>

Sun 21/03/2021 2:38 PM

To: steve.arnold1@outlook.com <steve.arnold1@outlook.com>

To: Mayor Steve Arnold & St Clair Township Council

Re: Sale of Township Property Containing Gravel Laneway at Courtright Line

The subject parcel has been used and maintained for 56 years by Claire & Helen Robbins as it provided vital access to their farming operation.

Without this road allowance two farms owned by Claire & Helen Robbins, Roll # 3805 220 0200 9600 and Roll # 3805 220 0200 9500 would be landlocked with no access to a municipal road.

After surveyors and township workers were noticed on the subject parcel, Jeff Robbins, on behalf of Claire & Helen Robbins called John Rodey on February 22 and expressed their interest in purchasing subject parcel.

Enbridge does not own property off of subject parcel.

Neither Claire & Helen Robbins or Robbins Farms Ltd were ever offered an opportunity to purchase this surplus land even though they are abutting landowners.

For these reasons and many others we would like St Clair Township Council to reconsider their March 1 decision in regards to selling this parcel to Enbridge.

Thank you
Claire & Helen Robbins



Chris Pincombe, C.E.T., SRWA
Advisor Lands & ROW

tel 519 862 6092
cell 519 381 1408
Chris.Pincombe@enbridge.com

Enbridge Gas Inc.
3501 Tecumseh Road
Mooretown, Ontario
N0N 1M0

Filed 2021-10-13
EB 2021 - 0079
Attachment 3

Page 1

March 29, 2021

RE: Sale of Township Property Containing Gravel Laneway at Courtright Line

Dear St. Clair Township Councilors,

We would like to summarize previous discussions around the purchase of the parcel and respond to a few comments from emails received by the Township.

Enbridge plans to drill a well on the Robbins' property within the Ladysmith Designated Gas Storage Area in Parcel 1 (PIN 433100076, ARN 380522002009500 & 380522002009600), as shown in Figure 1 attached. Enbridge contacted the County of Lambton and Township of St Clair to clarify ownership of the existing road in order to obtain an access agreement to access the future well. Ownership of the existing road allowance was unclear between the County and the Township. On December 23, 2020, the Township offered to sell the subject parcel to Enbridge. Enbridge agreed to purchase the subject parcel with the intent that the Robbins' would continue to have access to the road as it has in the past. This could be captured in the Purchase and Sale Agreement.

The Robbins' own 2 properties south of the Hydro corridor : Parcel 1 (PIN 433100076, ARN 380522002009500 & 380522002009600) ; Parcel 2 (PIN 433100079 & ARN 380522002009400). The Ontario Land Registry system shows the Robbins taking ownership of Parcel 1 in 1985. The property immediately to the north of parcels 1 & 2 has been owned by Ontario Hydro since 1965.

As shown in Figures 1 & 2, Parcel 1 has always been landlocked with no access to a municipal road due to the land Ontario Hydro owns between the Robbins' property and the subject parcel. However, in Figure 1, Parcel 1 has a laneway that connects it to the east portion of the gravel road owned by Robbins Farms Ltd.

Enbridge has had multiple conversations with Claire Robbins regarding the purchase of the subject parcel and has committed to put a road access agreement in place (with no costs to the Robbins') to maintain his and his successor's use of the gravel road. Further, we agreed to install gates to prevent traffic on the road per his request.

Once the subject parcel is sold to Enbridge, Enbridge has committed to improve the road by realigning the entrance on Hwy 80 to make it more safe, and installing gates and proper signage. Enbridge has also committed to maintaining the road during all seasons. All of these improvements will also benefit the Robbins farm as it continues to make use of the road.

Maintaining our relationships with the Robbins and our surrounding neighbours is very important to Enbridge. As such, Enbridge is committed to ensuring that Mr. Robbins will have continued access to the gravel road without disruption to his farming operations.

We kindly ask that St. Clair Township work with Enbridge to move forward with the transfer of this parcel to Enbridge.

Sincerely,

Chris Pincombe, C.E.T., SRWA
Advisor Lands & ROW

Figure 1- Sketch with Aerial Imagery:

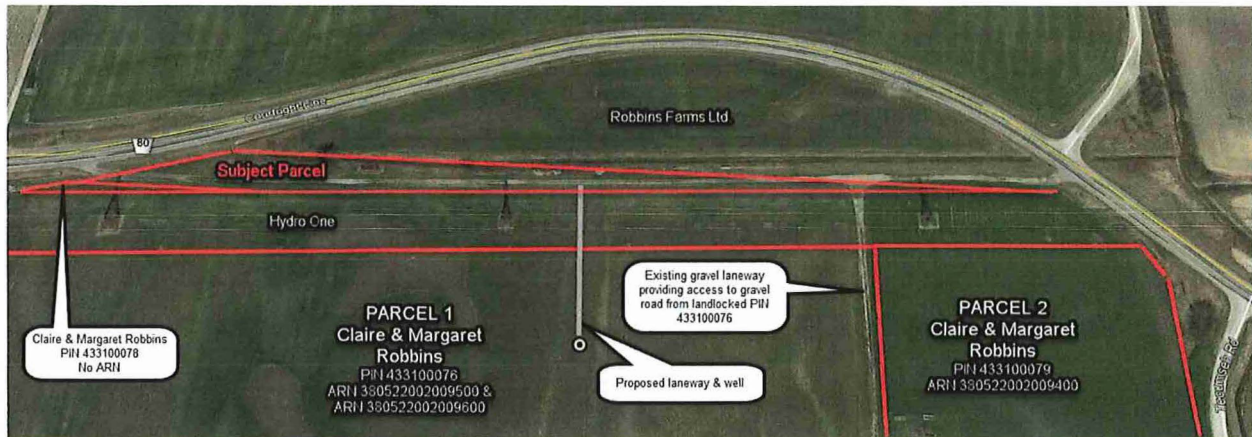
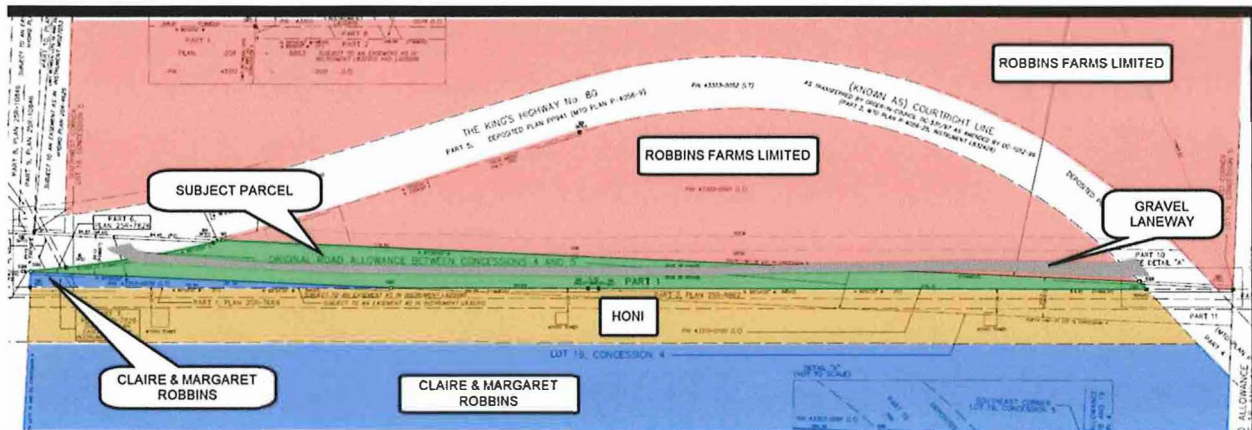


Figure 2 – Legal Survey:



Claire & Helen Robbins

Submission 3

Reference:

Exhibit 1. Staff .5, Page 1 of 3

We would like to see further proof from Enbridge Gas regarding what impact this well drilling has on livestock health. Recently, we experienced a sudden stampeding of our livestock cattle due to a loud pounding from an ongoing integrity dig by Enbridge Gas contractors working 200 metres from our livestock facility.

A verbal complaint was submitted via telephone on September 17, 2021 to Enbridge Gas's contractor Project Manager Adam Dawson of St. Clair Mechanical to make him aware of the issue.

Submission 4

Reference:

Exhibit 1. Staff .5, Page 3 of 3

The two examples given in our earlier communication regarding our concerns of how Enbridge Gas manages their business with landowners does not involve this project but gives a history in regard to their management of projects.

2020 Depth of Cover Remediation NPS 10 Payne Kimball Line

Enbridge Gas has agreed to deepen the pipeline but failed to agree to change the wording in the Temporary Land User Agreement.

Well Site T009043 Rehabilitation

This is not located on Claire & Helen property but is owned by their grandson.

The lack of management of these two projects is what concerns us about future well sites on Robbins properties.