
HALDIMAND COUNTY

Report LSS-04-2020 Enbridge Gas Inc. Easement – Municipal Parking Lot, Caledonia



For Consideration by Committee of the Whole on April 21, 2020

OBJECTIVE:

The purpose of this report is three-fold: to seek approval to enter into an easement agreement with Enbridge Gas Inc. to accommodate a natural gas pipeline under municipal property for natural gas transmission purposes; to partially release an existing gas easement, and to enter into a temporary land use agreement.

RECOMMENDATIONS:

1. THAT Report LSS-04-2020 Enbridge Gas Inc. Easement – Municipal Parking Lot, Caledonia be received;
2. AND THAT Enbridge Gas Inc. be provided an easement over the lands described as Part of PIN 38162-0052(R), being part of Lot 10, South Side of Caithness Street, Plan of the Town of Caledonia, in Haldimand County, designated as Part 1 on reference plan 18R-7827, attached hereto as Attachment #2, to accommodate the relocation of a pipeline for the transmission of natural gas through a municipal parking lot;
3. AND THAT Enbridge Gas Inc. release an easement over the lands identified in red on Attachment #1;
4. AND THAT Enbridge Gas Inc. enter into a Temporary Land Use Agreement with Haldimand County over the lands identified in purple on Attachment #1 for a one week period in 2020;
5. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

Prepared by: Sandra Marsh, Property Coordinator

Reviewed by: Lori Friesen, CPPB, Manager, Legal & Support Services

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

Enbridge Gas Inc., (“Enbridge”) have made a request to the County for an easement, in order to relocate a natural gas pipeline through the municipal parking lot adjacent to the Argyle Street bridge in Caledonia, a partial release of an existing gas easement, and a temporary use of approximately 20 parking spaces in the municipal parking lot.

BACKGROUND:

Enbridge has identified that recent construction activities related to the Argyle Street bridge in Caledonia require an existing gas line to be relocated. The subject location is shown on Attachment #1

and the proposed work, subject to Council approval, is anticipated to commence in April or May of 2020.

ANALYSIS:

Internal consultations with the County's Engineering Services Division have determined that the existing gas easement could be relocated and redirected through a Haldimand County municipal parking lot, which is located on the south side of Caithness Street West, and continuing easterly, to service the private property municipally known as 11 Argyle Street North. Attachment #2 contains reference plan 18R-7827 which identifies the proposed easement as Part 1. As a result of the proposed redirection of the gas pipeline, a section of existing pipeline will be abandoned, without natural gas running thorough it, which is the purpose of the partial release of the existing easement. Attachment #1 identifies the proposed abandoned section in red. Additionally, in order to facilitate the construction of the gas line, Enbridge has requested a temporary land use area comprising of 20 of the 103 available parking spaces located in the municipal parking lot, which is noted in purple on Attachment #1. No accessible parking spaces will be impacted. At this time, it is anticipated that the work will be completed some time in April or May pending weather conditions. Enbridge has committed to minimal disruption for the parking lot patrons and to avoid the summer season when the parking lot is typically at its highest usage. As Enbridge will be providing 2 days notice prior to construction starting, the County will issue a service disruption notice through social media.

As standard practice with utility companies, Enbridge has provided their standard easement and temporary land use documents, which staff have reviewed and are satisfied that they both meet the County's needs. The easement agreement will be registered on title and standard provisions, such as the requirement for Enbridge to provide proof of insurance, are included in the agreements which have been accepted by Enbridge. The draft easement agreement and draft temporary land use agreement are shown as Attachment #3 and Attachment #4 respectively, for your information.

In the 2020 Legal & Support Services work plan, staff have identified to develop a comprehensive Real Estate Policy to seek delegated authority for specific types of real estate transactions such as this, in order to create some efficiencies with County processes. This type of delegated authority would eliminate the need for reports on relatively straight-forward real estate transactions where Council has previously approved, in general, their intent.

FINANCIAL/LEGAL IMPLICATIONS:

The Mayor and Clerk will be required to sign the Transfer Easement, Partial Release and Abandonment of Easement and Temporary Land Use Agreement. All costs related to the easement will be paid by Enbridge Gas Inc., in addition to a \$230 application fee, which has been received from Enbridge Gas Inc.

STAKEHOLDER IMPACTS:

Engineering Services staff have been involved in this matter and have provided relevant information for this report.

REPORT IMPACTS:

Agreement: Yes

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map of the Subject Property
2. Reference Plan 18R-7827
3. Draft Pipeline Easement Agreement
4. Draft Temporary Land Use Agreement