



**Eric VanRuymbeke**  
 Sr. Advisor  
 Leave to Construct Applications  
 Regulatory Affairs

Tel: (519) 436-4600 x 5002241  
 Email: [Eric.VanRuymbeke@enbridge.com](mailto:Eric.VanRuymbeke@enbridge.com)  
[EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com)

**Enbridge Gas Inc.**  
 P.O. Box 2001  
 50 Keil Drive N.  
 Chatham, Ontario, N7M 5M1  
 Canada

August 9, 2024

**VIA RESS AND EMAIL**

Nancy Marconi  
 Registrar  
 Ontario Energy Board  
 2300 Yonge Street, Suite 2700  
 Toronto, ON M4P 1E4

Dear Nancy Marconi:

**Re: Enbridge Gas Inc. (Enbridge Gas)  
 Ontario Energy Board (OEB) File: EB-2024-0250  
 Ontario Line - Overlea Station Relocation Project – Application  
 for Exemption from Leave-to-Construct (LTC) Requirement**

Enclosed please find the redacted LTC Exemption Application and Evidence of Enbridge Gas for the Ontario Line - Overlea Station Relocation Project (the Project). Pending any update to the OEB’s filing requirements for Exemption Applications, Enbridge Gas is filing evidence that reflects the LTC filing requirements as specified by the OEB’s Natural Gas Facilities Handbook (the Handbook) and that, pursuant to s. 4.2.2 of the Handbook in particular, provides adequate context for the Project and an understanding of the circumstances that warrant the exemption sought.

In accordance with the OEB’s *Practice Direction on Confidential Filings*, Enbridge Gas is requesting confidential treatment of the following information. Details of the specific confidential information for which confidential treatment is sought are set out in Table 1:

Table 1

Exhibit	Confidential Information Location	Brief Description	Basis for Confidentiality
Exhibit F-1-1 Attachment 1	Pages 114, 148-149.	Personal Information	The redactions relate to the names and contact information of property owners, which constitute "personal information" under the <i>Freedom of Information and Protection of Privacy Act</i> . Pursuant to section 10 of the OEB’s <i>Practice Direction on Confidential Filings</i> , such information should not be provided to parties to a proceeding.
Exhibit G-1-1 Attachment 3	Page 2.	Personal Information	The redactions relate to the names and contact information of property owners, which constitute "personal information" under the <i>Freedom of Information and Protection of Privacy Act</i> . Pursuant to section 10 of the OEB’s <i>Practice Direction on Confidential Filings</i> , such information should not be provided to parties to a proceeding.

If you have any questions, please contact the undersigned.

Sincerely,

*Eric VanRuymbeke*

Eric VanRuymbeke  
Sr. Advisor – Leave to Construct Applications

EXHIBIT LIST

A – ADMINISTRATION

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
A	1	1	Exhibit List
	2	1	Application
			Attachment 1 – Project Map

B – PROJECT NEED

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
B	1	1	Project Need
			Attachment 1 – Metrolinx Letter of Support

C – PROJECT ALTERNATIVES

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
C	1	1	Project Alternatives

D – PROPOSED PROJECT

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
D	1	1	Proposed Project
	2	1	Project Schedule

E – PROJECT COSTS AND ECONOMICS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
E	1	1	Project Costs and Economics

## F – ENVIRONMENTAL MATTERS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
F	1	1	Environmental Matters  Attachment 1 – Environmental Report (Redacted)

## G – LAND MATTERS

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
G	1	1	Land Matters  Attachment 1 – Working Area Agreement  Attachment 2 – Standard Easement Agreement  Attachment 3 – Landowner List (Redacted)

## H – INDIGENOUS CONSULTATION

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
H	1	1	Indigenous Consultation  Attachment 1 – Project Description for ENERGY  Attachment 2 – Delegation Letter  Attachment 3 – Sufficiency Letter  Attachment 4 – Enbridge Inc. Indigenous Peoples Policy  Attachment 5 – ICR Summary  Attachment 6 – ICR Log & Project Correspondence

I – CONDITIONS OF APPROVAL

<u>Exhibit</u>	<u>Tab</u>	<u>Schedule</u>	<u>Contents of Schedule</u>
I	1	1	Conditions of Approval

## ONTARIO ENERGY BOARD

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B; and in particular subsection 95(1);

**AND IN THE MATTER OF** an application by Enbridge Gas Inc. for an order granting an exemption from the requirement to obtain leave to construct natural gas pipelines in the City of Toronto.

### APPLICATION

1. Enbridge Gas Inc. (Enbridge Gas or the Company) hereby applies to the Ontario Energy Board (the OEB) pursuant to section 95(1) of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B (the Act), for an order exempting Enbridge Gas from the requirements under section 90 to obtain leave to construct from the OEB. This exemption application is for the construction of a pipeline relocation project described below.
2. Further, Enbridge Gas requests the OEB grant this exemption without the need for a hearing based on the information provided herein, as permitted by section 21(4)(b) of the Act where no person other than the applicant will be adversely affected in a material way by the outcome of the proceeding.

### The Project

3. The proposed project is a priority transit project within the meaning of the *Building Transit Faster Act, 2020*.<sup>1</sup> Metrolinx has requested that Enbridge Gas relocate its existing natural gas pipeline assets in the City of Toronto to accommodate the Ontario Line Subway transit project (Ontario Line Subway). The relocation of the

---

<sup>1</sup> The definition of “priority transit project” in section 2 of the *Building Transit Faster Act, 2020* includes “(a) the line known as the Ontario Lines located in the City of Toronto”.

Enbridge Gas pipelines is required as Metrolinx's Ontario Line Subway project conflicts with Enbridge Gas's natural gas pipelines. If Enbridge Gas cannot relocate the conflicting natural gas pipelines, it cannot supply natural gas to the majority of the customers impacted by the conflict.

4. The proposed relocation includes the construction of the following:

- The relocation of approximately 1000 m of Nominal Pipe Size (NPS) 12-inch Steel Coated (SC) Medium Pressure (MP), and approximately 70 m of NPS 6-inch SC MP natural gas pipeline with the installation of approximately 1100 m of NPS 8-inch Polyethylene (PE) Intermediate Pressure (IP) natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive in the City of Toronto;
- The abandonment of approximately 150 m of NPS 4-inch SC MP natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- The relocation of approximately 110 m of NPS 4-inch SC MP natural gas pipeline with the installation of approximately 120 m of NPS 2-inch PE IP natural gas pipeline along Leaside Park Drive in the City of Toronto;
- The installation of one Header Station along Leaside Park Drive in the City of Toronto;
- The relocation of approximately 50 m of NPS 6-inch SC MP natural gas pipeline with the installation of approximately 35 m of NPS 6-inch PE IP along Thorncliffe Park Drive in the City of Toronto;
- The installation of one District Station along Thorncliffe Park Drive, and the abandonment of one existing District Station along Millwood Road in the City of Toronto; and
- The installation of approximately 360 m of NPS 4-inch PE IP natural gas pipeline between Overlea Boulevard and Banigan Drive onto Metrolinx private property (to become a new City of Toronto road in the future).

5. For the purposes of this application, the relocations above will be referred to as the Ontario Line – Overlea Station Relocation Project (the Project).
6. For ease of reference and to assist the OEB with preparation of the Notice of Application for the proposed Project, a map of the proposed facilities is included at Attachment 1 to this Exhibit.
7. Construction of the Project is planned to commence in January 2025 and the proposed pipelines are expected to be placed into service in November 2025. The proposed Project milestones can be found at Exhibit B, Tab 1, Schedule 1, Table 1.

#### Request for Exemption

8. But for a small (70 m) section of pipe that is proposed to be upsized from 6-inch to 8-inch for constructability reasons, the Project would qualify for the priority transit exemption provided in Ontario Regulation 328/03 subsection 3 (3), which allows for exemption from the requirement for leave to construct when the relocation is to facilitate a priority transit project and:
  - any additional land required for the relocation or reconstruction is under the control of the priority transit project proponent or the road authority, as the case may be, and
  - the relocation or reconstruction is undertaken pursuant to an agreement between the applicant and the priority transit project proponent or the road authority that specifies that the cost of the relocation or reconstruction is to be paid for wholly or partly by the priority transit project proponent or the road authority;

assuming the OEB determines that the Crown's duty to consult, if applicable, has been adequately discharged.



9. Enbridge Gas submits this application meets the criteria to warrant special circumstances under section 95(1) of the OEB Act, as the small length of upsized pipe is a design feature intended solely for the purposes of improved constructability and the exemption supports the spirit and stated purpose of the *Building Transit Faster Act, 2020*. Section 1 of that legislation reads “The purpose of the Act is to expedite the delivery of transit projects of provincial significance by removing barriers and streamlining processes that may result in delays to the timely completion of these projects, while enhancing coordination and engagement with and being fair to public and private sector stakeholders.”
10. More specifically, Enbridge Gas submits that the following factors constitute special circumstances:
- The need for the Project has been established by Metrolinx.
  - There are no landowner issues for the Project. All directly affected landowners have been notified and have raised no concerns with the Project. The Project will be located entirely within existing road allowances, rights-of-way, and private property easements under the control of Metrolinx or the City of Toronto.
  - Metrolinx has an agreement to reimburse Enbridge Gas for 100% of the actual Project costs incurred. Accordingly, there is no impact on existing Enbridge Gas rates or ratepayers due to the Project.
  - Metrolinx has communicated strong support for the Project and has indicated that without OEB authorization of the Project, critical schedule milestones could be missed, jeopardizing the entire Ontario Subway Line project timeline.
  - Enbridge Gas was delegated the procedural aspects of Indigenous consultation by the Ministry of Energy and Electrification (ENERGY) and has carried out (and continues to carry out) engagement with the identified Indigenous communities. ENERGY is currently reviewing the details of

Enbridge Gas's consultation with Indigenous groups potentially affected by the Project and will provide its letter of opinion on the sufficiency of that consultation when complete. Enbridge Gas will file this letter of opinion with the OEB upon receipt. The Project is being constructed in an area that is previously disturbed in the City of Toronto. Similar to the other transit projects recently approved by the OEB (EB-2022-0247 and EB-2023-0260), no concerns have been expressed during the consultation. Enbridge Gas anticipates that it will receive a sufficiency letter from ENERGY.

- The proposed Project is the best option to ensure that natural gas supply is maintained to the existing customers impacted by the conflict. The proposed Project also represents the lowest total project cost to resolve the conflict. The other alternatives as described in Exhibit C, Tab 1, are not feasible or preferred.
- Enbridge Gas retained Stantec Consulting, an independent consultant, to assess the environmental and socio-economic impacts of the Project. No significant environmental or cumulative effects are anticipated from construction of the Project.

11. Enbridge Gas further submits that the following factors allow the OEB to dispose of this application without a need for hearing pursuant to section 21(4)(b) of the Act:

- No person will be adversely materially impacted by this proceeding.
- As mentioned above, there is no ratepayer impact from the construction of the Project; there is no adverse environmental impact or archaeological concerns for the Project; and no land issues. There is a demonstrated need for the Project.

12. Enbridge Gas has included information in respect of the Project to assist the OEB in its evaluation of this request for exemption.

13. Enbridge Gas requests that the OEB issue the following order, without a hearing according to section 21(4)(b) of the Act:

- (i) pursuant to section 95(1) of the Act, an Order exempting Enbridge Gas from the requirement to obtain leave to construct the Project.

14. If the OEB determines that it will conduct a hearing for this application, then Enbridge Gas requests that it proceed by way of written hearing in English.

15. Enbridge Gas requests that documents relating to the application and its supporting evidence, including the responsive comments of any interested party, be served on Enbridge Gas and its counsel as follows:

(a) The Applicant Eric VanRuymbeke  
Sr. Advisor, Leave to Construct Applications

Address: P. O. Box 2001  
50 Keil Drive N  
Chatham, ON N7M 5M1

Telephone: (519) 436-4600 x5002241

Email: [eric.vanruymbeke@enbridge.com](mailto:eric.vanruymbeke@enbridge.com)  
[EGIRegulatoryProceedings@enbridge.com](mailto:EGIRegulatoryProceedings@enbridge.com)

(b) The Applicant's counsel: Guri Pannu  
Sr. Legal Counsel  
Enbridge Gas Inc.

Address for personal service: 500 Consumers Road  
Toronto, ON M2J 1P8

Mailing Address: P. O. Box 650, Scarborough, ON M1K 5E3

Telephone: (416) 758-4761

Email: [guri.pannu@enbridge.com](mailto:guri.pannu@enbridge.com)

DATED at the City of Chatham, Ontario this 9<sup>th</sup> day of August 2024.

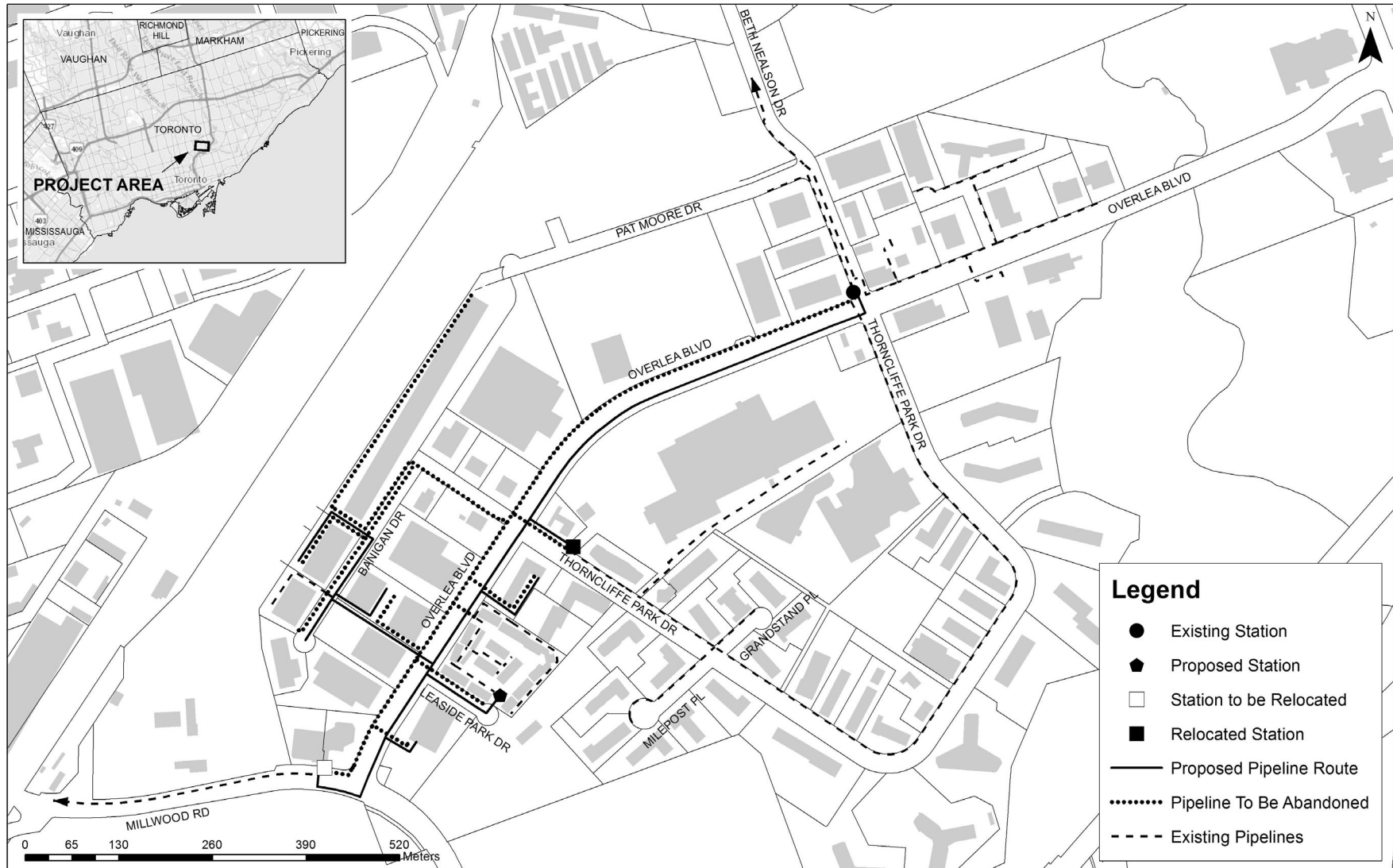
ENBRIDGE GAS INC.

*Eric VanRuymbeke*

---

Eric VanRuymbeke  
Sr. Advisor, Leave to Construct Applications

## Ontario Line (OL) - Overlea Relocation



## PROJECT NEED

### 1. Introduction

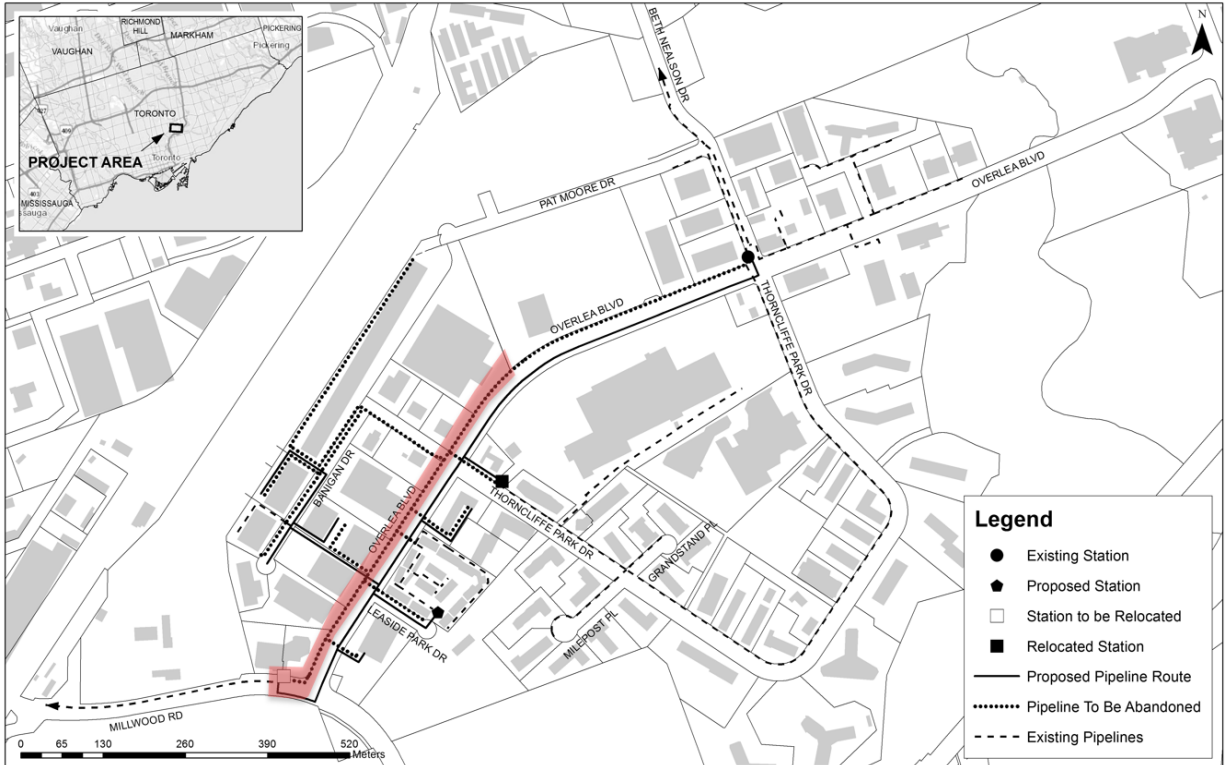
1. The Ontario Line - Overlea Station Relocation Project (the Project) is required to accommodate the new Ontario Line Subway transit project (the Ontario Line Subway), which is being completed by Metrolinx in collaboration with the Province of Ontario and the City of Toronto. The proposed Ontario Line Subway will be a 15.6 km subway line that will make it faster and easier to travel within Toronto and beyond. The Ontario Line Subway will bring 15 new stations to the City of Toronto and will run from Exhibition Place, through the heart of downtown, to the Ontario Science Centre. The Ontario Line Subway will reduce travel time for commuters, with a trip from one end of the line to the other taking less than 30 minutes compared to the 70 minutes it takes on existing transit today. There will also be significant relief from crowding throughout the existing transit network as a result of the connections to more than 40 other travel options along the way, including the Toronto Transit Commission's (TTC) Line 1 and Line 2, three GO Transit rail lines, and the Eglinton Crosstown LRT.

### 2. Need for Relocation

2. Metrolinx has requested that Enbridge Gas relocate existing natural gas pipeline assets located between Millwood Road and Thorncliffe Park Drive along Overlea Boulevard in the City of Toronto (East York) to accommodate the Ontario Line Subway. The Project will be located within existing road allowances and rights-of-way, and private property easements. A map of the existing facilities and the areas of the Ontario Line Subway plans that conflict with the natural gas assets are shown in Figure 1 and Figure 2, and described in greater detail below.

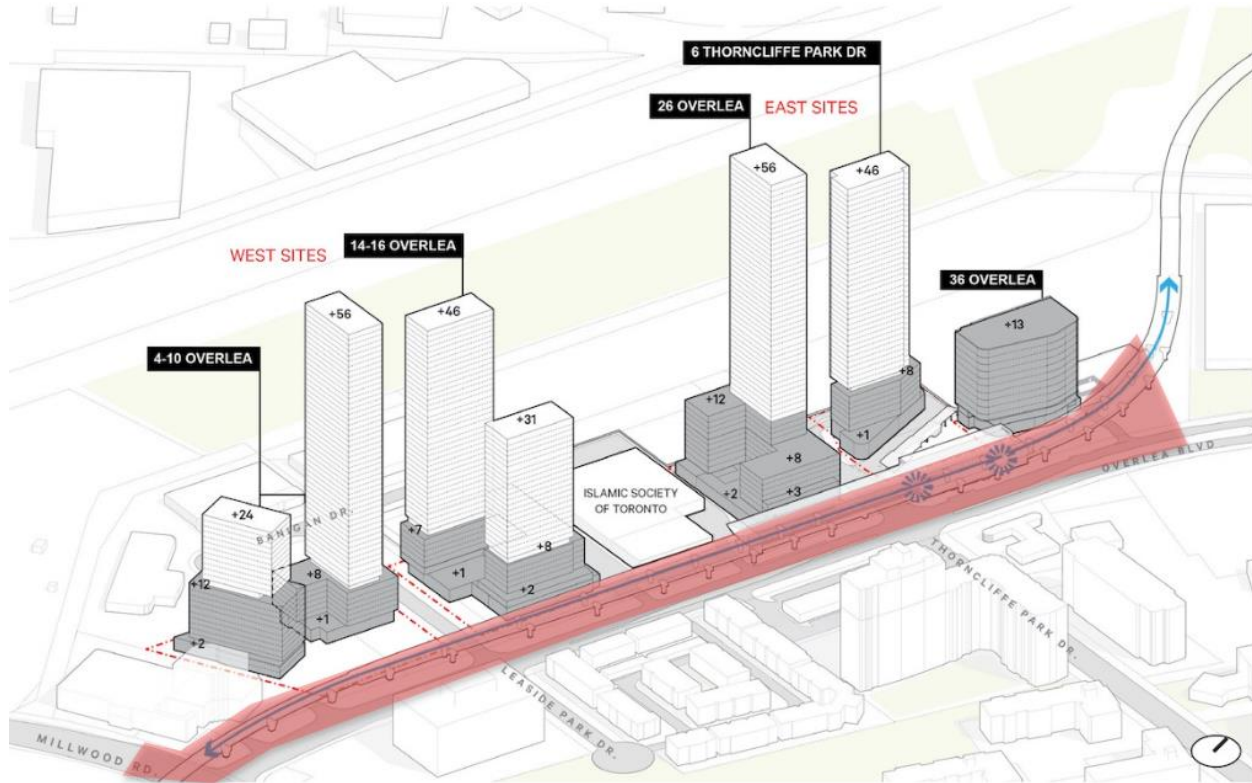
**Figure 1: Map of Existing Assets and Conflict Area**

*Ontario Line (OL) - Overlea Relocation*



Last Updated: 3/27/2024

Figure 2: Map of Conflict Area with Ontario Line Subway



3. The Project is comprised of four sub-projects. Ontario Line Subway plans that conflict with existing Enbridge Gas assets are described according to the general project area below:

a. North Overlea NPS 8 Relocation (Open Excavation)

- i. Approximately 1000 m of Nominal Pipe Size (NPS) 12-inch Steel Coated (SC) Medium Pressure (MP), and approximately 70 m of NPS 6-inch SC MP natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive;
- ii. Approximately 150 m of NPS 4-inch SC MP natural gas pipeline along Thorncliffe Park Drive;



b. North Overlea Header Station Relocation (Open Excavation)

- i. Approximately 110 m of NPS 4-inch SC MP natural gas pipeline along Leaside Park Drive in the City of Toronto;

c. North Overlea District Station (Open Excavation)

- i. Approximately 50 m of NPS 6-inch SC MP natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- ii. One existing District Station along Millwood Road in The City of Toronto; and

d. North Overlea New City Street Gas Main Installation (Open Excavation)

- i. Approximately 170 m of NPS 4-inch Polyethylene (PE) Intermediate Pressure (IP) natural gas pipeline along Banigan Drive.

4. Enbridge Gas and Metrolinx have executed a Master Preparatory Activities Agreement (PAA). The PAA outlines the agreed upon processes, accountabilities, and cost recovery for any relocation of Enbridge Gas assets requested by Metrolinx. The proposed Project is included within this agreement. Attachment 1 to this Exhibit contains a letter dated March 25, 2024, from Metrolinx indicating support for the Project and its commitment to pay Enbridge Gas for the relocations required to facilitate the Ontario Line Subway.

3. Existing System Capacity

5. The proposed relocation Project is required to eliminate conflicts with Metrolinx's Ontario Line Subway construction while maintaining the ability to serve existing Enbridge Gas customers.
6. The relocation of the NPS 12-inch pipeline affects gas supply into a system of approximately 423 customers, as shown in the teal highlighted areas in Figure 3. This NPS 12-inch pipeline is the only feed for the customers indicated and is fed

from two different sources, Millwood Road, and Beth Neelson Drive. There is a planned future abandonment of one of the mains that feed the NPS 12-inch pipeline due to a separate project with Metrolinx on Beth Neelson Drive. Enbridge Gas will be unable to supply majority of the customers as illustrated in Figure 3 if the natural gas assets are abandoned instead of being relocated.

Figure 3: Customers fed from NPS 12-inch Pipeline



#### 4. Project Timing

7. The proposed Project schedule to meet Metrolinx's timing for the Ontario Line Subway construction between Millwood Road and Thorncliffe Park Drive along Overlea Boulevard is set out in Table 1. Enbridge Gas is planning to commence construction in January 2025.

Table 1  
Proposed Project Schedule

Environmental Report Completion	April 2024
Survey, Lands Acquisition, Design Completion	July 2024
Receipt of Permits and Approvals	October 2024
Expected OEB Decision	November 2024
Commence Construction	January 2025
Expected In-service	November 2025
Completion of Construction	December 2025
Final Restoration and Inspection	May 2026

## 5. Conclusion

8. The proposed Project is required to accommodate Metrolinx's construction of the Ontario Line Subway and involves the relocation of existing natural gas pipelines and regulating stations, which are in conflict with Metrolinx's design and Ontario Line Subway construction. The Project aims to resolve all conflicts with Metrolinx's work and ensures Enbridge Gas is able to maintain provision of safe and reliable natural gas services for its existing customers. As mentioned above if the Enbridge Gas assets are not relocated, Enbridge Gas will be unable to supply natural gas to the customers. The Project does not create any incremental capacity and Metrolinx is committed to pay Enbridge Gas entirely for the relocations required to facilitate the Ontario Line Subway construction.



March 25, 2024

Delivered via Email: daniel.petrozziello@enbridge.com

Daniel Petrozziello  
Supervisor Transit, Capital Development and Delivery  
Enbridge Gas Inc.  
101 Honda Blvd.,  
Markham, ON L6C 0M6

**Re: Metrolinx Letter in Support of Enbridge Gas Inc.'s ("EGI") Leave to Construct Application to the Ontario Energy Board (the "OEB")**

---

Dear Mr. Petrozziello:

Please accept this letter in support of EGI's Application to the OEB to facilitate construction of the following projects in the vicinity of Overlea Blvd and Thorncliffe Park Drive in The City of Toronto to support Metrolinx's delivery of the future Ontario Line subway expansion project:

1. North Overlea NPS 8 Relocation
2. North Overlea District Station
3. North Overlea Header Station Relocation
4. North Overlea New City Street Gas Main Installation

The Ontario Line is one of four rapid transit projects announced in the Province of Ontario's 2019 Budget as part of its new Subway Transit Plan for the Greater Toronto and Hamilton Area (GTHA). The Ontario Line will bring 15.6 kilometers of much-needed subway service to Toronto to make it faster and easier for hundreds of thousands of people to get where they need to be each day.

Metrolinx requires that EGI complete construction of the above relocation projects by May 2025 to avoid downstream critical path schedule delays to the Don Valley Crossings core contract, which is one of four core contracts supporting delivery of the North segment of the Ontario Line.

Metrolinx strongly supports EGI's Application and is working collaboratively to support the development of EGI's utility relocation design. Upon EGI's completion of said design, and Metrolinx's acceptance, Metrolinx intends to provide EGI with all applicable approvals and permits to begin the relocation work. Without the OEB's acceptance of EGI's Application, Metrolinx risks missing critical schedule milestones, jeopardizing the entire Ontario Line project timeline.

Please feel free to contact Metrolinx should you require additional information or assistance, and we look forward to your support.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Collins', with a small dot above the 'i'.

Paul Collins  
Director, Advanced Works, Ontario Line, Metrolinx

cc: Andreas Pappas, Director, Pre-Construction Services (Utilities), Metrolinx

## PROJECT ALTERNATIVES

1. The purpose of this Exhibit is to describe Enbridge Gas's analysis of alternatives to address conflicts between the Company's existing natural gas assets and Metrolinx's proposed Ontario Line Subway, as outlined in Exhibit B, Tab 1, Schedule 1. As discussed in Exhibit B, Enbridge Gas is proposing to relocate existing natural gas pipeline assets located between Millwood Road and Thorncliffe Park Drive along Overlea Boulevard in the City of Toronto (East York) to accommodate the Ontario Line Subway. The Project will be within existing road allowances and rights-of-way, and private property easements.
2. The preferred alternative is the proposed Project, which includes relocating and abandoning Enbridge Gas's assets in conflict with Metrolinx's project. The details of the proposed Project are described at Exhibit D, Tab 1, Schedule 1.
3. The proposed Project resolves physical conflicts with the future Ontario Line Subway while allowing Enbridge Gas to maintain the integrity and operability of its existing natural gas network and continued service to existing customers. The proposed Project has an in-service date of December 2025.

### 1. Integrated Resource Planning

4. The Decision and Order for Enbridge Gas's Integrated Resource Planning Framework Proposal (EB-2020-0091) was issued on July 22, 2021. This decision was accompanied by an Integrated Resource Planning Framework for Enbridge Gas (IRP Framework).<sup>1</sup> The IRP Framework provides guidance from the OEB about the nature, timing and content of IRP considerations for future identified needs. The IRP Framework provides Binary Screening Criteria in order to focus on situations where there is reasonable expectation that an IRP Alternative (IRPA) could efficiently and

---

<sup>1</sup> EB-2020-0091, Decision and Order, July 22, 2021, Appendix A.

economically meet a system need. Enbridge Gas has applied the Binary Screening Criteria and determined that the need underpinning the Project does not warrant further IRP consideration based on application of the customer-specific build criteria.

5. An IRP evaluation is not required if the need is underpinned by a customer-specific build:

- iii. **Customer-specific builds** – If an identified system need has been underpinned by a specific customer's (or group of customers') clear request for a facility project and either the choice to pay a Contribution in Aid of Construction or to contract for long-term services delivered by such facilities, then an IRP evaluation is not required.<sup>2</sup>

The need for the Project is driven by Metrolinx and they have agreed to pay a Contribution in Aid of Construction. Accordingly, the Project is exempt from further IRP, which is consistent with the OEB's decision in related leave-to-construct Projects involving Metrolinx.<sup>3</sup>

6. Notwithstanding that an IRP evaluation was not required due to the customer-specific build criteria, Enbridge Gas considered supply-side IRPAs for applicability, including market-based supply and compressed natural gas (CNG). As the existing pipeline provides natural gas to approximately 400 customers in the Project area, relocation of the pipe is required to maintain gas services to these customers. Additionally, the proposed Ontario Line Subway station is identified to be part of the Transit-Oriented Communities (TOC), a provincial program focused on unlocking mixed-use high-density development opportunities connected to, integrated with or nearby to, new major transit stations. Since the existing gas mains are embedded deep within Enbridge Gas's distribution pipeline network and in a high-density urban area, there is no ability for a third-party natural gas market participant to deliver gas supplies directly to the region served by the existing natural gas mains or to feasibly

---

<sup>2</sup> Ibid, p. 10.

<sup>3</sup> EB-2022-0247, Decision and Order (May 9, 2023); EB-2023-0260, Decision and Order (April 18, 2024).

set up a CNG injection point. Therefore, the supply-side alternatives are not feasible and cannot offset the need for pipe relocation.

7. Additionally, in a related LTC application for transit projects the Scarborough Subway Extension – Kennedy Station Relocation Project, the OEB found that Enbridge Gas had correctly applied the Binary Screening Criteria:

The OEB also finds that the Project is excluded from IRP considerations for the following reason:

- Because Metrolinx will pay all project costs, the project is within the intent of the findings made by the OEB in the IRP Framework decision regarding customer-specific builds where the customer fully pays for incremental infrastructure cost.<sup>4</sup>

## 2. Alternatives Assessment Criteria

8. Enbridge Gas established alternatives assessment criteria that quantitatively and/or qualitatively considered economic feasibility, timing, safety and reliability, risk management, and environmental and socio-economic impacts:

- a) Project Cost (Quantitative):

- The alternative must be cost-effective compared to other alternatives. As discussed in Exhibit B, Tab 1, Schedule 1, the Project costs will be covered under the Master Preparatory Activities Agreement (PAA) between Metrolinx and Enbridge Gas. The PAA outlines the agreed upon processes, accountabilities, and cost recovery for any relocation of Enbridge Gas assets requested by the Metrolinx and recovered through a CIAC. Enbridge Gas considered the total cost of the relocation of its assets throughout its work to support the Ontario Line Subway design with Metrolinx.

---

<sup>4</sup> EB-2022-0247, Decision and Order (May 9, 2023), p. 6.

b) Timing (Quantitative):

- The alternative must meet the required in service dates of December 2025 or earlier.

c) Safety & Reliability (Qualitative):

- The alternative must ensure that Enbridge Gas can meet its obligation to provide reliable and safe delivery of firm natural gas volumes to existing Enbridge Gas customers as outlined in Exhibit B, Tab 1, Schedule 1 and that no existing Enbridge Gas customer experiences a loss of natural gas supply.

d) Environmental and Socio-economic Impact (Qualitative):

- The alternative should minimize impacts to Indigenous peoples, municipalities, landowners, and the environment relative to other viable alternatives.

### 3. Identification and Assessment of Alternatives

9. Enbridge Gas identified three alternatives capable of addressing the Ontario Line Subway conflicts identified in Exhibit B within the timeframes required by Metrolinx. Detailed descriptions of the facility alternatives are provided below:

a) Alternative #1 – No relocation, abandon existing assets in conflict with Metrolinx’s proposed Ontario Line Subway and Station.

- To avoid conflicts with the future pillars to be installed for the Ontario Line Subway and Thorncliffe Park Station, the existing NPS 12-inch SC MP gas main running east-west on Overlea Boulevard would be abandoned between the intersections of Overlea Boulevard and Millwood Road, and Overlea Boulevard and Thorncliffe Park Drive (East Side). No gas main would be installed to replace this existing asset. This would result in



existing customers connected to the existing gas mains to be without natural gas and there are no other pipes nearby that could supply them.

- Additionally, to avoid the same conflict, the existing NPS 4-inch SC MP gas mains running north of Overlea Boulevard along Thorncliffe Park Drive (West Side) and then through Banigan Drive would be abandoned. No gas main would be installed to replace this existing asset. Abandoning without relocation would result in all existing customers losing access to natural gas.
- Abandoning all gas mains in conflict with the Ontario Line Subway without relocation would result in the loss of approximately 400 existing customers. Hence, Alternative #1 is not feasible.

b) Alternative #2 –Relocate with like-for-like pipe size and abandon existing assets in conflict with Metrolinx’s proposed Ontario Line Subway and Station .

- To avoid conflicts with the future pillars to be installed for the Ontario Line Subway and Thorncliffe Park Station, the existing NPS 12-inch SC MP gas main running east-west on Overlea Boulevard would be relocated with a new NPS 12-inch SC IP gas main starting at Millwood Road up to the Overlea Boulevard and Thorncliffe Park Drive (East Side), and would be abandoned between the intersections of Overlea Boulevard and Millwood Road, and Overlea Boulevard and Thorncliffe Park Drive (East Side). All impacted services from this work on the medium-pressure network must be relayed/reconnected to the new intermediate pressure network.
- Additionally, to avoid the same conflict, the existing NPS 4-inch SC MP gas mains running north of Overlea Boulevard along Thorncliffe Park Drive (West Side) and through Banigan Drive would be relocated with a new NPS 4-inch PE IP gas main starting at just north of Overlea Boulevard along the New City Street (future Leaside Park extension) and along Banigan Drive. All impacted services from this work on the medium

pressure network must be relayed/reconnected to the new intermediate pressure network.

- Due to the required change in pressure, Alternative #2 would result in an increase in system capacity. The proposed route resolves the conflict with the Ontario Line Subway while minimizing the total length of gas main relocation. However, the cost to construct NPS 12-inch SC pipe is greater than NPS 8-inch PE pipe. Therefore, Alternative #2 is not preferred.

c) Alternative #3 – Relocate with smaller diameter pipe size and abandon existing assets in conflict with Metrolinx’s proposed Ontario Line Subway and Station.

- To avoid conflicts with the future pillars to be installed for the Ontario Line Subway and Thorncliffe Park Station, the existing NPS 12-inch SC MP gas main running east-west on Overlea Boulevard would be relocated with a new NPS 8-inch PE IP gas main starting at Millwood Road up to the Overlea Boulevard and Thorncliffe Park Drive (East Side), and would be abandoned between the intersections of Overlea Boulevard and Millwood Road, and Overlea Boulevard and Thorncliffe Park Drive (East Side). All impacted services from this pipe relocation work on the medium pressure network would be relayed/reconnected to the new intermediate pressure network.
- Additionally, to avoid the same conflict, the existing NPS 4-inch SC MP gas mains running north of Overlea Boulevard along Thorncliffe Park Drive (West Side) and through Banigan Drive would be relocated with a new NPS 4-inch PE IP gas main starting at just north of Overlea Boulevard along the New City Street (future Leaside Park extension) and along Banigan Drive. All impacted services from this pipe relocation work on the medium pressure network would also be relayed/reconnected to the new intermediate pressure network.

- This Project area has approximately 400 existing MP customers. Due to this large volume of customers, relaying/reconnecting all customers to IP would take a significant amount of time and be very disruptive to the customers. To minimize the disruption impacts to the existing MP customers, an IP-MP district station is planned at the corner of Overlea Boulevard and Thorncliffe Park Drive (west side).
- The proposed route resolves the conflict with the Ontario Line Subway while minimizing the total length of gas main relocation.

#### 4. Project Selection & Conclusion

10. Based on the above assessment of alternatives, Enbridge Gas has determined that the proposed Project (Alternative #3) is the optimal solution to meeting the identified customer need as it:

- Represents the lowest total project cost to resolve conflicts identified by Metrolinx's Ontario Line Subway that maintain existing network connections and reliability by continuing to provide the same level of service to existing gas customers throughout construction.
- Meets Metrolinx's required December 2025 (or earlier) construction date.
- Ensures Enbridge Gas can readily access its facilities/assets going forward, ensuring their safe operation and maintenance.

## PROPOSED PROJECT

### 1. Project Description

1. To resolve the physical conflicts between existing Enbridge Gas assets and Metrolinx's proposed Ontario Line Subway transit project (the Ontario Line Subway) to ensure that the Company can continue to meet its obligation to deliver firm natural gas services to its existing customers, Enbridge Gas is proposing to relocate its existing Nominal Pipe Size (NPS) 12 Steel Coated (SC) Medium Pressure (MP) gas main running east-west on Overlea Boulevard while the existing main will be abandoned between the intersections of Overlea Boulevard and Millwood Road, and Overlea Boulevard and Thorncliffe Park Drive (East Side). All of the pipe will be relocated with a new NPS 8 Polyethylene (PE) Intermediate Pressure (IP) gas main starting at Millwood Road up to the Overlea Boulevard and Thorncliffe Park Drive (East Side) distribution gas mains as shown in the Project Map found at Exhibit A, Tab 2, Schedule 1, Attachment 1.

2. The construction of this Project includes:

#### a. North Overlea NPS 8 relocation (Open Excavation)

- i. The relocation of approximately 1000 m of NPS 12-inch SC MP, and approximately 70 m of NPS 6-inch SC MP natural gas pipeline with the installation of approximately 1100 m of NPS 8-inch PE IP natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive in the City of Toronto;
- ii. The abandonment of approximately 150 m of NPS 4-inch SC MP natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;

#### b. North Overlea Header Station Relocation (Open Excavation)

- i. The relocation of approximately 110 m of NPS 4-inch SC MP natural gas pipeline with the installation of approximately 120 m of NPS 2-inch PE IP natural gas pipeline along Leaside Park Drive in the City of Toronto;

- ii. The installation of one Header Station along Leaside Park Drive in The City of Toronto;
  - c. North Overlea District Station (Open Excavation)
    - i. The relocation of approximately 50 m of NPS 6-inch SC MP natural gas pipeline with the installation of approximately 35 m of NPS 6-inch PE IP along Thorncliffe Park Drive in the City of Toronto;
    - ii. The installation of one District Station along Thorncliffe Park Drive, and the abandonment of one existing District Station along Millwood Road in The City of Toronto; and
  - d. North Overlea New City Street Gas Main Installation (Open Excavation)
    - i. The installation of approximately 360 m of NPS 4-inch PE IP natural gas pipeline between Overlea Boulevard and Banigan Drive onto Metrolinx private property (to become a new City of Toronto road in the future).
3. The route and location for the proposed Project facilities were reviewed by an independent environmental consultant through the process outlined in the Ontario Energy Board's "*Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario*" (8<sup>th</sup> Edition) (the Guidelines). Input from the public was sought during the route selection process and was incorporated into the selection of the preferred routes.

## 2. Project Construction

4. Enbridge Gas will ensure that all piping components for the Project will be designed, installed, and tested in accordance with specifications outlined in Enbridge Gas's Construction and Maintenance Manual (Specifications). The Specifications meet or exceed the requirements of *CSA Z662 – Oil and Gas Pipeline System* standard and *Ontario Regulation 210/01, Oil and Gas Pipeline Systems*.
5. Enbridge Gas will construct the Project using qualified construction contractors and Enbridge Gas employees. Each of these groups will follow approved construction

Specifications which will be updated to reflect site specific conditions for the Project as per the findings in the Environmental Report and the Environmental Protection Plan discussed in Exhibit F, Tab 1, Schedule 1. All construction, installation and testing of the Project will be witnessed and certified by a valid Gas Pipeline Inspection Certificate holder.

6. Pipe will be installed using a combination of both the trench method and a trenchless method (horizontal directional drilling). Restoration and monitoring will be conducted post-construction to ensure successful environmental mitigation for the Project.
7. Pipeline construction is divided into several crews that create a mobile assembly line. Each crew performs a different function, with a finished product left behind when the last crew has completed its work.
8. Contractors are required to erect safety barricades, fences, signs or flashers, or to use flag persons as may be appropriate, around any excavation across or along a road. *Ontario Traffic Manual – Book 7 – Temporary Conditions* is followed as a minimum requirement for the purpose of traffic control.
9. Once the new pipelines are placed into service, the existing pipe will be abandoned in place. Sections of the abandoned pipeline may be removed by other parties in the future as part of ongoing Ontario Line Subway or other construction works.
10. Construction of the pipeline includes the following activities:

a) Locating Running Line

The location where the pipeline is to be installed (the running line) is established initially. For pipelines within road allowances, the adjacent property lines are identified, and the running line is set at a specified distance from the property line. For pipelines located on private easement,

the easement is surveyed, and the running line is set at the specified distance from the edge of the easement. The distance from the start of the pipeline (or other suitable point) is marked on the pipeline stakes and the drawings.

b) Clearing and Grading

The right-of-way is prepared for the construction of the pipeline. When required, bushes, trees and crops are removed, and the ground is leveled. When required, the topsoil is stripped and stored, and/or sod is lifted.

c) Stringing

The joints of pipe are laid end-to-end on supports that keep the pipe off the ground to prevent damage to the pipe coating.

d) Welding

The pipe is welded/fused into manageable lengths. The welds in steel pipe are radiographically inspected and the welds are coated.

e) Installation

Pipe will be installed using a combination of both the trench method and a trenchless method. All utilities that will be crossed or paralleled by the pipeline within the identified construction area will be located by the appropriate utility owner prior to installing the pipeline. Prior to construction, all such utilities will be hand-located or hydro vacuumed to positively identify their location.

- i. *Trench Method:* Trenching is done by using a trenching machine, backhoe or excavator depending upon the ground conditions. Provisions are made to allow residents access to their property, as required. Next, the pipe is lowered into the trench. For steel pipe, the pipe coating is then inspected and tested using a high voltage electrical tester as the pipe is lowered into the trench. All defects in the coating are repaired before the pipe is lowered in. Next, the trench is

backfilled using suitable material such as sand or other approved material as per Enbridge Gas Specifications.

- ii. *Trenchless Method*: Trenchless methods are alternate methods used to install pipelines under infrastructure such as railways, roadways, watercourses, sidewalks, trees or other environmentally or archaeologically sensitive areas. The trenchless method that is proposed for this Project is horizontal directional drilling. This method involves excavating small entry and exit pits, drilling a pilot hole on the design path, reaming the pilot hole larger by passing a cutting tool, and pulling the pipe back through the bored hole.

f) Tie-Ins

The sections of pipe that have been buried using either a trench or trenchless method are joined together (tied-in).

g) Cleaning and Testing

To complete the construction, the pipeline is cleaned and tested and placed into service.

h) Backfilling and Restoration

The final construction activity is restoration of lands. The work area backfilled and leveled, sod is replaced in lawn areas and other grassed areas are re-seeded. Where required, concrete, asphalt and gravel are replaced, and all areas affected by the construction of the pipeline are returned to as close to original condition as possible. As a guide to show the original condition of the area, photos and/or a video will be taken before any work commences. When the clean-up is completed, the approval of landowners or appropriate government authorities is obtained.



### 3. Design Specifications & Testing Procedures

11. The design specifications for the Project are provided in Tables 1, 2 and 3. The specifications are representative of the entire Project. Testing procedures for the Project are also discussed below.

Table 1  
440 kPa NPS 8 PE Pipeline Design Specifications

<u>Description</u>	<u>Design Specification</u>	<u>Unit</u>
Pipe	(NPS 8)	
External Diameter	219.05	mm
Standard Dimension Ratio	13.5	-
Material Specification	CSA B137.4	-
Material Designation	PE 2708	-
<u>Components</u>		
Fittings	CSA B137.4	
Flanges	N/A	-
Valves	CSA B137.4	-
<u>Design Data</u>		
Class Location	4	-
Design Pressure	440	kPa
Maximum Operating Pressure	440	kPa
Minimum Depth of Cover	0.9	m
Method of Construction	Open Cut / Horizontal Directional Drill / Plough	-
<u>Leak Test Data</u>		
Test Medium	Air or Nitrogen	-
Test Pressure (Min / Max)	700/ 770	kPa
Min Test Duration	1	Hrs

12. The NPS 8 PE pipeline will be leak tested after the installation of the pipe for a minimum duration of one hour. The leak test will use air or nitrogen as the test medium at pressures between 700 and 770 kPa. This is higher than 1.4 times the Maximum Operating Pressure (MOP) of the pipeline.

Table 2  
 440 kPa NPS 6 PE Pipeline Design Specifications

<u>Description</u>	<u>Design Specification</u>	<u>Unit</u>
Pipe	(NPS 6)	
External Diameter	168.55	mm
Standard Dimension Ratio	11	-
Material Specification	CSA B137.4	-
Material Designation	PE 2708	-
<u>Components</u>		
Fittings	CSA B137.4	
Flanges	N/A	-
Valves	CSA B137.4	-
<u>Design Data</u>		
Class Location	4	-
Design Pressure	440	kPa
Maximum Operating Pressure	440	kPa
Minimum Depth of Cover	0.9	m
Method of Construction	Open Cut / Horizontal Directional Drill / Plough	-
<u>Leak Test Data</u>		
Test Medium	Air or Nitrogen	-
Test Pressure (Min / Max)	700/ 770	kPa
Min Test Duration	1	Hrs

13. The NPS 6 PE pipeline will be leak tested after the installation of the pipe for a minimum duration of one hour. The leak test will use air or nitrogen as the test medium at pressures between 700 and 770 kPa. This is higher than 1.4 times the MOP of the pipeline.

Table 3  
 440 kPa NPS 4 PE Pipeline Design Specifications

<u>Description</u>	<u>Design Specification</u>	<u>Unit</u>
Pipe	(NPS 4)	
External Diameter	114.30	mm
Standard Dimension Ratio	11	-
Material Specification	CSA B137.4	-
Material Designation	PE 2708	-
<u>Components</u>		
Fittings	CSA B137.4	
Flanges	N/A	-
Valves	CSA B137.4	-
<u>Design Data</u>		
Class Location	4	-
Design Pressure	440	kPa
Maximum Operating Pressure	440	kPa
Minimum Depth of Cover	0.9	m
Method of Construction	Open Cut / Horizontal Directional Drill / Plough	-
<u>Leak Test Data</u>		
Test Medium	Air or Nitrogen	-
Test Pressure (Min / Max)	700/ 770	kPa
Min Test Duration	1	Hrs

14. The NPS 4 PE pipeline will be leak tested after the installation of the pipe for a minimum duration of one hour. The leak test will use air or nitrogen as the test medium at pressures between 700 and 770 kPa. This is higher than 1.4 times the MOP of the pipeline.

4. Project Timing

15. The Project schedule is shown at Exhibit D, Tab 2, Schedule 1. To meet the planned in-service date, Enbridge Gas must commence construction by January 2025 or earlier, which will place the Project in-service by December 2025 or earlier.

5. TSSA Correspondence

16. Enbridge Gas has filed an application with the Technical Standards & Safety Authority (TSSA) on March 27, 2024. Enbridge Gas does not anticipate the TSSA to have any objections to the Project after their review of the application. The TSSA will request Enbridge Gas to provide notice of the proposed start date so that the TSSA project audit can begin.

Ontario Line - Overlea Station Relocation Project Schedule																																					
WBS / Task Name	2023												2024												2025												
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	
<b>Environmental</b>																																					
Environmental Assessments & Design																																					
<b>Procurement, Permits, and Construction</b>																																					
Permits & Approvals																																					
OEB Application																																					
Construction Duration																																					
<b>Engineering</b>																																					
Testing & Conditioning																																					
In-service																																					
<div style="display: flex; justify-content: space-between;"> <span>2023</span> <span>2024</span> <span>2025</span> </div>																																					

PROJECT COSTS AND ECONOMICS

1. Project Cost

1. The total cost for the Project is estimated to be \$17.4 million, as detailed in Table 1. \$15.3 million of this total cost is attributed directly to Project pipeline facilities for the relocation only and \$2.1 million is attributed to ancillary facilities.

Table 1  
Estimated Project Costs (\$CAD)

<u>Line No.</u>	<u>Description</u>	<u>Pipeline Costs</u>	<u>Ancillary Costs<sup>1</sup></u>	<u>Total</u>
1	Material	83,500	91,000	174,500
2	Labour and Construction	3,273,270	462,492	3,735,762
3	Outside Services (Consulting, Professional Services)	5,108,786	695,707	5,804,494
4	Contingency	2,565,197	349,229	2,914,426
5	Sub-Total	11,030,753	1,598,428	12,629,182
6	Interest During Construction	340,092	27,740	367,832
7	Direct Overheads	0	0	0
8	Indirect Overheads	3,922,270	497,944	4,420,214
9	Total Project Costs	15,293,115	2,124,112	17,417,228
10	Less: CIAC	(15,293,115)	(2,124,112)	(17,417,228)
11	Net Project Costs	0	0	0

2. The cost of land is negligible as Metrolinx is providing Enbridge Gas with a permanent easement to construct and install a gas main on Metrolinx's own property. Metrolinx is reimbursing Enbridge Gas for 100% of the actual Project costs incurred. Accordingly, any cost associated with land acquisition with Metrolinx would negate itself in this instance.
3. The cost estimate set out above includes a 30% contingency applied to all direct costs. This contingency amount has been calculated based on the risk profile of the Project and is comparable with contingency amounts calculated for similar Enbridge

---

<sup>1</sup> Ancillary costs include station installation, and customer services.

Gas projects in the past.<sup>2</sup>

4. As discussed in Exhibit B, Tab 1, Schedule 1, the Project is covered under a PAA between Metrolinx and Enbridge Gas. Under this agreement, Metrolinx assumes full cost responsibility and will reimburse Enbridge Gas for all of the Company's actual costs and expenses incurred in completing the Project. In addition, Enbridge Gas attributes and allocates its internal overhead costs at a rate of thirty-five percent (35%) of the actual costs. Therefore, there will be no impact on existing Enbridge Gas rates or ratepayers as a result of the Project.

## 2. Project Cost Comparison

5. The costs of recent pipeline reinforcement and relocation projects of comparable pipe size and location are set out in Table 2. Importantly, no two facility projects are directly comparable. There are multiple unique factors and project characteristics that influence costs, including but not limited to:
  - Complexity of Construction – The unique location and condition of project construction (e.g., greenfield, geotechnical ground conditions, environmentally sensitive areas, dense urban areas, established agricultural lands, road allowance, watercourse crossings, etc.) affects the method and complexity of construction. Generally, the higher construction complexity the greater the duration and cost to construct. Economies of scale are often realized with longer distance pipeline projects.
  - Timing of Construction – Depending on the season during which construction occurs (i.e., summer conditions compared to winter conditions) costs can vary widely. Further, if project construction schedules are condensed due to any number of reasons (e.g., regulatory delay, inclement weather, labour

---

<sup>2</sup> Liberty Village Pipeline Project (EB-2018-0096), Scarborough Subway Extension – Kennedy Station Relocation Project (EB-2022-0247) and Scarborough Subway Extension – Lawrence Ave East Station Relocation Project (EB-2023-0260).

constraints, etc.) costs can escalate in order to achieve facility in-service dates that are required for operational and/or commercial purposes.

- System Planning Characteristics – Differences in facility design and MOP results in differences in materials, as well as construction, welding, and testing requirements.

Table 2  
Project Cost Comparison (\$CAD)

Line No.	Project Name	Lawrence Ave East Relocation	Kennedy Station Relocation	Liberty Village Pipeline <sup>3</sup>
1	Facility Description	<u>Pipeline</u> 266 m of NPS 6 SC HP; 79 m of NPS 4 PE IP  Total 345 m pipeline	<u>Phase 1 Pipeline</u> 310 m of NPS 4 PE IP; 120 m of NPS 2 PE IP  <u>Phase 2 Pipeline</u> 30 m of NPS 8 SC HP; 330 m of NPS 8 PE IP; 16 m of NPS 6 PE IP; 25 m of NPS 4 PE IP  Total 831 m pipeline  District station	<u>Pipeline</u> 900 m of NPS 8 ST IP; 200 m of NPS 6 PE IP; 85 m of NPS 4 PE IP  Total 1185 m pipeline
2	Material Costs	48,972	91,986	76,490
3	Labour Costs	1,719,120	2,918,403	4,048,493
4	External Costs	195,800	157,607	11,128
5	IDC	29,285	48,280	15,570
6	Contingency <sup>4</sup>	490,973	767,698	-
7	Indirect Overheads <sup>5</sup>	859,203	1,375,562	-
8	Total Project Costs	3,343,353	5,359,535	4,151,681

<sup>3</sup> EB-2018-0096, Post-Construction Financial Report on Costs and Variances, June 24, 2020.

<sup>4</sup> Contingency for Liberty Village was 25%; however, the costs above are the actuals and as such, no contingency costs are assigned.

<sup>5</sup> Indirect overheads were not forecasted for the Liberty Village Pipeline project.



### 3. Project Economics

6. A Discounted Cash Flow report has not been completed as the Project is underpinned by a requirement to relocate existing NPS 12-inch, NPS 6-inch and NPS-4 inch pipeline(s) using like-sized replacement pipelines or smaller. The Project has been designed to replace as much of the pipeline capacity lost by relocating and/or abandoning the Company's existing pipelines in conflict with Metrolinx's Ontario Line Subway. The Project is not expected to create any incremental capacity or new revenues from customers.

## ENVIRONMENTAL MATTERS

### 1. Environmental Report

1. Enbridge Gas retained Stantec Consulting Ltd. (Stantec) to undertake a route evaluation and environmental and socio-economic impact study, which included a cumulative effects assessment and Stage 1 Archaeological Assessment (AA), to select the Preferred Route (PR) for the Project. As part of the development of the study, Enbridge Gas and Stantec implemented a consultation program to receive input from interested and potentially affected parties including Indigenous communities. The consultation program input was evaluated and integrated into the study. Mitigation measures designed to minimize environmental and community impacts resulting from construction and operation of the Project were also developed as part of the study.
2. The results of the study are documented in the Environmental Report (ER) entitled *Overlea Station Relocation Project: Environmental Report* included at Attachment 1 to this Exhibit. The ER conforms to the *OEB's Environmental Guidelines for the Construction and Operation of Hydrocarbon Projects and Facilities in Ontario, 8<sup>th</sup> Edition* (the Guidelines).
3. Enbridge Gas supports Stantec's findings.
4. The objective of the ER is to outline various environmental mitigation and protection measures for the construction and operation of the Project while meeting the intent of the OEB's Guidelines. To meet this objective, the ER was prepared to:
  - Undertake a route evaluation process.
  - Identify a PR that reduces potential environmental impacts.
  - Complete a detailed review of environmental features along the PR and assess the potential environmental impacts of the Project on these features.

- Establish mitigation and protective measures that may be used to minimize or eliminate potential environmental impacts of the Project.
  - Develop and implement a consultation and engagement program to receive input from interested and potentially affected parties.
  - Identify any necessary supplemental studies, monitoring and contingency plans.
5. A Notice of Study Commencement for the Project was emailed to Indigenous communities on September 7, 2023. The Notice of Study Commencement was also emailed to the Ontario Pipeline Coordinating Committee (OPCC), the City of Toronto and various federal, provincial, and municipal government agencies on September 8, 2023. Letters describing the Project and the environmental study process, providing a map showing the PR as well as details regarding the virtual open house were mailed to landowners on September 11, 2023. Facebook and Instagram advertisements for the Virtual Information Session ran from November 6 to November 20, 2023. The ad was targeted to the geographical area in-and-around the Study Area.
  6. During the consultation process for development of the ER, Enbridge Gas and Stantec received comments from agencies, interest groups, municipal and elected officials, and Indigenous communities. Information pertaining to the input received can be found in Appendix B.5 of the ER.
  7. The ER identifies no watercourses that will be crossed by the PR.
  8. Enbridge Gas sent an email with a link to access a draft version of the ER to OPCC members, Municipalities, Conservation Authorities, and Indigenous communities on March 14, 2024, with a request for comments by April 26, 2024. Comments received will be acknowledged, and where required, responses will be provided.

Correspondence from stakeholders during the OPCC review period, other than from Indigenous communities, are incorporated into the consultation log within the ER at Appendix B.5. Additionally, OPCC correspondence and review comments are included in the ER at Appendix B.6.

9. Correspondence with Indigenous communities during the OPCC review period is summarized within the Indigenous Consultation Report located in the ER at Appendix B.5.

## 2. Routing

10. Enbridge Gas retained Stantec to review the potential route for the Project using existing municipal rights-of-way (where possible) and with consideration for environmental and socio-economic constraints. Details on the route evaluation and selection process can be found in Section 4.0 of the ER.

## 3. Environmental Mitigation

11. Environmental mitigation measures will be employed throughout construction of the Project, in accordance with specifications in Enbridge Gas's Construction and Maintenance Manual, the recommendations in the ER, and conditions from permitting agencies. These mitigation measures will be communicated to the construction contractor prior to the commencement of construction of the Project. An environmental advisor will be available to assist the construction supervisor in seeing that specified environmental mitigation measures as well as requirements established by permitting agencies and any OEB conditions of approval are adhered to and that commitments made to the public, landowners and agencies are honoured. Enbridge Gas's environmental advisor, construction supervisor and project manager will also mitigate any unforeseen environmental circumstances that arise before, during, and after construction.

12. Recommended mitigation measures for potential effects have been developed in the ER to address environmental and socio-economic features found along the PR. A summary of potential effects and recommended mitigation measures and protective measures can be found in Section 5.0, along with a summary table (Section 5.2) of the ER.

13. Using the mitigation measures and monitoring and contingency plans found within the ER as well as additional mitigation measures provided by regulatory agencies through the permitting and approval process, construction of this Project will have negligible impacts on the environment. No significant environmental or cumulative effects are anticipated from construction of the proposed Project.

#### 4. Cultural Heritage Assessment

14. A Cultural Heritage Checklist was completed and included in Appendix E of the ER. A Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment (CHRECPIA) was then completed by Stantec and was submitted to the MCM for review and comment on March 27, 2024. The MCM confirmed receipt of the report on March 27, 2024. Enbridge Gas expects to receive MCM review and comment on the CHRECPIA prior to the commencement of construction.

#### 5. Archaeological Assessment

15. A Stage 1 AA was completed by Stantec and was submitted to the MCM for review and acceptance. The Stage 1 AA found that the Project area does not retain archaeological potential and recommends no further assessments be completed. MCM acceptance of the report was provided on November 6, 2023. The Stage 1 AA can be found in Appendix D of the ER.

ENVIRONMENTAL REPORT

1. Due to the size of the ER, a copy has been provided under separate cover. The link to the ER can be found electronically by accessing the following link, then navigating to the “Regulatory Information” tab:

<https://www.enbridgegas.com/about-enbridge-gas/projects/overlea-relocation-project>

## LAND MATTERS & AGREEMENTS

### 1. Land Requirements

1. The PR for the Project is described in Exhibit D, Tab 1, Schedule 1, and in Section 4.0 of the ER, found at Exhibit F, Tab 1 Schedule 1, Attachment 1.
2. The PR follows public road allowance for the majority of the Project. However, a bylaw or easement may be required where municipal road allowances are not dedicated. In addition, Enbridge Gas will be required to obtain road occupancy permits from the City of Toronto.
3. Enbridge Gas will require approximately 411 m<sup>2</sup> of permanent easements to facilitate construction. Enbridge Gas will begin to execute the necessary land rights agreements discussed below with impacted landowners in the second quarter of 2024.
4. Enbridge Gas has initiated meetings with the landowners from whom permanent easements are required and will continue to meet with them to obtain options to acquire all the necessary land rights.

### 2. Permits & Agreements Required

5. Potential permits and agreements that may be required for the Project are listed in Table 1.

Table 1  
Potential Permits & Agreements Required

<u>Authority</u>	<u>Purpose</u>
City of Toronto	<ul style="list-style-type: none"><li>• Cut Permit, Road Occupancy Permit.</li></ul>
Metrolinx	<ul style="list-style-type: none"><li>• Permanent easements required for gas main relocation.</li></ul>

6. Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

### 3. Landowner Agreements

7. Enbridge Gas will obtain all required permits, agreements to grant easements, easements, and temporary working area agreements, if and as required for the route and location of the proposed facilities prior to the commencement of construction. If it is determined that temporary working area agreements are required, affected landowners will be provided with Enbridge Gas's standard form of Working Area Agreement.
8. Attachment 1 contains the standard form of Working Area Agreement that will be provided to landowners. Attachment 2 contains the standard form of Easement Agreement that will be provided to landowners if a permanent easement is required. The standard form of Working Area Agreement and Easement Agreement are the same as those approved for use in Enbridge Gas's Scarborough Subway Extension – Kennedy Station Relocation Project.<sup>1</sup>

### 4. Landowner List

9. Attachment 3 to this Exhibit identifies the directly impacted landowners. Directly impacted landowners are those landowners whose lands are directly impacted by the Project work. Enbridge Gas will provide notice of this application to all landowners listed in Attachment 3.

---

<sup>1</sup> EB-2022-0247, Exhibit G-1-1, Attachments 1 and 2; EB-2022-0247, Decision and Order (May 9, 2023). "Pursuant to section 97 of the OEB Act, the OEB approves the form of Easement Agreement and Form of Temporary Working Area Agreement that Enbridge Gas Inc. has offered or will offer to each owner of land affected by the Project."



**WORKING AREA AGREEMENT**

THIS AGREEMENT made the    day of                   , 20

BETWEEN:

(hereinafter called the “Owner”)

-and-

**ENBRIDGE GAS INC.**

(hereinafter called the “Company”)

WHEREAS:

1. The Company intends to construct and install a pipeline for the distribution of natural and/or manufactured gas through Lot, Concession/Plan                   , in the Township of
2. To facilitate the construction of such pipeline, the Company requires a                   wide temporary working area adjacent to the pipeline;
3. The Owner is the owner of the lands adjacent to the pipeline and has agreed to allow the Company to use such working area to construct and install the pipeline.

NOW THEREFORE THIS AGREEMENT provides that in consideration of the sum of \_\_\_\_\_DOLLARS (\$) paid by the Company to the Owner, receipt whereof is hereby acknowledged, the Owner hereby agrees to permit the Company, its employees and agents, with or without vehicles and/or machinery, to enter upon, use and otherwise occupy during the period of construction of the pipeline, an area adjacent to the pipeline and being a distance of                   m.

The Company agrees that at its own expense it will make all grading, repairs and replacements necessary to restore the lands to as near its original condition as is practicable upon the termination of such work. The Company shall pay for all damages to land, crops, timber or improvements caused by its operations.

**IN WITNESS WHEREOF** the parties have executed this Agreement.

SIGNED, SEALED AND DELIVERED  
In the presence of

)  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_  
)  
)  
)  
) **ENBRIDGE GAS INC.**  
)  
) \_\_\_\_\_  
)  
) \_\_\_\_\_

**TRANSFER OF EASEMENT**  
*(Blanket or Specified Lands)*

**Definitions**

For the purposes of this easement the following capitalized words shall have the following meanings:

**“Company”** or **“Transferee”** means Enbridge Gas Inc.

**“Dominant Tenement”** means the lands described in Schedule 1 attached hereto.

**“Easement Lands”** or **“Servient Tenement”** means the lands described in the Properties heading of the document to which this schedule is attached.

**“Equipment”** means, collectively, all pipelines, piping, meters, attachments, appurtenances, apparatus, appliances, markers, fixtures, works and other equipment constructed or to be constructed by Company in, on and/or under the Servient Tenement.

**“Owner”** or **“Transferor”** means the owner of the Property.

**IN CONSIDERATION OF THE COVENANTS HEREIN**, the parties hereto agree as follows:

- (1) Owner hereby transfers, sells, grants and conveys in perpetuity to Company, its successors and assigns, a free and unencumbered easement in, over, upon, under and/or through the Easement Lands, to survey, lay, construct, install, operate, use, inspect, remove, renew, replace, alter, enlarge, reconstruct, repair, expand and maintain the Equipment which Company may deem necessary or convenient thereto. This transfer of easement shall include the right of Company, its successors, assigns, servants and agents to use the surface of the Easement Lands for ingress and egress on foot and/or with vehicles, supplies, machinery and equipment at any time and from time to time.
- (2) Company shall have the right at any time and from time to time to remove any boulder or rock and to sever, fell, remove or control the growth of any roots, trees, stumps, brush or other vegetation on or under the Easement Lands.
- (3) The rights of Company herein shall be of the same force and effect as a covenant running with the Easement Lands and shall be appurtenant to the lands and premises described in this Schedule as Company's Lands.
- (4) Company shall have the right to assign or transfer its rights hereunder in whole or in part.

- (5) This Transfer shall extend to, be binding upon and enure to the benefit of the estate trustees, successors and assigns of the parties hereto. If Owner is not the sole owner of the said lands, this Transfer shall bind Owner to the full extent of its interest therein and shall also extend to any after-acquired interest but all monies payable or paid to Owner hereunder shall be paid to Owner only in the proportion that its interest in the said lands bears to the entire interest therein. Owner hereby agree that all provisions herein are reasonable and valid and if any provision herein is determined to be unenforceable, in whole or in part, it shall be severable from all other provisions and shall not affect or impair the validity of all other provisions.
- (6) Owner shall have the right to use and enjoy the surface of the Easement Lands except that such use and enjoyment shall not interfere with the rights of Company hereunder. Without limiting the generality of the foregoing, Owner shall not, without the prior written consent of Company, place or erect on the Easement Lands any building, structure or fence and shall not excavate, alter the grading, drill, install thereon any pit, well, foundation and/or pavement which will obstruct or prevent the exercise and enjoyment by Company of its rights hereunder.
- (7) Notwithstanding any rule of law or equity, any Equipment constructed by Company shall be deemed to be the property of Company even though the same may have become annexed or affixed to the Easement Lands.
- (8) Company shall at its own expense as soon as reasonably possible after the construction of any Equipment or other exercise of its rights hereunder, remove all surplus sub-soil and debris from the Easement Lands and restore them to their former state so far as is reasonably practicable.
- (9) Owner covenants that:
  - a. they have the right to convey the rights hereby transferred to Company;
  - b. Company shall have quiet enjoyment of the rights hereby transferred;
  - c. Owner or its successors and assigns will execute such further assurances and do such other acts (at Company's expense) as may be reasonably required to vest in Company the rights hereby transferred; and
  - d. Owner has not done, omitted or permitted anything whereby the Easement Lands is or may be encumbered (except as the records of the Land Registry Office disclose).
- (10) Owner represents and warrants that the Easement Lands have not been used for the storage of and do not contain any toxic, hazardous, dangerous, noxious or waste substances or contaminants (collectively the "**Hazardous Substances**"). If Company encounters any Hazardous Substances in undertaking any work on the Easement Lands, it shall give notice to Owner. At the expense of Owner, Company (or, at Company's option, Owner) shall effect the removal of such Hazardous Substances in

accordance with the laws, rules and regulations of all applicable public authorities. In acquiring its interests in the Easement Lands pursuant to this Easement, Company shall be deemed not to acquire the care or control of the Easement Lands or any component thereof.

- (11) Company covenants and agrees that it shall comply with applicable federal and provincial environmental legislation in connection with the use of this Easement Lands and the rights granted herein.
- (12) Whenever the singular or neuter is used it shall, where necessary, be construed as if the plural or feminine or masculine has been used and vice versa, as the case may be.
- (13) Company hereby declares that this easement is being acquired by Company for the purpose of a hydrocarbon line within the meaning of Part VI of the *Ontario Energy Board Act, 1998* and/or a utility line within the meaning of the *Ontario Energy Board Act, 1998*.

#### **SCHEDULE 1**

##### **DOMINANT TENEMENTS - TRANSFEREE'S LANDS**

PIN 64057-0029 (LT)  
PT TWP LT 92,THLD, AS IN AA 90798 S/T & T/W AA90798; WELLAND

PIN 04161-0019 (LT)  
PT LT 6 CON 6RF GLOUCESTER PART 1, 4R-10265 & PART 2, 5R-5963; GLOUCESTER

PIN 03187-0004 (LT)  
PT W1/2 LT 30 CON 2 MARKHAM AS IN MA49406; RICHMOND HILL

Directly Affected (D) Indirectly Affected (I)	PIN	First Name	Last Name	Company Name	Address Line 1	Address Line 2	City	Province	Postal Code	Property Description	Condo Management Company	Mortgage, Lien/Lease/Encumbrances	REG. NUM	Address Line 1	City	Province	Postal Code
D	103690002			CITY OF TORONTO	100 Queen St W		Toronto	ON	M5H 2N1	PCL PLAN-1 SEC M736; OVERLEA BLVD PL M736 LEASIDE; TORONTO , CITY OF TORONTO		METROLINX	AT6487026	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103721087			METROLINX	20 Bay Street Suite 600		Toronto	ON	M5J 2W3	PART BLOCK B PLAN M778 EAST YORK DESIGNATED AS PARTS 1, 2 AND 3 ON EXPROPRIATION PLAN AT6380017 CITY OF TORONTO		METROLINX	AT6371087	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103721088			SUNCOR ENERGY INC.	1896 Eglinton Ave E		SCARBOROUGH	ON	M1L 2L9	BLOCK B PLAN M778 EAST YORK EXCEPT PARTS 1, 2 AND 3 ON EXPROPRIATION PLAN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PART 4 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 5 AND 6 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 CITY OF TORONTO		Petro Canada	C291936	800 Bay St	Toronto	ON	M5S 1Y8
D	103721088			SUNCOR ENERGY INC.	1896 Eglinton Ave E		SCARBOROUGH	ON	M1L 2L9	BLOCK B PLAN M778 EAST YORK EXCEPT PARTS 1, 2 AND 3 ON EXPROPRIATION PLAN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PART 4 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 5 AND 6 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 CITY OF TORONTO		THE CORPORATION OF THE BOROUGH OF EAST YORK	E135630	850 Coxwell Ave	East York	ON	MAC 5R1
D	103721088			SUNCOR ENERGY INC.	1896 Eglinton Ave E		SCARBOROUGH	ON	M1L 2L9	BLOCK B PLAN M778 EAST YORK EXCEPT PARTS 1, 2 AND 3 ON EXPROPRIATION PLAN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PART 4 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 5 AND 6 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 CITY OF TORONTO		SUNCOR ENERGY INC.	AT2583163	2489 North Sheridan Way	Mississauga	ON	L5K 1A8
D	103721088			SUNCOR ENERGY INC.	1896 Eglinton Ave E		SCARBOROUGH	ON	M1L 2L9	BLOCK B PLAN M778 EAST YORK EXCEPT PARTS 1, 2 AND 3 ON EXPROPRIATION PLAN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PART 4 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 5 AND 6 ON EXPROPRIATION PLAN AT6380017 AS IN AT6380017 CITY OF TORONTO		METROLINX	AT6371087	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103720097			THE CORPORATION OF THE TOWN OF LEASIDE	100 Queen Street West		Toronto	ON	M5H 2N2	PCL F-3 SEC M736; PT BLK F PL M736 EAST YORK PT 2, R2135; TORONTO , CITY OF TORONTO		METROLINX	AT6487026	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103690008			METROLINX	10 OVERLEA BLVD		Toronto	ON	M4H1A4	PCL G-4 SEC M736; PT BLK G PL M736 LEASIDE PT 2, R2162; TORONTO , CITY OF TORONTO		METROLINX	AT6374687	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103690010			METROLINX	16 Overlea Blvd #14		Toronto	ON	M4H1A4	PCL A-19 SEC M736; PT BLK A PL M736 LEASIDE PT 1 TO 10, R2377; TORONTO, CITY OF TORONTO		METROLINX	AT5942335	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3
D	103690007			CITY OF TORONTO	100 Queen St W		Toronto	ON	M5H 2N1	PCL A-22 SEC M736; PT BLK A PL M736 LEASIDE PT 2, R1465 & PT 2, R1787; PCL G-5 SEC M736; PT BLK G PL M736 LEASIDE PT 1, R2162; TORONTO, CITY		THE CORPORATION OF THE TOWN OF LEASIDE	AT5954737	100 Queen Street West	Toronto	ON	M5H 2N2

Directly Affected (D) Indirectly Affected (I)	PIN	First Name	Last Name	Company Name	Address Line 1	Address Line 2	City	Province	Postal Code	Property Description	Condo Management Company	Mortgage, Lien/Lease/Encumbrances	REG. NUM	Address Line 1	City	Province	Postal Code	
D	103690007			CITY OF TORONTO	100 Queen St W		Toronto	ON	MSH 2N1	PCL A-22 SEC M736; PT BLK A PL M736 LEASIDE PT 2, R1465 & PT 2, R1787; PCL G-5 SEC M736; PT BLK G PL M736 LEASIDE PT 1, R2162; TORONTO, CITY		METROLINX	AT6487026	20 Bay Street Suite 600	Toronto	ON	MSJ 2W3	
D	██████	██████	██████	██████████████████	██████████		██████	██	██████	UNIT 1, LEVEL 1, METRO TORONTO CONDOMINIUM PLAN NO. 1262 AND ITS APPURTENANT INTEREST. THE DESCRIPTION OF THE CONDOMINIUM PROPERTY IS: PCL F-10, SECT M-736, PT BLOCK F, PLAN M-736, BEING PT 3 ON PLAN R-2135. S/T AS SET OUT IN SCHEDULE "A" OF DECLARATION NO.E-267106, CITY OF TORONTO., CITY OF TORONTO SUBJECT TO AN EASEMENT IN GROSS OVER PTS 1 & 2 ON EXPROPRIATION PLAN AT6380080 AS IN AT6380080	Metropolitan Toronto Condominium Corporation No. 1262 Address for Service 125 Norfinch Dr, 203 North York, Ontario M3N 1W8							
D	██████	██	██████	██████████████████	██████████		██████	██	██████	UNIT 1, LEVEL 1, METRO TORONTO CONDOMINIUM PLAN NO. 1262 AND ITS APPURTENANT INTEREST. THE DESCRIPTION OF THE CONDOMINIUM PROPERTY IS: PCL F-10, SECT M-736, PT BLOCK F, PLAN M-736, BEING PT 3 ON PLAN R-2135. S/T AS SET OUT IN SCHEDULE "A" OF DECLARATION NO.E-267106, CITY OF TORONTO., CITY OF TORONTO SUBJECT TO AN EASEMENT IN GROSS OVER PTS 1 & 2 ON EXPROPRIATION PLAN AT6380080 AS IN AT6380080	Metropolitan Toronto Condominium Corporation No. 1262 Address for Service 125 Norfinch Dr, 203 North York, Ontario M3N 1W8							

## INDIGENOUS<sup>1</sup> CONSULTATION

1. Enbridge Gas is committed to developing and implementing processes that support meaningful engagement with potentially affected Indigenous groups (First Nations and Métis). Through these processes, Enbridge Gas works to build an understanding of project related interests, ensure regulatory requirements are met, mitigate or avoid project-related impacts on Indigenous interests including rights, and provide mutually beneficial opportunities where possible.

### 1. Introduction

2. Pursuant to the OEB's Guidelines,<sup>2</sup> Enbridge Gas provided the Ontario Ministry of Energy (ENERGY) with a description of the Project to determine if there are any duty to consult requirements and, if so, if ENERGY would delegate the procedural aspects of the duty to consult to Enbridge Gas. This correspondence, dated February 13, 2023, is set out in Attachment 1 to this Exhibit.
3. Enbridge Gas received a letter (Delegation Letter) from ENERGY dated June 29, 2023, indicating that ENERGY had delegated the procedural aspects of consultation for the Project to Enbridge Gas. The Delegation Letter identified one Indigenous community to be consulted. A copy of the Delegation Letter is provided in Attachment 2 to this Exhibit.
4. The Indigenous Consultation Report (ICR) was provided to ENERGY on the date of this filing. Enbridge Gas understands ENERGY will review Enbridge Gas's consultation with potentially affected Indigenous groups and provide a decision as to whether Enbridge Gas's consultation has been sufficient. Upon receipt of ENERGY's

---

<sup>1</sup> Enbridge Gas has used the terms "Aboriginal" and "Indigenous" interchangeably in its application. "Indigenous" has the meaning assigned by the definition "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*.

<sup>2</sup> OEB's *Environmental Guidelines for the Construction and Operation of Hydrocarbon Projects and Facilities in Ontario*, 8th Edition.

decision regarding the sufficiency of Indigenous consultation for the Project, Enbridge Gas will file a copy with the OEB. The sufficiency letter provided by ENERGY will be included as Attachment 3 to this Exhibit.

## 2. Indigenous Engagement Program Objectives

5. The design of the Indigenous engagement program was based on the OEB's Guidelines and Enbridge Inc.'s company-wide *Indigenous Peoples Policy* (Policy) (set out in Attachment 4 to this Exhibit). The Policy lays out key principles for establishing relationships with Indigenous groups, which include:
  - Recognizing the importance of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in the context of existing Canadian law.
  - Recognizing the legal and constitutional rights possessed by Indigenous Peoples in Canada and the importance of the relationship between Indigenous Peoples and their traditional lands and resources.
  - Engaging early to achieve meaningful relationships with Indigenous groups by providing timely exchanges of information, understanding and addressing Indigenous project-specific concerns, and ensuring ongoing dialogue regarding its projects, their potential impacts and benefits.
  - Aligning Enbridge's interests with those of Indigenous groups through meaningful, direct Indigenous economic activity in projects corresponding to community capacity and project needs, where possible.
  
6. The Indigenous engagement program for the Project recognizes the rights of Indigenous groups and assists Enbridge Gas in engaging in meaningful dialogue about the Project with potentially affected Indigenous groups. It also assists Enbridge Gas in meeting the procedural aspects of consultation that may be required by the Crown and the OEB's Guidelines.



### 3. Overview of Indigenous Engagement Program Activities

7. Enbridge Gas conducts its Indigenous engagement generally through phone calls, in-person meetings, Project mail-outs, open houses and email communications. During these engagement activities, Enbridge Gas representatives provide an overview of the Project, respond to questions and concerns, and address any interests or concerns expressed by Indigenous groups to appropriately mitigate any Project-related impacts. In order to accurately document Indigenous engagement activities and ensure follow-up, applicable supporting documents are tracked using a database.

### 4. Ongoing Indigenous Engagement Activities

8. Enbridge Gas will continue to actively engage all identified potentially affected Indigenous groups in meaningful ongoing dialogue concerning the Project and endeavor to meet with each Indigenous group, provided they are willing, to exchange information regarding the Project, respond to inquiries in a timely manner and address questions or concerns, if any. Enbridge Gas will seek information on the exercise of, and potential impacts to, Aboriginal or treaty rights, traditional use in the Project area and how any Project-related potential impacts can be mitigated. Enbridge Gas also engages as appropriate with ENERGY to ensure it is kept apprised of rights assertions by Indigenous groups.
9. Attachment 5 to this Exhibit contains a summary of Enbridge Gas's Indigenous engagement activities for the Project. Attachment 6 to this Exhibit contains the ICR and substantive correspondence related to the Project.
10. The information presented in Attachment 5 and Attachment 6 reflects Enbridge Gas's Indigenous engagement activities for the Project up to and including March 21, 2024. Enbridge Gas will continue to engage throughout the life of the Project to ensure potential impacts on Aboriginal or treaty rights are addressed, as appropriate.

February 13, 2023

**VIA EMAIL – amy.gibson@ontario.ca**

Ministry of Energy  
Amy Gibson  
Manager, Indigenous Energy Policy

**Re: Ontario Line Subway Expansion – Overlea Station Relocation Project**

Dear Ms. Gibson,

The *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7<sup>th</sup> Edition 2016* (the “Guidelines”) issued by the Ontario Energy Board (“OEB”) indicate that a project applicant shall provide the Ministry of Energy (“MOE”) with a description of projects in the planning process, such that the MOE can determine if there are any Duty to Consult requirements.

The purpose of this letter is to inform the MOE that Enbridge Gas Inc. (“Enbridge Gas”) is proposing to construct new natural gas pipeline facilities to accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto. The Ontario Line Subway Expansion – Overlea Station Relocation Project (the “Project”), is anticipated to include:

- i. The relocation/replacement of approximately 750 m of Nominal Pipe Size (“NPS”) 12-inch natural gas pipeline with the installation of approximately 1100 m of NPS 8-inch natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive in the City of Toronto;
- ii. The relocation of approximately 120 m of NPS 4-inch natural gas pipeline along Leaside Park Drive in the City of Toronto;
- iii. The relocation of approximately 95 m of NPS 4-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- iv. The relocation of approximately 50 m of NPS 6-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- v. The installation of one Header Station along Leaside Park Drive, the installation of one District Station along Thorncliffe Park Drive, and the abandonment of one existing District Station along Millwood Road in The City of Toronto; and

- vi. The installation of approximately 360 m of NPS 4-inch natural gas pipeline between Overlea Boulevard and Banigan Drive onto Metrolinx private property (to become a new City of Toronto road in the future).

Enbridge Gas expects that the Project will require the Company to file a leave to construct application with the OEB. Enbridge Gas is therefore contacting the MOE to determine whether the Project triggers any Duty to Consult and, if so, to acquire a list of Indigenous communities that have or may have constitutionally protected Aboriginal or Treaty rights that could be adversely impacted by the proposed Project.

Attachment 1 contains a description of the Project's characteristics and its general location for the MOE's review and to assist it with its determination as to whether it will delegate the procedural aspects of the Duty to Consult to Enbridge Gas. While work on the Project is still in its early stages, Enbridge Gas would be pleased to discuss the Project with you should you have any questions.

Regards,

*Evan Tomek*

Evan Tomek  
Advisor, Regulatory Applications – Leave to Construct

## **Attachment 1**

### **1.0 Project Description**

#### **a) What is the description of the project?**

Metrolinx has requested Enbridge Gas Inc. (“Enbridge Gas”) relocate existing natural gas pipeline assets in the City of Toronto to accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit Project. Based on the conflict between Metrolinx’s proposed Overlea Station and Enbridge Gas’ existing natural gas pipeline assets, Enbridge Gas has identified the need to:

- i. Relocate/replace approximately 750 m of Nominal Pipe Size (“NPS”) 12-inch natural gas pipeline with the installation of approximately 1100 m of NPS 8-inch natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive in the City of Toronto;
- ii. Relocate approximately 120 m of NPS 4-inch natural gas pipeline along Leaside Park Drive in the City of Toronto;
- iii. Relocate approximately 95 m of NPS 4-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- iv. Relocate approximately 50 m of NPS 6-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- v. Install one Header Station along Leaside Park Drive, install one District Station along Thorncliffe Park Drive, and abandon one District Station along Millwood Road in the City of Toronto; and
- vi. Install approximately 360 m of NPS 4-inch natural gas pipeline between Overlea Boulevard and Banigan Drive onto Metrolinx private property (to become a new City of Toronto road in the future).<sup>1</sup>

These facilities are proposed to be placed into service by October 2024 and are collectively referred to as the “Project” herein.

#### **b) What is the purpose/need of the project?**

The Project will accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit Project, while maintaining existing service to Enbridge Gas customers in the City of Toronto by providing access to safe, reliable and affordable natural gas.

#### **c) Is this a new project or a replacement/redevelopment project?**

This is a replacement/redevelopment project to resolve the conflict with Metrolinx’s proposed Ontario Line Overlea Station construction.

<sup>1</sup> The new City of Toronto road will be named “Leaside Park Extension.”

## 2.0 Project Details

- a) Where is the project located? Please attach or embed a map. Coordinates of any start/end locations and proposed facilities are helpful. Include shape (SHP) file if available at this time or follow up when it is available.**

A map of the Project Study Area is set out in Figure 1, and reflects the following Project components:

- Overlea Boulevard (Millwood Road to Thorncliffe Park Drive): proposed NPS 8-inch diameter polyethylene (“PE”) natural gas pipeline;
- Leaside Park Drive: proposed NPS 4-inch diameter PE natural gas pipeline and proposed Header Station;
- Thorncliffe Park Drive: proposed NPS 8-inch diameter steel (“ST”) & NPS 6-inch diameter PE natural gas pipelines, and proposed District Station;
- Millwood Road: abandonment of one existing District Station; and
- Leaside Park Extension on Metrolinx private property (Overlea Boulevard to Banigan Drive): proposed NPS 4-inch diameter PE natural gas pipeline.

- b) What is the length of the proposed pipeline(s)?**  
**a. If several routing options are being considered, please include the range.**

The Project consists of the following proposed pipeline lengths:

- NPS 4-inch: approximately 575 m;
- NPS 6-inch: approximately 50 m; and
- NPS 8-inch: approximately 1100 m.

- c) What is the diameter of the pipeline(s)?**

- NPS 4-inch;
- NPS 6-inch; and
- NPS 8-inch.

- d) Will the pipeline(s) be underground or above ground?**

All pipelines will be installed below ground. The normal depth of ground cover over the pipeline will be 0.9 to 1.2 m. However, the pipeline may be installed at a greater depth to provide additional protection in areas where it crosses underneath existing infrastructure.

- e) How is the land along the route of the pipeline currently being used?**

The Project does not cross any crown land and includes only the following property types: municipal right of way and private property.

- f) Will the pipeline be located along an existing right of way?**

The Project will be located within existing municipal right of way and on permanent easements on Metrolinx-owned properties. Through discussions with Metrolinx, a preliminary project route has been established, as shown in Figure 1. There are a number of project constraints which limits the opportunity to explore additional routes including but not limited to property constraints, utility congestion within the municipal right of way, conflict areas with the proposed transit infrastructure, and the need to maintain the existing connections to the Enbridge Gas network and Enbridge Gas customers. Enbridge Gas

anticipates that permanent easement and temporary working space and laydown areas will be required on Metrolinx-owned properties only. Enbridge Gas will work with Metrolinx to identify and secure appropriate working space and easements as required.

**g) What structures/facilities have the potential to be built during construction?**

There are no structures/facilities that will be built by Enbridge Gas during construction, other than underground natural gas pipelines.

**h) Will digging generally be required, such that it has the potential to impact archaeological resources?**

The Project area is located in a densely populated and previously disturbed area.

The main method of pipeline installation is planned to be via open-cut trenching. The segment of pipeline along Overlea Boulevard is planned to be installed via Horizontal Directional Drilling (“HDD”), which minimizes the need for mechanical excavation.

An archaeological assessment will be completed for the project by a licensed archaeologist and will be submitted for review and acceptance by the Ministry of Citizenship and Multiculturalism.

**i) How long is the proposed construction phase? Will construction take place across the line in phases, or all at once?**

Construction is planned in four phases and may take up to 195 days.

**j) Does the project include a laydown area(s) (e.g., adjacent areas)? What is the anticipated general size and location (i.e., on an easement or Right of Way (ROW), immediately adjacent to a ROW, close but not adjacent, etc.)?**

The Project will be located within existing municipal right of ways and previously disturbed corridors. Permanent easements and temporary working spaces will be required and will be granted to Enbridge Gas by Metrolinx. Permanent easement will be required at 10 Overlea Boulevard in The City of Toronto. Given the current stage of Project design, Enbridge Gas is unable to provide an estimate of any temporary land use locations and dimensions required with any certainty at this time.

**k) Does the project include any water crossings?**

No, the Project does not include any water crossings.

**l) Will the project intersect with any forests or woodlots?**

The Project is not anticipated to intersect with any forests or woodlots. Should tree clearing be necessary, Enbridge will obtain all required permits and authorizations to complete tree clearing.

**m) Are there any ancillary developments required? (e.g., roads)**

Given the current stage of Project design, Enbridge Gas does not anticipate that any ancillary developments will be required at this time.

**n) Is there signage or any fencing around the project lands/site?**

There will be safety fencing around excavations and work areas around the HDDs. Project signage will be posted around areas of construction.

**3.0 Project Development and Crown Decisions**

**a) What are the major phases of project development? (e.g., advanced exploration, pre-feasibility, feasibility, planning, EA, construction, operation, etc.)**

An Environmental Report (“ER”) for the Project will be prepared in accordance with the OEB Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition 2016 (the “Guidelines”), with support provided by consultant archeologists, cultural heritage specialists, and environmental professionals. The ER will identify the potential authorization required. The ER for this Project is anticipated to be completed in Q2 2023.

The design process involves the selection of a specific running line location, appropriate materials, the selection of valves/fittings and location(s) for open cut excavation and for trenchless drilling activities. Information obtained from the geotechnical analysis, subsurface utility engineering, and soil sampling is typically used to inform pipeline design.

Engineered drawings will be produced with the final design and issued to local municipalities and other regulators for approval. Once all approvals are obtained, final engineered drawings will be prepared for construction.

Construction is proposed to start Q3 2024 and the facilities are anticipated to be placed into service by the end of Q2 2025.

**b) What are the anticipated provincial Crown decisions/ on permits or approvals that must be made in relation to this proposed project?**

Enbridge Gas’s preliminary work on the Project has identified potential authorizations which are presented in response to questions 3.0 b) and 3.0 c). A complete list will be available following the completion of the ER and following consultation activities with relevant regulatory agencies.

Provincial:

- Ministry of Citizenship and Multiculturalism – Archaeological Assessment and Cultural Heritage Assessment.
- Ministry of the Environment, Conservation and Parks - 1. Permit to Take Water or Environmental Activity and Sector Registry 2. Endangered Species Act permits.
- Metrolinx - Corridor Development Permit and Easement Agreements.

**c) Are there any federal or municipal permits or approvals associated with the proposed project?**

Municipal:

- The City of Toronto – Full Stream Cut Permit

Other:

- Toronto Public Utilities Coordinating Committee – Utility Clearances.

Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

#### **4.0 Foreseeable Impacts**

**a) What potential impacts on air, water, land and/or natural resources can reasonably be foreseen?**

Previous pipeline construction experience and a review of post-construction monitoring reports from other projects indicate that potential impacts from Project construction are generally minimal and temporary. The mitigation and protective measures implemented to eliminate or reduce impacts are well known and have been proven to be effective. With the implementation of the recommendations in the ER, ongoing communication and consultation, and adherence to permit, regulatory and legislative requirements, it is anticipated that any residual impacts of the Project will not be significant.

**b) What is the anticipated geographical scope of the impacts?**

Impacts are anticipated to be limited to the immediate vicinity of the Project scope.

**c) What is the anticipated temporal scope of the impacts? (e.g., will they last only for the duration of the construction phase, or are longer term operational impacts anticipated or possible?)**

It is expected that the majority of adverse environmental and/or socio-economic effects will be construction related. These effects are expected to be temporary and transitory. The Project will also be underground once construction is complete, further limiting the potential for any long-term effects.

Mitigation measures recommended in the ER will be followed in conjunction with Enbridge Gas's Construction and Maintenance standards. In addition, Enbridge Gas will use professional judgment, past experience, industry best practices, and any additional feedback received through the consultation process when constructing the Project.

#### **5.0 Indigenous Community Engagement and Any Known Interests**

**a) Have any Indigenous communities already been engaged or otherwise made aware of the proposed project? If so, which ones?**

No Indigenous communities have been engaged or made aware of the proposed project so far.

**b) Have any Indigenous communities expressed an interest or concern regarding this specific project?**

No communities have expressed any concerns with the Project.

**c) Have any Indigenous communities previously demonstrated a known interest in the project area or in other Enbridge projects in the area?**

- i. If so, is Enbridge aware of any specific concerns or interests from these Indigenous communities?**



Enbridge Gas recently filed a Leave to Construct application for the Scarborough Subway Extension - Kennedy Station Relocation Project which is located in close geographic proximity to the Project. Per the Delegation Letter provided by the MOE for that project, Enbridge Gas has engaged with the following communities: Aldersville First Nation, Beausoleil First Nation, Curve Lake First Nation, Chippewas of Rama First Nation, Chippewas of Georgina Island, Hiawatha First Nation, Mississauga of Scugog Island First Nation, Kawartha Nishnawbe, Huron Wendat, and Mississauga of the Credit First Nation.

**d) Will communities have the opportunity to participate as environmental or archaeological monitors?**

Yes, as part of Enbridge Gas' engagement on the project, Indigenous communities will have the opportunity to participate as environmental or archaeological monitors.

**e) Are there any economic opportunities or benefits available for communities in connection with the project?**

Indigenous businesses may be included in Request for Proposals that are submitted by contractors in accordance with Enbridge Gas's "Socio-Economic Requirements of Contractors" process. Capacity funding to support project related engagement will be offered to all Indigenous communities identified in the Duty to Consult letter.

## **6.0 Contact Information**

*Regulatory Applications:*

Evan Tomek

[evan.tomek@enbridge.com](mailto:evan.tomek@enbridge.com)

Office: (519) 436-4600 ext. 5003441

Cell: (226) 229-9598

*Community & Indigenous Engagement:*

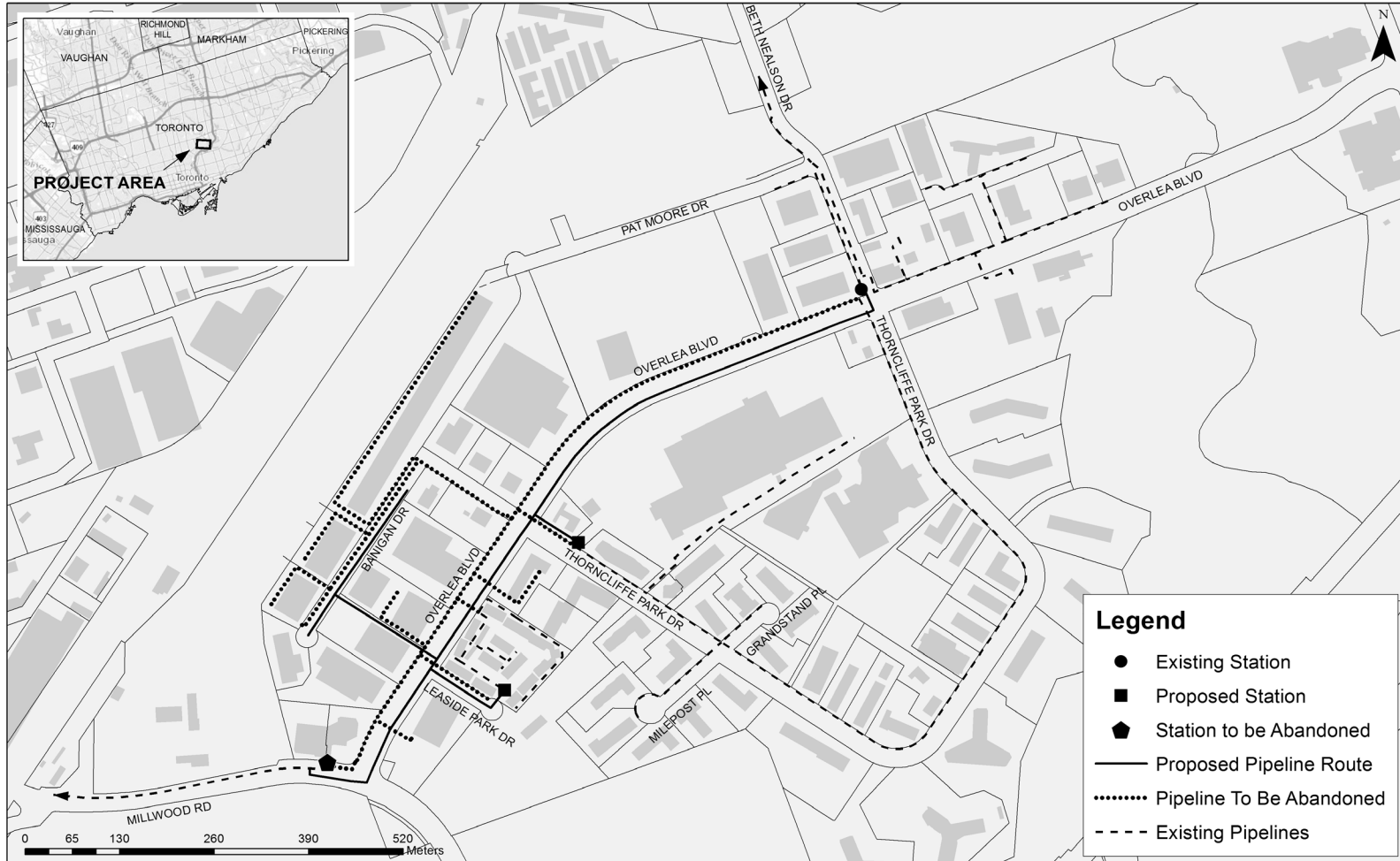
Melanie Green

[melanie.green@enbridge.com](mailto:melanie.green@enbridge.com)

Cell: (613) 297-4365

**Figure 1: Project Study Area**

*Ontario Line (OL) - Overlea Relocation*



Ministry of Energy

Energy Networks and Indigenous Policy  
Branch

Indigenous Energy Policy

77 Grenville Street, 6<sup>th</sup> Floor  
Toronto, ON M7A 67C  
Tel: (416) 315-8641

Ministère de l'Énergie

Direction Générale des Réseaux Énergétiques  
et des Politiques Autochtones

Politique Énergétique Autochtones

77 Rue Grenville, 6<sup>e</sup> Étage  
Toronto, ON M7A 67C  
Tel: (416) 315-8641



June 29, 2023

VIA EMAIL

Evan Tomek  
Enbridge Gas Incorporated  
Advisor, Regulatory Applications – Leave to Construct  
Enbridge Inc.  
50 Keil Drive North | Chatham, ON N7M 5M1  
email: [evan.tomek@enbridge.com](mailto:evan.tomek@enbridge.com)

**Re: Ontario Line Subway Expansion – Overlea Station Relocation Project**

Dear Evan Tomek:

Thank you for your email dated April 13, 2023, notifying the Ministry of Energy (ENERGY) of Enbridge Gas Inc.'s (Enbridge) intention to apply to the Ontario Energy Board (OEB) for Leave to Construct for the Ontario Line Subway Expansion Project - Overlea Station Relocation Project (the Project).

I understand that Enbridge is proposing to construct new natural gas pipeline facilities in East York to accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit project, while maintaining the existing service to Enbridge customers in the City of Toronto. Enbridge is proposing the relocation of 5 pipeline components that range between 50 and 1100 meters of pipeline, and the installation of one Header Station and one District Station, as well as the abandonment of one existing District Station. The pipelines are proposed to be located within existing municipal right of ways, in densely populated areas and previously disturbed corridors, and would require minimal digging. From what I understand, the Header and District stations are installed above-ground and would not require a lot of digging or disturbance to the area. Enbridge's proposal also indicates that the Project does not include any water crossings and is not anticipated to intersect with any forests or woodlots.

On behalf of the Government of Ontario (the Crown), ENERGY has reviewed the information provided by Enbridge with respect to the Project and assessed it against the Crown's current understanding of the interests and rights of Aboriginal communities who hold or claim Aboriginal, or treaty rights protected under Section 35 of Canada's *Constitution Act 1982* in the area. In doing so, ENERGY has determined that the Project may have the potential to affect such Indigenous communities.

The Crown has a constitutional duty to consult and, where appropriate, accommodate Indigenous communities when the Crown contemplates conduct that might adversely impact

established or asserted Aboriginal or Treaty rights. These consultations are in addition to consultation imposed by statute.

While the legal responsibility to meet the duty to consult lies with the Crown, the Crown may delegate the day-to-day, procedural aspects of consultation to project proponents. Such a delegation by the Crown to project proponents is routine practice for ENERGY.

I am writing to advise you that on behalf of the Crown, ENERGY is delegating the procedural aspects of consultation in respect of the Project to Enbridge (Proponent) through this letter. ENERGY expects that the Proponent will undertake the procedural aspects of consultation with respect to any regulated requirements for the proposed Project. The Crown and/or its agents will fulfill the substantive aspects of consultation and retain oversight over all aspects of the process for fulfilling the Crown’s duty. Please see the appendix for information on the roles and responsibilities of both the Crown and the Proponent.

Based on the Crown’s assessment of First Nation and Métis community rights and potential project impacts, the following Indigenous community should be consulted on the basis that they have or may have constitutionally protected Aboriginal or Treaty rights that may be adversely affected by the Project.

Community	Mailing Address
<b>Mississaugas of the Credit First Nation</b>	2789 Mississauga Road R.R. #6 Hagersville, ON N0A 1H0 T: (905) 768-1133 <a href="http://mncfn.ca/">http://mncfn.ca/</a>

Based on currently available information about the Project’s anticipated impacts, ENERGY’s preliminary assessment has determined that consultation is owed at the low level of the consultation spectrum for the Mississaugas of the Credit First Nation. As such, ENERGY requires Enbridge to at a minimum notify the community of the Project; share information about the Project and provide an opportunity for the community to comment. Any issues raised by the community should be discussed and considered in light of the potential to impact rights, with mitigation or other forms of accommodation identified where appropriate. Enbridge’s initial notice of the Project to the community could include a request to confirm whether the community believes the Project will impact their rights and accordingly whether they are interested in being consulted. Should no response be received, Enbridge should continue to provide high-level notifications in accordance with project stage milestones.

Enbridge should also be able to demonstrate how any concerns were considered and responded to, and what impact they had on project decisions moving forward. More detailed information on the roles and responsibilities delegated to Enbridge is available in the appendix.

Should any of the communities indicate they are not interested in being consulted, please inform ENERGY so that we can consider revisions to the consultation list. Should information become available throughout the consultation process to suggest that project impacts will be significant enough to warrant a deeper level of consultation, Enbridge must inform ENERGY so that updated guidance can be provided. Should no response be received, the Proponent

should continue to provide high-level notifications in accordance with project stage milestones.

This rights-based consultation list is based on information that is subject to change. Consultation is ongoing throughout the duration of the project, including project development and design, consultation, approvals, construction, operation and decommissioning. First Nations and Métis communities may make new rights assertions at any time, and further project related developments can occur that may require additional First Nation and/or Métis communities to be notified and/or consulted.

If you become aware of potential rights impacts on Indigenous communities that are not listed above at any stage of project, please bring this to the attention of ENERGY with any supporting information regarding the claim at your earliest convenience.

### **Acknowledgement**

By accepting this letter, the Proponent acknowledges this Crown delegation and the procedural consultation responsibilities enumerated in the appendix. If you have any questions about this request, you may contact Farrah Ali-Khan, Senior Advisor, Indigenous Energy Policy ([farrah.ali-khan@Ontario.ca](mailto:farrah.ali-khan@Ontario.ca)).

I trust that this information provides clarity and direction regarding the respective roles of the Crown and Enbridge. If you have any questions about this letter or require any additional information, please contact me directly.

Sincerely,



Amy Gibson, Manager, Indigenous Energy Policy  
Energy Networks and Indigenous Policy Branch  
c: Ontario Pipeline Coordinating Committee (OPCC)

## **APPENDIX: PROCEDURAL CONSULTATION**

### **Roles and Responsibilities Delegated to the Proponent**

Please refer to the letter above for specific guidance on this Project. On behalf of the Crown, please be advised that your responsibilities as Project Proponent for this Project include:

- providing notice and information about the Project to Indigenous communities, with sufficient detail and at a stage in the process that allows the communities to prepare their views on the Project and, if appropriate, for changes to be made to the Project. This can include:
  - accurate, complete and plain language information including a detailed description of the nature and scope of the Project and translations into Aboriginal languages where appropriate;
    - maps of the Project location and any other affected area(s);
    - information about the potential negative effects of the Project on the environment, including their severity, geographic scope and likely duration. This can include, but is not limited to, effects on ecologically sensitive areas, water bodies, wetlands, forests or the habitat of species at risk and habitat corridors;
    - a description of other provincial or federal approvals that may be required for the Project to proceed;
    - whether the Project is on privately owned or Crown controlled land;
    - any information the Proponent may have on the potential effects of the Project, including particularly any likely adverse impacts on established or asserted Aboriginal or treaty rights;
  - a written request asking the Indigenous community to provide in writing or through a face-to-face meeting:
    - any information available to them that should be considered when preparing the Project documentation;
    - any information the community may have about any potential adverse impacts on their Aboriginal or treaty rights; and
    - any suggested measures for avoiding, minimizing or mitigating potential adverse impacts;
    - information about how information provided by the Indigenous community as part of the consultation process will be collected, stored, used, and shared for their approval;
  - identification of any mechanisms that will be applied to avoid, minimize or mitigate potential adverse impacts;
  - identification of a requested timeline for response from the community and the anticipated timeline for meeting Project milestones following each notification;
  - an indication of the Proponent's availability to discuss the process and provide further information about the Project;
  - the Proponent's contact information; and
  - any additional information that might be helpful to the community;

- following up, as necessary, with Indigenous communities to ensure they received Project notices and information and are aware of the opportunity to comment, raise questions or concerns and identify potential adverse impacts on their established or asserted rights;
- gathering information about how the Project may adversely affect Aboriginal or treaty rights;
- bearing the reasonable costs associated with the procedural aspects of consultation (paying for meeting costs, making technical support available, etc.) and considering reasonable requests by communities for capacity funding to assist in participating in the consultation process;
- considering and responding to comments and concerns raised by Indigenous communities and answering questions about the Project and its potential impacts on Aboriginal or treaty rights;
- as appropriate, discussing and implementing changes to the Project in response to concerns raised by Indigenous communities. This could include modifying the Project to avoid or minimize an impact on an Aboriginal or treaty right (e.g. altering the season when construction will occur to avoid interference with mating or migratory patterns of wildlife); and
- informing Indigenous communities about how their concerns were taken into consideration and whether the Project proposal was altered in response. It is considered a best practice to provide the Indigenous community with a copy of the consultation record as part of this step for verification.

If you are unclear about the nature of a concern raised by an Indigenous community, you should seek clarification and further details from the community, provide opportunities to listen to community concerns and discuss options, and clarify any issues that fall outside the scope of the consultation process. These steps should be taken to ensure that the consultation process is meaningful and that concerns are heard and, where possible, addressed.

You can also seek guidance from the Crown at any time. It is recommended that you contact the Crown if you are unsure about how to deal with a concern raised by an Indigenous community, particularly if the concern relates to a potential adverse impact on established or asserted Aboriginal or treaty rights.

The consultation process must maintain sufficient flexibility to respond to new information, and we request that you make all reasonable efforts to build positive relationships with all Indigenous communities potentially affected by the Project. If a community is unresponsive to efforts to notify and consult, you should nonetheless make attempts to update the community on the progress of the Project, the environmental assessment (if applicable) and other regulatory approvals.

If you reach a business arrangement with an Indigenous community that may affect or relate to the Crown's duty to consult, we ask that that Crown be advised of those aspects of such an arrangement that may relate to or affect the Crown's consultation obligations, and that the community itself be apprised of the Proponent's intent to so-appraise the Crown. Whether or not any such business arrangements may be reached with any community, the Crown expects the Proponent to fulfill all of its delegated procedural consultation responsibilities to the satisfaction of the Crown.

If the Crown considers that there are outstanding issues related to consultation, the Crown may directly undertake additional consultation with Indigenous communities, which could result in delays to the Project. The Crown reserves the right to provide further instructions or add communities throughout the consultation process.

### **Roles and responsibilities assumed directly by the Crown**

The role of the Crown in fulfilling any duty to consult and accommodate in relation to this Project includes:

- identifying for the Proponent, and updating as appropriate, the Indigenous communities to consult for the purposes of fulfillment of the Crown duty;
- carrying out, from time to time, any necessary assessment of the extent of consultation or, where appropriate, accommodation, required for the project to proceed;
- supervising the aspects of the consultation process delegated to the Proponent;
- determining in the course of Project approvals whether the consultation of Indigenous communities was sufficient;
- determining in the course of Project approvals whether accommodation of Indigenous communities, if required, is appropriate and sufficient.

### **Consultation Record**

It is important to ensure that all consultation activities undertaken with Indigenous communities are fully documented. This includes all attempts to notify or consult the community, all interactions with and feedback from the community, and all efforts to respond to community concerns. Crown regulators require a complete consultation record in order to assess whether Aboriginal consultation and any necessary accommodation is sufficient for the Project to receive Ontario government approvals. The consultation record should include, but not be limited to, the following:

- a list of the identified Indigenous communities that were contacted;
- evidence that notices and Project information were distributed to, and received by, the Indigenous communities (via courier slips, follow up phone calls, etc.). Where a community has been non-responsive to multiple efforts to contact the community, a record of such multiple attempts and the responses or lack thereof.
- a written summary of consultations with Indigenous communities and appended documentation such as copies of notices, any meeting summaries or notes including where the meeting took place and who attended, and any other correspondence (e.g., letters and electronic communications sent and received, dates and records of all phone calls);
- responses and information provided by Indigenous communities during the consultation process. This includes information on Aboriginal or treaty rights, traditional lands, claims, or cultural heritage features and information on potential adverse impacts on such Aboriginal or treaty rights and measures for avoiding, minimizing or mitigating potential adverse impacts to those rights; and



- a summary of the rights/concerns, and potential adverse impacts on Aboriginal or treaty rights or on sites of cultural significance (e.g. burial grounds, archaeological sites), identified by Indigenous communities; how comments or concerns were considered or addressed; and any changes to the Project as a result of consultation, such as:
  - changing the Project scope or design;
  - changing the timing of proposed activities;
  - minimizing or altering the site footprint or location of the proposed activity;
  - avoiding impacts to the Aboriginal interest;
  - environmental monitoring; and
  - other mitigation strategies.

As part of its oversight role, the Crown may, at any time during the consultation and approvals stage of the Project, request records from the Proponent relating to consultations with Indigenous communities. Any records provided to the Crown will be subject to the *Freedom of Information and Protection of Privacy Act*, however, may be exempted from disclosure under section 15.1 (Relations with Aboriginal communities) of the Act. Additionally, please note that the information provided to the Crown may also be subject to disclosure where required under any other applicable laws.

The contents of what will make up the consultation record should be shared at the onset with the Indigenous communities consulted with and their permission should be obtained. It is considered a best practice to share the record with the Indigenous community prior to finalizing it to ensure it is a robust and accurate record of the consultation process.

SUFFICIENCY LETTER

1. The sufficiency letter provided by ENERGY for the Project will be filed with the OEB once it has been received by Enbridge Gas.

# Enbridge Inc. Indigenous Peoples Policy

---

# Enbridge Indigenous Peoples Policy

**Purpose:** Enbridge recognizes the diversity of Indigenous peoples<sup>1</sup> who live where we work and operate. We understand that certain laws and policies—in both Canada and the United States—have had destructive impacts on Indigenous cultures, languages, and the social and economic well-being of Indigenous peoples. Enbridge recognizes the importance of reconciliation between Indigenous peoples and broader society. We are committed to building positive and sustainable relationships with Indigenous peoples, based on trust and respect, and focused on finding common goals through open dialogue.

**Enbridge believes:** Companies can play a role in advancing reconciliation through meaningful engagement with and inclusion of Indigenous peoples and perspectives in their business activities.

**Policy:** As an energy infrastructure company whose operations span Treaty and Tribal lands, the National Métis Homeland, unceded lands and the traditional territories of Indigenous groups<sup>2</sup> across North America, Enbridge is deeply committed to advancing reconciliation with Indigenous peoples. Our mutual success depends on the ability to build long-term, respectful and constructive relationships with Indigenous groups near Enbridge's projects and operations throughout the lifecycle of our activities. To achieve this, Enbridge will govern itself by the following principles:

## Respect for Indigenous rights and knowledge

- We recognize the importance of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in the context of existing Canadian law, and the legal and constitutional obligations that governments in both Canada and the United States have to protect those rights.
- We recognize the legal and constitutional rights possessed by Indigenous peoples in Canada and in the United States, and the importance of the relationship between Indigenous peoples and their traditional lands and resources. We commit to working with Indigenous communities in a manner that recognizes and respects those legal and constitutional rights and the traditional lands and resources to which they apply, and we commit to ensuring that our projects and operations are carried out in an environmentally responsible manner.
- Consistent with Enbridge's respect for the rights of Indigenous peoples, we engage early and sincerely through processes that aim to achieve the support and agreement of Indigenous nations and governments for our projects and operations that may occur on their traditional lands.
- We seek the input and knowledge of Indigenous groups to identify and develop appropriate measures to avoid and/or mitigate the impacts of our projects and operations that may occur on their traditional lands.

<sup>1</sup> In Canada, Indigenous peoples has the meaning assigned by the definition *aboriginal peoples of Canada* in subsection 35(2) of the *Constitution Act, 1982*, which includes First Nations, Métis and Inuit Peoples. In the United States, Enbridge refers to Indigenous peoples as all descendants of people inhabiting land within the current exterior boundaries of the United States prior to the continent being inhabited by European settlers, including all U.S. federally recognized tribes.

<sup>2</sup> The collective term "Indigenous groups" is used in this Policy when referring to Enbridge's engagement with Indigenous nations, governments or groups in Canada, and/or Native American Tribes and Tribal associations in the United States about Enbridge's projects and operations. Enbridge has the utmost respect for the unique rights and individual names of Indigenous groups across North America. This collective term is used solely for the purpose of readability of the policy.

## Promoting equity and inclusion

- Recognizing the need to eliminate the significant socioeconomic barriers that continue to prevent Indigenous peoples from fully participating in the North American economy, Enbridge works with Indigenous peoples to ensure they have opportunities to be included in socioeconomic benefits resulting from our projects and operations. These may include partnerships and opportunities in training and education, employment, procurement, equity participation, business development and community development.
- We are committed to increasing Indigenous representation in Enbridge's workforce and supplier community.

## Fostering awareness through education

- We are building – and will continue to ensure – a foundational understanding of the rights, history and cultures of Indigenous peoples through Indigenous awareness training for all Enbridge employees, with the aim of advancing reconciliation with Indigenous peoples

Enbridge will provide ongoing leadership and resources to ensure the effective implementation of the above principles, including the development of implementation strategies and specific action plans, and report its Indigenous reconciliation efforts – including engagement and inclusion outcomes – through its annual Sustainability Report.

This Policy is a shared responsibility involving Enbridge and its affiliates, employees and contractors, and we will conduct business in a manner that reflects the above principles. We will work with our contractors, joint venture partners and others to support consistency with this policy. Enbridge commits to periodically reviewing this policy to ensure it remains relevant and meets changing expectations.

**INDIGENOUS CONSULTATION REPORT: SUMMARY TABLES**

**As of March 21, 2024**

<b>Mississaugas of the Credit First Nation</b>		
<b>Was project information provided to the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Enbridge Gas has provided MCFN with the following information: <ul style="list-style-type: none"> <li>• A description of the scope of the Project including a Notice of Commencement letter.</li> <li>• Maps of the Project location.</li> <li>• Letter containing Project information and Virtual Open House.</li> <li>• Environmental Report, providing information about the potential effects of the Project on the Environment.</li> </ul> Enbridge Gas requested community feedback, including any suggestions or proposals on mitigating, avoiding or accommodating any potential impacts the Project may have on Aboriginal or treaty rights.  Capacity funding has been offered to support activities such as timely technical reviews of documents, participation in field work associated with the proposed Project, and to engage in meaningful consultation.
<b>Was the community responsive/did you have direct contact with the community?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MCFN and Enbridge Gas have exchanged emails and met in-person regarding the Project.
<b>Did the community members or representatives have any questions or concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of March 21, 2024, MCFN has not advised of any concerns regarding the Project.
<b>Does the community have any outstanding concerns?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	As of March 21, 2024, MCFN has not advised of any outstanding concerns regarding the Project. Enbridge Gas will continue to engage with the MCFN in relation to the Project.

**Enbridge Gas Inc. Indigenous Consultation Log**

**Ontario Line – Overlea Station Relocation Project**

**Log update as of March 21, 2024**

<b>Mississaugas of the Credit First Nation (MCFN)</b>					
<b>Line Item</b>	<b>Date</b>	<b>Method</b>	<b>Summary of Enbridge Gas Inc. (Enbridge Gas) Consultation Activity</b>	<b>Summary of Community Consultation Activity</b>	<b>Issues or Concerns Raised and Enbridge Gas Responses</b>
1.0	September 7, 2023	Email	An Enbridge Gas representative emailed an MCFN representative providing a Project notification letter and map for the upcoming Ontario Line – Overlea Station Relocation Project (Project). The letter provided an overview of the proposed Project, a list of potential authorizations required, and contact information for the Ministry of Energy. The letter advised an Environmental Study of construction and operation activities would be undertaken. The letter requested community feedback on the proposed Project to avoid, minimize or mitigate potential adverse impacts on Aboriginal or Treaty right.		See line-item attachment 1.0.
1.1	October 26, 2023	Email	An Enbridge Gas representative emailed an MCFN representative to provide the Notice of Commencement (NOC) and invitation to the Virtual Open House (VOH). The VOH will be available to MCFN from November 6 <sup>th</sup> to November 16 <sup>th</sup> for comments or questions. The Enbridge Gas representative advised that if the MCFN representative has any questions or concerns to please reach out to the Enbridge Gas representative.		See line-item attachment 1.1.
1.2	October 30, 2023	Email		An MCFN representative emailed the Enbridge Gas representative to confirm receipt of the Project information.	

1.3	November 2, 2023	Email	An Enbridge Gas representative emailed the MCFN representative to re-provide the NOC letter and advise the VOH will be open from November 6 <sup>th</sup> to the 20 <sup>th</sup> to provide more time for comments or concerns.		
1.4	February 13, 2024	In-person Meeting	An Enbridge Gas representative met with the MCFN representative to provide an update on the Project. The Enbridge Gas representative advised that the Environmental Report (ER) has been completed and it will be forwarded to MCFN for review as soon as it is received. The Enbridge Gas representative encouraged the MCFN representative to provide an invoice for capacity funding for the Project.		
1.5	March 14, 2024	Email	An Enbridge Gas emailed the MCFN representative to provide them with the ER for the Project. The Enbridge Gas representative asked for any feedback to be sent by April 26, 2024.		See line-item attachment 1.5.



Line-item attachment 1.0

**From:** Kevin Berube  
**Sent:** Thursday, September 7, 2023 9:19 AM  
**To:** Mark LaForme <[Mark.LaForme@mncfn.ca](mailto:Mark.LaForme@mncfn.ca)>  
**Subject:** Upcoming Project - Overlea

Boozhoo Mark,

I hope you are well and staying indoors in this recent heatwave we've been in.

I'm reaching out to inform you of an upcoming project that will be taking place in the GTA. The project is called the Overlea Station Relocation Project. I've attached the initial notification and map of the area along with the Ministry contacts for the project.

If you have any questions please do not hesitate to contact me.

Meegwetch,  
Kevin



Enbridge Inc

Via email

Mark Laforme, Director of Consultation and Accommodation  
2789 Mississauga Rd., R.R. #6  
Hagersville, ON  
N0A 1H0

September 5, 2023

Dear Mark,

**Project Notification Letter re: Enbridge Gas Inc.'s Proposed Ontario Line Subway Expansion – Overlea Station Relocation Project**

Enbridge Gas is proposing to construct new natural gas pipeline facilities to accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit project, while maintaining the existing service to Enbridge Gas customers in the City of Toronto. The Ontario Line Subway Expansion – Overlea Station Relocation Project (the "Project"), is anticipated to include:

- i. The relocation/replacement of approximately 750 m of Nominal Pipe Size ("NPS") 12-inch natural gas pipeline with the installation of approximately 1100 m of NPS 8-inch natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive in the City of Toronto;
- ii. The relocation of approximately 120 m of NPS 4-inch natural gas pipeline along Leaside Park Drive in the City of Toronto;
- iii. The relocation of approximately 95 m of NPS 4-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- iv. The relocation of approximately 50 m of NPS 6-inch natural gas pipeline along Thorncliffe Park Drive in the City of Toronto;
- v. The installation of one Header Station along Leaside Park Drive, the installation of one District Station along Thorncliffe Park Drive, and the abandonment of one existing District Station along Millwood Road in The City of Toronto; and
- vi. The installation of approximately 360 m of NPS 4-inch natural gas pipeline between Overlea Boulevard and Banigan Drive onto Metrolinx private property (to become a new City of Toronto road in the future).



Enbridge Inc

The area in which the Project is to be constructed does not include any Crown land. The Project will be located within existing municipal right of way and on permanent easements on Metrolinx-owned properties. It is expected that the majority of adverse environmental and socio-economic effects will be construction related. These effects are expected to be temporary and transitory. The Project will be underground once construction is complete, further limiting the potential for any long-term effects. Temporary working space and laydown areas may also be required to facilitate the movement and storage of equipment necessary for construction. Enbridge Gas will work with regulators and landowners to identify and secure appropriate working space as required.

As part of the planning process for the Project, Enbridge Gas has and will retain an external consulting firm to undertake an environmental study of the construction and operation of the Project. The environmental study is required by the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 8th Edition (2023)."

Enbridge Gas' preliminary work on the Project has identified the following potential authorizations:

Provincial:

- Ministry of Citizenship and Multiculturalism – Archaeological Assessment and Cultural Heritage Assessment.
- Ministry of the Environment, Conservation and Parks - 1. Permit to Take Water or Environmental Activity and Sector Registry 2. Endangered Species Act permits.
- Metrolinx - Corridor Development Permit and Easement Agreements.

Municipal:

- The City of Toronto – Full Stream Cut Permit

Other:

- Toronto Public Utilities Coordinating Committee – Utility Clearances.

Other authorizations, notifications, permits and/or approvals may be required in addition to those identified above.

We would like to consult with your community on the proposed Project. We are interested in your community's feedback, whether in writing or through a face-to-face meeting, relating to, among other things:

- Any information the community has available that Enbridge Gas should consider when preparing documentation related to the Project;
- Any information the community may have regarding the potential adverse impacts the Project may have on your Aboriginal or treaty rights.



Enbridge Inc

- Any suggestions or proposals on avoiding, minimizing or mitigating any potential adverse impacts the Project may have on your Aboriginal or treaty rights.
- Guidance on how you would like information provided to us to be collected, stored, used and shared.

Enbridge Gas is interested in meeting during the Project development process, to discuss the preliminary preferred and alternative routing identified above, any concerns the community may have with those routes and any potential adverse impacts the Project may have on your Aboriginal or treaty rights. We will forward the Environmental Report for the Project for review and comment once it is available and would be pleased to participate in a further meetings to discuss and address any questions or concerns. As part of Enbridge Gas' engagement on the Project, Indigenous communities will have the opportunity to participate in fieldwork and Enbridge Gas will reach out in the future with further details.

Enbridge Gas acknowledges that capacity support may be required to enable you to engage in timely technical reviews of documents, participation in field work associated with the Project, and to allow for meaningful consultation. Consistent with our approach on all projects, we are prepared to provide capacity funding to support your team's engagement in relation to the Project.

Enbridge Gas has been delegated the procedural aspects for consultation by the Ministry of Energy on behalf of Ontario. Ministry officials are also available should you wish to contact them directly with any questions or concerns. Please contact:

Farrah Ali-Khan  
Senior Advisor, Indigenous Energy Policy  
[farrah.ali-khan@ontario.ca](mailto:farrah.ali-khan@ontario.ca)

Please feel free to contact me [kevin.berube@enbridge.com](mailto:kevin.berube@enbridge.com) or 416-666-6759 so we can set up a time to meet. You may also provide me with any feedback you may have regarding the Project in writing by September 30, 2023, if possible.

Many thanks,

A handwritten signature in blue ink that reads 'Kevin Berube'.

Kevin Berube  
Senior Advisor, Community & Indigenous Engagement, Eastern Region

**Enbridge Gas Inc.  
Notice of Upcoming Project  
Overlea Station Relocation Project**

This notice is to inform you of a proposed upcoming Enbridge Gas Inc. (Enbridge Gas) project in the City of Toronto. The purpose of the project is to accommodate the construction of the Metrolinx Ontario Line Subway Project while maintaining existing service to Enbridge Gas customers.

The project will be primarily located in the community of East York. It will tentatively be located within the existing municipal road right-of-way, and may also require permanent easements, temporary working space, and lay-down areas during construction.

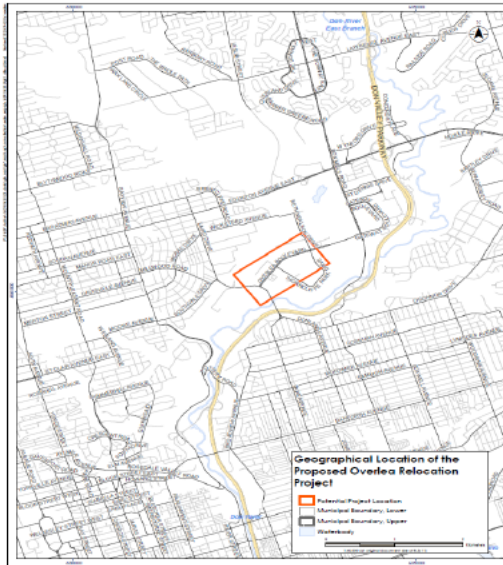
Enbridge Gas has hired a third-party environmental consultant, Stantec Consulting Ltd. (Stantec), to complete an Environmental Study for the project. The study will be conducted in accordance with the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition (2023)" and will include a consultation program, impact assessment and a cumulative effects assessment.

The Environmental Report based on the study is scheduled to be completed in December 2023. Once complete, Enbridge Gas plans to file a Leave-to-Construct application for the project with the OEB. The OEB's review and approval are required before the proposed project can proceed. If approved, construction could begin in 2024.

Enbridge Gas is committed to undertaking consultation and engagement with stakeholders and Indigenous communities as an integral component of the planning process. Additional details regarding the project and how to become involved during the consultation and engagement process will be provided in future correspondence. If you have any questions or comments during the development stages of this project, please contact the undersigned.

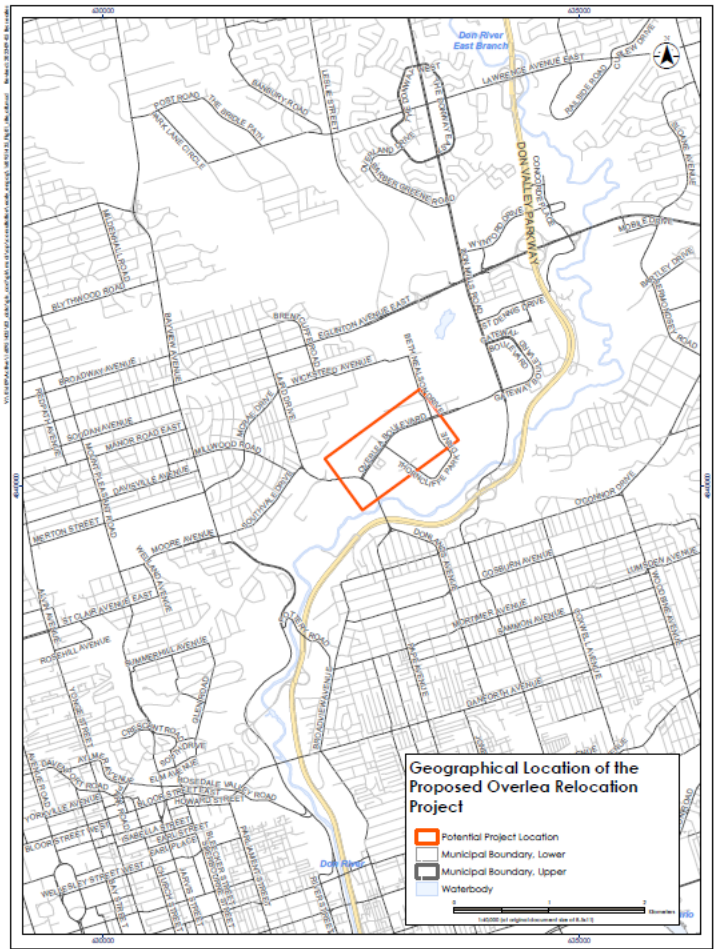
Dominique Kelly  
Environmental Planner  
Stantec Consulting Ltd.  
Cell: (613) 453-0626

Email: [OverleaER@stantec.com](mailto:OverleaER@stantec.com)




This map is for general project location only. It is not intended for use in an assessment of potential environmental and socio-economic impacts and does not represent the final project design that will provide access to natural gas to service customers.





Line-item attachment 1.1

---

 ad_160951435_notice-of-commencement_Overlea_20231024_fnl.pdf 351 KB	▼
 NoC MCFN Overlea.pdf 236 KB	▼

---

**From:** Kevin Berube <kevin.berube@enbridge.com>  
**Sent:** Thursday, October 26, 2023 9:19 AM  
**To:** Mark LaForme <Mark.LaForme@mncfn.ca>  
**Subject:** Overlea Station Relocation

Boozhoo Mark,

I hope this find you well.

I'm notifying you of an upcoming project in the GTA, the Overlea Station Relocation project. I've attached the Notice of Commencement and invitation to the Virtual Information Session. If you have any questions please do not hesitate to contact me.

On another note, I attended the MCFN Career Fair last week. We had a booth at the fair. What a great day! Met a lot of the youth from the community as they let the schools attend.

Hopefully I'll get a chance to see you before the holiday break.

Have a great day!

Meegwetch,  
Kevin

**Enbridge Gas Inc.**  
**Notice of Commencement and Virtual Information Session For The**  
**Overlea Station Relocation Project**

This notice is to inform you of a proposed Enbridge Gas Inc. (Enbridge Gas) project in the City of Toronto. The purpose of the project is to accommodate the construction of the Metrolinx Ontario Line Subway Project while maintaining existing service to Enbridge Gas customers..

The proposed Overlea Station Relocation Project will involve the construction of two new natural gas regulating stations, and the decommissioning of one existing natural gas regulating station. One new natural gas station to be constructed will be located on Leaside Park Drive, and the other will be on Thorncliffe Park Drive. The natural gas station to be decommissioned is located on Millwood Drive.

The project will also include the relocation of approximately 1.4 km of natural gas pipeline, ranging from 4 inches to 12 inches in diameter. In addition, approximately 360 m of additional pipeline, 4 inches in diameter, will be relocated from its current location between Overlea Boulevard and Banigan Drive onto Metrolinx-owned private property.

Enbridge Gas has retained Stantec Consulting Ltd. (Stantec), to complete an Environmental Study for the project as part of the planning process. The Environmental Study will fulfill the requirements of the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition (2023)". The Environmental Report for the study is anticipated to be completed in February 2024, after which Enbridge Gas may file an application for the Project to the OEB. The OEB's review and approval is required before the proposed Project can proceed. Construction is currently anticipated to begin in 2024.

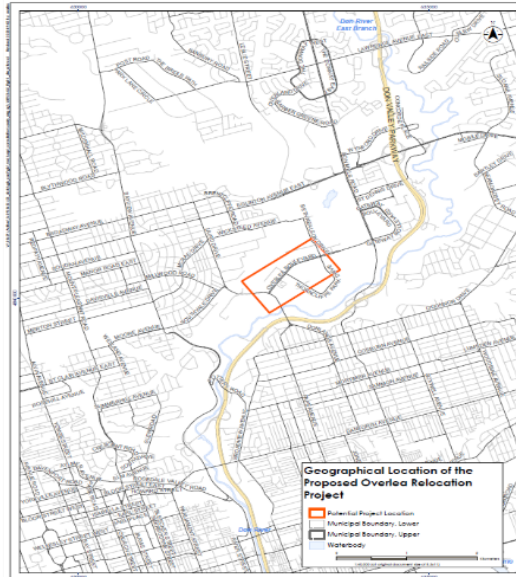
Consultation and engagement with Indigenous communities, landowners, government agencies, and other interested persons is an integral component of the planning process. For this Project, a Virtual Information Session will be available for two weeks, starting on November 6th, 2023, and finishing on November 20th, 2023, at <https://enbridgegas.com/overleaproject>. Additionally, hard copies of the Virtual Information Session materials will be available for in-person viewing at:

- Toronto Public Library: 48 Thorncliffe Park Drive, Toronto, ON

We kindly request that any initial input and comments regarding the Project are provided by December 6th, 2023.

For any questions or comments regarding the proposed Overlea Station Relocation Project, please contact:

Dominique Kelly  
 Environmental Planner  
 Stantec Consulting Ltd.  
 Cell: (613) 453-0626  
 Email: [OverleaER@stantec.com](mailto:OverleaER@stantec.com)







Stantec Consulting Ltd.  
300W-675 Cochrane Drive, Markham, ON L3R 0B8

October 26, 2023  
File: 160951435

Mark Laforme, Director of Consultation and Accommodation  
Mississaugas of the Credit First Nation  
2789 Mississauga Rd R.R.#6  
Hagersville, ON  
NOA 1H0

SENT VIA E-MAIL

Dear Mark,

Reference: Enbridge Gas Inc. – Overlea Station Relocation Project: Notice of Study  
Commencement and Information Session

This notice is to inform you of a proposed Enbridge Gas Inc. (Enbridge Gas) project in the City of Toronto. The purpose of the project is to accommodate the construction of the Metrolinx Ontario Line Subway Project while maintaining existing service to Enbridge Gas customers.

The proposed Overlea Station Relocation Project will involve the construction of two new natural gas regulating stations, and the decommissioning of one existing natural gas regulating station. One new natural gas station to be constructed will be located on Leaside Park Drive, and the other will be on Thorncliffe Park Drive. The natural gas station to be decommissioned is located on Millwood Drive. The project will also include the relocation of approximately 1.4 km of natural gas pipeline, ranging from 4 inches to 12 inches in diameter. In addition, approximately 360 m of additional pipeline, 4 inches in diameter, will be relocated from its current location between Overlea Boulevard and Banigan Drive onto Metrolinx-owned private property.

The Preliminary Preferred Route will include the installation of 750 m of 12-inch natural gas pipeline, along with the installation of 1100 m of 8-inch natural gas pipeline along Overlea Boulevard from Millwood Road to Thorncliffe Park Drive. Approximately 215 m of 4-inch natural gas pipeline along Leaside Park Drive and Thorncliffe Park Drive will be relocated. Fifty metres of 6-inch natural gas pipeline along Thorncliffe Park Drive will also be relocated. Please refer to Attachment 1-Study Area for more information

No Alternate Routes have been considered at this time due to project constraints such as utility congestion within the municipal ROW, conflict areas with proposed transit infrastructure and property constraints.

Enbridge Gas has retained Stantec Consulting Ltd. (Stantec) to undertake an Environmental Study for the project as part of the planning process. The Environmental Study will fulfill the requirements of the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Projects and Facilities in Ontario, 8th Edition (2023)".

The Environmental Report based on the study is scheduled to be completed in December 2023. Once complete, Enbridge Gas plans to file a Leave-to-Construct application for the project with the OEB. The

Design with community in mind

October 26, 2023  
«FIRST\_NAME» «SURNAME», «POSITION»  
Page 2 of 3

Reference: Enbridge Gas Inc. – Overlea Station Relocation Project: Notice of Study Commencement and Information Session

OEB's review and approval are required before the proposed project can proceed. If approved, construction could begin in 2024.

As an agency with jurisdiction or potential interest in developments in the area, you are invited to provide or coordinate comments regarding the proposed project. Specifically, Stantec is seeking information regarding planning principles or guidelines implemented by your agency that may affect the routing, construction and/or operation of the proposed project. Stantec is also seeking the collection of primary and secondary data to help compile an environmental and socio-economic inventory. Enbridge Gas has also retained Stantec to complete the Environmental Report along with a Stage 1 Archaeological Assessment and a Cultural Heritage Checklist and Screening Report.

To support the quality of the assessment process, we also request that you share information regarding other proposed developments in the Study Area. This information will be incorporated into the Environmental Study and related report as a component of the cumulative effects assessment. Please contact us to discuss the most efficient way to obtain this information.

Consultation with Indigenous communities and engagement with landowners, government agencies, the public, and other interested persons is an integral component of the planning process. For this project, a Virtual Information Session will be held, and copies of the materials will be made available for online review. Input received will be used to inform the Preliminary Preferred Route and to develop site-specific environmental protection or mitigation measures for this project.

A Virtual Information Session will be available from November 6<sup>th</sup> to November 16<sup>th</sup>, at <https://www.solutions.ca/OverleaEA/>.

Print copies of the Information Session materials will also be available for in-person review at the following location:

- Toronto Public Library: 48 Thorncliffe Park Drive, Toronto, ON

A questionnaire will be available as part of the Information Session, and you will have the ability to submit comments and/or questions about the proposed Project. In addition, a copy of the Information Session storyboards will be available on the Enbridge Gas project website at: <https://enbridgegas.com/overleaproject>.

October 26, 2023  
«FIRST\_NAME» «SURNAME», «POSITION»  
Page 3 of 3

Reference: Enbridge Gas Inc. – Overlea Station Relocation Project: Notice of Study Commencement and Information Session

We kindly request that your agency provides any initial input and comments regarding the project by December 6th 2023. Please let us know if you are unable to respond by this date but are interested in participating in the consultation process for the project.

If you have questions or concerns regarding the Overlea Station Relocation Project, please do not hesitate to email the project team at [OverleaER@stantec.com](mailto:OverleaER@stantec.com) or contact the undersigned.

Regards,



**Dominique Kelly** BA  
Environmental Planner, Project Manager  
Assessment and Permitting  
Mobile: (613) 453-0626

Attachments: Figure 1 – Study Area

cc. Sarah Kingdon-Benson, Senior Advisor, Enbridge Gas Inc.  
Kristin Kimpinski, Advisor Environment, Enbridge Gas Inc.  
Rooley Georgopoulos, Senior Project Advisor, Stantec Consulting Ltd.

Design with community in mind

Line-item attachment 1.5

---

**From:** Kevin Berube <kevin.berube@enbridge.com>  
**Sent:** Thursday, March 14, 2024 3:32 PM  
**To:** Mark LaForme <Mark.LaForme@mncfn.ca>  
**Cc:** Abby LaForme <Abby.LaForme@mncfn.ca>  
**Subject:** Overlea ER

Boozhoo Mark,

Enbridge Gas Inc. (Enbridge Gas) is proposing to construct the Overlea Station Relocation Project (the "Project") located in the community of East York to accommodate the construction of the Metrolinx Ontario Line Subway Expansion Transit Project. The Project will involve the construction of two new Stations, abandonment of one existing station and the construction/ relocation of approximately 1.4 km of natural gas distribution pipeline, ranging from 4-inch to 8-inch. The Project is planned to be mainly located in an existing municipal road allowance with the potential for Temporary Working Space. One Header Station will be installed along Leaside Drive as well as a District Station along Thorncliffe Park Drive. The existing District Station along Millwood Road will be abandoned. Approximately 380 m of 4-inch natural gas pipeline between Overlea Boulevard and Banigan Drive will be relocated onto Metrolinx owned private property.

The Draft Environmental report (ER) is available for review and comment using the link below:

[rpt\\_160951435\\_Overlea-ER\\_20240314\\_Final-Draft\\_consolidated\\_Redacted\\_SD.pdf](#)

We kindly request that any comments or input regarding the Project are provided by **April 26, 2024**. Please contact me if there are any issues with the link above.

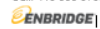
Kind regards,

**Kevin Berube**

Sr. Advisor, Community and Indigenous Engagement, Eastern Region

Public Affairs, Communications and Sustainability  
500 Consumers Road  
North York, ON  
M2J 1P8

Cell: 416 896 8759



## CONDITIONS OF APPROVAL

1. The OEB has developed standard conditions that are typically imposed in leave to construct (LTC) approvals.<sup>1</sup> Should the OEB grant the LTC exemption sought for the Project and decide to impose one or more of the standard conditions (with appropriate modifications for a LTC exemption order) in doing so, Enbridge Gas is prepared to adhere to such condition(s).

---

<sup>1</sup> Standard conditions of approval are included in Schedule 1 of the OEB's standard issues list for leave to construct applications (<https://www.oeb.ca/sites/default/files/issues-list-LTC-natural-gas.pdf>) and in its letter (dated April 3, 2024) to all natural gas distributors, the OEB communicated minor modifications to the standard conditions of approval ([https://www.oeb.ca/sites/default/files/OEB%20Ltr\\_Minor%20Mods%20CoA%20for%20LTC%20Approvals\\_20240403.pdf](https://www.oeb.ca/sites/default/files/OEB%20Ltr_Minor%20Mods%20CoA%20for%20LTC%20Approvals_20240403.pdf)).