



June 26, 2023

Island Regulatory and Appeals Commission
National Bank Tower
501-134 Kent Street
Charlottetown, PE, C1A 7L1
Attention: Allison MacEwen, Director

Dear Sir,

Re: Application for Retail Petroleum Outlet License

We are pleased to submit the attached application on behalf of D.P. Murphy Inc. for a retail petroleum outlet license in Borden-Carleton, Prince Edward Island.

Included with the application are plans, photos, endorsement letters and other supporting documents and information. We trust these will demonstrate clearly that the test of public interest, convenience and necessity are satisfied on the facts of this application.

We look forward to discussing further.

Sincerely,

A blue ink handwritten signature, appearing to be "Mark Doucet", written over a horizontal line.

Mark Doucet
General Counsel

PERSONAL & CONFIDENTIAL - PAGE 1 OF 1

RECEIVED

JUN 27 2023

The Island Regulatory
and Appeals Commission

DATED: June 26, 2023

APPLICATION FOR A RETAIL PETROLEUM OUTLET LICENSE

Submitted by D.P. Murphy Inc.

Petroleum Products Act, S.P.E.I., 1990 c. P-5.1

D.P. Murphy Inc.
250 Brackley Point Road
Charlottetown, PE, C1A 6Y9
Attention: Mark Doucet, General Counsel

Island Regulatory and Appeals Commission
National Bank Tower
501-134 Kent Street
Charlottetown, PE, C1A 7L1
Attention: Allison MacEwen, Director

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National Bank Tower
 501-134 Kent Street
 P.O. Box 577
 Charlottetown, PE
 C1A 7L1

APPLICATION FOR RETAIL PETROLEUM OUTLET LICENSE NEW RETAIL OUTLET

ALL QUESTIONS MUST BE ANSWERED

1	NAME OF APPLICANT: D.P. Murphy Inc.			
2	ADDRESS OF PROPOSED OUTLET: (Street) Corner of Trans-Canada Hwy and Dickie Road, PID# 686592	(Town, Community) Borden-Carleton	(Province) P.E.I.	(Postal Code)
3	OWNER OF PROPOSED OUTLET: D.P. Murphy Inc.			
4	OWNER'S MAILING ADDRESS: 250 Brackley Point Road, Charlottetown, PE, C1A 6Y9			
5	OPERATOR OF PROPOSED OUTLET: D.P. Murphy Inc.			
6	OPERATOR'S MAILING ADDRESS: 250 Brackley Point Road, Charlottetown, PE, C1A 6Y9			
7	HAS THE APPLICANT PREVIOUSLY BEEN LICENSED UNDER THE PETROLEUM PRODUCTS ACT: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please specify:			
8	METHOD OF PROPOSED DISPENSING (check all that apply): <input type="checkbox"/> Full-serve <input type="checkbox"/> Split-serve <input checked="" type="checkbox"/> Self-serve <input type="checkbox"/> Keylock <input type="checkbox"/> Cardlock			
9	TYPE OF PROPOSED OUTLET (check all that apply): <input checked="" type="checkbox"/> Service Station <input checked="" type="checkbox"/> C-Store/General Store <input type="checkbox"/> Marine <input checked="" type="checkbox"/> Other (specify) <u>Restaurant + Other Retail</u>			
10	PROPOSED SUPPLIER OF PETROLEUM PRODUCTS: Irving Oil	11	WHAT PETROLEUM PRODUCTS WILL BE SOLD: Gas / Diesel	
12	DEFINE TYPES OF SERVICES TO BE OFFERED AND/OR BUSINESSES TO BE OPERATED IN CONJUNCTION WITH THE SALE OF PETROLEUM PRODUCTS (IF APPLICABLE, ALSO INDICATE TYPE OF PROPOSED PROPANE DISPENSING): Gas / Convenience Store/ Coffee Shop / Additional Retail / EV Chargers			
13	GIVE DESCRIPTIONS AND DIMENSIONS OF BUILDINGS TO BE ASSOCIATED WITH THE PROPOSED OUTLET: Approx. 68' x 122' (8500 sq ft) Approx. 68' x 122' (8500 sq ft)			
14	HOW MANY PUMP ISLANDS AND PUMPS ARE PROPOSED: Four pump islands			
15	WHAT HOURS DO YOU PROPOSE TO OPERATE: 24 hours Weekdays: Full Service ____ a.m. to ____ p.m. Self Serve ____ a.m. to ____ p.m. Sundays/Holidays: Full Service ____ a.m. to ____ p.m. Self Serve ____ a.m. to ____ p.m.			
16	WHAT VOLUME OF PETROLEUM STORAGE IS PROPOSED TO BE INSTALLED: Two 50,000 liter tanks			
17	HOW FAR WILL PUMP ISLAND BE LOCATED FROM THE CENTRE OF THE NEAREST ROAD: <u>Approx. 156</u> feet			
18	WILL PUBLIC WASHROOMS BE PROVIDED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, how many washrooms? <u>2 (3 fix.ea)</u>			

19	<p>THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:</p> <ol style="list-style-type: none"> 1. A PLAN INDICATING THE SPECIFIC PROPERTY LOCATION <input checked="" type="checkbox"/> 2. A PLAN OF THE FACILITY LAYOUT <input checked="" type="checkbox"/> 3. A LETTER OUTLINING WHY IT IS CONSIDERED THAT PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE THE LICENSING OF AN OUTLET IN THE AREA <input checked="" type="checkbox"/> <p>THE FOLLOWING ITEMS MUST BE FILED WITH THE COMMISSION BEFORE A LICENSE WILL BE ISSUED. NOTE: NUMBER 9 IS NOT NECESSARY UNLESS YOU PROPOSE TO DISPENSE PROPANE.</p> <ol style="list-style-type: none"> 4. A COPY OF THE BUILDING PERMIT OR APPROVAL IN PRINCIPLE FROM THE AUTHORITY HAVING JURISDICTION <input type="checkbox"/> 5. A COPY OF PRELIMINARY APPROVAL FROM THE DEPARTMENT OF AGRICULTURE AND LAND RELATIVE TO THE INSTALLATION OF PETROLEUM STORAGE FACILITIES <input type="checkbox"/> 6. A FILING FEE AS OUTLINED IN THE CURRENT LICENSE FEE SECTION FOUND ON THE COMMISSION'S PUBLIC WEBSITE <input type="checkbox"/> 7. PROOF OF OWNERSHIP OF OUTLET <input type="checkbox"/> 8. COPY OF PETROLEUM SUPPLY AGREEMENT <input type="checkbox"/> 9. A COPY OF APPROVAL FROM THE INSPECTION SERVICES DIVISION OF THE DEPARTMENT OF AGRICULTURE AND LAND RELATIVE TO THE HANDLING OF PROPANE <input type="checkbox"/> 								
20	<p>I HEREBY DECLARE THAT THE ANSWERS MADE TO THE ABOVE QUESTIONS ARE TRUE AND, IF A LICENSE IS ISSUED, I UNDERTAKE TO CARRY OUT IN EVERY MANNER THE REQUIREMENTS OF THE PETROLEUM PRODUCTS ACT AND REGULATIONS.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">SIGNATURE: </td> <td style="width: 50%; border: none;">CORPORATE NAME: <u>D.P. Murphy Inc.</u></td> </tr> <tr> <td style="border: none;">PRINT NAME: <u>Daniel Murphy</u></td> <td style="border: none;">TELEPHONE: <u>902-368-3727</u></td> </tr> <tr> <td style="border: none;">(Please check) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Agent</td> <td style="border: none;">DATE: <u>June 26, 2023</u></td> </tr> <tr> <td style="border: none;">TITLE: <u>Owner and President</u></td> <td style="border: none;"></td> </tr> </table>	SIGNATURE:	CORPORATE NAME: <u>D.P. Murphy Inc.</u>	PRINT NAME: <u>Daniel Murphy</u>	TELEPHONE: <u>902-368-3727</u>	(Please check) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Agent	DATE: <u>June 26, 2023</u>	TITLE: <u>Owner and President</u>	
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(Please check) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee <input type="checkbox"/> Agent	DATE: <u>June 26, 2023</u>								
TITLE: <u>Owner and President</u>									

LICENSE FEES PAYABLE TO "ISLAND REGULATORY AND APPEALS COMMISSION".

Information on this Form is collected pursuant to the *Petroleum Products Act* and will be used by the Commission in the administration of the said *Act*. For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.

INFORMATION FOR APPLICANTS

Issued: January, 2003

In determining applications for initial licensing of consumer outlets, the Commission is required to consider Section 20 of the **Petroleum Products Act**, which reads as follows:

"When issuing a license with respect to the operation of an outlet operated by a retailer, the Commission shall consider the public interest, convenience and necessity by applying such criteria as the Commission may from time to time consider advisable including but not restricted to the demand for the proposed service, the location of the outlet, traffic flows and the applicant's record of performance."

The Commission has interpreted this legislation to mean that **both** public convenience and necessity must be proven as they relate to the motoring public, and not the public in general. The applicant must demonstrate a demand for the proposed outlet at the proposed location. Public interest factors will be weighed individually based on existing circumstances.

Notwithstanding the generality of the foregoing, the following factors are among those that the Commission will consider in determining whether initial applications for consumer outlets meet the public convenience and necessity test:

1. the promotion of competition;
2. traffic volumes and trends in the general area of the proposed location;
3. population size and trends in the general area of the proposed outlet;
4. trends in gasoline sales, especially, but not exclusively, among outlets in the general vicinity of the proposed location;
- and
5. services presently available to the motoring public in the general area of the proposed location.

In considering applications for initial licensing, the Commission may invite public comment on the application and may decide to conduct a public hearing. A decision on the necessity of a public review process, including a hearing, is made on a case-by-case basis.

2. OVERVIEW

(a) Location

The proposed site is situated on land owned by the applicant D.P. Murphy Inc. (“**DP Murphy**”) at the corner of the TransCanada Highway and Dickie Road, Borden-Carleton, legally described as PID# 686592.

Although Borden-Carleton itself has a small population it is the site of the main entryway to Prince Edward Island, the Confederation Bridge -- a key location for Island tourism and for the many Island motorists who regularly pass back and through this area while travelling.

Borden-Carleton has 3 existing retail gas sites:

- the Esso station located at 141 Abegweit Boulevard in Gateway Village;
- Howatt's Shell located at 23357 on the Trans-Canada Highway; and
- Ceretti's Grocery and Hardware (Irving) located at 23924 on the Trans-Canada Highway.

It is our understanding from discussion with Irving Oil that Ceretti's Grocery and Hardware will no longer be operating as an Irving Oil branded retail site. The applicant does not yet have any information as to whether Ceretti's intends to continue retail gas operations under another brand.

(b) Project Details

The proposed site would have 6.03 acres of total space, which is approximately 4 times the size of the existing sites. It would have much needed space to handle traffic and for larger vehicles such as travel trailers and tourist buses to maneuver and park. Features would include:

- An Irving gas station - this would continue the Irving brand in the market;
- A full-scale Tim Hortons restaurant (approx. 3000 square feet) - D.P. Murphy plans to continue its smaller kiosk in the Esso station as there would be ample traffic to support both;
- A convenience store plus other retail offerings (approximately 8500 square feet of total building space) – the applicant is in discussions with several major brands;
- EV charging stations;
- Ample parking with 121 proposed parking spaces;

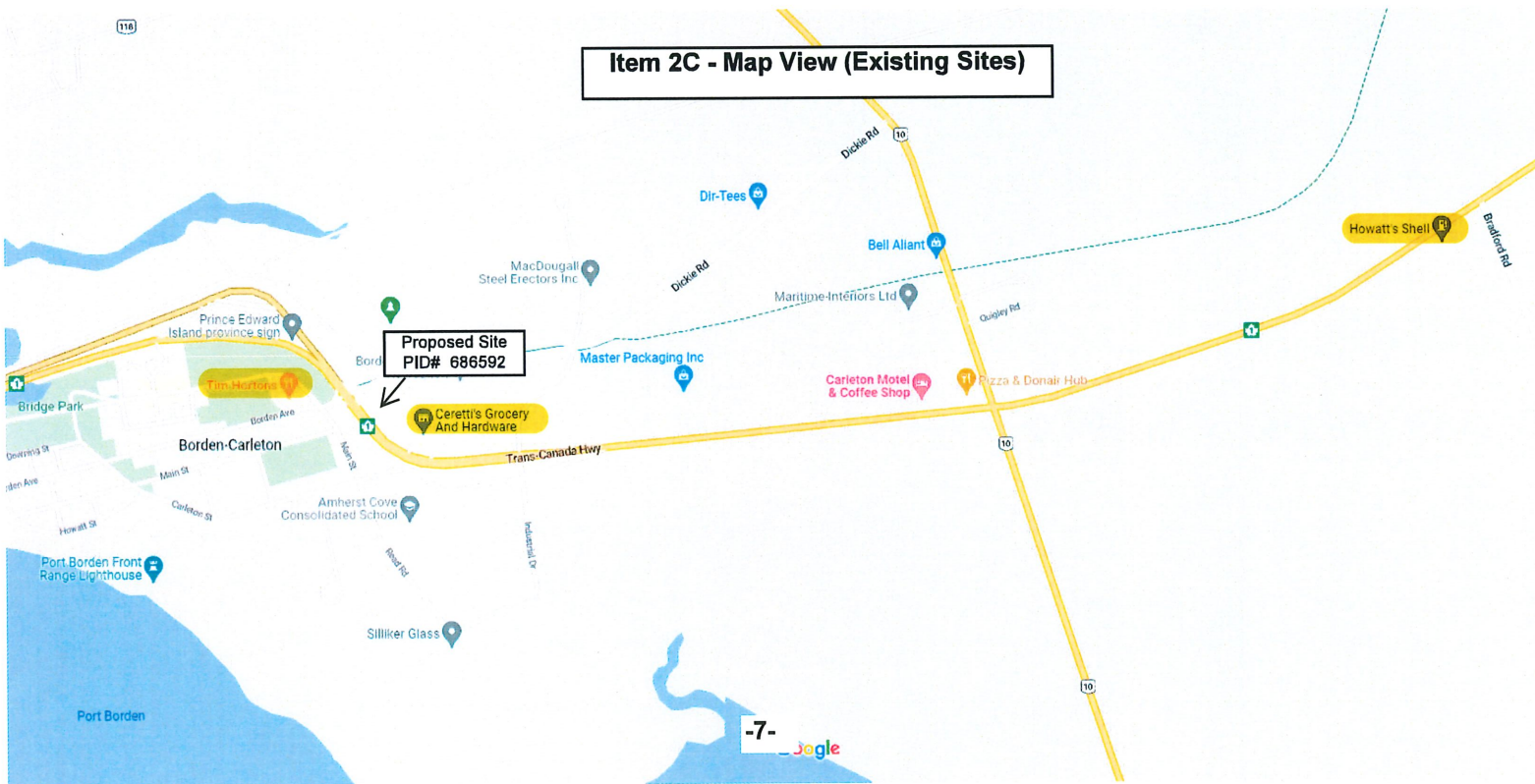
- Safe and convenient access - there are currently two access points off Dickie Road (both in and out) and a further right turn entry is proposed off the TransCanada Highway.

All of the above would enhance the convenience of the many Island motorists and tourists who regularly pass through the area and for this reason the proposed site has received letters of support from the Tourism Industry Association of Prince Edward Island and Strait Crossing Bridge Limited which operates the Confederation Bridge.

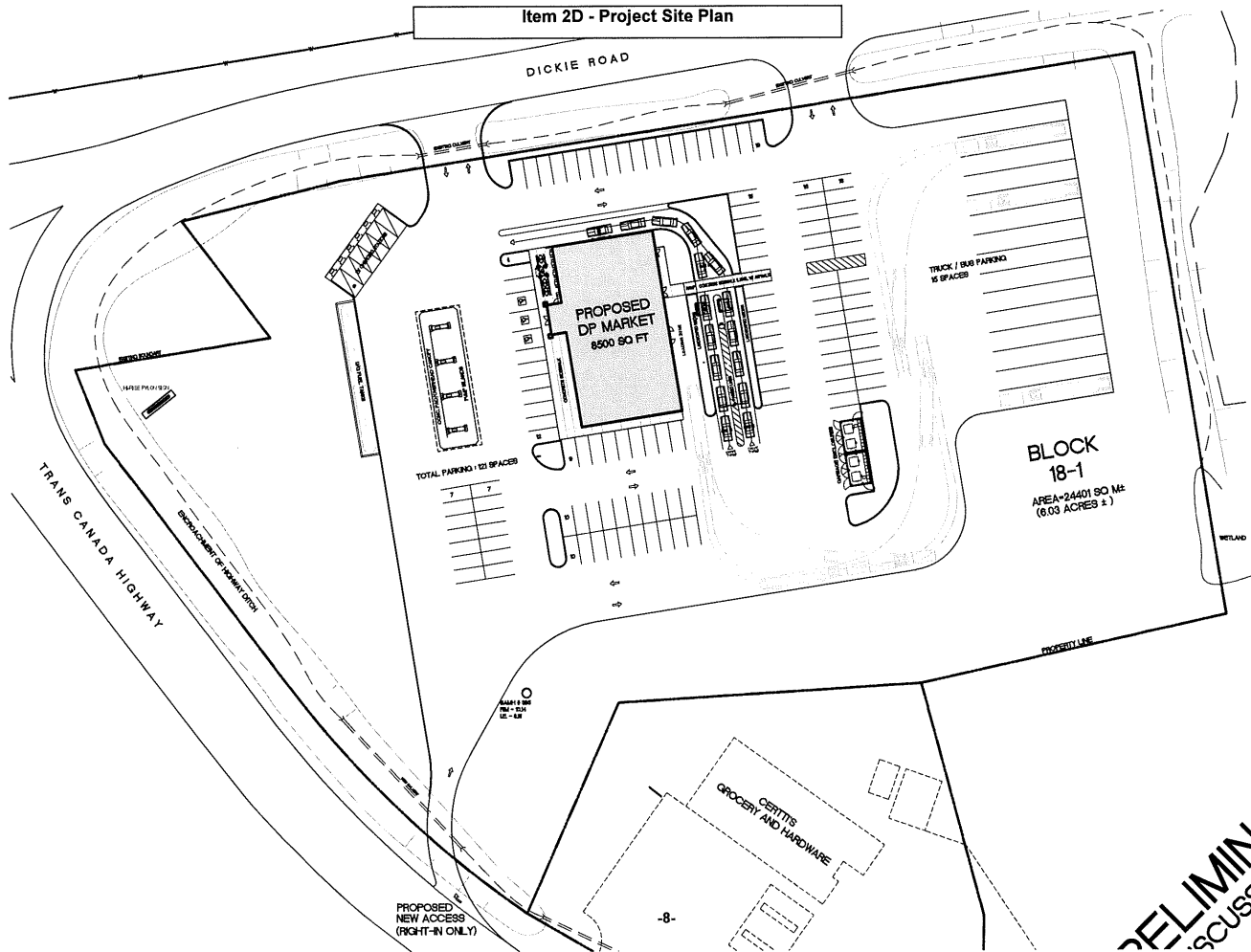
Regarding status of the project, a development permit application is being submitted concurrently to the Town of Borden-Carleton and the Applicant hopes to commence construction later this year. Confirmation has been received that the proposed uses fall within the applicable Highway Commercial (HC) zone.



Item 2C - Map View (Existing Sites)



Item 2D - Project Site Plan

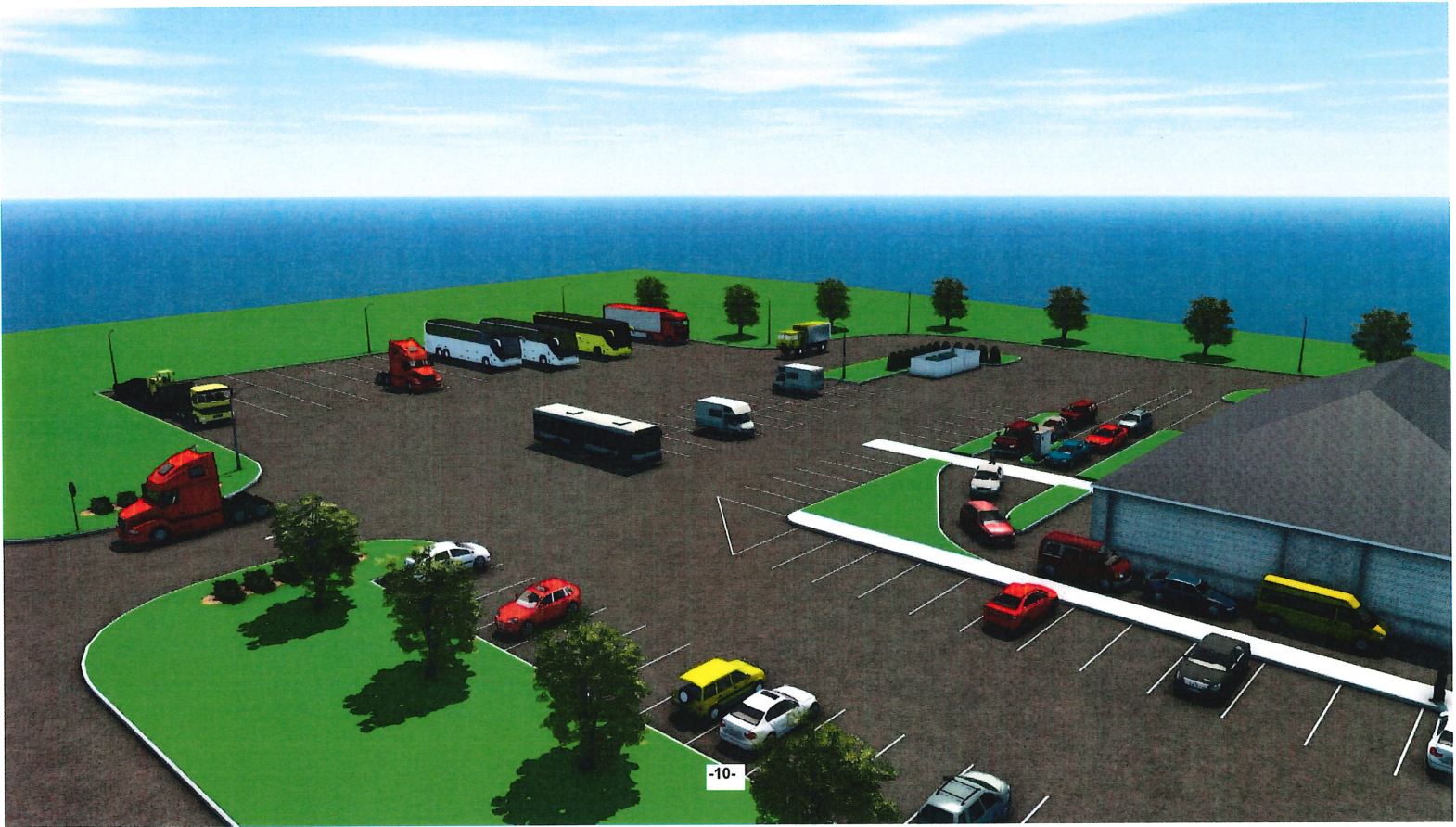


BLOCK 18-1
AREA-24401 SQ M;
(6.03 ACRES ±)

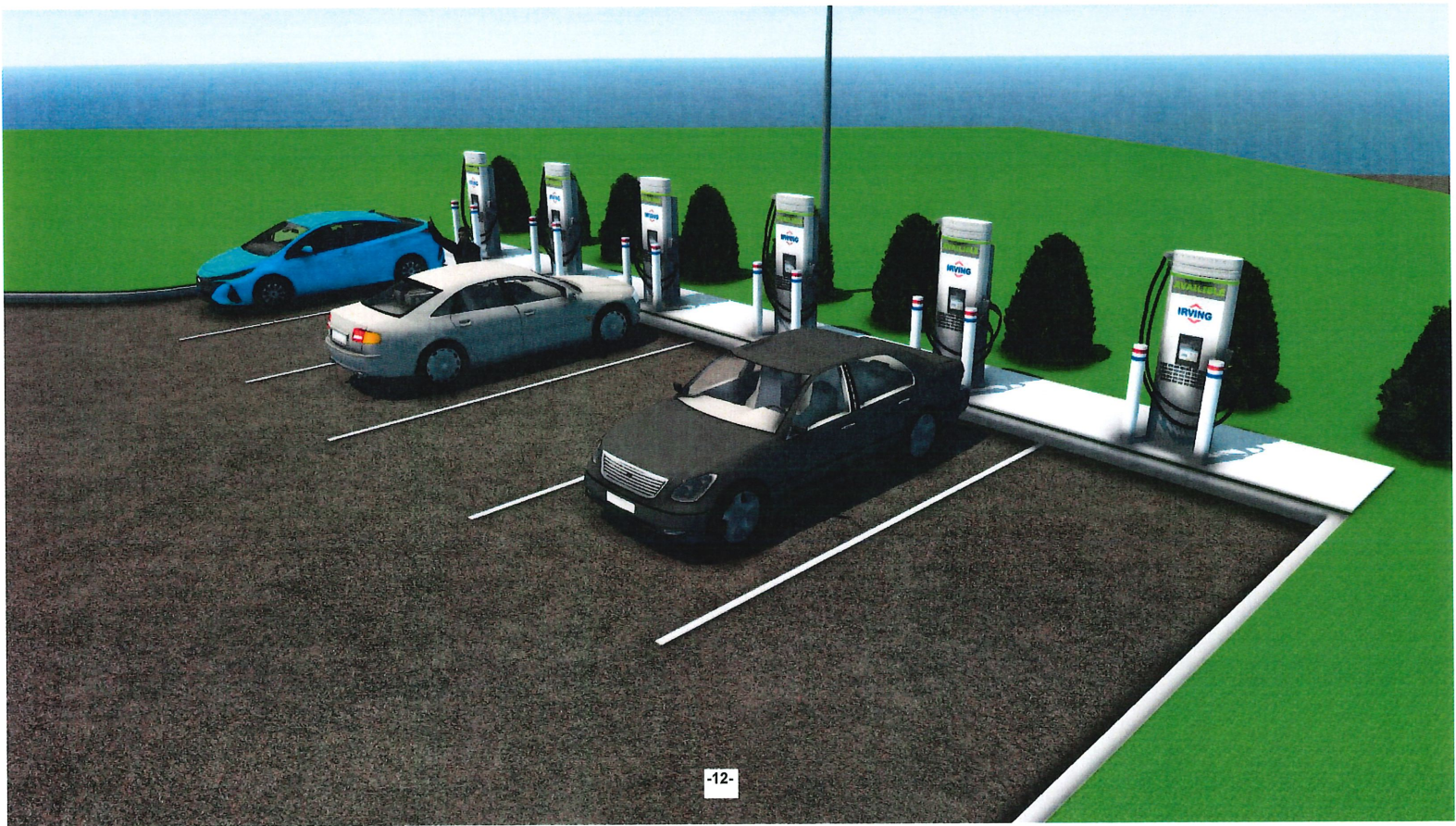
DELIMITATION
DISCUSSION

Item 2E - Concept Images









Item 2F - Letters of Support



CONFEDERATION BRIDGE
PONT DE LA CONFÉDÉRATION

STRAIT CROSSING BRIDGE LIMITED

104 Abegweit Boulevard
PO Box 70
Borden-Carleton, PE
Canada C0B 1X0
Tel: (902) 437-7300
Fax: (902) 437-7321
confederationbridge.com

June 14, 2023

D.P. Murphy Inc.
250 Brackley Point Road
Charlottetown, PE
C1A 6Y9

Attention: Danny Murphy

Re: IRAC Application, Borden-Carleton

Dear Mr. Murphy:

We understand that DP Murphy is applying to the Island Regulatory and Appeals Commission for a license to operate a new petroleum outlet at the intersection of Trans-Canada Highway and Dickie Road in Borden-Carleton. Strait Crossing Bridge Limited wishes to provide this letter in support.

As the entity responsible for managing and operating Confederation Bridge we have witnessed first-hand over the years the vital importance of this area for Island motorists and tourists. Traffic across Confederation Bridge has been on an increasing trend in recent years, interrupted recently by Covid but now recovering stronger than ever.

We believe it is important to provide the best service and convenience possible for these many motorists, which also helps to support PEI's vital tourism industry. For this reason we are in full support of the new site as proposed.

I would be happy to discuss this further if needed.

Sincerely,

STRAIT CROSSING BRIDGE LIMITED

A handwritten signature in black ink, appearing to read 'Mathieu Lisbonis'.

Mathieu Lisbonis
President



**Tourism Industry
Association of
Prince Edward Island**

25 Queen Street, 3rd Floor
Charlottetown, PE, C1A 4A2

www.tiapei.pe.ca

1-902-566-5008



D.P. Murphy Inc.
250 Brackley Point Road
Charlottetown, PEI, C1A 6Y9
Attention: Danny Murphy

Re: Proposed Retail Gas Outlet, Borden - Carleton

Dear Mr. Murphy,

As follow-up to our recent discussions, we are writing to provide this letter of support in regard to DP Murphy's licensing application for a new petroleum outlet on Highway 1 near Dickie Road, Borden-Carleton.

As you are aware, tourism is a vitally important industry for Prince Edward Island, one that employs one in eight Islanders, and generates substantial revenues and tax dollars each year. Although the industry has recently been impacted by Covid, TIAPEI is predicting a strong return in 2023 and continued strong growth for years to come, pacing much further ahead than other jurisdictions across the country.

TIAPEI's focus is on supporting this key industry and we believe the proposed new site will help do that. By offering new and expanded services in what is the main entranceway to PEI it will enhance the convenience of the many tourists and Island motorists who use this area and create a sense of arrival for those visitors.

We wish you success with the new project.

Sincerely,

Corryn Clemence
Chief Executive Officer

3. OPERATION AND MANAGEMENT

(a) DP Murphy

The proposed site would be owned and operated by DP Murphy. Although new to the petroleum industry, DP Murphy brings a track record as one of the Maritimes' most successful and recognized businesses with over 40 years of operating experience. It has received numerous franchisor awards over the years for quality, cleanliness and customer service in its restaurants and hotels.

DP Murphy's portfolio currently includes:

- 20 Tim Hortons restaurants in PEI;
- 4 Wendy's restaurants in PEI;
- 8 hotels in PEI, New Brunswick and Nova Scotia with 3 additional hotels under development;
- a Boston Pizza restaurant and a flagship Leon's furniture store in Charlottetown.

The company has approximately 2,220 employees and an experienced head office management team led by owner and president Danny Murphy and CEO Jeffrey Appleton.

(b) Irving Oil

Contributing to the effective operation of the site would be the support and expertise provided by the fuel supplier, Irving Oil.

Founded in 1924, Irving operates Canada's largest refinery in Saint John, New Brunswick, along with more than 900 fueling locations and a network of distribution terminals spanning Eastern Canada and New England. Its overseas operations include Ireland's only refinery, offices in London, England and tankage in Amsterdam.

Named one of Canada's Top 100 Employers for seven consecutive years, Irving Oil is known for its strong customer and community focus.

PROVIDING ONE OF THE BEST HOSPITALITY SERVICES IN EASTERN CANADA

As owners and operators of a diverse collection of fine hotels and restaurants across Eastern Canada, providing exceptional hospitality has been the driving determination for D.P. Murphy Group of Companies. Our establishments are outfitted with the latest technology and are perfectly equipped to host business meetings and conferences. Regardless of the property you visit, you can rest easy knowing you'll enjoy a fine dose of our legendary hospitality.



Experience Hospitality..Like Never Before!

Book your trip to one of our hotels and experience the incredible hospitality.



Unmatched Hospitality and Food

Select from a range of fine-quality restaurants suitable for your meetings or family dine outs

PREMIER GROUP OF HOTELS

D.P. Murphy Group of Companies is an established family of businesses proudly serving Canadians since 1980. Our group of hotels in Eastern Canada is your optimum choice to experience hospitality like never before.



Dalvay by the Sea

DALVAY, PRINCE EDWARD ISLAND



Four Points by Sheraton

MONCTON, NEW BRUNSWICK



Future Inns Halifax

HALIFAX, NOVA SCOTIA



Holiday Inn Express Charlottetown

CHARLOTTETOWN, PRINCE EDWARD ISLAND



Holiday Inn Express Moncton

MONCTON, NEW BRUNSWICK



The Hampton Inn by Hilton Sydney

SYDNEY, NOVA SCOTIA



The Hampton Inn & Suites Moncton

MONCTON, NEW BRUNSWICK



**The Hampton Inn & Suites
Charlottetown**

Item 3B- Irving Profile

Our History

Many things have changed since our company was founded in 1924, but our commitment to our customers remains.



Our Founder

When K.C. Irving opened a small service station in Bouctouche, New Brunswick, he believed that success came from a strong work ethic and outstanding customer service.

He quickly became known for his friendly, reliable service, high-quality fuel, and helping customers, day or night, who were in need of repairs or a full tank of gas to make it home safely.

Irving Oil Today

We're still doing business the way K.C. Irving did - focusing on outstanding customer service and high-quality products.

That's what customers have come to expect from Irving Oil and it's what sets us apart from the competition.

Our globally distributed products from our Irving Blending & Packaging team provides you with branded oil, lubricants, Diesel Exhaust Fluid (DEF) and more.

From supply to marketing to customer service, our Saint John, NB-based support team is well-positioned to serve your needs in order to help your business grow.



Relationship Excellence

Listening to and communicating frequently with our Dealers and Distributors are essential tools in providing customer service excellence.

Voice of the Dealer

This survey allows Dealers to keep us updated on opportunities to better serve them in all avenues of our business.

Retail Operational Support Team

This is your one-stop resolution centre. From billing issues to marketing promotion questions, our dedicated team is focused on creating timely solutions.

Face Time and Beyond

Through regular face-to-face visits and personalized operations support, our Dealers and Distributors know we are here to support them and communicate what's coming next.

Annual Partner Meetings

Every year, we invite all our Dealers and Distributors to our annual partner meetings where we communicate what we've been doing, what's coming up, and talk about how we can work to improve together.

Community Involvement

neighbour, we love doing our part for the people who help us grow. We've created programs and have partnered with organizations that are working to help communities across Atlantic Canada.

Fuel the Care

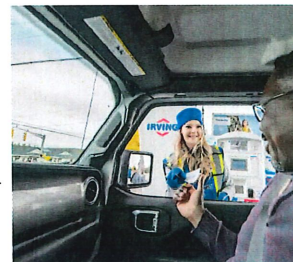
Since 2002, we've helped more than 65,000 families in Atlantic Canada, Quebec and New England with the cost of travel between home and hospital.

Community Service

Irving Oil employees are encouraged to volunteer for causes that matter most to them through our Good Energy in Action program. In 2018 alone, we recorded nearly 2,000 hours of paid time off spent volunteering.

Ducks Unlimited

Since the 1970s, we have partnered with Ducks Unlimited Canada to protect wetlands in our communities and the wildlife that call them home. Wetlands are a vital part of our coastal ecosystems and provide important benefits for humans and animals alike.



Reliable Supply

With a commitment to innovation and supply chain excellence, our refineries have been recognized as industry leaders.

Saint John Refinery

We operate Canada's largest refinery. With enormous refining and storage capabilities, we provide customers with a reliable supply of quality products.

Every day, it produces more than 320,000 barrels of finished energy products, more than half of which are exported to the US Northeast.

Charlottetown Terminal

Our Charlottetown terminal operates 24/7, 365 days a year. We are proud to supply the island with safe and reliable quality fuel.

Extensive Network

We have more than 80 supply points in our wholesale and industrial distribution network spanning from our New England, Eastern Canada and European operations.

Irving Oil has further solidified our distribution network through supply agreements throughout the Northeast.

Environmental Stewardship

We strive to raise the bar by being among the first to adopt stringent fuel specifications and investing in emission control technology to improve our environmental performance. After significant upgrades at our Saint John refinery and other improvements, we lead the way for ultra-low sulphur gasoline products. Now, our gasolines are TOP TIER, the highest cleanliness standard for gasoline performance.

Key Milestones

Irving Oil opens its Saint John, NB, refinery with an initial capacity of 40,000 barrels a day.

Refinery expansions in 1971 and 1974 increase production to 250,000 barrels a day.

Two new marine terminals are added to our supply network in Portsmouth, NH, and Revere, MA.

Following a \$100-million investment, we produce our first ultra-low-sulphur fuels well ahead of regulations.

New offices in London, England, and tankage in Amsterdam, Netherlands, are established.

We acquire the Whitegate refinery in Ireland (75,000 barrels a day), complementing the Saint John refinery, Canada's largest, at 320,000 barrels a day.

We acquire Top Oil of Ireland, a leading supplier of transportation fuels, home heating oil and commercial and agricultural fuels in Ireland.

1960

1970s

1998

2003

2014

-19-

2016

2019

Marketing Programs

We deliver integrated marketing campaigns that drive customers to your location and increase loyalty – at the pump and in the store. Our in-house marketing division lives the Irving Oil brand, every day.

Research-Driven Marketing

We know that effective marketing begins with understanding our customers. That's why we have dedicated research staff to monitor the pulse of Atlantic Canada drivers and their fuel purchase choices, and to provide insight into our competitors, giving us a competitive advantage.

AIR MILES® Reward Miles

Customers fuelling up at our locations get AIR MILES Reward Miles with every swipe of their AIR MILES Card at the pump or in the store. Partnering with one of Canada's most popular loyalty programs allows us to run innovative and value-driven promotions and contests, all year long.

Irving Fleet Cards

We offer our Irving Commercial Card for light fleets and IRVING 24 card for heavy fleets, both with competitive pricing, to keep our high-volume customers coming back for more.

Innovative Programs

Whether it's an exciting contest or our Choose Your Reward promotion, we find ways to drive additional value for customers, which further increase traffic to your location.



Join the Irving Oil family
and we'll help you grow



irvingoil.com



IRVING

Welcome
to a friendly, family-owned
company

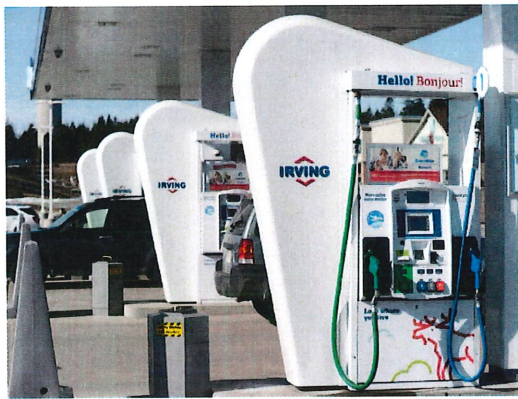
Item 3C- Irving Website Excerpts (Brand Promotions)

Irving Rewards

Swipe your card to earn fuel rewards



Air Miles

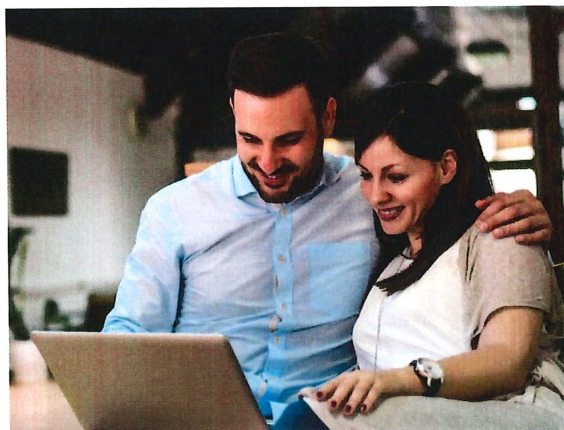


Swipe your AIR MILES® Collector Card to get one Mile for every 20 litres purchased at the pump (all fuel types – regular, plus, supreme or diesel).



Swipe your AIR MILES Collector Card to get one Mile for every \$20 (including tax) on qualifying convenience store purchases.*

Gift Cards



Put a smile on the faces of your friends and family. Our gift cards can be used for more than just fuel – you can use them for all your convenience store needs and restaurant purchases as well.

Special Offers



Use 95 AIR MILES® Cash Miles™ to get

\$10 off your purchase and
25 AIR MILES® Bonus Miles™
with a fill-up of 35 L or more

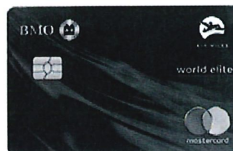
Opt in

Offer is subject to terms & conditions at air.miles.ca/irvingbonus



Always get 3X
the AIR MILES® Reward Miles
at participating Partners!

Learn more



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4. **PUBLIC INTEREST CONVENIENCE AND NECESSITY**

(a) Factors Considered

In reviewing this application the Commission is required to consider public interest convenience and necessity as set out in Section 20 of the Petroleum Products Act. The following are among the factors the Commission has considered in determining whether a proposed site meets the public interest convenience and necessity test:

- the promotion of competition;
- traffic volumes and trends in the general area of the proposed outlet;
- population size and trends in the general area of the proposed outlet;
- trends in gasoline sales, especially in the general vicinity of the proposed location;
- services presently available to the motoring public in the general area of the proposed outlet.

Each of these factors is analyzed below.

It should be noted that in prior decisions the Commission has emphasized that the particular circumstances of each application must be considered and that there is no single checklist of factors that must be satisfied by an applicant.¹

(b) Promotion of Competition / Services Presently Available

Regarding promotion of competition, the Applicant submits that in this critical entryway to PEI it is important to have the best offerings possible for Island motorist and tourists. Given that the last Borden-Carleton site approval was back in July 1998² this application presents an opportunity to update and expand the existing services. More specifically:

- the new site would provide much needed space for vehicles, ample parking, EV chargers and new retail offerings;
- it would reintroduce the Irving brand in the market, along with its many brand loyalty offerings such as the Irving Rewards Card (see Item 3C), given that Ceretti's will no longer be operating as an Irving.

(c) Traffic Volumes and Trends

For traffic data, we refer to the following table from the PEI Department of Transportation showing Annual Average Daily Traffic for Confederation Bridge³:

Year	AADT (Annual Average Daily Traffic)
2011	3783
2012	4057
2013	4062
2014	4070
2015	4200
2016	4599
2017	4733
2018	4749
2019	4893
2020	2835
2021	2969
2022	4724

As will be noted traffic has been steadily increasing. The trend is more significant from 2015 to 2019, then a significant drop in 2020 and 2021 due to Covid, but a strong recovery in 2022. Overall the 2011 through 2022 numbers are up 24.9% -- 29.3% if we use 2011 to pre-Covid 2019.

The strong 2022 recovery in Confederation Bridge traffic is further shown in the below table from the Department of Tourism Monthly Tourism Indicators⁴:

Confederation Bridge Traffic, % Increase 2021/2022										
YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
97%	60%	219%	372%	469%	718%	421%	87%	30%	29%	55%

The current outlook for tourism going forward is positive, which suggests that traffic in the market area will only continue to increase. We refer to the following assessment from Destination Canada’s Fall 2022 Tourism Outlook:⁵

“After reaching 92% of 2019 levels in 2022, domestic tourism spending will fully recover in 2023. The domestic market is expected to continue to expand through a mild recession and reach 129% of 2019 levels by 2030.”

In summary, a steady upward traffic trend over the past many years, further assisted by predicted strong tourism growth, serves to demonstrate consumer demand in this market.

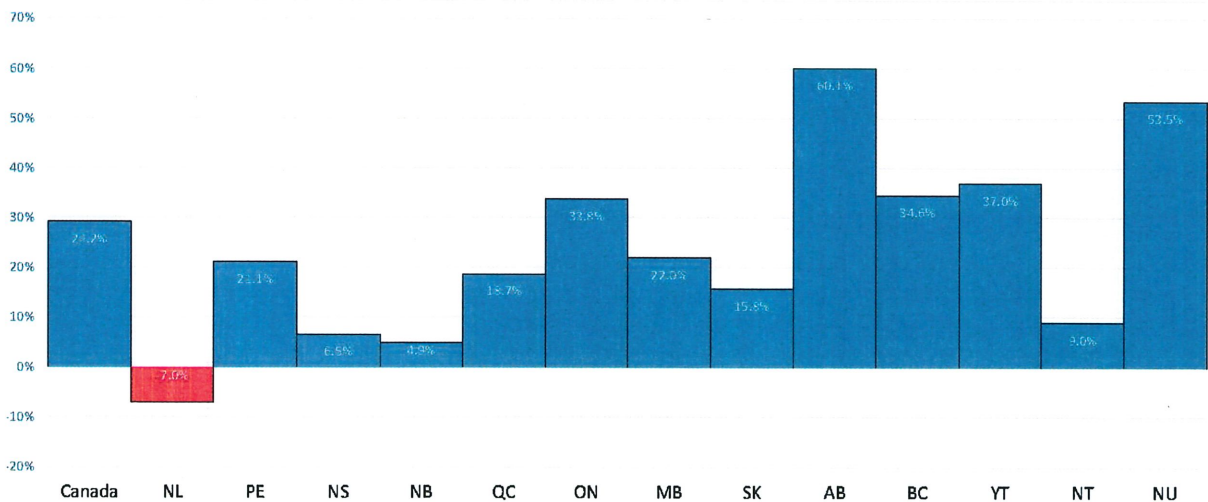
(d) Population Size and Trends

For population data, we have compiled the below numbers from Statistics Canada⁶. Although Borden–Carleton itself has a small population, much of the traffic comes through from other parts of PEI and Canada so these areas are included as well.

Area	2011 Census	2016 Census	2021 Census	% Change 2011 to 2021
Borden	750	724	788	3.6
Charlottetown	34,562	36,094	38,809	12.3
PEI	140,204	142,907	154,331	10.1
NS	921,727	923,598	969,383	5.2
NB	751,171	747,101	775,610	3.3
Que	7,903,001	8,164,361	8,501,833	7.6
Ont	12,851,821	13,448,494	14,223,942	10.7
Canada	33,476,688	35,151,728	36,991,981	10.5

Note that while Borden–Carleton itself shows only a modest population increase (although up 8.8% from 2016 to 2021), there have been more significant increases in the other areas feeding this market, most notably PEI and Canada as a whole. If we go back to 1996 (just prior to when the last Borden license was approved) those increases are 21.1% and 29.2% respectively as shown in the table below.

TWENTY-FIVE YEARS OF POPULATION GROWTH, CANADA, PROVINCES AND TERRITORIES, 1996 - 2021



Source: Statistics Canada, Centre for Demography

From the 2021 PEI Annual Statistical Review.⁷

(e) Gasoline Volumes and Trends

Borden Carleton

For gasoline sales, full year data for Borden-Carleton is available from Kalibrate (formerly Kent Marketing) from 2017:

Retail Volume in Liters

Year	# of Sites	Total	Gas	Diesel	Avg Gas Volume Per Site
2022	3				
2021	3				
2020	3				
2019	3				
2018	3				
2017	3				

REDACTED:
Kalibrate proprietary information

Although there is a limited number of years on which to observe a trend, the above mirrors the pattern with traffic -- showing an increase to 2019, then significant drop due to Covid in 2020 and 2021, then a strong initial recovery. The tourism and traffic projections referred to earlier should help ensure a full recovery and continuing growth.

It should also be noted that the average volume per site in Borden-Carleton as shown for 2017 through 2019 (pre-Covid, which we suggest are the most representative years) is above the PEI average.

PEI

For PEI overall numbers we have compiled the below data from IRAC annual reports showing the years 1998 (last license issue in Borden-Carleton)⁸ through 2021 (most current data available as of the date of this application):

Year	# of Sites	Retail Gas Volume (in Liters)	Avg Volume Per Site
2021	87	218,415,327	2,510,521
2020	88	209,037,488	2,375,426
2019	88	228,878,056	2,600,887
2018	88	223,597,000	2,540,875
2017	86	216,569,586	2,518,251
2016	87	208,295,487	2,394,201
2015	88	203,093,000	2,307,875
2014	88	195,250,507	2,218,755
2013	93	197,597,007	2,124,699

2012	94	203,423,421	2,164,079
2011	93	201,385,568	2,165,436
2010	93	201,067,450	2,162,015
2009	96	196,896,709	2,051,007
2008	99	188,932,978	1,908,414
2007	103	192,890,821	1,872,726
2006	107	189,418,271	1,770,264
2005	108	197,224,392	1,826,152
2004	112	200,831,674	1,793,140
2003	114	202,788,877	1,778,850
2002	115	203,048,718	1,765,641
2001	124	193,792,185	1,562,840
2000	135	196,103,662	1,452,620
1999	137	196,411,799	1,433,663
1998	140	185,286,424	1,323,474

Although the above numbers may not translate directly to Borden-Carleton, it is worth noting that PEI gas volume is up 18% between 1998 and 2021, and up 23.5% if we use pre-Covid 2019. This level of cumulative increase suggests that if Borden-Carleton numbers were available over a similar number of years they would also show a positive trend over that period.

(f) Tourism

Although not stated earlier as one of the factors typically considered by the Commission (apart from the effect on traffic), tourism is worthy of mention in its own right given it is such an important industry for PEI and thus relevant to public interest generally. Enhancing convenience and services for travelers near Confederation Bridge can only help to support this vital industry.

The importance of tourism was clearly highlighted in a recent report commissioned by Tourism PEI titled The Economic Impact of Tourism Expenditures in Prince Edward Island.⁹ The report used 2019 (pre-Covid) numbers to provide a more accurate benchmark. At page 11 the report concluded:

“The tourism industry is a critical cornerstone of the economy of PEI. It generates significant and stable employment for thousands of the Island’s residents...”

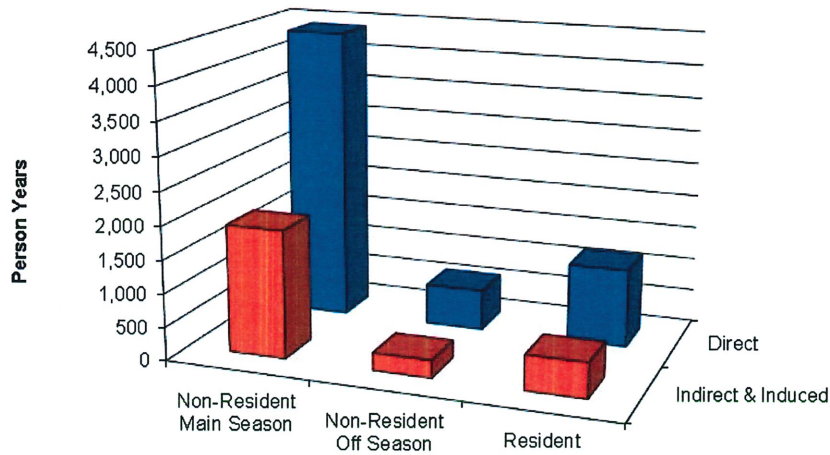
Some key numbers from the same conclusion:

- PEI’s economy had generated annual sales (economic activity) estimated at over \$859.2M as a result of tourism expenditures in 2019;
- Provincial GDP had been increased annually as a result by almost \$420.3M;

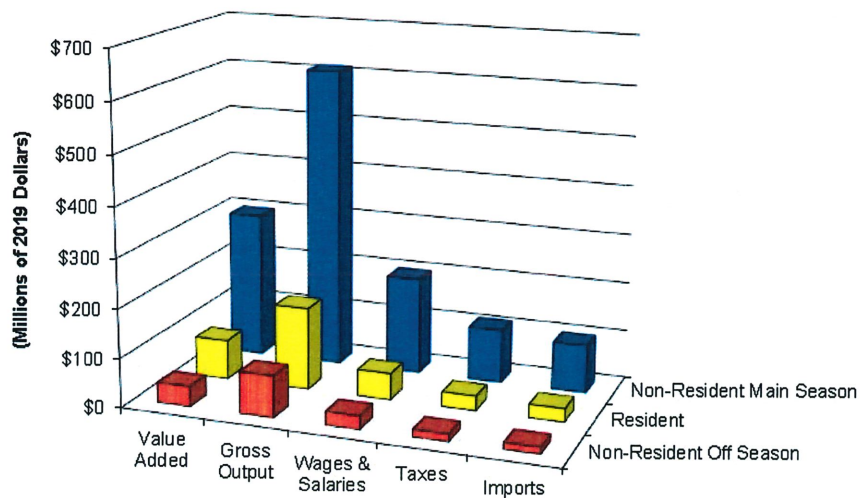
- Tourism had been responsible for 8,900 person years (full-time equivalent jobs) of employment;
- Wages and salaries in PEI were increased by a total of \$279.9M annually; and
- \$155.3M of additional annual tax revenues were realized by the three levels of government.

From the same report:

**Figure 2
Employment Impacts of Tourism Expenditures in
Prince Edward Island - 2019**



**Figure 1
Economic Impacts of Tourism Expenditures in
Prince Edward Island - 2019**



5. SUMMARY AND CONCLUSION

To summarize the key factors cited in support of this application

- Although small in population, Borden-Carleton is a critical entryway to Prince Edward Island. This application presents an opportunity to complement the existing sites with new and expanded the services for the many Island motorists, as well as tourists, who utilize this area.
- With 4 times the area of the existing sites, the proposed location would offer much needed space for traffic and for larger vehicles, ample parking, EV charging and attractive retail offerings, which would enhance the convenience of the motoring public.
- The proposed site would continue the Irving brand in the market along with its many brand loyalty offerings.
- The site would be operated by a leading Maritime business with over 40 years of operating experience and award-winning properties, further enhanced by the association with Irving.
- Increases in traffic count, population, and petroleum volumes all serve to demonstrate consumer demand in the market.
- With a positive outlook for tourism (predicted to be 129% of 2019 levels by 2030) traffic trends in the area should only continue to increase.
- Enhanced services should help to support tourism efforts, hence the letters of support from the Tourism Industry Association of Prince Edward Island and Confederation Bridge.

For all of the above reasons, it is submitted that public interest convenience and necessity are demonstrated in this application and that the requested retail petroleum outlet license should be issued.

6. FOOTNOTES

1. From comments in IRAC Order No. PC22-01 dated January 31, 2022 involving an application by Mel's Enterprises Inc.
2. IRAC Order No. P980730 dated July 30, 1998 (license issued for 141 Abegweit Boulevard).
3. Confederation Bridge traffic numbers provided by Brett Wallace, PEI Department of Transportation & Infrastructure, on May 10, 2023.
4. From PEI Department of Tourism Monthly Tourism Indicators website - accessed May 10, 2023.
5. From Destination Canada report, Tourism Outlook – Forecast Highlights Fall 2022 at page 16.
6. Census of Population data for 2011, 2016 and 2021 extracted from Statistics Canada website - accessed May 10, 2023.
7. From the 48th Annual Statistical Review 2021 prepared by the PEI Statistics Bureau and dated July 2022, at page 26.
8. Gasoline sales data for Prince Edward Island extracted from IRAC annual reports for the periods 1998-99 through 2021-22.
9. From The Economic Impact of Tourism Expenditures in Prince Edward Island, report prepared for Tourism PEI by Econometric Research Limited in September, 2021.