

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #5/20, Friday, September 11, 2020

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **IMPERIAL OIL LIMITED**
Request for Permanent Easement Required for the Waterdown to Finch Project,
City of Toronto, Humber River Watershed (CFN 63532)

KEY ISSUE

Receipt of a request from Imperial Oil Limited, for a permanent easement required for the Waterdown to Finch Project, located on the west side of Albion Avenue and south of Finch Avenue West (south of the Humber River, in the City of Toronto, Humber River watershed.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS Toronto and Region Conservation Authority (TRCA) is in receipt of a request from Imperial Oil Limited for a permanent easement required for the Waterdown to Finch Project, located on the west side of Albion Avenue and south of Finch Avenue West (south of the Humber River), in the City of Toronto, Humber River watershed;

AND WHEREAS it is in the best interest of TRCA in furthering its objectives as set out in Section 20 of the *Conservation Authorities Act* to cooperate with Imperial Oil Limited in this instance.

THEREFORE LET IT BE RESOLVED THAT a permanent easement containing 0.00007 hectares (0.00017 acres), more or less, of vacant land, required for the Waterdown to Finch Project, said land being Part of 5.484 Road Widening, Plan M-433, designated as Part 1 on draft Registered Plan by Stantec Geomatics Ltd., Project No: 156660015, dated Nov 29, 2019, in the City of Toronto, be conveyed to Imperial Oil Limited.

THAT consideration be \$10,000; all legal, appraisal, survey and other costs associated with registering the permanent easement to be paid by Imperial Oil Limited;

THAT Imperial Oil Limited is to fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this conveyance or the carrying out of construction;

THAT an archaeological investigation be completed, with any mitigation measures being carried out to the satisfaction of TRCA staff, at the expense of Imperial Oil Limited;

THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by Imperial Oil Limited prior to the commencement of construction;

THAT all TRCA lands disturbed by the proposed works be revegetated/stabilized following construction and where deemed appropriate by TRCA staff, a landscape plan be prepared for TRCA staff review and approval in accordance with existing TRCA landscaping guidelines, at the expense of Imperial Oil Limited;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

Item 7.1

BACKGROUND

Imperial Oil Limited has requested a permanent easement across TRCA-owned lands required for the Waterdown to Finch Project, located on the west side of Albion Avenue and south of Finch Avenue West (south of the Humber River), in the City of Toronto, Humber River watershed.

The Waterdown to Finch Project proposes to replace approximately 63 km of pipeline of the (existing) Sarnia Products Pipeline between Imperial Oil Limited's pump station in rural Hamilton (Waterdown Station) and its terminal storage facility in Toronto's North York area to support continued safe, reliable, and environmentally responsible transportation of products. It is understood that this segment of the existing pipeline is reaching its end-of-life, and that Imperial Oil is proactively replacing this pipeline to continue safe and reliable delivery of refined fuel product to service the movement of people, goods and services throughout the region, including Toronto Pearson International Airport. It is further understood that the existing pipeline will continue to operate until the new pipeline has been installed, at which point the transmission of fuel will be transferred from the existing to the new pipeline at Waterdown Station. The existing pipeline will then be deactivated, removed from service, cleaned, and left in place. The new pipeline will replace the existing. Imperial Oil has an extensive spills management protocol and invited TRCA to participate in their three-day training symposium in the fall of 2019, with specific exercises planned around the Humber River Watershed.

The subject TRCA-owned lands were acquired from The Corporation of the City of Etobicoke on January 24, 1989 under the Land Acquisition Project 1987 – 1991 (Humber River Flood Plain Lands) for a nominal fee.

Attachment 1 is a sketch illustrating the location of the permanent easement. Attachment 2 is an orthophoto illustrating the location of the permanent easement. Attachment 3 is a map of Sarnia Products Pipeline Route.

RATIONALE

The granting of the permanent easement will help protect communities and the environment.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 4 – Create complete communities that integrate nature and the built environment

FINANCIAL DETAILS

Imperial Oil Limited has agreed to assume all legal, survey and other costs involved in completing this transaction. It is proposed that the unrestricted easement fees be utilized as TRCA considers proper, in the pursuit of furthering its mandate.

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Date: July 31, 2020

Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto

Attachment 3: Sarnia Products Pipeline Route