

Metrolinx

Adjacent Development Guideline for Priority Transit Projects

Scarborough Subway Extension

Ontario Line

Yonge North Subway Extension

Eglinton Crosstown West Extension

Capital Project Delivery

Version: 1

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The logo graphic consists of two thick, black, horizontal lines that cross each other in the middle. The top line has a small upward curve on its left end, and the bottom line has a small downward curve on its left end, creating a stylized 'X' or interlocking shape.

METROLINX

PREAMBLE

The *Building Transit Faster Act, 2020* (BTFA) targets steps in the planning, design and construction process that have delayed major projects in the past. The legislation removes roadblocks and gives the province the tools needed for Metrolinx and Infrastructure Ontario to deliver the following four priority transit projects faster:

- Ontario Line Subway
- Scarborough Subway Extension
- Yonge North Subway Extension
- Eglinton Crosstown West Extension

The legislation will help get transit built faster by ensuring nearby developments or construction projects do not interfere with or delay the four priority transit projects. The BTFA introduces a permit requirement for certain works near the priority transit projects. A Corridor Development Permit is required to carry out the following work within the Corridor Control Lands:

1. **Building, Altering** or placing a **Building**, other **Structure** or road, or conduct excavation or dewatering, on or under transit corridor land, or land within 30 metres of transit corridor land.
2. **Building, Altering** or placing Utility Infrastructure that would require grading or excavation on or under transit corridor land, or land within 10 metres of transit corridor land.
3. Such other work as may be prescribed by Regulation under section 84 of the Act.

The **Corridor Development Permit** does not replace any other permit and/or approval that an Applicant must obtain to satisfy applicable law, including municipal and provincial approvals. Metrolinx will work collaboratively with Applicants, Authorities Having Jurisdiction, and leverage existing municipal planning and approvals processes, in order to streamline approvals.

Interested parties undertaking due diligence, planning and development activities within the **Corridor Control Lands** are encouraged to read this Guideline, and the companion Metrolinx Corridor Development Permit for Utility and Roadway Work, as may be applicable for such projects, and to visit Metrolinx's website for more information including maps of the Corridor Control Lands. All inquiries may be directed to development.coordinator@metrolinx.com.

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1. DEFINITIONS & ABBREVIATIONS

"Alter" or "Alteration" means material or structural changes to the exterior of existing buildings or structures, such that the original form or makeup of that building or structure has been temporarily or permanently modified through removal, replacement, or addition of any building or structure components, using mechanical equipment or manual means to perform the work. Such activities may include any construction, demolition or grade alteration activities.

"Application Package" means the Application Form, filled out checklist, cover letter, drawings, reports and other documents supporting the application for a Corridor Development Permit.

"As-Built Drawings" has the meaning given by the Professional Engineers of Ontario as those drawings prepared by a third party or by the engineer using information furnished by the contractor or other field staff.

"Authorities Having Jurisdiction" or "AHJ" means any federal, provincial, territorial, regional, municipal or local governmental authority, quasi-governmental authority, court, government or self-regulatory organization, commission, board, tribunal, organization, or any regulatory, administrative or other agency, or any political or other subdivision, department, or branch of any of the foregoing or any Utility Company, having legal jurisdiction in any way over Metrolinx, any aspect of the performance of the Works, the operation of the system or, in each case to the extent it has or performs legislative, judicial, regulatory, administrative or other functions within its jurisdiction.

"Building" means a structure, wholly or partially enclosed with a roof, supported by walls, columns, piers or other structural systems, regardless of size, whether temporary or permanent.

"BTFA" means *Building Transit Faster Act, 2020*.

"Business Day(s)" means a day from Monday to Friday, other than a holiday as defined in section 87 of the Legislation Act, 2006.

"Corridor Control Lands" means lands designated as **Transit Corridor Lands** or lands within 30 metres (for Buildings, and Structures) of the **Transit Corridor Lands**, as described in Section 3 of the BTFA and this guideline.

"Corridor Development Permit" means the permit that Metrolinx issues that grants the Developer permission to proceed.

"Developer" means owners of development and infrastructure Projects within the Corridor Control Lands. Any land owner who plans work within the Corridor Control Lands is also considered a Developer in this guideline. The Developer is an Applicant when they are applying for a permit. A proponent as defined in *Building Transit Faster Act, 2020* (as in the Consolidated Hearings Act), is also a Developer in this guideline.

"Developer Infrastructure" means all permanent infrastructure constructed by the Developer.

"Metrolinx Response Review Process" means the Review Process as per Section 63 in BTFA and is the process to follow when the Developer wishes to dispute Metrolinx's Response regarding the application for a Corridor Development Permit.

"Geotechnical Zone of Influence" or "Geotechnical ZOI" means the zone in the ground in which any intrusion from Developer Infrastructure will impact Metrolinx Infrastructure, as described in Appendix A, Section 1.4 (f).

"Ground Instrumentation and Monitoring Plan" or "GIMP" is as described in Appendix A, Section 1.4(h) of this guideline.

"Metrolinx Asset Protection Package" or "MAPP" is a Metrolinx document that governs Metrolinx led Transit Oriented Communities (TOC).

"Metrolinx Decision" means the decision that Metrolinx provides to the Developer at the end of the Review Process. It can be one of the following statuses:

1. Resubmit
2. Permit with conditions
3. Permit with no conditions

"Metrolinx Response" means the written response to the Developer at the end of the Review Process that includes the Metrolinx Decision and any conditions and comments to explain the Metrolinx's Decision.

"Metrolinx Infrastructure" means all permanent infrastructure owned by or to be owned by Metrolinx and forms part of Metrolinx transit facilities, e.g. tunnels, stations and elevated structures.

"Metrolinx Standards" means standards developed by Metrolinx.

"MTO" means the Ontario Ministry of Transportation and any successor or replacement ministry thereto.

"Overhead Contact System" or "OCS" means the structures, poles, guy-wires, portals and power distribution system that delivers the power to the distribution system and then to the transit vehicle.

"Priority Transit Projects" as defined in the BTFA means the Ontario Line, Scarborough Subway Extension, Yonge North Subway Extension and Eglinton Crosstown West Extension.

"Project" means, collectively, Developer Infrastructure and any third-party infrastructure included in the development.

"Record Drawings" as defined by the Professional Engineers of Ontario as those drawings prepared and sealed by the reviewing engineer after verifying in detail the actual conditions of the completed Project.

"Rail Corridor" or "Metrolinx Corridor" means Metrolinx owned property for the exclusive use of Metrolinx operations. A Rail Corridor is a heavy rail corridor used by GO Transit. A Metrolinx Corridor is an exclusive use transit corridor for subway or LRT. Both are fenced off from the public.

“Review Process” means the process from the application for a Corridor Development Permit by the Developer, to a Metrolinx Response, and includes an intake and completion check, and a Technical Review by Metrolinx and relevant stakeholders of the Application Package for compliance to the technical requirements of this guideline and the referenced standards.

“Smoke Dispersion Analysis” is as defined in Appendix A, Section 1.5 (d).

“Structure” means anything that is erected, built or constructed of one or more parts joined together.

“Technical Review” means the review by Metrolinx and relevant stakeholders of the Application Package for compliance to the technical requirements of this guideline and the referenced standards.

“TOC” means Transit Oriented Communities. TOC is higher density, mixed-use development that is connected, next to or within a short walk of transit stations and stops. The TOC approach goes beyond the traditional Transit Oriented Development (TOD) model, which typically concentrates on a single development.

“Transit Corridor Lands” means the lands designated by the Lieutenant Governor in Council under Section 62 in the BTFA.

“Utility Infrastructure” means poles, wires, cables, including fibre-optic cables, conduits, towers, transformers, pipes, pipe lines or any other works, structures or appliances placed over, on or under land or water by a Utility Company. Pipe and pipe lines includes watermains, storm and sewer mains.

“Works” means the provision of the Developer Infrastructure and third-party infrastructure to be performed as per the Application Package.

2. PURPOSE OF THE GUIDELINE

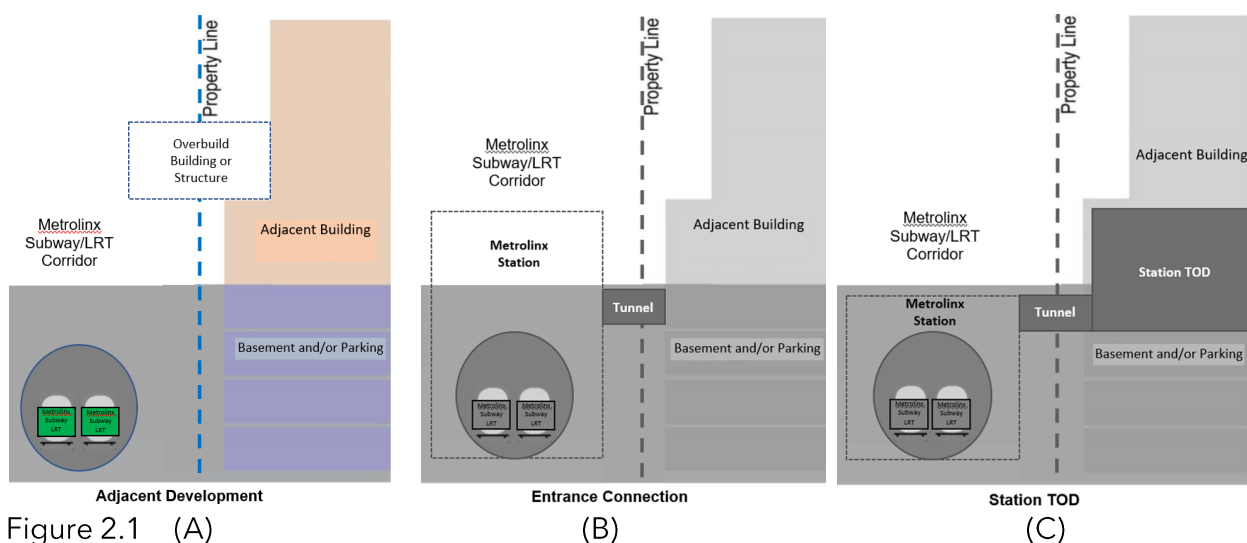
For projects that fall within the boundaries of the Corridor Control Lands, this guideline will help the development community navigate the Corridor Development Permit process with ease and clarity through the different stages, outlined in Section 3.1.

While Metrolinx will protect for the design and delivery of **Priority Transit Projects**, it is of extreme importance that public and private sector projects within the **Corridor Control Lands** still proceed for the benefit of stakeholders where they do not negatively impact transit delivery and ultimately the future safe operation of Metrolinx vehicles, and the ability to access Metrolinx stations and infrastructure. This guideline and Metrolinx staff are a resource to support due diligence activities conducted by the development community to inform project designs and methods of construction to ensure the successful completion of all projects.

2.1 Why is Metrolinx Interested in Adjacent Developments?

Any new development within close proximity to transit—whether it will be adjacent, physically connected, or built over top—is of interest to Metrolinx. Metrolinx’s interests are first and foremost one of safety; second of expediting future expansion plans in concert with sustainable land development; and third, to enhance transit connections into the surrounding communities.

This guideline is relevant only for adjacent and overbuild developments as shown in figure 2.1 (A) below. If a new development is proposed to be physically connected to any transit infrastructure, Figure 2.1 (B) and (C) (i.e. station entrance building, pedestrian tunnel connection, etc.), the development will be considered as a commercial transaction with the Metrolinx Commercial Development group, and this guideline will be a reference document to that agreement.



2.2 Who Should Use the Guideline?

This guideline is intended for the development community; Developers, consultants, contractors, utilities agencies and landowners within the Corridor Control Lands. For projects

that solely pertain to utility and roadway works, proponents should refer to the companion document: Metrolinx Corridor Development Permit Guideline for Utility and Roadway Work.

A Corridor Development Permit is **not required** in emergency situations when:

1. A Developer is responding to an emergency that involves actions to protect public safety, or is in response to a failure or damage to existing buildings or other infrastructure that has or may result in a loss of an essential service, or
2. EMS, Fire, or Police assistance is required, or 911 is or must be called or dispatched.

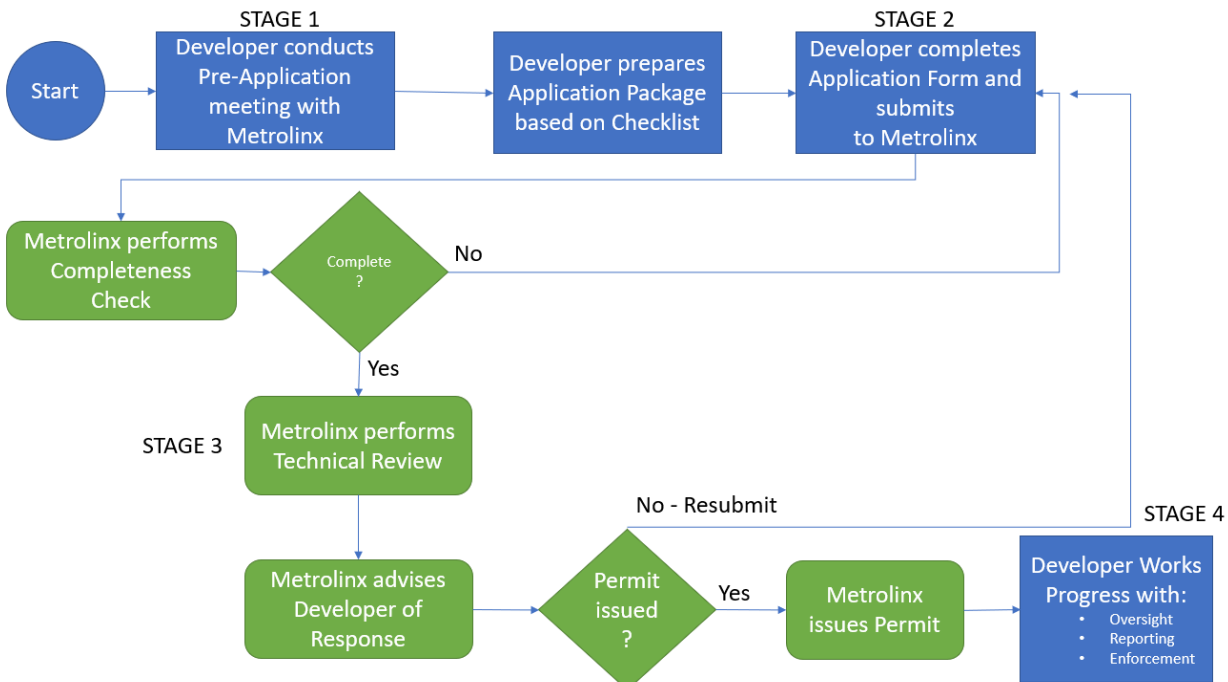
2.3 How Should the Guideline be Used?

This guideline should be used as the starting point and frequently referenced throughout the development process (planning, design, construction). It is meant to be augmented and supported by dedicated Metrolinx staff throughout the process. It describes how the Developer and its team should be coordinating with Metrolinx, third parties and other stakeholders for efficiency and alignment with the process for a Corridor Development Permit.

3. APPLICATION, REVIEW & APPROVAL PROCESS

3.1 Overview

Developers and their design and construction team will need to go through four main stages of the Corridor Development Permit Process, detailed below and shown in the Figure 3.1:



*Applicants must obtain all permits and approvals from other Authorities Having Jurisdiction to progress with works.

Figure 3.1: Diagram of the Corridor Development Permit Process

3.2 Stage 1: Corridor Development Permit Pre-Application

To initiate the Corridor Development Permit process, the Developer shall fill out and submit to Metrolinx a Pre-Application Form, along with a Site Plan showing proposed project, property lines and set backs, and if applicable/available, a Topo Survey, Grading, and Site Servicing; see **Appendix C** for the Pre-Application Form.

If Metrolinx determines during review of the Pre-Application Form that the project will have no impact on the Priority Transit Project, Metrolinx will advise the Developer that no Pre-Application meeting is needed and that the Developer can proceed directly to submitting an Application Form. Where there are perceived potential impacts to Priority Transit Project, Metrolinx will arrange a Pre-Application meeting with the Developer where Metrolinx will explain the process and the Developer can ask questions to facilitate a smoother Technical Review process. Metrolinx will also explain the risks for developing in the **Corridor Control Lands** and advise Developer on timeline for review and Permit approval based on the nature and complexity of a project. Small-scale/minor projects that have a high degree of probability of having little to no impacts to Priority Transit Projects, will have a shorter review period. Such minor projects have the following characteristics:

1. there are no Metrolinx property interests on the lands that are subject to the development;
2. proposed works do not include ground dewatering, excavation or shoring work within the geotechnical zone of influence;
3. the development does not pose any material loading implications on existing/planned transit works or assets;
4. the development complies with all applicable Metrolinx requirements and standards;
5. in general, based on the nature and location of the development compared with that of the design and construction schedule of the given Priority Transit Project, there is little or no need to coordinate designs or construction activities.

During the Pre-Application meeting with the Applicant, Metrolinx will identify items on the Corridor Development Permit Application Checklist required for submission, according to the site, project and expected impact on Priority Transit Projects. An Application Package shall include:

1. Cover Letter
2. Application Form, including Land Owner Authorization, if Applicant is not the Owner
3. Completed Checklist, indicating what is being provided in the Application Package
4. Drawings, Surveys and Technical plans (see Appendix A Section 1.3 and 1.4)
5. Studies and reports (see Appendix A Section 1.5)

See **Appendix D** for a copy of the Corridor Development Permit Application Form and Checklist.

3.3 Stage 2: Obtaining a Corridor Development Permit

The Developer completes the Application Package and submits it for review by Metrolinx and other partners (including Municipalities, TTC and Conservation Authorities) to obtain a permit, which may/may not contain conditions as part of permit approval. The permit allows the Developer to proceed with their design and/or construction, subject to certain conditions or obligations that are to be satisfied and confirmed by Metrolinx prior to advancement of design and/or construction associated with a particular condition, and subject to the Municipal Permit process. When the Developer satisfies a condition, Metrolinx will notify the Developer, and update the original permit to indicate that the condition has been satisfied and that design and/or construction subject to that condition has been authorized to proceed; this action is referred to as a “condition clearance”.

3.3.1 Metrolinx Application Review Process

Metrolinx will review the Developer’s application and perform a completeness check. If the Application Package is incomplete, Metrolinx will request the Developer to provide additional documentation or clarifications that must be provided before Metrolinx and stakeholders will initiate the Technical Review of the Application Package. If/when the application is complete, the Applicant will be advised and Metrolinx and applicable stakeholders will begin Technical Review of the Application Package against the Technical Requirements outlined in **Appendix A** of this guideline and provide a compiled and complete set of reconciled comments to the Developer; Metrolinx will reach out to the Developer to obtain clarification during the compliance review as needed prior to issuing comments.

If during the Technical Review, there are additions, modifications, or changes to the Developer’s project, an amendment to the Application Package shall be required.

Metrolinx’s review of the Developer’s Application Package will result in a Metrolinx Decision of one of the following statuses:

1. Resubmit - Application Package is non-compliant or includes insufficient documentation, to the extent that Metrolinx cannot confirm compliance and will not issue a permit. For a resubmit status, the Developer shall review and address Metrolinx’s compliance feedback, and resubmit their Application Package for a subsequent review by Metrolinx.
2. Permit with conditions - Developer shall review Metrolinx’s conditions and may proceed with the portions of work not restricted by the conditions. To further advance the development, the Developer shall submit additional documentation to satisfy the conditions. If the additional documentation is compliant, Metrolinx will update the permit, indicating that the condition has been satisfied and that design and/or construction subject to that condition can proceed.

If Metrolinx determines during their review that the Developer Project will create adverse impacts on the Priority Transit Projects, Metrolinx will not issue a Permit, and will notify the Developer. It is the Developer’s responsibility to demonstrate to Metrolinx that their Project will not create schedule, financial, or other adverse impacts

to the Priority Transit Projects, and that any potential impacts will be adequately mitigated, to the satisfaction of Metrolinx for a Permit to be issued.

A Metrolinx Corridor Development Permit, when issued, shall indicate the conditions and the corresponding Municipal Permits that have Metrolinx authorization, e.g. Demolition Permit, Shoring Permit, Excavation Permit, Foundation Permit, Building Permit. The Municipality will only issue a Municipal permit if they have a corresponding Metrolinx Corridor Development Permit in hand, and the Developer's Application Package is the same in the Metrolinx and Municipal applications, such that Metrolinx and the Municipality are issuing permits for the same design/work, as per applicable Law pursuant to O.Reg 332/12 under the Building Code Act, 1992.

3. Permit with no conditions – Issued for small-scale/minor Projects with little to no impacts to Priority Transit Projects.

3.3.2 Timing of Permit Review Process

The overall timing from submission of an Application Package by the Developer to Metrolinx Response, is expected to be up to 90 calendar days. If a Metrolinx Response is not provided within 90 calendar days from a complete submission, the Developer shall be entitled to enter the Metrolinx Response Review Process, as this process has been established under Section 11 of the BTFA.

3.3.3 Metrolinx Response Review Process

As part of the Corridor Development Permit process, the Province has implemented a Metrolinx Response Review Process which allows Applicants to request a review of the Metrolinx Response to their permit application, provided they meet the criteria identified below.

Should an Applicant disagree with a Metrolinx Response with respect to their Corridor Development Permit Application, Applicants have 30 business days to initiate the Metrolinx Response Review Process, provided that one or more of the following criteria is met:

- A. Non-Decision: A Metrolinx Response has not been provided within 90 calendar days of a submission of a complete application.
- B. Error in Application of Statutory Authority: The Applicant can demonstrate that the Metrolinx Response was beyond the jurisdiction of Metrolinx under the Building Transit Faster Act, 2020.
- C. Patently Unreasonable: The Applicant can demonstrate that the Metrolinx Response was patently unreasonable given the submitted documents and the reason(s) for the decision.

To initiate this process, the Applicant shall complete and submit to Metrolinx an Application for Review of a Metrolinx Response (**Appendix F**). The Applicant will submit the Application and any supporting materials to Development.Coordinator@metrolinx.com. Metrolinx will acknowledge receipt of the Application.

Note: Supporting materials may include legal analysis of the Metrolinx Response, a third party engineer assessment of the Metrolinx Response, and marked-up submitted

documentation that demonstrate why the Applicant believes Metrolinx has made an error in the application of Statutory Authority or why the Metrolinx Response is Patently Unreasonable. The scope for a review is limited to the design that was submitted as part of the original application. New technical drawings, designs, and other technical work that significantly alters the proposed project will not be assessed in the Review Process. If the Applicant has new designs or other detailed, technical changes that would result in a potentially different Permit Response, the Applicant will need to submit a new Permit Application. Note that if the Applicant requires further clarification or direction from Metrolinx before submitting materials to initiate the review process, inquiries can be sent to Development.Coordinator@metrolinx.com

The Review Process involves a thorough analysis of the application, including any supporting materials provided. Throughout the process, Metrolinx may reach out to the Applicant for further information or to seek clarification, if required. The full review process is expected to take between 20 and 45 business days, or longer due to project complexity, if required by Metrolinx and communicated to the Applicant.

The Review Process begins with Metrolinx acknowledging receipt of the Application to the Applicant, ensuring it meets the eligibility criteria. Once that is complete, Metrolinx will begin the formal review. While initial assessment of the application involves only Metrolinx, analysis and review by non-Metrolinx parties, including MTO, is incorporated into the Review Process in order to provide input, support and to ensure fairness and objectivity.

Once the Review Process is completed, Metrolinx will convey the final decision to the Applicant which could include, but is not limited to, a change of the initial Metrolinx Response or no change to the Metrolinx Response.

3.4 Stage 3: Executing a Corridor Development Permit

At the conclusion of the review of a Developer submitted Permit Application Package, Metrolinx will provide a Response to the Developer which may result in a permit with or without conditions. The Applicant shall correspond with Metrolinx regarding the Metrolinx Response that has been issued, and indicate an acceptance of the Metrolinx Response, request further discussions with Metrolinx to resolve an unacceptable Response, or request for a review of the Response. If the Applicant does not provide correspondence within 30 days of the issuance of a Metrolinx Response, a Corridor Development Permit will be issued in accordance with the Metrolinx Response that was issued.

With a conditional permit in hand, the Developer's work shall be in accordance with the submitted application and shall be obligated to satisfy applicable conditions through additional submittals of required documentation as indicated in Section 3.5, Stage 4: Inspection, Reporting, and Corridor Development Permit Enforcement. A Corridor Development Permit amendment shall be required to revise previously imposed permit conditions and for updates, modifications, or changes to a Developer's project that create new impact(s) to the Priority Transit Project in design or construction after a Corridor Development Permit has already been issued.

The Corridor Development Permit does not replace permits required under the Public Transportation and Highway Improvement Act; Applicants are still required to obtain applicable permits under legislation from MTO. The Corridor Development Permit Review

Process is separate and concurrent to all other permits and approvals that an Applicant must obtain to satisfy applicable law, including municipal approvals.

See **Appendix E** for a copy of the Corridor Development Permit Form.

3.5 Stage 4: Inspection, Reporting, and Corridor Development Permit Enforcement

During the construction of the development, and if required under the conditions included as part of the Corridor Development Permit, Metrolinx will perform inspections of the works, facilitated through reporting methods provided by the Developer, as outlined in the Technical Requirements section in **Appendix A**, as a way to enforce compliance with a Corridor Development Permit.

The framework established under the BTFA and its regulations includes enforcement tools giving Metrolinx the ability to carry out inspections, issue stop-work orders and Non-Compliance Notifications (NCN) for non-compliant works that have the potential to pose imminent or future danger to the construction of Priority Transit Projects within the Corridor Control Lands. Upon inspection, Metrolinx can issue a:

Non-Compliance Notification (NCN), for noncompliance of work under Metrolinx Corridor Development Permit conditions; subject to a 30-day (or other duration defined by Metrolinx) resolution, after which continued non-compliance escalates to the issuance of a Stop-work-order;

Stop-work-order, for noncompliance of work that poses an imminent impact to the construction of a Priority Transit Project within the Corridor Control Lands; work-stoppage shall be in effect for specific work identified by Metrolinx, until the impact is eliminated/removed and all conditions on the Stop-work-order are satisfied. A stop-work order can also be issued for work occurring without a Corridor Development Permit.

If included as a condition for a Corridor Development Permit, the frequency of Construction inspections and items to be inspected by Metrolinx staff or designated representatives shall be dependent upon the type of development and proximity to the Corridor Control Lands. The following is a listing of typical submittal items that have the potential to pose conflicts and/or risks to a Priority Transit Project, and are subject to construction inspection and enforcement for conformance to Metrolinx Corridor Development Permit conditions; submittal items are further defined and expanded in the Technical Requirements section in **Appendix A**:

- (a) Building/Structure Clearances and Proximity to Metrolinx Infrastructure
- (b) Pre/Post Construction Condition Survey
- (c) Construction Management Plan
- (d) Demolition Work Plan
- (e) Grading, Excavations, Shoring & Tie-Back Plan
- (f) Ground Instrumentation & Monitoring Plan (GIMP)
- (g) Crane Swing Plan
- (h) Safety Work Plan

(i) Quality Work Plan

(j) Risk Assessment Work Plan

4. AGREEMENTS

4.1 Agreements with Metrolinx that May be Required

The Corridor Development Permit will govern the Developer's work until the completion of construction of the Developer's Project. Through the Permit Review Process, Metrolinx may identify conditions for specific agreements and timing for such agreements, in addition to the Corridor Development Permit. The following sets out, in general terms, the nature and purpose of typical agreements; other agreements not listed below may also be required depending upon the Developer's proposal.

4.1.1 Non-Disclosure Agreement

Metrolinx may require a Developer to enter into a Non-Disclosure Agreement in order to protect sensitive and confidential information such as documents, working papers, designs, and other materials pertaining to Metrolinx.

4.1.2 Land Transfer or Exchange Agreements

Metrolinx may require a Developer to enter into a Land Transfer Agreement when land within the development site is or has a likelihood of being required for a Metrolinx Priority Transit Project or where Metrolinx lands are required by the Developer to accommodate the development.

4.1.3 Construction Agreement

A Construction Agreement is necessary when there are particular Developer obligations for protection of Metrolinx interests that go beyond the terms of the Corridor Development Permit and an extension of the Permit is needed to cover the additional terms.

A Construction Agreement is established between the Developer and Metrolinx to set out the specific requirements and parameters of the construction of the development and may include restrictions on the timing and duration of construction activity by the Developer. This agreement must be executed prior to the release of the first municipal building permit and start of any excavation and shoring work. In some circumstances this agreement may be required prior to demolition Works on the site.

4.1.4 Long Term Maintenance Agreement

If the Developer Infrastructure is within 3 metres of Metrolinx Infrastructure or in any way impacts Metrolinx's ability to maintain Metrolinx Infrastructure, a Long Term Maintenance Agreement will be established between the property owner of the Development and Metrolinx. This agreement will define the obligations of both parties to allow for ongoing maintenance and repairs of both the Metrolinx Infrastructure and the Developer Infrastructure to the extent that one impacts the other.

5. RESOURCES

5.1 Sample Warning Clause

A sample Warning Clause that the Developer shall include in their sales agreements:

Metrolinx, carrying on business as Metrolinx, and its assigns and successors in interest has or have a transit corridor within 30 metres from the land the subject hereof. There may be alterations to or expansions of the transit corridor in the future including transit operations, which may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid transit corridor.

APPENDIX A - TECHNICAL REQUIREMENTS

1.1 Corridor Development Permit Compliance Review against Technical Requirements

Developer projects proposed within the **Corridor Control Lands** shall adhere to certain design and construction requirements, and are subject to a Metrolinx compliance review consisting of a review of detailed design and construction documents (drawings and specifications) for the proposed development. The focus of the compliance review is the identification of any impacts the construction of a Developer Project may have on the Metrolinx priority transit projects, affecting construction, and access to Metrolinx Infrastructure.

The compliance review will include the review of “Building/Structure Clearances and Proximity to Metrolinx Infrastructure”, “Submittals as Required for a Corridor Development Permit”, “Technical Studies and Reports as Required for a Corridor Development Permit” outlined in Sections 1.3 through 1.5 below. The compliance review must be fully completed, prior to the issuance of a Corridor Development Permit. Where the Developer Project proposes to physically integrate with public facing transit facilities, this guideline will not apply, and rather, the Developer shall contact Metrolinx TOC department and follow the Metrolinx Asset Protection Package (MAPP) process and obtain the associated agreements accordingly.

The issuance of a Corridor Development Permit by Metrolinx does not exempt the Developer from compliance with Applicable Codes and Standards, local By-laws, governing regulations and any other conditions required by Metrolinx.

1.2 Applicable Codes & Standards

The Developer’s Project shall adhere to the most current edition of applicable federal, provincial and municipal laws, and industry codes, standards, and guidelines, and shall adhere to the following Metrolinx Standards:

- (a) Metrolinx Smoke Dispersion Analysis (SDA) Requirements for New Development in the Vicinity of LRT Stations and Ventilation Shafts;
- (b) Metrolinx Fitness for Duty Policy; and
- (c) Metrolinx Threat Risk Vulnerability Assessments Version 1.0.

1.3 Building/Structure Clearances and Proximity to Metrolinx Infrastructure

Building and Structure clearance requirements are established by Metrolinx, to provide a buffer zone along an existing/proposed Transit Corridor Lands, to permit access to Metrolinx Infrastructure for emergencies and maintenance, fire separation, the dissipation of rail-oriented vibration, noise, and as a buffer from potential derailments. The following provides an overview of building clearance requirements and conditions for at grade LRT systems (Figures A1 and A3) and below grade subways (Figure A2) based on available current-state information, which may change based on selection of final vehicle type and asset requirements:

- (i) The minimum building/structure horizontal clearance is measured from the mutual property line to the building/structure face, and shall be the greater of either 3 metres or local jurisdictional requirements except when an:

1. Adjacent building façade or Structure contains operable windows or balconies, in which case the minimum horizontal clearance shall be 15 metres measured from the adjacent building operable window face or balcony edge to the track center line for at or above grade Metrolinx tracks;
2. Adjacent building façade or Structure is located adjacent to Transit Corridor Lands station, or elevated guideway viaduct structure, in which case the horizontal clearance shall be measured from the adjacent building façade or Structure to the Transit Corridor Lands station or elevated Structure façade, resulting in the greater of the requirements for fire separation in accordance with NFPA 130 or jurisdictional requirements.

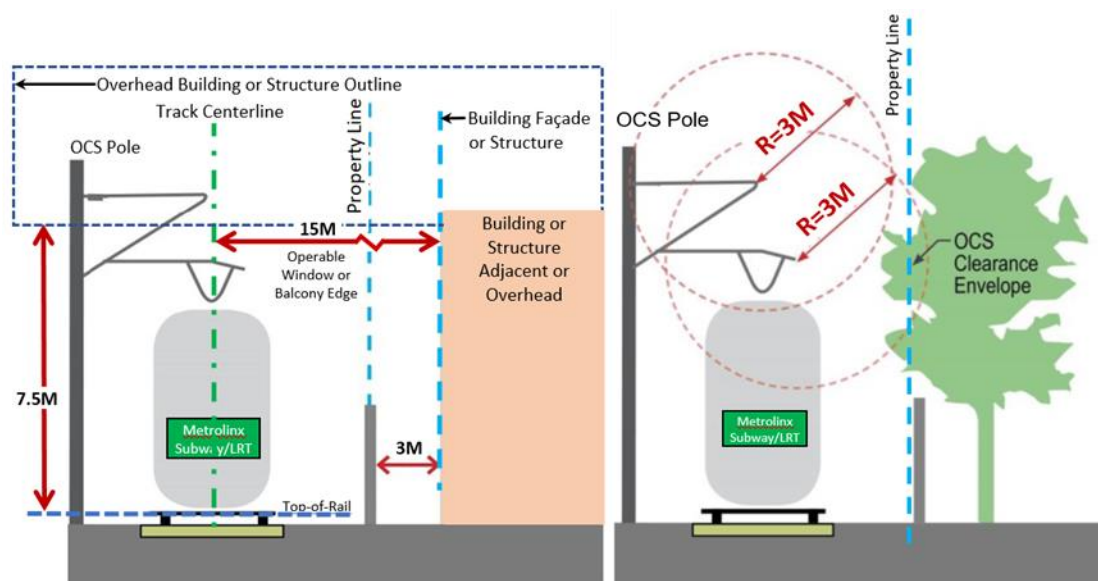


Figure A1: Adjacent Building or Structure Clearances

- (ii) The minimum vertical clearance for a building or structure overhanging the Transit Corridor Lands shall be 7.5 meters, measured from the Transit Corridor Lands top-of-rail to the nearest outer edge of the building or structure element overhanging the Transit Corridor Lands top-of-rail elevation.
- (iii) The mutual property line may be redefined in cases where Transit Corridor Lands project requires additional property and the minimum clearance would be measured from the new property line.
- (iv) Existing building and structure clearances may vary by location and do not set the precedent for new developments.
- (v) Developer Infrastructure facing or located adjacent to the Transit Corridor Land shall be designed to avoid potential conflicts with Metrolinx transit vehicles and infrastructure. Adjacent property owners shall:
 1. Maintain building appurtenances and landscaping at a minimum distance of 3 metres from the OCS Poles and support structures.

2. Plan for landscape maintenance from private property and not allow growth into the Transit Corridor Land or beyond the mutual property line.
3. Not be permitted to access the Metrolinx Corridor to maintain the private development.
4. Design buildings such that balconies do not provide direct access to the Metrolinx Corridor.

Developer Works adjacent to, over, or under Metrolinx Infrastructure shall maintain a minimum 3 metre clearance from existing Metrolinx Infrastructure (Figure A2).

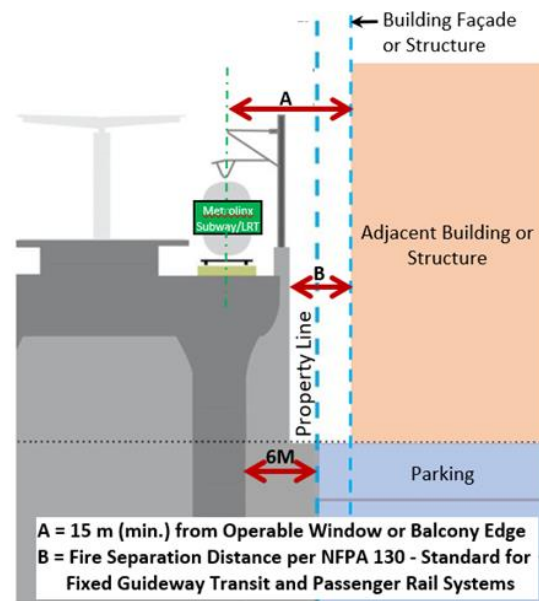
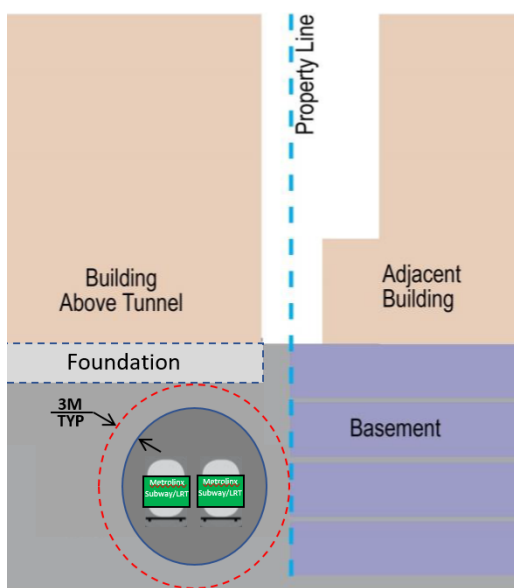


Figure A2: Adjacent Developer Construction Figure A3: Protection from Explosion/Blast

Developer Projects adjacent to Metrolinx elevated guideways and stations shall maintain a minimum fire separation distance per NFPA 130 – Standard for Fixed Guideway Transit and Passenger Rail Systems, and a minimum blast protection distance of 6 meters for below grade parking structures or provide alternate mitigation measures as required. Developer Projects may be required to undergo a Threat Assessment and Blast/Explosion Study subject to a Metrolinx review and approval, satisfying that both the temporary support of construction and the permanent Works do not adversely affect the structural integrity, safety or future operation of Metrolinx Infrastructure (Figure A3).

1.4 Submittals as Required for a Corridor Development Permit

The level of detail required for each of the following plans and drawings shall be scaled to the level of complexity of the Developer's Project.

- (a) Full set of drawings for the development, including:
 - Site plan

- Topo survey
- Property plans including a PIN/Printout Parcel Registry
- Architectural drawings
- Landscape drawings
- Civil drawings
- Structural drawings

(b) Pre/Post-Construction Condition Survey/Plan

A pre-construction condition survey of existing Metrolinx Infrastructure is required as a method for providing baseline of conditions prior to the start of Developer construction. A post-construction condition survey of Metrolinx Infrastructure is required as a means of observing any new structural or non-structural deficiencies or damage to Metrolinx Infrastructure due to Developer construction and shall be performed upon substantial completion of the development. The condition surveys shall be comprised of both plans and photographic components, with survey limits extending 30 metres past the proposed Developer Project limits within the **Corridor Control Lands**. Any damage to Metrolinx Infrastructure due to the Developer's construction shall be the Developer's responsibility to correct. The Condition Survey report shall include:

- drawings illustrating locations and type of the defects, all photograph locations; and all cracks over 0.3mm.
- photographic record of each defect.
- the size of the cracks shall be measured with a gauge and identified in the written text of the report.
- hard copy of the report and a USB drive with all of the actual photographs – original jpg or tiff file – to allow for zooming in, and for post-processing, if necessary, to improve visibility.

(c) Construction Management Plan

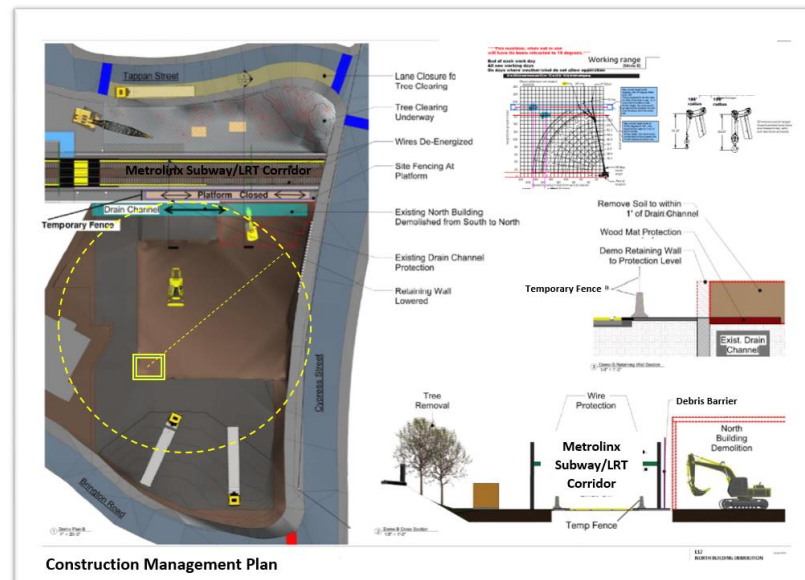
A Construction Management Plan is required, and shall identify the proposed Developer Project scope of work including: type of construction activity, site access, positioning of construction machinery and equipment including stationary and movable cranes, protective barriers/fencing, locations of hoarding, and locations of stockpiling of materials and laydown areas, all in relation to the existing and proposed Metrolinx Infrastructure within the Transit Corridor Land (Figure A4).

(d) Demolition Work Plan

A Demolition Work Plan shall be required for any proposed demolition of structures within the Corridor Control Lands, and shall include: a detailed narrative describing the demolition procedure and protection of Metrolinx Infrastructure and the public from dust and debris; a Ground Instrumentation Monitoring Plan; crane/equipment/machinery swing/location plans with supporting documentation; hoarding locations; material stockpiling locations; and structural calculations

supporting proposed demolition Works signed and sealed by a Professional Engineer in the jurisdiction of the proposed Developer Project.

Figure A4: Sample Construction Management Plan



(e) Hoarding and Stockpiling of Materials Plan

Developer shall ensure that hoarding and stockpiling of construction site materials or Works within the Corridor Control Lands conform to the following requirements:

- (i) Works and protective coverings shall be secured in compliance with Site-Specific Safety Manuals.
- (ii) Equipment and materials shall not block Metrolinx access roads or any part of the Metrolinx Corridor unless prior written consent from Metrolinx is obtained.
- (iii) Within Rail Corridors and Metrolinx Corridors, track components including support structure shall be protected where there is a potential for debris falling onto the tracks including trees, rocks, and vegetation.
- (iv) Materials on site shall be contained in secure areas within the construction site.
- (v) Damages to Metrolinx Infrastructure resulting from the Developer's improper materials storage practices, shall be the responsibility of the Developer.

(f) Excavations, Shoring, and Tie-Back Plan

Detailed excavation, shoring, tie-back plans, and specifications shall be required for any temporary support of excavation structural-systems utilized by proposed Developer Projects within the Corridor Control Lands, and shall include detailed plans, specifications and structural calculations signed and sealed by a Professional Engineer in the jurisdiction of the proposed Project.

Construction within the Geotechnical Zone of Influence (Geotechnical ZOI) poses a potential risk to Metrolinx Infrastructure, and will require additional Metrolinx reviews (Figure A5).

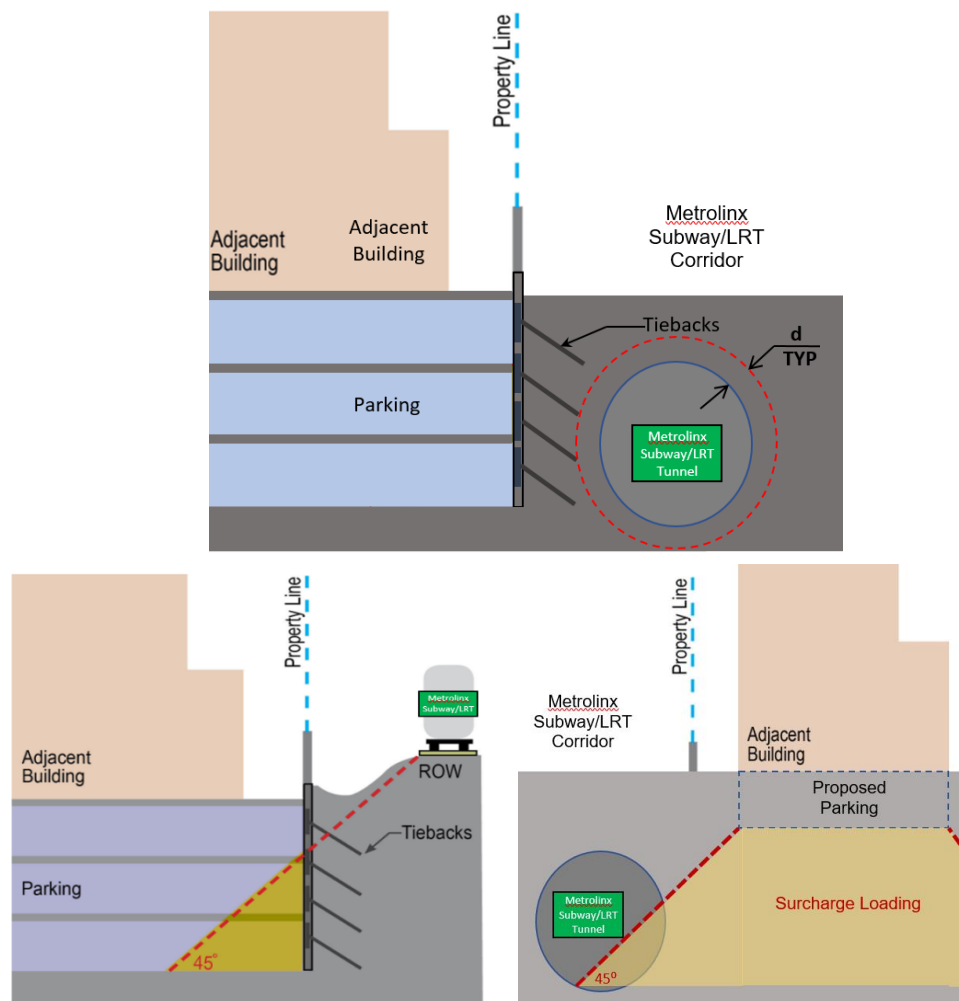


Figure A5: Developer Infrastructure that Encroaches into the Geotechnical ZOI of Metrolinx Infrastructure

The Tie-backs clearance between the end of a Developer tie-back and Metrolinx Infrastructure "d" is subject to change and requires verification by Metrolinx, based on various elements such as type of construction, soil conditions, surcharge loads, etc., but in general is as follows:

- (i) minimum of 1.5 metres clearance for gravity-grouted tie-backs;
 - (ii) minimum of 3.0 metres clearance for post-grouted tie-backs; and
 - (iii) minimum of 6.0 metres clearance for pressure grouted tie-backs.
- (g) Site Maintenance and Environmental Management During Construction Plan

Site maintenance and environmental management shall be required to control erosion, sediments, dust, debris, and tracking of mud as a result of Developer construction of the Developer Project within the **Corridor Control Lands**. A site maintenance and environmental management plan is required and shall identify control measures and frequencies of machinery/vehicle cleaning, site upkeep, and

protective measures that the Developer will implement to avoid negative impacts to Metrolinx Infrastructure due to the Developer's construction.

(h) Ground Instrumentation and Monitoring Plan (GIMP)

Ground Instrumentation and Monitoring Plans are required for the implementation of a construction monitoring program for the Developer Projects within the **Corridor Control Lands**, and shall include plans and specifications for all instrumentation and monitoring work, including established monitoring thresholds/limiting values, procedures to ascertain and monitor potential movement of existing Metrolinx Infrastructure through monitoring reports, and contingency measures listing the immediate remedial action to be taken in the event movement reaches the established threshold limits and/or damage is observed, which includes stopping Developer Works.

Instrumentation and monitoring of Metrolinx Infrastructure is required to ensure that structural or functional inadequacy does not develop as a result of the Developer's construction. In addition, monitoring will be required to ensure the Developer's construction support of excavation system is functioning as designed and the loads on Metrolinx Infrastructure remain within design limits. If changes are observed/exceeded, a Stop-Work-Order can be issued by Metrolinx, and the frequency of monitoring will be increased and contingency measures will be implemented by the proposed Developer.

Monitoring stages shall consist of:

- (i) Stage 1 - Initial Pre-Construction Monitoring: Conduct survey of existing conditions within the Metrolinx Infrastructure, obtaining baseline readings at established monitoring points;
- (ii) Stage 2 - Project Monitoring: Monitoring during demolition, excavation and construction, and will be performed at an agreed upon Metrolinx-frequency intervals. The monitoring frequency will be increased as necessary during critical work such as blasting, tunneling, or as requested by Metrolinx.
- (iii) Stage 3 - Post-Construction Monitoring: Conduct final survey monitoring, performed after substantial construction completion of the Developer Works to determine changes to initial conditions, document the post-construction condition, and provide photographic records. In addition to structural monitoring, a final alignment survey of the rail/tracks (if present) will be required for comparison with the initial survey data.

Selection, design, installation, monitoring, reading, and documentation of the monitoring program are to be conducted by a licensed Land Surveyor or a Professional Engineer registered in the jurisdiction of the Developer Project. The Developer shall provide monitoring reports to Metrolinx during the Developer's construction and at an interval as indicated in the Permit conditions.

(i) Crane Swing Plan

Any cranes being utilized, including mobile and stationary cranes, as part of a Developer Project within the **Corridor Control Lands**, shall be required to enter into a

Crane Swing Agreement prior to crane arrival and erection on site. The Crane Swing Agreement provides easement rights for the use of a crane, and shall outline the necessary requirements needed for the use of a crane on-site. The following shall be submitted to Metrolinx for review and approval as part of the Agreement:

- (i) Scope of Work - Purpose of Work, Hours of Operations, Location;
- (ii) Crane Swing Plan (**Figure A6**) - Swing Radius, Existing Infrastructure, Metrolinx Infrastructure, Corridor Control Lands and Outriggers;

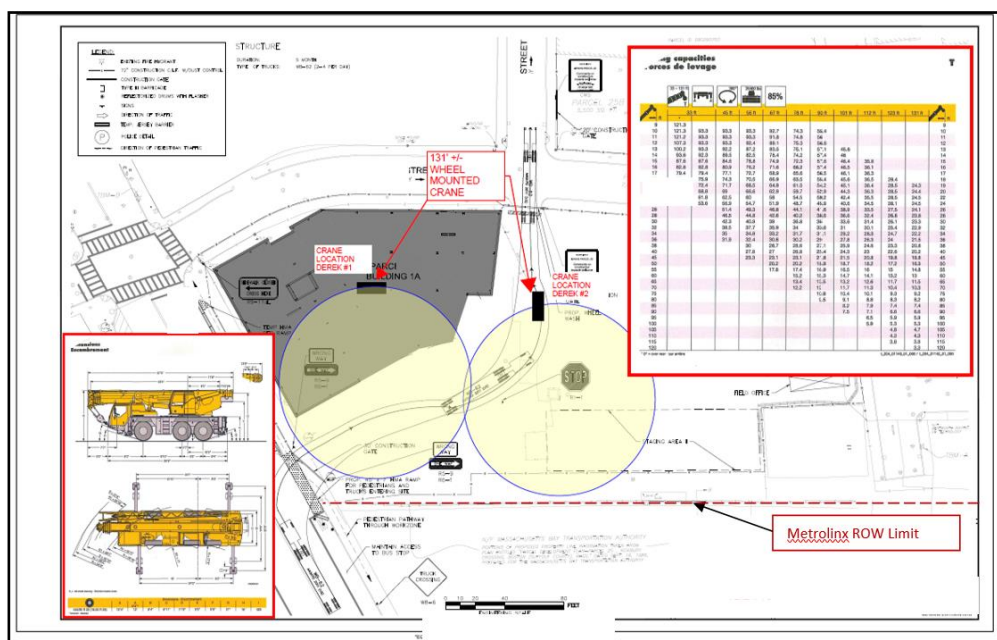


Figure A6: Sample Crane Swing Plan

- (iii) Specifications of the Crane - Load Charts, Size of Counterweight, Maximum Expected Boom Radius, Maximum Expected Boom Length, Maximum Expected Pick Weight with Factor of Safety of 1.5;
- (iv) Copy of Operator's Valid Driver's License;
- (v) Copy of Operator's Valid Hoisting License;
- (vi) Copy of Operator's Valid Medical Certificate;
- (vii) Most recent Annual Developer Inspection/Certification; within last 12 Calendar months; and
- (viii) Insurance Certificate.
- (j) Construction Barriers and Barricades Plan

Construction barriers and barricades shall be in compliance with Applicable Codes and Standards, local by-laws, and governing regulations, and shall barricade all work area(s) or close excavations and openings in floors, walls and other parts of Developer Infrastructure while openings are not protected full-time, ensuring positive measures in preventing unauthorized entry into Metrolinx Infrastructure or Metrolinx Corridor.

The design and field installation shall be certified in writing by a registered professional engineer registered in the jurisdiction of the Developer's Project.

(k) Overhead Protection Plan

Overhead protection for Metrolinx Infrastructure and the public is required whenever there is a possibility of overhead fall hazards from construction material or debris from the Developer's Project. The design and field installation shall be certified in writing by a registered professional engineer registered in the jurisdiction of the Developer's Project.

(l) Construction Equipment Orientation/Shielding Plan

Proper construction equipment orientation/shielding by Developer Projects, shall ensure that construction equipment used for sheeting, shoring operations, and temporary protective shields or barriers be positioned and operated so that the equipment is precluded from overturning and falling onto or affecting Metrolinx Infrastructure. Auguring or pile driving equipment shall be oriented parallel to the Metrolinx Corridor/alignment, to prevent piles or equipment from falling or affecting the Transit Corridor Land. The design and field installation shall be certified in writing by a registered professional engineer registered in Ontario.

(m) Safety, Quality, and Risk Assessment Plans

Metrolinx is committed to safety and implementing the highest safety standards. The prevention of accidents in the course of completing any adjacent construction project is of primary importance to everyone connected to Metrolinx, as such, Metrolinx is authorized to stop any and all Developer Works within the Corridor Control Lands that creates an unsafe condition.

Prior to carrying out any work in the Corridor Controlled Lands, the Developer shall submit to Metrolinx, Safety, Quality and Risk Assessment work plans for carrying out specified scope of either intrusive or non-intrusive investigative Works that includes a task-specific safety, quality and risk assessment for each task. These plans will be discussed with the Developer at the Pre-Application meeting and the level of detail required will depend on the scale, complexity and expected impact on the transit project. Metrolinx may, in its sole discretion, conduct its own task-specific safety, quality and risk assessment in respect of any work plan submitted if Metrolinx is not satisfied with the Developer's task-specific assessments. The level of detail required for each of these work plans shall be scaled to the level of complexity of the Developer's Project.

(n) Site Reviews, Construction Monitoring, and Communications Plans

In accordance with these Guidelines as Section 3.5, Stage 4: Inspection, Reporting, and Corridor Development Permit Enforcement, Metrolinx shall be entitled to meet with Developer representatives, request information, obtain construction schedules, review construction submissions that have the potential to impact a Priority Transit Project, and review construction as the work progresses to ensure the Project is being constructed in accordance with the construction management plan, Corridor Development permit, and terms and conditions of Metrolinx Agreements. The

Developer shall co-operate with Metrolinx by providing access to the site and assistance in such inspections.

For aspects of the Developer's Project that are expected to have an impact on a Priority Transit Project, the Developer shall provide Metrolinx advance notice any Developer site/construction meetings where impacts on Metrolinx are to be discussed, and shall provide meeting minutes of such meetings to Metrolinx within 5 Business Days of the meeting.

The Developer shall prepare and submit to Metrolinx a monthly project report; details and requirements for this report shall be part of the conditions of the Corridor Development Permit and shall depend on the size, complexity and level of impact on the transit project. Typical reporting requirements include summarizing project-progress, status of Permit conditions, a three-week look-ahead schedule, updated construction schedule, and where appropriate, photographic evidence that certain Permit conditions have been satisfied.

(o) Project Close-Out and As-Built/Record Drawings

Developer shall advise Metrolinx in writing once all engineering/field support, interface functions, and project construction impacting Metrolinx is complete, and ensure all Developer obligations associated with the Corridor Development Permit have been met, including any potential financial obligations, such as fines/fees related to a stop-work order that may have previously been imposed.

Where the Developer Project includes a permanent change/modification to Metrolinx Infrastructure or access to Metrolinx Infrastructure, the Developer shall provide As-Built Drawings or Record Drawings in AutoCAD or MicroStation and PDF formats, as directed by Metrolinx.

Metrolinx shall issue a closeout letter to the Developer representing technical, fiscal, and administrative closeout of the Project once the Developer has satisfied the project close-out and as-built conditions of the Corridor Development Permit.

1.5 Technical Studies and Reports as Required for a Corridor Development Permit

In addition to the Technical Requirements listed in Section 1.4, the Developer shall also provide the following Technical Studies and Reports, as applicable, to demonstrate that the Developer's Project will adequately address any impacts from the Developer's Project on the Priority Transit Projects.

(a) Noise and Vibration Study

Where residents or occupants of the Developer's Project are expected to be impacted by noise and/or vibration from a Priority Transit Project, the Developer shall provide noise and vibration studies to demonstrate through an analysis of the surrounding environment, that suitable measures are provided by the Developer to mitigate rail oriented noise and vibration impacts. The following provides an overview of noise and vibration study requirements and conditions:

- (i) Noise standards are to be applied to residential developments within 30 metres of the Transit Corridor Land;

- (ii) Acoustical analysis is recommended for other non-residential uses where there may be sensitivity to noise (e.g., day care centres, offices with sensitive equipment etc.);
- (iii) Other measures (e.g. provision of air conditioning, enhanced windows and building materials, etc.) may also be recommended by a qualified acoustical consultant;
- (iv) Warning Clauses are mandatory for residential units within 30 metres of the Transit Corridor Land and may suitably address noise concerns for other non-residential forms of development;
- (v) Special considerations may apply at locations where trains are stored and/or operate at reduced speed/idle, as well as in areas with unique operating characteristics (e.g. use of snow blowers, specialized machinery, etc.).
- (vi) Vibration standards are to be applied to developments within 30 metres of the Transit Corridor Land.
- (vii) Isolation measures will be required where vibration levels exceed the established standards.

(b) Storm Water Management Study

Where the Developer's Project will impact the drainage within the Transit Corridor Land, the Developer shall provide a storm water management study to demonstrate through an analysis of the surrounding environment, that the Priority Transit Project will not be adversely affected by the Developer's Project. The following provides an overview of drainage and other study requirements and conditions:

- (i) Any proposed alterations to the existing Transit Corridor Land grading and drainage pattern (i.e., into and/or out of) must receive approval by MetroInx and be substantiated by a storm water management report completed by a Geotechnical Engineer.
- (ii) Any development related changes to drainage patterns must be addressed using infrastructure and/or other means located entirely within the Developer's land, and submitted as part of a final storm water management plan.

(c) Environmental Site Assessment Studies

Where the Developer's project is expected to disturb existing site conditions, Environmental Site Assessment (ESA) Phase I and II Site Assessments and applicable Risk Assessments required by Authorities Having Jurisdiction, shall also be provided to MetroInx for informational purposes. An erosion and sediment control plan shall also be provided.

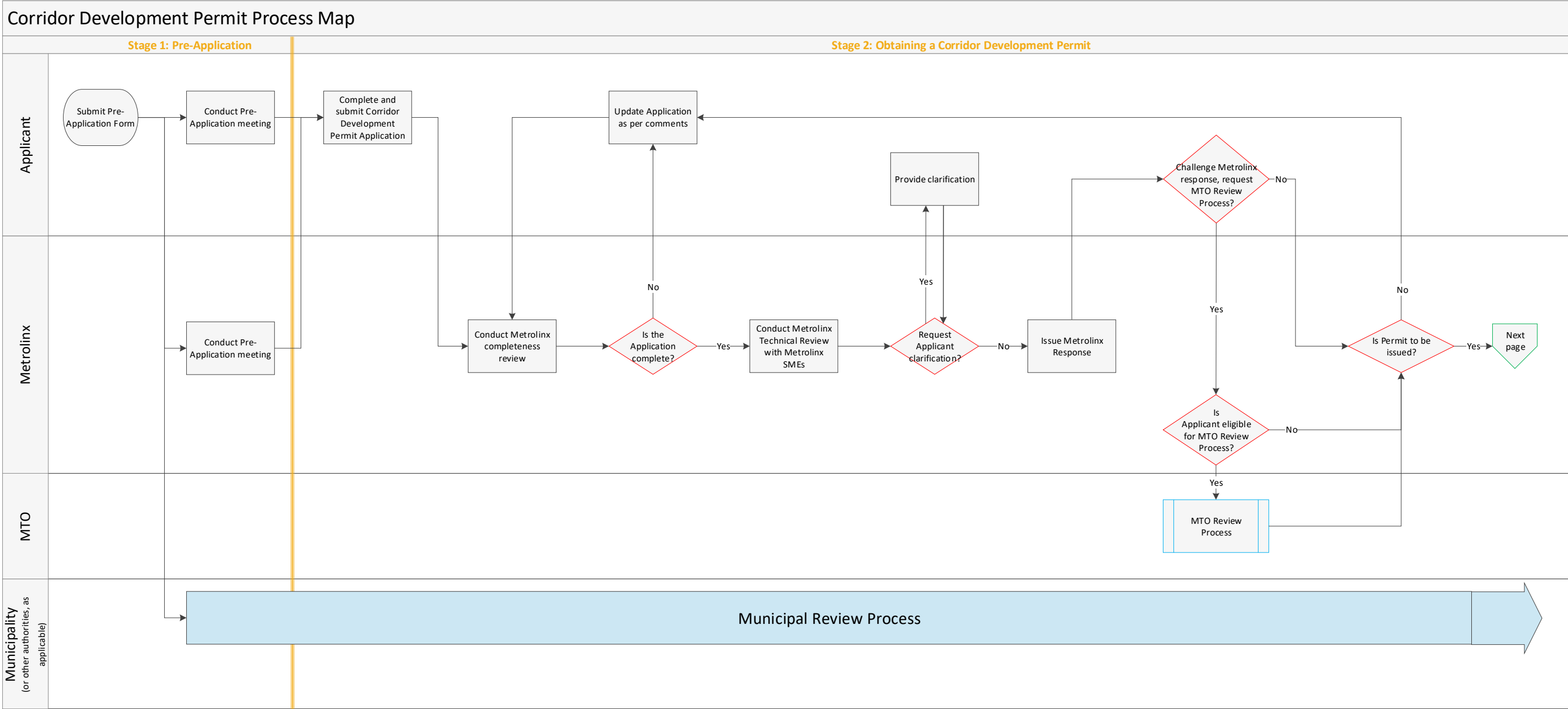
(d) Smoke Dispersion Analysis

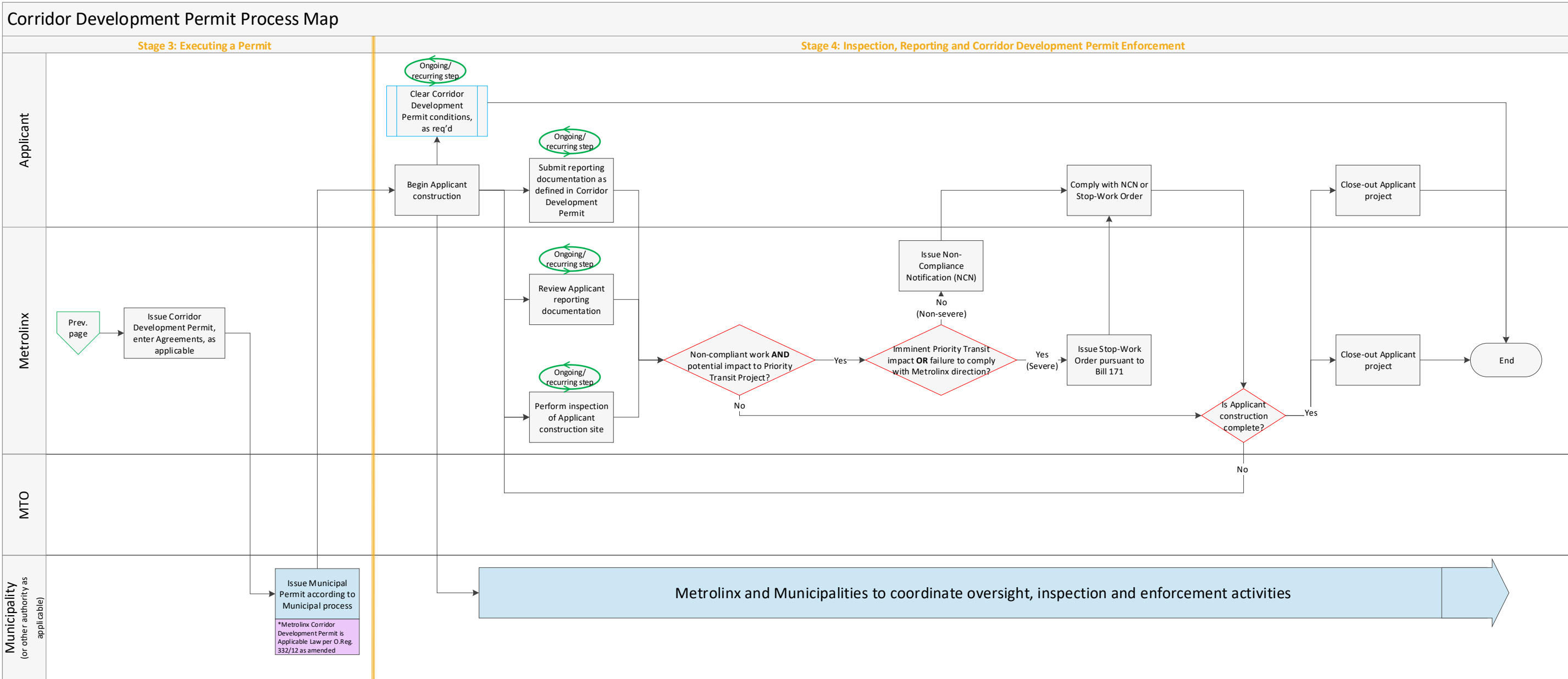
Where the Developer's building is within 50 metres of a planned or existing MetroInx tunnel ventilation grate, the Developer shall provide a Smoke Dispersion Analysis, undertaken in accordance with the MetroInx Smoke Dispersion Analysis (SDA)

Requirements for New Development in the Vicinity of LRT Stations and Ventilation Shafts, to demonstrate the following:

- (i) The concentration of smoke discharged from the Metrolinx tunnel ventilation shafts and drawn into Developer building entrances (including operable windows and doors) or air intake shafts is sufficiently diluted; and
 - (ii) The Developer has an effective smoke management system and emergency response and evacuation plan to minimize the smoke ingress into the Developer's building or any issues arising from the smoke ingress into the Developer's building.
- (e) Microclimate (wind/snow accumulation/solar exposure) Study
- Where the Developer's Project may create a local microclimate that has the potential to negatively impact future operations and Metrolinx Infrastructure, the Developer shall provide a microclimate study to identify negative impacts related to the creation of microclimate conditions from wind, snow accumulation, and solar exposure and propose mitigations to limit these impacts.
- (f) Site Servicing Report
- Where the Developer is proposing any utility installations through or adjacent to Transit Corridor Land, the Developer shall provide their site servicing plans. These plans shall also show any Metrolinx utility connections that are proposed to be modified due to the Developer's Project.
- (g) Traffic/Transit Management Study (during construction and permanent condition)
- Where the Developer Project's construction will impact the construction of a Priority Transit Project, the Developer shall provide a traffic/transit management study for their Project. This study shall address temporary and permanent access impacts.
- (h) Pedestrian Management/Study (during construction and permanent condition)
- Where the Developer Project's construction need to be coordinated with that of a Priority Transit Project for the purposes of ensuring appropriate pedestrian flow in the area, the Developer shall submit a Pedestrian Management Study/Plans that demonstrate the phasing for safe and accessible temporary pedestrian flow in the area.
- (i) Structural, Dewatering and Geotechnical Engineering Reports
- Where the Developer Project's construction has the potential to temporarily or permanently affect loading conditions on Metrolinx Infrastructure, the Developer shall provide structural, dewatering and geotechnical engineering reports that demonstrate that any imposed loading conditions, including surcharge loading, by the Developer's Project are mitigated by the Developer to the extent that there will be no damage to the Metrolinx Infrastructure and that no modifications to the Metrolinx Infrastructure are necessary. These reports shall be signed and sealed by a Professional Engineer in the jurisdiction of the Developer's Project.

APPENDIX B - CORRIDOR DEVELOPMENT PERMIT PROCESS MAP





APPENDIX C - CORRIDOR DEVELOPMENT PERMIT PRE-APPLICATION FORM



**CORRIDOR DEVELOPMENT PERMIT
PRE-APPLICATION FORM**

**THIRD PARTY PROJECTS REVIEW
CAPITAL PROJECTS GROUP**

Metrolinx
20 Bay Street, Suite 600
Toronto, Ontario
www.metrolinx.com

January 2021

Pre-Application Form

FOR METROLINX USE ONLY	
Application Received By: _____	
Application Number: _____	Date Received: _____
Assigned Application File Name: _____	
Other Related Application Numbers on the Property: _____	

The Pre-Application meeting will be used to assist Metrolinx in confirming the application submission requirements with the Applicant. The submission checklist is to be filled out during the Pre-Application meeting, by Metrolinx. Note: depending on the information provided by the Applicant, Metrolinx may require 2-3 business days following the meeting to review and confirm submission requirements.

1. LOCATION AND DESCRIPTION OF PROPERTY

Municipal Street Address _____
(If applicable)

Legal Description _____

Other _____

2. APPLICANT INFORMATION

Name _____ Position _____

Street Address _____ Unit number _____

City _____ Province _____ Postal Code _____

Telephone number _____ Cell number _____

E-mail _____

The application is being submitted by:

☐ Owner

☐ Authorized Agent of the Owner

3. OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Name _____ Position _____

Street Address _____ Unit number _____

City _____ Province _____ Postal Code _____

Telephone number _____ Cell number _____

E-mail _____

4. PROJECT TYPE

- ☐ New Construction ☐ Addition to an existing building or structure ☐ Alteration/repair to an existing building ☐ Demolition ☐ Other

5. EXISTING PROPERTY INFORMATION

Describe the current use and existing buildings or structures:

Describe proposed work, buildings or structures:

Existing Gross Floor Area: _____ Proposed Gross Floor Area: _____

6. SUBMISSION REQUIREMENTS

Attach the following documents/drawings to this form:

- A. Site Plan showing proposed project, property lines and setbacks
- B. Topo Survey, if available
- C. Grading, if available
- D. Site Servicing, if available

Please refer to the Metrolinx Adjacent Development Guideline for Priority Transit Projects for more information, including an overview of the review & approval process, timing, agreements with Metrolinx, technical requirements, and more.

7. OWNER'S AUTHORIZATION

If an Agent is applicable in Item #2, the Owner must complete this section.

I, _____ being the registered owner of the subject lands, hereby authorize _____ (*print name of agent*), to submit the above Pre-Application Consultation request to Metrolinx.

Owner Signature

Date

Note: If there is more than one owner, a separate authorization from each individual or corporation is required. Attach an additional page/s in the same format as this authorization, if necessary.

8. APPLICATION DECLARATION

I, _____, solemnly declare that I am (*choose one of the following*):

- ☐ The Owner
- ☐ An Agent of the Owner

and that all above statements contained within this application are true and accurate.

Applicant Signature: _____

Date: _____

APPENDIX D - APPLICATION FORM & CHECKLIST

Corridor Development Permit Application Form

Pursuant to the *Building Transit Faster Act, 2020*

Section A

For Use by Metrolinx				
Application number:		Permit number (if different):		
Date received:		Date completeness check finished:		
To be completed by the Applicant				
A. Project Information				
Project Name				
Project Address (number and street name)			Unit Number	Lot/con
Municipality	Postal Code	Province	Plan number/other description	
B. Purpose of Project				
<input type="checkbox"/> New Construction <input type="checkbox"/> Addition to existing building/structure <input type="checkbox"/> Alteration/repair <input type="checkbox"/> Demolition <input type="checkbox"/> Other:				
Description of proposed work				
Existing Gross Floor Area			Proposed Gross Floor Area	
Proposed Construction Start Date			Proposed Construction Finish Date	
C. Applicant Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner				
Last Name		First Name		Corporation or partnership
Street Address			Unit number	Lot/con
Municipality	Postal Code	Province	E-mail	
Telephone number		Cell number		
D. Owner (if different from Applicant)				
Last Name		First Name		Corporation or partnership
Street Address			Unit number	Lot/con
Municipality	Postal Code	Province	E-mail	
Telephone number		Cell number		
E. Planning Phase Contacts, if applicable				
Municipal Planning Officer (Name, Contact)				
Metrolinx Third Party Project Review Officer (Name, Contact)				

Corridor Development Permit Application Form

Section B

To be completed by the Applicant
F. Checklist
<p>Applicant shall submit the required information to allow for an review potential impacts on Priority Transit Projects. The extent of supporting information required will depend on a variety of factors, including the nature of the development proposal, specifically their proximity to Transit Infrastructure, whether existing, planned, or under construction. Please refer to the Metrolinx Adjacent Development Guideline for Priority Transit Projects for more information, including an overview of the review & approval process, timing, agreements with Metrolinx, technical requirements, and more.</p> <p>Prior to applying for Corridor Development Permit, Applicants shall fill out a <u>Pre-Application Form</u> and submit to Metrolinx.</p> <p>The Applicant and Metrolinx will then arrange for and attend a <u>Pre-Application Meeting</u> with Metrolinx Third-Party Project Review Officer, before making a formal application. The extent of supporting information required in the Application will be determined at at the Pre-Application Meeting.</p> <p>Incomplete applications will be returned to the Applicant and will not undergo a Technical Review process for a Corridor Development Permit.</p> <p>A Corridor Development Permit Application shall include the items indicated below:</p> <p>The Application shall be a digital submission and shall include the following:</p> <ul style="list-style-type: none"> Cover Letter Land Owner Authorization, if Applicant is not the Owner Drawings & Surveys: complete set of drawings and surveys. Reports: all required reports, plans and studies <p>All on USB drive in PDF and CADD formats. Hard copies will only be required upon request from Metrolinx.</p>

Technical Submission Requirements						
Item No.	Item	Guideline	Notes	Requirement: (determined at Pre-Application Meeting)	Submitted: (with Application)	Reason: (if not submitted)
1	Drawings	<u>Appendix A Section 1.3 and 1.4</u>	<p>All plans should notate with reference lines and include clearance measurements between the existing/planned Priority Transit Infrastructure the propose Applicant Infrastructure. Include, as applicable:</p> <ul style="list-style-type: none"> - Site Plan drawings - Topo Survey - Property Plan including a PIN/Printout Parcel Register - Architectural drawings - Landscape drawings - Civil drawings - Structural drawings - Site Servicing - Hoarding/construction barriers/overhead protection - Stockpiling locations - Erosion and sediment control 			

Technical Submission Requirements						
Item No.	Item	Guideline	Notes	Requirement: (determined at Pre-Application Meeting)	Submitted: (with Application)	Reason: (if not submitted)
2	Pre-Construction Condition Survey	Appendix A 1.4 (b)	The condition surveys shall be comprised of both plans and photographic components, with survey limits extending 30 metres past the proposed Developer Project limits and within the Corridor Control Lands. Signed and sealed by an Ontario Land Surveyor. A post-construction condition survey would be required later on as a condition of the permit.			
3	Construction Management Plan	Appendix A 1.4 (c)	Describe and show how the construction work will impact the surrounding area and how these impacts will be mitigated.			
4	Demolition Work Plan	Appendix A 1.4 (d)	Describe and show any planned demolition work and how the impacts of this work will be mitigated.			
5	Hoarding and Stockpiling of Materials Plan	Appendix A 1.4 (e)	Describe and show any planned hoarding and stockpiling work and how the impacts of this work will be mitigated.			
6	Excavations, Shoring & Tie-Back Plan	Appendix A 1.4 (f)	Include: Documentation showing that the excavation support system and permanent structure adjacent to the Transit Corridor Lands are designed for "at-rest" earth pressures. Clearly identify Metrolinx Infrastructure in the drawing.			
7	Site Maintenance and Environmental Management During Construction Plan	Appendix A 1.4 (g)	Include: Documentation showing that the site maintenance and environmental management are addressed during construction.			
8	Ground Instrumentation & Monitoring Plan (GIMP)	Appendix A 1.4 (h)				
9	Crane Swing Plan	Appendix A 1.4 (i)				
10	Construction Barriers and Barricades Plan	Appendix A 1.4 (j)				
11	Overhead Protection plan	Appendix A 1.4 (k)				
12	Construction Equipment Orientation/Shielding Plan	Appendix A 1.4 (l)				
13	Safety Work Plan	Appendix A 1.4 (m)				
14	Quality Work Plan	Appendix A 1.4 (m)				
15	Risk Assessment Work Plan	Appendix A 1.4 (m)	Required for any deviations from the minimum clearances or other requirements in the Guideline, to demonstrate the associated risk and the planned mitigation measure.			

Technical Submission Requirements						
Item No.	Item	Guideline	Notes	Requirement: (determined at Pre-Application Meeting)	Submitted: (with Application)	Reason: (if not submitted)
			Wherever the required clearances are being encroached upon, the submitted CADD drawings must be in corrodinate system as directed by Metrolinx for the particular transit corridor, for detailed conflict assessment			

Technical Studies & Reports						
Item No.	Item	Guideline	Notes	Requirement: (at Pre-App. Meeting)	Submitted: (with Application)	Reason: (for no submission)
1	Noise & Vibration Study	Appendix A 1.5 (a)	Include: An impact assessment statement or report based on site investigations from the engineering consultant.			
2	Storm Water Management Study	Appendix A 1.5 (b)	Address impacts to site drainage.			
3	Environmental Site Assessments (ESA)	Appendix A 1.5 (c)	Phase 1 and Phase 2 Include Records of Site Conditions filed under O.Reg. 153/04, if applicable.			
4	Smoke Dispersion Analysis	Appendix A 1.5 (d)	Required if Development is in close proximity to an existing or proposed tunnel vent shaft grate.			
5	Microclimate Study (Wind/Snow Accumulation/Solar Exposure)	Appendix A 1.5 (e)	Required if buildings and surrounding conditions create impacts on the transit projects.			
6	Site Servicing Report	Appendix A 1.5 (f)	Required to address impacts of utility connections to the new development.			
9	Traffic and Transit Management Study	Appendix A 1.5 (g)	Shall cover the Construction phase and the permanent condition			
10	Pedestrian Management/ Egress Study	Appendix A 1.5 (h)	Shall cover the Construction phase and the permanent condition			
11	Dewatering/ Ground Water Control Plan	Appendix A 1.5 (i)	Include: Determination of the short-term (during construction) and long-term effects of dewatering on Priority Transit Infrastructure and/or as prescribed, and provision of assurances that the influence of dewatering will have no impact on the Transit Infrastructure.			
12	Geotechnical Engineering Report	Appendix A 1.5 (i)	Include: An impact assessment statement from the structural and/or geotechnical consultant. Pressure meter testing, or other suitable in-situ testing, must be carried out to confirm the Elastic modulus of the soil (E and Er) and variation with depth for use in modelling.			
13	Structural Engineering Reports	Appendix A 1.5 (i)	Include: Documentation must identify any affected structural units of the Priority Transit Infrastructure and/or as prescribed. Structural analysis/calculations of the effects of all applicable loadings, including construction loading. Review of analysis/calculations will be focused on design assumptions, structural models, loads, load combinations, utilized codes, and final results from discussion and/or recommendations. Metrolinx will not accept any responsibility for the accuracy and adequacy of the calculations, which will remain the sole responsibility of the Proponent.			



Corridor Development Permit Application Form

Section C

[illegible]

APPENDIX E - PERMIT FORM

Corridor Development Permit For Adjacent Development

This form is authorized under the *Building Transit Faster Act, 2020*

Permitting Authority

The BTFA requires a Corridor Development Permit for certain works near Priority Transit Projects, and the authority to issue and enforce these permits has been delegated from the Minister of Transportation to Metrolinx, pending approval.

A. Metrolinx Information

Metrolinx Permit number:	Corridor:
Application Date received:	Permit Date:

B. Project Information

Project Name			
Project Address (number and street name)		Unit Number	Lot/con
Municipality	Postal Code	Province	Plan number/other description
Legal Property Description			
Proposed Construction Start Date		Proposed Construction Finish Date	

C. Application Package

List the drawings and documents included in the Application Package with revision numbers and dates:

Item No.	Item Description

D. Applicant					Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner	
Last Name		First Name		Corporation or partnership		
Street Address				Unit number	Lot/con	
Municipality		Postal Code	Province	E-mail		
Telephone number		Cell number				
E. Owner (if different from Applicant)						
Last Name		First Name		Corporation or partnership		
Street Address				Unit number	Lot/con	
Municipality		Postal Code	Province	E-mail		
Telephone number		Cell number				
F. Planning Phase Contacts, if applicable						
Municipal Planning Officer (Name, Contact)						
Metrolinx Third Party Project Review Officer (Name, Contact)						

G. Conditions
An Authorized Metrolinx Representative must initial the "Metrolinx Initial" field for each condition listed below, as applicable, prior to proceeding with the works defined in that condition. The works/activities described in each Condition is not covered by this Metrolinx Corridor Development Permit unless a Metrolinx Representative initialed that condition.

Item No.	Description of Work	Condition	Reference Document	Start Date	End Date	Satisfied	Metrolinx Initial
#	EXAMPLE: Crane Mobilization	EXAMPLE: Developer shall submit a crane mobilization and swing plan and have it reviewed and accepted by Metrolinx prior to a crane arriving on site.	EXAMPLE: Constructability Report, Appendix A	DD / MM / YY	DD / MM / YY	<input checked="" type="checkbox"/>	
1						<input type="checkbox"/>	
2						<input type="checkbox"/>	
3						<input type="checkbox"/>	
4						<input type="checkbox"/>	
5						<input type="checkbox"/>	

The issuance of the following checked Municipal permits by the Chief Building Official are subject to Metrolinx issuing the corresponding Corridor Development Permit, being Applicable Law pursuant to O.Reg 332/12 under the Building Code Act, 1992:

(Metrolinx to check all that apply)

- | | | |
|--|--|--------------------------------|
| <input type="checkbox"/> Demolition Permit | <input type="checkbox"/> Foundation Permit | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Shoring Permit | <input type="checkbox"/> Building Permit | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Excavation Permit | <input type="checkbox"/> Designated Structures | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Other | <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

H. Signature

By signing the below, the authorized Metrolinx representative hereby permits the Applicant identified above to undertake the work defined and described in the Application Package in accordance with this Permit.

The drawings and supporting reports in the attached Application package must be the same as in the application package that the Municipality reviews in order for the Municipality to grant a permit for this work.

A Metrolinx-authorized representative will conduct monitoring and enforcement of this Project in accordance with this Permit, the Application Package and the *Building Transit Faster Act, 2020*.

(print name)

**Authorized Metrolinx
Representative**

(signature)

(mm-dd-yy)

Date

This Corridor Development Permit is applicable law pursuant to the Ontario Building Code O.Reg 332/12, as amended, and must be complied with as a precondition for a Municipality to issue an applicable permit.

More Information

Please refer to the Metrolinx Adjacent Development Guideline for Priority Transit Projects for more information, including an overview of the review & approval process, timing, agreements with Metrolinx, technical requirements, and more.

development.coordinator@metrolinx.com
Third Party Projects Review, Capital Projects Group
Metrolinx
20 Bay Street, Suite 600
Toronto, Ontario
M5J 2W3



CORRIDOR DEVELOPMENT PERMIT

This card must be kept posted in a conspicuous place on site of construction.

METROLINX REFERENCE NO.

Site Address:

Name (First, Last)

Project Description:

Metrolinx Title

Name (First, Last)

Date Issued:

Metrolinx Title

APPENDIX F - APPLICATION FOR REVIEW OF METROLINX RESPONSE

Application for Review of a Metrolinx Response

Pursuant to the *Building Transit Faster Act, 2020*

Instructions				
<p>Should the Applicant disagree with a Metrolinx Response to their Corridor Development Permit Application, they can request to meet with Metrolinx to review their concerns and obtain clarity on the Metrolinx Response. Depending on the outcome of the meeting(s), the Developer may pursue the Metrolinx Response Review Process if they meet one or more of the eligibility criteria described in Section D of this form.</p> <p>To initiate the Metrolinx Response Review Process, the Developer shall complete and submit this application form within 30 business days of receiving the Metrolinx Response. Upon receipt, the submitted form and supporting documentation will be reviewed and assessed. The full review process is expected to take between 20 and 45 business days, or longer due to project complexity, if requested by Metrolinx and accepted by the Applicant.</p> <p>See Section E below for instructions on supporting documentation.</p> <p>For more information, see Section 3.3.3 of the Metrolinx Adjacent Guideline for Priority Transit Projects.</p>				
For Use by Metrolinx				
Application number:		Permit number (if different):		
Date Application Form received:		Date Application for Review of a Metrolinx Response received:		
To be completed by the Applicant				
A. Applicant Applicant is: <input type="checkbox"/> Owner or <input type="checkbox"/> Authorized agent of owner				
Last Name	First Name		Corporation or partnership	
Street Address			Unit number	Lot/con
Municipality	Postal Code	Province	E-mail	
Telephone number	Cell number			
B. Owner (if different from Applicant)				
Last Name	First Name		Corporation or partnership	
Street Address			Unit number	Lot/con
Municipality	Postal Code	Province	E-mail	
Telephone number	Cell number			
C. Project				
Project Name:				
Project Address:				

D. Review Criteria	
Select one or more of the following permitted grounds for review:	
<input type="checkbox"/>	A. Non-Decision: A Metrolinx Response has not been provided within 90 calendar days of a submission of a complete application.
<input type="checkbox"/>	B. Error in Application of Statutory Authority: The Applicant can demonstrate that the Metrolinx Response was beyond the jurisdiction of Metrolinx under the Building Transit Faster Act, 2020.
	Explain why:
<input type="checkbox"/>	C. Patently Unreasonable: The Applicant can demonstrate that the Metrolinx Response was patently unreasonable given the submitted documents and the reason(s) for the decision.
	Explain why:
E. Attach Supporting Documentation	
Supporting documentation must not include any new technical documentation, as any new documents will need to go through the Technical Review process by Metrolinx. Supporting documentation are to be marked-up submitted documentation and/or Metrolinx Response that demonstrate why the Applicant believes Metrolinx has made an error in the application of Statutory Authority or why the Metrolinx Response is Patently Unreasonable. Supporting Documentation can include: memos or third-party peer reviews.	