

Metrolinx

Corridor Development Permit Guideline for Utility and Roadway Work

Legal and Corporate Commercial Services

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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 priority transit projects faster.

Building Transit Faster Act, 2020:

On July 8, 2020, the *Building Transit Faster Act, 2020* (BTFA) came into force, introducing measures that streamline project delivery and support the accelerated completion of the priority transit projects identified in Ontario's "New Subway Transit Plan for the Greater Toronto Area (GTA)", as outlined in the 2019 Ontario Budget: the Ontario Line, the Scarborough Subway Extension, the Yonge North Subway Extension, and the Eglinton Crosstown West Extension.

Ontario Rebuilding and Recovery Act, 2020:

On December 8, 2020, the *Ontario Rebuilding and Recovery Act, 2020* (ORRA) received Royal Assent. The ORRA amended the BTFA to enable the extension of the suite of acceleration measures, as applicable, to other provincial transit projects by providing regulation-making authority to name other projects. Designating transit corridor lands enables Metrolinx to use the full suite of measures in the BTFA to accelerate project delivery for these projects, as appropriate per the details of the priority project's designation regulation.

The legislation will help get transit built faster by ensuring nearby developments or construction projects do not interfere with or delay the 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 **Transit Corridor Lands and permit buffers**:

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 from other regulatory agencies 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. The Minister of Transportation has delegated permit issuance and enforcement to Metrolinx.

Interested parties undertaking due diligence, planning and development activities within the **Transit Corridor Lands and permit buffers** are encouraged to read this Guideline, and the companion Adjacent Development Guideline for Priority Transit Projects, as may be applicable for such projects, and to visit Metrolinx's website for more information including maps of the **Transit Corridor Lands and permit buffers**. All inquiries related to utilities and road works may be directed to MCReviews@metrolinx.com.

For utility relocations pertaining to Metrolinx projects, parties should refer to the Metrolinx and Infrastructure Ontario Utility Relocations Guideline. Utility Relocation Projects initiated by Metrolinx to address utility conflicts associated with Metrolinx transit projects will also require a Corridor Development Permit but will follow a slightly different process than this guideline. Metrolinx Pre-Construction Team will communicate directly with the Utility Company regarding relocations associated with Metrolinx transit projects.

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1. DEFINITIONS & ABBREVIATIONS

“Alter” or “Altering” means material or structural changes to existing Roadway or Utility Infrastructure, such that the original form or makeup has been temporarily or permanently modified through removal, replacement, or addition of any components, using mechanical equipment or manual means to perform the work. Such activities may include any construction, demolition or grade altering activities.

“Applicant” means the owner of Utility Infrastructure and/or Roadway projects within the **Transit Corridor Lands and permit buffers**. The Applicant could be a Utility Company or their authorized agent. A proponent as defined in *Building Transit Faster Act, 2020* (as in the Consolidated Hearings Act), is also an Applicant in this guideline.

“Applicant Infrastructure” means any Utility Infrastructure or Roadway to be constructed or modified by the Applicant as proposed under their Application Package.

“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.

“BTFA” mean the *Building Transit Faster Act, 2020*, and Amendments.

“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.

“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 Enforcement Authority” means the Province of Ontario Ministry of Transportation, Metrolinx, and municipalities that have been granted authority to enforce or to act under or in respect of the BTFA.

“Transit Corridor Lands and permit buffers” means lands:

1. on or under the Transit Corridor Lands, or
2. within 10m buffer of the Transit Corridor Lands for Utility Infrastructure, or
3. within 30m buffer of the Transit Corridor Lands for Roadways,

as described in Section 3 of the BTFA and this guideline.

“Corridor Development Permit” means the permit that Metrolinx issues that grants the Applicant permission to proceed with their works within the **Transit Corridor Lands and permit buffers**.

“Metrolinx Response Review Process” means the Review Process as per Section 63 in BTFA and is the process to follow when the Applicant 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 Applicant Infrastructure may or will impact Metrolinx Infrastructure, as described in Appendix A.

“Ground Instrumentation and Monitoring Plan” or **“GIMP”** is as described in Appendix A 1.3 Article (h) of this guideline.

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

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

“Metrolinx Response” means the written response to the Applicant at the end of the Review Process that includes the Metrolinx Decision and any conditions and comments to explain the Metrolinx Decision.

“Metrolinx Infrastructure” means all temporary and 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.

“OBC” means regulations made under the *Ontario Building Code Act, 1992*.

“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.

“Project” means, collectively, Applicant Infrastructure and any third-party infrastructure included in the Application Package.

“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. 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, to a Metrolinx Response, and includes an intake and completion check, and a Technical Review by Metrolinx of the Application Package for compliance to the technical requirements of this guideline and the referenced standards.

"Roadway" or **"Roadways"** means a linear paved infrastructure for use of vehicle traffic and also including curbs, sidewalks and streetscaping.

"Roadway Owner" means the owner of Roadway elements, which can be a municipal corporation, a commission or a private company.

"Roadway and Major Reconstruction" are projects that involve new or existing Roadway and Utility Infrastructure work and, which require more complex design requirements, approvals and coordination, and lengthier or phased construction intervals.

"Structure" means anything that is erected, built or constructed of one or more parts joined together, which includes but not limited to bridges and culverts.

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

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

"Utility Company" means a municipal corporation or commission or a company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat or power.

"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. Pipes and pipe lines includes watermains, storm and sewer mains.

"Works" means the provision of the Applicant Infrastructure and third-party infrastructure to be performed as per the Application Package, which is the same as "works" used in the BTFA.

2. PURPOSE OF THE GUIDELINE

For Utility and Roadway projects that fall within the boundaries of the **Transit Corridor Lands** plus 10m or 30m permit buffer as applicable, this guideline will help Municipalities, Utility Companies and Roadway Owners 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 **Transit Corridor Lands and permit buffers** still proceed for the benefit of stakeholders where they do not negatively impact transit delivery. This guideline and Metrolinx staff are a resource to support due diligence activities conducted by the Utility and Roadways community to inform project designs and methods of construction to ensure the successful completion of all projects.

2.1 Why is Metrolinx Interested in Utility and Roadway Projects?

Any new utility or road work within close proximity to transit—whether adjacent, under, or spanning over top—is of interest to Metrolinx. Metrolinx’s interests are first and foremost one of safety; and second of expediting future expansion plans in coordination with planned Utility Infrastructure and Roadway projects.

If your project is located in a joint corridor with other Metrolinx infrastructure (such a GO Heavy Rail Corridor, Light Rail Corridor, Station) additional requirements or approvals in addition to the Corridor Development Permit may apply.

2.2 Who Should Use the Guideline?

This guideline is intended for the Municipalities, Utility Companies and Roadway Owners planning works within the **Transit Corridor Lands and permit buffers**, and for use by their consultants and contractors.

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

1. A Utility Company or a Roadway Owner is responding to an emergency that involves actions to protect public safety, or is in response to a failure or damage to existing Roadways or other Utility 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, but the municipality or utility company shall notify Metrolinx as per BTFA Section 6.

2.3 How Should the Guideline be Used?

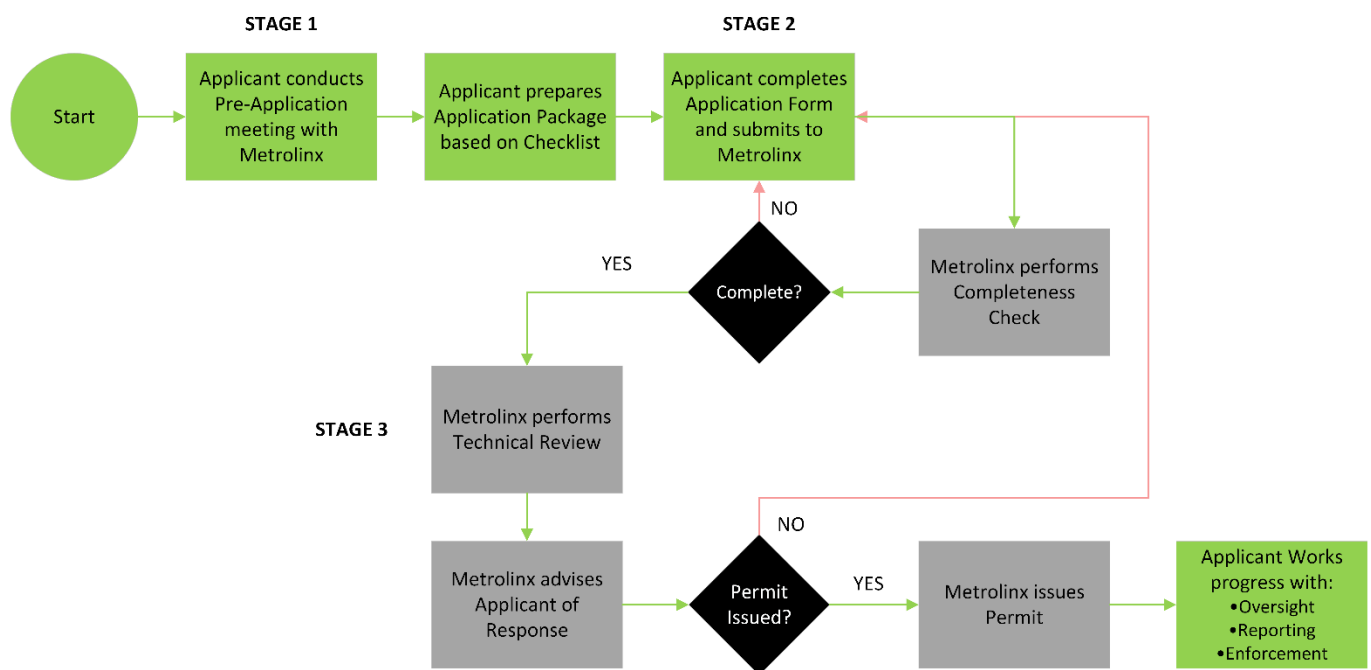
This guideline should be used frequently throughout the project process (planning, design, construction). It is meant to be augmented and supported by dedicated Metrolinx staff throughout the process. It describes how the Applicant and its team should be coordinating with Metrolinx, third parties and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

3. CORRIDOR DEVELOPMENT PERMIT APPLICATION, REVIEW & APPROVAL PROCESS

3.1 Overview

The Corridor Development Permit process for utilities and roadways is similar to the municipal Public Utility Coordination (PUC) reviews, such as the MCR (Municipal Consent Requirements) process for the City of Toronto; however, as part of the BTFA, Metrolinx may now issue a Corridor Development Permit upon completion of a review and confirmation of the absence of conflict. In general, applications will require similar supporting documents with a Metrolinx application, and Metrolinx Responses to applications will be provided to Applicants in a similar time frame to PUC reviews. For Roadway and Major Reconstruction projects that have potential impacts on Priority Transit Projects, additional supporting documents and a Pre-Application meeting with Metrolinx will be required and include Metrolinx oversight and Applicant project-reporting; a longer review period may be required.

Applicants and their design and construction team will need to go through three main stages of the Corridor Development Permit Process, which are detailed in 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 Corridor Development Permit Process

3.2 Roadway and Major Reconstruction Projects (Pre-Application Meeting Required)

For Roadway and Major Reconstruction projects that involve new or existing Roadway and Utility Infrastructure work and, which require more complex design requirements, approvals and coordination, and lengthier or phased construction intervals, a Pre-Application meeting with Metrolinx will be required to ensure additional supporting documents are provided by the Applicant, as part of the Application Package, and the Applicant shall be required to submit to Metrolinx a Pre-Application Form; see also Section 3.4.1, Timing of Permit Review Process.

See **Appendix C** for a copy of the Pre-Application Form, Checklist.

3.3 Stage 1: Obtaining a Corridor Development Permit

If you are a Municipality or Utility owner, before you initiate the Corridor Development Permit process, please confirm on our [website](#) if your project is exempt from the Corridor Development Permit process.

The Applicant completes the Application Package and submits it for review and approval by Metrolinx to obtain a permit, which may/may not contain conditions as part of permit approval. The permit allows the Applicant 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.

The Application Package to obtain a Corridor Development Permit shall include the following:

- Cover Letter
- Application Form, including Owner Authorization, if Applicant is not the Owner
- Completed Checklist, indicating what is being provided in the Application Package
- Technical Plans, Drawings, and Surveys (see Appendix A Section 1.4)
- Studies and Reports (see Appendix A Section 1.5)

There will be no application fees associated with the Metrolinx Corridor Development Permit.

See **Appendix D** for a copy of the Application Form, Checklist.

The Application Package shall demonstrate that the Applicant's proposal is compliant with the Technical Requirements outlined in **Appendix A** of this guideline.

3.3.1 Small-Scale/Minor Projects

Small-scale/minor projects (e.g., new anchors for poles, pole upgrade) 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:

- (i) there are no Metrolinx property interests on the lands that are subject to the project;
- (ii) proposed works do not include ground dewatering, excavation or shoring work within the geotechnical zone of influence.

If you are in doubt and not sure if your project falls into the small and minor works category, please contact Metrolinx to confirm.

3.4 Metrolinx Application Package Review Process

Metrolinx will review the Application Package and perform a completeness check. If the Application Package is incomplete, Metrolinx will request the Applicant to provide additional documentation or clarifications that must be provided before Metrolinx will initiate the Technical Review of the Application Package. For Roadway and Major Reconstruction applications which are more complex, if the Application Package does not include all the required documentation, Metrolinx will request a Pre-Application meeting to ask questions and explain what additional documentation is needed. If/when Metrolinx determines that an Application Package is complete, the Applicant will be advised, and Metrolinx will begin compliance 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 Applicant; Metrolinx will reach out to the Applicant 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 Applicant's project, an amendment to the Application Package shall be required.

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

1. Permit with no conditions - Issued for small-scale/minor Projects with little to no impacts to Priority Transit Projects.
2. Permit with conditions - Applicant shall review Metrolinx's conditions and may proceed with the proposed Works in accordance to the stipulated conditions. Where applicable, to further advance the Project, the Applicant 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.

A Metrolinx Corridor Development Permit, when issued, shall indicate the conditions associated with it.

3. 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 Applicant shall review and address Metrolinx's compliance feedback, and resubmit their Application Package for a subsequent review by Metrolinx. It is the Applicant'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 mitigated, to the satisfaction of Metrolinx for a Permit to be issued.

3.4.1 Timing of Permit Review Process

The overall timing of the Review Process, from submission of an Application Package to a Metrolinx Response, is expected to be up to 30 Business Days for Utility Infrastructure

applications, and up to 60 Business Days for Roadway applications. If a Metrolinx Response is not provided within these respective timings, the Applicant shall be entitled to enter the Metrolinx Response Review Process, as this process has been established under **Section 11** of the **BTFA**. Notwithstanding the aforementioned, Metrolinx anticipates that its review will be complete within 20 Business Days for the vast majority of applications.

3.4.2 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 30 Business Days of submission of a complete application for Utility Infrastructure applications, and within 60 Business Days of a submission of a complete application for Roadway applications.
- 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 MCReviews@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 MCReviews@metrolinx.com

The Review Process involves a thorough analysis of the application, including any supporting materials provided. Throughout the process, Metrolinx may reach out 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.

3.5 Stage 2: Executing a Corridor Development Permit

At the conclusion of the review of a Permit Application Package, Metrolinx will provide a Response to the Applicant 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 20 Business 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 Applicant'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 3.4, Stage 3: 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 an Applicant'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 and approvals required by other Authorities Having Jurisdiction, such as Conservation Authorities, the Ministry of Transportation pursuant to the Public Transportation and Highway Improvement Act and municipalities. Municipalities are considered to be the prime approval authority that require supporting clearance permits/approvals from other Authorities Having Jurisdiction, such as Metrolinx. The Corridor Development Permit Review Process is concurrent with other permits and approvals that an Applicant must obtain to satisfy applicable law.; Applicants are still required to obtain applicable permits under legislation from MTO. The Corridor Development Permit Review Process is concurrent with other permits and approvals that an Applicant must obtain to satisfy applicable law, including municipal approvals.

Should the CDP expire prior to completion of the Applicant's proposed work, the Applicant shall engage Metrolinx to request for a CDP Extension. Extension will be at the sole discretion of Metrolinx.

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

3.6 Stage 3: Inspection, Reporting and Corridor Development Permit Enforcement

In order to ensure that the project is compliant with the conditions attached to the Corridor Development Permit, Metrolinx will conduct inspection(s) of the work during construction of the project. These inspections shall be facilitated by the Applicant, in keeping with the Technical Requirements section in **Appendix A**,

The framework established under the BTFA and its regulations includes enforcement tools to ensure compliance with Metrolinx Corridor Development Permit conditions. Permit enforcement includes the ability for Metrolinx 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 Transit Corridor Lands and permit buffers. 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 Transit Corridor Lands and permit buffers; 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 outlined as part of the Metrolinx Corridor Development Permit conditions, and are dependent upon the type of project and proximity to the Transit Corridor Lands and permit buffers. 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 compliance to Metrolinx Corridor Development Permit conditions; submittal items are further defined 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 Applicant's work until the completion of construction of the Applicant's Project.

Through the Application Package 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 possible agreements; other agreements not listed below may also be required depending upon the Applicant's proposal.

4.1.1 Non-Disclosure Agreement

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

4.1.3 Construction Agreement

A Construction Agreement is necessary when there are particular Applicant obligations for protection of Metrolinx interests that go beyond the terms of the Corridor Development Permit or municipal planning approval conditions.

A Construction Agreement is established between the Applicant and Metrolinx to set out the specific requirements and parameters of the construction of the Project, and may include restrictions on the timing and duration of construction activities by the Applicant. This agreement must be executed prior to the start of any excavation. In some circumstances this agreement may be required prior to demolition Works on the site.

4.1.4 Long Term Maintenance Agreement

If the Applicant 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 may need to be established between the Applicant 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 Applicant Infrastructure to the extent that one impacts the other.

APPENDIX A - TECHNICAL REQUIREMENTS

1.1 Corridor Development Permit Compliance Review against Technical Requirements

Applicant projects proposed within the Transit Corridor Lands and permit buffers 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 Project. The focus of the compliance review is the identification of any conflicts or impacts the construction of an Applicant Project may have on the Metrolinx Priority Transit Projects, affecting existing or proposed Metrolinx construction, operations, maintenance, and access to Metrolinx Infrastructure.

The compliance review will include the review of “Structure Clearances and Proximity to Metrolinx Infrastructure”, “Submittals as Required by a Corridor Development Permit” and “Technical Studies and Reports as Required by 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.

The issuance of a Corridor Development Permit by Metrolinx does not exempt the Applicant from compliance with Applicable Codes and Standards, Federal, provincial, municipal legislation, or local By-laws, governing regulations for utility construction and relocation, and any other conditions required by Metrolinx.

1.2 Applicable Codes & Standards

The Applicant’s Project shall adhere to the most current edition of applicable federal, provincial, municipal, and industry codes, standards, and guidelines.

1.3 Structure Clearances and Proximity to Metrolinx Infrastructure

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 and the dissipation of rail-oriented vibration. The following provides an overview of Structure clearance requirements and conditions (Figure A1) based on available current-state information, which may change based on selection of final vehicle type and asset requirements:

- (i) The minimum structure horizontal clearance is measured between the Applicant Infrastructure and Metrolinx Infrastructure, and shall be the greater of either 3 metres or local jurisdictional requirements.
- (ii) The minimum vertical clearance for any structure overhanging the Transit Corridor Lands shall be 10 meters, measured from the Transit Corridor Lands top-of-rail to the underside of the Utility Infrastructure overhanging the Transit Corridor Lands top-of-rail elevation.
- (iii) Existing structure clearances may vary by location and do not set the precedent for new projects.

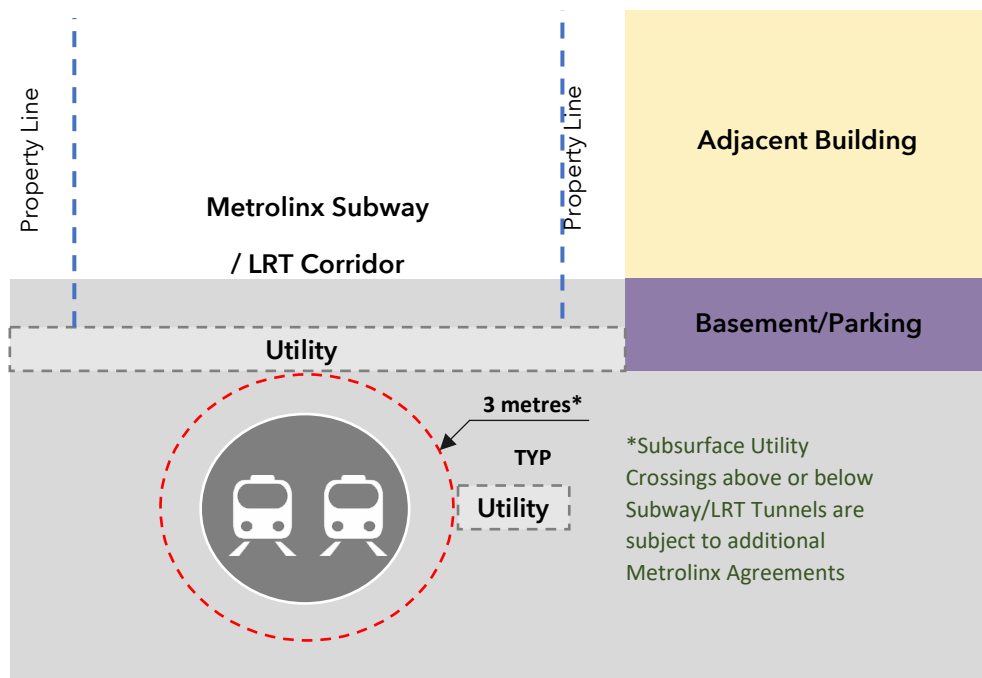
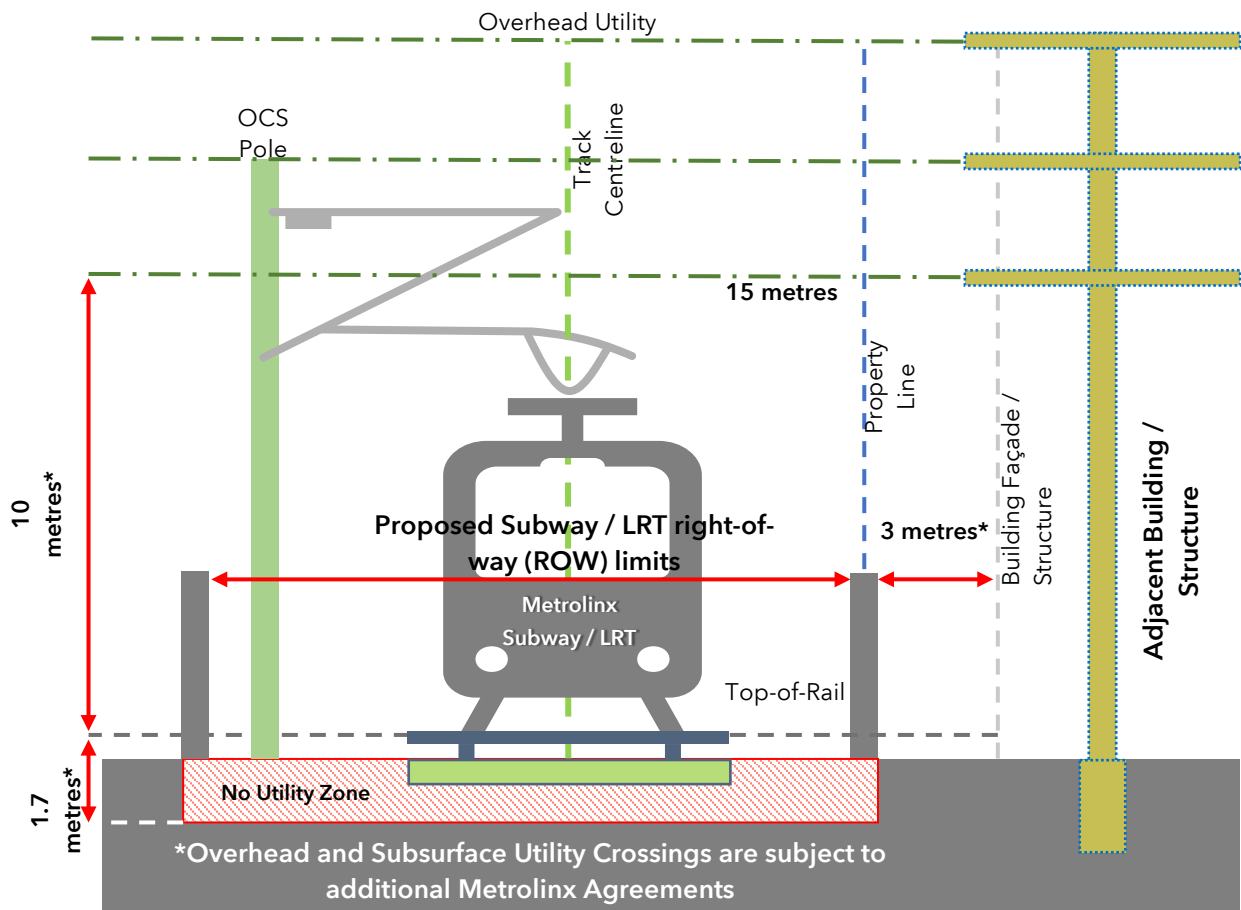


Figure A1: Structure Clearances

Applicant Works that are subsurface and adjacent to, over, or under Metrolinx Infrastructure shall maintain a minimum 3 metre clearance from existing Metrolinx Infrastructure (Figure A1).

1.4 Submittals as Required by 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 Applicant's Project.

(a) Full set of sketches or drawings, including:

- Site plan
- Topographic survey
- Property plans including a PIN/Printout Parcel Registry
- Civil drawings
- Structural drawings
- Traffic Control Plans

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

For large and complex works in close proximity to Metrolinx Infrastructure, a pre-construction condition survey of existing Metrolinx Infrastructure may be required as a method for providing baseline of conditions prior to the start of Applicant construction. A post-construction condition survey of Metrolinx Infrastructure may be required as a means of observing any new structural or non-structural deficiencies or damage to Metrolinx Infrastructure due to Applicant 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 Applicant Project limits within the Transit Corridor Lands and permit buffers. Any damage to Metrolinx Infrastructure due to the Applicant's construction shall be the Applicant'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 may be required, and shall identify the proposed Applicant 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 A2).

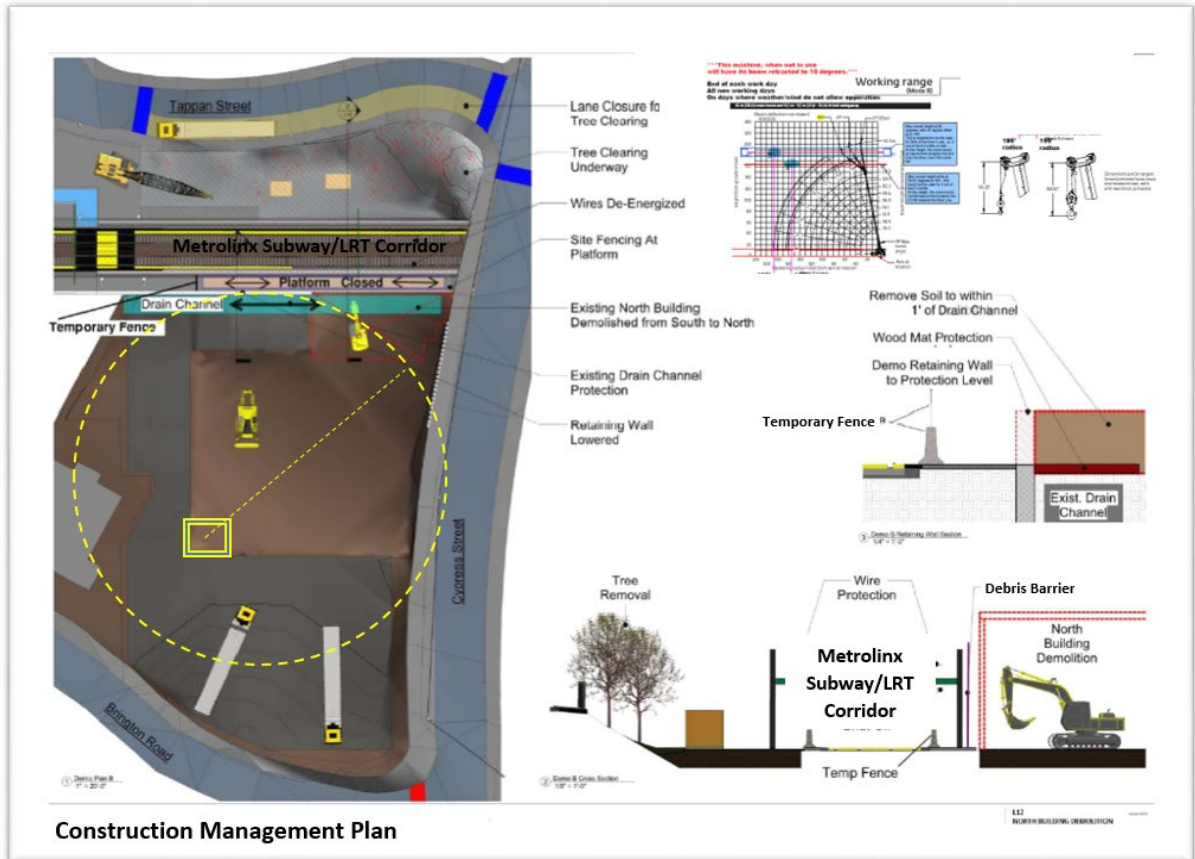


Figure A2: Sample Construction Management Plan

(d) Demolition Work Plan

A Demolition Work Plan may be required for any proposed demolition of structures within the Transit Corridor Lands and permit buffers, and shall include: a detailed narrative describing the demolition procedure and protection of Metrolinx Infrastructure and Metrolinx passengers, from dust and debris; a Ground Instrumentation and 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 Applicant Project.

(e) Hoarding and Stockpiling of Materials Plan

Applicant shall ensure that hoarding and stockpiling of construction site materials or Works within the Transit Corridor Lands and permit buffers 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 Applicant's improper materials storage practices, shall be the responsibility of the Applicant.
- (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 Applicant Projects within the Transit Corridor Lands and permit buffers, 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 A3).

The Tie-backs clearance between the end of an Applicant 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.

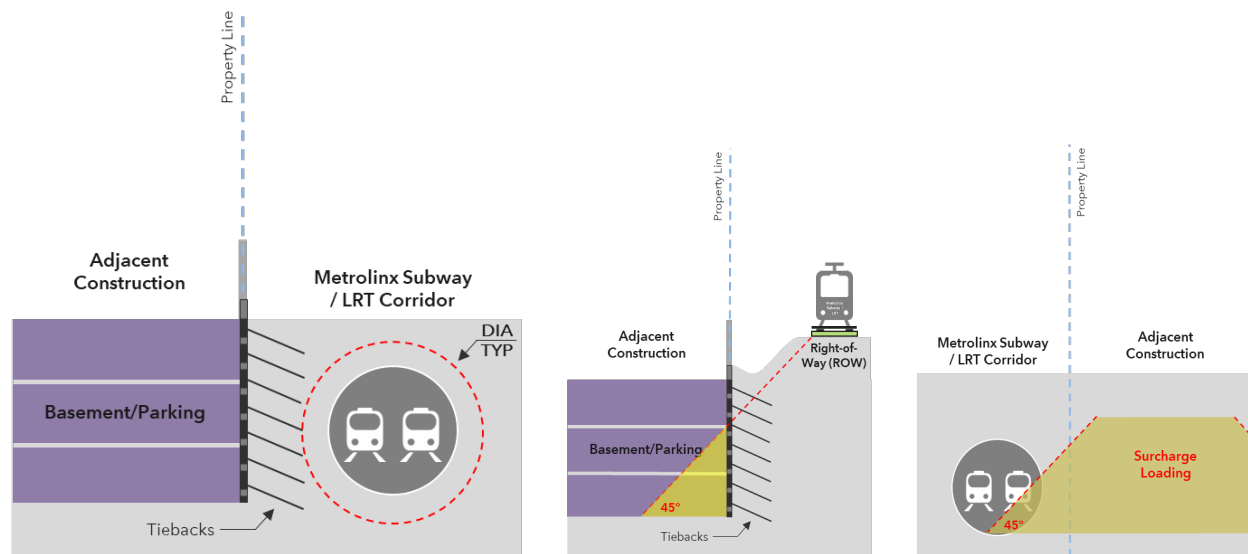


Figure A3: Applicant Infrastructure that Encroaches into with the Geotechnical ZOI of Metrolinx Infrastructure

(g) Site Maintenance and Environmental Management During Construction Plan

For large and complex works in close proximity to Metrolinx Infrastructure, a site maintenance and environmental management plan may be required to demonstrate control of erosion, sediments, dust, debris, and tracking of mud as a result of Applicant construction of the Applicant Project within the Corridor Control Lands. A site maintenance and environmental management plan may be required and shall identify control measures and frequencies of machinery/vehicle cleaning, site upkeep, and protective measures that the Applicant will implement to avoid negative impacts to Metrolinx Infrastructure due to the Applicant's construction.

(h) Ground Instrumentation and Monitoring Plan (GIMP)

For large and complex works in close proximity to Metrolinx Infrastructure, Ground Instrumentation and Monitoring Plans may be required for the implementation of a construction monitoring program for the Applicant 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 Applicant Works.

Instrumentation and monitoring of Metrolinx Infrastructure is required to ensure that structural or functional inadequacy does not develop as a result of the Applicant's construction. In addition, monitoring will be required to ensure the Applicant'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 Applicant.

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 Applicant Works to determine changes to initial conditions, document post-construction conditions, 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.

Establishment and implementation of Ground Instrumentation and Monitoring Plan (GIMP) must be reviewed, supervised and signed by a professional engineer. Surveying work, being conducted by licenced land surveyors or surveyors with experiences in such monitoring works must also be signed by a professional engineer. The Applicant 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 an Applicant Project within the Transit Corridor Lands and permit buffers, shall be required to enter into a Crane Swing Agreement prior to crane arrival and erection on site. The Crane Swing Agreement may be required to provide 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 A4) - Swing Radius, Existing Infrastructure, Metrolinx Infrastructure, Corridor Control Lands and Outriggers;
- (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 Applicant Inspection/Certification; within last 12 Calendar months; and
- (viii) Insurance Certificate.

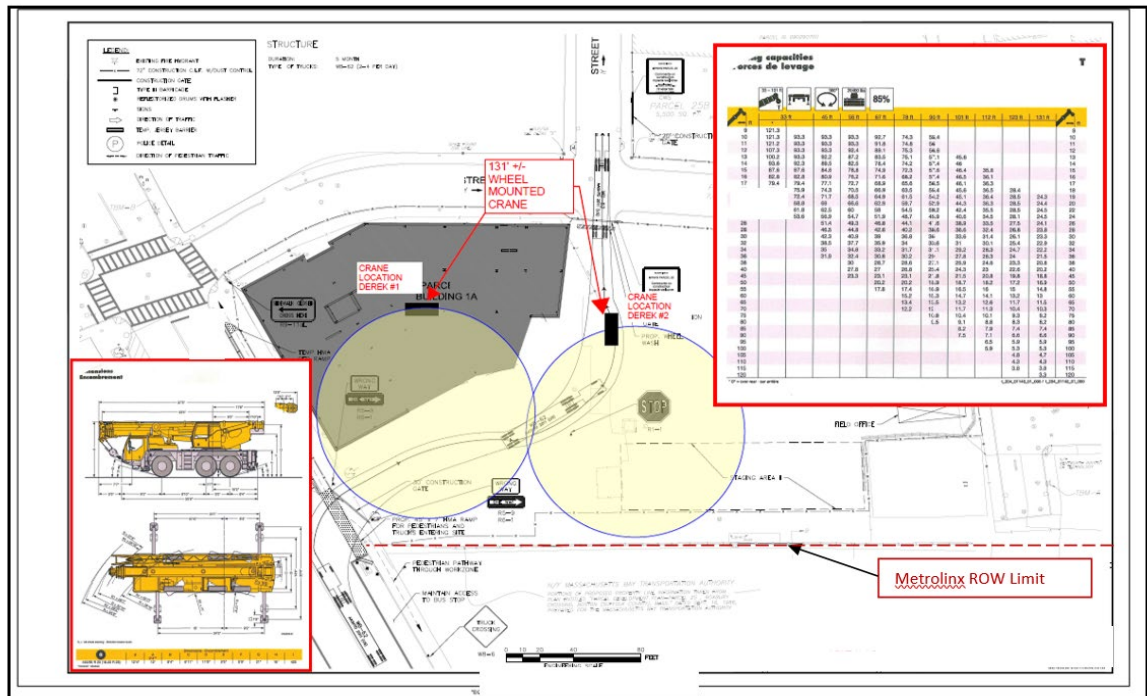


Figure A4: Sample Crane Swing Plan

(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 other parts of Applicant 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 Applicant’s Project.

(k) Overhead Protection Plan

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

(l) Construction Equipment Orientation/Shielding Plan

Proper construction equipment orientation/shielding by Applicant 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 Applicant Works within the Corridor Control Lands that creates an unsafe condition.

Prior to carrying out any work in the Corridor Control Lands, the Applicant shall submit to Metrolinx, Safety, Quality and Risk Assessment work plans, as applicable, 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. 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 Applicant's task-specific assessments. The level of detail required for each of the following plans and drawings shall be scaled to the level of complexity of the Applicant'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 Applicant 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 Applicant shall co-operate with Metrolinx by providing access to the site and assistance in such inspections.

For aspects of the Applicant's Project that are expected to have an impact on a Metrolinx existing or planned assets and operations, the Applicant shall provide Metrolinx advance notice for any Applicant 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 Applicant 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**

Metrolinx will own all data it shares with an Applicant to support its application for a Corridor Development Permit.

Applicant shall advise Metrolinx in writing once all engineering/field support, interface functions, and project construction impacting Metrolinx is complete, and ensure all Metrolinx conditions associated with the Corridor Development Permit have been met, including providing As-Built Drawings or Record Drawings in PDF as well as AutoCAD or MicroStation formats that are georeferenced to Metrolinx requirements, as well as satisfying financial obligations, as may be directed by Metrolinx.

Where the Applicant Project includes a permanent change/modification to Metrolinx Infrastructure, Metrolinx shall own these updated drawings that it has approved as part of a permit.

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

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

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

(a) **Storm Water Management Study**

Where the Applicant's Project will impact the drainage and storm water within the Transit Corridor Land, the Applicant shall provide a drainage study to demonstrate through an analysis of the surrounding environment, that the Priority Transit Project will not be adversely affected by the Applicant'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 drainage pattern (i.e., into and/or out of) must receive approval by Metrolinx and be substantiated by a storm water management report completed by a Geotechnical Engineer.

(b) **Traffic and Transit Management Study (during construction and permanent condition)**

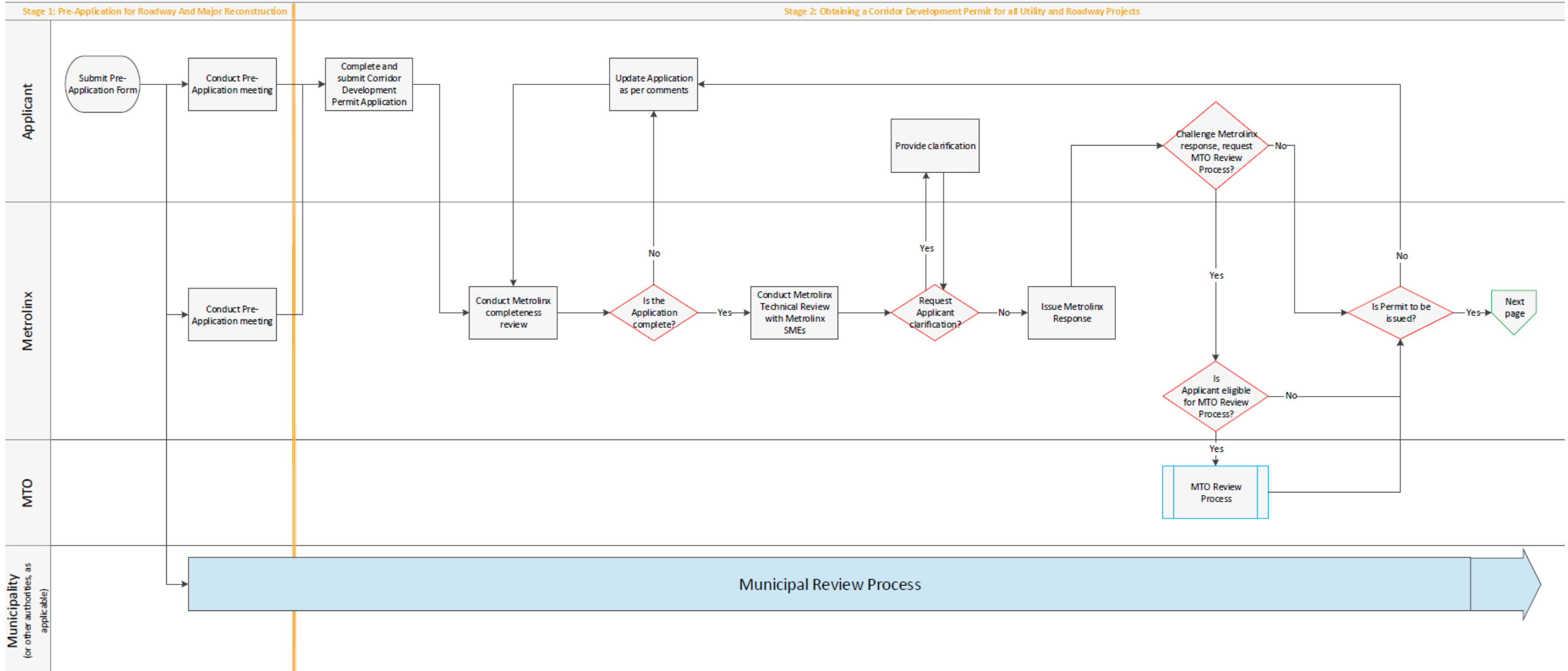
(i) Where the Applicant Project's construction will impact a Priority Transit Project or Metrolinx operations, the Applicant shall provide a traffic and Transit management study for their Project. This study shall address temporary and permanent access impacts.

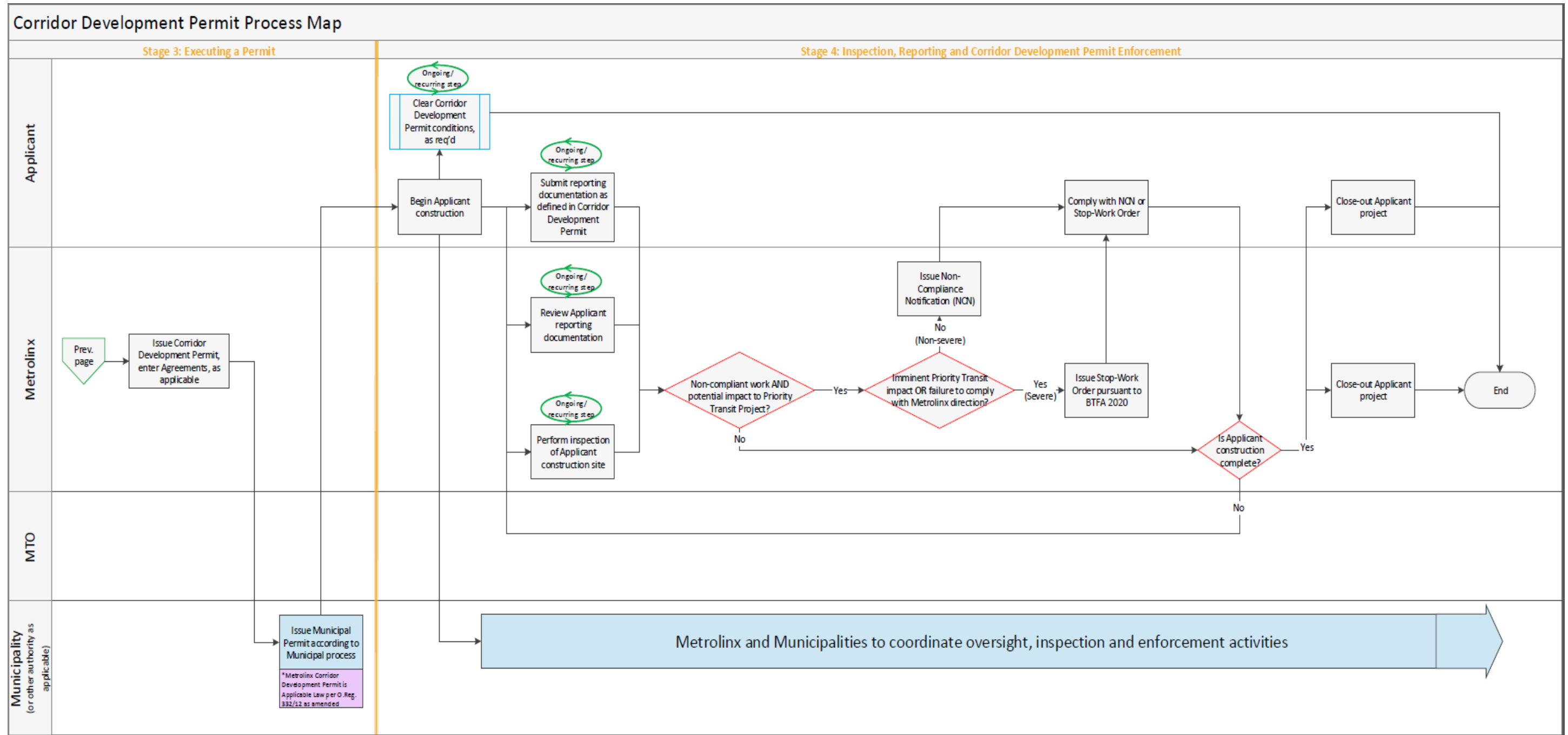
(c) Structural, Dewatering and Geotechnical Engineering Reports

Where the Applicant Project's construction has the potential to temporarily or permanently affect loading conditions on Metrolinx Infrastructure, the Applicant shall provide structural, dewatering and geotechnical engineering reports that demonstrate that any imposed loading conditions by the Applicant's Project are mitigated by the Applicant 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 Applicant's Project.

APPENDIX B - CORRIDOR DEVELOPMENT PERMIT PROCESS MAP

Corridor Development Permit Process Map





APPENDIX C - CORRIDOR DEVELOPMENT PERMIT PRE-APPLICATION FORM

Pre-Application Form

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

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 (check all that apply)

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Underground Utility within Municipal ROW | <input type="checkbox"/> Underground Utility on Private Property | <input type="checkbox"/> Overhead Utility within Municipal ROW | <input type="checkbox"/> Overhead Utility on Private Property |
| <input type="checkbox"/> Public Roadwork | <input type="checkbox"/> Public Curbs, sidewalks and streetscaping | <input type="checkbox"/> Roadwork on Private Property | <input type="checkbox"/> Other _____ |

Is the proposed project being carried out in response to a Metrolinx issued Notice pursuant to Section 46 of the BTFA:

- Yes (If Yes, attach a copy Metrolinx issued Notice to this application)
- No

5. EXISTING PROJECT INFORMATION

Describe the existing conditions:

Describe proposed work:

6. SUBMISSION REQUIREMENTS

Attach the following documents/drawings to this form:

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

Please refer to the Metrolinx Corridor Development Permit Guideline for Utility and Roadway Work 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, hereby authorize

(print name of agent), to submit this Pre-Application Form 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 - CORRIDOR DEVELOPMENT PERMIT APPLICATION
FORM FOR UTILITIES AND ROADWAYS**

Corridor Development Permit Application Form For Utilities and Roadways

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		
Project Status	<input type="checkbox"/> Design	<input type="checkbox"/> Tender	<input type="checkbox"/> Under Construction		
Has an MCR / ICU Permit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Yes, Permit Number		
<input type="checkbox"/> Short Stream <input type="checkbox"/> Full Stream if applicable					
B. Project Type (select all that apply)					
<input type="checkbox"/> Underground Utility within Municipal ROW	<input type="checkbox"/> Underground Utility on Private Property	<input type="checkbox"/> Overhead Utility within Municipal ROW	<input type="checkbox"/> Overhead Utility on Private Property		
<input type="checkbox"/> Public Roadwork	<input type="checkbox"/> Public Curbs, sidewalks and streetscaping	<input checked="" type="checkbox"/> Roadwork on Private Property	<input type="checkbox"/> Other _____		
Is the proposed project being carried out in response to a Metrolinx issued Notice pursuant to Section 46 of the BTFA:					
<input type="checkbox"/> Yes (If Yes, attach a copy Metrolinx issued Notice to this application)					
<input type="checkbox"/> No					
Tentative Construction Start Date			Tentative 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			

To be completed by the Applicant

E. Checklist

Applicant shall submit the required information to allow for an assessment of potential impacts on the Priority Transit Projects. The extent of supporting information required will depend on a variety of factors, including the nature of the proposed work, specifically their proximity to Metrolinx Infrastructure, whether existing, planned, or under construction. Please refer to the Metrolinx Corridor Development Permit Guideline for Utility and Roadway Work for more information, including an overview of the review & approval process, timing, agreements with Metrolinx, technical requirements, and more.

Incomplete applications will be returned to the Applicant.

A Utility and Roadway Application shall include the items indicated below:

- Cover Letter;
- Completed Application Form with list of attached drawings, reports, studies, or documents;
- Drawings & Surveys, as available and applicable to the proposed work; and
- Reports, as applicable to the proposed work.

All on USB drive in PDF and CAD (AutoCAD or Microstation) formats. Hard copies will only be required upon request from Metrolinx.

Submission Requirements (include as applicable to type of work proposed)					
Item No.	Item	Guideline Appendix A Clause	Notes	Submitted with Application	Item not yet available
1	Plan Drawings (CAD and PDF) or Sketch showing location, addresses and north arrow	1.4(a)	Showing location of work and horizontal clearances to Metrolinx Infrastructure and other infrastructure. Also show locations of hoarding, barriers, barricades and stockpiling, as applicable. Sketches may only be used in simple, straight forward works or in emergency situations.	<input type="checkbox"/>	<input type="checkbox"/>
2	Cross-Section Drawings (CAD and PDF)	1.4(a)	Showing location of work and vertical clearances to Metrolinx Infrastructure and other infrastructure.	<input type="checkbox"/>	<input type="checkbox"/>
3	DMOG base maps, where available, or surveyed maps	1.4(a)	As available	<input type="checkbox"/>	<input type="checkbox"/>
4	Pre/Post Construction Condition Survey	1.4(b)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
5	Construction Management Plan	1.4(c)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
6	Demolition Work Plan	1.4(d)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
7	Hoarding and Stockpiling of Materials Plan	1.4(e)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
8	Excavations, Shoring & Tie-Back Plan	1.4(f)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
9	Site Maintenance and Environmental Management Plan	1.4(g)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
10	Ground Instrumentation and Monitoring Plan (GIMP)	1.4(h)	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>

Submission Requirements (include as applicable to type of work proposed)					
Item No.	Item	Guideline Appendix A Clause	Notes	Submitted with Application	Item not yet available
11	Crane Swing Plan	<u>1.4(i)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
12	Construction Barriers and Barricades Plan	<u>1.4(j)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
13	Overhead Protection Plan	<u>1.4(k)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
14	Construction Equipment Orientation/ Shielding Plan	<u>1.4(l)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
15	Safety Work Plan	<u>1.4(m)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
16	Quality Work Plan	<u>1.4(m)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
17	Risk Assessment Work Plan	<u>1.4(m)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
18	Site Reviews, Construction Monitoring, and Communications Plans	<u>1.4(n)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
19	Storm Water Management Study	<u>1.5(a)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
20	Traffic and Transit Management Study	<u>1.5(b)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>
21	Structural, Dewatering and Geotechnical Engineering reports	<u>1.5(c)</u>	If deemed applicable, at Metrolinx's discretion	<input type="checkbox"/>	<input type="checkbox"/>

FOR METROLINX USE ONLY

To be completed by the Applicant
F. Transmitted Information
Documents Submitted (list each drawing and report, with version number and date) This set of documents should match the set of documents submitted to the Municipality for Permit.

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 and subject to FOI (Freedom of Information) - Public Document.

Applicant Signature: _____

Date: _____

**APPENDIX E - CORRIDOR DEVELOPMENT PERMIT FORM FOR
UTILITIES AND ROADWAYS**

Corridor Development Permit For Utilities and Roadways

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.	

A. Metrolinx Information		
Metrolinx Permit number:	Corridor:	
Application Date received:	Permit issued:	Permit Expiry:

B. Permit Amendment (Supersedes information noted in section A)		
Metrolinx Permit number:	Corridor:	
Application Date received:	Permit issued:	Permit Expiry:-
Notes:		

C. Project Information			
Project Name			
Project Address (number and street name)			Unit Number
Project Address (number and street name)			Lot/con
Municipality	Postal Code	Province	Plan number/other description
Project Status	<input type="checkbox"/> Design	<input type="checkbox"/> Tender	<input type="checkbox"/> Under Construction
Application Stream	<input type="checkbox"/> Minor (Short Steam)	<input type="checkbox"/> Major (Full Steam)	

D. Project Type (select all that apply)			
<input type="checkbox"/> Underground Utility within Municipal ROW	<input type="checkbox"/> Underground Utility on Private Property	<input type="checkbox"/> Overhead Utility within Municipal ROW	<input type="checkbox"/> Overhead Utility on Private Property
<input type="checkbox"/> Public Roadwork	<input type="checkbox"/> Public Curbs, sidewalks and streetscaping	<input type="checkbox"/> Roadwork on Private Property	<input type="checkbox"/> Other:
Is the proposed project being carried out in response to a Metrolinx issued Notice pursuant to Section 46 of the BTFA:			
<input type="checkbox"/> Yes (If Yes, attach a copy Metrolinx issued Notice to this application) <input type="checkbox"/> No			
Proposed Construction Start Date:		Proposed Construction Finish Date	

E. 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		

F. Owner (if different from Applicant)				
Last Name		First Name		Corporation or partnership
Street Address			Unit number	Lot/con
Municipality	Postal Code	Province	E-mail	

G. Application Package	
List the drawings and documents included in the Application Package with revision numbers and dates:	
Item No.	Item Description
1	
2	
3	
4	

H. Special Conditions
In pursuit of the proposed Project, the Applicant must adhere to the following application-specific conditions (collectively, the "Special Conditions") listed below in addition to the General Conditions outlined in Section I of the Corridor Development Permit.
<ol style="list-style-type: none"> 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.

I. General Conditions
1. [Utility Company] (the "Applicant") shall strictly adhere to the issued Metrolinx corridor development permit, including these CDP Conditions (collectively, the "CDP"), Metrolinx approved plans, reports, supporting documents, and application-specific conditions, including any Metrolinx Metrolinx-requested changes

authorized by the document owner, and applicable laws, including the Building Transit Faster Act, 2020, S.O. 2020, c. 12, for the (i) design of the **[The Project Scope]** (the "Project") located on **[Location of the Project]** (the "Project Site"), and (ii) work carried out by the Applicant at the Project Site in connection with the Project (the "Project Works"), all to the satisfaction of Metrolinx in its sole discretion.

2. The CDP authorizes the Project Works only during the date and at the Project Site(s) specified in the CDP. The Applicant must notify any changes to the scope, time, and/or Project Site(s) of the Project Works to Metrolinx which is subject to review by Metrolinx, including to determine whether revisions to the CDP or a new corridor development permit application is required. Applicants should build into their schedules sufficient time for Metrolinx review and approval.
3. The Applicant must provide 2 days' written notice to Metrolinx 2 days before (i) before the commencement of any Project Works, and (ii) before the estimated completion of the Project Works.
4. The Applicant shall, prior to the performance of any Project Works, provide the contact information, including a telephone number, of an individual that Metrolinx may will attempt to notify of if Metrolinx's requires entry onto the Project Site, as well as the contact number and for emergency purposes prior to the performance of any Project Works.
5. Metrolinx, its staff, employees, advisors, agents, consultants, representatives, or other persons as may be required by Metrolinx in its sole discretion, may enter the Project Site for inspections to ensure that the CDP or a stop-work order is being complied with, and such inspection shall be carried out, (a) during the regular business hours of the Project Site; (b) if the Project Site does not have regular business hours, at any time the Project Site is open for business; or (c) at any other time during daylight hours, upon giving 2 days' notice.
6. The Applicant acknowledges that the CDP is non-transferable and is issued only to the current owner of the Project Site. The Applicant further acknowledges that upon transfer of the Project Site to a new owner, the CDP is cancelled, and the new owner must obtain a new corridor development permit from Metrolinx.
7. Where the Project Works extend beyond the Project Site onto lands that are not owned by the Applicant or easements held by the Applicant for Project Works involving utilities, the Applicant is responsible for obtaining all applicable approvals and authorization from the land owner.
8. The CDP is valid for the period stated therein. The Applicant must adhere to any timing restrictions which may be set out in the CDP. The Applicant must ensure that a valid CDP is in effect at the time of the performance of the Project Works. If it is anticipated that the Project Works will not be completed within the specified time set out in the CDP, the Applicant shall provide Metrolinx with at least 60 days' written notice or 20 days' written notice for Project Works involving utilities before the expiration date on the CDP and request for an extension. Any extension will be at the sole discretion of Metrolinx.
9. The Applicant may be required to arrange a final Project Site inspection of the Project Works with Metrolinx before the expiration date on the CDP to ensure compliance with the CDP, to the satisfaction of Metrolinx. If such inspection is required, Metrolinx will make a request and the Applicant shall provide a response within 7 days.
10. The Applicant must notify Metrolinx if a Project for which a CDP has been issued has been cancelled by the Applicant.
11. At the completion of the Project Works, the Applicant must follow Metrolinx's approved restoration plan and provide As- Built records to MCReviews@metrolinx.com.
12. Metrolinx may change the CDP Conditions at Metrolinx's discretion at any time or in addition, cancel the CDP is subject to cancellation at Metrolinx's discretion as at any time pursuant to Sections 4(2) and 5 of the Building Transit Faster Act, 2020, S.O. 2020, c. 12.

I. General Conditions (Continued)

13. Metrolinx may issue a stop-work order pursuant to Section 64 of the Building Transit Faster Act, 2020, S.O.2020, c. 12.

14. Except for emergency work in the municipal right of way, no Project Works may commence before the issuance of a corridor development permit. If there is an emergency in the municipal right of way involving Project Works on or near Metrolinx property, the Applicant shall contact all relevant authorities and MCReviews@metrolinx.com immediately, but no later than 1 day after the Applicant identifies the emergency.

15. The Applicant shall coordinate all traffic management with Metrolinx, including the coordination of haul routes, staff, and temporary conditions signage in the municipal rights of way, all to ensure construction work zones between the Project and the Priority Transit Project (PTP), are kept distinct, and to ensure the Project does not impact the Priority Transit Project. The Applicant shall provide the contact information for all its traffic management personnel to Metrolinx as soon as such information is available and prior to them working on the Project.

16. The Corridor Development Permit does not replace any other permit and/or approval that an Applicant must obtain to satisfy all applicable laws, including any municipal and/or provincial approvals.

J. 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	_____ Date
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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.

For More Information:

Please refer to the Metrolinx Corridor Development Permit Guideline for Utility and Roadway Work for more information, including an overview of the review & approval process, timing, agreements with Metrolinx, technical requirements, and more.

MCReviews@metrolinx.com

Third Party Projects Review - Subways

Metrolinx

20 Bay Street

Toronto, Ontario, M5J 2W3



CORRIDOR DEVELOPMENT PERMIT

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

[Metrolinx CDP Reference No.]

Site Address:

Description:

Date Issued:

Expiry Date:

Name [First, Last]

Metrolinx Title

FOR METROLINX USE ONLY

APPENDIX F - APPLICATION FOR REVIEW OF A 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 3.2 of the Metrolinx Utility and Roadway 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 30 Business Days of submission of a complete application for Utility Infrastructure applications, and within 60 Business Days of a submission of a complete application for Roadway applications.
<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.	

FOR METROLINX USE ONLY