



## **Document 1: Confederation Line Proximity Guidelines for Developers**

### ***Technical Requirements for Submission of Proximity Studies***

#### ***Introduction***

Guidance for land use planning policy in Ontario is provided by the Planning Act and the Provincial Policy Statement (PPS). Among other things, these documents encourage municipalities to prioritize public transit. Inherent in transit planning is the requirement to protect this public infrastructure investment. The purpose of the Proximity Guideline is to provide Developers with submission requirements to allow the City and the LRT constructor to evaluate and assess the impacts of development in the vicinity of light rail infrastructure. The guideline focuses on potential design, construction, property and operational conflicts.

#### ***Background***

In January 2014, City Council approved an Official Plan Amendment (OPA) to support the development and operation of the Confederation Line (Phase 1 of the City's Light Rail Transit System). The OPA outlined the limits of a Zone of Influence (Document 1) wherein developments proposal initiated through the Site Plan and Subdivision process must provide technical information to show that there will be no impact on the light rail system.

The Confederation Line is planned to extend approximately 12.5 kilometers from Tunney's Pasture in the west to Blair Station in the east. It will consist of a downtown tunnel, 13 stations and a Maintenance and Storage Facility located on Belfast Road

The OPA includes policy requiring the submission of a study for projects proposed within a defined Zone of Influence indicating how the development supports the City's transit-oriented development objectives and confirming that there will be no undue negative impacts on Confederation Line assets. Impacts may be by way of potential structural damage, impact on access, noise, vibration or operations during and after construction.

The Zone of Influence has been determined through a combination of factors including surface and subsurface conditions, geotechnical and hydro-geological environments. The Zone of Influence ranges in width from 42.3 metres to 137.2 metres, with the majority of the width being between 44 and 54 metres.

The technical studies required from developers submitting for Site Plan or Subdivision Approval are contained in Document 2. Technical studies will be required for the various levels of review. As a result of the review, conditions of approval may be required by the Rail Implementation Office to be included as conditions of site plan control or subdivision approval.

### ***Technical Studies required in Support of Development***

Technical Studies in support of development proposals will be required at the time of the submission of a planning application to provide sufficient technical information for the City to assess potential impacts of the project and to ensure that there will be no undue negative impacts on Confederation Line assets and operations. Technical studies required to be submitted will be identified at the time of pre-application consultation. A comprehensive review of the studies will be conducted by the Rail Implementation Office within the timelines of the development review process. The review will focus on identifying and addressing the impacts and issues related to design, construction, maintenance, property, safety, accessibility and environmental impacts. In some cases there may be the need to coordinate construction or operational activities.

At the pre-application consultation stage for a site plan or plan of subdivision, City staff will categorize the level of review in one of three categories.

**Level 1** - Development within Development Zone of Influence, minimal impact on Confederation Line structures anticipated,

**Level 2** - Development within Development Zone of Influence, substantial<sup>1</sup> impact on Confederation Line structures anticipated,

**Level 3** - On top of or within approximately 1 m of a Confederation Line structure

### ***Developers Screening Checklist for Proximity Guideline Studies***

A screening checklist is provided in Document 2 for developers which outlines studies (listed below) to be submitted for sign-off by the City's Rail Implementation Office. The studies required for submission are dependent on the level/category within the Zone of Influence and other site specific requirements. In addition to the costs of peer review of these studies, the applicant is responsible for compensating

the City for associated costs such as those outlined below.

### **Proximity Guideline Studies**

- Shoring – Design & Monitoring Plan
- Excavation Support System
- Geotechnical Hydrogeological Analysis
- Groundwater Control Plan
- Waterproofing System
- Structural Analysis – Loading
- Fire Ventilation
- Station Ventilation
- Access Requirements (including AODA)
- Noise and Vibration Study
- EMI/Stray Current
- Construction Coordination Protocols
- Pre-Post Construction Surveys
- Set-Back Requirements – Zone of Influence
- Fire/Smoke Dispersion Analysis
- Crane Swing and Lifting Loads
- Insurance Requirements
- Property – M&L Requirements
- Utility relocations and Installations
- Entrance Connection Agreement
- Security Plan
- Construction As-Built Drawings

### **Associated Costs of Development**

- Cost of power cuts;
- Flag duties for OC Transpo operations;
- OC Transpo safety/training requirements;
- Direct labour and/or supervisory staff costs for construction management/ operations management;
- Cost of operation diversions or other impacts on OC Transpo operating costs;
- Equipment costs; and
- Other City incremental costs related to construction.

## Legal Implications

The provision of the guideline respecting development in proximity to the Confederation Line is with matters of Provincial Interest set forth in the Planning Act Section 2, including:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the resolution of planning conflicts involving public and private interests;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

