



STAFF REPORT ACTION REQUIRED

Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act*

Date:	June 3, 2014
To:	Public Works & Infrastructure Committee
From:	Executive Director, Engineering & Construction Services Division
Wards:	All
Reference Number:	P:\2014\Cluster B\TEC\PW14020 (AFS#19147)

SUMMARY

The purpose of this report is to seek Council approval of a City policy titled "Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act*". This policy updates and consolidates the City of Toronto's procedures and criteria for the acceptance of potentially contaminated lands conveyed to the City as a condition of a *Planning Act* application approval.

The policy formalizes processes that have been in place and applied for the past twelve years and updates those processes by incorporating the Ministry of the Environment's recently updated requirements for contaminated lands.

The outcome of adopting the policy will: (1) provide more certainty and clarity to City staff and the development industry about the City's expectations and requirements for accepting potentially contaminated lands; (2) continue to minimize the City's liabilities related to accepting conveyed lands; and (3) continue to safeguard public health and the environment.

RECOMMENDATIONS

The Executive Director of Engineering & Construction Services recommends that:

1. City Council adopt the "Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act*" as set out in Attachment 1, appended to this report.

Financial Impact

There are no financial impacts resulting from the adoption of this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

DECISION HISTORY

At its meeting of June 18 to 20, 2002, City Council approved the report titled "Development Review Process: Harmonized Site Remediation Peer Review for Contaminated Sites". The Council Decision Document can be found at:
<http://www.toronto.ca/legdocs/2002/agendas/council/cc020618/wks7rpt/cl005.pdf>.

At its meeting of April 25 to 27, 2006, City Council approved the report titled "The Use of Risk Assessment Approach to Manage Contaminated Lands Prior to Land Conveyances to the City Under the *Planning Act*". The Council Decision Document can be found at:
<http://www.toronto.ca/legdocs/2006/agendas/council/cc060425/wks2rpt/cl018.pdf>

At its meeting of July 16 to 19, 2007, City Council approved the current City procedures and criteria regarding conveyance of lands to the City, titled "Development Review Process: Review of Procedures and Updated Criteria for Environmental Site Assessment and Peer Review of Potentially Contaminated Lands being Conveyed to the City under the *Planning Act*", based on Ministry of the Environment legislative requirements at that time. The Council Decision Document can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.PG7.9>.

ISSUE BACKGROUND

Through the *Planning Act* application approval process, the City often requires an applicant to convey lands to the City for new roads, road widenings, and parks. Prior to taking title to the lands, the City requires the applicant to demonstrate that the lands meet applicable standards for soil and groundwater quality.

Prior to amalgamation of the City of Toronto, some of the former local municipalities (i.e. Etobicoke, Scarborough and Toronto) developed procedures and criteria describing how applicants must demonstrate that lands to be conveyed meet acceptable soil and groundwater standards. In 2002, the newly amalgamated City established procedures and criteria that pre-dated any mandatory Provincial legislative requirements for such soil and groundwater quality work. This was called the Harmonized Peer Review Process and

utilized a roster of third party Subject Matter Experts (now identified as Qualified Persons) to review and confirm that the conveyed lands met acceptable soil and groundwater quality standards.

The City's 2002 Harmonized Peer Review Process required that:

1. The applicant submits environmental site assessment reports for review and acceptance by the City's peer reviewer.
2. The applicant completes a Record of Site Condition, filed by a Qualified Person on behalf of the applicant and acknowledged by the Ministry of the Environment, which:
 - i. documents the existing soil and groundwater quality conditions on the land based on a particular point in time and the intended land use;
 - ii. may impose restrictions on future land use; and
 - iii. provides some limitation on scope of enforcement.
3. The applicant pays for the City's peer review costs prior to the lands being conveyed to the City.

In 2004, the Ministry of the Environment enacted Ontario Regulation 153/04 under Section XV.1 of the *Environmental Protection Act* (O. Reg. 153/04) to enshrine a requirement for a Record of Site Condition in law. The Regulation applies to all properties (including municipal lands), and made the Record of Site Condition a legislative requirement when land use changes from a less sensitive use to a more sensitive use (e.g., when industrial or commercial lands are proposed to be converted to residential or parkland use).

According to O. Reg. 153/04, there are two approaches that can be followed in order to acquire a Record of Site Condition:

1. Generic Approach

This approach requires the applicant to demonstrate that the property meets regulated soil, sediment and groundwater standards. The standards established by the Ministry of the Environment are published and described in the List of Tables in Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*¹. The standards are based on the intended land use and the physical characteristics of the property (e.g. potable groundwater area; non-potable groundwater area; shallow soils area).

Under the Generic Approach, the Ministry of the Environment has two types of standards: (a) "full depth site condition standards" (Tables 1, 2, 3, 6, 7, 8 and 9) that apply regardless of the depth of soil on the property; and (b) "stratified site condition

¹ <http://www.ontario.ca/environment-and-energy/soil-ground-water-and-sediment-standards-use-under-part-xv1-environmental>

standards” (Tables 4 and 5), which has two sets of standards, one set of standards for soils that are within 1.5 metres of the surface, and another set of less stringent standards for soils that are deeper than 1.5 metres below ground surface.

2. Property-Specific Approach

This approach requires the applicant to obtain approval from the Ministry of the Environment for property-specific standards developed by the Qualified Person through a Risk Assessment, which allows soils containing contaminants to stay on site.

Engineering, land-use, and administrative controls are identified through the Risk Assessment and are put in place to ensure the contamination does not exceed the property-specific standards. This is done through a Certificate of Property Use, which is issued by the Ministry of the Environment and requires the owner of the property to (i) prevent or eliminate any problems with contamination on the property; (ii) monitor contamination; and/or (iii) follow specified land use or building restrictions set out in the Risk Assessment. The specific conditions and restrictions in the Certificate of Property Use are based on the Qualified Person's recommendations as agreed upon by the Ministry of the Environment.

A Certificate of Property Use is registered on the title of a property, so that future property owners, municipal officials, and occupants of a property will be aware of any property use restrictions, building restrictions or equipment installation required to ensure that contaminants remaining on a site meet Risk Assessment standard levels.

The City addressed the Risk Assessment approach by formulating specific requirements and conditions for the conveyance of risk-assessed lands as set out in the 2006 and 2007 City Council adopted reports.

Since 2007, the Ministry of the Environment has made the following changes to legislation:

- i. Expanded soil and groundwater standard tables to include specific physical land conditions (e.g. depth to bedrock; proximity to a waterbody);
- ii. Made some soil and groundwater contaminant standards more stringent and added new chemicals to the list of regulated contaminants;
- iii. Clarified that all supporting documents from a Qualified Person must be based on current data, assessment, and evaluation (i.e., data cannot be older than 18 months prior to Record of Site Condition filing); and
- iv. Developed a Modified Generic Risk Assessment process, which substantially reduces the Ministry of the Environment's approval timelines as compared to the full Risk Assessment approach. This approach is available to address only a limited range of contaminants and concentrations as opposed to the Generic approach or the full Risk Assessment approach. The Modified Generic Risk

Assessment process continues to impose Certificate of Property Use restrictions and conditions on the land, like the full Risk Assessment process; however, these restrictions and conditions are prescriptive.

COMMENTS

The City's Peer Review Process (last updated in 2007) needs to be revised to address the recent legislated changes made by the Ministry of the Environment. The proposed "Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act*" consolidates the City's requirements and is presented in the attachment, Attachment 1, at the end of this report.

The objectives of the policy are to:

(1) minimize the human health exposure risk to City staff, contractors and utility staff when conducting routine work on the conveyed lands; (2) support ecological health; (3) support unrestricted operations and ongoing administrative processes for issuing road occupancy permits and parks access agreements/licences; (4) enshrine the Peer Review Process as a requirement in below-grade easement agreements so that exposure risk to City staff, contractors and utility staff can be minimized; and (5) reduce the City's potential exposure to liability and unexpected costs by imposing additional requirements on the Qualified Person who submits documentation on behalf of the Applicant.

The following key procedures and conditions are included in the policy and are highlighted here:

1. The acceptable un-impacted cap thickness in City parks and road rights-of-way must be at least 1.5 metres in depth. City parks and road rights-of-way may accept both hard and soft cap material, as negotiated by the applicant with the recipient City Division, to support tree planting, structural and operational requirements.
2. All utilities constructed below the 1.5 metres un-impacted cap must be placed within a clean corridor (trench) of un-impacted material. The width and depth of the trench must provide acceptable access distances around the utility to the satisfaction of the Executive Director of Engineering & Construction Services.
3. The City will only accept lands with a Record of Site Condition that was obtained by using the Ministry of the Environment's full depth site condition standards (Tables 1, 2, 3, 6, 7, 8 and 9) or the full Risk Assessment approach.
4. The City will not accept lands with Records of Site Condition obtained by using the Ministry of the Environment's stratified site condition standards (Tables 4 and 5), or the Modified Generic Risk Assessment approach as these processes allow significantly impacted soil to remain on the lands at various depths and may impose land use restrictions or operational limitations.

5. Certificate of Property Use conditions that the City will accept on lands subject to a Record of Site Condition obtained through a Risk Assessment approach that was completed prior to the land being conveyed to the City, are:
 - a. the use of standard personal protective equipment such as: long pants; long sleeves; rubber boots and gloves; dust masks; etc.;
 - b. Ministry of the Environment reviewed and accepted as-built/ site plan documentation and verification testing regarding installed risk management measures, with all documentation completed to the satisfaction of the City's peer reviewer; and
 - c. ongoing annual monitoring of and reporting on surface cap integrity.
6. Certificate of Property Use conditions that the City will not accept on lands subject to a Record of Site Condition obtained through a Risk Assessment approach that was completed prior to the land being conveyed to the City, are:
 - a. the use of special personal protective equipment such as: chemical resistant suits, gloves and boots; special respiratory masks; contained breathing apparatus; etc.;
 - b. undocumented as-built/ site plans or verification testing regarding installed risk management measures; and
 - c. ongoing groundwater or soil vapour monitoring and reporting requirements.
7. Exemptions regarding applicability of the City's procedures and criteria to small parcels of land for land conveyances under the *Planning Act* will be assessed first by size (to be either less than or greater than 100 m²). Only lands greater than 100 m² in size may utilize the ≤ 1.0 m width exemption, as summarized in Table 1.
8. The City's procedures and criteria cannot be amended or waived by staff. Only Council has the authority to amend or provide relief from the provisions of this report.
9. The City does not accept cash in lieu of satisfying the conveyance requirements regarding soil and groundwater conditions.
10. The Peer Review Process shall be a requirement for below-grade easements for new municipal infrastructure.
11. The Peer Review Process shall require a Reliance Letter, a Qualified Person Preliminary Statement Letter, and proof of insurance documentation in a form acceptable to the City.
12. At the completion of the site assessment/remediation process, a Statement from the Qualified Person shall be submitted to the Executive Director, Engineering &

Construction Services, for peer review and concurrence that based on all necessary supporting environmental documents, if it is likely that there is any off-site contamination on the adjacent City lands, that measures are in place to the satisfaction of the Executive Director of Engineering & Construction Services, in consultation with the City Solicitor, to assure that no adverse impacts will result to the City or others as a result.

The recommended City policy, with revised procedures and criteria to the Peer Review Process, will provide certainty and clarity to City staff and the development industry, while continuing to safeguard public health, protect the environment and facilitate timely conveyance of lands under the *Planning Act*.

This report has been discussed with and concurrence has been obtained from Legal Services, Toronto Water, Transportation Services, and Parks, Forestry & Recreation.

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ATTACHMENT

Attachment 1: Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act*.

Attachment 1

POLICY FOR ACCEPTING POTENTIALLY CONTAMINATED LANDS TO BE CONVEYED TO THE CITY UNDER THE *PLANNING ACT*

1. STATEMENT

- 1.1. The soil and groundwater quality requirements outlined in this policy apply to land conveyances under the *Planning Act* and thereby ensure that the City is protected from acquiring lands having unacceptable liabilities associated with known or suspected environmental contamination.

2. OBJECTIVE AND PURPOSE

- 2.1. The purpose of this policy is to establish environmental procedures and criteria that:
 - 2.1.1. provide environmental guidelines and a consistent process for staff and the development industry with respect to the conveyance of lands under the *Planning Act*;
 - 2.1.2. protect the environment and safeguard public health; and
 - 2.1.3. ensure alignment with the City's programs and services.

3. SCOPE

- 3.1. This policy applies when, as a condition of a *Planning Act* application approval, lands are to be conveyed to the City or where below-grade easements in favour of the City are required for new municipal infrastructure, as summarized in Table 1.
- 3.2. This policy does not apply to surface easements such as walkways or passageways.

4. DEFINITIONS

For the purposes of this policy, the following definitions apply:

- 4.1. "Certificate of Property Use" – described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.2. "Generic Tables – Tables 1, 2, 3, 6, 7, 8 and 9" as found in the Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*, published by the Ministry of the Environment and dated April 15, 2011.

- 4.3. "Granular Fill" - granular fill from a commercial sand and gravel pit or quarry licensed by the Ministry of Natural Resources pursuant to the *Aggregate Resources Act*, R.S.O. 1990, c. A .8 or, if from a non-commercial source, granular fill that meets the applicable Generic or risk-based site specific standards.
- 4.4. "Modified Generic Risk Assessment" – described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.5. "Phase I Environmental Site Assessment" - described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.6. "Phase II Environmental Site Assessment" - described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.7. "Pre-submission Form" - described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.8. "Qualified Person" - as defined in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.9. "Qualified Person Preliminary Statement Letter" – a completed letter template from the proponent's Qualified Person that is stamped, dated and signed, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance.
- 4.10. "Record of Site Condition" - described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.11. "Reliance Letter" – a completed letter template that is stamped, dated and signed by the applicant's Qualified Person confirming that both the City and the City's Peer Reviewer can rely on the environmental documentation submitted and the Qualified Person's opinion as to the conditions of the site.
- 4.12. "Risk Assessment" - described in O. Reg. 153/04, as amended, under Part XV.1 of the *Environmental Protection Act*.
- 4.13. "Stratified Tables – Tables 4 and 5" as found in the Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*, published by the Ministry and dated April 15, 2011.
- 4.14. "Un-impacted Material" - materials that can be used in fill caps including soil meeting the applicable Generic or risk-based site-specific standards, Granular

Fill, inert non-soil materials such as crushed concrete free of asbestos and hazardous materials and that has been deemed suitable by a Qualified Person, cobbles, and/or armour stone.

5. PRINCIPLES

5.1. General Conditions

- 5.1.1. The City's decision is final regarding whether the lands are acceptable for conveyance to the City.
- 5.1.2. The City does not accept cash in lieu of satisfying the conveyance requirements regarding soil and groundwater conditions.
- 5.1.3. The City's procedures and criteria cannot be amended or waived by staff. Only Council has the authority to amend or provide relief from the provisions of this report.
- 5.1.4. Exemptions regarding applicability of the City's procedures and criteria to small parcels of land for land conveyances under the *Planning Act* will be assessed first by size (to be either less than or greater than 100 m²). Only lands greater than 100 m² in size may utilize the ≤ 1.0 m width exemption, as summarized in Table 1.

5.2. Site Assessment Conditions

- 5.2.1. The City will only accept lands with a Record of Site Condition that was obtained by using the Ministry of the Environment's (1) Full-depth Generic Tables 1, 2, 3, 6, 7, 8 and 9; or (2) the full Risk Assessment approach.
- 5.2.2. The City will not accept lands with a Record of Site Condition obtained by using either (1) the Ministry of the Environment's Stratified Tables 4 and 5; or (2) the Modified Generic Risk Assessment approach as these processes allow severely impacted soil to remain on the lands at various depths and may impose land use restrictions or operational limitations.
- 5.2.3. The site condition standards in force at the time of conveyance must meet the standards of the intended land use or the standards of the most sensitive adjacent land uses, whichever are more stringent.
- 5.2.4. A letter of acknowledgement of filing is required from the Ministry of the Environment when a Record of Site Condition is required for conveyance.

5.3. Peer Review Conditions

- 5.3.1. All Phase I and Phase II Environmental Site Assessment Reports, the Pre-submission Form if any, Risk Assessment Report if any, Certificate of Property Use if any, and Record of Site Conditions if any, relating to lands to be conveyed will be submitted to the City for peer review and concurrence.
- 5.3.2. The Peer Review Process shall be a requirement for below-grade easements in favour of the City of Toronto for new municipal infrastructure.
- 5.3.3. The Peer Review Process shall require a Reliance Letter, a Qualified Person Preliminary Statement Letter, and proof of insurance documentation in a form acceptable to the City.
- 5.3.4. The owner will be responsible for all costs associated with the peer review, including the City's administrative fees.

5.4. Risk Assessment Conditions

In addition to the conditions listed above, the conditions listed below also apply to conveyances undergoing the Risk Assessment process.

- 5.4.1. Any conditions outlined in a Certificate of Property Use and associated Risk Assessment shall be to the satisfaction of the Executive Director, Engineering & Construction Services and in consultation with any division heads with responsibility for maintenance or ongoing use of the lands.
- 5.4.2. The Pre-submission Form must consider the future use of the conveyed lands including, but not limited to, construction workers in trenches as potential receptors, and the presence of underground municipal services and private utilities.
- 5.4.3. Only in-situ contaminated materials are to remain in the lands to be conveyed, (i.e., new contaminated soil cannot be imported and buried in the lands to be conveyed).
- 5.4.4. There are to be no risk management measures or Certificates of Property Use associated with the conveyed lands that will impact or restrict the intended use of the conveyed lands or will result in any significant future cost implications to the City.
- 5.4.5. Certificate of Property Use conditions that the City will accept on lands

subject to a Record of Site Condition obtained through a Risk Assessment approach that was completed prior to the land being conveyed to the City, are:

- 5.4.5.1. the use of standard personal protective equipment such as: long pants; long sleeves; rubber boots and gloves; dust masks; etc.;
 - 5.4.5.2. Ministry of the Environment reviewed and accepted as-built/ site plan documentation and verification testing regarding installed risk management measures, with all documentation completed to the satisfaction of the City's peer reviewer; and
 - 5.4.5.3. ongoing annual monitoring of and reporting on surface cap integrity.
- 5.4.6. Certificate of Property Use conditions that the City will not accept on lands subject to a Record of Site Conditions obtained through a Risk Assessment that was completed prior to the land being conveyed to the City, are:
- 5.4.6.1. the use of special personal protective equipment such as: chemical resistant suits, gloves and boots; special respiratory masks; contained breathing apparatus; etc.;
 - 5.4.6.2. undocumented as-built/ site plans or verification testing regarding installed risk management measures; and
 - 5.4.6.3. ongoing groundwater or soil vapour monitoring and reporting requirements.
- 5.4.7. The acceptable un-impacted material barrier thickness in City parks and rights-of-way must be at least 1.5 metres in depth. Acceptable vertical cross-sections (profile) for City parks and road rights-of-way may utilize both hard and soft material, as negotiated by the applicant with the recipient City Division.
- 5.4.8. All utilities constructed below the 1.5 metre un-impacted material barrier must be placed within a corridor (trench) of un-impacted material. The width and depth of the trench must provide acceptable access distances around the utility to the satisfaction of the Executive Director of Engineering & Construction Services.

6. PROCEDURE

The following procedure has been established to ensure that a consistent process is followed by staff and the development industry when preparing to convey lands to the City under the *Planning Act*, as summarized in Table 1.

The applicant must:

- 6.1. Submit a Qualified Person Preliminary Statement Letter, that is stamped, dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation shall be submitted without any limitation regarding liability, indemnity or reliance;
- 6.2. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
- 6.3. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
- 6.4. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person, to the Executive Director, Engineering & Construction Services, for peer review and concurrence that based on all necessary supporting environmental documents:
 - 6.4.1. Either:
 - 6.4.1.1. It is unlikely that there is any off-site contamination resulting from past land uses on the development site that has migrated on to adjacent City lands that would exceed the applicable Site Condition Standards; or
 - 6.4.1.2. If it is likely that there is any off-site contamination on the adjacent City lands, that measures are in place to the satisfaction of the Executive Director of Engineering & Construction Services, in consultation with the City Solicitor,

to assure that no adverse impacts will result to the City or others as a result; and

6.4.2. Land to be conveyed to the City meets either:

6.4.2.1. the applicable Ministry of the Environment Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9) for the most environmentally sensitive adjacent land use; or

6.4.2.2. the Property Specific Standards as approved by the MOE for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.

6.5. The Qualified Person's statement, referenced in 6.4 above, will include a Reliance Letter that is stamped, dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted and the QP's opinion as to the conditions of the site; all environmental documentation and opinions shall be submitted without any limitation regarding liability, indemnity or reliance.

6.6. For conveyance of lands requiring a Record of Site Condition:

6.6.1. File the Record of Site Condition on the Ontario Environmental Site Registry; and

6.6.2. Submit the Ministry of the Environment's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services.

Table 1
Application Requirements
 Procedures and Criteria of the Peer Review Process for land conveyances under the *Planning Act*

Application Type ¹	Description / Purpose	Authority	Scenario Where Procedures and Criteria Apply	Requirements				Timing for Fulfillment of Environmental Conditions
Consent Application	To seek approval to sever/divide a parcel of land. Applicant has 1 year from the date of the Committee's decision to satisfy all conditions.	Authority to approve Consent applications is delegated to the Committee of Adjustment.	Applicant is required to convey/grant lands for parks, road/road widening purposes and/or easements to the City.	Conveyance Size (each parcel of land)	Type of Land Use Change ³	Record of Site Condition	Peer Review	Prior to: Issuance of Any Building Permit (if <u>no</u> Agreement, then prior to Issuance of Certificate of Consent Approval).
				Area ≤ 100 m ²	RPI→RPI	NO	NO	
					ICC→RPI	YES	YES	
					ICC→ICC	NO	YES	
Site Plan Application	To seek approval to develop property that is currently in compliance with the existing zoning by-law.	Authority to approve site plan applications is delegated to the Chief Planner. However, a Councillor may request that the application be "bumped up" to Community Council.	Applicant is required to convey/grant lands for parks (in accordance with Section 42 of the Planning Act), road widening purposes and/or easements to the City.	Area > 100 m ²	ICC→RPI	YES	YES	Prior to: Final Site Plan Approval.
			Stratified Conveyance ²		RPI→RPI	NO	NO, if average width ≤ 1.0 m	
							ICC→ICC	YES, if average width > 1.0 m
			Subdivision Application		To seek approval to sever and divide land into lots, blocks, parks, and roads.	Authority to approve Plan of Subdivision applications is delegated to the Chief Planner.	Applicant is required to convey lands to the City for road, road widening, easements, and/or parks.	All roads, blocks, and parks conveyance require Peer Review and Record of Site Condition.

Notes:

¹ Application type may include combined applications with Official Plan or Zoning by-law amendments.

² Stratified Conveyance is defined as conveyance of a horizontal layer of land having a defined profile within a vertical column having multiple layers and ownerships.

³ Land use change will be supported by a letter from the applicant's Qualified Person (QP, as per O. Reg. 153/04, as amended) and stated on the application.

ICC = Industrial/Commercial/Community Use; RPI = Residential/Parks/Institutional Use, as per O. Reg. 153/04 (as amended).