

Attachment 2 – Summary of Stakeholder Consultation March 2026

New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
Responses from City's Peer Reviewers				
General	Rob Helik – Exp (Peer Reviewer)	Is there a transition/grandfathering period following implementation of these amendments, or would all development applications be subject to the Policy, regardless of where they currently are in the process?	February 25, 2026	See Section 3.2 of the Policy
General	Rob Helik – Exp (Peer Reviewer)	The original peer review was completed under current Policy, but lands have not yet been conveyed, would the new Policy apply for any updates (if taking place after 18 months of original review)?	February 25, 2026	See Section 3.2 of the Policy
General	Rob Helik – Exp (Peer Reviewer)	Under the definition of “Un-Impacted Material” – While not explicitly listed, it is understood that the City will not accept risk based cap standards. Would it be worthwhile to specifically indicate this is not acceptable?	February 25, 2026	The definition of Unimpacted Material references applicable Site Condition Standards which, for the purposes of the Conveyance Policy are the Generic Standards or if applicable, the CPU target values.
5.3.4.3	Rob Helik – Exp (Peer Reviewer)	The City is now allowing for methane and/or “other vapour testing” before entering a trench. If the risk management plan requires testing for VOC or other volatile contaminants prior to entering a trench, with a contingency to increase ventilation if a sample fails, is that considered acceptable to the City as this would not be considered “ongoing monitoring” nor would it be considered a “significant cost”?	February 25, 2026	See Section 5.11.3. Will only accept methane, carbon monoxide or hydrogen sulfide monitoring.
5.3.4.3	Rob Helik – Exp (Peer Reviewer)	Further to the above – is the application of increased air flow in a trench a risk management measure the City would accept? I only ask as this is a sticky point associated with VOC in a trench.	February 25, 2026	No, this would not be acceptable due to the cost of ventilation incurred by the City.

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5.3.7	Rob Helik – Exp (Peer Reviewer)	No issues with 5.3.7; however, as part of the process, will the Peer Reviewer be advised in advance of these requirements? Further, would the City mandate that the 2m cap be specified in a CPU, or can that be dealt with separately through development agreements?	February 25, 2026	Peer Reviewer should be notified by the Applicant if it is a Road, Park or other conveyance through the QP Preliminary Statement Letter. It cannot be guaranteed that the 2.0 m cap will be included in the CPU, but it can be requested.
6.5	Rob Helik – Exp (Peer Reviewer)	Will the City be developing a templated letter to support submission to the Chief Engineer (per Section 6.5)? Further, is the notification (of MECP and Chief Engineer) subject to Peer Review, or is this solely up to the Applicant and their QP to address?	February 25, 2026	There will not be a template and will be up to the Applicant and their QP to address.
7/7.3	Rob Helik – Exp (Peer Reviewer)	While there are exemptions to the peer review process (Section 7) – does the exemption apply only in the situation 1 of the scenarios in Section 7.3 apply? As in – if a SPA had 3 land conveyances, all which were exempted, would the exemptions still apply – or would the combined land conveyances null the exemption?	February 25, 2026	As per Section 7.3, the size determination for exemption will be based on the combined measurements of all contiguous Conveyance Lands parcels.
General	Peter Sutton – Terrapex (Peer Reviewer)	While the proposed policy does require a peer review for all lands subject to a CPU, it does not require that a RSC be filed. I'm flagging this for your attention because it is my understanding that (per Section 168.7 of the <i>Environmental Protection Act</i>) it is the filing of the RSC which enacts the various protections against orders related to environmental contaminants, not the Director's acceptance of a Risk Assessment or the issuance of a CPU.	February 25, 2026	Noted
5.3	Peter Sutton – Terrapex (Peer Reviewer)	If the City wishes to adopt a RSC filing requirement for lands subjected to a CPU, I believe this could be accomplished by adding the following new subsection to Section 5.3: <i>For any Conveyance Lands requiring a Certificate of Approval, the applicant shall ensure that a Record of Site Condition is filed for the Conveyance Lands and that the requirements of Section 6.7 are met.</i>	February 25, 2026	Noted

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5.3.9	Peter Sutton – Terrapex (Peer Reviewer)	It's unclear whether the use of directional drilling to install a new or replacement service/utility entirely within uncontaminated soils at a property subject to CPU would be permitted by Section 5.3.9, or whether the City expects all new or replaced services/utilities with lands subject to a CPU to be installed via open cut.	February 25, 2026	See Section 5.16
General	Peter Sutton – Terrapex (Peer Reviewer)	If the installation was entirely within uncontaminated soils, directional drilling ought to provide an acceptable "corridor (trench) of Un-impacted Material" surrounding the service. However, if the installation of the cap doesn't remove all contaminated soils overtop the service, directional drilling could leave a horizon of contaminated soils between the base of the cap and the top of the service.	February 25, 2026	See Section 5.16
5.3.9	Peter Sutton – Terrapex (Peer Reviewer)	Making Section 5.3.9 applicable only to open cut installations (meaning that the City is okay with the possible "contaminated horizon") or, alternative, explicitly noting that trenchless installations are acceptable but only if all contaminated soils directly overtop the service are removed, would help avoid ambiguity about the City's requirements for new service installations.	February 25, 2026	See Section 5.16
6.8	Peter Sutton – Terrapex (Peer Reviewer)	For Section 6.8, I would recommend that "records (including reports) required by a Certificate of Property Use" be added to the list of required documents.	February 25, 2026	See Section 6.7
General	Peter Sutton – Terrapex (Peer Reviewer)	This suggested edit is intended as an indication that the applicant is responsible for preparing (and providing) Annual Reports and other documentation relating to compliance with CPU conditions while the property remains under the ownership of the applicant (i.e., prior to conveyance). Getting such information is a recurring challenge for peer reviews (and unfortunately it is often because no such information exists).	February 25, 2026	Noted. Section 6.7 amended as above.

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4.	Anthony Cancilla – WSP (Peer Reviewer)	Should reference to Excess Soil Quality Standards be included in the definition?	February 25, 2026	Un-impacted Material definition updated.
5.3.4.1	Anthony Cancilla – WSP (Peer Reviewer)	What about use of fan for venting purposes?	February 25, 2026	See Section 5.12.3
5.3.7.	Anthony Cancilla – WSP (Peer Reviewer)	Do construction standards T985.100, T985.200, and/or T985.300 cover Transportation requirement of 2.0 m clean fill cap?	February 25, 2026	Yes. See Section 5.14.
5.3.9.	Anthony Cancilla – WSP (Peer Reviewer)	Is City no longer specifying thickness of clean fill cover based on diameter of the utility?	February 25, 2026	Yes, included in construction standard drawings (T-985.X00). Section 5.16. updated accordingly.
6.5	Anthony Cancilla – WSP (Peer Reviewer)	Suggest that evaluation of potential adverse effect is conducted in a manner consistent with the requirements of an O.Reg. 153/04 risk assessment. Should there be mention of Applicant indemnification to City where there is a potential for migration through City Lands to third party lands.	February 25, 2026	Section 6.4 specifies that if the contamination poses an adverse effect, the applicant will notify the MECP in accordance with the EPA
5.2.1	David Hutchinson – GHD (Peer Reviewer)	The statement “accepted”. The MECP doesn’t accept a risk assessment, they acknowledge it. Suggest “accepted/ acknowledged”.	February 25, 2026	Section 5.7 revised

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5.2.1.2	David Hutchinson – GHD (Peer Reviewer)	In this section the City states that it will accept stratified standards, which applies one set of standards for 1.5 m or shallower, and another set for greater than 1.5 m. This section then links to Sections 5.3.6 and 5.3.7. Sections 5.3.6 and 5.3.7 discuss cap requirements in a risk assessment. While it is clear as to the intention – creating two separate vertical zones where different standards apply. It could create confusion as Sections 5.3.7 discusses a cap – which is a risk assessment term and not relevant to the application of stratified standards. Suggest adding some language to clarify the link (such as “for the purposes of this policy the surface soil and subsurface soil as defined in O.Reg.153/04 stratified standards shall be considered equivalent to soil barrier (or cap) and existing soils as defined in a risk assessment). Also, would the city require that a clean corridor apply to the use of stratified standards? If so, reference the relevant section of City policy that discusses the clean corridor.	February 25, 2026	Section 5.7 revised
5.2.1	David Hutchinson – GHD (Peer Reviewer)	The City will accept Conveyance Lands assessed using MECP accepted: 5.2.1.1 Background and Generic Site Condition Standards; 5.2.1.2 Stratified Standards, provided that plans and cross-section drawings prepared and signed by a Qualified Person are submitted confirming that the Soil meets the applicable Site Condition Standards and provided that conditions described in Sections 5.3.6 to 5.3.9 of this Policy are met; 5.2.1.3 Risk Assessment approach provided that the Certificate of Property Use is issued consistent with Section 5.3 of this Policy; or 5.2.1.4 Modified Generic Risk Assessment approach provided that the Certificate of Property Use is issued consistent with Section 5.3 of this Policy.	February 25, 2026	See above

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5.3.6	David Hutchinson – GHD (Peer Reviewer)	The un-impacted Material fill cap for Conveyance Lands may utilize both hard and soft material, to the satisfaction of the Chief Engineer, in consultation with all appropriate Operating Divisions.	February 25, 2026	Noted – Section 5.13
5.3.7	David Hutchinson – GHD (Peer Reviewer)	The acceptable combined hard cap and Un-impacted Material fill cap thickness on Conveyance Lands must be at least 1.5 metres, unless the Chief Engineer determines that construction standards T985.100, T985.200, and/or T985.300 apply.	February 25, 2026	Section 5.14 revised

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External Stakeholders				
1.2	Michael Fagan – ONEIA	Deviations require authorization by City Council. Recommend allowing deviations with authorization of the Chief Engineer to allow more flexibility and in recognition of unique and challenging property conditions. Would the City consider extending Section 3.1 exemptions to other governmental entities for the purposes of building infrastructure?	March 10, 2026	No. Only Council has the authority to allow deviations from the policy.
3.1	Michael Fagan – ONEIA	The requirements to complete environmental site investigations to O.Reg. 153 standards in easements where new infrastructure is installed are often impractical and costly. There should be flexibility by the applicants' and City's Qualified Persons (QPs) to evaluate environmental contamination and the presence/absence of adverse effect without strictly following O.Reg. 153 Standards.	March 10, 2026	No, all environmental work under the Policy is to be completed to O.Reg. 153/04 requirements.
4.0	Michael Fagan – ONEIA	Definitions for Qualified Person Preliminary Statement and Reliance Letter refer to a "letter template obtained from the City" and "in a format acceptable to the Chief Engineer." While the reference to the template obtained from the City allows flexibility, it also allows the City to make unexpected demands on applicants and consultants preparing environmental documents. Recommend removing this language and outlining the mandatory elements of the letters in this policy, similar to the Qualified Person Statement.	March 10, 2026	The templates remain unchanged. There is no flexibility in the information required in the templates.
7.2	Michael Fagan – ONEIA	Please describe the environmental documentation consistent with O. Reg. 153/04 that must be provided in the Qualified Person Preliminary Statement Letter for small parcel exemptions for Peer Review (Section 7.2).	March 10, 2026	It is the responsibility of the Applicant's QP to advise the City in their QP Preliminary Statement Letter that a small parcel exemption will be requested and to provide property information, their rationale for requesting an exemption and what environmental documentation

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				will be provided to support the request.

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6.4.4	Michael Fagan – ONEIA	The purpose of a reliance letter is to extend the rights of the original party for which a document is prepared to a third party, in this case, the City. The reliance rights extended to the City cannot reasonably be greater than the rights for the original party (applicant). It is recommended that the Policy outline the City's expectations for reliance while maintaining flexibility for negotiations with individual applicants and their consultants.	March 10, 2026	If an Applicant intends to convey lands to the City, it is the responsibility of the Applicant to ensure their reliance requirements align with the City's requirements.
	Michael Fagan – ONEIA	City's template includes a requirement from the Qualified Person (QP)'s firm and their insurance policy to indemnify the City up to \$2M using the firm's policy is unreasonable, except in cases of professional negligence, errors and omissions. The scope of the QP's responsibility is often to complete Environmental Site Assessments and present factual environmental information and a technical opinion; the value of the scope of services is performed for a fraction of the value of the liability. The QP has limited scope and did not cause the potential environmental releases that are, or are not, discovered during their investigations. The indemnity of the City should be from the applicant through the applicant's insurance or other financial mechanisms. Reliance should be limited to professional liability, specifically errors, omissions and professional negligence. The purpose of reliance is not to provide a blanket guarantee of information in an ESA Report or other environmental documents prepared in accordance with applicable regulations and good industry practice. Reliance should be limited to insurable risks, which means excluding indirect damages.		The insurance requirements in Section 6.4.5 of the Policy are in line with the requirements of Section 7 of O.Reg. 153/04.
5.1.6 and Table 2, Note 4	Michael Fagan – ONEIA	Table 2 of the Policy indicates that the requirement for an RSC on conveyance land shall be in accordance with O. Reg. 153. It is recommended that the City refrain from requesting RSCs that are not required per O. Reg. 153/04, particularly since the Peer Review process allows the City to identify and address contamination concerns. The City can request advice from MECP during the Peer Review process.	March 10, 2026	The City reserves the right to request RSCs where not required by O.Reg. 153/04, and where the request does not contravene the regulation, in accordance with Applicable Law

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5.2.1.2	Michael Fagan – ONEIA	Plans and drawings are not signed by Qualified Persons. Please consider revising the clause to indicate that plans and drawings should be prepared in accordance with the requirements of O. Reg 153/04.	March 10, 2026	The Environmental Site Plan required by the CPU is to be signed by an Engineer to confirm the fill cap is constructed in accordance with the CPU. See Section 6.5.2
5.3.7	Michael Fagan – ONEIA	It is recommended that the City provide additional clarity by explaining circumstances under which the T985 construction standards apply.	March 10, 2026	The T-985.X00 construction standards apply where the conveyance is part of the ROW and is subject to a Risk Assessment and CPU. See Section 5.14.
5.3.9	Michael Fagan – ONEIA	It is recommended that City provide additional clarity by explaining the minimum widths and depths for utility trenches and that deviations are subject to approval by the Chief Engineer. Applicants need guidance early in the design phase of projects.	March 10, 2026	Details are provided in T-985.X00. No deviations will be accepted without prior approval of City Council.
6.5	Michael Fagan – ONEIA	The clause is redundant to the duty to report in the EPA and could be interpreted to be above and beyond the regulation by City staff or Peer Reviewer.	March 10, 2026	Section 6.4 adjusted for clarity.

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6.9	Michael Fagan – ONEIA	It is recommended that the City provide a clear description of the conclusion of the Peer Review process. For example, will a Peer Review sign off letter be provided in all cases? What confirmation is provided by the City to indicate the conveyance has been completed and within 18 months of the Peer Reviewer's sign off?	March 10, 2026	The Peer Review process is conducted in writing with a final letter indicating completion. It is the Applicant's responsibility to ensure the Peer Reviewer is satisfied and the process is complete prior to conveyance. The conveyance process is separate from the Peer Review process. It is the Applicant's responsibility to work with their Case Manager to ensure conveyance occurs in a timely manner.
7.3.2	Michael Fagan – ONEIA	For clarity, please provide the method for determining average width. Is the City willing to allow the Chief Engineer to exercise discretion in the calculation method for average width?	March 10, 2026	It is the Applicant's responsibility to ensure the size requirements in the Policy exemptions are met and to provide this information in writing to the Case Manager. This information should be provided to the City in the QP Preliminary Statement letter.
7.3.3	Michael Fagan – ONEIA	We recommend City consider extending the small parcel exemption for lands that will be Community Uses (ie. road and walkways including the boulevard greenspaces) to a maximum width of 2 or 3 metres. Increasing this width should not result in significant additional risk for the city. For cases where O.Reg. 153 ESAs are required, it would allow more space for QPs to conduct the necessary investigations with reduced risk of striking underground utilities.	March 10, 2026	The size exemption will not be extended beyond what is currently proposed. See Section 7.

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5.3.5.1	Steve Desrocher – Waterfront Toronto	Consideration should be given to amending this section to allow for these conditions on a CPU provided that the obligations are discharged prior to the completion of conveyance.	March 10, 2026	As the City does not take ownership or control of the lands until conveyance, any conditions in place prior to conveyance and then subsequently removed through an amendment to the CPU, is beyond the control of the City. An amended CPU will need to be issued by the MECP to confirm that the CPU conditions meet the City's Policy requirements before conveyance can occur. See Section 5.11 and 5.12
5.3.5.1	Steve Desrocher – Waterfront Toronto	Are automated monitoring or alarm systems intended to be permissible under this condition?	March 10, 2026	Automated monitoring or alarm systems within a building envelope that are part of the building's "Life Safety Systems" are permitted.
5.3.9	Steve Desrocher – Waterfront Toronto	Consideration should be given to referencing the dimensional requirements on T-985.100 and T-985.200 as standard requirements. As written, the potential requirements on trench dimensions are not clear.	March 10, 2026	Construction standards referenced in 5.16. are subject to a separate review and update process and therefore any updates to dimensions in the standards would be outside of the Policy requirements.
6.8	Steve Desrocher – Waterfront Toronto	"Site plan" should be referenced in the definitions, and consideration should be given to referencing this as an environmental site plan report to avoid confusion with planning submissions.	March 10, 2026	Noted. Reference to CPU records and reports has been amended. See Section 6.7.

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7.3.3	Steve Desrocher – Waterfront Toronto	Can the rationale for the 12.5 m threshold be clarified in the context of applicable City standards or guidelines on corner roundings?	March 10, 2026	This is the smallest corner rounding based on a minimum 5 m wide lane.
Table 2	Steve Desrocher – Waterfront Toronto	The fourth line of this table appears to be inconsistent with the first line. Wouldn't the condition in the fourth line of an RPI conveyance for a corner rounding already be captured in the condition referenced in line 1? As written, this suggests that a more stringent threshold would apply to RPI conveyances intended for use as corner roundings.	March 10, 2026	Acknowledged. RPI removed from Row 4 on Table 3
1.2	Jason Hudson – Canadian Brownfields Network	The Policy continues to require City Council authorization for any amendments, waiver, deviation or relief from the Policy. As in our previous comments, we submit that City staff are best equipped to manage relief from the Policy. Many other municipalities provide staff level authority for deviations from conveyance policies. The City of Markham, in their conveyance policy, indicates that at the sole discretion of the Director of Engineering, the requirement of the policy can be waived. In the City of Mississauga's recent update to their conveyance policy (February 2026), decisioning occurs at the City staff level where RSCs "may" be required. The Region of Waterloo's conveyance policy indicates that the Commissioner of Planning, Housing and Community Services and/or Regional Staff may waive the RSC requirement. We recommend that the City amend Section 1.2 to include the closing phrase 'City Council or the City's Delegated Authority'.	March 13, 2026	City Council remains the authority to provide approval for any amendments or relief from the policy
3.2	Jason Hudson – Canadian Brownfields Network	It is both impractical and unreasonable to expect developers to be required to modify the environmental condition of easements for existing municipal infrastructure simply because they are making a planning application. This will cause unnecessary intrusive investigation and/or remediation near existing infrastructure, and unnecessary risk of damage. Recommend clarifying that this policy does not apply to easements for existing infrastructure.	March 13, 2026	Section 3 revised

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3.3.1	Jason Hudson – Canadian Brownfields Network	It should be explicitly clarified that the policy does not apply to public accessible private owned lands (POPs), it is expected that these would be included explicitly in the examples of surface related access easements provided in the policy.	March 13, 2026	POPS are not conveyances to the City and therefore are not subject to the Policy.
3.3.2	Jason Hudson – Canadian Brownfields Network	Similar to its exemption for stratified conveyances above TTC easements, the policy could provide equal relief for stratified surface conveyances above underground parking garages.	March 13, 2026	No exemption will be given for Stratified conveyances over parking garages.
4.	Jason Hudson – Canadian Brownfields Network	Recommend adding definition of Excess Soil Quality Standards to support the beneficial reuse of aggregate, soil and other fill materials, minimize unnecessary disposal, and promote a more sustainable approach to fill management.	March 13, 2026	Definitions revised.
4.	Jason Hudson – Canadian Brownfields Network	Recommend including guidance for the management of fill and excess soil that aligns with the current regulatory framework, including provisions for the beneficial reuse of recycled aggregate, salt-impacted soils, asphalt-impacted soils, and materials with naturally elevated concentrations.	March 13, 2026	Excess Soil Quality Standards have been added to the definition.
4.	Jason Hudson – Canadian Brownfields Network	The term un-impacted material does not reflect the provisions of Excess Soil Regulation 406/19, which allow for the beneficial reuse of recycled aggregate, salt-impacted soils, asphalt-impacted soils, and materials with naturally elevated concentrations. It is recommended that this definition be updated to align with the current regulatory framework. In addition, the definition should include language where it matches the City Specification T-985.200, which allows unimpacted fill to meet “fill cap target concentrations established in the risk assessment”. Similarly, the quality targets for un-impacted fill around deep utilities should be able to be defined in a risk assessment that meets the CPU requirements stated in the policy.	March 13, 2026	Definition for Un-impacted Fill Material has been revised.

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4.	Jason Hudson – Canadian Brownfields Network	In a typical site plan application, this level of material detail to gain City Division approval for Un-Impacted material is not normally included in site plan or building permit drawings; as a result, there is currently no established mechanism to obtain City Division approval at this stage. It is unclear whether the intent is for specifications of un-impacted materials to be reviewed and approved by the City (which may be achievable in some cases), or for materials to be approved by the City onsite during construction. Further clarification on the intended approval process is required.	March 13, 2026	Definition for Un-impacted Fill Material has been revised.
5.1	Jason Hudson – Canadian Brownfields Network	For the areas south of Front Street that were typically constructed using contaminated lake fill, City staff have an expectation that contaminants would be present in all soil. Requiring applicants to implement costly fill caps and hard caps for road widening does not protect City workers, given that the rest of the road is contaminated. It is recommended that City staff be provided flexibility to accept reduced RMM requirements in these situations.	March 13, 2026	All policy requirements will remain. See Section 5.14.
5.2.1.1 and 5.2.2	Jason Hudson – Canadian Brownfields Network	As development and construction practices shift toward more sustainable approaches that emphasize the beneficial reuse of aggregates and excess soil, it is recommended that the City align with the current regulatory framework and permit the reuse of fill materials from another Site. By adding "Excess Soil Quality Standards and the provisions in O. Regulation 406/19" in section 5.2.1.1 the soil approaches for excess soil can be captured in the Policy.	March 13, 2026	Conveyance lands will be accepted if they meet the applicable site condition standards or property specific standards developed as part of a MECP reviewed risk assessment. See Section 5.7. Unimpacted Fill Material Definition has been updated.
5.3.4.1 and 5.3.5	Jason Hudson – Canadian Brownfields Network	Recommend not including a prescriptive list of Personal Protective Equipment (PPE), as specific requirements may change with updates to the Ontario Health and Safety Act and related laws. Instead, CBN recommends stating that PPE requirements should align with, and not exceed, current health and safety law for construction workers and workers in trenches.	March 13, 2026	Discussions with City's H&S consultant developed this description. See Section 5.11.1.

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5.3.5	Jason Hudson – Canadian Brownfields Network	Risk Assessments are increasingly identifying potential risks to trench air quality, with Risk Management Plans requiring ventilation of trench air, monitoring, and/or additional PPE for workers entering trenches. In many cases, these are related to area-wide or flow through groundwater issues well outside the specific development application or conveyance land. Providing staff flexibility to accept practical risk management approaches that are protective of workers (such as ventilating trench spaces) would reduce administrative burden on Council and expedite the approval process.	March 13, 2026	No change. See Sections 5.11 and 5.12
5.3.5.1	Jason Hudson – Canadian Brownfields Network	The policy continues to prohibit certain common risk management measures required by MECP, particularly ongoing groundwater or soil vapour monitoring. It is recommended that the City allow the full scope of risk management measures that may be approved by the MECP in a risk assessment for conveyance lands, subject to appropriate agreement or compensation to the City to manage any ongoing costs or liability concerns.	March 13, 2026	No change. See Section 5.12
5.3.5.2	Jason Hudson – Canadian Brownfields Network	This condition under the policy appears to be too broad and doesn't not allow for alternative risk management measures for a Site that would be acceptable to the MECP District Engineer. It is recommended that some flexibility be included to address the City's concerns for ongoing liability.	March 13, 2026	No change. See Section 5.12
5.3.6 and 5.3.7	Jason Hudson – Canadian Brownfields Network	City's Soil and Groundwater Unit requirements (provided as comments to applicants through the peer review process) are sometimes contradicted by the requirements of other departments, delaying the approval and initiation of projects. The Policy should more clearly identify that these are the City's requirement, and divisions can not apply their own requirement contrary to the Policy and the peer review process.	March 13, 2026	Divisional requirements are in addition to the Policy requirements and are not contradictory. See Section 5.13

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5.3.9	Jason Hudson – Canadian Brownfields Network	Language allows too much discretion to the City to request unreasonable cap depths over and above the minimum cap requirement and the City's design specifications. Under the Policy it states that a 1.5 m thick is required, however under the construction standard T985.100, T985.200, and/or T985.300 a 2-metre cap effectively applies. This creates confusion, the cap requirements should align with standard industry practices where the finishing surface e.g. asphalt, topsoil etc. is included in the cap thickness requirement, not just the fill material.	March 13, 2026	Cap specifications reflect the City's requirements. See Section 5.14
6.4.5.1	Jason Hudson – Canadian Brownfields Network	The City has endorsed the use of risk assessments. For Conveyance Lands where a Record of Site Condition (RSC) is not required (per Table 2 of the Policy), to further recognize the applicability of risk assessment, we recommend that the City accept conveyance land meeting the MECP applicable Component Values. We recommend that Section 5.2.1 be updated to include this additional conveyance land quality acceptability. This recognizes that some contaminant pathways such as soil leaching to surface water may not be present for parts of the City.	March 13, 2026	The City has proposed the use of stratified standards. See Section 5.7
6.8	Jason Hudson – Canadian Brownfields Network	Clarity is required for "Site Plan (as-built drawings)", as Site Plan has a very different connotation in the development industry. We believe the intent of this section is any environmental site plan documents stated as required in a CPU.	March 13, 2026	This is for the environmental Site Plan, (as-built) cap plans and cross sections as required by the CPU. See Section 6.5.2
6.9	Jason Hudson – Canadian Brownfields Network	This requirement appears unreasonable given the potential timeline and unpredictability of construction schedules, as well as the timing of final land conveyance. The requirement seems to originate from the O. Reg. 153/04 submission timelines for regulatory approvals, and this standard should not be universally applied to all conveyance scenarios. It is recommended that this condition be removed for all situations.	March 13, 2026	No change. See Section 6.8

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Table 1	Jason Hudson – Canadian Brownfields Network	The final column of Table 1 is helpful in clarifying the typical timing for fulfillment of technical requirements, however it would also be helpful to define within this policy what initial materials are required for complete applications, and at what stage in the planning application process it is expected that the peer review will be initiated.	March 13, 2026	The required documents are clearly stated within section 6 of the policy. The timing of the peer review initiation is at the discretion of the Applicant, although report validity timing should be considered when initiating the peer review.
Table 2 Footnote	Jason Hudson – Canadian Brownfields Network	Where RSCs are not required by regulation for change in land use, strongly recommend following the same requirements as in the body of Table 2, allowing a peer review and no RSC in cases where RSCs are not required. This could save the City the administrative burden managing CPUs on roadways and other non-parkland conveyances in risk assessment scenarios and reduce administrative burden of unnecessary RSC filings	March 13, 2026	RSCs will continue to be required for conveyances as part of a subdivision application unless specifically prohibited by O.Reg. 153/04
Table 2 Footnote	Jason Hudson – Canadian Brownfields Network	Please advise what type of other development agreements would require RSCs	March 13, 2026	Removed from Table 3.
General	Katherine Berton – BILD	At this time BILD will not be submitting comments. We understand that some of our members sent comments through other associations (CBN), but we do ask that you continue to include us on the distribution list for this item for any future updates or engagements so that we can continue to be involved and monitor this for our membership.	March 13, 2026	Noted.
General	Katherine Hotrum – Infrastructure Ontario	The City to confirm and perhaps clarify in the policy that EC and SAR exceedances solely due to salt application for safety, would be deemed to meet the standards without further remediation as sidewalks, roadways and strips of land directly adjacent to these features will very likely be impacted, and these parameters are exempt as contaminants of concern for this purpose when obtaining an RSC.	March 13, 2026	Accepted following MECP clarification on road salt.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
General	Katherine Hotrum – Infrastructure Ontario	The City to confirm and perhaps clarify in the policy that conveyance of roads to the city would be considered an ICC use regardless of adjacent development and assessed against ICC MECP SCS during a Peer Review.	March 13, 2026	Requirement to assess to most sensitive adjacent land use has been removed.
General	Katherine Hotrum – Infrastructure Ontario	Comment regarding the Peer Review Process - If the RSC has been acknowledged by MECP, the City will review the documents and there will be no requested changes to the finalized environmental reports as they have already been approved by MECP.	March 13, 2026	The intent of the Peer Review process to ensure compliance with the City's Conveyance Policy as well as conformance with Ontario Regulation 153/04. Report revisions related to Conveyance Lands may be required.
6.9	Katherine Hotrum – Infrastructure Ontario	Section 6.9 – “The conveyance to the City must be completed within 18 months of receiving the Peer Reviewer’s sign off. If the conveyance to the City has not been completed within this 18-month period, the applicant will be required to complete, at a minimum, an updated Phase One Environmental Site Assessment and undergo the Peer Review Process once again.” – In circumstances where an RSC has already been acknowledged and accepted by MECP and there have been no changes in property use since the acknowledgment of the RSC, the reports prepared for the RSC should stand and not be subject to updating for the purposes of the Peer Reviewing timeout. Confirm this policy applies only to development applications that involve lands being conveyed to the City (i.e. excludes development applications that do not involve conveyances to the City). Does the City have template letters that can be provided (QP Preliminary Statement Letter) for public review and comment to determine if language and terms are reasonable/acceptable within industry to sign off on? Does the City have guidelines on how long the Peer Review Process will take and how those timelines may impact the 18-month validity period of the ESA documents?	March 13, 2026	An RSC is a “snapshot in time” of the environmental conditions and therefore if it has been more than 18 months since the RSC was completed, an updated Phase One ESA, as a minimum, is required to confirm that the environmental condition of the Conveyance Lands has not changed. - Template letters are provided to Applicants. These templates are not subject to consultation. - The Peer Review process is contractually defined, but turnaround times are dependent on the quality and timeliness of report submissions by the applicant. See Section 6.8.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
General	Katherine Hotrum – Infrastructure Ontario	How long does the “Small Parcel Exemption Process” take to complete?	March 13, 2026	The applicant will provide a QP Preliminary Statement Letter that will be reviewed and the information confirmed.
General	Katherine Hotrum – Infrastructure Ontario	Table 2, Note 2 – Confirm that policy does not apply to stratified conveyances that are above ground level.	March 13, 2026	Policy applies to Real Property or interests in Real Property and therefore does apply to Stratified conveyances above ground level.
Table2	Katherine Hotrum – Infrastructure Ontario	Table 2, Note 4 – Confirm whether this means that Table 2 does not apply for conveyances involving a Subdivision Application, and that a Peer Review and an RSC will always be required regardless of intended property use and size if conveyance land parcel. If so, why the difference in approach? Can the City also elaborate and provide examples of scenarios where an RSC could be required as a condition of other development agreements (assuming this to mean regardless of intended property use and size of conveyance land parcel)?	March 13, 2026	Peer review and RSC always applies to subdivision application conveyance lands. Other development agreement wording removed. Table 3 has been updated.
Internal Stakeholders				
5.3.9 and 5.3.7	Mark Berkovitz – Manager, Asset Management	In the Definitions section, only “unimpacted material” is defined, while “hard cap material” is also mentioned in the policy (section 5.3.9 and 5.3.7) but not defined. For clarity, it is suggested to add a definition for “Hard Cap” as follows: “Hard Cap” means materials consisting of asphalt, concrete, pavers, or equivalent surface materials that are specified in the Certificate of Property Use, subject to approval by the Chief Engineer and operating division.	March 11, 2026	Hard cap is typically defined in the CPU.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
5.2.1.2	Mark Berkovitz – Manager, Asset Management	Regarding Section 5.2.1.2, it is understood that the proposed amended policy would permit the application of the MECP Table 4 and Table 5 Site Condition Standards (SCS) under O. Reg. 153/04, which allow a stratified (depth-based) approach by applying different soil standards to surface soil (above 1.5 m) and subsurface soil (below 1.5 m). Additional clarification is requested on the following: a) What soil standard should be applied to trench clean material around utilities when Table 4 or Table 5 SCS are adopted? b) The City’s construction standard for contaminated right-of-way (e.g., T-985.100 to T-985.300) requires a minimum of 2 m of “unimpacted fill”. Additional clarification is needed regarding the applicable standard for soils within the 1.5–2.0 m depth interval. Under the stratified approach, soil within this interval could potentially meet the less stringent subsurface soil criteria and therefore may not require excavation, even though it may still exceed Table 3 Industrial/Commercial/Community (ICC) standards.	March 11, 2026	Section 5.7. revised. Table 5 Subsoil standards are applicable to utility backfill below 1.5 m. Construction Standards T-985.X00 only apply when a Risk Assessment has been completed. If the stratified standards are met, the right-of-way is not contaminated.
5.3.4.3	Mark Berkovitz – Manager, Asset Management	Regarding Section 5.3.4.3, the City may accept conveyance of lands subject to a risk assessment where methane or soil vapour testing is required prior to entering an excavation trench. Clarification should be provided on the applicable health and safety (H&S) regulation, standard, or methane/soil vapour testing procedure that applicants must follow to demonstrate compliance with this “one-time” testing requirement prior to conveyance. This clarification is needed because the vapour testing requirement may be specified in different sections of the Certificate of Property Use (CPU) or within a Health and Safety Plan section of the CPU, sometimes without clearly defined threshold levels in the risk assessment. As acceptable thresholds for different soil vapours may vary between sites, additional guidance would help ensure operating divisions understand the H&S requirements and testing procedures for future subsurface construction or trenching work.	March 11, 2026	Section 5.11.3. revised.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
5.3.7	Mark Berkovitz – Manager, Asset Management	Regarding Section 5.3.7, the amended policy indicates that the decision on acceptable clean cap thickness, in compliance with Standards T985.100 to T985.300, would be determined by the Chief Engineer. Please clarify whether this decision is intended to be made by the Chief Engineer in consultation with the operating divisions.	March 11, 2026	T-985.X00 apply to all right-of-way conveyances where a Risk Assessment has been completed. Further consultation is not required.
6.5	Mark Berkovitz – Manager, Asset Management	Regarding Section 6.5, which requires applicants to notify MECP and the City of off-site contaminant migration: it appears that the current section (as well as the 2015 Policy) lacks a strong mechanism to require applicants to take responsibility for such migration, which may pose environmental liability to City/operating division after conveyance. TS recommends adding language in Section 6.5 of the new policy to provide an appropriate instrument requiring the applicant to conduct off-site delineation and enter into an Indemnity Agreement with the operating division. We suggest that Legal (Scott Pasternack and Kip Phillips) be involved in updating this section, as similar indemnification mechanisms have been established in several non-conveyance cases in consultation with them.	March 11, 2026	City Legal has discussed this and provided direction. See Section 6.4.
Table 2 7.3.3	Mark Berkovitz – Manager, Asset Management	Clarification should be made in Policy Table2, Note 4, that RSC filing is required for all subdivision applications, except where the land meets the criteria in Section 7.3.3 for future right-of-way corner rounding of less than 12.5 m ² or the future ICC land with an average width of less than 1 metre.	March 11, 2026	RSC is required for Conveyance Lands that are part of a Subdivision Application.
5.1.5	Lynda Mulcahy – Manager, Closed Landfills	Suggest to include “and all supporting documentation/reports”.	March 12, 2026	This is included in the Peer Review Section 6.0.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
5.2.1	Lynda Mulcahy – Manager, Closed Landfills	Suggest to change “MECP - accepted” to “MECP – developed or accepted” or some such wording	March 12, 2026	Section 5.7. revised.
5.3.4.3	Lynda Mulcahy – Manager, Closed Landfills	Suggest to add “during construction phase only” – or some such wording to indicate the monitoring requirement cannot be perpetual/long term	March 12, 2026	Section 5.11.3. revised.
General	Nhat-Anh Nguyen – Engineering Review	Replace “condition of a development application approval”, “condition of development approval” where they are mentioned with “condition of approval of a development application”. Provide a definition for Hard Cap. Suggest adding a general policy to indicate that all costs related to comply with this Policy are to be borne by the applicant.	March 13, 2026	Text revised as noted. Hard Cap is defined in the CPUs. Section 6.3.1 states that the applicant will pay all costs associated with the City retaining a Peer Reviewer, including all administrative costs to the City.
3.2	Nhat-Anh Nguyen – Engineering Review	This should be revised to state ‘existing and new below grade infrastructure’. Clarify intent of “site-specific development approval conditions”. Does site-specific mean different environmental standards to be applied for below grade easements for TW infrastructure, at Toronto Water’s discretion, or does site-specific mean the function and nature of the easement (e.g., permissions, restrictions, etc.) Engineering Review is not familiar with the “ <i>Toronto Water Standards for Designing and Constructing City Infrastructure</i> ” publication referenced in Section 3.2. Please clarify.	March 13, 2026	Section 3 revised.
3.3.1	Nhat-Anh Nguyen – Engineering Review	Add temporary vehicle turn around areas such as temporary turning circles.	March 13, 2026	The Policy does not apply to surface easements. See Section 3.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
3.3.2	Nhat-Anh Nguyen – Engineering Review	Clarify whether stratified land conveyances include strata lands widenings over a below-grade parking structure.	March 13, 2026	The Policy does apply to stratified land conveyances above below-grade parking structures. See Section 3.
5.2.2	Nhat-Anh Nguyen – Engineering Review	Policy needs to clarify who determines how Conveyance Lands will be assessed, or, whether the Chief Engineer needs to agree to how the Conveyance Lands is to be assessed (i.e., Site Condition Standards or the Risk-based Property Specific Standards applicable to the intended land use of the Conveyance Lands).	March 13, 2026	This is at the discretion of the applicant and their QP. The City accepts the listed remedial approaches. See Section 5.7.
6.8	Nhat-Anh Nguyen – Engineering Review	Site Plan is typically private property. Suggest deleting reference to it and just use as-built drawings that show the Conveyance Lands.	March 13, 2026	This is a MECPC/CPU requirement (Environmental Site Plan/As-built drawings) for all lands subject to a CPU having a barrier requirement. However, we only require the as-built drawings for the conveyance lands See Section 6.5.2
6.9	Nhat-Anh Nguyen – Engineering Review	Suggest that 18 months be extended to 24 months	March 13, 2026	18 months is consistent with the MECPC requirements.
7.3.3	Nhat-Anh Nguyen – Engineering Review	Clarify how the 12.5m ² for Corner Rounding was determined. Suggest increasing corner rounding area threshold for small parcel exemption to be less than or equal to 100 square metres, to avoid triggering Peer Review for corner rounding over 12.5 square metres that are contiguous with small strips of land.	March 13, 2026	This has been developed in discussion with TS. See Section 7.2.3.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
Table 1	Nhat-Anh Nguyen – Engineering Review	Note that under authority of approval, the Director of Community Planning has delegated authority to approve Site Plan, Condominium and Subdivision Applications. Table does not appear to identify the following scenarios where land conveyance is required for: • Developments containing 10 units or fewer, • Developments that are -subject to a Minor Variance but not Site Plan Approval, • Modifications to existing easements that contain underground services, and • Stratified conveyances where associated environmental conditions could be cleared through post-approval conditions. This was an available way in the previous version of the policy. It's not clear whether this Table adequately captures need for conveyance related to a stand-alone minor variance application. if not, perhaps add a row for stand-alone Minor Variance application, similar to Consent application.	March 13, 2026	Table 2 has been revised to incorporate some, but not all, of these scenarios.
Table 2	Nhat-Anh Nguyen – Engineering Review	Under note 3, can a template, per the comment in section 7.2 above, be created to have the QP determine whether the lands are subject to a Certificate of Property Use?	March 13, 2026	A CPU is issued by the MECP for any lands that have been subject to a Risk Assessment.
Table 2	Nhat-Anh Nguyen – Engineering Review	For clarity, it would be helpful if a note was provided under Table 3 that land conveyances for road widenings are considered community use.	March 13, 2026	Roads are defined in O.Reg. 153/04 as being Community Use.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
3.3.1	Matt Kavanaugh – TTC Manager, Development	To cover entrance connections to stations and access routes to TTC infrastructure that has been integrated into the development's below-grade levels (including electrical rooms, fan rooms, access hatches, and similar facilities), incorporate this requirement within <i>surface or subsurface easements related to access interests</i> , such as walkways or passageways, including those required to provide ongoing access to the transportation system.	December 1, 2025	Section 3 revised
3.3.2	Matt Kavanaugh – Manager, Development	To cover existing transportation system infrastructure located within existing easements that are being transferred into City ownership (under TTC operational jurisdiction), incorporate language addressing lands subject to subsurface easements in favour of the City for the purpose of existing transportation system infrastructure required to be conveyed to the City in stratified fee simple, ensuring a combined three-metre area around the existing transportation system infrastructure to accommodate City/TTC operational and maintenance needs.	December 1, 2025	Section 3 revised
3.3.3	Matt Kavanaugh – TTC Manager, Development	Same as Section 3.3.2, but recognizing that existing easements around transportation system infrastructure may provide only one (1) metre of clearance around the tunnel, whereas current City/TTC standards typically require three (3) metres. This section should also incorporate additional lands immediately adjacent to the lands described in Section 3.3.2, as necessary, to achieve the increased clearance requirements that support City/TTC ownership, access, maintenance, and operational needs.	December 1, 2025	Section 3 revised
3.2.	Lisa MacCumber – Toronto Water Senior Engineer	The intention of this statement appears inconsistent/confusing with "Scope". 3.2 appears to be a requirement rather than a high-level scope. Replace Toronto Water Standards with City of Toronto Standards.	March 19, 2026	This section is intended to clarify to Applicants that Toronto Water horizontal and vertical clearances are applicable. See Section 3 and Table 1.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
5.3.4.	Lisa MacCumber – Toronto Water Senior Engineer	Toronto Water agrees as described.	March 19, 2026	Noted.
5.3.5.	Lisa MacCumber – Toronto Water Senior Engineer	Toronto Water agrees.	March 19, 2026	Noted.
5.3.8.	Lisa MacCumber – Toronto Water Senior Engineer	Does this mean no cap is required for existing TW infrastructure if the land is contaminated (not to MECP standards)? How will Toronto Water operations/contractors know if special precautions are required? Is this the cap only?	March 19, 2026	Where a physical encumbrance is present, investigation may be limited and full remediation may not be possible and therefore installation of the full depth cap may not be feasible. Development Review Case Manager will be responsible for informing TW of these conditions. See Section 5.15.
5.3.9.	Lisa MacCumber – Toronto Water Senior Engineer	Toronto Water agrees.	March 19, 2026	Noted.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
6.4.5.1.3.	Lisa MacCumber – Toronto Water Senior Engineer	Does this apply even if the prior use was less sensitive (industrial to residential for example?)	March 19, 2026	Yes, as per section 6.3.7.1.3. if change in land use is from less sensitive (e.g., industrial) to more sensitive (e.g., residential), and the Applicant's QP determines a Phase One is sufficient and no intrusive investigation is required, the Applicant's QP must still submit a QP Statement letter, the Phase One ESA report, and the RSC Acknowledgement Letter from the MECP for Peer Review.
7.3.1.	Lisa MacCumber – Toronto Water Senior Engineer	Does this assume the rest of the parcel being developed meets the standards in the regulation?	March 19, 2026	No. This only requires that the former use of the Conveyance Lands to be Residential, Parkland, or Institutional Use and be less than 100 m ² . See Section 7.2.1.
6.5.1	Camila Conte – Legal Services Kip Phillips – Legal Services	In the event of such contamination originating from the Development Site that has migrated onto adjacent City lands, and such contamination exceeds the applicable Site Condition Standards, the applicant shall submit a risk management plan addressing the off-site contamination, signed by the applicant's Qualified Person, and to the satisfaction of the Chief Engineer; or undertake remediation of the affected adjacent City lands to meet the applicable Site Condition Standards.	April 7, 2026	Discussed with Legal Services and no revisions to Section 6.4 are required.

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New DRAFT Policy Section	Author	Comment	Date	SGQ Response and Revised Policy Section
6.5.2	Camila Conte – Legal Services Kip Phillips – Legal Services	The Owner shall either complete their requirements as set out under Section 6.5.1 or submit a report, signed by the applicant's Qualified Person, to the satisfaction of the Chief Engineer, confirming that the contamination that exceeds the applicable Site Condition Standards has not been discharged from, has not migrated or is not migrating from the Development Site to adjacent City lands.	April 7, 2026	See above
	Tate Kelly – Infrastructure Ontario	The draft policy more explicitly includes interests in land, stratified conveyances, and below-grade easements for municipal infrastructure, while also clearly exempting surface related access easement interests, and lands subject to existing subsurface easements in favour of the TTC for the purpose of existing transit related infrastructure. The policy now applies environmental standards based on the intended use of the conveyed lands, rather than the most sensitive adjacent land use. The inclusion of a defined 18-month timeframe between completion of the Peer Review Process and conveyance. Overall, from a planning perspective, we have no concerns with the proposed draft policy. The updates appear to provide greater clarity and consistency to the process.	April 10, 2026	Acknowledged