

Appendix 9**SCHEDULE 35
PERMITS, LICENCES, APPROVALS AND AGREEMENTS**

- a) The Permits, Licences, Approvals and Agreements may include, but are not limited to those included in the tables below.
- b) The following Responsibility Tables will be updated by addendum, if applicable, upon receipt of further information.
- c) The following Responsibility Tables are for the purpose of the performance of the Works.
- d) If, for any permit, licence, approval or authorization listed in this Schedule 35, where there is a legislative requirement for the applicant to be the City, then DB Co shall act as the City's agent and will be responsible for all aspects of the application preparation and submittal process at DB Co's own cost and expense. If required, the City will sign off on the application.
- e) All other Permits, Licences, Approvals and Agreements not listed herein or otherwise noted, are the responsibility of DB Co.

[NOTE to PROPONENTS: the Ontario Ministry of the Environment and Climate Change (MOECC) has changed to the Ontario Ministry of the Environment, Conservation and Parks (MECP). For the purpose of this Schedule they are considered to be the same.]

Stage 2 LRT PLAA (Draft)

Permits, Licenses and Approvals	Issuing Agency	Status	Responsibility of: City of Ottawa or DB Co. or Other
Site Plan Control – Development Outside of the Public Transit System Right-of-Way	City of Ottawa	Not started. Necessary where required under specific circumstances such as infrastructure not part of the LRT infrastructure, e.g. parking lot redesign and over-build of stations. Consultation with the City will be required.	DB Co
Building and Demolition Permits – Stations and MSF	City of Ottawa	Not started.	DB Co
Noise By-law Exemption	City of Ottawa	Not started.	DB Co
Approval under Sewer Use By-law to discharge waste water	City of Ottawa	Not started.	DB Co
Road Cut Permit (utility circulation)	City of Ottawa	Not started.	DB Co
Temporary Construction-Related Encroachment Permit	City of Ottawa	Not started.	DB Co
Temporary Construction Easements	City of Ottawa	Not started.	DB Co
Street or Lane Closing/Opening	City of Ottawa	Not started.	DB Co
Zoning By-Law Amendment	City of Ottawa	Not started. Necessary where required under specific circumstances , e.g. station related development. Consultation with the City will be	DB Co

Permits, Licenses and Approvals	Issuing Agency	Status	Responsibility of: City of Ottawa or DB Co. or Other
		required. Where associated with station related development and	
Sign Permit	City of Ottawa	Not started.	DB Co
Permit under Ontario Heritage Act	City of Ottawa	Not started. May be necessary if heritage resources affected.	DB Co
Emergency Services Approval – Fire and Life Safety	City of Ottawa	Not started.	DB Co
Offer to Connect (“OTC”)	TBD	Not started.	The City will execute the Offers To Connect (“OTC”) with [TBD]; however, DB Co, at its sole cost and expense, to complete all work required to secure and fulfill OTC agreements including PA Schedule 15-2 – Design and Construction Requirements.c”) with [TBD]; however, DB Co, at its sole cost and expense, to complete all work required to secure and fulfill OTC agreements including PA Schedule 15-2 – Design and Construction Requirements.
Electrical Plan Review	Electrical Safety Authority	Not started.	DB Co

Construction Registration Permit	Electrical Safety Authority	Not started.	DB Co
Notice of Project as per <i>Occupational Health and Safety Act</i> (Ontario)	Ministry of Labour	Not started.	DB Co
Registration of Constructors and Employers Engaged in Construction	Ministry of Labour	Not started.	DB Co
Permit to Take Water	Ontario Ministry of the Environment and Climate Change	Not started.	DB Co
Environmental Compliance Approval (ECA)– SWM Facilities	Ontario Ministry of the Environment and Climate Change	Not started.	DB Co
ECA – Water and Sanitary Sewer	Ontario Ministry of the Environment and Climate Change (In certain instances the City of Ottawa has delegated authority from MOECC for review)	Not started.	DB Co

ECA – Air and Noise	Ontario Ministry of the Environment and Climate Change	Not started.	DB Co
Environmental Activity and Sector Registry (EASR)	Ontario Ministry of the Environment and Climate Change	Not started.	DB Co
Approvals from MOECC under Ontario Environmental Assessment Act O. Reg 231/08 for the LRT Confederation Line West Extension and Confederation Line East Extension.	Ontario Ministry of the Environment and Climate Change	Separate approvals have been received from the MOECC Minister for the Environmental Project Reports for Confederation Line West Extension and Confederation Line East Extension. The EPR reports and approvals are available in the data room.	City
Approvals from MOECC under Ontario Environmental Assessment Act O. Reg 231/08 for the Bayshore to Moodie Bus Rapid Transit (BRT) Conversion to Light Rail Transit (LRT)	Ontario Ministry of the Environment and Climate Change	Approvals have been received from the MOECC Minister for the Environmental Project Report for the Bayshore to Moodie Bus Rapid Transit (BRT) Conversion to Light Rail Transit (LRT) The EPR reports and approvals are available in the data room.	City

<p>Approval from MOECC under Ontario Environmental Assessment Act through the Class EA for Provincial Transportation Facilities - Highway 417 Expansion preliminary design.</p>	<p>Ontario Ministry of the Environment and Climate Change</p>	<p>MTO has completed the Highway 417 (Ottawa Queensway) from Highway 416 to Easterly to Anderson Road, Preliminary Design and Environmental Assessment, GWP 663-93-00, Transportation Environmental Study Report (TESR) in accordance with their Class EA process for Provincial Transportation Facilities.</p>	<p>MTO</p>
<p>Approval from MOECC under Ontario Environmental Assessment Act through the Class EA for Provincial Transportation Facilities - Highway 417 Expansion detail design.</p>	<p>Ontario Ministry of the Environment and Climate Change</p>	<p>A 30% design has been undertaken by WSP for the MTO DB Co will be required to complete a detail design documented in a Design and Construction Report (DCR) for MTO Highway 417 components</p>	<p>DB Co</p>
<p>Amendments to the approvals of MOECC under Ontario Environmental Assessment Act O. Reg 231/08</p>	<p>Ontario Ministry of the Environment and Climate Change</p>	<p>An addendum to the Confederation Line West Extension Environmental Project Report is being prepared by the City and for the Bayshore terminal bus station and lay-by area and will be provided to DB Co in the data room.</p>	<p>DB Co is responsible for any other addendums to the approved to the Environmental Project Reports that are required following Financial Close.</p>

<p>Amendments to the approvals of MOECC under Ontario Environmental Assessment Act – Highway 417 Expansion</p>		<p>The City of Ottawa has completed the Municipal Class Environmental Assessment (EA) Study for the Maitland Avenue Highway 417 Bridge Cycling Improvements. The 30 day review period will be complete on June 8, 2018. No Part II Order Requests were received and the MTO Clearance letter has been posted</p>	<p>DB Co responsible to incorporate these changes into the DCR as required.</p>
<p>Endangered Species Act Permits</p>	<p>Ontario Ministry of Natural Resources and Forestry</p>	<p>City has identified Species at Risk for which permitting under ESA will be required. The City has initiated the permits.</p>	<p>The City of Ottawa will submit all approval documentation with DB Co as an agent for the implementation of the permits conditions related to design and construction activities. The City of Ottawa will be responsible for the monitoring portion of the permit conditions. Permits that have been received prior to financial close will be provided. Pending permit applications will also be provided with the understanding the proposed mitigation measures are conditional until the permit is received.</p>
<p>Public Lands Act Work Permit</p>	<p>Ontario Ministry of Natural Resources and Forestry</p>	<p>Initiated by City.</p>	<p>DB Co to implement</p>

<p>Archaeology – Letter of acceptance verifying the report complies with Ministry requirements and filed with Ontario Public Register of Archaeological Reports</p>	<p>Ontario Ministry of Tourism Culture and Sport</p>	<p>City has received Acceptance Letters for Confederation West and Confederation East Extension Stage 1 Archaeological Assessment. Stage 2 Archaeological Assessments are underway by the City.</p>	<p>City is responsible to obtain the acceptance letter in respect of all those archaeological assessments completed by the City in advance of Financial Close. DB Co is responsible to obtain the acceptance letter in respect of all those archaeological assessments required after Financial Close.</p>
<p>Approval for provincial funding</p>	<p>Ontario Ministry of Transportation</p>	<p>City is seeking provincial funding</p>	<p>City</p>
<p>Approval from MTO for building and land use permit in accordance with the requirements of the Public Transportation and Highway Improvement Act</p>	<p>Ontario Ministry of Transportation</p>	<p>Not started.</p>	<p>DB Co</p>
<p>Approval from MTO for Encroachment Permits in accordance with the requirements of the Public Transportation and Highway Improvement Act for the new proposed Pedestrian Bridges and the permanent System Infrastructure</p>	<p>Ontario Ministry of Transportation</p>	<p>City is consulting with MTO Engineering Section and currently finalizing property requirements for submission to MTO Corridor Management Office. City is consulting with MTO Engineering Section to coordinate property requirements prior to submission to MTO Corridor Management Office for review and approval.</p>	<p>City</p>

<p>Approval from MTO for Encroachment Permits in accordance with the requirements of the Public Transportation and Highway Improvement Act for Construction Activities on Lands as identified in Schedule 20.</p>	<p>Ontario Ministry of Transportation</p>	<p>Not started.</p>	<p>DB Co</p>
<p>All access to Highway Corridor Lands is coordinated and approved by the MTO using the Eastern Region ROW Form, which may be submitted following issuance of an Encroachment Permit for the segment of Highway Corridor Lands where access is sought.</p>	<p>Ontario Ministry of Transportation</p>	<p>Not started.</p>	<p>DB Co</p>
<p>Approval pursuant to Ontario Regulation 174/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses</p>	<p>Rideau Valley Conservation Authority</p>	<p>Not started.</p>	<p>DB Co</p>
<p>Approval pursuant to Section 35 of the Fisheries Act or Clearance that no approval is required.</p>	<p>Fisheries and Oceans Canada</p>	<p>City has consulted with the DFO and and no Fisheries Act Authorization is required for the Pinecrest Creek realignment.. DFO provided a Letter of Advice which is available in the data room.</p>	<p>DB Co to implement.</p>
<p>License to Collect Fish for Scientific Purpose</p>	<p>Ministry of Natural Resources and Forestry – Kemptville District</p>	<p>Not started.</p>	<p>DB Co</p>

Land Access Permit	National Capital Commission	Not started. To be obtained by DB Co. should access be required to NCC properties not included in the Lands.	DB Co
Land Acquisition and/or Lease	PSPC, NCC	Contingent on City receiving NCC FLUDA	City
CEAA 2012 Section 67 CEAA determinations	NCC, PSPC, ECCC, DFO (if required)	<p>The City has prepared the Confederation Line Environmental Effects Evaluation (EEE) to submit to federal authorities for determinations. NCC and PSPC have approved the EEE</p> <p>The NCC is currently preparing the environmental effects evaluation report for the Sir-John-A.Macdonald parkway linear park works.</p>	<p>Design and construction relevant environmental commitments part of the Confederation Line EEE document to be implemented by DB Co.</p> <p>The commitments for the Confederation Line EEE are included in Appendix A of Schedule 17 and the Confederation Line EEE has been made available.</p>

Species at Risk Act Permits	Environment Canada and Climate Change	<p>City has identified Species at Risk for which permitting under SARA will be required. The City has initiated permits.</p> <p>Applications have been made available.</p>	<p>The City of Ottawa will submit all approval documentation with DB Co as an agent for the implementation of the permits conditions related to design and construction activities. The City of Ottawa will be responsible for the monitoring portion of the permit conditions.</p> <p>Permits that have been received prior to financial close will be provided. Pending permit applications will also be provided with the understanding the proposed mitigation measures are conditional until the permit is received.</p>
Approval for federal funding	Infrastructure Canada	City is seeking provincial funding	City
Any and all Remaining Permits, Licenses, Authorizations and Approvals	Various Agencies	Not started.	DB Co

NCC Approval in Principle	NCC	<p>Western Light Rail Transit (WLRT) Project – Alignment and Functional Design Approval in Principle received from NCC on January 27, 2017.</p> <p>No Approval in Principle is needed to be issued by the NCC for the Confederation East Extension Alignment.</p> <p>Functional Design Approval in Principle received from NCC on June 20, 2018 for Moodie extension.</p>	City
NCC Concept Design Approval	NCC	~ May 2018	City based on DB Co’s proposal design
NCC Property Transaction Approval	NCC	~ May 2018	City
NCC Federal Land Use, Design and Transaction Approval	NCC	January 1 2019 – December 31 2021	City
Transport Canada approval to build a SWM pond in the airport’s restricted zone	Transport Canada	Letter of conditions from Transport Canada received on August 29, 2017.	DB Co to implement mitigation measures described in July 17, 2017 letter from NCC to Transport Canada except for the baseline bird monitoring program reporting to Transport Canada (August 2017 to December 2018) to be completed by the City.

<p>Ontario <i>Invasive Species Act</i> obligations regarding propagation of restricted species</p>	<p>MOECC</p>	<p>Presence of dog strangling vine has been noted by the City during 2017 field surveys in the Pinecrest creek corridor.</p>	<p>DB Co to complete restricted invasive species surveys before project is carry out and to incorporatated mitigation measures into the Environmental Management Plan to ensure legal obligations are met.</p>
<p>Provincial Secondary Land Use Program – Real Estate transaction management review and approval process.</p>	<p>Hydro One Networks Inc. (HONI)</p>	<p>City is currently working with HONI and HONI have issued an approval in principle based on RCD. HONI will require well-advanced detail design prior to a final approval of all proposed SI / NMI real estate transaction within the transmission corridor. Final approval from HONI will require DB Co to work closely with HONI during detail design phase.</p>	<p>City</p>

APPENDIX A – LISTED DB Co PLAAs

Listed DB Co PLAA’s	Timeline for Final Determination by the City
Site Plan Control - Development Outside of the Public Transit System Right-of-Way	<p>Site plan approval</p> <ul style="list-style-type: none"> • 42 days if by delegated authority and no public consultation. • If delegated authority is withdrawn and committee approval is needed and consultation required, timeline is 98 days.
Building and Demolition Permits - Stations and MSF	<p>Demolition or construction permits</p> <ul style="list-style-type: none"> • First review, 30 Business Days • If heritage involved, 90 days <p>Alternative Solution</p> <ul style="list-style-type: none"> • 40 Business Days
Noise By-law Exemption * If approved by ward councillor	<p>Noise By-law Exemption</p> <ul style="list-style-type: none"> • 30 Business Days
Approval discharge waste water - Under Sewer Use By-law	<p>Sanitary Sewer Agreement</p> <ul style="list-style-type: none"> • 10 Business Days • Complicated applications 20 Business Days.

Road Cut Permit	<p>Road Cut Permit</p> <ul style="list-style-type: none"> • 10 Business Days
Utility Circulation	<p>Utility Circulation</p> <ul style="list-style-type: none"> • 15 Business Days
Temporary Construction-Related Encroachment Permit ROW/Property	<p>Encroachment permit on road ROW</p> <ul style="list-style-type: none"> • 10 Business Days
Street or Lane Closing/Opening	<p>Temporary road closure approvals</p> <ul style="list-style-type: none"> • 20 Business Days <p>Temporary lane closure (requiring road cut)</p> <ul style="list-style-type: none"> • 10 Business Days <p>Permanent road closure (goes through development applications)</p> <ul style="list-style-type: none"> • 117 days
Zoning By-Law Amendment	<p>Formal zoning application</p> <ul style="list-style-type: none"> • 146 days after application has been deemed complete
Sign Permit	<p>Sign permit</p> <ul style="list-style-type: none"> • 10 Business Days
Permit Under Ontario Heritage Act	<p>Permit Under Ontario Heritage Act</p> <ul style="list-style-type: none"> • 90 days
Emergency Services Approval - Fire and Life Safety	<p>Emergency Services Approval – Fire and Life Safety</p>

	<ul style="list-style-type: none"> • 30 days
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APPENDIX B – INDICATIVE MTO RESPONSE TIMES

a) The following table identifies indicative MTO response times for certain DB Co Permits, Licences, Approvals and Agreements for which the MTO is the issuing Governmental Authority. The indicative MTO response times stated below are provided for information only and shall not be binding on the MTO, the City or any City Party. DB Co shall not be entitled to any relief from its obligations under the Project Agreement or additional time or compensation as a result of a failure of the MTO to approve or respond within such indicative response times.

Deliverable	Indicative MTO Response Times
Addenda to MTO Design Criteria	20 Business Days following FDD review & return
Proposal for use of products not on DSM (including samples, justification, etc. as applicable)	20 Business Days
Final Eligibility Letter for EA Clearance and comments/responses	20 Business Days
Designation of Construction Zone Associated speed reductions	20 Business Days following FDD review & return
Temporary PHM-125	30 Business Days
Permanent PHM-125	90 Business Days
Variations to Permitted Periods	20 Business Days

Application(s) for extended closure	20 Business Days
Application(s) for full closure	20 Business Days
Ontario Regulation (for dedicated bus lane)	6 months or more
Closures (outside Permitted Periods, Sundays, Full Closure)	20 Business Days
Encroachment Permits	90 Business Days following CDS review & return