



TORONTO
PORT AUTHORITY

ADMINISTRATION
PORTUAIRE DE TORONTO



PROJECT PLANNING APPROVAL & FACILITY ALTERATION PERMIT GUIDE

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1. PURPOSE & APPLICATION

1.1. Toronto Port Authority

The Toronto Port Authority is a successor to the Toronto Harbour Commissioners. The Toronto Port Authority is a government business enterprise that proudly owns and operates Billy Bishop Toronto City Airport, which welcomes more than two million passengers each year; the Outer Harbour Marina, one of Canada's largest freshwater marinas; and the Marine Terminals Property, which provides marine transportation, distribution, storage and container services to businesses at the Port of Toronto.

The mission of the Toronto Port Authority is to effectively manage Billy Bishop Airport, the Marine Terminals Property, and the Outer Harbour Marina on a self-sustaining basis, allowing the Toronto Port Authority to reinvest funds into transportation infrastructure, marine safety, environmental protection and community programming. Through the successful pursuit of this mission, the Toronto Port Authority plays an important city-building role in the economic growth and sustainable future of the City of Toronto.

The Toronto Port Authority is a financially self-sufficient government business enterprise, which operates in accordance with the *Canada Marine Act* and Letters Patent issued by the federal Minister of Transport in addition to a series of specific policies and procedures. The Letters Patent include requirements related to the Toronto Port Authority's board of directors and outline the activities that can be undertaken by the organization and by Tenants of the Toronto Port Authority on its properties. The Toronto Port Authority is guided by a board of directors with representation from all three levels of government.

1.2. Project Planning Approval and Facility Alteration Permit

It is the Toronto Port Authority's goal to ensure that any proposed development on the Toronto Port Authority's properties contributes to economic, physical, social and environmental quality of life. The Toronto Port Authority believes this is important, high value work and has established a number of processes to address this mandate.

1.2.1. **Emergency Work**

When there is an emergency that poses an **immediate risk to public health, safety, the environment or property**, **notify the Permit Office directly** of the work that is necessary to commence immediately and to confirm follow up submissions of information.

1.3. Commitment to Sustainability

The Toronto Port Authority's primary focus is to balance commercial success and operational excellence with an unwavering commitment to creating a sustainable business that is inclusive of environmental protection, community engagement and health and safety. The Toronto Port Authority has made significant investment in environmental protection and continues to identify initiatives to mitigate its impact on the environment, which can be referenced in detail in its annual Sustainability Report. The Toronto Port Authority strives to work with organizations that share similar sustainability and environmental commitments as the Toronto Port Authority.

Information regarding sustainability and environmental matters can be found on our website at <https://www.torontoportauthority.com/about-us/about/>

1.4. Mississaugas of the Credit First Nations Land Acknowledgment

The Toronto Port Authority operates under its mandate, on the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. The Toronto Port Authority respects that the Crown and the Mississaugas of the Credit signed Treaty 13 which covers the lands of the City of Toronto, and the Williams Treaties signed with multiple Mississaugas and Chippewa bands. Today, Toronto is still home to Indigenous people, and the Toronto Port Authority is grateful to have the opportunity to meet and work on this territory.

Toronto Port Authority's Promise: Express gratitude to Mother Earth and for the resources the Toronto Port Authority is using, and honour all the First Nation, Métis and Inuit people who have been living on the land since time immemorial. The Toronto Port Authority consults the Mississaugas of the Credit First Nation on all proposed projects on a quarterly basis.

2. GENERAL

2.1. Terminology and Definitions

Words and terms used in this guide that are not included in the list of definitions shall have meanings as are commonly assigned to them in the context in which they are used in this guide, taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

Airside means all areas allocated to aircraft flight and taxiing activities, and under direct operating control of Nav Canada and the Billy Bishop Toronto City Airport (BBTCA). It includes runways, taxiways, aprons, clear zones, agricultural areas, separation areas, and attendant drainage, electrical and electronic systems.

Applicable Codes and Standards means the regulations adopted by the Toronto Port Authority to control matters of construction as identified in Section 2.2.

Applicant means the existing Tenant, the new Tenant, contractor, consultant or the Toronto Port Authority Employee applying for or receiving Project Planning Approval or a Facility Alteration Permit and may include an agent representing the applicant by written authorization.

Architect means a member or licensee of the Ontario Association of Architects under the Architects Act, (Ontario).

Authority Having Jurisdiction (AHJ) means the Toronto Port Authority and any other external agency with jurisdiction of authority that may be referred to in this guide for which any respective requirements are coordinated through the Permit Office for all matters of construction.

As-Built Drawings means drawings reflecting changes in construction typically created by contractor documenting the actual conditions of the project as it was built, including any modifications to the original design.

Billy Bishop Toronto City Airport (BBTCA), BBTCA, or Airport means the airport owned and operated by the Toronto Port Authority.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Business Unit means Billy Bishop Toronto City Airport, Marine Terminals Property Business Unit, and/or the Outer Harbour Marina Business Unit.

Civil means all above and below ground structures other than Buildings as it relates to construction on Toronto Port Authority lands.

Construct means to design, build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, renovate, excavate and shore, and all other functions and practices normally carried out in the course of construction.

Construction means the process of designing, building, erecting, installing, altering, adding, enlarging, moving, locating, relocating, reconstructing, demolishing, removing, renovating, repairing, dismantling, structural maintenance, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, repairing/repaving of asphalt/line painting, installation of any machinery or equipment, working on existing or new utilities, telecommunication and IT systems, and shoring a structure and all other functions and practices normally carried in the course of any of these activities

Consultant means a person under contract by either the Toronto Port Authority or the Applicant for performing and assuming the responsibilities of design, regulatory compliance, engineering, security, health, and such other matter.

Contractor means a person under contract by either the Toronto Port Authority or the Applicant for performing and assuming the responsibilities of construction.

Employee means an individual under the employment of the Toronto Port Authority.

Facility Alteration Permit Application (FAP Application) is the formal request required for all construction or related activities where the work is being performed by a Contractor on Toronto Port Authority lands

Facility Alteration Permit Certificate (FAP Certificate) is the written declaration issued by the Toronto Port Authority as permission to construct in accordance with this guide.

FastFAP is a process that can be used for smaller scale construction projects that have a limited scope and/or a limited impact on adjacent areas noting that the requirements of 3.5 - *Contractor Responsibilities* remain applicable to FastFAP applications

Independent Code Compliance Consultant (ICCC) means a registered professional qualified in ruling on the application of the National Building Code, National Fire Code and their referenced standards to construction and retained by the Toronto Port Authority as required to provide independent third-party document reviews and periodic inspections for such duly regulated construction.

Inspector means an employee appointed by the Toronto Port Authority or a consultant engaged by the Toronto Port Authority for the purpose of enforcing matters of construction and this guide.

Issued for Facility Alteration Permit means drawings, specifications, documents and other information necessary for the complete review of the Facility Alteration Permit submission including all architectural, civil, structural, mechanical, plumbing and electrical drawings and details, including shoring drawings and details, where the construction method will require such systems.

Groundside means all areas outside the designated Airside area at the Airport.

Maintenance means activities that preserve the function of a Building system or equipment which may involve cleaning, adjusting, or the minor renewal of equipment where there is no breakdown to be repaired but does not include activities included in the definition of Construction.

Notice of Work means a notice issued by a contractor to the Toronto Port Authority or a Tenant of the Toronto Port Authority of construction activities, or work related to the preparation for construction activities, that describes the location, timing, and potential hazards of such activities as well as specific activities that may be deemed as disruptive.

Occupancy/Use Permit means a written declaration issued by the Toronto Port Authority that states the completed construction has fulfilled the requirements for use or occupancy as set out in this guide and which may include provision for partial occupancy.

Order to Comply is a written notice issued by the Toronto Port Authority directing compliance to be carried out immediately or within a specified period of time.

Permit Office means the branch of the Toronto Port Authority, and/or designated agent acting on behalf of Toronto Port Authority, responsible for all matters related to construction and this guide.

Person means any individual, firm, partnership, corporation, company, association or political body, and includes any trustee, receiver, assignee, or representative thereof.

Toronto Port Authority Lands means all lands, water lots, and improvements controlled by the Toronto Port Authority.

Primary Security Line means the physical set of barriers that separate the unrestricted Groundside area from the restricted Airside area at the Airport and its integrity regulated by Transport Canada.

Professional Engineer means a member or licensee of the Association of Professional Engineers of the Province of Ontario under the Professional Engineers Act, (Ontario).

Project Initiator means a person representing Toronto Port Authority, a Tenant, or other party who has been deemed the primary contact for a project that is being considered within Toronto Port Authority Lands.

Project Planning Approval (PPA) means the written declaration of the preliminary assessment completed by Toronto Port Authority allowing the Applicant to submit an application for a Facility Alteration Permit (FAP).

Record Drawings means the official drawings prepared by the architect or design professional after the project is completed incorporating all the changes noted in the as-built drawings.

Registered Professional means a person who is:

- a) Registered or licensed to practice as an architect under the Architects Act of Ontario, or
- b) Registered or licensed to practice as a professional engineer under the Professional Engineers Act of Ontario.

Stop Work Order is an order issued by the Toronto Port Authority to cease activities that violate the FAP Permit Certificate. Failing to comply with the stop work order can lead to penalties including administrative fees and potential legal issues.

Structure means an improvement whether it be permanent or temporary, resting in, on, under or over land or water, including runways, roads, pipelines, conduits, buildings and all their component parts and features, freestanding fixtures, components and equipment.

Tenant means the term used in this guide to identify the Person named on any lease, license originating from and executed by the Toronto Port Authority or as assigned to the Toronto Port Authority which allows the use and development of a Building or a land parcel.

2.2. Applicable Codes and Standards

The following documents, standards, regulations, and laws are applicable, as appropriate or necessary to work occurring on Toronto Port Authority lands:

- a) The current version of the National Building Code, and the Ontario Building Code where specifically necessary due to an adjoining jurisdiction, including all referenced regulations, standards, guides, etc.
- b) Airport zoning regulations;
- c) The Impact Assessment Act;
- d) The National Fire Code and NFPA regulations;
- e) Other applicable laws including:
 - i. The Aeronautics Act;
 - ii. The Air Regulations;
 - iii. The Air Traffic Regulations;
 - iv. The Canada Marine Act;
 - v. The Canadian Occupational and Health Regulations;
 - vi. The Charter Flights Airport Facilities Reservation Regulations;
 - vii. The Aerodrome Security Regulations;
 - viii. The Official Languages Act;
 - ix. The Canada Labour Code;
 - x. Transport Canada Aerodrome Standards and Recommended Practices (TP312);
- f) Occupational Health and Safety Act;
- g) Ontario Electrical Safety Code;
- h) Ontario Technical Standards and Safety Authority regulations, and
- i) Accessible Canada Act (including Accessibility for Ontarians with Disabilities Act, 2005 amendments).

Note: *This list is not intended to be a comprehensive list of all codes and standards that may apply. Other agencies or authorities having jurisdiction may have additional regulations or standards that apply for a particular development or facility alteration. It is the Applicant's responsibility to ensure that they comply with the latest edition, and all amendments thereto of all applicable codes and standards and with good engineering and construction practices.*

3. ORGANIZATION, ROLES & RESPONSIBILITIES

3.1. General

The Toronto Port Authority is responsible for the development and alteration of the lands under its authority. This responsibility is primarily overseen by the Infrastructure, Planning and Environment (IPE) department of the Toronto Port Authority.

The IPE department of the Toronto Port Authority are a community of infrastructure professionals integral to the Toronto Port Authority's journey as guardians and stewards of Toronto's Waterfront.

The IPE team is committed to serving its customers with integrity in a consistent, predictable and reliable way.

3.2. Toronto Port Authority Responsibilities

The initiation and review of all Project Planning Approval applications and subsequent Facility Alteration Permit applications are managed by the Infrastructure, Planning and Environment department of the Toronto Port Authority and/or their designated agent.

The Toronto Port Authority is responsible for:

- a) Confirming that affected Toronto Port Authority stakeholders are aware of the Construction to be authorized by issuing the FAP including the issuance of Notice of Work to appropriate Business Units (including Billy Bishop Toronto City Airport, Marine Terminal Property Business Unit, and the Outer Harbour Marina Business Unit);
- b) Involving Airport Emergency Response Services and/or other responding firefighting services to review the proposed work as determined to be appropriate;
- c) Engaging the Independent Code Compliance Consultant (ICCC), as may be applicable for review of the work;
- d) Confirming that Nav Canada and/or Transport Canada have given final approval of any Construction as may be applicable;
- e) Making provisions to support and integrate the requirements of Construction and coordinating systems shutdown scheduling;
- f) Access control, security regulation governance and compliance, administration of both permanent and temporary security passes as may be applicable,
- g) Granting occupancy as may be applicable, as the Authority Having Jurisdiction (AHJ).

The Permit Office can be contacted at: permitoffice@torontoportauthority.com

3.3. Tenant Responsibilities

It is the Toronto Port Authority's goal to ensure a Tenant's proposed development contributes to the economic, physical, social and environmental quality of life in all its businesses. Tenants are required to adhere to the requirements and processes outlined in this guide.

3.4. Consultant Responsibilities

Registered Professionals and other Consultants engaged for the purpose of providing professional services are responsible for ensuring that all work resulting from these services will conform with this guide and all other codes and standards as may be applicable.

Every Person engaged for the purpose of providing design services shall have the same qualifications as are required by the Province of Ontario and shall submit evidence of the same qualifications as part of the information submitted with the application for a Facility Alteration Permit.

3.4.1. Provision of Design Services

Where a Building or part thereof is designed by an Architect or a Professional Engineer, or a combination of both, all construction documents and any changes thereto shall be prepared by and bear the signature and seal of the Architect, Professional Engineer or both as applicable and which is part of the information submitted with the application for a Facility Alteration Permit.

Except as may be specifically permitted, the construction shall be designed and reviewed during construction by a Registered Professional(s), or other Designer as required by this guide and the applicable laws and obligations of each professional association.

The Permit Office, in its sole discretion, may require a Building Code Report (Code Matrix, dedicated Code drawing(s) and report) to be submitted as part of the Facility Alteration Permit process which will form the agreement-in-principle between the designers and the Permit Office as the Authority Having Jurisdiction (AHJ) for the application of the Building Code requirements to be utilized as the basis of the design for the project.

3.4.2. General Review

A Person who intends to construct or have constructed a Building, Structure or Civil work that is required to be designed by an Architect, Professional Engineer, or both, shall ensure that an Architect, Professional Engineer, or both, are retained to undertake the general review of the Construction of the Building in accordance with the performance standards of the Ontario Association of Architects and/or Professional Engineers Ontario. Please refer to Appendix B1 for the Letter of Undertaking to be completed and submitted by Tenants as part of the FAP application where Registered Professionals are used in the services of design and review.

Where design services are provided by a Consultant(s) other than an Architect or a Professional Engineer where permitted by this guide and applicable laws and regulations, such Consultant shall carry out or provide the general review of the Construction (refer Appendix B2 for the General Review Commitment Certificate to be completed by Registered Professionals and submitted as part of the FAP Application).

Regular written reports arising out of the general review shall be forwarded to the Permit Office by such Consultants on a frequency commensurate and relative to the to the project involved.

Upon completion of the Construction, the Registered Professional(s) and/or other Consultant(s) providing the general review, as referenced, shall each submit general letters of assurance to the Permit Office (refer to Appendix B3 for the Assurance of Professional Review Form), stating that to the best of their knowledge, the Construction has been performed in accordance with this guide, the National Building Code and all other applicable codes and standards. Such letters shall bear the signatures of the Registered Professional(s), and/or other Consultant(s).

3.5. Contractor Responsibilities

This section outlines the Contractor's legal obligations and operational responsibilities when performing any construction, alteration, maintenance, or related work on Toronto Port Authority lands. As part of the construction permitting process, the Contractor acknowledges and accepts their role as an "Employer" and, where applicable, as a "Constructor" under the Ontario Occupational Health and Safety Act (OHSA). In doing so, the Contractor assumes primary responsibility for ensuring the health and safety of all workers, subcontractors, and any persons affected by the work. Contractors engaged by the Toronto Port Authority or its Tenants are required to meet these health and safety responsibilities in full compliance with all applicable legislation, regulations, and the Toronto Port Authority's established safety standards.

The Contractor's health and safety responsibilities include, but are not limited to:

- a) Protecting workers, subcontractors, visitors, and the general public from hazards associated with the work;
- b) Coordinating and controlling all work activities on-site to prevent injury, illness, and property damage;
- c) Ensuring all work is performed in compliance with the Occupational Health and Safety Act (OHSA) of Ontario and its regulations (e.g., Construction Projects Regulation (O. Reg. 213/91)), Toronto Port Authority Contractual requirements, FAP Conditions and requirements, and any other applicable codes and standards;
- d) Ensuring the Contractor's employees, subcontractors, and suppliers comply with all the Toronto Port Authority requirements for performing work on the Toronto Port Authority lands;
- e) The Contractor is legally responsible for ensuring compliance with all applicable health and safety legislation, including but not limited to:
 - i. Occupational Health and Safety Act (OHSA) and its regulations;
 - ii. CSA Group standards and codes relevant to construction safety;
 - iii. Municipal, provincial, and federal safety regulations applicable to the scope of work;
 - iv. Any industry best practices or referenced standards explicitly required by the Toronto Port Authority.
- f) The Contractor shall ensure:
 - i. All workers, including subcontractors, are competent and qualified for the work being performed;
 - ii. Training records and proof of competency are available upon request for inspection by the Toronto Port Authority or regulatory authorities;
- g) Required training and certifications are obtained and maintained in good standing, including but not limited to:
 - i. Working at Heights;
 - ii. WHMIS (Workplace Hazardous Materials Information System);
 - iii. Worker Health and Safety Awareness in four steps;
 - iv. Supervisor Health and Safety Awareness in five steps;

- v. Equipment-specific training (e.g. elevated work platforms, cranes, etc.);
- vi. Site-specific safety orientations and/or mandatory safety briefings

It is the responsibility of the contractor that all items listed in Section 5.5 are included as part of the FAP Application.

It is the Contractor's responsibility to ensure that their Facility Alteration Permit (FAP), Ministry of Labour Immigration, Training and Skills Development's (MLITSD) Notice of Project (NOP), and Certificate of Insurance (COI) do not expire prior to the completion of all work, the initiation of final inspections, and the close-out of the FAP.

If work is anticipated to extend beyond the original FAP/NOP/COI expiry date, a request to the Permit Office must be made with an updated NOP and COI prior to the FAP expiry. If the request is made after the FAP has expired, a processing fee will be charged to the Contractor directly before the FAP certificate is re-issued.

Prior to excavation or subsurface works, the person responsible for the work shall contact all appropriate utilities and request a locate of utility lines within the area of the proposed work. In addition to outside agencies, locates must also be obtained from internal departments of the Toronto Port Authority. The contractor, or person in charge, must receive the required locates and provide confirmation to the Toronto Port Authority Permit Office that the required locates have been completed prior to commencing any excavation.

The Toronto Port Authority reserves the right to monitor and enforce contractor compliance with all health and safety and FAP requirements. Failure to comply with these responsibilities may result in removal from the site, suspension or termination of the contract, and notification to regulatory authorities for further enforcement. The Toronto Port Authority retains the authority to take any necessary measures to uphold health and safety at its lands.

4. PROJECT PLANNING APPROVAL (PPA)

4.1. Objective

The Project Planning Approval application (PPA) provides the Toronto Port Authority and its Tenants with a process that examines the design and technical aspects of a proposed development to ensure it is attractive and compatible with the surrounding area and contributes to the economic, social, cultural and environmental vitality of the Toronto Port Authority lands. Features including, but not limited to, Building or infrastructure designs, all airside work, site access, servicing, waste storage and disposal, parking, loading, any contemplated exterior signage and/or advertising, and landscaping are reviewed.

The Project Planning Approval application (PPA) also provides an opportunity, as necessary, for the external stakeholders such as Mississaugas of the Credit First Nation, City of Toronto, Transport Canada, NAV Canada and others to review and comment on the proposed development.

4.2. Submission Process

Submission of a complete Project Planning Approval application (PPA), provided in Appendix A1, will facilitate the understanding of the Applicant's proposal by the Toronto Port Authority and allow for a more efficient and timely review process. The application is circulated to relevant internal divisions and external agencies as required for detailed technical review and comment.

The following provides a brief outline of the typical PPA process:

- a) Project Initiator submits a brief summary of the proposed project to the Permit Office of the Toronto Port Authority;
 - i. The summary is reviewed by the Toronto Port Authority to determine if a PPA is required;
 - ii. Confirmation regarding PPA requirements is then issued to the Project Initiator;
- b) The Project Planning Approval application (PPA) includes the following;
 - i. Project Planning Approval Application form;
 - ii. Project Initiator information;
 - iii. Description of proposed development;
 - iv. Location of proposed development;
 - v. Purpose of proposed development;
 - vi. Development requirements (initiator);
 - vii. Development schedule;
- c) In addition to the application, the following information is to be incorporated to facilitate the review;
 - i. Extent of leased site/area;
 - ii. Proposed Structure(s) size and height;
 - iii. Physical modifications to site grading;
 - iv. Other fixed Structures/facilities;
 - v. Utility capacity requirements (i.e., electrical, gas, water, sanitary, communications), and
 - vi. Other information that is considered to be relevant to the planning process.

The PPA will be circulated by the Toronto Port Authority to internal stakeholders, Business Units, and external stakeholders for review and comment. This process may require up to 30 calendar days.

The Toronto Port Authority internal stakeholders include:

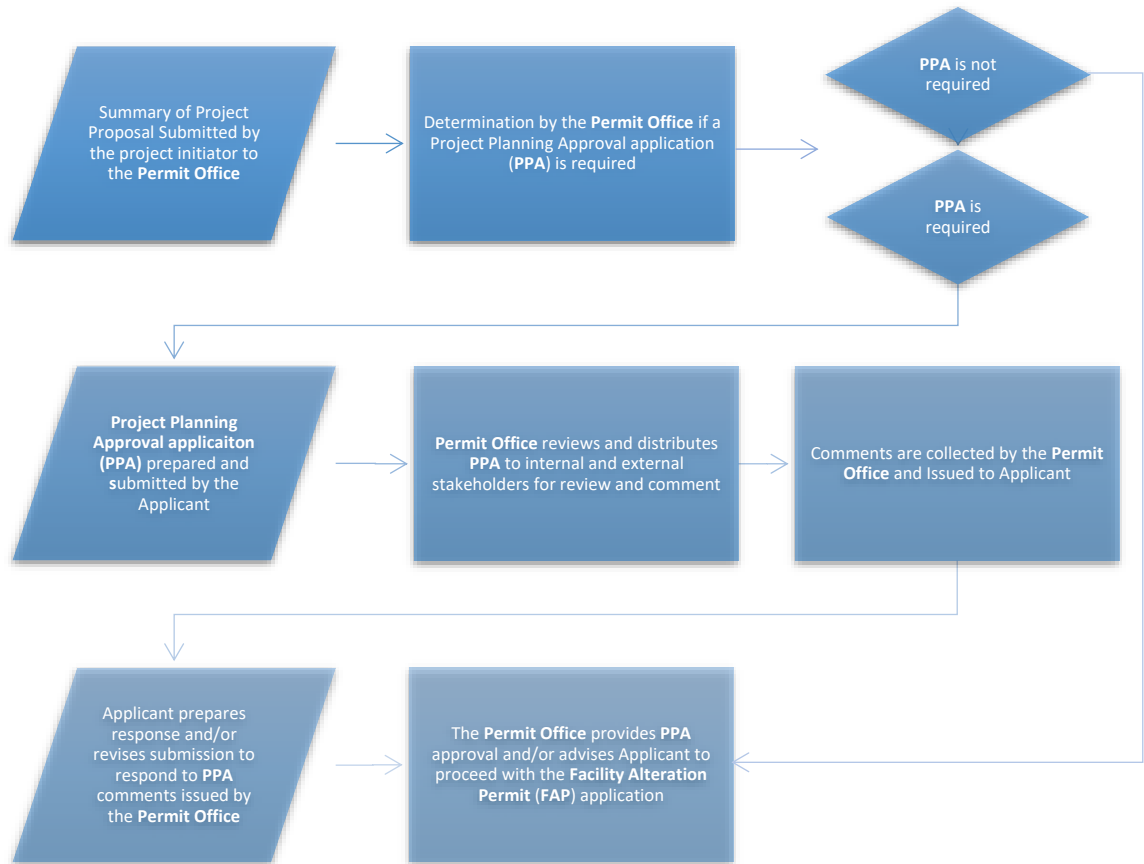
- a) Infrastructure, Planning and Environment Department (IPE);
- b) Real estate and Commercial Development team;
- c) Harbour Master Office;
- d) Health and Safety team;
- e) Business Units:
 - i. Billy Bishop Toronto City Airport (BBTCA) Business Unit,
 - ii. Marine Terminal Properties Business Unit, and
 - iii. Outer Harbour Marina Business Unit.
- f) Others as determined to be required.

The Toronto Port Authority's external stakeholders may include, but not be limited to:

- a) Mississaugas of the Credit First Nation;
- b) Transport Canada;
- c) NAV Canada;
- d) Canada Border Services Agency (CBSA);
- e) Canadian Air Transport Security Authority (CATSA);
- f) Nieuport Aviation Infrastructure Partners (NAIP) ;
- g) Commercial airlines, ORNG, and general aviation community operating at BBTCA;
- h) City of Toronto;
- i) Toronto and Region Conservation Authority (TRCA);
- j) Aquatic Habitat Toronto;
- k) Transport Canada;
- l) Waterfront Toronto;
- m) CreateTO;
- n) Emergency Planning and Operations, and
- o) Other Tenants on Toronto Port Authority lands or others occupying property adjacent to Toronto Port Authority Lands.

Comments are issued to the PPA applicant to respond or address as necessary; comments may require revisions to the application and/or a commitment of compliance. The PPA is approved once all comments have been addressed to the satisfaction of Toronto Port Authority and its internal and external stakeholders. The PPA will identify the permission to proceed with the FAP application as applicable (i.e., if physical Construction is intended to take place on Toronto Port Authority lands).

The following process flow chart identifies the typical Project Planning Approval (PPA) process:



4.3. Community Involvement

During various stages of a development, the Toronto Port Authority may find it appropriate to inform the local community concerning a proposed project. This notification would be at the discretion of the Toronto Port Authority. Should the requirement for an information meeting or presentation occur, this may be conducted at a regularly scheduled meeting of the Community Liaison Committee (for BBTCA-related projects) or an ad-hoc meeting for other Business Units. The meeting would be organized by the Toronto Port Authority and is usually attended by the municipal Ward Councillor or representative. The meeting provides the Toronto Port Authority an opportunity to outline the planning process to the local community and provide the proponent an opportunity to publicly present its proposal. It also provides the local community an opportunity to comment on the proposal. This input is taken into account by Toronto Port Authority staff when discussing the proposal. Technical review of the application would continue during this process.

5. FACILITY ALTERATION PERMIT (FAP)

5.1. Requirement for a Facility Alteration Permit

A Facility Alteration Permit (FAP) is required for all Construction (*refer to definition in Section 2.1*) activities and similar or related activities where the work is being performed by a Contractor within any facilities on Toronto Port Authority lands, with the exception of those activities that are strictly Maintenance. No Person is permitted to engage in any Construction or construction-like activity on Toronto Port Authority lands without first obtaining a Facility Alteration Permit from the Permit Office.

All Construction related activities, including but not limited to, the following; erection, alteration, repair, dismantling, structural maintenance, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, the installation of any machinery or equipment, existing or new utilities, repairing/repaving of asphalt/line painting, telecommunication and IT systems, will require FAP approval. Additionally, a FAP is required for the demolition of a Building or Structure with a description of the structural design characteristics of the building and the method of demolition included in the application for a FAP to demolish the building in accordance with the provisions of the Building Code. No Person shall commence demolition of a Building or any part thereof before the building has been vacated by the occupants except where the safety of the occupants has been assessed as not being affected.

Maintenance activities that are not subject to the FAP process (as deemed by the Permit Office) are required to follow the applicable Notice of Work process when those activities may affect or result in the interruption of required operations, services, or systems or where the maintenance being completed is related to a fire protection or a life safety system.

5.2. Applying for a Facility Alteration Permit

Applying to the Permit Office for a Facility Alteration Permit (FAP) requires following documentation from the Applicant:

- a) A Facility Alteration Permit application, provided in Appendix A2, properly completed with all applicable information requested on the form,
- b) All supporting and relevant documents for the type of project to be constructed including issued for construction plans and specifications (refer to following sections for submission requirements),
- c) Where a consultant(s) is engaged in the design of the Project and review of Construction, a completed Letter of Undertaking by the Applicant and the General Review Commitment Certificate(s), and
- d) Health and safety documentation and a materials management plan as identified in Section 5.5.

The information identified above will be assessed by the Permit Office for completeness of the submission. Following this review, and if the application documents are deemed complete, an Application Review Notice (ARN) will be sent to the Applicant with details of the FAP review process and requests for additional information as may be required.

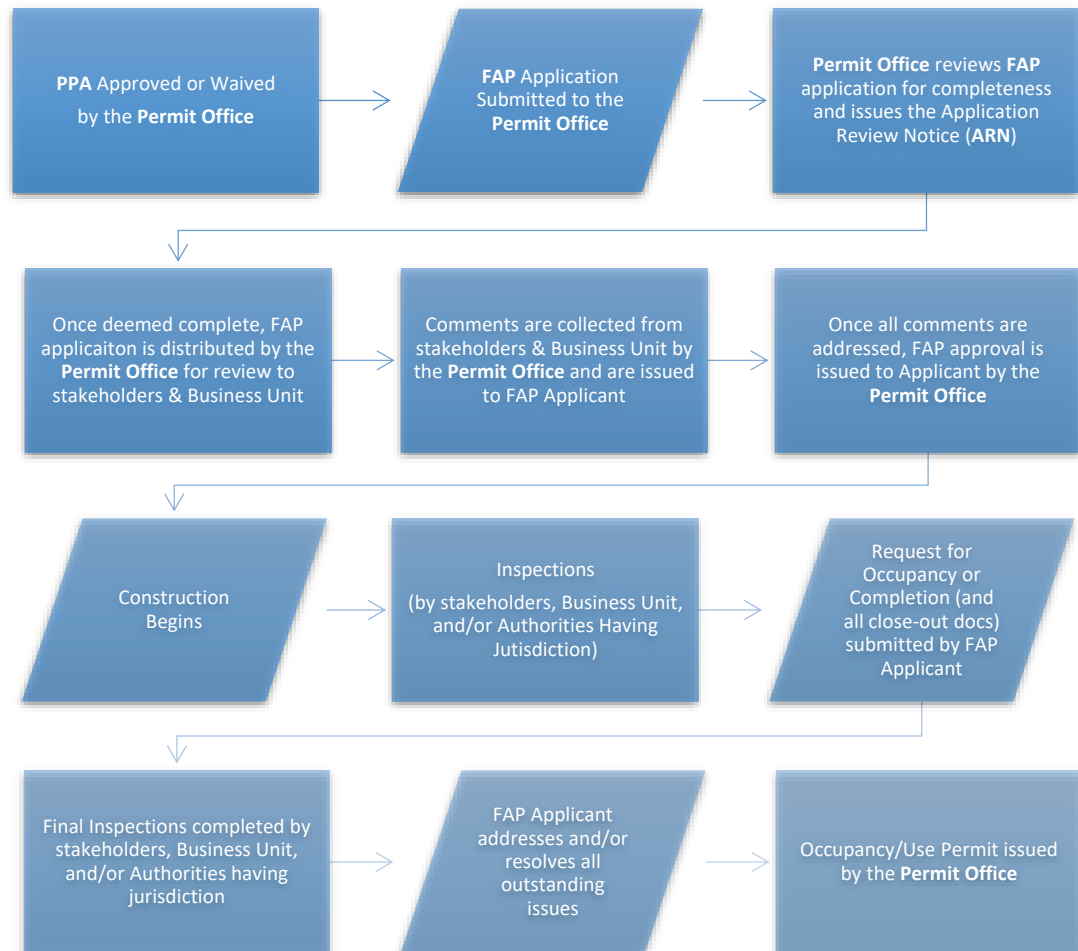
The FAP application review process may consist of a detailed review by the Toronto Port Authority's Independent Code Compliance Consultant (ICCC) for building code compliance or other third-party professionals as may be determined by the Toronto Port Authority. The Applicant, and any agents of the Applicant, remain responsible for fulfilling National Building Code and any other specified requirements of the Toronto Port Authority and other external agencies to the Toronto Port Authority.

The Permit Office or the Toronto Port Authority's ICCC or other third-party professionals will review the contents of the documents submitted and will verify that the scope of the Construction to be authorized by a Facility Alteration Permit is in compliance with the applicable requirements of the Building Code, Fire Code, or other regulations as deemed to be applicable by the Toronto Port Authority. The Applicant will be contacted directly by the Permit Office, ICCC or third-party professional with review comments and observations.

In order to ensure the timely processing of FAP applications, the Permit Office may elect to retain the services of an external consultant (agent) to facilitate the Facility Alteration Permit application administration process on behalf of Permit Office. While the internal and external coordination of the application review process will be administered by the agent, there are no changes to the FAP application process or submission requirements when this occurs. FAP applicants will be notified by the Permit Office at the time of the FAP application if an agent will be administering their FAP application process.

5.2.1. Typical Facility Alteration Permit Process

The following process flow chart identifies the typical FAP process following the Project Planning Approval:



5.3. Submission Guidelines – General

The drawings shall be prepared, signed and sealed by an Architect and/or a Professional Engineer accompanied by a signed and dated Letter of Undertaking from the Project Initiator or Tenant, as well as a sealed and signed General Review Commitment Certificate from the Architect and/or Professional Engineers providing the design and field review services.

Only construction documents submitted that are indicated as being “Issued for Construction” or “Issued for Facility Alteration Permit” (as defined by this Guide) will be accepted by the Permit Office at time of application for a Facility Alteration Permit (FAP). Documentation is required to be complete with sufficient information and instruction describing the scope of the Project for the Contractor to be able to construct it fully without having

any questions or additional information related to what is to be completed. Documentation indicating “Not for Construction” or documentation deemed by the Permit Office as being insufficient for the purposes of review will not be accepted as part of the FAP submission.

Site Plans referencing a current survey, certified by a registered Ontario Land Surveyor, shall show the dimensioned property lines including bearings and spot elevations, lease lines, fence lines, Primary Security Line, Airport zoning setbacks (where applicable), utility easements, the boundaries of the Construction, new and existing, above and below grade services, new and exist. Hoarding plan, identifying any impacts of construction hoarding to life safety systems, should be part of the FAP submission.

A Building Code Report, as may be required based on the determination of the Toronto Port Authority, shall contain the building code analysis, exiting diagrams, and any other information as may be required; and shall be prepared by an Architect and/or a Professional Engineer who has proven experience in building code analysis and interpretation.

Architectural drawings shall fully describe the building elements of the proposed Construction, and include:

- a) Key plan with north indication showing the proposed location of work relative to the buildings or base building,
- b) Floor plans showing lease lines, Primary Security Line (where applicable), room names, door numbers, fixtures, floor materials, wall assemblies, the location of major components of fire protection and exits with indication of fire resistance ratings by testing laboratory listings, built-in cabinetwork and detail cross references,
- c) Reflected ceiling plans showing lease line, ceiling finishes and heights, bulkheads, fire rating, lighting layout, fire detectors, mechanical grilles, diffusers, sprinkler heads, access panels,
- d) Elevation drawings, both exterior and/or interior as required, showing finishes, features and fixtures, and
- e) Detail and section drawings showing Construction as required:
 - i. Structural drawings shall describe all components and systems for supporting the proposed Construction, the location, size and material properties and specifications of all structural members, and the design loads used for the design.
 - ii. Mechanical drawings shall fully describe all HVAC, plumbing, drainage, and fire suppression systems for the proposed Construction, the location, size, capacity of all equipment and components, the location and specification of all fire protection items, connections to Airport systems, a summary of the energy conservation design approach, design loads used for heat loss/heat gain, and mechanical material and equipment specifications.
 - iii. Electrical drawings shall include single-line diagrams and shall fully describe all lighting and power layouts, the location of electrical equipment, reflected ceiling plans, exit and emergency lighting, fire alarm and detection systems, connections to Airport systems, a summary of the energy conservation design approach, electrical load summary, electrical panel schedule, and electrical material and equipment specifications.

Construction documents prepared, signed and sealed by a Professional Engineer including a Letter of Undertaking from the Applicant and a General Review Commitment Certificate from the Professional Engineer

may be waived at the discretion of the Permit Office in accordance with this guide, where the scope of the Construction would not require the above.

5.4. Submission Guidelines – Civil

Site plans shall reference a current survey certified by a registered Ontario Land Surveyor and shall fully illustrate and specify the scope of the Construction, show all locations of new and existing above ground and underground services complete with invert elevations and above ground services, existing roadways and placements relative to the Construction complete with dimensions and notes.

Design drawings including plans, profiles, cross-sections, detail drawings, schematic diagrams, legends, notes and other information shall fully describe the Civil work.

A design report including general requirements, construction procedures, material and equipment specifications, standard drawings, geotechnical information, and all other supporting information and/or reports required to fully describe the Civil work shall be included.

For civil work, a subsurface utility engineering (SUE) report and locates is a mandatory requirement of the Toronto Port Authority.

A traffic control and protection plan is required to ensure protection of the public and workers, ensure that vehicular and pedestrian traffic flow is properly maintained during the performance of the work, and mitigate any negative impacts to vehicular and fire department access routes. In addition, a review should be undertaken to determine and properly mitigate any potential disruption to airport, port or marina operations (e.g., crane permits, access to restricted areas, Airside plan of construction operations, etc.). For projects at the Airport, confirmation of approvals of Plan of Construction Operations by Transport Canada and/or Land Use Program by Nav Canada are required to be submitted, where applicable.

5.5. Obtaining a Facility Alteration Permit

Upon satisfactory completion of the FAP application review, issuing of a Facility Alteration Permit by the Permit Office will be subject to receiving documentation as described further in this section.

5.5.1. Certificate of Insurance (COI) Requirements

For construction on Toronto Port Authority lands, the COI must name the *Toronto Port Authority and His Majesty in Right of Canada* as additional insured.

Coverage for Consultants and Subcontractors

Applicants must ensure all consultants and subcontractors are either:

- Covered under the applicant's COI, or

- Provide their own COI with appropriate coverage. *(Coverage level is reviewed on each project and minimum coverage type and amounts may be prescribed by Toronto Port Authority insurance broker)*

5.5.2. Site Specific Safety Plan (SSSP) Requirements

The Site-Specific Safety Plan (SSSP) is a critical document that outlines how health and safety will be managed on the construction project. Its purpose is to ensure that contractors have planned for the unique risks, conditions, and operational requirements of the project. The SSSP is subject to the review and comments by the Toronto Port Authority (or ISCC as applicable) and at a minimum shall include the following:

- a) Notice to Governing Authorities, including the Notice of Project, as required,
- b) MLITSD Form 1000 (including tiered contractors),
- c) Project Summary: Provide a brief overview of the project, including location, scope, and duration, with visual representations of these locations and related spaces.
- d) Roles, Responsibilities, Contact Information: List key personnel and their safety responsibilities, along with up-to-date contact details (including tiered contractors).
- e) Training and Competency Matrix: Submit a matrix documenting that all workers on the project have the required safety training and certifications (e.g., WHMIS, WAH, Health and Safety Awareness, First Aid).
- f) Pre-Start Assessment: Description of the site preparation prior to the start of work, including access points, equipment movement, and layout.
- g) Hazard / Risk Analysis: Identify potential hazards related to the scope of work and explain they will be controlled.
- h) Safe Work Plans / Procedures / Practices for identified high risk activities: Provide written documentation for tasks with elevated risk (e.g. work at heights, confined space entry, traffic control, etc.)
- i) Operational Impacts: Describe any potential impacts the work may have on existing systems, infrastructure, or services, including utilities, equipment, buildings, operations and logistics. Clearly outline how coordination will occur for any required permits, service interruptions, shutdowns, or other dependencies.
- j) Fire Prevention & Protection Plan: This plan should define procedures for managing flammable materials, controlling ignition sources, maintaining housekeeping and overseeing hot work (if applicable) while also establishing protection measures.
- k) Traffic & Pedestrian Management Plan: Explain how you will manage vehicle and pedestrian movement around the site. This is especially important in shared access or high traffic areas to prevent collisions and confusion.
- l) Public, Environmental, and Accessibility Protection Measures: Describe how the contractor will minimize risks to the public and the environment, including controls for dust, noise, and spill prevention. Include measures to ensure accessibility is maintained or reasonably accommodated for members of the public and internal personnel, particularly where work may impact walkways, entrances, or public-facing infrastructure.
- m) Equipment: Provide a complete list of all construction equipment to be mobilized on site, including specifications, current safety certifications, operator certifications, and inspection records. Contractors must submit a formal list of all equipment planned for use on site, along with supporting documentation such as CSA, legislated, or manufacturer-required inspection records, as well as equipment and operator

certifications. This list must include all equipment intended for initial mobilization. Any equipment brought to site at later project phases must be submitted in advance through a Notice of Work (NOW) along with its required certifications and inspection records.

- n) Hazardous Product List: A project specific hazardous products list with applicable Safety Data Sheets (SDS)
- o) Emergency Preparedness and Response Plan: Provide a site-specific plan that identifies all potential emergencies relevant to the project and outlines the appropriate response procedures for each.
- p) Incident Reporting & Investigation Procedures: Outline how all incidents, near misses, and safety concerns will be reported, investigated, and tracked. Include procedures for timely notification, root cause analysis, corrective actions, and follow-up. Subcontractor Management Plan: Explain how tiered contractors will be managed, including orientation and safety oversight.
- q) Inspection & Monitoring Plan: Describe how the contractor will conduct regular safety inspections and monitor compliance with site-specific requirements.
- r) Health and Hygiene: Describe how the contractor will manage health and hygiene on site, including access to clean drinking water, sanitary facilities, handwashing stations, and procedures for managing illness or exposure to biological hazards.
- s) Safety Communication Plan: Outline how the contractor will communicate safety information to all workers, including tiered subcontractors, Toronto Port Authority, and key stakeholders. This should cover toolbox talks, safety meetings, incident and investigation outcomes, inspection and monitoring results, and ongoing updates to ensure consistent awareness of site-specific hazards, risks and expectations.

The Contractor shall submit an electronic copy of the SSSP to the Permit Office, which clearly identifies the Project description, Project number and any revision number as part of the FAP Application process

5.5.3. Corporate Health and Safety Policy Requirements

The Corporate Health and Safety Policy shall include at a minimum the following:

- a) The health and safety policy submission should indicate the degree of the organization's commitment to health and safety and must be signed by top management.
- b) The Occupational Health and Safety (OHS) Program is to be signed and dated within the previous year; [References: OHS Clause 25(2)(j), Canada Labour Code s. 125(1) (z.03)].
- c) Constructors are required to keep their Occupational Health and Safety (OHS) Program manual current and provide an updated version to the Toronto Port Authority that includes a list of all the changes made from the last version that was submitted.

Please allow up to **10 business days** for review of documentation. Applicants are urged to allow sufficient time in their project schedule for the review and approval of the proposed construction. Should a longer review period be necessary as a result of project complexities, the Permit Office will identify the anticipated review duration at the time of the FAP application being accepted.

Depending on project type, the Applicant will be advised by Toronto Port Authority Permit Office at the time of application, of the need to engage the Independent Consultants, or other third-party or peer review

professionals. The professional fees associated with the engagement of independent professionals by the Toronto Port Authority will be the responsibility of the FAP Applicant and to be paid prior to issuance of the FAP Certificate.

When the provisions above are completed by the Applicant, the Permit Office will prepare the Facility Alteration Permit approval in the form of a Permit Certificate and issue this notice via email to the Applicant.

Prior to commencement of Construction activities, the Contractor must contact the Toronto Port Authority Permit Office for a preconstruction meeting with a Toronto Port Authority Health & Safety representative.

After the issuance of the FAP, the Contractor must contact the applicable Toronto Port Authority Business Unit and/or Toronto Port Authority project manager to obtain the required *Notice of Work* approval as may be required. The point(s) of contact for the appropriate Business Unit and/or Toronto Port Authority project manager will be provided with the FAP approval to the Applicant.

5.6. FastFAP

The FastFAP process is a process that can be used for smaller scale construction projects that have a limited scope and/or a limited impact on adjacent areas noting that the requirements of 3.5 - *Contractor Responsibilities* remain applicable to FastFAP applications.

Eligibility Criteria

Projects may be eligible for FastFAP if all of the following conditions are met:

- 1) The work does not require the design to be completed, or the construction reviewed by a Registered Architect or a Registered Professional Engineer,
- 2) Independent Professionals (retained by the Toronto Port Authority) are not required, and
- 3) The scope does not affect any:
 - a) Fire protection systems
 - b) Life safety systems
 - c) Security systems
 - d) Emergency power systems.

In addition, the work must not trigger a Ministry of Labour, Immigration, Training and Skills Development (MLITSD) Notice of Project (NOP) under Ontario Regulation 213/91. A NOP is typically not required when:

- 1) The total project value is \$50,000 or less, and
- 2) The work does not involve any of the following:
 - a) Use of a tower crane
 - b) Work in a compressed air environment
 - c) Use of explosives
 - d) Trenching deeper than 1.2 metres

If all the above conditions are satisfied, the project may qualify for a FastFAP.

When Full FAP is Required

Projects that exceed \$50,000 or involve high-risk activities (as defined above) require a full FAP submission. This includes detailed safety documentation, contractor submittals, and coordination with regulatory authorities.

Note: Final eligibility is determined *case-by-case* at the discretion of the Toronto Port Authority Permit Office.

FastFAP Examples

Examples of work that may qualify for the FastFAP process are:

- a) Adding or replacing insulation;
- b) The replacement of windows or doors provided:
 - i. there is no change in the location or size of the window and/or door;
 - ii. the structural support for the opening (i.e., lintel) is not affected; and
 - iii. a new exit is not created;
- c) Replacement of existing mechanical equipment (not related to a fire protection system, life safety system, or emergency power system);
- d) Repairing and replacing plumbing fixtures;
- e) Replacing existing roofing material provided no structural work is required;
- f) Painting (where the total extent of work is limited to painting); or
- g) Emergency pothole repair (groundside and airside).

The anticipated review time required by the Permit Office for a complete FastFAP application is **5 business days**. Applicants are urged to allow sufficient time in their project schedule for the review and approval of the proposed construction. Applicant is required to submit the same documents as for full FAP.

5.7. Permit Posting

Where a Facility Alteration Permit certificate has been issued pursuant to this guide, the Person to whom it is issued shall have the permit posted at all times during Construction in a conspicuous location at the project site(s) together with the Notice of Project.

For mobile work, a digital copy of the FAP certificate will be provided and must be available for presentation upon request by the Permit Office, or Permit Office delegates, at all times that work is taking place.

Additional permits (i.e., Hot Work Permits) are also required to be posted, and/or available digitally, at all times when and where the applicable activities are taking place.

5.8. Terms and Conditions of the Facility Alteration Permit

No Person shall construct or cause to be constructed a Building or any other Structure or system on Toronto Port Authority property or lands except in accordance with the supporting documents, Construction Documents and/or any other information on the basis for which a Facility Alteration Permit is issued.

The Facility Alteration Permit authorizes the work to be carried out in accordance with the drawings and/or specifications as reviewed by the Toronto Port Authority and which accompanied the application for the Facility Alteration Permit and the requirements stipulated therein.

Submitting the application for the Facility Alteration Permit with the supporting documents constitutes agreement by the Applicant to comply with, and be bound by, all written conditions of the permit authorization, the requirements of this guide, requirements of the Permit Office, and all other terms stated in any lease, license or other agreement between the Applicant and the Toronto Port Authority.

Issuing of a Facility Alteration Permit by the Permit Office signifies that the Project has been accepted by the Toronto Port Authority and that the specified Construction may proceed, subject to the conditions represented by the permit, the attachments thereto and the requirements of this guide. Issuing this permit shall not be considered as an evaluation of the adequacy, quality or completeness of the Project design and the Toronto Port Authority assumes no responsibility for such matters.

Persons completing the work shall comply with all rules, regulations and requirements issued by the Toronto Port Authority relating to security, safety, health, preservation of property, environment, energy conservation, the maintenance of good and orderly appearance of Toronto Port Authority lands, and the continuous and efficient operation of associated facilities.

All permits, passes, or licenses from Toronto Port Authority departments and/or external agencies that are required by the Applicant or Contractors before use or occupancy of the work is permitted shall be obtained by the Applicant or Contractors when necessary.

5.9. Toronto Port Authority Reviewing of the Work – Halting of Work

Any part of the work which does not comply with the issued Facility Alteration Permit, or which is not accepted by Toronto Port Authority shall be removed and/or replaced or halted as determined by Toronto Port Authority, in its sole discretion.

The Toronto Port Authority reserves the right to order, by its own means, an immediate halt to any Construction being carried out under a Facility Alteration Permit for any circumstance that dictates that it would not be in the best interest of the Toronto Port Authority to permit the Construction to proceed or if the FAP has expired. Under such circumstances the Toronto Port Authority shall not be responsible for paying any costs associated with the halting of the Construction or cancellation of the Facility Alteration Permit as warranted.

The Contractor shall pay all costs for damages and unsafe conditions created outside the limits of the site during the course of Construction that the Toronto Port Authority is forced to rectify due to the Contractor's performance inability or unwilling conduct.

5.10. Revocation of Permit

The Permit Office may revoke a Facility Alteration Permit without advance notice provided to the Applicant on the basis that the:

- a) Facility Alteration Permit was issued based on mistaken or false information,
- b) Work being undertaken or any part thereof, is not being performed in accordance with the terms and conditions of the Facility Alteration Permit,
- c) Work being undertaken, or any part thereof, is not of the same type or scope of work as that contained in the construction documents submitted for the Facility Alteration Permit,
- d) Work has not, in the opinion of the Permits Office, commenced within **90 calendar days** of the scheduled construction commencement date or the issuance date of the Facility Alteration Permit where no construction commencement date has been provided, or
- e) Work is, in the opinion of the Permit Office, substantially suspended or discontinued for a period of more than **90 calendar days** and without satisfactory explanation, as determined by Toronto Port Authority, given by the Contractor completing the work. *Refer to Section 3.5*

5.11. Notices and Inspections

5.11.1. Prescribed Notices

The Permit Office is required to be notified, by the Person to whom a Facility Alteration Permit is to be issued, of the readiness of the Contractor to start the work.

The relevant Notice of Work and Shut Down Request, provided in Appendix C2, shall be completed by the Contractor and submitted to the appropriate Toronto Port Authority Business Unit for approval prior to the commencement of Construction activities.

The Contractor shall notify the Permit Office by the form(s) provided with a minimum notice of **5 business days** in advance of the date of any required inspection or any requested progress inspection.

Unless otherwise instructed, the Contractor shall notify the Permit Office of:

- a) The commencement date of the construction,
- b) The commencement of any form of ground disturbance,
- c) The substantial completion of the installation of underground services,
- d) Prior to covering any aspect or component of the work that is pertinent to the review of Toronto Port Authority and/or an authority having jurisdiction, and
- e) Completing construction and installation of components required for issuing an Occupancy/Use Permit, if the construction or part thereof to be occupied or used is not fully completed.

f) Any external inspections on site.

5.11.2. Duties of the Inspector

An Inspector representing Toronto Port Authority may, for the purpose of inspecting the work in respect of which a Facility Alteration Permit is issued or an application for such permit is made, enter the Place of Work at any reasonable time without advance notice provided:

- a) The Contractor is made aware of the presence of the Inspector upon their arrival by having direct contact with the site superintendent,
- b) All safety requirements of the Contractor are followed by the Inspector while at the place of work, and
- c) The Contractor is made aware of when the Inspector departs.

An Inspector representing Toronto Port Authority may, for the purpose of inspecting the work, undertake specific inspections related to compliance requirements of this guide.

An Inspector representing Toronto Port Authority may, for the purpose of inspecting the work prior to covering and accepting, undertake and/or request specific tests and demonstrations for foundations and other underground structures, plumbing and pipe systems, HVAC systems, electrical systems, electronic and communications systems, life safety systems, and similar systems to determine adequacy of the installations to perform as required.

5.12. Posting an Order

While all applicable health and safety obligations and compliance are the responsibility of the Applicant, the Toronto Port Authority reserves right to monitor and enforce contractor compliance with all health and safety and FAP requirements. This may include conducting audits of Contractor activities, documentation, and site conditions at any time to ensure adherence by the Applicant to its legislative obligations and the Toronto Port Authority safety standards. If unsafe conditions, imminent hazards, or regulatory non-compliance are identified, Toronto Port Authority may issue immediate Stop Work Orders (provided in Appendix E -1) and/or Order to Comply (provided in Appendix E -2) to protect workers, the public, and Toronto Port Authority property. Contractors will be required to develop and implement corrective action plans to address any deficiencies, with clear timelines for resolution.

Failure by the Applicant to comply with these responsibilities may result in removal from the site, suspension or termination of the FAP application, and notification to regulatory authorities for further enforcement.

Where an Inspector issues a Stop Work Order or Order to Comply, the Inspector shall affix a copy at the place of work, and no Person, except the Inspector shall remove the order.

5.12.1. Order to Comply

Where an Inspector finds that any provision of this guide *under Section 3.5*, the FAP conditions or any applicable code or standard is being contravened, the Inspector may issue a written order to comply (“Order”), directing compliance with such provision and may require the Order to be carried out immediately or otherwise within a specified period of time as noted on the Order. Where an Inspector gives an Order under this subsection, the Order shall contain sufficient information to specify the identification of the code or standard being contravened, the nature of the contravention and its location.

Prior to issuing such Order, the applicable Toronto Port Authority representative administering either the contract, lease or license related to the work will be contacted to determine the conditions to be included in the Order, unless immediate action needs to be carried out.

Where an Order issued under this guide is not complied with within the time specified, the Permit Office may prohibit the use or occupancy, and any part of the work shall cease through the issuance of an Order to Stop Work issued to the Facility Alteration Permit Applicant and a copy shall be posted at the place of the related work..

5.12.2. Order to Stop Work

An order to stop work (“Stop Work Order”) is a verbal notice followed by a written notice from the Toronto Port Authority to cease activities that violate the Facility Alteration Permit Guide. Failing to comply with the stop work order can lead to penalties including administrative fees and potential legal issues.

Prior to issuing a Stop Work Order, the applicable Toronto Port Authority representative administering either the contract, lease or license related to the work will be contacted to determine the conditions to be included in the Stop Work Order, unless immediate action needs to be carried out.

Where a Stop Work Order is issued in accordance with this guide, no Person shall perform any act of Construction activity in respect of which the order is made, other than work necessary to correct the circumstances which led to the issuance of the Stop Work Order.

5.12.3. Unsafe Construction

The Facility Alteration Permit holder must allow representatives of Toronto Port Authority to enter upon any Toronto Port Authority lands or into any premises on Toronto Port Authority lands at any time for the purpose of inspecting any Construction to determine whether such Construction is unsafe and shall have the power to issue a written Order to Comply, setting out the reasons why the Construction is unsafe and the remedial steps required to be taken to render the Construction safe. The Facility Alteration Permit holder may require remedies to be carried out within a specified time period.

The Toronto Port Authority representative administering either the contract or lease related to the work will be contacted to determine the conditions to be included in the order prior to the order being issued, unless it has been determined that immediate action needs to be carried out.

Where the Permit Office has issued an Order to Comply and/or Stop Work Order under this guide and considers it necessary for the safety of the public, it may cause the premises to be altered, repaired or demolished for the purpose of removing the unsafe condition, or take such other action as it considers necessary for the protection of the public. The Contractor named on the Facility Alteration Permit shall be responsible for paying such costs.

5.13. Airport Emergency Response Services

In the case of applications affecting fire protection systems (i.e. shut down of fire and life safety systems, commissioning of new systems) located on or within airport lands/facilities or as may be identified as a requirement in the Application Review Notice, these will be reviewed for compliance with the Airport Emergency Response Services.

5.14. Hot Works

A Hot Work permit is required for any temporary operation involving open flames or producing heat and/or sparks. Hot work includes cutting, welding, brazing, grinding, soldering, thawing pipes, torch applied roof covers, and any operation involving open flames, generating sparks or heat.

5.14.1. Marine Terminal Properties & Outer Harbour Marina

A Hot Work Permit application is required to be completed and submitted by the Contractor to the Toronto Port Authority Health and Safety representative for work occurring within the Marine Terminal Properties or the Outer Harbour Marina a minimum of **5 business days** prior to commencing such work.

Refer to Hot Works Permit Application Form provided in Appendix C1a of this Guide.

5.14.2. Billy Bishop Toronto City Airport (BBTCA)

Before starting any hot work, the Contractor must complete a Hot Work Permit Application and submit it for approval at least **5 business days** prior to commencing such work.

To apply, fill out the **Hot Work Permit Application (Appendix C1b)** and send the signed form to Airport Planning at airportplanning@torontoportauthority.com. Approval must be received before any work can begin.

On the day of the scheduled work, the Contractor must call the Airport Operations Control Centre (AOCC) at 416-203-6942 ext. 10 to request the Fire Service. The Fire Service will be dispatched to complete a pre-work inspection and issue the Hot Work Permit on-site.

After the hot work is completed, a fire watch must remain at the site for the required monitoring period. Once the fire watch is finished, the Contractor must call AOCC (416-203-6942 ext. 10) again to have the Fire Service dispatched for a final closing inspection.

Following this process ensures that all safety protocols are met and minimizes fire risks associated with hot work activities.

Refer to Hot Works Permit Application Form provided in Appendix C1b of this Guide.

5.15. Utility Locates

Prior to excavation or subsurface works, the person responsible for the work shall contact all appropriate utilities and request a locate of utility lines within the area of the proposed work. In addition to outside agencies, locates must also be obtained from internal departments of Toronto Port Authority. The contractor, or person in charge, must receive the required locates and provided confirmation to the Toronto Port Authority that the required locates have been completed prior to commencing any excavation. A subsurface utility engineering (SUE) report is required for any civil work.

In the event that locate information is not clear, work must not commence until such time as the required information is provided and is understood by the contractor or person in charge.

The contractor or person in charge shall not excavate outside the area covered by the locate request without first obtaining a further locate.

5.16. Changes During Construction

Contemplated changes to the design or instructions on site that will have a material affect on the performance, location, visual appearance, schedule, or anticipated Construction activities related to the work approved as part of the Facility Alteration Permit process are required to be submitted to the Permit Office for review, and approval where applicable, prior to the commencement of the contemplated change or site inspection.

5.17. Inspections by Other Authorities

Where required by the applicable codes and standards or as identified as part of the PPA or FAP application processes, a representative of an Authority Having Jurisdiction (other than the Toronto Port Authority), may inspect the work or portions of the work for compliance with applicable codes and standards under its jurisdiction.

Contractors and their subcontractors shall provide access to the work and render any and all assistance necessary to such Authority Having Jurisdiction for the purposes of facilitating their inspection.

5.18. Security Inspection

Construction activities taking place within or in relation to the Airport Primary Security Line are subject to the regulatory requirements of the Canadian Aviation Security Regulations, applicable security measures and Interim Orders as set out by the Minister of Transport.

Where Construction activities take place within or in relation to a domestic ferry or domestic ferry facility, Construction activities are subject to the regulatory requirements of the Domestic Ferries Security Regulations and Interim Orders as set out by the Minister of Transport.

Aerodrome Security Personnel will conduct frequent inspections for compliance with the applicable security regulations prior, during and following Construction. Non-compliance with security regulations will result in the immediate suspension of any Construction.

Measures required to ensure compliance with the security requirements at applicable sites will be issued as part of the Application Review Notice.

5.19. Airport Ferry Access

The regular ferry schedule runs from 05:15AM- 12:07AM daily, with ferry crossings every 15 minutes. A detailed ferry schedule is available at the following link: <https://www.billybishopairport.com/to-from/ferry>

Ferry use for construction has black-out periods. Access to the ferry during black-out periods is possible but requires prior coordination and approval from the Airport.

If the Contractor chooses to use the ferry for access to the Airport overnight (between 12:07 AM and 5:15 AM), subject to approval of this use by the Airport Business Unit, a fee of \$1,000 per hour will be imposed, with a minimum charge of 4 hours. The Permit Office will provide payment details and contact information as required.

5.20. Occupancy/Use of Completed Construction

Except as authorized by this guide, no Person shall occupy or use, or permit to be occupied or to be used, any Construction or part thereof, until the following conditions have been met:

- a) A final inspection of the Construction has been requested of the Permit Office complete with the submittal all close-out documentation at least **5 business days** prior to the requested final inspection date;
- b) All Letters of Assurance from Registered Professionals and/or other Consultants have been submitted;
- c) All testing and/or commissioning, demonstrations and inspections, have been performed pursuant to such request including, but not limited to:
 - i. Fire alarm system demonstration including audible levels (following the completed verification),
 - ii. Emergency lighting and emergency power demonstration,
 - iii. Sprinkler and/or fire protection system demonstration (i.e., test flows, shut offs, etc.), and
 - iv. Demonstration of electromagnetic lock release at required egress/exit doors;
- d) All applicable documentation supporting satisfactory completion of Clause (c) are prepared by the Contractor and the Registered Professional(s) and other Consultants;
- e) Any outstanding Orders to Comply issued in relation to the Facility Alteration Permit have been resolved, and
- f) An Occupancy/Use Permit or an equivalent authorization has been issued by the Permit Office to the Facility Alteration Permit Applicant.

Partial occupancy of a portion of a Construction may be granted by the Permit Office where the following conditions have been met:

- a) An interim or partial occupancy inspection of the Construction has been requested of the Permit Office complete with all close-out documentation related to the area to be used or occupied at least **5 business days** prior to the requested interim inspection date;
- b) All Letters of Assurance from Registered Professionals and/or other Consultants have been submitted specific to area to be used or occupied (to be accompanied by a diagram indicating the exact boundary of use/occupancy);
- c) All testing and/or commissioning, demonstrations and inspections, have been performed related to the area to be used or occupied pursuant to such request including, but not limited to:
 - i. Fire alarm system demonstration including audible levels (following the completed verification),
 - ii. Emergency lighting and emergency power demonstration, and
 - iii. Sprinkler and/or fire protection system demonstration (i.e., test flows, shut offs, etc.);
- d) All applicable documentation supporting satisfactory completion of Clause (c) prepared by the Contractor and the Registered Professional(s) and other Consultants;
- e) Any outstanding Orders to Comply issued in relation to the Facility Alteration Permit have been resolved, and
- f) A Partial Occupancy/Use Permit or an equivalent authorization has been issued by the Permit Office to the Facility Alteration Permit Applicant.

Where permission has been granted by the Permit Office to occupy part of a Building or space(s) as outlined above for a partial occupancy, such Person shall notify the Permit Office immediately upon completion of the remainder of the work.

The Permit Office may issue an Occupancy/Use Permit where:

- a) The structure of a building is completed up to and including the roof,
- b) All walls, partitions, and guards enclosing the space(s) to be occupied are completed;
- c) All required fire separations and closures are completed on all storeys to be occupied;
- d) All required exits are completed and fire-separated including all doors, required door hardware, balustrades and handrails from the uppermost floor to be occupied down to grade level (and below if an exit connects with lower storeys);
- e) All shafts including closures are completed to the floor-ceiling assembly above the storey to be occupied and have a temporary fire separation at such assembly;
- f) Temporary closures and/or partitions have been installed to prevent access to parts of the building and site that are incomplete or still under Construction;
- g) Floors, corridors, lobbies, and required means of egress are kept free of Construction material, debris and/or other hazards;
- h) Where service rooms are in operation, required fire separations are completed and all required closures installed;
- i) All water, plumbing and drainage, and HVAC systems are complete and tested as operational for the storeys to be occupied;

- j) Required lighting, heating and electrical supply are provided for the suites, rooms and common areas to be occupied;
- k) Required lighting in corridors, stairways and exits is completed and operational up to and including all storeys to be occupied;
- l) Required standpipe, sprinkler and fire alarm systems are complete and operational up to and including all storeys to be occupied, together with required proper connections for such standpipes and sprinklers;
- m) Required fire extinguishers have been installed on all storeys to be occupied;
- n) Garbage rooms, chutes and ancillary services thereto are completed to the storeys to be occupied;
- o) Required firefighting access routes have been provided and are acceptable to Fire and Emergency Services, and
- p) A fire safety plan has been formulated and a copy submitted to the Permit Office and accepted by Toronto Port Authority's Emergency Response Services (as applicable).

Upon conclusion and acceptance of all documentation and inspection(s), the Toronto Port Authority Permit Office will issue an Occupancy/Use Permit.

5.21. As-Builts

Submission of As-built drawings and all approved shop drawings, reviewed and approved by the appropriate and/or requisite Consultants, is required within a maximum of **60 calendar days** from issuance of Occupancy/Use Permit.

Record drawings must be submitted as a condition of the Facility Alteration Permit Applicant obtaining an Occupancy/Use Permit. A partial Occupancy/Use Permit can be issued without having the As-built drawings submitted.

As-built drawing submittals must include drawings from all disciplines that are incorporated into the design and construction (architectural, structural, mechanical, plumbing, fire suppression, HVAC, electrical, civil and landscaping).

As-built drawing submittals are to include:

- a) One electronic version in AutoCAD, and
- b) One electronic version in portable document file (pdf) version.

The documentation must be submitted via email, or via an approved file sharing site.

5.22. Facility Alteration Permit Fees

A fee will be charged for FAP applications submitted by Tenants or other project initiators. The fees collected are intended to supplement the costs associated with the administration of the Facility Alteration Permit process; and are to be paid at the time of the FAP submittal.

The following table provides a summary of the Toronto Port Authority administrative fees, exclusive of HST, that are applicable to the corresponding construction value of the work related to the FAP application (excluding furniture, fixtures and equipment) of the base building. For FAP applications that are within the airport’s terminal building operational area (inclusive of interior and exterior groundside and airside areas), the column identifying “FAP within BBTCA’s terminal building” is to be used to determine the application fee.

Value of Construction	Fee FAP across Toronto Port Authority Lands	Fee FAP within BBTCA Terminal Building only
\$1 - \$50,000	\$2,500	\$3000
\$50,001 - \$100,000	\$5,750	\$6,500
\$100,001 - \$200,000	\$8,500	\$9,750
\$200,001 - \$500,000	\$12,000	\$14,000
\$500,001 - \$1,500,000	\$24,000	\$30,000
\$1,500,001 and over	\$24,000 plus \$12.00 per \$1,000 over \$1,500,001, up to a maximum fee of \$500,000.	\$30,000 plus \$15.00 per \$1,000 over \$1,500,001, up to a maximum fee of \$500,000.

For projects with a construction value greater than \$1,500,001, FAP fees continue to be calculated in accordance with the formula provided in the fee table; however, the total FAP fee shall not exceed a maximum of **\$250,000**, regardless of the project’s construction value. Once the calculated fee reaches this cap, no further incremental fees will apply.

At the time of application, the Applicant will be advised by the Toronto Port Authority of the need to engage the Independent Consultants, or other third-party or peer review professionals, depending on project complexity and timeframe of review.

The professional fees associated with the engagement of independent professionals by the Toronto Port Authority will be the responsibility of the FAP Applicant and are in addition to the fees identified in the table above.

As identified in Section 3.5, if a request to extend the FAP occurs after the NOP expires, an administration fee of **\$500** will be charged to the FAP Applicant.

6. INDEPENDENT CODE COMPLIANCE CONSULTANT

6.1. Scope and Application

The Independent Code Compliance Consultant (ICCC) is contracted by the Toronto Port Authority to provide independent third-party professional code compliance assessment and inspection of the life safety aspects of Construction as required by Federal Law.

The role provided by the ICCC serves as a direct and integral part of the Toronto Port Authority Permit Office (PTPO) for Projects that have a scope relevant to a Building or part thereof and as defined by the National Building Code.

The ICCC is notified of initiated Projects by the PTPO and on an as needed basis, may be requested by Toronto Port Authority Permit Office to attend preliminary meetings, or review preliminary documentation to help the ICCC become familiar with the Project scope. Once a FAP application is received with a fully developed Design, reviewed by ICCC and a Code compliance agreement is reached with the Applicant, the ICCC will then issue their recommendation for issuing the Facility Alteration Permit (FAP) to the Toronto Port Authority Permit Office.

The role of the ICCC, when engaged directly by the Toronto Port Authority Permit Office, is to perform Project examinations of the Construction Documents and field reviews of the Construction to verify compliance with the National Building Code and the National Fire Code including their referenced standards.

The responsibility of the ICCC is to represent the Authority Having Jurisdiction (AHJ) on behalf of the Toronto Port Authority only for matters of the National Building Code and the National Fire Code in determining compliance with respect to Construction.

Where requirements stipulated by Fire and Emergency Services (F&ES), the Toronto Port Authority exceed the requirements of the National Building Code and the National Fire Code, the assessment of the ICCC related to these requirements shall not override such stipulations and the former shall govern.

In no event shall the ICCC or any action or inaction of the ICCC restrict, limit, affect, derogate from or in any way delegate to the ICCC any responsibility of a Contractor or a Tenant under this Code, a Contractor's Contract with the Toronto Port Authority, a Tenant's lease or license agreement with the Toronto Port Authority or any other contractual obligation of legal duty of care or other obligation that such Contractor or Tenant has or may have to Toronto Port Authority.

6.2. Design Review

When engaged, the ICCC will review the submitted issued for construction documents primarily for compliance of the design with fire protection and life safety provisions/requirements of the project and prepares code review comments independent of the Permit Office and submits them directly to the Applicant for written responses.

Once an agreement of these comments has been reached between the ICCC and the Applicant, the ICCC issues a Recommendation Letter for FAP approval to the Permit Office. As determined only by the ICCC, postponed or deferred receipt of specific comments and/or late agreement may be permitted. This is limited to matters involving subsequent provision of supporting information/documentation during the construction stage, such as shop drawings, system testing and certification documentation by the Contractor.

A list of the required documentation to be reviewed by the ICCC shall be determined by direct contact with the ICCC by the Applicant. All information submitted to the ICCC shall be copied to the Permit Office for its records.

The ICCC will review construction documents submitted for partial or phased Construction assessment on a case-by-case basis. A complete submission of these documents and information for each phase is necessary for a review to commence.

6.3. Construction Review

When engaged, the ICCC will conduct periodic field reviews of the work in order to verify that the Construction is in compliance with the relevant requirements of the National Building Code, with emphasis on the mandatory fire protection and life safety provisions to be completed by the Contractor prior to requesting occupancy/use.

A list of the required documentation to be reviewed by the ICCC during the Construction stage shall be determined by direct contact with the ICCC by the Applicant. All information submitted to the ICCC shall be copied to the Permit Office for its records.

Where the ICCC finds any provision of the Building Code is being contravened, the ICCC may recommend to the Permit Office that an Order to Comply be issued in accordance with this guide.

6.4. Occupancy Review

When engaged, the ICCC will attend a final inspection meeting and a coordinated occupancy demonstration when requested and confirmed in writing by the Registered Professional and the Contractor that the Construction is ready, so as to witness and verify the completion and activation of all fire and life safety systems prior to occupancy or intended use.

A list of the required documentation to be reviewed by the ICCC during the final stage of Construction shall be determined by direct contact with the ICCC by the Applicant. All information submitted to the ICCC shall be copied to the Permit Office for its records.

The ICCC will issue a written recommendation to the Permit Office for the Occupancy/Use Permit only after all above requirements have been satisfactorily met.

7. CONTRACTOR HEALTH AND SAFETY REQUIREMENTS

7.1. Scope

This Part includes the Toronto Port Authority safety requirements and procedures applicable to Contractors while working within Toronto Port Authority Lands.

Notwithstanding all other requirements of the Applicable Codes and Standards, the specific requirements of this Code shall serve to ensure all Work proceeds in an orderly manner while maintaining maximum personal health and safety, and minimum disruption to Airport operations.

7.2. Contractor Health and Safety Submittals

7.2.1. General Requirements

All Contractors and Persons engaged in Construction on Toronto Port Authority lands require an Ontario Ministry of Labour, Immigration, Training and Skills Development Registration of Constructors and Employers Engaged in Construction (Form 1000).

A Notice of Project (NOP) must be filed by the Contractor with the Ontario Ministry of Labour, Immigration, Training and Skills Development (MOL) for all Construction Work.

Toronto Port Authority at its discretion may ask a Contractor to amend, remove or apply for a NOP. The Contractor understands that they are a Constructor as defined by the OHS Act regardless of the Project value and the requirement to file a Notice of Project (NOP).

The NOP must include a clear description of the exact Place of Work location on Toronto Port Authority Lands under the Description of Project section. The Project number issued by the Permit Office must also be clearly listed in this section.

The Contractor must amend the NOP with a new expiry date and submit copies of the amended NOP to the MLITSD if Work needs to continue past the original NOP expiry date.

7.2.2. Submissions Required for Construction Projects

Contractor's Health and Safety submittals are required for any project involving a contractor, including:

- a) WSIB Clearance Certificate
- b) Contractors Corporate Health and Safety Program
- c) Site Specific Safety Plan (SSSP) for the specific work site
- d) Ministry of Labour, Immigration, Training and Skills Development – Notice of Project
- e) Ministry of Labour, Immigration, Training and Skills Development – Form 1000
- f) High level schedule for project
- g) Materials Delivery and Waste Management Plan
- h) Detailed means or methods of delivering construction materials onto the island (as applicable), and

- i) Copy of Project Specific Insurance Coverage.

Submissions that include all required documents will be accepted; incomplete submissions will be rejected. Please ensure your submission meets all stated requirements before sending it for review.

7.2.3. Health and Safety Performance

To be included in the next update.

7.2.4. Movement of Equipment and Materials

To be included in the next update.

7.2.5. System Shutdowns and Modifications

To be included in the next update.

8. STANDARDS FOR DEVELOPMENT AND CONSTRUCTION

8.1. Billy Bishop Toronto City Centre Airport (BBTCA)

As the aerodrome operator, Toronto Port Authority must notify the Minister of Transport of all plans to begin new Construction or to make a change to the physical security of the airport, if the change relates to the regulatory requirements respecting passengers, aircraft, baggage, cargo or mail.

Tenant/Contractor/Applicant shall prepare and submit to Toronto Port Authority a notice in writing, stating the date on which the Construction will begin or the change will be made and setting out a description of the construction or change and the safeguards that will be implemented to maintain security in the areas of the aerodrome that will be affected by the Construction activities.

8.2. NAV Canada

NAV CANADA must assess and approve all proposals for land use near airports and air navigation infrastructure before Construction begins to ensure that air navigation system safety and efficiency are not compromised by proposed land development.

These proposals must be submitted to NAV CANADA using their Land Use Submission Form.

Note that NAV CANADA's land use assessment assesses the impact of a proposed physical Structure as it may relate to the air navigation system. This assessment does not affect or replace approvals or permits required by Transport Canada or any other federal government department or agency; provincial or municipal land-use authorities; or any other agency.

It is solely the Applicant's responsibility to provide adequate information and make timely submittals to NAV Canada and ensuring receipt of a land use approval from the same.

8.3. Environmental Standards

The proponent shall secure all the relevant and necessary project approvals and permits. Depending on the nature of the project, these may include but not limited to approvals and permits from the Department of Fisheries and Oceans, Ministry of the Environment, Conservation and Parks and/or Toronto and Region Conservation Authority, amongst others.

8.4. Security Standards

All Construction activities are to comply with regulatory requirements of the Canadian Aviation Regulations, the Canadian Aviation Security Regulations, the Aerodrome Security Measures, the Domestic Ferries Security Regulations, and any instruction or direction given by Toronto Port Authority security personnel respecting aviation or marine security.

8.4.1. Security Escort

- a) The Contractor is responsible for providing valid Restricted Area Identification Card (RAIC) holders to perform escort duties within the Restricted Area for employees who do not have a valid RAIC. A holder of a valid RAIC may escort a maximum of 3 people in the Critical Restricted Area and 10 people in the Secured Areas holding Temporary Security Control Passes or Temporary Construction Passes. Prior to the performance of escort duties, Contractor shall confirm escort ratios are not exceeded.
- b) Valid RAIC holders may provide surveillance in the Critical Restricted Area for a maximum of 3 people and in the Secured Areas for a maximum of 10 people holding Temporary Security Control Passes or Temporary Construction Passes, provided they are all confined to a well-defined area and are always visible to the escort.
- c) The Contractors working on Toronto Port Authority funded Project must use Toronto Port Authority pre-approved contracted security service vendors. If Toronto Port Authority contracted security service vendors are not able to fulfill the Contractors' requirements, then the Contractor must notify Corporate Safety & Security via email at healthandsafety@torontoportauthority.com and advise of their need to utilize alternate authorized vendor.
- d) Contractors requiring security services for other than Toronto Port Authority funded Projects may utilize security service providers who have been approved and authorized by Toronto Port Authority to perform such functions. Under all conditions the Contractor shall notify Corporate Safety & Security of the security service provider contracted to perform security services.

Appendix A-1
Project Planning Approval Application

Appendix A-2
Facility Alteration Permit Application

Appendix B-1
Letter of Undertaking (Tenants)

Appendix B-2
General Review Commitment Certificate

Appendix B-3
Letter of Assurance of Professional Review

Appendix C-1a
Hot Work Permit Application
Marine Terminal Properties & Outer Harbour Marina

Appendix C-1b
Hot Work Permit Application
Billy Bishop Toronto City Airport (BBTCA)

Appendix C-2
Notice of Work Form

Appendix C-3
Request for Inspection Form

Appendix D-1
Contractor Airport Emergency Response Plan

Appendix E-1
Stop Work Order Form

Appendix E-2
Order to Comply Form