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**CN's Adjacent Land Use Guidelines and  
the Railway Association of Canada (RAC) and  
Federation of Canadian Municipalities (FCM) Proximity  
Project**

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**2005 OPPI Conference**

**“Working with Transportation Planners” Session**

**September 2005**

# Presentation Outline

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1. CN Fast Facts
2. CN in Ontario
3. Rail, the Economy and the Environment
4. CN's Proximity Policy and Development Guidelines
5. RAC/FCM Proximity Project

# CN's Fast Facts



- One of North America's largest Class 1 railroads
- North America's only tri-coastal NAFTA railroad, offering unmatched access to all three NAFTA nations
- An innovative, industry-leading transportation company

# CN North America



# CN in Ontario



- 2,937 route miles of railroad operated
- 4,318 employees
- \$60 M in corporate taxes / year
- \$715.9 M in local purchases
- \$152 M in annual capital investments
- 571,950 total annual carloads originated & terminated in Ontario
- Shortline partners include:
  - Port Colborne Harbour Railway
  - RailAmerica – Southern Ontario Railway and Goderich-Exeter Railway
  - Guelph Junction Railway
  - Ontario Northland

# Rail, the Economy and the Environment

- Integral role in the success of Ontario and its communities
- Important in sustaining and growing regional and provincial economies
- Critical role in ensuring a balanced, viable and sustainable transportation system
- Directly relates to the economic health and well-being of Ontario and its continued growth and prosperity, including the quality of life of its citizens
- CN's rail yards are very important in ensuring the fluid movement of goods through Ontario, they serve an extensive customer base and attract more industrial and commercial development to the area
- Rail relieves highway and road congestion
- Rail consumes less fuel per ton/mile and produces less emissions than trucks
- Rail is underutilized and has untapped potential

# CN's Proximity Policy

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- CN keen to avoid incompatible development near rail facilities – anticipate and prevent potential land use conflicts, complaints; improve safety, awareness and network efficiency; and, protect for ultimate capacity of rail facilities
- Incompatible development in proximity to rail facilities, in the absence of appropriate mitigation measures, will lead to future land use conflicts, will not provide acceptable living environments for property owners, and ultimately may compromise the integrity of the rail facility and threaten its viability.
- CN's Proximity Policy provides noise, vibration and safety guidelines for development near rail facilities (including acoustic and drainage studies, berms/buffers, setbacks, fencing, etc.)

# Proximity Policy

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- New residential development and other sensitive land uses should not be permitted within 300 metres of a rail yard.
- All residential development and other sensitive land uses located between 300 m and 1000 metres of a rail yard will be required to undertake noise and vibration studies, to the satisfaction of the Municipality and the appropriate railway, to support its feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise and vibration that were identified.
- All proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality and the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- All proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality and the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
- All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railways.

# Development Guidelines

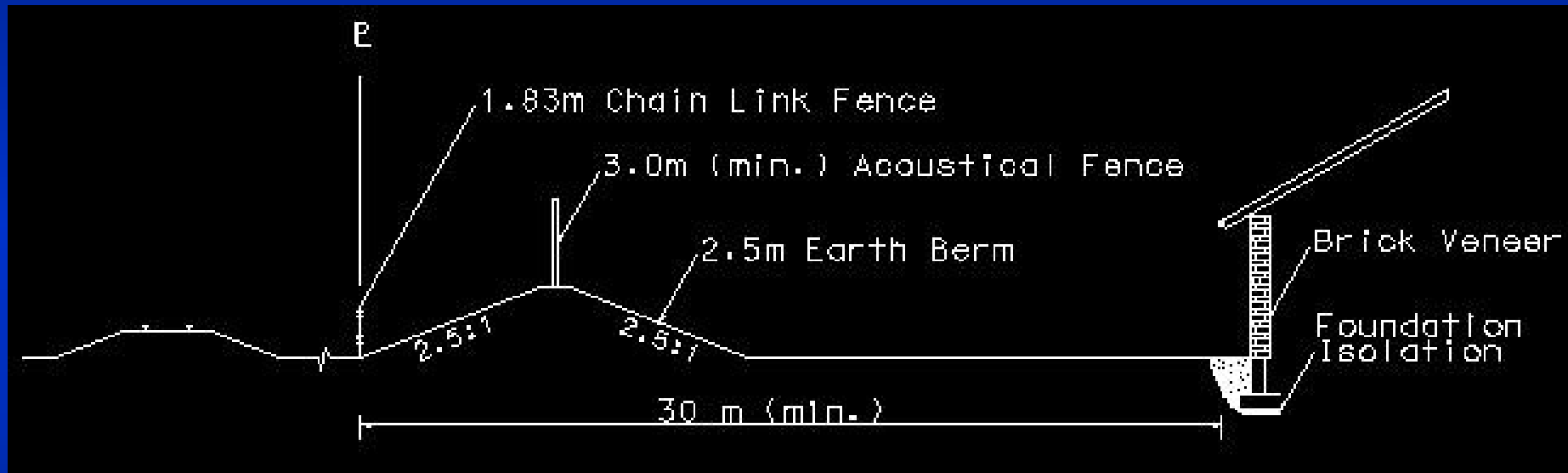
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- The purpose of the guidelines is to provide land use decision makers with the measures necessary to ensure that development adjacent to a railway corridor or yard is established with appropriate mitigation measures to reduce the incompatibility.

The objectives are to:

- to provide a suitable noise environment;
- to minimize effects of vibration on sensitive land uses;
- to provide appropriate protective buffers, berms, setbacks;
- to prevent pedestrian trespass on active railway lines;
- to ensure alterations to existing drainage patterns do not adversely affect Railway property.

# Typical Mitigation Measures (mainline)



# Benefits of the Policy and Guidelines

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- Reduces the incompatibility between the railway operations and adjacent land uses
- Reduces the potential for problems/conflicts arising in the future
- Reduces noise and vibration complaints
- Reduces the likelihood of political pressure attempting to restrict railway operations
- Protects existing rail operations and the capability to expand
- Increases public safety
- Reduces trespassing
- Raises awareness about railway operations and rail safety
- Helps ensure unimpeded movement of goods and people by rail
- An efficient and effective rail network helps ensure a balance of transportation opportunities for the municipality and fosters economic growth federally, provincially and locally

# Summary

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- Today, CN's guidelines are generally accepted by most municipalities in Ontario as standard policies and conditions.
- Adherence to the guidelines ensures that appropriate measures are implemented to mitigate impacts of rail noise and vibration, as well as minimizing the potential effects of a derailment, collision or spillage
- CN has rationalized most of its surplus facilities, those remaining will be optimized.
- Railway corridors and yards need to be protected - their viability will be compromised if new development is permitted adjacent to such facilities without appropriate measures

# What's Next?

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- CN's development standards are not static and are continually evolving to respond to changes in the regulatory framework, new tools for protection and improvements in "best management practices."
- CN is involved in a partnership between the Railway Association of Canada (RAC) and the Federation of Canadian Municipalities (FCM), aimed at improving railway/community relations and developing national best practices and guidelines for railway and municipal development.

# RAC/FCM Proximity Project

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- In May 2003, the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada (RAC) signed a memorandum of understanding (MOU) to build common approaches to the prevention and resolution of issues that arise when people live and work in close proximity to railway operations.
- The MOU is being implemented by a joint Steering Committee with equal representation of members from both associations. The initial mandate is to develop commonly understood proximity guidelines, to improve awareness among all stakeholders of the need for effective planning and management, and to develop a dispute resolution protocol to guide concerned parties when issues emerge.
- The Canadian Association of Municipal Administrators (CAMA) has a consultative role in the implementation of the MOU. Representation is also expected from other sectors, such as residential and commercial development, urban and transportation planning, as well as the academic sector.

# Steering Committee Members

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- Co-chairs: Cynthia Lulham, Borough of Westmount QC and John Dalzell, CN
- Municipal reps. – Vancouver, Montreal, Toronto, Moncton, Parkland Co., AB; Wilton, SK; FCM
- Rail industry reps. – Class 1s, short lines, passenger, RAC

# Communications Committee

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- Purpose: Increase awareness and build understanding for key audiences
- Developed a communications plan
- Produced Good Neighbours video
- On-going FCM Conference participation
- Commissioned three case studies
- Created continually-evolving Internet site [www.proximityissues.ca](http://www.proximityissues.ca)

# Guidelines Committee

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- Purpose: Gain a common understanding of current and potential issues, develop guidelines / best practices and action plan for implementation across Canada
- Earth Tech retained for consulting work
- Phase 1, looking at new development, completed.
- Phase 2, looking at new or expanded rail and crossing issues, and Phase 3, the final report on recommended guidelines and best practices, are both currently underway with expected completion date of early 2006

# Dispute Resolution Committee

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- Purpose: Develop industry-wide dispute resolution protocol for parties to address current issues, concerns or disputes
- Encourage resolution at local level before escalation to third-party intervention
- Developed list of principles
- Step by step approach specifying available options, best practices and mediation, if necessary

# Comments?

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- If you have suggestions, comments, concerns, would like more information or would like an opportunity to meet to discuss any part of this presentation in more detail, please let me know! For more information on the RAC/FCM proximity initiative, visit [www.proximityissues.ca](http://www.proximityissues.ca).

THANK YOU

