



Development in Proximity to Rail

Community Consultation Meeting

February 10, 2021

6:30 – 8:00 pm

Rail Infrastructure in Toronto (>200 km)



Background: Toronto Rail Safety and Risk Mitigation

- In 2017, City Planning initiated the Guidelines for Development Close to Rail Corridors & Yards Study (Rail Study).
- Based on the work completed through the Rail Study, a Pilot was initiated to introduce Rail Safety and Risk Mitigation reports as part of applications for Official Plan Amendments, Zoning By-law Amendments, Site Plan Control and some Minor Variances.
- Lessons learned from Pilot have informed the proposed Official Plan Amendment and Zoning Bylaw Amendment approach
- Consultation will inform the refinement of the final amendments

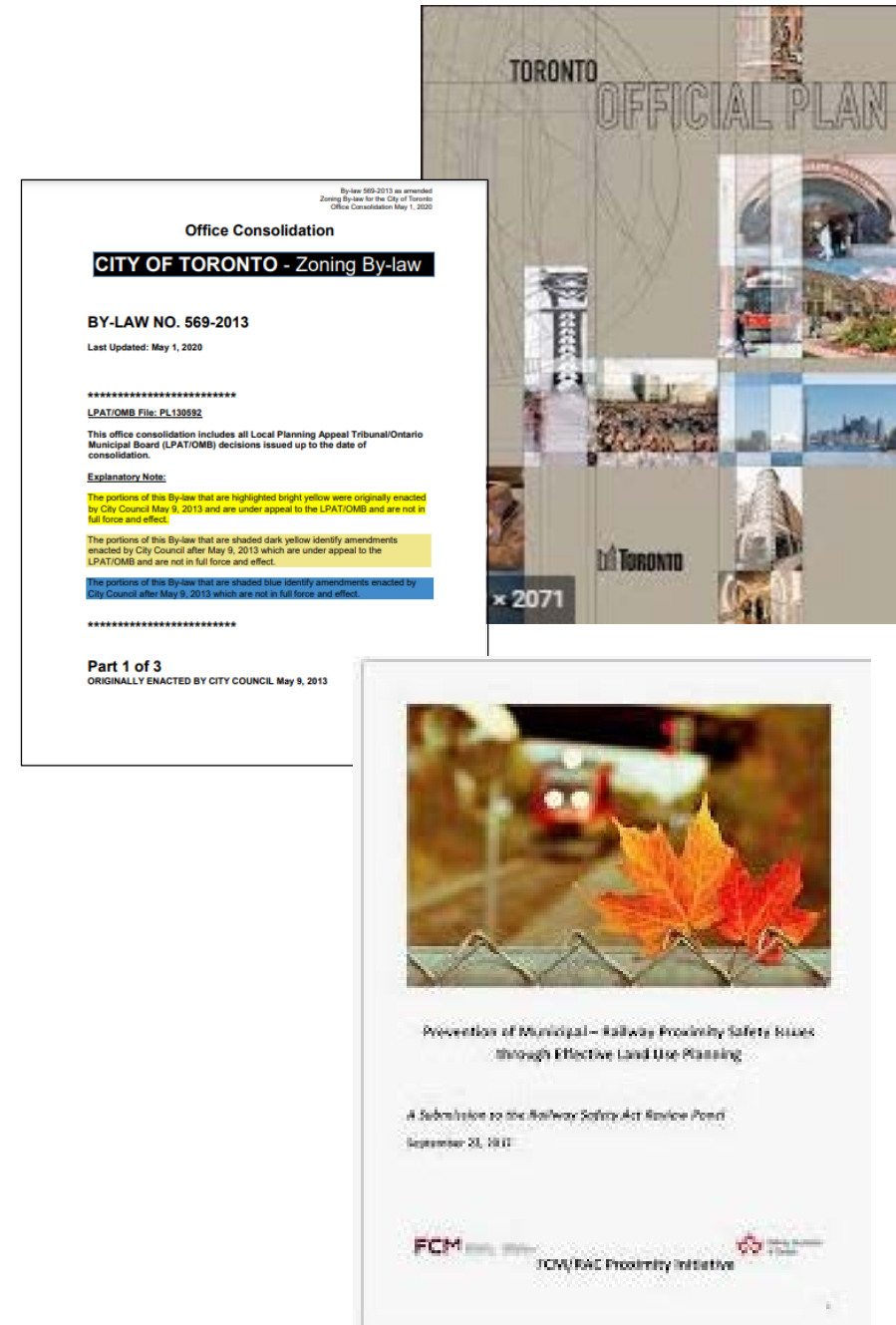
Municipal Role in Rail Safety

The City is responsible for:

- Regulating land uses
- Requiring public safety and hazard condition mitigation measures through land use planning

Federation of Canadian Municipalities (FCM) & Rail Association of Canada (RAC):

- recognize that it is in Canada's economic and public safety interests to promote proper land-use planning practices between railways and municipalities
- developed the **Guidelines for New Development in Proximity to Railway Operations** to provide guidance to municipalities



Sensitive and High-Occupancy Land Uses

Sensitive Land Uses: buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times have the potential to experience an adverse effect....generated by a nearby major facility. (PPS 2020)

High Occupancy Land Uses: include uses in which a high density of people live, work, sleep, shop or conduct other activities throughout the day. (FCM/RAC Guidelines)



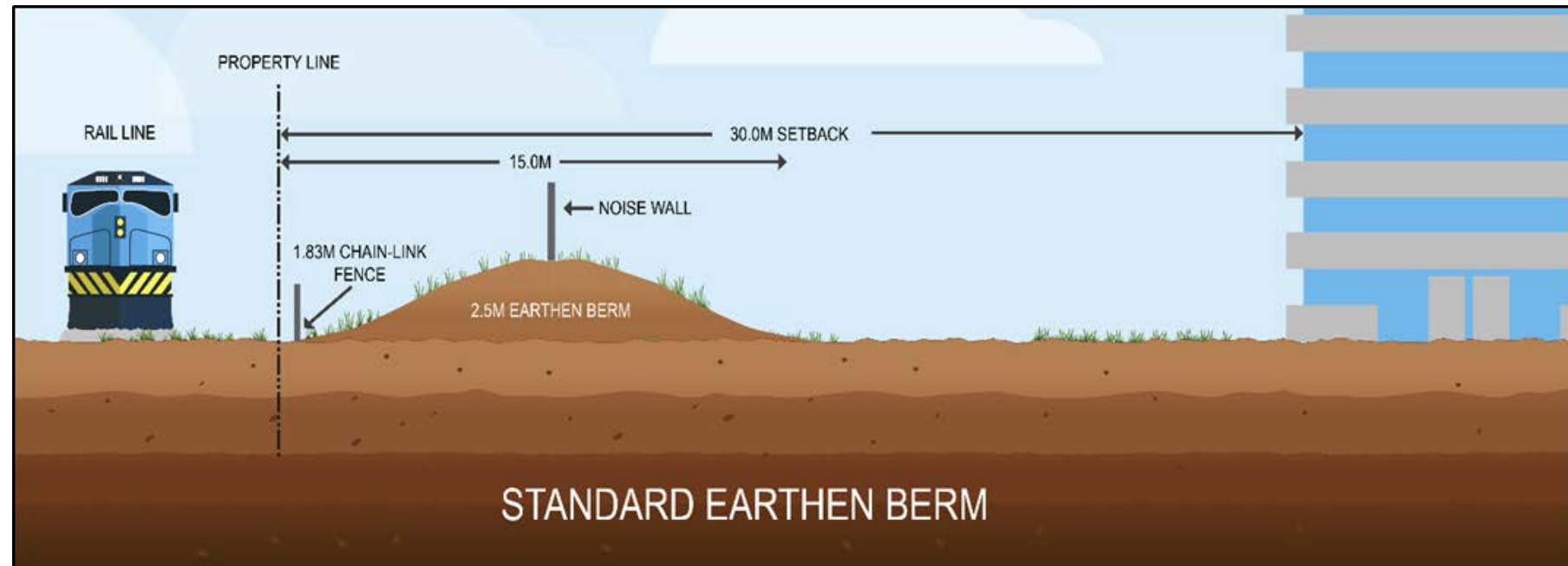
FCM/RAC Guidelines

Recommended Best Practice Approach

- 30 metre setback
- 2.5 m earthen berm

Additional measures for nuisance and trespassing control:

- Noise barrier
- Fencing

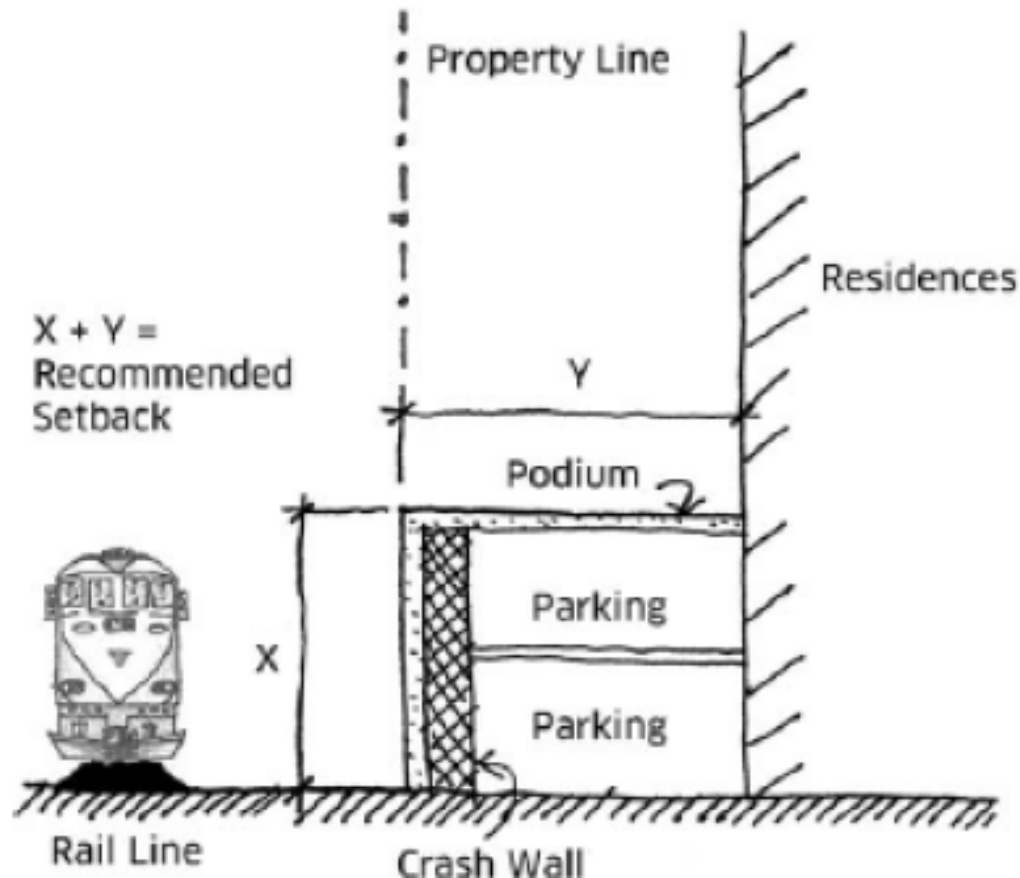


FCM/RAC Guidelines

Alternative Risk Mitigation Measures (Equivalent Measures)

Deflection Wall

with Combined Horizontal and Vertical Setback



- Combined crash structure and horizontal separation
- Provide equivalent risk mitigation through engineered design
- Sensitive or high occupancy uses structurally separated and protected by crash structure

Proposed Official Plan and Zoning By-law Amendments

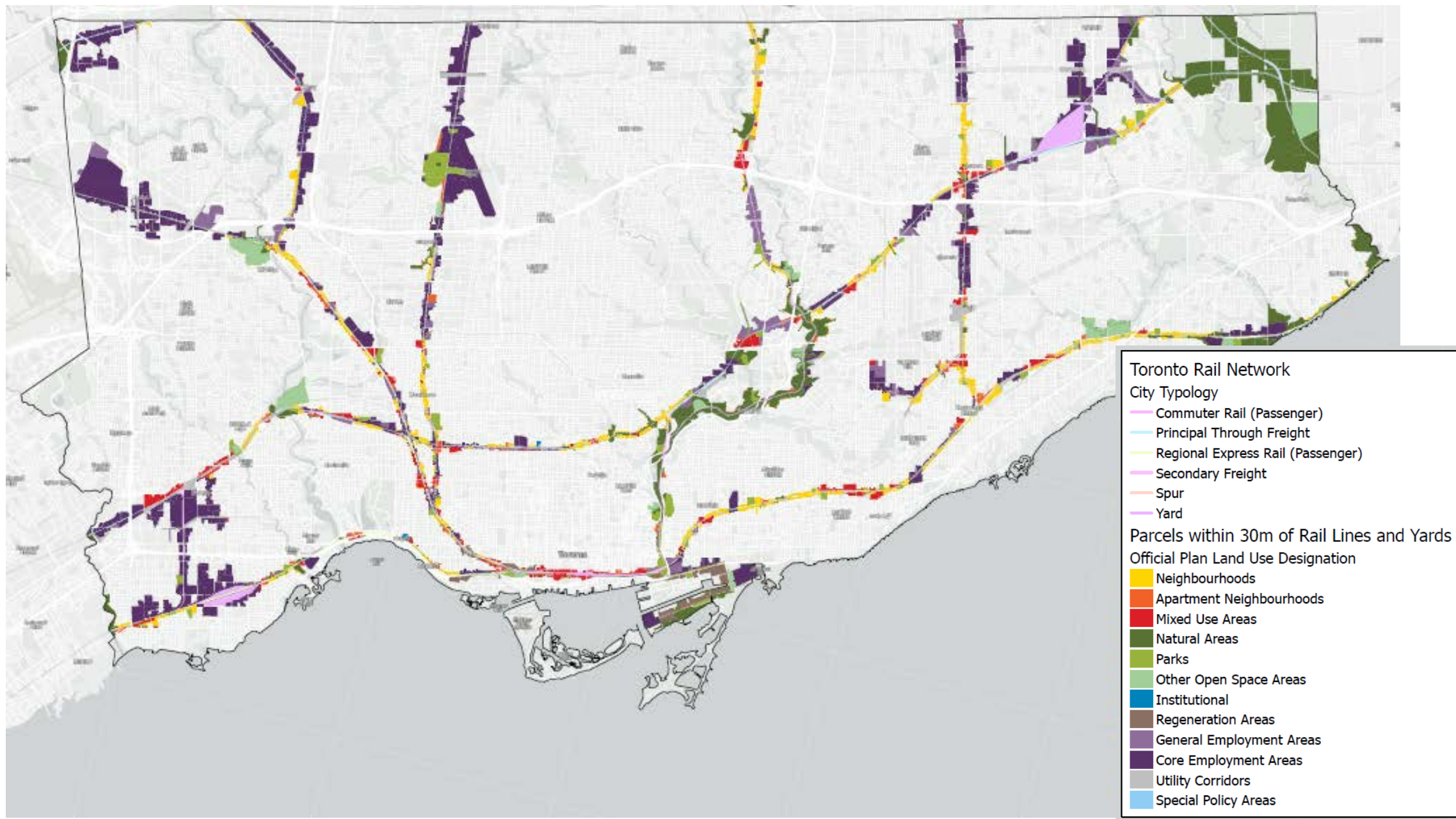
Purpose:

- To introduce a consistent, city-wide approach to addressing public safety in relation to rail safety and risk mitigation in new development or change in use;
- To introduce a predictable mechanism for review and consideration of rail risk mitigation as part of the development review process; and
- To ensure the long-term economic viability of rail corridors and facilities.

OPA: Will clarify when a rail Safety and Risk Mitigation Report is required, the purpose of the Report, and the peer review process.

ZBA: Implementation of the OPA through the introduction of a holding provision (H) for zones that permit land uses which are considered to be a sensitive or high occupancy use.

Land Use Designations Adjacent to Rail (Official Plan)

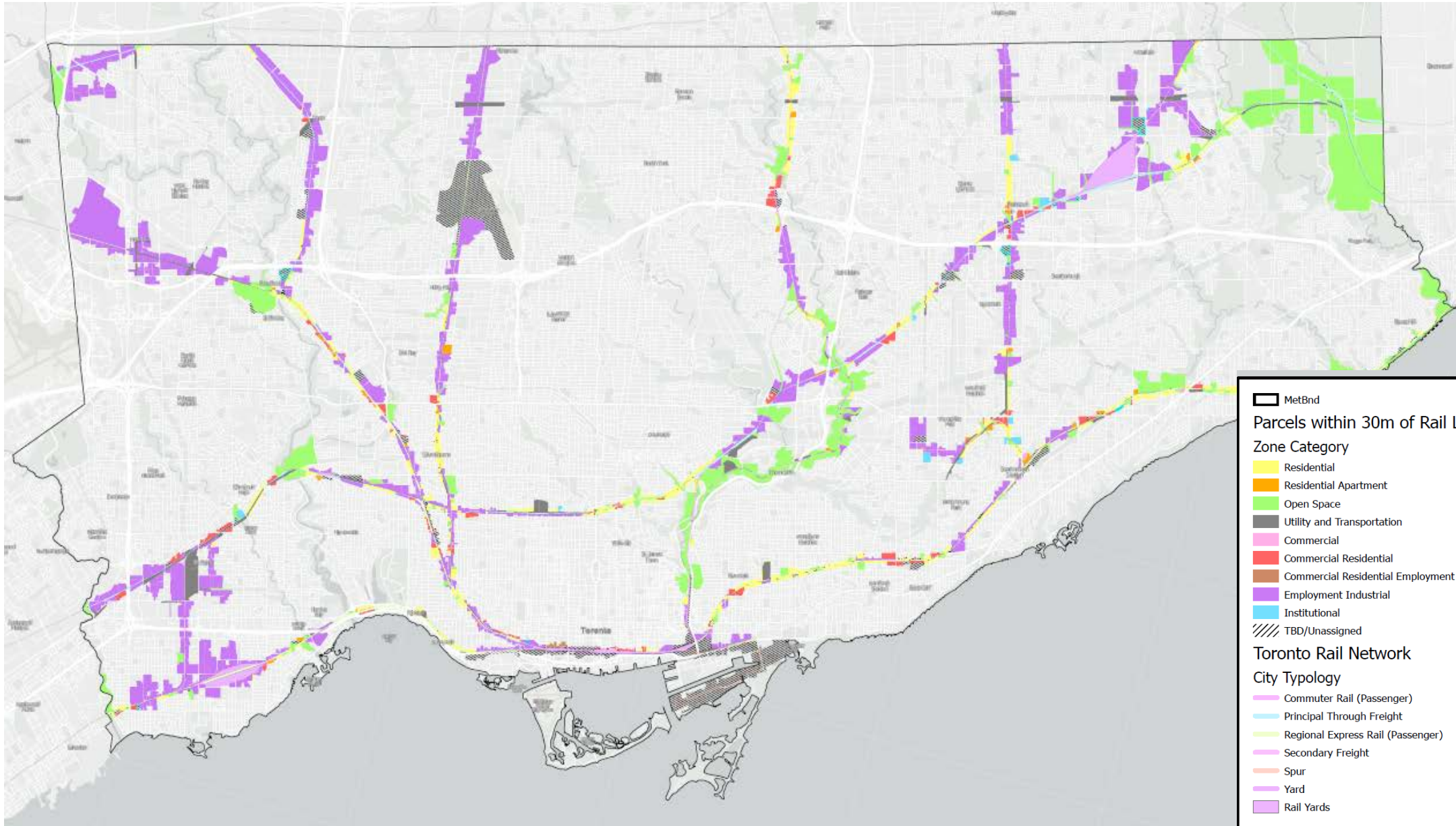


Proposed Official Plan Amendment

3.6 Rail Infrastructure and Public Safety

1. A Rail Safety and Risk Mitigation Study is required for all developments which propose to introduce a new sensitive land use or high occupancy land use within the area of influence of rail infrastructure.
2. The Rail Safety and Risk Mitigation Report provided in support of a development application, will:
 - a) be prepared by an accredited engineering professional;
 - b) identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive or high occupancy land uses and nearby rail infrastructure;
 - c) identify how the proposed development will meet the minimum safety standard as established under the Rail Safety Act and related implementation guidelines and/or regulations, or the design of equivalent engineered rail safety and risk mitigation measures; and
 - d) be peer reviewed by a qualified third party retained by the City at the applicant's expense.

Parcel Zoning Adjacent to Rail



Proposed Zoning By-law Amendment

It is recommended that a holding provision be introduced into Zoning By-law 569 – 2013, and for those properties which continue to be zoned under the former general zoning by-laws across the city.

Proposed to apply when high occupancy /sensitive land uses are to be introduced within 30 m of rail property line.

Zones to which the 'H' is proposed to be applied are:

- RM (Residential Multiple);
- RA (Residential Apartment);
- RAC (Residential Apartment Commercial);
- CL (Commercial Local);
- CR (Commercial Residential);
- CRE (Commercial Residential Employment);
- EO (Employment Office);
- IH (Institutional Hospital);
- IE (Institutional Education);
- IS (Institutional School); and
- IPW (Institutional Place of Worship)

Proposed Zoning By-law Amendment

How to Remove the Holding Provision

- Address safety and risk to the satisfaction of the City through the submission of a Rail Safety and Risk Mitigation Report
- Rail Safety and Risk Mitigation Report deemed acceptable through peer review
- Having met applicable safety standards and designs, and
- Deemed acceptable by the applicable rail operator.

Next Steps

- The information from this meeting, and the work that led to this point, can be found on the City's website:
 - [City of Toronto /City Government / Planning & Development /Planning Studies / Guidelines for Development Close to Rail Corridors & Yards](#)
- The report to Council with the final recommended amendments to Official Plan and Zoning By-laws in Q2 2021
- Provide your input by email (Brooke.Marshall@toronto.ca) by March 10, 2021