

February 28, 2019

Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing
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The Railway Association of Canada (RAC) welcomes the opportunity to provide comments on the *Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017*¹. Specifically, our comments relate primarily to the *Proposed Framework for Provincially Significant Employment Zones*².

Railways in Ontario own and maintain over 10,000 kilometers of track, employ over 7,000 Ontarians and pay nearly \$160 million in taxes annually³. They reinvest substantial amounts of capital back into Ontario's economy each year, which in 2017 exceeded \$380 million⁴. Freight railways are a vital component of the Greater Golden Horseshoe region's economic fabric, while passenger railways play a prominent role in facilitating the movement of people throughout the region.

The Railway industry's top priority is, and always has been, to ensure safe and efficient rail service in the communities in which it operates. In this regard, the Federation of Canadian Municipalities (FCM) and the RAC have worked collaboratively with municipalities and railways to develop the *Guidelines for New Development in Proximity to Railway Operations*⁵ (*Guidelines*). These Guidelines provide a framework to better facilitate municipal and railway growth by effective land use, good planning and open communication.

In the Greater Golden Horseshoe region alone, over 35 municipalities have adopted the Guidelines, either in whole or in part.⁶ The RAC believes that it is imperative to consider the widespread adoption of the Guidelines within the region in any policy development process affecting the *Growth Plan for the Greater Golden Horseshoe, 2017*.

Mixed Use Development

The RAC's primary concern is in regards to the *Proposed Framework for Provincially Significant Employment Zones*. The proposed amendment seeks to allow municipalities to pursue mixed use development before the next municipal comprehensive review.

"The proposed amendment to the Growth Plan, 2017 would change the policy framework for protecting employment areas by allowing employment area conversions to be

¹ [Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017](#)

² [Proposed Framework for Provincially Significant Employment Zones.](#)

³ Railway Association of Canada, Rail Trends 2018. Available [here](#).

⁴ Ibid.

⁵ [Guidelines for New Development in Proximity to Railway Operations](#)

⁶ See Appendix A.



approved ahead of the next municipal comprehensive review. This proposed amendment would provide flexibility to municipalities who wish to support mixed use development, while maintaining employment area protections where needed.”⁷

While RAC supports empowering municipalities to streamline development processes, this cannot be to the detriment of residential safety and livability. Therefore, RAC recommends that standard municipal zoning practices are adhered to and that the Guidelines are considered in the development of any mixed-use residential buildings.

Setbacks and mitigation for residential and other sensitive uses in proximity to the railway right of way are also supported in the *Provincial Policy Statement, 2014*⁸;

1.2.6.1 *Major facilities and sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

1.6.8.3 Planning authorities shall not permit *development in planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.9.1 Planning for land uses in the vicinity of *airports, rail facilities and marine facilities* shall be undertaken so that:

- a. their long-term operation and economic role is protected; and
- b. *airports, rail facilities and marine facilities and sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

Recommendation

RAC recommends that both the *Provincial Policy Statement, 2014* and the Guidelines are considered when adopting the *Proposed Amendment to the Growth Plan, 2017* and in the development of any mixed-use residential buildings.

⁷ [Proposed Framework for Provincially Significant Employment Zones.](#)

⁸ [Provincial Policy Statement, 2014.](#)



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Conclusion

RAC would be pleased to discuss the Guidelines with the Ministry in greater detail and looks forward to continuing to work with municipalities in the Greater Golden Horseshoe region to continue to advance economic development and the safe movement of people and goods.

If you have any questions, please do not hesitate to contact Michael Gullo, Senior Director, Policy and Public Affairs at mgullo@railcan.ca or 613-564-8103.

Sincerely,

Michael Gullo
Senior Director, Policy and Public Affairs



Appendix A: List of municipalities in the Greater Golden Horseshoe region that have adopted the RAC/FCM proximity guidelines, in whole or in part

1. Bracebridge, Ont.
2. Brampton, Ont.
3. Brantford, Ont.
4. Brighton, Ont.
5. Burlington, Ont.
6. Cambridge, Ont.
7. Clarington, Ont.
8. County of Brant, Ont.
9. Cramahe, Ont.
10. Fort Erie, Ont.
11. Georgina, Ont.
12. Gravenhurst, Ont.
13. Greater Napanee, Ont.
14. Grimsby, Ont.
15. Guelph/Eramosa, Ont.
16. Guelph, Ont.
17. Hagersville, Ont.
18. Haldimond, Ont.
19. Halton Hills, Ont.
20. Hamilton, Ont.
21. Huntsville, Ont.
22. Kitchener, Ont.
23. Lincoln, Ont.
24. Mississauga, Ont.
25. Muskoka, Ont.
26. Niagara Escarpment Commission, Ont.
27. Niagara Falls, Ont.
28. Oakville, Ont.
29. Oshawa, Ont.
30. Parry Sound, Ont.
31. Peel Region, Ont.
32. Pickering, Ont.
33. Port Colborne, Ont.
34. Ramara, Ont.
35. St. Catharines, Ont.
36. Waterloo, Ont.
37. Welland, Ont.
38. Wilmot, Ont.