

Development in Proximity to Railway Operations

- Official Community Plan
- Zoning Bylaw
- Development in Proximity to Railway Operations Process Manual



Disclaimer

This document provides an overview of the process for development in proximity to rail operations and is for informational purposes only. This document is not intended to supersede any other requirements from the City, rail companies or any other regulatory body. Where there is a discrepancy between the Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada and this document, requirements outlined in the Guidelines will be followed.

If you have any questions about the Zoning Bylaw, please contact the City of Saskatoon's Planning and Development Department at 306-975-2645 or email development.services@saskatoon.ca.

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1 OVERVIEW

The **Official Community Plan** and **Zoning Bylaw** contain provisions regulating development near to existing or proposed railway operations. The provisions state that development within proximity to rail lines should be consistent with the **Guidelines for New Development in Proximity to Railway Operations prepared for the Federation of Canadian Municipalities and the Railway Association of Canada** (herein referred to as the Guidelines).

The Guidelines are intended to prevent and/or resolve issues arising from new development near rail lines by taking a proactive approach. The Guidelines provide setback requirements and requirements for noise and vibration studies.

This document provides an overview of the process for development in proximity to rail operations and is for informational purposes only.

2 DOES THIS APPLY TO ME?

Development which is located in proximity to a rail line is reviewed for three purposes: noise impacts, vibration and setbacks.

- A development within 1,000 metres of a rail yard and 300 metres from a rail line may require review by the applicable rail company and the Rail Association of Canada for noise concerns. A noise mitigation study may be required.
- For new development only, a vibration study may be required by the applicable rail company and the Rail Association of Canada for development within 75 metres of a rail line.
- The Guidelines provide setbacks for new development (see [Table 2](#) and [Table 3](#)). Setback distances vary depending on the type of development and the type of rail line.

If your property falls within the areas identified above, you may be required to have your development reviewed by the the applicable rail company and the Rail Association of Canada, except in the following circumstances:

- Where approved standards (e.g., Concept Plan, Zoning Agreement) are already in place;
- If the proposed development is accessory to an existing or approved use AND is not intended for a residential or other sensitive land use (see right). Examples of accessory uses include a garage or shed;
- The proposed development is for redevelopment of an existing or approved use and will NOT decrease the setback distance from the affected rail line (e.g., rebuild of a property that is not any closer to the rail line). If the proposed development is a renovation or rebuild of an existing / approved use which does not decrease the setback distance from the rail line, only noise requirements apply; or,
- The proposed development is for heavy industrial use, warehouse, or manufacturing and repair use (e.g., factories, workshops, automobile repair and service shops).

If you are unsure if your proposal requires review by the applicable rail company and the Rail Association of Canada please contact the City's Planning and Development Department.

Sensitive land uses are buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (Ontario PPS)

3 HOW DO I KNOW IF THERE ARE APPROVED STANDARDS FOR MY PROPERTY?

In cases where there are approved standards through a separate planning process (e.g., Concept Plan, Zoning Agreement), the approved standards apply. Unless otherwise advised by the City, these applications do not require review by the rail company and Rail Association of Canada.

Table 1 outlines documents with approved standards outlined in Concept Plans. This information is provided for reference only. Please review the appropriate documents and/or contact the City for more information to find out if approved standards are in place for your development.

Table 1: Documents with Existing Standards

Sector Plan	Concept Plan	Rail line	Description
<p>University Sector Plan (Page 85)</p>	<p>N/A</p>	<p>CP Rail</p>	<p>Sector Plan Requirements - Section 7.3</p> <ul style="list-style-type: none"> • Any proposed residential buildings will require a minimum 30 metre setback distance from the Canadian Pacific Railway line. Setback distances must be measured from the mutual property line to the building face. Parking facilities and open spaces can be located within this setback area. • Any proposed development within the University Sector Plan should review the FCM – RAC Guidelines and either comply with these recommendations or propose alternative measures that provide the same level of safety. • A noise impact and vibration study will be required with the submission of any concept plan that includes Parcel K. • A noise impact and vibration study requirement for all other areas will be determined at the concept plan stage.
<p>Riel Industrial Sector Plan (Page 29)</p>	<p>N/A</p>	<p>CN Rail</p>	<p>Sector Plan Requirements – Section 7.9</p> <ul style="list-style-type: none"> • No rail line setback for the development of industrial parcels adjacent to the CN rail line. However, the adjacent property owner should install and maintain a chain-link fence (minimum 1.83 metres high) along the mutual property line to deter trespassing and encroachment on the CN right-of-way. • CPTED review during the Industrial Area Concept Plan stage and should use best practice examples from the Guidelines.

Sector Plan	Concept Plan	Rail line	Description
University Heights Sector Plan (Page 35)	Willowgrove*	No rail line	N/A
	Evergreen	No rail line	N/A
	Aspen Ridge	No rail line	N/A
Holmwood Sector Plan (Page 31)	Brighton	CPR Rail	Concept Plan Requirements - Section 4.3 Buffers and Sound Attenuation Berms <ul style="list-style-type: none"> • A setback of 60 metre from the edge of rail to the building envelope is required to ensure that residential dwelling units are located within acceptable vibration limits. This setback will be met with the existing CP ROW, the 40 metre buffer strip, the road right-of-way and the residential lot setback.
Blairmore Sector Plan (no reference - being updated)	Kensington	No rail line	N/A
	Hampton Village*	No rail line	N/A
	Hampton Village Business Park*	No rail line	N/A
Other	Rosewood*	CPR Rail	Concept Plan - Section 4.2.4 <ul style="list-style-type: none"> • Noise mitigating construction measures are recommended on the perimeter houses adjacent to the rail line. Concept Plan - Section 4.2.5 <ul style="list-style-type: none"> • No vibration mitigation is required.
	Stonebridge*	CNR Rail	Concept Plan Requirements - Section 6.2 <ul style="list-style-type: none"> • No vibration mitigation is required. • Noise mitigating construction methods are recommended on the outer ring of houses near the CN rail.

*Concept Plan reports currently not available online. Please contact the Planning and Development Department if you have questions.

4 THERE ARE NO APPROVED STANDARDS FOR MY PROPERTY. WHAT NEXT?

If there are no approved standards for your property, and your proposal does not meet the other exceptions listed in this document, you may be required to demonstrate your proposal meets the Guidelines and/or have your proposal reviewed by the applicable rail company and the Rail Association of Canada.

Development proposals will be reviewed for setback requirements, noise and vibration. Depending on the distance from the rail line and the type of development, different requirements will apply. [Table 2](#) and [Table 3](#) provide information about setback requirements and acoustical and vibration study requirements.

Setbacks and vibration requirements apply to new development only. Noise requirements apply to new development and retrofits.

In the case where the Guidelines apply, your site plan should show setback distances as per the Guideline requirements.

Setback Distances, Noise Influence Areas and Vibration

Table 2 and Table 3 are provided as an easy reference to the information provided in the Guidelines. Should there be any discrepancy between the Guidelines and this document, the Guidelines shall apply.

Table 2: Residential Development and Sensitive Land Uses

For residential development and sensitive land uses, Table 2 applies.

	Setback Distances^{1,3}	Noise Influence Area^{2,3}	Vibration^{1,3}
Freight Rail Yard	300m	1000m	75m
Principal Main Line	30m	300m	
Secondary Main Line		250m	
Principal Branch Line	15m	150m	
Secondary Branch Line		75m	
Spur Line			
Required Documentation to Support Application	None if setback requirements are met. Refer to Section 5 if required setbacks cannot be met.	A stamped letter from a qualified acoustical consultant may be required confirming the applicable standards have been met as per the requirements of the applicable rail company.	A stamped letter from a qualified acoustical or vibration consultant may be required confirming the applicable standards have been met as per the requirements of the applicable rail company.
Expertise Required to Complete Work	N/A	Acoustical consultant	Acoustical or vibration consultant

Notes

1. Setbacks and vibration requirements apply to new development only.
2. Noise requirements apply to new development and retrofits. Noise studies may be required by the affected rail company and the Rail Association of Canada.
3. Where there is an elevated track, different setbacks may apply. Consultation with the affected rail company is required.

All Other Types of Development

For all other types of development (non-residential or non-sensitive land uses), Table 3 applies.

Table 3: Non-Residential/Non-Sensitive Land Uses

	Setbacks ³	Noise Influence Area ³	Vibration ³
Freight Rail Yard	300m - All uses	300m	75m
Principle Main Line	30m - Institutional/Commercial type uses ¹	No Requirements (consultation is recommended with the affected rail company and the Rail Association of Canada)	
Secondary Main Line	None - Industrial type uses ²		
Principle Branch Line	15m - Institutional/Commercial type uses ¹		
Secondary Branch Line	None - Industrial type uses ²		
Spur Line	None		
Required Documentation to Support Application	Demonstrate that required setbacks have been met. Refer to Section 5 if required setbacks cannot be met.		

Notes

1. Institutional, commercial type uses (e.g., office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (e.g., parks, outdoor assembly, sports area).
2. Heavy industrial, warehouse, manufacturing and repair uses (e.g., factories, workshops, automobile repair and service shops).
3. Where there is an elevated track, different setbacks may apply. Consultation with the affected rail company is required.

Other Requirements

The Guidelines may have additional requirements to consider. Please refer to the Guidelines for detailed information. These requirements may include, but not limited to:

- Any changes to existing drainage patterns that may affect the rail line.
- Distance of vehicle access points from an at-grade crossing.
- Fencing.
- Additional considerations where mutual property line is with a school and other community facilities, parks and trails.

Please contact the City to determine if your proposal requires review by the affected rail company and the Rail Association of Canada. If your proposed development requires review by the rail company, early contact with the rail company and the Rail Association of Canada, is recommended. This consultation is important to determine:

- the location of the site in relation to the rail corridor;
- the nature of the proposed development;
- the frequency, types, and speeds of trains travelling within the corridor;
- the potential for expansion of train traffic within the corridor;
- any issues the railway may have with the new development or with specific uses proposed for the new development;
- the capacity for the site to accommodate standard mitigation measures;
- any suggestions for alternate mitigation measures that may be appropriate for the site; and
- the specifications to be applied to the project.

5 SETBACKS

How is the setback measured?

Setback distances are measured from the mutual property line to the residential or sensitive use building face. For example, if your property has a residential home and a detached garage, the distance would be measured to the building face of the residential home because the detached garage is not a residential or sensitive use.

Under typical conditions, the setback is measured as a straight-line horizontal distance.

It is understood that there may be conflict between setback distances for a property in the Zoning Bylaw. The most restrictive minimum setback distance requirement will be applied.

What happens if I cannot meet the setback requirements?

In some cases, it may not be possible to meet the setback requirements. Where the recommended setbacks are not technically or practically feasible due to site conditions or constraints, a Development Viability Assessment should be undertaken by a qualified planner or engineer in consultation with the rail company and the Rail Association of Canada to evaluate the conditions specific to the site, determine its suitability for new development, and suggest options for mitigation. More information about Development Viability Assessments can be found in Appendix A of the Guidelines.

6 WHAT TYPES OF NOISE MEASURES MAY BE REQUIRED?

Subject to the completion of a noise study by a qualified acoustic consultant in consultation with the rail company and the Rail Association of Canada, many of the adverse impacts of railway noise can be avoided or minimized through good design practices. More detailed information can be found in Section 3 of the Guidelines. Some examples of design options might include:

- Noise barriers
- Building location, design orientation and room layout
- Podiums
- Enclosed balconies
- Vegetation
- Construction materials that form a heavy wall
- Window glazing, size and sealing
- Acoustic insulation in doors

7 CHECKLIST

The checklist has been provided to determine if your development requires review by the appropriate rail company and the Rail Association of Canada. This checklist is to be used as a guide only. Please confirm any requirements with the City and/or the affected rail company if your property is within 300 metres of the rail line or 1,000 metres of a rail yard.

If the proposed development is a renovation or rebuild of an existing or approved use which does not decrease the setback distance from the rail line, only noise requirements apply. Setbacks and vibration requirements apply to new development only.

If the answer is **YES** to any of the questions (see next page), consultation with the applicable rail company and Rail Association of Canada may not be required. Please provide the appropriate documentation with your application to demonstrate how you have met this requirement.

If the answer is **NO** to ALL the questions (see next page), consultation with the applicable rail company and Rail Association of Canada may be required.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	The proposed development has previous planning approvals for which approved standards specific to rail setbacks, noise and vibration have been determined. Approved standards may be contained in City APPROVED documents (e.g., sector plans, concept plan, subdivision approval, zoning agreement). Please provide this information with your application. Refer to Section 3 of this document for more information.
<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is accessory to an existing/approved use and is <u>NOT</u> intended for a residential/sensitive land use occupancy.
<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is for heavy industrial use, warehouse, or manufacturing and repair use (e.g., factories, workshops, automobile repair and service shops).
<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is for redevelopment of an existing/approved use and will <u>NOT</u> decrease the setback distance listed in the Guidelines (e.g., rebuild of a property which would decrease the setback distance).

APPENDIX A RESOURCES

Rail Association of Canada Resources

Guidelines for New Development in Proximity to Railway Operations

Rail Association of Canada Rail Atlas - The Rail Atlas provides a map of Canada's railway network.

Contact Information

Rail Association of Canada

Canadian National Railway Company (CN)

Canadian Pacific Railway Company (CP)



saskatoon.ca/zoningbylaw

February 2022