

Proposed Development Next to Freight Rail Corridors Policy

1 Introduction

Calgary is a major transportation and logistics hub and is connected to the national rail network through the Canadian Pacific Railway and Canadian National Railway. With increasing volumes and types of goods being transported via freight railways there is an increased awareness across the country for the potential risks of accidents and the physical impacts of train derailments. A municipality should understand the context and risks for development next to a freight railway corridor when making planning decisions, and to ensure any required mitigation measures are incorporated at the time of a project's construction. The context for Calgary was determined through a detailed Baseline Risk Assessment (Assessment) for all parcels adjacent to freight rail corridors.

The most critical areas that need to be considered in terms of mitigating the risks of a derailment are the lands that are most likely to be physically impacted. The risk mitigation policies below are designed to enable appropriate development in these areas by applying a risk management approach. They provide clear guidance on the risk mitigation measures that will be required for certain uses or new developments directly adjacent to the freight railway.

When redevelopment occurs next to a freight railway the effects of noise on residents must also be considered. Clear guidance regarding the mitigation of noise is provided below. The Policy also acknowledges that vibration caused by rail operations can affect adjacent buildings and that mitigation should be considered for potential chemical releases due to accidents. Due to the complex nature of these issues, however, this Policy only provides advisory statements regarding vibration and chemical release.

Details on how to apply the policies and mitigate the risks are provided in the Implementation Guide.

2 Purpose and Objectives

The purpose of this Policy is to promote the vision of the Municipal Development Plan and local area plans to ensure that development and redevelopment reach their full potential near freight railways within acceptable risk levels.

This Policy supports the following objectives:

- a) Protection for building occupants and buildings;
- b) Mitigation of noise impacts from freight rail operations on residents in buildings near freight railways; and
- c) Provide the planning process and landowners with a clear understanding of the potential risks and by doing so remove the need for individual risk assessments for most developments.

3 Applicability of the Policy

This Policy addresses the very specific situation of new development next to freight rail corridors. It is supplemented by the Implementation Guide which provides further detailed guidance on implementing the policies.

- a) This Policy supplements other City plans and policies and is to be applied unless other statutory City policies prohibit new development adjacent to the freight railway corridors.
- b) This Policy only applies to lands that are at most risk of the physical impacts of train derailments. These lands have been identified as 30 metres on either side of a freight railway corridor in a zone referred to as the *Rail Proximity Envelope (Envelope)* and as described in the Implementation Guide.
- c) Land use districts vary along the freight railway corridors and allow for a wide range of potential uses. As not all uses have the same level of risk tolerance, this Policy only applies to high density residential and commercial uses (High Density Uses) and Sensitive Uses as identified in Table 1.
- d) It is important to not burden existing buildings and businesses along the corridors with requirements not originally considered in their design. Therefore, this Policy only applies to new developments and additions to existing developments as well as changes of use to High Density Uses and Sensitive Uses as identified in Table 1 within the 30-metre *Envelope*.
- e) The risks addressed in this policy are specific to freight rail operations as determined through the Assessment. Other forms of rail transportation in Calgary include Light Rail Transit lines. As they do not pose the same risk, this Policy does not apply to development and lands solely adjacent to Light Rail Transit.

4 Risk Mitigation

Developments that are within the *Envelope* are exposed to varying levels of risk due to the potential physical impacts of a train derailment based on the physical relationship between each parcel and the rail. To enable appropriate and desired new development, The City must understand the potential risks and subsequent mitigation measures that may be required. With this understanding, The City will be able to provide a consistent basis for decision-making that will support landowners in the development of their lands.

Consultation with experts, analyses based on a nationally used risk standard and comparison of other risk tolerance levels have enabled Administration to recommend annual probabilities of a train derailment leading to a fatality is one in 1,000,000 for High Density Uses and one in 3,333,333 for sensitive uses as acceptable tolerances respectively.

These risk tolerances have been determined based on the following:

- The number of people exposed to the potential risk of a train derailment;
- Ease of evacuation;
- Duration of exposure to the potential risk; and
- The occupants' ability to self-evacuate.

- a) The City should utilize the Assessment of the risks to lands adjacent to the freight rail corridors and use this as a consistent basis with which to determine if mitigation measures are required.
- b) The risks resulting from a train derailment depend on track and operational aspects as well as the size of planned buildings and the resulting likelihood that they would be impacted by a derailment. Mitigation measures should be required based on the risk tolerance established in The City's risk assessment as follows:
 - i. Where the risk for a parcel is one in 3,333,333 or less no additional mitigation measures are required and development can proceed with standard planning review process;
 - ii. Where the risk for a parcel is greater than one in 1,000,000 and the proposed development is for a High Density Use in a building that exceeds the *Maximum Building Width* as referenced in Table 1 of the Implementation Guide, a *Site-Specific Risk Assessment* is required;
 - iii. Where the risk for a parcel is greater than one in 3,333,333 and the proposed development is for a Sensitive Use that exceeds the *Maximum Use Width* as referenced in Table 1 of the Implementation Guide, a *Site-Specific Risk Assessment* is required;
 - iv. Where the risk for a parcel is greater than one in 3,333,333 and the proposed development is for a Sensitive Use in a building that exceeds the *Maximum Use Width* as referenced in Table 1 of the Implementation Guide, a *Train Impact Structural Review* is required.
- c) Fatalities also occur when people trespass across the freight rail corridor. To mitigate this risk, new developments adjacent to the freight railway should be physically separated from the corridor by a fence or similar barrier that meets the conditions established in the Implementation Guide.

5 Noise Mitigation

Railway operations by their nature are noisy. The goals of the Municipal Development Plan are to direct future growth of the city in a way that fosters a more compact, efficient use of land, creates complete communities, provides good quality of life for citizens, creates liveable places, and provides safe and healthy communities. In order to achieve these goals and enable development adjacent to the freight rail corridor, it is important to manage the impact of noise associated with freight rail operations as it relates to uses where people live. These uses are identified in Table 1 as Noise Susceptible Uses.

- a) Noise mitigation is only required for Noise Susceptible Uses that directly face the freight rail corridor and are located within the *Envelope*.
- b) When located within the *Envelope*, noise levels should not exceed 35 dBA (Leq) in bedrooms and 40 dBA (Leq) in all other living spaces.
- c) The noise standards can be achieved either through the completion of a noise study or by employing enhanced construction methods.

6 Mitigation Measures

Appropriate measures to mitigate safety and noise risks must be incorporated into new developments and as outlined in the Implementation Guide.

7 Vibration and Chemical Release (Advisory Statements)

Vibration caused by rail operations and potential chemical releases due to train accidents are also aspects that should be considered when developing adjacent to a freight railway corridor. Due to the complex nature of these issues, however, this Policy only provides advisory statements regarding vibration and chemical release.

Vibration

People can be sensitive to vibration generated by freight rail operations. Vibration impacts can include interference with sleep and activities involving concentration, reading and quiet conversation. The impact and mitigation of vibration associated with freight rail operations should be considered when planning and designing developments.

Chemical Release

To further protect the buildings and the building occupants from a potential chemical release due to a rail incident, the incorporation of mitigation strategies into existing and new buildings within the *Envelope* is encouraged.

8 Emergency Response Plan

In the event emergency response is required, access to the incident site is critical.

- a) Access points for emergency response in established and new communities should be facilitated through existing public lands, at-grade crossings, roadway openings or adjacent publicly owned open spaces.
- b) Private land owners are not required to dedicate portions of their development parcel for the purpose of accessing the freight rail corridor.

9 Review and Monitoring

It is recommended that the Implementation Guide be maintained in consultation with industry stakeholders. It should be reviewed every ten years with annual monitoring to evaluate the risk associated with freight rail operations.

Table 1: High Density Residential and Commercial Uses, Sensitive Uses and Noise Susceptible Uses

High Density Residential and Commercial Uses	Sensitive Uses	Noise Susceptible Uses
- Hotel - Live Work Unit - Multi-Residential Development - Multi-Residential Development – Minor - Dwelling Unit - Townhouse - Office - Instruction Facility - Post-secondary Learning Institution - Health Services Laboratory – With Clients - Medical Clinic - Cannabis Counselling - Dinner Theatre - Drinking Establishment – Large - Drinking Establishment – Medium - Drinking Establishment – Small - Night Club - Restaurant: Food Services Only – Large - Restaurant: Food Services Only – Medium - Restaurant: Food Services Only – Small - Restaurant: Licensed – Large - Restaurant: Licensed – Medium - Restaurant: Licensed – Small - Restaurant: Neighbourhood - Artist’s Studio	- Addiction Treatment - Assisted Living - Child Care Service - Custodial Care - Emergency Shelter - Home Based Child Care – Class 2 - Hospital - Jail - Residential Care - School Authority – School - School – Private - Temporary Shelter	- Addiction Treatment - Assisted Living - Backyard Suite - Child Care Service - Contextual Semi-detached Dwelling - Contextual Single Detached Dwelling - Cottage Housing Cluster - Custodial Care - Duplex Dwelling - Dwelling Unit - Emergency Shelter - Home Based Child Care – Class 2 - Hospital - Hotel - Jail - Live Work Unit - Manufactured Home Park - Multi-Residential Development - Multi-Residential Development – Minor - Residential Care - Rowhouse Building - School Authority – School - School – Private - Semi-detached Dwelling - Single Detached Dwelling - Townhouses