



Project No. 2310-1

September 25, 2023

Office of the City Clerk
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Delivered by email to clerks@vaughan.ca

**Re: City File No. 26.18.
Official Plan Amendment (Major Transit Station Areas) – City-Wide
Canadian National Railway – MacMillan Yard Considerations**

We are the planning consultants to the Canadian National Railway (“CN”) with respect to the CN MacMillan Yard (the “MacMillan Yard” or the “Yard”) and other CN infrastructure throughout the City of Vaughan.

We understand that the City is bringing forward a City-initiated Amendment to the Vaughan Official Plan 2010 (“VOP 2010”) to bring the VOP 2010 into conformity with the updated York Region Official Plan 2022 (“YROP 2022”), as approved by the Ministry of Municipal Affairs and Housing (“MMAH”) on November 4, 2022. The intent of the City-Initiated Official Plan Amendment (“OPA”) is to implement policies for Protected Major Transit Station Areas (“PMTSA”) and add Schedule 1C, which identifies the PMTSAs areas as delineated in the YROP 2022, into the VOP 2010.

On behalf of CN, Dentons previously provided comments regarding the YROP 2022, including on June 29, and October 6, 2022.

We have reviewed the draft OPA policies and Schedule 1C and we are writing to express our concern with respect to potential land use compatibility issues related to the proximity of several PMSTAs to the MacMillan Yard.

The MacMillan Yard is an industrial rail yard which operates 24 hours a day. The Yard opened in 1965, prior to much of the development in the City of Vaughan. The current concerns with respect to land use compatibility have arisen as a result of urban growth and development in proximity to the Yard only, as the Yard footprint has not substantially changed since it began operating.

The MacMillan Yard is located immediately to the east of PMTSA 56 - Creditstone BRT Station and immediately west of the PMTSA 60 - Keele BRT Station. The MacMillan Yard is of national economic importance and processes over one million

rail cars (loads and empties) per year. CN lands and operations are federally regulated through the Canadian Transport Agency (“CTA”) and are not subject to the planning requirements of the Province, York Region or the City of Vaughan.

The nature of the operations at the MacMillan Yard, and their associated noise and other emissions, are incompatible with sensitive land uses, and CN objects generally to sensitive land uses in proximity to the MacMillan Yard. CN is involved in the appeal of the City of Vaughan Comprehensive Zoning By-law 001-2021, and other planning processes in the City.

The Guidelines for New Development in Proximity to Railway Operations of the Federation of Canadian Municipalities and the Railway Association of Canada (“FCM/RAC Guidelines”) recommend that sensitive uses be setback 300 metres from a freight rail yard.

In the D-Series Guidelines (specifically Guideline D-6 Compatibility between Industrial Facilities), Class III industrial facilities, such as the MacMillan Yard, have a potential influence area (i.e., areas within which adverse effects may be experienced) of 1,000 metres, and a recommended minimum separation distance to “sensitive land uses” of 300 metres.

With respect to the recommended 300-metre separation distance and the 1,000-metre area of influence outlined in the D-Series Guidelines, we note that PMTSA 56 - Creditstone BRT and PMTSA 60 - Keele BRT Station are located immediately adjacent to the McMillan Yard and include lands within 300 metres of the Yard, and PMTSA 55 – Concord BRT Station and PMTSA 67 – Vaughan Metropolitan Centre Subway Station both include lands within 1,000 metres of the Yard.

We understand that the implementation of the PMTSA OPA policies and Schedule 1C are to implement the direction from the Region’s Official Plan and does not change the underlying land use designations set out in the current VOP 2010.

However, CN is concerned about the introduction or intensification of sensitive uses on sites within the PMTSAs within proximity of the Yard where sensitive land uses are a permitted use. In this regard, we request that the draft OPA be amended to add additional language requiring that the introduction or intensification of sensitive land uses only occur where the long-term protection of employment facilities has been addressed per the land use compatibility requirements of the Provincial Policy Statement, including the demonstration of needs and alternatives when designating lands for a sensitive land use in proximity to major facilities.

We also recommend that additional language be added that acknowledges that not all MTSAs are appropriate for residential uses and that alternative land use mixes be considered to achieve density targets.

We appreciate your consideration. Should you require any additional information, please do not hesitate to contact Anna Wynveen or the undersigned.

Yours very truly,
Bousfields Inc.



Emma West, MCIP, RPP