

Dear Review Panel,

I am submitting my below comments with regards to CN's submission Package 8, #705, dated December 18, 2018.

### **1. No Signatures on Responses**

With regards to the lack of signatures on CN's technical reports and responses, I raised my concerns to the Review Panel in my previous submissions (CEAR #435, #648). However, I am still not seeing any signatures, professional designations, and professional seals attached to these latest responses.

As I mentioned previously, attaching signatures and professional seals to final reports is required under the Ontario Professional Engineer's Act and its Regulation 941/90. The Professional Engineers Ontario states that, "*by sealing documents and drawings, licence holders acknowledge that they assume professional responsibility for the design, opinions, judgments or directions given in the documents and drawings. The seal is a "mark of reliance," indicating that a licence holder attests that other people can rely on the information provided in the documents and drawings.*"

In fact, I believe most, if not all technical reports submitted to municipalities, and the Ontario Ministries (e.g. Environment and Transportation, etc.) must be signed, dated, and sealed. The submissions by the Halton Municipalities (CEAR #549) all have the information on the authors, their professional experience, professional designations, and professional seals (if applicable).

Since the CN Project is such a high-profile undertaking, I am wondering why the majority, if not all, of the reports and responses bear NO signatures, professional designations and professional seals. With the lack of these basic yet essential elements in the CN reports and responses, how could the public trust the information, methodology, opinions and conclusions contained in the reports and responses?

**For the above rationale, I respectfully suggest that the Review Panel requires that all CN technical reports and responses must bear the authors' names, signatures, professional designation, and professional seals (if applicable).**

## **2. IR8.8 Applicability of the Ambient Noise Measurements at the Points of Reception**

In its responses, CN stated that Stantec conducted the background noise modelling. As per CN's statement, "The noise modelling was based on Stamson emission sound power levels that were incorporated into CADNA to predict road and rail noise at the monitoring locations."

Firstly, I do not think I saw the details as to what road/rail traffic data were used, receptor locations, heights, distances to road/rail lines, etc. Without this information, there is no way the public and professionals can verify the calculation results.

Secondly, as far as I know, STAMSON is the only acceptable program when it comes modeling traffic noise impact in Ontario. The calculations are acceptable to the Ontario municipalities for subdivision applications, Ministry of Transportation for road related projects, and Ministry of Environment for determining background noise levels in support of applications for Environmental Compliance Approval (ECA). There are detailed guidelines and instructions that must be followed in the calculations. STAMSON has been used in Ontario since late 1980s and has been proved to be an accurate traffic noise modelling tool. With the output from the program, it is very easy to verify the input data and calculation results.

CADNA, on the other hand, is not an acceptable modelling tool when it comes to modelling traffic noise impact in Ontario. In fact, CADNA is also not accepted by the US Federal Highway Administration (FHWA) and its state counterparts for traffic noise related projects. The Traffic Noise Model (TNM) is the only acceptable modelling tool.

Having mentioned the above factual information, I am puzzled as to why CN/Stantec would not use the STAMSON program to calculate the background traffic noise.

Therefore, I respectfully suggest that the Review Panel request the following additional information:

- **STAMSON must be used in determining background noise levels**
- **Provide a detailed list of traffic data, commercial vehicle breakdowns, receptor heights, distances and exposures to the applicable road/rail.**
- **Provide STAMSON output for each receptor calculations including  $L_{eq}$  and  $L_{dn}$ .**

### **3. ATTACHMENTS IR8.15-1, 2, 3, 4, 5, 6**

Towards the end of the responses, CN/Stantec provided the above attachments showing output from various modelling scenarios. These output files look like the output from the CADNA program. However, it is still hard to verify the modelling details such as the configuration and assumptions, etc.

**For the sake of verifications by the professionals, I respectfully suggest that the Review Panel requires that CN/Stantec to provide the CADNA modelling file(s) and make them available to the public on its website.**

My rationale is that, by making the CADNA modelling files available to the public, it would be easy for professionals to review the modelling details. I know for sure that the acoustical consultant retained by the Halton Municipalities can review the CADNA modelling files.

### **4. IR8.12 Receptor Heights and Site Specific Topographic Information**

Details in verifying the receptor heights were provided in this section. The acoustical model was refined accordingly in the CN responses. However, I felt that two issues are still needed to be addressed.

The first issue is the topographic elevation differences between the site and selected receptors. For comparison purpose, two figures are attached with marked elevations. One figure was taken from the CN/Stantec report showing the site and selected receptors. The other figure was taken from a Google Earth image dated May 7, 2018. In both figures, the elevations around the site and nearby receptors were labelled in red color.

Based on Google Earth, the site elevations are between 179 m to the south and 184 m to the north. As marked on the figures, the receptor ground elevations to the north range from 186 m to 189 m. There is an elevation difference as high as 10 m! What this means is that those receptors will have a direct line-of-sight of the CN operations. It would render any noise berms and barriers ineffective, as they may not provide shielding to the noise emissions.

The second issue is that there is an application with the Town of Milton that six (6) mid-rise residential buildings are being proposed at the northeast corner of Britannia Road and Bronte Street South. These buildings are between 4 and 6 storey high. See the attached site plans which are also available from the Town's website. As these buildings are going to be built on higher ground elevations, they would also have direct line-of-sight to the CN operations.

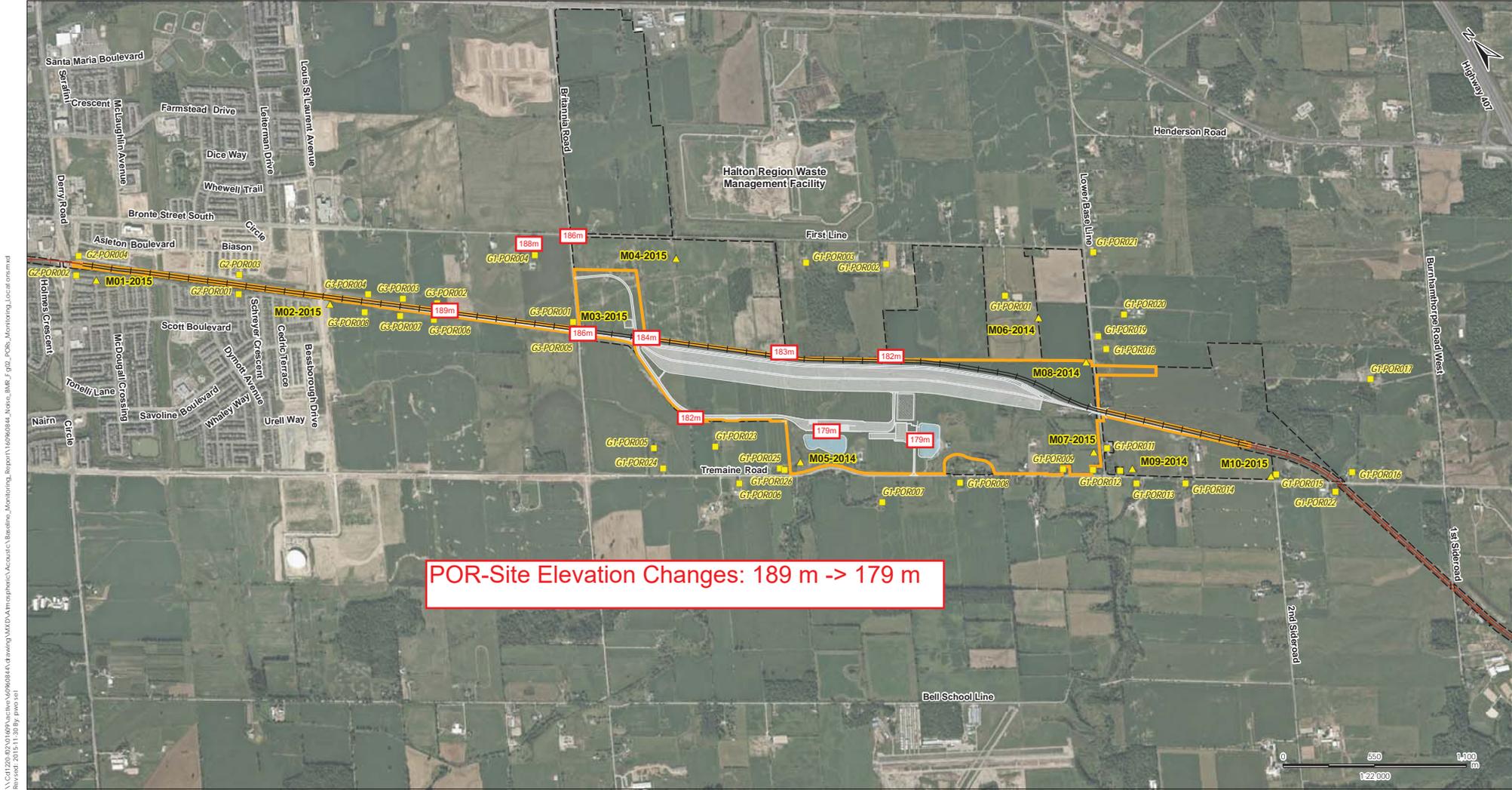
The above factors mean that the acoustical model needs to be revised in order to account for:

- Elevation differences between the site and receptors to the north of the site, along Bronte Street South and CN railway tracks; and
- The new development at the northeast corner of Britannia Road and Bronte Street South.

Thank you for your consideration.

Sincerely,

J. Wang



\\cd1220-8270-01099\active\m09644\Drawing\MXD\A\Imagery\Acoustic\Baseline\_Monitoring\_Report\16090844\_Note\_BME\_Fig2\_POR\_Monitoring\_Location.mxd  
 Revised: 2015-11-30 By: pws/stl

POR-Site Elevation Changes: 189 m -> 179 m



**Legend**

- |  |  |
|--|--|
| <span style="border: 1px solid orange; display: inline-block; width: 15px; height: 10px;"></span> Project Development Area | <span style="background-color: lightblue; border: 1px solid blue; display: inline-block; width: 15px; height: 10px;"></span> SWM Pond        |
| <span style="border-bottom: 1px solid orange; width: 20px; display: inline-block;"></span> Existing Single Track Mainline  | <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> Receptor Location |
| <span style="border-bottom: 2px solid orange; width: 20px; display: inline-block;"></span> Existing Double Track Mainline  | <span style="color: yellow; font-weight: bold;">▲</span> Noise Monitoring Location   |
| <span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> Double Track - Mainline          |  |
| <span style="border-bottom: 1px solid gray; width: 20px; display: inline-block;"></span> Project Component                 |  |
| <span style="border-bottom: 1px dashed black; width: 20px; display: inline-block;"></span> CN-Owned Property               |  |

- Notes**
- Coordinate System: NAD 1983 UTM Zone 17N
  - Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2015. Site layout: July 10, 2015.
  - Orthomagery © First Base Solutions, 2015. Imagery taken in 2014.



Client/Project  
 Canadian National Railway  
 Milton Logistics Hub  
 Technical Data Report - Baseline Ambient Noise Study  
 (Appendix E.9)

Figure No.  
**2**  
 Title  
**Points of Reception and Monitoring Locations near the Proposed Project Development Area**





# The Corporation of the Town of Milton

---

Report To: Council

---

From: Barbara Koopmans, Commissioner, Planning and Development

---

Date: July 24, 2017

---

Report No: PD-034-17

---

Subject: Public Meeting and Initial Report: Proposed Zoning By-law Amendment for the Major Node by Main Sails Estates Inc., on Part of Lot 6, Concession 2, New Survey, Trafalgar, Town of Milton (Town File: Z-09/14-A)

**Recommendation: THAT Planning and Development Report PD-034-17, BE RECEIVED FOR INFORMATION.**

## EXECUTIVE SUMMARY

The applicant is seeking to rezone the major node which is within the Main Sail Estates plan of subdivision from the existing site-specific Future Development Zone to a site-specific Residential High Density (RHD\*AAA) Zone and a site-specific Residential Medium Density 2 (RMD2\*BBB) Zone. The purpose of the application is to zone the lands to permit a condominium development consisting of a four to six-storey apartment building with 219 units and 53 townhouse dwellings on the subject lands.

The zoning amendment application is complete pursuant to the requirements of the Planning Act and is being processed accordingly.

Staff recommends that, upon completion of the consultation and review process of the zoning amendment application, a Technical Report, including recommendations, be prepared and brought forward for consideration by Council. The Technical Report will address any issues raised through the consultation and review process.

## REPORT

### Background

#### Owner

Main Sail Estates Inc., 800 Dufferin Street, Vaughan, ON L4K 5P5

#### Applicant

Glenn Schnarr & Associates, 10 Kingsbridge Garden Circle, Mississauga, L5R 3K6

#### Location/Description

The subject lands are legally described as Block 360 on Plan 20M-1184, Part of Lot 6, Concession 2, N.S. (Trafalgar). The lands are vacant and are 2.12 ha in size. The

property is located at the northeast corner of Britannia Road and Bronte Street South. The location of the subject lands is illustrated in Figure 1 attached to this report.

Upon completion of the subdivision, site-specific medium density residential uses will be located to the east and north of the property.

The subject lands consist of Major Node Area designated in the Boyne Survey Secondary Plan and are zoned a site-specific Future Development (FD\*57) zone. This application seeks to rezone the subject lands to a site-specific Residential High Density (RHD\*AAA) Zone and a Residential Medium Density 2 (RMD2\*BBB) Zone to recognize that these lands will be developed for high density residential and grade-related medium density uses. The Draft Zoning By-law is attached to this report as Appendix 1.

### **Proposal**

A four to six-storey condominium apartment building with 219 apartment dwelling units is proposed at the intersection of Britannia Road and Bronte Street South. In addition, 53 townhouse dwellings are proposed to transition to the planned medium density residential dwellings to the north and east. The townhouse dwellings include 38 two-storey townhouses and 15 lane access townhouses fronting onto Bronson Terrace.

Parking for the apartment building is proposed at a rate of 1.05 space per apartment dwelling unit for tenant parking and 0.2 space per dwelling unit for visitor parking, totaling 230 tenant parking spaces and 44 visitor parking spaces. Approximately 256 spaces will be located in an underground parking garage. The townhouse dwellings are proposed to have individual garages and/or driveways, which will accommodate two vehicles each. An additional 14 visitor parking spaces are proposed within the development for the townhouse dwellings.

The site development shows an integrated site with limited surface parking. The internal driveways provide access to both the proposed apartment building and the townhouse dwelling units with driveways connections to Chretien Street and Bronson Terrace. Internal walkways connect to the public sidewalks within the subdivision. The apartment building has direct pedestrian connections to Britannia Road and Bronte Street South. A central amenity space is located within the development and a series of smaller amenity spaces are created along the south and west sides of the apartment building abutting the arterial roads.

The following information has been submitted in support of this application:

- A site plan prepared by Graziani + Corazza Architects Inc., dated June 14, 2017;
- Elevations and Floor Plans for the proposed apartment building;
- Urban Design Brief prepared by John G. Williams Architect, dated June 15, 2017;



- A Shadow study Report prepared by Graziani + Corazza Architects Inc., dated June 2017;
- Transportation Assessment prepared by GHD, dated June 15, 2017;
- Noise Feasibility Study prepared by Jade Acoustics, dated June 15, 2017;
- Draft Zoning By-law Amendment and Schedule A prepared by Glenn Schnarr & Associates; and,
- Planning Summary prepared by Glenn Schnarr & Associates, dated June 15, 2017.

## Discussion

### Planning Policy

The subject lands are located within the Urban Area and are designated Major Node on Schedule B – Urban Area Land Use Plan. This designation means that the permitted uses shall be predominantly high density residential uses. Notwithstanding, a limited extent of grade-related multiple-attached housing forms such as townhouses and back-to-back townhouses may be considered subject to the applicable policies.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan amendment is not required.

### Zoning By-law 016-2014, as amended

The subject lands are currently zoned a site-specific Future Development (FD\*57) Zone, which does not permit the proposed development.

### Site Plan Control

Should the application be approved, the applicant will require site plan approval prior to the commencement of any development.

### Plan of Condominium

The development, as proposed, requires condominium approval before dwelling units may be sold. The type of condominium and the limits of the private property will have to be determined in order to set appropriate site-specific zoning by-law provisions.

### Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on July 4, 2017. The application was circulated to internal and external agencies on June 28, 2017.



Staff have identified the following issues to be reviewed:

- Urban/site design
- Provision of parking

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application.

### **Financial Impact**

None arising from this report.

Respectfully submitted,

Barbara Koopmans, BES, MCIP, RPP, CMO  
Commissioner, Planning and Development

For questions, please contact: Maria Smith, MCIP, RPP      Phone: Ext. 2311  
Senior Planner

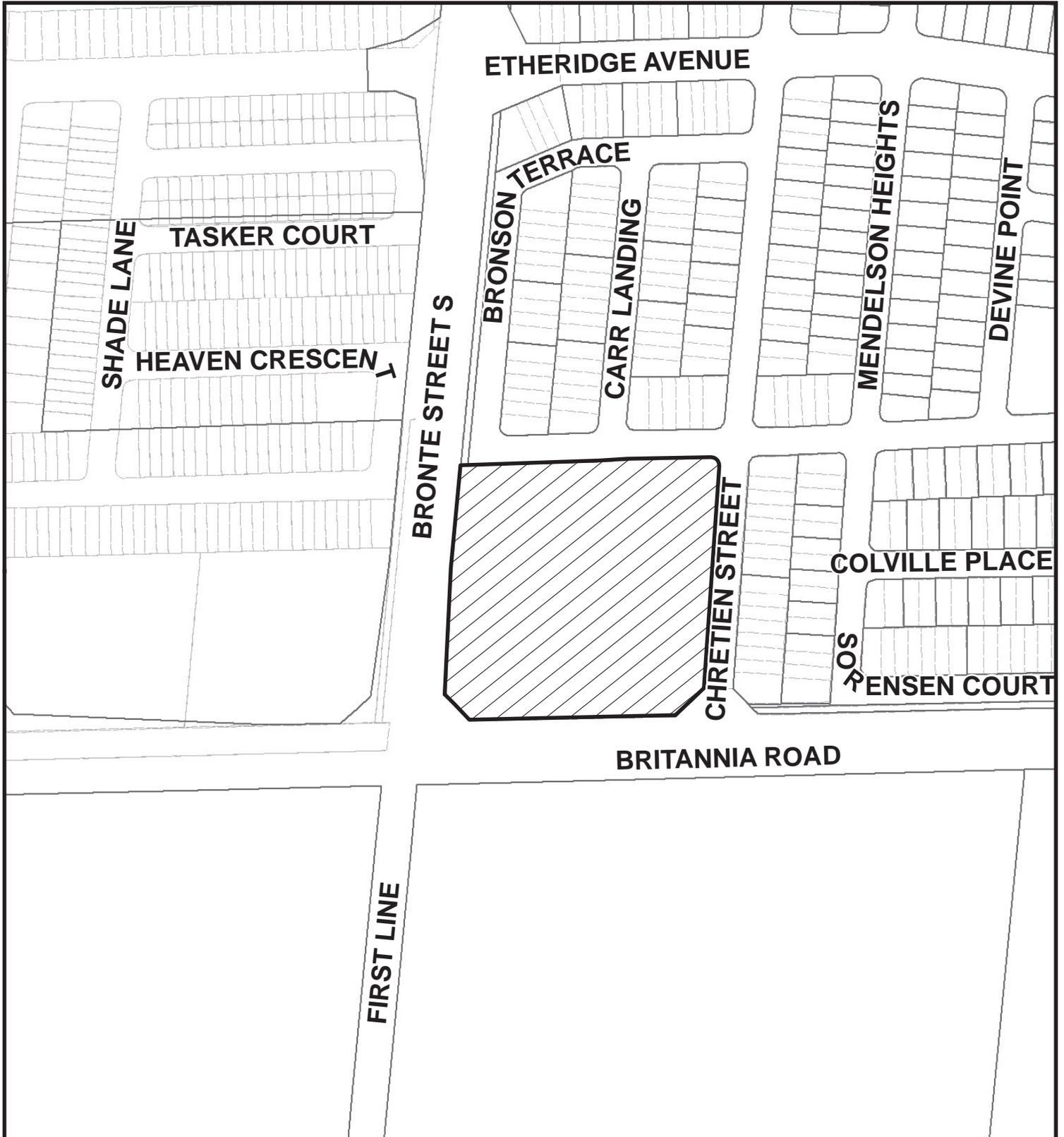
### **Attachments**

Figure 1 – Location Map  
Figure 2 – Concept Plan  
Figure 3 – Rendering of Apartment Building  
Appendix 1 – Draft Zoning By-law

CAO Approval  
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF  
Chief Administrative Officer



# FIGURE 1 LOCATION MAP



Council Meeting Date:  
July 24, 2017

Scale: 1: 3,000

File: Z-09/14-A

Planning & Development Department



Subject Property





THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2017

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 6, CONCESSION 2 FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - MAIN SAIL ESTATES INC. (FILE Z-09/14-A)

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

**AND WHEREAS** the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Milton hereby enacts as follows:

**1.0 THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development – Exception 57 (FD\*57) zone symbol to Residential High Density – Site Specific (RHD\*AAA) and Residential Medium Density II – Site Specific (RMDII\*BBB) zone symbols on the land shown on Schedule A attached hereto.

**2.0 THAT** Section 13.1 is amended by adding Section 13.1.1.X to read as follows:

**Residential High Density – Special AAA (RHD\*AAA) Zone:**

i) Notwithstanding the Zone Regulations of Section 6.2, Table 6E to the contrary, the following Zone Regulations shall also apply for Apartment Building:

- |    |  |       |
|----|--|-------|
| a) | Minimum Front Yard Setback (Britannia Road) =    | 4.5 m |
| b) | Minimum Interior Side Yard Setback (to parking)= | 3.0 m |
| c) | Minimum Exterior Side Yard Setback (Chretien) =  | 3.0 m |
| d) | Minimum Rear Yard (Bronson Terrace) =            | 2.0 m |
| e) | Minimum landscaped open space =                  | 30%   |

ii) Special Zone Standards:

- a) Notwithstanding Section 5.14.1 (Parking Structures 1.6 m or less in height), parking structure below grade shall may encroach into a required yard and may be 0.0 metres to a street line or lot line, and may encroach within a landscaped buffer.
- b) Notwithstanding Section 14.9.5, Table 4H, stairs and air vents associated with an underground parking structure shall be permitted in any yard.
- c) Notwithstanding Section 5.8.1, Table 5E, the parking requirement for an apartment building shall be a minimum of 1.05 parking spaces per unit PLUS 0.20 visitor parking spaces per unit.
- d) Notwithstanding Section 5.9, Table 5H (Accessible Parking), the minimum number of accessible parking spaces shall be 8 spaces (6 below grade and 2 above grade).
- e) A minimum of 4 square metres per dwelling unit of outdoor communal amenity space shall be provided at grade and shall be maintained and operated by a common entity.
- f) Notwithstanding Section 4.19.5, Table 4H (Encroachments into Required Yards), balconies and porches may project a maximum of 2.0 m into any required yard.
- g) The maximum length of a main wall of a building shall not exceed 60 metres.

**Residential Medium Density 2 – Special Section BBB (RMD2\*BBB) Zone:**

- i) Notwithstanding the Zone Regulations of Section 6.2, Table 6D to the contrary, the following Zone Regulations shall apply for Rear Lane Townhouse Dwellings – Private Street Access:
  - a) Minimum lot frontage, street access, interior unit = 5.5 m
  - b) Minimum lot frontage, street access, corner/end unit = 5.6 m
  - c) Minimum Lot Depth = 23.0 m
  - d) Minimum Rear Yard Setback (to attached garage) = 3.0 m
- ii) Notwithstanding the Zone Regulations of Section 6.2, Table 6D to the contrary, the following Zone Regulations shall apply for Townhouse Dwellings - Private Street Access:
  - a) Minimum lot frontage, street access, interior unit = 5.5 m
  - b) Minimum lot frontage, street access, corner/end unit = 5.6 m
  - c) Minimum Interior Side Yard Setback (End Unit) = 1.0 m

- d) Minimum Exterior Side Yard Setback = 1.5 m
- iv) Additional Zone Regulations for Townhouse Dwellings – Private Street Access:
  - a) Notwithstanding Section 5.12, Table 5L to the contrary, a common surface parking area may be setback 2.0 m from a lot line.

**3.0 THAT** If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Municipal Board dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Municipal Board amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Board’s Order is issued directing the amendment or amendments.

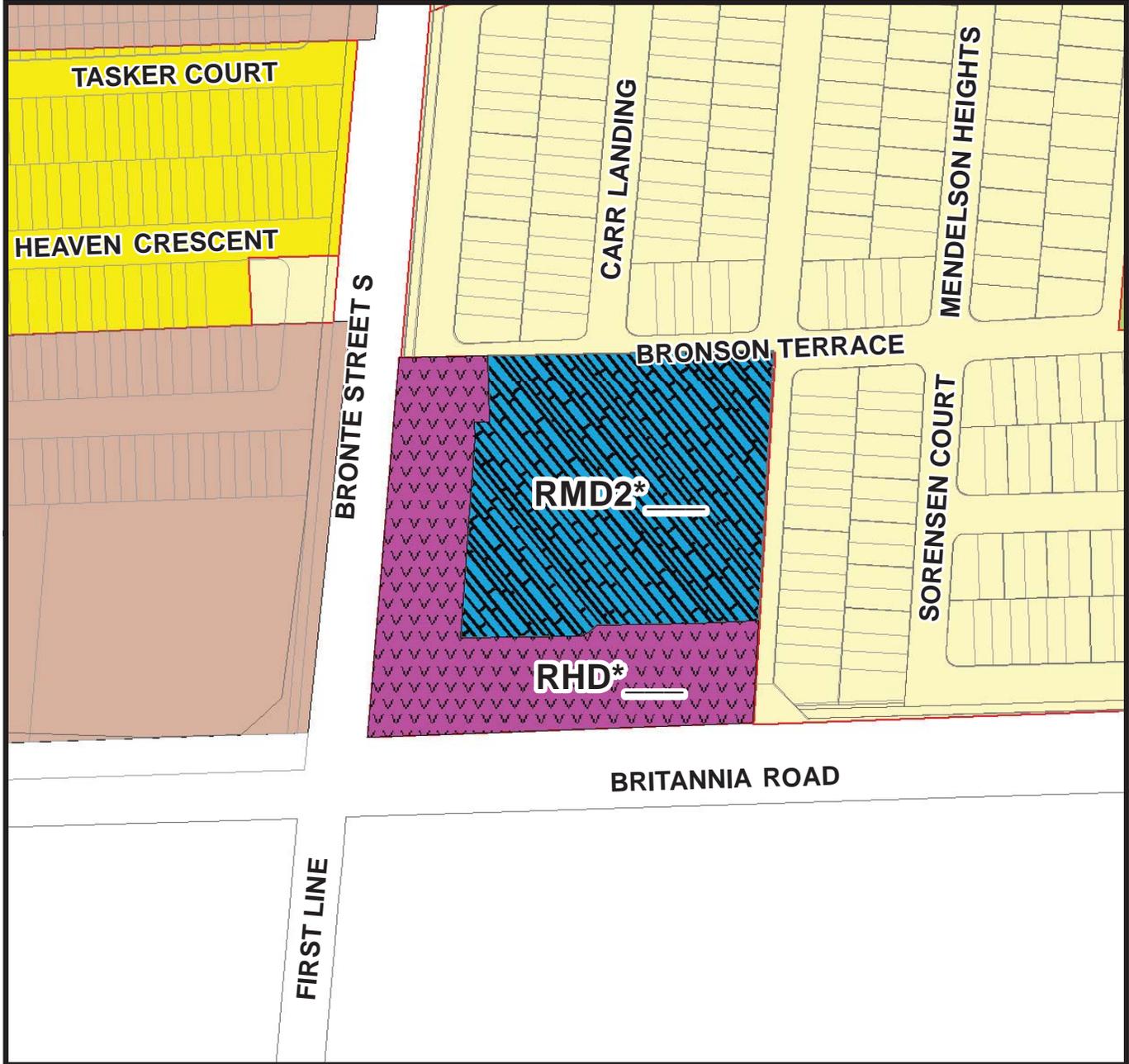
**PASSED IN OPEN COUNCIL ON .....2017.**

\_\_\_\_\_ Mayor  
G.A. Krantz

\_\_\_\_\_ Town Clerk  
T. McHarg

SCHEDULE A  
 TO BY-LAW No. -2017  
 TOWN OF MILTON  
 PART OF LOT 6 CONCESSION 2 NS

*Town of Milton*



THIS IS SCHEDULE A  
 TO BY-LAW NO. -2017 PASSED  
 THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.



RHD\* \_\_\_\_\_ - Residential High Density Zone Special



RMD2\* \_\_\_\_\_ - Residential Medium Density 2 Zone Special

\_\_\_\_\_  
 MAYOR - Gordon A. Krantz

\_\_\_\_\_  
 CLERK - Troy McHarg

