

Subject: 2024 O-Train Proximity Study Guidelines Update

File Number: ACS2024-TSD-RCP-0002

Report to Planning and Housing Committee on 22 May 2024

and Council 29 May 2024

Submitted on May 10, 2024 by Renée Amilcar, General Manager, Transit Services Department and Vivi Chi, Acting General Manager, Planning, Development Building Services

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Ward: Citywide

Objet : Lignes directrices de l'étude de proximité de l'O-Train (mise à jour 2024)

Dossier : ACS2024-TSD-RCP-0002

Rapport au Comité de la planification et du logement

le 22 mai 2024

et au Conseil le 29 mai 2024

Soumis le 10 mai, 2024 par Renée Amilcar, Directrice générale, Services de transport en commun et Vivi Chi, directrice générale par intérim, Direction générale des services de la planification, de l'aménagement et du bâtiment

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

- 1. That the Planning and Housing Committee recommend Council approve the updated O-Train Proximity Study Guidelines as described in this report and shown in Document 1.**
- 2. That the Planning and Housing Committee recommend Council delegate the authority to the General Manager, Transit Services, to make any amendments, changes and updates to the Guidelines and the use of this delegated authority shall be reported to Council on an annual basis.**

RECOMMANDATION(S) DU RAPPORT

- 1. Que le Comité de la planification et du logement recommande au Conseil municipal d'approuver les Lignes directrices mises à jour de l'étude de proximité de l'O-Train, telles que décrites dans le présent rapport et présentées dans le document 1.**
- 2. Que le Comité de la planification et du logement recommande au Conseil municipal de déléguer au directeur général des Services de transport en commun le pouvoir d'apporter des modifications, des changements et des mises à jour aux lignes directrices et que l'utilisation de ce pouvoir délégué fasse l'objet d'un rapport annuel au Conseil.**

EXECUTIVE SUMMARY

The City of Ottawa encourages Transit Oriented Development (TOD) in proximity to rapid transit to support City planning goals; the 2022 Official Plan seeks to leverage the City's assets in transit to achieve the Plan's overarching mobility objectives. Protecting rail transit infrastructure from impacts and conflicts is an aspect of prioritizing sustainable transportation.

In 2013, the City of Ottawa developed and adopted Confederation Line Proximity Study Guidelines to guide and inform development adjacent to, or integrated with, the infrastructure of the O-Train. These Guidelines assisted in ensuring that critical transit infrastructure was not compromised, while aiding developers in understanding the scope and process of completing a Proximity Study.

This report recommends that the Confederation Line Proximity Study Guidelines be updated to reflect the current state of existing and planned rail rapid transit infrastructure in Ottawa as the most recent version (2013) of the Guidelines was

approved approximately 5.5 years prior to commencement of revenue service on Line 1 (Confederation Line).

BACKGROUND

Policy guidance for land use planning in Ontario is provided by the *Planning Act* and the Provincial Policy Statement (PPS). The PPS (2020) states that the Official Plan is the most important vehicle for its implementation. The City of Ottawa Official Plan (2022) states in Section 4, City-Wide Policies, that Plan of Subdivision and Site Plan Control applications within the Development Zone of Influence for existing and future rapid transit stations and corridors must include an O-Train Proximity Study. Section 4 further states that new development on land adjacent to Protected Transportation Corridors and facilities must follow rail safety and risk mitigation best practices to determine appropriate development setbacks as determined through either the Federation of Canadian Municipalities-Railway Association of Canada (FCM-RAC) Guidelines for New Development or an O-Train Proximity Study, as applicable.

The Development Zone of Influence (DZI) is shown in the 2022 Official Plan in Annex 2. Protected Transportation Corridors are shown in the 2022 Official Plan as a component of Schedule C2 (Transit Network-Ultimate). The City has established the Development Zone of Influence based on the location of existing and future O-Train corridors.

In 2013, the City of Ottawa developed and adopted Confederation Line Proximity Study Guidelines to guide and inform development adjacent to or integrated with O-Train infrastructure, to ensure critical transit infrastructure is not compromised. The current (2013) version of the Confederation Line Proximity Study Guidelines was approved several years prior to commencement of revenue service on the Confederation Line and only references Line 1. As such, the Proximity Study Guidelines are due to be updated to reflect the current state of existing and planned transit infrastructure in Ottawa.

Stage 1 of the Confederation Line (Tunney's Pasture Station to Blair Station) entered revenue service in 2019. Stage 2 LRT (light rail transit) extensions to the east, west and south are currently under construction. The 2013 Transportation Master Plan (TMP) identifies future LRT extensions to Kanata / Stittsville and Barrhaven (Stage 3 LRT), as well as a future transit corridor along Carling Avenue. As of 2024, the City of Ottawa's existing and planned O-Train includes the Confederation Line (O-Train lines 1 and 3) and Trillium Line (O-Train lines 2 and 4), as well as the future O-Train extensions noted above.

DISCUSSION

The updated 2024 O-Train Proximity Study Guidelines are contained in Document 1 attached to this report. The guidelines were prepared by the Rail Construction Office and contain information which outlines the purpose of a Proximity Study, when and why a Proximity Study is required, the definitions of different Levels of a Proximity Study, and information on the submission and technical requirements and review processes for the required Proximity Study.

A Proximity Study is required when development is wholly or partially within the Development Zone of Influence or in proximity to a Protected Transportation Corridor per Schedule C2 of the 2022 Official Plan.

The Proximity Study Guidelines classify developments requiring a Proximity Study based on the level of risk or impact a proposed development is anticipated to have on existing, planned or future rail transit infrastructure and assign a level of Proximity Study on this basis:

- Level 1A: captures development wholly or partially within the Development Zone of Influence (DZI) that is deemed to have minimal impact on the O-Train, including development in proximity to those portions of the DZI where the O-Train is not yet in operation, under construction, or part of an on-going project;
- Level 1B: captures development in proximity to Protected Transportation Corridors;
- Level 2: is applied to development deemed to have a substantial impact on the O-Train (as defined by changing loading conditions, creating unbalanced lateral earth pressure, impacting transit operations, etc.); and
- Level 3: is applied to development on, over, under or within approximately 1 metre of the O-Train.

The level of Proximity Study and the supporting studies required will be determined by City of Ottawa staff during the pre-consultation phase of the planning application.

Purpose of the Guidelines

The purpose of the Proximity Study Guidelines is to provide guidance to development applicants when preparing a Proximity Study. A Proximity Study provides sufficient information for the City to assess and mitigate potential impacts of a proposed

development on the existing or future O-Train and Protected Transportation Corridors. For developments to which these Guidelines apply, Proximity Studies must demonstrate that developments are designed and built in a manner that allows the City to cost-effectively build, operate and maintain the future rail system, in addition to operating and maintaining it once it is built. Timing of proposed developments will also be reviewed to ensure potential conflicts between proposed development and light rail transit construction activities (including the need for transit detours) can be managed effectively.

The Proximity Study may also result in the inclusion of Conditions of Approval for Site Plan and Plan of Subdivision Applications.

The Guidelines should be consulted by the development applicant at the very early stages of a project.

What has Changed

The 2024 O-Train Proximity Study Guidelines are intended to replace the existing Confederation Line Proximity Study Guidelines. Significant changes include:

- The application of the updated Development Zone of Influence (DZI) as shown in Annex 2 of the 2022 Official Plan, which reflects the current extent of the planned and existing O-Train;
- The introduction of limited Proximity Study requirements for development within twenty (20) metres of Protected Transportation Corridors;
- Refinements to Proximity Study levels including the identification of Level 1B applicable to development in proximity to Protected Transportation Corridors;
- Levels 1A and 1B have been created for the updated (2024) Proximity Study Guidelines to add clarity to the requirements for development with minimal anticipated impact to the O-Train or Protected Transportation Corridors. The submission requirements for Level 1A involve fewer technical studies and reflect that the O-Train may not be in operation or under construction for some portions of the DZI. Likewise, the reduced submission requirements for Level 1B reflect the unknown timing of future rail operations within Protected Transportation Corridors.
- The removal of the assessment of transit-oriented development (TOD) objectives as an aspect of a Proximity Study as TOD objectives are assessed through other

aspects of the City's development review process.

- The introduction of provisions dealing with the submission of a Proximity Study in connection with an application for a zoning by-law amendment.
- The inclusion of clarifications regarding the application of the Federation of Canadian Municipalities-Railway Association of Canada (FCM-RAC) Guidelines for New Development in Proximity to Railway Operation.
- Explanations with respect to the regulatory differences between the Confederation Line and Trillium Line and the potential for additional requirements or compliance with the FCM-RAC Guidelines where other rail, including freight rail, operations are operating, or may operate in future, within the Trillium Line corridor.
- Explanations with respect to the relationship between a Proximity Study and Conditions of Approval.
- Updated information on Technical Requirements and Timelines and Fees.
- The development of definitions to clarify key terms including terms defining the scope of the "O-Train".

Conditions of Approval

The 2024 Proximity Study Guidelines include a section on Conditions of Approval. This section has been revised to add clarity on the relationship between a Proximity Study and Conditions of Approval. For Site Plan and Plan of Subdivision Applications, the process of a Proximity Study review and approval is one component of the Site Plan Agreement or Plan of Subdivision Agreement, which includes Conditions of Approval. The City of Ottawa may impose restrictions on hours, methods, or sequence of construction as well as other protective measures as outlined in the O-Train Proximity Study Guidelines or otherwise recommended as a result of the Proximity Study process, intended to avoid direct or indirect impacts on present, planned and/or future construction, operations or maintenance of the rail transit including the O-Train and including bus operations and customer access at stations. Conditions of Approval will be informed by the conclusions and recommendations of the Proximity Study for the development.

Technical Requirements

The updated Guidelines include a section on technical requirements which provides guidance for studies, plans, and reports which may be required as part of a Proximity Study, such as:

- Geotechnical Reports and Foundation Designs
- Excavation Plans
- Clearances from transit infrastructure for Site Plans, Floor Plans, and Cross-Sections
- Fire/Life Safety and HVAC Reports
- Construction Management Plans

Relevant industry standards and design guidelines also apply as they may be updated over time.

Fees

Fees are to be revenue-neutral (only to cover the City's review costs and third-party review costs) and will be project-specific based on the complexity of the development. The Proximity Study Guidelines specify that the development applicant should consult the City of Ottawa Planning Fees By-law to approximate the fee for each aspect of the relevant level Proximity Study. The developer may approach City staff for a fee quote, and the final fee may be payable at various stages of the development review process and/or during the construction of the development.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report as the fees associated with the Proximity Studies are to be revenue/cost neutral.

LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the revised Proximity Study Guidelines as set out in this report. As outlined in this report, the Guidelines are supported by the policies of the Official Plan and the referenced Schedule and Annex.

COMMENTS BY THE WARD COUNCILLOR(S)

Citywide

CONSULTATION

The draft 2024 O-Train Proximity Study Guidelines were circulated and presented to the City of Ottawa's Development Industry Steering Committee on March 31, 2022. The draft Guidelines were also circulated to the City of Ottawa's Planning and Engineering Committee.

Internally, Transit Services consulted with all the service areas within Planning, Development and Building Services, as well as Legal Services and Realty Services.

ACCESSIBILITY IMPACTS

The updated Proximity Study Guidelines help ensure that any new developments within the Development Zone of Influence meet accessibility requirements both during construction and once operational.

ASSET MANAGEMENT IMPLICATIONS

The recommendations documented in this report are consistent with the City's Comprehensive Asset Management (CAM) Program objectives. The implementation of the Comprehensive Asset Management program enables the City to effectively manage existing and new infrastructure to maximize benefits, reduce risk, and provide safe and reliable levels of service to community users. This is done in a socially, culturally, environmentally, and economically conscious manner. The Proximity Study will help to ensure that development proceeds in way that protects important City infrastructure.

The purpose of a Proximity Study is to demonstrate that proposed developments within the Development Zone of Influence and adjacent to Protected Transportation Corridors are designed and built in a manner that protects the integrity of O-Train assets and operations, during the construction of the development and throughout its lifecycle. Provisions must be included to ensure that construction is carried out such that there are no temporary or permanent adverse effects placed on any part of the O-Train, or that temporary adverse effects are paired with suitable mitigation strategies. The Proximity Study also addresses potential safety, noise and vibration risks to the development from the O-Train.

RISK MANAGEMENT IMPLICATIONS

The requirement for submission of a Proximity Study is an important risk management tool designed to assist the City in identifying risks to existing, planned and future rail

transit assets arising as a result of new development and identifying and implementing appropriate risk mitigation measures.

RURAL IMPLICATIONS

There are no rural implications associated with the report recommendations.

TERM OF COUNCIL PRIORITIES

Updating the 2013 Confederation Line Proximity Study Guidelines supports the following 2023-2026 City Strategic Plan and Term of Council Priorities:

- A city that has affordable housing and is more liveable for all
- A city that is more connected with reliable, safe and accessible mobility options

SUPPORTING DOCUMENTATION

Document 1 – O-Train Proximity Study Guidelines (2024)

DISPOSITION

Staff will take direction from Committee and Council and proceed accordingly.

The updated Proximity Study Guidelines will be owned by the Transit Services Department and implemented during the City's review of development applications by the Planning, Real Estate and Economic Development Department.