April 16, 2026

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From: Li-Lian Lui, Partum

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Subject: Rail Safety Brief
97 Bower Street, Acton, Ontario – 759509 Ontario Inc.

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1.0 Introduction

759509 Ontario Inc. (the "Landowner") has retained Partum Consulting Inc. to conduct a Rail Safety Study of the proposed development at 97 Bower Street in Acton in the Town of Halton Hills (the "Site"). The Site is located in proximity to the railway corridors of the GO Transit/Metrolinx and Canadian National Railway (CN) Guelph subdivision.

The purpose of this study is to review the proposed development against the following guidelines.

a. Metrolinx *Adjacent Development Guidelines GO Transit Heavy Rail Corridors*, July 2023 (the "Metrolinx Guidelines");
b. Federation of Canadian Municipalities (FCM) and Railway Association of Canada (RAC) *Guidelines for New Development in Proximity to Railway Operations,* May 2013 (the "FCM/RAC Guidelines");
c. Town of Halton Hills Zoning By-law 2010-0050; and
d. Transport Canada *Grade Crossing Regulations,* November 2021 (and *Grade Crossing Standards,* January 2019).

This study will address the site-specific rail adjacency conditions and describe any recommended measures to mitigate foreseeable risks from nearby railway operations.

2.0 Site Context

As illustrated in **Figure 1**, the property limits of the Site are bound to the north by environmentally protected lands to located between the Site and the rail corridor. Existing residential properties are southernly and westerly adjacent to the Site. The surrounding areas also have single-dwelling residential homes abutting the railway property. Mill Street to the south is the primary access and egress point for the Site. To the east, additional green lands and residential developments are present.

***Figure 1**: Site location, approximate property limits (red dashed line); environmentally protected / non-developable lands (green shaded area); and approximate setback to the rail corridor. Source: Google Maps, 6-Apr-2026.*

The Site is also located approximately 0.12 miles (+/-197m) west of the existing Mill Street East grade crossing; and west of the Acton GO station. Although the Site has a mutual property line with the rail corridor, the northern environmentally protected lands on the Site separate developable lands from the rail corridor. In terms of vertical elevation, as seen in **Figure 2** and **Figure 3**, the railway tracks are approximately 1.8m higher than the Site at the mutual property line.

***Figure 2**: Photo A taken at the mutual property line showing the existing elevation of the track (right) in relation to the Site (left). Existing high-security fencing is also present at the mutual property line. Source: Field Photos taken 25-Mar-2026.*

***Figure 3**: Photo B taken on the site facing the mutual property line showing the existing elevation of the track (top) in relation to the Site (bottom). An existing culvert beneath the railway is part of the watercourse which flows within the environmentally protected lands. Source: Field Photos taken 25-Mar-2026.*

3.0 Proposed Development

The proposed development is a 5-storey residential building. A plan view is illustrated in **Figure 4**. The proposed development will have no direct impact to the railway corridor.

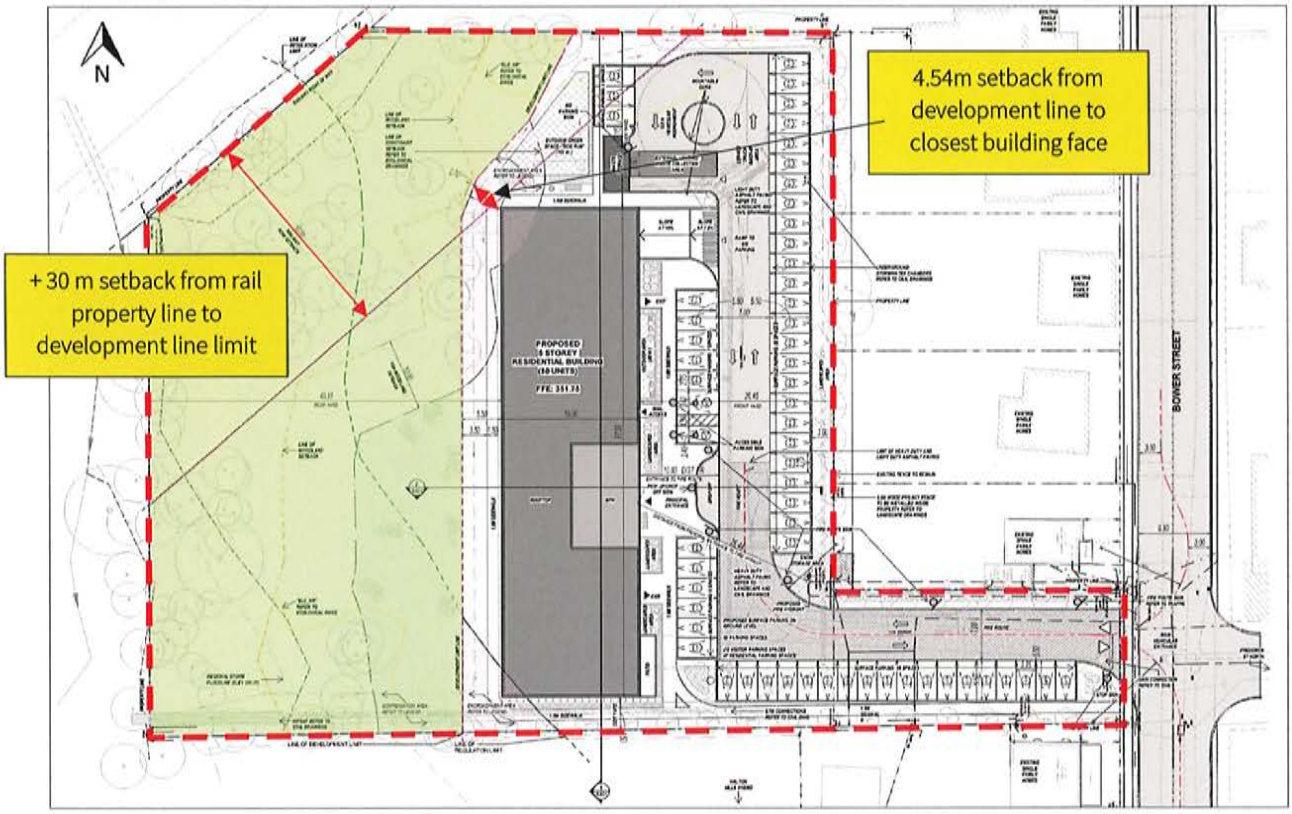

***Figure 4**: Plan view illustrating the footprint of the property limits (red dashed line); proposed development; environmentally protected land (green shaded area); and approximate setback from the railway property line. Source: 4Architecture Inc. Site Plan Drawing A103 dated September 23, 2025.*

4.0 GO Transit/Metrolinx and Canadian National Railway (CN) Guelph Subdivision

The GO Transit/Metrolinx and Canadian National Railway (CN) Guelph subdivision tracks are located a minimum 30 metres north of the Site. The rail corridor has two existing tracks. The southernmost track is the mainline track, and the northernmost track is a siding track. As a result, Metrolinx and CN should be the governing railway authorities for developments adjacent to the rail corridor. For the Site, the Town of Halton Hills would be the governing municipal authority for the proposed development.

Along the rail corridor, Metrolinx and VIA Rail operate passenger service for the Kitchener GO Transit and Montreal-Windsor corridor lines respectively. CN freight trains also operate along this section of track. The track diagram, illustrated in **Figure 5**, depicts the number of tracks, rail corridor speeds, and nearby identifiable locations such as stations, signal bridges, track crossovers, and grade separations. More specifically, the Site is south of Mile Point 35.80 of Guelph subdivision. At that location, the maximum allowable speed for passenger and freight trains are 70mph and 55mph, respectively.

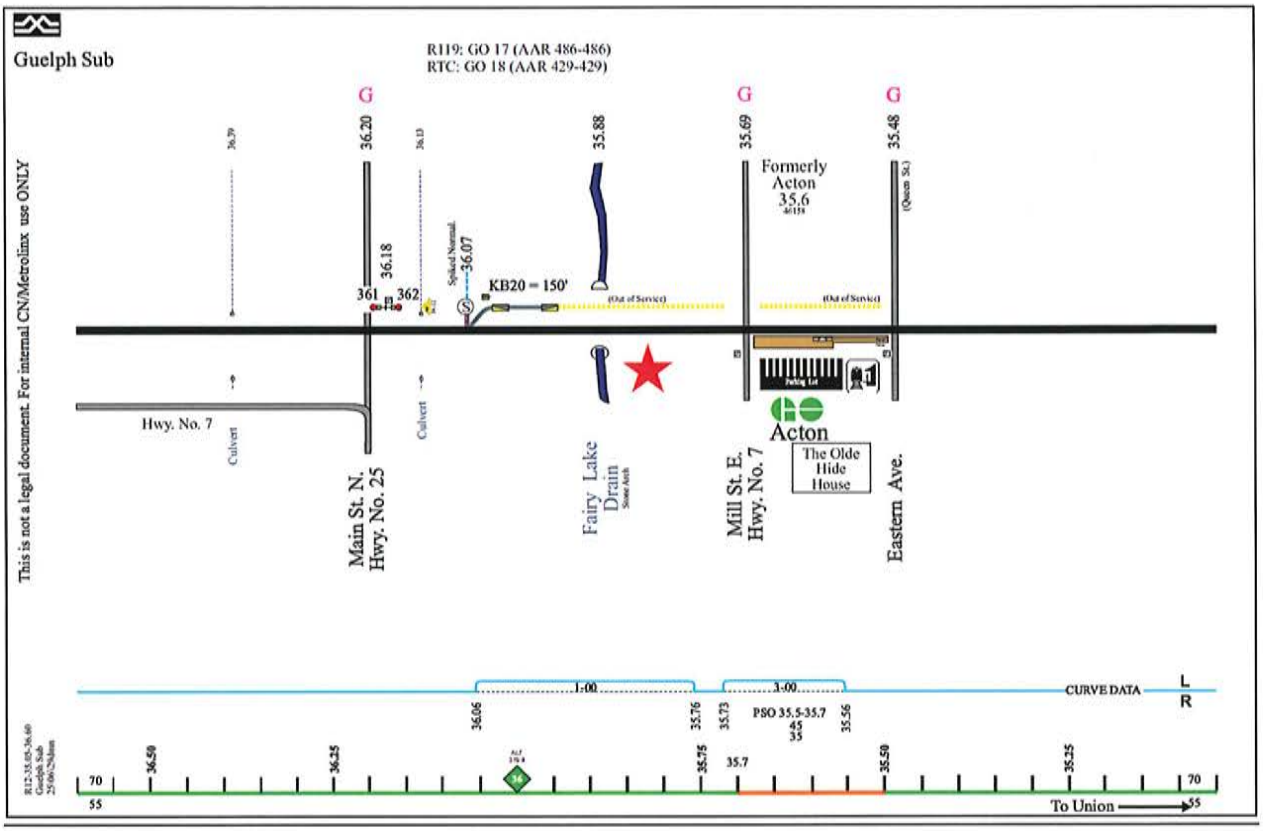

***Figure 5**: GO Transit/Metrolinx and CN Guelph subdivision track schematic. Approximate location of the Site shown (red star).*

5.0 Rail Adjacent Development Guidelines

Properties adjacent to railway corridors are exposed to hazards such as noise, vibration, emissions and potential train derailments. The noted hazards can result in risks to public health & safety, and the environment. The design requirements outlined by the described guidelines were developed to address derailment and environmental impact risks that can affect properties adjacent to railway operations.

The following describe the applicable guidelines for the Site, and the minimum horizontal setback expectations.

5.1 Canadian National Railway (CN)

The typical industry approach for addressing new developments in proximity to rail corridors is found in the FCM/RAC Guidelines. The guidelines include baseline design requirements for residential developments located directly adjacent to and within 30 meters of a railway property line. The requirements include the application of physical measures such as minimum setbacks, earth berms, crash walls, and security fencing. The instatement of additional measures to mitigate the impacts of noise, vibration, stormwater drainage, and emissions resulting from railway operations is also recommended to be assessed on a site-by-site basis. CN refers all adjacent Landowners to the FCM/RAC Guidelines when planning for developments.

5.2 GO Transit / Metrolinx (MX)

In addition to referencing the FCM/RAC Guidelines, the Metrolinx *Adjacent Development Guidelines* describe the need for municipal planning departments to notify railway companies of proposed development activities within a 300-metre zone of influence adjacent to railway corridors. The Metrolinx guidelines also provide details on specific requirements for drainage, noise, vibration and legal agreements for proposed developments adjacent to Metrolinx corridors.

5.3 Town of Halton Hills (for Acton)

The community of Acton is located in the Town of Halton Hills. For rail adjacent developments, the Town of Halton Hills also stipulates in their Comprehensive Zoning By-law 2010-0050, section 4.34 that,

> "*...all buildings and structures containing a dwelling unit, a place of worship, a day nursery and/or a private or public school shall be located no closer than 30 metres from the right-of-way owned by a Federally regulated railway company and/or a Provincially regulated railway company.*"[1]

This aligns with the expectations of the FCM/RAC Guidelines.

6.0 Risk Analysis and Mitigation Measures

Further to the horizontal setback expectations, the primary rail adjacent risks due to nearby railway operations include the effects of the following.

- potential train derailments,
- stormwater drainage conditions,
- at-grade crossing safety,
- trespassing into the rail corridor,
- noise & vibration; and
- other administrative mitigations (i.e. agreements, purchase clauses, etc.).

The following describes how the risks were considered specifically for the Site.

6.1 Setback and Safety Barrier

To protect an adjacent development from a potential train derailment, a setback and adequate safety barrier should be applied.

For the Site, the setback is a minimum 30 meters horizontally; and +1.8m vertically lower from rail corridor. In terms of a safety barrier between the nearest active railway track and closest face of a building, existing intervening land uses can be seen as such a barrier / buffer. The intervening land uses located within the +30-metre horizontal setback to the nearest track include the following.

- Environmentally protected lands including a watercourse, dense vegetation and trees; and
- Security and post and wire fencing along the mutual property line.

The noted Site conditions and intervening land uses can act as the safety barrier should a train derail and travel towards the development. The intervening land uses will intersect the derailed train before it reaches the development and aid in absorbing derailment energy to prevent a derailed train from reaching the nearest building face.

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[1] Town of Halton Hills Comprehensive By-law 2010-0050, https://www.haltonhills.ca/en/business/resources/Documents/Zoning%20By-law%20and%20Schedules/ComprehensiveZoningBylaw2010-0050.pdf , taken 6-Apr-2026.

6.2 Site Drainage and the Rail Corridor

The relevant adjacency guidelines expect the Site to drain away from the railway property; and/or not increase drainage conditions within the railway corridor. As the design progresses, the Landowner will take this requirement into consideration.

6.3 Impacts to At-Grade Crossings

The Transport Canada Grade Crossing Regulations outline how modifications to the average annual daily traffic (AADT) over an existing grade crossing could impact safety. The Landowner will be required to provide the rail authorities with the minimum expected increase in AADT over the crossing. Once provided to the railways, additional details may be requested from the Landowner by the rail authorities.

6.4 Access/Egress and/or Trespassing onto the Rail Corridor

The expectation is that new developments adjacent to rail corridors are to avoid the creation of trespassing opportunities into the railway right-of-way. Additional security fencing at the development limit line would be a conservative mitigation to restrict access/egress into the environmentally protected lands, and ultimately the railway corridor. The Landowner is encouraged to consider this mitigation.

6.5 Noise & Vibration and other Administrative Mitigations

Industry standard studies on the effects of noise and vibration resulting from railway operations are also expected for new developments. Such studies can identify further design controls to improve liveability for residential developments adjacent to trains. Additionally, clauses in agreements of purchase and sale, and other administrative mitigations may be imposed by the railways.

The Landowner has completed a Noise & Vibration Feasibility Study dated October 6, 2025. The report stipulates applicable mitigations for air conditioning systems and building façade construction to address vibration. The report denotes that no mitigation is required for the steady state stationary noise sources. Warning clauses are recommended for property and tenancy agreements for future dwellings with sound level excesses. The Landowners is encouraged to implement the noted mitigations.

7.0 Conclusion

As a result of the Site's described conditions, the level of risk related to hazards resulting from railway operations is low for the development.

The development guidelines which <u>are not applicable</u> to the Site are as follows:

i. A Development Viability Assessment, per the FCM/RAC Guidelines, is not applicable as the minimum setback is met. More specifically, the closest face of the proposed residential building is setback more than 30-metres horizontally from the railway property line.

The minimum development guidelines which <u>are applicable</u> to the site are as follows:

a) Notification to the railway companies of the proposed development is required, as outlined by the FCM/RAC Guidelines; and Metrolinx guidelines for sites within a 300-meter zone of influence adjacent to railway corridors.
b) Traffic Impact Study or similar assessment of the development's impact on the nearby existing Mill Street East crossing as per the FCM/RAC Guidelines and Transport Canada Grade Crossing Regulations (GCR).
c) A General Technical Study on noise is required, as outlined by the FCM/RAC Guidelines; and Metrolinx guideline for sites within 300-meters. This has been completed.

d) A General Technical Study for vibration is required, as outlined by the FCM/RAC Guidelines; and Metrolinx guidelines for sites within 75-meters. This has been completed.
e) Legal agreements are required by Metrolinx, as outlined by their guidelines for sites within 300 meters. The Landowner may be asked to enter into an Adjacent Development Agreement with Metrolinx; a standard agreement for new developments within 300-metres of railway facilities. As part of the Adjacent Development Agreement, Metrolinx may also request an environmental easement over the site. Legal agreements and requirements can be applied by Metrolinx on a site-by-site basis.

The results of this Proximity Review indicate the development proposed can proceed without consideration of a crash wall or other physical barrier to protect against potential derailments. This is provided the minimum 30-metre setback is maintained throughout the progression of the design.

Technical studies on traffic, and noise & vibration should be completed. As well, trespassing mitigations and controls within legal agreements can also apply to the Site. The Landowner will be required to validate such specific requirements from the railway and municipal authorities. Such added requirements should be submitted under separate cover of this letter.

We hope this letter adequately summarizes the proposed development in the context of the applicable rail adjacency development guidelines. Should you have any further questions or comments, please contact the undersigned.

Sincerely,

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