



June 26, 2025

Via Environmental Registry of Ontario

Hon. Rob Flack, Minister of Municipal Affairs and Housing
Ministry of Municipal Affairs and Housing
Provincial Planning Branch
777 Bay Street, 13th Floor
Toronto, ON M7A 2J3

ATTN: Planning Consultation

**Re: Proposed Regulation under the Planning Act and the City of Toronto Act, 2006
“Complete Application” – ERO No.: 025-0462
Submission of VIA Rail Canada Inc.**

To Whom it May Concern:

VIA Rail Canada Inc. (“**VIA Rail**”) is a federal Crown corporation that operates Canada’s national passenger rail service on behalf of the Government of Canada, meeting passenger needs for intercity travel as well as transportation to regional and remote communities.

VIA Rail has significant property interests across the Province of Ontario. VIA Rail owns, operates, or holds real estate interests in numerous train stations, maintenance centres, and railway tracks across the Province. Additionally, for the purposes of the Planning Act, R.S.O. 1990, c. P.13 (the “**Planning Act**”), VIA Rail is also a commenting agency and a “specified person” with certain appeal rights.

VIA Rail recognizes the Province’s objective to streamline the development approvals process to increase housing supply to meet Ontario’s growing population and housing needs, and is supportive of Provincial direction to prioritize transit-supportive development and intensification in proximity to transit corridors and stations. In this regard, VIA Rail stations are often considered as anchors in mobility hubs in local communities across the Province, and as such are viewed as locations where intensification is encouraged to support the housing needs of the Province.

VIA Rail’s stations, maintenance centres, railway tracks, and other property interests are encountering growing pressures from both new and existing developments. VIA Rail’s operations are governed by various federal legislation, including the Canada Transportation Act, S.C. 1996, c. 10 and the Railway Safety Act, R.S.C., 1985, c. 32 (4th Supp.). The Canada Transportation Agency, created under federal legislation, has broad authority to restrict rail operations based on complaints received for noise and vibration.

love the way™





As such, VIA Rail has a particular interest in ensuring that development in proximity to its rail operations includes appropriate mitigation measures to limit complaints that could lead to the restriction of VIA Rail's operations. As a result, VIA Rail has concerns respecting any proposed regulation under the Planning Act and/or the City of Toronto Act, 2006, S.O. 2006, c. 11, Sched. A (the "**City of Toronto Act**") that would regulate or restrict the reports, studies, or materials that could be required by a municipality as part of a complete application (the "**Complete Application Regulation**").

Several mitigation strategies to protect new development from noise, vibration, and emissions from rail operations – and to protect the life and safety of new residents and occupants – are constructed only if they are properly secured and implemented early in the development approvals process. To properly identify and mitigate these risks, land use compatibility studies (including rail safety studies, emission reports, noise impact studies, and vibration impact studies) must be completed at the outset of any development application near railway facilities.

As such, VIA Rail strongly recommends that land use compatibility studies and rail safety studies be included in the list of permitted studies under the regulation for all land use planning applications, and that such studies be mandated for any new development applications within a defined buffer of railway stations, tracks, facilities, maintenance centres, and other rail infrastructure.

In the alternative, VIA Rail recommends that land use compatibility studies and rail safety studies not be contained in the list of studies that could not be required as part of a complete planning application.

Thank you for the opportunity to provide input. We would welcome the opportunity to support the implementation of this regulation in a way that supports both housing delivery and rail safety as a shared responsibility.

Should you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Yours truly,

Denis Lavoie
General Counsel, VIA Rail Canada inc.

love the way™

