

**Written Submissions for Public Hearing**  
**Bylaw 2024-24 Osprey Bay Direct Control District Amendment & Redistricting**  
*(received prior to 4:00 p.m. on January 14, 2025)*

**Agency Comments:**

- Attachment 1 – CN Rail

**Adjacent Landowner Comments:**

- None.

# ATTACHMENT 1

**From:** [Alexandre Thibault](#) on behalf of [Proximity](#)  
**To:** [Julia Leduc](#)  
**Subject:** 2024-12-19\_CN Comments\_AB\_Parkland County\_E of Range road 54\_N of Wabamun lake\_Bylaw 2024-24 LUB Amendment (Osprey Bay DC)  
**Date:** December 19, 2024 8:19:46 AM  
**Attachments:** [LTR-Bylaw 2024-24 Notice of Public Hearing-Agencies.pdf](#)  
[REF-PKG-Bylaw 2024-24 Public Hearing Notification.pdf](#)  
[LTR-Bylaw 2024-24 Notice of Public Hearing-Agencies.pdf](#)

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Hello ,

Thank you for consulting CN on the application mentioned in subject. It is noted that the subject site is adjacent to CN's Main Line. CN has concerns of developing/densifying residential uses in proximity to railway operations. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. The [Guidelines for New Development in Proximity to Railway Operations](#) reinforce the safety and well-being of any existing and future occupants of the area. Please refer to these guidelines for the development of sensitive uses in proximity to railway operations. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

CN encourages to pursue the implementation of the following criteria as conditions of an eventual development /replacement of any dwelling units:

- Safety setback of principal buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
- Where the standard berm and setback are not technically or practically feasible, due for example, to site conditions or constraints, then a Development Viability Assessment should be undertaken by the proponent to evaluate the conditions specific to the site, determine its suitability for development, and suggest alternative safety measures such as crash walls or crash berms.
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

*"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."*

- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
- The implementation of the following mitigation measures in the dwelling design and construction:
  - Forced air ventilation systems with central air conditioning,
  - The exterior provision wall siding of buildings closest to the railway line to be brick or a masonry equivalent for the exposed facades,
  - Acoustically upgraded windows meeting the minimum requirements of the Building Code and providing a maximum 35 dBA indoor limit for bedrooms and 40 dBA for living rooms,
  - Locating noise sensitive rooms away from the railway side,
  - Future dwellings projected within 75m of CN right of way shall be constructed to include 12-inch (approximately 300 mm) thick poured concrete foundation walls, with 50 mm thick polyethylene foam or 100 mm thick polystyrene foam as the resilient material used for the entire foundation perimeter.

Under the applicable federal legislation, CN is responsible for ensuring the safety of its railway operations. Additionally, as safety is a core value at CN, CN is committed to the health and safety of their employees, the customers we serve and the communities and environment in which we operate, at all times.

In order to ensure the safety of railway operations, CN's operations and infrastructure are not to be impaired or affected by any construction works or any other works. Additionally, any work performed on CN's property must be arranged through a work permit. A work permit ensures that the proponents of the work, its authorized employees, servants, agents or contractors comply with CN's instructions and will take any safety precautions that CN may reasonably deem necessary in order to ensure that railway operations remain safe.

We request that CN Rail and the [proximity@cn.ca](mailto:proximity@cn.ca) email be circulated on public notices and notices of decisions with respect to this and future land use planning applications with respect to the subject site.

Thank you and do not hesitate to contact us with any questions.

Best regards,



**CN Proximity**

E: [proximity@cn.ca](mailto:proximity@cn.ca)

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**From:** Julia Leduc <[Julia.Leduc@parklandcounty.com](mailto:Julia.Leduc@parklandcounty.com)>

**Sent:** Monday, December 16, 2024 5:22 PM

**To:** Setbackreferrals <[setbackreferrals@aer.ca](mailto:setbackreferrals@aer.ca)>; ahs.ez.subdivisionrequests@ahs.ca; STOODLEY, Gary <[gary.stoodley@canadapost.postescanada.ca](mailto:gary.stoodley@canadapost.postescanada.ca)>; david.kruger@canadapost.ca; aep.wacapitalregion@gov.ab.ca; evergreen@ecsr.ca; divisionoffice@psd.ca; Melissa Chisholm <[Melissa.Chisholm@gov.ab.ca](mailto:Melissa.Chisholm@gov.ab.ca)>; EPA Water-Boundaries <[Water.Boundaries@gov.ab.ca](mailto:Water.Boundaries@gov.ab.ca)>; subdivisions@contractlandstaff.com; Proximity <[proximity@cn.ca](mailto:proximity@cn.ca)>; Land Service <[landserv@fortisalberta.com](mailto:landserv@fortisalberta.com)>; kelly.worobetz@telus.com; landreferrals@transmountain.com; admin@westparklandgas.com; svseba-telusplanet <[svseba@telusplanet.net](mailto:svseba@telusplanet.net)>; water@nswa.ab.ca; info@wwmc.ca

**Subject:** Referral & Notice of Public Hearing: Bylaw 2024-24 LUB Amendment (Osprey Bay DC)

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Good afternoon,

Please see attached referral and Notice of Public Hearing for Bylaw 2024-24 – Proposed Land Use Bylaw Amendment to the Osprey Bay Direct Control District & Redistricting.

If you have any questions, please let me know. Thank you,

**Julia Leduc, BA** (she/her) | Current Planner II | Parkland County | 53109A HWY 779, Parkland County, Alberta T7Z 1R1

Office: 780-968-8888 ext. 8234 | [julia.leduc@parklandcounty.com](mailto:julia.leduc@parklandcounty.com) | [http://secure-web.cisco.com/1Zb7un8ThZDK4HVpXbnkdQIm-4CVIMHE8MBNkJFOXp-aA6dglcutb\\_nVI-zVFw6sYUBSqpPn9YWwVVRWgxVD2GrWbDvQ5iHhHly\\_PTLA-DwjY5kPR92-XDJTIB5auY2vAKU\\_5otG3ntELocT-NaG59gMrc3j69VGD8Br7IYwAxILPccGUD-JxHsveDem876cqyC\\_yD4V7Sez\\_bqoA9A6P8bRUTXb244Uv3H2n1dADaRnYCIEDovyHHCm2DNinDSB3sxQEsBxQKgwYB8WZvHYemTrl8Kfk1W4qenalhJF\\_6JrVMVJBL0y5FTC6lq-1VeTbAkGiD\\_sz0GfP4qt1-sUObcYu4JyS7ggaeHCRJKJW-sqi-lnh8P6N-ihdMJdfxekHD9GxiddXWUKo6Oe8U6m4hsQ96F6-krFq0LRRiLFj47hQ/http%3A%2F%2Fwww.parklandcounty.com](http://secure-web.cisco.com/1Zb7un8ThZDK4HVpXbnkdQIm-4CVIMHE8MBNkJFOXp-aA6dglcutb_nVI-zVFw6sYUBSqpPn9YWwVVRWgxVD2GrWbDvQ5iHhHly_PTLA-DwjY5kPR92-XDJTIB5auY2vAKU_5otG3ntELocT-NaG59gMrc3j69VGD8Br7IYwAxILPccGUD-JxHsveDem876cqyC_yD4V7Sez_bqoA9A6P8bRUTXb244Uv3H2n1dADaRnYCIEDovyHHCm2DNinDSB3sxQEsBxQKgwYB8WZvHYemTrl8Kfk1W4qenalhJF_6JrVMVJBL0y5FTC6lq-1VeTbAkGiD_sz0GfP4qt1-sUObcYu4JyS7ggaeHCRJKJW-sqi-lnh8P6N-ihdMJdfxekHD9GxiddXWUKo6Oe8U6m4hsQ96F6-krFq0LRRiLFj47hQ/http%3A%2F%2Fwww.parklandcounty.com)

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