

October 18, 2022

Ashkan Matlabi,
Senior Planner (CN Proximity)
1600, René-Lévesque Ouest, 11e étage
Montréal (Québec)
H3H 1P9 CANADA

Dear Mr. Matlabi,

Regarding: Lansdowne Draft Plan of Subdivision (08-T-20203 & 08-T-20204)
Part Lot 17 & 18, Con 2, Vacant Lands East and West of County Road 3
Application for Draft Plan of Subdivision – 3rd Submission
Response to CN Technical Comments

On behalf of the landowner and developer, please find enclosed the Draft Plan of Subdivision Submission #3 for Lansdowne Subdivision. Enclosed are:

- Response Letter
- The Revised Draft Plan
- Phase 1 Lansdowne The Stormwater Management Report

The following provides a response in **bold** from Forefront Engineering to the outstanding technical comments. For reference, the comments from CN staff are identified in *italics* below. CN Rail comments were provided via email dated June 18, 2021.

Please note that this submission is for a revised Draft Plan of Subdivision located on the east side of County Road 3 south of the CN rail line in Lansdowne.

Comments provided by CN Rail dated June 22, 2021 are limited in scope to the west parcel and are not included in this submission.

CN Comments (June 18, 2021)

1. *The Owner shall engage a consultant to undertake an analysis of noise for all dwellings within 150 meters of the railway rights-of-way. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.*

Refer to the revised Draft Plan of Subdivision, proposed dwellings are located equal to or greater than 150m from the CN railway right-of-way.

2. *Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 meters of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of*

measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.

Refer to the revised Draft Plan of Subdivision, proposed dwellings are greater than 150m from the railway right-of-way.

3. *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 rights-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.”

Noted.

4. *The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.*

Noted.

5. *The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.*

Noted.

6. *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.*

Noted.

Sincerely,
FOREFRONT ENGINEERING INC.



Kyle Nielissen, P.Eng.

Project Manager

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