

**Train Whistle Cessation Spring 2020****Report Purpose**

To seek Council approval on proposed train whistle cessation at three rail crossings.

**Recommendations**

1. THAT the cessation of railway whistling at CN Mile 245.02 – Range Road 214 be approved.
2. THAT the cessation of railway whistling at CN Mile 245.63 – Township Road 524 be approved.
3. THAT the cessation of railway whistling at CN Mile 246.26 – Highway 830 be approved.

**Our Prioritized Strategic Goals**

Goal 1 - Build strong communities to support the diverse needs of residents

Goal 2 - Manage, invest and plan for sustainable municipal infrastructure

Goal 8 - Foster an environment for safe communities

**Report**

Since the implementation of train whistle cessation at the Range Road 222 CN rail crossing in Ardrossan, many residents have contacted the County to raise concerns of train whistle noise along the same CN Rail Wainwright subdivision rail line crossings near their homes. In 2019, seven (7) additional crossings were approved for whistle cessation, in collaboration with CN Rail. Four (4) crossings were completed in 2019. Three (3) crossings were found to be more complex and postponed by CN Rail to be completed in 2020 and have now been completed.

The train whistle cessation process follows the federally-controlled *Railway Safety Act*, where a municipality, as the road authority, can request train whistle cessation at an at-grade rail crossing with the required mitigating safety measures in place. Transport Canada maintains the required standards and safety measures in accordance with the procedures defined in the *Railway Safety Act* and *Grade Crossing Regulations*. Each crossing is unique and evaluated independently to ensure the required safety measures are in place and in compliance with Transport Canada's whistle cessation standards. The crossing safety assessments completed by Strathcona County and CN Rail defined required safety upgrades to meet whistle cessation guidelines along the CN Rail line.

The required safety measures for the three (3) rail crossings included improvements to the advance warning systems that can only be undertaken by CN Rail. Roadway safety improvements such as signs, pavement markings, and right of way brushing have been completed and will be maintained by Strathcona County. The proposed crossings have been inspected by Strathcona County and CN Rail staff and agreement that each crossing meets the prescribed requirements of the *Grade Crossing Regulations and Standards* has been achieved.

The next step towards whistle cessation requires Council to approve this proposed resolution. Once the resolution is passed, the railway companies will be informed through an official letter, at which time the railway companies will notify Transport Canada's Rail Safety Directorate of the effective date of whistle cessation at each of the crossings and provide a copy of its special instructions. CN Rail must also notify the County in writing of the whistle

cessation no later than 30 days of the whistle cessation resolution to confirm implementation.

Once implemented, train operators retain the overruling authority to sound the whistle in the event of an imminent safety concern at his or her sole discretion at all times. Residents may notify the County if whistles continue at the crossings on a regular basis and the County will collaborate with CN Rail to ensure whistle cessation resolutions are followed. The County and railway companies are jointly responsible for monitoring and maintaining the conditions that support the cessation of train whistles.

### **Council and Committee History**

November 26, 2019	Council approved the cessation of railway whistling at CN Mile 243.74 – RR 213; CN Mile 242.06 – Range Road 211A; CN Mile 240.06 – Range Road 210; CN Mile 238.71 – Range Road 205 and CP Mile 168.38 – 34 <sup>th</sup> Street.
September 10, 2019	Council approved an amendment to the 2019 Capital Budget to increase the 2019 Train Whistle Cessation project in the amount of \$293,000 (from \$100,000 to \$393,000) to be funded through internal financing.
December 6, 2018	Council approved the 2019 Consolidated Capital Budget which included the train whistle cessation project in the amount \$100,000 to be funded through internal financing for the cessation of seven additional crossings.
September 25, 2018	Council approved the cessation of railway whistling at CN Mile 255.97 Range Road 231.
July 3, 2018	Council approved the cessation of railway whistling at the crossings at CN Mile 251.43 - Range Road 223 and CN Mile 247.45 - Range Road 220.
July 11, 2017	Train Whistle Cessation Update was referred to the September 5, 2017 Council meeting for debate and discussion.
March 8, 2016	Priorities Committee was provided with a summary of the Highway 824 at-grade rail crossing train whistle cessation process and information as to the review of future actions.
January 19, 2016	Council approved the cessation of railway whistling at the at-grade crossing at CN Mile 250.25 - Highway 824.
December 11, 2012	Council approved the 2013 Capital Budget which included the 2013 Ardrossan Train Whistle Cessation project.
July 12, 2012	Council approved Municipal Policy SER-013-004: Train Whistle Cessation.
January 11, 2011	Council directed Administration to bring back criteria for, and establish a policy to, minimize train whistles in Strathcona County.

### **Other Impacts**

**Policy:** SER-013-004 Train Whistle Cessation, SER-009-017 Traffic Control Devices

**Legislative/Legal:** Transport Canada – *Railway Safety Act* (section 23.1) provides that the government of a municipality may by resolution declare that it agrees that a train whistle within the municipality should not be used. The municipal government is required to 1) consult the railway company that operates the relevant line of railway; 2) notify each relevant association or organization; and 3) give public notice of its intention to pass the resolution.

**Interdepartmental:** Planning and Development Services, Transportation and Agriculture Services, and Legislative and Legal Services.

**Master Plan/Framework:** Planning and Development Services, Transportation and Agriculture Services, and Legislative and Legal Services.

**Communication Plan**

As per the *Railway Safety Act* and in accordance with the advertising requirements in the *Municipal Government Act*, notice of the proposed resolution was provided in the newspaper. Train whistle cessation will also be advertised on the County website.

**Enclosures**

- 1 Strathcona County Railway Crossings Train Whistle Cessation Locations Map
- 2 Resolution Spring 2020