

Train Whistle Cessation Fall 2019**Report Purpose**

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

Recommendation

1. THAT the cessation of railway whistling at CN Mile 243.74 – Range Road 213 be approved.
2. THAT the cessation of railway whistling at CN Mile 242.06 – Range Road 211A be approved.
3. THAT the cessation of railway whistling at CN Mile 240.06 – Range Road 210 (Cooking Lake Road) be approved.
4. THAT the cessation of railway whistling at CN Mile 238.71 – Range Road 205 be approved.
5. THAT the cessation of railway whistling at CP Mile 168.38 – 34 Street 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 collaboration with CN Rail, an additional four railway crossings have been reviewed and modified for implementation of train whistle cessation. Three more crossings that were planned to be completed in 2019 were found to be more complex and remain to be completed by CN Rail in 2020 as time and weather permit. The crossings have been selected according to the order of priority established in the Train Whistle Cessation Policy SER-013-004 and through conversations with residents and Council.

Edmonton residents living just west of the Strathcona County boundary raised similar train whistle noise concerns stemming from a CP Rail crossing located on 34 Street in Strathcona County's jurisdiction. In May 2018, the City of Edmonton requested Strathcona County to collaborate and coordinate through the process of whistle cessation. The City has completed all necessary steps for whistle cessation implementation on behalf of Strathcona County and CP Rail has also inspected the crossing and agreed to proceed with next steps.

To date, train whistle cessation has been implemented at four crossings on the CN Rail Wainwright subdivision line. This resolution is recommending four additional crossings along the CN Rail line and one on a CP Rail line crossing at 34 Street that are now compliant with whistle cessation infrastructure guidelines as per Transport Canada's Procedure for Eliminating Whistling at Public Grade Crossings. A complete list of crossings included in this resolution are outlined below.

- CN Mile 243.74 – Range Road 213
- CN Mile 242.06 – Range Road 211A
- CN Mile 240.06 – Range Road 210 (Cooking Lake Road)
- CN Mile 238.71 – Range Road 205
- CP Mile 168.38 – 34 Street

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 at-grade rail crossings. 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, the City of Edmonton, CN Rail and CP Rail defined required safety upgrades to meet whistle cessation guidelines along the CN Rail line.

The required safety measures for the five rail crossings included improvements to the advance warning systems that can only be undertaken by the railway companies. Roadway safety improvements such as signs, pavement markings and brushing have been completed by Strathcona County. The proposed crossings have been inspected by Strathcona County and CN/CP 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 and CP 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 the railway companies 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

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 17, 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

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| 1 | Strathcona County Railway Crossings Train Whistle Cessation Locations Map |
| 2 | Resolution Fall 2019 |