



Legislation Text

File #: RFD 19-036, **Version:** 1

CN Rail Crossing Matters

Proposed Motion

That the CN Rail Crossing report be received for information, as presented.

Administration Recommendation

Administration supports the proposed motion.

Purpose

To provide an update to Council regarding CN Rail crossing matters specific to train whistle cessation.

Summary

Parkland County Council passed Bylaw 2016-27 on August 22, 2017, being a Bylaw to “Provide for the regulation of train whistles within Parkland County, in the Province of Alberta”. This Bylaw was passed in accordance with Section 23.1 of the *Railway Safety Act*, R.S.C. 1985, c.32 (4th Supplement). The Bylaw prohibited train whistling at 16 rail crossings located in the east half of Parkland County. All 16 of these crossings have the highest level of protection being gates, flashing lights and bells.

Prior to passing Bylaw 2016-27, there were a limited number of crossings in the County with anti-whistling in effect. Trains did not whistle at 4 crossings located along the north shore of Lake Wabamun; specifically at Range Roads 43, 44, 45 and Sunset Avenue. Whistling did not occur at these locations as a result of previous anti-whistling actions by the County. These locations were incorporated into Bylaw 2016-27.

For the remaining 12 crossings, between the eastern limits of Parkland County and the eastern limits of Lake Wabamun, it was determined with the assistance of Transport Canada that 5 crossing locations, being Range Roads 13, 14, 15, 20 and 21 met the prescribed requirements of the *Railway Safety Act's* Grade Crossing Regulations and Standards for whistle cessation. In May of 2018 the whistle was ceased at these 5 crossings.

Extensive consultation with representatives from CN Rail and Transport Canada occurred in 2018. Collectively, it was determined that the gate delay time required in the current Regulations and Standards for whistle cessation was not sufficient at the remaining 7 crossings. Whistle cessation cannot be put into effect until upgrades are completed. The current Regulations and Standards that were published on December 17, 2014 require that all crossings be upgraded within seven years of the Regulations coming into force. Under Transport Canada's prescribed deadlines, CN Rail has until December 17, 2021 to complete the upgrades. Their position is that they are making progressive improvements, are not outside of their compliance requirements, and will continue towards ensuring upgrades are completed.

In 2018, CN Rail upgraded the crossing at Range Road 22. Administration is currently working with CN Rail and Transport Canada to confirm the crossing meets all requirements of the Regulations and Standards. Once confirmed, whistle cessation will be formally requested.

CN Rail has communicated to Parkland County that upgrading of the crossings at Range Roads 25, 32 and Main Street in Fallis are scheduled to be upgraded in 2019. Once these upgrades have been completed, Administration will continue to pursue whistle cessation at these locations.

The location at Main Street in Fallis, as shown on the attached plan has been added for today's discussion. This crossing will need to be formally added to the Bylaw as part of the whistle cessation process.

Administration will continue to work with CN Rail and keep Council informed of when upgrades to the remaining 4 crossings, Range Roads 262, 265, 271 and 40, listed in Schedule "A" of Bylaw 2016-27 are scheduled to be completed. Administration will also continue to pursue whistle cessation towards the west limits of the County as previously committed. The locations west of Lake Wabamun are more challenging as many do not have gates, flashing lights and bells.

Strategic Plan/Policy/Legal/Staff Implications:

Guiding Principle 1.1: We offer a range of lifestyle choices, community services, and other amenities to meet community needs.

Guiding Principle 1.2: We are a region of connected communities, through infrastructure, transit, recreation facilities, trails and technology.

Guiding Principle 4.3: We ensure streamlined and modernized municipal operations and services, with a focus on customer service.

Financial Impact:

Cost: \$0.00

Source of Funding: n/a