

CITY OF HAMILTON

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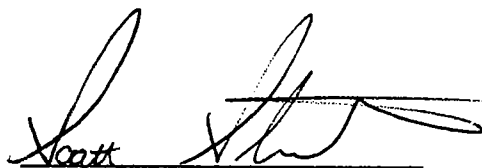
PUBLIC WORKS DEPARTMENT
Operations Maintenance Division

Report to: Mayor and Members Committee of the Whole	Submitted by: Scott Stewart, C.E.T. General Manager Public Works Department
Date: June 23, 2006	Prepared by: Rob Galloway Extension 4585

SUBJECT: Train Whistle Cessation - Parkside Drive and CPR Crossing
(PW06086) - (Ward 15)
*Public Works, Infrastructure & Environment Committee Outstanding
Business List*

RECOMMENDATION:

- (a) That the City of Hamilton pass a resolution for train whistle cessation at the Canadian Pacific Railway crossing (Mile 65.67, CPR Hamilton Subdivision) and Parkside Drive in the former town of Flamborough.
- (b) That the City of Hamilton and the Canadian Pacific Railway cost share the insurance premiums for protection from any third party claims.
- (c) That the item relating to Whistle Blowing at Parkside Drive be removed from the Public Works, Infrastructure & Environment Committee Outstanding Business list.



Scott Stewart, C.E.T.
General Manager
Public Works

EXECUTIVE SUMMARY:

Staff received a request from the area Councillor to investigate the use of train whistles at the public railway crossing of Parkside Drive and Canadian Pacific Railway (CPR) Mile 65.67, CPR Hamilton Subdivision, in Ward 15. Train whistling at the above location, is a nuisance for area residents. Staff supports the elimination of train whistling at this location.

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BACKGROUND:

That the information/recommendations contained within this report primarily affects Ward 15.

In 1998 the former Town of Flamborough was unsuccessful in its request to stop train whistling at this crossing due to the close proximity of the CPR tracks and the commercial access at 407 Parkside Drive. CPR agreed in 1998 that if the commercial access was relocated a minimum of 4.6 metres (15 feet) east of its current location then they would agree to the cessation of train whistling. The commercial access was relocated easterly, however Transport Canada revised the standards and policies in 2002 for train whistle cessation and therefore any agreement with CPR prior to that date would not be valid.

The crossing currently meets the warning system requirement for the cessation of train whistles by being equipped with flashing lights, bells, and gates.

In early 2006 the City received correspondence from CPR and hired a consultant to perform a safety audit of this at grade crossing. The safety audit recommends some minor revisions to existing conditions to improve safety at this crossing. Staff have issued work orders to correct the City controlled deficiencies.

Staff have notified relevant organizations and advertised in the paper the intent for cessation of train whistling at this crossing in accordance with the Railway Safety Act.

The Safety Audit performed by the City's consultant has been forwarded to CPR for review and action. If CPR is satisfied with the safety audit, the City will enter into an agreement with CPR for the cessation of train whistles at this crossing. The City and CPR will cost share the required premiums for protection of third party liability. Upon CPR receiving the signed insurance agreement, CPR will issue "Special Instructions" eliminating the use of train whistles at this crossing.

ANALYSIS/RATIONALE:

The safety audit performed provides the necessary confirmation that the safety of vehicular and pedestrian traffic is met. With the rail crossing having obtained this safety assurance, train whistle cessation can be accommodated.

ALTERNATIVES FOR CONSIDERATION:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial

Sufficient funds are available in regular current accounts to cover the cost of 3rd party insurance.

Staffing

N/A

Legal Implications

N/A

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POLICIES AFFECTING PROPOSAL:

There are no City of Hamilton policies affecting this recommendation.

RELEVANT CONSULTATION:

Initiated and supported by Ward Councillor, Risk Management, CPR, and Intus Road Safety Engineering Inc.

CITY STRATEGIC COMMITMENT:

By evaluating the "Triple Bottom Line", (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. Yes No

The reduction of train noise will improve the quality of life, peace and quiet for neighbouring residents.

Environmental Well-Being is enhanced. Yes No

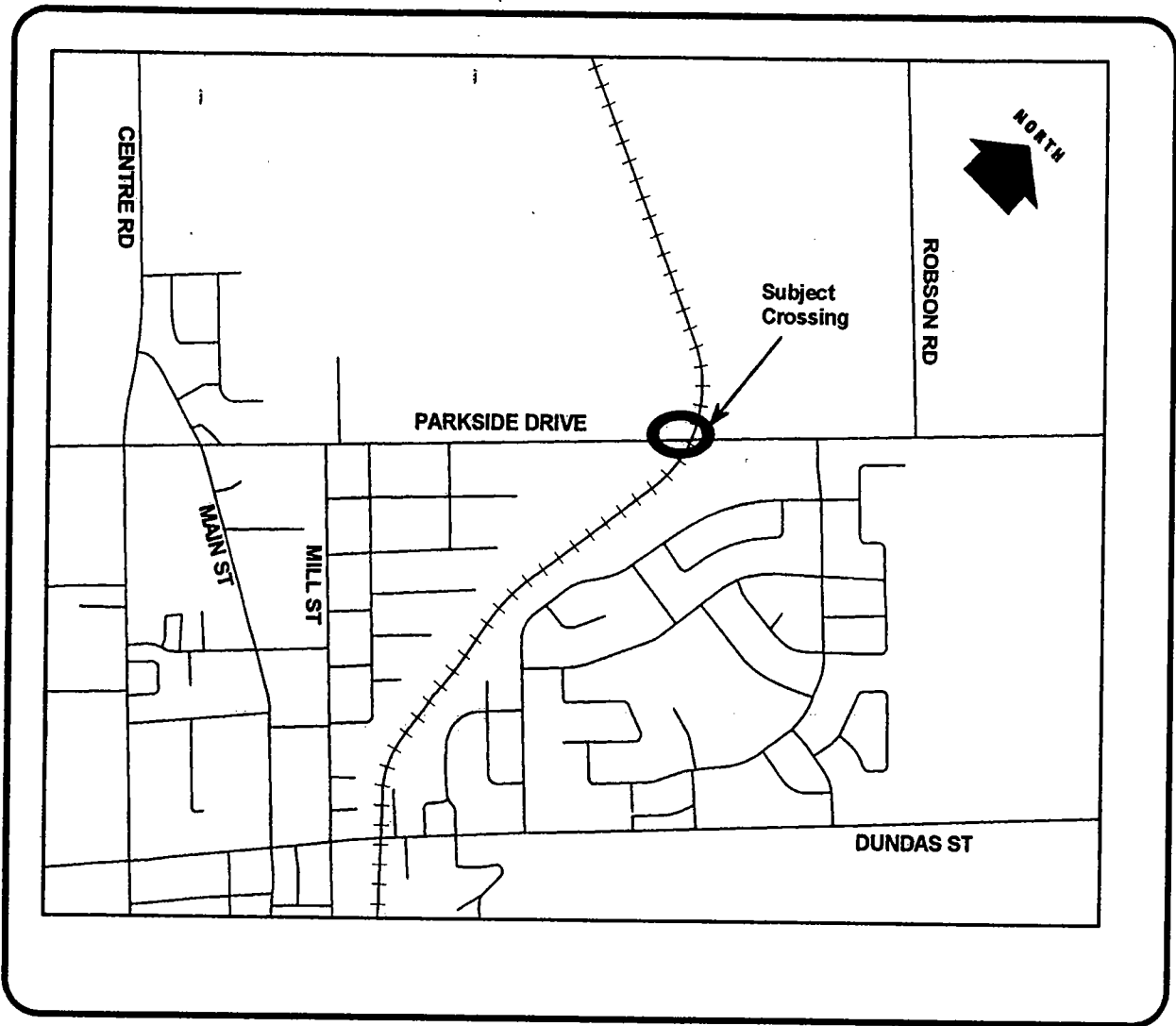
Economic Well-Being is enhanced. Yes No

Does the option you are recommending create value across all three bottom lines?

Yes No

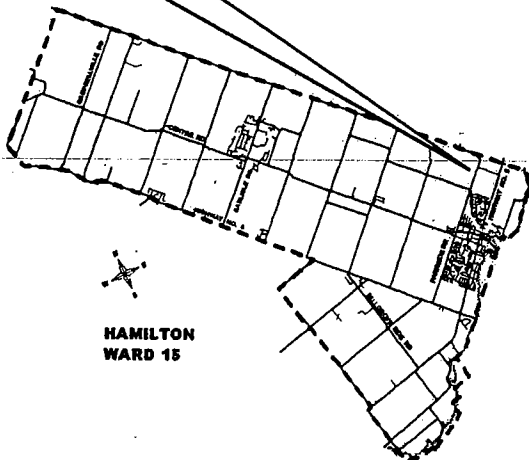
Do the options you are recommending make Hamilton a City of choice for high performance public servants?

Yes No



KEY MAP

Parkside Dr & CPR



HAMILTON
WARD 15

LOCATION PLAN

Parkside Drive and
Canadian Pacific Railway
At Grade Crossing
Train Whistling (Ward 15)
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

SUBJECT CROSSING



SCALE
NOT TO SCALE

DATE
2006-06-23