



Memo to Development Services Committee


To: Development Services Committee

Copy to: Andy Taylor, CAO
Jim Baird, Commissioner, Development Services Commission
Alan Brown, Director of Engineering

Subject: Whistle Cessation on Stouffville GO Line – Progress Update

Date: November 16, 2015

From: Brian Lee, Deputy Director, Engineering x4838



Background

At the Council meeting on September 28, 2015, Council passed a resolution requesting Anti-Whistling on Stouffville GO Line, and directed staff to provide an update to Development Services Committee by November 30, 2015 on progress related to all of the issues.

The purpose of this memo to Development Services Committee is to provide an update on progress related to issues raised on anti-whistling on the Stouffville GO Line. Since the meetings of Development Services Committee on September 22, and Council on September 28, 2015, staff has made progress on all of the issues directed by Council. The following is an update on the progress.

1) **Finalize the safety audit, cost estimates, cost assessment and Regional Express Rail Requirements for the road/rail crossings in consultation with the Regional Municipality of York and Metrolinx (Recommendation No. 4)**

Staff met with Metrolinx, City's consultant AECOM, York Region staff on October 21 and the following main items were discussed:

- outstanding comments on the AECOM report,
- interpretation of the report findings and recommendations,
- what triggered the various improvements recommended (either due to anti-whistling or changes to rail safety regulations),
- the cost estimates of the improvements,
- timing of the improvements,
- next steps in finalizing the AECOM report,
- Metrolinx review and approval of the report,

- City hiring a rail safety expert,
- other pedestrian safety features,
- Regional Express Rail (RER) implementation,
- potential future grade separations and road closures,
- cost-sharing principles,
- safety audits for the Bala Subdivision (Richmond Hill Line).

Staff has proposed a cost sharing formula which is under review by Metrolinx staff. Metrolinx staff also confirmed that if the AECOM report can be finalized in the near future, it would be approved by year end. The AECOM report would then be forwarded to Transport Canada for comments.

2) **Undertake a safety audit on the Green Lane and Langstaff Road crossings on the CN Bala Subdivision (Richmond Hill Line)** (Recommendation No. 5)

City staff has requested AECOM to submit a proposal to undertake a safety audit on Green Lane and Langstaff Road crossings on the CN Bala Subdivision. It is expected that AECOM will submit a proposal shortly.

3) **Hire a rail safety expert to determine if safety measures beyond the Grade Crossing Regulations are required** (Recommendation No. 7)

Staff has reviewed the expertise of a number of rail safety experts. Staff has requested one consultant to submit a proposal which was received on November 2, 2015. It is anticipated that the consultant will be retained shortly.

4) **Request Regional Municipality of York to confirm 100% funding and liability for grade rail safety on regional road crossings** (Recommendation No. 9)

Staff met with York Region staff on October 9 regarding the York Region Anti-whistling Warrant Criteria (Original Approval Date: June 19, 2008, and Last Updated: August 25, 2009). York Region staff confirmed that York Region will fund the grade crossing improvements on Regional roads and assume the liability as outlined in the Regional warrant criteria. Region requested the cost estimates and implementation plan so that the Region can include this commitment in the budget process. Staff also requested York Region to extend the whistling prohibition during night time hours between 10:00 p.m. and 6:00 a.m. to 24-hour whistling prohibition.

- 5) **Arrange a meeting by the Mayor's Office between the Mayor and Metrolinx to confirm the timing of implementation for safety measures in the RER initiative** (Recommendation No. 10)

The Mayor's Office is actively arranging a meeting with Metrolinx.

- 6) **Confirm with Metrolinx their approved funding to implement such measures and collaborate with Metrolinx to advance, where feasible, the implementation of the safety measures** (Recommendation Nos. 11 & 12)

Transport Canada has introduced new regulations under the *Rail Safety Act* (R.S.C., 1985, c.32 (4th Supp.)). Under the new regulations, all railway companies including Metrolinx will need to upgrade their crossings within 7 years of the effective date of the new regulations (November 2014) . If the implementation of anti-whistling triggers the earlier crossing upgrade, the City of Markham may have to front end finance the works with an agreement with Metrolinx to reimburse the City. Staff has initiated discussions on this subject on October 21, 2015 and will follow up with Metrolinx regarding funding and implementation schedule for safety measures.

- 7) **Strongly request Metrolinx to implement the safety measures that achieve whistle cessation prior to the implementation of all day train service** (Recommendation No. 13)

A letter dated October 2, 2015 with Council's Resolution from the City of Markham Clerks Department has been sent to Metrolinx. Staff continues to work with Metrolinx and York Region staff to clarify implementation schedules.

- 8) **Hold a public information meetings to keep the public apprised of the progress** (Recommendation No. 15)

This will be planned for early 2016 after the staff report in January 2016.

- 9) **Develop a work plan and implementation plan for the grade crossing safety program** (Recommendation No. 16)

A work plan and implementation plan will be developed and presented to Development Services Committee after the safety audit study has been reviewed by York Region, Metrolinx and Transport Canada.

- 10) **Report back on the issues for Council's direction** (Recommendation 17)

Staff will report back in January 2016.