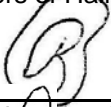


HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 11.1.3
Halifax Regional Council
August 4, 2015

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 
Richard Butts, Chief Administrative Officer

Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: June 5, 2015

SUBJECT: Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

ORIGIN

This report originates with a request from the developer at Kings Wharf relative to the Standard Construction Crossing Agreement between HRM, the Canadian National Railway Company and The Anchorage at Dartmouth Cove Property Development Limited (Kings Wharf).

LEGISLATIVE AUTHORITY

Under Halifax Regional Municipality Charter ss.318(2) and 322, the Municipality is a road authority for purposes of the Railway Safety Act R.S.C., 1985, c.32 (4th Supp.) s. 23.1, which permits the prohibition of using a train whistle on any railway equipment in an area within a municipality, with certain exceptions, on the decision of the Minister of Transport.

RECOMMENDATION

It is recommended that Halifax Regional Council:

Subject to the completion of items 4 and 13 on the infrastructure improvement list attached as Appendix B, declare that the use of the train whistle be discontinued at the King Street rail crossing at mile 12.99 in Dartmouth unless:

- a) an emergency exists; or
- b) rules in force under section 19 or 20 of the Railway Safety Act require it's use; or a railway safety inspector orders it's use under section 31 of the Railway Safety Act

BACKGROUND

A new at-grade railway crossing was established on King Street in Dartmouth to provide vehicle and pedestrian access to the Kings Wharf development. Train activity at this crossing is relatively infrequent (approximately 28 movements per week / roughly four per day). A warning whistle is sounded in close proximity to residential uses each time a train uses the crossing. This has been found to be disturbing by some residents within the immediate area and the level of disturbance is particularly evident during overnight rail operations which occur regularly at this crossing.

As part of the crossing approval process, HRM entered into a three-party Standard Crossing Construction Agreement which sets out conditions for the installation and maintenance of crossing infrastructure. HRM, CN Rail and King's Wharf were all party to that agreement and it contains a clause authorizing the municipality and CN Rail to pursue the elimination of the use of the train whistle.

Staff provided an information report to Regional Council on June 16, 2015 summarizing the status of efforts to eliminate of the use of the train whistle. That report is attached for Council's reference (see Appendix A).

This report is provided as a further update of that process and to provide Council with a motion supporting the discontinuance of the use of that whistle at this location.

DISCUSSION

Standard procedure to facilitate the elimination of a train whistle consists of four basic steps:

1. conduct a professional engineer's safety study of the crossing and determine what changes to the crossing infrastructure are required to ensure safety without the use of the whistle;
2. install the infrastructure alterations required to ensure safety without the use of whistle;
3. notify the public and any "relevant associations or organizations" that cessation of the whistle is being considered; and
4. adopt a local government resolution expressing the intent to eliminate the use of the whistle.

Safety Study

As noted in the June 16, 2015 information report, item 1 on the above list has been completed.

Infrastructure Improvements

Municipal staff, CN rail and representatives from Kings Wharf completed all the required infrastructure improvements with the exception of items 4 and 13 on Appendix B. At the time of the preparation of this report, substantial progress on those two items has been completed but installation was not complete. However, it is expected this work will be complete on or near the August 4th Council meeting date.

Staff believes that, at the time of the preparation of this report, the process for approval and installation of these items was sufficiently advanced to allow Council to adopt a motion supporting the cessation of the use of the whistle subject to the completion of the outstanding work. This will allow the process to continue without delaying Council's motion until the next scheduled Council meeting on September 8.

Statutory Notifications

Municipal staff conducted the notifications set out in the Federal legislation.

Letters of notification to the federally defined "relevant associations or organizations" were posted by regular mail and delivered electronically on July 23, 2015.

A sample of the letter and newspaper content are attached as Appendix C. Item 3 above is now complete.

Council Motion

Council is now in a position to adopt a motion indicating that train whistles should not be used in this area. This will complete the municipal process and position CN to complete the process to cease the use of the whistle once the remaining infrastructure is installed.

FINANCIAL IMPLICATIONS

Municipal contributions to this initiative can be delivered within the existing work plan and budget for 2015/16.

COMMUNITY ENGAGEMENT

While there is an element of public notification associated with this report, there is no formal community engagement program.

ENVIRONMENTAL IMPLICATIONS

None

ALTERNATIVES

- 1) Council could reject staff's recommendation. This would end the process and result in the continued use of the train whistle at this location.
- 2) Council could defer consideration of the motion until the remaining infrastructure is installed. This would result in an additional delay of up to five weeks before the train whistle could be concluded.

ATTACHMENTS

Appendix A - June 16 information report
Appendix B - Final Infrastructure alteration list
Appendix C - Public and Industry notifications

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.


Report Prepared by: Steven Higgins – Executive Assistant to the Chief Administrative Officer, 902.490.2292

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 4
Halifax Regional Council
June 16, 2015

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 

Richard Butts – Chief Administrative Officer

DATE: May 22, 2015

SUBJECT: Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

INFORMATION REPORT

ORIGIN

This report originates with a request from the developer at Kings Wharf relative to the Standard Construction Crossing Agreement between HRM, the Canadian National Railway Company and The Anchorage at Dartmouth Cove Property Development Limited (Kings Wharf).

LEGISLATIVE AUTHORITY

Under Halifax Regional Municipality Charter ss.318(2) and 322, the Municipality is a road authority for purposes of the Railway Safety Act R.S.C., 1985, c.32 (4th Supp.) s. 23.1, which permits the prohibition of using a train whistle on any railway equipment in an area within a municipality, with certain exceptions, on the decision of the Minister of Transport.

BACKGROUND

A new at-grade railway crossing was established on King Street in Dartmouth to provide vehicle and pedestrian access to the Kings Wharf development. A warning whistle is sounded in close proximity to residential uses each time a train uses the crossing. Train activity at this crossing is approximately 28 movements per week (roughly four per day). Use of the whistle has been found to be disturbing by some residents within the immediate area and the level of disturbance is particularly evident during regularly occurring evening and overnight rail operations.

As part of the crossing approval process, HRM entered into a three-party Standard Crossing Construction Agreement which sets out conditions for the installation and maintenance of crossing infrastructure. HRM, CN Rail and King's Wharf were all party to that agreement and it contains a clause authorizing the municipality and CN Rail to pursue the elimination of the use of the train whistle. The developer at Kings Wharf has requested that HRM and CN explore all options to have the use of the train whistle ceased at this location.

DISCUSSION

Standard procedure to facilitate the elimination of a train whistle consists of four basic steps:

1. conduct a professional engineer's safety study of the crossing and determine what changes to the crossing infrastructure are required to ensure safety without the use of the whistle;
2. install the infrastructure alterations required to ensure safety without the use of whistle;
3. notify the public and any "relevant associations or organizations" that cessation of the whistle is being considered; and
4. adopt a local government resolution expressing the intent to eliminate the use of the whistle.

1. Safety Study / Required Infrastructure Alterations

A professional engineer with expertise in railway operations was contracted by Kings Wharf to produce an assessment of this crossing based on relevant regulations and railway industry best practices (see appendix A). That assessment included an initial list of infrastructure alterations that would allow safe operation of the crossing without the use of the whistle.

These alterations were reviewed by municipal staff, King's Wharf and CN Rail. Appendix B lists the relevant items, notes the current status and identifies the party responsible for their installation. One item relating to traffic control on Alderney Drive remains unresolved at this time and HRM and CN have sought clarification from Transport Canada on that issue (see item 4 on Appendix B). That clarification process is ongoing as of the time of the preparation of this information report.

2. Installation

Some of these alterations are within the authority of CN, some are the responsibility of King's Wharf and some are on public roads under the jurisdiction of the municipality. Appendix B notes the relevant authority for the installation of these alterations. Both CN and the developer have agreed to deliver the alterations within their authority at their cost and the remaining minor alterations will be provided by the Municipality.

In most circumstances, costs for these types of alterations would be absorbed by the developer who would be the primary beneficiary of the elimination of the whistle. However, in this case, staff believes the use of the train whistle impacts the community beyond Kings Wharf to an extent not wholly anticipated at the time of the original development approval. Staff intends to proceed with the minor alterations within the road system for the following reasons:

- The elimination of the whistle reduces the noise impacts on existing and future residents and commercial tenants at Kings Wharf;
- The elimination of the whistle would reduce the noise nuisance for residents in the general area beyond Kings Wharf; and
- With the exception of the one outstanding item noted above, the improvements within Halifax's authority that have been approved by CN are one-time minor roadway alterations that represent non-material cost and effort. These can be delivered under the existing road maintenance program and budget. Staff estimates the incremental cost of the alterations approved to date would be under \$500. The cost for the outstanding traffic signalization item cannot be determined until the full scope of the alteration is confirmed through consultation with Transport Canada.

3. Statutory Notifications

Once the aforementioned safety related infrastructure alterations are completed, Federal regulations require the municipality to conduct public and industry notification before the whistle can be discontinued:

- a) The municipality must notify each "relevant association or organization" of Council's intent to adopt a motion to discontinue the use of the whistle. These organizations are formally identified

by the Federal Minister of Transportation and are listed in Appendix C to this report. Staff will notify those organizations electronically and by mail once the related infrastructure alterations are complete. That notification will include:

- i. notice of the Municipality's intent to cease the use of the whistle
 - ii. the date that Council will consider a formal motion to cease the use of the whistle
 - iii. methods for the organization to provide comment and access additional information prior to Council's consideration of any motion.
- b) The municipality must issue a public notice of its intent to adopt a motion to discontinue the use of the whistle. Federal Regulations do not stipulate a specific procedure for this notice. Staff will use a notification process similar to what would be used for a municipal bylaw amendment. This will provide for notification in a location, manner and timeline familiar to the local community. It will include notice on HRM's website and the placement of two separate newspaper advertisements no less than 2 weeks prior to the consideration of any motion. Those notices will include the same information outlined in item 1 above.

4. Council Motion

Once the safety related alterations are installed and the required notifications are completed, Council may declare by resolution that whistles should not be used in this area. Staff will bring forward a report providing Council with confirmation of the completion of the required alterations along with the appropriate motion for consideration.

FINANCIAL IMPLICATIONS

Municipal contributions are to be delivered within the existing 2015/16 work plan and budget.

COMMUNITY ENGAGEMENT

While there is an element of public notification associated with this report, there is no formal community engagement program.

ENVIRONMENTAL IMPLICATIONS

None

ATTACHMENTS

Appendix A - Safety Study
Appendix B - Final Infrastructure alteration list
Appendix C - "Relevant association or organization"

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Steven Higgins – Executive Assistant to the Chief Administrative Officer, 902.490.2292

APPENDIX A

Feb 27, 2015

Fares & Co Development Inc.
50 Kings Wharf Place
Dartmouth, NS
B2Y 0B4

Dear Mr. Gord Gamble,

Re : Grade Crossing Safety Assessment :
King St,
Dartmouth Sub - Mile 12.99

A safety assessment of the above captioned grade crossing was undertaken on February 11, 2015. The crossing was assessed to examine the feasibility of eliminating whistling at this public crossing.

The fundamental objectives of the assessment:

- Reduce crash risk at the grade crossing
- Verify the safety of all grade crossing users
- Verify compliance of the RTD 10 technical standards referred to Railway safety
- Make recommendation to improve safety for grade crossing users

The assessment team assembled for this review includes:

- Marcel Turcotte – Senior Rail Specialist
- Christine Dyck – Eng. Railway Signals

Data on the crossing were collected in accordance with the Transport Canada Field Guide for conducting Detailed Safety Assessments and RTD-10. Completed field data forms are attached.

For the purposes of this report, King Street crossing is described in a north-south orientation, while the rail line is described in an east-west orientation. The crossing has flashing lights warning devices and gates. The crossing is in close proximity to a cross-intersection between King Street and Alderney Drive.

Note:

The safety assessment of the grade crossing covers physical features which may affect road and rail user safety and it has sought to identify potential safety hazards. Adoption of the recommendations should improve the level of safety of the facility.

The report includes:

- Grade Crossing Safety Assessment
- Table 1 – Observations/Suggestions and Comments
- Annex A – Pictures
- Annex B – Board Plan

Sincerely,

Produced by:
Christine Dyck, Eng



Checked by:
Marcel Turcotte, Senior Rail Specialist

Table 1: Observations / Suggestions

Observations	Suggested Actions	To	Client Response
1 NW quadrant -Crossing sign hidden by lights (see photo 9).	Adjust position of crossing sign and lights	Railway	Comments
2 NW Quadrant - Evidence of routine unauthorized access (trespassing) on the rail line (see photo 11)	Sidewalk is needed as well as fencing to prevent trespassing.	Railway/Road authority	
3 NW Quadrant - Advanced warning sign is not at the appropriate distance from the North side.	Reposition WA-18 sign on King St. 110m from crossing.	Road authority	
4 NW Quadrant – Potential Traffic queuing onto intersecting roadway from crossing	No right turn on red signal needed for right turn from Alderney Drive to King Street towards crossing.	Road authority	
5 NW/NE Quadrant - crossing sign obscured by trees (see photo 8)	Trim or remove trees to improve visibility of crossing signs	Road authority	
6 NE Quadrant – Sidewalk not protected by gates and lights	Pedestrian gates and lights are needed for sidewalk on the NE side of crossing.	Railway	
7 SE Quadrant - Advanced warning sign is not at the appropriate distance from the crossing.	Add WA-18 signs on King St. 110m from crossing.	Road authority	
8 SE Quadrant - Pavement markings are missing.	All required pavement markings should be applied: “X” marking, “No Passing” lines, and “Stop” bars.	Road authority	
9 SE Quadrant -- Traffic queuing onto crossing from intersection	Do not stop on track sign needed for South approach.	Road authority	

10	SW Quadrant – partial sidewalk/pathway not protected by gates and lights.	Pedestrian gates and lights are needed. Sidewalk should be completed on the SW side of crossing.	Road authority		
11	Crossing surface – Elevation of top rail is 40mm below crossing surface.	Crossing surface should be adjusted to be less than 25mm above the top of rail.	Railway/Road authority		
12	Gate descent time was measured at 7 seconds and gate arm delay was measured at 6 seconds	Gate descent time should be adjusted to be within 10 to 15 seconds and gate arm delay should be adjusted to 7 seconds.	Railway		
13	Parking lots on both sides of the road in the south approach to the crossing do not have light unit coverage (see photos 12 and 13)	Additional light units are required for drivers as they begin to turn onto the approach road from the two parking lots.	Railway/Road authority		

Grade Crossing Safety Assessment

A: LOCATION DESCRIPTION					
Railway Authority:	CN	Mileage:	12.99		
Subdivision/Spur:	Dartmouth	Date:	February 11, 2015		
City/Town	Dartmouth	Completed By:	Christine Dyck, HMM		
Highway/Road/Street:	King St.	Approved By:	Marcel Turcotte, HMM		
Road Authority:	HRM				
Type of Grade Crossing:	Restricted <input type="checkbox"/>	Unrestricted <input checked="" type="checkbox"/>	Active <input checked="" type="checkbox"/>	Passive <input type="checkbox"/>	
B: COLLISION HISTORY (5 YEAR PERIOD)					
Number of Property damage collisions (a):	0		Number of Fatalities:	0	
Number of Personal Injury Collisions (b):	0		Number of Personal Injuries:	0	
Number of Fatal Injury Collisions (c):	0		Are there details of Collisions? (provide if available)		
Total collisions in last 5 year period (a+b+c)=	0		N/A		
C: TRAIN/RAILWAY DATA					
Number of passenger trains	Weekly	Daily		Timetable Max Speed	
	0	Day		East	N/A
Number of freight trains	28	Night		West	N/A
		Day		East	10
Daily Train Traffic		4	Design Train Speed	10	mph
Switching	No <input type="checkbox"/>	If yes, Day	Night		
Can two trains occupy the crossing at the same time?			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Can one train block the motorist's view of another train at the crossing?			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Train illumination?			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
D: ROAD DATA					
Posted Speed	North	50	Km/h	Max Operating Speed	50 Km/h
	South	50	Km/h	Design Speed	50 Km/h
Remarks:			Advisory Speed	N/A	Km/h
Roadway Illumination:	If yes, describe:		Is crossing on a School Bus route?		
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Standard lighting - both sides of road		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Are there public transit stops within vicinity of crossing?			Do Dangerous Goods trucks use this roadway?		
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Surrounding land use:	Residential, commercial		Urban <input checked="" type="checkbox"/> Rural <input type="checkbox"/>		
Any schools, retirement homes, etc. nearby? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			If yes, what? Condos		
Is vehicle parking allowed in vicinity of crossing which may obstruct sightlines?			Any conflicts between the indications given by road and railway signs and nearby traffic signals?		
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Provide details: Parking lot for Marina		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Describe: no right turn on red needed on Alderney Dr.	
E: VEHICLE DATA					
Design Vehicle type	Standard Single Unit Buses (B 12)		12.2 m		
Regular use of crossing by persons with Assistive Devices			Other special road users? Type:		
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			Daily volume: N/A		
Avg. Annual Daily Traffic, AADT (vpd):		8000	vpd	Year of count	N/A
Forecasted AADT		8000	vpd	Forecast year	2014

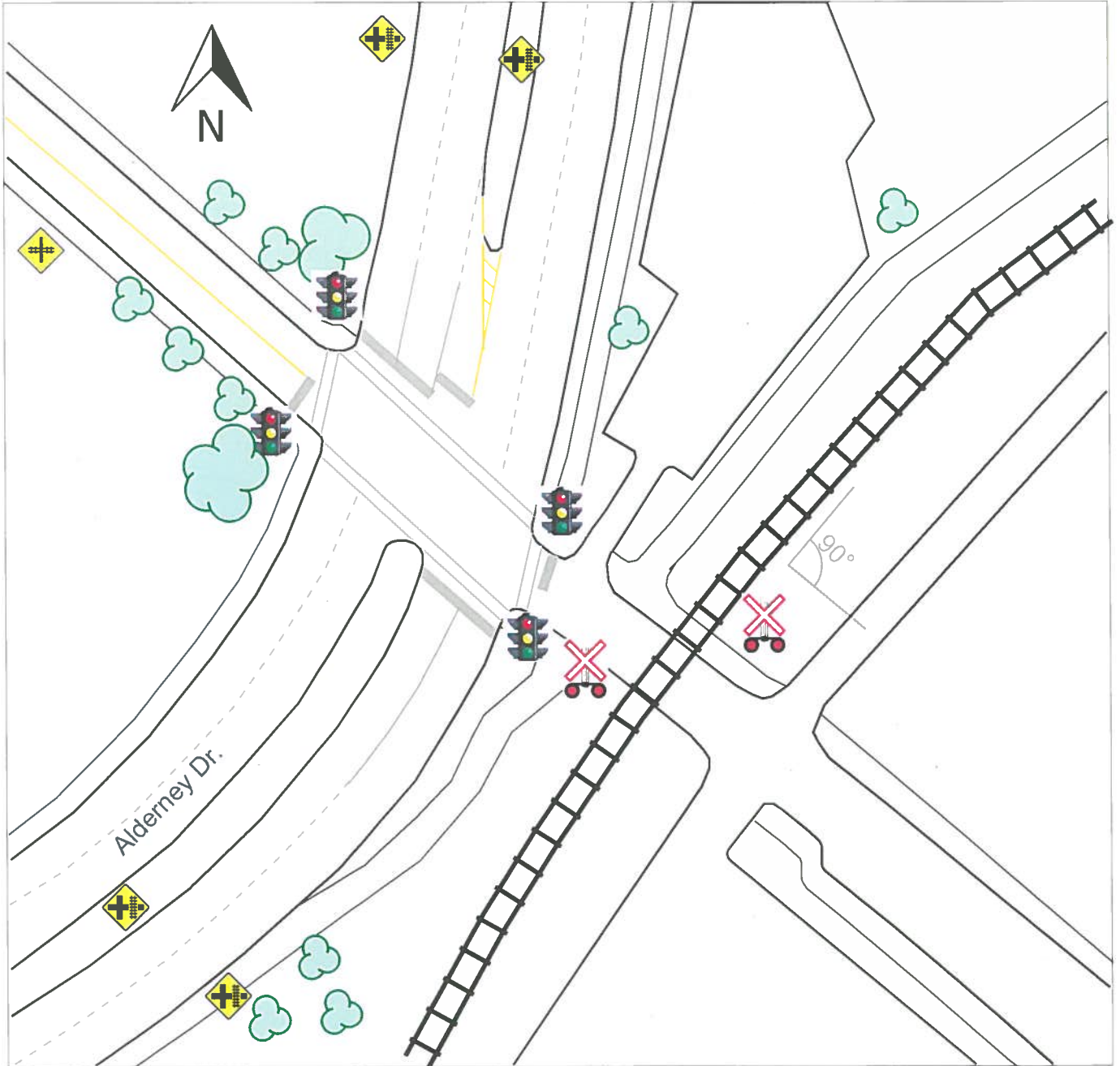
F: ROAD CROSSING GEOMETRY								
Clearance Distance (cd)		10.4	m	Vehicle departure time		7.3	sec	
Vehicle Travel Distance (S)		22.6	m	(t)				
Maximum approach grade within "S"		4.0	%			1.3		
Design Vehicle Departure Time: Td=J+T+K				T = t x adjustment factor		9.5	sec	
J=2 seconds perception & reaction								
K=additional time due to crossing conditions: 0 sec Td = 11 sec								
Pedestrian Clearance Distance 10.4 m				Pedestrian, cyclist & assistive devices				7.4 sec
Do field acceleration times exceed Td? No				Departure Time, Tp				
Distance D, should not be less than 30m for either approach if train speed exceeds 15 mph (fig 5-1) (40m N-E)	Is D Insufficient such that road vehicles might queue onto the rail tracks?			Yes	<input type="checkbox"/>	Comments:		
	Is D insufficient such that road vehicles turning from a side street might not see warning devices for the crossing?			No	<input checked="" type="checkbox"/>			
				Yes	<input checked="" type="checkbox"/>	Comments:		
				No	<input type="checkbox"/>	Add light in advance of warning sign		
Is the crossing smooth enough to allow road vehicles, pedestrians, cyclists and other road users to cross at their normal speed without consequence?								
Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>								
If no, describe: crossing surface not level.								
Grade crossing surface type:		Asphalt		Approach road surface type:		Asphalt		
Grade crossing surface condition:		Good		Approach road surface condition:		Good		
Grade Crossing Surface width Fig. 6-1		14.0	m	Grade Crossing Surface extension beyond travel lanes Fig. 6-1 (min 0.5 m)		? m	East	
						? m	West	
Traveled Portion of Road on Approaches		? m		Roadway extension beyond travel lanes		? m	East	
						? m	West	
Distance from centerline of sidewalk to centerline of the signal mast (13.8)						? m	East	
						? m	West	
Are separate light units required for sidewalk? (only if distance greater than 3.6 metres)						Yes	East	
						Yes	West	
Distance between Travel Lane and Edge of Sidewalk						? m	East	
						? m	West	
Sidewalk / path / trail extension beyond sidewalk (min=0.5 m)	East	? m		Sidewalk / path / trail crossing width (min. 1.5 m)		? m	East	
	West	N/A m				N/A m	West	
Flangeway width (max. 76 or 100 mm)		62	mm	Flangeway depth (min 50 / max 76 or none) Fig 6-2		52	mm	
Side Grinding width (max. 50 or 0 if frequent use by person using assistive devices)		N/A	mm	Side Grinding depth (min 38 mm) Fig 6-2		N/A	mm	
Elevation of Top Rail above road surface (max: 13 if frequent use by person using assistive devices, 25 or 50) Fig. 6-2			mm	Elevation of Top Rail below road surface (min -7 if frequent use by person using assistive devices, 25 or 50) Fig. 6-2		40	mm	
G: ROAD GEOMETRY								
Are horizontal and vertical alignments smooth and continuous throughout SSD? Sec. 7-1			Is horizontal alignment straight beyond rails for a distance ≥ design vehicle length L? Sec. 7-1			Are the road lanes at least the same width on the crossing as on the road approaches? Sec. 7-5		
Direction	North	No	Direction	North	Yes	Direction	North	
Direction	South	No	Direction	South	Yes	Direction	South	
Slope within 8 m of nearest rail (max. 2%) Sect 7-1		4.0 %	North	Slope within 8 m & 18 m of nearest rail (max. 5% or 10%) Sect 7-1		4.0%	North	
		1.0 %	South			1.0%	South	
General Approach Grade		4.0 %	North	1.0 %	South			
If crossing is only for pedestrians, cyclist or person using assistive devices. Slope within 5 m of nearest rail (max. 1 or 2%)		N/A	East	Are rail tracks super-elevated?		No		
		N/A	West					

If train speeds exceed 15 mph, what is the angle between the crossing and the roadway? (70° min w/o warning system; 45° with warning system)	N/A	Is there any evidence that "low bed" trucks have difficulty negotiating the crossing (i.e might they bottom-out or get stuck)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Condition of road approaches (e.g. anything that might affect stopping or acceleration)		traffic light , grade elevation of rail	
H: SIGHTLINES:			
Are sightlines within the rail ROW clear of bushes / vegetation; 15 m on each side of the track and, 30 m along the track, on each side of the crossing? If not, detail the location.			
SE & SW quadrant railway sightlines blocked			
Are sightlines on the road ROW within 15 m of the rail crossing clear of bushes / vegetation? If not, detailed the location. sightlines blocked by fencing but gates and lights are existing.			
Stopping Sight Distance, SSD (Table 4-5)	110 m (required)		
SSD actual:	110 m	North	110 m South
Warning: some formulas are based on Imperial units while others are Metric			
D_{SSD}			
D_{SSD} minimum (ft) = $1.47 V_T \times T_{SSD}$ (calculated or use table 8-1)	Where V_T = max railway operating speed T_{SSD} = is the greater of $[(SSD+cd+L)/0.28V]$ or 10 sec. (V =max. road operating speed in km/h)		
D_{SSD} minimum:	N/A ft	#VALUE! m	
	Actual (m)		Actual (m)
D_{SSD} – NE Q to driver's left	N/A	D_{SSD} – SW Q to driver's left	N/A
D_{SSD} – NW Q to driver's right	N/A	D_{SSD} – SE Q to driver's right	N/A
$D_{STOPPED}$			
$D_{STOPPED}$ minimum (ft) = $1.47 V_t \times T_d$ (calculated or use table 8-1 and with T_d from page 2)			
$D_{STOPPED}$ minimum:	164 ft	50 m	
	Actual (m)		Actual (m)
$D_{STOPPED}$ – NE Q to driver's left	60	$D_{STOPPED}$ – SW Q to driver's left	49
$D_{STOPPED}$ – NW Q to driver's right	100	$D_{STOPPED}$ – SE Q to driver's right	49
Ped. / Cyclist $D_{STOPPED}$			
Ped. / Cyclist $D_{STOPPED}$ (m) (using table 8-1 and T_p from page 2)			
Ped./Cyclist $D_{STOPPED}$ min:	147 ft	45 m	
	Actual (m)		Actual (m)
$D_{STOPPED}$ – NE Q to driver's left	60	$D_{STOPPED}$ – SW Q to driver's left	49
$D_{STOPPED}$ – NW Q to driver's right	100	$D_{STOPPED}$ – SE Q to driver's right	49
Are there any obstacles within the sight triangles (fig 8-1) other than traffic signs/utility poles that might affect visibility?			
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, explain: see pictures			
Clear view along railway right of way met?		Minimum sightlines met? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Describe: Not required with warning system	
Note: 1. For a grade crossing with a grade crossing warning system, subject to the conditions included in subsection 8(b) (RTD-10), sightings of an approaching train with the distance $D_{stopped}$ must not be obstructed by: trees, brush, other vegetation, or material stored on the railway right of way: and the installation of additional equipment housing, tool sheds or any other buildings or structures.			
Observe:			
Visibility along the track impaired due to the angle of crossing?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Special consideration for large trucks?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Can sightlines be maintained on an ongoing basis?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Check visibility at all pedestrian crossing points.		Good	

I: WARNING SYSTEM					
Potential for traffic queuing on crossing or within 2.4 meters of the nearest track?	Yes <input checked="" type="checkbox"/> <input type="checkbox"/>	High <input checked="" type="checkbox"/> Low <input type="checkbox"/>	Describe: No stoping on tracks sign needed on King St.		
Potential traffic queuing from crossing onto intersecting roadways?	Yes <input checked="" type="checkbox"/> <input type="checkbox"/>	High <input checked="" type="checkbox"/> Low <input type="checkbox"/>	Describe: No right turn sign on red needed from Alderney Dr		
Grade crossing plans available?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If yes, provide copy of plans			
J: ROAD SIGNS AND PAVEMENT MARKINGS					
Manual of Uniform Traffic Control Devices for Canada (Except "Maximum Speed Sign" - Ontario Traffic Manual)					
RAILWAY CROSSING SIGN					Not Required <input type="checkbox"/>
Location: North	Height: ? m	Location: South	Height: m		
Retroreflective material on back of crossing signs?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Front & back on post?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Distance from nearest rail to sign:	m		North		
	m		South		
Distance from road to sign:	m		North		
	m		South		
Number of track sign? (RA-6S):	Yes <input type="checkbox"/> No <input type="checkbox"/>		Not Required <input checked="" type="checkbox"/>		
DO NOT STOP ON TRACK					Not Required <input type="checkbox"/>
Does queued traffic routinely encroach closer than 5m from the crossing surface?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Are these signs present on either approach? N/A Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
RAILWAY CROSSING AHEAD (WA 18-20)					Not Required <input type="checkbox"/>
(Shall be installed on all road approaches for vehicles leading to grade crossings with an AADT exceeding 100)					
Is AADT > 100?	Yes		Is area urban such that WA 18-20 is not required?		
Location: North	95 m	Condition	Good <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
South	m		Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> missing		
Required distance from nearest rail to Railway Crossing Ahead Sign:	110 m				
Is the Railway Crossing Ahead sign located the proper distance from the nearest rail?			North	No	
			South	No	
Type of Advance Warning signs present:	WA-18				
Appropriate orientation of symbol	Yes				
OPTIONAL ATTACHED SPEED TAB - WA-7S					Not Required <input checked="" type="checkbox"/>
Location: North	m	Condition	Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
South	m		Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
PREPARE TO STOP WITH AMBER FLASHING - WB-6					Not Required <input checked="" type="checkbox"/>
Location: North	m	Condition	Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
South	m		Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
ADVISORY SPEED SIGN					Not Required <input checked="" type="checkbox"/>
(Normally used in conjunction with WA 18-20 if reduced speeds are necessary to provide adequate sight distance)					
Are they present on both approaches?	Yes <input type="checkbox"/> No <input type="checkbox"/>		Are they required on either approach?		
Posted speed limit:	Km/h		Yes <input type="checkbox"/> No <input type="checkbox"/>		
STOP SIGN (RA-1)					Not Required <input checked="" type="checkbox"/>
Location: North	m	Condition	Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
South	m		Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>		
STOP SIGN AHEAD					Not Required <input checked="" type="checkbox"/>
Is sign present of either approach?	Yes <input type="checkbox"/> No <input type="checkbox"/>		Is sign required on either approach? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Is there an advisory tab with a track symbol present?	Yes <input type="checkbox"/> No <input type="checkbox"/>		What is the distance from the nearest rail to the sign?		
			Location: North	m	
			South	m	
MAXIMUM SPEED SIGN - RB-1					Not Required <input checked="" type="checkbox"/>
Location: North	km/h	Condition	Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> missing		
South	km/h		Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> missing		

PAVEMENT MARKINGS					Not Required <input type="checkbox"/>		
Are pavement markings consistent with the MUTCD manual?					No See Below		
Are there lines to delineate sidewalks / paths?			Yes	Explain:	crosswalks		
"X" Marking							
	Required	Actual		Required	Actual		
Location	North	100.0 m	missing	Location	South	100.0 m missing	
Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>
Are "X" markings located at the proper distance?							
North			No	South			No
"No Passing" Lines							
	Required	Actual		Required	Actual		
Location	North	30.0 m	missing	Location	South	30.0 m missing	
Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>
Are "No Passing Lines" the correct length?							
North			No	South			No
"STOP" Bars							
	Required	Actual		Required	Actual		
Location	North	5.0 m	missing	Location	South	5.0 m missing	
Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Condition	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>
Are "Stop Bars" the correct distance from the nearest rail?							
North			No	South			No
Any special features required as a result of nearby roadway intersections?					Yes		
General comments, any missing data elements?					None		
Items within and outside the road and railway right of way that may distract driver attention from the grade crossing							
Intersections on road approaches			<input checked="" type="checkbox"/>	Light intensity			<input type="checkbox"/>
Merging traffic lanes or driveways			<input type="checkbox"/>	Traffic control			<input type="checkbox"/>
Vehicle parking			<input checked="" type="checkbox"/>	Sunlight			<input type="checkbox"/>
Bus Stops			<input type="checkbox"/>	Other signage			<input type="checkbox"/>
Highway or commercial signs			<input type="checkbox"/>				
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If Yes <input type="checkbox"/>					
K: TRAIN ILLUMINATION							
Flood lighting is required if all of the following exist:			Unrestricted grade crossing				
			Road speed limit is ≥ 50 km/h				
			Routinely equipment on rails after dark is either stopped or traveling at 15 mph				
Are luminaries required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			Are luminaries present on both approaches? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
L: WARNING SYSTEM WARRANTS							
Cross product (1000 min)			80000	Number of tracks			1
Are sightlines obscured? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			<input type="checkbox"/>	(if >2, can trains pass one another? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Lights Units	Condition:		Bells	Condition:			
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Good		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Good			
Gates	Condition:		Cantilever lights	Condition:			
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Good		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Good			
Distance from rail/road to warning system housing:							
Location			Rail (min 8m)	Road (min 9m)			
			8.9	11.6			
Is the warning system housing located the correct distance from the road and rail? Yes							
Top of warning signal foundation to ground level (maximum 100 mm)							
			? mm	North			
			? mm	South			
Are warning signal assemblies and cantilevers are in accordance with figures 18-1 and 18-3					Yes North		
					No South		
Have all light units been aligned? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			Date? 9/26/2012	Design Approach Warning Time		33 sec	
Is warning time less than 35 sec (without gates) or 55 sec (with gates) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Comments:							
Gate arm clearance time		Gate arm delay time		Actual gate arm delay tim			
9 sec (calculate)		7 sec (Table 4-8)		6			
				Difference between Actual and Req'd:		-1 sec	
Gate arm descent:		7 sec Req'd 10-15 sec		Is gate arm descent time compliant?		No	
Gate arm ascent:		7 sec Req'd 6-12 sec		Is gate arm ascent time compliant?		Yes	
Do gates conform to standards depicted in fig 18-2?				Yes Bungalow Power: 60			

M.12.99- King St. Sketch



Drawing not to scale

Annex A – Dstopped



Photo 1: Dstopped - NW Q to driver's right



Photo 3: Dstopped - SE Q to driver's left



Photo 2: Dstopped - NE Q to driver's left



Photo 4: Dstopped SW Q to driver's right

Annex A – Road and track approaches



Photo 5: West side of the track, Q looking East



Photo 7: East side of the track, Q looking West



Photo 6: From South side of the road



Photo 8: From North side of the road

Annex A – Additional pictures



Photo 9:



Photo 11:



Photo 10:



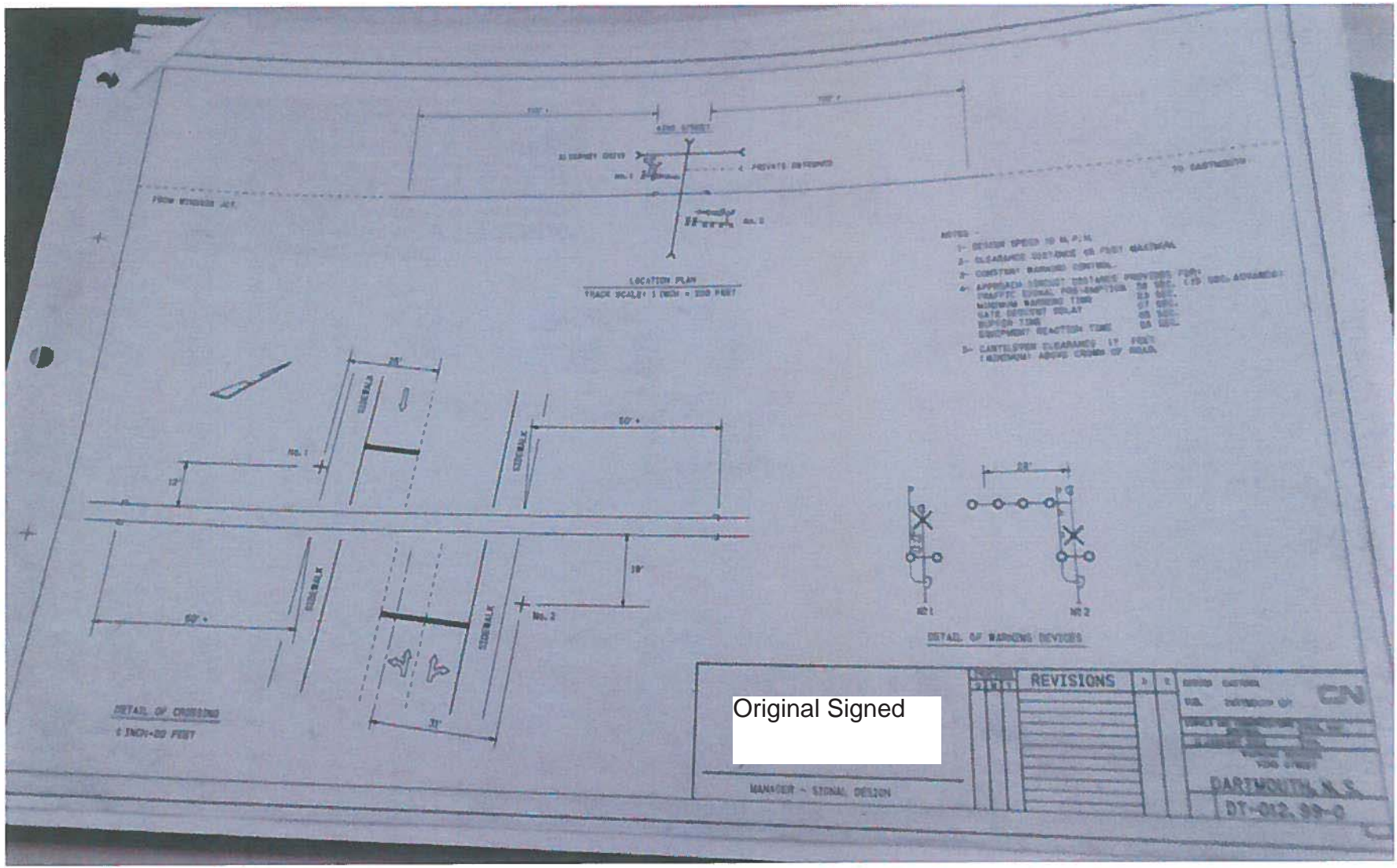
Photo 12:

Annex A – Additional pictures



Photo 13:

Annex B – Board Plan



Requirement (received Feb 28 ¹⁵ from Hatch Mott and Macdonald).	Suggested Action	Responsibility	Status/Next Steps
1. NW quadrant – Crossing Sign hidden by lights.	Adjust position of crossing sign and lights	CN Rail	CN to adjust / relocate sign.
2. NW Quadrant – Evidence of routine unauthorized access (trespassing) on the rail line	Sidewalk is needed as well as fencing to prevent trespassing	CN Rail / Kings Wharf	Dexter Construction to complete as part of original contract.
3. NW Quadrant- Advanced warning sign is not at the appropriate distance from the North Side.	Reposition WA-18 sign on King St. 110m from crossing	HRM	Signage location was reviewed and determined that current placement is appropriate. CN agreed.
4. NW Quadrant – Potential Traffic queuing onto intersecting roadway from crossing.	No right turn on red sign needed for right turn from Alderney Drive to King Street towards crossing.	HRM	HRM is currently in discussions with Transport Canada to determine appropriate operation of traffic signal / grade crossing warning system interconnect as per the Grade Crossing Standards. This item is still outstanding, but is in progress.
5. NW/NE Quadrant – crossing sign obscured by trees.	Trim or remove trees to improve visibility of crossing signs.	HRM	HRM Urban Forestry was tasked with evaluating the situation and trim trees as appropriate.
6. NE Quadrant – Sidewalk not protected by gates and lights.	Pedestrian gates and lights are needed for sidewalk on the NE side of crossing.	CN Rail	CN Rail has determined this to be unnecessary.
7. SE Quadrant – Advanced warning sign is not at the appropriate distance from the crossing.	Add WA-18 signs on King's Wharf Place 110m from the crossing.	HRM	An appropriate location has been identified for this roadway approach and signage will be installed. CN in agreement.
8. SE Quadrant – Pavement markings are missing.	All required pavement markings should be applied 'X' marking. "No Passing" lines and stop bars.	HRM	HRM to install double stop bars at the grade crossing. "X" markings are not required. CN is in agreement with this approach.
9. SE Quadrant – Traffic queuing onto crossing from intersection.	Do not stop on track sign needed for South approach.	HRM	HRM to install "Do not stop on track" sign, but cross-hatching will not be required.
10. SW Quadrant – partial sidewalk/pathway not protected by gates and lights.	Pedestrian gates and lights are needed. Sidewalk should be completed on the side of crossing.	HRM	CN Rail has determined this to be unnecessary.
11. Crossing surface – Elevation of top rail is 40mm below crossing surface	Crossing surface should be adjusted to be less than 25mm above the top of rail.	CN Rail / HRM	Crossing surface to be reviewed at next scheduled maintenance and rehab date. Not required to request whistle cessation.

12.	Gate descent time was measured at 7 seconds and gate arm delay was measured at 6 seconds.	Gate decent time should be adjusted to be within 10 to 15 seconds and gate arm delay should be adjusted to 7 seconds.	CN Rail	CN has indicated that the equipment at the location is working properly and is in compliance with requirements.
13.	Parking lots on both sides of the road in the south approach to the crossing do not have light unit coverage	Additional light unit are required for drivers as they begin to turn onto the approach road from the two parking lots.	CN Rail / Kings Wharf	CN has determined that additional lights are required. They have provided a cost to have the lights supplied / installed and are requesting payment before scheduling the work.
14.	Access to Parking Garage during train crossing may be blocked causing queuing on tracks. (added by CN Rail)	Requires "hatching: in front of access to parking garage to prevent cars from blocking entry.	HRM	HRM will install additional signage related to blocking of the driveway as well as additional "Do not stop on tracks" signage. Painted hatching will not required.

Relevant Associations or Organizations as declared by the Minister of Transport

Associations or Organizations Formed to Represent the Interests of Persons Employed by a Railway Company

- Travailleurs Unis Transport (1843)
- Teamsters Canada Rail Conference
- Teamsters Canada Rail Conference – Maintenance of Way Employees Division (TCRC-MWED)
- Teamsters Canada Rail Conference/Rail Canada Traffic Controllers
- Signal and Communications Council of the International Brotherhood of Electrical Workers
- International Association of Machinists and Aerospace Workers
- UNIFOR
- United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union
- Amalgamated Transit Union Local 279
- Transportation Communications International Union System Board
- Brotherhood of Locomotive Engineers and Trainmen (BLET)
- United Transportation Union (UTU)

Associations or Organizations Formed to Represent the Interests of Owners or Lessees of Railway Equipment

- GATX Rail Canada
- Canadian Chemical Producers Associations
- Canadian Fertilizer Institute
- General Electric Railcar Services Corporation
- PLM Railcar Management Services (Canada) Ltd.
- Procor Limited
- Propane Gas Association of Canada Inc.

Requirement (received Feb 28 ¹⁵ from Hatch Mott and Macdonald).	Suggested Action	Responsibility	Status/Next Steps
1. NW quadrant – Crossing Sign hidden by lights.	Adjust position of crossing sign and lights	CN Rail	CN to adjust / relocate sign - COMPLETE
2. NW Quadrant – Evidence of routine unauthorized access (trespassing) on the rail line	Sidewalk is needed as well as fencing to prevent trespassing	CN Rail / Kings Wharf	Dexter Construction to complete as part of original contract - COMPLETE
3. NW Quadrant- Advanced warning sign is not at the appropriate distance from the North Side.	Reposition WA-18 sign on King St. 110m from crossing	HRM	Signage location was reviewed and determined that current placement is appropriate. CN agreed - COMPLETE
4. NW Quadrant – Potential Traffic queuing onto intersecting roadway from crossing.	No right turn on red sign needed for right turn from Alderney Drive to King Street towards crossing.	HRM	Appropriate signage and signal control designed – FINAL APPROVAL FROM TRANSPORT CANADA AND INSTALLATION PENDING AT THE TIME OF THE PREPARATION OF THIS REPORT
5. NW/NE Quadrant – crossing sign obscured by trees.	Trim or remove trees to improve visibility of crossing signs.	HRM	HRM Urban Forestry was tasked with evaluating the situation and trim trees as appropriate - COMPLETE
6. NE Quadrant – Sidewalk not protected by gates and lights.	Pedestrian gates and lights are needed for sidewalk on the NE side of crossing.	CN Rail	CN Rail has determined this to be unnecessary - COMPLETE
7. SE Quadrant – Advanced warning sign is not at the appropriate distance from the crossing.	Add WA-18 signs on King's Wharf Place 110m from the crossing.	HRM	An appropriate location has been identified for this roadway approach and signage will be installed. CN in agreement - COMPLETE
8. SE Quadrant – Pavement markings are missing.	All required pavement markings should be applied 'X' marking. "No Passing" lines and stop bars.	HRM	HRM to install double stop bars at the grade crossing. "X" markings are not required. CN is in agreement with this approach - COMPLETE
9. SE Quadrant – Traffic queuing onto crossing from intersection.	Do not stop on track sign needed for South approach.	HRM	HRM to install "Do not stop on track" sign, but cross-hatching will not be required - COMPLETE
10. SW Quadrant – partial sidewalk/pathway not protected by gates and lights.	Pedestrian gates and lights are needed. Sidewalk should be completed on the side of crossing.	HRM	CN Rail has determined this to be unnecessary - COMPLETE
11. Crossing surface – Elevation of top rail is 40mm below crossing surface	Crossing surface should be adjusted to be less than 25mm above the top of rail.	CN Rail / HRM	Crossing surface to be reviewed at next scheduled maintenance and rehab date. Not required to request whistle cessation - COMPLETE

12.	Gate descent time was measured at 7 seconds and gate arm delay was measured at 6 seconds.	Gate decent time should be adjusted to be within 10 to 15 seconds and gate arm delay should be adjusted to 7 seconds.	CN Rail	CN has indicated that the equipment at the location is working properly and is in compliance with requirements - COMPLETE
13.	Parking lots on both sides of the road in the south approach to the crossing do not have light unit coverage	Additional light unit are required for drivers as they begin to turn onto the approach road from the two parking lots.	CN Rail / Kings Wharf	CN will design and install additional lights as needed – DESIGN APPROVED AND INFRASTRUCTURE READY FOR INSTALLATION (SUBJECT TO WEATHER CONDITIONS) AT THE TIME OF THE PREPARATION OF THIS REPORT
14.	Access to Parking Garage during train crossing may be blocked causing queuing on tracks. (added by CN Rail)	Requires "hatching: in front of access to parking garage to prevent cars from blocking entry.	HRM	HRM will install additional signage related to blocking of the driveway as well as additional "Do not stop on tracks" signage. Painted hatching will not be required - COMPLETE.

**NOTICE OF
CONSIDERATION OF A MOTION TO CEASE THE USE OF TRAIN WHISTLES AT THE
LEVEL CROSSING AT MILE 12.99, DARTMOUTH, NS (KING STREET AT KINGS WHARF)**

Under Halifax Regional Municipality Charter ss.318(2) and 322, the Municipality is a road authority for purposes of the Railway Safety Act R.S.C., 1985, c.32 (4th Supp.) s. 23.1, which permits the prohibition of using a train whistle on any railway equipment in an area within a municipality, with certain exceptions, on the decision of the Minister of Transport.

At its regular meeting on Tuesday, August 4, 2015 Halifax Regional Council will consider the following motion:

That the use of the train whistle be prohibited at the King Street rail crossing at mile 12.99 in Dartmouth unless:

- a) **an emergency exists; or**
- b) **rules in force under section 19 or 20 of the Railway Safety Act require it's use; or a railway safety inspector orders it's use under section 31 of the Railway Safety Act**

Consideration of this motion will take place as part of the regular Council agenda and interested parties may attend to observe the debate and decision.

Anyone who wishes to seek additional information about the process should contact the HRM Chief Administrative Officer's Office care of Steven Higgins at:

Phone - 902-490-2292
E-mail – higgins@halifax.ca

Written comments on this matter can be delivered to the Office of the Municipal Clerk at 1841 Argyle Street, Halifax or to PO Box 1749 Halifax, N.S. B3J 3A5 between the hours of 8:30 AM and 4:30 PM up to 4:30 PM Atlantic Standard Time on Friday, July 31, 2015

Written comments can be delivered electronically to the Office of the Municipal Clerk at any time up to 12:00 AM Atlantic Standard Time on Tuesday, August 4, 2015 at:

clerks@halifax.ca

July 23, 2015

Teamsters Canada Rail Conference - Rail Canada Traffic Controllers

Ms. Shelly Brownlee

General Chairperson

P.O. Box 3162

Stony Plain, Alberta T7Z 1Y4

**RE: NOTICE OF CONSIDERATION TO ADOPT A MOTION TO CEASE THE USE OF
TRAIN WHISTLES AT THE LEVEL CROSSING AT MILE 12.99, DARTMOUTH, NOVA
SCOTIA (KING STREET AT KING'S WHARF)**

Dear Ms. Brownlee:

The Federal Minister of Transport has designated your organization as a "Relevant Association or Organization" with respect to discontinuing the use of train whistles at level crossings.

Federal legislation requires local governments notify all "Relevant Associations or Organizations" with respect to any intent to discontinue the use of warning whistles. The Halifax Regional Municipality is providing you this notice in accordance with that requirement.

The Halifax Regional Municipality is the road authority for purposes of the Railway Safety Act R.S.C., 1985, c.32 (4th Supp.) s. 23.1, which permits the prohibition of using a train whistle on any railway equipment in an area within a municipality, with certain exceptions, on the decision of the Minister of Transport.

An engineering safety study has been conducted and various infrastructure improvements are being installed with the cooperation of CN on and around the existing level crossing at mile 12.99 in Dartmouth, Nova Scotia. At its regular meeting on August 4, 2015 Halifax Regional Council will consider the following motion:

That the use of the train whistle be discontinued at the King Street rail crossing at mile 12.99 in Dartmouth unless:

- a) an emergency exists; or**
- b) rules in force under section 19 or 20 of the Railway Safety Act require it's use; or a railway safety inspector orders it's use under section 31 of the Railway Safety Act**

Consideration of this motion will take place as part of the regular Council agenda and interested parties may attend to observe the debate and decision.

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Written comments can be delivered electronically to the Office of the Municipal Clerk at any time up to 12:00 AM Atlantic Standard Time on Tuesday, August 4, 2015 at: clerks@halifax.ca

Thank you,

Steven Higgins

HALIFAX

Chief Administrative Office

Halifax Regional Municipality