

ITEM 14
MANAGER'S REPORT NO. 47
COUNCIL MEETING 89/07/10

RE: TRAIN WHISTLE NOISE IN METROTOWN

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Acting Director Engineering be adopted.

* * * * *

TO: MUNICIPAL MANAGER 1989 JULY 05

FROM: ACTING DIRECTOR ENGINEERING

SUBJECT: TRAIN WHISTLE NOISE IN METROTOWN

PURPOSE: To report to Council, as requested, on staff's dialogue with the Southern Railway of B.C. regarding train whistle noise along the Central Park Branch.

RECOMMENDATION:

1. THAT a copy of this report be sent to Mr. Walt Harris, 210 - 4350 Beresford, Burnaby, B.C., V5H 4K9, and to Mr. Herb Davis, #2106 - 4350 Beresford, Burnaby, B.C., V5H 4K9.

REPORT

Council, at the regular council meeting held on 1989 June 19, received a presentation from residents of Metrotown regarding night train whistles.

In response to the presentation, Council adopted the following motion:

1. "THAT staff address the concerns expressed by the delegations and arrange a meeting with representatives of Southern Railway to discuss mitigative measures for immediate relief and report same to Council as quickly as possible."

After a review of the delegations' presentation and further discussion with Mr. Walt Harris, the prime spokesman for residents on this matter, staff sent the attached letter (Attachment A) to the President of the Railway. We recently received a response to our letter which is also attached (Attachment B). While all the questions that we have asked the railway have been answered we are, as yet, no closer to solving the noise problem.

We are still awaiting a response from the Provincial regulatory agency regarding the anti-whistling bylaw. Our telephone discussion with Provincial Government officials indicates that their reply is under active consideration but may not reach us for another two or more weeks. As a result of our conversation we are concerned that the regulatory agency may be leaning toward

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two decisions that may make an anti-whistling bylaw an expensive undertaking. First is the possibility that an anti-whistling bylaw must apply to all level crossings of the Southern Railway in Burnaby, including for example the intersection of the Safeway Spur at 19th. The second concern is that existing railway signals may not be considered a sufficient 'positive' control relative to Section 190(3) of the Railway Act. It is possible that all major crossings will also have to be guarded by automatic gates.

When we receive the awaited response we will report to Council. Pending that report it would be appropriate if a copy of this report were sent to the delegation that brought the train whistle noise problem to Council's attention.



for ACTING DIRECTOR ENGINEERING

PL:je
Attach.

cc: Traffic Supervisor

Gerry Stevenson, President
 Southern Railway of British Columbia
 5935 Glover Road
 Langley, B.C.
 V3A 4B5

SENT BY FAX

Re: Train Whistle Noise along the
 Central Park Branch

Dear Sir:

Burnaby Council has recently heard a delegation speaking in complaint of the use of train whistles along the Southern Railway through Burnaby. The delegation was well researched and Council has asked us to pursue, as a matter of urgency, a number of issues that were raised. We would be most grateful if we could receive your response to the following points.

1. Hours of Operation: Apparently your train operates through Burnaby between the hours of 2:00 a.m. to 5:00 a.m. There has been some confusion as to whether these hours of operation have been determined solely by yourselves, by regulation or by agreement with the Rapid Transit Authority.

It has also been pointed out that your line and its usage bears comparison to the "Arbutus Line" in the City of Vancouver. There the railway also runs through built up residential area, including Kerrisdale, and the train driver whistles at crossings as appropriate. However, the train whistle noise is not perceived to be a problem because the train does its daily return trip between 6:00 p.m. and 9:00 p.m.

If you could reschedule your operation so that the train whistle did not awaken the sleeping, the complaints of our residents would be resolved.



2. Redundant Whistling: The delegation claimed that your train whistles on approach to road crossings that have long been closed (eg. Dow, Sussex, Telford, et al). Attached is a schedule of the existing road crossings of your railway in Burnaby. We trust that you will amend your train whistle instructions/signing as appropriate.

3. Anti-Whistling Bylaw: The Burnaby Council is contemplating the ramifications of implementing a train whistle bylaw as it is empowered to do under Section 190(2) of the Railway Act. It might wish to enact a bylaw for the whole line through Burnaby or at particular locations. Could you please send us a schedule of locations, at which the whistle is sounded, in a format that would be acceptable for incorporation into a regulatory bylaw.

You will note from the crossings list attached to this letter that most Municipal streets (Kingsway being the responsibility of the Ministry of Transportation and Highways) are controlled at the level crossings. We would require some indication of whether these controls were sufficient (with respect to Section 190 (3)) or which intersections would require to have control upgraded and to what standard.

4. Future Of Rail Operations: We understand that west of Vancouver south west of the Joyce skytrain station. Presumably when that area redevelops, when the rail service requirement of industrial users cease, or when the railway determines that it is no longer cost effective to maintain the track, your operations will be abandoned and the whistle noise problem will disappear. Could you give us your assessment of when this might occur and the extent of retrenchment that might be contemplated. (We note that there has been a steady erosion of your customer base in Burnaby over the past decade.)

TABLE 1

Road Crossings of the Southern Railway of B.C. in Burnaby

Existing Control*

Road Crossing	Item	Existing Control*
1. Kingsway (M.O.T.H.)	1. None	None
2. Patterson	2. Signals	Signals
3. Wilson	3. Stop Signs	Stop Signs
4. Willingdon	4. Signals	Signals
5. Central Boulevard	5. Signals	Signals
6. Imperial	6. Signals	Signals
7. Nelson	7. Stop Signs	Stop Signs
8. Royal Oak	8. Signals	Signals
9. MacPherson	9. Stop Signs	Stop Signs
10. Buller	10. Stop Signs	Stop Signs
11. Gilley	11. None	None
12. Rumble	12. None	None
13. Stride	13. Stop Sign	Stop Sign

* Beyond the "standard" railway crossbuck.

We realize that this letter deals with matters that are subject to provincial control and accordingly, by copy, we are requesting a response from the regulatory agency as appropriate. Your dispatch in this matter would be greatly appreciated.

Yours truly,

E.E. Olson, P. Eng.,
DIRECTOR ENGINEERING

W.C. Sinclair, P. Eng.,
DEPUTY DIRECTOR ENGINEERING

cc: () Municipal Manager
() Traffic Supervisor
() Mr. Al Richmond, P. Eng.
Design, Investigation & Standards Engineer
Engineering & Inspection Branch
Room 245, 4299 Canada Way
Burnaby, B.C. V5G 1H9

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Telephone (604) 533-5611 Telex 04-365541
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SOUTHERN BRITISH COLUMBIA

27 June 1989

File: 2115.1

RECEIVED IN
ENGINEERING DEPT.

JUN 30 1989

WCS
HSH

Mr. W.C. Sinclair
Deputy Director Engineering
The Corporation of the District of Burnaby
4949 Canada Way
Burnaby, B.C.
V5G 1M2

Dear Sir:

Re: Train Whistle Noise Along the Central Park Branch

In response to the points listed in your letter of 22 June 1989:

1. Hours of Operation - regular railway service is only permitted over the Joyce Road Bus Loop during the hours of 2:00 a.m. to 5:00 a.m. as per agreement with B.C. Transit. We do not operate the "Arbutus Line" and cannot comment on the hours of service nor the whistle use.

2. Redundant Whistling - this matter has been reviewed with our engineers and the delegation is incorrect in their statements that whistles are blown at closed crossings. Please note that whistling for Sussex Avenue is correct as per the Railway Act (see #3). Our engineers show considerable restraint in the use of the whistle but have many close calls with automobiles that dictate the proper warning be issued.

3. Anti-Whistling Bylaw - the whistle must be sounded at all crossings, including pedestrian crossings. The Provincial Railway Act (Section 190) states highway crossings and defines a highway to "include any public road, street, lane or other public way of communication". The adequacy of crossing control systems is a matter to be progressed with the Ministry of Transportation & Highways. We do suggest two changes to your Table 1. One is to add Sussex and the second is to indicate that Kingsway has railway stop signs as an existing control.

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ATTACHMENT B

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4. Future of Rail Operations - the customers west of McPherson Avenue include Central Park team track used from time to time by off-rail customers plus rail customers south east and north west of the Joyce Skytrain Station. As we do not foresee any reduction in rail business to this area in the near future, we are not prepared to discuss any reduction in our area of operation.

Yours truly,

G.I. Stevenson
President

GIS/jl

27 June 1989

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Mr. W.C. Sinclair

SOUTHERN RAILWAY OF BRITISH COLUMBIA LIMITED

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