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To: Mayor and Members of Council
From: Stephen Brake, Director of Public Works
Date: November 2, 2021
File No.: RR.60.42
Re: Information Regarding Recent Train Whistle Cessation Projects within the Greater Toronto Area

During the Joint Committees meeting on October 25, 2021 Council had requested that Public Works staff provide information regarding recent train whistle cessation projects undertaken by the City of Markham and the Regional Municipality of York. Specifically, Staff were requested to provide details regarding how these municipalities determined which crossings they chose to address as well as how funding was obtained and/or allocated for the proposed improvements to qualify the crossing for whistle cessation.

The Region of York's 'Anti-Whistling Policy For Trains at Road/Rail Crossings' and the City of Markham's process model the procedure outlined by [Transport Canada](#) in which the first action in the process involves a citizen or community group expressing interest to the municipality to stop train whistling within a specific area (one or multiple crossings) along a railway corridor due to excessive noise concerns. This public request serves to establish which locations will be targeted for whistle cessation.

For Markham and York Region this was done via a large petition as well as numerous deputations by residents to Markham's Council in 2015 advocating for whistle cessation. Although whistling was a long standing concern with residents, this advocacy push was in response to Metrolinx's plans for their Regional Express Rail which would essentially see the number of train movements double along the Stouffville GO Corridor thereby significantly increasing the number of whistle occurrences each day at 13 grade level crossings.

Initial funding for the grade level crossing improvements to permit whistle cessation is identified in City of Markham reports as being comprised of funding from the City of Markham (\$2.30M), Region of York (\$3.80), and Metrolinx (\$0.098M). The City of Markham would be cost responsible for upgrades on local jurisdiction roads. As some crossings were on Regional roads, the Region of York's 'Anti-Whistling Warrant Criteria' outlines the specific costs that are borne by the Region and the local municipality for grade level crossings on Regional roads (Attached). Metrolinx contributed in small part due to some upgrades required as a result of the substantial proposed increase to rail traffic.

The funding was primarily provided from:

- The City of Markham's 2017 Budget identifies funding from 'Other' and later report references are made to the 'Engineering Department Capital Account'
- The Region of York's 2019 Capital Budget identifies a funding contribution comprised of 'Program Specific Reserves', 'Other Recoveries', and 'Planned Debenture Proceeds'.

The overall project incurred a substantial cost overrun of approximately \$1M which was primarily funded through the City's 'Ramp Up Reserve' with minor contributions of the overrun attributed to the Region of York.

The Budget documents noted above did not appear to offer further clarity or breakdown of funding sources for the budget items identified i.e. tax levy, development charges, grant funding sources, etc.

Further information regarding the [City of Markham's](#) documented public process regarding the implementation of whistle cessation is available on their website. Unfortunately, much of the later meeting minutes which may better serve to understand funding sources was unavailable for public view at the time of this memo.

Trusting this memo satisfies the request for information presented.



Stephen Brake
Director
Public Works

SB/RB

Encl.

cc: T. Ricciardi, Manager of Infrastructure
K. Heathcote, Capital Works Supervisor
R. Brezina, Capital Works Engineer



STATUS	Final
Council Approved	Y
CAO Approved:	Y

TITLE: Anti-Whistling Warrant Criteria	NO.: 1146244 Original Approval Date: June 19, 2008 Policy Last Updated: August 25, 2009 Posted on Intranet: April 14, 2010
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POLICY STATEMENT:

This policy provides a set of criteria when local municipalities request York Region support for a local municipal anti-whistling by-law at railway crossings of Regional roads.

APPLICATION:

The criteria provide a consistent approach to deal with requests from area municipalities for the implementation of anti-whistling within York Region.

PURPOSE:

The purpose of this policy is to provide a set of criteria for area municipalities to follow when requesting support of an anti-whistling by-law at locations on Regional roads.

DESCRIPTION:

This policy contains criteria for implementing anti-whistling on Regional roads that intersect railway lines.

The Region will be responsible for the cost of flashers and gates for the Regional road crossing and the cost of pedestrian gates, if required.

Criteria

1. Local municipalities must make a formal request to the Region for support of an anti-whistling by-law for each individual location where a railway crosses a Regional road at-grade.
2. An anti-whistling by-law could be considered if the following are completed at the cost of the local municipality:
 - a. A safety audit is completed by a specialized safety consultant.
 - b. The safety audit is approved by Transport Canada.
 - c. An education program is developed for the affected area.

3. The whistling prohibition be implemented during night-time hours typically between the hours of 10:00 p.m. and 6:00 a.m. The Region will entertain anti-whistling by-laws from the local municipalities with different hours of restrictions as they come forward.
4. The Region will be responsible for risk and liability at train crossings on Regional roads.
5. If there are pedestrians in the area of the crossing, pedestrian gates will be installed with costs borne by the Region.

CONTACT:

Director, Operations, Roads Branch, Transportation Services Department

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APPROVAL INFORMATION		
CAO Approval Date: August 25, 2009		
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