



Staff Report

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Report To:	Council	
Date of Meeting:	June 20, 2022	Report Number: PWD-015-22
Submitted By:	Stephen Brake, Director of Public Works	
Reviewed By:	Mary-Anne Dempster, CAO	Resolution#:
File Number:		By-law Number:
Report Subject:	Transport Canada - Rail Safety Improvement Program Agreement – Cobble Dick Road	

Recommendations:

1. That Report PWD-015-22 and any related delegations or communication items, be received;
2. That the By-Law attached to Report PWD-015-22, as Attachment 1, to authorize the Mayor and Clerk to execute, on behalf of the Corporation of the Municipality of Clarington, and seal with the Corporation seal, a Rail Safety Improvement Program Agreement (RSIP) for grade level crossing improvements at Cobble Dick Road in Newcastle, between the Government of Canada and the Corporation of the Municipality of Clarington, be approved; and
3. That all interested parties listed in Report PWD-015-22 and any delegations be advised of Council's decision.

Report Overview

The Municipality of Clarington submitted an application to Transport Canada for funding under their Rail Safety Improvement Program (RSIP) for grade level crossing improvements at Cobble Dick Road in Newcastle. Clarington has received approval for funding up to \$697,255.20 for this project which will span over 2 years due to project design and implementation complexity. The report is written with the intent to create a by-law authorizing the Mayor and Clerk to execute the agreement with the Government of Canada.

1. Background

- 1.1 The Rail Safety Improvement Program (RSIP) provides grant and contribution funding to improve rail safety and reduce the risk of injuries and fatalities related to rail transportation. Staff monitor all level crossings in the Municipality of Clarington and each crossing is evaluated annually to determine the location(s) that meet the criteria for RSIP funding. Based on these criteria, staff identified the Cobble Dick Road grade level crossing of the CN Rail corridor would benefit from the RSIP.
- 1.2 In July 2021, the Municipality of Clarington submitted an application for funding under the RSIP for the Cobble Dick Road crossing and, in April 2022, the Municipality was notified as being a successful recipient of RSIP funding. Per the conditions of the funding program, construction of the improvement works needs to be completed by March 31, 2024.
- 1.3 The proposed works at the Cobble Dick Road grade level crossing include the installation of a new cantilevered warning system, installation of a Constant Warning Time Device / Motion Sensor Device, relocation of the CN Rail communications bungalow, corrections to roadway signage and line paint, and vegetation removals. This location was selected due to the following considerations:
 - Limited sightline visibility to the existing warning system for southbound traffic over the Highway 401 overpass where higher vehicle speeds and a downward road grade increase required stopping distances.
 - The close proximity of Service Road to the grade level crossing which has blocked sightlines due to CN above ground infrastructure.
 - The rail corridor carries CN Rail freight in addition to VIA Rail passenger trains which vary in travel speed. This variance creates a non-uniform warning signal activation which can result in excessive queues due to slow trains and can lead to impatient motorists. The Constant Warning Time Device is intended to create

uniformity and predictability in warning system activations and deter dangerous movements due to impatience or false perceptions of a clear rail corridor.

- There are several signage and line painting deficiencies that are not in compliance with current grade crossing standards that need to be rectified.

1.4 The majority of the improvement works fall under the responsibility of CN Rail to design, coordinate, and implement. Public Works Staff have engaged CN Rail regarding the proposed improvements and a review is underway by CN to establish the parameters of the design. Funding was requested over a 2-year span due to the substantial design and coordination work required and to allow CN Rail sufficient time to implement these improvements to meet the RSIP grant funding deadlines.

2. Proposal

2.1 Prior to entering into an agreement, Transport Canada requires a by-law (Attachment 1) to be passed authorizing Staff to execute the agreement with the Government of Canada.

3. Concurrence

This report has been reviewed by the Deputy CAO / Treasurer who concurs with the recommendations.

4. Conclusion

It is respectfully recommended that the Mayor and Clerk be authorized to execute the funding agreement between the Government of Canada and the Municipality of Clarington and that the By-law, provided as Attachment 1, be approved.

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Attachments:

Attachment 1 - By-law to Report PWD-015-22

Interested Parties:

The following interested parties will be notified of Council's decision:

Transport Canada
Canadian National Railway