

Burrardview Community Association  
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To the Honourable David L. Emerson P.C.  
Chair of the Canada Transportation Act Review  
C/O [secretariat@reviewcta-examenltc.gc.ca](mailto:secretariat@reviewcta-examenltc.gc.ca)

Re: Review of the Canada Transportation Act.

Dear Mr. Emerson

Thank you for the opportunity to comment on the Canada Transportation Act review. I would like to address the inadequacy of the current act to regulate railway noise and vibration. Specifically from idling heavy haul locomotives, shunting cars, and marshaling trains. I would also include protection for residents from particulate matter in diesel fumes from idling engines. Finally I will make three recommendations.

I am writing on behalf of the Burrardview Community Association. Burrardview, a part of the Hastings Sunrise area in Vancouver BC, is a well established community bordering the waterfront of Burrard inlet. This is one of Vancouver's oldest neighbourhoods and predates the railway lines that run into Vancouver. The railway lines are built on a right of a way on our properties and on landfill.

I have lived in my home adjacent to the Canadian Pacific Railway (CPR) lines since the late 1970's. In the early 1990's significant changes were made to CPR operations that increased train noise and vibrations and created a negative impact on the residents. Specifically this was the idling of heavy haul locomotive engines

for lengthy periods of time, shunting cars and marshaling trains on the tracks adjacent to the houses. In addition idling engines had caused significant air pollution. At this time the Burrardview Community Association prepared a complaint for submission to the Canadian Transportation Agency. This complaint was never submitted due to the successful court challenge of Canadian National Railway and the re writing of the Canadian Transportation Act. We were hopeful that the new act would contain specific and detailed regulations to address the communities concerns of excessive rail noise and vibrations. Sadly the final Bill passed by parliament drastically weakened regulations governing rail noise and vibration. Our community then proceeded to enter into lengthy mediated talks with CP Rail. CP begrudgingly agreed to address our concerns.

The current wording of the act regarding train noise and vibrations is too vague and the use of the word “reasonable” far too open to interpretation. It has been my experience that the trains operating next to my residential neighborhood are capable of operating in a manner that is less intrusive to residences. However it is entirely dependent on the good will of the train engineer, the yard manager and CPR management. The train operators can do it. However many do not either because they don’t care or are not told to do so by management. The history here is that the train operations will be acceptable for a while and then there will be a staff change and intrusive noise and vibrations will start up again. Only after repeated complaints to the railway will the trains be operated quietly again. Things will run fine until the next staff change and the cycle is repeated.

Of recent and utmost concern to the Burrardview neighborhood is the intention of CPR to expand their operations by adding 2 additional rail line running the length of the residential area. Because of limited room the new lines will be unable to go directly from the main CPR yard in Port Coquitlam to Port Metro Vancouver. The new rail lines will only run adjacent to the residential area. The community has not been advised as to how these lines will be used and if there will be an increase in

train noise and vibration; however, we suspect that there will be an increase in both. As well as an increase in noxious diesel fumes from idling engines.

We would like to acknowledge the importance of the railways role in the economy of Canada and the need to get goods to market. We have no complaints about trains travelling on the rail lines on the right of way of our property from the CPR Coquitlam main yard into Port Metro Vancouver. However our neighborhood and others that are adjacent to rail lines need to have specific and measurable limits on train noise, vibration, idling engines and particulate matter from diesel exhaust. People live here, people sleep here, and people work here and our children play here adjacent to CPR rail lines.

I urge the review committee to strengthen the section of the act pertaining to train noise, vibration and diesel exhaust by:

- Making provision in the act to mandate the trains to operate quietly when adjacent to or travelling through a residential area or
- to mandate the trains to put up sufficient infrastructure to mitigate the noise.
- And to mandate the train companies, in their daily operations, to take into account “the potential impact on those living adjacent to the railways” as stated in the act prior to the 2000 revision.

A strengthened act would still allow the railways to get the goods to market and would protect the livability of communities living adjacent to railway lines.

Thank you for your consideration.

Sincerely;

Barbara Fousek

On behalf of the Burrardview Community Association Executive.

CC Lisa Rait, Minister of Transportation  
Louis Levesque, Deputy Minister of Transportation  
Libby Davies, MP Vancouver East