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**TO:** Mayor and Council

**FROM:** Laurie Rudolph, CAO

**DATE:** September 27, 2021

**RE:** **CN Rail – Pedestrian Walk**

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**ISSUE:**

- Pedestrian Walk crossing CN Rail line along Highway 35

**BACKGROUND:**

From the communications with Public Affairs Manager Scott Brown on September 17, the following email was sent to CN Rail on September 23 (includes the original email to CN sent on September 14).

The Town's immediate concern is the safety of pedestrians and more specifically those with physical disabilities that use manual wheelchairs and mobility products. Mallard Diversified Services Inc. employs individuals with intellectual and physical disabilities and is located on the south side of the CN tracks. These individuals reside at the three residences that are also located on the south side of the CN tracks. In addition to Mallard Diversified Services Inc., MDSI also provides employment to these individuals at the Dollar Store, Seasonal Store, and Laundry mat that are located on the north side of CN tracks. Each day it is necessary for these individuals to cross the CN tracks for their work and residence.

For some time now, MDSI has had these individuals travel in pairs to ensure those with mobility products do not get hung up between the rails. These individuals are now crossing the CN tracks near the center point of the highway due to it being the most level portion to cross. The pathway is no longer safe due to the unlevel gravel and ties. This has become not only a safety concern with train traffic but now vehicular traffic.

The moral and legal ramifications are immense if one of these individuals were to have an accident or worse, be killed.

The Town and Mallard Diversified Services Inc. would appreciate CN Rail's immediate attention on this matter and that a meeting be arranged with the Town and Mallard Diversified Services Inc. prior to proceeding with the proposed work. The Town and Mallard Diversified Services Inc. would be available to meet whenever convenient for CN Rail.

Thank you for your cooperation and immediate attention on this matter."

Based on the verbal communications with Public Affairs Manager Scott Brown, CN Rail threw some gravel along the pedestrian walk but suggested the ultimate fix would be asphalt and that the barricades



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could be removed. Also commented, that the pedestrian walk is within the road authority's (the Town) responsibility. Scott Brown confirmed he would provide an email by mid week with CN's decision, along with measurements for asphalt depth so not to interfere with the rail line. I also discussed the roadway portion of the rail line area along Highway 35 being rough and was advised to speak with Highways.

I have held off on having the Town men remove barricades until a written response is received from CN.

**FINANCIAL IMPLICATIONS:**

None

**ANALYSIS:**

**ADMINISTRATIVE RECOMMENDATION(S):**

Discussion with Council:

- Timeline for removal of barricades
- Speaking with Highways as to responsibility to level Hwy 35
- Asphalt along pedestrian walk – depth of asphalt