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## Strathcona County residents accuse CN Rail of violating federal laws

National Post

December 13, 2010



Global News Edmonton

Residents who live in the Bretona area have been fighting a railyard in their area for a while now. They were unsuccessful in keeping it out but now say they're seeing the effects.

Trish Kozicka, Global News · Sunday, Dec. 12, 2010

John Kristensen has lived on an acreage south of Sherwood Park for the past 32 years. But in the past month, his peaceful lifestyle has been interrupted by a new railyard in Strathcona County.

"These folks move in and completely change our whole neighbourhood overnight," said Kristensen.

Kristensen says he and other nearby residents weren't notified of the project, nor were environmental assessments done. They tried to stop the construction of the site this past summer, but were unsuccessful. They're not ready to give up their fight though.

His home is located just 163 metres from the railyard, which goes against CN's policy that rail yards shouldn't exist within 300 metres of any residence. However, CN denies that the site is even a railyard, claiming it is just a "storage facility." The site has been built to store up to 225 petroleum tanker cars for Imperial Oil.

"The number of breaches of both federal legislation, Imperial oil policies, Canadian policies, Railway Association of Canada Policies - you can't even count them," said Kristensen.

CN officials admit they do own the property, but say the land is leased out to Cando contracting and has been zoned for railway use since the 1900s. While Kristensen admits that he knew about the rail line when he moved into his home, he says having an occasional train go by is entirely different than having train cars load and unload at the site every day.

"The clanging and uncoupling, shunting are very loud and unsightly," he said. "We've talked to quite a few appraisers and realtors. They indicate the property could have depreciated by now up to 60 percent."

The County of Strathcona says there's not much they can do. "Railways are very clearly within the jurisdiction of the federal government, not the Alberta government, and not Strathcona County," said Robyn Singleton, Chief Commissioner of Strathcona County.

Kristensen has already sent letters to the Prime Minister and Federal Ministers, and vows to continue his fight.

"We'll stay here. We'll fight this. We'll fight this to shut this rail yard down. Because they don't belong here."

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