

## Anti-whistling program comes off the track ? for now

By Brock Weir

A proposal to halt train whistles as they come through Aurora has been taken off the track and put in the rail yard ? at least for now. Council last week voted to delay a decision on whether or not to spend \$235,000 for a number of anti-whistle measures at three local rail crossings after renewed fears over liability and risk.

Their decision will hinge on a report on what other municipalities ? like Markham ? have put in place in order to minimize their own risk, as well as why other communities that have voted against anti-whistling measures, decided to put up with the noise rather than take on liability.

Staff recommended Council carry out the anti-whistling measures in the face of rapidly increasing train service on Metrolinx's Barrie ? Toronto corridor.

Once Ontario completes its plans to expand GO Train service, Aurora commuters can expect 18 trains coming through in the first half of the day and a further 18 in the balance.

That's a lot of whistling, agreed Council members, but what to do about it was a different story.

?Since I have been around, residents have been asking about whistle cessation,? said Councillor Wendy Gaertner. ?By 2025, the Province says we're going to have them every seven minutes. Think about that: there are going to be whistles blowing every seven minutes and residents were complaining about these whistles when they were blowing every half hour. When I lived on Walton, the whistle was like an alarm clock for me in the morning.?

Councillor Gaertner said she did not agree with the motion to delay, which stemmed from the previous week's General Committee, to let the next Council deal with it, but more information was needed.

?There is a liability issue, there is an insurance issue, so I would like to know how Barrie and Markham are handling it because I think, at the end of the day, our residents want this but I am not sure they want it if it has such a liability issue. We need to be fair to our residents and give them more information.?

Councillor Michael Thompson said he agreed that the issue of whistling is only going to become worse as train service improves, but he could not get past the fact that proceeding with anti-whistling measures would mean Aurora would shoulder 100 per cent of the burden ?if, god forbid, anything terrible happens.? This was a view bolstered by Town Solicitor Patricia De Sario, who advised against Council taking on the risk, describing the liability as ?huge.?

?That is the stumbling block we're at,? said Councillor Thompson. ?I wish at some point we could work with Metrolinx and the Region and other stakeholders to address this issue and find some middle ground where we can move forward. I struggle with the fact while something needs to be done, at the same time, it could potentially put the Town at significant risk. You see stories about how airplanes have these terrible landings and the passengers all sue the airliner. The same thing could happen. All the passengers on that massive Metrolinx train could end up suing Metrolinx which, in turn, is our responsibility.?

Of a similar view was Councillor Tom Mrakas, who said while he was in favour of getting more information, if the next report said the risk would be the same he would not support advancing the idea.

?If the information comes back and it still opens us up to the same level of risk and the same level of liability, I still won't be in favour of it,? he said. ?I think it is insane to put the Town at that much risk. I have no problem [with a report] because I agree it is an issue [we need to] look at, but if the risk comes back at the same level, it's a no for me.?

Councillor John Abel, on the other hand, offered a different view, stating the core issue was still going unaddressed.

?We have an opportunity,? he said. ?We're passing it along to the next Council. I appreciate there is a liability, but I understand that if there are other municipalities doing the same thing, I am wondering if AMO (the Association of Municipalities of Ontario) can offer some background information for us and the public to understand how municipalities are dealing with it and can help guide our decisions going forward.

?This is something that is not going to go away. It is going to become more and more of an issue. We should be acknowledging it and perhaps taking some advancing and getting more information when the opportunity comes. I appreciate the reservation with legality and exposing ourselves to risk, but why are some other municipalities doing it??