

April 2, 2008

Regional Municipality of York
Transportation & Works Department
90 Bales Dr E
Newmarket, Ontario

Attn: Mr. Grant Robinson, Senior Project Manager, Bathurst St Widening/Noise Barriers

Dear Mr. Robinson

As you are aware, I am representing the Lower Whispering Pine Trail Rate Payers Association, (LWPRPA) which is made up of the 7 houses between 25 & 63 on Whispering Pine Trail in Aurora. Last Spring, we all attended your information session at the Aurora Town Hall and we were not surprised to hear during your presentation, that the expert studies that were commissioned by the Region, have determined that the noise levels in the area of our houses are beyond the acceptable levels, as established by the York Region Noise Policy. Your expert's tests have proven that the noise levels the we are subjected to on a continual basis will exceed the 60dba levels, a level that the Region agrees is unacceptable for any residential dwelling, new or old.

However, following that disclosure, we were shocked to hear that the Region has proposed that a barrier will not be built because the elevation of our property line is just slightly too low, relative to the level of the roadway. According to the study commissioned by the Region, the elevation at the property line would need to be raised by .25m at the lowest point and 1.5m at the highest point in order to facilitate the noise barrier being effective. Therefore, instead they have proposed to plant some undefined vegetation as a barrier on a hill with a 45% slope. Firstly, it is not realistic to believe that this vegetation will even stay alive, let alone thrive, given the slope of the hill, the fact that the base for this vegetation is mostly granular and that every winter it will get buried with large amounts of salt from the regional plowing but even if you could come up with a way so that it might look nice (in 5-10 years), everyone agrees that it will never be effective in addressing the real problem of reducing the noise level below 60 db. As you can see there is already plenty of vegetation along most of the houses but still the noise levels exceed the 60db limit.

We have reviewed the policy and the results of the study that you commissioned and we understand that it not realistic to request special treatment just for our homes. We do, however, believe that there are other solutions that will be more effective in accomplishing the objective of reducing the noise levels that do fall within the current criteria established by your noise policy.

With this in mind, we would like to propose that our group of residences we be allowed to make the minor modifications necessary so that we are able to raise the elevations of our property lines along Bathurst to the elevations required by your study in order to make the noise barrier as proposed under the policy, effective enough to reduce the noise by more than 5db as required.

In general terms we are proposing that our group of homes will fund the costs associated with the design and construction of a small amount of engineered fill that will effectively raise the elevation of the property line, the amount required so as to facilitate the effective construction of the standard noise barrier. Before proposing this we have considered all of the reasons that this may not be possible and we are satisfied that none of them are applicable in the situation immediately behind our homes.

The problems that we considered are:

1. **Problem:** There could be utilities buried near the property line which would be negatively impacted by raising the grade.
Answer: Although the exact design will need to be finalized, it does not appear from our preliminary review that there are any utilities in the area where the soil will be placed
2. **Problem:** There could be structures or other things in the way on either side of the property line which would prevent placing the required fill?
Answer: There is nothing in the way of where the fill will be placed with the exception of a few trees on the residences side of the property line and our group of homes agrees to replant any trees that might be lost. There is nothing on the Bathurst side .
3. **Problem:** The storm water run-off could be negatively impacted by the revised topography?
Answer: Due to the high elevation of the roadway and the lower elevation of each of our homes, it will not have any noticeable impact on the water run-off patterns around any of our homes. There are 2 large Storm drains that currently run in this area, between the houses that handles all of the current run-off. The new design of Bathurst, with curbs and gutters will effectively reduce that amount of run-off that will occur in this area during any rainfall.
4. **Problem:** A note would need to be registered against the title of each house to ensure that the new engineered fill that will be placed at the rear of each home could never be removed, without undermining the barrier.
Answer: Each home owner agrees that if this needs to be done and will not object. It is worth noting that these properties are all quite deep and wooded so it reasonable to believe that whether or not a note was registered, there would never be a need to touch this area of the property. Furthermore, speaking on only my behalf, it would be my intention to have cedars planted there as part of the restoration of the landscaping. The landscaping restoration on the resident's side of the barrier (which will likely be just wild grass seeds along most of the wooded areas) will also be carried out at our cost.

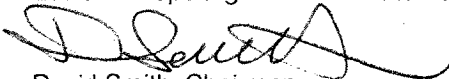
As a group we could not think of any other reasons that anybody could reasonably object to this new fill being placed in this area along our back property line. With this in mind we are putting forward this proposal to the region for consideration. We are not asking anything special from the Region. All we are requesting is that the Region allows us to make the modifications necessary so as to enable an effective noise barrier to be built, as everyone agrees is required, to allow us to enjoy our backyards without the excessive noise that exists relating to the Bathurst St widening.

It should be noted that our group does understand and we accept that the design and construction of this modification will need to be carried by the same engineer and Construction Company that have already been engaged by the Region and that we will be responsible for the costs incurred to complete this work.

If there are any questions or comments regarding our request, please do not hesitate to contact me directly or each of us individually.

Yours truly,

Lower Whispering Pine Trail Rate Payers Association (LWPTRP Assoc)



David Smith, Chairman
C-416-729-7408, w-905-803-6334

cc Phyllis Morris – Regional Councilor & Aurora Mayor
Lower whispering Pine Rate Payers association

ATTACHMENT TO APRIL 2, 2008 LETTER

FROM MR. DAVID SMITH, CHAIRMAN,

LOWER WHISPERING PINE TRAIL RATE
PAYERS ASSOCIATION

WHICH LISTS THE NAMES, ADDRESSES
AND TELEPHONE NUMBERS

FOR MEMBERS OF THE

LOWER WHISPERING PINE TRAIL RATE
PAYERS ASSOCIATION

IS ON FILE WITH THE

CLERK'S OFFICE