

Authority: Scarborough Community Council Report No. 8, Clause No. 3,  
as adopted by City of Toronto Council on October 1, 2 and 3, 2002  
Enacted by Council: September 30, 2004

**CITY OF TORONTO**

**BY-LAW No. 795-2004**

**To amend City of Toronto Municipal Code Chapter 591, Noise, by adding Article III, Railway Whistles, to reflect the prohibition of railway whistles at the Sheppard Avenue East Crossing at the Agincourt GO Station under the *Railway Safety Act*.**

WHEREAS under section 129 of the *Municipal Act, 2001* Council may pass by-laws to prohibit and regulate noise; and

WHEREAS under section 23.1 of the *Railway Safety Act*, R.S. 1985, c. 32 (4th Supp.), the use of whistles on railway equipment is prohibited in certain areas if certain conditions are met, including the condition that the government of the municipality by resolution declares that it agrees that such whistles should not be used in that area; and

WHEREAS the purpose of this by-law is to amend Municipal Code Chapter 591, Noise to reflect the resolution set out in recommendation 1 of Clause No. 3 of Report No. 8 of the Scarborough Community Council, as adopted by Council at its meeting held on October 1, 2 and 3, 2002, and as confirmed by By-law No. 647-2002, "To confirm the proceedings of the Council at its meeting held on the 1st day of October, 2002";

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 591, Noise, of The City of Toronto Municipal Code is amended by adding the following:

**ARTICLE III  
Railway Whistles**

**§ 591-12. Definitions.**

As used in this article, the following abbreviations and terms shall have the meanings indicated:

CN — Canadian National Railway.

CP — Canadian Pacific Railway.

GO — Go Transit.

**§ 591-13. Prohibited locations.**

The use of the whistle on any railway equipment in respect of the highway crossings described in the following table is prohibited, except as otherwise provided in section 23.1 of the *Railway Safety Act*, R.S. 1985, c. 32 (4th Supp.):

<b>No.</b>	<b>Railway</b>	<b>Subdivision, Branch or other Trackage</b>	<b>Mileage</b>	<b>Street Name</b>
A.	Go	Uxbridge Subdivision	55.73	Sheppard Avenue East in the vicinity of the Agincourt Go Station

ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)