

Authority: Etobicoke York Community Council Item 13.5, as adopted by Etobicoke York Community Council on January 15, 2008 under the delegated authority of §§ 27-149B and 27-152 of Chapter 27, Council Procedures, of the City of Toronto Municipal Code

Enacted by Etobicoke York Community Council: February 12, 2008

**CITY OF TORONTO**

**BY-LAW No. 139-2008**

**To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the noise barrier fence on the property municipally known as 60 Birmingham Street from the maximum height requirements.**

The Etobicoke York Community Council HEREBY ENACTS as follows:

1. Schedule A to Chapter 447, Fences, of The City of Toronto Municipal Code is amended by adding the following after the last section:

The proposed pre-cast concrete noise barrier wall to be constructed in the east flankage yard of the commercial property known as 60 Birmingham Street, measuring approximately 3.0 metres in height and 64.0 metres in length from north to south along the east property line and approximately 10.9 metres in length from east to west, along with the existing wrought iron open grille fence ranging in height between 2.1 metres and 2.4 metres, approximately 4.0 metres in length along the east property line to the south of the concrete noise barrier, and which then turns westward for approximately 25.0 metres in length set back 2.0 metres from the front property line, may be retained despite the height restrictions in § 447-2B(1) of 2.0 metres for fences of open construction and 800 millimetres for any other types within 2.4 metres of the side lot line, and 2.5 metres for fences beyond 2.4 metres of the side lot line, for such flankage yards.

ENACTED AND PASSED this 12th day of February, A.D. 2008.

FRANCES NUNZIATA,  
Chair

ULLI S. WATKISS  
City Clerk

(Corporate Seal)