

Clause embodied in Report No. 10 of the Planning and Transportation Committee, as adopted by the Council of the City of Toronto at its meeting held on October 1, 2 and 3, 2002.

**1**

**By-law Amendment to Regulate  
Drive-Through Facilities in the City of Toronto**

*(City Council on October 1, 2 and 3, 2002, amended this Clause:*

- (1) to provide that the property at 5322 Dundas Street West be excluded from this by-law;  
and*
- (2) by adding thereto the following:*

*“It is further recommended that:*

- (a) Council adopt the supplementary report dated September 20, 2002, from the Commissioner of Urban Development Services, subject to adding to Recommendation No. (7) the words ‘auto body shops and car washes’, so that the recommendations embodied in such report shall now read as follows:*

*‘It is recommended that:*

- (1) the Drive-through Facilities By-law for North York be amended to permit two Drive-through Facilities on the property at 1947 - 2013 Finch Avenue West, substantially in accordance with Attachment 1;*
- (2) City Council determine that no further notice be given in respect to all the proposed by-laws;*
- (3) the Commissioner of Urban Development Services be directed to undertake an assessment of the merits of imposing a 15-metre setback from all public rights-of-way and report to Planning and Transportation Committee as part of the phase two review of drive-through facilities;*
- (4) the Commissioner of Urban Development Services be directed to undertake an assessment of the merits of imposing a separation distance requirement between drive-through facilities and report to Planning and Transportation Committee as part of the phase two review of drive-through facilities;*

- (5) *the Commissioner of Urban Development Services report to the Planning and Transportation Committee regarding identification of areas along the Sheppard Corridor that may permit drive through facilities and provide necessary amendments to the Zoning By-law which would prohibit such facilities where appropriate;*
  - (6) *the Commissioner of Urban Development Services be authorized to bring forward to a public meeting, if necessary, any technical Zoning By-law amendments as may be required, which clarify and reinforce the intent of the drive-through facilities by-law; and*
  - (7) *the City Solicitor, in consultation with the Commissioner of Urban Development Services, report to next meeting of the Licensing Sub-Committee, on the issue of regulating hours of operation for drive-through facilities, auto body shops and car washes.';*
- (b) *the Commissioner of Urban Development Services be directed to have regard for Planning applications that are currently in process; and*
  - (c) *in the event of an appeal, the Chief Planner be directed to meet with all parties who have expressed concerns and report back to the Planning and Transportation Committee, at the earliest possible date, outlining the concerns raised.”)*

**The Planning and Transportation Committee, based on the findings of fact and recommendations contained in the report (August 26, 2002) from the Commissioner, Urban Development Services, unanimously recommends the adoption of this report subject to amending Recommendation (4) by including in the consultation process Mr. Stan Makuch, of Cassels, Brock and Blackwell and the East Beach Community Association.**

The Planning and Transportation Committee reports, for the information of Council, having requested the Commissioner of Urban Development Services to report directly to Council for its meeting on October 1, 2002:

- (1) on an amendment to the draft by-law which would prohibit the location of drive-through facilities within 15 metres of a public right-of-way;
- (2) with details on the drive-through facilities proposed for 2500 Eglinton Avenue East and 1947-2013 Finch Avenue West;
- (3) identifying areas along the Sheppard Corridor that may permit drive-through facilities and if so, provide necessary amendments to the draft by-law which would prohibit such facilities in this area;
- (4) on mechanisms for achieving a distance requirement between drive-through facilities; and

- (5) in consultation with the City Solicitor, on the issue of regulating hours of operation for drive-through facilities.

The foregoing recommendations were adopted by the Committee unanimously with the following members present and voting:

Councillor Altobello  
Councillor Berardinetti  
Councillor Disero  
Councillor Flint  
Councillor McConnell  
Councillor Milczyn  
Councillor Moscoe  
Councillor Rae

**The Planning and Transportation Committee submits the following report (August 26, 2002) from the Commissioner of Urban Development Services:**

Purpose:

The purpose of the report is to introduce an amendment to the relevant Zoning By-laws that defines drive-through facilities as a separate use and establish provisions to regulate the locations where in the City such a use may or may not be permitted. A subsequent report will recommend establishing standards and guidelines for the development of drive-throughs in areas of the City where they are a permitted use.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) all necessary Zoning By-laws for the former Cities of Toronto, Scarborough, North York, Etobicoke, York and the Borough of East York be amended, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. [4 ] ;
- (2) after final approval of the by-law amendments referenced in Recommendation (1), Interim Control By-laws 2-2002 and 3-2002 be repealed;
- (3) the City Solicitor be authorized to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (4) appropriate staff be authorized to proceed with phase two of the study outlined in this report to establish standards and guidelines for the development of drive-through facilities in consultation with industry representatives, Toronto Association of Business Improvement Areas and individual BIA's, the public and interested parties.

Background:

City Council on May 21, 22 and 23, 2002 amended Clause No. 7 of Report No. 6 of The Planning and Transportation Committee by adding the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit reports to the Planning and Transportation Committee:

- (1) on whether one development standard can be adopted City-wide to address drive-through operations; and
- (2) for its meeting to be held on September 9, 2002, on the results of the review of the Zoning By-laws regarding development standards to address drive-through operations, and the appropriate by-law(s) also be submitted at that time.”

Summary:

Drive-through facilities are generally provided in association with commercial activities such as fast-food establishments, banks and dry-cleaners. While a drive-through facility may be the exclusive means of service delivery, it is typically designed as part of a larger facility to offer customers the choice of park and walk-in service or drive-through.

The fundamental issue confronting the City is that the Zoning By-laws of the former municipalities, which continue to apply, were largely developed before drive-throughs became commonplace. None of these Zoning By-laws identify drive-throughs as a distinct class of land use activity or apply any special or significant development standards or guidelines. Consequently, drive-throughs are being permitted wherever another ‘associated’ use, such as, a restaurant, is permitted, and they undergo design review only where site plan approval applies. This has lead to an inconsistent city-wide approach to the review of such developments.

This report recommends a two phase approach to resolving issues involving drive-through facilities. In the first phase, this report examines the potential for defining drive-through facilities as a separate use and, as defined, where should they be permitted. The second phase will establish standards and guidelines for the development of drive-throughs, suitable for inclusion in the Zoning By-laws or used during the review of plans through the Site Plan Approval process.

As a first step, this report recommends defining a “drive-through facility” as a distinct and separate use. This conclusion has been reached by examining the operational aspects of drive-throughs that make it distinct from associated uses. This report identifies and discusses the characteristic elements of a drive-through in relation to:

- (a) Traffic;
- (b) Noise;
- (c) Environmental/Air Quality;
- (d) Odour;
- (e) Stacking Lanes;

- (f) Pedestrian/Auto circulation;
- (g) Illumination/Signage;
- (h) Visual Impact;
- (i) Site Servicing/Grading;
- (j) Hours of Operation; and
- (k) Littering/Waste

By defining 'drive-through facility' as a separate use, the impacts of these characteristics of this use may be more appropriately addressed through Zoning By-law provisions in much the same way as site and building requirements apply to all uses. More importantly, the fundamental question of their compatibility with adjacent uses, particularly residential uses, can be more accurately regulated.



This report recommends that drive-through facilities continue to be permitted in commercial and industrial zones throughout the City. However, within these areas, all parts of the drive-through operation must be setback 30 metres (100 feet) from any abutting residential zone. This would include any part of the building or the 'stacking lane', where cars would wait to place and pick-up an order. But, for example, it would not include the parking area of a sit-down restaurant, if the drive-through were associated with such a use. This provision would make developing drive-throughs more difficult in many of the older commercial strips, found in parts of the City, since lot sizes tend to be smaller and are close to residential uses. On the other hand, there are still many sites throughout the City that can accommodate drive-throughs under this regulation.

Because of the concern with the impacts on residential uses, some parts of the City are, by definition, eliminated as potential sites for drive-throughs. These include, mixed commercial-residential zones, by virtue of the as-of-right permission for residential uses anywhere in the zone, and the designated Centres of North York, Scarborough, Etobicoke, Yonge/Eglinton and the Downtown. All these Centres are planned for higher intensity, mixed use development. They are planned focal points for new employment and residential growth outside the downtown. Over time, these Centres are expected to create an urban environment which encourages people to travel by transit, walking and cycling rather than relying solely on the car.

A proposed draft by-law to implement this phase one strategy is attached to this report for Council's approval. Once this by-law is approved by Council, the Interim Control By-laws 2-2002 and 3-3-2002 are no longer required and should be repealed.

Phase two will recommend establishing standards and guidelines for the development of drive-throughs in those areas of the City where they are to remain a permitted use. The work will focus on operational and site design issues and will draw upon input from industry

representatives, the public and other City departments. To the extent possible, the results of other related studies and on-going analyses will be drawn upon to inform aspects of the phase-two review. It is hoped that staff will be able to report the findings of the phase two review to the Planning and Transportation Committee by the second quarter of 2003.

#### Comments:

##### 1. History

While this report applies to all drive-through activities, drive-throughs are most commonly associated with the fast food/restaurant sector. Since the 1950's, the fast food sector has undergone considerable change in terms of attracting clientele. Early restaurant/fast food operations, were primarily "sit down and be served" facilities. In the 50's and 60's fast food type restaurants emerged on their own and with them came the advent of the "drive-in restaurant", which allowed customers to be served in their vehicles. The 70's through to the 90's saw a growth in fast food restaurants. While people drove to these fast food outlets, the food was still consumed in the restaurant or in the parked car. The past decade has seen the emergence and proliferation of "drive-through restaurants".

Drive-through facilities are the current evolution in quick service restaurants, targeted at the highly mobile and car-oriented North American consumer market. With the apparent success of these drive-through operations, corporations are seeking to construct more new drive-through restaurants and retrofit older restaurants with drive-through facilities.

In addition, the appeal of drive-through facilities is gaining momentum in other sectors of the marketplace such as financial institutions, dry cleaning and pharmaceuticals.

In attempting to deal with the anticipated increase in requests for drive-through facilities, the City of Toronto is confronted with a potentially rapid growth of a type of land use activity that was never envisioned by the former municipalities when developing their zoning by-laws.

##### 2. State of the Drive-Through Business

Drive-through facilities, which initially included only drive-through car washes and restaurants, have now expanded to include donut shops, financial institutions, dry cleaners and pharmacies. It is further anticipated that this list will continue to expand to include other uses.

With this apparent success of drive-through facilities, the industry has responded by building more drive-through facilities. The more obvious local examples have been the rapid expansion of donut shops and fast food outlets. However, while there may be a business opportunity for drive-throughs, it is the negative impacts associated with the drive-through activity that generates public concern.

The apparent success of drive-through facilities has encouraged the industry to make design changes that enhance the customers drive-through experience and permit the operations to service more vehicles. This is exemplified by the most current multi-lane drive-through technology that permits operators to take orders from up to 8 vehicles at one time. While this technology may reduce individual wait times and the length of vehicle stacking, it also significantly increases the total volume of vehicles that can be served.

The thrust of all these changes is to allow the fast food retailers to retain or expand this portion of the consumer market. However, while these business improvements are made with the intention of addressing business objectives, they may fall short of addressing the impacts these expanding and intensifying facilities have on neighbouring land-uses. This is particularly important since existing zoning by-laws never anticipated the impact of this type of use or the intensity of the use.

While the discussion above deals primarily with the impacts of drive-throughs associated with the fast food sector, many of the points raised are generally applicable to the other types of drive-through activities.

### 3. Current Status of Regulations Applying to Drive-through Facilities

The City of Toronto is in the process of developing a comprehensive and consistent set of zoning standards for the entire City. However, until that task is complete, reliance has to be placed on the zoning regulations inherited from the former municipalities which largely pre-date the recent growth of drive-through activities in the City.

No existing City Zoning By-law currently deals with drive-through facilities as a separate and distinct land-use. This can be seen in the way that restaurants, for example, have been defined in the Zoning By-laws of the former municipalities. For example, Zoning By-law 438-86 for the former City of Toronto contains these restaurant definitions:

#### Restaurant

“a building or a portion of a building used for the preparation and cooking of meals and the sale of food and beverages to the public while they are seated, for consumption on the premises”. (The By-law also permits a number of other activities such as an incidental take-out service).

#### Take-out restaurant

“ a building or portion of a building used for the cooking, preparation and sale of meals and food directly to the public, for consumption off the premises and which may contain incidental seating areas for consumption on the premises”.

The above definition for restaurant does not make a distinction between a traditional restaurant where patrons have a meal while seated on the premises, and a restaurant which includes a drive-through operation. Similarly, the above definition for a take-out restaurant does not make a distinction between a fast-food restaurant, where patrons walk in and purchase a take-out a meal from a front counter, and a fast-food restaurant with a drive-through operation in which patrons purchase a take-out meal while seated inside a vehicle.

In the former City of Scarborough, there are 35 different By-laws regulating development in the various residential communities and employment districts. These current by-laws have been enacted and amended as development proceeded since the 1960's. At that time, neither planners nor policy makers anticipated the future growth of drive-through facilities and particularly fast food drive-through facilities. This is again reflected in the following by-law definitions for a “restaurant” found in some but not all Scarborough by-laws.

### Restaurant

shall mean land, buildings or structures or parts thereof used for a place of assembly for the purpose of consumption of food or beverages and also shall include banquet halls.

### Eating Establishment

shall mean a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, tea or lunch room, dairy bar, and refreshment room or stand; but does not include a boarding or lodging house.

### Neighbourhood Store

shall mean a store which serves the needs of the adjacent neighbourhood and shall include the following types of stores:

General Store, Barber shops and Beauty Salons, Drug stores, Dry goods, Tobacco stores, Stationery stores, Restaurants and Tea rooms.

Clearly, at the time these definitions were created, the vision of a restaurant was likely one where food was ordered and consumed on the premises and restaurants were seen as a use compatible with other community uses.

In assessing the development compatibility and impacts of drive-through facilities, little direct assistance can be found in existing Zoning By-laws. Guidance must therefore be taken from other current and operative policy documents in the City. The policies found in the various official plans provide some guidance of the public vision for land-use compatibility, health and quality of life.

## 4. Development Issues with Drive-through Facilities

Drive-through facilities on their own or in combination with other uses, raise fundamental planning questions regarding land use compatibility. A drive-through's ability to attract and dependency on, high levels of vehicular activity to the site makes drive-throughs a distinct class of land use activity with very specific characteristics.

The function of drive-throughs to serve large numbers of customers, seated in vehicles, over short periods of time, creates impacts on the neighbouring uses that are different from similar uses such as restaurants, banks, pharmacies or dry-cleaning establishments, that do not include drive-through facilities. The drive-through characteristics, which generate public concern include:

### (a) Traffic Impacts

- (i) drive-through facilities by their nature encourage more traffic than the same use without a drive-through facility;



- (ii) drive-through operations can have significant traffic impacts with respect to site access (curb cuts, driveways and turnouts), stacking lanes and the relationship between internal traffic and pedestrian traffic;
- (iii) pedestrian safety is a key issue as drive-through operations create increased traffic and a corresponding increase in potential pedestrian/vehicular conflicts; and
- (iv) stacking lanes also play an important role in site circulation. Inadequate parking and a poorly designed stacking lane can lead to vehicles queuing on the street and blocking the sidewalk, creating a dangerous situation for both motorist and pedestrians. Delays to buses and streetcars are also possible when queuing extends back onto the traveled roadway.

(b) Impact on the Streetscape

- (i) drive-through operations impact the positive relationship that buildings have to the definition and support of the public sidewalk. In the pre-war developed parts of the City, retail and residential uses were established together in buildings along concession roads, street car and other transit accessible streets. These buildings generally were built in a continuous manner, close to the front of the property, with the retail uses supporting a safe, interesting pedestrian realm. These characteristics produce the familiar retail strip in which there is a continuous wall of retail activity and there is a direct relationship between the main entrance of a store and the public sidewalk. Drive-through uses with curb cuts, driveways along sidewalk edges and single uses, disrupt this familiar and desirable building pattern; and
- (ii) drive-through facilities disrupt the continuity of the streetscape building edges, as described above and, combined with higher curb cuts, traffic volumes and increased frequency of traffic, produce unpleasant pedestrian environments, loss of street tree planting sites and disrupt pedestrian traffic along adjacent sidewalks.

(c) Noise

Inherent with drive-throughs is the additional noise generated by the engines of vehicles running, orders being placed and the loud playing of in-car stereos, all of which become a particular concern late at night especially when associated with 24-hour operations.

(d) Environmental/Air Quality

Studies conducted into the matter of air quality have determined that vehicle emissions are highly contributory to smog and poor air quality. The Ontario Ministry of Environment and Energy estimated that in 1994

motor vehicles contributed 93% of total carbon monoxide emissions in the City of Toronto. Pollutant emissions from vehicles are highest when a vehicle is standing and idling. The City of Toronto has enacted an Anti-Idling By-law that requires motorists to turn off their engines if standing for more than three minutes. However, this by-law is only enforceable on public highways and cannot be used on private property. Drive-through operations often have many vehicles standing in the stacking queues resulting in wait times that frequently exceed the Anti-Idling By-law limit of three-minutes.

(e) Odours

In addition to usual smells associated with the preparation of food in fast food facilities, drive-throughs, of any type, impose the offensive odours generated from idling vehicle exhausts on the surrounding area.

(f) Hours of Operation.

A recent trend with drive-through operations has been the extension of hours of operation. In the extreme case, operating hours can extend to 24-hours a day and this can create a major concern where abutting uses are residential.

(g) Landscaping

Drive-through facilities have considerable requirements for paved surfaces for parking and stacking of vehicles approaching the drive-through pick-up window. Additional paved surfaces increase surface runoff, increase heat generation from the dark paved surfaces and make landscaped buffers between adjacent uses difficult to achieve.

(h) Illumination / Signage

- (i) illumination and signage are key elements for the identification of the drive-through facility by the motoring public as well as directing movement around the site;
- (ii) as with all signage and lighting, these generate streetscape and visual impact issues; and
- (iii) increased site illumination occurs in the areas of the stacking lanes, pre-order boards, order boards and pick-up windows from both vehicles and site equipment. This increased illumination may be incompatible with neighbouring uses.

(i) Littering / Waste

A common concern of residents is the increase in littering and scattering of waste in the vicinity beyond the drive-through facility.

(j) Visual Impact

Drive-through facilities have particular requirements for signage, standard building prototypes and arrangements of the drive-through component uses. These are not always consistent with the visual character of many uses such as established and emerging residential communities and traditional retail strips.

(k) Land Utilization

- (i) drive-through operations require considerable land to accommodate the queuing of vehicles; and
- (ii) the wasteful consumption of land by drive-through facilities is contrary to the City's objective for intensification.

Drive-throughs are a highly auto-oriented class of land use activity that generate high levels of traffic to and from their site creating potential conflicts with the operation and amenity of neighbouring uses, particularly residential. The elements of a drive-through operation as described above may contribute to making it an incompatible use with other uses in the surrounding area. Some of these issues may be addressed through the incorporation of appropriate design standards and other planning controls aimed at improving the functioning of the drive-through. However, the compatibility issue is in many ways a contextual one. While there may be areas of the City where a well designed drive-through will pose little or no problem, there may equally be other areas where these generators of high traffic volumes are simply incompatible and where mitigation measures afford only limited relief.

5. An Approach to the Drive-through Issue

In the current absence of regulations pertaining to drive-throughs in the City's existing zoning by-laws or other planning mechanisms, there remains the need to formulate a strategy to address the issues raised by drive-through operations. This task cannot await the completion of the City's comprehensive Zoning By-law review process which is not scheduled for completion for some time yet. It is recommended that the drive-through issue be tackled in two phases: first, by introducing zoning controls that regulate where in the City drive-through facilities can be located based on compatibility with adjacent land use concerns; secondly, by establishing standards and guidelines for the development of drive-through facilities in the areas where they are a permitted use. Both phases require that drive-through facilities be defined as a separate land use class for zoning purposes.

In terms of phase one, it is possible, on the basis of their general operating characteristics and other attributes, to apply fundamental planning principles to determine where drive-through facilities should and should not be a permitted use.

Drive-through facilities, by design, are land use activities that totally depend on the volume of vehicles that can be attracted to use the drive-through facility. Furthermore, as the characteristics of quick service drive-through facilities are very different from those of the same facility without a drive-through, it is essential that the City employ planning principles which will protect City residents and abutting land-uses from the drive-through nuisance factors identified in Section 4.

The safety and nuisance concerns related to drive-through facilities have their greatest impact on residential uses. Consequently, it is recommended that drive-through facilities not be permitted in or adjacent to areas of the City zoned to permit residential uses. Currently, drive-through facilities are generally permitted in commercially and industrially zoned areas of the City and in mixed use areas permitting residential and some other use. The above recommendation would no longer permit drive-through operations in zones permitting residential uses which by definition includes mixed use areas and the designated centres. Drive-throughs will continue to be generally permitted in areas zoned for commercial and industrial uses except where, as discussed below, they are deemed to abut residential lands.

In reviewing numerous designs and site plans for drive-through facilities, it is recommended that the City require a minimum separation distance of 30 metres (approximately 100 feet) from any part of the drive-through facility to a residential zone. Therefore, in commercial or industrial zones which permit commercial/retail uses, a drive-through may be considered a permitted use provided that a minimum separation of 30 metres (approximately 100 feet) from any part of the drive through facility, including stacking lanes, to the abutting residential zone is maintained. Where commercial or industrial zones do not abut a residential zone, no separation distance will be required. Attachment 1 provides a sample of similar separation regulations that have been applied to drive-throughs in other jurisdictions. Attachment 3 illustrates the possible effect of the setback requirement on sites along some commercial areas of the City under the assumption that the drive-through facility is 30 metres in depth.

The proposed Zoning By-law amendment attached has been drafted in recognition of the fact that, apart from the general intrusiveness of drive-throughs in or close to areas of housing, there is a particular threat to pedestrian safety and amenity that these high traffic generators pose in such situations. Sidewalks serving local residents and visitors can be expected to accommodate all manner of pedestrians including the very young and the very old, the fit and the not-so-fit, as well as infants in strollers and others using ambulatory devices. Every time a vehicle crosses a sidewalk there is a potential for conflict with pedestrian movements. Generally, the busier the sidewalk and the more heavily used the drive-through, the greater is the risk of accidents and injuries to pedestrians. It is worth repeating that drive-throughs are designed to attract vehicular trade and it is a key feature in making them incompatible with residential uses and one that is difficult to mitigate.

All existing zoning permissions for restaurants, financial institutions and retail establishments remain in place. The proposed by-law amendment permits these uses to continue and to be permitted in all zones where they are currently permitted today. Only the drive-through facilities are subject to the restrictions outlined above.

The proposed Zoning By-law amendment is consistent with the policies of the existing official plans for the former municipalities and City's new draft Official Plan. The new Official Plan seeks to ensure compatibility between land uses while encouraging future growth to occur in a more intensified manner in mixed use areas which promote transit, pedestrian and cycling activities and reduce auto dependency. The Plan goes to considerable lengths to protect stable residential areas from negative growth pressures including adverse traffic impacts. Allowing drive-throughs to operate close to residential neighbourhoods or properties would be clearly contrary to the vision, objectives and policies of the new Plan.

In addition, the various existing Official Plan documents contain policies which seek to ensure compatibility between land uses and to promote a safe and healthy environment for all residents. On this basis and as argued above, it would be reasonable to suggest that drive-through operations are not compatible with residential uses when considering the negative impacts related to such matters as traffic, noise, fumes and air quality. It would also be reasonable to conclude that, by their very nature, drive-throughs are a nuisance relative to residential uses and pose some serious risks to pedestrian safety in residential and mixed-use areas. Therefore, in order to mitigate impacts of drive-throughs on residential uses, it is recommended that drive-through facilities be permitted only in areas where they do not subject residential uses to the nuisance and safety concerns identified above. This approach is similar to one employed in the City of Ottawa, where drive-through service is prohibited in a CN Zone (Neighbourhood Linear Commercial Zone). This zone was created to “impose site regulations and development standards that will ensure that the commercial uses do not impinge on adjacent uses or upon local residential uses”.

#### Implications for the Siting of New Drive-throughs

The areas that will be most affected by the proposed zoning amendments will be those areas of the City zoned for mixed commercial and residential uses. Such zones are found mainly in the former City of Toronto, where all commercial strips are mixed use, but also in former North York, York and East York. While the effect of the by-law amendments is to exclude the possibility of drive-throughs in mixed commercial-residential zones in principle, changes to the zoning through area studies or site specific development applications are expected. Through such processes, drive-throughs could be permitted if the concerns outlined in this report can be addressed.

#### Phase 2 – Site Planning Considerations

The second phase of work will deal with developing specific standards and design guidelines that should be applied to drive-through facilities in those areas of the City where they are permitted uses. This work will have a detailed operational and site design focus and, therefore, will involve discussions with industry representatives, City departments, TABIA and individual BIA's. Even where drive-throughs are permitted, concerns expressed in this report such as, minimizing conflicts between cars and pedestrians, limiting curb cuts, promoting a street orientation to the building in order to encourage pedestrian and transit use, will form part of the discussions. To some extent the results of other related studies and analysis can be drawn upon to assist in this work. For example, Durham Region's recent study of “Fast Food Restaurant Drive-Thru and Parking” (February 2000), prepared by SRM Associates, provides direction regarding standards for parking and the length of stacking queues. Other related research material will be reviewed in this phase of the work.

#### Departmental Circulation

In preparing this Phase 1 By-law, the proposal was circulated to Works and Emergency Services and Economic Development, Culture and Tourism. Responses received will be used in formulating appropriate by-law standards.

## Interim Control By-laws

City Council has adopted Interim Control By-laws 2-2002 and 3-2002 to regulate drive-through operations on St. Clair Avenue West between Oakwood Avenue and Bathurst Street. With the approval of the by-law amendments recommended in this report, the Interim Control By-laws will be repealed.

## Discussion with the Industry

Since April 2001, correspondence has been exchanged and meetings held between staff and the industry represented by the Ontario Restaurant Hotel and Motel Association (ORHMA). Much of the discussions have centred on the need to develop design guidelines and standards for drive-through establishments. The development of guidelines and standards will be the focus of Phase Two of the approach to the issues created by drive-through facilities. Industry representatives will be contacted and invited to participate in the discussions of operational and site plan design issues for the purposes of establishing general design guidelines.

## Conclusions:

The unregulated growth of drive-throughs is a matter that requires immediate attention given that existing planning controls in the City do not adequately address the specific planning concerns that drive-throughs present. While it is evident that drive-throughs are a successful form of service delivery, it is important to ensure their integration with the larger community is managed to the benefit of the public good. This report recommends that, as a first phase, drive-throughs should be excluded from locating in certain parts of the City. A follow-up report will identify standards and guidelines for the development of drive-throughs in the areas of the City where they are to be recognized as a permitted use.

## Contact:

Klaus Lehmann  
Telephone: 416-396-7014  
Fax: 416-392-3821  
E-mail: klehmann@city.toronto.on.ca

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Attachment 1

Sample Policy and Legislated Regulations for Drive-Through Facilities From Other Regulatory/Municipal Organizations

Jurisdiction	Policy / Legislation
City of Ottawa	Prohibits drive-through service in a CN ( <i>Neighbourhood Linear Commercial</i> ) zone
City of Mississauga *	Does not permit a restaurant building to be constructed less than 60 metres from the nearest residential lot line
Indianapolis-Marion County Indiana	A minimum 100 foot separation between a drive-through service unit and a protected district is required.
City of Davis California	Drive-through stacking lanes shall be a minimum of 100 feet from any residential lot.
Georgia Department of Community Affairs	Drive-through facilities shall not be located with 50 feet of public right-of-ways or within 50 feet from any property containing a residential use.

\* Applies only to restaurants

## Attachment 2

### Drive-through Facilities – Various City Locations



Although the site is located within a larger commercial block, the configuration of the drive-through isolates pedestrians from the street and places cars on both side of the pedestrian sidewalk.





The fast-food pick-up window is at the rear of this gas station.

Vehicles accessing the drive through must travel the queuing lane next to the rear of the residential lots.



Double Drive-through facilities increase potential for pedestrian conflicts.





Order boards and lighting along queuing lane next to residential lot.







Intense residential use over looks pick-up window area. Noise, lighting issues.







Attachment 3



Existing Zoning



Commercial Zoning: Lots Greater than 60m in Depth



Commercially Zoned Properties: Danforth Avenue



Not to Scale  
Debridge Community By-law  
Extracted 8/12/2010 - EPO





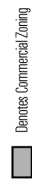
Existing Zoning



Proposed Commercial Zoning: Lots Greater than 60m in Depth



## Commercially Zoned Properties: Bloor Street West



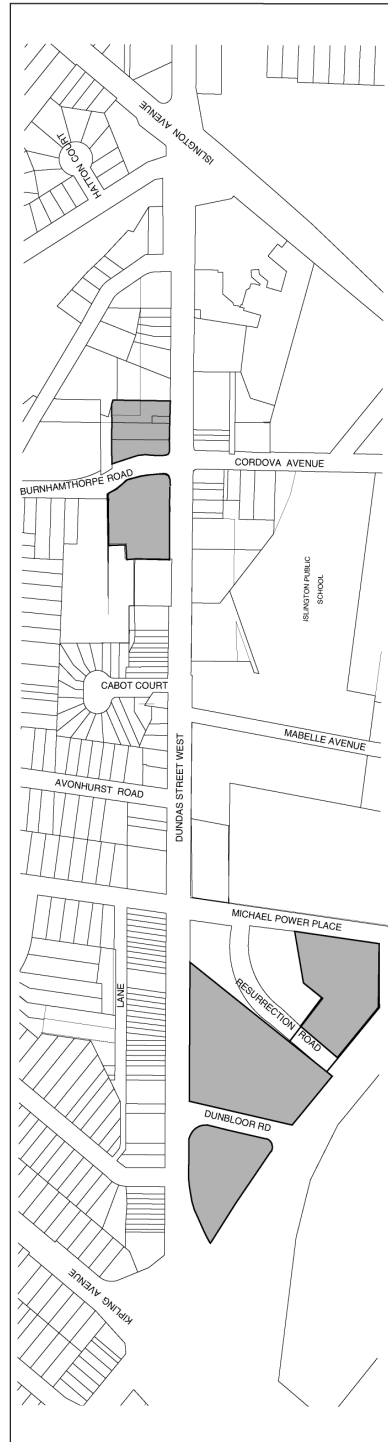
Not to Scale  
Zoning By-law 11,737  
Extracted 8/14/02 - J.M.







Existing Zoning



Proposed Commercial Zoning: Lots Greater than 60m in Depth



## Commercially Zoned Properties: Dundas Street West

Denotes Commercial Zoning

Not to Scale  
Zoning By-law 11,737  
Extracted 8/14/02 -JM



Attachment 4

**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend East York Zoning By-Law No. 1916, as amended,  
with respect to drive-through facilities.**

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

Therefore, the Council of the City of Toronto enacts as follows:

**Borough of East York Zoning By-laws**

1. East York Zoning By-law 1916 is amended as follows:

1.1 **SECTION 2 – DEFINITIONS** is amended by adding the following definitions:

**2.25.a Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated Stacking Lane. A Drive-Through Facility may be in combination with other uses such as a bank, dry cleaning shop, Personal Service Shop, Restaurant, Retail Store, Garage Public, or Restaurant Take-Out. Despite the above, a Drive-through Facility does not include a Car Washing Establishment.

**2.83.a Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **SECTION 5 – GENERAL PROVISIONS TO ALL ZONES** is amended by adding the following:

**5.34 Regulations for Drive-through Facilities**

No person shall use any land, building or structures or parts thereof for a Drive-through Facility:

- (i) within any zone which permits residential uses, and

- (ii) within any commercial or industrial zone that abuts a zone permitting residential uses except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the zone permitting residential uses and provided all other applicable development standards are satisfied.

**5.35** Where the use of any land, building or structure is composed of a combination of a Drive-through Facility and any one or more other uses, those uses shall not be construed as *accessory* to one another and all provisions pertaining to each use shall apply.

2. East York Zoning By-law 6752 is amended as follows:

2.1 **SECTION 4 – DEFINITIONS** is amended by adding the following definitions:

**4.9.B DRIVE-THROUGH FACILITY** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry distributing depot, personal service shop, restaurant, neighbourhood store, automobile service station, or restaurant- take-out”

**4.24.D Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

2.2 **SECTION 5 – GENERAL PROVISIONS** is amended by adding the following:

**5.26 Regulations for Drive-through Facilities**

No person shall use any land, building or structures or parts thereof for a Drive-through facility:

- (iii) within any zone which permits residential uses, and
  - (iv) despite Section 8.C.2a)ii) of this By-law, within any commercial or industrial zone that abuts a zone permitting residential uses, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the zone permitting residential uses and provided all other applicable development standards are satisfied.
- 5.27** Where the use of any land, building or structure is composed of a combination of a drive-through facility and any one or more other uses, those uses shall not be construed as *accessory* to one another and all provisions pertaining to each use shall apply.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend the Etobicoke Zoning Code  
with respect to Drive-Through Facilities.**

Etobicoke Zoning Code

**1. The Etobicoke Zoning Code is amended as follows:**

- 1.1 That Section 304-3, Definitions, of the Etobicoke Zoning Code, be amended by adding the following definitions:

“DRIVE-THROUGH FACILITY” - means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.

“STACKING LANE” - means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 That Article V, General Provisions, of the Etobicoke Zoning Code, be amended by adding a new Subsection 320-24.8 as follows:

“320-24.8. Supplementary regulations for Drive-Through Facilities

- A. Permitted Locations: Drive-Through Facilities shall be restricted to Industrial zones and Commercial zones. In Commercial zones where residential dwelling units above business uses are permitted on the same lot, Drive-Through Facilities shall be prohibited.
- B. Separation Distance: Where a property in any Zone that permits a Drive-Through Facility, abuts any residential zone, or a Commercial zone which permits residential dwelling units above business uses, a minimum distance of 30 metres shall separate all points of the Drive-Through building or stacking lanes from the boundary of any of the aforementioned zones.

- C. Combination of Uses: Where the use of any land, building or structure is composed of a combination of a Drive-Through Facility and any one or more other uses, those uses shall not be construed as accessory to one another and all provisions pertaining to each use shall apply.”

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of North York Zoning By-Law No. 7625, as amended,  
with respect to the Drive-Through Facilities.**

By-law No. 7625 of the former City of North York, as amended, is further amended as follows:

1. Section 2 is amended by adding the following new definitions:

**“2.31.0.1 Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.

**2.76.1 Stacking Lane** means an on-site queuing lane for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.”

2. Section 6 is amended by adding the following new subsection:

**“6(35) Regulations for Drive-Through Facilities**

- (a) A drive-through facility shall not be permitted on any lot, unless the lot is in a C2, C3 or any M zone, and a minimum distance of 30 metres separates all points of the drive-through facility and stacking lanes from a lot in any R or RM zone.
- (b) Section 6(21)(i)(iii)(B) continues to apply to a car washing establishment on the same lot as a gasoline station.
- (c) Where the use of any land, building or structure is composed of a combination of a drive-through facility and any one or more other

uses, those uses shall not be construed as accessory to one another and all provisions pertaining to each use shall apply.”

3. Section 64.24 is amended by adding the following new exception:

“64.24( ) C2( )

Despite Section 6(35), a drive-through facility is not permitted.”

4. Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedule “1” of this by-law.

*Note: Schedule “1” is to depict a change in the zoning of the plaza at the south-east corner of Yonge Street and Sheppard Avenue East from C2 to C2( ).*

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10076, as amended,  
with respect to the Drive-Through Facilities.**

**City of Scarborough Zoning By-laws**

1. Agincourt Community Bylaw Number 10076 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (iii) within any zone which permits residential uses, and
- (iv) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 12797, as amended,  
with respect to the Drive-Through Facilities.**

1. Agincourt North Community Bylaw Number 12797 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

21. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the

residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 8786, as amended,  
with respect to the Drive-Through Facilities.**

1. Birchcliff Community Bylaw Number 8786 is amended as follows:
  - 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:
    - (f) **Definitions**  
**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”  
  
**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.
  - 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:
    19. **Regulations for Drive-through Facilities**  
  
No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:
      - (i) within any zone which permits residential uses, and
      - (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**



**BY-LAW No. --2002**

**To amend City of Scarborough Zoning By-Law No. 8786, as amended,  
with respect to the Drive-Through Facilities.**

1. Birchcliff Community Bylaw Number 8786 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

16. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. --2002**

**To amend City of Scarborough Zoning By-Law No. 9350, as amended,  
with respect to the Drive-Through Facilities.**

1. Bendale Community Bylaw Number 9350 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9174, as amended,  
with respect to the Drive-Through Facilities.**

1. Birchmount Park Community Bylaw Number 9174 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9396, as amended,  
with respect to the Drive-Through Facilities.**

1. Cliffcrest Community Bylaw Number 9396 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 12077, as amended,  
with respect to the Drive-Through Facilities.**

1. Centennial Community Bylaw Number 12077 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A

drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law  
CITY OF TORONTO  
BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 8978, as amended,  
with respect to the Drive-Through Facilities.**

1. Clairlea Community Bylaw Number 8978 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

16. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9364, as amended,  
with respect to the Drive-Through Facilities.**

1. Cliffside Community Bylaw Number 9364 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

17. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9508, as amended,  
with respect to the Drive-Through Facilities.**

1. Dorset Park Community Bylaw Number 9508 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

20. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the

residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10048, as amended,  
with respect to the Drive-Through Facilities.**

1. Eglinton Community Bylaw Number 10048 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

17. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.



**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9676, as amended,  
with respect to the Drive-Through Facilities.**

1. Guildwood Community Bylaw Number 9676 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

17. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10827, as amended,  
with respect to the Drive-Through Facilities.**

1. Highland Creek Community Bylaw Number 10827 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9089, as amended,  
with respect to the Drive-Through Facilities.**

1. Ionview Community Bylaw Number 9089 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9276, as amended,  
with respect to the Drive-Through Facilities.**

1. Kennedy Park Community Bylaw Number 9276 is amended as follows:
- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 12466, as amended,  
with respect to the Drive-Through Facilities.**

1. L'Amoreaux Community Bylaw Number 12466 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A

drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

20. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 14402, as amended,  
with respect to the Drive-Through Facilities.**

1. Malvern Community Bylaw Number 14402 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

23. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. --2002**

**To amend City of Scarborough Zoning By-Law No. 12181, as amended,  
with respect to the Drive-Through Facilities.**

1. Malvern West Community Bylaw Number 12181 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

21. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 17677, as amended,  
with respect to the Drive-Through Facilities.**

1. Milliken Community Bylaw Number 17677 is amended as follows:

- 1.1 **CLAUSE II – DEFINITIONS** is amended by adding the following definitions:

**DEFINITIONS**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI – GENERAL PROVISIONS A. For All Zones** is amended by adding the following:

**A. For All Zones**

**(1.6) Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the

residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 11883, as amended,  
with respect to the Drive-Through Facilities.**

1. Morningside Community Bylaw Number 11883 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**



**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9366, as amended,  
with respect to the**

1. Maryvale Community Bylaw Number 9366 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9812, as amended,  
with respect to the Drive-Through Facilities.**

1. Oakridge Community Bylaw Number 9812 is amended as follows:

1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

17. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 15907, as amended,  
with respect to the Drive-Through Facilities.**

1. Rouge Community Bylaw Number 15907 is amended as follows:

- 1.1 **CLAUSE II – DEFINITIONS** is amended by adding the following definitions:

**DEFINITIONS**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI – GENERAL PROVISIONS - FOR ALL ZONES**, is amended by adding the following:

1. **FOR ALL ZONES**

- 1.6 **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
        - (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10010, as amended,  
with respect to the Drive-Through Facilities.**

1. Scarborough Village Community Bylaw Number 10010 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

17. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law  
CITY OF TORONTO  
BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 16762, as amended,  
with respect to the Drive-Through Facilities.**

1. Steeles Community Bylaw Number 16762 is amended as follows:

1.1 **CLAUSE II – DEFINITIONS** is amended by adding the following definitions:

**DEFINITIONS**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry

cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI – GENERAL PROVISIONS - FOR ALL ZONES**, is amended by adding the following:

**1. FOR ALL ZONES**

**1.6 Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10717, as amended,  
with respect to the Drive-Through Facilities.**

1. Sullivan Community Bylaw Number 10717 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law  
CITY OF TORONTO  
BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 12360, as amended,  
with respect to the Drive-Through Facilities.**

1. Tam O'Shanter Community Bylaw Number 12360 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

20. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9511, as amended,  
with respect to the Drive-Through Facilities.**

1. Wexford Community Bylaw Number 9511 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and

- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**  
**CITY OF TORONTO**  
**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 10327, as amended,  
with respect to the Drive-Through Facilities.**

1. West Hill Community Bylaw Number 10327 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

(f) **Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

19. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.



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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 9510, as amended,  
with respect to the Drive-Through Facilities.**

1. Woburn Community Bylaw Number 9510 is amended as follows:

- 1.1 **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following definitions:

**(f) Definitions**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the following:

18. **Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend City of Scarborough Zoning By-Law No. 24982, as amended,  
with respect to the Drive-Through Facilities.**

1. Employment Districts Bylaw Number 24982 is amended as follows:

- 1.1 **CLAUSE IV – DEFINITIONS** is amended by adding the following definitions:

**DEFINITIONS**

**Drive-through Facility** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant.”

**Stacking Lane** means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **CLAUSE V – GENERAL PROVISIONS** is amended by adding the following:

**1.8 Regulations for Drive-through Facilities**

No person shall use any land, building or structures within the City of Toronto, for any use containing a drive-through facility or service facility:

- (i) within any zone which permits residential uses;
- (ii) within any City Centre Office Zone, City Centre Commercial Zone or City Centre Town Square Zone; and
- (iii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from the boundary of the residential zone and provided all other applicable development standards are satisfied.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend Former City of Toronto Zoning By-Law No. 438-86  
with respect to drive-through facilities**

1. Former City of Toronto By-law 438-86 is amended as follows:

- 1.1 Section 2.1 – DEFINITIONS AND INTERPRETATION is amended by adding the following definitions:

(1) Definitions

“*drive-through facility*” means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, *laundry shop, dry cleaning shop, dry cleaner’s distributing station, branch of a bank or financial institution, restaurant, retail store, automobile service station, or take-out restaurant*. Despite the above, a drive-through facility does not include a car washing establishment.

“*stacking lane*” means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **SECTION 4 - REGULATIONS APPLYING TO ALL USE DISTRICTS** is amended by adding as Section (15) the following:

(15) DRIVE THROUGH FACILITY IN COMBINATION WITH OTHER USES

Where the use of any land, building or structure is composed of a combination of a *drive-through facility* and any one or more other uses, those uses shall not be construed as *accessory* to one another and all provisions pertaining to each use shall apply

- 1.3 **SECTION 9 - INDUSTRIAL DISTRICTS**

Section 9 (1)(b)(vii) Permitted Uses in Industrial Districts, is amended by adding “*drive-through facility*” as a permitted use in the I1, I2, I3, and IC categories under the heading “Miscellaneous Uses” subject to Qualification 5;

Section 9 (2) Qualifications To Be Complied With Before Certain Uses Are Permitted In Industrial Districts is amended by adding the following as Qualification 5;

- “5. a *drive-through facility* is a permitted use where a minimum distance of 30 metres separates all points of the *drive-through facility* including *stacking lanes* from the boundary of any use district permitting residential uses.”

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend Former City of Toronto Zoning By-Law No. 289-93,  
for Harbourfront respecting drive-through facilities**

1. Former City of Toronto By-law 289-93 is amended as follows:

1.1 Section 4 – DEFINITIONS AND INTERPRETATION is amended by adding the following definitions:

(1) Definitions

*“drive-through facility”* means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated *stacking lane*. A drive-through facility may be in combination with other uses such as a *laundry shop, dry cleaning shop, dry cleaner’s distributing station, branch of a bank or financial institution, restaurant, retail store, automobile service station, or take-out restaurant*. A drive-through facility does not include a *car washing establishment*.

*“stacking lane”* means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **SECTION 37 - GENERAL PROVISIONS**

Section 37 - General Provisions is amended by adding the following:

Despite any other provision of this by-law, no person shall use any land, buildings or structures or parts thereof for the purpose of a *drive-through facility* as an *accessory* use.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend Former City of Toronto Zoning By-Law No. 168-93,  
for the Railway Lands East Area A with respect to  
Drive-Through Facilities**

1. Former City of Toronto By-law 168-93 is amended as follows:

1.1 Section 4 – DEFINITIONS AND INTERPRETATION is amended by adding the following definitions:

(1) Definitions

*“drive-through facility”* means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated *stacking lane*. A drive-through facility may be in combination with other uses such as, *laundry shop, dry cleaning shop, dry cleaner’s distributing station, branch of a bank financial institution, restaurant, retail store, automobile service station, or take-out restaurant*. A drive-through facility does not include a *car washing establishment*.

*“stacking lane”* means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

1.2 **SECTION 4 - REGULATIONS APPLYING TO ALL USE DISTRICTS** is amended by adding as Section (15) the following:

(9) **DRIVE THROUGH FACILITY**

Despite any other provision of this by-law, no person shall use any land, buildings or structures or parts thereof for the purpose of a *drive-through facility* as an *accessory* use.

**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. --2002**

**To amend Former City of Toronto Zoning By-Law No. 1994-0806,  
for the Railway Lands Central with respect to Drive-Through Facilities**

1. Former City of Toronto By-law 1994-0806 is amended as follows:

1.1 Section 2 – DEFINITIONS AND INTERPRETATION is amended by adding the following definitions:

(1) Definitions

*“drive-through facility”* means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers

remaining in motorized vehicles that are in a designated *stacking lane*. A drive-through facility may be in combination with other uses such as, *laundry shop, dry cleaning shop, dry cleaner's distributing station, branch of a bank financial institution, restaurant, retail store, automobile service station, or take-out restaurant*. A drive-through facility does not include a *car washing establishment*.

"*stacking lane*" means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **SECTION 4 - REGULATIONS APPLYING TO ALL USE DISTRICTS** is amended by adding as Section (15) the following:

(9) **DRIVE THROUGH FACILITY**

Despite any other provision of this by-law, no person shall use any land, buildings or structures or parts thereof for the purpose of a *drive-through facility* as an *accessory* use.

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**Draft Zoning By-law  
CITY OF TORONTO  
BY-LAW No. ~-2002**

**To amend Former City of Toronto Zoning By-Law No. 1994-0805,  
for the Railway Lands West with respect to drive-through facilities**

1. Former City of Toronto By-law 1994-0805 is amended as follows:
- 1.1 Section 2 – DEFINITIONS AND INTERPRETATION is amended by adding the following definitions:
- (1) **Definitions**
- "*drive-through facility*" means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated *stacking lane*. A drive-through facility may be in combination with other uses such as, *laundry shop, dry cleaning shop, dry cleaner's distributing station, branch of a bank financial institution, restaurant, retail store, automobile service station, or take-out restaurant*. A drive-through facility does not include a *car washing establishment*.

“*stacking lane*” means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- 1.2 **SECTION 4 - REGULATIONS APPLYING TO ALL USE DISTRICTS** is amended by adding as Section (15) the following:

(9) **DRIVE THROUGH FACILITY**

Despite any other provision of this by-law, no person shall use any land, buildings or structures or parts thereof for the purpose of a *drive-through facility* as an *accessory* use.

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**Draft Zoning By-law**

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

**To amend former City of York Zoning By-Law No. 1-83, as amended,  
with respect to Drive-Through Facilities.**

**City of York Zoning By-law**

1. York Zoning By-law 1 - 83 is amended as follows:

- 1.1. That Section 2, Definitions, of By-law No. 1-83, as amended, of the former City of York, be further amended as follows:

(i) adding as Subsection (35f): “ “DRIVE-THROUGH FACILITY” means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, an automated teller, bake shop, gasoline bar, gasoline service station, public garage (excluding a mechanical car wash), licensed restaurant, take-out eating establishment, bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, or retail store.”

(ii) adding as Subsection (95c): “ “STACKING LANE” means an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.”

(iii) adding “or a Drive-Through Facility” to Subsection (1) “ACCESSORY” to read as follows:

“ “ACCESSORY” when used to describe a use, building or structure means, subject to Subsection 3.5.2 of Section 3, a use (other than an adult entertainment parlour or a Drive-Through Facility), building, or structure, that is naturally and normally incidental, subordinate and exclusively devoted to a principle use, building or structure and located on the same lot;”

- 1.2 that Section 3.7, General Provision – Miscellaneous, of By-law Number 1-83, as amended, of the former City of York, be amended by adding the following as new Subsection 3.7.5:

“3.7.5 DRIVE-THROUGH BY-LAW GENERAL PROVISIONS RELATED TO  
A COMBINATION OF USES

Where the use of any land, building or structure is composed of a combination of a Drive-Through Facility and any one or more other uses, those uses shall not be construed as accessory to one another and all provisions pertaining to each use shall apply.”

- 1.3 That Section 11, Local Commercial/Residential Zone (LCR), of By-law Number 1-83, as amended, of the former City of York, be amended by adding the following as new Subsection 11.4:

“11.4 PROHIBITED USES

No person shall within an LCR Zone, use any land or erect or use any building or structure for a Drive-Through Facility.”

- 1.4 That Section 12, Main Street Commercial/Residential Zone (MCR), of By-law Number 1-83, as amended, of the former City of York, be amended by adding the following as new Subsection 12.4

“12.4 PROHIBITED USES

No person shall within an MCR Zone, use any land or erect or use any building or structure for a Drive-Through Facility.”

- 1.5 That Section 13, Employment Zones, of By-law 1-83, as amended, of the former City of York, be amended by adding the following as new Subsection 13.1.7:

“13.1.7 DRIVE-THROUGH FACILITIES are permitted, subject to the following provision:

- (a) where a Drive-Through Facility is located on a property in an employment Zone that abuts any residential district zone, LCR zone, or MCR zone, a minimum distance of 30 metres shall separate all points of the Drive-Through facility including stacking lanes from the boundary of any of the aforementioned zones.”



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The Planning and Transportation Committee also had before it the following material and copies thereof are on file in the office of the City Clerk, City Hall:

- communication (August 26, 2002) from Steve Brearton, Advocacy for Respect for Cyclists supporting the proposed By-law amendments;
- communication (August 26, 2002) from Scott Arbuckle, Senior Planner, Planning and Engineering Initiatives Ltd. requesting the Committee to refer the report back to staff for consultation with the industry;
- communication (undated) from Mike Olivier, Acting Chair, Rocket Riders Transit Users Group supporting the City's proposed permanent ban on drive-through development throughout the city;
- communication (September 5, 2002) from Greg Bonser supporting the proposal to designate drive through facilities in the zoning by-laws, and supporting disallowing the construction of any new drive-through facilities;
- communication (September 6, 2002) from Henry Chiu, Architect requesting exemption for two properties from the proposed zoning by-law amendment in respect to the prohibition of drive-through facilities;
- communication (September 6, 2002) from Barry A. Horosko, Bratty and Partners, LLP, Barristers and Solicitors, obo Canadian Tire Real Estate Limited ("Canadian Tire" requesting that the definition used in the proposed by-laws be amended to clarify that the by-law specifically excludes car-washing establishments;
- communication (September 5, 2002) from T.R. (Bob) Clapp, Vice-President, Ontario Division, Canadian Petroleum Products Institute forwarding concerns respecting drive-throughs;
- communication (September 6, 2002) from Stan Makuch, Cassels Brock & Blackwell, LLP, Barristers and Solicitors, obo Association of Drive-Through Operators requesting that the Planning and Transportation Committee recommend to Council deferral of the report, and direct staff to meet with representatives of their clients in order to prepare appropriate standards for the location of drive-throughs.
- communication (September 6, 2002) from Vince Cornacchia, MCIP, RPP, Cornacchia Planning Services Inc., obo Revenue Properties Company Limited requesting that the draft by-law which amends Zoning By-law 1916, as amended, of the former Borough of East York, be revised to permit drive-throughs at the East York Town Centre;
- communication (September 6, 2002) from Shawn Fujiki, Assistant Project Manager, FirstPro Shopping Centres requesting that they be notified of future meetings and staff reports regarding this issue;

- communication (September 7, 2002) from Helen Riley, obo Feet on the Street supporting the proposed new by-law and requesting that their organization and the Toronto Pedestrian Committee be consulted during the development of design guidelines for permitted locations; and
- communication (undated) from Rhona Swarbrick, Member, Pedestrian Planning Network supporting the recommendations and submitting comments regarding drive throughs in commercial and industrial zones.

Paul Bedford, Chief Planner, gave a powerpoint presentation on the report.

The Planning and Transportation Committee reports having held a statutory public meeting on September 9, 2002 and advises that appropriate notice of this meeting was given in accordance with The Planning Act and the regulations thereunder and the following persons addressed the Committee:

- Rhona Swarbrick spoke in support of the proposed By-law and read out the comments contained in her communication;
- Mike Olivier, Rocket Riders Transit Users Group spoke in support of the proposed By-law and indicated that the ban on drive throughs will be in the interests of the whole City;
- David Gurin spoke in support of the staff report and urged the Committee to adopt the recommendations contained therein. He stated that adoption of the recommendations will encourage walking, promote the safety and security of people on foot, uniform and continuous street frontage and generous sidewalks;
- Keith Stewart, Smog and Climate Change Campaigner, Toronto Environmental Alliance indicated he supported the recommendations contained in the report and the comments made by the previous deputant. He stated that it was important to reduce auto dependency and that environmentally it was the right thing to do;
- Joe Lobko, Chair, Toronto Society of Architects, indicated his support of the report and the draft By-law. He indicated that drive throughs would threaten events such as Taste of the Danforth;
- Henry Chiu, Architect, obo The Norfinch Group, advised the Committee that he has been working on an application for a drive through at 2500 Eglinton Avenue East and a drive through at Jane and Finch. Mr. Chiu requested an exemption from the proposed by-law for these two applications as outlined in his communication dated September 6, 2002;
- Stan Makuch, Cassels Brock and Blackwell, requested that the report be deferred and staff be requested to meet with his clients. He indicated that his clients have serious concerns about the report as outlined in his communication dated September 6, 2002;

- Alan Burke, President, East Beach Community Association, spoke in support of the intent of the by-law and stated that drive throughs have created problems and that they are sometimes poorly designed. There is a need to consult with all stakeholders including citizens and that staff should look at whether the setback distance should be higher for those establishments that operate 24 hour;
- Mary Kainer, Palmerston Area Residents Association, indicated her support for the proposed draft by-law. She stated the City of Toronto needs the tools to create a livable, walkable, environmentally friendly place;
- Sarah Adler, Humewood Neighbourhood Ratepayers, spoke in support of the proposed draft by-law and stated that she believes the industry has been consulted but that they do not want any standards imposed on them. She stated that the report does not ban drive throughs but allows them where they are appropriate; and
- Barry Horosko, Bratty and Partners, obo, Canadian Tire Real Estate Ltd., stated that he supports a deferral of the by-law to enable consultations to take place. Mr. Horosko stated that different definitions for "Drive Through Facility" were being used and requested the Committee to recognize the unique nature of car washes and to exclude "Car Washes" from the draft By-law as set out in his communication dated September 6, 2002.

*(City Council on October 1, 2 and 3, 2002, had before it, during consideration of the foregoing Clause, the following report (September 20, 2002) from the Commissioner of Urban Development Services:*

*Purpose:*

*To respond to the request of the Planning and Transportation Committee to report directly to City Council on matters related to the proposed zoning by-law amendments for drive-through facilities.*

*Financial Implications and Impact Statement:*

*There are no financial implications resulting from the adoption of this report.*

*Recommendations:*

*It is recommended that:*

- (1) the Drive-through Facilities By-law for North York be amended to permit two Drive-through Facilities on the property at 1947 – 2013 Finch Avenue West, substantially in accordance with Attachment 1;*
- (2) City Council determine that no further notice be given in respect to all the proposed by-laws;*

- (3) *the Commissioner of Urban Development Services be directed to undertake an assessment of the merits of imposing a 15 metre setback from all public rights-of-way and report to Planning and Transportation Committee as part of the phase two review of drive-through facilities;*
- (4) *the Commissioner of Urban Development Services be directed to undertake an assessment of the merits of imposing a separation distance requirement between drive-through facilities and report to Planning and Transportation Committee as part of the phase two review of drive-through facilities;*
- (5) *the Commissioner of Urban Development Services report to the Planning and Transportation Committee regarding identification of areas along the Sheppard Corridor that may permit drive through facilities and provide necessary amendments to the zoning by-law which would prohibit such facilities where appropriate;*
- (6) *the Commissioner of Urban Development Services be authorized to bring forward to a public meeting, if necessary, any technical zoning by-law amendments as may be required, which clarify and reinforce the intent of the drive-through facilities by-law; and*
- (7) *the City Solicitor, in consultation with the Commissioner of Urban Development Services, report to next meeting of the Licensing Sub-Committee, on the issue of regulating hours of operation for drive-through facilities.*

*Background:*

*At its meeting of September 9, 2002, the Planning and Transportation Committee adopted the following:*

*The Planning and Transportation Committee, based on the findings of fact and recommendations contained in the report (August 26, 2002) from the Commissioner, Urban Development Service, unanimously recommends the adoption of this report subject to amending Recommendation (4) by including in the consultation process Mr. Stan Makuch, of Cassels, Brock and Blackwell and the East Beach Community Association.*

*The Committee also adopted the following:*

*The Planning and Transportation Committee reports, for the information of Council, having requested the Commissioner of Urban Development Services to report directly to Council for its meeting on October 1, 2002:*

- (1) *on an amendment to the draft by-law which would prohibit the location of drive-through facilities within 15 metres of a public right-of-way;*
- (2) *with details on the drive-through facilities proposed for 2500 Eglinton Avenue East and 1947-2013 Finch Avenue West;*

- (3) *identifying areas along the Sheppard Corridor that may permit drive through facilities and if so, provide necessary amendments to the draft by-law which would prohibit such facilities in this area;*
- (4) *on mechanisms for achieving a distance requirement between drive-through facilities; and*
- (5) *in consultation with the City Solicitor, on the issue of regulating hours of operation for drive-through facilities.*

*The report that was adopted by the Committee recommended a two phased approach to deal with drive-through facilities. The first phase introduced zoning by-law provisions to deal specifically with the issues of compatibility, location and use definition. The second phase of work will deal with developing specific standards and design guidelines to be applied to drive-through facilities in those areas of the City where they are permitted uses. This second phase will include a detailed operational and site design focus and, therefore, will involve discussions with industry representatives, City departments, TABIA and individual BIA's.*

*One matter arising from the depositions made was that the proposed by-law appeared to capture car washing operations and gas or automobile service stations. As this was clearly not the intention, the proposed by-law definition of a drive-through facility has been specifically clarified to exclude car-washing operations and gas or automobile service type uses.*

*Comments:*

*1. 15 Metre Setback from Public Right-of-Way*

*The Planning and Transportation Committee requested that staff investigate and report to City Council on the inclusion of a requirement to have drive-through facilities setback 15 metre from public rights-of-way.*

*Public rights-of-way vary in width from 20 metres to 45+ metres for roadways like the Don Valley Parkway. They also vary with respect to the type of uses permitted and the existing built form. To establish a 15 metre standard setback across the entire City is not recommended at this time, since it may result in unwarranted design implications. Instead, it is recommended that the need for a physical setback of drive-through facilities from public rights-of-way be considered during the Phase 2 review of the various development standards and guidelines.*

*2. 2500 Eglinton Avenue East and 1947-2013 Finch Avenue West*

*The Planning and Transportation Committee requested that staff prepare a supplementary report for City Council to address what implications the proposed drive-through facilities by-law would have on two properties owned by The Norfinch Group Inc. The properties are located at 2500 Eglinton Avenue East and 1947-2013 Finch Avenue and both properties are currently under application for approval of drive-through facilities.*

*2500 Eglinton Avenue East*

*The property is designated “HC” Highway Commercial which permits restaurant uses and under this zoning it would also permit a drive-through facility.*

*This site has been the subject of both site plan application and a minor variance application for parking space size reduction. A hearing has been held before the Ontario Municipal Board and a decision is pending.*

*Properties to the north and east are under the same Highway Commercial zoning designation. As this zone does not permit residential uses, it would not have any consequences for the siting of drive-through facilities on this property. To the west the lands across Midland Avenue are zoned “NC” Neighbourhood Commercial. Again, as this zone does not permit residential uses, the proposed drive-through by-law would not have any affect on this site. Finally, to the south is Eglinton Avenue East, which has a right-of-way width of approximately 36.6 metres.*

#### *1947-2013 Finch Avenue West*

*A local plaza exists at 1947-2013 Finch Avenue West, comprising the south-west corner of Jane and Finch. The site is zoned C1 (“General Commercial”) in North York By-law No. 7625. The existing zoning would permit a restaurant with a drive-through facility.*

*A site plan application was filed in June of 2001 for two restaurants with drive-through facilities to be built on parts of the parking lot in front of the plaza. One would be located on the Jane Street frontage, and the other would abut Finch Avenue. While the use was permitted, staff requested that the building be located closer to the street to improve the streetscape. As a result of this request, the proposal did not comply with the setback requirement of the by-law. The applicant submitted a variance application. The Committee of Adjustment authorized a minor variance to the front yard setback on September 5, 2002. The variance allows the restaurants to be built 3 metres from the street-line, which staff support since the building would create a presence along the street, a design alternative recommended in this area of Jane Street and Finch Avenue.*

*Under the C1 (“General Commercial”) zoning in North York, both commercial and residential uses are permitted. While residential uses are permitted within this zone category, there is no residential land use on the property. The closest distance between a residential property and the nearest element of either of the proposed drive-through facilities is approximately 46 metres.*

*Under the proposed Drive-through Facilities By-law the objective is to prohibit drive-through facilities in mixed use zones. As a result, the planned drive-through facilities would not be permitted even though they are currently under site plan application and pending the variance appeal period.*

*The applicant’s decision to pursue a reduction in setback requirement from the street, which was encouraged by staff for safety and streetscape reasons, has resulted in site plan approval delays. This delay was exacerbated by the City’s labour disruption, which further delayed scheduled Committee of Adjustment meetings.*

*Given that the drive-through facilities would be located more than 30 metres from residential properties and that the application was subjected to unforeseen circumstances, it is recommended that City Council adopt an exception for 1947-2013 Finch Avenue West (Attachment 1), to permit only two drive-through facilities on the site. One drive-through is permitted on the Jane Street frontage and one drive-through facility is permitted on the Finch Avenue frontage.*

### *3. Sheppard Corridor*

*The Sheppard East Corridor Secondary Plan covers lands on both sides of Sheppard Avenue from just west of Bayview Avenue to Highway 404. Most of the lands slated for high density redevelopment – primarily stimulated by the construction of the Sheppard Subway – are in the area bounded by Sheppard on the north, Bayview on the west, Highway 401 on the south, and Leslie Street on the east.*

*Though the Sheppard East Corridor is not quite the same as the Centres identified in the Draft Official Plan in terms of size or significance, it is similar in terms of transit-supportive redevelopment that is envisioned and the depth of policies emphasizing a mixed use and pedestrian environment. However, there are some properties with zoning that does not reflect the development potential established by the Sheppard East secondary plan. These lands are between Sheppard and Highway 401, west of Leslie, over to and including the Canadian Tire lands. Given Council's direction with respect to development in this area, it appears appropriate to consider whether drive-through facilities should be permitted in this portion of the corridor. Staff should be requested to report to the Planning and Transportation Committee regarding identification of areas along the Sheppard Corridor that may permit drive through facilities and provide necessary amendments to the draft by-law which would prohibit such facilities where appropriate.*

### *4. Separation Distances Between Drive-through Facilities*

*Planning and Transportation Committee requested staff to report on mechanisms for implementing a separation distance between drive-through facilities. This request emanated from the observation that the proposed drive-through by-law would limit potential location for drive through facilities. Consequently, those areas permitted to have drive-through facilities might result in large concentrations and resulting in other concerns.*

*While separation techniques have been used in the past for separating such uses as group homes, it is difficult to identify whether separation technique is both appropriate and beneficial in this particular situation and for this particular use at this time. As previously mentioned, the second phase of work will deal with developing specific standards and design guidelines to be applied to drive-through facilities in those areas of the City where they are permitted uses. This work will have a detailed operational and site design focus and, therefore, will involve discussions with industry representatives, City departments, TABIA and individual BIA's. It is anticipated that the issue of separation distances between drive through facilities will be discussed in this forum. Staff will be in a position to comment and make recommendations on the issue of a separation distance issue for Council's consideration following this process.*

#### **5. Regulation of 24 Hour Drive-through Facility Operations**

*The City Solicitor has advised that more information is required to adequately address this issue. It is recommended that the City Solicitor, in consultation with the Commissioner of Urban Development Services, be asked to report to the next meeting of the Licensing Sub-Committee, on this issue of regulating hours of operation for drive-through facilities.*

*The City solicitor concurs with this recommendation.*

#### **Conclusions:**

*This report recommends that Council amend the Drive-through Facilities By-law to permit two drive-through facilities on the 1947-2013 Finch Avenue property in accordance with Attachment 1 and that no further notice be given.*

*That the Commissioner of Urban Development Services be directed to report back to Planning and Transportation Committee with regard to, drive-through facilities being setback 15 metres setback from public right-of-way, locational restrictions for drive-through facilities in the Sheppard Avenue East Corridor, and consideration of a of separation distance between drive-through facilities.*

*That the City Solicitor in consultation with the Commissioner of Urban Development Services be asked to report on the issue of regulating the hours of operation for drive-through facilities to the next meeting of the Licensing Sub-Committee.*

#### **Contact:**

*Klaus Lehmann, Planner  
Telephone: 416-396-7014  
Fax: 416-392-3821  
E-mail: klehmann@city.toronto.on.ca*

#### **List of Attachments:**

*Attachment 1: Proposed Zoning By-law Amendment for 1947-2013 Finch Avenue West*



*Attachment 1*

*Proposed Zoning By-law Amendment for 1947-2013 Finch Avenue West*

**CITY OF TORONTO**

**BY-LAW No. ~-2002**

***To amend City of North York Zoning By-Law No. 7625, as amended,  
with respect to the Drive-Through Facilities.***

*By-law No. 7625 of the former City of North York, as amended, is further amended as follows:*

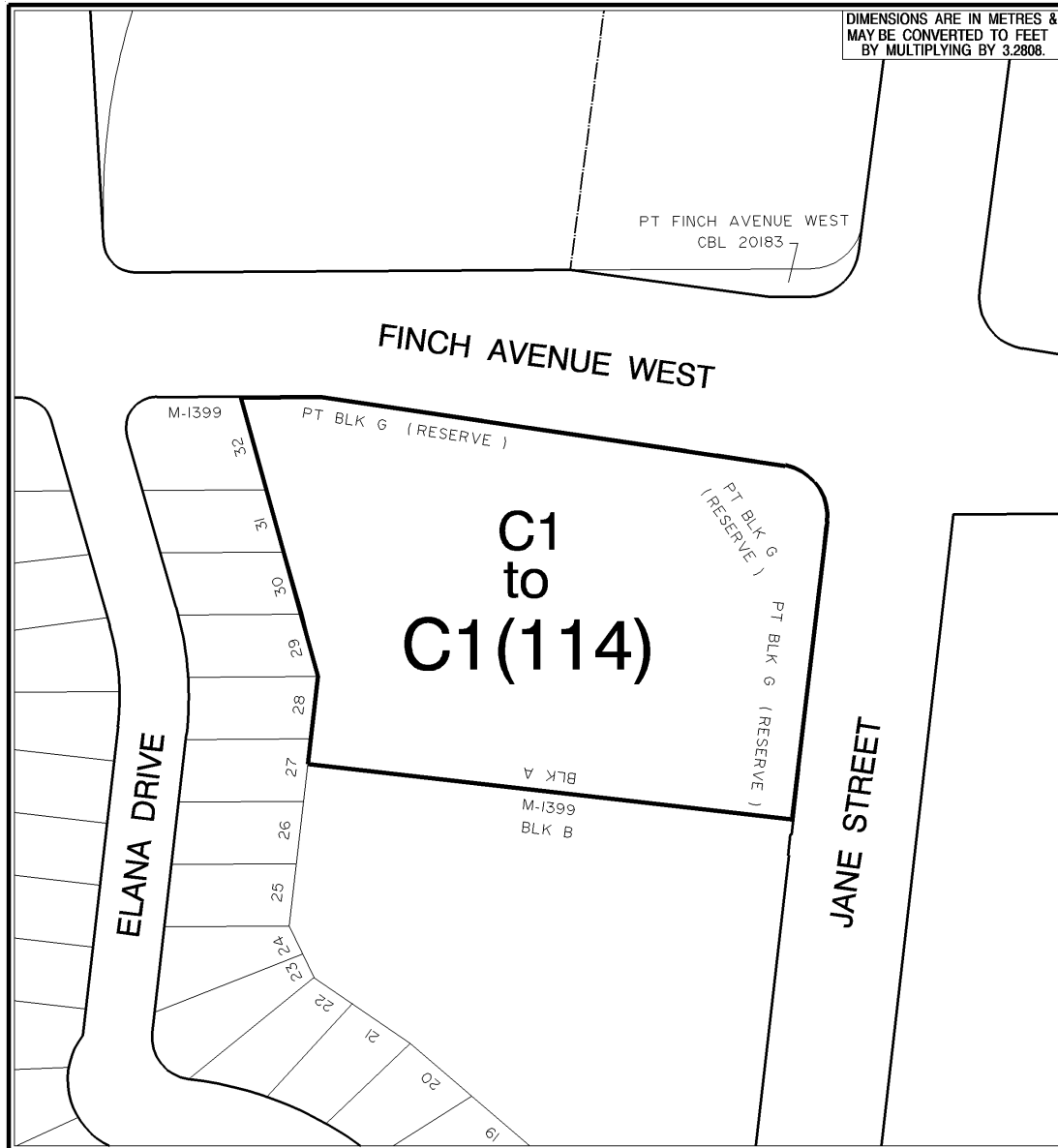
1. *Section 64.23 is amended by adding the following new exception:*

***“64.23(114) C1(114)***

***PERMITTED USES***

*Despite Section 6(35), a maximum of two drive-through facilities shall be permitted. One drive-through facility shall be permitted on the Jane Street frontage and one drive-through facility shall be permitted on the Finch Avenue frontage and provide that a minimum 30 metre separation from the south and westerly property lines. The provision of drive-through facilities shall apply collectively to this land, notwithstanding its future division into two or more parcels.*

2. *Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedule “5” of this by-law.*



<p>This is Schedule " 5 " to By-Law _____ passed the _____ day of _____, 20 ____</p>						
<p>(Sgd.) _____ CLERK</p>		<p>(Sgd.) _____ MAYOR</p>		<p> SUBJECT PROPERTY</p>		
<p>Location: _____</p>						
File:	N/A	Prepared by:	A.K.	Approved by:	A.T.	Date: Sept. 12, 2002
Filename:		5_C1(114)				
<p>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</p>						

*(City Council also had before it, during consideration of the foregoing Clause, the following communications, submitted with respect to the proposed zoning by-law amendments to regulate drive-through facilities in the City of Toronto:*

- (a) (September 26, 2002) from Bill Johnson, President and Chief Executive Officer, McDonald's Restaurants of Canada Limited;*
- (b) (September 30, 2002) from Adam J. Brown, Brown Dryer Karol, Barristers and Solicitors;*
- (c) (undated) from Slava Duris, Tim Hortons; and*
- (d) Drive-Through Case Studies, submitted by Councillor Joe Mihevc, St. Paul's.)*

*(Councillor Shaw, at the meeting of Council held on October 1, 2 and 3, 2002, declared an interest in the foregoing Clause, insofar as it pertains to 2500 Eglinton Avenue East, in that she owns property in the vicinity of the application.)*