

Authority: Notice of Motion J(34), moved by Councillor Mihevc, seconded by Councillor Disero, as adopted by City of Toronto Council on February 13, 14 and 15, 2002

Enacted by Council: February 14, 2002

CITY OF TORONTO

BY-LAW No. 3-2002

To effect interim control on those lands in the area of St. Clair Avenue West between Oakwood Avenue and Bathurst Street.

WHEREAS Council, at its meeting of February 13, 14 and 15, 2002 adopted a report from the Commissioner of Urban Development Services dated February 11, 2002 directing that a study be conducted by the Commissioner of Urban Development Services in respect of land use policies for those lands in the area of St. Clair Avenue West between Oakwood Avenue and Bathurst Street; and

WHEREAS Section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, permits the Council of a municipality to pass a by-law prohibiting the use of land, buildings or structures within the defined area under review for, or except for, such purposes as are set out in the by-law;

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

1. No person shall use any land, buildings or structures within the lands shown within the heavy lines on the map attached to this By-law for an *automated teller; bake-shop; restaurant; restaurant, licensed; retail store; or take-out eating establishment with a drive-through facility*.
2. Notwithstanding Section 1 of this By-law, none of the provisions of this By-law shall apply to a building, structure or use existing on the day of enactment of this By-law. For greater certainty in the interpretation of this Section, the provisions of this By-law shall apply to any addition to any use, building or structure existing on the day of enactment of this By-law.
3. For the purpose of this By-law:
 - (a) *Drive-through facility* means a structure or a building or a part thereof which is designated to provide or dispense products or services, either wholly or in part, to customers remaining in automotive vehicles that are queued in a designated service lane.
 - (b) each other word or expression which is italicized shall have the same meaning as each such word or expression as defined in By-law No. 1-83, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of York", as amended.

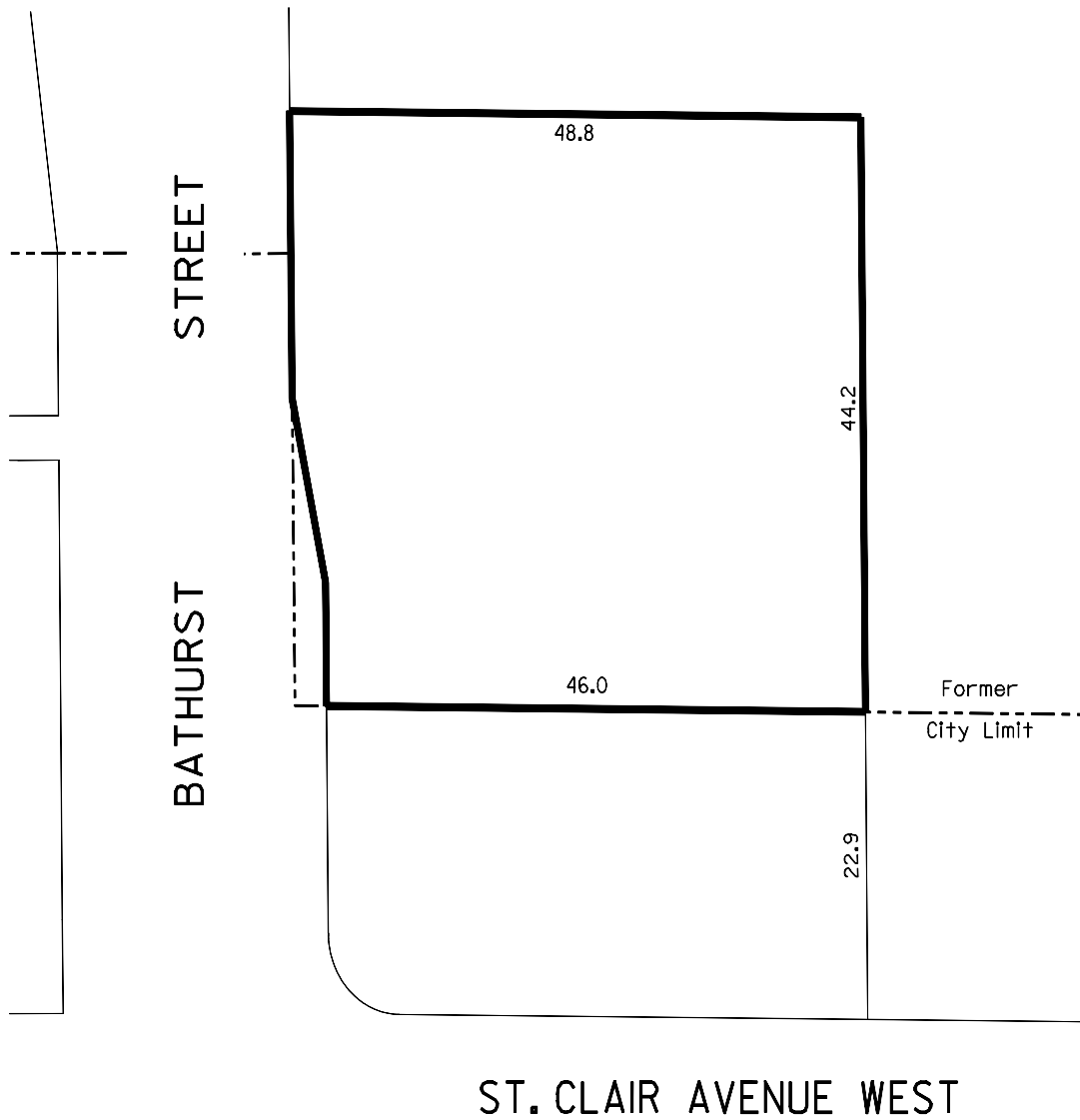
- 4.** This By-law shall be in effect for a period of one year from the 14th day of February, 2002.

ENACTED AND PASSED this 14th day of February, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO FEBRUARY, 2002
INT02/1467STC.DGN
FILE: 2402.46
MAP No. 50K-11 DRAWN: WL