

Authority: Midtown Community Council Report No. 1, Clause No. 28,
as adopted by City of Toronto Council on February 13, 14 and 15, 2002
Enacted by Council: March 8, 2002

CITY OF TORONTO

BY-LAW No. 171-2002

**To amend the site plan provisions of the former City of York Municipal Code –
Chapter 458, Article 3.**

WHEREAS drive-through facilities are subject to site plan control in all areas of the City of Toronto except the former Cities of York and Toronto; and

WHEREAS City Council wishes to amend site plan control by-laws to make drive-through operations subject to site plan control in the geographic area of the former City of York;

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

1. The former City of York Municipal Code, Chapter 458, Site Plan Control Area, Article 3, General Provisions, is amended as follows:
 - (a) Subsection 458.3.2(d) is renumbered as 458.3.2(e) and the following new subsection 458.3.2(d) is added:

“(d) on a property either containing a drive-through facility or on which a drive-through facility is proposed”.
 - (b) Subsection 458.3.6(b) is amended by adding the clause “of a drive-through facility” after the word “homes” at the end so that subsection 458.3.6(b) reads as follows:

“(b) the term “development” used in this Chapter, means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size of the building or the usability thereof, or the laying out and establishment of a commercial parking lot, or of sites for the location of three or more trailers/mobile homes, or of a drive-through facility”.

- (c) Subsection 458.3.6 is amended by adding the following new definition as subsection 458.3.6(c):

“(c) the term “drive-through facility” used in this chapter, 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. These facilities include but are not limited to restaurants, banking facilities, laundry, car washes, quick-lubes and other uses. These facilities do not include a gasoline bar and a gasoline service station”.

ENACTED AND PASSED this 8th day of March, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)