

Authority: Etobicoke Community Council Report No. 7, Clause No. 10,  
as adopted by City of Toronto Council on May 21, 22 and 23, 2002  
Enacted by Council: May 23, 2002

## CITY OF TORONTO

### BY-LAW No. 421-2002

**To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to the subject lands located on the southeast corner of Kipling Avenue and Dixon Road, municipally known as 365 Dixon Road.**

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 held at least one public meeting in accordance with the *Planning Act*;

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

1. That notwithstanding the provisions of Sections 320-21(B, I (1)(2)), and 320-100 (B,C,D,G,H) of the Etobicoke Zoning Code, a convenience store shall be permitted to operate in conjunction with a service station on the lands shown as Local Planned Commercial (CPL) on Schedule 'A' attached hereto, subject to the following:
  - (a) For the purpose of this By-law, a convenience store shall be identified as follows:

“Convenience Store: a commercial building or structure or part thereof, where food and convenience goods are stored and offered for sale and retail, and which may include as an accessory use, subject to Section 2 herein, the sale of food prepared on the premises”.
  - (b) For the purpose of this By-law, Kipling Avenue shall be deemed to be the frontage.
  - (c) The maximum building gross floor area shall be limited to 103 square metres of which no more than 65 square metres may be used for the retail of convenience items. The attached garbage enclosure shall not be included in the calculating of gross floor area.
  - (d) The minimum building and canopy setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto and shall be measured from the main wall. Within these building setbacks described in Schedule 'B', uses shall be restricted to landscaping, sidewalks, canopies, areas for pedestrian circulation and access driveways.
  - (e) A decorative canopy band is permitted to project a maximum of 0.6 metres beyond the main wall of the building into the required front yard.
  - (f) The maximum building height of the service station and convenience store shall

- not exceed 4.5 metres, excluding rooftop mechanical equipment.
- (g) The maximum height of the canopy structure shall not exceed 5.5 metres to the top of the canopy, excluding company burst or logo signs, which shall not exceed a height of 1.05 metres above the top of the canopy.
- (h) The width of ramp along Dixon Road shall be 9.2 metres, measured along the property line and the width of ramp along Kipling Avenue shall be 9 metres, measured along the property line.
- (i) Maximum lot coverage shall be thirty-five percent (35%).
2. For the purpose of this By-law a full commercial kitchen and seating for the consumption of prepared foods shall be prohibited.
3. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall take precedence.
4. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
421-2002 May 23, 2002	Lands located on the southeast corner of Kipling Avenue and Dixon Road.	To permit a convenience store to operate in conjunction with a service station.

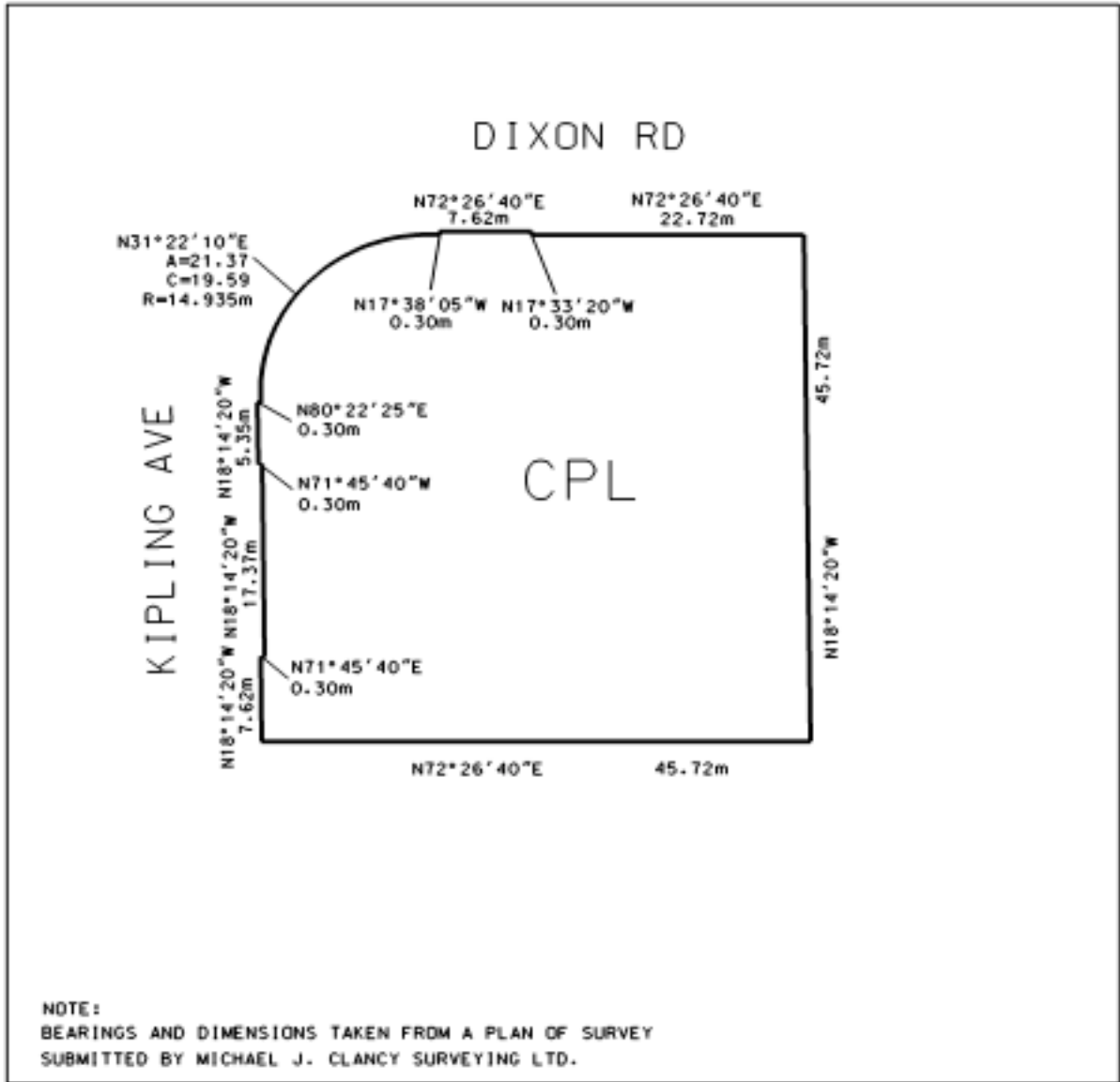
ENACTED AND PASSED this 23rd day of May, A.D. 2002.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**Toronto** Schedule 'A' BY-LAW

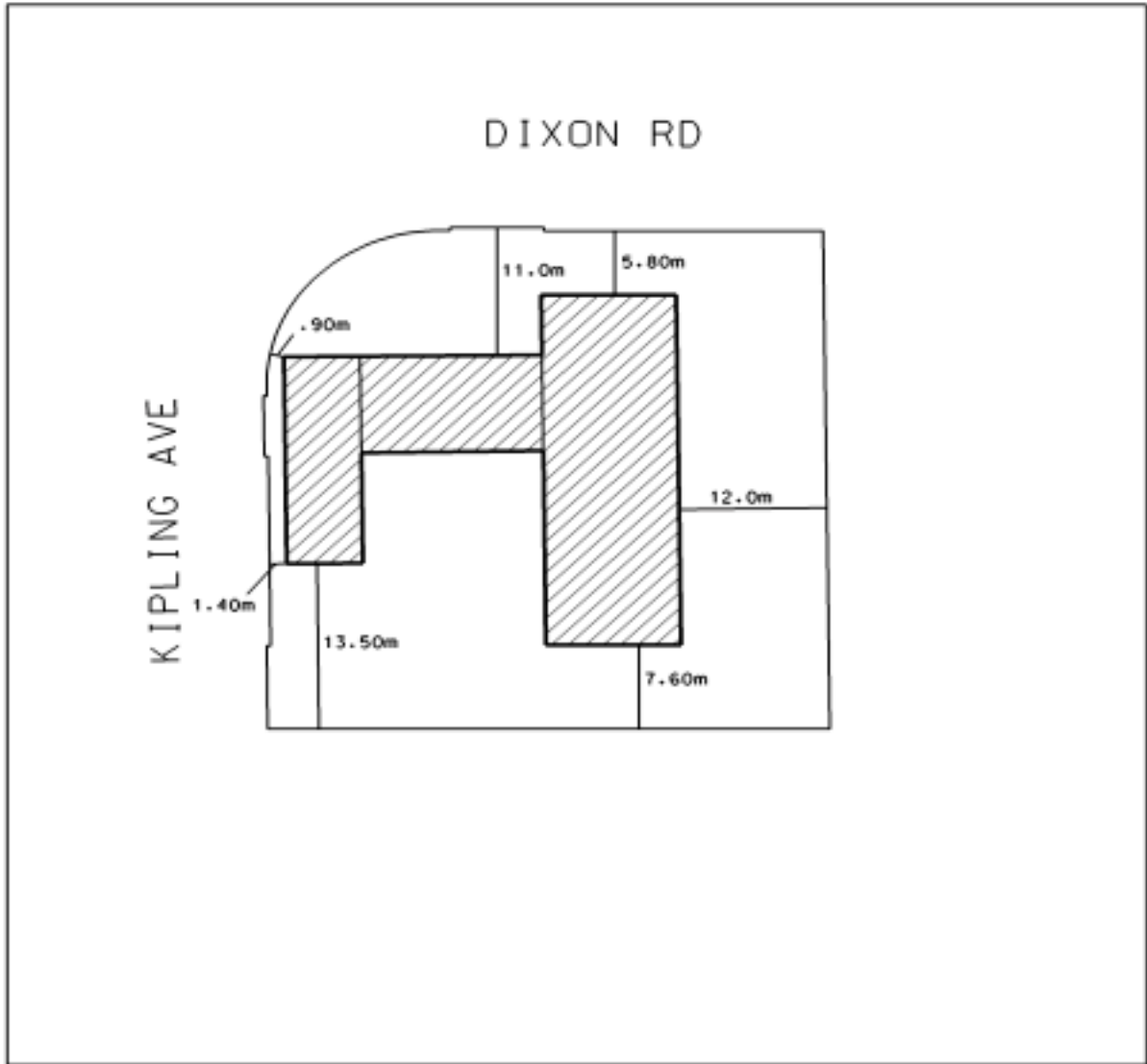


NOTE:  
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY  
 SUBMITTED BY MICHAEL J. CLANCY SURVEYING LTD.

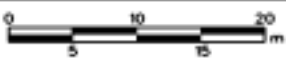

**BLOCK 'A' REGISTERED PLAN 5239  
 CITY OF TORONTO**

Applicant's Name:		PETRO CANADA	
Assessment Map	F14	Zoning Code Map/s	F14N
File No.	CMB2001 0012	Drawing No.	CMB2001 0012A
		Drawn By:	K.P.
		scale:	

**TORONTO** Schedule 'B' BY-LAW



**BLOCK 'A' REGISTERED PLAN 5239  
CITY OF TORONTO**

Applicant's Name:		PETRO CANADA	
Assessment Map: F14	Zoning Code Map/s: F14H	scale: 	
File No. CMB2001 0012	Drawing No. CMB2001 0012B		