

Authority: Planning and Transportation Committee Report No. 10, Clause No. 1,
adopted as amended, by City of Toronto Council on October 1, 2 and 3, 2002
Enacted by Council: October 3, 2002

CITY OF TORONTO

BY-LAW No. 776-2002

To amend the Etobicoke Zoning Code 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 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. 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 persons remaining in motorized vehicles that are in a designated stacking lane (excluding service stations and car washes where Section 320-22 of the Zoning Code shall apply). 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, 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 any lot within 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.
- D. Restaurants which feature a drive-through window, shall also be subject to the applicable regulations cited in 320-23 of the Zoning Code.”
- E. Regulations A to D, inclusive shall not apply to the lands municipally known in the year 2001 as 5322 Dundas Street West, City of Toronto (formerly City of Etobicoke).

ENACTED AND PASSED this 3rd day of October, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)