

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. 788-2002

To amend City of Scarborough Zoning By-law No. 9174, as amended, with respect to the 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 the City has held at least one public meeting in accordance with the *Planning Act*;

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

1. Birchmount Park Community By-law No. 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 persons 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. A **Drive-through Facility** does not include a Mechanical or Automatic Car Wash or Automobile Service Station.

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 any lot within the zone permitting residential uses and provided all other applicable development standards are satisfied.

19. Drive-through Facility in Combination with Other Uses

Despite any other provision of this by-law, 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, the combined uses should not be construed as accessory to one another and all provisions pertaining to each use shall apply.

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

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)