

Authority: Etobicoke York Community Council Report No. 7, Clause No. 48,
as adopted by City of Toronto Council on September 28, 29, 30 and
October 1, 2004

Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 821-2004

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands municipally known as 408 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
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. That notwithstanding the provisions of sections 320-21 H. I of the Etobicoke Zoning Code, a convenience store shall be permitted to operate in conjunction with a service station on the lands shown as Limited Commercial (CL) on Schedule 'A' attached hereto, subject to the following:

For the purpose of this By-law, a convenience store shall be identified as follows:

- (a) "Convenience Store: a commercial building or structure or part thereof, where food and convenience goods are stored and offered for retail sale, and which may include as an accessory use, subject to Section 2 herein, the sale of food prepared on the premises."
 - (b) The maximum building gross floor area shall be limited to 120 square metres of which the proposed convenience store will occupy no more than 65 square metres of floor area, and may be used for the retail sale of convenience items.
2. For the purposes of this by-law, a full commercial kitchen and seating for the consumption of prepared foods shall be prohibited
 3. Notwithstanding the provisions of Section 320-21B of the Etobicoke Zoning Code, the width of ramps from Dixon Road and Kipling Avenue shall not exceed 9.0 metres as measured along the property line.
 4. Notwithstanding the provisions of Section 320-21D of the Etobicoke Zoning Code, the width of the landscape buffer of 2.4 metres shall be provided adjacent a residential zone. A pedestrian walkway shall be permitted within this buffer.
 5. Notwithstanding the provisions of Section 320-21F2 of the Etobicoke Zoning Code, the frontage and flankage of a corner lot shall be a minimum of 31.7 metres.

6. 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, otherwise the Etobicoke Zoning Code shall apply.
7. By-law No. 1996-8 is hereby repealed.
8. 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:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
821-2004 September 30, 2004	Lands located on the north-east corner of Kipling Avenue and Dixon Road.	To permit a convenience store to operate in conjunction with a service station.

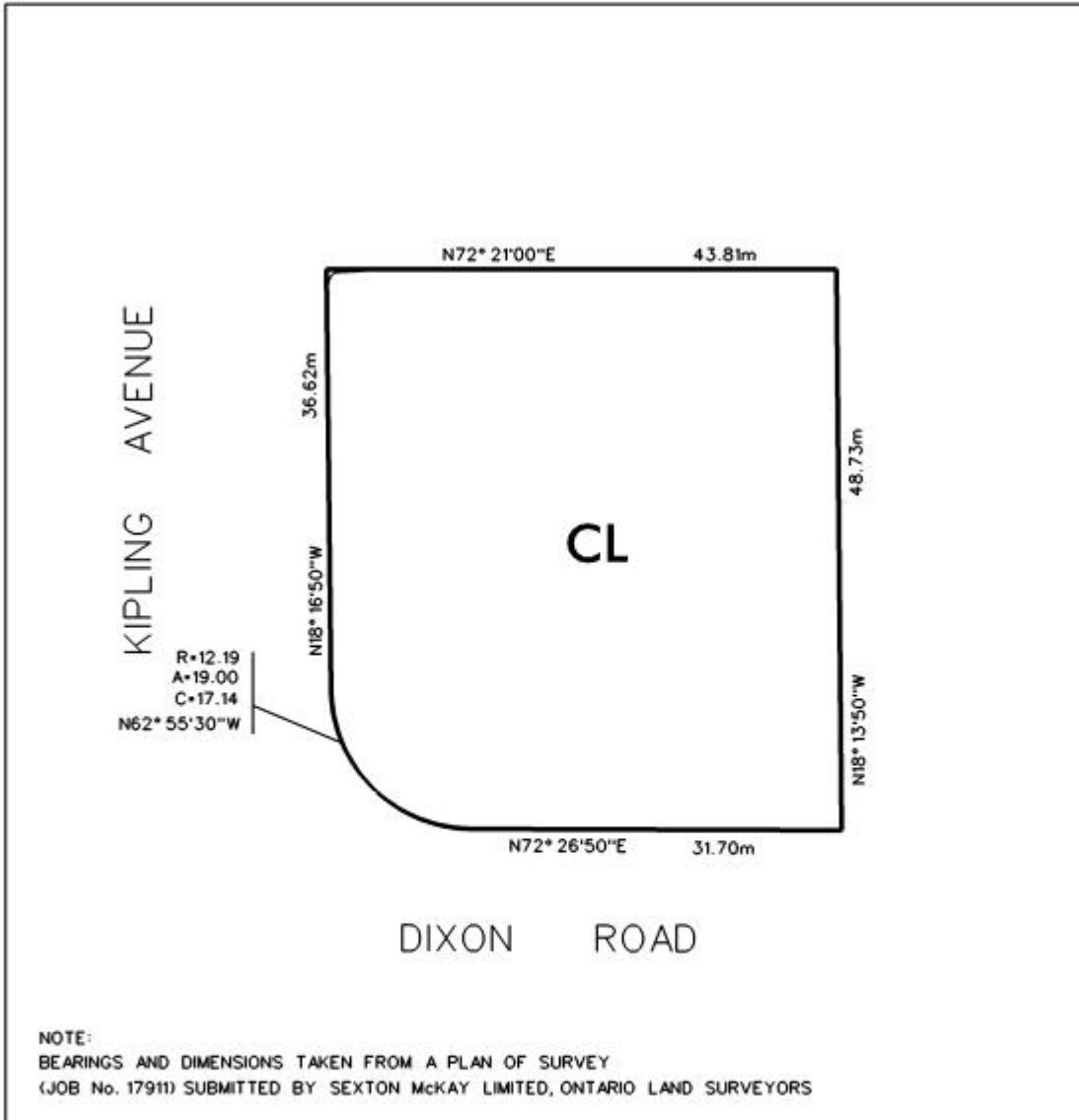
ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Toronto Schedule 'A' BY-LAW



NOTE:
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
 (JOB No. 17911) SUBMITTED BY SEXTON MCKAY LIMITED, ONTARIO LAND SURVEYORS

**PART OF LOT 22, CONCESSION A
 FRONTING THE HUMBER, CITY OF TORONTO**

Applicant's Name:	SUN OIL CO. LTD. (STEPHEN LERNER)		
Assessment Map G12	Zoning Code Map/s G12S	scale: 0 10 20 5 15 m	
File No. 04_107476	Drawing No. 04_107476A	Drawn By: K.P.	