CITY OF TORONTO

BY-LAW No. 267-2003

To amend former Scarborough Zoning By-law No. 24982, as amended, with respect to the Marshalling Yard Employment District.

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. Schedule “A” of the Employment Districts Zoning By-law is amended by deleting the current zoning and substituting it with the following as shown on Schedule ‘1’:


INTENSITY OF USE - GROSS FLOOR AREA

215. Gross floor area of all Restaurants shall not exceed 700 m².

SETBACKS - OTHER YARDS

1183. Open Storage and the display of goods, ancillary to a Retail Store, shall be permitted within 14 m of a main wall located within the street yard of Sheppard Avenue. Open Storage, in conjunction with a Retail Store and Vehicle Service Garage, shall be permitted within 6 m of a north main wall that is beyond 120 m from the street line of McCowan Road.

LANDSCAPING

1899. Minimum 6 m wide strip of land abutting the street lines shall be used only for landscaping and vehicular access, except that buildings may be set back in accordance with the minimum street yard requirement of the Zoning By-law. A stacking lane is not permitted within the landscaping strip.
MISCELLANEOUS

2043. Only during the demolition and construction phase in the redevelopment of the lot for the Canadian Tire retail use, its automotive centre, gas bar and car wash facility, is a maximum gross floor area of 0.49 times the area of lot permitted and a minimum of 217 parking spaces required.

2227. A Drive-through Facility shall mean the use of land, buildings or structures or part 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.

For the purposes of this definition, a stacking lane is an on-site queuing lane for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs. The stacking lane shall not be located in a street yard.

Despite any other provision of the Zoning 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.

3. Schedule “C”, EXCEPTIONS LIST, is amended by deleting the text of Exception Number 43 (a) and replacing it as follows:

43. (a) Only the following uses are permitted:

- Financial Institutions
- Offices
- Retail Stores
- Open Storage ancillary to a Retail Store and a Vehicle Service Garage
- Places of Worship
- Restaurants
- Vehicle Repair Garages
- Vehicle Service Garages
- Vehicle Service Stations
- Mechanical or Automatic Car Washes
- Barber Shops
- Marketplace Signs
- Drive-through Facilities

ENACTED AND PASSED this 16th day of April, A.D. 2003.

CASE OOTES, ULLI S. WATKISS
Deputy Mayor City Clerk

(Corporate Seal)
Schedule '1'
Lot 23

4600-4630 Sheppard Avenue East
File # TF ZBL 20010022

Area Affected By This By-Law