

STAFF REPORT:

Planning and Building Services Department



REPORT TO: Council
MEETING DATE: July 12, 2010
REPORT NO.: PL.10.58
SUBJECT: Drive-through Facilities DRAFT
Official Plan Amendment and
Zoning By-law Amendments
PREPARED BY: Cindy Welsh, MCIP, RPP
Senior Policy Planner

A. Recommendations

THAT Council does hereby receive Planning Staff Report PL.10.58, Drive-through Facilities DRAFT Official Plan Amendment and Zoning By-law Amendments; and

THAT Council receive the draft Official Plan Amendment to the existing Town of The Blue Mountains Official Plan so as to restrict the establishment of drive-through facilities to specific and limited commercial areas along the Highway 26 Corridor subject to specific criteria, and having regard to the recommendations of the Community Improvement Plan and Planning and Urban Design Strategy; and

THAT Council receive the draft Zoning By-law Amendments to the Township of Collingwood Zoning By-law No. 83-40 and the Town of Thornbury Zoning By-law No. 10-77, so as to clarify that drive-through establishments are not permitted as a right and that any proposed drive-through facility would be subject to a public Zoning By-law Amendment process; and

THAT Council direct staff to release the draft Official Plan Amendment and draft Zoning By-law Amendments for formal public and agency comments as per the *Planning Act*; and

THAT Council direct staff to schedule a statutory public meeting to be held under the *Planning Act* to allow for public comments.

B. Background

Through Staff Report PL. 10.52, presented at the June 7, 2010 Planning and Building Services Committee, Council was provided an update on the work being done pertaining to the Drive-through Facilities Project. Council adopted the recommendations put forth in that report on June 14, 2010.

Part of the recommendations were to have Meridian Planning Consultants Inc. draft a proposed Official Plan Amendment to the existing Town of The Blue Mountains Official Plan so as to restrict the establishment of drive-through facilities to specific and limited commercial areas along the Highway 26 Corridor subject to specific criteria, and to have regard to the recommendations of the Community Improvement Plan and Planning and

Urban Design Strategy. Meridian Planning Consultants Inc. also drafted proposed Zoning By-law Amendments to the Township of Collingwood Zoning By-law No. 83-40 and the Town of Thornbury Zoning By-law No. 10-77, so as to clarify that drive-through establishments are not permitted as a right and that any proposed drive-through facility would be subject to a public Zoning By-law Amendment process. These three draft amendments are attached.

Staff are now seeking Council's direction to allow for the release of the draft Official Plan Amendment and draft Zoning By-law Amendments for formal public and agency comments and to schedule a statutory public meeting as per the *Planning Act*.

Consultations

County of Grey

The County of Grey is the approval authority for Official Plan Amendments to the Town of The Blue Mountains Official Plan. Staff consulted with the County of Grey Planning and Development Department on June 16, 2010. At that time, the County did not identify any Provincial or County concerns. The County will have an opportunity to review and comment on all draft documents during the formal public and agency commenting process.

Industry Representatives

As a result of a deputation made to Council on June 14, 2010 by Maurice Luchich, Planning Manager, Real Estate & Development, the TDL Group Corp., Staff (David Finbow and Cindy Welsh) and representatives from Meridian Planning Consultants Inc. (Nick McDonald and Mark Stone) met with drive-through (industry) facilities representatives on June 17, 2010. The industry representatives at that meeting included the following: Peter Adams, Director of Communications, Corporate and Public Affairs, Ontario Restaurant Hotel and Motel Association (ORHMA), who represent the following member organizations: the TDL Group Corp., A & W Food services of Canada Inc., McDonald's Restaurants of Canada Limited and Wendy's Restaurants of Canada, Inc.; Victor Labreche, Senior Principal, Labreche Patterson & Associates Inc, whose firm represents the member brands of the ORHMA; and Maurice Luchich, Planning Manager, Real Estate & Development, the TDL Group Corp. (Tim Hortons).

Industry representatives came forward with the following concerns:

- there be no Official Plan prohibition of drive-throughs anywhere in the municipality.
- it is acceptable to establish a vision for the Town and provide specific contextual policies for certain areas, such as the preservation and development of a "mainstreet" in the core area of Thornbury.
- that policies addressing outdoor parking and drive lanes be applied consistently to uses similar to drive-throughs (such as parking lots).
- these contextual and area specific policies may result in drive-throughs not being feasible in these areas.

- would prefer to see drive-throughs permitted as-of-right in some zones. It is, however, acceptable to require a zoning by-law amendment for all drive-throughs if the Town deems it is necessary to have a public process for all proposals
- would like to ensure that the standards that may be applied in the zoning by-law with respect to the location of all components of a D/T be the most up-to-date and reflective of current and evolving thinking and practice.

Staff and Meridian Planning reviewed the above noted concerns and surmised that the Town continue to moved forward with an Official Plan Amendment and Zoning By-law Amendments as per Council's direction.

C. The Blue Mountains' Strategic Plan

1. Managing growth to ensure the ongoing health and prosperity of the community.

D. Environmental Impacts

The work pertaining to Drive-through Facilities is not expected to have significant adverse impacts on any element of the environment.

E. Budget Impact

Meridian has been retained at a cost of \$11,999.53 (exclusive of GST).

F. Attachments

1. Draft Official Plan Amendment No. 21.
2. Draft Zoning By-law Amendments.

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**THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS
BY-LAW NO. _____**

**Being a By-law to adopt Amendment No. 21 to the
Official Plan of the Town of The Blue Mountains**

The Council of the Corporation of the Town of The Blue Mountains in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, c. P.13, hereby enacts as follows:

1. Amendment No. 21 to the Official Plan of the Town of The Blue Mountains, is hereby adopted.
2. The Clerk is hereby authorized and directed to submit Amendment No. 21 together with the required record, to the appropriate Approval Authority for approval.
3. This By-law shall come into force and take effect on the day of the final passing by Council, subject to any approval necessary pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof,

Enacted and passed this _____ day of _____, 2010.

Ellen Anderson, Mayor

Corrina Giles, Town Clerk

I hereby certify that the foregoing is a true copy of By-law No. _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the _____ day of _____, 2010.

DATED at _____

this _____ day of _____, 2010.

Signed: _____
Corrina Giles, Town Clerk

**AMENDMENT NO. 21
TO THE
OFFICIAL PLAN
OF THE
TOWN OF THE BLUE MOUNTAINS**

_____, 2010

**AMENDMENT NO. 21 TO THE
OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

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**AMENDMENT NO. 21 TO THE
TOWN OF THE BLUE MOUNTAINS
OFFICIAL PLAN**

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute a part of this Amendment.

PART B - THE AMENDMENT consisting of the following text constitutes Amendment No. 21 to the Official Plan for the Town of The Blue Mountains.

PART A - THE PREAMBLE

1. PURPOSE

The purpose of this Amendment is to establish policies for drive-through facilities in the Town of The Blue Mountains Official Plan.

2. LOCATION

This Amendment amends the policies of the Town's Official Plan by permitting drive-through facilities on lands designated "Highway Commercial HC" and portions of the Arthur/King Street Corridor of the "Commercial COM" designation in the Thornbury Urban Area. A key map has not been provided as the Amendment potentially applies to all lands designated "Highway Commercial HC" and sections of lands designated "Commercial COM" in the Town.

3. BASIS

Overview

This Amendment is prepared in response to the need to plan and regulate drive-through facilities in the Town of The Blue Mountains. The Official Plan does not currently provide policies specific to drive-through facilities in the municipality. Many people primarily associate drive-throughs with fast-food and coffee restaurants however, drive-throughs are now often associated with banks, dry cleaning establishments, pharmacies, car wash establishments and other types of uses. Drive-through facilities provide convenient and fast service to customers. However, drive-through facilities can also generate high levels of traffic potentially creating internal (on-site) and external (off-site) traffic issues, and pedestrian safety issues. Contributing to on- and off-site traffic issues can be queuing lanes that are deficient in size and/or located too close to site access points. This is especially true during peak hours and with poorly designed sites, often resulting in significant spill-over onto adjacent public streets. This issue can be further intensified where site access points on corner lots are located too close to intersections.

Another contributing factor to traffic circulation issues are queuing lanes that are interrupted (i.e. not continuous), commonly the result of drive-through facilities established on lots that are deficient in size or poorly designed. Also, some sites, especially those related to drive-through restaurant facilities, have been designed such that parking spaces and loading areas are blocked by drive-through lanes (or vehicle overflow from these lanes). One of the most significant concerns with respect to drive-through facilities is the impact on adjacent residential areas. Impacts can result from noise generated from drive-through intercoms, music (from vehicles) and voices (from patrons and employees), and vehicle engines. The 'spill-over' lighting from lamp-posts, order boards and other directional signage is often cited as a concern for residents. In addition, concerns are often raised with respect to air-quality impacts resulting from idling vehicles, and odours from garbage bins and receptacles primarily related to restaurant uses. Impacts resulting from noise, vehicle exhaust and odours are often intensified by drive-through facilities that operate 24 hours per day or during 'late-night'/'early morning' hours. Another concern for many municipalities and residents has been the lack of attention to preserving streetscapes and urban design standards when reviewing proposals for new drive-through facilities.

On January 26, 2009, Council passed Interim Control By-law (ICBL) No. 2009-9 to effectively apply a Town-wide prohibition on the use of any land, buildings or structures for the purposes of drive-through facilities and adult entertainment establishments for a period of 12 months. On December 14, 2009, Council passed By-law No. 2009-83 to extend the ICBL for an additional six (6) months, to July 26, 2010. On June 28, 2010, Council passed By-law No. 2010-45 to provide for a further and final extension to the ICBL to January 25, 2011.

The ICBL provided the Town with the opportunity to comprehensively study the issues, and establish appropriate policies and regulations to guide the establishment and use of

these types of facilities. Meridian Planning Consultants Inc. was retained by the Town to undertake the Study which resulted in five possible options for regulating these uses. The preferred option of permitting drive-through facilities in specified commercial areas subject to specific policies and criteria is the basis for this Amendment. This Amendment would permit drive-through facilities on lands designated “Highway Commercial HC” and portions of the Arthur/King Street Corridor of the “Commercial COM” designation in the Thornbury Urban Area, subject to the existing policies of the Plan, and policies and criteria in a new Drive-through Facilities Section in the General Development Policies Section of the Plan. This new Section includes a requirement for a site-specific amendment to the Zoning By-law(s) for any drive-through facility, defines drive-through service facility and stacking lane, and provides criteria/policies for the design and built form of these facilities.

In addition, the Amendment contains a policy whereby Council shall consider the adoption of Urban Design Guidelines to establish standards with respect to built form and streetscape, pedestrian circulation, vehicular access and parking, landscaping and signage for drive-through facilities.

PART B - THE AMENDMENT

All of this part of the document entitled “Part B - The Amendment” consisting of the following text constitutes Amendment No. 21 to the Official Plan of the Town of The Blue Mountains.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows:

Item 1: **Section 3 GENERAL DEVELOPMENT POLICIES** is hereby amended by adding the following new subsection:

“3.24 Drive-through Facilities

- (1) Drive-through facilities are normally associated with restaurants, financial institutions, automobile services stations and a limited range of retail and service uses such as pharmacies and dry cleaning establishments, and are typically located in auto-oriented commercial designations. In this Plan, drive-through facilities are only permitted on lands designated “Highway Commercial HC” and certain lands in the Arthur/King Street Corridor of the “Commercial COM” designation in the Thornbury Urban Area, subject to the definitions and policies of this Section. Proposals for all new drive-through facilities will be subject to concurrent applications for a zoning by-law amendment and site plan approval.
- (2) Within the planned pedestrian-oriented, main-street portions of the Arthur/King Street Corridor of the “Commercial COM” designation, zoning by-law amendments for new drive-through facilities will not be permitted where such uses would interfere with the intended function and form of these designations and areas/corridors. Further, such applications will only be considered for approval in exceptional circumstances where the location, design and function of the drive-through facility maintains the intent of the Official Plan, does not interfere with the continuity and character of the streetscape, and does not have a negative impact on the pedestrian orientation of the land use designation.
- (3) The following definitions shall apply with respect to drive-through facilities:
 - (a) “Drive-through service facility” means a building or structure where goods or services are offered to the public within a parked or stationary motor vehicle by way of a service window.
 - (b) “Stacking lane” means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services.
- (3) Council must be satisfied that traffic from a drive-through facility can be accommodated on area roads and will not conflict with truck traffic, and that an appropriate amount of parking and landscaping is located on site.
- (4) Drive-through facilities should be designed to minimize visual, traffic and noise impacts on adjacent residential development. The Town may require proponents to submit a noise impact study, traffic impact study and illumination (photometrics) study/plan in support of any applications for a drive-through facility. The Town may also require proponents to provide funds or securities to cover the costs of any required peer review of these studies.
- (5) Council shall consider the following additional matters when reviewing proposed drive-through facilities:

- (a) Drive-through facilities shall be incorporated into a larger building form, where possible.
 - (b) Drive-through facilities shall be designed and located to minimize visual impact on the streetscape. In this regard, drive through stacking and pick up lanes should not be located between the front face(s) of the building and the street line(s).
 - (c) Any drive-through facility must be located on a lot sufficiently sized to accommodate all activities associated with the drive-through facility.
 - (d) All buildings containing drive-through facilities shall be oriented to the primary street frontage.
 - (e) No portion of the stacking lane shall be located within the required minimum yard setbacks for buildings or structures.
 - (f) Drive-through facilities shall be sufficiently separated from residential uses to avoid issues of land use compatibility.
 - (g) Drive-through facilities will have sufficient dedicated stacking lanes and separation from site access points to prevent vehicles from interfering with on-site and off-site vehicular circulation.
 - (h) No portion of a stacking lane shall be located between a building and street line unless all of the components of a drive-through service facility are located no closer than 10.0 metres from the front and exterior side lot lines.
- (6) Council shall consider the adoption of Urban Design Guidelines for drive-through facilities to establish guidelines with respect to built form and streetscape, pedestrian circulation, vehicular access and parking, landscaping and signage.

Item 2: **Section 4.21 HIGHWAY COMMERCIAL HC** is hereby amended by adding the following new sentence at the end of subsection 4.21.2 (1):

“Drive-through facilities are also permitted subject to the policies of the Plan including Section 3.24.”

Item 3: **Section 4.27 THORNBURY URBAN COMMUNITY** is hereby amended by adding the following new sentence at the end of subsection 4.27.3.2 (7) (iii):

“Drive-through facilities may also be permitted subject to the policies of the Plan including Section 3.24.”

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through Zoning By-law Amendments pursuant to the *Planning Act* and other relevant legislation.

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. _____

Being a By-law to amend Zoning By-law No. 83-40
which may be cited as “The Township of Collingwood
Zoning By-law”

WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 83-40;

AND WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, the By-law may be amended by Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is hereby amended by adding the following new definitions and renumbering subsequent definitions accordingly:
 - 3.44 “Drive-through Service Facility” means a building or structure where goods or services are offered to the public within a parked or stationary motor vehicle by way of a service window.
 - 3.154 “Stacking Lane” means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services.
2. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is amended by adding “but shall not include any drive-through service facility” following the last word at the end the following existing definitions:
 - (i) 3.30 Commercial
 - (ii) 3.44 Dry Cleaning Establishment
 - (iii) 3.61 Eating Establishment, Drive-In
 - (iv) 3.95 Laundry Establishment
 - (v) 3.141 Retail Store, Convenience
 - (vi) 3.147 Service Commercial Use, Personal
3. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is amended by adding “or drive-through service facility” following the last word at the end the following existing definitions:
 - (i) 3.60 Eating Establishment
 - (ii) 3.140 Retail Store

4. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is amended by adding “but shall not include a drive-through service facility” at the end of the first sentence in Section 3.62 Eating Establishment, Take-out definition.
5. SECTION 5: GENERAL PROVISIONS of By-law 83-40, as amended, is hereby amended by adding the following new Section:

5.26 Drive-through Service Facilities

Drive-through Service Facilities are only permitted through a site-specific amendment to this By-law and subject to the following provisions:

(a) Stacking Lane Requirements

Where drive-through service facilities are permitted, stacking lanes are required and shall be exclusive of any other parking space and loading space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this Section.

(i) Stacking Space Requirements

The minimum stacking space requirements within a designated stacking lane shall be as described in the following table:

Stacking Space Requirements

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Restaurant or any Eating Establishment	12*	2
Automobile Service Station	3	1
Automobile Washing Establishment or Car Wash	10	2
Financial institution and all other uses	5	1

* minimum of 8 spaces required before/at the order board, and 4 spaces required between the order board and pick-up window

(ii) Location of Ingress and Egress Spaces

Required ingress spaces shall be located and calculated from the product pick-up window or dispensing machine, and required egress spaces shall be located after the product pick-up window or dispensing machine. The vehicle space at the product pick-up window shall count towards the minimum ingress spaces.

(iii) Length of Stacking Lane

The length of the stacking lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces.

(iv) Multiple Stacking Lane Requirements

Where multiple stacking lanes are required on a lot, the stacking space requirements shall be provided for each individual stacking lane in compliance with the provisions of Section 5.26 (a)(i) of this By-law.

(v) Size of Stacking Space

All stacking spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 3.0 metres.

(vi) Setbacks From Residential Zone Boundary

Stacking lanes and all order boxes using voice communication to order shall be located no closer than 30.0 metres from any Residential Zone boundary.

(vii) Stacking Lane Setback from Driveways

The distance between the closest driveway access and the last stacking space, measured in a straight line from the middle point of the driveway at the lot line, shall be 12.0 metres.

(viii) Delineation of Stacking Lane Requirements

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area and loading area.

(ix) Location of Stacking Lanes, Order Boxes, and Wall Openings Associated with a Drive-through Service Facility in Relation to Front and Exterior Side Lot Lines

No stacking lanes, order boxes, and wall openings associated with a drive through service facility shall be located in the required minimum yard setbacks for buildings

or structures, or in front of a wall facing the front or exterior side lot line unless all of the components of a drive-through service facility are located no closer than 10.0 metres from the front lot line and side lot line (abutting a street).

6. SECTION 17: VILLAGE CORE RESORT COMMERCIAL (C7) ZONE of By-law No. 83-40, as amended, is amended by adding “but shall not include any drive-through service facility” at the end of the following uses in Section 17.1(a):
- (i) Retail uses, service commercial uses and personal service totally within the hostels, lodges, inns and motels
7. This By-law shall come into full effect upon the date of approval of the Town of The Blue Mountains Official Plan Amendment No. 21.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this _____ day of _____, 2010.

Ellen Anderson, Mayor

Corrina Giles, Town Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2010 - _____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the _____ day of _____, 2010.

DATED at _____

this _____ day of _____, 2010.

Signed: _____
Corrina Giles, Town Clerk

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. _____

Being a By-law to amend Zoning By-law No. 10-77
which may be cited as “The Town of Thornbury
Zoning By-law”

WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 10-77;

AND WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, the By-law may be amended by Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. SECTION 2: DEFINITIONS of By-law No. 10-77, as amended, is hereby amended by adding the following new definitions and renumbering subsequent definitions accordingly:
 - 2.39 “Drive-through Service Facility” means a building or structure where goods or services are offered to the public within a parked or stationary motor vehicle by way of a service window.
 - 2.115 “Stacking Lane” means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services.
2. SECTION 2: DEFINITIONS of By-law No. 10-77, as amended, is amended by adding “but shall not include any drive-through service facility” following the last word at the end the following existing definitions:
 - (i) 2.31 Commercial
 - (ii) 2.40 Dry Cleaning or Laundry Outlet
 - (iii) 2.77 Laundromat
 - (iv) 2.107 Retail Store
 - (v) 2.108 Retail Store, Convenience
 - (vi) 2.113 Shopping Centre
3. SECTION 2: DEFINITIONS of By-law No. 10-77, as amended, is amended by adding “or drive-through service facility” following the last word at the end the following existing definitions:
 - (i) 2.104 Restaurant
 - (ii) 2.105 Restaurant, Drive-in

4. SECTION 2: DEFINITIONS of By-law No. 10-77, as amended, is amended by adding the following at the end of Section 2.98 Personal Service Shop definition:

“(iii) shall not include a drive-through service facility.”

5. SECTION 2: DEFINITIONS of By-law No. 10-77, as amended, is amended by adding “but shall not include a drive-through service facility” at the end of the first sentence in Section 2.106 Restaurant, Take-out definition.

6. SECTION 6: GENERAL PROVISIONS of By-law 10-77, as amended, is hereby amended by adding the following new Section:

6.20 Drive-through Service Facilities

Drive-through Service Facilities are only permitted through a site-specific amendment to this By-law and subject to the following provisions:

(a) Stacking Lane Requirements

Where drive-through service facilities are permitted, stacking lanes are required and shall be exclusive of any other parking space and loading space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this Section.

(i) Stacking Space Requirements

The minimum stacking space requirements within a designated stacking lane shall be as described in the following table:

Stacking Space Requirements

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Restaurant or any Eating Establishment	12*	2
Automobile Service Station	3	1
Automobile Washing Establishment or Car Wash	10	2
Financial institution and all other uses	5	1

* minimum of 8 spaces required before/at the order board, and 4 spaces required between the order board and pick-up window

(ii) Location of Ingress and Egress Spaces

Required ingress spaces shall be located and calculated from the product pick-up window or dispensing machine and

required egress spaces shall be located after the product pick-up window or dispensing machine. The vehicle space at the product pick-up window shall count towards the minimum egress spaces.

(iii) Length of Stacking Lane

The length of the stacking lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces.

(iv) Multiple Stacking Lane Requirements

Where multiple stacking lanes are required on a lot, the stacking space requirements shall be provided for each individual stacking lane in compliance with the provisions of Section 6.26 (a)(i) of this By-law.

(v) Size of Stacking Space

All stacking spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 3.0 metres.

(vi) Setbacks From Residential Zone Boundary

Stacking lanes and all order boxes using voice communication to order shall be located no closer than 30.0 metres from any Residential Zone boundary.

(vii) Stacking Lane Setback from Driveways

The distance between the closest driveway access and the last stacking space, measured in a straight line from the middle point of the driveway at the lot line, shall be 12.0 metres.

(viii) Delineation of Stacking Lane Requirements

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area and loading area.

- (ix) Location of Stacking Lanes, Order Boxes, and Wall Openings Associated with a Drive-through Service Facility in Relation to Front and Exterior Side Lot Lines

No stacking lanes, order boxes, and wall openings associated with a drive through service facility shall be located in the required minimum yard setbacks for buildings or structures, or in front of a wall facing the front or exterior side lot line unless all of the components of a drive-through service facility are located no closer than 10.0 metres from the front lot line and side lot line (abutting a street).

- 7. This By-law shall come into full effect upon the date of approval of the Town of The Blue Mountains Official Plan Amendment No. 21.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this _____ day of _____, 2010.

Ellen Anderson, Mayor

Corrina Giles, Town Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2010 - _____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the _____ day of _____, 2010.

DATED at _____

this _____ day of _____, 2010.

Signed: _____
Corrina Giles, Town Clerk