

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 or device.
 - 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; and
 - (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; and
 - (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 eight (8) spaces required before/at the order board and four (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. 22, in accordance with Section 24 (2) of the *Planning Act*.

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