

Authority: York Community Council Report No. 7, Clause No. 14,  
as adopted by City of Toronto Council on July 6, 7 and 8, 1999  
Enacted by Council: July 8, 1999

## **CITY OF TORONTO**

### **BY-LAW No. 436-1999**

#### **To amend former City of York By-law Number 1-83 respecting lands – southwest corner of Black Creek Drive and Eglinton Avenue West.**

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:

#### **SECTION 6-AMENDED**

**1.** That Section 6 of Zoning By-law 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (62) as follows:

“(62) MAP 17

By changing the area shown on District Map 17, municipally known as Lands – Southwest Corner of Black Creek Drive and Eglinton Avenue West and more particularly described in Schedule “A” hereto, from a G District and a CCM-H District to a CCM District as shown on Schedule “B” hereto and by changing District Map 17 accordingly, provided that the use of the lands within the said area complies with the provisions of Section 16 (390) of this by-law.”

#### **SECTION 16 AMENDED**

**2.** That Section 16 of Zoning By-law Number 1-83, as amended, of the former City of York, be and the same is hereby further amended by adding a new Subsection (390) as follows:

“(390) LANDS - SOUTHWEST CORNER OF BLACK CREEK DRIVE AND EGLINTON AVENUE WEST

Notwithstanding the provisions of Subsection 336 of Section 16 and any other provisions, of this Zoning By-law 1-83, except for the provisions of Section 3.1.2, the lands on the southwest corner of Black Creek Drive and Eglinton Avenue West which lands are more particularly described in Schedule “A” hereto and shown on the plan attached as Schedule “B” hereto, (hereinafter referred to as “the Lands”) may also only be used for one or more of the following purposes:

a retail store or stores; restaurant; restaurant, licensed; take-out eating establishment; and accessory buildings, uses and structures including associated parking, outdoor display and sales and outdoor eating areas on Block ‘A’,

a Gateway Facility and accessory buildings, uses or structures on Block 'B';

subject to the following provisions:

A. In regard to any use or development on Block 'A':

- i) Maximum gross floor area shall be 9,300 m<sup>2</sup> (100,100 sq. ft.) consisting of at least one supermarket with a maximum gross floor area of 8,500 m<sup>2</sup> (91,500 sq. ft.);
- ii) The minimum lot area shall be 2.75 ha (6.8 ac);
- iii) Parking for a supermarket shall be provided at a rate of 1 space per 20 m<sup>2</sup> of gross floor area. Parking and loading for all other uses shall be provided in accordance with Section 3.2 of this By-law;
- iv) Minimum building setbacks shall be 1.5 m (4.9 ft.) from the east limit of Photography Drive and any lot line which does not abut a street and 3.0 m (9.8 ft) from the south limit of Eglinton Avenue West and the west limit of Black Creek Drive;
- v) The building heights shall be restricted to one-storey exclusive of rooftop mounted structures, mechanical equipment and architectural elements. Mezzanines shall be permitted within permitted buildings;
- vi) Access to the lands shall be permitted from Eglinton Avenue West, Black Creek Drive and Photography Drive;
- vii) All parking spaces and driveways, except for access driveways leading to a public street, shall be located a minimum of 1.5 m from the Eglinton Avenue West and Black Creek Drive street lines; and
- viii) All other provisions of this Zoning By-law 1-83 shall continue to apply except in the case where those provisions are in conflict with the provisions of this Subsection, in which case the provisions of this Subsection shall prevail.

B. In regard to any use or development on Block 'B':

- i) Minimum building setbacks shall be 1.5 m (4.9 ft.) from the east limit of Photography Drive and any lot line which does not abut a street and 3.0m (9.8 ft) from the south limit of Eglinton Avenue West;
- ii) For the purpose of this Subsection "Gateway Facility" means a transportation terminal which accommodates and facilitates passenger transfer between various modes of public and private transportation. It may include a GO Station and/or rapid transit station, with attendant facilities; commuter parking or pick-up/drop-

off facilities; a bus terminal including facilities for bus turnaround and storage; and pedestrian connections between the various transportation facilities and between these facilities and adjacent development;

- iii) Access to the lands shall be permitted from Eglinton Avenue West and Photography Drive; and
- iv) All other provisions of this Zoning By-law 1-83 shall continue to apply except in the case where those provisions are in conflict with the provisions of this Subsection, in which case the provisions of this Subsection shall prevail.

**3.** Subject to the provisions of Section 34 of the Planning Act, R.S.O. 1990 c.P.13 this By-law shall come into force and effect on the date of its passing.

ENACTED AND PASSED this 8th day of July, A.D. 1999.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)

**SCHEDULE “A” to BY-LAW No. 436-1999****and to Section 6(62) and Section 16(390) of ZONING BY-LAW 1-83**

Lands in the southwest quadrant of the intersection of Eglinton Avenue West and Black Creek Drive bounded on the north by the south limit of Eglinton Avenue West, on the east by the west limit of Black Creek Drive, on the south by the south limit of Photography Drive, and on the west by the east limit of the Canadian Pacific Railway.