

**3.     ZONING BY-LAW AMENDMENT FILE Z.09.005  
       7 MARLI LIMITED  
       WARD 2**

**P.2009.14**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing report for File Z.09.005 (7 Marli Limited) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

**Economic Impact**

This will be addressed when the technical report is completed.

**Communications Plan**

On March 6, 2009, a Notice of a Public Meeting was circulated to all property owners within 150m of the subject lands and to West Woodbridge Homeowners Ratepayers Association. As of March 15, 2009, no comments have been received by the Development Planning Department. Any responses received will be addressed in the technical review and included in a comprehensive report to a future Committee of the Whole meeting.

**Purpose**

The Owner has submitted an application to amend the Zoning By-law, specifically Exception 9(778) of By-law 1-88 to permit a drive-through associated with a permitted financial institution (bank) use as an additional permitted use in a C2 General Commercial Zone, on the subject lands shown as Attachment #1 and with the following zoning exceptions:

- i)     permit a drive-through accessory to a bank, whereas a drive-through is only permitted with a Convenience Eating Establishment;
- ii)    permit a minimum 3.05 m wide drive-through stacking lane, whereas a minimum 3.5 m is required; and,
- iii)   permit a 5 car drive-through stacking lane, whereas there is no general by-law standard for drive-through accessory to a bank.

The Owner has also submitted a related Site Development Application (File DA.09.013) to amend the existing Site Plan Agreement to retrofit the existing Building "C", to facilitate the proposed bank and accessory drive-through, and for minor elevation changes to Building "A" as shown on Attachment #2.

**Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the south side of Regional Road 7, west of Martin Grove Road, being Part of Lot 5, Concession 8, municipally known as 5731 Regional Road 7, City of Vaughan. The 3.33 ha parcel is currently developed with a commercial plaza, including a free standing building and 2 multi-unit buildings as shown on Attachment #2. The property is accessed from Regional Road 7. The subject lands are designated "General Commercial" by OPA #240. The proposed development conforms with the Official Plan. The subject lands are zoned C2 General Commercial Zone by By-law 1-88, subject to Exception

Paragraph 9(778) which does not permit a drive-through accessory to a bank. Accordingly, a Zoning By-law Amendment is required. The surrounding land uses are shown on Attachment #1.

### **Preliminary Review**

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

- i) the application will be reviewed in the context of the minimum development standards and requirements of By-law 1-88;
- ii) the appropriateness of the drive-through facility will be assessed in the context of its' compatibility with other land uses and on-site circulation on the subject lands;
- iii) the appropriateness of the proposed drive-through design including its location, width and number of car stacking spaces will be reviewed;
- iv) an amendment to the approved site plan agreement for the subject lands is required to implement the proposed development, including changes to the approved building elevations; and,
- v) the location and design of any signage and lighting required for the bank and the functioning of the drive-through facility must be reviewed to the satisfaction of the City, if approved.

### **Relationship to Vaughan Vision 2020/Strategic Plan**

The applicability of this application to the Vaughan Vision will be determined when the technical report is considered.

### **Regional Implications**

The application has not been circulated to the Region of York for review and comment, as it does not impact on Regional objectives.

### **Conclusion**

The above issues, but not limited to, will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Meeting or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the proposed drive-through accessory to a bank will be reviewed in the context of the minimum development standards of By-law 1-88, compatibility with other uses on the subject lands, the proposed design and proper on-site circulation.

### **Attachments**

1. Location Map
2. Overall Site Plan
3. Proposed Drive-Through
4. Proposed Elevations - Building "C"

**Report prepared by:**

Eugene Fera, Planner, ext. 8064

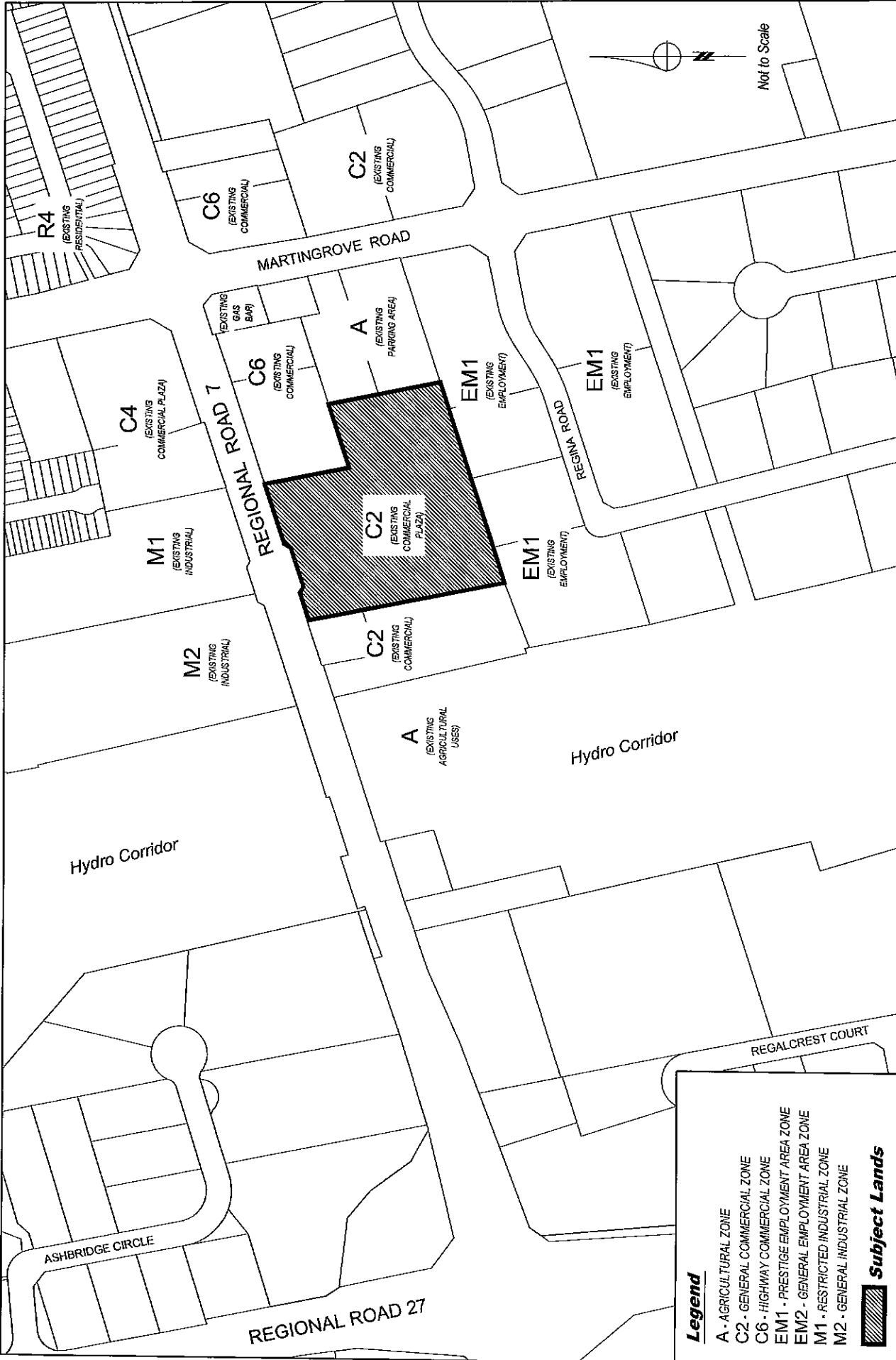
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Director of Development Planning

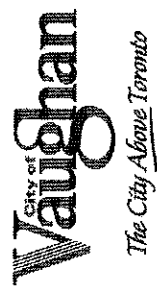
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- Legend**
- A - AGRICULTURAL ZONE
  - C2 - GENERAL COMMERCIAL ZONE
  - C6 - HIGHWAY COMMERCIAL ZONE
  - EM1 - PRESTIGE EMPLOYMENT AREA ZONE
  - EM2 - GENERAL EMPLOYMENT AREA ZONE
  - M1 - RESTRICTED INDUSTRIAL ZONE
  - M2 - GENERAL INDUSTRIAL ZONE
- Subject Lands**

# Location Map

Part of Lot 5,  
Concession 8  
APPLICANT:  
7 MARLI LIMITED



Development Planning Department

# Attachment 1

FILE No.:  
Z-09.005  
RELATED FILE:  
DA.09.013  
March 15, 2009

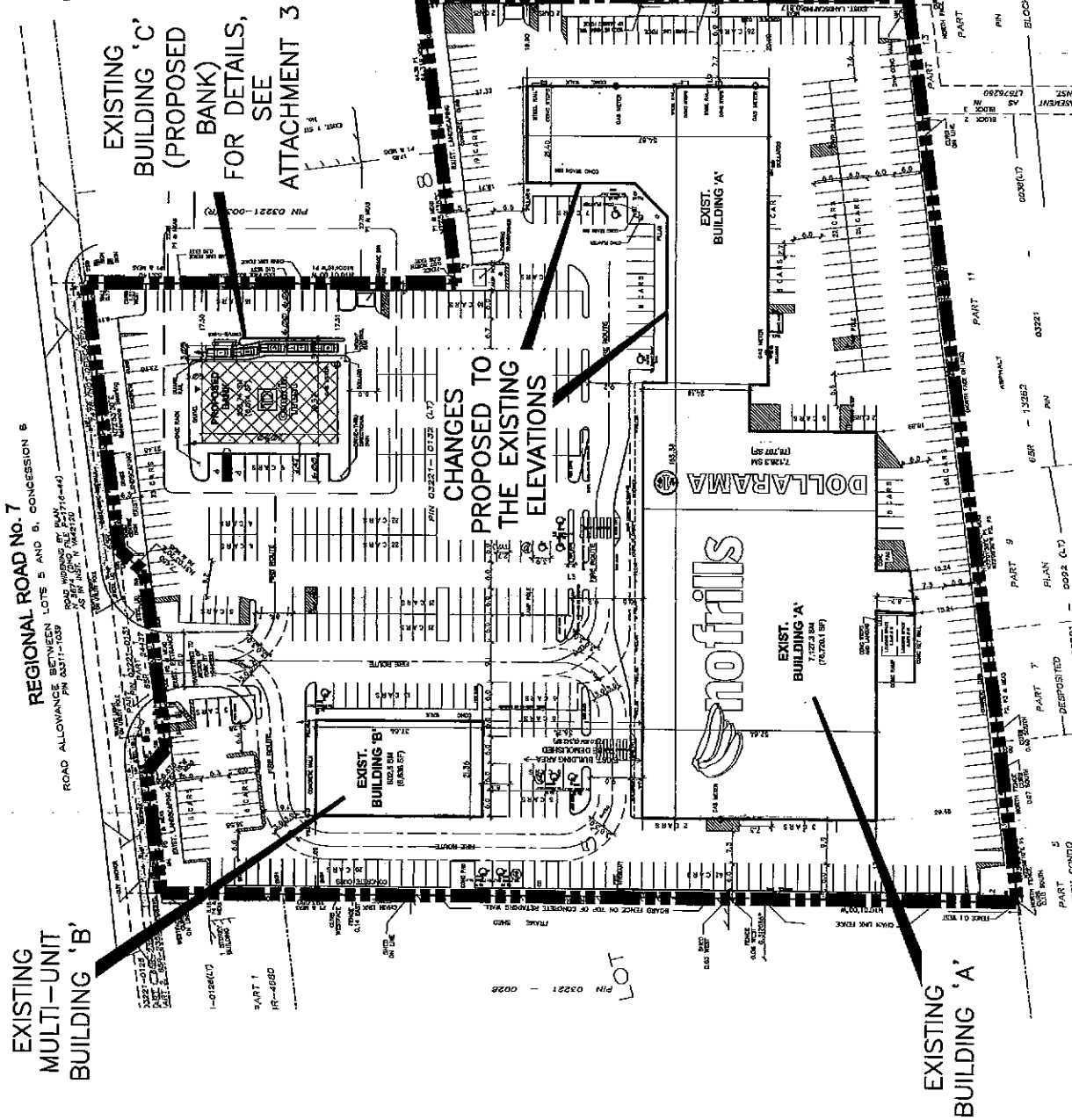
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## Zoning By-Law Amendment

To amend the Zoning By-Law 1-88 specifically the 'C2' General Commercial Zone, subject to Exception 9(778) to permit a drive-through facility associated with a permitted bank use within existing Building 'C' and the following zoning exceptions:

- i) to permit a drive-through accessory to a bank, whereas a drive-through is only permitted with a convenience eating establishment;
- ii) permit a 3.05m wide stacking lane, whereas a minimum of 3.5m is required;
- iii) permit a 5 car stacking lane, whereas there is no general By-Law standard for a drive-through accessory to a bank.



**Subject Lands**  
Not to Scale

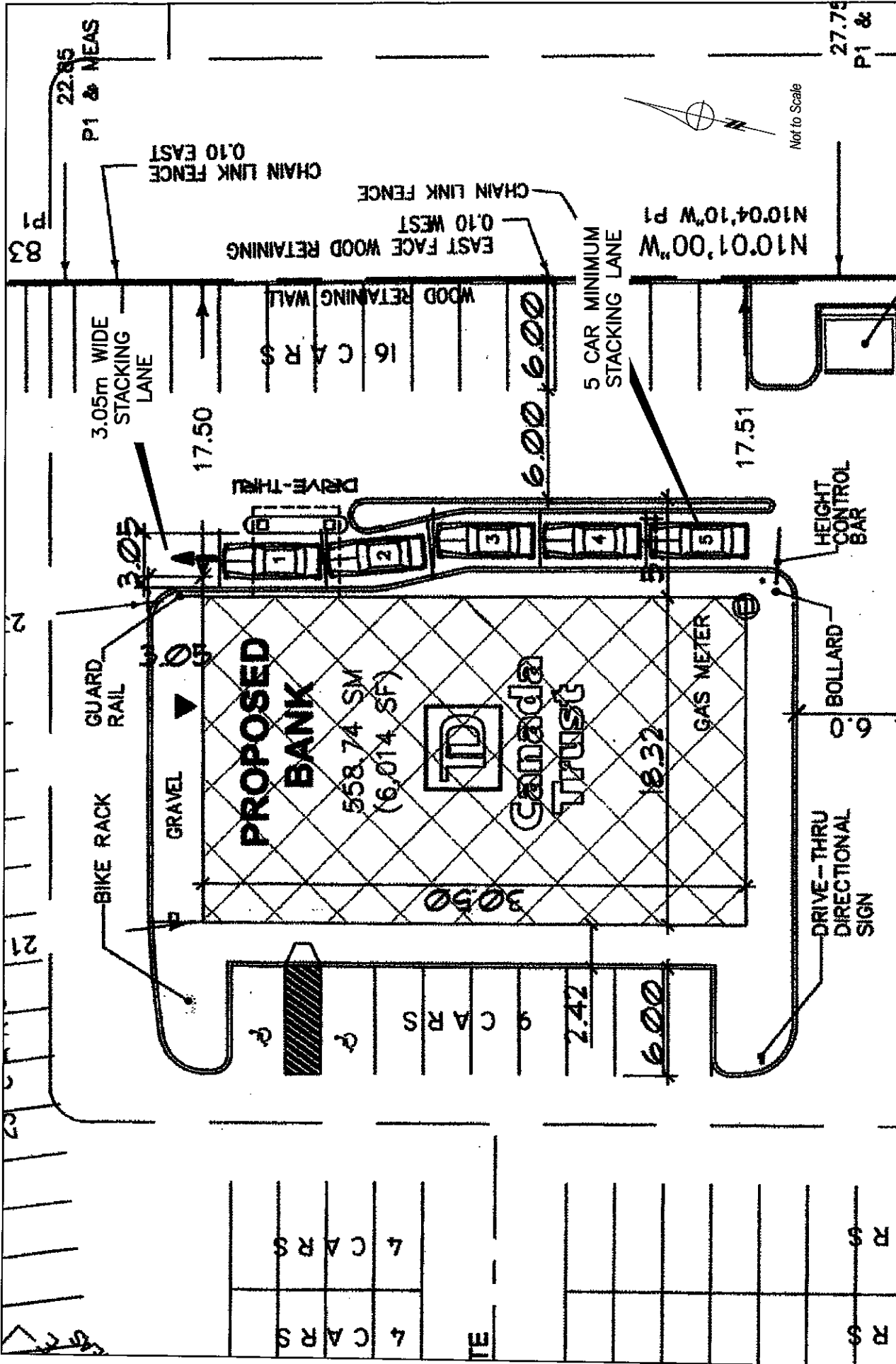
# Attachment 2

FILE No.: Z.09.005  
RELATED FILE: DA.09.013  
March 15, 2009

**City of Vaughan**  
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Development Planning Department

## Overall Site Plan

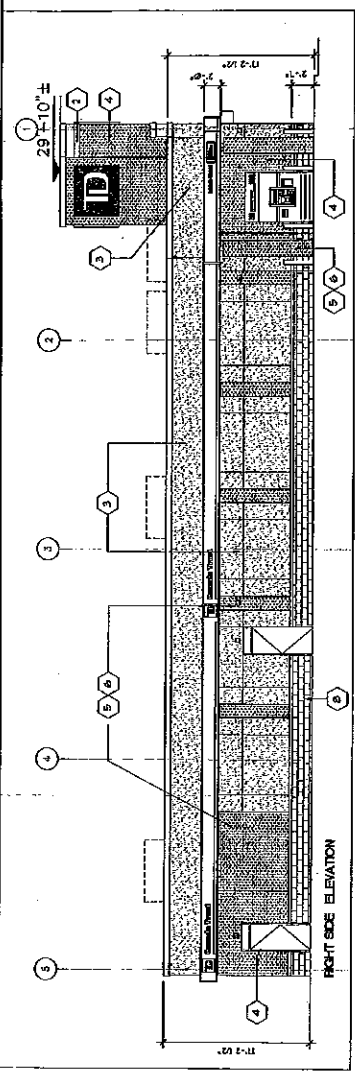
Part of Lot 5,  
Concession 8  
APPLICANT:  
7 MARLI LIMITED  
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**Attachment 3**  
 FILE No.: Z-09.005  
 RELATED FILE: DA.09.013  
 March 15, 2009

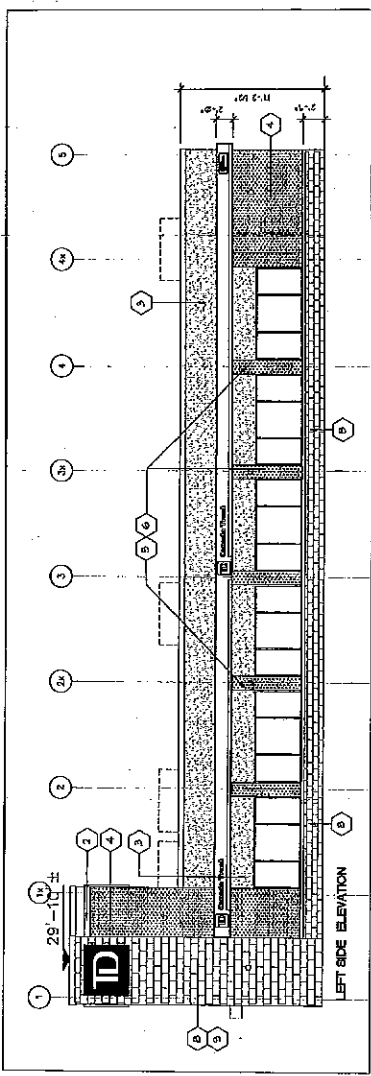
**City of Vaughan**  
*The City Above Toronto*  
 Development Planning Department

**Proposed Drive-Through**  
 APPLICANT: 7 MARLI LIMITED  
 Part of Lot 5, Concession 8  
 NADP\1 ATTACHMENTS\Z-09.005\_dg.00.013.dwg



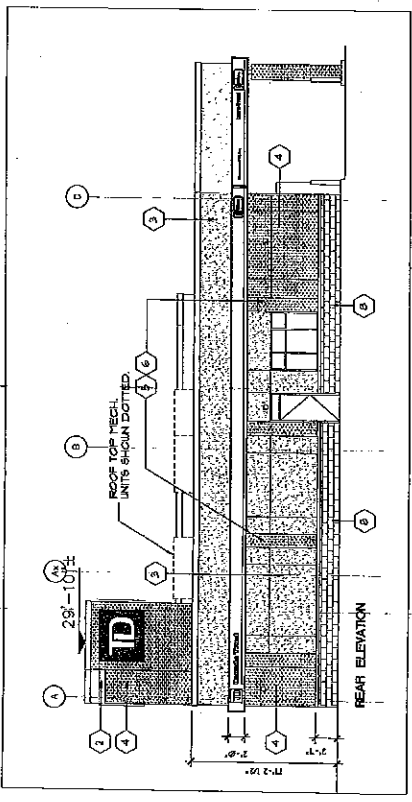
RIGHT SIDE ELEVATION

4 EAST ELEVATION  
SCALE: 3/8"=1'-0"

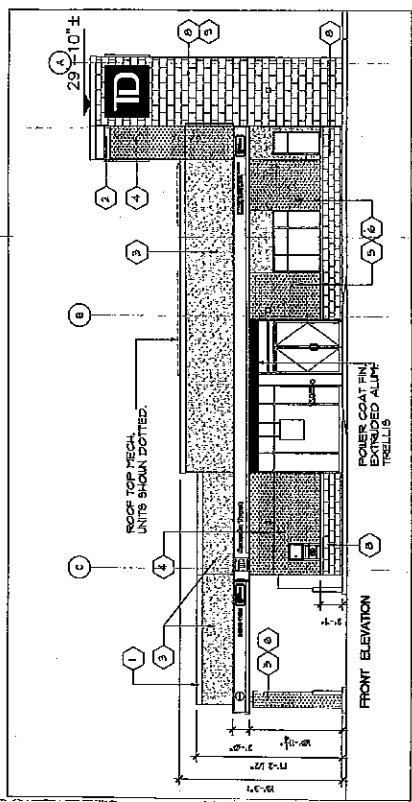


LEFT SIDE ELEVATION

3 WEST ELEVATION  
SCALE: 3/8"=1'-0"



2 SOUTH ELEVATION  
SCALE: 3/8"=1'-0"



1 NORTH ELEVATION  
SCALE: 3/8"=1'-0"

Not to Scale

# Proposed Elevations -Building 'C'

APPLICANT:  
7 MARLI LIMITED

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The City Above Toronto

Development Planning Department

# Attachment 4

FILE No.:  
Z.09.005  
RELATED FILE:  
DA.09.013

March 15, 2009