



File: A019/20

Applicant: 2718435 Ontario Limited

Address: 160 Cidermill Avenue, Unit 10, Vaughan

Agent: Bamdad Baghdadi

Please note that comments received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A



Minor Variance
Application

Agenda Item: 12

A019/20

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, June 11, 2020 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: 2718435 Ontario Limited

Agent: Bamdad Baghdadi

Property: 160 Cidermill Avenue, Unit 10, Vaughan

Zoning: The subject lands are zoned EM1 Prestige Employment Area, under By-law 1-88 as amended.

OP Designation: VOP 2010: “General Employment”

Related Files: None

Purpose: Relief from the by-law is being requested to permit an existing second floor and first floor alterations within Unit 10.

* The personal service shop functions on the first and second floor as a laser hair removal facility and administrative office.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
Not more than one Personal Service Shop is permitted with a maximum gross floor area of 185m2.	To permit a Personal Service Shop with a maximum gross floor area of 263.63m2.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, “A001/17”.

To search property address, enter street number and street name using quotes. For example, “2141 Major Mackenzie”. Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on May 28, 2020

Applicant confirmed posting of signage on May 26, 2020

Property Information	
Existing Structures	Year Constructed
Building	1988
Second Floor	2019

Applicant has advised that they cannot comply with By-law for the following reason(s): The second floor was built before current owners took possession of the property. The intent is to legalize existing second floor.

Adjournment Request: N/A

Building Standards (Zoning Review):
Staff Comments: 107 parking spaces has been calculated by applying 6 spaces per 100m2 of gross floor area for the personal service shop gfa in excess of 185m2.

Building Inspections (Septic):
Please be advised that 160 Cidermill Ave, Unit 10 has an active Complaint file and an active Order to Comply.

Complaint file 19-00302CT was issued on Nov. 04, 2019 for construction without a permit.

Order to Comply 19-110322OB was issued on Nov. 14, 2019 for construction of a mezzanine at rear of unit and offices on the second level has been undertaken prior to obtaining the required Building Permit.

Both the Complaint file and the Order to comply are on hold for further action pending the results of the Committee of Adjustment number A019/20 and the obtaining of the required Building Permit or removal of the unauthorized construction.

Development Planning:
The Owner is requesting permission to continue the operation of a personal service shop (laser hair removal clinic) with a maximum gross floor area ('GFA') of 263.63 m².

The zoning by-law permits a maximum GFA of 185 m². The increase in GFA is from an existing second-floor addition which the previous Owner constructed without obtaining the required approvals. In an effort to legalize the existing second floor the current Owner has applied for a minor variance application. The existing additional GFA, will not impact the adjacent units and does not require any additional parking, as a Personal Service Shop has already been operating.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, subject to a maximum GFA of 263.63 m², as shown on the sketch attached

Development Engineering:
The Development Engineering (DE) Department does not object to variance application A019/20.

Parks, Forestry and Horticulture Operations:
Forestry has no comments at this time.

By-Law and Compliance, Licensing and Permit Services:
No response.

Financial Planning and Development Finance:
The Owner shall pay to the City, the applicable development charges in accordance with the Development Charges By-laws of the City, Region of York, York Region District and York Catholic School Boards at the time of permit issuance.

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Recommended condition of approval:

The Owner shall pay to the City, the applicable development charges in accordance with the Development Charges By-laws of the City, Region of York, York Region District and York Catholic School Boards at the time of permit issuance.

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
None

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
York Region - No concerns or objections

Staff Recommendations:
Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Financial Planning & Development Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaugan.ca	The Owner shall pay to the City, the applicable development charges in accordance with the Development Charges By-laws of the City, Region of York, York Region District and York Catholic School Boards at the time of permit issuance.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until noon on the last business day prior to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting at vaughan.ca/LiveCouncil To make an electronic deputation, residents must contact the Committee of Adjustment no later than noon on the last business prior to the day of the scheduled hearing (see above for contact details).

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will not receive notice.

For further information please contact the City of Vaughan, Committee of Adjustment

Adriana MacPherson
T 905 832 8585 Extension 8360
E CofA@vaughan.ca

Schedule A: Plans & Sketches

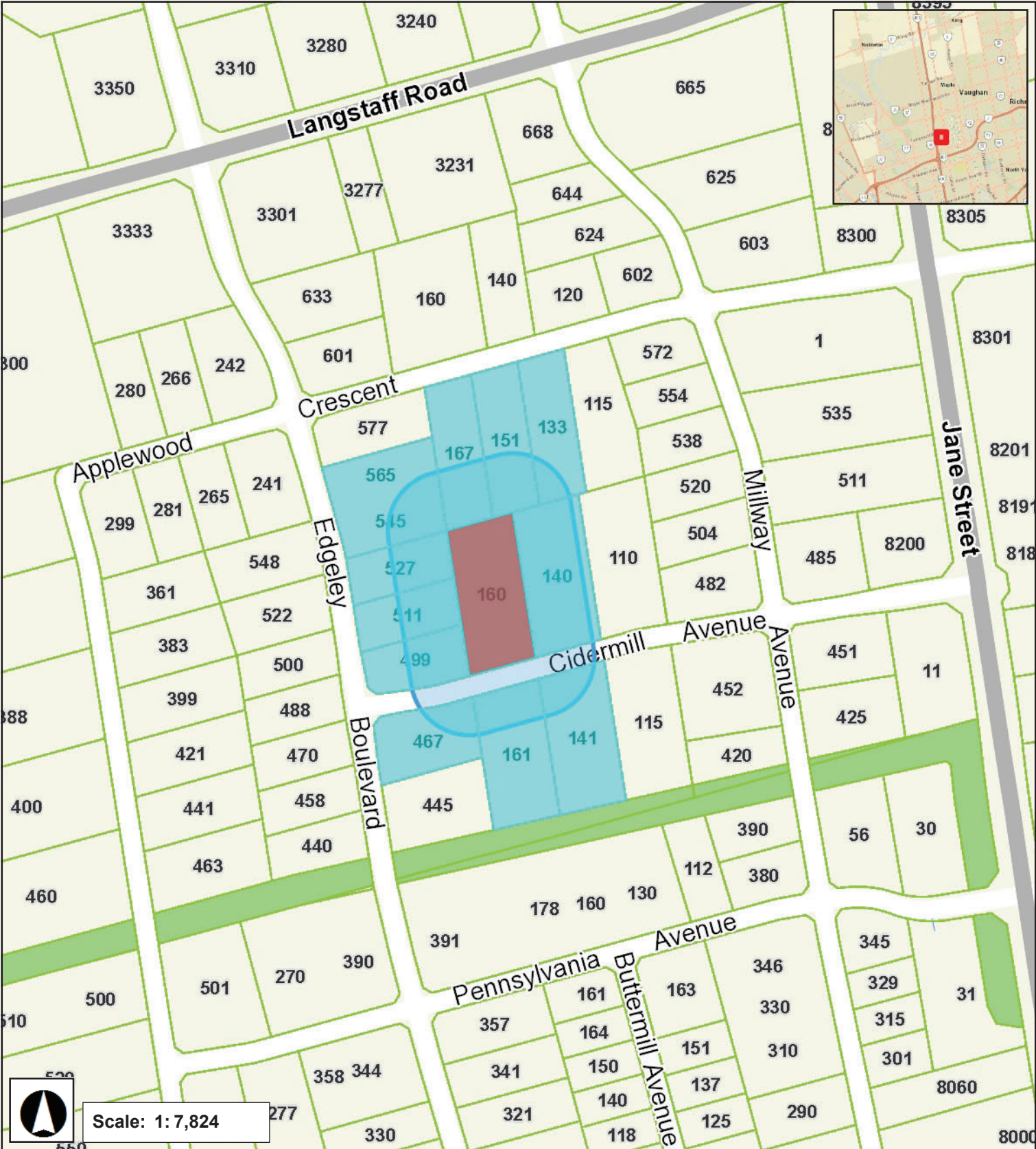
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



A019/20 - Notification Map

160 Cidermill Avenue, Concord



Bamdad (Ben) Baghdadadi
Architect, M.Arch

Phone: 416 456 5197
Email: bhadesignstudio@gmail.com
18 Sommerset Way, Unit 213, Toronto, ON, M2N6X5

SITE PLAN

(A-1) METRIC SCALE : 1:500

To permit a Personal Service Shop with a maximum gross floor area of 263.63m².

TOP. INTERIOR ALTERATIONS AT
CIDERMILL AVENUE
OF VAUGHAN

THE PROPERTY OF BBA DESIGN STUDIO.

DRAWING TITLE	
SITE PLAN	

SCALE:
AS NOTED

DESIGNED BY:
B.B.

DRAWN BY:

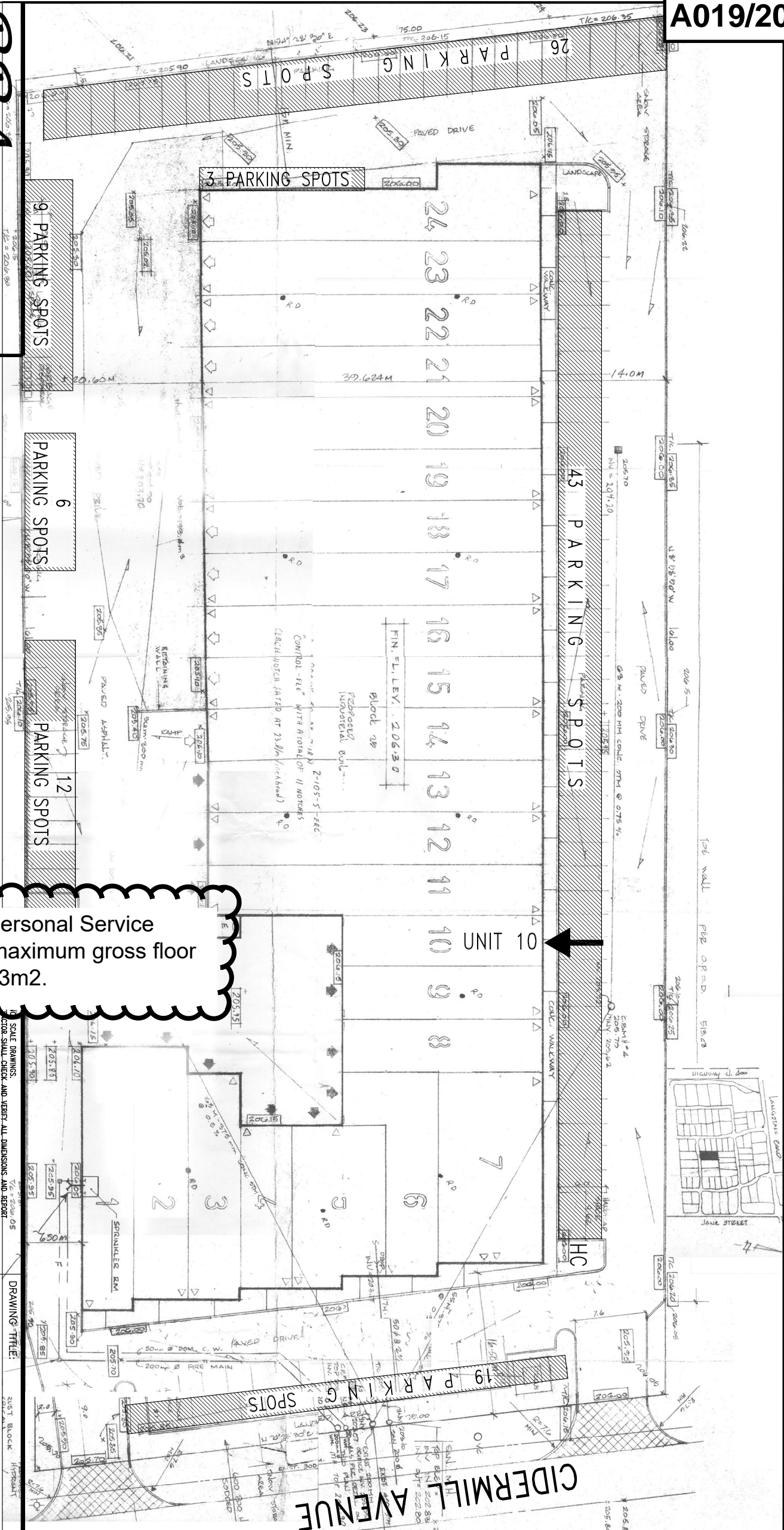
B.B.

APPROVED BY:

B.BAGHDADI

2020-02

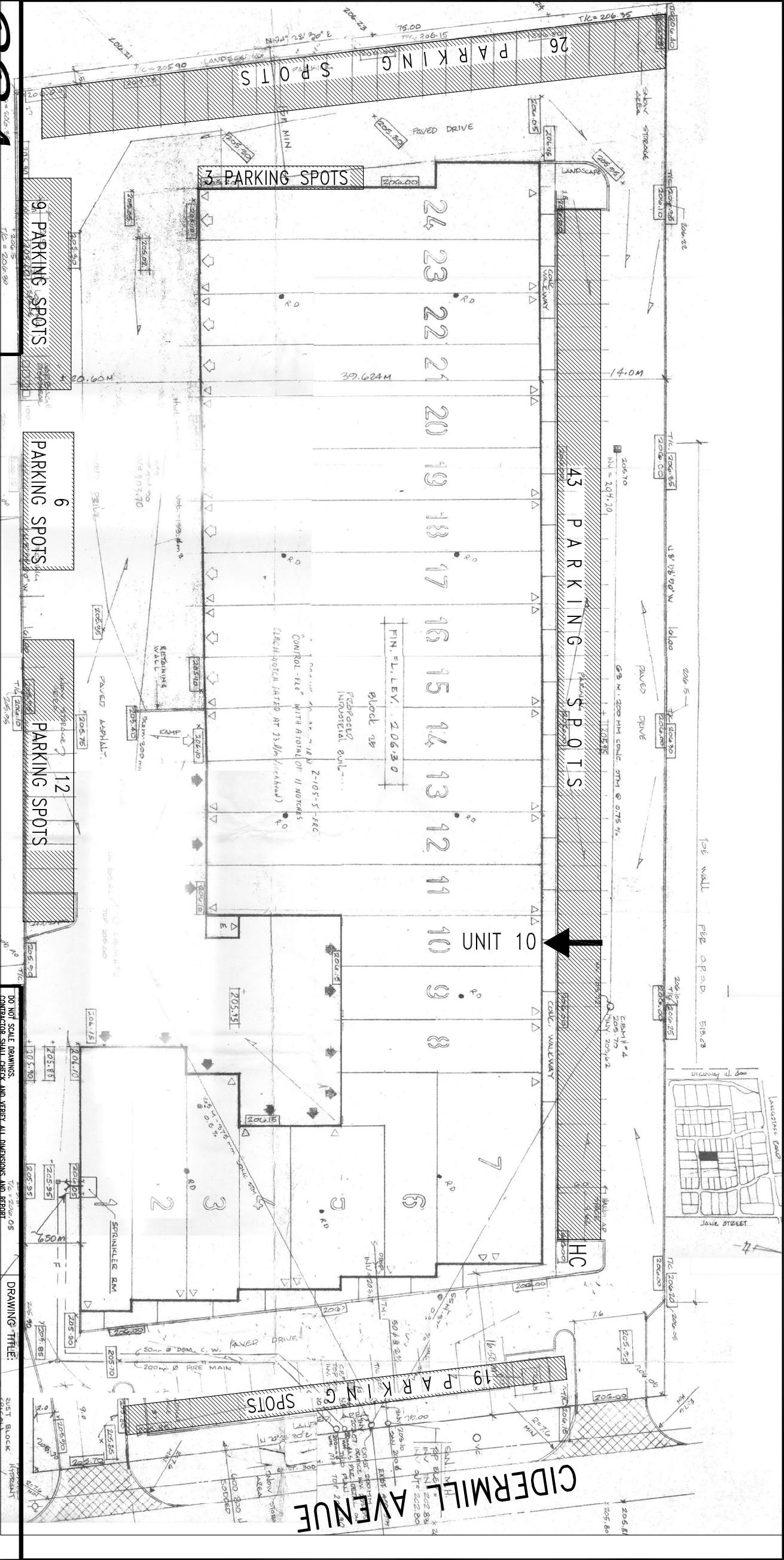
A-1



Phone: 416 456 5197
Email: bhadesignstudio@gmail.com
18 Sommerset Way, Unit 213, Toronto, ON, M2N6X5

Bandad (Ben) Baghdadi
Architect, M.Arch

BBA
Design Studio



1 SITE PLAN

(A-1) METRIC SCALE : 1:500

DO NOT SCALE DRAWINGS.

ANY OMISSIONS OR DISCREPANCIES TO BBA DESIGN STUDIO BEFORE PROCEEDING WITH WORK. ALL PRINTS AND SPECIFICATIONS ARE THE PROPERTY OF BBA DESIGN STUDIO.

PROJECT

PROP. INTERIOR ALTERATIONS AT

160 CIDERMILL AVENUE

CITY OF VAUGHAN

DRAWING TITLE	
SITE PLAN	

SCALE:

AS NOTED

DATE: _____

JAN. 15, 2020

PROJECT No.

DESIGNED BY

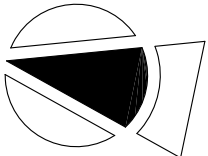
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B.B.

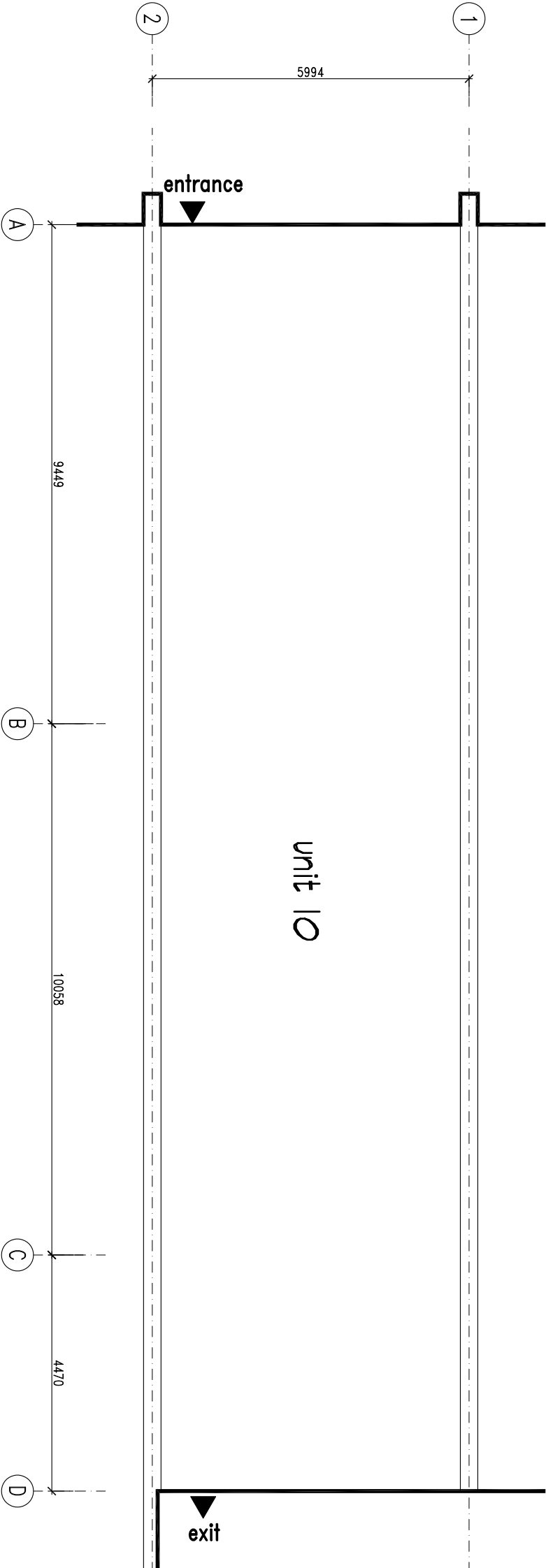
APPROVED BY

B. BAGHDADI

A-



NORTH



unit 10

EXISTING PARKING ON SITE = 118 + 1 HC

LOT AREA = 11,996.3 SQ. m. (129,127.098 SQ. FT.)

SITE STATISTICS	EXISTING	PROPOSED	NEW TOTAL
	m ²	m ²	m ²
FIRST FLR. AREA	143.73	-0-	143.73
SECOND FLR. AREA	84.36	35.54	119.90
TOTAL FLOOR AREA	228.09	35.54	263.63

BBA

Design Studio

Bamdad (Ben) Baghdadi

Architect, M.Arch

Phone: 416 456 5197

Email: bbadesignstudio@gmail.com

18 Somerset Way, Unit 213, Toronto, ON., M2N6X5

UNIT STATISTICS

1
A-1b

METRIC SCALE : 1:100

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PROJECT
PROP. INTERIOR ALTERATIONS AT
160 CIDERMILL AVENUE
CITY OF VAUGHAN

DRAWING TITLE:
UNIT STATISTICS

SCALE:
AS NOTED

DATE:
JAN. 15, 2020

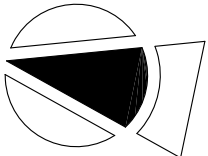
PROJECT No.:
2020-02

DESIGNED BY:
B.B.

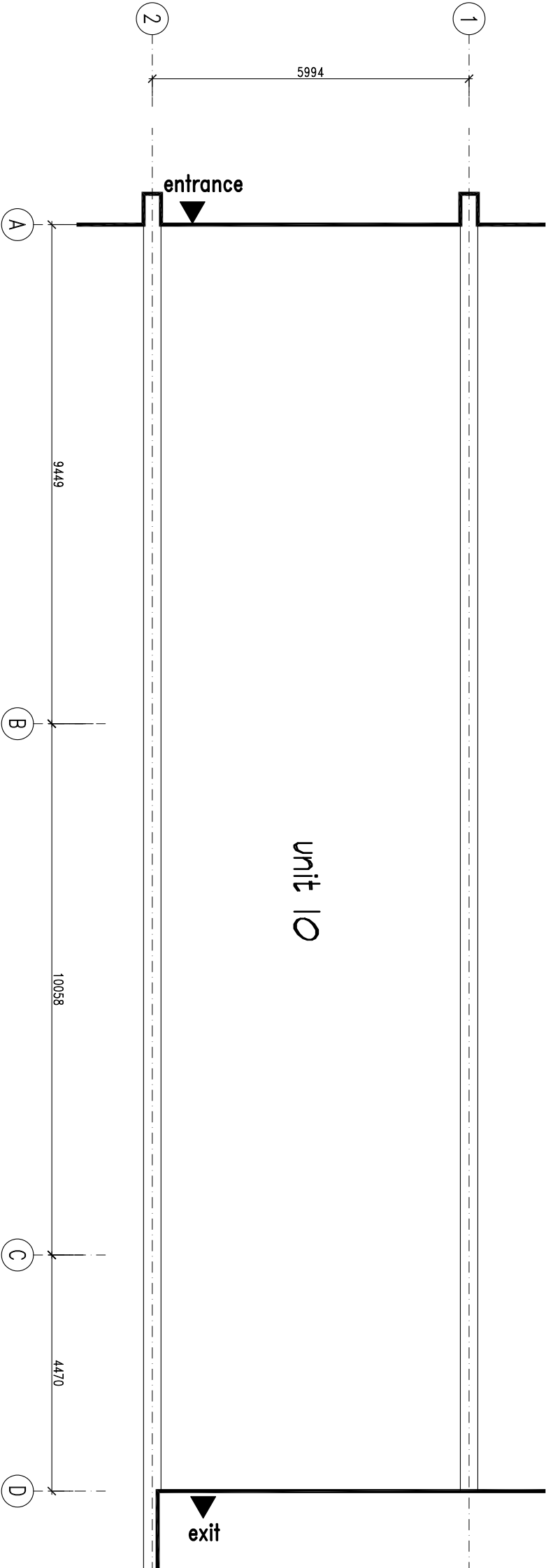
DRAWN BY:
B.B.

APPROVED BY:
B.BAGHDADI

DRAWING No.:
A-1b



NORTH



unit 10

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BBA

Design Studio

Bamdad (Ben) Baghdadi

Architect, M.Arch

Phone: 416 456 5197

Email: bbadesignstudio@gmail.com

18 Somerset Way, Unit 213, Toronto, ON., M2N6X5

UNIT STATISTICS

1
A-1b

METRIC SCALE : 1:100

DO NOT SCALE DRAWINGS.
CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY OMISSIONS OR DISCREPANCIES TO BBA DESIGN STUDIO BEFORE PROCEEDING WITH WORK. ALL PRINTS AND SPECIFICATIONS ARE THE PROPERTY OF BBA DESIGN STUDIO.

PROJECT
PROP. INTERIOR ALTERATIONS AT
160 CIDERMILL AVENUE
CITY OF VAUGHAN

DRAWING TITLE:
UNIT STATISTICS

SCALE:
AS NOTED

DATE:
JAN. 15, 2020

PROJECT No.:
2020-02

DESIGNED BY:
B.B.

DRAWN BY:
B.B.

APPROVED BY:
B.BAGHDADI

DRAWING No.:
A-1b

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
York Region - No concerns or objections

COMMENTS:

- ☐ We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A019/20 - (160 Cidermill Avenue, Vaughan) - REQUEST FOR COMMENT (Vaughan Committee of Adjustment)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: March-31-20 2:46 PM

To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A019/20 - (160 Cidermill Avenue, Vaughan) - REQUEST FOR COMMENT (Vaughan Committee of Adjustment)

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above

Minor variance application and has no comment.

Regards,

Gabrielle

Gabrielle Hurst mcip rpp | Associate Planner, Community Planning and Development Services | Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca