

PARADIGM ARCHITECTURE AND DESIGN
C/O IAN HALLETT
2198 GERRARD ST E
TORONTO ON M4E 2C7

RECEIVED*By Committee of Adjustment at 10:35 am, Dec 13, 2016*

Examiner's Notice

Date: Monday, November 7, 2016

Preliminary Project Review No: 16 236761 ZPR 00 ZR FolderRSN: 4044587

Multiple-Use Building - Other Proposal

Proposed Use: mixed use/craft brewery, retail and restaurant

at 376R DUFFERIN ST

Ward: Parkdale-High Park (14)

Examination of your Request for a Preliminary Project Review has revealed that certain requirements of the Zoning Bylaw Municipal Applicable law have not been satisfied. The attached Zoning Municipal Applicable law Notice provides the details of the review.

Notification of Repeal - Transition Clauses in Zoning By-law 569-2013

Please note that transition clauses in Chapter 2 of City Wide Zoning By-law 569-2013 provide relief from the requirements of the By-law for certain applications filed prior to May 9, 2013. These clauses will expire on May 9, 2018 and your application which may have relied upon the transition clauses may become affected.

Affected applications include but are not limited to:

Building permit applications submitted prior to May 9, 2013 that are not issued prior to May 9, 2018; and Building permit applications submitted after this date which rely upon a transition clause(s) and are not issued prior to May 9, 2018.

Please also note that Zoning Certificate(s) (ZZC) applied for prior to May 9, 2013, for which a building permit has not been issued, may no longer be valid after May 9, 2018. A supplementary ZZC review may be required.

To assist you in determining whether the repeal of the transition clauses impacts your application, the relevant provisions of the By-law can be found at the following link: http://www.toronto.ca/zoning/bylaw_amendments/ZBL_NewProvision_Chapter2.htm

Should compliance with the City's Zoning By-law not be possible, you may apply to amend the Zoning By-law by way of a Zoning Amendment or Committee of Adjustment application. For more information on the Planning process or which application may be more appropriate, you may visit the City of Toronto Web site @ www.toronto.ca/developing-toronto or discuss the matter with City staff by calling (416)392-7565.

Subsequent reviews will require the submission of a new Project Review Request along with payment of the applicable fees.

The Notice is based on plans and documents submitted and the Zoning By-Law in force at the time.

The plans and documents will be held on file for one year from the date of the Notice after which time they be discarded and the Notice becomes invalid.

Should there be changes to the Zoning By-Law or other applicable law prior to the issuance of a building permit you will be required to comply with those changes.

Please refer to your PPR number when you phone in, submit subsequent reviews or submit your building permit application.

Roberto Furguele
Zoning Building Code Examiner

Folder Name: 376R DUFFERIN ST
Application Number: 16 236761 ZPR 00 ZR

Municipal Applicable Law Notice

ITEM DESCRIPTION

Applicable Laws

1. Planning Act-site plan Approval

Applicable Fees

2. DC(Development Charges)

3. EDC(TCDSB Education Dev. Charge)

4. Parkland Dedication/Park Levy

Folder Name: 376R DUFFERIN ST
Application Number: 16 236761 ZPR 00 ZR

Zoning bylaw Notice

ITEM DESCRIPTION

Toronto Zoning by-law

Your property is located in the former municipality of Toronto and is subject to Zoning By-law No. 438-86, as amended. Based on Zoning By-law No. 438-86, the property is zoned I1 D2.

PROPOSAL: Renovation of existing space to include a craft brewery, retail and restaurant with outdoor patio.

The subject property has a municipal address of 376R Dufferin Street.

A 'plan of survey' for the subject property has not been provided. The survey submitted is for the municipal addresses 340, 350 and 360 Dufferin Street and 61 Gwynne Avenue.

A search of our records revealed the existing use of the building at 376R Dufferin Street, to be an industrial/storage building.

A search of our records failed to yield an authorization for at grade parking within the Right of Way, as identified on the site plan submitted to Toronto Building for review. A Right of Way is a private deed restriction. Approvals from the party(ies) having the right-of-way or easement, is required prior to establishing the proposed at grade parking spaces within the right-of-way on the adjacent property.

Note, the existing enclosed loading areas are to be maintained for the manufacturing firm (brewery) from the public lane.

This proposal is subject to Site Plan Approval.

For further zoning review comments, a NEW 'PPR' application is required.

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5. The proposed use, 'restaurant with outdoor patio(s)', is not permitted.
[9(1)(f) - Use Not Permitted]
-
6. The proposed use, 'retail store', is not permitted.
[9(1)(f) - Use Not Permitted]
-
7. Where either limit of a public or private lane, alley, driveway or right-of-way constitutes the boundary or part of the boundary between an I or Tr district and an R district, no person shall, in an I or Tr district, use land or erect or use a building or structure on land that fronts on the lane, alley, driveway or right-of-way for an I or Tr use if the only means of access to the land is by the lane, alley, driveway or right-of-way.
- The building fronts on a lane and the only means of access for the building is from a lane and right-of-way.
[9(3) Part VIII 1 - Fronting of Buildings]
-
8. No person shall, on a lot in an I1 district, erect or use an I building or structure including an accessory loading area that is not wholly enclosed. The proposed patios are not wholly enclosed.
[9(3) Part XI 4 - No I building or structure unless wholly enclosed]
- Note, the proposed patio appears to be located on the adjacent property and/or right-of-way.
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9. The required minimum number of parking spaces for the manufacturing firm (brewery) is 9 spaces. The proposal will have 0 spaces on the lot.
[4(4)(b) - Required Parking]

Note, the parking spaces are located on the adjacent property and on a right-of-way.
