

April 8, 2024

Mr. Michel Bellemare
Secretary-Treasurer
Committee of Adjustment
101 Centrepointe Drive, Fourth Floor
Ottawa, ON K2G 5K7

**RE: Application for Minor Variance
482 Preston Street, Ottawa**

Committee of Adjustment
Received | Reçu le
Revised | Modifié le : 2024-04-09
City of Ottawa | Ville d'Ottawa
Comité de dérogation

Dear Mr. Bellemare,

Fotenn Planning + Design (Fotenn) has been retained by Sabrina Mtanos (the "Owner") to prepare a Planning Rationale in support of a Minor Variance application at 482 Preston Street, Ottawa (the "subject property"). The Minor Variance application is required to provide an outdoor commercial patio within 30 metres of a residential zone, at a height above ground level greater than 2 metres, and to permit amplified sound on the outdoor commercial patio.

The specific relief requested is as follows :

1. Permit an outdoor commercial patio within 14.1 metres of a residential zone, where as Section 85(3)(a) of the Zoning By-law does not permit an outdoor commercial patio within 30 metres of a residential zone;
2. Permit an outdoor commercial patio at an elevation of 5.21 metres above ground level in the TM zone, where as Section 85(6) does not permit an outdoor commercial patio to be located at an elevation higher than 2 metres above ground level in a TM zone; and
3. Permit amplified sound on a commercial patio within 14.1 metres of a residential zone, whereas Section 85(3) of the Zoning By-law does not permit amplified sound on a commercial patio within 30 metres of a residential zone.

As detailed in this report, variances #1 and #2 above were previously approved by the Committee in 2022. One of the conditions of approval was that the patio would not be permitted amplified music, which was already prohibited by Section 85(3) of the Zoning By-law. Variance #3 above seeks to vary from Section 85(3) to permit amplified sound on the commercial patio. Despite previous approvals, as variance #3 would run counter to the conditions of the original approval, in an abundance of caution, this application seeks to permit the same patio as originally approved with the additional permission for amplified sound.

Ottawa
396 Cooper Street, Suite 300
Ottawa, ON K2P 2H7
613.730.5709

Kingston
The Woolen Mill
4 Cataraqui Street, Suite 315
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613.542.5454

Toronto
174 Spadina Avenue, Suite 304
Toronto, ON M5T 2C2
416.789.4530

fotenn.com

Please find enclosed the following materials in support of the application :

- / Completed application forms;
- / This cover letter and Planning Rationale;
- / Architectural Package, dated July 26, 2021, provided by Urban Keios;
- / Noise Study, dated February 9, 2024, provided by State of the Art Acoustik Inc.;
- / A copy of the previous Minor Variance approval, file number D08-02-21/A-00083;
- / Survey, February 12, 2020, provided by Annis O'Sullivan, Vollebekk; and
- / A cheque in the amount of \$3,196.00, made payable to the City of Ottawa.

Sincerely,



Tyler Yakichuk, MCIP RPP
Planner



Jacob Bolduc, MCIP RPP
Associate