

**8. REQUEST TO EXTEND HOURS FOR 283 ELGIN STREET AND FOR ALL
RIGHT OF WAY PATIOS FOR CANADA DAY 2017 CELEBRATIONS -
MOTION**

**DEMANDE DE PROLONGATION DES HEURES D'OUVERTURE POUR LE
283, RUE ELGIN, ET POUR TOUTES LES TERRASSES SUR EMPRISE À
L'OCCASION DE LA FÊTE DU CANADA – MOTION**

COMMITTEE RECOMMENDATION

That City Council:

- 1. Waive the condition that the patio at 283 Elgin Street be required to close by 11 p.m. on June 30, July 1 and July 2, 2017 and extend their patio closing time to 2 a.m.; and**
- 2. Delegate the authority to the General Manager of Planning, Infrastructure and Economic Development, in consultation with the Director of 2017 Operations and Special Events and the local ward Councillor, to temporarily extend the hours for ROW patio permit holders who request permission to extend closure from 11 p.m. to up to 4 a.m. on June 30, July 1 and July 2, 2017, and that such authorization may be subject to terms and conditions imposed by the General Manager of Planning, Infrastructure and Economic Development.**

RECOMMANDATION DU COMITÉ

Que le Conseil municipal :

- 1. lève l'obligation de fermer à 23 h pour la terrasse du 283, rue Elgin les 30 juin, 1^{er} juillet et 2 juillet 2017, et qu'il autorise la prolongation de l'ouverture de ladite terrasse jusqu'à 2 h du matin;**
- 2. délègue le pouvoir au directeur général de la Direction générale de la planification, de l'infrastructure et du développement économique, de concert avec le directeur, Opérations de 2017 et Événements spéciaux et le conseiller du quartier concerné, le pouvoir d'autoriser temporairement les titulaires de permis de terrasse sur emprise qui le demandent à prolonger leurs heures d'ouverture de 23 h à une heure pouvant aller jusqu'à 4 h du matin les 30 juin, 1^{er} juillet et 2 juillet 2017, sous réserve des conditions imposées par le directeur général de la Direction générale de la planification, de l'infrastructure et du développement économique.**

DOCUMENTATION / DOCUMENTATION

- 1. Committee Coordinator's report dated 7 June 2017
(ACS2017-CCS-TRC-0013)**

Rapport du Coordonnatrice du comité, daté le 7 juin 2017
(ACS2017-CCS-TRC-0013)

**Report to
Rapport au:**

**Transportation Committee
Comité des transports
7 June 2017 / 7 juin 2017**

**and Council
et au Conseil
14 June 2017 / 14 juin 2017**

**Submitted on June 7, 2017
Soumis le 7 juin 2017**

**Submitted by
Soumis par:
Kelly Crozier, Committee Coordinator / Coordonnatrice du comité**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-CCS-TRC-0013

**SUBJECT: Request to Extend Hours for 283 Elgin Street and for all Right of Way
Patios for Canada Day 2017 Celebrations - Motion**

**OBJET: Demande de prolongation des heures d'ouverture pour le 283, rue
Elgin, et pour toutes les terrasses sur emprise à l'occasion de la fête
du Canada – Motion**

REPORT RECOMMENDATIONS

That the Transportation Committee recommend that City Council:

- 1. Waive the condition that the patio at 283 Elgin Street be required to close**

by 11 p.m. on June 30, July 1 and July 2, 2017 and extend their patio closing time to 2 a.m.; and

2. Delegate the authority to the General Manager of Planning, Infrastructure and Economic Development, in consultation with the Director of 2017 Operations and Special Events and the local ward Councillor, to temporarily extend the hours for ROW patio permit holders who request permission to extend closure from 11 p.m. to up to 4 a.m. on June 30, July 1 and July 2, 2017, and that such authorization may be subject to terms and conditions imposed by the General Manager of Planning, Infrastructure and Economic Development.

RECOMMANDATIONS DU RAPPORT

Que le Comité des transports recommande au Conseil municipal :

1. qu'il lève l'obligation de fermer à 23 h pour la terrasse du 283, rue Elgin les 30 juin, 1^{er} juillet et 2 juillet 2017, et qu'il autorise la prolongation de l'ouverture de ladite terrasse jusqu'à 2 h du matin;
2. de déléguer le pouvoir au directeur général de la Direction générale de la planification, de l'infrastructure et du développement économique, de concert avec le directeur, Opérations de 2017 et Événements spéciaux et le conseiller du quartier concerné, le pouvoir d'autoriser temporairement les titulaires de permis de terrasse sur emprise qui le demandent à prolonger leurs heures d'ouverture de 23 h à une heure pouvant aller jusqu'à 4 h du matin les 30 juin, 1^{er} juillet et 2 juillet 2017, sous réserve des conditions imposées par le directeur général de la Direction générale de la planification, de l'infrastructure et du développement économique.

BACKGROUND

The Transportation Committee at its meeting of 7 June 2017, approved the following motion, which was added to the agenda pursuant to subsection 89(3) of the Procedure By-law (By-law 2016-377):

WHEREAS, on April 27, 2011, in considering report [ACS2011-ICS-PGM-0078](#), Council approved waiver of the residential encroachment provisions to allow for an outdoor patio

at 283 Elgin Street, on the condition that the patio, when in operation, would be required to close each night by 11 p.m., and that no patrons be permitted in the area after this time; and

WHEREAS the City of Ottawa Right of Way (ROW) Patio By-law (No. 2017-92), Section 7(2), provides that any conditions or requirements related to noise or noise attenuation imposed on a pre-existing front, curbside or streetside patio in a permit granted by the City prior to the coming into force of this by-law (April 12, 2017) shall continue and be imposed on any permit issued under this by-law for such a patio; and

WHEREAS the City has received a request to waive the condition that the outdoor patio at 283 Elgin Street be required to close by 11 p.m. on June 30, July 1 and July 2, 2017 and extend their patio closing time to 2 a.m.; and

WHEREAS the City of Ottawa Right-of-Way (ROW) Patio By-law (No. 2017-92), Section 7(3) also provides that the ROW patio within 30 metres of any property zones as residential or mixed residential/commercial is required to close each night by 11 p.m., and that no patrons be permitted in the area after this time; and

WHEREAS the City is celebrating Canada's sesquicentennial on July 1, 2017, and wishes to delegate the authority to the General Manager of Planning, Infrastructure and Economic Development, in consultation with the Director of 2017 Operations and Special Events and the local ward Councillor, to temporarily extend the hours for all ROW patio permit holders upon their request;

THEREFORE BE IT RESOLVED that Transportation Committee recommend that City Council waive the condition that the patio at 283 Elgin Street be required to close by 11 p.m. on June 30, July 1 and July 2, 2017 and extend their patio closing time to 2 a.m.; and

THEREFORE BE IT FURTHER RESOLVED that Transportation Committee recommend that City Council delegate the authority to the General Manager of Planning, Infrastructure and Economic Development, in consultation with the Director of 2017 Operations and Special Events and the local ward Councillor, to temporarily extend the hours for ROW patio permit holders who request permission to extend closure from 11 p.m. to up to 4 a.m. on June 30, July 1 and July 2, 2017, and that such authorization may be subject to terms and conditions imposed by the General Manager

of Planning, Infrastructure and Economic Development.

DISCUSSION

The Committee unanimously supported the aforementioned motion and agreed that it would be presented to Council on 14 June 2017.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendations in this report.

CONSULTATION

No consultation was undertaken as this item was added at the meeting.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor McKenney is in support of the motion.

ADVISORY COMMITTEE(S) COMMENTS

This report was not circulated for comment as it was added at the meeting.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendation in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with implementing the recommendations of this report.

ACCESSIBILITY IMPACTS

There are no impacts to accessibility associated with this report.

TERM OF COUNCIL PRIORITIES

This is not applicable to the recommendation in this report.

DISPOSITION

Following Council approval, staff in the Planning, Infrastructure and Economic Development will work with the Director of 2017 Operations and Special Events and the local ward Councillor to consider ROW patio permit holders' requests to temporarily extend their hours and, upon authorization of a request, to impose appropriate terms and conditions.