

**MINOR VARIANCE APPLICATION**  
**Under Section 45 of the *Planning Act***

**To be held on Wednesday, August 1<sup>st</sup>, 2018, starting at 1:00 p.m.**  
**Ben Franklin Place, The Chamber, Main Floor, 101 Centrepointe Drive**

**File No.:** D08-02-18/A-00233  
**Owner(s):** Tina Tyrell  
**Location:** 3 Irving Avenue  
**Ward:** 15 - Kitchissippi  
**Legal Description:** Lot 3, Reg. Plan 73  
**Zoning:** TM11  
**Zoning By-law:** 2008-250

**PURPOSE OF THE APPLICATION:**

The Owner wants to establish an outdoor commercial patio for the Tooth and Vail Brewing Company. It is proposed to install a 33 square metre, twenty-six-seat patio, as shown on plans filed with the Committee.

**RELIEF REQUIRED:**

In order to proceed, the Owner requires the Authority of the Committee for a Minor Variance from the Zoning By-law to permit an outdoor commercial patio to be located within 7.16 metres of a residential zone (adjacent lands to the south-east of the subject property), whereas the By-law prohibits an outdoor commercial patio in any yard facing or abutting a residential zone or abutting a yard or lane facing or abutting a residential zone unless it is located a minimum of 30 metres from the residential zone

**THE APPLICATION** indicates that the Property is not the subject of any other current application under the *Planning Act*.