

ITEM	7
MANAGER'S REPORT NO.	46
COUNCIL MEETING	94/08/08

TO: CITY MANAGER

DATE: AUGUST 3, 1994

FROM: CITY SOLICITOR

RE: REZONING BYLAW NO. 9883, TABLED AT
RECONSIDERATION AND FINAL ADOPTION JULY 25, 1994

PURPOSE: To respond to Council's request for an opinion.

Recommendation:

1. THAT Council receive this report for information.

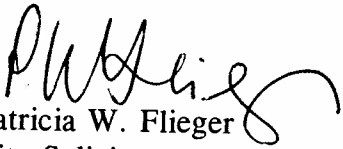
REPORT

Two items dealing with the development of Bridge Business Park appeared on the Agenda for the Council Meeting July 25, 1994. One was Reconsideration and Final Approval of Bylaw No. 9883 which contains the Development Guidelines for a major portion of Bridge Business Park at 3890 Loughheed Highway. One of the Guidelines prohibits restaurants other than as accessory uses. The second item was a specific rezoning application for one of the sites in the Bridge Business Park containing a proposal for two restaurants.

Council expressed some level of approval of the restaurant proposal and tabled the Bylaw containing the restaurant prohibition to ascertain whether an amendment to the Bylaw was required at this time.

In my view Council can give Final Approval to Bylaw No. 9883 and instruct staff to prepare and present an amendment to the Bylaw that removes the prohibition against free standing restaurants. The amendment could be general and thus allow restaurants in any site in the business park or it could be limited to the site affected by the application considered on July 25, 1994.

If Council decides to limit the location of restaurants to the one site, the amendment to the Guidelines could be dealt with in the Rezoning Bylaw for that site. If restaurants are to be permitted at any location, a separate amending bylaw should be prepared.


Patricia W. Flieger
City Solicitor

PWF:sb
c.c. Director Administrative & Community Services
Director Planning & Building