

TO: CHIEF ADMINISTRATIVE OFFICER **DATE:** 2021 September 25
FROM: DIRECTOR ENGINEERING **FILE:** 37500 - 14

SUBJECT: EXTENSION OF ACTIVE SIDEWALKS PROGRAM TO SUPPORT BURNABY BUSINESSES

PURPOSE: To inform Council of the proposed extension of the Active Sidewalks Program to 2022 June 01 only in areas with minimal impact to traffic and traffic safety.

RECOMMENDATION:

1. **THAT** Council receive this report for information. This report outlines the proposed extension of offsite pandemic response measures (Active Sidewalks Program) to 2022 June 01 in areas with minimal impact to traffic and traffic safety as determined by the Director Engineering.

REPORT

1.0 INTRODUCTION

The Provincial Health Officer set out restrictions and guidelines regarding physical distancing to help stop the spread of COVID-19. As part of the response, the City created the Active Sidewalks Program to help businesses maintain physical distancing while continuing operations and providing services. Many businesses used the Active Sidewalks program to create outdoor patio seating on sidewalks and road allowance. The Active Sidewalks Program expires 2021 October 31, but there are examples where these patios have helped businesses meet pandemic restrictions with minimal impact to traffic and traffic safety. Staff intend to extend the Active Sidewalks Encroachment Agreements to 2022 June 01 only in areas where there is minimal impact to traffic and traffic safety. This extension will provide businesses and staff time to create a permanent Active Sidewalk program without disruption to the expanded service areas.

2.0 POLICY SECTION

Goal

- A Safe Community
 - Emergency preparedness – Enhance plans, procedures and services so that we are better prepared to respond to emergencies and are able to maintain City services

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- Transportation safety –
Make City streets, pathways, trails and sidewalks safer
- A Dynamic Community
 - Economic opportunity –
Foster an environment that attracts new and supports existing jobs, businesses and industries

3.0 OFF SITE

On 2020 May 22, the Liquor and Cannabis Regulation Branch (LCRB) approved a new Policy Directive to issue Temporary Expanded Service Area authorizations (TESA) to food primary, liquor primary, and manufacturing licences. This authorization has permitted licensees to temporarily expand their service areas to serve liquor, provided that the approved patron capacity of the establishment remains unchanged. At the time it was determined that the TESA provision in the Liquor Control and Licencing Regulations (LCLR) would be repealed on 2021 October 31.

To support the implementation of the LCRB policy, staff have been granting encroachment agreements through the Active Sidewalks Program to allow temporary use of sidewalks and road allowance for expanded service areas. The encroachment agreements are in effect until 2021 October 31. This date was determined to be in line with the TESA provisions in the LCLR.

On 2021 June 15, the LCRB approved a new Policy Directive to defer the repeal of TESA provision in the Regulation until 2022 June 01. The purpose of this extension is to:

- support the delivery of the Minister of Public Safety and Solicitor General’s mandate commitment to make TESA authorization permanent; and
- provide additional time for licensees to apply to LCRB and the local governments for a permanent expansion to service areas, and reduce the risk of disruption in the use of the expanded service areas during the application process.

To continue to support businesses and establishments in Burnaby and facilitate the implementation of the LCRB’s recently approved policy, staff intend to extend the Active Sidewalks encroachment agreements to 2022 June 01 only in areas where there is minimal impact to traffic and traffic safety at the discretion of the Director Engineering.

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As previously noted, one of the purposes of this extension is to allow businesses and establishments to apply for a permanent expanded service area without any disruption to their services. Any service area that will continue to be used after 2022 June 01 will be required to meet the applicable requirements of a permanent Active Sidewalks program that staff are currently developing and will seek Council approval for before 2022 June 01.

4.0 RECOMMENDATION

Staff recommend that Council receive this report for information. Given the success of the use of sidewalks and road allowance for expanded business service areas for pandemic reopening measures, staff are working on developing requirements for a permanent Active Sidewalks Program in areas with minimal impacts to traffic and traffic safety. Staff will extend Active Sidewalks encroachment agreements to 2022 June 01 at the discretion of the Director Engineering.



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DIRECTOR ENGINEERING

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Copied to: Director Planning & Building
Director Public Safety and Community Services
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