

5. Re: Sub-lease of Water Lot 6317
New Westminster District
Macmillan Bloedel Limited

The Municipality obtained a 21 year lease over the subject water lot from the North Fraser Harbour Commissioners on October 17, 1951. Under the terms of the lease, the water lot is to be used as a "log sorting and booming grounds", and has been used as such since its inception. Macmillan Bloedel Limited and Weldwood of Canada Limited, under sub-lease arrangements with the Municipality, currently occupy the water lot area.

The Municipal Clerk has received a letter from the Secretary of the North Fraser Harbour Commissioners advising that:

1. The Municipality's lease over the subject water lot, issued for a term of 21 years commencing October 17, 1951, is due to expire on October 16, 1972.
2. Several years ago the Commissioners adopted a policy whereby the issuance of all new leases as well as the renewal of all existing leases are to be extended only to the actual user or occupier of water lot lease areas. The adoption of this new policy concluded the former practice of issuing leases in the name of the riparian upland property owner and subsequently consenting to sub-leases in favour of the actual user or occupier.

In compliance with the new policy, the Commissioners are unable to invite an application from the Municipality for a renewal of this lease. They will, however, give first consideration to lease applications from the present occupants for their continued occupation of their respective areas. Such leases would be on a year to year basis and would be subject to the written consent of the riparian upland property owner (the Municipality).

The Municipal Council on June 26, 1972 approved of an extension of the sub-lease of lots 186 and 187, Water Lot 6317, to Weldwood of Canada Limited, from May 15, 1972 to October 16, 1972. We have now received a request dated July 13, 1972 from Mr. S.H. Dean, Properties Division, Macmillan Bloedel Industries Limited (see attached) for a renewal of the sub-lease of the balance of Water Lot 6317 and to our consent to the issuance of the lease by the North Fraser Harbour Commissioners to Macmillan Bloedel Industries Limited for log booming and sorting purposes for the same Water Lot as covered by our present sub-lease arrangement, for the one year period commencing October 17, 1972.

The Land Agent has reviewed Mr. Dean's request and advises that he has no objection to the extension being granted subject to the same rental, terms and conditions, as were in the original lease.

RECOMMENDATION:

THAT the sublease of Water Lot 6317 to Macmillan Bloedel Industries Limited be extended from May 15, 1972 through to October 16, 1972, providing that the rates and conditions be the same as applied to previous leases; and

THAT the Municipality consent to the issuance of the lease by the North Fraser Harbour Commissioners to Macmillan Bloedel Industries Limited, for log booming and sorting purposes, over that portion of Water Lot 6317 covered by our present sublease arrangement, for the one year period commencing October 17, 1972; and

THAT the North Fraser Harbour Commissioners be advised accordingly.

ITEM 5
MANAGER'S REPORT NO. 48
COUNCIL MEETING July 31/72

RECEIVED IN
ASSESSMENT

MacMillan Bloedel Limited



FILE
JUL 14 1972
REPLY

1075 West Georgia St.
Vancouver 5, B.C. Canada
Cable Address: "Harmac" Telephone: 683-6711
Telex No. 0451471 Area Code: 604

Our File: P 215

| DATE | INITIALS | REMARKS |
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Please address replies to
Properties Division

July 13, 1972

The Corporation of the
District of Burnaby,
4949 Canada Way,
Burnaby, B.C.

Dear Sirs:

Re: Sublease, Water Lot 6317,
New Westminster District

We note that our sublease of the above described water lot expired May 14, 1972, and that application for renewal was apparently overlooked.

It is further noted, referring to a letter to yourselves from the North Fraser Harbour Commissioners, dated March 27, 1972, that your head lease with the Commission will expire October 16 next.

In view of the Harbour Commission's policy regarding the issuance of leases to the "user" or "occupier", it is our understanding that the Commission will not be renewing the head lease with the Corporation, but rather would entertain an application for a lease from this company, subject to the written consent of the Corporation as the riparian upland owner.

Under these circumstances we request that you accept this letter as our application for:

- a) Renewal of the sublease between the Corporation of the District of Burnaby and MacMillan Bloedel Industries Limited for the period May 15, 1972 to October 16, 1972.
- b) Your consent to the issuance of a lease by the North Fraser Harbour Commissioners to MacMillan Bloedel Industries Limited, for log booming and sorting purposes, over that portion of L. 6317 covered by our present sublease arrangement, for the one year period commencing October 17, 1972.

We trust that you will give this matter your favourable consideration and advise.

Yours very truly,

MacMILLAN BLOEDEL INDUSTRIES LIMITED

S.H. Dean
Properties Division