

ITEM 23

MANAGER'S REPORT NO. 55

COUNCIL MEETING July 23/73

23. Re: Rezoning Reference #53/70 - Totem Motel
(Item 14, Report 53, July 16, 1973)

Mr. A.F.C. Hean, Solicitor for the owners of the Totem Motel, has spoken to the Municipal Manager and expressed strong concern over the wording and the inference, in his opinion, in the following sentence which appeared in the last paragraph of Report Item #14:

"In summary, we are unable to corroborate the allegations made by Mr. Hean relating to instructions to withdraw the application and later assurance that it had been withdrawn."

Lest there be any doubt as to the intent of the statement, it should be clearly understood that the conclusion cited was based on discussions only with our staff and a thorough examination of only our file records. The statement was not intended to imply that we had done further checking by our staff of the references Mr. Hean quoted in his earlier submission. The letter of direction from the Municipal Clerk's Office as a result of the Council Meeting of July 9, 1973, reads, "The Council directed that you (Planning Director) submit a report indicating why the statements in question were not confirmed in writing by your Department." That is to say, no direction was given that the staff were to contact Mr. Hean's suggested references and so they were not contacted.

For the record then, and greater clarity, the sentence may be restated:

"In summary, after discussion with only our staff and examination of only our file records, we are unable to corroborate the allegations made by Mr. Hean relating to instructions to withdraw the application and later assurance that it had been withdrawn; to the best of our information no such action took place."

RECOMMENDATION:

THAT a copy of this report be sent to Mr. A.F.C. Hean.