

ITEM 2

MANAGER'S REPORT NO. 81

COUNCIL MEETING Dec. 15/75

Re: EXTENSION OF LEASE - LOWER MAINLAND ST. LEONARD'S SOCIETY

Attached is a copy of a letter dated September 16, 1975 from Oliver, Waldock & Richardson requesting renewal of the subject annual lease which involves Municipal property at 6375 Roberts Street.

The original lease was executed on September 1, 1967. It was for a 3-year term, with provision for subsequent 1-year extensions subject to the approval of Council. It has been extended since 1970 in 1-year terms. The previous lease expired on September 1, 1975.

The annual rental is \$1.00 payable in advance of the first day of September. The Lessee covenants to pay taxes, keep the house in good repair, pay utilities, etc. The Society also agrees to indemnify and save harmless the Municipality from and against all claims brought in any manner based upon the execution of the lease or any consequence thereof.

Up until 1975, the St. Leonard's Society received grants in lieu of taxes or tax exemption, as the case may be, on its property at 5757 Willingdon Avenue and the property leased from the Municipality at 6375 Roberts Street. On September 29, 1975 (Manager's Report No. 61, Item 11), tax exemptions were denied the Society by Council for application to the year 1976 because this organization, and a number of others like it, is supported by the Province of B.C.

Subsequent to the receipt of Oliver, Waldock & Richardson's letter referred to above, the Society was informed of Council's decision of September 29, 1975. Oliver, Waldock & Richardson acknowledged this information. If the Society runs into difficulty in securing adequate funding from the Province, Council may, at a later date, be faced with a request for a grant. It will be some time before this becomes known.

The Land Agent has no objections to renewal of the lease subject to the same terms and conditions as applied in the previous lease. The Human Resources Administrator advises that:

"This home has been operating as a short-term placement resource for juveniles between the ages of 13 to 16. Basically, this home functions as a receiving and assessment facility and allows time for further planning based upon the needs of the children. This home has also been very useful as an emergency placement resource. St. Leonard's Society Roberts Street home is providing a valuable service in our community and we are recommending renewal of the lease rental."

An inspection by the Fire, Building and Health Departments has disclosed that the premises are at this time in contravention of Municipal by-laws. However, the Society is proceeding to make the necessary repairs at its own expense as required by Section 2 of the lease agreement (the Society is requesting the Provincial Government to pay for the cost of repairs, which incidentally, will be approximately \$4,000.00).

The Director of Planning advises that the subject property will eventually be required for assembly purposes because it is located in an area that is designated for Administrative-Assembly District development.

RECOMMENDATIONS:

1. THAT approval be given to renewal of the subject lease for one year on the same terms and conditions as were written into the previous lease agreement, subject to the condition that St. Leonard's Society undertakes to have the premises repaired and thereby brought into compliance with all applicable Municipal by-laws; and
2. THAT the request for a grant equal to taxes be denied.

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OLIVER, WALDOCK & RICHARDSON

H.A.D. OLIVER
 (ALSO OF THE ALBERTA BAR
 AND SOLICITOR OF THE
 SUPREME COURT OF ENGLAND)
 HUMPHREY E. WALDOCK
 JOHN O. RICHARDSON
 STUART CLAIR MACLEAN
 ASSOCIATE COUNSEL
 PETER HART

BARRISTERS & SOLICITORS

1011 THE BURRARD BUILDING
 1030 WEST GEORGIA STREET

VANCOUVER, B. C.
 V6E 3B5

TELEPHONE 681-5232
 AREA CODE 604
 CABLE ADDRESS "ACQUIT"

September 16th, 1975

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

Attention: Mr. E. W. Grist
 Land Agent

Dear Sirs:

re: St. Leonard's Society Half-Way
 House, 6375 Roberts Street,
 Burnaby, B.C.
 Lease Renewal

We would be most grateful if you would let us have a renewal of the above lease for execution by the officers of the St. Leonard's Society.

We would also be most grateful if you would arrange for the Council to consider a grant in lieu of taxes.

Yours very truly,

OLIVER, WALDOCK & RICHARDSON

HEW/dwb

RECEIVED
 SEP 19 1975
 Corporation of Burnaby
 Lands Department

Per:

[Handwritten Signature]