

RE: HART MANSION - 5055 SPERLING AVENUE
TDAC RESTAURANT PROPOSAL

ITEM 13
MANAGER'S REPORT NO. 60
COUNCIL MEETING 84/10/01

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1984 September 26

FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our file: 10.382

SUBJECT: HART MANSION - 5055 SPERLING AVENUE
TDAC RESTAURANT PROPOSAL

RECOMMENDATIONS:

1. THAT further negotiations with TDAC Management Corporation for the lease of the Hart Mansion for a restaurant at 5055 Sperling Avenue be terminated.
2. THAT The Burnaby Chamber of Commerce be given the opportunity to explore the feasibility of their proposal of establishing a Faculty/Businessmen's Club at the Hart Mansion.

SUMMARY:

After several attempts the Municipality has not received the required deposit from TDAC for the proposed Hart Mansion restaurant. This report recommends that further negotiations with TDAC for the lease of the Mansion be terminated and that an alternate proposal from The Burnaby Chamber of Commerce for the use of the Mansion as a Faculty/Businessmen's Club be explored by them.

R E P O R T

1.0 BACKGROUND & PURPOSE:

On 1984 March 26, Council authorized staff to finalize a Lease Agreement with TDAC Management Corporation for the Hart Mansion Restaurant. In accordance with the Proposal Call Terms of Reference a deposit of \$20,000.00 was required from TDAC. After several written requests, the deposit has still not been received. The purpose of this report is to review the status of the TDAC proposal and to determine a future course of action for the use of the Hart Mansion.

2.0 STATUS OF THE TDAC PROPOSAL

The proposed rezoning of the property from R1 (Residential District) to CD (Comprehensive Development District) to accommodate the restaurant has received two readings.

Up to this point staff has exercised a considerable degree of patience with TDAC. This approach has reflected a desire to help nurture this proposal to a successful completion by undertaking negotiations in a cooperative atmosphere. This approach was mentioned by members of Council as the favoured one at its meeting of 1984 January 30.

To assist TDAC, staff has undertaken several reviews and redrafts of the lease and servicing agreement and has also worked at length with them in meeting the requirements for Building Permit and Preliminary Plan Approval.

The lease and servicing agreements have been negotiated to the extent that staff were prepared to forward them to Council for consideration. However, TDAC has been extremely slow in preparing drawings for Building Permit and PPA. To date no substantial drawings have been prepared or applications made.

Following Council's authorization to finalize a lease agreement with TDAC on 1984 March 26, a written request for the \$20,000 deposit was made to TDAC on 1984 March 29 and again on 1984 July 13. Due to the lack of progress on the part of TDAC in working towards the completion of the project a firm date of 1984 September 14 for the receipt of the \$20,000 deposit was presented to TDAC and agreed to on 1984 August 23. On 1984 September 14, a representative of TDAC requested the deadline be extended until such a time as the required deposit funds could be secured. The Municipal Manager's office was in direct contact with TDAC on 1984 September 19. At that time the Municipal Manager's office agreed with TDAC to extend the deadline of the deposit to 1984 September 26. The deposit has again not been received. TDAC has requested a further extension of 30 days from the Municipality.

Given the passage of six months since the initial request for the deposit, TDAC's failure to meet the previously agreed to deadlines and their disappointing lack of progress, staff is not prepared to support an extension.

3.0 A PROPOSAL BY THE BURNABY CHAMBER OF COMMERCE

During Staff's deliberations with TDAC, The Burnaby Chamber of Commerce expressed interest in assisting in putting together a proposal for the use of the Hart Mansion as a Faculty and Businessmen's Club. It was indicated to Council at that time that in the event TDAC were unable to follow through with their proposal, Staff would inform the Burnaby Chamber of Commerce in order that they may examine the feasibility of presenting a proposal for the use of the Hart Mansion as a Faculty/Businessmen's Club.

Given the fact that TDAC has been unable to secure the requisite deposit and has not progressed to any appreciable degree on its Building Permit and PPA applications, it is recommended that:

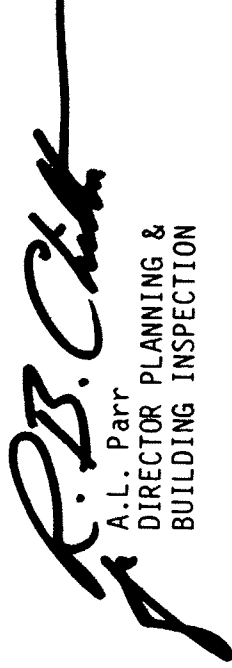
- a) Further negotiations with TDAC for the lease of the Hart Mansion be terminated;

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- b) The Burnaby Chamber of Commerce be given the opportunity to explore the feasibility of establishing a Faculty/Businessmen's Club at the Hart Mansion.

There has in recent months been some enquiries from restaurant proprietors on the possibility of making a proposal for the Hart Mansion should the TDAC proposal not proceed. If there is any substance to these enquiries they will be reported to Council.


A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

BLS/mcb

cc: Director Engineering
Director Finance
Director Recreation & Cultural Services
Municipal Solicitor
Chief Public Health Inspector
Chief Building Inspector

