

Re: BURNABY TENNIS CLUB'S REQUEST TO LEAVE UP AIR SUPPORT STRUCTURE
FROM 1984 MAY 01 TO SEPTEMBER 30
BURNABY LAKE SPORTS CENTER

ACTING MUNICIPAL MANAGER'S RECOMMENDATIONS:

1. THAT the air support structure be taken down by 1984 April 30 in accordance with the licence agreement between the Burnaby Tennis Club and The Corporation of the District of Burnaby.

REPORT

As noted in the attached reports, the Burnaby Tennis Club has expressed a desire to keep its air support structure in place from 1984 May 01 to 1984 September 30. The Parks and Recreation Commission have approved this request, and the matter is now coming before Council because retention of the structure for the period requested would require that an action be taken on the licence agreement that has been executed by the Club and Municipality.

The Recreation and Cultural Services and the Planning & Building Inspection Departments recommend that the structure be removed for the five month period between May 01 and September 30 in accordance with the terms of the existing licence agreement. Attached are three reports from these departments which present the reasons for the positions that they have taken on this matter.

The Acting Municipal Manager's position is that the general public's interest would be best served if the structure were removed during the Spring and Summer months. The principal reasons for having arrived at this conclusion are:

- The tennis courts in question should be fully and freely accessible at no charge to all members of the community during the months of clement weather when demand for playing time on all courts is at a peak level;
 - Six new courts (12-17) were constructed at the Burnaby Lake Sports Complex in 1983 to meet the public's demand for additional outdoor courts in this area. These are the courts that are now covered by the structure being used by the Club's Winter membership.
- If the air support structure over courts 12-17 is allowed to remain in place during the Spring and Summer months, the public will not have access to them except by paying an hourly fee to the Club. A further restriction would simultaneously exist because the Club would also have an allotment for the use of courts 6-11 to accommodate its Summer membership. In other words, of the total 17 available courts, 12 would be under allotment to the Club at the same time;
- The licence agreement unequivocally calls for the dismantling and removal of the structure for a specific period of time each year; and

•The licence agreement, and the understanding to make the courts available for unrestricted use by the public during warm-weather months, was finalized to the complete satisfaction of the Club and Municipality only after thorough reviews and extensive discussions had taken place. To the best of our knowledge, at no time during these reviews and discussions was any mention ever made of allowing the structure to remain in place from May through September of any year.

Although it is not a principal reason for his position, the Acting Municipal Manager is nevertheless mindful of the precedent that would be established if the Municipality were to accede to the Club's request for relaxation of the agreement.

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ITEM 16 SUPPLEMENTARY)
MANAGER'S REPORT NO. 23
COUNCIL MEETING 1984 03 26

1984 MARCH 23

TO : MUNICIPAL MANAGER
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE : BURNABY TENNIS CLUB REQUEST OT LEAVE UP AIR SUPPORT STRUCTURE
FROM 1984 MAY 01 TO 1984 SEPTEMBER 30

RECOMMENDATIONS:

1. THAT for a period of five months only, Council waive the terms of the licence agreement between the Corporation and the Burnaby Tennis Club in order to allow the Tennis Club to leave the air support structure in place from 1984 May 01 to 1984 September 30.
2. THAT Council authorize the Municipal Solicitor to prepare the necessary documentation for this purpose.

REPORT

At its meeting of 1984 March 21 the Parks & Recreation Commission received two report on the above subject; one from the Director Planning & Building Inspection and one from the Director Recreation & Cultural Services. To provide Council with complete background information both these reports are attached.

The Commission considered the following recommendations of the Director Recreation & Cultural Services:

1. THAT the air support structure be taken down April 30.
2. THAT court rental fees not be increased at this time.

The Commission defeated recommendation #1 and approved recommendation #2.

The Past-President of the Burnaby Tennis Club, Mrs. Barbara Spitz, was present at the Commission meeting and in response to questions from the Commission, provided information which assisted the Commission in assessing the Tennis Club's request to leave the air support structure in place for the summer months.

Mrs. Spitz advised that because of circumstances beyond the control of the Club, the air support structure had not been up for the full period anticipated by the Club. In fact there had been to date only two months of continuous play. Leaving the bubble in place for the summer months would assist the Club by reassuring existing and potential members that there would be a full season of indoor play in 1985.

The Commission approved the following recommendation:

"THAT the Burnaby Tennis Club be allowed to leave the "bubble" up until 1985 March 31."

There is an existing "licence" agreement between the Corporation and the Burnaby Tennis Club which specifies that the Club use is limited "to use the installed air support structure as an indoor tennis facility for a maximum of six months during the period commencing on the 1st day of October and ending on the 30th day of April."

The Commission therefore requests that Council waive the terms of the existing agreement thereby allowing the Club to leave the air support structure in place from 1984 May 01 to 1984 September 30 and that Council request the Municipal Solicitor to take the appropriate actions in amending the existing agreement or preparing a new agreement which will reflect appropriate terms of use for the summer months. Any amendments or additional agreements will be submitted to Commission and Council for approval prior to execution.



for: DENNIS GAUNT

PAL:ps
Attach.

cc: Director Planning & Building Inspection
Director Administrative & Community Services
Municipal Solicitor
Director Finance

ITEM 16 (SUPPLEMENTARY)
MANAGER'S REPORT NO. 23
COUNCIL MEETING 1984 03 26

THE CORPORATION OF THE DISTRICT OF BURNABY

TO: DIRECTOR RECREATION & CULTURAL SERVICES 1984 March 16

FROM: DIRECTOR PLANNING & BUILDING INSPECTION Our File: 10.392

SUBJECT: REQUEST BY THE BURNABY TENNIS CLUB TO KEEP BUBBLE FACILITY UP DURING THE PERIOD 1984 MAY 01 TO SEPTEMBER 30

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RECOMMENDATION:

1. THAT the bubble facility be taken down on or before April 30 in accordance with the Agreement entered into between the Burnaby Tennis Club and The Corporation of the District of Burnaby.

REPORT

At the Parks and Recreation Commission meeting of 1984 March 07, the Burnaby Tennis Club appeared as a Delegation to request that the Club be allowed to keep up the tennis bubble facility at the Burnaby Lake Sports Complex during the period May 01 to September 30 of 1984.

As the Commission will recall, the initial proposal of the Burnaby Tennis Club to erect a seasonal tennis bubble (air support structure) at the Burnaby Lake Sports Complex was the subject of lengthy staff reports and intensive discussion. The final summary report prepared by the Planning & Building Inspection Department is referenced as Item 13, Manager's Report No. 19, Council Meeting 1982 03 22. The conclusions outlined in that report continue to be relevant, and the report is available from this Department for perusal by interested Commission members.

The clear and well-documented understanding upon which official Council approval was granted was that the installation of a bubble was to be on a seasonal basis. The licence agreement entered into by the Burnaby Tennis Club and the Municipality was duly signed by the Municipal Clerk on 1982 October 19. The Club has made its request, which is at variance from this Agreement, before the first year of operation of the bubble has been completed.

The request to keep the bubble facility up this summer strikes at the primary concept as outlined in the Agreement which was for a seasonal bubble. Any adjustment of the Agreement would require its consideration by both the Parks and Recreation Commission and the Municipal Council.

The greater permanency for the bubble indicated by the Club's request increases the concerns expressed in the past regarding the appropriateness of the tennis bubble. The bubble is incompatible with the continuing development of a unique sports complex encompassing a campus grouping of higher quality, permanent recreational buildings clad in natural materials. The implication of greater permanency also emphasizes the ad hoc character of the bubble proposal and creates an undesirable precedent for similar lower quality, permanent shelter and building solutions in this and other areas of the Municipality.

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DIRECTOR'S REPORT NO. 7

COMMISSION MEETING 84 03 21

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DIRECTOR'S REPORT NO. 7

COMMISSION MEETING 84 03 21

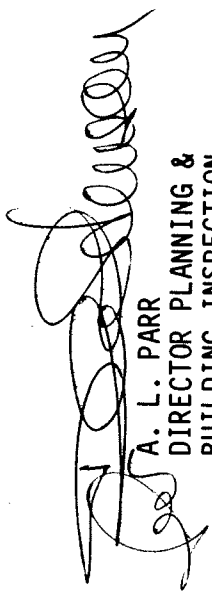
TO: DIRECTOR RECREATION & CULTURAL SERVICES
FROM: DIRECTOR PLANNING & BUILDING INSPECTION
REQUEST BY THE BURNABY TENNIS CLUB
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Parallel examples of note are the Richmond Tennis Club and the West Vancouver Tennis Club which have tennis bubbles on Municipal property and which are required to take down their bubbles each spring. The Burnaby Tennis Club is a specific interest group whose needs should not necessarily limit the mandated recreational service to the general public. It is considered that the retention of the bubble for this summer would effectively take these 6 publicly-financed courts out of free use by the general tennis playing public requiring that any players wanting to use these courts pay substantial fees. Even if the bubble were to be retained for the summer, the use of the courts is considered inefficient since indoor facilities are acknowledged to have significantly lower usage on clear summer days.

In conclusion, retention of the bubble this summer would adversely affect access to these courts by the general casual tennis playing citizens of Burnaby, the vast majority of whom do not belong to the Burnaby Tennis Club. The implication of permanency in the Tennis Club's request is not in line with the long term Municipal goals for high-quality, permanent development in Burnaby and for the long term development of this unique Burnaby Lake Sports Complex, and is not considered to be in the public interest. The bubble should remain a seasonal facility in conformance with the clearly stated intentions of the Club which resulted in the Agreement entered into with The Corporation of Burnaby.



A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

KI:lf

cc: Municipal Solicitor
Municipal Manager

RE: BURNABY TENNIS CLUB REQUEST TO LEAVE AIR SUPPORT
STRUCTURE UP DURING PERIOD MAY 01 TO SEPTEMBER 30

ITEM 16 (SUPPLEMENTARY)
MANAGER'S REPORT NO. 23
COUNCIL MEETING 1984 03

RECOMMENDATIONS:

1. THAT the air support structure be taken down April 30.
2. THAT court rental fees not be increased at this time.

REPORT

The Burnaby Tennis Club appeared as a delegation before the Commission at the meeting of 1984 March 07. The Club requested that they be permitted to leave their tennis structure up throughout the year, and that their court user fee be increased from \$8.00 non-prime and \$10.00 prime, to \$10.00 non-prime and \$12.00 prime time. The increased fee would be applied only to the end of April. The rates proposed for the period May 01 to September 30 are \$4.00 non-prime and \$6.00 for prime court time, plus a prepaid summer season rate of \$100.00.

The existing "licence" agreement between the Corporation and the Burnaby Tennis Club specifies that the Club use is limited "to use the installed air support structure as an indoor tennis facility for a maximum of six months during the period commencing on the 1st day of October and ending on the 30th day of April."

The reason for the installation of an air support structure as presented by the Tennis Club was:

"Why a 'bubble'?" The main reason is that it goes "up and down"--"up" in the winter but down in the summer so the sport can be enjoyed outside. The concept is not to be compared with the Cameron Road Facility which is a multi-faceted fieldhouse. A permanent structure in the Central Valley area is unnecessary at this time, whereas a bubble provides maximum utilization of existing facilities."

The Burnaby Tennis Club's primary focus has been to provide a summer "outdoor" tennis program. For this purpose they are allotted six courts to conduct their program.

The bubble has allowed them to extend their program and tennis opportunities throughout the year.

The six new courts were constructed to meet a proven demand for tennis. The Burnaby Lake Tennis Courts are the best in Burnaby and receive the highest use levels. The air structure was permitted during the winter months to provide continuity to our tennis opportunities.

Our objective has been and still is to maximize tennis opportunities and meet present and foreseeable demands for tennis play. Therefore, the question to take down the tennis air structure or leave it up should be based on the end result of, "How many people are to be served?"

Because tennis is provided as a free outdoor sport in the Lower Mainland there are no financial implications to Burnaby. The Tennis Club, however, does have a financial consideration to make and it would appear financially advantageous to the Club to leave it up, although there is some risk to this as noted later in this report.

The tennis opportunities at the Burnaby Lake site during the period May 01 to September 30 would be one of two scenes--one, six tennis courts outdoors for

the Burnaby Tennis Club programs, eleven (11) tennis courts for open public play. The second option as proposed by the Tennis Club is six (6) outdoor tennis courts for the Club, five (5) outdoor courts for open public play and six (6) indoor courts for Club, public play and Club instructional programs.

Number of Persons to be Served

Option with Air Structure Up

The number of persons that would be served should the bubble remain up can be projected based on use levels experienced by other clubs who have indoor facilities and the Burnaby Tennis Club's winter play experience.

The results of staff research on the subject indicates air supports receive incidental use on sunny days and generally marginal use throughout the summer season. The Delta Town and Country Inn which is one facility that remains up, receives approximately 5% of its seasonal use between April 01 and September 30. Cameron Recreation Centre, a permanent structure, receives use levels in May to September approximately 30-40% that of the winter months. Cameron does not have the same heating problems experienced in the air support structures.

Oak Bay Parks and Recreation operate a year-round air support covered tennis facility and experience minimal public play. They have programmed the facility for children's tennis camps to ensure use. They are meeting the public play demands on outdoor courts. Oak Bay first offered the facility to the general public when it was first installed and experienced minimal use.

In discussions with existing users, they leave the bubbles up because of cost considerations, or because there is no need for the courts during the summer. They all advise that during sunny days the facility is not comfortable for normal play due to high inside temperatures. It is also noted that operating costs are only reduced by the cost of heating.

The Burnaby Tennis Club has advised staff that the weather records for the past year indicate that approximately one-third of the days (153) between May 01 and September 30 were wet. It is agreed that these wet days (51) are the days most likely to result in use of the indoor facility. The calculated use level projected for the indoor facility is:

Equivalent 70 days of possible use @ 16 hour per day @
(18 persons average maximum per hour @ 40% use level) = 8,064 persons

This estimate is viewed by staff as optimistic and compensates for some potential use during morning and evening use on sunny days. This estimate is in line with the Club's projection for use.

The second factor, applicable to it being up is the revenues to the Club. Based on 8,064 persons or approximately 5,000 court bookings the revenue would be approximately \$5.00 @ 5,000 = \$25,000. The Club's estimated cost for the period is \$20,000. They would, therefore, possibly realize a net profit of \$5,000. This figure is increased by the savings related to removal and storage costs of \$2,000, for a total potential debt reduction of \$7,000.

Option - Outdoor Tennis Court - (Air Structure Removed)

Outdoor Court Use - Persons Served

The number of persons likely to be served on the six new outdoor courts during the period May 01 to September 30 is based on levels experienced on the existing open public use courts over the past few years.

The number of probable persons is calculated to be 6 courts X average hours of play 12 X average number of persons per court of 3 X use level factor of 65% X 102 days (2/3 of 153 days) = 14,321. (65% is a reasonable guesstimate of average use levels over the 12 hour play period. It could be higher and the total hours of play greater if the weather is better than in the past few years--could be lower if weather is wetter).

Other Considerations for Outdoor Courts

The public has had the privilege of playing tennis in the summer at no charge. The public may react to not having free access to the six new courts. The public has been critical of the Tennis Club's priority use of six courts over the years. The six additional courts will greatly reduce this pressure as additional courts will meet the public demand. Access to the courts on a pay basis will only partially meet the demand and public expectation to access more courts at this site.

Congestion and pressure on the courts will continue to be a problem during the estimated 2/3 of the days if the six courts are covered.

Another minor factor is that the option of the bubble for wet day play will potentially decrease the tennis rentals at Cameron Recreation Centre which will result in reduced revenues in the Cameron budget. Additional court competition at this time of year is not desirable from a budget perspective.

Other Considerations for Retaining the Air Support

The facility will provide a reasonable alternative to play during the wet days estimated at 1/3 of the days. It will also provide a facility for the Tennis Club lesson program.

The Burnaby Tennis Club's Burnaby Tennis Tournament would have a back-up facility in case of rain.

The Summer Games would have a convenient alternative in case of rain on the 2½ days of competition. (Other option for Games is to use Cameron Centre and Burnaby Racquet Club).

The indoor facility would provide continuity and support to the Tennis Club program. It is also generally acknowledged that the maintenance on the structure would be reduced if left up and would add additional years to the life of the fabric.

Conclusion

The staff's conclusion drawn is that the use of the air support structure during the period May 01 to September 30 is directly contingent on demand for tennis outdoor courts and the daily weather patterns. Our experience, that of Oak Bay and one private facility is that use levels are low in the summer. All other air structures in the Lower Mainland are removed. The best rationale for leaving it up is as an alternative during poor weather. This reason is viewed as a luxury, affordable only if the general demand for outdoor play at the site does not warrant the additional six courts.

The six new courts were constructed because of a proven demand for tennis, particularly for play on courts of the quality present in the Burnaby Lake Sports Complex.

Based on the comparative use levels likely to be experienced, 8064 persons indoor versus 14,321 on outdoor courts and the \$7,000 income to the Club and the other related factors, the best interests of the tennis public would be met by taking the facility down.

User Fee Increase

The Club has requested that the user fees be increased to \$10.00 non-prime and \$12.00 prime per court hour from \$8.00 non-prime and \$10.00 prime per court hour.

Staff recommend that it is not advisable to increase rates in mid-season. Users frequently reject these sudden increases, resulting in lost revenue and lower use levels. Staff view the rates suggested as being on the high end of the scale for comparable services. This higher user fee is also ques-

tionable from the point of view of providing the service at a rate that is affordable to the total general public.

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The Club should endeavor to keep rates attractive to the general public and in keeping with a public club and as a real alternative to the high cost of private clubs. Rate increases are scheduled for review as per the agreement in September of each year. It is recommended that the rates be considered in September.

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~~DIRECTOR'S REPORT NO. 7~~
~~COMMISSION MEETING 84 03 21~~

ITEM 16 (SUPPLEMENTARY)
MANAGER'S REPORT NO. 23
COUNCIL MEETING 1984 03 26

TO: MUNICIPAL MANAGER
1984 March 22

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION
Our File: 10.392

SUBJECT: REQUEST BY THE BURNABY TENNIS CLUB TO KEEP THE TENNIS "BUBBLE"
UP DURING THE PERIOD 1984 MAY 01 TO SEPTEMBER 30
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RECOMMENDATION:

1. THAT the bubble facility be taken down on or before April 30 in accordance with the Agreement entered into between the Burnaby Tennis Club and The Corporation of the District of Burnaby.

REPORT

At the Parks and Recreation Commission meeting of 1984 March 07, the Burnaby Tennis Club appeared as a Delegation to request that the Club be allowed to keep up the tennis bubble facility at the Burnaby Lake Sports Complex during the period May 01 to September 30 of 1984.

Reports were submitted for the consideration of the Parks and Recreation Commission at its meeting of 1984 March 21 by the Recreation & Cultural Services Department and the Planning & Building Inspection Department, both recommending that the bubble facility be taken down this summer in accordance with the Agreement entered into between the Burnaby Tennis Club and The Corporation of the District of Burnaby. Mrs. Barbara Spitz, a spokesman for the Tennis Club who was in the gallery, was invited to answer questions arising out of the discussion. The Commission did not adopt the staff recommendation.

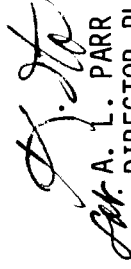
The Commission passed a motion that the Burnaby Tennis Club be permitted to keep up the bubble specifically for this year (1984 May 01 to September 30) but on the understanding that this one time leeway should not affect the long term, continuing efficacy of the Agreement between the Burnaby Tennis Club and The Corporation of Burnaby. This motion was referred to Council for its consideration since the original agreement had been approved by Council.

The Planning and Building Inspection Department continues to support adherence to the original agreement specifying the installation of a seasonal bubble. The staff reports prepared by the Recreation & Cultural Services Department and this Department outline a number of good reasons why the bubble should remain a seasonal one, and are attached to the Parks and Recreation Commission report.

In view of the very deliberateness, expressed concerns, and extensive discussions that took place at the time of the original Agreement, it is expected that the Burnaby Tennis Club has been alerted to protect its financial position in the installation and operation of the tennis bubble. For example, the rental from the bubble manufacturer should take into consideration the duration of any given season as well as down time due to faulty bubble construction.

Retention of the bubble this summer will adversely affect the contemplated free access to these 6 courts by the general casual tennis playing citizens of Burnaby in favour of a specific interest group, the Burnaby Tennis Club. This retention creates an undesirable precedent for a possible proliferation of similar lower quality, permanent shelters in this and other areas of the Municipality.

It is recommended that the bubble remain a seasonal facility in conformance with the clearly stated intentions of the Club which resulted in the Agreement entered into with The Corporation of Burnaby.



A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

KI:lf

cc: Director Recreation
& Cultural Services