

RE: LEASE AT 3755 BANFF AVENUE TO THE BURNABY ASSOCIATION FOR THE
MENTALLY HANDICAPPED
LOT 133, DL 74, PLAN 39624 (LEASE AUTHORIZATION BYLAW 7951)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Municipal Solicitor be adopted.

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TO: MUNICIPAL MANAGER
FROM: MUNICIPAL SOLICITOR
SUBJECT: LEASE AT 3755 BANFF AVENUE TO THE BURNABY ASSOCIATION
FOR THE MENTALLY HANDICAPPED
LOT 133, D.L. 74, PLAN 39624
(LEASE AUTHORIZATION BYLAW 7951)

SEPTEMBER 19, 1989

PURPOSE: To obtain Council's authority to transfer leasehold
interest from the Association of Neighbourhood
Houses of Greater Vancouver to the Burnaby Association
for the Mentally Handicapped

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RECOMMENDATION:

1. THAT Council approve the transfer of the leasehold
interest in 3755 Banff Avenue from the Association of
Neighbourhood Houses of Greater Vancouver to the Burnaby
Association for the Mentally Handicapped.

REPORT

Background

On July 1, 1973 The Corporation of the District of Burnaby entered into a lease with the Burnaby Association for the Mentally Retarded of the property at 3755 Banff Avenue. The lease was for land only for a period of sixty years with the payment of \$4,400 per annum payable on or before the 1st day of July in each year, such rent to be renegotiated firstly ten years from date of lease and every five years thereafter.

On October 21, 1982 the Burnaby Association for the Mentally Handicapped transferred its leasehold interest to the Association of Neighbourhood Houses of Greater Vancouver.

On September 7, 1989 we received a letter from the Burnaby Association for the Mentally Handicapped requesting our approval for the reassignment of the said lease from the Association of Neighbourhood Houses of Greater Vancouver to the Burnaby Association for the Mentally Handicapped. The Association of Neighbourhood Houses has indicated they are unable to continue their program at the Banff Avenue site.

Discussion

We reviewed the lease at years ten and fifteen and found that the type of use remained consistent with the original intent of the lease. The annual rent has consequently remained at \$4,400 per

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annum. The reversion of the lease back to the Burnaby the Association for the Mentally Handicapped will ensure the continued use of the site for the benefit of the mentally handicapped. We, therefore, have no objection to the leasehold interest being transferred back to the Burnaby Association for the Mentally Handicapped.

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Patricia W. Olieger
Municipal Solicitor

FAE:bi

cc: Director Finance
Director Planning & Building Inspection
Medical Health Officer
Director Administrative & Community Services