

REPORT
1993 June 28

CITY OF BURNABY

COMMUNITY ISSUES AND SOCIAL PLANNING COMMITTEE

HIS WORSHIP, THE MAYOR
AND COUNCILLORS

RE: BURNABY HEIGHTS COMMUNITY RESOURCE FACILITY

RECOMMENDATION:

1. THAT Council authorize staff to contact Mr. Meyers to advise that full compliance with the terms of the consent court order to vacate the premises at 250 Willingdon is required.

R E P O R T

The Community Issues and Social Planning Committee, at its meeting held on 1993 June 23, received and adopted the attached staff report providing information on efforts to obtain possession of space in the Burnaby Heights facility occupied by the B.C. Conservatory of Music Society, B.C. Academy Ltd. and/or Mr. Christian Meyers.

The Committee therefore submits the report to Council for endorsement.

Respectfully submitted,

Councillor E. Nikolai
Chair

Councillor J. Young
Vice Chair

Councillor C. Redman
Member

:COPY - CITY MANAGER
- DIR. ADMIN. & COMM. SERV.
- DIRECTOR FINANCE
- DIRECTOR PLANNING AND BUILDING
- CITY SOLICITOR

TO: COMMUNITY ISSUES & SOCIAL PLANNING COMMITTEE 1993 JUNE 15

FROM: ACTING DIRECTOR PLANNING & BUILDING OUR FILE: 10.121

SUBJECT: BURNABY HEIGHTS COMMUNITY RESOURCE FACILITY

PURPOSE: To provide information on efforts to obtain possession of space in the Burnaby Heights facility occupied by the B.C. Conservatory of Music Society, B.C. Academy Ltd. and/or Mr. Christian Meyers.

RECOMMENDATION:

1. THAT staff be directed to advise Mr. Meyers that full compliance with the terms of the consent court order to vacate the premises at 250 Willingdon is required.

R E P O R T

1.0 INTRODUCTION

On 1992 December 4, Council approved the recommendation of the Community Issues & Social Planning Committee that the lease agreement for space at the Burnaby Heights with the B.C. Conservatory of Music / Christian Meyers not be renewed for 1993.

On 1992 December 17, a letter was delivered to Mr. Christian Meyers advising of Council's decision and directing that the premises be vacated by 1993 January 18.

On 1993 January 25, Council authorized the commencement of legal proceedings to obtain a Court order for possession of the premises.

At its 1993 March meeting, the Committee received a report providing information on proceedings to obtain possession of the premises occupied by Mr. Christian Meyers.

This report updates the status of proceedings to obtain possession of the premises occupied by Mr. Meyers at the Burnaby Heights facility.

2.0 PROCEEDINGS TO OBTAIN POSSESSION OF SPACE

As of 1993 June 11, the premises at Burnaby Heights continue to be occupied by Mr. Christian Meyers. As indicated above, Council authorized the commencement of legal proceedings to obtain possession of space now occupied by Mr. Christian Meyers.

At this time, the City Solicitor advises that Mr. Meyers has entered into a consent court order to vacate the premises by 1993 June 30. The consent court order obligates Mr. Meyers to vacate the premises by the required date.

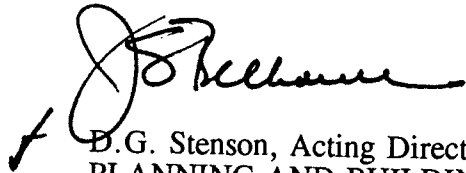
During the week of 1993 June 7 - 11, City staff received verbal requests from Mr. Meyers and his solicitor as to whether the City would:

- allow the B.C. Conservatory of Music Society, B.C. Academy Ltd. and/or Mr. Christian Meyers to continue occupying space at the Burnaby Heights facility until such time as Mr. Meyers finds alternative facilities.
- consider an application for re-allocation of the space to Mr. Meyers immediately after it is vacated on 1993 June 30.

Staff advised Mr. Meyers and his solicitor that, considering the past history of Mr. Meyers tenancy and the subsequent legal proceeding, it was extremely unlikely that the Committee would agree to allow his operation to remain at the facility, or that he would receive a re-allocation of space. Mr. Meyers and his solicitor were further advised that staff would be seeking full compliance with the terms of the consent court order.

It is therefore recommended that staff be directed to advise Mr. Meyers that full compliance with the terms of the consent court order is required. With the approval of this report, staff will inform Mr. Meyers that his request for an indefinite extension of his tenancy at Burnaby Heights has been denied, as has his request for an immediate reallocation of space at the facility. In addition, staff will take the necessary steps to ensure that the terms of the consent court order are met.

A further report on this matter will be prepared for the 1993 September meeting of the Committee.


D.G. Stenson, Acting Director
PLANNING AND BUILDING

LP/db

cc: Director Finance
Director Administrative & Community Services
City Solicitor
City Clerk

