

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 receive the attached report for information purposes.

R E P O R T

The Community Issues and Social Planning Committee, at its meeting held on 1993 March 24, 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 for the information of Council.

Respectfully submitted,

Councillor E. Nikolai
Chair

Councillor C. Redman
Member

Councillor J. Young
Vice Chair

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

TO: COMMUNITY ISSUES & SOCIAL PLANNING COMMITTEE 1993 MARCH 15

FROM: ACTING DIRECTOR PLANNING AND 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 this report be received for information purposes.

REPORT

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 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 must 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.

This report provides information on the status of proceedings to obtain possession of the premises. In addition, this report presents a proposal to advertise for prospective tenants for available space at Burnaby Heights.

2.0 PROCEEDINGS TO OBTAIN POSSESSION OF SPACE

As of 1993 March 11, the premises at Burnaby Heights continue to be occupied by the B.C. Conservatory of Music Society, B.C. Academy Ltd. and/or Mr. Christian Meyers.

As indicated above, Council authorized the commencement of legal proceedings to obtain possession of space now occupied by the B.C. Conservatory of Music Society, B.C. Academy Ltd. and/or Mr. Christian Meyers.

At this time, the City Solicitor advises that legal action has been commenced and that a ruling of the Court could be received as early as mid-April.

Related to this issue, staff have received a request from a group of employees of Mr. Christian Meyers to remain in the facility independent of Mr. Christian Meyers and the B.C. Conservatory of Music. A copy of the letter to staff is attached.

Staff are working to assist this group of music instructors in finding appropriate space. The Arts Development Officer of the Recreation and Cultural Services Department and Licence Office staff are meeting with representatives of this group to discuss possible alternate options for the accommodation of their services.

Staff have advised the group of other possible options. In addition, staff discussed the need for this ad hoc group to organize their activities and to form further a separate legal entity (eg. society) under which to operate their activity should they be considered for an allocation of space at Burnaby Heights.

3.0 AVAILABILITY OF SPACE AT BURNABY HEIGHTS

Available Space

By the end of 1993 April 1, staff anticipate that at least two spaces at the Burnaby Heights facility will be available for re-allocation. On 1993 February 1, the B.C. Yukon Building Trade Council terminated their lease for Room 12 at Burnaby Heights. This space was used for the operation of their Unemployment Action Centre.

The Boy Scouts have indicated that they anticipate being able to give up one of their rooms (Room 37) at Burnaby Heights 1993 April. Additional space would also be available once the City gains possession of the space currently occupied by the B.C. Conservatory of Music / Mr. Christian Meyers.

Requests for Space

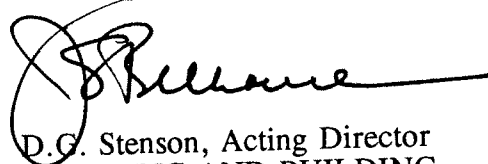
Staff have received an expressions of interest in space at the Burnaby Heights facility from a number of community organizations. However, with the exception of Burnaby Family Life, these organizations are not able to make a commitment to enter into a lease agreement for the space at this time. The Executive Director of the Burnaby Family Life Institute has indicated the organization would like to lease the Room 37 once it is vacated by the Boy Scouts.

Allocation of Space

The terms of reference relating to the allocation of space at Burnaby Heights resource centre encourage its use by non-profit organizations that provide facilities, service or programs intended to promote the physical, social and mental well-being of Burnaby individuals and families. The intent has been to accommodate organizations that contribute to a well balanced resource centre for the local neighbourhood and community. The use guidelines do not envisage the use of municipal facilities for commercial or private gain.

In order to encourage the maximum applications for the available space at Burnaby Heights, staff propose to promote the availability of space at Burnaby Heights through community organizations. Staff would prepare a report for the Committee outlining the requests received, and presenting recommendations for the allocation of the available spaces for the 1993 April meeting. This report would also contain a staff response to the request for space submitted by the Burnaby Family Life Institute, and the application of the music instructors currently working out of the facility.

This report is submitted for the information purposes.



D.G. Stenson, Acting Director
PLANNING AND BUILDING

LP/db
Attachment (1)

cc: Director Finance
City Solicitor
City Clerk

February 22, 1993.

Randolph Balzer
12 West 18th Ave.,
Vancouver, B.C.
V5Y 2A3

attn: Bill Pegler

City of Burnaby
4949 Canada Way
Burnaby, B.C.
V5G 1M2

from: Randolph Balzer
Leona Picco
Glen Ethier
Maria Otto
Joseph Otto

Finance
Tax & Licence
Refer

File

Diary

Ans

FEB 22 1993

Dear Mr. Pegler,

As per the "Burnaby Now" article of February 10th, we as teachers of the B.C. Conservatory of Music would like to inform you of our desire to remain at the premises of 250 Willingdon (Burnaby Heights Centre), independent of Mr. Christian Meyers, independent also of the B.C. Conservatory of Music. On February 21st, we had a meeting in regards to this letter; the following expresses the intentions only of those who were present at the meeting. We regret that the rest of the music teachers were unable to be notified of this meeting due to our shortage of time - we were advised of your February 24th council meeting only a few days ago.

We learned from the article that we have been in the building illegally. It came as quite a surprise to all of us, especially Mr. Balzer, since he was featured without any knowledge of the nature of this article.

We are presently working out many details; the present request is a very new idea and has come together very quickly, displaying immediate unanimous agreement.

We have approximately a hundred music students living within the community, counting on remaining at this location to continue with their music studies. With regard to the immediate future, it is most crucial for us to remain at the present premises because many of the students are preparing for national exams in the spring.

Other than this music school, there is no significant musical institution in Burnaby.

We want to set up the original agreement you had with Mr. Meyers, i.e. music school only (no deceptions). Our basic necessities by way of room space would consist of two classrooms and three studio size rooms (similar to those presently used by the BCCM). We anticipate using four pianos.

In the event that Mr. Meyers' schools are thrown out of the premises of 250 Willingdon, we would like to know what the necessary requirements are in order for us to stay. We will be seeking professional advice as necessary.

We would greatly appreciate any interest in this matter.

Sincerely,

Randy Balzer

