

Council Report For the Meeting of May 28, 2020

То:	Council	Date:	May 14, 2020
From:	Karen Hoese, Director, Sustainable Planning and	Community	Development
Subject:	Update Council Report for Rezoning Applicati Permit with Variances Application No. 000542 584 Burnside Road East		•

RECOMMENDATION

- 1. That Council give first and second reading of the Zoning Regulation Amendment Bylaw (No. 20-050) and first, second, and third reading of the Housing Agreement Bylaws (No. 20-030 and No. 20-031).
- 2. That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00676, if it is approved, consider the following revised motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000542 for 3020 Douglas Street and 584 Burnside Road East in accordance with:

- 1. Plans date stamped March 9, 2020.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height of the building from 17m to **23.93m**; and
 - ii. locate 54 long-term bicycle parking spaces on parking level 2.
- 3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variances Applications for the properties located at 3020 Douglas Street and 584 Burnside Road East, considered by Council at the Committee of the Whole meeting on May 23, 2019. The proposal is to rezone from the C-1 Zone, Limited Commercial District, to a new zone in order to permit a mixed-use development consisting of commercial and residential uses at an overall density of 2.01:1 floor space ratio. The variances are associated with building height and long-term bicycle parking in Phase 1 of the proposed development.

In accordance with Council's motion of May 23, 2019, included below, the necessary conditions to advance Rezoning Application No. 00681 to a Public Hearing have been fulfilled. The motion from the May 23, 2019, Council meeting is as follows:

Rezoning Application No. 00676

- 1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00676 for 3020 Douglas Street and 584 Burnside Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Prepare and execute a housing agreement to secure the following:
 - *i.* all dwelling units remain affordable and rental in perpetuity
 - ii. a minimum of nine three-bedroom units are provided
 - iii. a minimum of ten accessible dwelling units are provided.
 - b. Prepare and execute legal agreements to secure the following:
 - *i.* a 3.95m Statutory Right-of-Way on Burnside Road East
 - *ii.* the location and construction of a publicly-accessed pathway linking Douglas Street and Burnside Road East
 - *iii.* a rain garden and shrub planting in the City-owned Right-of-Way along Burnside Road East.
- 2. That Council authorize the extension of the existing Temporary Use Permit (TUP) No. 00003 for another three years to allow the existing building to operate as transitional housing and direct staff to make any necessary modifications to the existing Section 219 Covenant (CA6508837 and CA6508838) to permit the extension of the TUP.

Development Permit with Variance Application No. 000542

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00676, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000542 for 3020 Douglas Street and 584 Burnside Road East in accordance with:

- 1. Plans date stamped March 8, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - *i. increase the height of the building from 17m to 24.24m.*
- 3. The Development Permit lapsing two years from the date of this resolution."

COMMENTS

Number of Storeys

At Committee of the Whole (COTW), the proposed mixed-use building in Phase 1 of the proposed development was considered a six-storey building. Following COTW, the applicant made some modifications to the design of the underground parkade resulting in the roof of the underground parkade structure slightly projecting above grade, which is defined as a storey in the *Zoning Regulation Bylaw*. Even though the proposed mixed-use building is now technically considered a seven-storey building, including the underground parkade projection, the building would still appear five storeys along Burnside Road East with the fifth storey setback approximately two metres from the fourth storey, and six storeys for the mid-block, L-shaped portion of the building, as presented at Committee of the Whole.

Location of Long-Term Bicycle Parking Spaces

In order to maintain controlled access for the proposed supportive housing program and the ancillary spaces in the mixed-use building, the applicant is proposing to relocate the long-term bicycle parking spaces for the supportive dwelling units to parking level 2 (P2). The supportive housing tenants would bring their bikes through the lobby of the supportive housing building and travel by elevator to store their bikes in the bicycle storage room on P2. This proposed change would ensure safety and security for the supportive housing tenants. Schedule C: Off-street Parking requires long-term bicycle parking spaces to be located within one level below finished grade and so a variance is required to facilitate this change. The recommendation for Council's consideration includes this additional variance.

Total Number of Unit Types

In the original proposal presented at COTW, the plans identified a total of 157 dwelling units, including four work-live units. The applicant has modified the number and mix of dwelling units in order to increase the number of one-bedroom dwelling units in the development. Currently, the applicant is proposing a total of 154 dwelling units, including four work-live units, and the unit breakdown is summarized in the following table:

Dwelling Unit Type	Number of Units Original Proposal	Number of Units Revised Proposal
Studio	95	88
Accessible Studio	9	6
One-bedroom	11	20
Accessible One- bedroom	25	4
Adaptable One- bedroom	0	21 (these units could be converted to accessible units subject to funding from the Canada Mortgage and Housing Corporation (CMHC)
Two-bedroom	4	4
Three-bedroom	9	9
Work-Live	4	4
Total Number of Units	157	154

Affordable Housing

The Rezoning Application was received and subject to a definition of affordable housing approved by Council on November 22, 2018, which states the following:

That Council adopt and consistently apply the definition of affordable housing, as housing where the price does not exceed 30% of the gross annual household income for very-low, low, low to-moderate, and moderate income households.

The levels of affordability secured in the Housing Agreements are consistent with the above definition of affordable housing and the 2018 City of Victoria's Housing Target Incomes, which are summarized in the tables below.

Unit Type	Target Incomes	Rent Levels	Income Quintile	Annual Targets				
	< \$20,000	< \$500	Very Low	29				
Single (Pachalar/1	\$20,000 - \$35,000	\$500 - 875	Low	34	- "Affordable"			
Single (Bachelor/ 1 Bedroom)	\$35,000 - \$55,000	\$875 - \$1375	Low-Moderate	40				
Bedroomj	\$55,000 - \$85,000	\$1375-\$2125	Moderate	161	Below Market" or "Market"			
	\$85,000 +	\$2,125+	Above Moderate	152	Below Market or Market			
				Annual				
Unit Type	Target Incomes	Rent Levels	Income Quintile	Targets				
	< \$20,000	< \$500	Very Low	7	Π			
Family (2+ Bedrooms)	\$20,000 - \$35,000	\$500 - 875	Low	9	"Affordable"			
	\$35,000 - \$55,000	\$875 - \$1375	Low-Moderate	10	- "Affordable"			
	\$55,000 - \$85,000	\$1,375 - \$2,125	Moderate	40				
	\$85,000 +	\$2 125+	Above Moderate	38	- "Below Market" or "Market"			

Affordable Housing by Definition - Detailed

The applicant is proposing 154 non-market dwellings units, which comprises of 100 units of affordable rental and 54 supportive (deep subsidized) dwelling units. The proposed supportive housing program would be replacing the 52 temporary dwelling units on-site. The current tenants would remain in the existing building during the construction phase and relocate into the new mixed-use building once it is completed.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to these applications, staff can report that the applicant has executed the following legal agreements:

- a housing agreement to ensure that all dwelling units remain affordable and rental in perpetuity
- Section 219 Covenants securing the following items:
 - o a minimum of nine three-bedroom units and ten accessible dwelling units
 - o a 3.95m Statutory Right-of-Way on Burnside Road East
 - a six-metre-wide, publicly-accessed pathway linking Douglas Street and Burnside Road East
 - a rain garden and shrub planting in the City-owned Right-of-Way along Burnside Road East.

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

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Karen Hoese, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

May 21, 2020

Date:

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List of Attachments

- Attachment A: Letter from applicant summarizing proposed changes dated March 5, 2020
- Attachment B: Plans date stamped March 9, 2020
- Attachment C: CALUC letter dated April 10, 2020.





March 5, 2020

Leanne Taylor Senior Planner City of Victoria #1 Centennial Square Victoria BC V8W 1P6

DP #000542– 3020 Douglas Street and 584 Burnside Rd E - Letter of DP Revisions

Dear Leanne,

We are submitting further DP revisions for the aforementioned development permit application and we have outlined these changes in the enclosed package. As we proceeded with further design development over the past year, these changes were found to be necessary in order to accommodate structural and mechanical design and to balance the programmatic needs of multiple different users across the site.

While there has been a reduction of 4 units overall, we have retained the family sized two and three bedroom units (13 units total). These changes have resulted in a reduction of 3 studio units (now 92 units total) and a subsequent increase in 10 one bedroom units (now 45 units total). We have retained the 4 live-work units at the ground level.

Enclosed is a transmittal from Low Hammond Rowe Architects outlining these changes which corresponds with the revisions made in our drawing submission. Should you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Deanna Bhandar, Director, Real Estate Development Victoria Cool Aid Society

DP | SUMMARY OF CHANGES



LOW HAMMOND ROWE ARCHITECTS

Crosstown Development 584 Burnside Rd East | 3020 Douglas St, Victoria BC

Date of LHRA Summary: March 6, 2020 LHRa Project No. 18.06

Re: Crosstown Development - | DP Resubmission

Since our last DP resubmission on May 13, 2019, we have been developing the project and have made various changes as summarized below. Please note, the numbers below correspond to the numbers shown on the bubbled drawing resubmission.

- 1. Subdivision between phase 1 and phase 2 has been adjusted. Phase 1 site area has increased from 5752.6m² to 5753.7m², while phase 2 site area has decreased from 3327m² to 3326.3m².
- 2. Average grade has been recalculated to account for the larger P1 footprint and has been revised from 19.16m to 19.14m.
- 3. Total commercial area has increased from 2960 m² to 2972 m². Total residential area has increased from 8629 m² to 8635 m². (FSR commercial: 0.52:1 ; FSR residential 1.5:1)
- 4. The total number of residential units has been reduced from 153 to 150, plus 4 work-live units at the ground floor. The number of supportive housing units has increased from 52 to 54, while the number of affordable housing units has decreased from 101 to 96. Two 1 bedroom units adjacent to the firewall on level 3 &4 have been converted from affordable housing units into supportive housing units. In total there are 154 units (including 4 work-live).
- 5. The total number of unit types has changed as follows:
 - a. Studios reduced from 95 to 88.
 - b. Accessible studios reduced from 9 to 6.
 - c. One-bedroom units increased from 11 to 20
 - d. Accessible one-bedroom units revised to 4 accessible units and 21 adaptable units, which can be converted to accessible pending confirmation of CMHC funding.
 - e. Two- and three-bedroom unit numbers remain the same as our previous submission (4 and 9, respectively).
- 6. The commercial elevator has been shifted north to also serve the residential units above. The commercial lobbies (including stairs to Level 2) have been revised to suit this revision. The daycare can also access the 5th floor patio area via this elevator. At level 3- level 6, two studio units have been revised to one one-bedroom unit, to accommodate new elevator location.
- 7. The affordable rental elevator at the south-east has been reduced to one elevator (from 2). The lobby at this location has shifted to the north (lobby and elevator have been flipped).
- 8. The exit stair at grid line K &4 in the last drawing set has been rotated by 90 degree.
- 9. Level 2 CRU spaces and daycare have been reconfigured according to client's needs.



- 10. The floor area of underground structure has increased at both P1 and P2 level via extra excavation. Electrical room, mechanical room and water entry rooms have been expanded and relocated.
- 11. Heat treatment room has been newly added to P1.
- 12. Tenant storage has been added at P2.
- 13. Supportive Housing Garbage and Recycling Room has been added at P1.
- 14. The supportive housing bicycle room has been relocated to P2 to meet the client's programmatic requirements.
- 15. Commercial Garbage and Recycling Room has been added at L1.
- 16. Vehicular Parking: The total number of vehicle parking provided has decreased from 144 to 143 stalls. Commercial parking stalls have increased from 77 to 78. Residential parking stalls have decreased from 67 to 65. Please also refer to DP43 for summary of required vehicle parking stalls.
- 17. Bicycle Parking: The total number of long-term bike parking has decreased from 181 to 180, while the total number of short-term bike parking remains 30. Commercial long-term bike parking has increased from 13 to 16. Residential long-term parking increased from 168 to 164.
- 18. Setback at south has been increased from 3.5m to 4.2m.
- 19. Laundry room has been relocated from L3 to L2 at affordable rental housing wing.
- 20. Meeting rooms have been added at L3, L4, L5 adjacent to the supportive housing lobby area.
- 21. The curtain-wall glazing system has been revised to a window-wall glazing system.
- 22. The fenestration has been revised at the south side of the single loaded corridor along the north wing.
- 23. The Mechanical Roof-top unit locations and numbers have been revised as shown.
- 24. The elevator over-run and mechanical screens have been revised as shown.
- 25. Roof access hatches have been added.
- 26. Gas meter location has been revised.
- 27. A studio unit has been added at level 2 north-east corner.
- 28. Landscape planters have been revised as shown (refer to landscape drawings).
- 29. Mechanical exhaust shafts (2) at south PL landscape area from P1 have been added.
- 30. Surface parking at plaza level has been revised to 13 commercial stalls and one loading bay.

Above is the summary of changes to date. Please do not hesitate to contact our office should you have any further questions.

Sincerely, Low Hammond Rowe Architects Inc

Paul Hammond, Architect AIBC





CROSSTOWN MIXED USE DEVELOPMENT

584 BURNSIDE RD EAST & 3020 DOUGLAS ST, VICTORIA BC



REVISED MARCH 06, 2020





LOW HAMMOND ROWE ARCHITECTS

CROSSTOWN



Urban context City of Victoria



01. Douglas St- looking south

02. Douglas St- looking north



C1 CML

05. Site from Burnside Rd E: left- Toyota, right- Tally Ho

06. Site from Burnside Rd E: left- Tally Ho, right- BCG EU











03. Burnside Rd E- looking south







08. Site from Douglas St: left- Tally Ho, right- Toyota



CROSSTOWN MIXED-USE DEVELOPMENT 544 BURNSIDE END EAST & 3020 DOUGLAS ST. VICTORIA BC ISSUED FOR REZONING & DEVELOPMENT PERMIT

DP01

20.03.06

PROJECT CONTEXT

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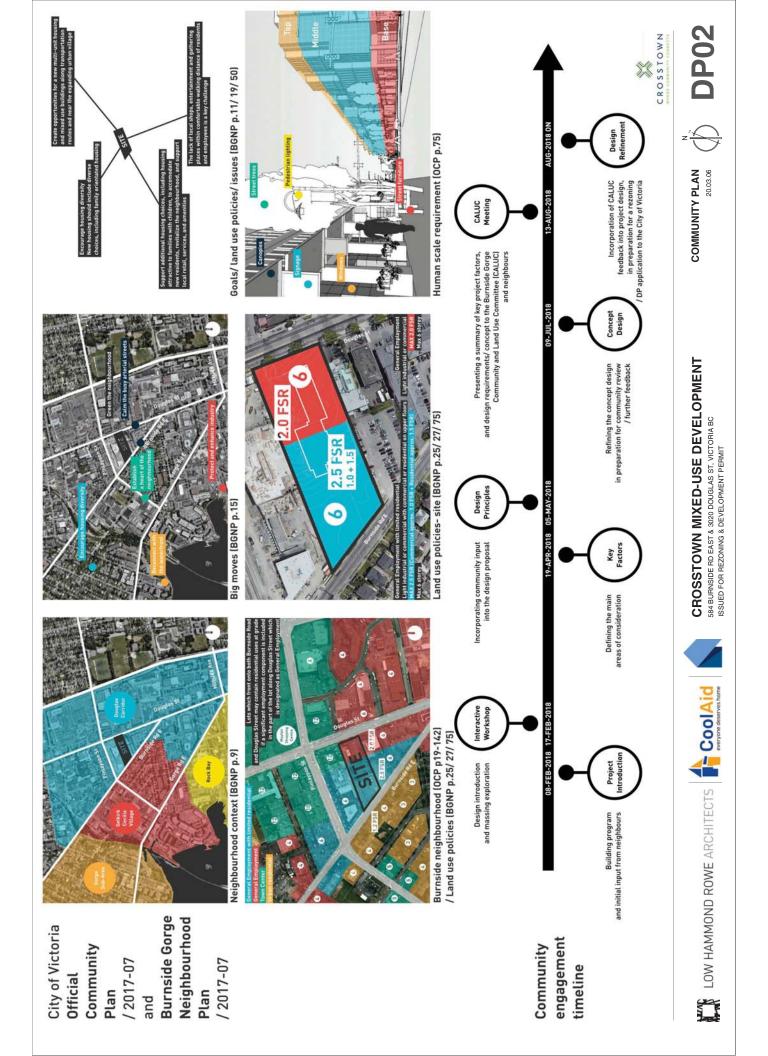
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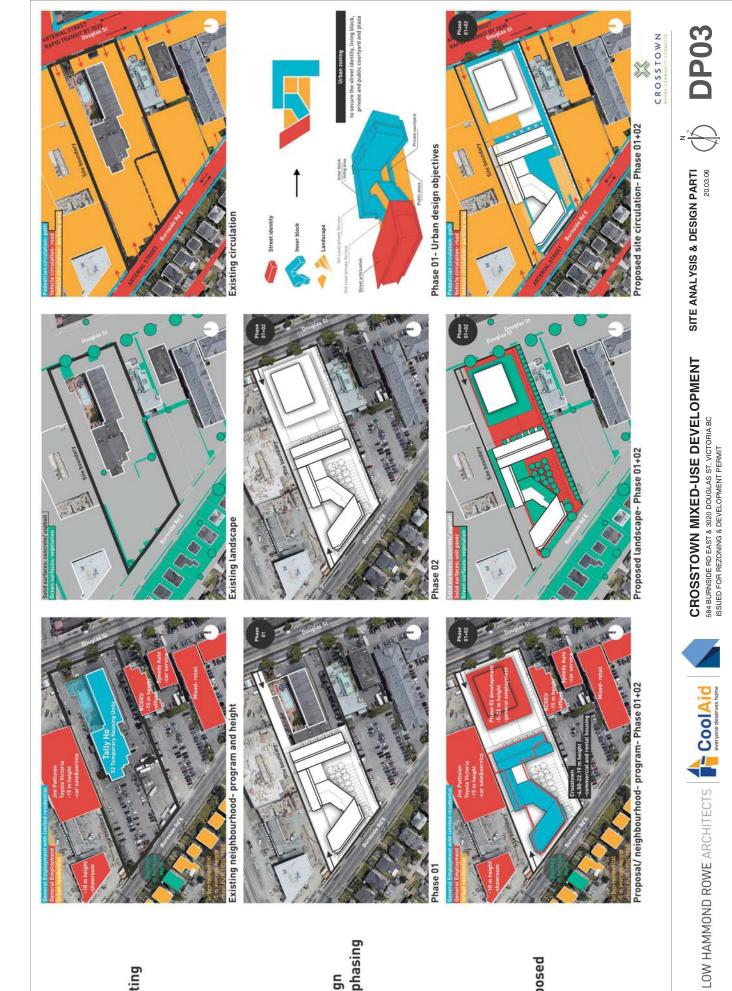




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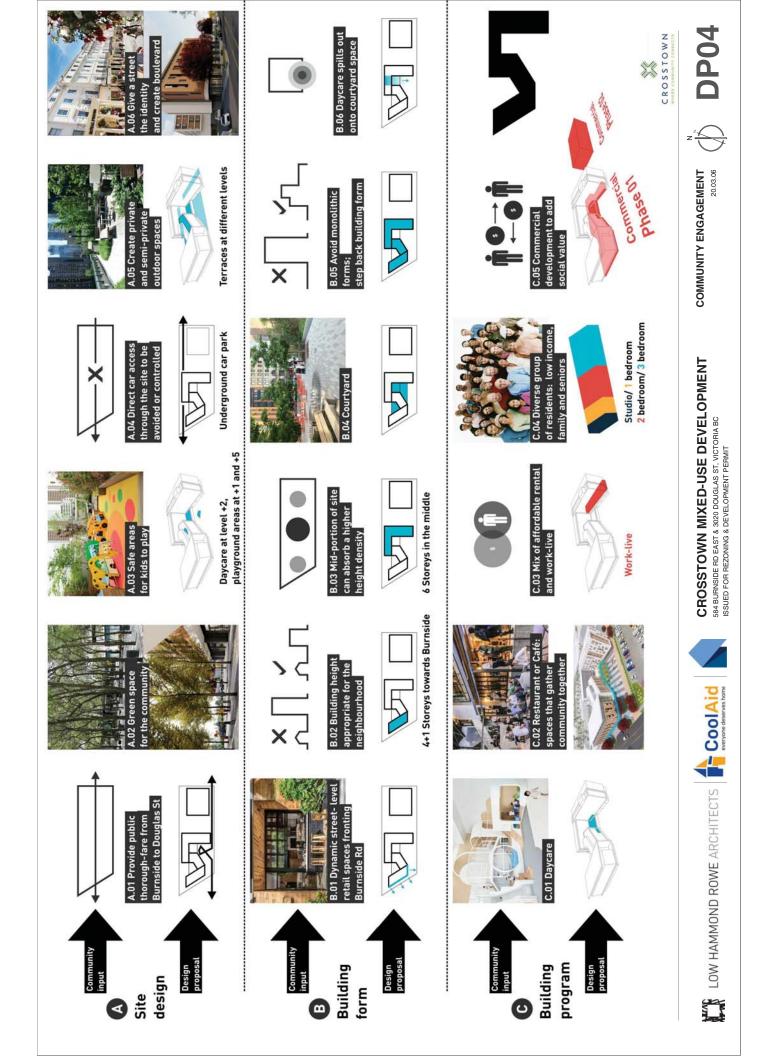


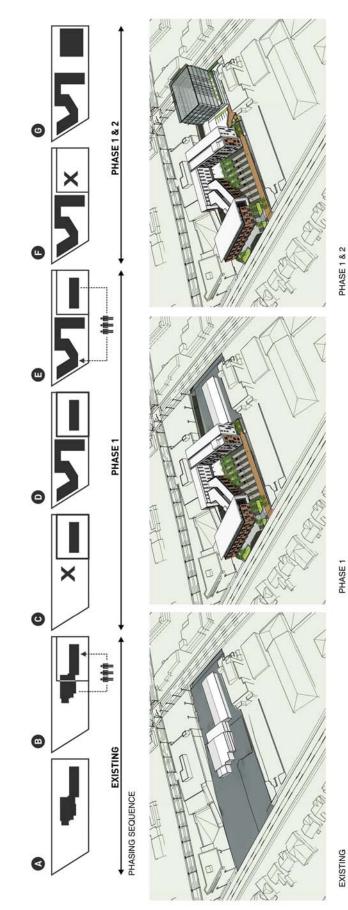


Existing site Design and phasing

Proposed site

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EXISTING

PHASE 1

PROJECT DATA

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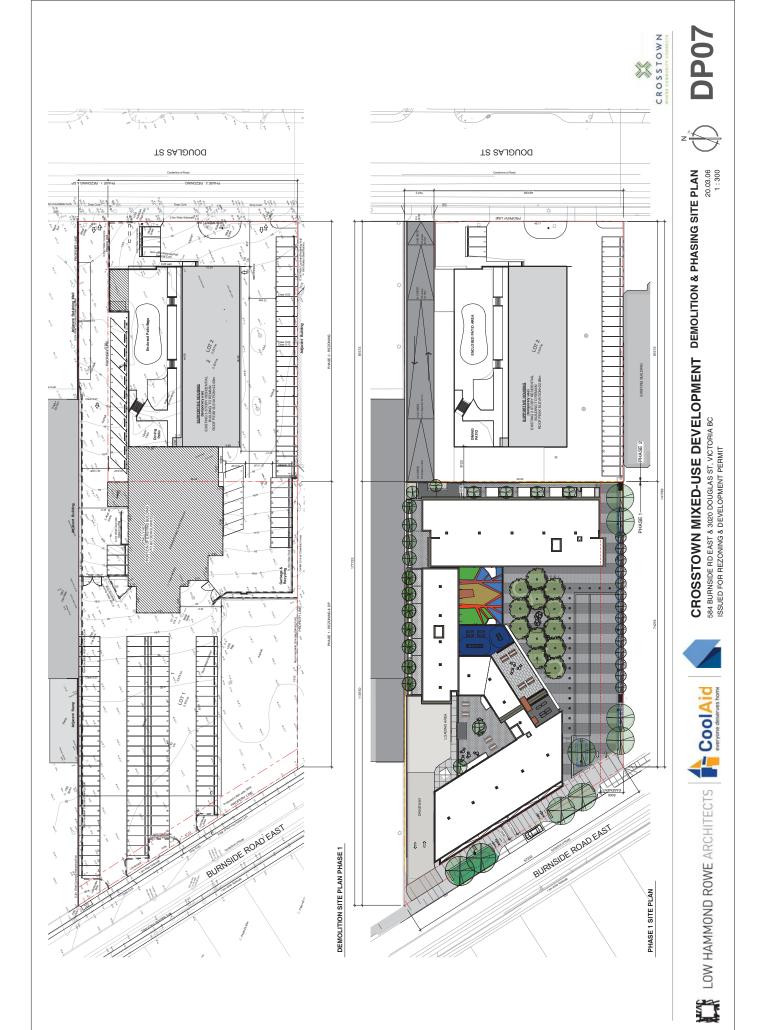
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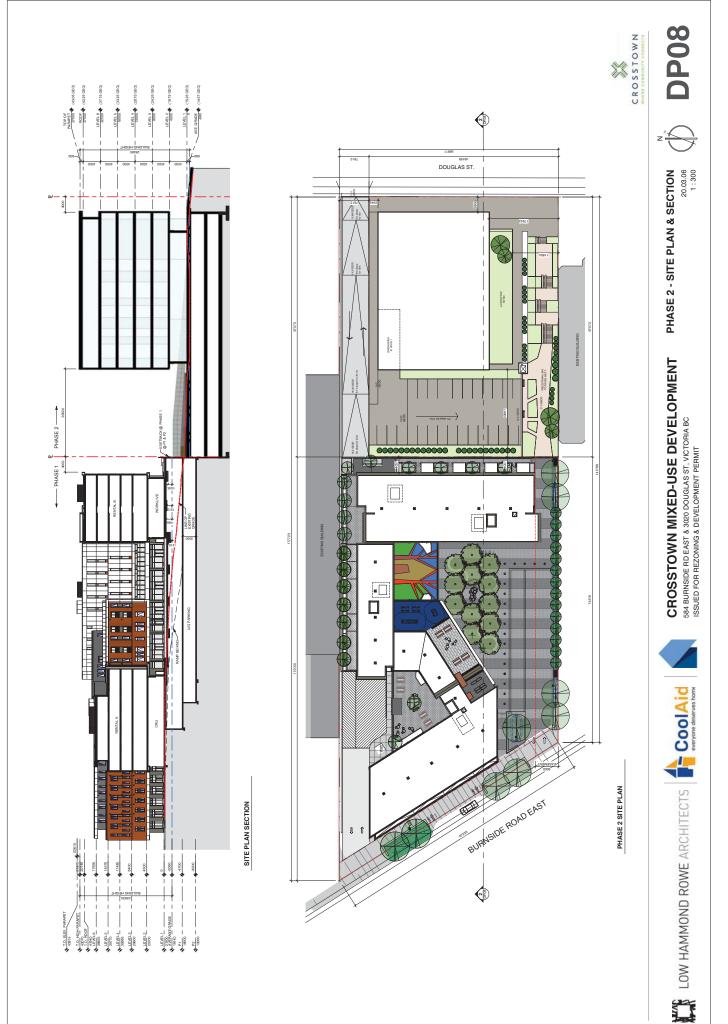
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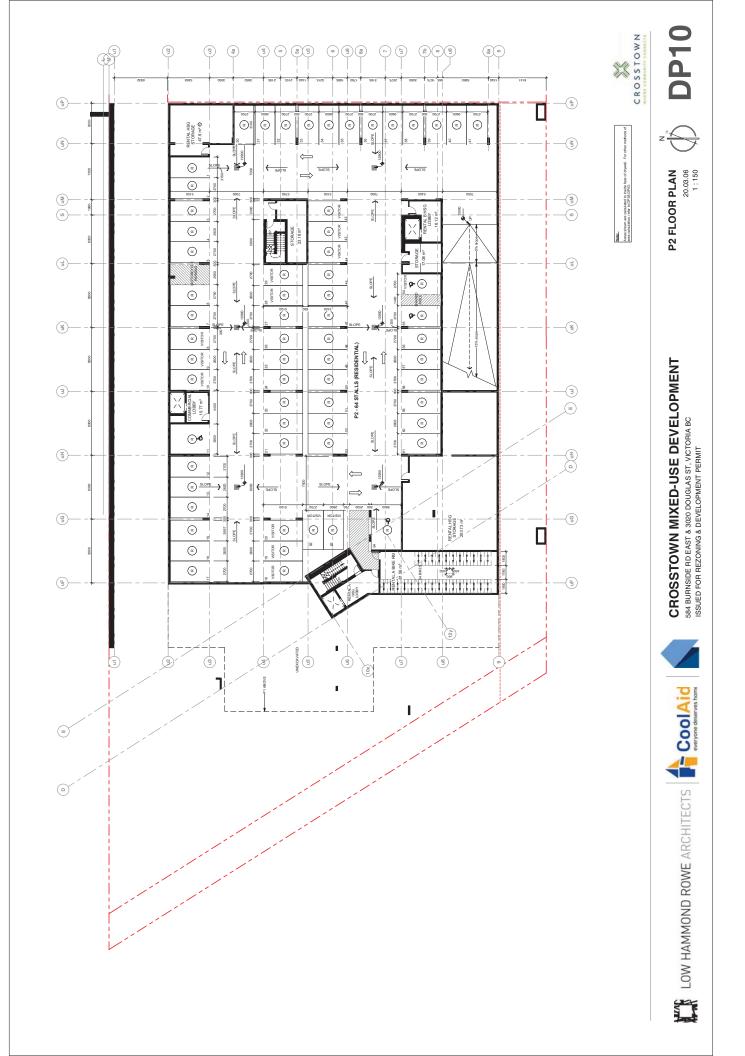


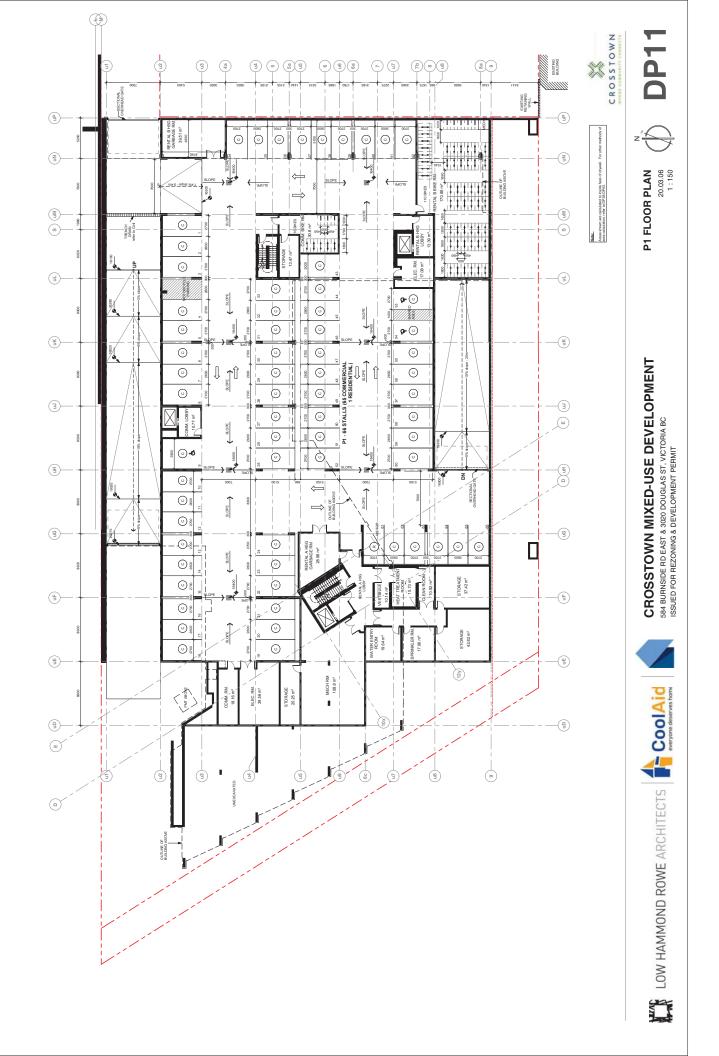


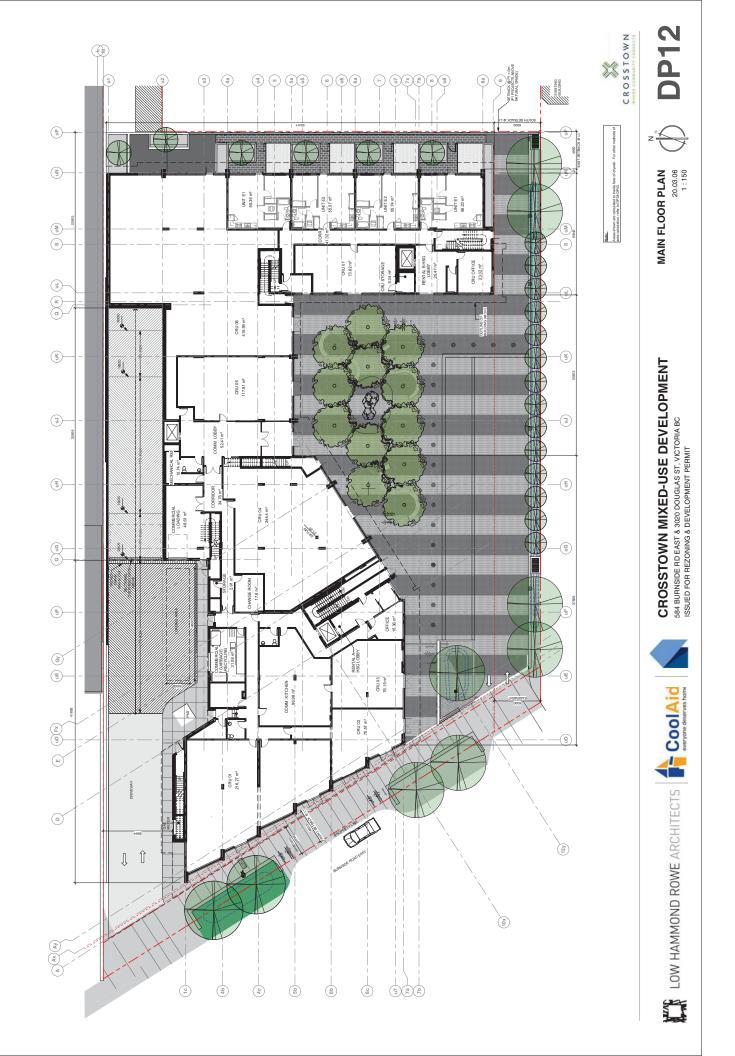


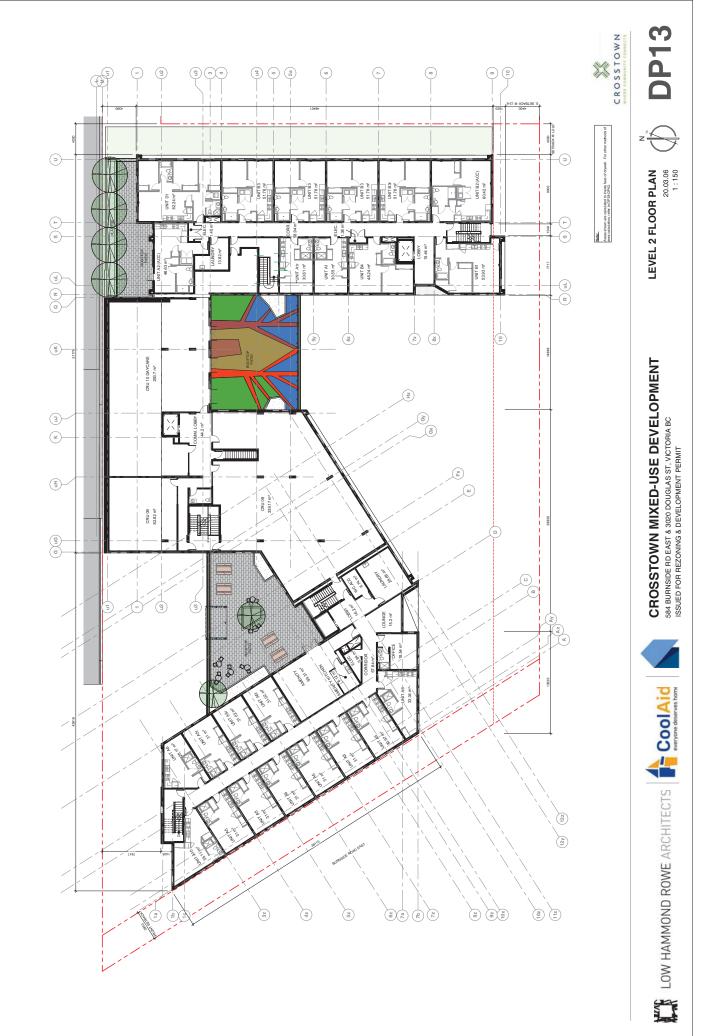




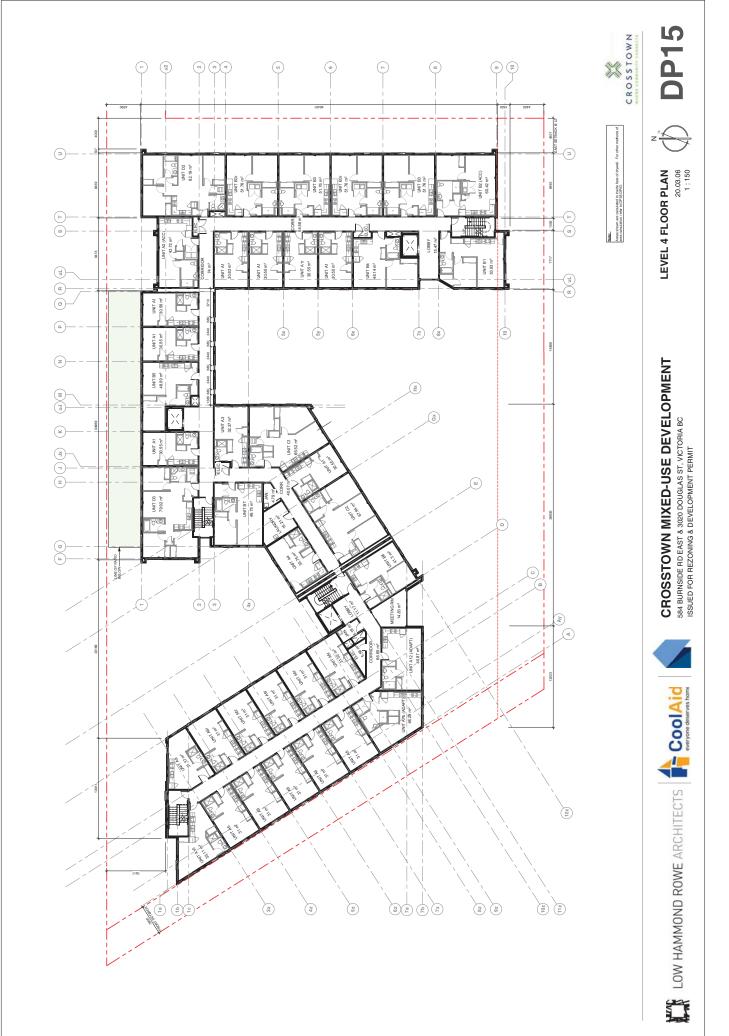




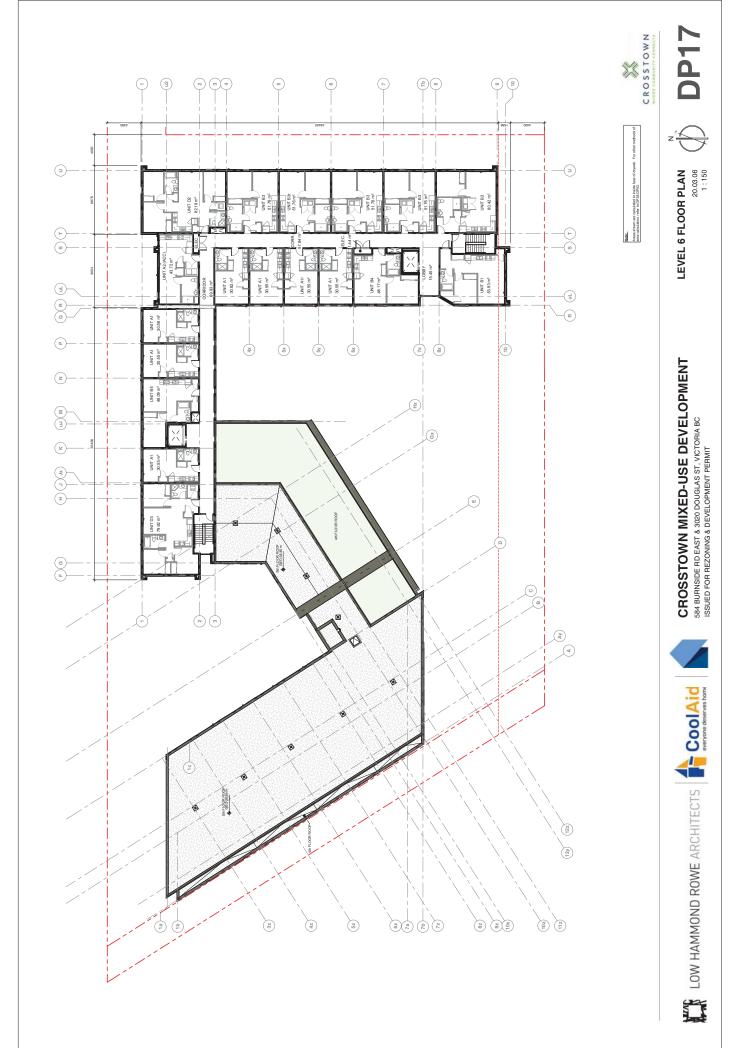


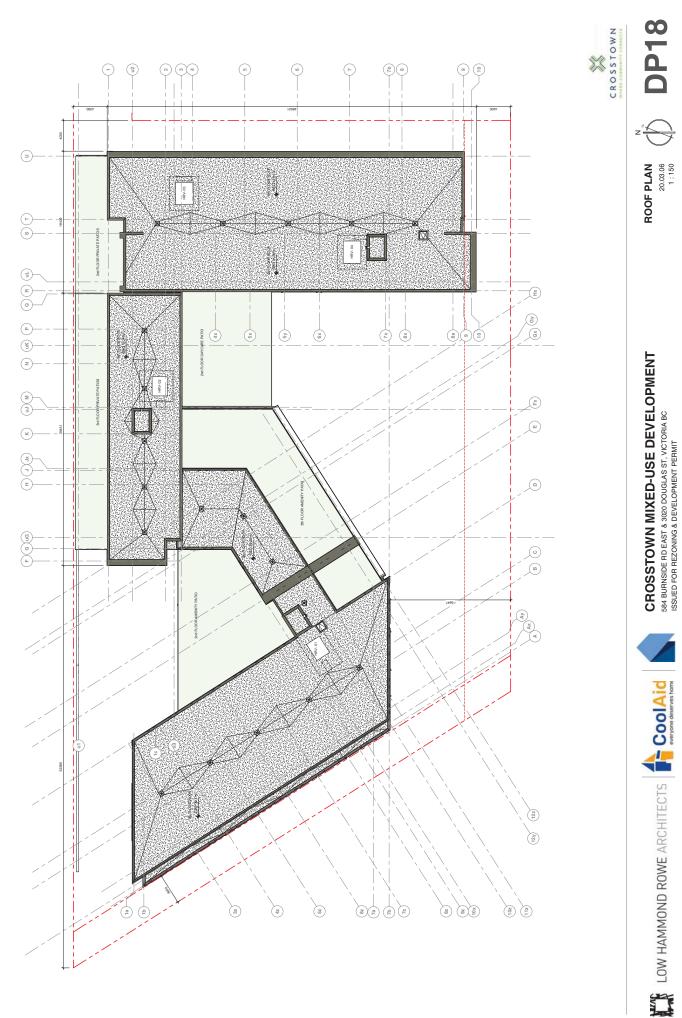


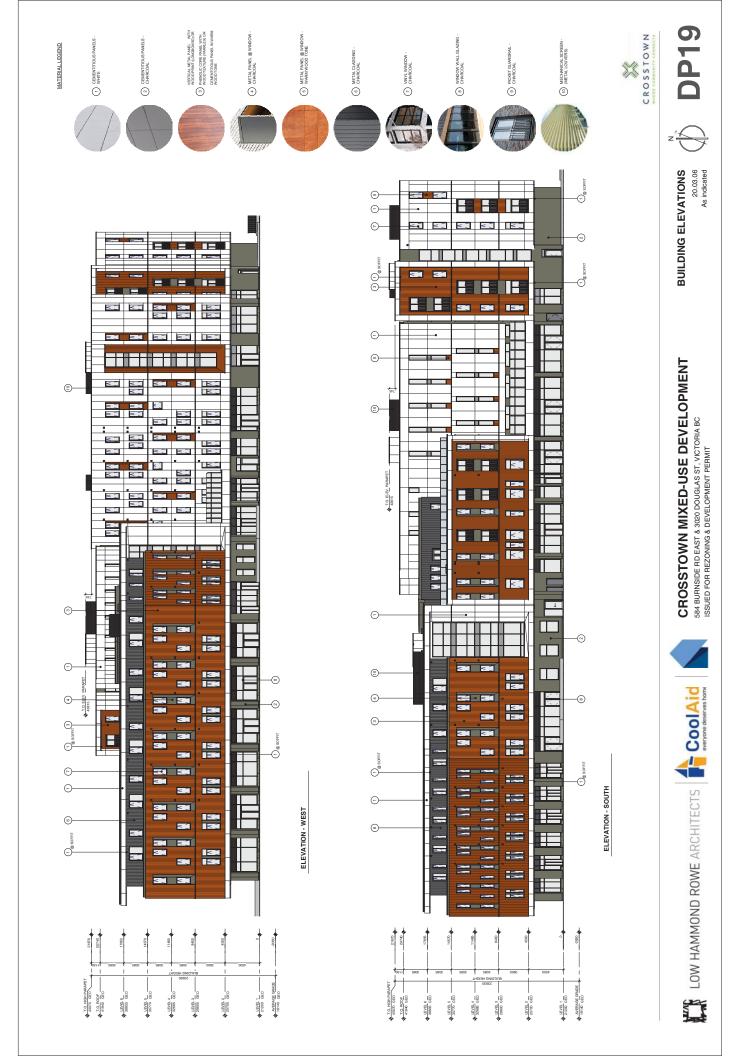


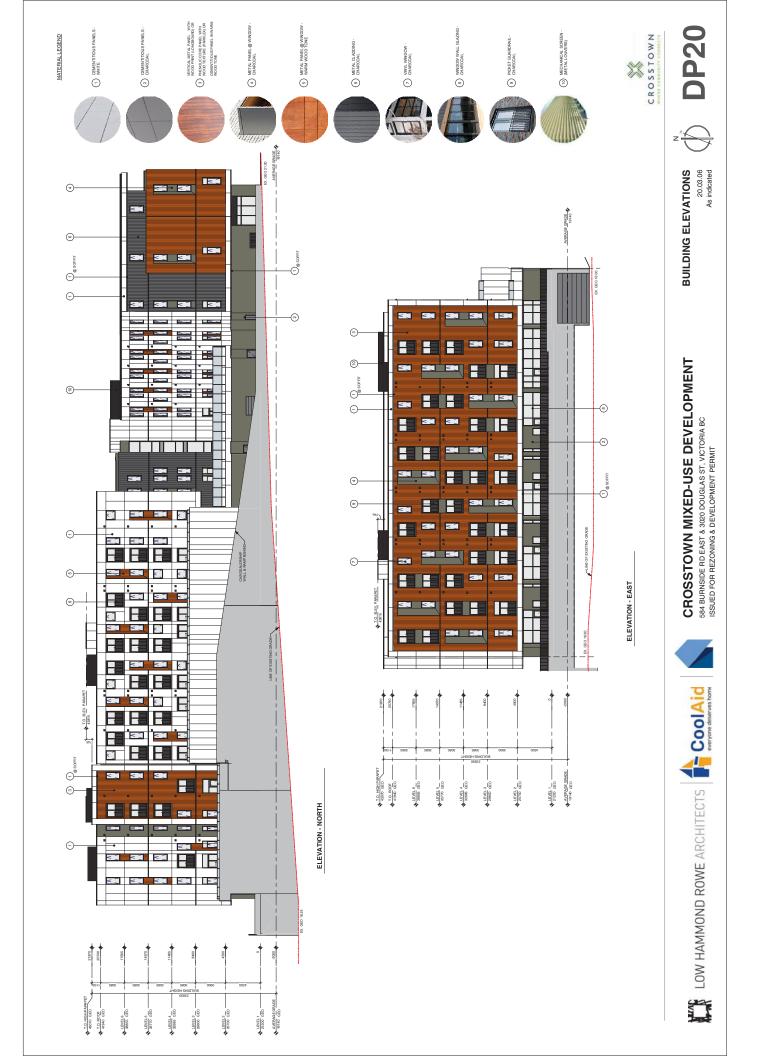


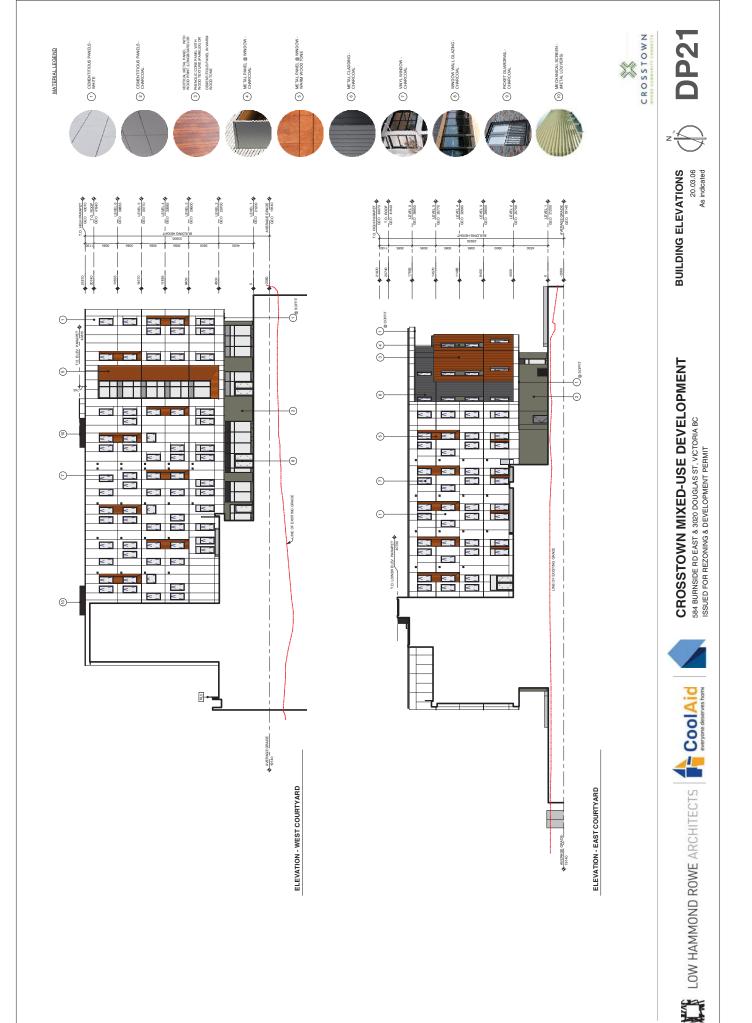






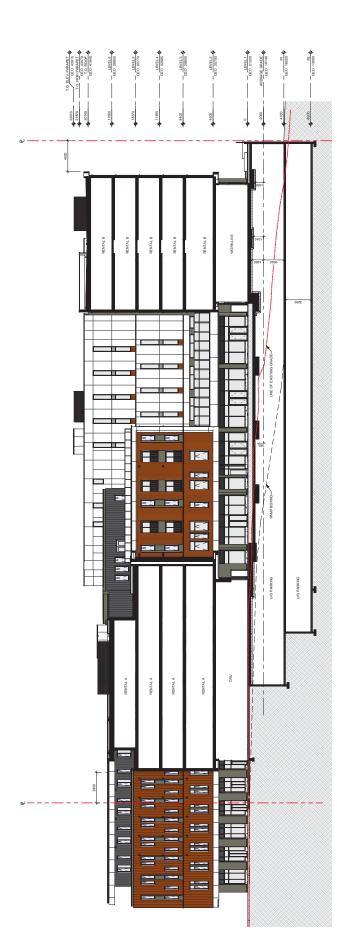






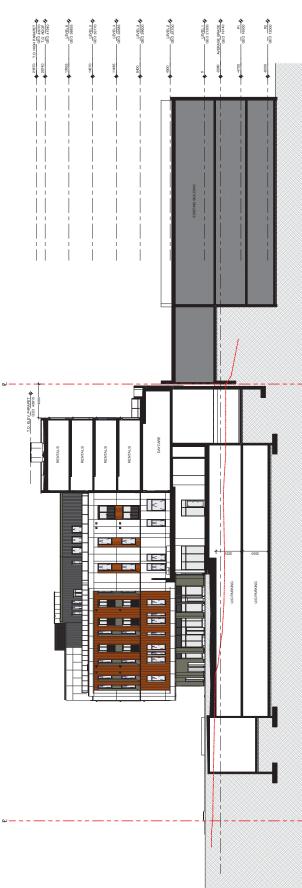


BUILDING SECTION 01









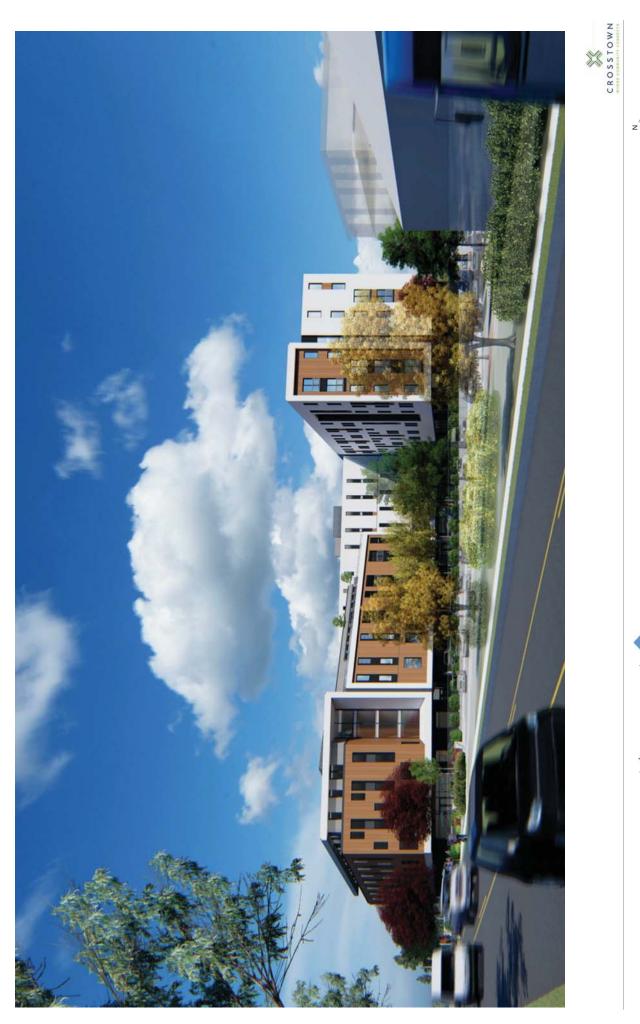












 CROSSTOWN MIXED-USE DEVELOPMENT
 VIEW DOWN BURNSIDE

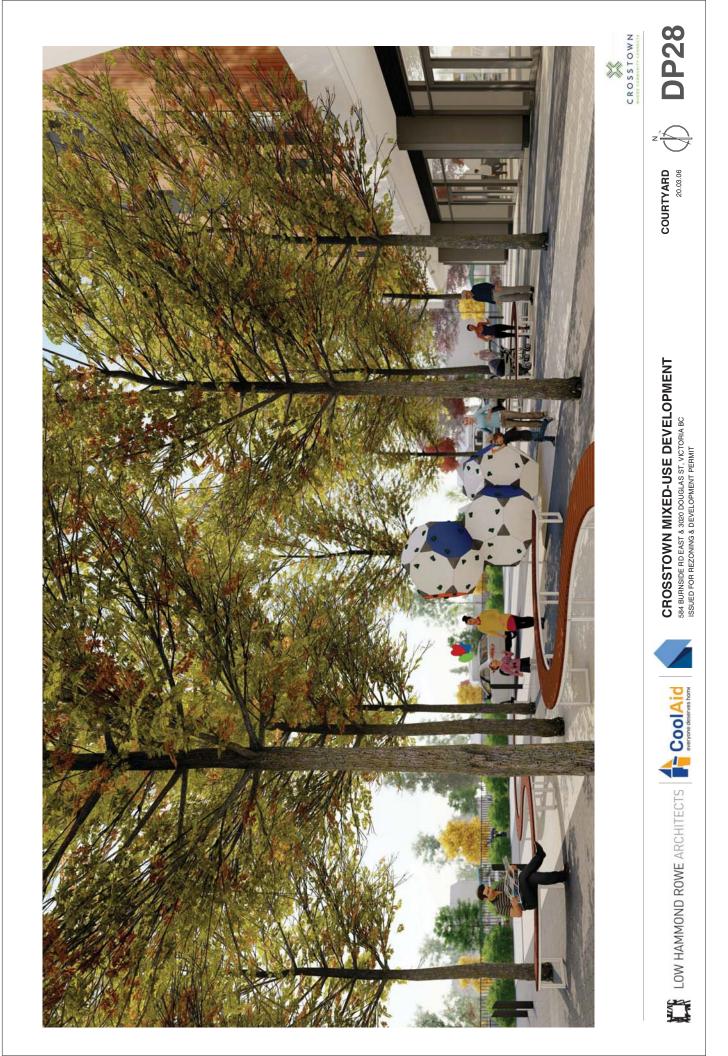
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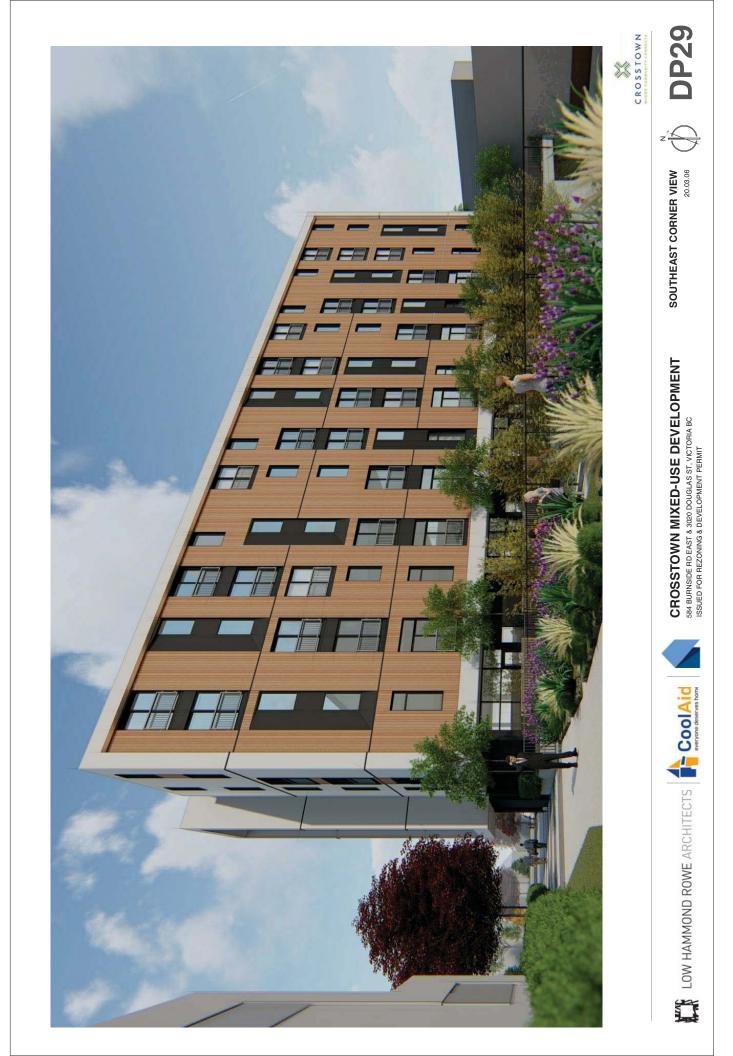
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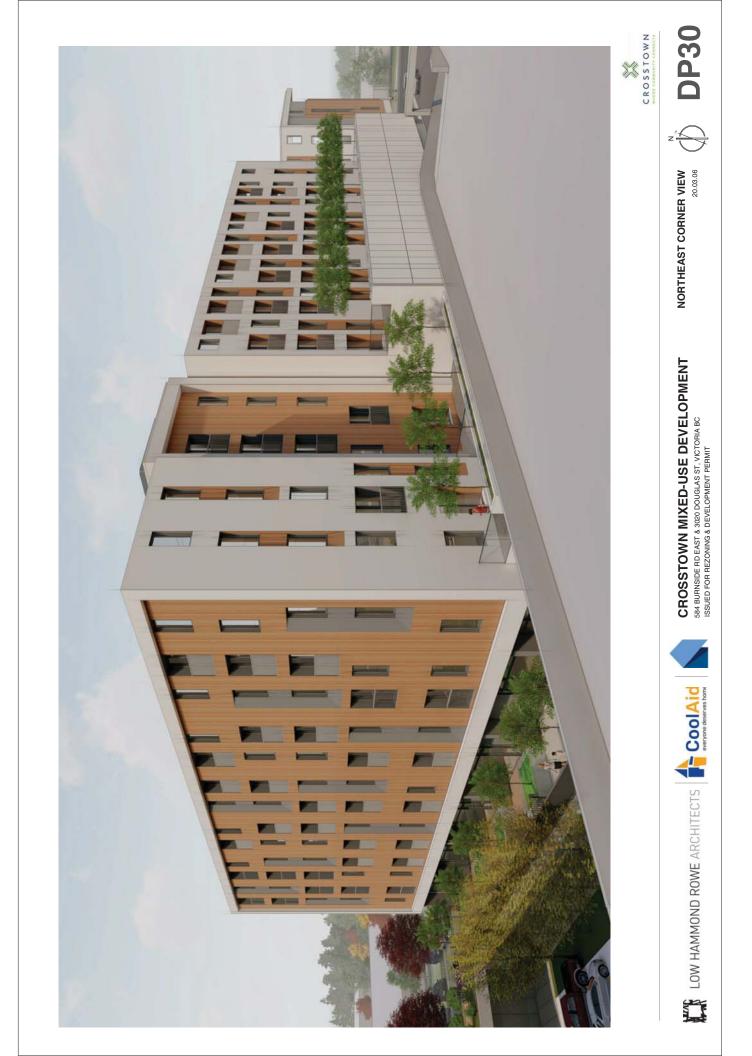
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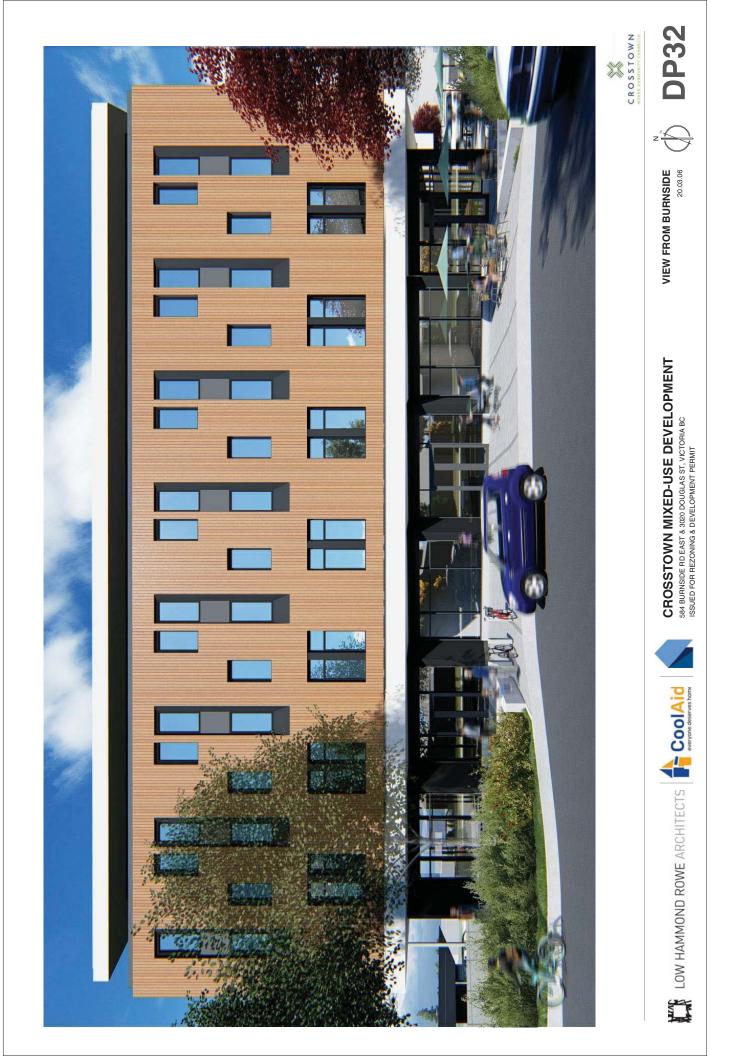








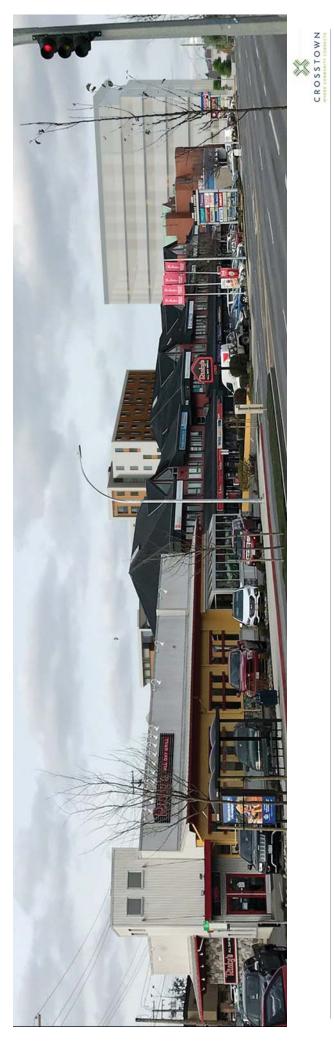












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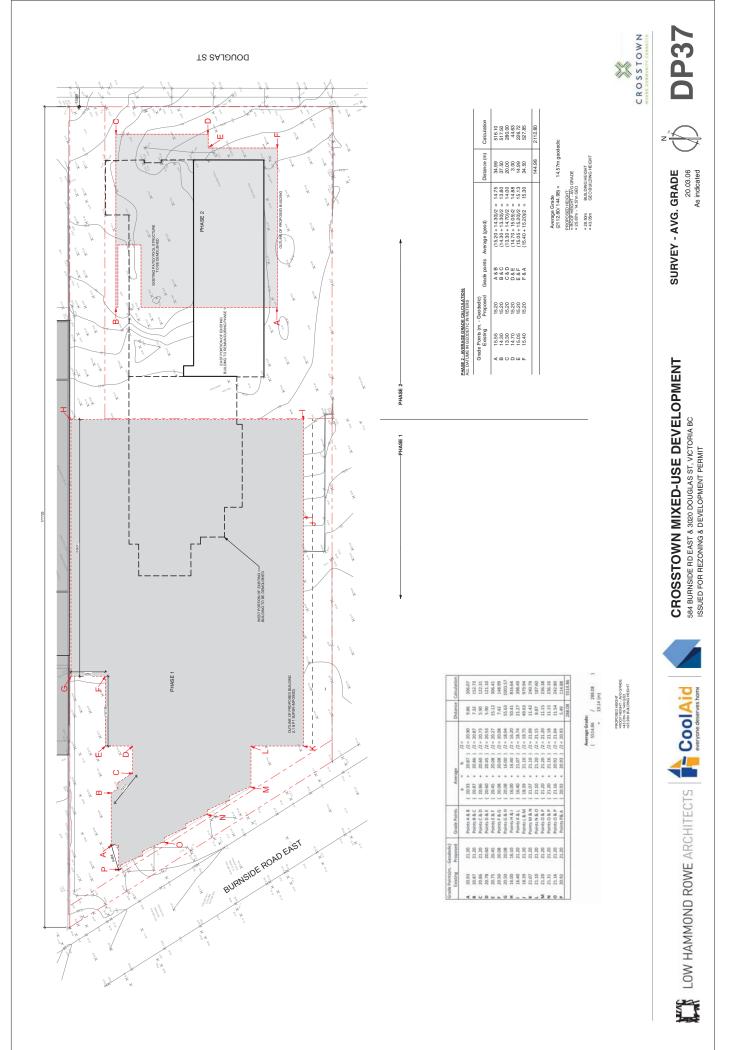
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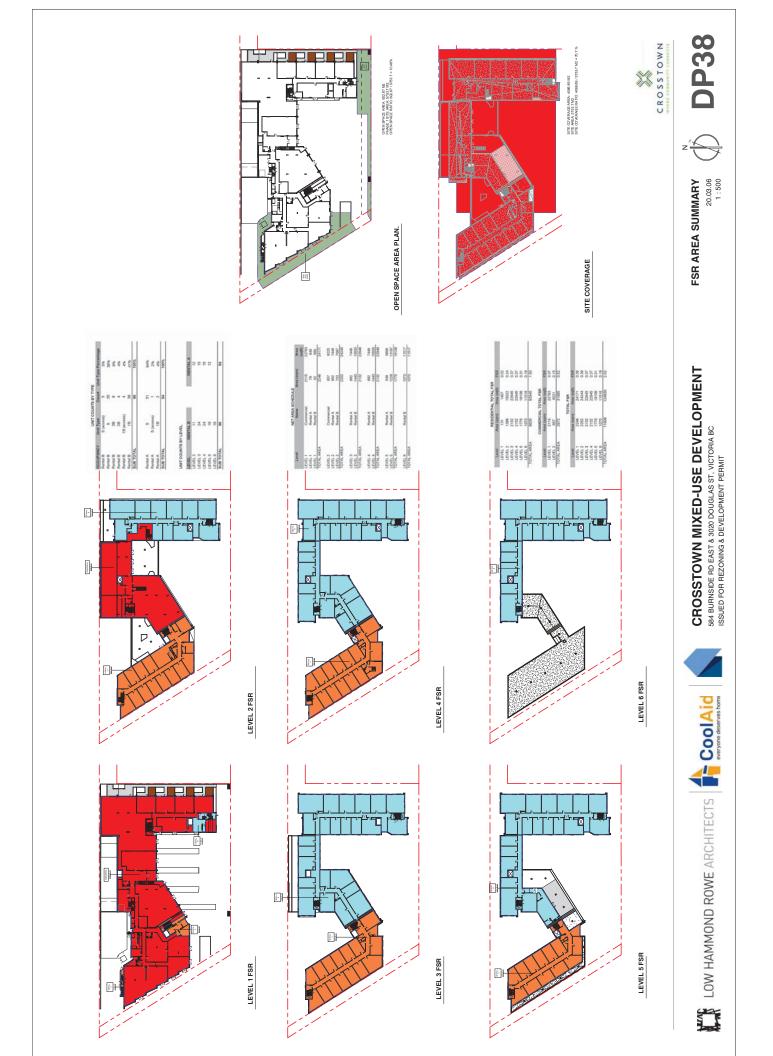
ILLUSTRATIVE VIEWS 20.03.06

> CROSSTOWN MIXED-USE DEVELOPMENT 584 BURNIDE RD EAST & 3020 DUIGLAS ST, VICTORIA BC 185UED FOR REZONING & DEVELOPMENT PERMIT

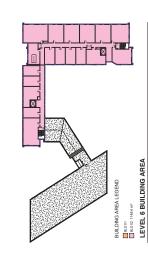
> > LOW HAMMOND ROWE ARCHITECTS

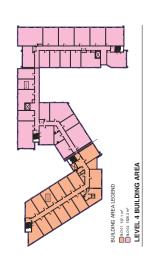


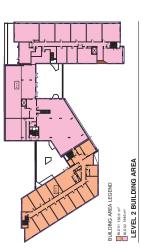


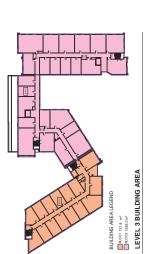


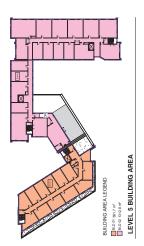




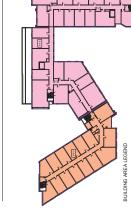


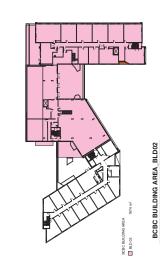












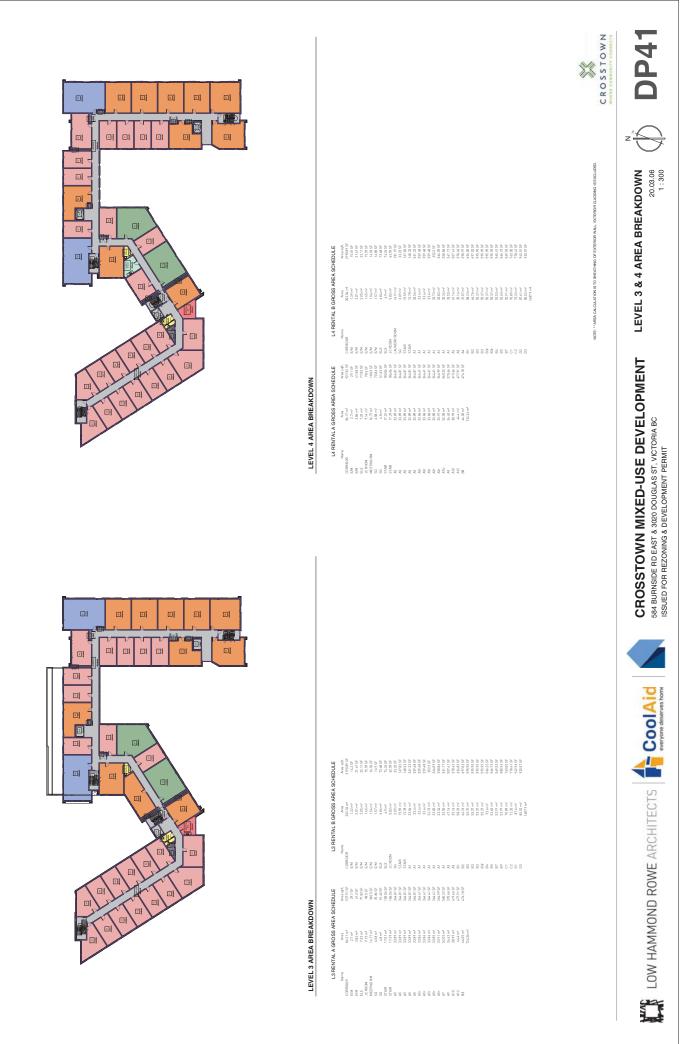


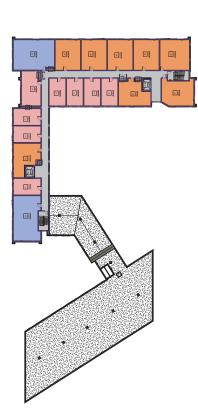








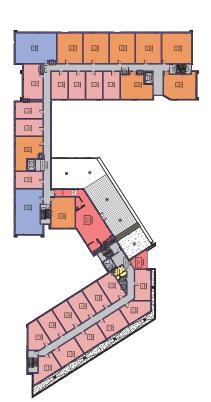


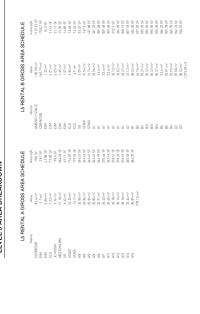


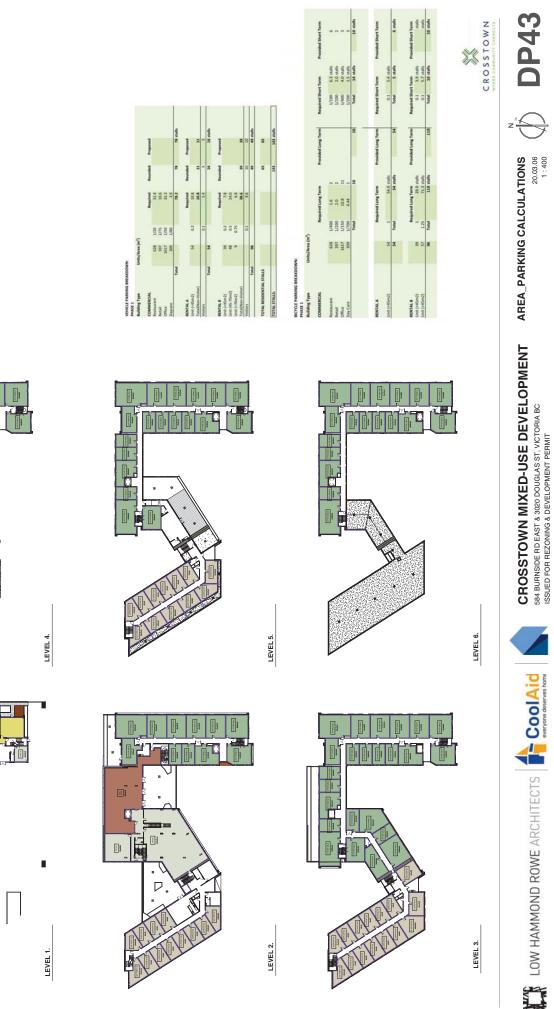


LEVEL 5 AREA BREAKDOWN





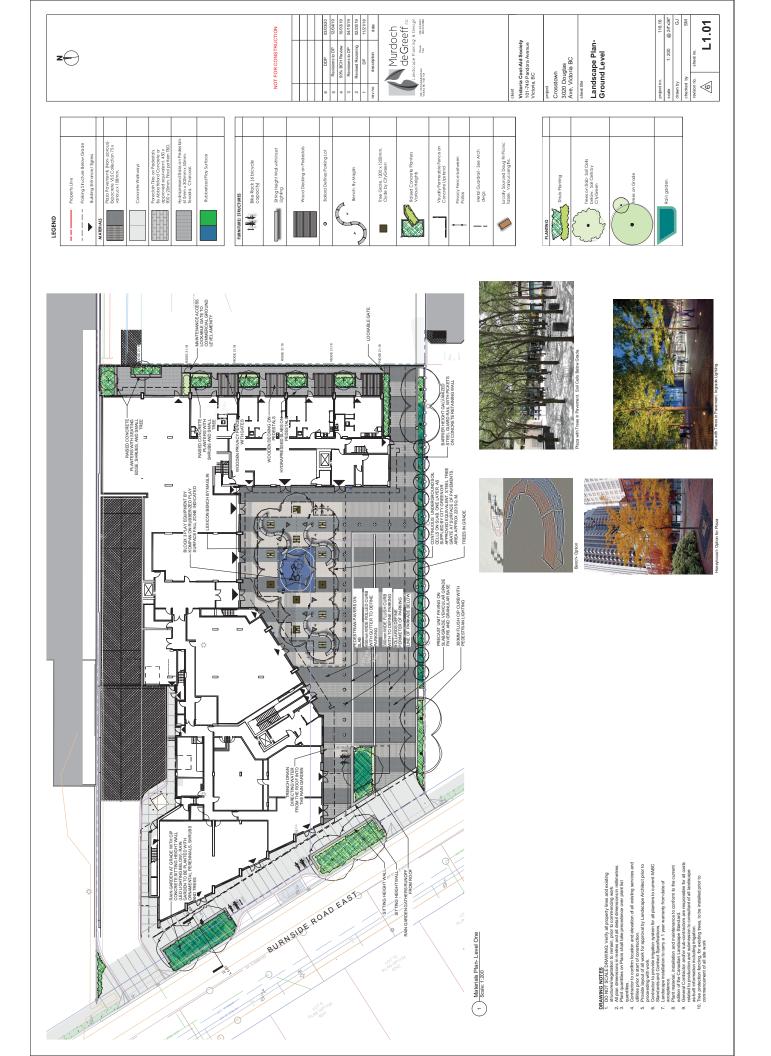


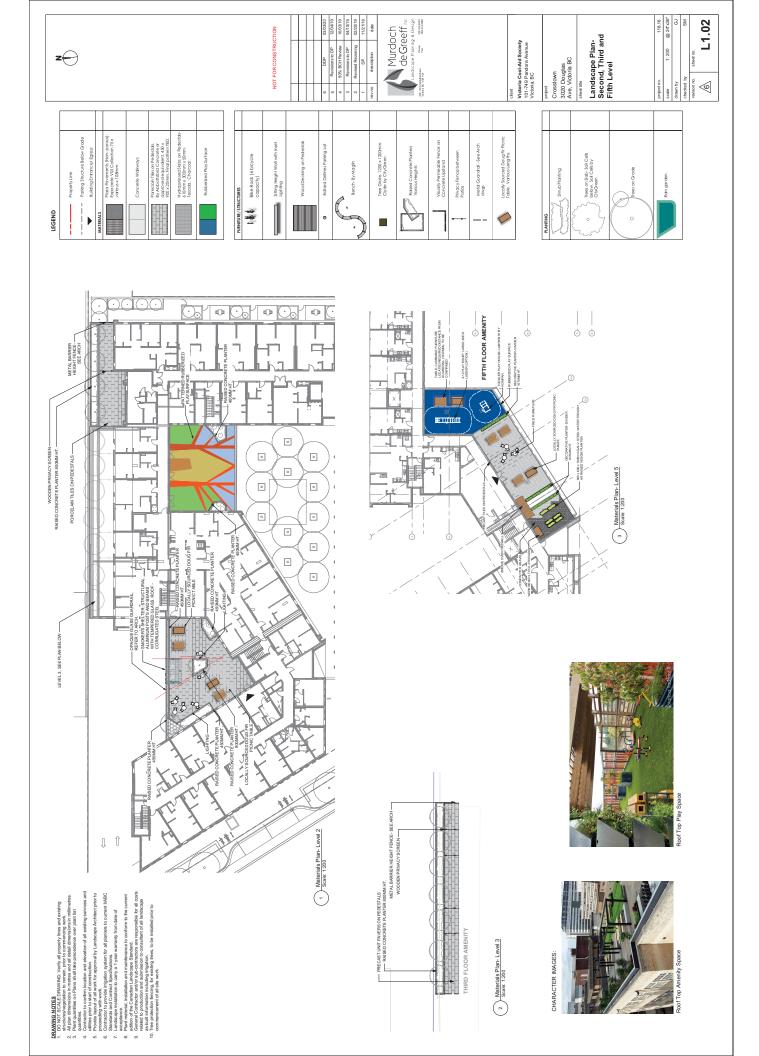














 propertion
 118.16

 scale
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