

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:29 PM
To: Public Hearing
Subject: FW: Letter re Oakridge Redevelopment

From: Brenda Dalawrak s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 6:17 PM
To: Correspondence Group, City Clerk's Office; pennyballem@vancouver.ca; s.22(1) Personal and Confidential
Subject: Letter re Oakridge Redevelopment

BRENDA DALAWRAK

s.22(1) Personal and Confidential

MARCH 10, 2014

**TO MAYOR AND COUNCIL OF VANCOUVER
RE: OAKRIDGE REDEVELOPMENT**

I am attaching the statements made by Marcelle Lacasse, Speaker #73, and adopt them as my own. I live in the same building as her across the lane from Oakridge Centre so what happens here will have a tremendous impact on me.

I have lived at s.22(1) Personal and Confidential for the last 14 years and in the Oakridge area for 50 years. If I had wanted a Metrotown/Yaletown/Downtown Vancouver type of area I would have moved there, not where I am now. This proposed development is too massive. I do not wish to live at the bottom of a canyon which is what it will be like next to Downtown Vancouver height buildings. There is already a library, auditorium, day care and seniors residence here. The height of the buildings will totally obliterate any sort of view the area residents have.

I take the Canada Line to work every day. At rush hour there is no room in the train cars. Increasing the ridership to the level of a "sardine tin" will not make more people want to take the Canada Line. I, for one, will be driving to work more often if the crowding is increased. Cramming thousands of people into what is a single-family residential area is not creating a "liveable" city. It will be a totally unliveable area for those who already live here. This council needs to take into account the wishes of local residents who are the ones DIRECTLY AFFECTED by this proposal.

BRENDA DALAWRAK

Letter to Mayor and Council

From: Marcelle LaCasse (speaker #73), s.22(1) Personal and Confidential, (Southwest Properties)

Date: March 10, 2014 Public Hearing, City Hall, Vancouver, B.C.

Mayor & Council:

I seldom get involved in politics, as I feel that at the best of times, decisions are already made prior to any public consultations &/or public hearings.

I **oppose** the:

A. The redevelopment of Oakridge Center and surrounding areas as it will greatly impact many long term local residents in numerous ways.

NEGATIVES:

1. The # of buildings and heights of buildings:

thus high density area, shadowing neighbouring buildings

2. Increased in population: *congestion, traffic on local & arterial streets, noise level, parking*

3. Transportation: *Canada Line is at capacity at rush hour, additional street buses will be needed (traffic)*

4. Crime: *my car has been broken into four times since the Canada Line, Concerned about SAFETY, security!*

5. Emergency services:

a: police department: *adequately staffed and prepared?*

b: fire stations: *are they adequately staffed and equipped to service high rises? Response time?*

c: hospitals: *are they prepared to receive the masses? Average ER wait is 3 hours!*

d: local schools: *are at capacity*

6. Environmental issues: *water/sewage, waste disposal, recycling, air pollution, adequate green space*

7. Park at grade level: *accessible by ALL people...*

Stanley Park is a PARK!! Not some green space on some roof. 30 year obligation for a legitimate park.

POSITIVES:

1. *?????, big money for City Hall and even BIGGER money for developers!*

B. I asked the mayor and council – HAVE YOU DONE YOUR DUE DILIGENCE?

a) Have YOU, the mayor and council **REALIZED** the various implications of this proposal?

b) Have YOU **PERFORMED** the necessary studies re: high density studies, shadowing studies?

c) Have YOU **REQUESTED** an impact analysis re: traffic on adjacent local or arterial streets?

d) Have YOU **CONSULTED** with emergency services, Vancouver School Board, TransLink?

e) Have YOU adequately **CONSULTED** with the local populace, small businesses?

f) Have YOU **REVIEWED** the Oakridge Center 2007 policy statement?

(allowing 2 buildings @ 24 storeys high, 2.83 acres park)

g) Have YOU **SERVED** the people of Oakridge in THEIR best interest?

h) Have YOU **IMAGINED** the impact this would have on Oakridge citizens?

C. In reference to 3c) ...To further amend CD-1 (1) By-law No. 3568 by removing 635-659 West 45th Ave., 688 Fairchild Road, 625 West 45th, and 5926 - 6076 Tisdall Street (collectively the "Southwest Properties") from the Oakridge Centre CD-1 (1) By-law and to establish a new CD-1 zoning district for the Southwest Properties, containing zoning that supports the existing developments on the Southwest Properties.

AND in reference to information from Dwayne Drobot, planner – email received Sunday, March 09, 2014:

"These properties are subject to Cambie Corridor Phase 3 planning, where we will be looking at this area in GREATER DETAIL. The first step was to replicate the by-law as was approved by Council/Town Planning Board in 1959 (as a starting point)."

I find the application to amend CD-1 (1) By-law #3568 and the contents of Mr. Drobot's email very disturbing as I consider this as a "very large wedge in the door" for the likes of Ivanhoe Cambridge and Westbank Development to further develop these areas in the not so distant future.

Local residents chose to live in this quaint established area called Oakridge to avoid areas such as the West-End, Yaletown, Downtown which are experiencing ALL of the negatives as previously stated.

I moved here in 2002 for the following reasons: quaint, established, suburban qualities, sense of space, convenience, close proximity to work, SAFE neighbourhood and for the long term (until my demise).

At least 80% of the residents in my building (ages 43 – 100 years) are here for the long term, not expecting to be relocated or inconvenienced by City Hall or by Big Developers. Can you imagine the impact on the residents having to live here in a construction zone/pit for the next 10 - 15 - 20 years?

There are 6 sub-areas recognized as the Southwest Properties and including the Terraces...this equates to a lot of people who will be directly affected.

I believe the proposed redevelopment of Oakridge Centre will serve as a **precedent** for future development of the Southwest Properties and adjoining areas.

In closing, I urge the Mayor and council to reconsider the proposed redevelopment of Oakridge, to take the time to perform your due diligence and to serve the people in THEIR best interest.

Take a moment to realize the impact this would have on Oakridge citizens, on the environment and on the **UPCOMING ELECTION!**

Thank you.

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:29 PM
To: Public Hearing
Subject: FW: please do not pass Oakridge rezoning (opposed)

-----Original Message-----

From: Stephen Bohus s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 6:19 PM
To: Correspondence Group, City Clerk's Office
Subject: please do not pass Oakridge rezoning (opposed)

Dear Mayor and Council,

Please listen to members of the local community who are urging you not to pass the mammoth Oakridge Mall rezoning. I support the positions put forth by the RPSC and the Oakridge Langara Area Residents.

The height and density of this proposal is completely out of scale and context with the neighbourhood. Please do not support this project and please go back to the original 2007 policy statement to guide any future development.

Sincerely,
Stephen Bohus, BLA

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:30 PM
To: Public Hearing
Subject: FW: oakridge redevelopment plan

From: Hannah Lingren s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 6:32 PM
To: Correspondence Group, City Clerk's Office
Subject: oakridge redevelopment plan

To Gregor Robertson and the Vancouver City Council,

I have become incredibly disappointed with the current plan for the redevelopment of Oakridge Centre. Sustainability is not synonymous with density, something the city of Vancouver seems to have forgotten.

Cramming upwards of 5000 more people into this neighbourhood does absolutely nothing for the community or for those new residents unless they can be cohesively integrated, and have the proper resources to do so. At this point, we lack the infrastructure to support that many new residents at this location. The idea of having "transit-oriented" housing sounds like a lovely idea, but putting it at a location with immediate access to only one rapid transit line makes absolutely no sense. Not only is the Canada Line operating at maximum capacity during peak hours, the 41 and 49 bus routes are depended upon heavily by many university students and people connecting from the Canada Line to the Skytrain. Speaking as someone who takes the 41st bus 7 days a week, to both SFU and my job downtown, I can tell you that without an increase in service, these bus routes will become another Broadway before they are even considered as a future rapid transit route. Even now, I am consistently skipped by full buses at anytime even near peak hours. Westbank giving 600 00 to Translink is essentially a drop in the pond when you consider the many expansions Translink will have to undertake to match the developments that are all being constructed and advertised around the location of transit routes.

Sustainable density would be a development that doesn't try to cram a two bedroom unit into 700sq feet amidst what is essentially the closest you will get to suburbia within the city limits. How many families do you know who's perfect idea of a home is 3 bedrooms in 900 square feet? This is the reason so many young families are moving to the suburbs, where there is room to LIVE, not just exist in a small box. I have heard many (over the age of 40) speak about how millenials will be happy to live in more condensed spaces- speaking as an actual millenial, I am here to tell you that yes, maybe I don't need the sprawling rancher with a two car garage, but I am only willing to sacrifice that for a city that is worth it, and one that doesn't seem to prioritize the interests and well being of developers above all those that will live with the consequences of this rampant construction. The proposed height alone is completely ridiculous; it makes me wonder if anyone involved has ever actually visited the Oakridge neighbourhood. You cannot just throw down this tower into a mostly quiet, residential area, and expect us to simply accept that- we, the actual residents, will not accept this as a precedent for any future construction.

There are so many more problems with this, ones that must have come to light during the development of this plan and have been smoothed over or ignored. I am becoming increasingly disillusioned with this government (as are many others) and will not support this insane density as the future of Vancouver. Many citizens are trying to provide a voice of reason, and it feels like we are mostly being ignored. Nevertheless, thank you for this opportunity to add my opinion, and I hope you take the time to consider all options and their consequences.

Sincerely,
Hannah Lingren

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:31 PM
To: Public Hearing
Subject: FW: Oakridge

-----Original Message-----

From: PINDAR AZAD s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 7:35 PM
To: Correspondence Group, City Clerk's Office
Subject: Oakridge

Dear council members and Mayor,

I do not know what kind of legacy you think you are leaving as your time on council. I will forever associate you with the destruction of our liveable, hip city. What you hope to gain by your support and approval for mega projects such as this can only be personal rewards for your future careers. I will not vote for any of you, especially you Mr. Mayor. You turned out to be the most disingenuous Mayor this city has ever seen.

Sent from my iPad

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:32 PM
To: Public Hearing
Subject: FW: Oakridge Centre rezoning application
Attachments: Rethink .pdf; Screen Shot 2014-03-10 at 11.25.48 AM.png; img_plans_oakridge05_lg.jpg

From: Tracey Moir s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 9:05 PM
To: Correspondence Group, City Clerk's Office
Cc: Tracey Moir; Jackson, Brian (PDS)
Subject: Oakridge Centre rezoning application

Dear Mr. Mayor and Council,

It is my privilege to write on behalf of Oakridge Langara Area Residents (OLAR). We are opposed to the current proposal and ask that **you vote to defeat it** for the following reasons.

The rezoning application before you is premature. The implications and impacts for this, the biggest development project that Vancouver has yet to embark on, have not been thought through and much planning work and professional advice is needed before a rezoning is granted.

This includes a thorough analysis of traffic impact and the needed increases to government-supplied physical and social infrastructure.

It is our understanding and verified by Mr. Brian Jackson at the beginning of the Public Hearing that schools were not one of the groups consulted nor were any school representatives present at the Hearing for your questions. Lack of school notification and collaboration is a fatal flaw with this application based on the scale of this development and family housing.

Downtownification at Oakridge requires collaboration with emergency services. In particular, fire services must be part of the planning process to ensure the design scheme allows appropriate fire department access and an analysis regarding response time to the site and into the tall towers.

We believe the Canada Line passenger per hour per distribution numbers provided to you are daily averages. Capacity must be considered on a hourly distribution basis to show peak times to judge if there is any additional capacity available.

Also, the other necessary half of the Canada Line equation is the additional ridership that this proposal would generate appears to be missing. You have not been provided adequate info and the Canada Line problem will not be resolved with 2 new fare gates and another

escalator. There must be another station entrance on the mall site. This cannot be achieved with the current scheme.

Another fatal flaw is improper public notice. We have had two pieces of correspondence submitted to us where Councillor Jang gave members of the public incorrectly and improperly that the proponent has not yet submitted their formal rezoning application. This could have discouraged and/or suppressed their participation at the advanced stage in the rezoning application believing it was still early days and the project could change over time. The need to have due public notice was compromised by the contradictory info provided by the city and the Councillor. It is reasonable to rely on a Councillor's direct email to his constituents more so than the confusing info the city was providing. How many more incidents of undue process of notification were there?

The third fatal flaw that requires you to defeat this rezoning is not following the **Oakridge Centre Policy Statement 2007** and exceeds it. We agree with Councillor Reimer's recent article in the **Courier** about the role of Council at Public Hearings. Trying to evaluate principles extracted from the document is not sufficient here. Under the umbrella of the policy statement, it is incompatible and inconsistent to follow it with only principles relied upon.

The City's inclusionary housing policy for large development rezonings applies and sets a 20% affordable housing target for this development. The housing mix is 2,334 market strata condos, 290 social housing units, and 290 secured market rental units. The City is giving the developers affordable housing credit for the market rental units and therefore not meeting this policy either.

Staff did not "carry out an enhanced program of public consultation" as Mayor Robertson's D. amendment regarding Oakridge on July 25, 2012 required. The Mayor's clear direction was for staff to work with the community. This has been substituted in large part by the efforts of the two PR lobby firms, Pottinger & Associates and Brook Pooni Associates, hired by the developers to shepherd the Oakridge proposal through City Hall.

An example of the shallow quality of their outreach and incomplete info is their oakridge2025.ca site. There are lots of pretty pictures, but much important info is missing such as the height of the buildings (in storeys) for the buildings from the Residential Tower Plan. Compare the same diagram in the City's Feb 12, 2014 Policy Report which indicates the heights. Also notice on the home page that one can indicate support of the project, but there is no corresponding button to indicate non-support. This method will produce inaccurate 100% support.

Similarly, a flyer was distributed in the neighbourhood that did not indicate the number of buildings; heights of the buildings; number of new residences, residents, employees, and shoppers; number of parking spaces, 10-15 years of construction and disruption; demolition of the Bay, Zellers space, food court, and Safeway; and amenity delivery dates of Dec 31, 2018; Jun 30, 2019; Dec 31, 2019; June 30, 2021; Dec 31, 2021; Dec 31, 2022; and Dec 31, 2022.

These and other PR strategies cannot be accepted by an unbiased Council and all public input results from the proponents' team must not be relied upon.

I include 3 attachments showing the home page (please note there is no ability to indicate non-support) and tower residential plan (please note the number of storeys is missing compared to the material you were provided) from oakridge2025.ca and the flyer.

Regarding the rooftop "park", is it not true that the City of Vancouver holds parks as a trustee? If true, you cannot take a park and turn it into something else. How are you going to trade the 2.83 acre park obligation to rooftop space? We ask what is the process for a trustee to change the subject matter of the trust? And was this process followed adequately?

Thank you for reading our submission.

Yours,
Tracey Moir
Chair, Oakridge Langara Area Residents (OLAR)

Rethink Oakridge: FAQ

Winter 2014



Ivanhoé Cambridge, the owner of Oakridge Centre, and Westbank, their residential development partner, have resubmitted an application to the City of Vancouver to develop this strategic 28-acre property.

What has changed since the original rezoning submission?

After consultation with City Staff, the UDP, immediate neighbours, and the general public, numerous changes were incorporated in the revised submission:

- Civic Centre**
 Increased size from 45,000 ft² to 70,000 ft²
 Location moved from rooftop to ground level.
- Affordable Housing**
 An additional 75 units of affordable housing
- New Street**
 No longer a through street to reduce shortcutting.
 Parkade entrance relocated away from 45th Ave.
- Retail Phasing**
 Existing Seniors' Centre, Library and Safeway will remain operational until their new spaces are complete.
- Rooftop Park**
 Increased number and scale of public rooftop access points.
 Programming refined based on public input.
- Bicycles**
 Dedicated two-way bicycle lanes encircle site

What stage of the development process is this project currently in?

The project is currently at the public hearing stage. The public hearing is scheduled for March 10th at 2pm at Vancouver City Hall, 453 West 12th Avenue.

There are two ways to share your thoughts on the project:

- Speak at the public hearing - register by e: publichearing@vancouver.ca or t: **604.829.4238**
- Send a message directly to Mayor and Council via email: mayorandcouncil@vancouver.ca

What sort of expanded civic amenities and community space will be offered?

Our submission to the City included the following proposed amenities:

- A new 70,000 ft² centralized amenity building features**
 - + Community Centre
 - + Library
 - + Seniors' Centre
 - + Day Care
- 4 large ground level plazas**
- 9-acre Rooftop Park that is public and multifunctional**
 - + Multipurpose activity courts
 - + Children's play area
 - + Dining Terraces
 - + 1/2 mile running loop
 - + Community gardens
 - + Water art garden
 - + Tai Chi Pavilion
 - + Outdoor fitness & exercise areas

What types of housing will we see?

The following housing options have been proposed:

Housing Type	Number of Units
Social Housing Units*	290
Market Rental Units**	290
Market Strata Units	874
Sustainable Transit-Oriented Market	1,460
Totals	2,914

*As per City policy, the social housing units are required to include 50% of units with two or more bedrooms. The proposal includes 87 two-bedroom social housing units and 58 three-bedroom social housing units. A minimum of 5% (15 units) of the social housing units will be built as fully accessible units.

** Market rental units are required to provide 25% family housing units. The proposal includes 73 two-bedroom units and 29 three-bedroom units.

www.oakridge2025.ca

Join the conversation! @oakridge2025 | #RethinkOakridge

For more information on the redevelopment of the Oakridge Centre, please contact **Virginia Bird, Community Relations** at **(604) 216-7040**

This handout has been created by the Oakridge Centre Planning Team to provide information on the proposal, which is expected to evolve based on public feedback and discussions with the city. This handout is not affiliated with the City of Vancouver, and to view the rezoning application in its entirety and to provide feedback, you may visit vancouver.ca/Oakridge

Rethink Oakridge: FAQ

Winter 2014

What will happen to the current Oakridge Centre?

- Throughout the planning and construction phases, Oakridge Centre will remain open and operational at all times.
- The intent is to phase the construction so that the existing amenities (Seniors' Centre and library) and Safeway will remain operational until the new facilities are complete.

Will there be a significant increase in employment opportunities?

- Increase leasable office space from 119,300 ft² to a proposed 385,800 ft²
- Office space would serve both local and city-wide employment needs
- Approximately 2,210 new retail jobs and 990 new office positions
- Close proximity to residential, retail, and transit hub reduces carbon footprint of employees

What sort of sustainable transportation options are available?

- **Car Co-Op program to reduce need for automobile ownership and parking demands**
- **Bike-friendly environment:**
 - + Bike sharing co-ops
 - + Bicycle valet
 - + Secured office and retail parking
 - + Traditional bicycle parking
- **New pedestrian-only High Street bisects the site to reduce automobile presence**
- **New neighbourhood-only road caters to pedestrians and cyclists with a dedicated bicycle lane, wide sidewalks and street trees**

What green building practices will be used to minimize environmental impacts?

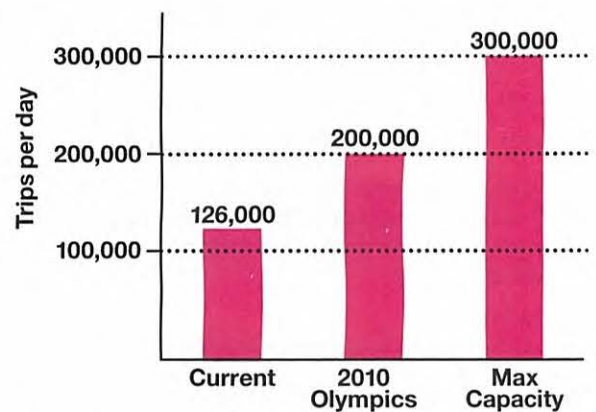
- **Oakridge Centre leverages green building practices and technologies to minimize waste and optimize energy:**
 - + Living walls
 - + Vertical sunshades
 - + Heat exchange
 - + Solar photovoltaics
 - + Solar thermal
 - + Geo-exchange loops
 - + Retail waste heat recovery
 - + Rain water collectors
 - + Hot water collectors
 - + Storm water is to be collected, stored, and reused for toilet flushing and irrigation
- **Will exceed the minimum LEED® Gold New Construction requirement by targeting LEED® Platinum Neighbourhood Development**

What about a broader mix of shops and restaurants?

- Retail space will be expanded up to 1.2 million ft² of leasable area
- 50,000 ft² grocery store
- Three anchor retailers—the Bay, Safeway, and another major store to be announced
- Wider range of retail types to serve daily needs for the neighbourhood

Is there capacity on the Canada Line to service the future Oakridge Centre?

Translink reports there is sufficient capacity on the Canada line to service future riders



Source: www.translink.ca/en/About-Us/Media/2010/June/Addressing-Canada-Line-capacity-questions.aspx



www.oakridge2025.ca

Join the conversation! @oakridge2025 | #RethinkOakridge

For more information on the redevelopment of the Oakridge Centre, please contact **Virginia Bird, Community Relations** at (604) 216-7040

This handout has been created by the Oakridge Centre Planning Team to provide information on the proposal, which is expected to evolve based on public feedback and discussions with the city. This handout is not affiliated with the City of Vancouver, and to view the rezoning application in its entirety and to provide feedback, you may visit vancouver.ca/Oakridge



Show your support for the redevelopment of Oakridge

click to support

YES, I SUPPORT OAKRIDGE

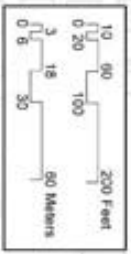
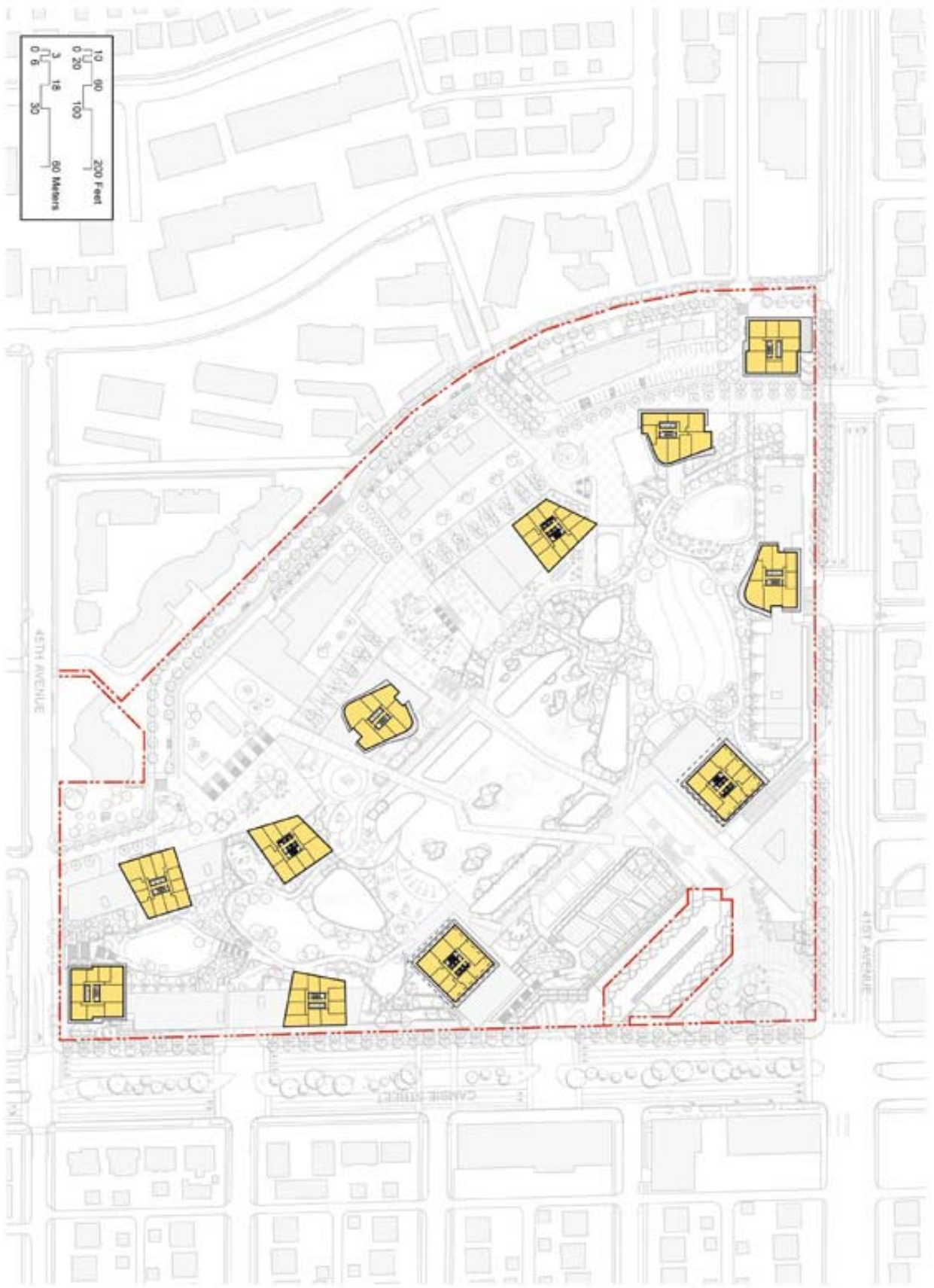
表態支持重新發展 OAKRIDGE



click to enter OAKRIDGE 2025 WEBSITE

OAKRIDGE

WEST SIDE • SINCE 1939



Legend	
	Retail
	Office
	Amenity
	Residential
	Residential Lobby
	Electrical
	Mechanical
	Structural Transfer
	Property Line
	Line of 65' R.O.W.

Residential Tower Plan



Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:32 PM
To: Public Hearing
Subject: FW: Opposed to approving the oakridge proposal

From: Ellen s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 9:07 PM
To: Correspondence Group, City Clerk's Office
Subject: Opposed to approving the oakridge proposal

Hello mayor and council,

I wanted to email to be clear that I am opposed to the oakridge proposal due to lack of independent evidence to ensure the impacts are managed. I would like to see more planning rather than using this area as a practice community. This seems to be a large and complex development. There does not seem to be enough information to ensure the impacts are mitigated and that the positives are delivered. Please consider the concerns of the residents and ask yourself, have these concerns been addressed fully? (E.g. Number of kids-classroom space? Amenities? Etc.) Have residents been adequately informed of the potential impacts? Will this truly benefit current and future residents of all of Vancouver?

Thank you,
Ellen Wu

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, March 11, 2014 9:32 PM
To: Public Hearing
Subject: FW: section 215 Restrictive Covenant (requested by A. Carr speaker #90 Ron Kornfeld)
Attachments: N28619.pdf

From: Ron Kornfeld s.22(1) Personal and Confidential
Sent: Tuesday, March 11, 2014 9:19 PM
To: Correspondence Group, City Clerk's Office
Subject: section 215 Restrictive Covenant (requested by A. Carr speaker #90 Ron Kornfeld)

I am attaching a pdf of the covenant as requested by Counselor Carr. Please note that it appears to me that this covenant appears not to have even been on City Staff's radar until it was raised a few months ago by Terraces residents in the context of other development related issues. In response to Counselor Meggs query to me why this should be a concern to the Terraces residents if the information has been available all along and should not be a surprise - the extraction issue was raised for the first time 2/3 weeks ago. However, the extraction could not have been anticipated by Terraces residents as there would be no reason to anticipate it and the language of the covenant does not contemplate such action. As I stated, it is clear no actual notice was given to the Terraces - I cannot speak for the other affected "extractions" as I am not aware what is registered on title against those properties.

RON Y. KORNFELD

s.22(1) Personal and Confidential



s.22(1) Personal and Confidential



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please consider the environment before printing this e-

APR 22 10 53 # 85

2/13

N 28619

LAND
VANCO

N 28619

FORM 17 (Section 152(1))

Charge

True Value: \$

1.00

Nature of Charge

SECTION 215 COVENANT (WITH PRIORITY OVER MORTGAGE L120947 AND ASSIGNMENT OF RENTS (11.2700))

Herewith Fees of: \$

10.00

Address of person entitled to be registered as owner, if different than shown in instrument

Legal description, if not shown in instrument being submitted with this application

ACT 1361 REGISTRATION MEMORANDUM

Person presenting Application

(Signature of Applicant or Solicitor or authorized agent)

Lawson, Lundell, Lawson & McIntosh

Box 11506 685-3456
2800 - 650 West Georgia Street
Vancouver, B.C. V6B 4R7

on application received on the day and at the time written hereon.
D. H. ELLIS, REGISTRAR
VANCOUVER LAND TITLE OFFICE

04/22/85 AD464 CHG NOM 10.00

THIS AGREEMENT made this 28th day of March, 1985.

BETWEEN:

WOODWARD REALTY LIMITED, a British Columbia company having an office at 101 West Hastings Street, Vancouver, British Columbia V6B 4G1

(hereinafter called the "Grantor")

OF THE FIRST PART,

APPROVED
LLLM
W/ward

AND:

CITY OF VANCOUVER, a municipal
corporation with office at 453
West 12th Avenue, Vancouver,
British Columbia, V5Y 1V4

(hereinafter called the "City")

OF THE SECOND PART.

WHEREAS:

A. The Grantor is the registered owner in fee simple of those certain parcels or tracts of lands and premises situate in the City of Vancouver, in the Province of British Columbia, legally described as:

City of Vancouver
Lot 7
Block 892
District Lot 526
Plan 20424

(hereinafter called the "Lands");

B. The Grantor intends to subdivide the Lands by way of an air space plan prepared and certified by Ralph B. Turner, B.C.L.S., on the 19th day of February, 1985, (which plan is hereinafter called the "Air Space Plan");

C. It is intended to deposit the original of the Air Space Plan in the Vancouver Land Title Office concurrently with the application for registration of this Agreement;

D. The registration of the Air Space Plan will subdivide the Lands into the air space parcel described in the Air Space Plan (hereinafter called the "Air Space Parcel") and the remainder of the Lands (hereinafter called the "Remainder").

E. The Remainder and the Air Space Parcel have been or will be developed in accordance with CD-1 By-law, No. 5600 of the City of Vancouver;

N 28619

3

F. Following the registration of the Air Space Plan the dwelling units referred to in Subsection 2(d) of CD-1 By-law No. 5600 will be situate wholly within the Air Space Parcel;

G. For purposes of redeveloping either the Remainder or the Air Space Parcel, or both together, the Remainder and the Air Space Parcel are to be taken as a single development site;

H. It is essential that, following the registration of the Air Space Plan, those having or taking an interest in the Remainder and/or the Air Space Parcel have notice of the effect of such subdivision on the development rights attached to the Remainder and the Air Space Parcel and the inter-relationship thereof;

NOW THEREFORE THIS INDENTURE WITNESSETH that as a condition of the said subdivision and in consideration of the sum of One Dollar (\$1.00) now paid by the City to the Grantor and for other good and valuable consideration the Grantor doth hereby covenant with the City pursuant to Section 215 of the Land Title Act as follows:

1. So long as the Remainder is developed with an improvement or improvements of a non-residential nature which, taken together, have an gross floor area of 80,709.3 square metres (868,776.0 square feet), the Air Space Parcel may be developed only with an improvement or improvements of a residential nature which, taken together, have a gross floor area of 4,682.2 square metres (50,400 square feet).

2. So long as the Air Space Parcel is developed with an improvement or improvements of a residential nature which, taken together, have a gross floor area of 4,682.2 square metres (50,400 square feet), the Remainder may only be developed with an improvement or improvements of a non-residential nature which taken together have a gross floor area of 80,709.3 square metres (868,776.0 square feet).

3. Subject always to Sections 1 and 2 hereof, the Air Space Parcel and the Remainder may only be redeveloped in the future with an improvement or improvements which, taken together, have an aggregate gross floor area of 85,391.5 square metres (919,176 square feet).

4. The Grantor and the City acknowledge that the restrictions set out herein are subject to the laws and by-laws of the City of Vancouver from time to time which may touch and concern the development of the Remainder and the Air Space Parcel and in the event of any conflict between

the provisions hereof and the provisions of any such laws and by-laws, the provisions of such laws and by-laws shall apply and take precedence over the provisions hereof. The provisions of this Agreement shall not restrict the re-development of the Remainder or the Air Space Parcel from time to time in accordance with applicable zoning by-laws and land use regulations in effect at the time of such re-development provided that all required consents and approvals from the City are obtained in connection with such re-development.

5. In this Agreement words and phrases shall be construed and interpreted in accordance with the definitions for such words and phrases set out in the Zoning and Development By-law, No. 3575 of the City of Vancouver as amended or re-enacted from time to time.

6. This Agreement shall run with the Lands and every part into which the Remainder and the Air Space Parcel may be subdivided including strata lots and common property created by any strata title subdivision thereof. This Agreement shall cease and determine automatically upon the consolidation under the Land Title Act (British Columbia) of the Air Space Parcel, including all its subdivided portions, with the Remainder, including all its subdivided portions.

7. Words herein importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse whenever the context requires; also these presents shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto and the owners from time to time of the Remainder and the Air Space Parcel.

IN WITNESS WHEREOF the Grantor and City have caused these presents to be sealed by its proper officers duly authorized in that behalf on the day and year first above written.

THE COMMON SEAL of WOODWARD)
REALTY LIMITED was hereunto)
affixed in the presence of:)

M. G. [Signature])
Authorized Signatory)

c/s

[Signature])
Authorized Signatory)

APPROVED	
LLSM	[Signature]
Witness	[Signature]

N 28619

5

THE CORPORATE SEAL of CITY OF)
VANCOUVER was hereunto)
affixed in the presence of:)

JS *[Signature]*
AUTHORIZED
SIGNATURE

c/s

THIS IS THE SIGNATORY PAGE OF A COVENANT PURSUANT TO
SECTION 215 OF THE LAND TITLE ACT MADE BETWEEN WOODWARD
REALTY LIMITED AND CITY OF VANCOUVER AS A REQUIREMENT OF THE
SUBDIVISION OF LOT 7, BLOCK 892, DISTRICT LOT 526,
PLAN 2024.

450AK:3

CONSENT AND PRIORITY

WHEREAS The Mercantile Bank of Canada (hereinafter called the "Chargeholder") is the holder of a mortgage and assignment of rents encumbering the lands described in the attached Section 215 Covenant (hereinafter called the "Covenant") which mortgage and assignment of rents are registered in the Vancouver Land Title Office under Nos. L120947 and M2900 respectively (hereinafter collectively called the "Charge").

NOW THEREFORE THIS INDENTURE WITNESSES THAT:

1. The Chargeholder HEREBY CONSENTS to the granting and registration of the Covenant and the Chargeholder HEREBY AGREES that the Covenant shall be binding upon its interest in and to the lands described in the Covenant.
2. The Chargeholder HEREBY GRANTS priority to the City of Vancouver for the Covenant over the Chargeholder's right, title and interest in and to the lands described in the Covenant and the Chargeholder does hereby postpone the Charge and all of its right, title and interest thereunder to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution and registration of the Charge and prior to the advance of any monies pursuant to the Charge.

IN WITNESS WHEREOF the Chargeholder has executed this Indenture this *21st* day of *April*, 1985.

SIGNED, SEALED AND DELIVERED)
in the presence of:)

Betty Jay)
 _____)
 BETTY JAY)
 4324 HARRIET STREET)
 VANCOUVER, B.C. V5V 4K5)
 CORPORATE SECRETARY)

THE MERCANTILE BANK OF CANADA)
By its Attorney-in-fact:)

M. J. ...)
 _____)
 Vice President)

N 28619

LAND TITLE ACT

FORM 6 (Section 46)

PROOF OF EXECUTION BY CORPORATION

I certify that on the ...28th... day of ...March....., 19.85, at ...Vancouver..... in British Columbia.J.A. BARNWELL.....

(~~whose identity has been proved by the evidence on oath of~~..... who is) personally known to me, appeared (State full name, address, and occupation)

before me and acknowledged to me that he/she is the authorized signatory of ...WOODWARD REALTY LIMITED..... and that he/she is the person who subscribed his/her name and affixed the seal of the corporation to the instrument, that he/she was authorized to subscribe his/her name and affix the seal to it. (and tha the corporation existed at the date the instrument was executed by the corporation.)

In testimony of which I set my hand and seal of office at ...Vancouver, B.C. this ...28th... day of ...March....., 19.85.

+ London (I.A. LONDON) COMMISSIONER FOR TAKING OATHS IN B.C.

*Where the person making the acknowledgment is personally known to the officer taking it, strike out these words in brackets. *These words in brackets may be added, if the applicant wishes the registrar to exercise his discretion under section 162 (5) not to call for further evidence of the existence of the corporation. ‡Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.

N 28619

LAND TITLE ACT

FORM 6
(Section 46)

PROOF OF EXECUTION BY CORPORATION

I certify that on the 19th day of April, 1985, at Vancouver
 in British Columbia, J. M. MULLBERRY
 (~~*whose identity has been proved by the evidence on oath of~~
 who-is) personally known to me, appeared
 (State full name, address, and occupation)
 before me and acknowledged to me that he/she is the authorized signatory of CITY OF VANCOUVER
 and that he/she is the person who subscribed his/her name and affixed
 the seal of the corporation to the instrument, that he/she was authorized to subscribe his/her name and affix the seal to it,
 (and tha the corporation existed at the date the instrument was executed by the corporation.)
 In testimony of which I set my hand and seal of office at Vancouver, B.C.
 this 19th day of April, 1985.

*Where the person making the acknowledgment is personally known to the officer taking it, strike out these words in brackets.
 †These words in brackets may be added, if the applicant wishes the registrar to exercise his discretion under section 162 (5) not to call for further evidence of the existence of the corporation.
 ‡Write name and qualifications under section 48, e.g., A Commissioner for Taking Affidavits for British Columbia.

JOE STUBBS
 453 WEST 12TH AVENUE
 VANCOUVER, B.C. V6Y 1V4
 Barrister and Solicitor

N 28619

LAND TITLE ACT

Form 4 (Section 45 (1) (a))

STATUTORY DECLARATION WHERE ATTORNEY IS NOT A
CORPORATION

I, WILLIAM G. BEVIS, of the City of Vancouver, in the
Province of British Columbia, DO SOLEMNLY DECLARE that:

1. I am the attorney for THE MERCANTILE BANK OF CANADA under a Power of Attorney filed under the Land Title Act.
2. I am the person who subscribed the name of THE MERCANTILE BANK OF CANADA and my name in the instrument as a transferor.
3. At the time of execution of the instrument the Power of Attorney had not been revoked by or on behalf of THE MERCANTILE BANK OF CANADA, that THE MERCANTILE BANK OF CANADA is legally entitled to hold and dispose of land in British Columbia, and that I had not received any notice or information of the bankruptcy or dissolution of THE MERCANTILE BANK OF CANADA.
4. I know the contents of the instrument and subscribed the name of THE MERCANTILE BANK OF CANADA to it voluntarily as the free act of the transferor.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME at the
City of Vancouver, in the
Province of British Columbia
this 2nd day of
April, 1985.

[Signature]
A Commissioner for taking
Affidavits for British
Columbia

[Signature]
WILLIAM G. BEVIS

ANDREA J. SERAPHIM
BARRISTER & SOLICITOR
17th FLOOR, 1075 W. GEORGIA
VANCOUVER B.C. V6E 3G2

N 28619

FORM NO. LTA 2

LAND TITLE ACT
Form 2
Sections 43(a) and 44(a)

AFFIDAVIT OF WITNESS

- I, **BETTY JAY**
4524 HARRIET STREET
VANCOUVER, B.C. V5V 4K5
CORPORATE SECRETARY, of the City of Vancouver
in British Columbia, make oath and say:
1. I was present and saw this instrument duly signed and executed by **WILLIAM G. BEVIS**
on behalf of The Mercantile Bank of Canada
the party(ies) to it, for the purposes named in it.
 2. The instrument was executed at **Vancouver, British Columbia.**
 3. I know the party(ies) who is(are) 19 years old or more.
 4. I am the subscribing witness to the instrument and am 16 years old or more.

Sworn before me at **Vancouver,**

in British Columbia, this *2nd*

day of *April*, 19 *85*.

[Signature]
A Commissioner for Taking Affidavits
for British Columbia

[Signature]

*Write name and qualifications under section 46, e.g., A Commissioner for Taking Affidavits for British Columbia.
NOTE This affidavit must be sworn by a witness who is not a party to the instrument.

ANDREA J. STAPPIA
REGISTERED SOLICITOR
1000 WEST W. GEORGINA
VANCOUVER, B.C. V6E 3T2

N 28619

March 28, 1985

BETWEEN:

WOODWARD REALTY LIMITED,

OF THE FIRST PART,

AND:

CITY OF VANCOUVER,

OF THE SECOND PART.

SECTION 215 COVENANT

DIA/djb

(85-3456)

LAWSON, LUNDELL, LAWSON & MCINTOSH

BARRISTERS AND SOLICITORS

2800 VANCOUVER CENTRE

P.O. BOX 11506, 630 WEST GEORGIA ST.

VANCOUVER, B.C., CANADA V6B 4R7