



IN CAMERA

## ADMINISTRATIVE REPORT

Report Date: March 7, 2013  
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VanRIMS No.: 08-2000-21  
Meeting Date: March 13, 2013

TO: Vancouver City Council

FROM: Director of Real Estate Services and the General Manager of Real Estate and Facilities Management, in consultation with the General Manager of Planning and Development, Director of Finance, General Manager Community Services, and General Manager of Engineering Services

SUBJECT: Potential Sale of City-owned land located in Area 3A of SEFC and proposed Non-Market Housing Building on Area 3B of SEFC

### IN CAMERA RATIONALE

This report is recommended for consideration by Council in the In Camera agenda as it relates to Section 165.2(1) of the *Vancouver Charter*: (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city.

### RECOMMENDATION

- A. THAT Council authorize the Director of Real Estate Services to negotiate a sole source sale to Concert Real Estate Corporation or a company affiliated with Concert for the purposes of developing the subject lands ("Concert"), of the south east portion of the City-owned lands located in the area referred to in the Southeast False Creek Official Development Plan ("SEFC ODP") as Area 3A and known as 1600 Ontario Street and shown in Appendix B, legally described as PID: 026-497-654, LOT 307, except part on Plan BCP 20721 False Creek, PLAN BCP 20720 (the "City Property"). Such negotiations to be based on the following terms and conditions:
- i. the City to sell the City Property to Concert for a price of **s.17(1)**, net of remediation costs, closing costs and taxes (the "Purchase Price");

- ii. the City successfully negotiating the terms of a development agreement with Concert within 12 months (the “Development Agreement”), on terms subject to final Council approval, in which Concert agrees to build a non-market housing building comprising not less than 113,000 gross sq.ft and associated parking (the “Non-Market Housing Building”) with a projected unit count of 133 units; however, the final unit count, tenant mix, selection of a non-profit operator, and terms of the operating agreement to be reported back and approved by Council; such Non-Market Housing Building to be constructed pursuant to construction specifications approved by the City. The Non-Market Housing Building will be built on the adjoining Concert lands referred to in the SEFC ODP as Area 3B ((currently described as 95 East 1st Avenue and legally described as PID: 008-765-146, LOT 1, DISTRICT LOT 200A, PLAN VAP 12958) (the “Concert Lands”)). The land for the Non-Market Housing Building will be subdivided and transferred to the City in fee simple;
  - iii. that the City’s maximum contribution towards funding the Non-Market Housing Building will be s.17(1) , subject to Recommendations A(iv) and F on terms further set out in this Report; and
  - iv. should staff determine that more than one level of parking is required, and the cost for the Non-Market Housing Building exceeds the budget of s.17(1) , that Council approve a parking cost contingency of up to s.17(1) in order to construct a second level of parking structure. Source of funds to be further set out in the report.
- B. THAT, if the Director of Real Estate Services can successfully conclude such negotiations with Concert on the land sale in Recommendation A(i), subject to Recommendations D and E, Council authorize the Directors of Legal and Real Estate Services to enter into a Contract of Purchase and Sale, such agreements being subject to the SEFC ODP being amended and the City Property being rezoned.
- C. THAT, if the Director of Real Estate Services can successfully conclude such negotiations with Concert on the Development Agreement in Recommendation A(ii), Council authorize the Directors of Legal and Real Estate Services to enter into a legally binding Development Agreement, such agreement being subject to the SEFC ODP being amended and the City Property being rezoned and final City Council approval.
- D. THAT Council authorize the creation of an environmental project management budget of up to s.17(1) (the “Environmental Consultant Budget”) to be used to fund an environmental consultant to provide the City with an assessment of the remediation requirements of the City Property, an estimate of the cost and monitoring of such remediation, and other related consulting services (source of funds to be the PEF); with such cost estimate to be reported back and approved by Council.
- E. THAT subject to approval by Council of the remediation cost estimate pursuant to Recommendation D, Council authorize the Director of Real Estate Services to pay for the costs of soil remediation of the City Property from the Purchase Price.

- F. THAT Council authorize the creation of a 2013-2016 project management budget of s.17(1) (the “Project Management Budget”) to be used to fund City project management services, expert consultants, Quantity Survey expenses, Land Title registration fees, overhead and administration expenses and related consulting costs as set out in this Report; source of funds to be as further set out in this Report.
- G. THAT Council authorize the Director of Real Estate Services, General Manager of Financial Services Group, and the Managing Director of Social Development to:
- a. prepare a strategy for optimizing the value of a prepaid lease to the future non-profit operator;
  - b. further negotiations with BC Housing to provide low cost mortgage financing as part of the Development Agreement; and
  - c. report back to Council with recommended prepaid lease options.
- H. THAT a Council decision to enter into a Development Agreement or Contract of Purchase and Sale with Concert will not in any way limit Council or the City and its officials, including the Approving Officer, in exercising their discretion with respect to any related rezoning, permitting, or subdivision of the City Property or Concert Lands, or amendments to the SEFC ODP.
- I. THAT no legal rights or obligations will arise or be created between Concert and the City unless and until a legally binding Development Agreement, and Contract of Purchase and Sale are successfully negotiated and executed and delivered by Concert and the City through its authorized signatories, the Director of Legal Services and the Director of Real Estate Services.
- J. FURTHER THAT, if the Director of Real Estate Services is at any time during the 12 month negotiation period of the view that terms cannot be successfully concluded with Concert, the City Manager and Director of Real Estate Services report back to Council for further direction.

## REPORT SUMMARY

The purpose of this Report is to seek Council Approval for the Director of Real Estate Services to enter into a time-limited, 12-month negotiation with Concert for the sole source sale of the City Property, the southeast portion of an area referred to in the SEFC ODP as Area 3A as shown in Appendix B.

In addition, this Report seeks Council approval to negotiate the terms of a Development Agreement for Concert to construct a turnkey Non-Market Housing Building primarily on their land (which will be transferred in fee simple to the City as part of the overall agreement) at 95 E. 1<sup>st</sup> Avenue with a maximum construction cost of s.17(1) for a minimum of 133 units, subject to the contingency provided for in Recommendation A (iv).

For the Non-Market Housing Building, the final unit count, unit sizes, tenant mix and operating model remain to be finalized and may change depending on final project configuration and proforma, and any final decision will be reported back to Council for final approval once known.

The components of this arrangement which will provide affordable and modest market housing in Area 3B of SEFC are subject to amendment of the SEFC ODP.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

Southeast False Creek Official Development Plan dated April 2007, last updated in October 30, 2012.

Vancouver's Housing and Homelessness Strategy 2012 - 2021

Section 190(1)(b) of the Vancouver Charter which authorizes Council to dispose of City-owned property.

Council policy for the direct sale of property without a public tendering in certain circumstances.

### ***CITY MANAGER'S/GENERAL MANAGER'S COMMENTS***

It is Council policy that City property be sold by public tender, with the ability to make an exception under specific criteria. Council has the ability to decide to sole source the sale of this property based on there being a distinct public benefit related to the delivery of non-market housing. The unique and innovative nature of this proposal would allow the City to optimize the value of the City Property and in addition capture a significant public benefit in the form of new and incremental non-market housing in furtherance of the objectives set out in the SEFC ODP.

This Report seeks Council approval for the Director of Real Estate Services to enter into time-limited negotiations with the adjoining property owner, Concert, to complete a sole source sale of the City Property in exchange for key terms of a Development Agreement which will deliver to the City a non-market housing facility and related land allowing the City to deliver on Council's priority to deliver the non-market housing commitments in the SEFC ODP. A proposed transaction framework is documented in this Report for Council's consideration.

It is the view of the General Manager of Real Estate and Facilities Management that this is a strategic decision that would provide significant benefit to the City in the form of new non-market housing based on the costs laid out in this report and should be pursued and, as a result, RECOMMENDS approval of A through J.

### ***REPORT***

#### ***Background/Context***

This report refers to a proposed transaction between the City and Concert for lands referred to in the SEFC ODP as Areas 3A and 3B. These are located north of East 1st Avenue between Ontario and Quebec Streets and as shown in Appendix A.

The City and Concert own all the lands in areas 3A and 3B; the City owns the majority of the land in Area 3A (this is held in the PEF), and Concert owns the two properties that form the majority of the land in Area 3B. These two Concert properties are the Concert Lands at 95 E. 1<sup>st</sup> Avenue and 1551 Quebec Street (PID: 008-765-634 Lot 5, Except Part In Reference Plan 17723 Now Road, Block E District Lots 200A and 2037



Plan 12958) as shown on the plan in Appendix B and hereinafter referred to as the “Two Concert Properties”.

Under the SEFC ODP the majority of the City lands in Area 3A are designated to become park land, with the exception being the City Property (the City land proposed for sale herein). The SEFC ODP currently provides for the construction of two residential buildings with a total net floor area of 180,512 sq.ft. (16,770 sq. meters) (1.229 FSR). For Area 3B, the SEFC ODP provides for the construction of a net area of 328,140 sq.ft. (30,485 sq. meters) (2.478 FSR) of residential development in three buildings (Note: These areas represent FSR, i.e. net of floor area exclusion).

Concert purchased their lands in Area 3B from Translink in 2011. City staff and Concert subsequently worked collaboratively to develop a revised plan for the neighbourhood which would build upon the principles of the SEFC ODP and integrate more recent changes from the original SEFC ODP plan pertaining to the surrounding SEFC Areas 2A, 2B and 3C, and Council’s direction to consider an additional two half floors of penthouse space subject to meeting City design guidelines.

The proposed revisions to the plan for the neighbourhood is shown in Appendix B. Staff believe that these revisions would create a more cohesive sustainable neighbourhood while allowing the City to meet its public policy goals for affordable housing. This revised plan provides for:

- (i) increased density and height;
- (ii) alteration of the north-south road to create a smaller roadway which could be surface right of way rather than a dedicated road;
- (iii) maximization of park and open space to create a vibrant public realm; and
- (iv) an opportunity to receive additional DCLs/CACs.

The revised plan (Appendix B) envisions that the density in Area 3A could be increased by 35,488 sq. feet to a gross area of 216,000 sq. feet (approximately 1.26 FSR). The area in Area 3B could be increased by 104,860 sq. feet to 453,000 gross sq. feet (approximately 3.04 FSR).

It is important that the revisions to the neighbourhood plan as shown in Appendix B would require an ODP amendment to increase residential floor areas in Areas 3A and 3B and the height limit of one building in Area 3B and would be subject to CD-1 rezoning approval.

The SEFC ODP prescribes the following targets for affordable and modest market housing to be achieved based on final approved floor areas/unit counts (eg. after CD-1 rezoning):

In Areas 1A, 2A, and 3A combined:

- At least 20% of the residential units are to be affordable housing, with 50% to be suitable for families.

In Areas 1A and 3A combined:

- At least 33% of the residential units are to be for modest market housing (defined as a dwelling unit affordable to households with incomes within the middle tertile of the income distribution) and 25% of these are to be suitable for families.

The ODP does not prescribe any affordable housing targets for Area 3B. This proposal is subject to a transfer of the affordable and modest market housing obligations for 3A (City Property) to 3B privately held land (Concert Lands) through an ODP amendment.

The building sites on the City Property in Area 3A benefit from park and water views and both City staff and Concert see an opportunity in selling the City Property at market value to allow its combination with the Two Concert Properties to optimize the value of the combined lands. This would then allow an opportunity to partially fund and immediately construct the targeted units of non-market and modest market housing on the least expensive land in this area of SEFC. The less valuable site for the non-market and modest housing (ie. the northwest corner of Quebec Street and East 1st Avenue as shown as Building 1 on Appendix B) in Area 3B would then be subdivided and transferred to the City as part of this transaction.

Thus the current proposal sets out a creative mechanism for meeting the ODP targets of 20% affordable and 33% modest market of total residential units currently required of Area 3A by transferring the obligation over to Area 3B - all of this accomplished in the absence of senior government funding. Concert would be required to apply for an amendment to the SEFC ODP to provide for this arrangement in advance of a CD-1 rezoning being approved.

For the Non-Market Housing Building, preliminary work on the operating model and rent structure have employed a social housing model where at least 60% would be subsidized by the low end of market rents to allow for tenants in core need and no more than 40% of the units would be at low end of market. The subsidized units would range from the shelter component of welfare to core need rents based on need and operational viability. This model would satisfy the ODP affordable and modest market requirements.

### 133 Unit Model and Approximate Unit Mix

ODP Specification	Affordable Units (20% of units, of these 50% family)		Modest Market (33% of units, of these 25% family)		Low End of Market	Total Proposed Unit Mix
	ODP Requirement *	Proposed Unit Mix	ODP Requirement *	Proposed Unit Mix	Proposed Unit Mix	
Singles (studio & 1bdrm)	13	13	33	34	26	73
Families (2 & 3 bdrm)	13	14	11	19	27	60
Total	26	27	44	53	53	133

\*based on the proposed 3A Floor Area, Appendix C: subject to future CD-1 rezoning

The SEFC ODP also contained guidelines and objectives for childcare facilities and indicated Area 3A as a potential location. In addition to larger daycare centres such as the one built in the Creekside Community Centre, the plan also provides for the creation of eight family daycares (for up to seven children each). Social and Planning staff have recommended that the City could work to create two family daycare centres in the affordable housing that may be developed in this neighbourhood.

In summary, the proposal is that Concert purchase the City Property on a sole-source, negotiated market price basis, so that Concert can build their market development and a non-market housing facility (approximately 133 units) for the City on a turnkey and risk-managed basis; thus allowing both Concert and the City to take advantage of design and construction synergies. In addition, the Non-Market Housing Building, including its associated land, will be transferred to the City as part of this transaction.

It is expected that the Non-Market Housing Building would comprise of 15 stories and a total of 113,000 gross sq.ft. plus associated parking. This could provide 133 - 145 units depending on unit mix, size and parking requirements. The final configuration and architectural design remains to be finalized, but staff recommend that a minimum of 133 units be created so as to meet the desired level of 50% family units.

This arrangement is designed to meet and possibly provide more units than currently required by the SEFC ODP for the buildable area currently allowed under the SEFC ODP for Area 3A. Should the number of units be able to be increased further, the parking requirements would increase and a partial or complete second level of parking may be required. Staff recommend a contingency of s.17(1) be provided for this purpose as per Recommendation A (iv).

The affordable housing development could also include two family daycare units provided within ground or podium oriented housing units within the Non-Market Housing Building.

The conceptual design would be subject to the review of the City Manager, General Manager of Planning and Development, the General Manager of Real Estate and Facilities Management, and the Managing Director of Social Development, and staff will report back to Council when this has been finalized prior to execution of the Development Agreement for the Non-Market Housing Building.

Accordingly, this Report seeks Council authority for a sole source sale of City property to Concert with a requirement they build a turnkey building to provide affordable and modest market housing on their site in Area 3B with the intent of creating new non-market housing and obtaining an earlier completion of this neighbourhood.

### ***Strategic Analysis***

The proposed transaction framework is as follows:

#### **Affordable and Modest Market Housing**

As noted, the SEFC ODP provides for the development of 180,512 sq.ft. residential space in Area 3A, of which 20% of the units must be affordable and 33% modest market housing (due to the requirement for half of the affordable housing units to be suitable for families, it is estimated that 20% of the units represent approximately 20% of the



area or approximately 36,100 sq.ft). It was always anticipated that the City's PEF land in SEFC would provide sites at no cost to meet the 20% Affordable Housing requirement and that the units would then be constructed using senior government funding. No provision was ever made for the PEF to provide sites or funding to construct the modest market housing.

The deal structure proposes that the non-market housing units required in Area 3A will be delivered in a building located in Area 3B, on a less valuable site. Although staffs' preliminary work suggests that 53% (20% affordable and 33% modest market) of residential units in 3A (based on proposed floor areas) can be achieved in this building, if the final unit numbers are less than these targets, the shortfall would have to be made up on the City lands in Area 1A when it is developed or the ODP housing requirements would need to be amended.

### Sale Contract

Under the terms of this proposed transaction, Concert would purchase the City Property for the negotiated Purchase Price, which will reflect market value. The sale would be conditional upon Concert being successful in amending the SEFC ODP regarding Areas 3A and 3B and in rezoning Areas 3A and 3B and agreeing to construct the Non-Market Housing Building for the agreed maximum cost pursuant to the terms of the Development Agreement.

The City would be responsible for all costs that Concert may incur in remediation of the soils of the City Property on Area 3A other than costs incurred for normal development purposes. As per Recommendation D & E, the City would need to hire an environmental soils consultant to assess the remediation requirements, estimate the costs and monitor such remediation, the cost of which would be offset from the Purchase Price.

Concert would apply to rezone SEFC Areas 3A and 3B and for any other needed bylaw or ODP amendments necessary to provide for the creation of the additional density and revised layout plan previously discussed.

The rezoning would create additional density and value, the majority of which would be captured by the City and used to develop the Non-Market Housing Building. The Non-Market Housing Building would be constructed by Concert at their risk and delivered to the City on a turnkey basis. In addition, Concert would pay a CAC on the additional market residential density in their development.

It is anticipated that the CAC amount (methodology for calculation noted in attached Appendix C) can be used to finance approximately 30% of the total cost of the Non-Market Housing Building with the remaining construction funding to come from CAC revenue allocated to housing in SEFC as part of the Southeast False Creek Public Benefits and Compatible Housing Strategy (approximately s.17(1) and DCL revenue allocated to housing (approximately s.17(1)

The City would employ an independent Quantity Surveyor to monitor the construction of the Non-Market Housing Building and pay Concert in monthly progress payments.

The Non-Market Housing Building and associated land would be owned by the City and operated by a non-profit housing organization. The potential surplus rental income



could be re-invested in the project or recaptured through a leasehold mortgage of the building as discussed below.

### *Implications/Related Issues/Risk (if applicable)*

#### *Financial*

##### **Land Sale**

The Purchase Price for the City Property will be s.17(1), subject to a deduction for remediation costs, closing costs, and taxes. This represents s.17(1) psf buildable for the portion of the City Property that can be developed with market housing under the SEFC ODP (ie. 144,412 buildable sq.ft.). The Director of Real Estate Services considers this value to be representative of premium market value. Sale proceeds will be credited to the Property Endowment Fund.

##### **Non-Market Housing Capital**

The maximum cost for the Non-Market Housing Building would be capped at s.17(1) (2012\$), representing a cost of s.17(1) pbsf and a cost per unit of s.17(1) (including land and parking) assuming 133 units, and assuming the parking contingency fund is not used (explained in the following section). If the maximum contingency is used, the total cost would be s.17(1), representing a cost of s.17(1) pbsf. The City and Concert agree that the budget provides for the construction of the project to meet the requirements of SEFC ODP (as proposed to be amended) and that the specifications would provide for a project that is similar in quality and specifications to other comparable affordable rental projects and BC Housing non-market housing projects currently under construction.

Staff recommend that a contingency of up to s.17(1) be set aside for the cost of providing a partial or complete additional level of parking should it become necessary as the budget of s.17(1) pbsf would then be inadequate (as only 1 level of parking is funded at this cost).

A provision would also be established in the Development Agreement for the use of independent Quantity Surveyors and any construction cost savings arising from the construction cost estimates would be retained by the City.

Below summarizes the capital budget and funding sources for the Non-market Housing Building:

*Capital Budget -*

Non-Market Housing Building in 3B1 Maximum Cost	s.17(1)
Contingency	
Project Management Oversight	
<hr/>	
Total	

*Funding Sources -*

Anticipated CACs from 3A and 3B as discussed in this report	s.17(1)
Existing CACs for Housing in SEFC	
Existing DCLs for Housing	
<hr/>	
Total	

Upon completion, the City would own the non-market housing building and select a non-profit organization to lease and operate it over the life of the building. Based on the affordability target required of the SEFC ODP (proposed to be amended), there is a potential to monetize the value of the lease in the form of a prepaid lease to reduce the City's overall funding requirements. Staff therefore recommend that the proposed allocation of existing DCLs for housing s.17(1) be considered as interim financing during the construction phase. Once the amount of prepaid lease is determined, staff will finalize the amount of DCL requirement net of prepaid lease as part of the report back on appointment of operator, final unit count and rental mix.

The proposed allocation of existing CACs & DCLs for housing s.17(1) represents an addition to the 2012-2014 Capital Plan. As progress payment is not expected to commence until 2014, this allocation will be reflected in the 2014 Capital Budget.

**Project Oversight and Control**

Although the project would be led by Concert, the City would retain management oversight of the Non-Market Housing Building during design and construction. The City would hire a Project Manager to oversee its interest in the project and Concert and the City would meet regularly to review project issues, schedules, and budgets as required.

Staff have met with industry professionals to seek guidance and advice on deal structure, construction cost management and risk transfer, form of construction contracts, project management, and project oversight. The expert advice to the City was to secure third party consultants to supervise building envelope testing and close-out, review detailed electrical/mechanical specifications, and attend for onsite pouring and installation of structural components and roof membranes. Accordingly, the Project Manager would attend the site to oversee these critical milestone events in the development schedule and as otherwise appropriate or necessary to protect the City's interests. Staff have prepared a Project Budget as follows:

1.	City Project Manager	
	s.17(1) per annum (based on 30% EFT) for three years:	s.17(1)
2.	City Technical Reports & Expert Review Project Costs:	
3.	City's share of cost of the Independent Quantity Surveyor:	
4.	Costs related to finding an operator for the Non-Profit Housing:	
5.	Potential financing costs/mortgage costs/Project monitoring cost:	
6.	Contingency:	
	Total	

Further to Recommendation F, the s.17(1) would be financed as described in the previous section.

### Sole Source Disposition

City policy is that City property is sold through a public tender process; however, the policy provides for the direct sale of City lands without a public tendering process in certain circumstances, most notably:

- 1) the sale of a small City-owned site to an adjoining owner, subject to consolidation, as close to fair market value as possible, bearing in mind the advantages to the City of the sale;
- 2) where sales or leases of City sites are for social purposes, whereby the land price is negotiated based upon fair market values and existing write-down policies and where Council approval is sought both before negotiations begin and after they have been concluded; or
- 3) where City-owned lands are essential to an assembly or expansion project, whereby an attempt is made to obtain a price above market value based upon value to the purchaser noting that worthwhile developments provide benefits to the City.

The Director of Real Estate Services is of the opinion that the direct sale of the City Property to Concert is consistent with Council policy for achieving both circumstances 2) and 3) listed above.

### Environmental

As discussed, the proposed Purchase Price to be negotiated for the City Property assumes that the lands are clean, but it is proposed that if the lands are not free of contaminants, there would be an offset adjustment made to the Purchase Price for the remediation costs. Specifically, the City will be responsible for all costs that Concert may incur in remediation of the soils on the City Property, other than costs incurred for normal development purposes. Given the historic uses of the City Property, it is expected that there will be environmental issues that have to be addressed. Concert would undertake its own due diligence to ensure that both the City Property and the Concert Lands can be developed free and clear of any environmental contamination and it would undertake all required remediation.

As per Recommendation D & E, the City would need to hire an environmental soils consultant to assess the remediation requirements, estimate the costs and monitor

such remediation, the cost of which would be offset from the Purchase Price. The standards of remediation to be conducted have not yet been determined and are to be decided by mutual agreement of the parties. Costs of remediation are not yet known.

The environmental soils consultant would also ensure that the Concert lands to be provided for the construction of the Non-Market Housing Building, are free and clear of any environmental contamination, this would include delivery of a Ministry of Environment Certificate of Compliance, if required. The City would not take title to the Non-Market Housing Building until the City was satisfied with this.

The development proposal anticipates the entire project being designed to achieve a LEED Gold standard and meet the requirements of the SEFC Green Building Strategy.

### *Legal*

It is important to note that Council, when considering this Report, is acting as owner of the City Property and as proposed purchaser of the Non-Market Housing Building (including land) only and in order to ensure Council remains unfettered when considering any future rezoning or development permit as City regulator, Recommendation H has been added to provide: "THAT a Council decision to enter into a Development Agreement or Contract of Purchase and Sale with Concert will not in any way limit Council or the City and its officials, including the Approving Officer, in exercising their discretion with respect to any related rezoning, permitting, or subdivision of the City Property or Concert Lands, or amendments to the SEFC ODP".

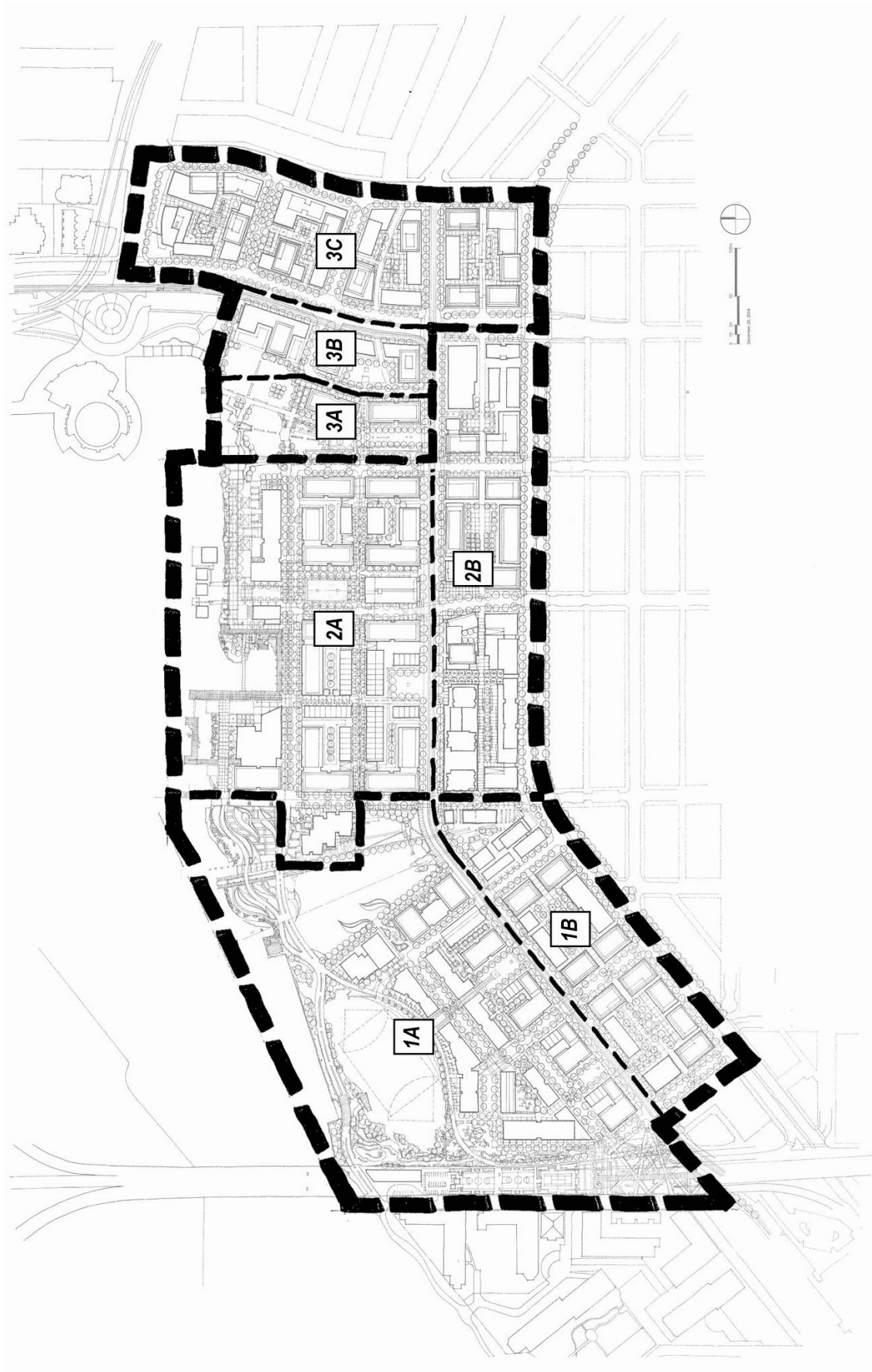
### **CONCLUSION**

The successful conclusion of direct negotiations with Concert to sell the City Property at a price reflective of premium market value would allow the City to realize the full value of the City Property, whilst a rezoning of the City Property and the Two Concert Properties and amendment of the SEFC ODP would generate significant non-market housing for long-term City ownership.

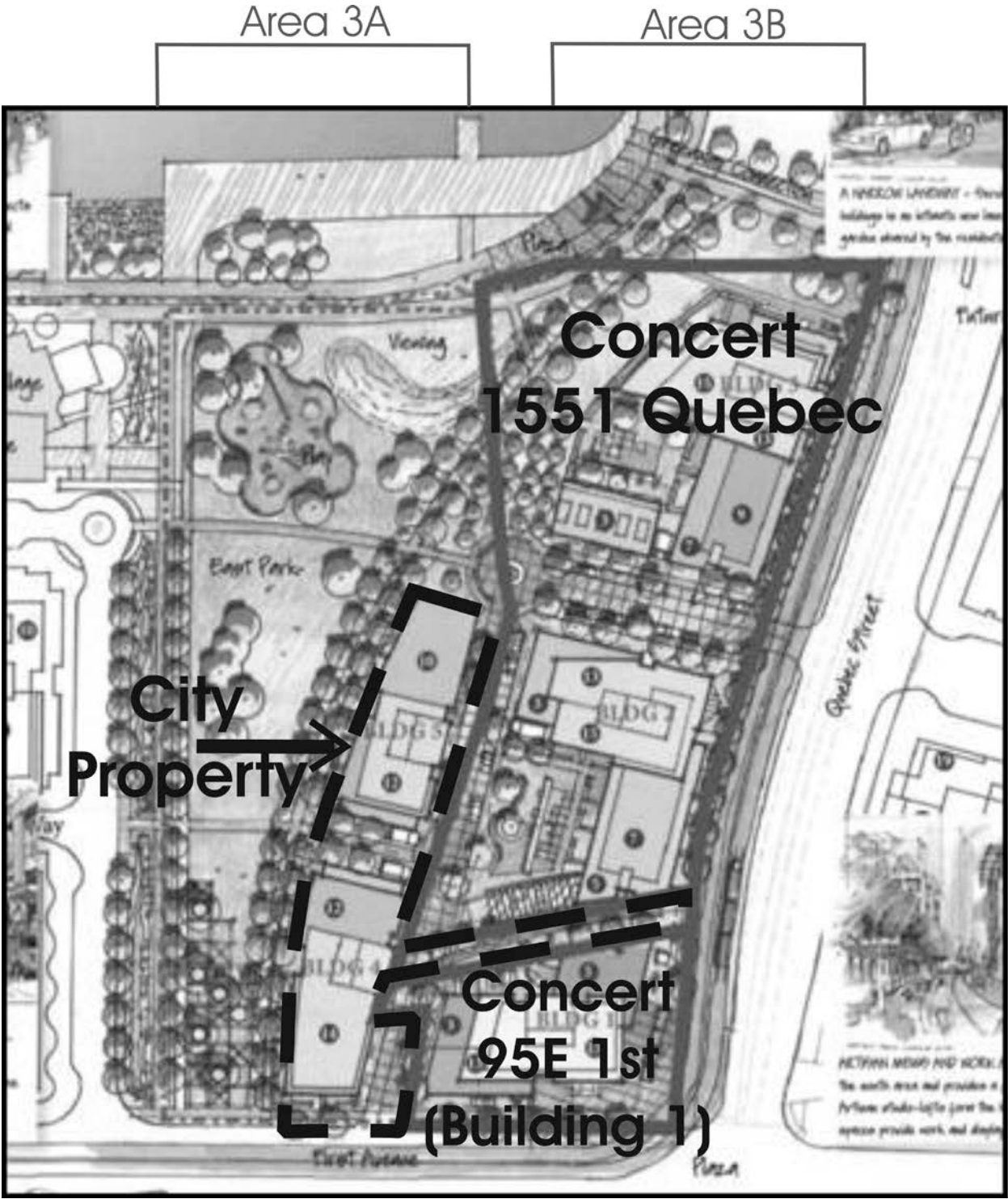
Although the subject of this Report is a real estate transaction, the form and conditions of development would still be subject to a future Council rezoning. When considering this sole source sale contract with Concert, Council is not in any way limited, nor are the City and its officials, including the Approving Officer, limited in exercising their regulatory discretion with respect to any related amendments to the SEFC ODP, rezoning, permitting, or subdivision of either the City Property or the Concert Lands and 1551 Quebec Street.

\* \* \* \* \*





City Property and Concert Lands



<b>SEFC Area 3A &amp; 3B - POTENTIAL DEAL WITH CONCERT</b>						
				<b>Proposed Buildings</b>		
			3B1	113,000		Non Mkt Building
			3B2	145,000		
			3B3	195,000		
			<i>Sub total</i>		453,000	
			3A4	115,000		
			3A5	101,000		
			<i>Sub total</i>		216,000	
			<b>Total</b>	<b>669,000</b>	<b>669,000</b>	GROSS sqft
			<b>Area 3A</b>		<b>Area 3B</b>	<b>Totals</b>
			(sqft)		(sqft)	(sqft)
			<u>NET densities allowed under SEFC ODP</u>			
			Affordable Housing (20% of Area)	36,100		
			Market Condos	144,412		
			NET Floor Area allowed under SEFC ODP	180,512	328,140	508,652
			<u>Projected Floor Space Calculations After Rezoning</u>			
			Calculate Exclusions	7.00%	of Gross Market Area	
			<i>Projected Total Gross Area</i>	<i>669,000</i>		669,000
			<i>Less Affordable</i>	<i>113,000</i>		
			<i>Gross Mkt Area</i>	<i>556,000</i>	is equal to	107%
			<i>Therefore NET Market Area is</i>	<i>519,626</i>	sqft	say 519, 600 sqft
			<i>Exclusion Area on all market space is</i>	<i>36,374</i>	i.e. approx	36,400
			Net Bonus Space			123,948
			Proposed Gross Area After Rezoning	216,000	453,000	669,000
			Total Projected Bonus Space			123,948
			<u>Additional Bonus Space Required to provide</u>			
			Non Market Housing	113,000	sqft	
			Area from 3A	36,100		
			Bonus Area needed	76,900		76,900
			Therefore net Additional Bonus Density that can contribute a CAC =			47,048