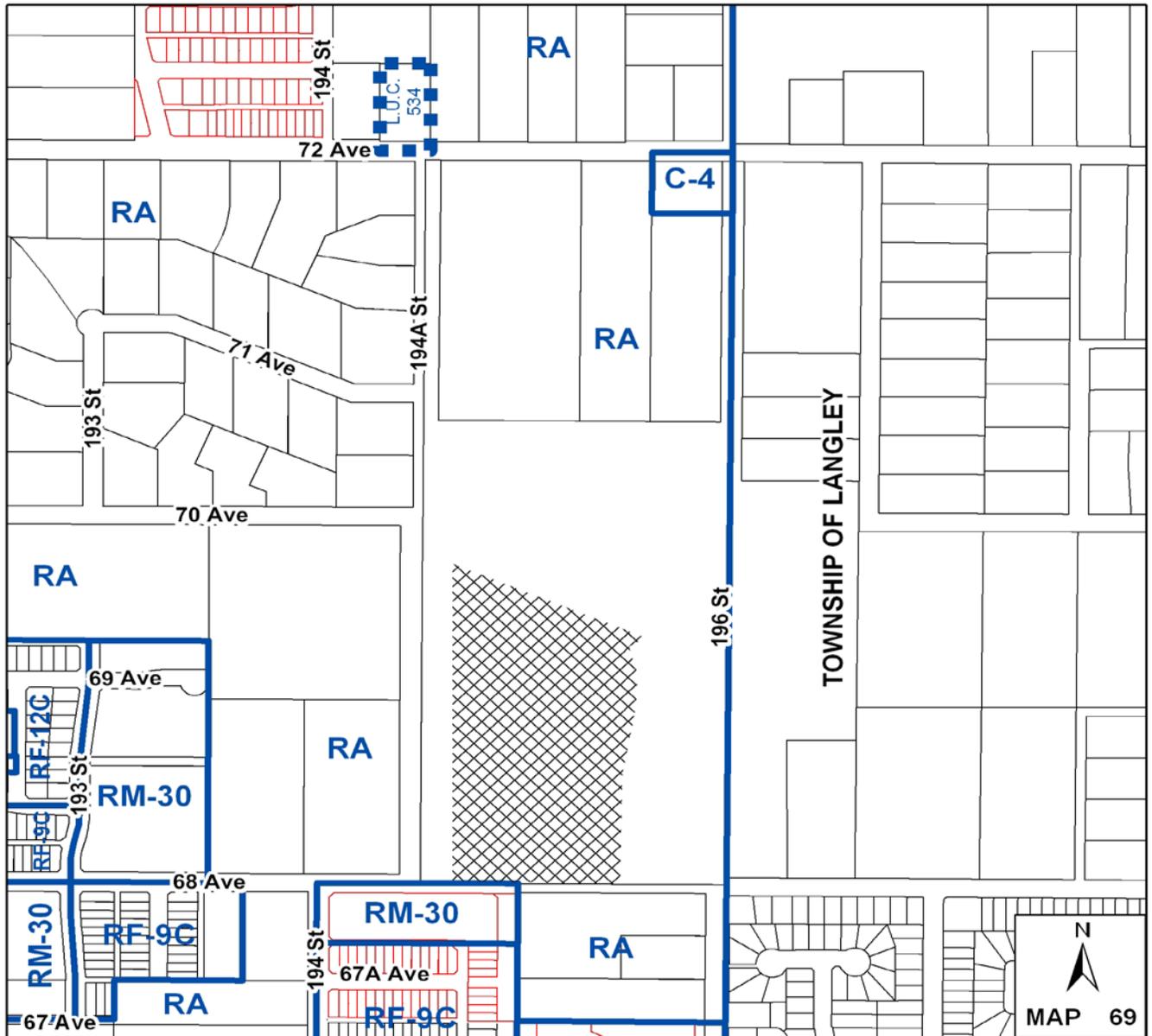


Proposal: Rezone from RA to RM-30 and Development Permit to allow construction of approximately 230 townhouse units on 3 lots. Development Variance Permit to relax setback requirements.

Recommendation: Approval to Proceed

Location: Portion of 19519 - 68 Avenue **Zoning:** RA
OCP Designation: Urban
NCP Designation: Med-High Density (15-25 upa) **Owner:** Chia Property Ltd.



PROJECT TIMELINE

Completed Application Submission Date:	January 26, 2005
Application Revision & Re-submission Date:	December 22, 2005
Re-submission Date:	June 30, 2006
Planning Report Date:	July 10, 2006

PROPOSAL

The applicant is proposing:

- a rezoning of a portion from RA to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - to reduce building setbacks of the RM-30 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) from all lot lines; and
 - to allow visitor parking spaces to be located within the building setbacks on proposed Lot 128 only

in order to allow construction of approximately 230 townhouse units on 3 lots in East Clayton.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone a portion of the property as shown in Survey Plan (Appendix I) from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity spaces.
3. Council authorize staff to draft Development Permit No. 7905-0020-00 generally in accordance with the attached drawings (Appendix III).
4. Council approve Development Variance Permit No. 7905-0020-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to vary setbacks of the RM-30 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) from all lot lines; and
 - (b) to allow the location of visitor parking spaces within the building setbacks.

5. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, road dedications, and rights-of-way where necessary as identified under File No. 7902-0363-00, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval of subdivision plans under File No. 7902-0363-00 by the Approving Officer;
 - (c) submission of final landscaping plans and the associated cost estimates to the specifications and satisfaction of the City Landscape Architect;
 - (d) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space;
 - (e) the applicant adequately address the impact of no indoor amenity space; and
 - (f) registration of a right-of-way granting public rights of passage on the proposed 10-metre (33-ft.) wide pedestrian pathway to be installed at the south-west corner of proposed Lot 128, linking 68 Avenue with the proposed greenway to the west.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements for File No. 7902-0363-00 (Appendix V).

School District:

School Impacts (Based on Overall Proposal):

Projected number of students from this development:

Elementary students = 52
 Secondary students = 24
 Total new students = 76

School Catchment Area/Current Enrollment/School Capacity (September 2005)

Clayton/East Clayton Elementary Schools = 266 enrolled/240 capacity
 Clayton Heights Secondary = 1,166 enrolled/1,000 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment area:

Elementary students = 45
 Secondary students = 99
 Total new students = 144

Approved Capacity Projects and Future Space Considerations

Two new schools sites have been purchased, with a new school planned for possible opening by 2008-2009 to relieve overcrowding at both elementary schools. A new secondary school site has been approved for purchase in the North Clayton area, with projected construction approval in 2008.

(Appendix VI)

SITE CHARACTERISTICS

- **Existing Land Use** The site is vacant and is the remainder portion of a larger property, which is under a development application File No. 7902-0363-00 (By-law at Third Reading).
- **Significant Site Attributes** Terasen Gas right-of-way runs along the north edge of the subject site.
- **East:** The easterly portion of the parent parcel (directly east of proposed Lot 127) is under an in-stream development application (7902-0363-00) seeking a rezoning from RA to RF-12C and RF-9C to create small lots (proposed Lots 1-23 in the proposed subdivision layout), currently at Third Reading, designated Urban.
 Directly east of proposed Lot 129 (part of the subject site) is proposed Lot 126, which is planned to accommodate a community detention pond for drainage purposes, currently zoned RA and designated 10-15 upa (Medium Density).
- **South:** Across 68 Avenue are separate parcels, one of which (directly east of 194 Street) has been recently approved for a combination of small single family lots zoned RF-9C and townhouse units, zoned RM-30. The parcel west of 196 Street is currently under a development application (File No. 7904-0262-00) seeking a rezoning from RA to RM-30 with By-law No. 15694 at Third Reading.
- **West:** Acreage parcels designated School, Park and Pond A in the East Clayton Neighbourhood Concept Plan (NCP).
- **North:** The northerly portion of the parent parcel is under a separate development application (7902-0363-00) seeking a rezoning from RA to RF-12C and RF-9C with By-law No. 15308 at Third Reading.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONSBackground

- The subject site, as defined in the Survey Plan (Appendix I), forms part of a larger 16-hectare (40-acre) parcel in the East Clayton NCP: The northerly portion (generally north and south east of the Terasen Gas right-of-way) is currently under a development application (File No. 7902-0363-00) to rezone from RA to RF-12C and RF-9C in order to allow the subdivision of the 40-acre parcel (Appendix VII) as follows:

Lot # as Indicated in the Proposed Subdivision Plan	Ultimate Use as per NCP
Lots 1-118	Small single family lots
Lots 119-125	Open Spaces
Lots 126	Community Detention Pond*
Lots 127, 128 & 129	Multiple Residential*

* to remain under RA Zone in application No. 7902-0363-00.

- The associated Rezoning By-law No. 15308 was given Third Reading on March 22, 2004. The delay in achieving Final Adoption has been due to the need to determine the current ownership of the narrow strip of land, referred to as the "gore", that runs along the westerly edge of the site parallel to 194A Street. The widening of 194A Street requires the consolidation of the gore with the roadway. The dedication and construction of 68A Avenue and 194A Street intersection also depends on the resolution of the gore issue as the gore forms part of the proposed roadway.
- More recently, the owners of the gore have been identified and negotiations (involving various parties, including the City) to acquire the gore are currently underway. It is anticipated that a final agreement on the gore acquisition will be achieved very shortly and consequently, the completion of all subject conditions that are associated with the rezoning application, including among other things, approval of the Servicing Agreement and acquisition/purchase of the identified open spaces.

Current Proposal

- The current proposal involves a rezoning of proposed Lots 127, 128 and 129 from RA to RM-30 and a Development Permit to facilitate the construction of a total of 230 dwelling units. The proposed rezoning conforms to the Urban designation in the Official Community Plan (OCP) and the 15-25 upa (Medium-High Density) designation in the East Clayton NCP.

- Except for the proposed reduction in building setback requirements and location of visitor parking spaces within the setback areas (see By-law Variance Section), the proposal indicates conformity with the RM-30 Zone as shown below:

	RM-30 Zone Reqt's.	Lot 127	Lot 128	Lot 129
Net Site Area		26,000 m ² (6.4 acres)	9,790 m ² (2.4 acres)	8,000 m ² (1.97 acres)
Proposed No. of Units		141	47	42
Density (upa)	30 upa *	22 upa	19.5 upa	21 upa
FAR	0.90 *	0.87	0.80	0.79
Lot Coverage	45%	44.9%	44%	44%
Building Height	13 metres	13 metres	13 metres	13 metres
Parking				
a) Residents	2 stalls/unit	282	94	84
b) Visitors	0.2 stalls/unit	28	9	8

* based on minimum 2.5 acre site

- The proposal does not provide indoor amenity spaces. Instead, the applicant is committed to contribute cash-in-lieu based on the recently adjusted amount of \$1,050 per unit, conforming to Council policy. Payment of the contribution is a subject condition of rezoning.
- Tandem parking spaces are proposed as follows:
 - 114 spaces (37%) for proposed Lot 127;
 - 38 spaces (37%) for proposed Lot 128; and
 - 32 spaces (35%) for proposed Lot 129.
- In order to ensure that the proposed tandem parking spaces are not converted into livable spaces, the applicant is required to register a Section 219 Restrictive Covenant. Registration of the required Covenant is a subject condition of Final Adoption.

PRE-NOTIFICATION

Pre-notification letters were sent on December 12, 2005 and staff did not receive comments from the neighbouring residents and property owners.

DESIGN PROPOSAL AND REVIEW

- In conjunction with the proposed subdivision under File No. 7902-0363-00 creating proposed Lots 127-129 (the subject site), the following new roads will be dedicated and constructed, providing road frontage for these lots:
 - 68A Avenue connecting 194A and 196 Streets;
 - 195 Street originating from 68 Avenue; and
 - 195A Street originating from 68A Avenue and ending as a cul-de-sac south of the Terasen Gas right-of-way.

- Driveway access will not be permitted on 68 Avenue, which is designated an arterial road.
- Consequently, driveway access (to be defined with decorative pavers) for the proposed townhouse developments will be achieved as follows:

Proposed Lot	Location of Driveway
Lot 127	Principal access off 68A Avenue with secondary access at the 195A Street cul-de-sac
Lot 128	Off 195 Street
Lot 129	Off 195 Street, directly aligning with the proposed driveway for Lot 128

- The 3 separate townhouse developments are designed with varying roof slopes and building materials, essentially defining the distinctions in building elevations as follows:
 - Proposed Lot 127 (northern lot): Large gabled roofs, broken by decorative chimney feature and hardi board panel siding;
 - Proposed Lot 128 (south-western lot): Steep gables with wood or hardi plank cladding and tapered posts; and
 - Proposed Lot 129 (south-eastern lot): Large roofs with colonial themed posts and with brick accent and hardi board panel siding.
- Complementary colours are used on proposed buildings for each of the proposed lots as shown below:

	Proposed Lot 127	Proposed Lot 128	Proposed Lot 129
Roof	"Weathered Wood"	"Prairie Wood"	"Pewter Gray"
Siding	"Clay"	"Wicker"	"Estate Gray"
Doors	"Caldwell Green"	"Bison Brown"	"Smokestack Gray"

- The entire site will accommodate 37 building clusters, with 4-9 units on each cluster based on the following distribution:

Proposed Lot	Number of Building Clusters	No. of Units (with maximum # of Units in a Cluster)
Lot 127	22	141 units, with 8 units on Cluster 22
Lot 128	8	47 units, with 9 units on Cluster 4
Lot 129	7	42 units, with 7 units on Cluster 1

- All of the units are 3 storeys in height with garages and/or dens (depending on the type of unit) at the ground level. Dining and kitchen are at the 2nd level, with the third level accommodating all bedrooms. Balconies are also proposed on the second level.
- Proposed Lot 127 is bounded by the existing Terasen Gas right-of-way to the north and the proposed 30-metre (98-ft.) wide greenway to the west. The southerly portion of the proposed greenway (terminating on the north side of 68 Avenue) is also west of proposed Lot 128. The gas right-of-way and the greenway are considered major open spaces in the East Clayton NCP. These amenities are being secured as fee simple lots (to be conveyed to the City for parks purposes) in the proposed subdivision under File No. 7902-0363-00.

- Following the East Clayton NCP design guidelines, units along the greenway and the gas right-of-way on proposed Lot 127 will have the main doors fronting these open space areas, to provide "eyes on the park". Each unit will have direct access to the greenway and the gas right-of-way areas.
- In the case of proposed Lot 128, the required outdoor amenity space will be located adjacent to the greenway, precluding direct orientation to the proposed greenway to the west. However, proposed Clusters 1 and 2 on proposed Lot 128 will be fronting the proposed multi-use pathway that will provide the east-west connection between the proposed greenway and 68 Avenue.
- Separate outdoor amenity spaces will be provided for each of the proposed lot as follows:

Proposed Lot	Total Area as Required under RM-30	Total Area Being Provided
Lot 127	423m ² (4,553 sq. ft.)	1,022m ² (11,000 sq. ft.)
Lot 128	141m ² (1,517 sq. ft.)	492m ² (5,290 sq. ft.)
Lot 129	126m ² (1,356 sq. ft.)	307m ² (3,305 sq. ft.)

- The proposed outdoor amenity spaces will be accessible to the future residents via the internal footpaths and roadways. Each of the designated amenity spaces will accommodate a play structure and seating areas.
- Under the original application (File No. 7902-0363-00), it has been determined that existing trees on the future townhouse site consist of undersized Alder and Cottonwood trees, which are now proposed to be removed in conjunction with the proposed townhouse development. The applicant is proposing to install a variety of tree specie (Maples, Birch, Gum, Spruce, Oak and Fir, among others) to replace those trees that will be removed. These trees will mostly be installed along the perimeter of each of the proposed townhouse sites, in combination with a variety of flowering and ornamental shrubs such as azaleas, roses, hydrangeas, lilacs, and bamboo.
- Furthermore, street trees, to be planted along the public roads in conjunction with the proposal, will complement the on-site landscaping, allowing for an attractive streetscape.
- Along the property lines abutting the greenway and the gas right-of-way, a low (0.9-metre or 3-ft.) decorative wood fence will be installed in conjunction with the development of the subject site.
- Decorative metal fences (in black) are being proposed along the public roads, with pillars and gate details matching the materials and architectural details of the proposed buildings. For instance, where brick is proposed as the accent building material, the fence posts will likewise be built using brick.
- Decorative arbours will be installed at internal road ends as well as at pathway ends that will connect to the public walkways that will be built on the greenway and the gas right-of-way. These elements assist in defining public and private spaces.
- The construction of the proposed townhouse units will proceed by phase. The applicant has agreed to establish the actual phasing lines prior to Final Adoption.

ADVISORY DESIGN PANEL

- This application was not referred to the ADP but was reviewed by staff. The applicant has agreed to address issues pertaining to landscaping as shown below to the satisfaction of the City prior to Final Adoption.
 - Upsize trees based on OCP requirements;
 - Staggered fencing along the perimeter of the site should be shown on the Plans;
 - Provide details on entry and play structures; and
 - Retaining walls, when required, should be of decorative and concrete materials.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary building setback from 7.5 metres (25 ft.) to 4.5 metres (15 ft.) from all lot lines.

Applicant's Reasons:

- The reduced setbacks will bring the units closer to public spaces (public roads, parks and open spaces), which help in achieving a more urban character.
- Any perceived impact will be mitigated by proposed landscaping, which consists of a combination of trees and shrubs.

Staff Comments:

- The reduced setbacks are consistent with the NCP's objective of establishing a pedestrian-scale development from the roads and designated open spaces where public access is available. Staff support the requested variance.

(b) Requested Variance:

- To allow four visitor parking spaces within the required building setbacks on proposed Lot 128.

Applicant's Reasons:

- Four parking spaces for visitors (numbered 1, 2, 5, and 6) are located separately (2 spaces on each) of the east-west drive aisles (east of the greenway). These parking spaces are proposed to be located within the required building setback areas.
- Proposed Lot 128 is providing a triangular-shaped open space (which will accommodate a pathway for public use) connecting the proposed greenway and 68 Avenue. The proposed amenity has reduced the area that would have otherwise been utilized for parking purposes.

- A decorative arbour, combined with landscaping consisting of trailing vines, trees and shrubs will provide an attractive screen for those parking spaces, mitigating any impact that may occur as a result of the proposed variance.

Staff Comment:

- The Zoning By-law does not permit visitor parking spaces within the required setbacks. However, the proposed solutions are expected to address any negative impact resulting from the proposed variance. Therefore, staff can support the applicant's request.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets; and Survey Plan
Appendix II.	Contour Map
Appendix III.	Site Plan, Floor Plans, Elevations and Landscaping
Appendix IV.	Development Variance Permit No. 7905-0020-00
Appendix V.	Engineering Summary
Appendix VI.	School District Comments
Appendix VII.	Proposed Subdivision Layout for File No. 7902-0363-00
Appendix VIII.	East Clayton NCP Map

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated June 29, 2006.
- Soil Contamination Review Questionnaire prepared by Walter Thorneloe December 23, 2004.

How Yin Leung
Acting General Manager
Planning and Development

JDM/kms

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Mr. Walter Thorneloe, Belma Carra Developments Ltd.
 Address: 2460 Mowat Place
 North Vancouver, B.C.
 V7H 2X1
 Tel: 604-290-5527

2. Properties involved in the Application

(a) Civic Address: Portion of 19519 – 68 Avenue

(b) Civic Address: Portion of 19519 – 68 Avenue
 Owner: Chia Property Ltd.
 PID: 013-229-214
 East 15 Chains of Northwest Quarter Section 15 Township 8 New Westminster
 District

3. Summary of Actions for City Clerk's Office

(a) Rezone a portion of the site as per the Survey Plan.

(b) Proceed with Public Notification for Development Variance Permit No. 7905-0020-00.

DEVELOPMENT DATA SHEET

Lot 127

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		26,000 m ²
Road Widening area		
Undevelopable area		
Net Total		26,000 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	44.9%
Paved & Hard Surfaced Areas		32.0%
Total Site Coverage		76.9%
SETBACKS (in metres)		
Front (North)	7.5 m	4.5 m
Rear (South)	7.5 m	4.5 m
Side #1 (East)	7.5 m	4.5 m
Side #2 (West)	7.5 m	4.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	13 m/3-storeys
Accessory	4.5 m	4.5 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		141
Total	161	141
FLOOR AREA: Residential	23,400 m ²	22,500 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	23,400 m ²	22,500 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd for Lot 127

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)	62 upha 25 upa	55 upha 22.30 upa
FAR (gross)		
FAR (net)	0.90	0.88
AMENITY SPACE (area in square metres)		
Indoor	423 m ²	-
Outdoor	423 m ²	1,022 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed 2/unit	282	282
Residential Visitors	28	28
Institutional		
Total Number of Parking Spaces	310	310
Number of disabled stalls	4	4
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	n/a	114/37%
Size of Tandem Parking Spaces width/length	10'6"/40'-0"	10'6"/40'-0"

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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DEVELOPMENT DATA SHEET

Lot 128

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		9,790 m ²
Road Widening area		
Undevelopable area		
Net Total		9,790 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	44%
Paved & Hard Surfaced Areas		29.9%
Total Site Coverage		73.9%
SETBACKS (in metres)		
Front (North)	7.5 m	4.5 m
Rear (South)	7.5 m	4.5 m
Side #1 (East)	7.5 m	4.5 m
Side #2 (West)	7.5 m	4.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	13 m/3-storeys
Accessory	4.5 m	4.5 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		47
Total	60	47
FLOOR AREA: Residential	8,713 m ²	7,800 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	8,713 m ²	7,800 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd for Lot 128

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)	62 upha 25 upa	52.5 upha 21.21 upa
FAR (gross)		
FAR (net)	0.88	0.80
AMENITY SPACE (area in square metres)		
Indoor	141 m ²	-
Outdoor	141 m ²	492 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed 2/unit	94	94
Residential Visitors	9	9
Institutional		
Total Number of Parking Spaces	103	103
Number of disabled stalls	2	2
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	n/a	38/37%
Size of Tandem Parking Spaces width/length	10'6"/40'-0"	10'6"/40'-0"

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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DEVELOPMENT DATA SHEET

Lot 129

Proposed Zoning: RM-30

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		8,000 m ²
Road Widening area		
Undevelopable area		
Net Total		8,000 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	45%	44%
Paved & Hard Surfaced Areas		33%
Total Site Coverage		77%
SETBACKS (in metres)		
Front (North)	7.5 m	4.5 m
Rear (South)	7.5 m	4.5 m
Side #1 (East)	7.5 m	4.5 m
Side #2 (West)	7.5 m	4.5 m
BUILDING HEIGHT (in metres/storeys)		
Principal	13 m	13 m/3-storeys
Accessory	4.5 m	4.5 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		42
Total	49	42
FLOOR AREA: Residential	6,320 m ²	6,308 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	6,320 m ²	6,308 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd for Lot 129

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)	62 upha 25 upa	50.65 upha 20.52 upa
FAR (gross)		
FAR (net)	0.88	0.84
AMENITY SPACE (area in square metres)		
Indoor	126 m ²	-
Outdoor	126 m ²	307 m ²
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed 2/unit	84	84
Residential Visitors	8	8
Institutional		
Total Number of Parking Spaces	92	92
Number of disabled stalls	1	1
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units	n/a	32/35%
Size of Tandem Parking Spaces width/length	10'6"/40'-0"	10'6"/40'-0"

Heritage Site	NO	Tree Survey/Assessment Provided	YES
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CONTOUR MAP FOR SUBJECT SITE

