

Proposed Amendments to Bylaw 158D2015

That Bylaw 158D2015 be amended by deleting the text in Schedule B and replacing with the following:

DIRECT CONTROL DISTRICT

Purpose

- 1 This Direct Control District is intended to be characterized by:
 - (a) a primarily residential and commercial **development** to meet the needs of the workers, visitors and local and regional users, and in recognition of the site as a destination for retail **uses** where flexible and creative **development** encourages an exciting and energetic environment;
 - (b) a mix of residential, commercial, **Office** and cultural **uses**;
 - (c) intensive **development** where intensity is measured by **floor area ratio**; and
 - (d) a **building** form that is street oriented at **grade**.

Compliance with Bylaw 1P2007

- 2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District.

Reference to Bylaw 1P2007

- 3 Within this Direct Control District, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

General Definitions

- 4 In this Direct Control District,
 - (a) "**commercial uses**" means all of the **discretionary uses** in this Direct Control District other than:
 - (i) **residential uses**;
 - (ii) **Child Care Service**;
 - (iii) **Community Entrance Feature**;
 - (iv) **Community Recreation Facility**;
 - (v) **Home Occupation – Class 2**;
 - (vi) **Indoor Recreation Facility**;
 - (vii) **Library**;
 - (viii) **Office**;
 - (ix) **Parking Lot – Grade**;
 - (x) **Parking Lot – Grade (temporary)**;
 - (xi) **Performing Arts Centre**;
 - (xii) **Power Generation Facility – Small**;
 - (xiii) **Residential Care**;
 - (xiv) **School Authority Purpose – School**;
 - (xv) **School Authority Purpose – Major**;
 - (xvi) **School Authority – Minor**;
 - (xvii) **Service Organization**;
 - (xviii) **Sign – Class C**;

Proposed Amendments to Bylaw 158D2015

- (xix) **Sign – Class E;**
- (xx) **Special Function – Class 2;**
- (xxi) **Temporary Marketing Centre;** and
- (xxii) **Utility Building.**

(b) **"Eau Claire Plaza"** means:

- (i) Those lands described as Plan 8110407; Block 1; Lot 6

(c) **"podium"** means that portion of a **building** located below:

- (i) 30.0 metres above **grade** for Site 1; or
- (ii) 20.0 metres above **grade** for Site 2.

(d) **"residential uses"** means one or more of the following **uses**:

- (i) **Assisted Living;**
- (ii) **Dwelling Unit;**
- (iii) **Hotel;**
- (iv) **Live Work Unit;**
- (v) **Multi-Residential Development;** and
- (vi) **Townhouse.**

(e) **"tower"** means that portion of a **building** above the **podium**.

Defined Uses

5 In this Direct Control District,

(a) **"Temporary Marketing Centre"** means a **use**:

- (i) where **units** are offered for sale to the public;
- (ii) that may include sales **offices** and displays of materials used in the construction of the **units** that are offered for sale;
- (iii) that must occur in a **unit**, which may be temporarily modified to accommodate the **use**, or in a temporary **building**; and
- (iv) must not operate for longer than 4 years.

Sites 1 and 2

Application

6 The provisions in sections 7 through 19 apply only to Sites 1 and 2.

Permitted Uses

7 The following **uses** are **permitted uses** in this Direct Control District:

- (a) **Accessory Residential Building;**
- (b) **Park;**
- (c) **Protective and Emergency Service;** and
- (d) **Sign – Class D.**

Proposed Amendments to Bylaw 158D2015

Discretionary Uses

8 The following *uses* are *discretionary uses* in this Direct Control District:

- (a) Accessory Food Service;
- (b) Accessory Liquor Service;
- (c) Artist's Studio;
- (d) Assisted Living;
- (e) Auction Market – Other Goods;
- (f) Catering Service – Minor;
- (g) Child Care Service;
- (h) Community Entrance Feature;
- (i) Community Recreation Facility;
- (j) Computer Games Facility;
- (k) Convenience Food Store;
- (l) Cultural Support;
- (m) Dinner Theatre;
- (n) Drinking Establishment – Medium;
- (o) Drinking Establishment – Small;
- (p) Dwelling Unit;
- (q) Financial Institution;
- (r) Fitness Centre;
- (s) Food Kiosk;
- (t) Health Services Laboratory – With Clients;
- (u) Home Occupation – Class 2;
- (v) Hotel;
- (w) Indoor Recreation Facility;
- (x) Instructional Facility;
- (y) Library;
- (z) Liquor Store;
- (aa) Live Work Unit;
- (bb) Market;
- (cc) Market – Minor;
- (dd) Medical Clinic;
- (ee) Multi-Residential Development;
- (ff) Museum;
- (gg) Outdoor Café;
- (hh) Outdoor Recreation Area;
- (ii) Parking Lot – Grade;
- (jj) Parking Lot - Grade (Temporary);
- (kk) Performing Arts Centre;
- (ll) Pet Care Service;
- (mm) Place of Worship – Small;
- (nn) Post-secondary Learning Institution;
- (oo) Power Generation Facility – Small;
- (pp) Print Centre;
- (qq) Radio and Television Studio;
- (rr) Residential Care;
- (ss) Restaurant: Food Service Only – Large;
- (tt) Restaurant: Food Service Only – Medium;
- (uu) Restaurant: Food Service Only – Small;
- (vv) Restaurant: Licensed – Large;
- (ww) Restaurant: Licensed – Medium;
- (xx) Restaurant: Licensed – Small;

Proposed Amendments to Bylaw 158D2015

- (yy) **Retail and Consumer Service;**
- (zz) **School – Private;**
- (aaa) **School Authority – School;**
- (bbb) **School Authority Purpose – Major;**
- (ccc) **School Authority Purpose – Minor;**
- (ddd) **Service Organization;**
- (eee) **Sign – Class C;**
- (fff) **Sign – Class E;**
- (ggg) **Special Function – Class 2;**
- (hhh) **Specialty Food Store;**
- (iii) **Supermarket;**
- (jjj) **Take Out Food Service;**
- (kkk) **Temporary Marketing Centre;**
- (lll) **Townhouse;**
- (mmm) **Utility Building; and**
- (nnn) **Veterinary Clinic.**

Bylaw 1P2007 District Rules

- 9** Unless otherwise specified, the General Rules for the Commercial Residential Districts in Part 13 Division 1 of Bylaw 1P2007 apply in this Direct Control District.

Sunlight Protection Areas

- 10 (1)** The following sunlight protection areas should not be placed in greater shadow by a **development** as measured on September 21, at the times and locations indicated for each area, than were already in shadow as the result of an existing or approved **development**:
- (a) Riverbank (not including the Riverbank Promenade and between 3 and 7 Streets SW): an area 20.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;
 - (b) Riverbank Promenade (between 3 Street SW and Centre Street): an area 9.0 metres wide abutting the southern **top of bank** of the Bow River, from 10:00 a.m. to 4:00 p.m., MDT;
 - (c) Barclay (3 St SW) Mall: the westerly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 12:30 p.m. to 1:30 p.m., MDT; and
 - (d) Barclay (3 St SW) Mall: the easterly 8.0 metres of the right-of-way and **setback area** of the Barclay Mall, from 1:30 p.m. to 2:30 p.m., MDT.
- (2)** The **Eau Claire Plaza** (the "Plaza") should not be placed in greater shadow by a **development** as measured on September 21, at the times indicated, than were already in shadow as the result of an existing or approved **development** excepting:
- (a) south of a line drawn parallel to and 52 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 14

Proposed Amendments to Bylaw 158D2015

metres westward from the east boundary of the Plaza, from 10:00 a.m. to 12:30 p.m., MDT;

- (b) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza from 12:30 p.m. to 2:30 p.m., MDT; and
- (c) south of a line drawn parallel to and 34 metres northward from the south boundary of the Plaza and east of a line drawn parallel to and 15 metres westward from the east boundary of the Plaza, at 2:30 p.m. to 4:00 p.m. MDT.

Location of Uses within Buildings

11 **Office uses** must not be located on the ground floor of a **building**.

Use Area

- 12** (1) Unless otherwise referenced in this section, the maximum **use area** for **uses** located on the ground floor of a **building** is 1200.0 square metres.
- (2) The maximum **use area** of a **Financial Institution** when located on the ground floor of a **building** is 465.0 square metres of **public area**.
- (3) The maximum **use area** of a **Hotel** when located on the ground floor of a **building** is 2000.0 square metres.
- (4) For **Retail and Consumer Service, Supermarket**, or a **Supermarket** combined with any other **use**, there may be one such maximum **use area** of 3600.0 square metres and one such maximum **use area** of 2400.0 square metres on the ground floor of a **building**.

Required Motor Vehicle Parking Stalls

- 13** (1) For **Dwelling Units** or **Live Work Units**:
- (a) the minimum **motor vehicle parking stall** requirement is 0.5 stalls per **unit**;
 - (b) the maximum number of **motor vehicle parking stalls** that may be provided is:
 - (i) 1.0 stalls per **unit** where the **unit's gross floor area** is less than or equal to 125.0 square metres; and
 - (ii) 2.0 stalls per **unit** where the **unit's gross floor area** is greater than 125.0 square metres; and
 - (c) the **visitor parking stall** requirement is 0.1 stalls per **unit**.
- (2) For a **Hotel**, the minimum number of required **motor vehicle parking stalls** is 1.0 per 3.0 guest rooms.

Proposed Amendments to Bylaw 158D2015

- (3) The following **uses** require a parking study to determine the required minimum number of **motor vehicle parking stalls**:
- (a) **Indoor Recreation Facility;**
 - (b) **Library;**
 - (c) **Museum;**
 - (d) **Performing Arts Centre;** and
 - (e) **Post-secondary Learning Institution.**
- (4) For **Office**, the minimum number of required **motor vehicle parking stalls** is 0.7 per 100.0 square metres of **gross useable floor area**, which must be provided:
- (a) 50 per cent as stalls; and
 - (b) 50 per cent as a cash-in-lieu payment;
 - (c) Payments made under subsection (b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** at the time the payment is made.
- (5) **Temporary Marketing Centre** does not require **motor vehicle parking stalls**.
- (6) For all other **uses**, the minimum required **motor vehicle parking stalls** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (7) Payments made under subsection (4)(b) must be in accordance with **Council's** policy and calculated at the rate per **motor vehicle parking stall** established by **Council** with respect to Part 13 of Bylaw 1P2007, at the time the payment is made.

Short Stay Parking Stalls

- 14 (1) A maximum of 24.0 additional **motor vehicle parking stalls** may be provided as **parking area – short stay** stalls where such stalls are:
- (a) located in a portion of the **development** approved for use as a **parking area – short stay**;
 - (b) included in a parking area which is operated as part of a **scramble parking** arrangement that is open to the public; and
 - (c) prominently signed at the **street** level indicating the availability and conditions of use of such stalls.
- (2) Additional **motor vehicle parking stalls** as provided in subsection (1) are not subject to the cash-in-lieu provisions of Section 13.

Use of Parking Areas

- 15 (1) All **uses** may share an entrance to areas of a parking structure.
- (2) **Motor vehicle parking stalls and bicycle parking stalls** required for **uses** on Site 1 and Site 2 may be shared and located on any one Site or both Sites, but those stalls required for **residential uses** (except **Hotel**) must be physically separated from stalls for other **uses**.

Proposed Amendments to Bylaw 158D2015

Required Bicycle Parking Stalls

- 16 (1) Unless otherwise referenced in this section or in subsection 13(3), the minimum number of required **bicycle parking stalls – class 1** and **class 2** is the requirement referenced in Part 4 of Bylaw 1P2007.
- (2) For an **Office**, the minimum number of required:
- (a) **bicycle parking stalls - class 1** is 2.0 per 1000.0 square metres of **gross usable floor area**; and
 - (b) **bicycle parking stalls - class 2** is 2.0 per 1000.0 square metres of **gross usable floor area**.
- (3) For a **Dwelling Unit** or **Live Work Unit**, the minimum number of **bicycle parking stalls – class 1** is 0.5 per **unit** for **developments** with greater than 20.0 **units**.
- (4) **Temporary Marketing Centre** does not require **bicycle parking stalls –class 1** or **class 2**.
- (5) The following **uses** require a parking study to determine the required minimum number of **bicycle parking stalls – class 1** and **bicycle parking stalls – class 2**:
- (a) **Indoor Recreation Facility**;
 - (b) **Library**;
 - (c) **Museum**;
 - (d) **Performing Arts Centre**; and
 - (e) **Post-secondary Learning Institution**.
- (6) Where **bicycle parking stalls – class 1** are required for an **Office** in a proposed **building**, the following amenities must be provided:
- (a) lockers at a ratio of 1.0 per 4.0 **bicycle parking stalls – class 1**; and
 - (b) where a minimum of 25.0 **bicycle parking stalls – class 1** are required:
 - (i) private change rooms at a minimum of 0.4 square metres per required **bicycle parking stalls – class 1** or 20.0 square metres, whichever is greater;
 - (ii) showers at a minimum of 0.4 square metres per required **parking stalls – class 1** or 20.0 square metres, whichever is greater; and
 - (iii) an unobstructed area for bicycle maintenance which must:
 - (A) be a minimum of 6.0 square metres; and
 - (B) have no dimension less than 2.0 metres.

Location of Bicycle Parking Stalls

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Proposed Amendments to Bylaw 158D2015

- 17 ***Bicycle parking stalls – class 1*** must be located at ***grade*** or within the first parking level directly below ***grade***.

Roof

- 18 The roof of any ***podium*** must be a ***landscaped area*** and roof-top equipment must be ***screened***.

Relaxation Powers

- 19 (1) Except as otherwise stated in subsections (2) and (3), the ***Development Authority*** may relax any of the rules within this Direct Control District, including without limitation the rule in section 32, where the relaxation test in Bylaw 1P2007 is met.
- (2) The ***Development Authority*** may relax sections 23(2), 25, 28, 29, 31, 34(2), 35 and 39 of this Direct Control District only where both the test for relaxation in Bylaw 1P2007 is met and where the relaxation is required as the result of integration of a development into the Green Line.
- (3) The ***Development Authority*** must not relax subsections 23(4) and 23(6).

Site 1 (±1.46 hectares)

Application

- 20 The provisions in sections 21 through 32 apply only to Site 1.

Additional Discretionary Uses

- 21 The following ***uses*** are additional ***discretionary uses*** in this Direct Control District:
- (a) **Cinema**; and
- (b) **Office**.

Parking Lot-Grade (Temporary)

- 22 ***Development permits*** for ***Parking Lot – Grade (Temporary)*** must not be approved with an expiry date later than 10 years after a ***development completion permit*** has been issued for the ***podium*** of the first phase of Site 1.

Floor Area Ratio

- 23 (1) The cumulative total maximum ***floor area ratio*** is 10.0.
- (2) The minimum ***floor area ratio*** is 4.0 for ***residential uses***.
- (3) The minimum ***floor area ratio*** is 0.9 for ***commercial uses***.
- (4) Subject to subsection (5), the maximum ***floor area ratio*** is 1.9 for ***Office use***.
- (5) The maximum ***floor area ratio*** for ***Office use*** may be increased from the maximum ***floor area ratio*** listed in subsection (4), in accordance with the bonus incentive provisions contained in section 24.

Proposed Amendments to Bylaw 158D2015

- (6) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for **Office use**.

Incentive Density Calculation Method

- 24 (1) The **floor area ratio** in subsection 23(4) may be increased by up to an additional 2.2 through a financial contribution to **Eau Claire Plaza Improvement Fund**.
- (2) The amount of additional **gross floor area** achieved by providing the financial contribution to the **Eau Claire Improvement Fund** set out in subsection (1) is calculated by dividing the cost of the contribution amount to the **Eau Claire Plaza Revitalization Fund** by the Incentive Rate 1 of Part 13 Division 3 of Bylaw 1P2007 as established by **Council**, and amended from time to time.
- (3) For purposes of this section, "**Eau Claire Improvement Fund**" means a dedicated civic fund to provide off-site improvements to the Eau Claire Plaza.

Maximum Height

- 25 The maximum **building height** is 127.0 metres from **grade**.

Location of Uses within Buildings

- 26 **Office uses** may only be located in a **building** located at the northwest corner of 2 Avenue and 2 Street SW.

Building Setbacks

- 27 There are no minimum **building setbacks**.

Tower Separation

- 28 The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

- 29 (1) Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel suites, or Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.
- (2) Each floor of a **tower** containing primarily **Offices** has a maximum:
- (a) **floor plate area** of 3000.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.

Riverfront Avenue Requirement

- 30 A vehicular connection extending Riverfront Avenue SW between 2 Street SW and 3 Street SW with sidewalks along its full length on both the north and south sides must be completed as part of the first phase of the Site 1 **development permit** application.

Phasing

Proposed Amendments to Bylaw 158D2015

- 31 No **development completion permit** for **Office use** may be issued until a **development completion permit** for the minimum **floor area ratio** of 4.0 for **residential uses** has been issued for Site 1.

Development Permit Requirements

- 32 (1) A **development permit** application must conform to the form and renderings plans attached to this Bylaw as Schedule C. For greater certainty, a **development permit** application must include the drawings attached as Schedule C.
- (2) This section remains in effect until the date a **development completion permit** is issued for the entirety of the **development** contained in Schedule C.

Site 2 (±1.41 hectares)

Application

- 33 The provisions in sections 34 through 39 apply only to Site 2.

Floor Area Ratio

- 34 (1) The cumulative maximum **floor area ratio** is 4.0.
- (2) The minimum **floor area ratio** is 2.0 for **residential uses**.
- (3) The cumulative **floor area ratio** for **residential uses** must be greater than the cumulative **floor area ratio** for all other **uses**.

Maximum Height

- 35 The maximum **building height** is 70 metres from **grade**.

Location of Uses within Buildings

- 36 (1) **Restaurant: Licensed – Large** must not front the northernmost boundary of Site 2.
- (2) Only **residential uses** (not including **Hotel**) may be located in a **tower**.

Building Setbacks

- 37 The minimum **building setbacks** are:
- (a) 0.0 metres from a **property line** shared with a **street**;
 - (b) 11.0 metres from the west **property line** shared with the Eau Claire Plaza; and
 - (c) 20.0 metres from the north **property line**.

Tower Separation

- 38 The minimum separation distance between **towers** is 18.0 metres.

Floor Plate Restrictions

- 39 Each floor of a **tower** containing **Assisted Living, Dwelling Units, Hotel suites, or Live Work Units**, has a maximum:
- (a) **floor plate area** of 1600.0 square metres; and
 - (b) horizontal dimension of 85.0 metres.

Proposed Amendments to Bylaw 158D2015

Site 3 (±0.083 hectares)

Application

40 The provisions in sections 41 through 43 apply only to Site 3.

Permitted Uses

41 The ***permitted uses*** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the ***permitted uses*** in this Direct Control District with the addition of:
(a) **Child Care Service**, where located within existing approved ***buildings***.

Discretionary Uses

42 The ***discretionary uses*** of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 are the ***discretionary uses*** in this Direct Control District with the addition of:
(a) **Fitness Centre**;
(b) **Restaurant: Licensed – Large**;
(c) **Restaurant: Licensed – Small**; and
(d) **Retail and Consumer Service**.

Development Guidelines

43 Unless otherwise specified, the rules of the Special Purpose - Community Service (S-CS) District of Bylaw 1P2007 apply in this Direct Control District.

Proposed Amendments to Bylaw 158D2015

*STATISTICS SHOWN ARE SUBJECT TO CHANGE AS PER DC BYLAW

PROJECT STATISTICS

Level	Uses	Podium	Tower 1	Tower 2
		m²	m²	m²
3.01	Hotel, Supermarket,	8,070		
3.02	Restaurant, Loading,	8,965		
3.03	Support Hotel,	8,500		
3.04	Swimming, Mechanical		2,088	2,088
3.05			1,538	1,578
3.06	Hotel in Tower 1,		1,538	1,578
3.07	Residential in Tower 2,		1,538	1,578
3.08			1,538	1,578
3.09			1,578	1,538
3.10			1,482	1,538
3.11			1,462	1,500
3.12			1,416	1,465
3.13			1,386	1,400
3.14			1,300	1,343
3.15			1,240	1,280
3.16			1,175	1,215
3.17			1,116	1,158
3.18	Residential	1,040	1,158	1,088
3.19		978	1,044	1,018
3.20		866	946	935
3.21		828	883	868
3.22		742	813	792
3.23		678	723	718
3.24		566	643	648
3.25		525	540	565
3.26		442	478	488
3.27		379	418	418
3.28	Residential Mechanical		275	315
3.29			150	150
	Subtotals	26,128	27,758	28,175

Grand Total	GF+A	87,600	918,131
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GFA Ratio	14,448	753.5
F.A.R.	5.68	
Residential F.A.R.	4.13	

RESIDENTIAL F.A.R. TOTAL INCLUDES ALL RESIDENTIAL AND HOTEL USES, ALONG WITH ASSOCIATED MECHANICAL SPACES.

Gibbs|Gage PERKINS+WILL

ARCHITECTS
300, 140 10 Avenue SE, Calgary, Alberta T2K 4G1
PH: 403.232.2000 FAX: 403.256.8878

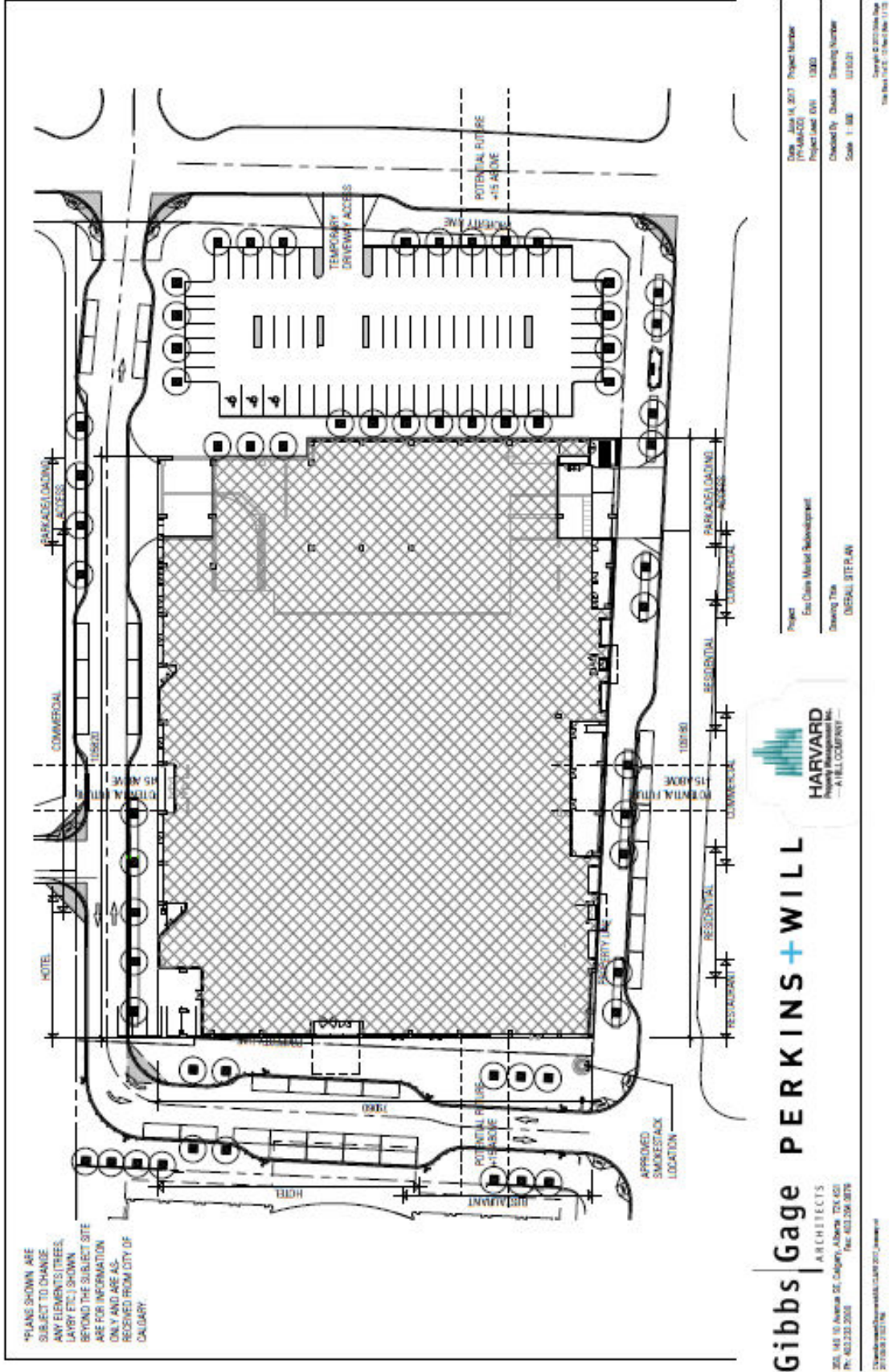


Project	East Chinle Market Redevelopment	Date	June 14, 2017	Project Number	(P140420)
Drawing Title	PROJECT STATISTICS	Project Lead	KVN	Checked By	Debbie
		Scale		Drawing Number	1000.01

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Sheet 1 of 2 - 11/11/17

Proposed Amendments to Bylaw 158D2015



Proposed Amendments to Bylaw 158D2015

*PLANS SHOWN ARE SUBJECT TO CHANGE

T1 - TYP. RES. PLAN - UPPER LEVEL

Gibbs|Gage

ARCHITECTS

205, 141 15 Avenue SE, Calgary, Alberta T2K 4G1

PH: 403.232.2505 FAX: 403.236.0876

2016/05/19 17:02:17PM

HARVARD

Property Management Inc.

— A WILL COMPANY —

T1 - TYP. RES. PLAN - LOWER LEVEL

T1 - TYP. RES. PLAN - LOWER LEVEL

Project	East Glen Market Redevelopment	Date	June 16, 2017	Project Number	(17-144200)
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		Checked By	Chadler	Drawing Number	
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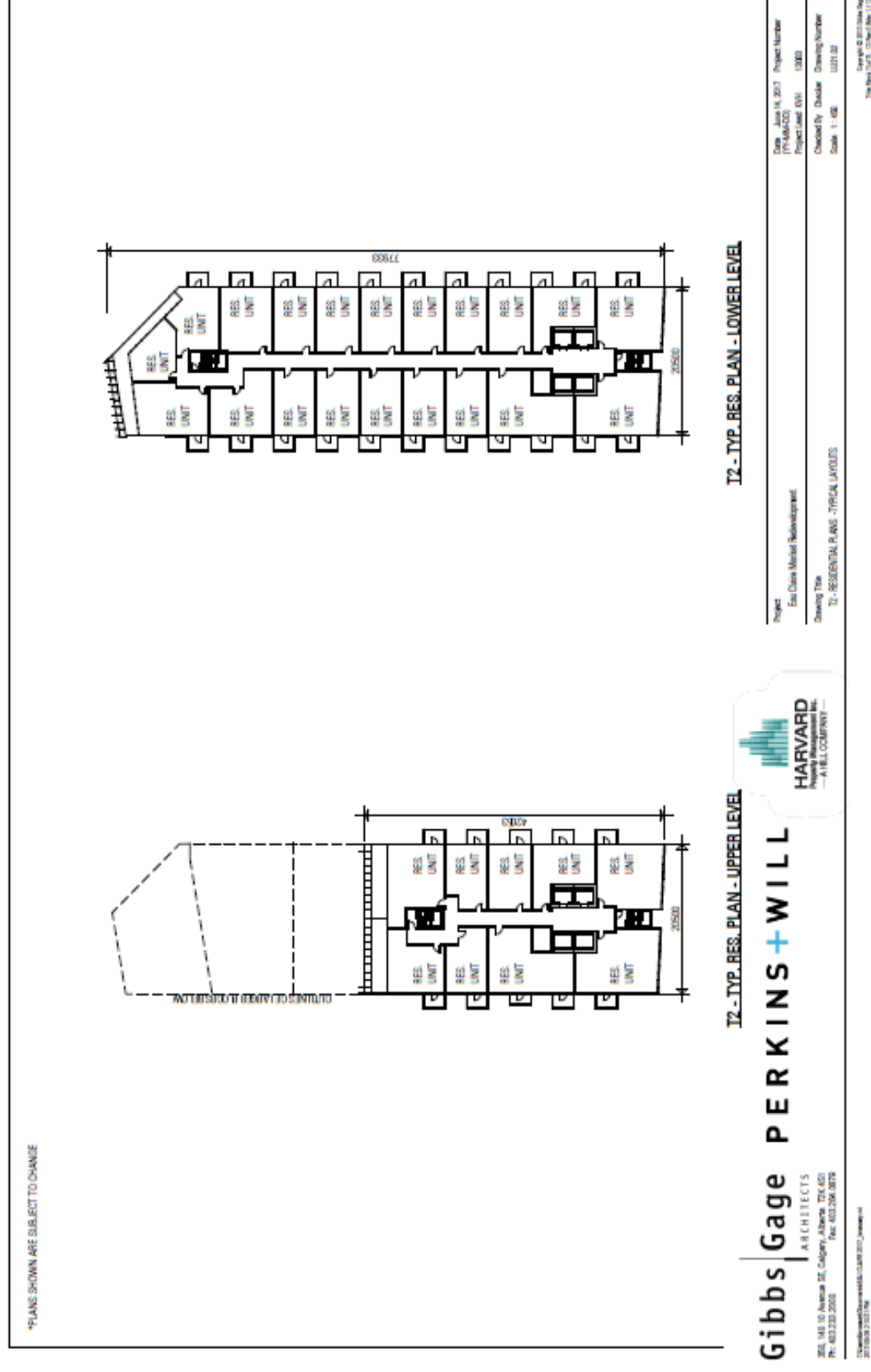
Drawn by: J. Gage
2016/05/19 17:02:17PM

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Page 14 of 20

Proposed Amendments to Bylaw 158D2015



Proposed Amendments to Bylaw 158D2015



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A R C H I T E C T S

300, 140, 10 Avenue SE, Calgary, Alberta T2N 4Z2
 Ph: 403.232.2000 Fax: 403.238.3875



HARVARD
 Property Development Inc.
 — A WELL COMPANY —

Project East Glen Market Redevelopment

Drawing Title AGENTRY DECK - POTLIUM ROOF LEVEL

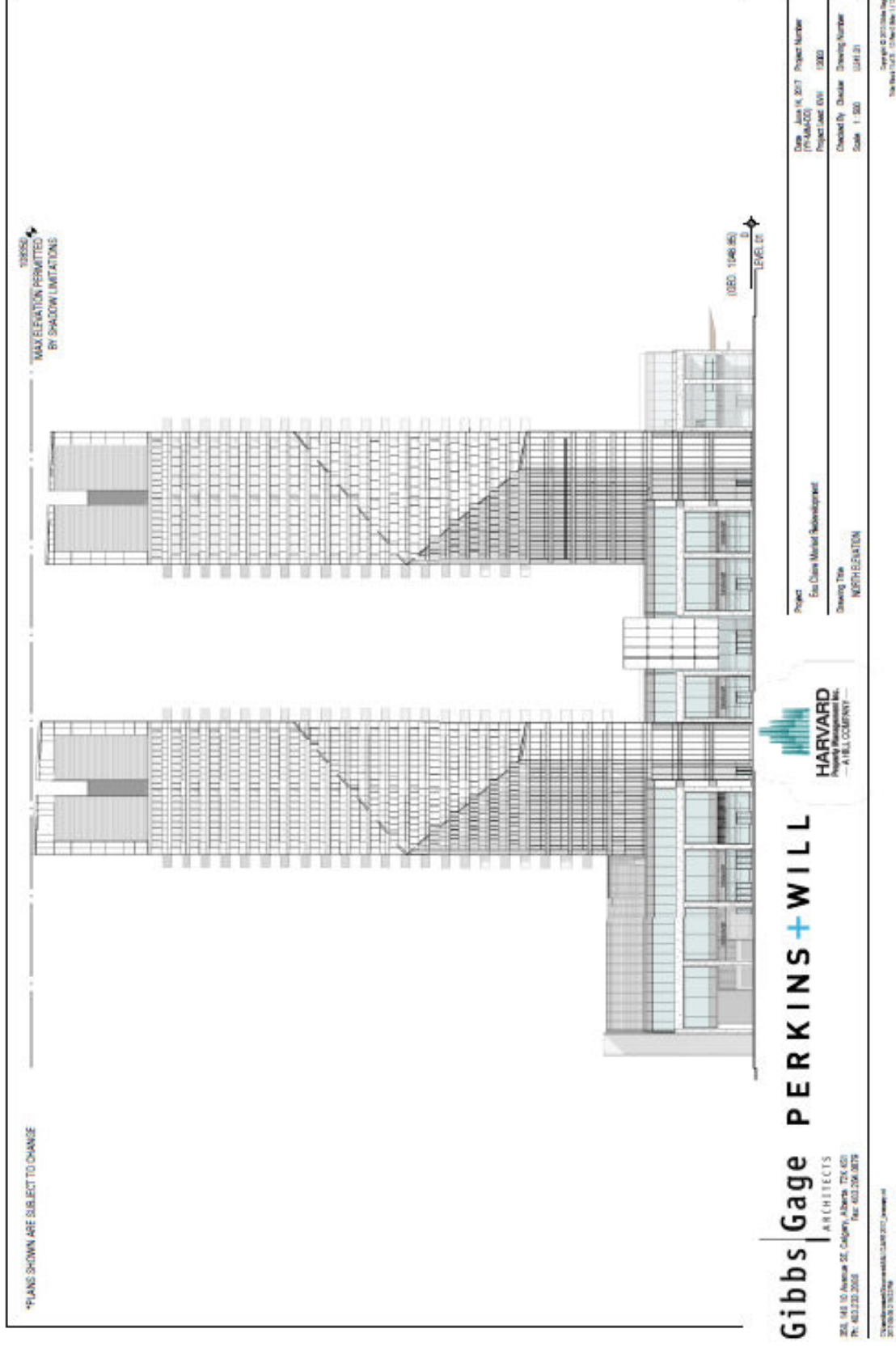
Date June 14, 2017 **Project Number** 17-004-001-000

Project Lead GVN **13000**

Checked By Dacibac **Drawing Number** 0001-00

Scale 1:400

Proposed Amendments to Bylaw 158D2015



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