

## **170 The West Mall – Zoning By-law Amendment Application – Preliminary Report**

Date: December 14, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

**Planning Application Number:** 18 171361 WET 05 OZ

### **SUMMARY**

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This report provides preliminary information and an early opportunity to raise issues for follow-up with regard to the application. The report also indicates the expected timing for a Final Report to City Council. The application has been circulated to all appropriate agencies and City divisions for comment and a staff review of the application is underway.

This application proposes to construct a 1-story (23.5 metres in height, including mechanical penthouse) frozen goods automated warehouse distribution building, with a gross floor area of 19,533 m<sup>2</sup>, an overall site density of 0.48 times the area of the lot, 124 surface parking spaces and 27 loading docks at 170 The West Mall. The existing dry and frozen goods warehouse distribution building on the site would remain.

The applicant requested a pre-application consultation meeting for assistance in defining the requirements for application submission. Staff held the meeting with the applicant on October 13, 2017.

The application was submitted on June 4, 2018. A notice of Incomplete Application was issued on June 14, 2018, and a notice of Complete Application with regard to the application was issued on September 7, 2018.

A community consultation meeting was held on October 9, 2018, combined with the owner's (Metro Ontario Incorporated) other application for the properties at 17, 25 and 75 Vickers Road (File No. 18 124934 WET 05 OZ). A Final Report will be submitted for City Council's consideration following the resolution of outstanding issues related to this application; and the holding of a statutory Public Meeting under the *Planning Act*. The target timeline for the Final Report is the second quarter of 2019.

As outlined in this report, City Planning staff have identified concerns with the proposal with respect to the appropriate location of the building, vehicular and truck access, parking and circulation, compliance with Toronto and Region Conservation Authority requirements related to the Etobicoke Creek regulated lands, and compliance with applicable policies and guidelines. These issues and all additional matters that arise through the development review process will need to be addressed prior to submission of the Final Report to City Council.

Please note that in the absence of these issues being resolved and where staff will not be in a position to recommend approval or refusal of the application, an Interim Directions Report will be submitted to City Council for decision, prior to the expiration of the statutory review period in the *Planning Act* for this planning application.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Notice for the statutory public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

## **FINANCIAL IMPACT**

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The Recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

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### **Application Description**

The application proposes the development of a 1-storey (23.5 metres in height, including mechanical penthouse), including a mezzanine level, frozen goods automated warehouse distribution building on the south side of West Mall Crescent and on the west side of The West Mall. Adjacent and on the west side of the site is the Etobicoke Creek. The proposed building would contain 17,945 m<sup>2</sup> of ground floor area and 1,588 m<sup>2</sup> of office space on the mezzanine level for a total of 19,533 m<sup>2</sup>. The proposed building setbacks would range from 18.5 to 75 metres to the north, 25 metres to the east, and 91 metres to the west property lines, and range from 16 to 30 metres on the south to the existing warehouse building. See Attachments 8 and 9 for the building elevations.

There is an existing 1-storey dry and frozen goods warehouse located on the south portion of the site with a gross floor area of 84,662 m<sup>2</sup>. The site has an overall area of

216,268 m<sup>2</sup> with a frontage of 810 metres and a depth ranging from 786 to 819 metres. The proposal would result in an overall site density of 0.48 times the area of the lot.

The sidewalk on West Mall Crescent is proposed to be a minimum of 2.1 metres wide with an existing TTC bus stop located approximately 43 metres west of The West Mall corner. Further west, there is a sloped walkway proposed from the sidewalk leading to the front building entrance. The entrance proposes a 1 metre aluminum canopy. The walkway would continue along the majority of the building frontage to the generator court. The building materials proposed would be predominantly metal and aluminum, with architectural block at the base of the north and west elevations and glass on the building entrance.

There is no existing sidewalk along The West Mall from the corner of West Mall Crescent to the existing driveway at the south end of the new building, and none is proposed. There is an existing sidewalk continuing south of this driveway, but no improvements to this sidewalk are proposed.

Currently, three full-movement driveways provide access to the subject site with the majority of the trucks entering the site via an existing access driveway at the west end of Waulron Street, at the south end of the site. Once loading operations are complete, trucks exit via the existing driveway to The West Mall at the northeast corner of the site. A third driveway is provided from Waulron Street that provides vehicle access for employees of the warehouse facility. No changes to this access arrangement are proposed.

The driveway from The West Mall is proposed to be modified to accommodate a driveway connection around the new building. Part of the modification would include a relocated gatehouse and barrier arm security gates.

There are 27 loading docks proposed on the west side of the building for incoming and outgoing truck shipments, and 3 loading spaces for waste management would be located along the southwest side of the building. A surface vehicular parking lot is also proposed with 124 spaces, of which 4 would be accessible, located at the northeast end of the site, adjacent to the front entrance. There are 4 long-term bicycle parking spaces proposed located outside, in close proximity to the front entrance and an additional 2 short term parking spaces located inside the front entrance.

The proposal includes the removal of 9 protected private trees, located outside of the ravine protection limits. A total of 32 new trees are proposed to be planted along the city boulevards on the north and east sides of the site and 85 new shade trees on private property outside of the ravine protection limits. Significant retaining walls are proposed to be located along the west, north and east property lines. The proposed length and height of the walls are as follows: west (86.3 metres in length and 0.05 to 0.25 metres in height), north (34.4 metres in length and 1.57 to 0.07 metres in height) and east (110.8 metres in length and 1.37 to 3.17 metres in height).

A 3.05 metre road widening is required along the West Mall Crescent frontage commencing from the corner of The West Mall for approximately 131 metres and a 0.40 metre road widening is required along the entire The West Mall frontage, both to satisfy 27 metre right-of-way road requirements. Also, an 8 metre by 8 metre triangular property conveyance is required at the northwest corner of The West Mall and Waulron Street abutting the subject site for future intersection and municipal boulevard improvements purposes.

### **Site and Surrounding Area**

The subject site is located on the southwest corner of West Mall Crescent and The West Mall, and is bounded by Waulron Street to the south and the Etobicoke Creek to the west (see Attachment 2: Location Map). The subject site has a frontage of approximately 810 metres along West Mall Crescent and a depth ranging from 786 to 819 metres with an overall total area of 216,268 m<sup>2</sup>, and is irregular in shape. The site is occupied by a 1-storey dry and frozen goods warehouse distribution building with a paved surface parking lot for truck trailers and employee vehicles, and a grassed open space area. There is a decrease in grade of approximately 2 metres from the east to the west property line, and there is an approximately 3 metre rise in grade from the south to the north property line.

The surrounding land uses are as follows:

North: Abutting the subject property is West Mall Crescent, a 4 lane road, a grassed area and further north is Dundas Street West, a 6 lane road, and a residential area of single detached dwellings, and a few multi-storey dwelling buildings.

East: The West Mall, a 4 lane road, 3 high-rise office buildings with surface parking, a 2 level above grade parking lot, and low-density industrial/commercial use buildings.

South: Industrial/commercial use buildings comprised predominantly of single-storey buildings.

West: Immediately adjacent is the Etobicoke Creek which separates the property from commercial uses along Dundas Street West, and the City of Mississauga.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (2014) and geographically specific Provincial Plans (2017), along with municipal Official Plans, provide a policy framework for planning and development in the Province. This planning application will be tested for consistency with the PPS and conformity with the Growth Plan.

The applicant is of the opinion that the application is consistent with the PPS and conforms to the applicable Provincial Plans. Staff will be evaluating this planning application against the PPS (2014) and the applicable Provincial Plans (2017) noted above through the City's development review process.

### **Toronto Official Plan, Official Plan Policies and Planning Studies**

The site is designated as *Employment Areas* in the Official Plan on the Urban Structure Map 2 and on Land Use Map 15 (see Attachments 3 and 4: Urban Structure Map and Official Plan Land Use Map).

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment 231 (OPA 231), to implement the results of the Official Plan and Municipal Comprehensive Review with respect to Economic Health Policies and the Policies, Designations and Mapping for *Employment Areas* to strengthen and protect the City's finite supply of employment uses. OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014, and was subsequently appealed in its entirety to the Ontario Municipal Board.

On June 22, 2015, the OMB, partially approved OPA 231, which included the designation of the subject lands as *Core Employment Areas* and *General Employment Areas*.

### **Zoning By-laws**

The lands are subject to the former City of Etobicoke Zoning Code. The north portion of the site is zoned Limited Commercial Zone (CL), with a density of 1.0 times the area of the lot and permits office uses and is subject to the provisions of Site Specific Zoning By-law No. 1984-101. This zone permits office and limited industrial uses consisting of business, professional and administrative office uses. The proposed automated frozen goods warehouse building is located within this portion of the site.

The middle portion of the site is zoned Industrial Class 1 (I.C1), with a density of 0.6 times the area of the lot for office uses and no limit for warehouse uses, and permits manufacturing operation uses with restrictions. The south portion of the site is zoned Industrial Class 2 (I.C2), which permits manufacturing operation uses. The existing dry and frozen goods warehouse building is located within these two zoned areas.

The lands are also subject to City-wide Zoning By-law No. 569-2013, with the exception of the north portion of the site covered by Site Specific Zoning By-law No. 1984-101. The remainder of the site is zoned Employment Industrial Zone (E1.0), with a density of 1.0 times the area of the lot, which permits warehouse and office uses (see Attachment 5: Existing Zoning By-law Map).

## **Design Guidelines**

The application will be reviewed by staff against the Bird Friendly Design Guidelines, Toronto Green Standard Version 3, and Greening Surface Parking Lots Design Guidelines.

## **Site Plan Control**

The proposed development is subject to Site Plan Control. An application for Site Plan Approval has been submitted and is being reviewed concurrently with this application (File No. 18 171371 WET 05 SA). See Attachments 6 and 7: Site Plan and Project Area.

## **COMMENTS**

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### **Reasons for the Application**

Amendments to the former City of Etobicoke Zoning Code are required to rezone the lands from the existing Limited Commercial Zone (CL) to Industrial Class 1(I.C1) zone, to permit the proposed frozen goods automated warehouse distribution use, and to vary building setbacks and the minimum required lot frontage, among other performance standards.

Amendments to City-wide Zoning By-law No. 569-2013 are required to rezone the lands from Site Specific Zoning By-law No. 1984-101 to Employment Industrial Zone (E1.0) on the north portion of the vacant lands, to vary building setbacks, and to permit an increase in the office building height, among other performance standards.

### **Complete Application Submission**

A Notification of Incomplete Application was issued on June 14, 2018 identifying that a Stage 1 Archaeological Assessment Report was required for a complete application submission. The outstanding report was submitted on September 7, 2018 and a Notification of Complete Application was subsequently issued on September 7, 2018.

The following reports/studies have been submitted with the application:

- Planning Rationale;
- Bird Friendly Design Statistics;
- Toronto Green Standard Checklist;
- Stage 1 Archaeological Assessment;
- Scoped Natural Heritage Impact Study;
- Ontario Building Code SB-10 Exemption Report;
- Public Consultation Strategy;
- Arborist Report;
- Draft Zoning By-laws;
- Transportation Impact Study;

- Accessibility Design Standards Checklist Letter;
- Hydrological Assessment Report;
- Slope Stability Analysis of Etobicoke Creek Report;
- Geotechnical Investigation Proposed Site Redevelopment; and
- Functional Servicing and Stormwater Management Report.

The above and current planning information of the application is available at the Application Information Centre (AIC) at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

### **Community Consultation**

The applicant submitted a Public Consultation Strategy as part of the complete application submission requirements. The applicant's submitted Public Consultation Strategy includes: pre-application meetings with the Ward Councillor and City staff; presentation to Etobicoke York Community Council for consideration of the Preliminary Report to provide an introduction to the application; mailed notice of the application inviting comments be submitted to the assigned Community Planner to be sent to landowners within at least 120 metres of the subject property in accordance with the requirements of the *Planning Act*; attendance and participation by the applicant at a community consultation meeting; informal and formal meetings as requested with individual or community group stakeholders including residents, business owners and other organizations to resolve any issues or concerns prior to City Planning staff's Final Report; and attendance and participation in the Statutory Public Meeting at Etobicoke York Community Council when the Final Report and recommended draft Zoning By-law are being considered.

Community consultation helps to inform Council in respect of the exercise of its authority to make a decision with regard to the planning application.

### **Community Consultation**

A community consultation meeting was held on October 9, 2018, at St. Elizabeth Catholic School (5 Redcar Avenue). As such, this Preliminary Report does not seek Community Council's direction on the community consultation process. Planning staff, the applicant and their consultants and 9 members of the public attended. Staff advised the Ward Councillor of the community meeting. Issues raised included:

- Environmental concerns related to truck queuing, in particular, the smoke and exhaust impacts of idling trucks when queuing up to the docks. Data was requested from the applicant's Transportation Planner concerning traffic studies and the number of trucks proposed to arrive at the site as compared to the capacity.
- A request to access the Landscape Plans for review.

## **ISSUES TO BE RESOLVED**

### **Provincial Policies and Plans Consistency/Conformity**

- Evaluating this planning application against the PPS (2014) and the applicable Provincial Plans (2017) to establish the application's consistency with the PPS (2014) and conformity with the Growth Plan (2017).

### **Official Plan Conformity**

- Determining conformity with the Official Plan, including Official Plan Amendment 231.

### **Ravine Protection**

- The subject lands are within a TRCA Regulated Area of the Etobicoke Creek watershed, in accordance with Ontario Regulation 166/06, Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulation. A permit is required from the TRCA prior to any development taking place on the property.
- The subject site is within the City of Toronto Ravine and Natural Feature Protection By-law area.
- The applicant submitted a Slope Stability Analysis of Etobicoke Creek Report, as prepared by SNC Lavalin. The findings of this report are being reviewed by TRCA staff.
- The proposal must demonstrate it satisfies the Official Plan policy requirement of a 10 metre setback.

### **Natural Heritage Protection**

- The subject lands are partially located within a Natural Heritage Area as identified on Map 9 of the Official Plan. Staff will determine if the environmental features on the site need protection.
- Evaluating if a comprehensive ecological restoration plan, which secures improvements to the natural heritage system in the area, both on and off site, will be required as part of both the City's and the TRCA's permit processes.
- The applicant has submitted a Scoped Natural Heritage Impact Study as prepared by Stantec Consulting Limited. The findings of this report are being reviewed by City staff.

### **Tree Preservation**

- The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).



- The applicant has submitted an Arborist Report, and a Tree Inventory and Preservation Plan, as prepared by Strybos Barron King Landscape Architecture. The applicant proposes to remove 9 protected private trees located outside of the ravine protection limits. Also proposed are a total of 32 new trees on the city boulevard along the north and east sides of the site and 85 new shade trees on private property outside of the ravine protection limits. These proposals are being reviewed by City staff.

### **Section 37 Community Benefits**

- Reviewing the proposal to determine if the provision of Section 37 community benefits may be required in relation to the development.

### **Archaeological Assessment**

- Reviewing the Stage 1 Archaeological Assessment report, as prepared by ARA Limited.

### **Infrastructure/Service Capacity**

- Reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development.
- Reviewing the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development.
- Reviewing the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.
- The provision of the required right-of-way wide road conveyances along The West Mall and West Mall Crescent.

### **Toronto Green Standard**

- Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.
- Reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

## **Built Form**

- The proposed building footprint should move closer to the street with the main entrance facing The West Mall, to provide clear access and visibility.
- The office use should be located along The West Mall frontage to provide overlook onto the public realm and to help animate the street.
- Waste storage facilities should be incorporated within the building massing.

## **Other Matters**

- The width of the proposed driveway from The West Mall should be reduced to the minimum City standard to reduce its impacts on the public realm.
- The surface parking lot should be relocated from the street frontage to the south side of the building.
- A designated pedestrian route should be provided to ensure safe and comfortable travel through the parking lot to the main building entrance.
- The amount of the site area dedicated to the driveway, servicing and loading spaces should be minimized to increase the tree canopy and soft landscaping opportunities throughout the site.
- The generator equipment should be integrated within the building massing to avoid being within prominent view from the public realm.
- The retaining walls should be reduced in height, where possible and with a stepping down in height to reduce the appearance of these walls.
- The provision of a continuous public sidewalk along West Mall Crescent and The West Mall and having appropriate widths.
- The provision of an outdoor amenity area along The West Mall with comfortable sitting space for employee use.

Additional issues may be identified through the review of the application and agency comments.

## **CONTACT**

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Diane Silver, Senior Planner, Tel. No. (416) 395-7150, Fax No. (416) 394-6063  
E-mail: [Diane.Silver@toronto.ca](mailto:Diane.Silver@toronto.ca)

## **SIGNATURE**

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Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Urban Structure Map
- Attachment 4: Official Plan Land Use Map
- Attachment 5: Existing Zoning By-law Map

### **Applicant Submitted Drawings**

- Attachment 6: Site Plan
- Attachment 7: Project Area
- Attachment 8: North and South Elevations
- Attachment 9: East and West Elevations

## Attachment 1: Application Data Sheet

**Municipal Address:** 170 The West Mall      **Date Received:** June 4, 2018

**Application Number:** 18 171361 WET 05 OZ

**Application Type:** Rezoning

**Project Description:** To construct a new 1-storey frozen goods warehouse distribution building having a gross floor area of 19,533 m<sup>2</sup>, a density of 0.48 times the area of the lot and 124 surface parking spaces. The existing dry and frozen goods warehouse distribution building (84,662 m<sup>2</sup>) would remain.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
Lakeshore Group 10 Morrison St., TH#3 Toronto, ON M5V 2T8	Same as Applicant	GKC Architects 100-7275 St-Urbain Montreal, Quebec H2R 2Y5	Metro Ontario Inc. 5559 Dundas St. W. Toronto ON M9B 1B9

### EXISTING PLANNING CONTROLS

Official Plan Designation: *Employment Areas*      Site Specific Provision: 1984-101

Zoning: E1.0      Heritage Designation: No

Height Limit (m): 20      Site Plan Control Area: Yes

### PROJECT INFORMATION

Site Area (sq m): 216,268      Frontage (m): 810      Depth (m): 786 to 819

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):	81,957	81,957	17,945	99,902
Residential GFA (sq m):				
Non-Residential GFA (sq m):	84,662	84,662	19,533	104,195
<b>Total GFA (sq m):</b>	<b>84,662</b>	<b>84,662</b>	<b>19,533</b>	<b>104,195</b>
Height - Storeys:			1	1
Height - Metres:			23.5	23.5

Lot Coverage Ratio (%): 46.19 (combined)      Floor Space Index: 0.48 (combined)

**Floor Area Breakdown    Above Grade (sq m)    Below Grade (sq m)**

Residential GFA:  
 Retail GFA:  
 Office GFA:                    1,588  
 Industrial GFA:                17,945  
 Institutional/Other GFA:

**Residential Units by Tenure                    Existing                    Retained                    Proposed                    Total**

Rental:  
 Freehold:  
 Condominium:  
 Other:  
 Total Units:

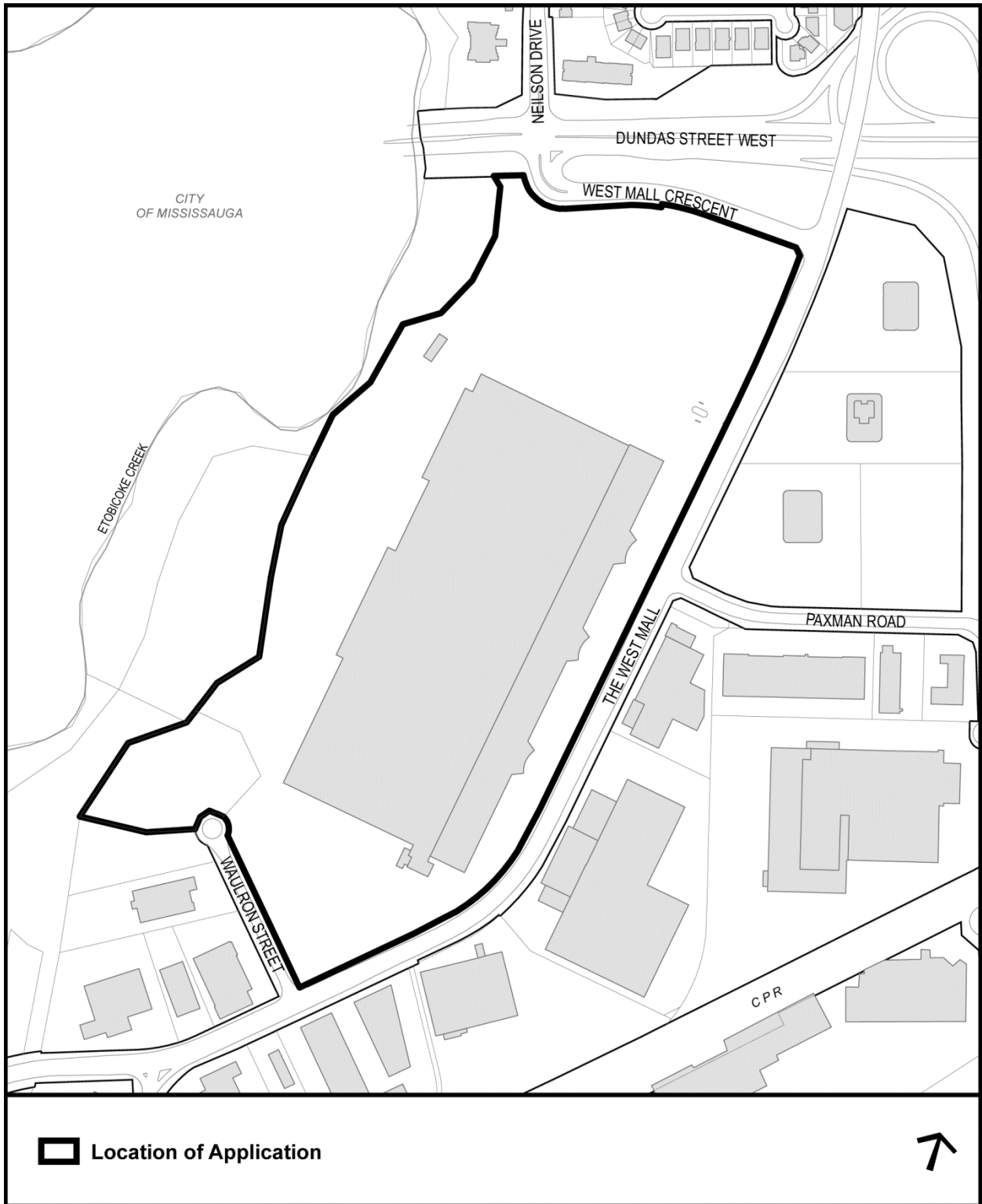
**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:					
<b>Total Units:</b>					

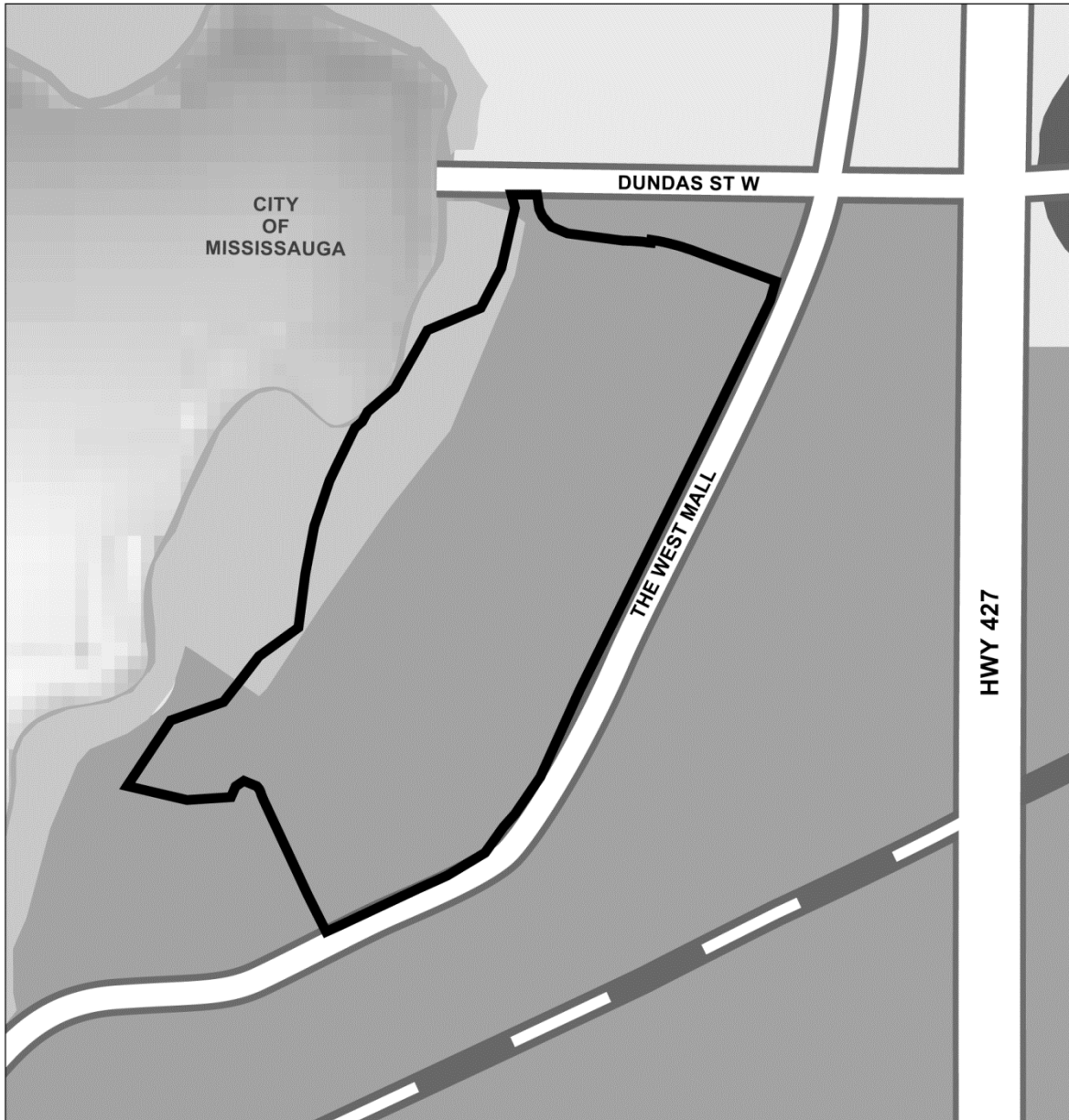
**Parking and Loading**

Parking Spaces:                    124                    Bicycle Parking Spaces:    6                    Loading Docks:    30

CONTACT:  
 Diane Silver, Senior Planner, Community Planning  
 (416) 395-7150  
 Diane.Silver@toronto.ca



Attachment 3: Official Plan Urban Structure Map 2



 **TORONTO**  
Official Plan Urban Structure Map

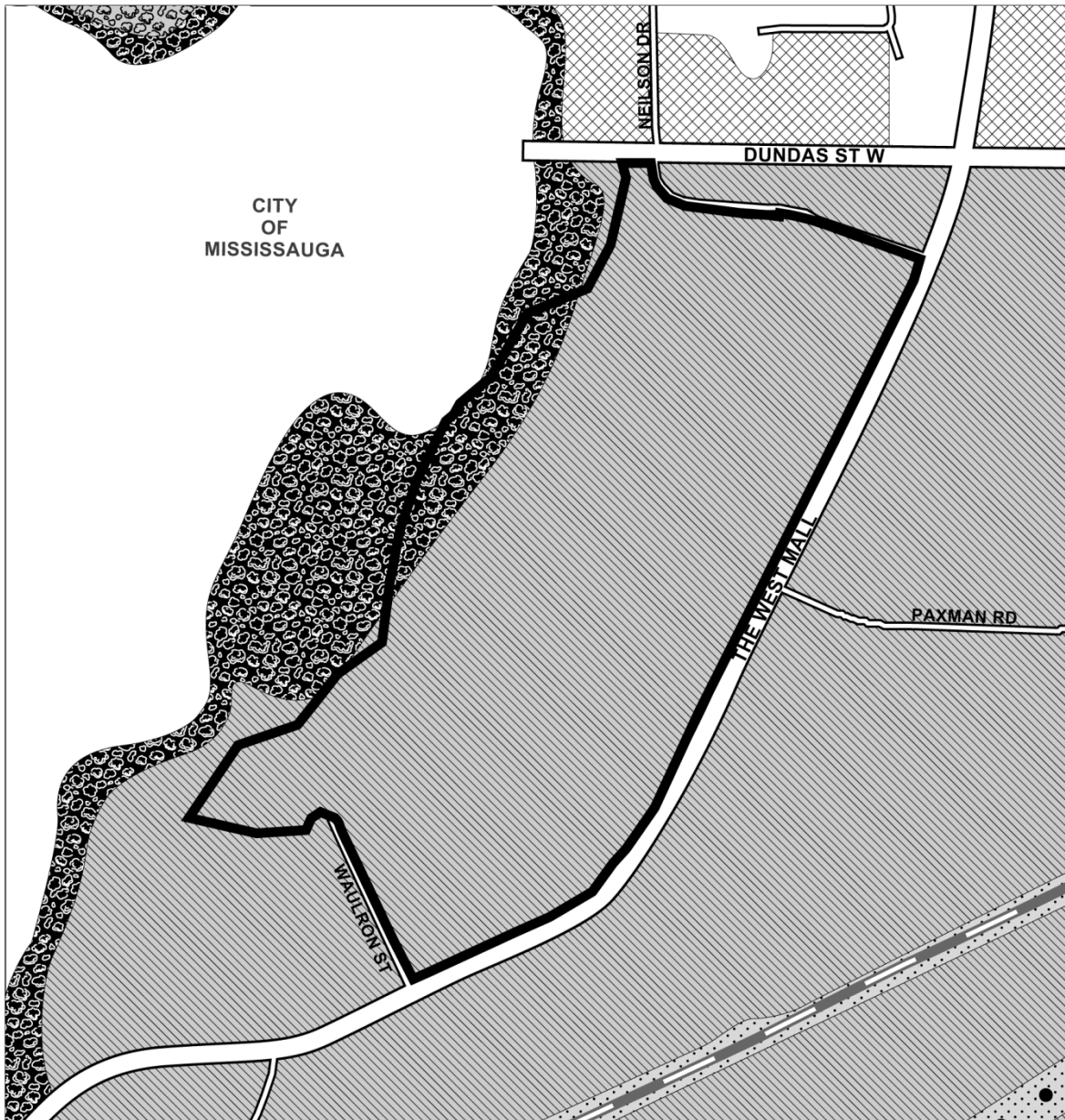
170 The West Mall

File # 18 171361 WET 05 0Z

-  Location of Application
-  Employment Areas
-  Green Space System

  
Not to Scale  
11/12/2018

Attachment 4: Official Plan Land Use Map



**TORONTO**  
 Official Plan Land Use Map #15

170 The West Mall

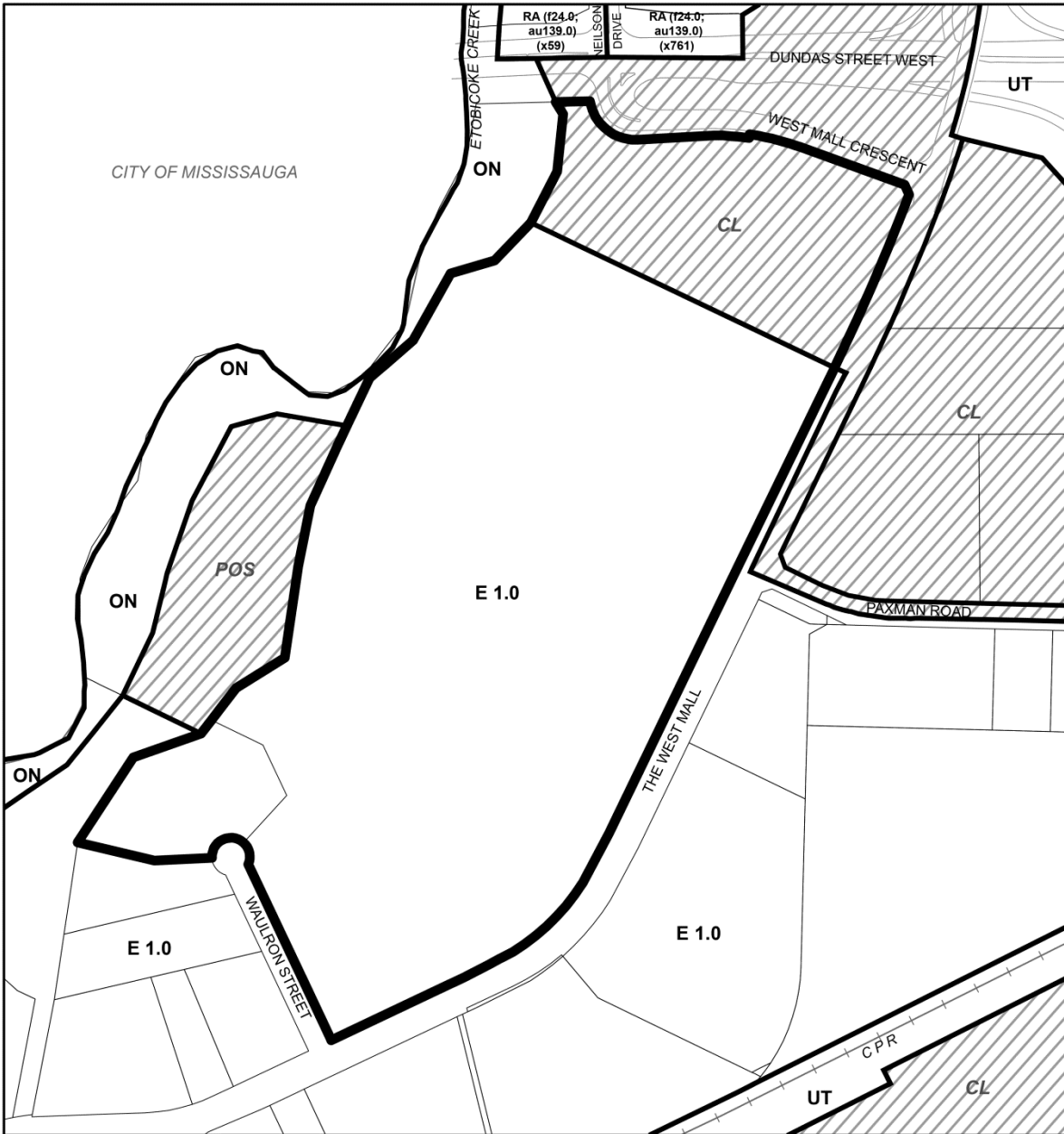
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- |                          |                          |                  |                   |
|--------------------------|--------------------------|------------------|-------------------|
| Location of Application  | Parks & Open Space Areas | Employment Areas | Utility Corridors |
| Neighbourhoods           | Natural Areas            |                  |                   |
| Apartment Neighbourhoods |                          |                  |                   |

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 11/12/2018



Attachment 5: Existing Zoning By-law Map



Zoning By-law No.569-2013

170 The West Mall

File # 18 171361 WET 05 0Z



Location of Application



See Former City of Etobicoke By-Law No. 11,737

RA Residential Apartment  
E Employment Industrial

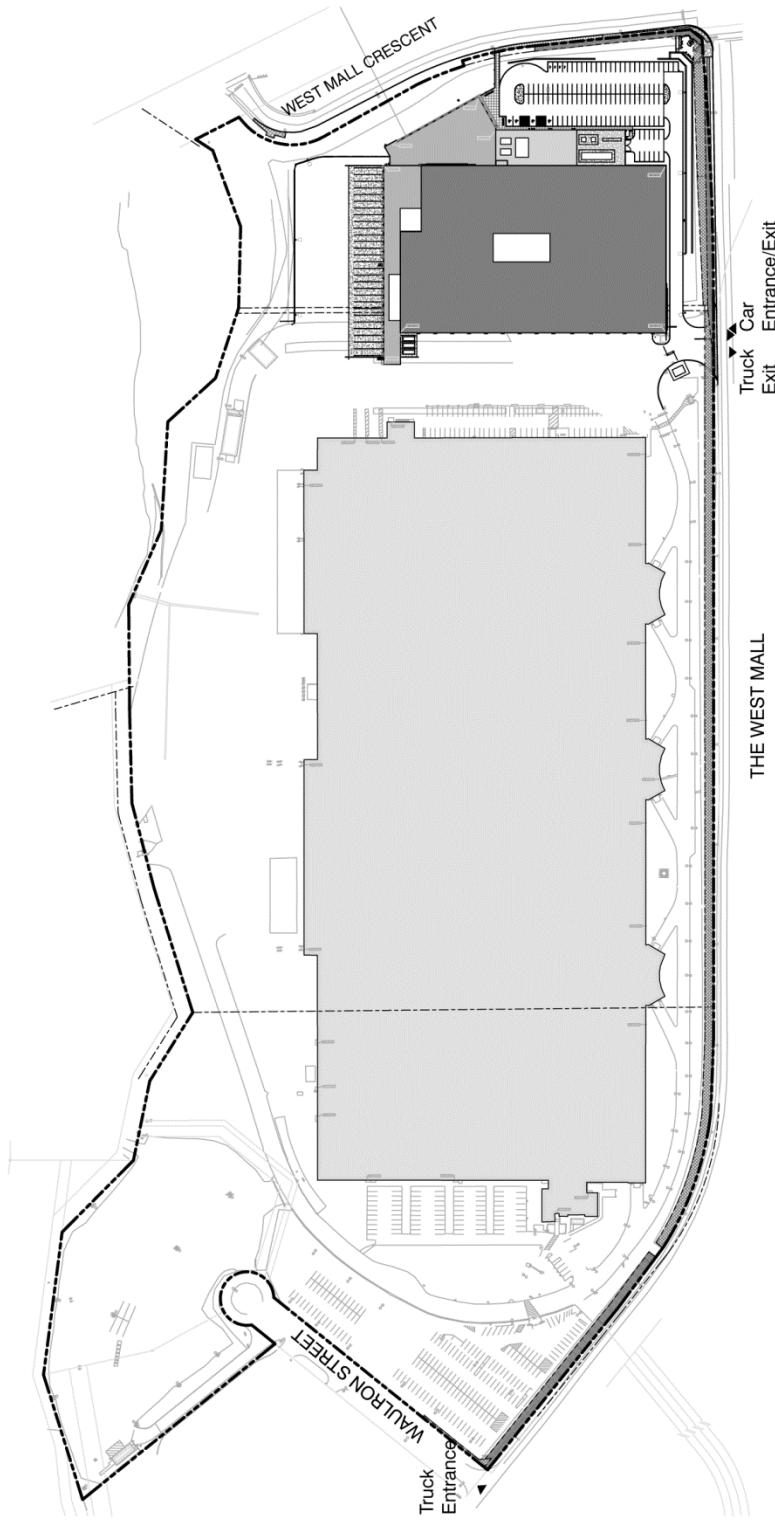
ON Open Space Natural  
UT Utility and Transportation

POS Private Open Space Zone  
CL Limited Commercial Zone



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Attachment 6: Site Plan



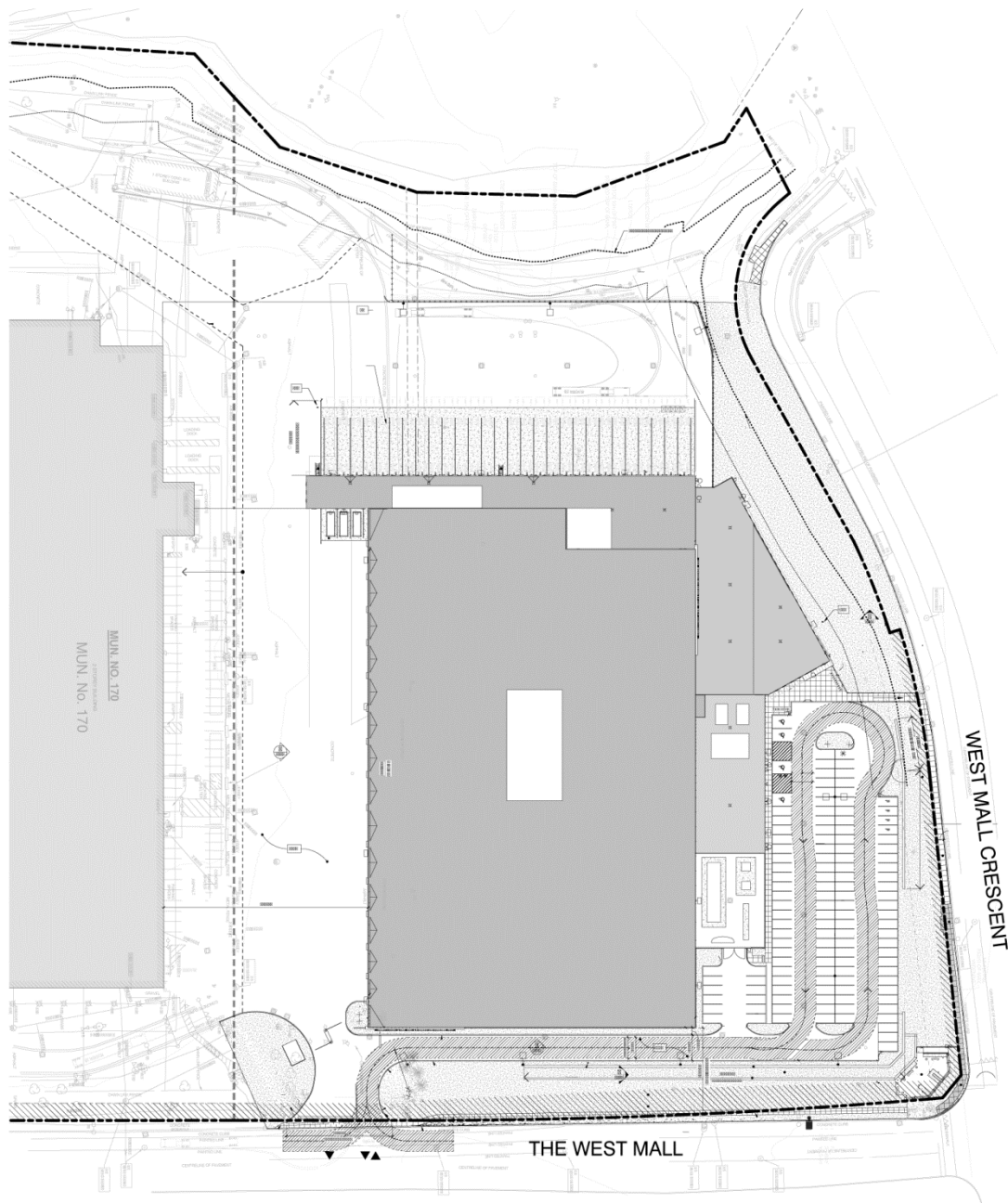
170 The West Mall

Site Plan - Overall  
Applicant's Submitted Drawing

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11/12/2018

File # 18 171361 WET 05 0Z

Attachment 7: Project Area



Site Plan - Project Area

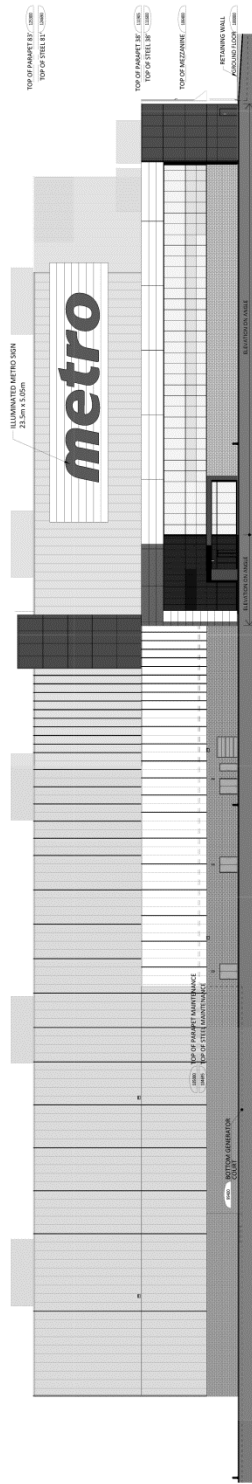
170 The West Mall

Applicant's Submitted Drawing

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Attachment 8: North and South Elevations



North Elevation



South Elevation

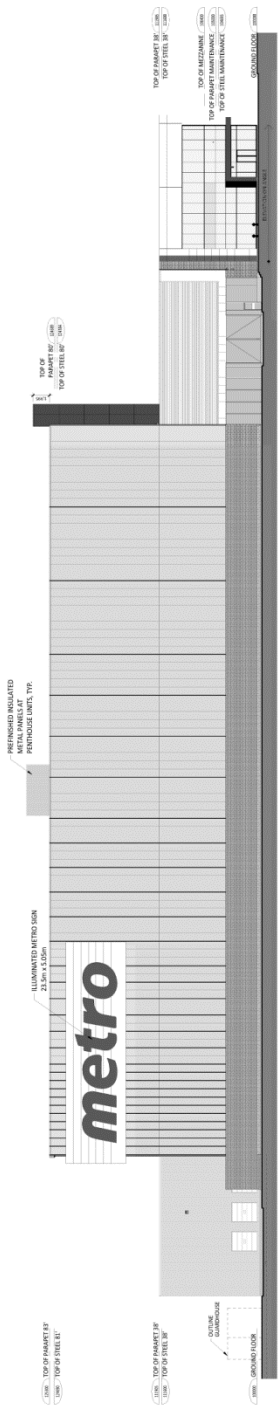
**North & South Elevations**  
 Applicant's Submitted Drawing

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 11/12/2018

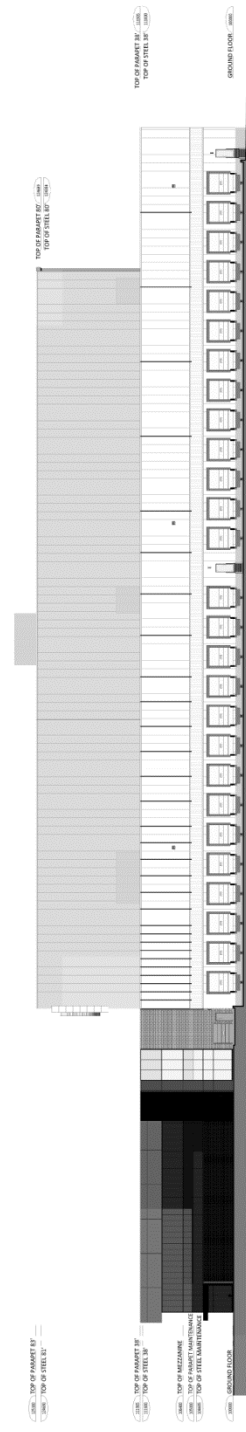
**170 The West Mall**

File # 18 171361 WET 05 0Z

Attachment 9: East and West Elevations



East Elevation



West Elevation

East & West Elevations

Applicant's Submitted Drawing

Not to Scale  
11/12/2018

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