



NORTHRIDGE
COMMERCIAL**CENTRE**

*272649 Alberta Ltd.
c/o K.C.M. Construction Ltd.
(780) 513-8923*



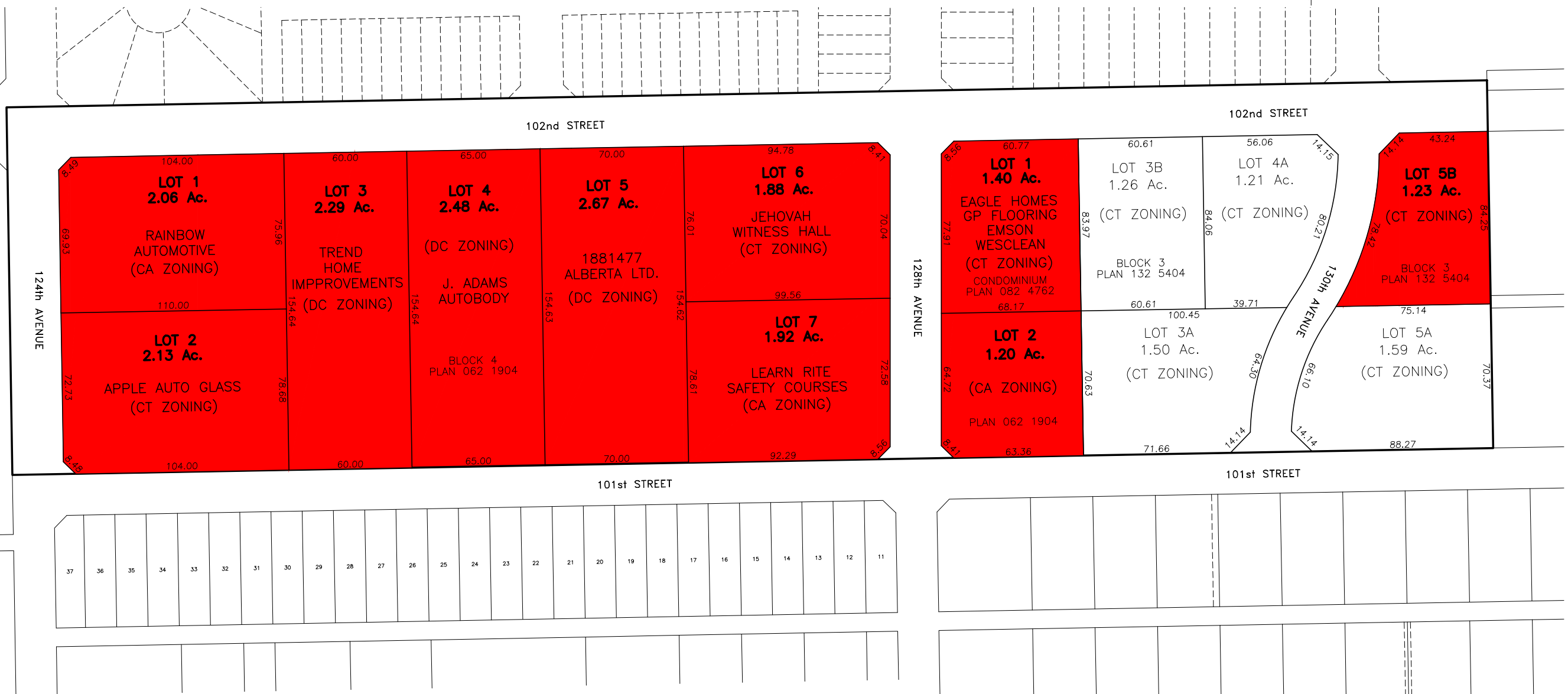
SOLD LOTS

UNSHADED LOTS AVAILABLE FOR PURCHASE

ZONING CLASSIFICATIONS:

- CA – ARTERIAL COMMERCIAL
- CT – COMMERCIAL TRANSITION
- DC – DIRECT CONTROL

NORTHRIDGE Commercial Centre



NOTE:
—LOTS SHOWN ARE BASED ON REGISTERED LEGAL PLAN, TO BE CONFIRMED BY LEGAL SURVEY.



NORTHRIDGE
COMMERCIAL CENTRE

NORTHRIDGE											MARCH 2015
SUB	PH	BLK	LOT	PLAN	Civic Address	Zoning	Hectares	Acres	Price per Acre	Price	Status
NR	1	3	3A	132-5404	10101-130 Avenue	CT	0.61	1.5	\$415,000/acre	\$622,500.00	
NR	1	3	3B	132-5404	12901-102 Street	CT	0.51	1.26	\$415,000/acre	\$522,900.00	
NR	1	3	4A	132-5404	10105-130 Avenue	CT	49	1.21	\$415,000/acre	\$502,150.00	
NR	1	3	5A	132-5404	10102 - 130 Ave	CT	0.64	1.59	\$415,000/acre	\$659,850.00	

Section 93 Commercial Transition District - CT

93.1 Purpose

To provide for the development of low intensity commercial, office and service uses that border mature residential areas and in accordance with an approved Area Redevelopment Plan. It is intended that development be sensitive and in scale with the bordering residential area.

93.2 Permitted Uses	93.3 Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Structure • Accessory Use • Animal Service Facility, Minor • Boarding House • Business Support Service • Child Care Facility • Commercial Business Center, Local • Commercial Business Centre, Minor • Commercial School (up to 10 pupils at any time) • Community Service Facility • Contractor, Limited • Drinking Establishment, Minor • Family/Fast Food Restaurant • Financial Building • Government Service • Health Facility, Minor • Home Business, Minor • Mixed Use Apartment • Office, Minor • Parking Lot or Structure • Personal Service Facility • Restaurant • Retail Store, Convenience • Retail Store, General • Retail Store, Second-Hand • Solar Power 	<ul style="list-style-type: none"> • Commercial Entertainment Facility • Commercial Recreation Facility, Indoor • Community Outreach Facility • Community Recreation Facility • Drinking Establishment, Major • Essential Public Service • Equipment Rental and Repair • Funeral, Cremation and Interment Services • Gas Bar • Health Facility, Major • Home Business, Major • Liquor Store • Multi-Attached Dwelling • Office, Major • Public Utility • Religious Assembly • Service Station • Small Wind Energy System • Supermarket • Vehicle Wash, Minor

93.4 Site Standards

In addition to the Regulations contained in Parts Seven, Eight and Nine, the following standards shall apply.

a)	Front Yard:	3.0m except when adjacent commercial buildings abut the site boundary to form a pedestrian oriented shopping street, a building may be built to the site boundary.
b)	Side Yard:	3.0m
c)	Rear Yard:	3.0m
d)	Building Height (Maximum)	3 Storeys for solely commercial use, 4 Storeys for commercial/residential mixed-use buildings
e)	Floor Area Ratio (Maximum)	Two times site area

93.5 Additional Requirements

- a. All signs proposed for a development shall comply with the requirements of Schedule B - Signs;
- b. The site standards of the CL District shall apply for Commercial Business Centre (Local/Minor);
- c. The minimum amount of site area to be landscaped for any development is 10%, however, existing sites with buildings may have this requirement reduced to 5%;
- d. If a development in this District abuts a residential district, the abutting yard of such a development shall be a minimum of 4.6m and shall be landscaped, in addition to the requirements of Section 93.5c, to the satisfaction of the Development Authority. As well, a solid screened fence of at least 1.9m in height shall be provided;
- e. No outdoor eating or drinking area shall be located within 15m of the subject property line and adjacent residential property;
- f. No drive-through service window shall be located within 15m of the subject property lines and the adjacent residential property;
- g. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from adjacent sites and public roads;
- h. The site plan, relationship between buildings, the treatment of buildings, the provision and architecture of landscaped open space, and the parking layout shall be subject to approval by the Development Authority.

93.6 Area Redevelopment Plan

- a. The Site Standards contained in this District may be varied in accordance with an approved Area Redevelopment Plan. Refer to Schedule A - Land Use Districts Map of this Bylaw for overlay boundaries;
- b. All properties that are covered by the South Avondale Area Redevelopment Plan Overlay shall be subject to the regulations contained in this district as well as those contained in Schedule G - South Avondale Area Redevelopment Plan Overlay as well as the South Avondale Area Redevelopment Plan.

Section 104 Direct Control District - DC

104.1 Purpose

The purpose of this district is to provide for the development of land uses under individually unique circumstances requiring site-specific controls, where the application of conventional land use districts would be inappropriate or inadequate.

104.2 Uses

In approving a Direct Control District, Council shall specify those uses that may be allowed in the District.

104.3 Administrative Provisions

- a. This District shall only be applied where the following conditions are met:
 - i) The development is, in the opinion of Council, considered appropriate for the site, having regard to the policies and objectives of any plan, statutory or otherwise, this Bylaw and compatibility with the scale and character of surrounding development;
 - ii) The use of any other district to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding development, should the full development potential of such district be utilized; and,
 - iii) The development is of a unique form or nature not contemplated or reasonably regulated by another district.
- b. In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following information:
 - i) Support rationale explaining why the district is desirable for the site, having regard to the conditions of application set out in (a) above;
 - ii) A list of uses proposed for the site;
 - iii) A narrative documenting the opinions and concerns of surrounding property owners and residents obtained through a public information program, and how the proposed development responds to those concerns, together with a summary of the methods used to obtain such input;
 - iv) Plans and elevations that would help to substantiate the need for the proposed development to locate in this District; and,
 - v) Any other information as may be required by Council;
- c. In approving this District, Council may specify which uses are to be decided upon by a Development Authority, or by Council;
- d. In approving this District, Council shall specify those regulations, in addition to the General Regulations of this Bylaw, which shall apply to uses in this District.

104.4.9 - DC-9(a) SITE SPECIFIC DIRECT CONTROL DISTRICT

104.4.9.1. General Purpose

To provide for commercial development on a site specific basis with a high quality of commercial building design and appearance for development that shall front onto 102 Street and allowing for well-screened outdoor storage in the rear yard only. Outdoor storage is only allowed in association with uses that can include an outdoor storage component, such as Retail (General) and Contractor (General).

104.4.9.2. Area of Application

This district shall apply to Lots 3, 4 and 5, Block 4, Plan 062-1904.

104.4.9.3. Allowed Uses

The following uses may be approved at the Discretion of the Development Authority.

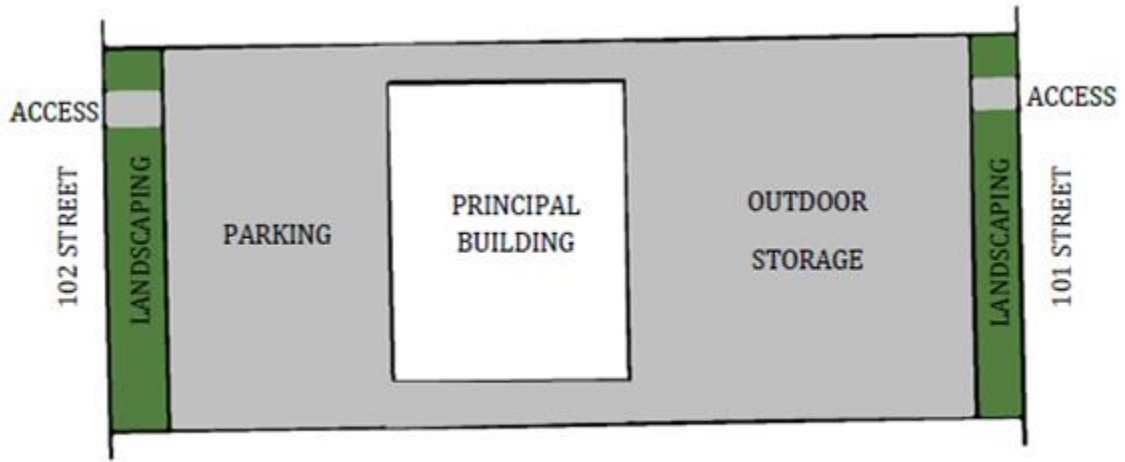
- Accessory Building/Structure or Use
- Animal Service Facility (Minor)
- Broadcasting House
- Business/Office Support Service
- Child Care Facility
- Commercial Business Center (Major)
- Commercial Business Centre (Minor)
- Commercial Entertainment Facility
- Commercial Recreation Facility (Indoor), (Outdoor)
- Commercial School
- Community Recreation Facility
- Community Service Facility
- Contractor (Limited)
- Contractor (General)
- Equipment Rental and Repair
- Essential Public Service
- Financial Building
- Funeral Home
- Health Facility (Major)
- Health Facility (Minor)
- Liquor Store
- Office (Major)
- Office (Minor)
- Parking Lot or Structure
- Personal Service Facility
- Public Utility
- Religious Assembly
- Retail Store (Convenience)
- Retail Store (General)
- Retail Store (Second-Hand)
- Sign
- Storage Yard (accessory to a Retail Store, General)
- Warehouse Sales

104.4.9.4. Development Criteria

Development on the subject properties shall be in accordance with the following minimum regulations. The Development Authority may, at its discretion, establish a higher standard.

- a. Buildings in this district shall be retail commercial or office commercial in appearance and are required to present a high standard of appearance and design to the satisfaction of the Development Authority in accordance with the following:
 - i) Buildings shall front onto 102 Street;
 - ii) On principal buildings metal siding is not permitted on the front façade or on the sides within 3.0 m of the front corners;
 - iii) The front facades shall include a variety of building materials, colours and textures;and having regard for the following:
 - iv) The front façade should include horizontal and vertical articulation and design elements;

- v) Front façade should have a significant amount of glass/windows;
 - vi) Design to emphasize building entrances;
 - vii) Design to provide weather protection (eg. canopies) over entrances to retail establishments;
 - viii) Provide sidewalk across the front of the building and provide sidewalk between the entrance and the parking lot.
- b. Parking and Loading shall be provided in accordance with Part Nine;
 - c. One (1) vehicle access onto 101 Street and one (1) access onto 102 Street may be approved;
 - d. Development shall be in accordance with Parts Seven and Eight. For the purposes of Parts Seven and Eight this district shall be considered a commercial district;
 - e. In addition to the requirements of Part Eight the following shall be required:
 - i) A landscaped buffer shall be provided at the front of the property adjacent to 102 Street to the satisfaction of the Development Authority;
 - ii) Garbage and waste materials shall be stored in accordance with Sections 45 and 47 except waste containers shall be located in the rear yard only and shall not be visible from 102 Street. Vehicle access to waste containers shall be from 101 Street only;
 - iii) Chain link fence is not permitted in the front yard. In the sides and rear yards chain link fence may be approved by the Development Authority if the development does not contain an outdoor storage component;
 - f. Outdoor storage may only be permitted as a component of an approved Contractor (General) or Retail (General) use contained within a principal building;
 - g. Outdoor storage shall only be allowed in the rear yard and shall be screened by a fence of sufficient height and construction to screen the outdoor storage from view from any street. The screening fence shall be of durable construction and a high standard of appearance to the satisfaction of the Development Authority. The Development Authority may approve chain link fence with lath as a screening fence, or may require a solid fence depending on the nature of the outdoor storage;
 - h. Front Yard Setback: 6.1m
 - i. Rear Yard Setback: 3.0m
 - j. Side Yard: 6.1m on one (1) side and 0.0m on the other side
 - k. Building Height (maximum): 3 Storeys
 - l. Site Coverage: 60% (maximum)
 - m. Signs shall be in accordance with the CT - Commercial Transition District;
 - n. Development shall take place in accordance with the site plan and development criteria which form part of this Direct Control District;
 - o. Where this Direct Control District does not address a development standard, the applicable standards of the Land Use Bylaw shall apply;
 - p. No other area of the property shall be utilized for outdoor storage other than the area highlighted on the site plan which forms part of this land use district;



- 104.4.9.5. Development Authority
- a. The Development Officer shall be the development authority for the uses permitted herein.

**NORTHRIDGE COMMERCIAL CENTRE
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES**

May, 2006

NORTHRIDGE COMMERCIAL CENTRE
DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

A. INTRODUCTION

A.1 General Objective

“Owner” means 272649 Alberta Ltd. and its successors in title from time to time to the Dominant Lands.

“Purchaser” means the registered owner(s) from time to time of the Servient Lands and “site” means the Servient Lands or any lot constituting a portion thereof.

These development standards and design guidelines will direct and control the planning and construction of land and building projects, to create and maintain an exceptional environment for commercial and light industrial development.

The Criteria reflected in these guidelines and standards will create an attractive environment characterized by quality in site planning, architectural design and landscaping.

The standards and guidelines will be administered by K.C.M. Construction Ltd. as a condition of sale.

The requirements contained herein meet or exceed the requirement of the City of Grande Prairie Southwest Area *Structures Bylaw* which shall be consulted and considered to have precedence where rules and regulations are not addressed. The Purchaser shall be fully and solely responsible for conformance to and procurement of all municipal approvals.

The development concept plan created by the Developer will provide a framework to guide the phased development of the Northridge Commercial / Light Industrial Park.

B. SPECIFIC DEVELOPMENT REQUIREMENTS

Development within the Park is restricted to commercial and light industrial which would include office, light manufacturing, research and development, warehousing, distribution and commercial development and all of which is further governed by the City of Grande Prairie.

Permitted uses and specific development requirements for site, setbacks, size and height shall be governed by the City of Grande Prairie.

B.1 Discretionary Uses

Alternate and incidental uses are limited to those which are alternate to the principal use allowed on the site and subject to the approval of the City of Grande Prairie.

B.2 Specific Parking Requirements

Parking areas are to be landscaped and shall be located in the side or rear of the property and/or typically not occupy more than 25% of the front yard area of a property. Exceptions for more commercial site uses may be made.

C. GENERAL DEVELOPMENT REQUIREMENTS

C.1 General

Buildings shall be designed aesthetically and functionally to produce a neighbourhood character of quality with an integrated and cohesive image.

External building design shall be in harmony with neighbouring buildings and sites, with an emphasis on building elevations visible to the public adjacencies. Color schemes shall be subtle with all sides of the building consistent in color and texture. Care shall be taken to ensure building mass is proportionate in scale with its surroundings.

Landscaping shall be an integral part of the overall site planning and shall define circulation, provide human scale to activity areas, buffer adjacent uses and unsightly views and serve as a transition between sites.

A pedestrian circulation system is encouraged to integrate areas of the site with connecting walkways through landscaped areas.

C.2 General Requirements for Yards and Setbacks

No portion of any required yard or amenity area, or setback shall be provided by an adjacent site.

All front, side and rear yards shall be landscaped.

Berming with appropriate landscaping shall be encouraged within the front yard setback and will form a common and encouraged strategy for visually, acoustically, and aesthetically mitigating the impact of each development upon the public realm, and of adjacent developments upon one another.

C.3 Fencing

Fencing may be employed for security purposes as well as to screen and protect mechanical equipment and loading and unloading areas. Where chain-link fencing is used to secure storage or operations yards from the public, some form of fence improvement shall be provided to more successfully screen the storage or yard areas. Fencing could also consist of a solid or opaque durable and weather-resistant material(s) minimally 6' (1.8m) high and a maximum of 8' (2.4m) high but should be architecturally compatible with the finish material of the principal building. No fencing will be approved which extends beyond the front face of the building on the principal facade facing the street frontage. In all cases, the proposed fencing must not be erected without the express permission of K.C.M. Construction Ltd.

C.4 Accessory Buildings

Accessory buildings are subject to the same requirements as the principal building on site.

Exterior materials of an accessory building shall be the same as the principal building or buildings on site.

C.5 Building Height

The building height shall conform with the requirements of the City of Grande Prairie.

C.6 Building Exteriors

Colors, finishes and materials for all exterior building elevations shall be coordinated to achieve continuity of design on individual sites.

Materials shall be approved by K.C.M. Construction Ltd. and shall be restricted to the following:

- Bricks shall be in a color and texture approved by K.C.M. Construction Ltd.
- Stone shall be weathered, polished, fluted or broken faced.
- Concrete masonry units shall be those described by the National Concrete Association as "customized architectural concrete masonry units" or shall be broken faced brick type units. Plain concrete block and grey cement masonry units shall not be used on the exterior of any buildings unless coated with an approved coating.
- Concrete may be poured-in-place, tilt-up or precast. Poured-in-place and tilt-up walls shall have a stone finish, a texture or coating as approved by K.C.M. Construction Ltd.
- Metal siding shall be used only in combination with one of the foregoing materials and where special approval is given by K.C.M. Construction Ltd. This will be judged on the appropriateness of the material when considered in context of the building design. Only siding with long life (ten years minimum) will be considered.
- Other materials as approved by K.C.M. Construction Ltd.

C.7 Mechanical Equipment, Ductwork, Roof Mounted Equipment

Roof mounted mechanical equipment and/or ductwork shall be located in areas which are not visually prominent and/or screened to minimize visibility from the street or surrounding buildings. Such equipment shall be painted or pre-finished consistent with the color scheme of the building.

Cyclone blowers shall be screened by a wall, or landscape materials and be located below the fascia line and/or roof line of the building. They shall not be located on a side of a building facing a public street and shall be painted to match the surface to which they are attached.

Incinerator vents shall not be located facing a public street.

Roof mounted ventilators shall be a maximum of 0.46m above the roof, and are to be painted or pre-finished, consistent with the color scheme of the building.

Gutters and downspouts shall match the color of the surface to which they are attached.

Vents, louvres, flashing, tanks, stacks, overhead doors and rolling and service doors are to be painted consistent with the color scheme approved for the building.

Transformers, storage tanks and other outdoor mechanical systems or equipment, and other items of poor visual quality are to be screened by the use of masonry walls in approved finish or mature and dense landscaping materials.

C.8 Off-Street Vehicular Parking

Adequate parking for employees and visitors shall be provided in off-street facilities, screened with berms and landscaping so as not to present an objectionable appearance.

C.9 Lighting of Sites

The use of low level and ground level lighting is strongly encouraged.

Outdoor lighting shall be located and arranged to eliminate direct rays of light focused at any adjoining property.

Parking lot fixtures shall have a maximum height of 4.9m.

Walkway lighting fixtures shall have a maximum height of 2.4m.

Security lighting fixtures shall be located below the fascia line or roof line of a building and are to be architecturally shielded from view. Security lighting fixtures are not to be substituted for parking or walkway fixtures and are to be restricted to loading and similar service areas.

C.10 Maintenance of Building

No building, building site or other improvement shall be permitted to fall into disrepair, and each improvement shall at all times be kept in good condition and repair, and adequately finished in accordance with the specifications established.

C.11 Landscaping

Wherever possible, existing landscaping shall be preserved and protected, and incorporated into the site landscaping.

Landscaping design shall be undertaken by a landscape architect registered to practice in the Province of Alberta or another person acceptable to K.C.M. Construction Ltd.

Landscaping, as approved, shall be installed during the first planting season following occupancy.

Landscaping shall consist of an effective combination of trees, ground cover consisting of grass and approved dry landscape materials and shrubbery provided with suitable irrigation.

Landscaping shall form an integral part of any development proposal or application for approval within the Park.

Pedestrian circulation should enhance the site by means of hard surface walkways through landscaped areas.

All required yards and open spaces shall be landscaped with trees, shrubs, and sod or other approved hard landscaping. Only unoccupied site areas may be seeded.

C.12 Landscaping for Parking and Storage Areas

There shall be landscaped open space within the interior of parking areas for 30 or more vehicles. This landscaped open space is in addition to the screening requirements with respect to other areas. Landscaped open space in parking areas shall be provided in the minimum amount of 1.7m² for each parking space. The open space shall be located within the parking area so as to provide visual relief and break up large expanses of parking into smaller cells.

A parking area which is visible from an adjoining site or public adjacency shall have a screen planting. The location, length, density and height of such screen planting shall, in conjunction with a change in grade or other natural or man-made features, be sufficient to screen the view from public adjacencies or adjoining sites.

A minimum of one, 8cm caliper tree per 2.5 parking stalls will be required in the parking area.

A trash collection area or an outdoor service area which is visible from an adjoining site or public adjacency shall have screen planting. The location, length, density and height of such screen planting shall, in conjunction with a change in grade or other man-made or natural features, be provided and maintained to block the view from adjoining sites or public adjacencies. Such screen planting shall be maintained to provide effective screening from the ground to a height of 1.85m.

Outdoor storage areas are strongly discouraged. However, if such storage is specifically and expressly approved by K.C.M. Construction Ltd., a screen planting may not be sufficient. Earth berms and mature landscaping of sufficient height to block the view may be helpful and all of which shall be resolved between the owner and K.C.M. Construction Ltd. Screen planting shall consist of an approved combination of evergreen trees and shrubs, and flowering trees and shrubs. All screen planting shall provide an effective screening from the ground to a height of 1.85m.

272649 Alberta Ltd. shall provide \$1500.00 for the purchase and planting of trees and shrubs upon receipt by K.C.M. Construction Ltd. of satisfactory invoices.

C.13 Undeveloped Areas

Landscaping plans will be required for undeveloped areas and must incorporate provision for erosion control on all graded sites which will remain vacant for six months or more.

Undeveloped areas shall be maintained in a weed-free condition, and leveled, graded and grassed.

Planting on a pipeline right-of-way requires the written consent of those holding the caveats.

C.14 Specifications for Planting Materials

Trees required by this section shall be at least 8 feet in caliper for deciduous trees, and at least 6 feet in height for evergreen trees.

Evergreen shrubs shall be at least 40cm in height when planted and deciduous shrub shall be at least 60cm in height when planted.

C.15 Landscaping Maintenance

The owner of the property, or his successor, or assignees, shall be responsible for the proper maintenance of the landscaping.

All plantings are to be kept in a healthy, trimmed and growing condition. Watering, fertilization, cultivation and tree pruning shall be considered part of regular maintenance.

C.16 Signage

A proposal for signage concepts must be included in the preliminary design proposal package. This shall include business identification signs, directional site signage and construction signs.

All Park information signage, including directional maps and signs, shall be ground-based and conform to standardized model and graphic as established by K.C.M. Construction Ltd.

D. DEVELOPMENT APPROVAL PROCESS

K.C.M. Construction Ltd. must approve all development proposals. K.C.M. Construction Ltd. may be assisted in the technical aspects of the review by other parties, as chosen by K.C.M. Construction Ltd. or the Purchaser / owner.

Application for final development approval by the City of Grande Prairie Planning Department must not be made prior to approval by K.C.M. Construction Ltd.

The Applicant / Owner shall provide a \$1500.00 deposit with the application which shall be refundable upon the approval of K.C.M. Construction Ltd. as per the terms herein.

The process for approval is identified below:

- The Purchaser submits a preliminary design proposal to K.C.M. Construction Ltd. or its designate, consisting of site drawings, building sketches (all elevations), preliminary landscape sketches, and proposed materials and finishes.
- K.C.M. Construction Ltd. will review the proposal in its entirety and designate it approved, approved subject to conditions, or not approved.
- Once K.C.M. Construction Ltd. has agreed on a preliminary design proposal, the Purchaser may make a submission for a Development Permit at the municipal level. Any required changes must be brought to the attention of K.C.M. Construction Ltd.

The second stage of the process requires submission of final drawings and information as follows:

- Site plan at scale of 1:200 identifying all properties, topographic features, access, etc.
- Statistical information as may be required.
 - a) area site calculation
 - b) building coverage
 - c) floor area of building
 - d) parking area and number of spaces
 - e) structure heights
- A key plan with north arrow indicating exact location of site.
- All bearings and dimensions of the site.
- Location, set backs and dimensions of all buildings and structures.
- Locations and dimensions of all off-street parking and loading facilities, including driveways, entrances, exits, paved areas, curbs and circulation pattern.
- Location of proposed signage.
- Landscape drawings clearly indicating the site development and relationships.

Drawings shall include elevations to clearly show the character, type and size of vegetation, and the size and shape at the time of planting.

- Submit samples of major exterior materials in the proposed finish and color.
- Other information deemed necessary and requested by K.C.M. Construction Ltd.

The information contained herein is intended as a guide. The owner or K.C.M. Construction Ltd. makes no representations or warranties as to the accuracy or completeness of this information. The enforcement of these guidelines and interpretation of same shall be at the sole discretion of the owner or K.C.M. Construction Ltd. and each reserve the right to revise the guidelines without notice or precedence.

E. INTERPRETATION AND WAIVER

K.C.M. Construction Ltd.'s interest in reviewing submissions as stipulated herein above is to ensure that compatible development of a quality described within the Guidelines is consistently achieved. When questions of judgment or interpretation arise, the decision of K.C.M. Construction Ltd. is final. Any issue not addressed specifically by the Guidelines, will be resolved by K.C.M. Construction Ltd. on an individual case basis.

In order to best resolved certain unforeseen circumstances, it may be preferable on occasion for K.C.M. Construction Ltd. to allow variances of specific requirements. Any such variance granted is so granted mindful of the collective benefit within the overall development of the Park, and is not to be construed as precedent setting. Any such variance or waiver by K.C.M. Construction Ltd. shall not be construed as a waiver of any other restrictions or conditions contained within the Guidelines.

E.1 K.C.M. Construction Ltd. and Vendor not Liable for Approval

Neither K.C.M. Construction Ltd. nor the Vendor shall be liable for loss, expense, damage, action, claim or proceeding suffered, incurred or brought against any person on account of:

- the approval or disapproval of any plans, drawings and documentation, whether or not in any way defective;
- the development of any lot within the Park; or
- the construction of any improvement, or performance of any work, whether or not pursuant to approved plans, drawings and documentation.

Any approval given by K.C.M. Construction Ltd. or the Vendor shall not evidence or confirm compliance with or approval of any by-laws, codes, laws, or requirements of any authority having jurisdiction or of any plans, drawings, and documentation submitted to K.C.M. Construction Ltd. or the Vendor.

Prior to development, each Owner, Lessee and/or Tenant must ensure compliance with current applicable by-laws, codes, or laws and is responsible for acquiring such required approvals from said authorities having jurisdiction. Any requirements of these Guidelines at

variance from requirements set forth by regulatory agencies, shall apply if they are the more restrictive.

E.2 No Action Against K.C.M. Construction Ltd. or Vendor

No action shall lie against K.C.M. Construction Ltd. or the Vendor for damages for breach of any one or more of the requirements of these Guidelines or of the covenants contained within these Guidelines, and this shall constitute an absolute defence to any such action and may be pleaded as such.