

File No.: 04-1000-20-2017-417

February 19, 2018

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request of October 30, 2017 for:

In relation to a Memorandum by Gil Kelly dated October 27, 2017 on "Consideration of 105 Keefer Street project at October 30, 2017 Development Permit Board Meeting": Records of the discussion between the City of Vancouver, BC Housing and Beedie Development Group regarding the details of the options for a potential land swap or purchase of the lot at 105 Keefer Street, as well as why the parties were unable to reach the agreement.

All responsive records are attached. Some information in the records has been severed, (blacked out), under s.12(3)(b), s.13(1), s.17(1), s.21(1), and s.22(1) of the Act. You can read or download these sections here:

http://www.bclaws.ca/EPLibraries/bclaws\_new/document/ID/freeside/96165\_00

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (#04-1000-20-2017-417); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact the Freedom of Information Office at <a href="mailto:foi@vancouver.ca">foi@vancouver.ca</a> if you have any questions.

Yours truly,

Barbara J. Van Fraassen, BA Director, Access to Information & Privacy

Barbara.vanfraassen@yancouver.ca 453 W. 12th Avenue Vancouver BC V5Y 1V4 Phone: 604 .873.7999

Fax: 604.873.7419

Encl.

:cf

From: "Wroblewski, Andrew" <andrew.wroblewski@vancouver.ca>

To: "Auila, Bill" <bill.auila@vancouver.ca>

Date: 11/14/2017 10:59:46 AM

Subject: FW: 105 Keefer: DP-2017-00681 - Flood Plain and Building Bylaw Comments

FYI

Thanks,

Andrew Wroblewski

Project Facilitator Development, Buildings & Licensing T | 604-673-8460

From: Lam, Matthew

**Sent:** Monday, October 23, 2017 10:19 PM

**To:** Wroblewski, Andrew **Cc:** Anderson, Kelly

Subject: RE: 105 Keefer: DP-2017-00681 - Flood Plain and Building Bylaw Comments

Andrew,

I just noticed that this site is in an area of potential soil liquefaction. A geotechnical assessment is required.

#### Matthew

From: Lam, Matthew

Sent: Monday, October 23, 2017 10:11 PM

**To:** Wroblewski, Andrew **Cc:** Anderson, Kelly

Subject: 105 Keefer: DP-2017-00681 - Flood Plain and Building Bylaw Comments

Please find my Building Bylaw comments below relating to 105 Keefer project under DP-2017-00681. Kindly work this in to our standard response template.

The above development drawings were reviewed with respect to the flood construction level (FCL) of this building as it is situated within the boundary of a designated flood plain. Additionally, comments were provided regarding compliance with the Building Bylaw as it appears to be significantly deficient, especially on the main floor level where the residential and commercial major occupancy shares this floor area. This floor level may require a full redesign.

The current FCL is 4.6m (GVRD Datum) and is approximately .80m (2.6ft) above your current finished floor elevation of 3.80m (12.5ft). The building design shall account for this requirement as it is situated within the designated flood plain. Vulnerable and below grade areas shall be designed in a manner that protects areas and services that are located below this prescribed elevation.

Additionally other consideration would include, but not limited to:

- Structural capacity to resist water pressures on the exterior wall of the buildings on the site.
- Sealing of service connections where located below the FCL.
- Fixed equipment, electrical panels/switchgear, service meters and building penetrations (eg: vents) to be located above the FCL.
- Any electrical systems or equipment located below the FCL shall be permitted if they are designed to be submersible or appropriate disconnection
- Installation of flood barriers on the building or within the property, where appropriate.
- Raise all supply or exhaust air grilles that serves below grade levels.
- Plugs or backflow preventers for drainage systems.
- Protection of critical services such as emergency generators, and other life-safety systems.

The reference <u>Flood Plain Standards and Requirements</u> provides general guidance on the intent and application of constructing in the City's designated flood plain.

The following are appears to be significantly non-conforming with respect to the Vancouver Building Bylaw and may require reconfiguration of the floor plans. Items marked with asterisk indicate significant code issues.

- 1. Level 1 Plan:
  - a. Clarify if the internal corridor/passageway of the main floor serves as a residential or commercial corridor or both?
  - b. The residential occupancy (Group C) shall be separated from the commercial occupancy (Group E) by a 2 hour fire separation. [\*\*]
  - c. Clarify what is the major occupancy for the "cultural" tenant. Is it an assembly, commercial or industrial use. Please note that there is a general prohibition of industrial use in conjunction with residential occupancies.
  - d. The residential exit does not meet the requirements of Exits through Lobbies (3.4.4.2.). [\*\*]
  - e. The two central exit stairs cannot exit through the same area, which in essence creates a single exit condition. This may also have a detrimental affect on the high rise measures. [\*\*]
  - f. The two central exit stairs do not meet the Security for Storage Garage provisions (3.3.7.7.); where the exit stairs from the below grade level must terminate and exit directly to exterior. [\*\*]
  - g. An ASHRAE entry vestibule is required for the building.
  - h. Retail #7 & #8 will not be provided with an address that orientates to the rear lane.
  - i. Area of unprotected openings may be exceeded to retail #7 & #8 as the limiting distance is measured to the centerline of the lane. [\*\*]
- 2. Below grade levels:
  - a. If P3 and P2 are each considered a floor area, then P1 only have access to one exit and this one exit is could be cut off if smoke envelopes the P1 elevator lobby. This also eliminates access to all other exits on this level. [\*\*\*\*\*]

Regards, Matthew

MATTHEW LAM, P.Eng., CP

Deputy Chief Building Official
Assistant Director, Building Review Branch
Development, Buildings and Licensing, City of Vancouver
T. (604) 871-6051

F matthew lam@vancouver.ca

ilding Bylaw and Amendments:

CERTIFIED ver.ca/bylaw\_net/ConsolidatedReport.aspx?bylawid=10908

Formatted Insert Pages for the 2014 Vancouver Building Bylaw (up to May 1, 2017 requirements) <a href="http://vancouver.ca/your-government/vancouver-building-bylaw.aspx">http://vancouver.ca/your-government/vancouver-building-bylaw.aspx</a>

From: "Aujla, Bill" < bill.aujla@vancouver.ca>

To: "Evans, Jerry" < jerry.evans@vancouver.ca>

Date: 10/12/2017 1:49:12 PM

Subject: FW: Keefer Proforma : Confidential (\*\*\* CONFIDENTIAL - FOR JERRY, BILL AND

ASSIGNED DEVELOPMENT OFFICER ONLY \*\*\*)

Attachments: 90' Proforma 10 6 2017.pdf

Hi Jerry,

Please find attached the proforma from Beedie – Rob.

s.13(1)

s.13(1)

He is free tomorrow to coordinate a time.

Let's discuss once we have the review completed and your revised appraisal of the property. It is an urgent item given this is holding up other initiatives.

Please call if need to discuss.

Thanks, Bill

From: Rob Fiorvento [mailto:Rob.Fiorvento@beedie.ca]

Sent: Wednesday, October 11, 2017 1:55 PM

To: Aujla, Bill

Subject: Keefer Proforma: Confidential

Hey Bill .. as requested, please find attached our latest proforma based on our submission for straight DP .... The market has moved significantly in the past 2 years .... You will also notice that the complications and costs surrounding our rezoning proposal have been eliminated in this proforma with exception of costs incurred to date ... Please keep **Beedic** I ... any questions, just call ...

Thank you. Rob

Rob Fiorvento

Managing Partner

P604.687.2663 F604.687.5346 D604.436.7880 C604.762.1766

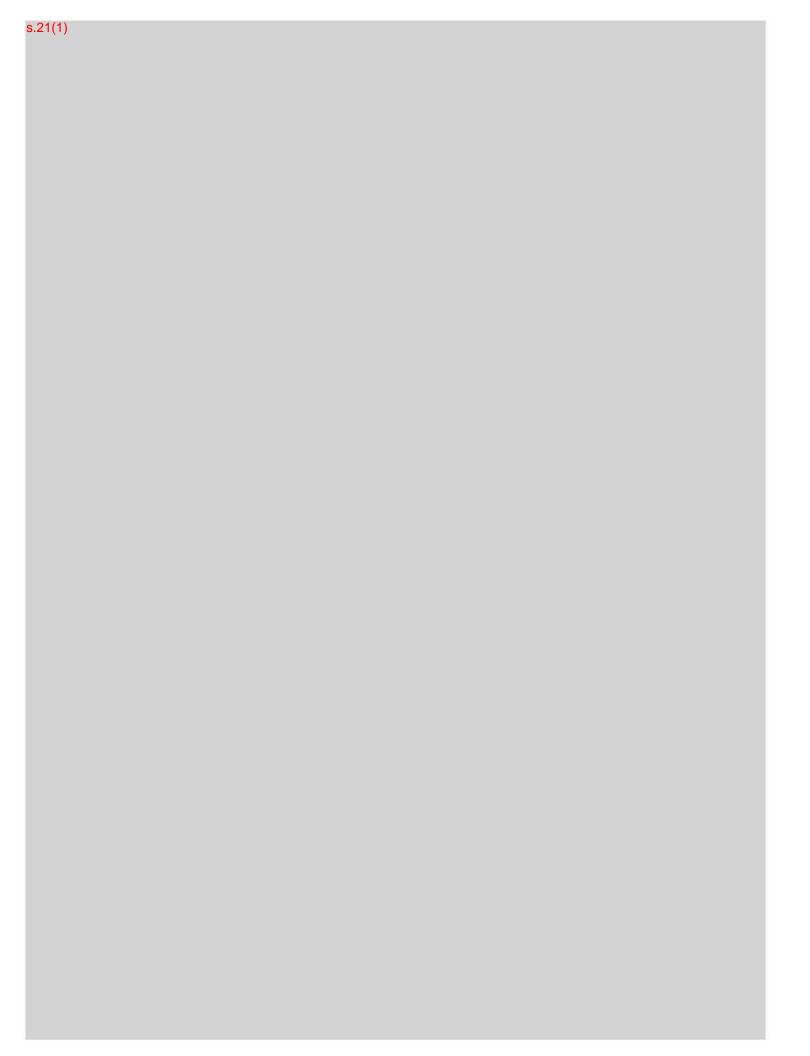
Suite 1730 - 1111 West Georgia St., Vancouver, BC, V6E 4M3

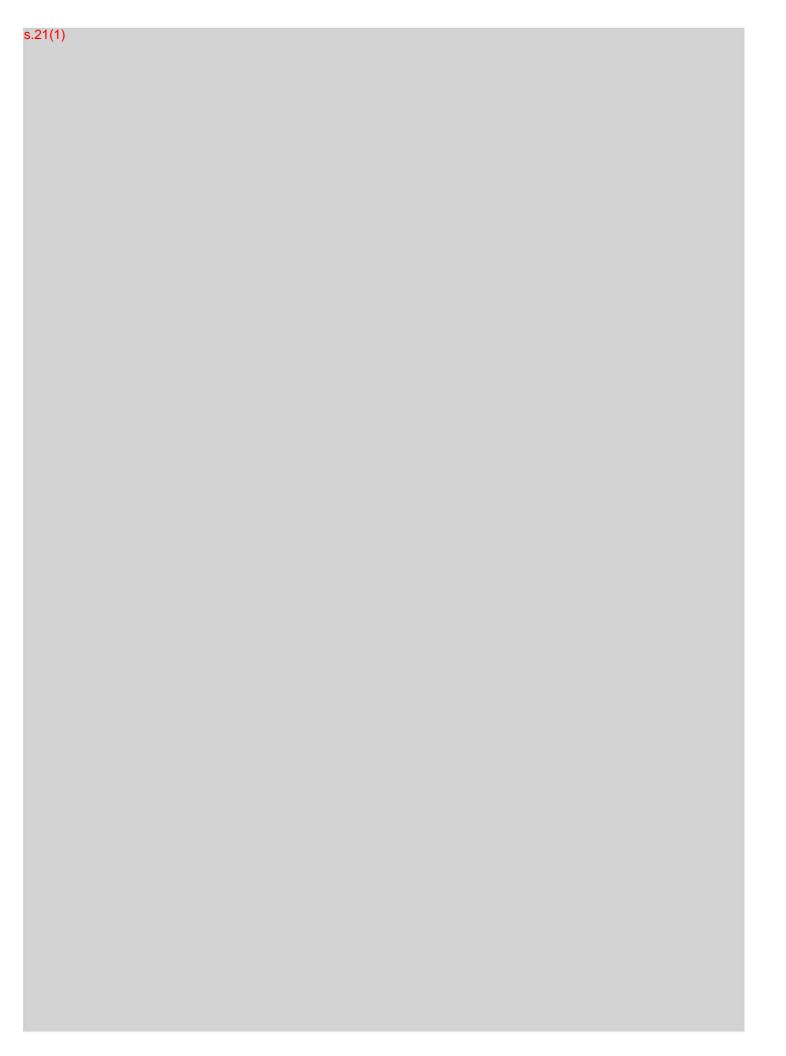
rob.fiorvento@beedie.ca

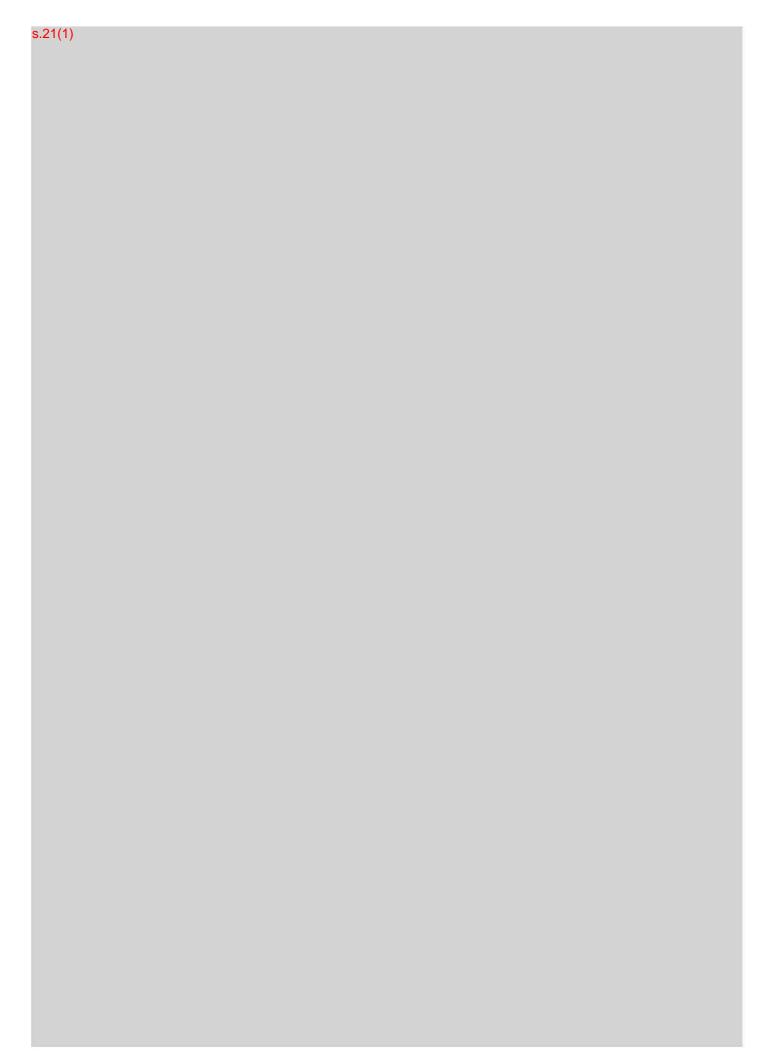
www.beedie.ca

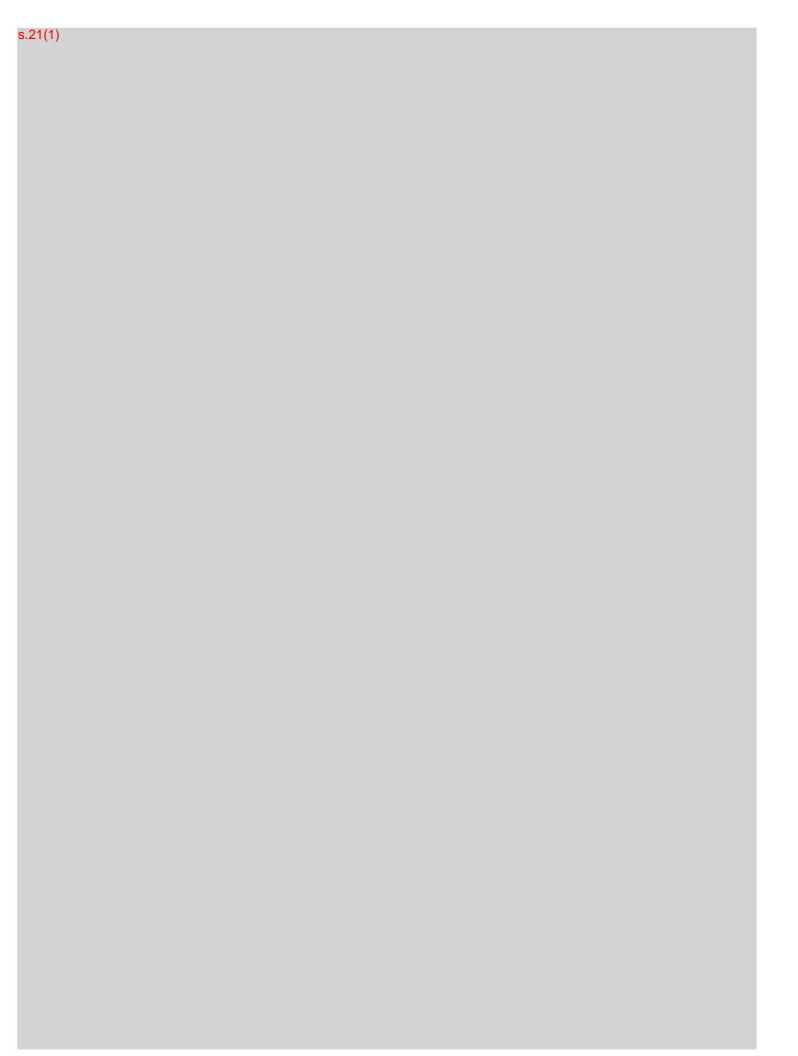


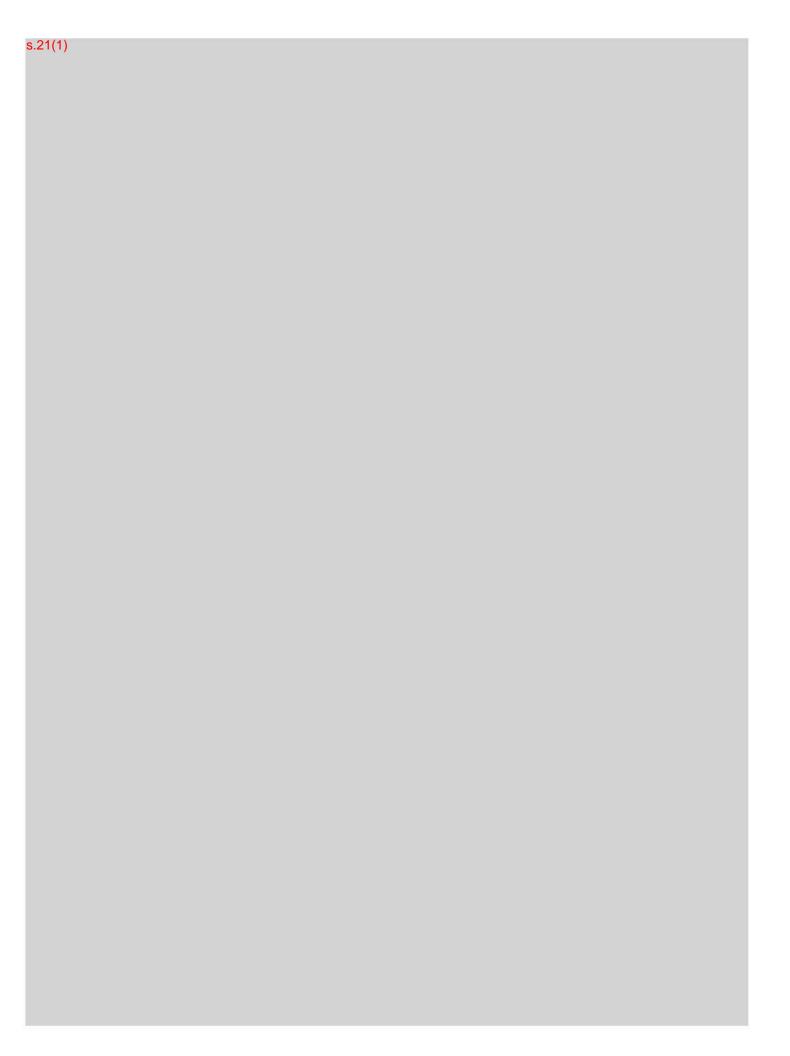
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From: "Rob Fiorvento" < Rob. Fiorvento@beedie.ca>

To: "Aujla, Bill" <bill.aujla@vancouver.ca>

Date: 10/11/2017 12:54:42 PM

Subject: Keefer Proforma: Confidential Attachments: 90' Proforma 10 6 2017.pdf

Hey Bill .. as requested, please find attached our latest proforma based on our submission for straight DP .... The market has moved significantly in the past 2 years .... You will also notice that the complications and costs surrounding our rezoning proposal have been eliminated in this proforma with exception of costs incurred to date ... Please keep confidential ... any questions, just call ...

Thank you. Rob

# Beedie/ento Managing Partner

P604.687.2663 F604.687.5346 D604.436.7880 C604.762.1766

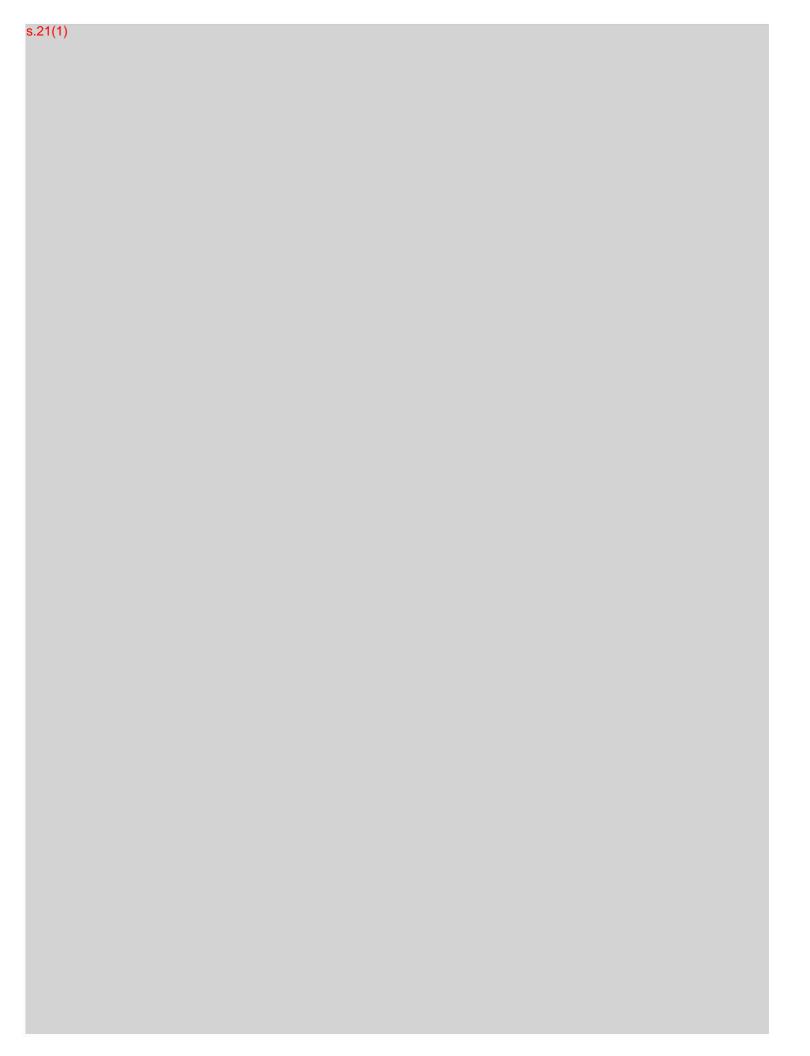
Suite 1730 - 1111 West Georgia St., Vancouver, BC, V6E 4M3

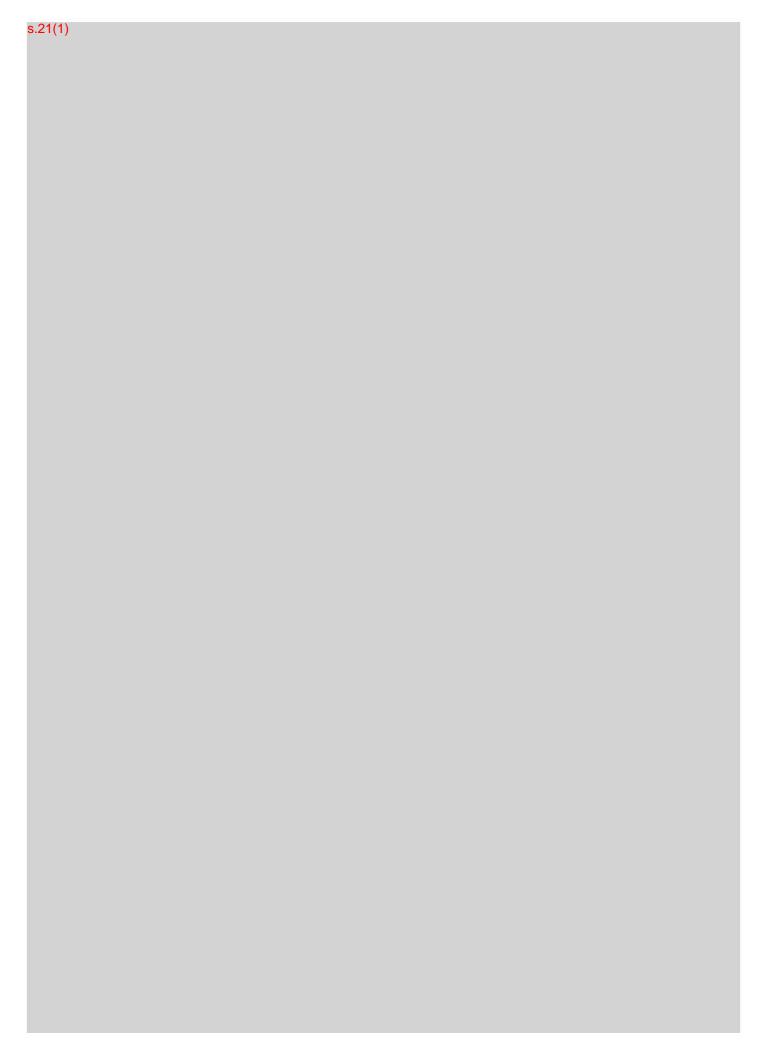
rob.fiorvento@beedie.ca

www.beedie.ca



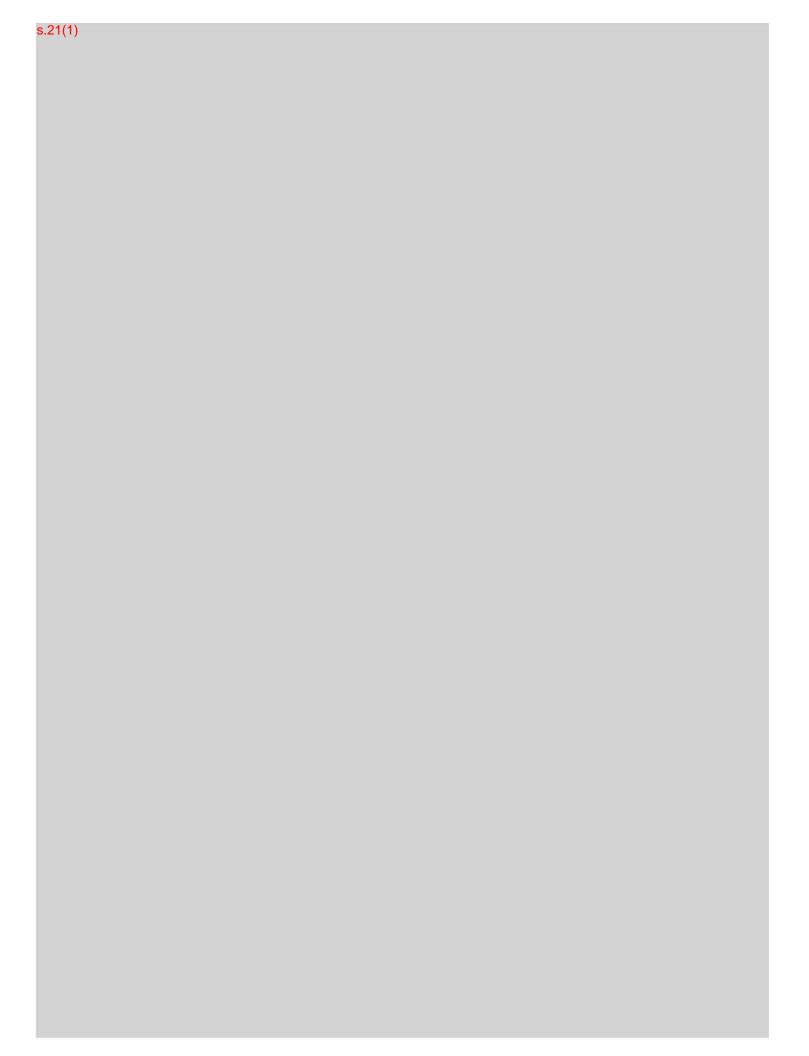
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s.21(1)	

s.21(1)	



From: "Rob Fiorvento" < Rob. Fiorvento@beedie.ca>

To: "Aujla, Bill" <bill.aujla@vancouver.ca>

"Evans, Jerry" < jerry.evans@vancouver.ca>

Date: 10/12/2017 2:26:03 PM

Subject: RE: Due Diligence - Review of Offers

Jerry .. anytime after between 10:30 and 3:30pm tomorrow works for me .. thx

Rob Fiorvento Beedie/ Partner

P604.687.2663 F604.687.5346 D604.436.7880 C604.762.1766

Suite 1730 - 1111 West Georgia St., Vancouver, BC, V6E 4M3

rob.fiorvento@beedie.ca

www.beedie.ca



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From: Aujla, Bill [mailto:bill.aujla@vancouver.ca]

Sent: October 12, 2017 2:56 PM

**To:** Evans, Jerry **Cc:** Rob Fiorvento

Subject: Due Diligence - Review of Offers

Hi Jerry,

Rob is available tomorrow for our development officer to go to Beedie offices to review the offers that Rob has received. Can you please introduce the staff member to Rob so that they can coordinate. s.13(1)

Thanks, Bill From: "Thompson, Adrian" < Adrian. Thompson@vancouver.ca>

To: <u>"Rob Fiorvento" < Rob.Fiorvento@beedie.ca></u> <u>"Evans, Jerry" < jerry.evans@vancouver.ca></u>

Date: 10/13/2017 7:49:58 AM

Subject: RE: Due Diligence - Review of Offers

Hi Rob,

Further to my voicemail, I would like to meet at your offices at 1:30pm today. Could you please call to confirm that this time is convenient for you? My direct number is 604.873.7140.

Thank you,

#### Adrian Thompson, MBA

Property Development Officer II | Real Estate Services | Real Estate and Facilities Management CITY OF VANCOUVER 507 West Broadway, Suite 400 Vancouver BC V5Z OB4 T: 604.873.7140 | F: 604.873-7064 | E: adrian.thompson@vancouver.ca

**From:** Rob Fiorvento [mailto:Rob.Fiorvento@beedie.ca]

**Sent:** Friday, October 13, 2017 8:25 AM

To: Evans, Jerry

Cc: Aujla, Bill; Thompson, Adrian

Subject: Re: Due Diligence - Review of Offers

Morning Adrian. Are you planning on coming by today?? .. I haven't heard from you and I need to plan my day.

Thx. Rob

Sent from my iPhone

On Oct 12, 2017, at 4:23 PM, Evans, Jerry < <a href="mailto:jerry.evans@vancouver.ca">jerry.evans@vancouver.ca</a> wrote:

Hi Rob,

Adrian Thompson is the Development officer working on this file. Adrian will contact you to arrange a time.

Thanks Jerry

From: Aujla, Bill

Sent: Thursday, October 12, 2017 2:56 PM

**To:** Evans, Jerry

Cc: rob.fiorvento@beediecorp.ca

**Subject:** Due Diligence - Review of Offers

Hi Jerry,

Rob is available tomorrow for our development officer to go to Beedie offices to review the offers that Rob has received. Can you please introduce the staff member to Rob so that they can coordinate. s.13(1)

Thanks,

Bill

From: "Rob Fiorvento" < Rob. Fiorvento@beedie.ca>

To: "Aujla, Bill" <bill.aujla@vancouver.ca>

Date: 10/12/2017 2:22:33 PM Subject: RE: Inquiries for Planning

Thanks Bill ... Gil, let me know when you are free to have a quick chat ...

Thx. Rob



P604.687.2663 F604.687.5346 D604.436.7880 C604.762.1766

Suite 1730 - 1111 West Georgia St., Vancouver, BC, V6E 4M3

rob.fiorvento@beedie.ca

www.beedie.ca



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From: Aujla, Bill [mailto:bill.aujla@vancouver.ca]

Sent: October 12, 2017 3:01 PM

**To:** Rob Fiorvento **Cc:** Kelley, Gil

**Subject:** Inquiries for Planning

Hi Rob,

I spoke to Gil about your inquiry (he is copied on this email).

I suggest you coordinate a meeting with him directly to discuss your ideas.

I can catch-up with Gil thereafter

Bill

From: "Aujla, Bill" < bill.aujla@vancouver.ca>

To: "Jong, Teresa" < Teresa. Jong@vancouver.ca>

Date: 8/23/2017 10:50:15 AM

Subject: Re: Meeting tomorrow with Beedie re 105 Keefer

I will come in for meeting tomorrow at 11am. See you then

**Thanks** 

Sent from my iPhone

On Aug 23, 2017, at 11:27 AM, Jong, Teresa < Teresa.Jong@vancouver.ca > wrote:

Hi Bill,

Sorry to bother you s.22(1), but I just wanted to confirm for tomorrow's meeting with the Beedie Group on 105 Keefer – will you be joining by phone or in person?

Thanks, Teresa

## **Teresa Jong**

Executive Assistant to the City Manager CITY OF VANCOUVER 604.873.7628 | teresa.jong@vancouver.ca

From: "Kelley, Gil" < Gil. Kelley@vancouver.ca>

To: "Aujla, Bill" <bill.aujla@vancouver.ca>

Date: 11/7/2017 4:37:13 PM

Subject: Re: UDI Statement on Denial of 105 Keefer, Residential Building Project

Saw it.

Please excuse any typos Sent from my iPhone

On Nov 7, 2017, at 1:09 PM, Aujla, Bill < bill.aujla@vancouver.ca > wrote:

Did you see this ... UDI response to DP Board decision

From: UDI Pacific [mailto:info@udi.org]
Sent: Tuesday, November 7, 2017 1:04 PM

To: Aujla, Bill

Subject: UDI Statement on Denial of 105 Keefer, Residential Building Project

# UDI Statement on Rejection of 105 Keefer Street Development

Bill,

As you may be aware, the City of Vancouver rejected the development application of 105 Keefer Street at the Development Permit Board meeting on Monday evening. This decision is of major concern as it sets a precedent that carries significant implications for our industry's future.

UDI's President & CEO, Anne McMullin, has issued a statement on this matter and will be doing media interviews. <u>Please view UDI's statement here</u> and <u>UDI's letter addressed to the Development Permit Board, prior to the decision.</u>

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# Evans, Jerry

From:

Tuerlings, Leslie

Sent:

To:

Cc: Subject: Thursday, July 13, 2017 11:47 AM
Dixon, Iain; Evans, Jerry; Aujla, Bill; Llewellyn-Thomas, Kathleen
lizuka-Mitchell, Miho; Lynch, Sheila; Crawford, Stacey; Hall, Tiggy; Myrfield, Salima
Council Decision: Request for Information on "Our Homes Can't Wait" Motions

s.12(3)(b)

Leslie Tuerlings | Meeting Coordinator CITY OF VANCOUVER | Office of the City Clerk 604.873.7015 | leslie.tuerlings@vancouver.ca

#### Evans, Jerry

From:

Thompson, Adrian

Sent:

Wednesday, July 12, 2017 9:14 AM

To:

Evans, Jerry

Cc:

Lee, Mario; Sears, Brian

Subject:

105 Keefer Street

Hi Jerry,

I spoke to Curtis Neeser again yesterday regarding the possible purchase of 105 Keefer by the City of Vancouver.

He discussed our interest with Beedie's senior management. Basically their position is as follows:

- They have received a number of unsolicited expressions of interest for this property at s.21(1)
   These offers were turned down.
- Beedie would like to complete the project. They are reluctant to sell as they would then have to source a similar property to redeploy their capital.
- Curtis indicated that if the City had property in the area that was similar Beedie would consider a land swap. I
  was not certain what the city has available but said I would get back to him on this possibility.

Let me know how you would like to proceed.

Thank you,

Adrian Thompson, MBA

Property Development Officer | Real Estate Services | Real Estate and Facilities Management CITY OF VANCOUVER 507 West Broadway, Suite 400 Vancouver BC V5Z OB4 T: 604.873.7140 | F: 604.873-7064 | E: adrian.thompson@vancouver.ca

# Thompson, Adrian

From:

Evans, Jerry

Sent:

Monday, July 10, 2017 1:31 PM

To:

Sears, Brian

Cc:

Chin, Michael; Lee, Mario; Thompson, Adrian

Subject:

RE: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Thanks Brian.

#### s.13(1)

Jerry

From: Sears, Brian

Sent: Friday, July 07, 2017 12:19 PM

To: Evans, Jerry

Cc: Chin, Michael; Lee, Mario

Subject: RE: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Mario is going to work on this.

Brian

From: Evans, Jerry

Sent: Tuesday, July 04, 2017 10:13 AM

To: Sears, Brian Cc: Chin, Michael

Subject: FW: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Hi Brian,

#### s.13(1)

Jerry

From: Llewellyn-Thomas, Kathleen Sent: Monday, July 03, 2017 10:01 PM To: Aujla, Bill; Kelley, Gil; Prescott, Lisa; Evans, Jerry

Cc: Crawford, Stacey; Hall, Tiggy; Shafieian, Nooshin; Tuerlings, Leslie; Bond, Abigail; Murphy, Patrick; Morrison, Julia

Subject: RE: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Great idea.

Thanks

#### Kathleen Llewellyn-Thomas, P. Eng.

General Manager Community Services 604.871.6858 (o) 604.353.1857 (c)

Preferred pronouns: she, her, hers, herself

From: Aujla, Bill

Sent: Monday, July 03, 2017 9:58 PM

To: Llewellyn-Thomas, Kathleen; Kelley, Gil; Prescott, Lisa; Evans, Jerry

Cc: Crawford, Stacey; Hall, Tiggy; Shafieian, Nooshin; Tuerlings, Leslie; Bond, Abigail; Murphy, Patrick; Morrison, Julia

Subject: RE: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Thanks Kathleen,

s.13(1)

Hi Jerry,

s.13(1)

Let's discuss further when we meet; however, I would appreciate it if you can assign someone to work on this

immediately.

s.13(1)

. Please send that to Abi and Kathleen, copy to me.

Please let me know if any questions.

Thanks,

Bill

From: Llewellyn-Thomas, Kathleen

Sent: Thursday, June 29, 2017 10:21 AM To: Kelley, Gil; Aujla, Bill; Prescott, Lisa

Cc: Crawford, Stacey; Hall, Tiggy; Shafieian, Nooshin; Tuerlings, Leslie; Bond, Abigail

Subject: Re: CONFIDENTIAL MOTION: In Camera - June 27, 2017

Hello Bill, Lisa (Acting for Bill) and Gil,

I recommend that CS Affordable Housing- Abi Bond and her team take the lead on this in collaboration with you and your teams.

Let me know what you think.

After we sort it out amongst ourselves, I also recommend that we confirm with the City Manager who is the Accountable Leader and then advise Clerks.

Kathleen

#### Kathleen Llewellyn-Thomas, P. Eng.

General Manager Community Services 604.871.6858 (o) 604.353.1857 (c)

(Sent by iPhone)

On Jun 29, 2017, at 9:37 AM, Tuerlings, Leslie < leslie.tuerlings@vancouver.ca > wrote:

Hi there,





Please advise who will be taking the lead on this and provide an estimate of when the above decision may be released publicly. We will then update this information in RTS.

Thank you,

Leslie Tuerlings | Meeting Coordinator CITY OF VANCOUVER | Office of the City Clerk 604.873.7015 | <u>leslie.tuerlings@vancouver.ca</u>

### Thompson, Adrian

From:

Evans, Jerry

Sent:

Wednesday, July 26, 2017 2:25 PM

To:

Lee, Mario

Cc:

Chin, Michael; Thompson, Adrian

Subject:

RE: Update on Chinatown Council Motions - 105 Keefer land swap

Hi Mario,

s.13(1)

See me and I can give you some guidance with the search.

Please set up a meeting (contact Stacey Crawford to organise) with the GM and myself to discuss. Need list by end of week.

Thanks

Jerry

From: Lee, Mario

**Sent:** Friday, July 21, 2017 10:29 AM **To:** Bond, Abigail; Evans, Jerry

Cc: Chin, Michael

Subject: Update on Chinatown Council Motions

Hello,

Just an update from the RES front regarding the motion for increasing housing in Chinatown.

We have investigated and collected a list of potential leads addressing the housing and senior space in Chinatown. In the coming weeks, RES will investigate further to assess the viability and capability of each site to meet council's request.

I hope to have another update in a couple of weeks. If you have any questions or concerns, please contact me.

Thank you,

Mario Lee, BBA, RI
Property Development Officer I| Real Estate Services | Real Estate and Facilities Management
City of Vancouver I 4<sup>th</sup> Floor - 507 West Broadway, Vancouver BC V5Z OB4
t: 604.871.6297 | f: 604.873-7064 | e: mario.lee2@vancouver.ca

Left VM for Curtis Neeser, Manager of Residential Development, Beedie. Aug 14, 2017 @3:30pm

• Left message regarding 105 Keefer St

Spoke with Curtis Neesar, Manager of Residential Development, Beedie. Aug 15, 2017 @1:45pm

- Gauged interest in possibility of land swap with a COV owned property and 105 Keefer
- Said they are committed to developing in Chinatown and on the subject site
- They have a long term plan to develop and UDP has unanimously passed design
- Curtis requested information on available site
- Provided address, square footage, use and FSR
- Curtis indicated they would not be interested in the site, reiterated their desire to develop in Chinatown and work with the community
- Mentioned the ownership group discussed with COV leadership on possible land swap options a month ago
- Mentioned the ownership group considered but would not pursue the option

# Thompson, Adrian

From:

Evans, Jerry

Sent:

Thursday, October 12, 2017 2:58 PM

To: Subject: Thompson, Adrian

FW: Keefer Proforma: Confidential (\*\*\* CONFIDENTIAL - FOR JERRY, BILL AND ASSIGNED DEVELOPMENT OFFICER ONLY.

Attachments:

90' Proforma 10 6 2017.pdf

Sensitivity:

Confidential

Hi Adrian,

Can you please review, and also arrange a time to meet with Rob from Beedie tomorrow to take a look at the offers received for the site.

Thanks Jerry

From: Auila, Bill

Sent: Thursday, October 12, 2017 2:49 PM

To: Evans, Jerry

Subject: FW: Keefer Proforma: Confidential (\*\*\* CONFIDENTIAL - FOR JERRY, BILL AND ASSIGNED DEVELOPMENT OFFICER ONLY \*\*\*)

Importance: High Sensitivity: Confidential

Hi Jerry,

Please find attached the proforma from Beedie - Rob.

s.13(1)

#### s.13(1)

He is free tomorrow to coordinate a time.

Let's discuss once we have the review completed and your revised appraisal of the property. It is an urgent item given this is holding up other initiatives.

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Thanks,

Bill

From: Rob Fiorvento [mailto:Rob.Fiorvento@beedie.ca]

Sent: Wednesday, October 11, 2017 1:55 PM

To: Aujla, Bill

Subject: Keefer Proforma: Confidential

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Thank you. Rob

Rob Fiorvento
Managing Partner

Beedie/

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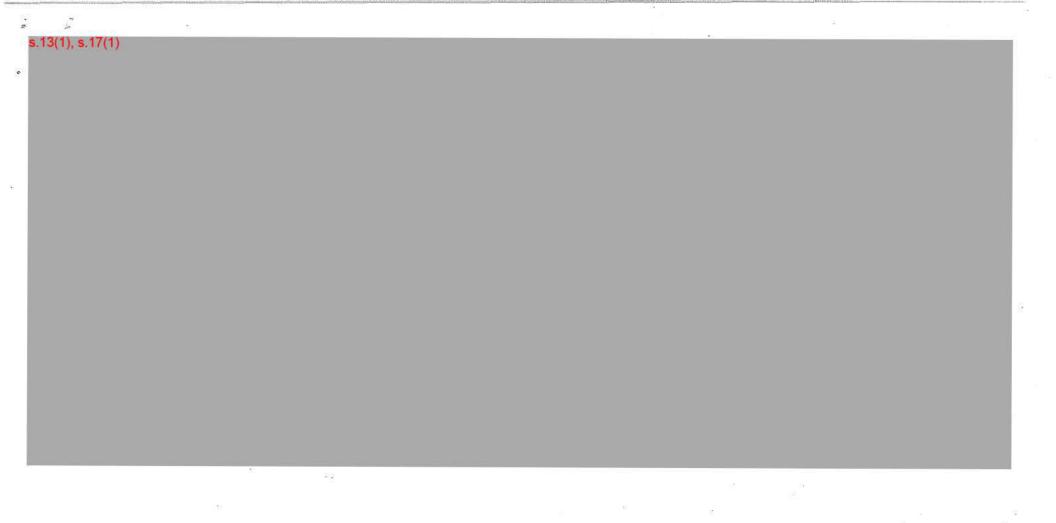
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