Agenda – Executive Policy Committee – October 15, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 30, 2019

Item No. 2 Rezoning – 2525 Pembina Highway
(Waverley West Ward)
File DAZ 207/2019 [c/r DAV 121388/2019D]

STANDING COMMITTEE RECOMMENDATION:

On September 30, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee, as amended, and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 207/2019 by rezoning the subject land to an "RMU"- Residential Mixed-Use District, as shown on the map dated August 30, 2019, and attached as Schedule "A" to this report subject to the following conditions:

    A. That caveat 4905328/1 be discharged as it affects Lot 1 Plan 62042.

    B. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City pursuant to Section 240 (1) of *The City of Winnipeg Charter* in accordance with the following:

        i. For those portions on the Owner's Land zoned "RMU" Residential Mixed Use the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings;
            b. Accessory parking areas;
            c. Private approaches;
            d. Garbage enclosures;
            e. Bicycle enclosures;
            f. Fencing;
            g. Lighting;
            h. Landscaping; and
            i. Free-standing signage

            on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Assiniboia Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 30, 2019

STANDING COMMITTEE RECOMMENDATION (continued):

ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

a. Fencing and setback:

1. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision.

2. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

3. No habitable ground floor dwelling units shall be permitted.

Subject to the following:

That, prior to occupancy of the building a certified professional engineers report shall be submitted to the satisfaction of the Director of Planning, Property and Development that addresses rail proximity and safety issues in a sufficient alternative manner to the FCM guidelines, and that the construction of any mitigation measure be completed as required.

C. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.B., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

D. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 30, 2019

STANDING COMMITTEE RECOMMENDATION (continued):

2. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 14/2019, as determined by the City's Director of Planning, Property and Development.

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

5. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

6. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

7. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 30, 2019

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 30, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee, with the following amendments:

- Add the following wording at the end of Condition B. ii. a. 3.:

  "Subject to the following:

  That, prior to occupancy of the building a certified professional engineers report shall be submitted to the satisfaction of the Director of Planning, Property and Development that addresses rail proximity and safety issues in a sufficient alternative manner to the FCM guidelines, and that the construction of any mitigation measure be completed as required."

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 11, 2019, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete Condition 1. B. ii. 1 in its entirety and replace with the following:

  "a. Fencing and setback:

  1. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision.

  2. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

  3. No habitable ground floor dwelling units shall be permitted."

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 30, 2019

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Delete Condition 1. B. ii. 2 in its entirety

and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

PUBLIC HEARING SUMMARY

File: DAZ 207/2019

Before: Assiniboia Community Committee
Councillor Lukes, Chairperson
Councillor Gillingham
Councillor Klein

Public Hearing: September 11, 2019
Council Building, 510 Main Street

Applicant: John Wintrup Consulting Ltd.
(John Wintrup)

Subject:



Premises Affected: 2525 Pembina Highway

For submission to: The Standing Policy Committee on Property and Development, Heritage and Downtown

Prepared by: Leah Cowan, Senior Committee Clerk
Assiniboia Community Committee

Report date: September 17, 2019

Community Committee Recommendation:

On September 11, 2019, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That, the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 207/19 by rezoning the subject land to an "RMU" – Residential Mixed-Use District, as shown on the map dated August 30, 2019, and attached as Schedule "A" to this report subject to the following conditions:

    A. That caveat 4905328/1 be discharged as it affects Lot 1 Plan 62042.

    B. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City pursuant to Section 240 (1) of *The City of Winnipeg Charter* in accordance with the following:

        i. For those portions on the Owner's Land zoned "RMU" Residential Mixed Use the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings;
            b. Accessory parking areas;
            c. Private approaches;
            d. Garbage enclosures;
            e. Bicycle enclosures;
            f. Fencing;
            g. Lighting;
            h. Landscaping; and
            i. Free-standing signage

            on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Assiniboia Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

~~***1. Berm, fencing, and setback:***~~

~~***a. A 2.0 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CNR Letellier Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.***~~

~~***b. A 2.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm, built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.***~~

~~***c. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision and to the west of the berm referred to in condition 2.A.ii.1.a, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.***~~

~~***d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.***~~

a. Fencing and setback:

1. ***A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision.***

2. ***A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.***

3. ***No habitable ground floor dwelling units shall be permitted.***

~~***2. Crash wall and setback***~~

~~***a. A 2.13 metre in height crash wall, measured from the top of the rail elevation that faces the CNR Letellier Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CNR Letellier Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.***~~

~~***b. The Developer shall build the crash wall to the satisfaction of the Director of Planning, Property and Development. The Developer must proceed in accordance with in section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval of the Director of Planning, Property and Development before building the crash wall.***~~

~~***c. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.***~~

~~***d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.***~~

~~***i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure***~~*.*

C. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.B., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

D. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 14/2019, as determined by the City's Director of Planning, Property and Development.

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

5. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

6. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

7. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The Assiniboia Community Committee provided the following supporting reasons for its recommendation:

1. I’m pleased to see the main level is now commercial and that the building has been moved even further away from the rail line, acknowledging life safety issues.

2. We recognize sites may vary, but are pleased to follow the Council approved policy as related to the Forks rail side development, while noting the volume of trains on the secondary line is five or less, and that at the Forks is 40 or more.

3. I think we’re providing a good level of safety here.

Exhibits Filed:

1. Application dated April 25, 2019
2. Notification of Public Hearing dated June 3, 2019
3. Manitoba Status of Title 2933449/1
4. Letter of authorization dated December 1, 2018 from Henry Morton, The Hub Winnipeg Limited Partnership, ASO to John Wintrup
5. Caveat 2927379/1
6. Zoning Agreement No. DASZ 27/2016 Development Agreement (rezoning), The City of Winnipeg Charter Sections 240(1) and (2)
7. Drawing of subject property
8. Plans (10 pages)
9. Report from the Urban Planning Division dated August 30, 2019
10. Inspection Report
11. Recording of Representations

REPRESENTATIONS:

In Support:

Henry Morton
Michelle Richard
Matthew Robinson
Guela Solow
John Wintrup

In Opposition:

Nil

For Information:

Nil

For the City:

D. Clark, Urban Planner, Planning, Property and Development Department
F. Ojo, Urban Planner, Planning, Property and Development Department

Exhibit "9" referred to in File DAZ 207/2019

ADMINISTRATIVE REPORT

Title: DAZ 207/2019 – 2525 Pembina Hwy.

Issue: Proposed plan to rezone the subject property to an "RMU" Residential Mixed-Use district.

Critical Path: Assiniboia Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet, 'Acting'	n/a	n/a	

RECOMMENDATIONS

1. That, the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 207/19 by rezoning the subject land to an "RMU" – Residential Mixed-Use District, as shown on the map dated August 30, 2019, and attached as Schedule "A" to this report subject to the following conditions:

    A. That caveat 4905328/1 be discharged as it affects Lot 1 Plan 62042.

    B. That the owner of the subject land (the "Owner") enter into a Zoning Agreement with the City pursuant to Section 240 (1) of *The City of Winnipeg Charter* in accordance with the following:

        i. For those portions on the Owner's Land zoned "RMU" Residential Mixed Use the Owner must submit plans showing the location and design of any and all proposed:

            a. Buildings;

            b. Accessory parking areas;

            c. Private approaches;

            d. Garbage enclosures;

            e. Bicycle enclosures;

            f. Fencing;

            g. Lighting;

            h. Landscaping; and

            i. Free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Assiniboia Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

1. Berm, fencing, and setback:

a. A 2.0 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer's property along the entire mutual property line of the development site and the CNR Letellier Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

b. A 2.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm, built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

c. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision and to the west of the berm referred to in condition 2.A.ii.1.a, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

2. Crash wall and setback

a. A 2.13 metre in height crash wall, measured from the top of the rail elevation that faces the CNR Letellier Subdivision. The crash wall shall be constructed entirely within the developer's property along the entire length of the principal building facing the CNR Letellier Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

b. The Developer shall build the crash wall to the satisfaction of the Director of Planning, Property and Development. The Developer must proceed in accordance with in section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval of the Director of Planning, Property and Development before building the crash wall.

c. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.B., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application No. DASZ 14/2019, as determined by the City's Director of Planning, Property and Development.

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment of the By-law in accordance with the above.

5. That the zoning section of the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

6. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 8 and 9 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

7. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law in enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That the property officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant is proposing to rezone an existing parcel of land from “RMF-L” Residential Multi-Family Large to “RMU” Residential Mixed Use in order to accommodate three ground floor commercial units
- The applicant is also proposing to remove or modify a condition of the Zoning Agreement.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- This report provides information and makes recommendations regarding the subject application (DAZ 207/2019) in terms of compliance with *OurWinnipeg* and the *Complete Communities Direction Strategy.*

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the application to rezone the subject land will be approved and the condition for rail safety will remain.

HISTORY

January 27, 2016 – Council concurred in the recommendation of the Standing Policy Committee with regard to a report by the Planning, Property and Development Department - *Improving Safety for New Development in Proximity to Railway Operations in the City of Winnipeg*

DAV 117209/2016D [c/r DASZ 27/2016]

On September 12, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and approved a Variance on “the land” as follows:

1. for the construction of a multi-family dwelling to permit:
    A. a front yard of 13.1 feet (4 metres);
    B. a north corner side yard of 13.1 feet (4 metres);
    C. a lot area per dwelling unit of 285 square feet (26.48 square metres);
    D. 156 parking spaces;

2. for the establishment of an accessory parking area to permit stall widths of 8 feet (2.44 metres) for stalls that are adjacent to a wall or fence.

Subject to the following condition(s):

1. That the Order shall come into force and effect upon the coming into force and effect of the Zoning by-law for the subject land under File DASZ 27/2016.

2. That an additional 365 bike parking stalls be provided. The location and design of these bike parking stalls will be provided as part of the Plan Approval requirements per DASZ 27/2016.

DASZ 27/2016 [c/r DAV 117209/2016D]

On September 28, 2016, Council approved the rezoning and subdivision of the subject properties and rezoned the land from C2 to RMF-L to support the construction of a 14-storey (150 foot) multi-family building geared towards university students. The application was approved subject to Plan Approval and rail proximity considerations as follows:

That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 27/2016 dated September 6, 2016, to a “RMFL” Residential Multi-family Large District subject to the following:

A. That the applicant enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions:

i. That, for the development of any building, and/or accessory parking area and/or signage within the lands zoned “RMF-L” Residential Multi-Family Large, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, and landscaping to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

ii. That, the developer shall, at no expense to the City, provide safety measures from the CNR Letellier Subdivision consisting of any one of the following two measures:

1. Berm, fencing, and setback:

a. A 2.0 metre in height berm, measured from grade at the property line, with side slopes not steeper than 2.5 to 1. The berm shall be constructed entirely within the developer’s property along

the entire mutual property line of the development site and the CNR Letellier Subdivision. The berm should be compacted to 95% modified proctor. The berm shall be built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the berm as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

b. A 2.0 metre in height uniform noise attenuation fence built on top of the entire length of the berm, built to the satisfaction of the Director of Planning, Property, and Development. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the noise attenuation fence as originally constructed, to the satisfaction of the Director of Planning, Property, and Development.

c. A uniform fence 1.83 metres in height within private property along the entire west property line abutting the CNR Letellier Subdivision and to the west of the berm referred to in condition 2.A.ii.1.a, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

d. A minimum setback of 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

2. Crash wall and setback

a. A 2.13 metre in height crash wall, measured from the top of the rail elevation that faces the CNR Letellier Subdivision. The crash wall shall be constructed entirely within the developer’s property along the entire length of the principal building facing the CNR Letellier Subdivision. The crash wall shall be no less than 0.45 metres thick and shall be of solid, heavy construction.

b. The Developer shall build the crash wall to the satisfaction of the Director of Planning, Property and Development. The Developer must proceed in accordance with in section 3.6.1.3 of the FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013), including, without limitation, undertaking and submitting the detailed written study referred to in that section of the Guidelines for approval of the Director of Planning, Property and Development before building the crash wall.

c. The Developer is to permit the City to file a caveat against the title to the subject property requiring the owner(s) to maintain and/or repair or replace the crash wall as originally constructed, to

the satisfaction of the Director of Planning, Property, and Development.

d. A minimum setback or 15 metres to any portion of a habitable room or space within a building from the west property line abutting the CNR Letellier subdivision.

i. The minimum setback in (d) above may be measured as a combination of the horizontal and vertical distances equal to 15 metres if the crash wall is incorporated into the entire height of a low occupancy podium below a residential structure.

DAV 18-102203\D

On March 5, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and approved a Variance on the land as follows:

1. for the construction of a multi-family dwelling (352 units) to permit:
   A. a north corner side yard of 4.3 feet (1.34 metres) to the building;
   B. a rear yard of 5.2 feet (1.6 metres) to the outdoor amenity space;
   C. a building height of 173.2 feet (52.8 metres);
   D. a lot area per dwelling unit of 149 square feet (13.84 square metres);
   E. 116 parking spaces;

2. for the establishment of an accessory parking area to permit:
   A. no south side yard;
   B. insufficient parking interior landscaping;

3. to permit 276 bike parking stalls.

Subject to the following conditions:

1. That if any Variance granted by this Order is not established within two (2) years of the date hereof, this Order, in respect of that Variance shall terminate.
2. That Part 1.A. is subject to the applicant obtaining approval of an encroachment permit to plant and maintain trees and shrubs in the Bison Drive public right of way.

DAV 18-141430\D

On July 16, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and approved a Variance on the land as follows:

1. for the construction of a multi-family dwelling to permit a front yard of 9.48 feet as previously approved under DAV 117209/2018D;
2. for the construction of an accessory cycle pavilion building to permit a southside yard of 5.3 feet

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning

Prepared by: Devin Clark
Date: August 30, 2019
File No. DAZ 207/2019
Attachments

1. **Appendix "A," Planning Discussion**

2. **Schedule "A," File** DAZ 207/2019**,** Assiniboia **Community Committee, dated** August 30, 2019**.**

3. **Appendix "B" Excerpts from the FCM guidelines**

4. **Appendix "C" Setback Calculator for Berm Height**

Appendix "A," Planning Discussion

DATE: August 30, 2019

FILE: **DAZ 207/2019**

RELATED FILES: DAV 19-121388/D

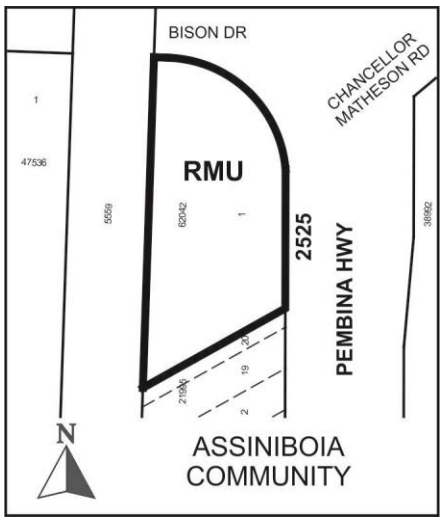
COMMUNITY: Assiniboia

NEIGHBOURHOOD #: 5.637 (Fairfield Park)

SUBJECT: **To rezone the subject land from an "RMF-L" Residential Multi-Family large to "RMU" Residential Mixed Use.**

LOCATION: 2525 Pembina Hwy

LEGAL DESCRIPTION: PARISH 1/2 ST V



APPLICANT: John Wintrup
139 Roslyn RD Unit 301
Winnipeg , Manitoba R3L 0G7

OWNER:
611 TRADEWIND DR 300
ANCASTER , Ontario L9G 4V5

RECOMMENDATION: Approval

SITE DESCRIPTION

- The subject property is located on Pembina HWY, in the Fairfield Park neighbourhood of the Waverley West ward.
- The subject site has a total land area of 58,384 sq. ft. A sixteen (16) storey residential building was approved under DASZ 27/2016 and DAV 18-102203\D and is currently under construction on site.
- The subject site is located on a Regional Mixed Use Corridor under the Complete Communities Direction Strategy Urban Structure Map.
- The subject property is currently zoned “RMF-L” – Residential Multi-Family (Large).

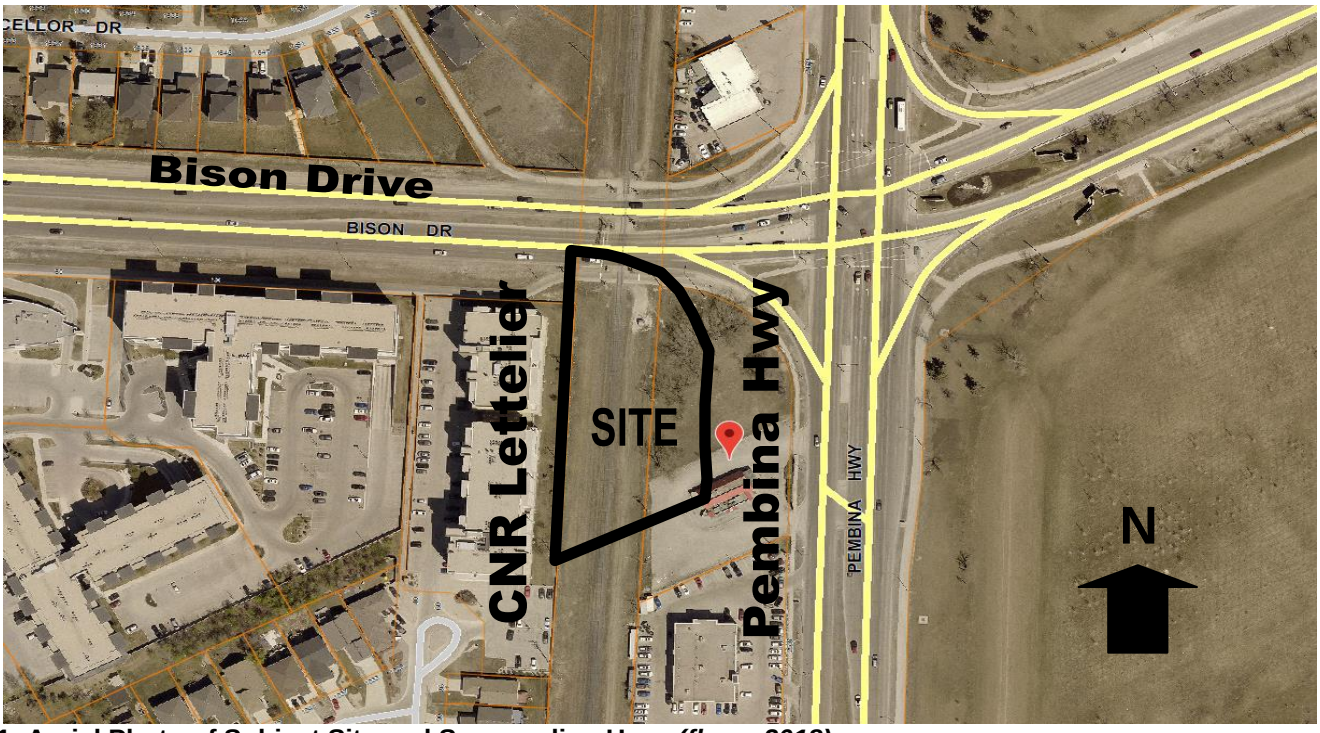


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Bison Drive then commercial properties zoned “C2” – Commercial Community

South: Commercial properties zoned “C2” – Commercial Community

East: Pembina Highway and then University of Manitoba lands zoned “MMU” – Manufacturing Mixed Use

West: CNR Letellier railway then Multi-family building zoned “RMF-L” – Residential Multi-Family Large

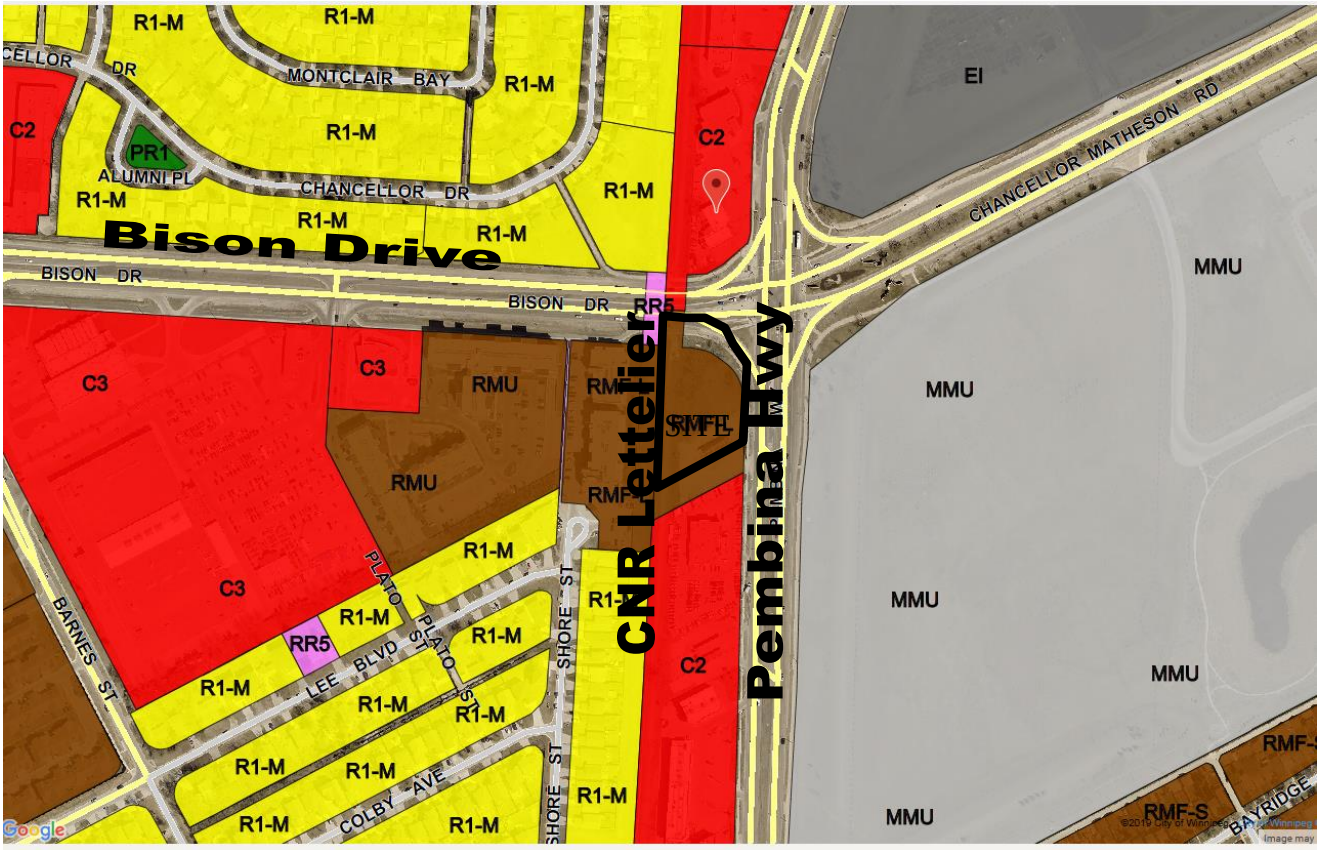


Figure 2: Existing zoning of the subject site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from an "RMF-L" Residential Multi-family-Large to "RMU" Residential Mixed Use in order to continue construction of a mixed-use building including 3 commercial units on the main floor and 368 dwelling units on the remaining floors.
- As part of this application, the applicant is looking to modify the approvals they received at the previous rezoning and subdivision application in September 2016 (*DASZ 27/2016 [c/r DAV 117209/2016D])* and a previous variance application on March 5 2018 (*DAV 18-102203\D)*

	Current project	**Previous project (DAV 18-102203/D)**	**Initial project (DASZ 27/16 and DAV 117209/18)**
Residential units	368 (529 beds)	352 (513 beds)	184 (673 beds)
Residential density	145.5 lot area per dwelling unit	149 lot area per dwelling unit	285 lot area per dwelling unit
Vehicular parking stalls	117 (0.31 stalls per unit)	116 (0.33 stalls per unit)	156 (0.84 stalls per unit)
Bicycle parking stalls	288 (0.78 stalls per unit)	276 (0.78 stalls per unit)	365 (1.98 stalls per unit)
Building height	164 feet (16	173.2 feet (16	150 feet (14 storeys)

	storeys)	storeys)	
Floor Area	212,587 square feet	230,516 square feet	231,141 square feet

- According to the applicant, the proposed development is to accommodate student housing in a multiple family format with each suite having a complete kitchen.
- Relocation of the amenity space from the 16th floor to the 2nd floor has resulted in a reconfiguration of suites within the building and room to increase the total unit count from 352 suites to 368; a net increase of 16 suites and 16 beds.
- The cycling pavilion is proposed to be relocated from the south property line to the northwest corner of the lot.
- An emergency generator is to be added in approximately the same location as the former cycling pavilion
- Vehicle parking at the surface level to the rear of the building is proposed to be reduced from 42 to 41 stalls, while underground parking has increased from 74 to 76 stalls. The proposed total parking increase is from 116 to 117 stalls and proposed bicycle parking increase is from 276 stalls to 288.
- The building height will be decreased to 164 feet from the previously approved 173 feet.
- 3 separate commercial units on the ground floor have been proposed totaling approximately 6,700 square feet. The proposed commercial space per unit is 1,580 square feet, 2,055 square feet and 3,067 square feet. No tenants or users have been identified at this time for occupancy, but the applicant explained that the intended uses would be primarily for students residing in the building.
- New doorways with individual walkways will be added to the front façade for access to each of the commercial units.
- The building is currently under construction based on approvals received under the previous variance applications and rezoning under DASZ 27/16.
- An associated variance application (DAV 121338D) has been made with the rezoning application. Please refer to the variance report for discussion and analysis of the proposed variances.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- The *Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is classified as a "Regional Mixed-Use Corridor" in *Complete Communities*' Urban Structure map. Regional Mixed Use Corridors will accommodate low to moderate density infill development to support more efficient use of land,

infrastructure, and services as well as enhance housing choice and affordability. With regard to this proposal, the key policies guiding the development of Areas of Stability include:

- Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed us development are appropriate.
- Develop a TOD handbook that will guide development, in accordance with Transit Oriented Development (TOD) principles, in locations where corridors have either rapid transit of High Frequency Transit.
- Provide a mix of employment, higher-density residential opportunities, retail and service uses that support the needs of and respect the context of adjacent communities.
- Support a range of housing opportunities in terms of type, tenure, unit size.
- Support active uses (such as retail and services) at street level and office and housing on the upper levels of multi-storey developments.
- Encourage urban design and/or form based strategies that help define the character of Centres and Corridors through clarifying the massing and height of buildings, setbacks, appropriate open space areas and appropriate parking design and locations.
- Encourage the tallest buildings and highest densities close to major transit stops and stations.
- Encourage the transition of development towards the outer edges of each Centre and Corridor that is sensitive to the scale, massing, height, form and character of the surrounding area.
- Encourage the development of recreation and community service facilities in these areas in a way that respects the desired form and character of the centre of corridor.
- Mitigate the potential impact of new development on neighbouring streets, parks and properties.
- Promote high-quality plazas, parks and streetscapes as focal points and networks that are connected to the greater community.
- Focus improvements to the public realm, including pedestrian elements, such as street trees, street furniture, wide sidewalks and bicycle parking and public art.
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground parking or parking structures and encouraging the preservation and/or planting of trees and other types of vegetation within and around surface parking lots.
- Ensure multi-modal connectivity.
- Support development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.

- Further, it is anticipated that the level of intensification will not be consistent along the full length of regional mixed use corridors and that higher levels of intensification will take place at intersections with other key streets and transit routes in order to take advantage

of multi-modal transportation opportunities.

TRANSIT-ORIENTED DEVELOPMENT HANDBOOK

- The Complete Communities Direction Strategy advises that corridors should be developed in accordance with transit-oriented development principles.
- The City of Winnipeg has a Transit Oriented Development Handbook to guide such development. It was endorsed in principle by Council on February 22, 2012.
- The TOD Handbook is a high-level framework document that guides and facilitates mixed-use, pedestrian-oriented infill development along rapid transit corridors and high frequency transit corridors.
- While the bulk of the Handbook deals with higher-level issues, there are a number of Principles that can be applied at a site-specific level such as the proposed development. Specifically, it highlights six:

    1. Medium to high density development that is greater than the community average.
    2. A mix of uses.
    3. Compact, high quality pedestrian-oriented environment.
    4. An active, defined centre.
    5. Innovative parking strategies.
    6. Public leadership.

- As the Handbook relates to the proposed development, its direction relating to site design is important to consider. Characteristics of Principle no. 3 include:
    - Entrances oriented to be easily accessible from the public sidewalk.
    - Centrally located, secure, and convenient bicycle parking.
    - High-quality architectural design and detail conveying a sense of place and relating to the street and the pedestrian environment, including active first floor storefront with windows, awnings, architectural features, lighting, and landscaping.

PEDESTRIAN AND CYCLING STRATEGY

- The Pedestrian and Cycling Strategy, which is intended to guide how the City of Winnipeg invests in its pedestrian and cycling infrastructure, identifies Chancellor Matheson Road/Bison Drive and Pembina Highway as part of Winnipeg's Spine Network. The Spine Network is intended to provide high quality connections to Downtown and major destinations such as the universities, from each area of the City. In particular, Chancellor Matheson Road/Bison Drive has an off-street Pedestrian and Cycling facility that connects residents to the University of Manitoba.

LAND USE BY-LAW (ZONING BY-LAW 200/2006)

- The following dimensional standards are prescribed for the “RMU” zoning district under Zoning By-law 200/2006:
    - A minimum front yard of 20 feet;
    - A minimum rear yard of 25 feet;
    - A minimum side yard of 4 feet; but increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.
    - A minimum corner side yard of 20 feet.
    - A maximum building height of 100 feet;
    - A minimum lot area of 9,000 square feet and a minimum lot area per dwelling of 500 square feet.
    - Principal building separation of 8 feet (for buildings taller than 35 feet, the principal building separation distance must be 50% of the height of the taller building to a maximum of 25 feet).

REZONING

- The applicant is proposing to rezone the property from “RMF-L” Residential Multi Family – Large, to “RMU” – Residential Mixed Use in order to accommodate commercial uses at grade within the building.
- The proposal to rezone the property to the “RMU” zoning district aligns with policy for properties along Regional Mixed Use corridors to provide a variety of housing types (student housing) as well as providing active uses (such as retail and services) at street level with housing on upper levels.
- Additionally, the proposal aligns with the policy to promote innovative parking strategies at high intensity developments, by including four car share vehicles, underground parking and parking at the rear of the building. Further, the proposal is located in close proximity to frequent transit and will accommodate a significant level of secure bicycle parking that will support alternate modes of transportation for residents.

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

- The subject site is located along the Pembina Highway Regional Mixed Use Corridor which is characterized by medium to high density multi-family, institutional and car oriented commercial land uses.
- Directly to the west of the subject property, across the CNR Letellier Line, is the Fairfield Park mixed-use commercial centre. This area includes medium density residential buildings.
- One of the factors when considering compatibility of a building of this scale is the proposed height of the building and its potential impact on adjoining properties. This is of particular importance when adjacent to residential properties. One of the metrics many cities use to assess how tall a building should be built is based upon the width of the corridor right-of-way. In this instance, the Pembina Highway right-of-way is approximately 150 feet wide. This right-of-way width is approximately the same as the proposed height of the building at 164 feet. Another metric that is considered is the rear yard setback from residential properties. Many cities ensure that the building must be contained within a 45 degree angular plane measured from the adjacent rear property

line from an at-grade height. This provides a lower building at the rear of the site improved “fit” and a gradual transition from the rear property line in terms of building massing. In this case, the proposed building is to be located approximately 175 feet away from the adjacent property line across the CN Principal Branch Line, which is contained entirely within the 45 degree angular plane.

TRANSIT AND CYCLING

Transit

- The Transit Department supports the higher density proposal along Pembina Highway as it supports the ability to service the area with higher frequency operations.
- Four transit stops are located within close proximity to the site. There are two stops that serve north and southbound routes along Pembina Hwy. and two stops that serve east and west bound routes along Chancellor and Bison.
- The Pembina stops are currently serviced with routes 137, 162 and 170. Peak service frequency for buses is approximately every 6 minutes.
- The Chancellor/Bison stops serve the 51, 74 and 78 routes. Peak service ranges between every 7-15 minutes.

Bicycle Parking

- In the letter of intent, the applicant states that they will be increasing the number of bicycle parking stalls on site from 276 to 286 (though 288 stalls appear in the submitted site plan). The requirement for 276 bike stalls was a condition of the previous variance applications. The increase aligns with the proposed increase in units/beds in an acceptable ratio.
- Bicycle parking will be allocated to 152 spaces below ground and 104 spaces in the cycle pavilion. 26 bike parking stalls to be located outside the cycle pavilion. 6 additional stalls have been identified in the plans at the entrances of the residential and commercial uses. Additionally, space will be provided within the cycle pavilion for people to make repairs to their bicycles.
- In the Zoning By-law, bicycle parking requirements are associated with the number of required vehicle parking stalls. For every 10 vehicle stalls, one bicycle stall is to be provided. With this proposal 495 stalls are required, which means that 50 (rounded up from 49.5) bike parking stalls would be provided. The proposal is for 238 additional bicycle parking stalls above the required 50 and has been provided in an effort to offset the vehicle parking requirements.

REQUEST TO MODIFY OR REMOVE RAIL SAFETY CLAUSE

A condition requiring rail safety mitigation was approved and caveated on the property as part of the Zoning Agreement associated with the previous subdivision and rezoning application DASZ 27/2016 (see History section of this report for the condition). The applicant has requested that this condition be modified or removed.

Background

<u>Council Adopted Rail Safety Report</u>

- In 2016, the Planning, Property and Development department put forward a report in

response to a motion by Council on March 25, 2015,

> *that the Winnipeg Public Service be directed to explore how to improve safety for new development in proximity to railway operations and to report back to Council and provide recommendations within 120 days.*

- A report with 5 recommendations was prepared by Planning, Property and Development and adopted by Council.
    - Recommendation 1: Amend OurWinnipeg and/or the Complete Communities Direction Strategy to Include Policies for Development of New Residential and Sensitive Uses Adjacent to Rail Lines and Yards
    - Recommendation 2: Develop Council-Endorsed Guidelines for Buffering Residential and Sensitive Uses from Rail Lines and Yards
        - This recommendation identifies that the City will use the FCM guidelines as a baseline for developing rail safety measures.
    - Recommendation 3: Conduct Hazard Risk and Vulnerability Assessment for the City, which would include Rail Lines
    - Recommendation 4: Investigate the Potential to Regulate Sound and Vibration Levels within New Residential Development in the Vicinity of Rail Lines
    - Recommendation 5: Long-Range Planning and Potential Zoning Changes for Specific Areas Adjacent to Rail Lines
- The Urban Planning Division is reviewing Rail Safety as part of the current OurWinnipeg /Complete Communities review.

<u>CNR Lettelier Line</u>

- The railway line that is adjacent to the subject property is the CNR Letellier line. It is a **Principle Branch Line** with generally less than 5 trains per day. Trains on this track operate at a maximum speed of 25 miles per hour. According to CN, the line is to be retained for the foreseeable future.

<u>FCM Guidelines for Development in Proximity to Railways</u>

The following provides a brief summary of the FCM guidelines and how it applies to developments that are adjacent to railways.

- In May 2013, the Federation of Canadian Municipalities (FCM) and Railway Association of Canada (RAC) provided an update to its 2004 Proximity Initiative in developing the Guidelines for New Development in Proximity to Railway Operations (the FCM/RAC Guidelines). The FCM/RAC Guidelines provide a comprehensive set of recommendations with respect to safety measures for the development of sensitive uses – such as residential – near rail lines. The FCM/RAC Guidelines include a number of recommendations that are intended to help mitigate land use conflicts between sensitive uses and railway operations. With respect to safety, the <u>key mitigation measures identified in the FCM/RAC Guidelines focus on building setbacks from rail lines and yards, safety barriers (ex. berms), and security fencing.</u>

- The FCM guidelines have been developed based on a detailed analysis of past incidents and derailments.

Together, they contain the derailed cars and allow a derailed train enough room to come to a complete stop. In addition, setbacks and berms also allow for the dissipation of noise and vibration, and have typically been effective at ameliorating the proximity concerns perceived by residents living near railway operations. While these measures are recommended for all types of new development in proximity to railway operations, they have typically only been considered by the railways as a mandatory requirement for residential development. Nevertheless, in some cases where conversion or infill sites are small and cannot accommodate standard setbacks, reduced setbacks may be possible under certain conditions (for example, if the railway line is located in a cut), but in the majority of cases, an alternate form of safety barrier (such as a crash wall) will be required (p.20)

Building Setbacks for New Development

A setback from the railway corridor, or railway freight yard, is a highly desirable development condition, particularly in the case of new residential development. It provides a buffer from railway operations; permits dissipation of rail-oriented emissions, vibrations, and noise; and accommodates a safety barrier. Residential separation distances from freight rail yards are intended to address the fundamental land use incompatibilities (p.27)

- The recommended setbacks for new residential development in proximity to railway operations are as follows:
    - Freight Rail Yard: 300 metres
    - Principle Main Line: 30 metres
    - Secondary Main Line: 30 metres
    - **Principle Branch Line: 15 metres**
    - Secondary Branch Line: 15 metres
    - Spur Line: 15 metres
- *The recommended setbacks are intended to be <u>used in conjunction</u> with other mitigation measures, such as berms* (pg. 20). Other key points pertaining to the setbacks include:
    - The recommended setback distances are to be measured as a straight-line horizontal distance from the mutual property line with the rail right-of-way to the principal building face;
    - If larger setbacks are proposed, reduced berm heights can be considered;
    - Small reductions in the setback – up to 5 metres – may be achieved through a reciprocal increase to the height of a safety berm on the site;
    - Substantial reductions to the setback may be achieved through the construction of a crash wall;
    - Variations to the setback may be considered where there are elevation differences between the railway and subject property;
    - The recommended setbacks apply to the principal building; accessory buildings or uses such as garages, sheds, private roads or parking areas may be developed within the recommended setback. Public roads can be considered in the setback area for new developments. The recommended tool in the FCM/RAC Guidelines to implement minimum setbacks adjacent to rail is the establishment of minimum setback requirements through an

amendment to the local jurisdiction's zoning by-law.

Safety Barriers

Safety barriers reduce the risks associated with railway incidents by intercepting or deflecting derailed cars in order to reduce or eliminate potential loss of life and damage to property, as well as to minimize the lateral spread or width in which the rail cars and their contents can travel. The standard safety barrier is an earthen berm, which is intended to absorb the energy of derailed cars, slowing them down and limiting the distance they travel outside of the railway right-of-way. The berm works by intercepting the movement of a derailed car. As the car travels into the berm, it is pulled down by gravity, causing the car to begin to dig into the earth, and pulling it into the intervening earthen mass, slowing it down, and eventually bringing it to a stop (p.36)

<u>Berms</u>

- *The standard safety barrier recommended in the FCM/RAC Guidelines is an earthen berm that is constructed adjoining and parallel to the rail right-of-way with returns at the ends and built to the following specifications:*

  Principle Main Line: 2.5 metres above grade with side slopes no steeper than 2.5 to 1;

  Secondary Main Line: 2.0 metres above grade with side slopes no steeper than 2.5 to 1;

  Principle Branch Line: 2.0 metres above grade with side slopes no steeper than 2.5 to 1;

  Secondary Branch Line: 2.0 metres above grade with side slopes no steeper than 2.5 to 1;

  Spur Line: No requirement. (p.37)

- Built to the full standards, berms will have a width of up to 15 metres. As with the recommended setbacks, variations may be considered for berms, including:
  - Berm heights may be reduced where larger setbacks are proposed;
  - Steeper berm slopes may be possible, but need to be negotiated with the affected railway;
  - There is no requirement for the developer to drop the berm back to grade on the side of the berm facing the development;
  - Small reductions in the setback – up to 5 metres – may be achieved through a reciprocal increase to the height of a safety berm on the site;
  - A ditch or swale between the development and the railway that is equal to or greater than the berm can be considered.

<u>Crash Walls</u>

- *Crash walls are concrete structures that are designed to provide the equivalent resistance in the case of a train derailment as the standard berm, particularly in terms of its energy absorptive characteristics. The design of crash walls is dependent on variables such as train speed, weight, and the angle of impact, which will vary from case to case. Changes in these variables will affect the amount of energy that a given crash wall will have to absorb, to effectively stop the movement of the train. In*

addition, the load that a wall is designed to withstand will differ based on the flexibility of the structure, and therefore, on how much deflection that it provides under impact. For these reasons, it is not possible to specify design standards for crash walls (p.40)

- Criteria for the development of crash walls are included in the FCM/RAC Guidelines and can be found under APPENDIX B of this report.

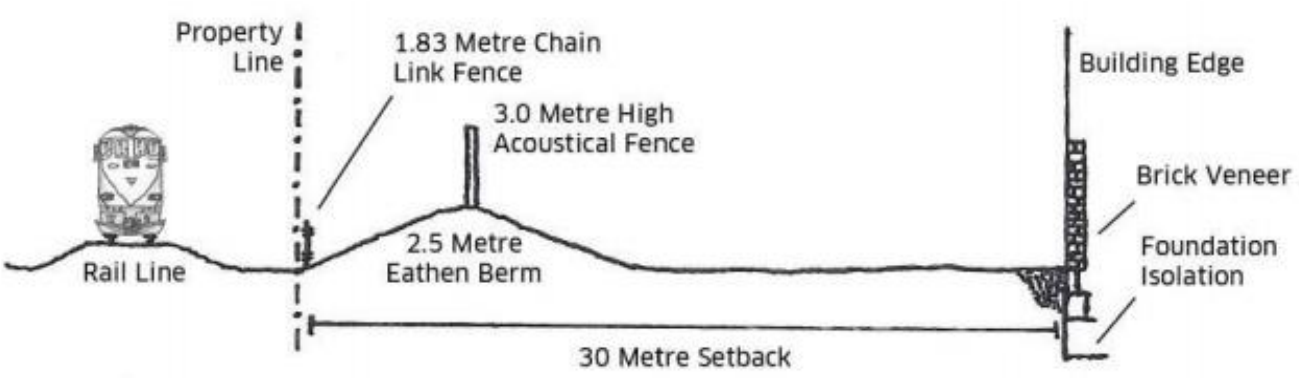


Figure 3: Standard Mitigation for New Residential Development in Proximity to Rail (source: FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013, pg 19))

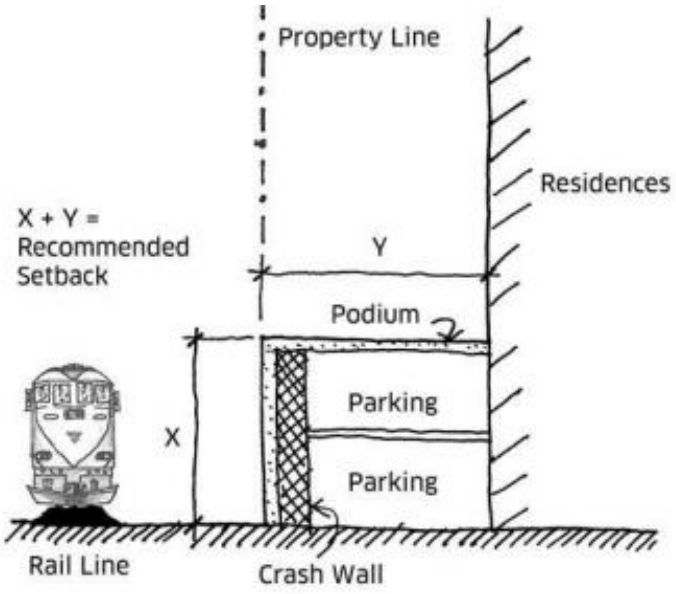


Figure 4: Incorporating a Crash Wall into a Development Can Reduce the Recommended Setback (source: FCM/RAC Guidelines for New Development in Proximity to Railway Operations (2013, pg 27))

Noise Mitigation

- *Noise resulting from rail operations is a key issue with regards to the liveability of residential developments in proximity to railway facilities, and may also be problematic for other types of sensitive uses, including schools, daycares, recording studios, etc. As well as being a major source of annoyance for residents, noise can also have impacts on physical and mental health, particularly if it interferes with*

normal sleeping patterns. The rail noise issue is site-specific in nature, as the level and impact of noise varies depending on the type of train operations. Proponents will have to carefully plan any new development in proximity to a railway corridor to ensure that noise impacts are minimized as much as possible. Generally, during the day, noise should be contained to a level conducive to comfortable speech communication or listening to soft music, and at night it should not interfere with normal sleeping patterns (p.28)

- See Appendix B for more information on noise mitigation.

Recommendation

- The Urban Planning Division does not support the removal of the condition without an alternative mitigation measure in place. It is unclear at this time what the applicant wishes to modify in terms of the safety mitigation measures. Without information available to consider an alternative, the Urban Planning Division recommends that the condition remain.
- As identified in the FCM guidelines, the crash wall could be incorporated directly into the building wall, but it is unclear in the plans submitted if this is the case.
- The requirement for a 15 metre setback is based on the inclusion of one of the two options for mitigation, either the berm or crash wall. The setback of 15 metres alone is not considered satisfactory for mitigating rail safety. FCM recommends that the 15 metre setback be combined with the inclusion of a berm. In the absence of a berm, crash walls are permitted as viable solutions and can even be built right into the podium of buildings, as indicate in Figure 4 above.
- For berms there is a table used to calculate the degree of mitigation requirements related to height and setback. The higher the berm, the less the setback, the lower the berm, the greater the setback. This table can be seen in Appendix C.
- Removing the crash wall and not providing a berm does not provide any mitigation against train derailment or sound.
- Due to the limited space on site and the proposed site plans, a berm would not be feasible to address rail mitigation. As such, the crash wall becomes the only viable option.
- CN was contacted with respect to this application and provided feedback with indication that they would not support the removal of the clause without information provided to understand how an alternative mitigation option could work.
- The Urban Planning Division recommends that the development follow the guidelines for setbacks, noise mitigation and crash walls as outlined in the FCM guidelines.

LANDSCAPING

- The applicant has applied for an Alternative Equivalence Compliance (AEC) for landscaping. This process is meant to address the prescribed landscaping requirements in the Zoning By-law through an acceptable alternate manner.
- The landscaping requirements for the site and the proposed alternatives are as follows:
    - Street Edge Landscaping - Along Bison Dr. (99.08 ft) is required to provide 3 trees &15 shrubs. The applicant is proposing within the property - 0 trees and

32 shrubs, and outside the property limits 6 trees, additional native grass plugs and 17 shrubs.

- Street Edge Landscaping along Pembina Hwy (267.4 feet) requires 9 trees and 39 shrubs. The applicant is proposing to provide 6 trees within property and 28 shrubs as well as 4 trees, additional grass plugs and 11 shrubs within the right-of-way.
- Building foundation landscaping – N/A
- Parking lot interior landscaping is calculated by percentage of the parking area. 5 percent of the gross parking area must be landscaped. One tree for each 300 square feet of parking lot area and one shrub for every 100 square feet of parking area. In this case 21,346 square feet of parking area multiplied by 5% = 1067 square feet. This means that 4 trees and 11 shrubs are required. The proposal is to provide 4 trees and 44 shrubs.

- Additional plants provided on site that fall outside of the previously mentioned planting areas include:
  - Near driveway: 4 trees and 28 shrubs and 25 grasses
  - Along rear property line – 79 grasses
  - In parking interior 4 grasses
  - In outdoor amenity space 10 shrubs and 15 grasses
- The total number of plants required is 16 trees and 65 shrubs. The total number of plants provided within the property limits is 14 trees, 142 shrubs and 123 grasses. Within the right-of-way 10 trees and native grass plugs are to be provided. Overall 24 trees, 142 shrubs, 123 grasses and native grass plugs will be provided on site.
- The plantings proposed within the right-of-way are a result of a condition attached to approval of a variance under file DAV 18-102203\D. The variance was to allow a north corner side yard of 4.3 feet instead of the previously approved 13.1 feet. The condition reads as follows:

  That Part 1.A. is subject to the applicant obtaining approval of an encroachment permit to plant and maintain trees and shrubs in the Bison Drive public right of way.

- The variance was approved at the Riel Community Committee hearing with a condition that the applicant obtains approval of an encroachment permit to plant and maintain trees and shrubs in the Bison Drive public right-of-way. The applicant received approval of the encroachment permit in September of 2018. Since the approval modifications have been made to the planting plan within the right-of-way.
- The land identified for road right-of-way widening was retained as part of an agreement to declare surplus city land that was sold to the adjacent owner (See Figure 5 below). Public Works has identified that the lands within the widened road right-of-way are to accommodate future Active Transportation pathway configurations. A road widening for vehicles is not anticipated within this space.



Figure 5: Lands retained by City for future widening of Bison Drive

ZONING AGREEMENT

- The public service is recommending that the applicant enter into a Zoning Agreement with the City which requires a plan approval review by the Assiniboia Community Committee and the Director of Planning, Property and Development. Plan approval is a condition that is typically recommended for by the Public Service for rezoning applications.
- The intent is to allow for a review of final plans with regards to design and operation of the site before building permits can be issued.
- Further, the Urban Planning Division is recommending that the condition for rail safety mitigation remain as a caveat on the property.

LAND DEDICATION

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10%.
- In the case of the subject proposed subdivision and rezoning, the Property, Planning and Development is recommending that the developer provide 'cash in lieu' of a dedication of land.

RECOMMENDATION

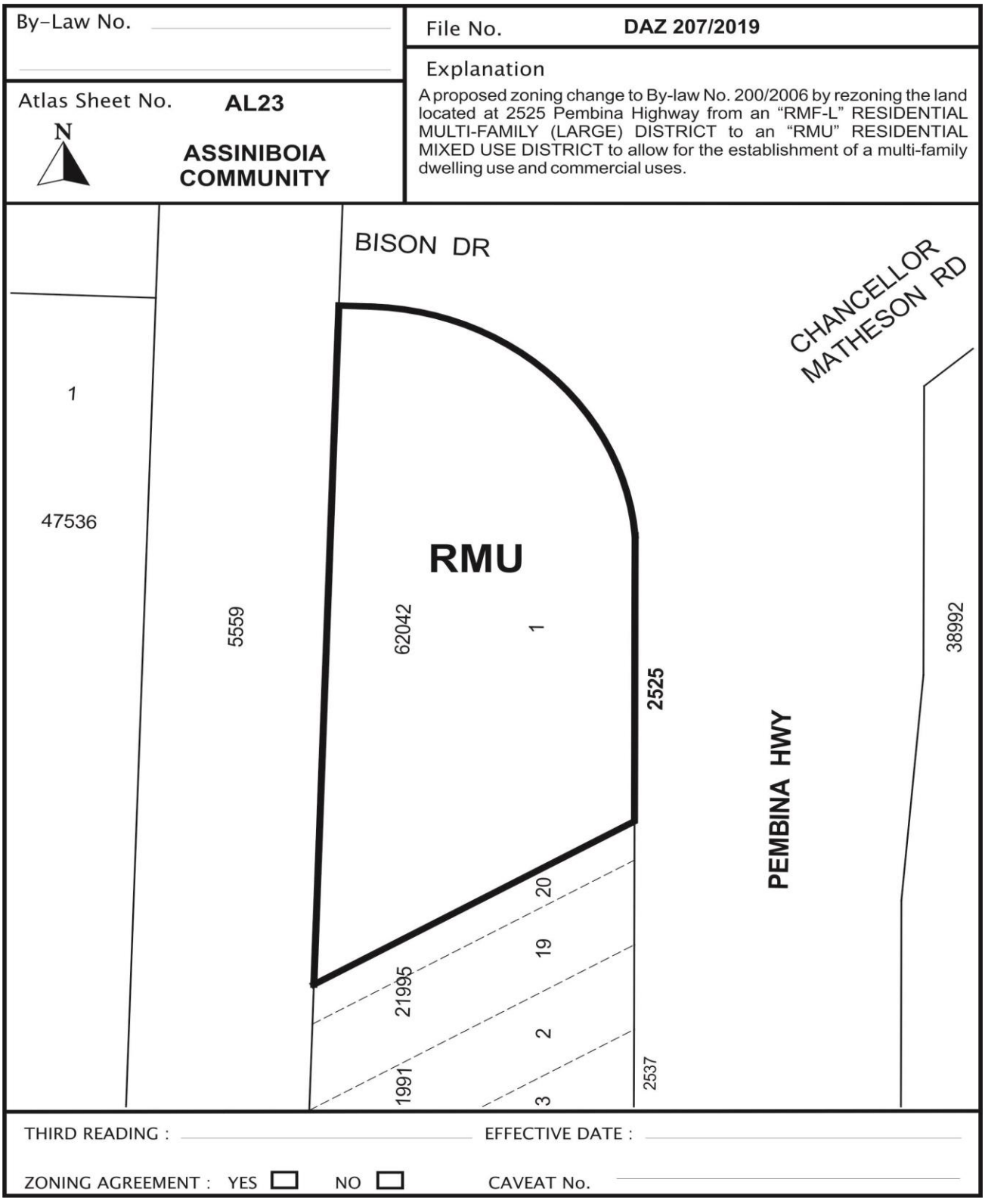
The Urban Planning Division recommends approval of the rezoning because the proposed development is:

- Consistent with the policies of the Complete Communities Direction Strategy; and
- The proposed development is located along a Regional Mixed Use Corridor, where higher density housing options in a mixed use development concept are encouraged.

The Urban Planning Division does not recommend that the condition for rail safety mitigation be removed and would require further information to understand how an alternative solution could still meet the intent of the FCM safety and noise requirements.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Devin Clark, MCP
PPD File #: DASZ 207/2019

Schedule "A" of File DAZ 207/2019, Assiniboia Community Committee, dated August 30, 2019



APPENDIX B

The following information is provided from the FCM guidelines for new development in Proximity to Railway Operations, dated May 2013 and is meant to provide reference and background on the purpose and importance of providing rail safety and noise mitigation.

3.6.1.3 Crash Walls

- *When proposing a crash wall as part of a new residential development adjacent to a railway corridor, the proponent must undertake a detailed study that outlines both the site conditions as well as the design specifics of the proposed structure. This study must be submitted to the affected municipality for approval and must contain the following elements:*
    - *a location or key plan. This will be used to identify the mileage and subdivision, the classification of the rail line, and the maximum speed for freight and passenger rail traffic;*
    - *a Geotechnical Report of the site;*
    - *a site plan clearly indicating the property line, the location of the wall structure, and the centreline and elevation of the nearest rail track;*
    - *layout and structure details of the proposed crash wall structure, including all material notes and specifications, as well as construction procedures and sequences. All drawings and calculations must be signed and sealed by a professional engineer;*
    - *the extent and treatment of any temporary excavations on railway property; and*
    - *a crash wall analysis, reflecting the specified track speeds for passenger and/or freight applicable within the corridor, and which includes the following four load cases:*

        i. Freight Train Load Case 1 - Glancing Blow: three locomotives weighing 200 tonnes each plus six cars weighing 143 tonnes each, impacting the wall at 10 degrees to the wall;

        ii. Freight Train Load Case 2 - Direct Impact: single car weighing 143 tonnes impacting the wall at 90 degrees to the wall;

        iii. Passenger Train Load Case 3 - Glancing Blow: two locomotives weighing 148 tonnes each plus 6 cars weighing 74 tonnes each impacting the wall at 10 degrees to the wall; and

        iv. Passenger Train Load Case 4 - Direct Impact: Single car weighing 74 tonnes impacting the wall at 90 degrees to the wall.
- *The crash wall design must include horizontal and vertical continuity to distribute the loads from the derailed train.*
- *To assist in designing the crash wall safety structure, the following should be considered:*

    i. The speed of a derailed train or car impacting the wall is equal to the specified track speed;

    ii. The height of the application of the impact force is equal to 0.914 m (3 feet) above ground; and

iii. The minimum height of the wall facing the tracks is equal to 2.13 m (7 feet) above the top of rail elevation.

- *For energy dissipation calculations, assume:*

  i. Plastic deformation of individual car due to direct impact is equal to 0.3 m (1 foot) maximum;

  ii. Total compression of linkages and equipment of the two or three locomotive and six cars is equal to 3.05 m (10 feet) maximum; and

  iii. Deflection of the wall is to be determined by the designer, which would depend on material, wall dimensions and stiffness of crash wall (p.40,41)

3.4 Noise Mitigation

- *The recommended minimum noise influence areas to be considered for railway corridors when undertaking noise studies are:*
  - *Principal Branch Lines: 150 metres*

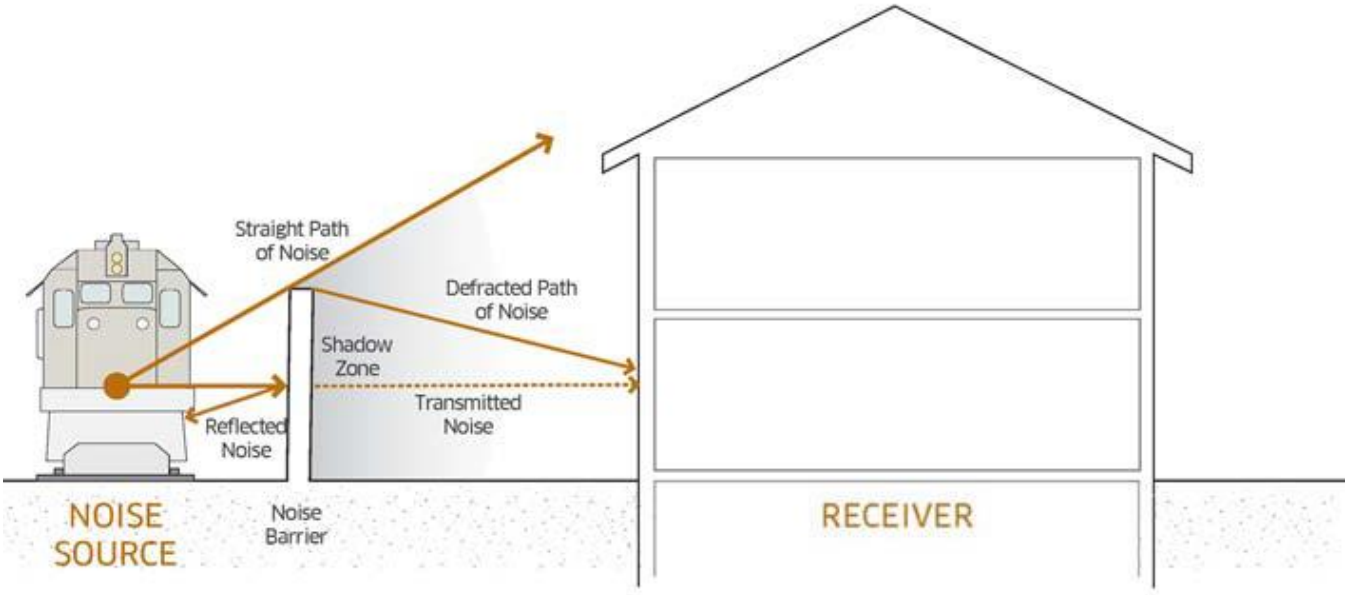


Figure 7 – Effect of a noise barrier on the path of noise from the receiver to the source. A noise barrier reduces noise levels in three ways: by deflecting noise off of it, by dampening the noise that is transmitted through it, and by bending, or diffracting noise over it. The area receiving the most protection by the noise barrier is typically referred to as the "shadow zone".

- *A noise barrier can effectively reduce outdoor rail noise by between 5dBA and 15dBA, although the largest noise reductions are difficult to achieve without very high barriers. Noise barriers provide significant noise reductions only when they block the line of sight between the noise source and the receiver. Minimum noise barrier heights vary by the classification of the neighbouring rail line. Though the required height will be determined by an acoustic engineer in a noise report, they are typically at least:*
  - *Principal Branch Line: 4.0 metres above top of rail (p.29)*

APPENDIX C

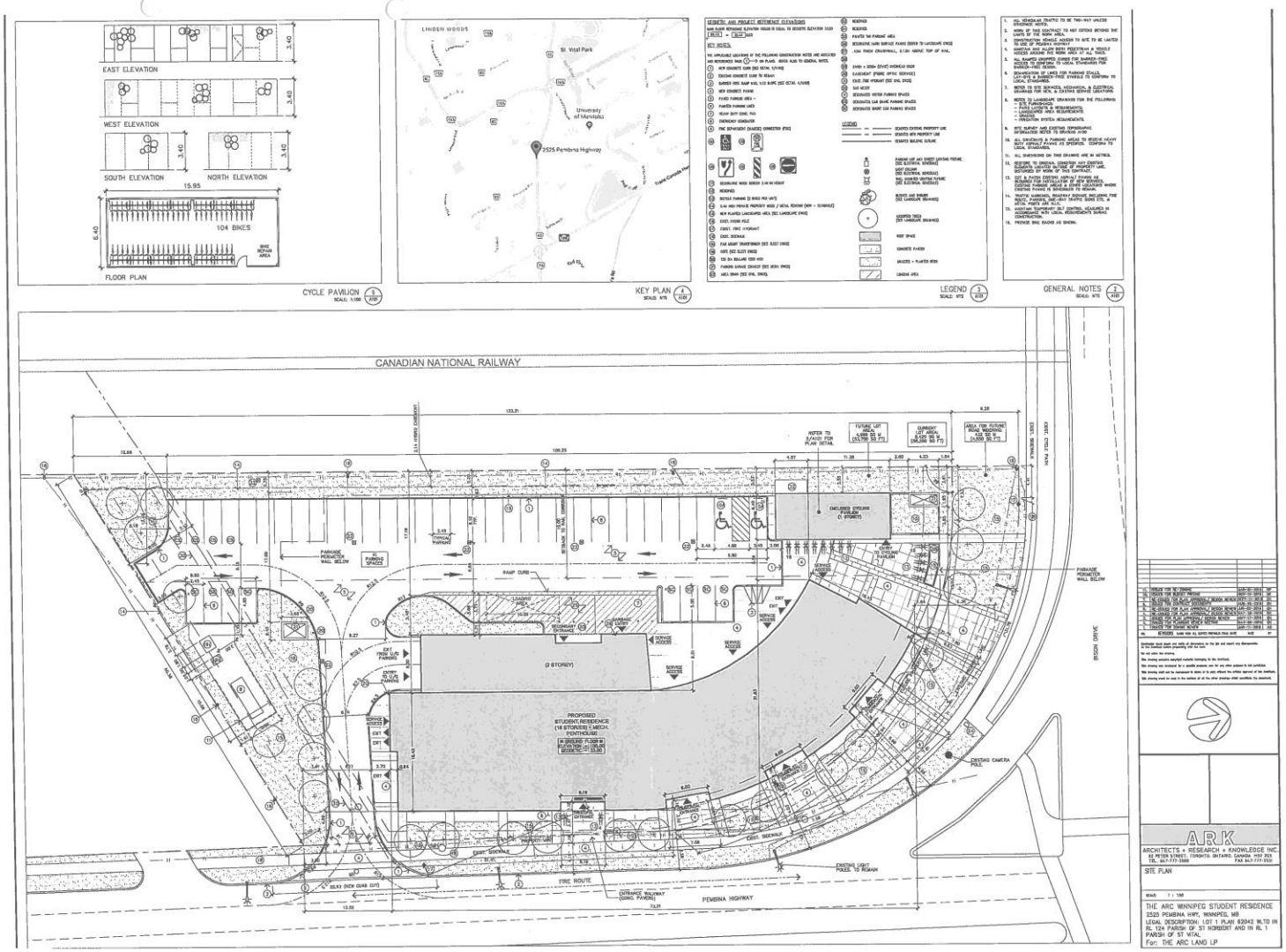
Setback Calculator

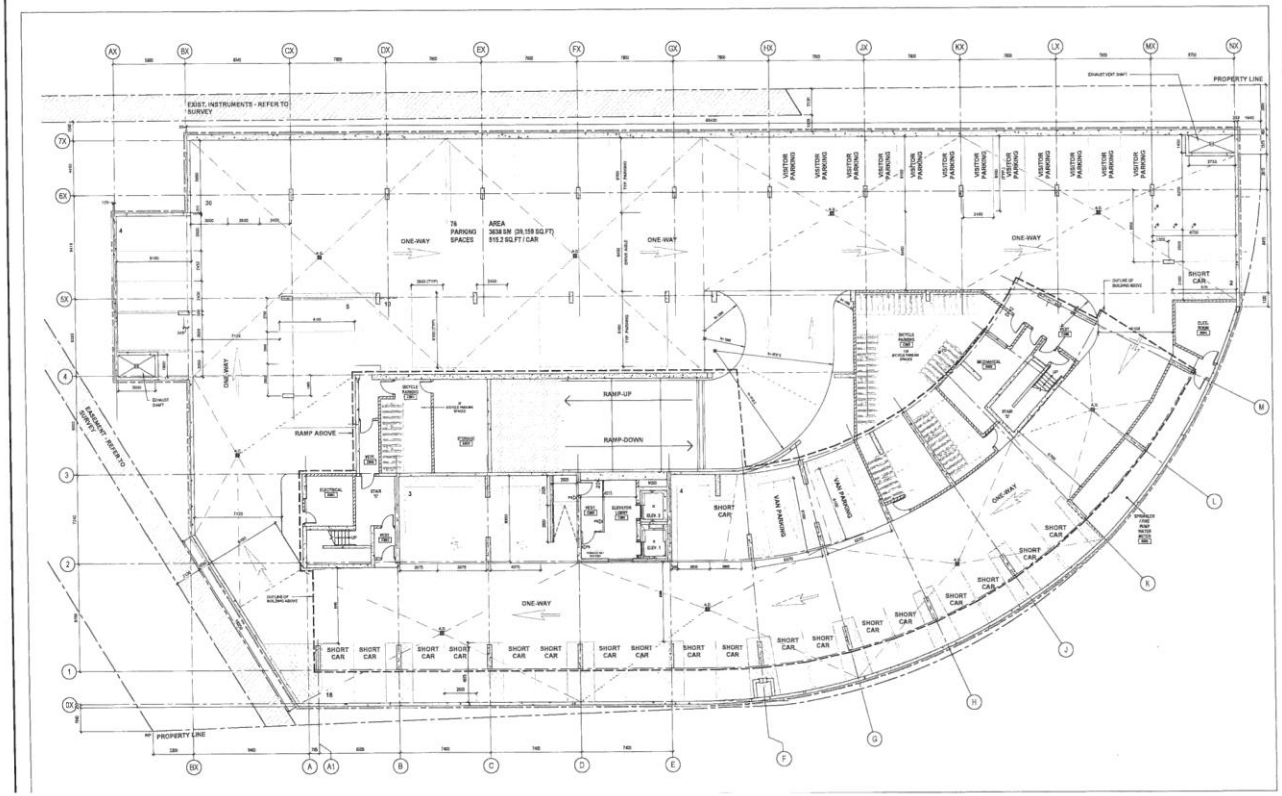
Setback Table

Setback in metres	Berm height in metres
60	0.50
59	0.51
58	0.52
57	0.53
56	0.54
55	0.55
54	0.56
53	0.57
52	0.58
51	0.59
50	0.60
49	0.61
48	0.63
47	0.64
46	0.65
45	0.67
44	0.68
43	0.70
42	0.71
41	0.73
40	0.75
39	0.77
38	0.79
37	0.81
36	0.83
35	0.86
34	0.88
33	0.91
32	0.94
31	0.97
30	1.00
29	1.03

Setback in Metres	Berm height in metres
28	1.07
27	1.11
26	1.15
25	1.20
24	1.25
23	1.30
22	1.36
21	1.43
20	1.50
19	1.58
18	1.67
17	1.76
16	1.88
15	**2.00**
14	2.14
13	2.31
12	2.50
11	2.73
10	3.00
9	3.33
8	3.75
7	4.29
6	5.00
5	6.00

Exhibit “8” referred to in File DAZ 207/2019





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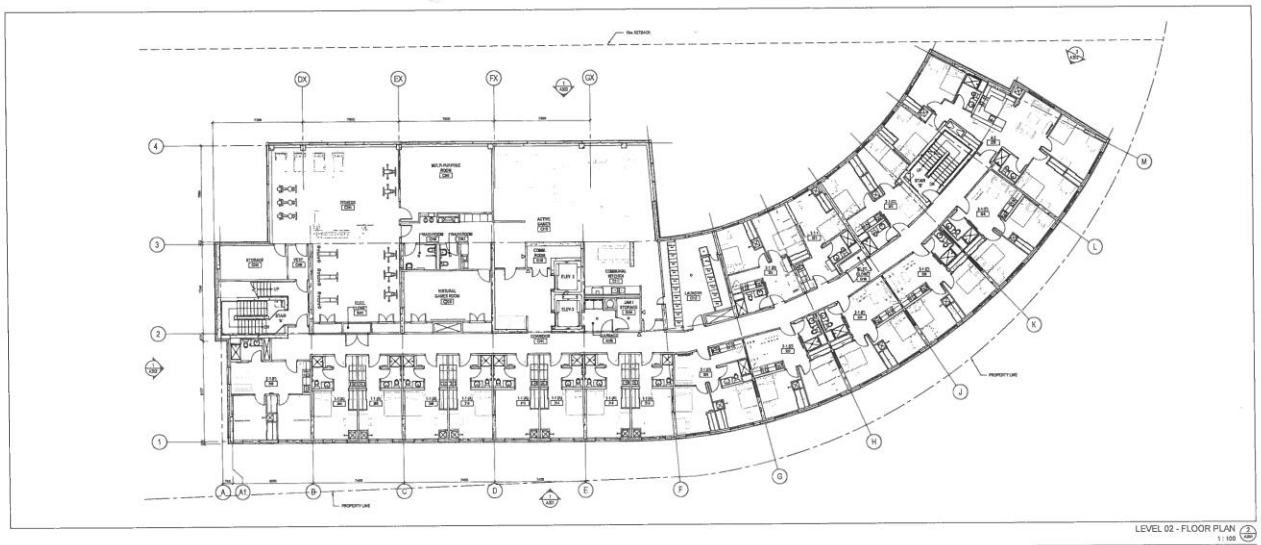
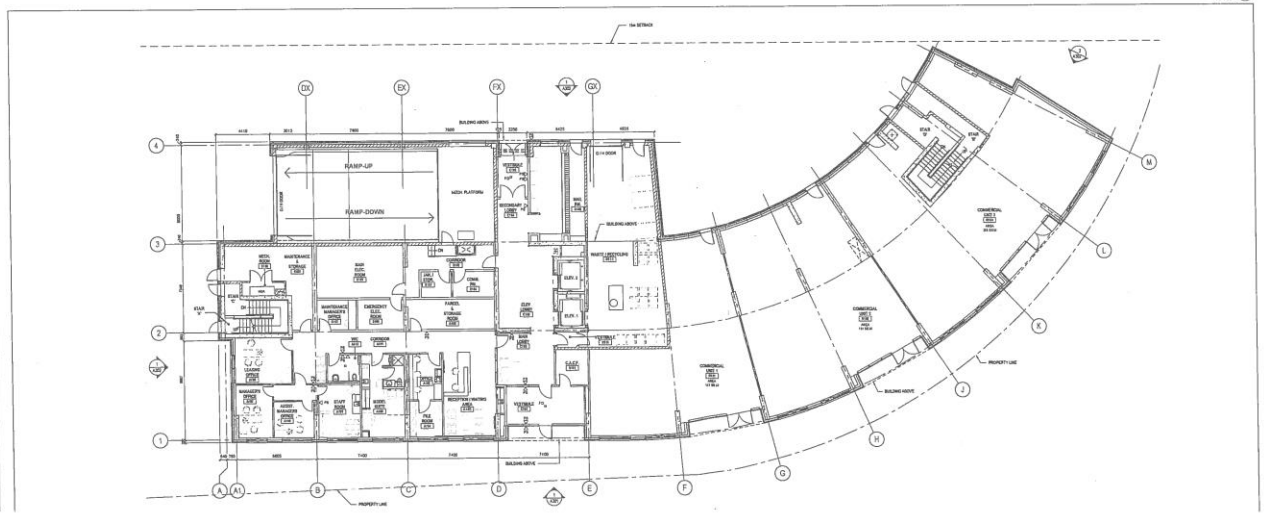
FLOOR PLAN PARKING LEVEL

THE ARC WINNIPEG STUDENT RESIDENCE
2525 PEMBINA HIGHWAY
WINNIPEG, MANITOBA

For: THE ARC LAND LP



LEVEL 02 - FLOOR PLAN
1 : 100



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FLOOR PLAN LEVEL 1, LEVEL 2

THE ARC WINNIPEG STUDENT RESIDENCE
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LEVEL 04-15 - FLOOR PLAN
ROOF
(2 STOREY)
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FLOOR PLAN LEVEL 3, LEVEL 4-15
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2025 PEMBINA HIGHWAY
WINNIPEG, MANITOBA
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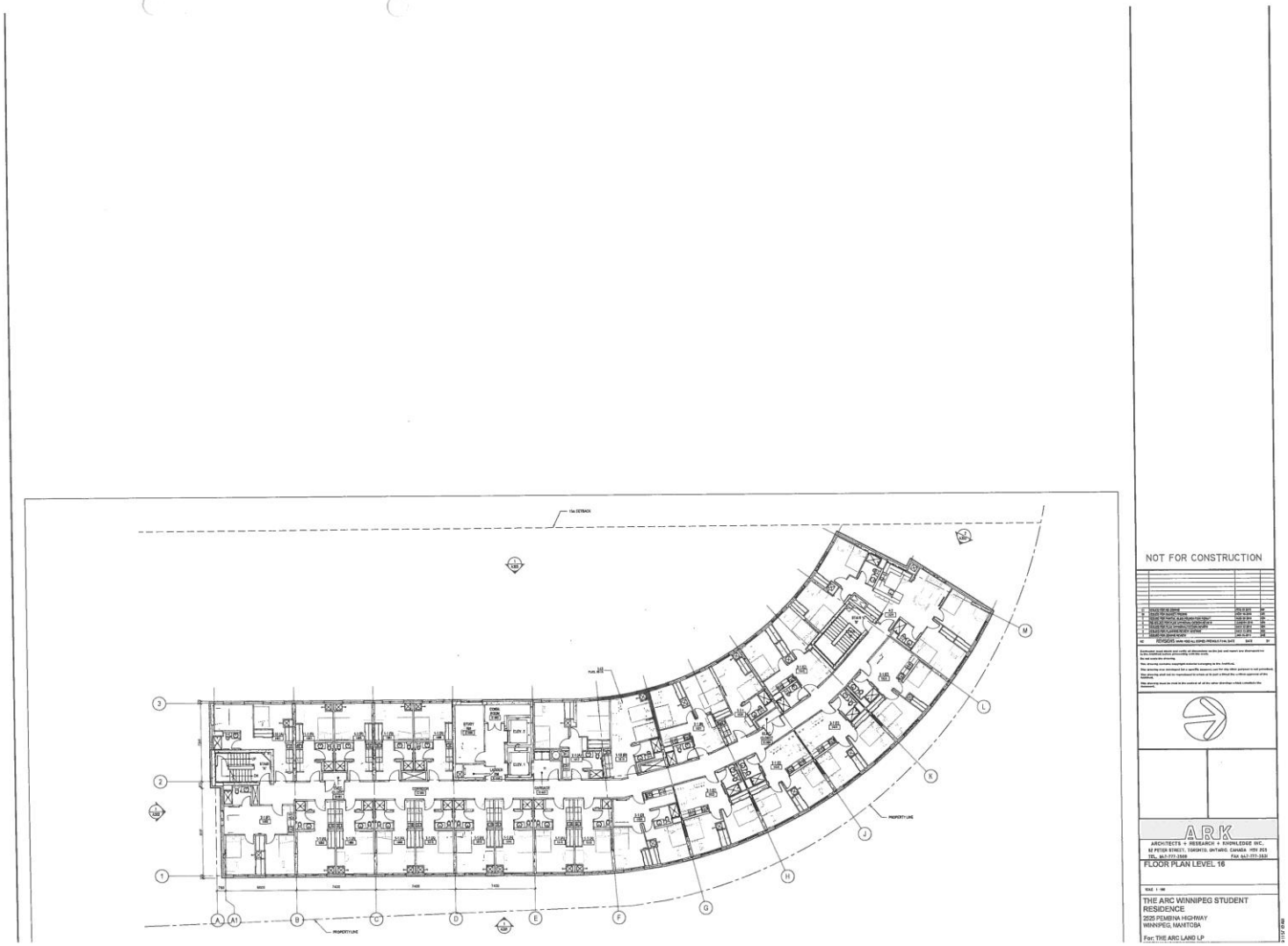
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FLOOR PLAN LEVEL 16
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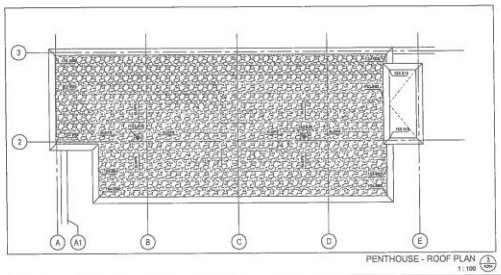
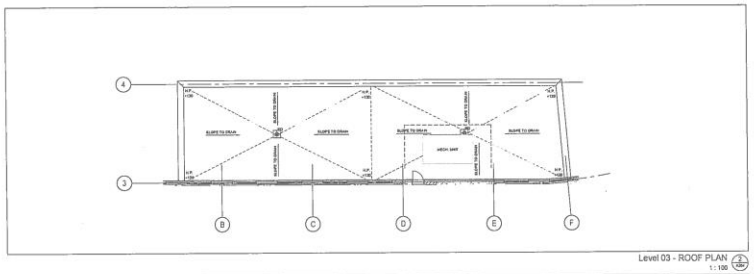
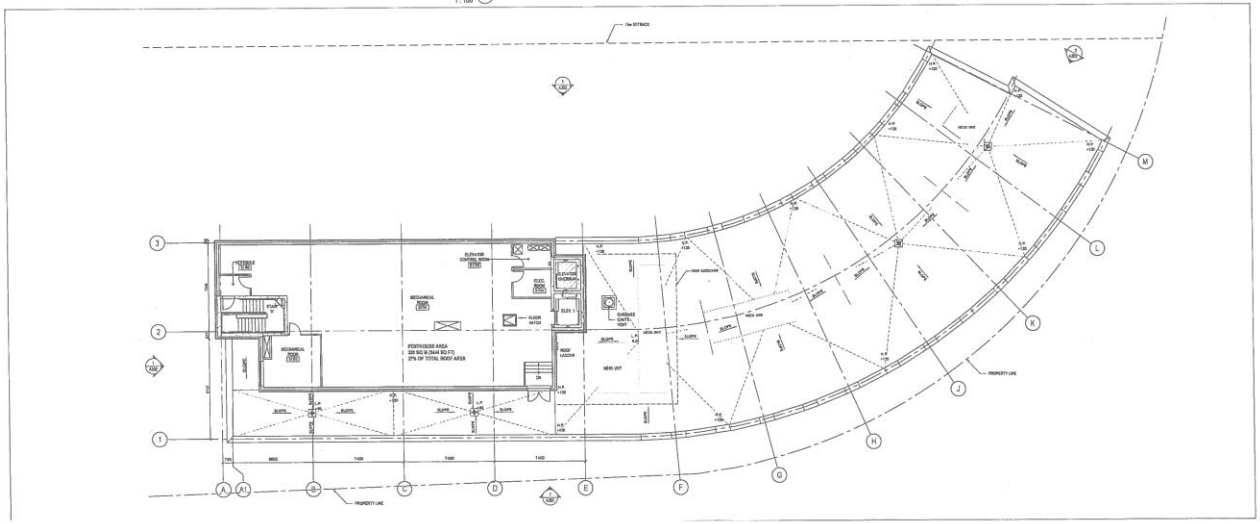


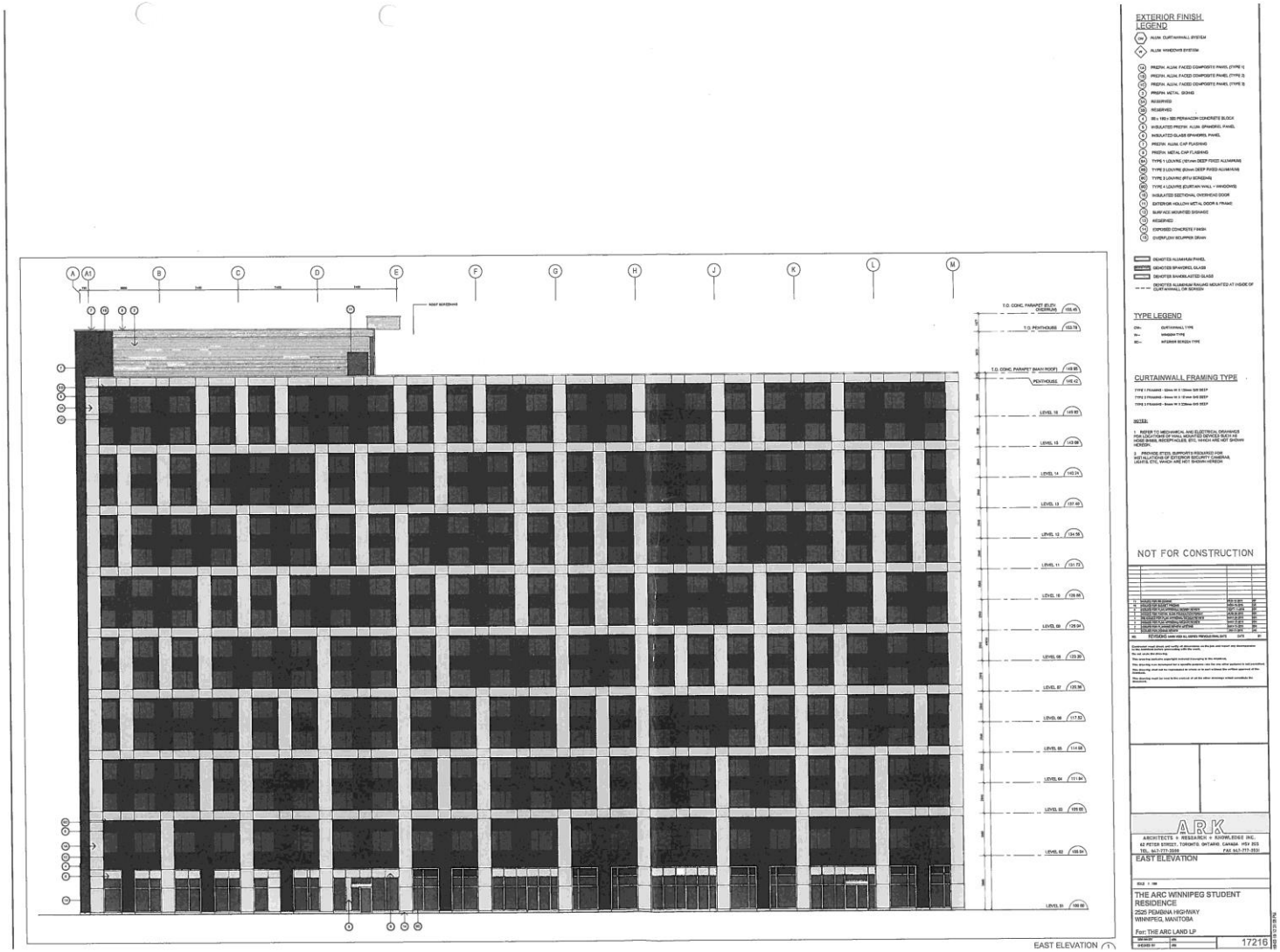
PENTHOUSE - ROOF PLAN
1 : 100



Level 03 - ROOF PLAN
1 : 100



NOT FOR CONSTRUCTION


EXTERIOR FINISH LEGEND
TYPE LEGEND
CURTAINWALL FRAMING TYPE
NOTES:
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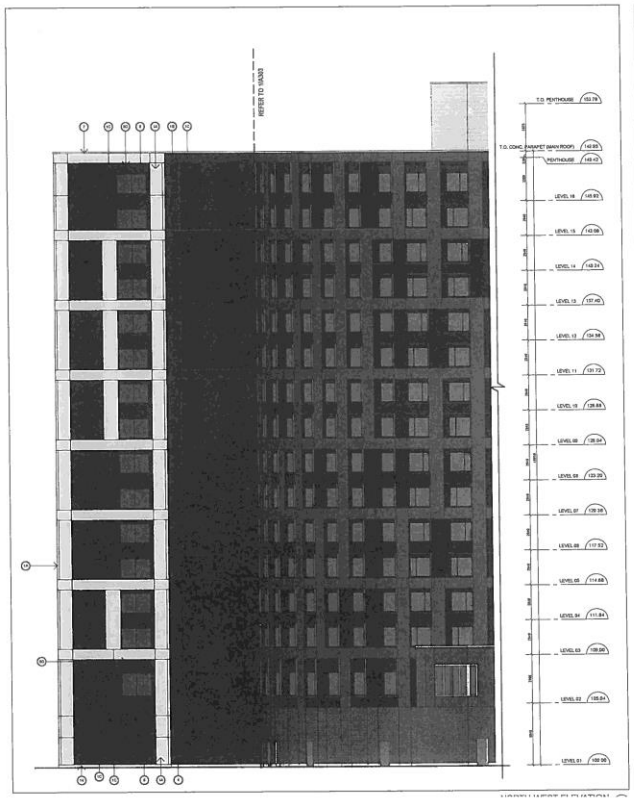
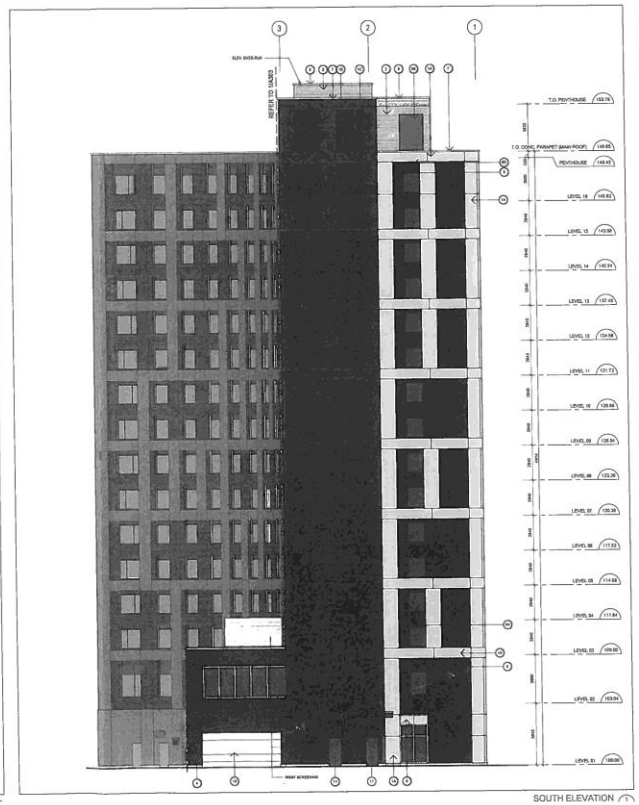
EAST ELEVATION
THE ARC WINNIPEG STUDENT RESIDENCE
2525 PEMBINA HIGHWAY
WINNIPEG, MANITOBA
For: THE ARC LAND LP
17216
EAST ELEVATION





SOUTH ELEVATION

EXTERIOR FINISH LEGEND

TYPE LEGEND

CURTAINWALL FRAMING TYPE

NOTES:

1. REFER TO MECHANICAL AND ELECTRICAL DRAWINGS FOR LOCATIONS OF WALL MOUNTED DEVICES SUCH AS LOUDSPEAKERS, RECEPTACLES, ETC. WHICH ARE NOT SHOWN HEREON.
2. PROVIDE STEEL SUPPORTS REQUIRED FOR INSTALLATION OF EXTERIOR SECURITY CAMERAS, LIGHTS, ETC. WHICH ARE NOT SHOWN HEREON.

NOT FOR CONSTRUCTION

NO.	REVISIONS	DATE	BY
1	ISSUED FOR REVIEW	APR 12 2011	MB
2	ISSUED FOR PLANNING / HERITAGE REVIEW	MAY 13 2011	MB
3	ISSUED FOR PLANNING / HERITAGE REVIEW	JUNE 10 2011	MB
4	ISSUED FOR PLAN APPROVAL SUBMISSION	JUNE 24 2011	MB
5	ISSUED FOR PLAN APPROVAL RESUBMISSION	AUG 31 2011	MB
6	ISSUED FOR PLAN APPROVAL RESUBMISSION	SEPT 21 2011	MB
7	ISSUED FOR TENDER/BUILDING PERMIT	OCT 21 2011	MB

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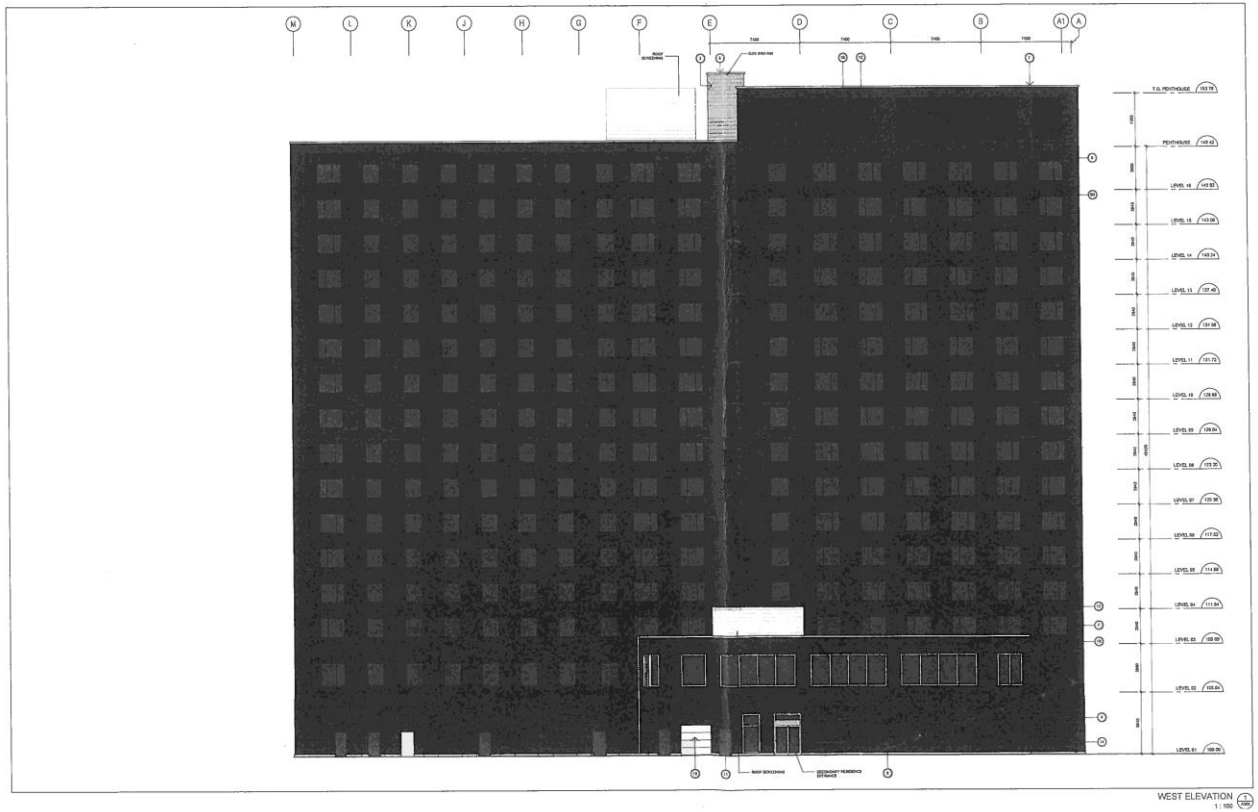
SOUTH AND / NORTH-WEST ELEVATIONS

SCALE: 1:100

THE ARC WINNIPEG STUDENT RESIDENCE
2525 PEMBINA HIGHWAY
WINNIPEG, MANITOBA

For: THE ARC LAND LP

DRAWN BY	MB	17216
CHECKED BY	DR	



WEST ELEVATION
1 : 100

EXTERIOR FINISH LEGEND

ALUM. CURTAINWALL SYSTEM

ALUM. WINDOWS SYSTEM

PREFIN. ALUM. FACED COMPOSITE PANEL (TYPE 1)
PREFIN. ALUM. FACED COMPOSITE PANEL (TYPE 2)
PREFIN. ALUM. FACED COMPOSITE PANEL (TYPE 3)
PREFIN. METAL SIDING
RESERVED
RESERVED
90 x 190 x 390 REINFORCED CONCRETE BLOCK
INSULATED PREFIN. ALUM. SPANDREL PANEL
INSULATED GLASS SPANDREL PANEL
PREFIN. ALUM. CAP FLASHING
PREFIN. METAL CAP FLASHING
TYPE 1 LOUVRE (150mm DEEP FIXED ALUMINUM)
TYPE 2 LOUVRE (50mm DEEP FIXED ALUMINUM)
TYPE 3 LOUVRE (RTU SCREEN)
TYPE 4 LOUVRE (CURTAIN WALL + WINDOWS)
INSULATED SECTIONAL OVERHEAD DOOR
EXTERIOR HOLLOW METAL DOOR & FRAME
SURFACE MOUNTED SIGNAGE
RESERVED
EXPOSED CONCRETE FINISH
OVERFLOW SCUPPER DRAIN

DENOTES ALUMINUM PANEL
DENOTES SPANDREL GLASS
DENOTES SANDBLASTED GLASS
DENOTES ALUMINUM RAILING MOUNTED AT INSIDE OF CURTAINWALL OR SCREEN

TYPE LEGEND

CW- CURTAINWALL TYPE
W- WINDOW TYPE
SC- SITEWIDE SCREEN TYPE

CURTAINWALL FRAMING TYPE

TYPE 1 FRAMING - 50mm W X 150mm DIR SECT
TYPE 2 FRAMING - 50mm W X 150mm DIR SECT
TYPE 3 FRAMING - 50mm W X 250mm DIR SECT

NOTES:

1. REFER TO MECHANICAL AND ELECTRICAL DRAWINGS FOR LOCATIONS OF WALL MOUNTED DEVICES SUCH AS HOSE BIBBS, RECEPTACLES, ETC. WHICH ARE NOT SHOWN HEREON.

2. PROVIDE STEEL SUPPORTS REQUIRED FOR INSTALLATIONS OF EXTERIOR SECURITY CAMERAS, LIGHTS, ETC. WHICH ARE NOT SHOWN HEREON.

NOT FOR CONSTRUCTION

No.	REVISIONS (refer also to ISSUE PROJECT FILE DATE)	DATE	BY
1	ISSUED FOR SUBMIT	FEB 10 2017	MS
2	ISSUED FOR ADDENDUM	MAR 10 2017	MS
3	ISSUED FOR CITY OF WINNIPEG REVIEW	MAR 31 2017	MS
4	ISSUED FOR TYPICAL SUITE PACKAGE FOR TENDER	JULY 25 2018	MS
5	RE-ISSUED FOR CITY OF WINNIPEG REVIEW	SEPT 21 2018	MS
6	ISSUED FOR CLEARANCE TO PERMIT	OCT 19 2018	MS
7	ISSUED FOR CLEARANCE TO PERMIT - ULTRA	OCT 31 2018	MS
8	ISSUED FOR CLEARANCE TO PERMIT	OCT 31 2018	MS

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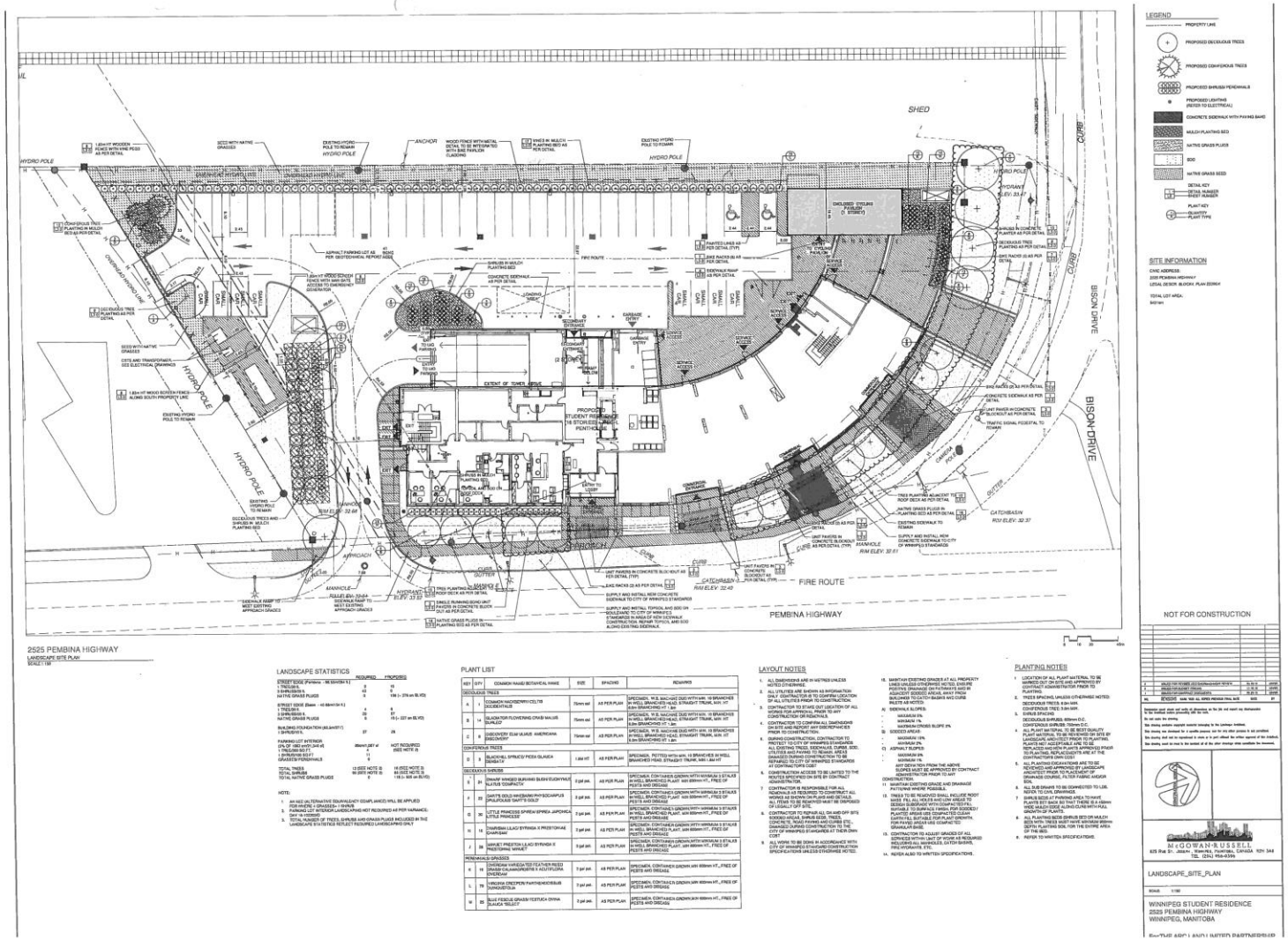
WEST ELEVATION

SCALE: 1 : 100

THE ARC WINNIPEG STUDENT RESIDENCE
2025 PEMBINA HIGHWAY
WINNIPEG, MANITOBA

For: THE ARC LAND LP

DRAWN BY	MN	17216
CHECKED BY	MN	
DATE	JUL 13 2017	DWG NO. A303



2525 PEMBINA HIGHWAY
LANDSCAPE SITE PLAN
SCALE 1:150

LANDSCAPE STATISTICS

	REQUIRED	PROPOSED
STREET EDGE (Fortress - 46.5m/45m ht.)		
1 TREE/8m	13	15
3 SHRUBS/8m	43	0
NATIVE GRASS PLUGS	0	156 (- 276 on BL #3)
STREET EDGE (Bison - <0.6m/<24 ht.)		
1 TREE/8m	4	6
3 SHRUBS/8m	32	57
NATIVE GRASS PLUGS	0	15 (- 227 on BL #3)
BUILDING FOUNDATION (BLANKET)		
1 SHRUB/50 ft.	37	29
PARKING LOT INTERIOR (PA OF 1863 sm/20,048 sf)	95sm/1,087 sf	NOT REQUIRED
1 TREE/250 SQ.FT.	4	(SEE NOTE 3)
2 SHRUBS/50 SQ.FT.	11	
GRASSES/PERENNIALS	0	
TOTAL TREES	13 (SEE NOTE 3)	15 (SEE NOTE 3)
TOTAL SHRUBS	86 (SEE NOTE 3)	86 (SEE NOTE 3)
TOTAL NATIVE GRASS PLUGS	0	156 (- 548 on BL#3)

NOTE:
1. AN MID (ALTERNATIVE EQUIVALENCY COMPLIANCE) WILL BE APPLIED FOR WHERE (-)GRASSES= (+)SHRUB
2. NO REQUIREMENT FOR INTERIOR LANDSCAPING (NOT REQUIRED AS PER VARIANCE) DAT 06-112/2021)
3. TOTAL NUMBER OF TREES, SHRUBS AND GRASS PLUGS INCLUDED IN THE LANDSCAPE STATISTICS REFLECT REQUIRED LANDSCAPING ONLY

PLANT LIST

KEY	QTY	COMMON NAME/ BOTANICAL NAME	SIZE	SPACING	REMARKS
DECIDUOUS TREES					
A	1	COMMON HACKBERRY/ CELTIS OCCIDENTALIS	70mm cal	AS PER PLAN	SPECIMEN, W.B, BALL AND BURLAP, WITH MIN. 16 BRANCHES IN WELL BRANCHED HALO, STRAIGHT TRUNK, MIN. HT. 4.8m BRANCHING HT. 2.4m
B	14	MAGNIFICENT FLOWERING CRAB/ MALUS SPECTABILIS	70mm cal	AS PER PLAN	SPECIMEN, W.B, MACHINE SIZE WITH MIN. 10 BRANCHES IN WELL BRANCHED HALO, STRAIGHT TRUNK, MIN. HT. 3.6m BRANCHING HT. 1.8m
C	8	DISCOVERY ELM/ ULMUS AMERICANA 'DISCOVERY'	70mm cal	AS PER PLAN	SPECIMEN, W.B, MACHINE SIZE WITH MIN. 16 BRANCHES IN WELL BRANCHED HALO, STRAIGHT TRUNK, MIN. HT. 3.6m BRANCHING HT. 1.8m
CONIFEROUS TREES					
D	9	BLACK HILL SPRUCE/ PICEA GLAUCA DENSATA	1.8M HT	AS PER PLAN	SPECIMEN, POTTED WITH MIN. 13 BRANCHES IN WELL BRANCHED HALO, STRAIGHT TRUNK, MIN. 1.8M HT
DECIDUOUS SHRUBS					
E	24	DWARF KNIGHT'S BUSH/ EUONYMUS ALATUS 'COMPACTA'	2 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN 600mm HT., FREE OF PESTS AND DISEASE
F	22	GARTS GOLD WAEGMAN/ PHYSOCARPUS OPULIFOLIUS 'GARTS GOLD'	3 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN 600mm HT., FREE OF PESTS AND DISEASE
G	30	LITTLE PRINCESS SPIREA/ SPIREA JAPONICA 'LITTLE PRINCESS'	2 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN 600mm HT., FREE OF PESTS AND DISEASE
H	16	THARSEN LILAC/ SYRINGA X PRESTONIAE 'CHARSAM'	2 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN 600mm HT., FREE OF PESTS AND DISEASE
I	39	MINUET PRESTON LILAC/ SYRINGA X PRESTONIAE 'MINUET'	3 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN 600mm HT., FREE OF PESTS AND DISEASE
PERENNIALS/ GRASSES					
K	19	OVERDAM FEATHER REED GRASS/ CALAMAGROSTIS X ACUTIFLORA 'OVERDAM'	3 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN MIN 600mm HT., FREE OF PESTS AND DISEASE
L	75	VIRGINIA CREEPER/ PARTHENOCISSUS QUINQUEFOLIA	2 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN MIN 600mm HT., FREE OF PESTS AND DISEASE
M	65	BLUE FESCUE GRASS/ FESTUCA OVINA GLAUCA 'ELIJAH'	2 gal pot.	AS PER PLAN	SPECIMEN, CONTAINER GROWN MIN 600mm HT., FREE OF PESTS AND DISEASE

LAYOUT NOTES

1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
2. ALL UTILITIES ARE SHOWN AS INFORMATION ONLY. CONTRACTOR IS TO CONFIRM LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
3. CONTRACTOR TO STAKE OUT LOCATION OF ALL PLANTING BEDS FOR REVIEW BY LANDSCAPE CONSTRUCTION OR CONSULTANT.
4. CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
5. DURING CONSTRUCTION, CONTRACTOR TO PROTECT TO CITY OF WINNIPEG STANDARDS ALL TREES, SHRUBS, BOULEVARDS, CURBS, SODS, UTILITIES AND PAVING TO REMAIN. AREAS DAMAGED DURING CONSTRUCTION TO BE REPAIRED TO CITY OF WINNIPEG STANDARDS AT CONTRACTORS COST.
6. CONSTRUCTION ACCESS TO BE LIMITED TO THE ROUTES SPECIFIED ON SITE BY CONTRACT ADMINISTRATOR.
7. CONTRACTOR IS RESPONSIBLE FOR ALL REMOVALS AS REQUIRED TO CONSTRUCT ALL WORKS SHOWN ON THE LANDSCAPE PLANS. ALL ITEMS TO BE REMOVED MUST BE DISPOSED OF LEGALLY OFF SITE.
8. CONTRACTOR TO TOPSOIL ALL ON AND OFF SITE SODDED AREAS. SHRUB BEDS, TREES, PERENNIAL BEDS, ETC. AS REQUIRED. ALL AREAS DAMAGED DURING CONSTRUCTION TO THE CITY OF WINNIPEG STANDARDS AT THEIR OWN COST.
9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF WINNIPEG STANDARD CONSTRUCTION SPECIFICATIONS UNLESS OTHERWISE NOTED.
10. MAINTAIN EXISTING GRADES AT ALL PROPERTY LINES UNLESS OTHERWISE NOTED. ENSURE POSITIVE DRAINAGE ON PATHWAYS AND IN PLANTING BEDS/SOD AREAS, AWAY FROM BUILDINGS AND SLOPES. GRADES NOT TO EXCEED MAXIMUMS AS NOTED:
   A) SIDEWALK SLOPES:
      - MAXIMUM 8%
      - MINIMUM 1%
      - MAXIMUM CROSS SLOPE 2%
   B) SODDED AREAS:
      - MAXIMUM 10%
      - MINIMUM 2%
   C) ASPHALT PAVER:
      - MAXIMUM 5%
      - MINIMUM 1%
   (NOT DEVIATION FROM THE ABOVE SLOPES MUST BE APPROVED BY CONTRACT ADMINISTRATOR PRIOR TO ANY CONSTRUCTION)
11. MAINTAIN EXISTING GRADE AND DRAINAGE PATTERNS WHERE POSSIBLE.
12. TREES TO BE REMOVED SHALL INCLUDE ROOT MASS. FILL ALL HOLES AND LOW AREAS TO GRADE WITH CLEAN EARTH FILL SUITABLE FOR PLANT GROWTH. ALL FILL MATERIAL TO BE COMPACTED TO GRANULAR BASE.
13. CONTRACTOR TO ADJUST GRADES OF ALL SERVICES WITHIN LIMIT OF WORK AS REQUIRED INCLUDING ALL MANHOLES, CUTOFF SHOWS, FIRE HYDRANTS, ETC.
14. REFER ALSO TO WRITTEN SPECIFICATIONS.

PLANTING NOTES

1. LOCATION OF ALL PLANT MATERIAL TO BE MARKED OUT ON SITE AND APPROVED BY LANDSCAPE ARCHITECT/ ADMINISTRATOR PRIOR TO PLANTING.
2. TREES SPACING, UNLESS OTHERWISE NOTED:
   DECIDUOUS TREES: 8.0m MIN.
   CONIFEROUS TREE: 5.0m MIN.
3. SHRUB SPACING
   DECIDUOUS SHRUBS: 600mm O.C.
   CONIFEROUS SHRUBS: 900mm O.C.
4. PLANT MATERIAL TO BE NO.1 QUALITY NURSERY STOCK. TO BE REVIEWED ON SITE BY LANDSCAPE ARCHITECT PRIOR TO PLANTING. PLANTS NOT ACCEPTABLE ARE TO BE REMOVED FROM SITE AND REPLACED PRIOR TO PLANTING. REPLACEMENTS ARE AT THE CONTRACTORS OWN COST.
5. ALL PLANTING EXCAVATIONS ARE TO BE REVIEWED AND APPROVED BY LANDSCAPE ARCHITECT/ ADMINISTRATOR PRIOR TO PLANTING. DRAINAGE COURSE, FILTER FABRIC AROUND SOD.
6. ALL SUB DRAINS TO BE CONNECTED TO LDS, SEE TO CIVIL DRAWINGS.
7. SHRUB BEDS AT PARKING AREA TO HAVE PLANTS SET BACK SO THAT THERE IS A 450mm WIDE MULCH EDGE ALONG CURB WITH FULL GROWTH OF PLANTS.
8. ALL PLANTING BEDS (SHRUB BED OR MULCH BED) TO BE EXCAVATED TO A MINIMUM 450mm DEPTH. PLANTING SOIL FOR THE ENTIRE AREA OF THE BED.
9. REFER TO WRITTEN SPECIFICATIONS.

NOT FOR CONSTRUCTION

NO.	DESCRIPTION	DATE	BY
7	ISSUED FOR REVIEW - 2ND SUBMISSION	21.10.19	JW/DF
6	ISSUED FOR REVIEW - REVISED	21.10.19	JW/DF
5	ISSUED FOR REVIEW - REVISED	21.10.19	JW/DF
NO.	DESCRIPTION	DATE	BY

Landscape plant stock and quality all dimensions on the site and report any discrepancies to the landscape architect immediately after the bids.
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LANDSCAPE_SITE_PLAN

SCALE 1:150

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