Agenda – Executive Policy Committee – October 20, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 8 Rezoning – 2029 Bishop Grandin, Parcel A, Plan 52924 and Westerly Portions of Parcels H, J, K, Plan 35893
(St. Vital Ward)
File DAZ 201/2020 [c/r DAV 108741/2020D]

STANDING COMMITTEE RECOMMENDATION:

On October 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel 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 201/2020 by rezoning the subject land to a "RMU" Residential Mixed-Use District as shown on the map dated August 21, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. That 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. Fencing
            f. Landscaping
            g. Free-standing signage

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

On the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Riel 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 excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 75 feet or 22.86 metres.

iii. That the minimum setback to any parking area including drive aisles from the west property line shall not be less than 90 feet.

iv. That the minimum setback to any principal building from the west property line shall not be less than 200 feet.

B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with Recommendation 1.A.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 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 interest of the City.

2. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 11, 2020 and attached as Schedule "B" to this report, with the following amendments:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

A. In Section I – General Comments, add the following new paragraph:

"In light of payments made to the City's future services account pursuant to the 1996 development application for the subject property, and such funds still being unspent, the City will make every reasonable effort to determine whether the work related to these payments can now be undertaken."

B. In Section II – Servicing Conditions:

i. Delete conditions 1 and 2.

ii. Add the following new conditions 3 and 4:

"3) Multi-Use Pathway
The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use path, 3.5m in width, from the property line of Parcel A, Plan 5000068, to the public pathway located in the Bishop Grandin right-of-way, as determined by and to the satisfaction of the Director of Public Works.

4) Share of Landscaping in Bishop Grandin Greenway
The Developer shall pay to the City, in cash, prior to the release of agreements, their share of tree plantings within the Bishop Grandin Greenway, up to a maximum of $12,000, to the satisfaction of the Director of Public Works.

3. 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, as determined by the City's Director of Planning, Property and Development.

4. 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

STANDING COMMITTEE RECOMMENDATION (continued):

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

6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 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 City enter into, execute and deliver with the Developer a Servicing Agreement in accordance with Recommendation 2, 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").

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On October 16, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee, with the following amendments:

- In Recommendation 2.B.ii.4), delete "subdivision mylars for registration in the Winnipeg Land Titles Office" and replace with "agreements"

- Add the following new Recommendation 8, and renumber the remaining recommendation accordingly:

    "8. That the City enter into, execute and deliver with the Developer a Servicing Agreement in accordance with Recommendation 2, 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")."

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

COMMUNITY COMMITTEE RECOMMENDATION:

On October 1, 2020, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Delete Recommendation 2 and replace with the following:

    "2. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 11, 2020 and attached as Schedule "B" to this report, with the following amendments:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

A. In Section I – General Comments, add the following new paragraph:

"In light of payments made to the City's future services account pursuant to the 1996 development application for the subject property, and such funds still being unspent, the City will make every reasonable effort to determine whether the work related to these payments can now be undertaken."

B. In Section II – Servicing Conditions:

i. Delete conditions 1 and 2.

ii. Add the following new conditions 3 and 4:

3) Multi-Use Pathway
The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use path, 3.5m in width, from the property line of Parcel A, Plan 5000068, to the public pathway located in the Bishop Grandin right-of-way, as determined by and to the satisfaction of the Director of Public Works.

4) Share of Landscaping in Bishop Grandin Greenway
The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of tree plantings within the Bishop Grandin Greenway, up to a maximum of $12,000, to the satisfaction of the Director of Public Works."

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 16, 2020

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

On September 2, 2020, the Riel Community Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Thursday, October 1, 2020 at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

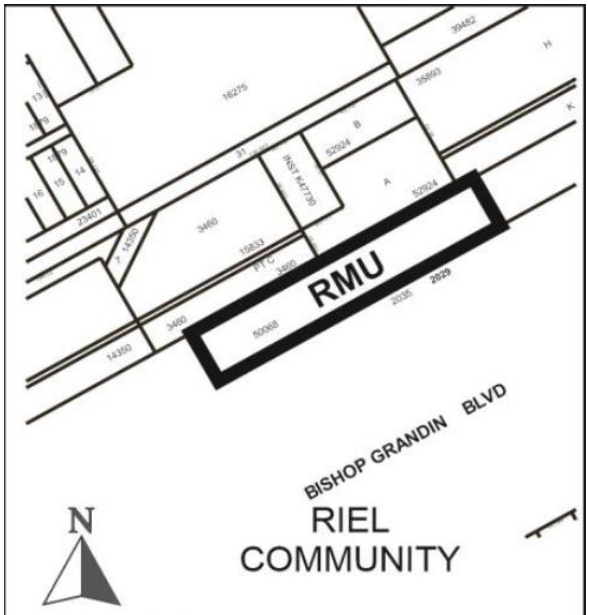
File: DAZ 201/2020

Before: Riel Community Committee
Councillor Chambers, Chairperson
Councillor Allard
Councillor Mayes

Public Hearing: October 1, 2020
September 2, 2020
Council Building, 510 Main Street

Applicant: 69352 Manitoba Limited (John C. Pearson)

Subject:



APPLICANT: 69352 Manitoba Limited (John Pearson)
FILE: DAZ 201/2020
PROPOSAL: To rezone the land shown outlined above from a "C3" COMMERCIAL CORRIDOR DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT to allow the establishment of a Multi-Family Dwelling use. **For information, phone E. Finnigan,** Planner at 204-986-8602.
DEMANDEUR: 69352 Manitoba Limited (John Pearson)
N° DE DOSSIER: DAZ 201/2020
PROJET: Changer le zonage du bien-fonds délinéé ci-dessus afin de le faire passer de la catégorie C3 (secteur de couloir commercial) à la catégorie RMU (secteur résidentiel polyvalent) afin de permettre l'aménagement d'une habitation multifamiliale. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 2029 Bishop Grandin, Parcel A, Plan 52924 and Westerly Portions of Parcels H, J, K, Plan 35893

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

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: October 5, 2020

Community Committee Recommendation:

On October 1, 2020, the Riel 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 201/2020 by rezoning the subject land to a "RMU" Residential Mixed-Use District as shown on the map dated August 21, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. That 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. Fencing
            f. Landscaping
            g. Free-standing signage

            On the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Riel 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 excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 75 feet or 22.86 metres.

iii. That the minimum setback to any parking area including drive aisles from the west property line shall not be less than 90 feet.

iv. That the minimum setback to any principal building from the west property line shall not be less than 200 feet.

B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with Recommendation 1.A.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 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 interest of the City.

~~***2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 11, 2020 to the satisfaction of the Director of Planning, Property and Development***~~

2. That the Developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated August 11, 2020 and attached as Schedule "B" to this report, with the following amendments:

A. In Section I – General Comments, add the following new paragraph:

"In light of payments made to the City's future services account pursuant to the 1996 development application for the subject property, and such funds still being unspent, the City will make every reasonable effort to determine whether the work related to these payments can now be undertaken."

B. In Section II – Servicing Conditions:

i. Delete conditions 1 and 2.

ii. Add the following new conditions 3 and 4:

3) <u>Multi-Use Pathway</u>

The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use path, 3.5m in width, from the property line of Parcel A, Plan 5000068, to the public pathway located in the Bishop Grandin right-of-way, as determined by and to the satisfaction of the Director of Public Works.

4) <u>Share of Landscaping in Bishop Grandin Greenway</u>

The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of tree plantings within the Bishop Grandin Greenway, up to a maximum of $12,000, to the satisfaction of the Director of Public Works.

3. 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, as determined by the City's Director of Planning, Property and Development.

4. 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.

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

6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 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 authorised 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 Riel Community Committee provided the following supporting reasons for its recommendation:

1. I'll try to be brief here. Hopefully we won't all be back in another three or four years all talking about the same site, but you never know. There have been three attempts to develop this site in my time. This seems to be one that has some potential. My thanks to the Greenway folks for weighing-in. I'm glad I did give a month delay for the sake of meeting with Shindico, who have been pretty good over the years at meeting with the Greenway and trying to get something to work.

2. It's a residential development. Lots of amenities nearby. I think this does make sense to do an infill building here:

   A. Buses going east-west
   B. Buses going north-south on St. Anne's
   C. Very big investment. Councillor Chambers and I have been a part of it.

   Literally down the Street at Dakota Collegiate you've got track, tennis, basketball for anyone who lives there. You've got lots of amenities. Then you've got cricket, bike path on Bishop Grandin Greenway. You've got a school route close by at Victor Mager.

3. And there's so many other apartments within literally a stone's throw of this building. The PepperTree Estates have been there for decades. If memory serves from canvassing, that's about 100 units between those three buildings, so, not precedence-setting to have a residential building along and close to the greenway. Those are my supporting reasons.

Exhibits Filed:

1. Application dated May 27, 2020
2. Notification of Public Hearing dated July 30, 2020
3. Manitoba Status of Titles 2450753/1, 2601481/1, 1572009/1
4. Letter of authorization dated April 16, 2020 from Manitoba Hydro to John Pearson
5. Caveats 2597163, 2261919, 2261920, 2261923
6. Plans (13 pages)
7. Report from the Urban Planning Division dated August 21, 2020
8. Inspection Report
9. Presentation dated August 28, 2020 in support of the application submitted by the Applicant
10. Notice of adjournment dated September 8, 2020
11. Presentation submitted by Shindico in support of the application

REPRESENTATIONS:

In Support:

John Pearson
Justin Zarnowski

In Opposition:

Murray Gibson
Nancy McQuade
Michelle Meade

For Information:

Nil

For the City:

E. Finnigan, Planner, Planning Property and Development Department
J. Hildebrand, Planner, Planning Property and Development Department
D. Trenchard, Planning Property and Development Department

Exhibit "7" referred to in File DAZ 201/2020

ADMINISTRATIVE REPORT

Title: DAZ 201/2020 2029 Bishop Grandin Blvd

Issue: An application for consideration at the Public Hearing to rezone the subject property from "C3" Commercial Corridor to "RMU" Residential Mixed Use.

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
E. Finnigan	n/a	n/a	

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended under Development Application No. DAZ 201/2020 by rezoning the subject land to a "RMU" Residential Mixed-Use District as shown on the map dated August 21, 2020 and attached as Schedule "A" to this report, subject to the following conditions:

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

        i. That 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. Fencing

            f. Landscaping; and

            g. Free-standing signage

On the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Riel 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, excluding projections permitted under the Zoning By-Law, the maximum height of any building on the land shall not exceed 75 feet or 22.86 metres.

iii. That, the minimum setback to any parking area including drive aisles from the west property line shall not be less than 90 feet.

iv. That, the minimum setback to any principal building from the west property line shall not be less than 200 feet.

B. That the City enter into, execute and deliver with the Owner a Zoning Agreement in accordance with recommendation 1.A.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 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 interest of the City.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated August 11, 2020 to the satisfaction of the Director of Planning, Property and Development

3. 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, as determined by the City's Director of Planning, Property and Development.

4. 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.

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

6. That the By-law will come into force when the Zoning Agreement is fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Zoning Agreement is not registered in accordance with recommendation 6 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 authorised to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant is proposing to rezone the site from “C3” Commercial Corridor to “RMU” Residential Mixed Use for the future development of a 6-storey multi-family residential building containing sixty (65) dwelling units.
- Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject property will be rezoned from C3 to RMU with a zoning agreement further restricting the property.

HISTORY

DAZ 209/1996

- On July 24, 1996, under By-law 6868/96, 11.27 acres of land near the northwest intersection of Bishop Grandin Boulevard and St. Anne’s Road were rezoned from R1-5 Single Family, RM-1 and RM-2 Multi-Family Districts to a C2 Commercial to allow for the construction of a building materials store. A zoning agreement was included as a condition of approval for the rezoning. The following key conditions were included in the zoning agreement:

  2. The land and any building or structure on the land shall not be used for, and no building or structure shall be erected, placed, altered or enlarged for any use except:

  a) Building materials, hardware, home improvement supplies or equipment sales;

  b) Landscape/garden supplies: sales include outside display limited to packaged supplies, plants or trees

  3. That there will be no outdoor storage of building materials or unpackaged soil

  4. That the hours of operation for commercial use on the land shall be as follows:

Monday to Friday	*7am to 10:00 pm*
Saturday	*7am to 8pm*
Sunday	*In accordance with hours permitted under local legislation*

5. *That, for the development of any building, and/or accessory parking area and/or signage, 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, landscaping and signage 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.*

DAZ 220/1996

- On December 13, 2000, under By-law 7731/00, a triangular shaped piece of land located south of and contiguous to land rezoned to C2 under DAZ 209/1996 was rezoned from R1-5 Single Family to C2 Commercial. This piece of land was approximately 29,000 square feet in area. A zoning agreement was included as a condition of approval. Conditions of the zoning agreement were consistent with the conditions included in ZAA 9/1996 below.

ZAA 9/1996

- On January 29, 1997, the zoning agreement included with DAZ 209/1996 was amended by deleting Clauses 2 and 4 and replacing them with the following:

2. *The following uses shall be prohibited on the land:*

   i) *terminals for courier/delivery/express service, cleaning service, security service, taxi or similar service;*

   ii) *theatre, cinema or concert hall;*

   iii) *storage compounds for new automobiles; boats, mobile homes, recreational vehicles, trailers, trucks or buses;*

   iv) *dispatch for courier/delivery/express service, cleaning service, security service, taxi or similar service;*

   v) *licensed private clubs;*

   vi) *outdoor amusement enterprise, including outdoor driving range, outdoor range for targets or similar facility.*

4. *It is understood and agreed that the hours of operation for the following uses:*

   a) *building materials, hardware home improvement supplies or equipment sales;*

   b) *landscape/garden supplies; sales including outside display limited to package supplies, plants or trees on the land shall be as follows:*

Monday to Saturday	*7am to 10:00 pm*
Sunday	*as per local ordinances*

DAZ 209/2012

- On April 24, 2013, Council approved the rezoning of Proposed Parcel A, Deposit 1550-2011 (the Hydro lands) to C3. This parcel is located north of the subject site and is where some of the parking for the subject proposal is proposed to be situated.

CONSULTATION

In preparing this report there was consultation with: N/A

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Elise Finnigan
Date:	August 21, 2020
File No.	DAZ 201/2020

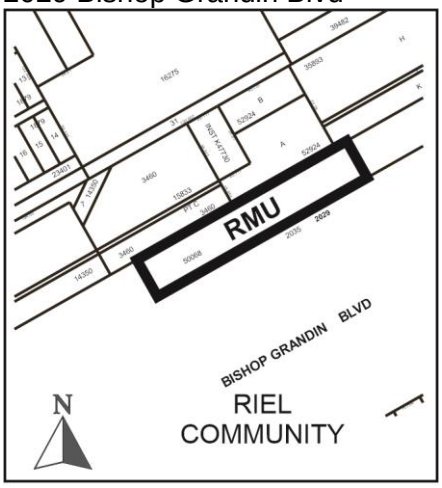
1. Appendix A — Planning Discussion
2. Schedule “A” — Recommended File No. DAZ 201/2020 Riel Community Committee, dated August 21st, 2020
3. Schedule “B” — Report of the Administrative Working Group – August 11, 2020
4. Appendix B — Plan Approval Design Guidelines

APPENDIX 'A'

FILE: **DAZ 201/2020**
RELATED FILES: DAV 20-108741/D
COMMUNITY: Riel Committee
NEIGHBOURHOOD #: 5.517 – Worthington Neighbourhood

SUBJECT: To rezone the subject property from "C3" Commercial Corridor to "RMU" Residential Mixed Use.

LOCATION: 2029 Bishop Grandin Blvd



APPLICANT: John Pearson
1355 Taylor AVE Unit 200
Winnipeg , Manitoba R3M 3Y9

OWNER: 1355 TAYLOR AVE 200
Winnipeg , Manitoba R3M 3Y9

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located north of Bishop Grandin Boulevard and west of St. Anne's Road in the Worthington neighbourhood of the St Vital ward.
- The site is vacant and is approximately **56,616 square feet (1.3 acres) in area.** The property is approximately 443 feet wide by 77 feet deep.
- Under the *Complete Communities Direction Strategy*, the site is within a Community Mixed Use Centre. The property is zoned 'C3' Commercial Corridor.

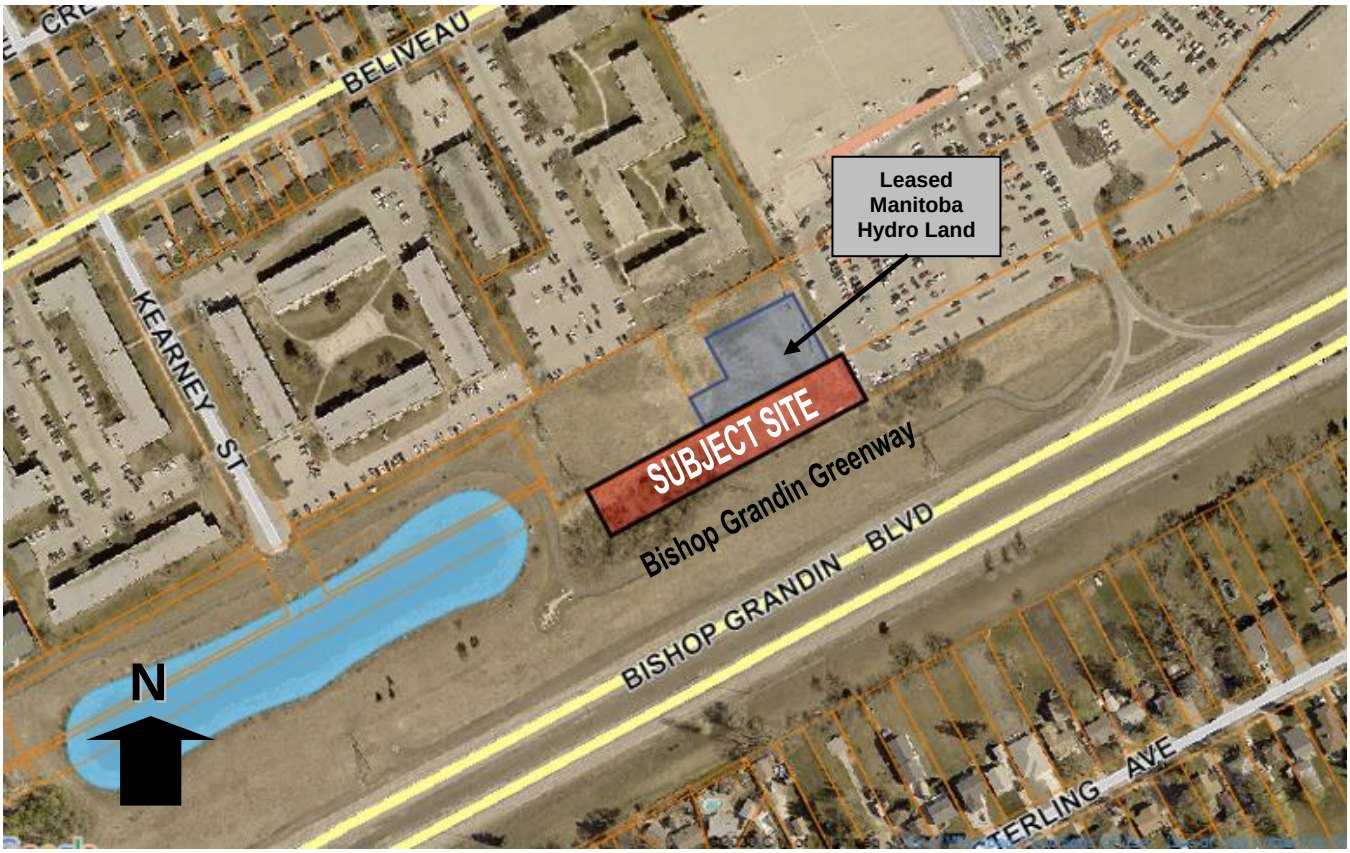


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Predominantly vacant land less some Manitoba Hydro transmission towers zoned C3 and R1-M; then three storey apartment complexes zoned RMF-S.

South: Bishop Grandin Greenway including active transportation pathway; then Bishop Grandin Boulevard.

East: A large commercial development (Home Depot) zoned C3.

West: Bishop Grandin Greenway including active transportation pathway and water retention pond.

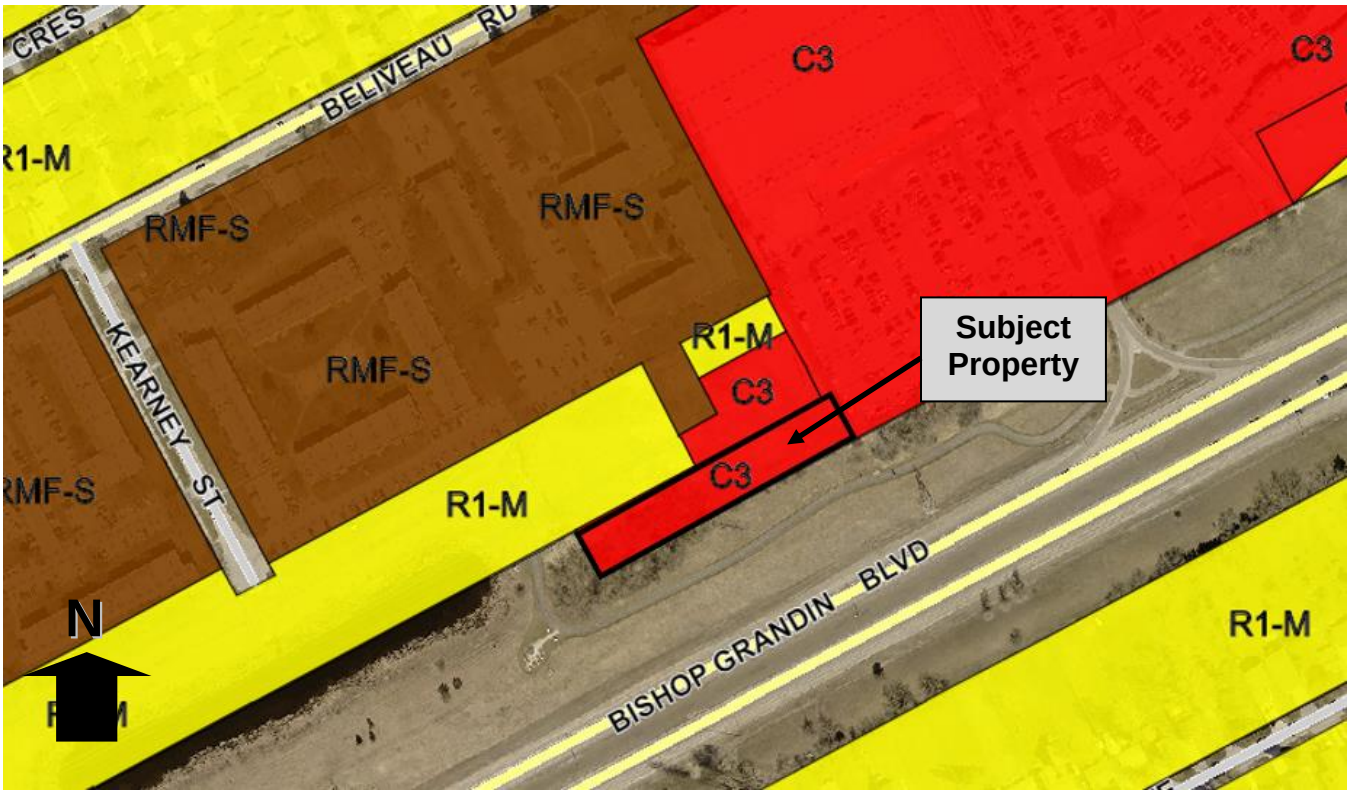


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject property from 'C3' (Commercial Corridor) to 'RMU' (Residential Mixed Use) for the purposes of constructing a 6-storey multi-family residential building encompassing 65 units.
- The ground floor of the new building will be comprised primarily of vehicular parking as well as a gym, an amenity space, bicycle parking, and the main entryway. The residential units will be located above the ground floor on the second to the sixth floors. At its tallest point the building will be 70 feet, 10 inches tall.
- A total of 108 parking stalls will be provided. Eighty-two (82) parking stalls will be located at-grade and 26 parking stalls will be located below grade under the building. Forty-three of the at-grade parking stalls will be located on the abutting Manitoba Hydro land to the north of the subject site.
- As part of the 108 parking stalls, there will be 9 visitor parking stalls and 5 accessible parking stalls.
- The development will include 18 bicycle parking spaces. Ten of the bicycle parking spaces will be located within an indoor bicycle storage room on the ground floor.
- Vehicular access to Bishop Grand Boulevard and St. Anne's Rd is proposed by way of cross access agreements with Manitoba Hydro and the properties that form the St. Vital Festival centre.
- A pedestrian/cycling access point is proposed connecting the site to the Bishop Grandin Greenway.

- The proposed development requires a number of variances relating to yard setbacks, parking, the garbage enclosure as well as the land-locked location of the property (see associated variance application DAV 20-108741\D).

COLLABORATION

With the Urban Planning and Design Division

- The Urban Planning Division has been in communication with the applicant about the proposed development since an initial meeting in the fall of 2019 as well as via subsequent emails.
- Through this communication the Urban Planning Division (UPD) did confirm general support with the proposal to introduce multi-family residential development on the subject site but also raised some concerns about the design of the ground floor of the new building given its location within a Community Mixed Use Centre and proximity to the Bishop Grandin Greenway. To help create a better and safer pedestrian environment along the Bishop Grandin Greenway, the UPD recommended the ground floor of the building fronting the Greenway be comprised primarily of active uses such as residential units. Despite this communication, the applicant decided to proceed with the application without addressing this concern and is proposing primarily parking stalls on the ground floor. Accordingly, the Urban Planning Division is recommending rejection of the proposed variances relating to the front yard setback (please see planner's reports for DAV 20-108741\D for further discussion on site and building design).

With the Public

- The UPD recommended the applicant consult with the public particularly the members of the Board of Directors for the Bishop Grandin Greenway. The applicant indicated they intended to consult with the community, however, a public consultation report was not included with the application submission nor was there any mention of community engagement in the applicant's letter of intent.

ANALYSIS AND ISSUES

OURWINNIPEG AND 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 "Community Mixed Use Centre" in *Complete Communities'* Urban Structure map. With regard to this proposal, the key policies guiding the development of Community Mixed Use Centres:
    - 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.
    - Promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.

- 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/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 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.
- Mitigate the potential impacts 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.
- Promote innovative parking strategies and high intensity developments, including locating parking lots to the rear of developments, encouraging the development of underground 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.

- Urban Design is also identified in the Complete Communities Direction Strategy. Key relevant policies include:
  - Consider the comfort, convenience, safety and visual interest of streetscapes, recognizing that streets are places where people gather.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

CURRENT ZONING DISTRICT:

"C3" Commercial Corridor

The C3 zone is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic, but not including regional shopping malls or regional shopping areas. These commercial uses are subject to frequent view by the public and visitors to Winnipeg, and they should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. C3 districts are generally located in Community or Regional mixed use centres or along Community or Regional mixed use corridors.

PROPOSED ZONING DISTRICT:

"RMU" Residential Mixed-Use District

The RMU zone is intended to facilitate the development of primarily medium to higher-density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The dimensional standards for multi-family structures in the RMU zone are: a minimum front yard of 20 feet; a minimum rear yard of 25 feet; a minimum side yard of 5 feet (where the building is more than

one storey in height the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet) and, a maximum building height of 100 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 500 square feet.

Reason for the Rezoning

The applicant is proposing to construct a new 6-storey multi-family residential building containing sixty-five (65) dwelling units. The subject proposal requires a rezoning from "C3" Commercial Corridor to "RMU" Residential Mixed Use.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- Community Mixed Use Centres are identified in the *Complete Communities Direction Strategy* as important areas for accommodating growth as they help accomplish several objectives:
    - Build a critical population mass, creating vibrancy while supporting local amenities.
    - Link land use with transportation and mobility.
    - Accommodate Winnipeg's projected growth in a sustainable way.
    - Increase predictability and reduce the impact of new development and increased traffic in Areas of Stability.
    - Increase certainty for the development industry.
- The subject property is located in an area that is characterized by a combination of commercial, multi-family, and institutional land uses. The site is within walking to distance to three bus routes (route #55; #59; and #75) and abuts a major active transportation pathway (i.e., the Bishop Grandin Greenway). As such, the proposal to establish residential mixed use zoning on the subject property is compatible with existing land uses and aligns with the policies guiding development within Community Mixed Use Centres in the *Complete Communities Direction Strategy.*
- Under the *Complete Communities Direction Strategy* it is envisioned that Mixed-Use Centres will evolve into vibrant, pedestrian-friendly districts. Noting this vision, the final design of the site will be critically important and the Urban Planning Division will expect the final site plan include improvements to the Bishop Grandin Greenway frontage to help create a better pedestrian environment and stronger streetscape (please see planner's report for DAV 20-108741/D for further discussion on site design).

RECOMMENDED ZONING AGREEMENT

Height

- The maximum building height permitted in the RMU zone is 100 feet. The Public Service is recommending that the maximum height of any building on the site be restricted to 75 feet. This is recommended to ensure a level of oversight on a future proposal in case the subject proposal does not proceed and ensure compatibility with existing development.

Plan Approval

- The Public Service is recommending that final plans be submitted to the Director of Planning, Property and Development and Riel Community Committee for review prior to the issuance of a development permit on the lot. The inclusion of this clause will allow the Urban Planning Division and the Riel Community Committee to review final plans and design details before development takes place on the site. Recommended design guidelines for approval are included in Appendix B to assist in the plan package evaluation.

Setback & Maintenance of Existing Trees

- To preserve the established, mature trees that currently exist on the west side of the subject property, the Urban Planning Division is recommending a minimum setback from the west property line of 90 feet for any accessory parking area and 200 feet for any building. The Public Service is recommending that as a condition of approval for the variances, a report by a professional arborist be submitted prior to the issuance of site grading and development permits in order to assess the health of the existing trees as well as the measures required to be employed before, during, and after construction to preserve/protect the trees.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

The Urban Planning Division recommends **approval with conditions** for the following reason:

- The proposal is consistent with the policies guiding development in *Community Mixed Use Centres* in the *Complete Communities Direction Strategy* which promote the highest levels of intensification at significant intersections. Between each centre, lower intensities of commercial, residential and mixed use development are appropriate.
- The proposal is also compatible with the existing land uses in the area.

This Report Submitted by: Elise Finnigan
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DAZ 201/2020

Schedule “A” for File No. DAZ 201/2020, Riel Community Committee, dated August 21st, 2020.

By–Law No. _____

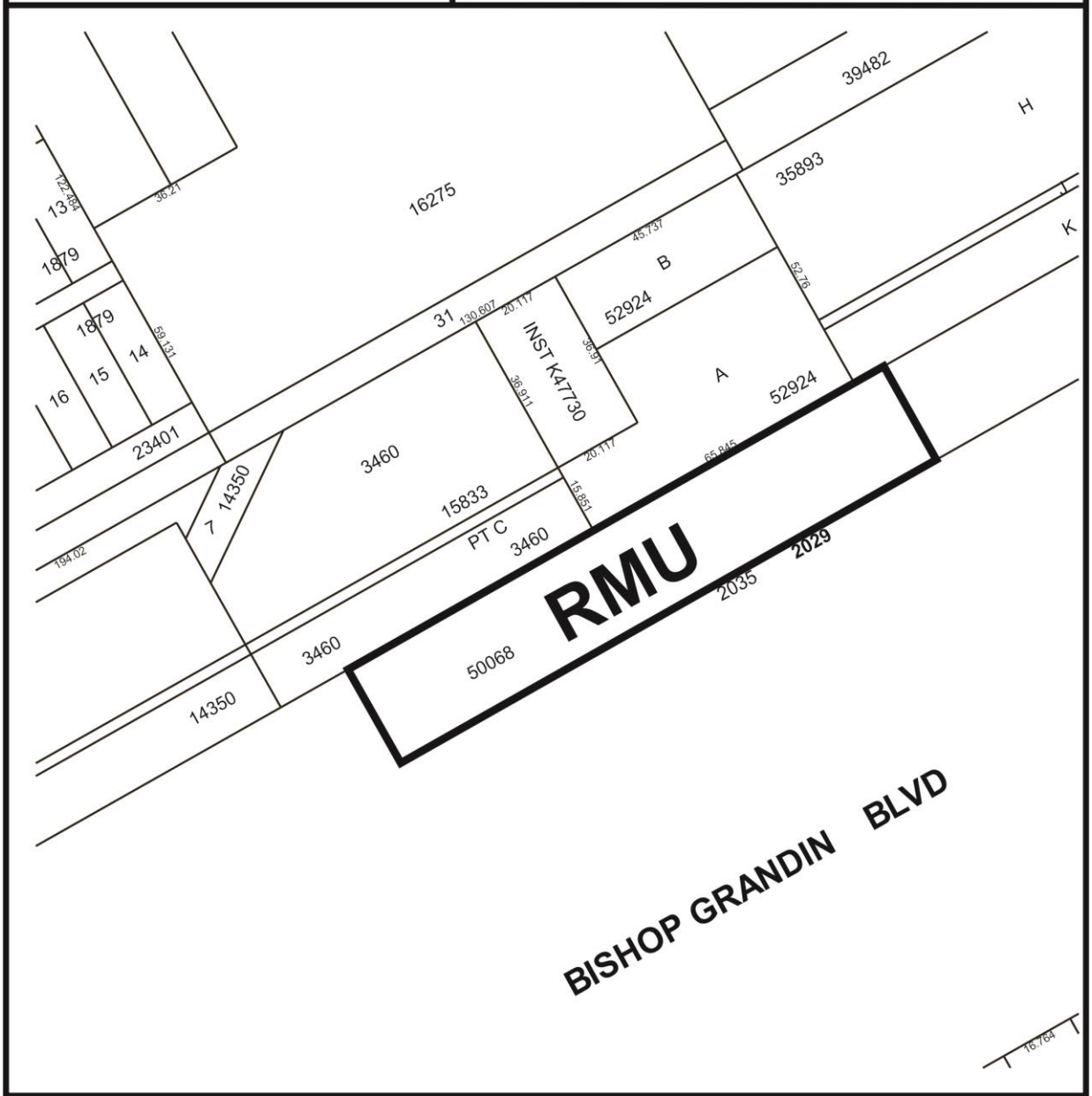
File No. **DAZ 201/2020**

Atlas Sheet No. **AG26 RIEL COMMUNITY**

N

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 2029 Bishop Grandin Boulevard from a “C3” COMMERCIAL CORRIDOR DISTRICT to an “RMU” RESIDENTIAL MIXED USE DISTRICT to allow the establishment of a Multi-Family Dwelling use.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 11, 2020

RE: PROPOSED REZONING OF LAND LOCATED AT 2029 Bishop Grandin Blvd – DAZ 201/2020

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DAZ 201/2020. The applicant should take into consideration the following comments and servicing costs in the redevelopment of the site:

Section I – General Comments

The Public Works Department has advised that the subject property will not be permitted direct private access to Bishop Grandin Blvd

Section II – Servicing Conditions

1) Share of Services in Bishop Grandin Boulevard

The Developer shall pay to the City, in cash, prior to the release of the zoning agreement, their share of the wastewater servicing in Bishop Grandin Boulevard, based on the portion of frontage on Bishop Grandin Boulevard.

2) Regional Land Drainage System

The Developer shall pay to the City, in cash, prior to the release of the zoning agreement, their share of the regional land drainage system.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAZ 201/2020
August 11, 2020

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Engineering Division
Public Works Department

APPENDIX 'B' **Design Guidelines**

Plan Approval Design Guidelines for DAZ 201/2020 – 2029 Bishop Grandin Blvd

1. Site Planning

1.1 The site layout and building orientation should ensure that the building relates appropriately to the Bishop Grandin Greenway and surrounding developments and creates a cohesive visual identity for the neighbourhood.

1.2 Site design should consider opportunities for enhancing personal security and safety by incorporating Crime Prevention Through Environmental Design (CPTED) principles.

1.3 Parking areas should be screened with landscaping or active uses.

1.4 Locate refuse storage areas and other building services internal to buildings or screened from view with appropriate fencing/landscaping.

2. Building Orientation and Design

2.1 The building façades should be well-articulated and should avoid featureless building massing.

2.2 The overall design should be made up of a distinctive, quality, architectural character and style that also avoids monotonous and featureless building massing and design.

2.3 Minimize blank walls – use landscaping, aesthetic characters (such as projections and offsets), change in cladding material, glass, balconies, etc. to break up tracts of continuous blank walls.

3. Landscaping

3.1 Landscaping shall be provided to enhance the overall development in key areas such as the development perimeter, corners, common areas, areas along pathways, and entryways.

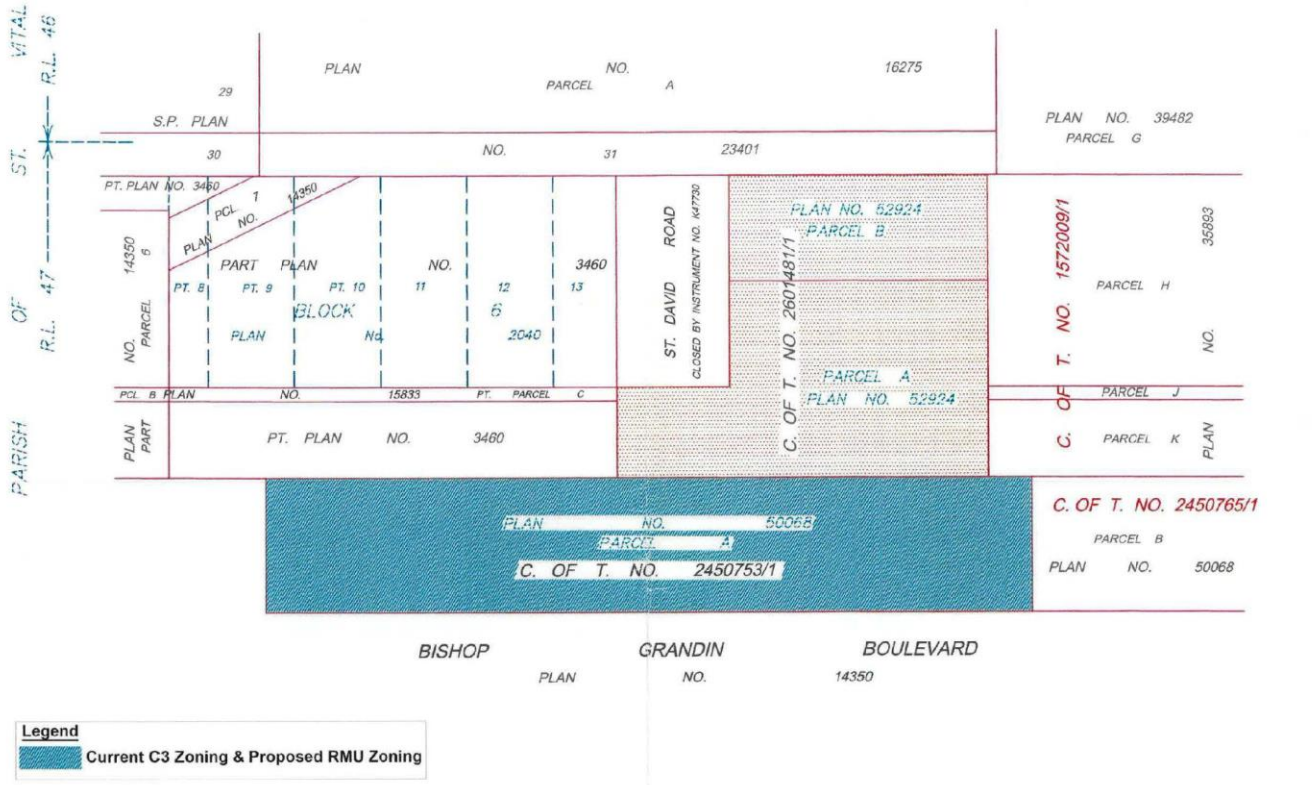
3.2 High-quality landscaping is required along the south property line fronting the Bishop Grandin Greenway.

3.3 The existing mature landscaping along the west property boundary should be preserved where possible.

Exhibit “6” referred to in File DAZ 201/2020

2029 Bishop Grandin Boulevard - Title Plot

Winnipeg, Manitoba



Legend

Current C3 Zoning & Proposed RMU Zoning

Shindico
Succeeding By Helping Others Succeed

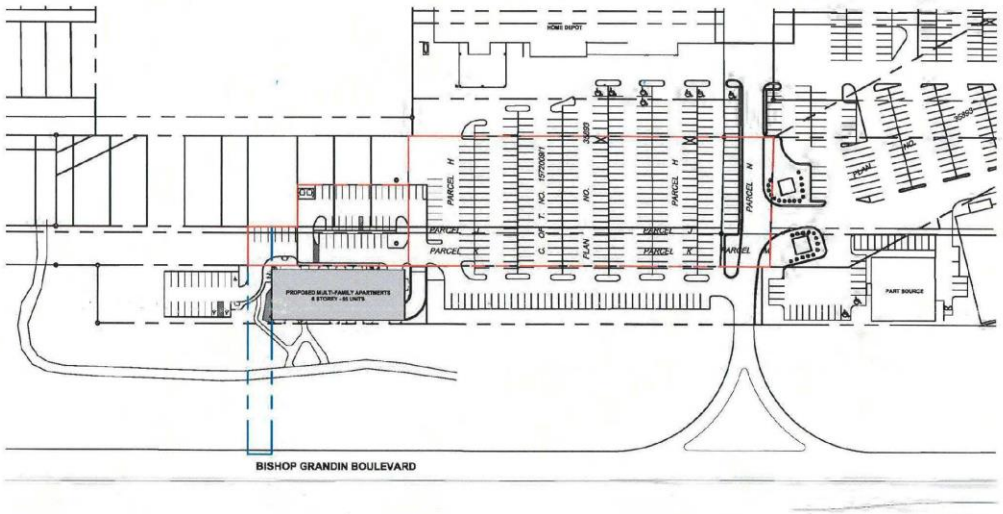
2029 BISHOP GRANDIN BLVD

MULTI-FAMILY APARTMENTS
65 UNITS

LEGAL DESCRIPTION: PLAN NO. 50068 PARCEL A C. OF T. NO. 2450753 / 1					
MULTI-FAMILY BUILDING INFORMATION: 2029 BISHOP GRANDIN BLVD					
6 STOREYS MULTI-FAMILY RESIDENTIAL (ENCLOSED MAIN FLOOR & UNDERGROUND PARKING)					
CURRENT ZONING DISTRICT	C3				
PROPOSED ZONING	RMU				
BUILDING DIMENSIONS	20.4 m x 54.5 m [67'-0" FT x 179'-0" FT]				
BUILDING HEIGHT	TOP OF 6TH FLOOR = 17.78 m [58'-4" FT]				
	AT TOP OF ROOF = 21.59 m [70'-10" FT]				
BUILDING AREA	1 109 m² [11 934 SF]				
BUILDING GROSS FLOOR AREA	7 763 m² [83 538 SF]				
TOTAL DWELLING UNITS	65				
SUITE TYPES	1 BEDROOM		2 BEDROOM		
SUITE COUNT	45		20		
ZONING SETBACKS	MIN. FRONT YARD REQ'D:	MIN. REAR YARD REQ'D:	MIN. INT. SIDE YARDS REQ'D:	MIN. CORNER SIDE YARDS REQ'D.	MAX. BUILDING HEIGHT
	20'-0"	25'-0"	17'-0" [6'-0" + 2'-0" / STOREY ABOVE GROUND	20'-0"	100'-0"
	FRONT YARD PROVIDED:	REAR YARD PROVIDED:	INT. SIDE YARDS PROVIDED:	CORNER SIDE YARD PROV.:	BUILDING HEIGHT:
	5'-0"	5'-2"	235'-4"	29'-6"	70'-10"

PARKING INFORMATION			
PARKING CATEGORY (TABLE 5-9)	3		
REQUIRED SPACES PER DWELLING UNIT	1.5xNo. OF DWELLING UNITS		
REQUIRED BICYCLE PARKING	1 PER 10 REQUIRED PARKING SPACES - PROVIDED		
REQUIRED GUEST PARKING	10% OF REQUIRED PARKING SPACES - PROVIDED		
SURFACING	ASPHALT		
PARKING SPACE DIMENSIONS	INDOOR TYPICAL = 2.51 x 6.10 m [9'-0" X 20 FT]		
	OUTDOOR TYPICAL = 2.44 x 6.10 m [8'-0" X 20 FT]		
	SMALL CAR = 2.44 x 4.88 m [8 X 16 FT]		
	ACCESSIBLE = 3.05 x 6.10 m [10 x 20 FT]		
	OUTDOOR VAN ACCESSIBLE= 4.88 x 6.10 m [16 x 20 FT]		
TOTAL PARKING SPACES	REQUIRED	PROVIDED	
	98 PER BYLAW	108	
INDOOR PARKING SPACES		45	
OUTDOOR PARKING SPACES		63	
ACCESSIBLE SPACES	4	2 INDOOR + 1 OUTDOOR	
VAN ACCESSIBLE SPACES	2	2 OUTDOOR	
PARKING AISLE WIDTH	6.10 m [20 FT]	6.10M [20 FT]	

LANDSCAPE PLANTING REQUIREMENTS		
STREET FRONTAGE REQUIREMENTS	REQUIRED:	PROVIDED:
TREES: 1 TREE PER 30 LINGAR FEET OF FRONTAGE SHRUBS: 3 SHRUBS PER 20 LINEAR FEET OF FRONTAGE	444 / 30 = 15 (444 / 20) X 3 = 67	15 = EXISTING TO BE MAINTAINED 67 = EXISTING TO BE MAINTAINED
FOUNDATION PLANTING REQUIREMENTS		
1 SHRUB PER 20 LINEAR FEET OF FACADE	NORTH: 18 SOUTH: 18	NORTH: 34 SOUTH:33
PARKING LOT INTERIOR LANDSCAPING REQUIREMENTS		
5% OF GROSS PARKING AREA	1 300SF	1 474SF
TREES: 1 PER 300SF OF PARKING LOT INTERIOR LANDSCAPE SHRUBS: 1 PER 100SF OF PARKING LOT INTERIOR LANDSCAPE	4 13	4 37



1

2029 BISHOP GRANDIN BLVD
KEY PLAN
NTS

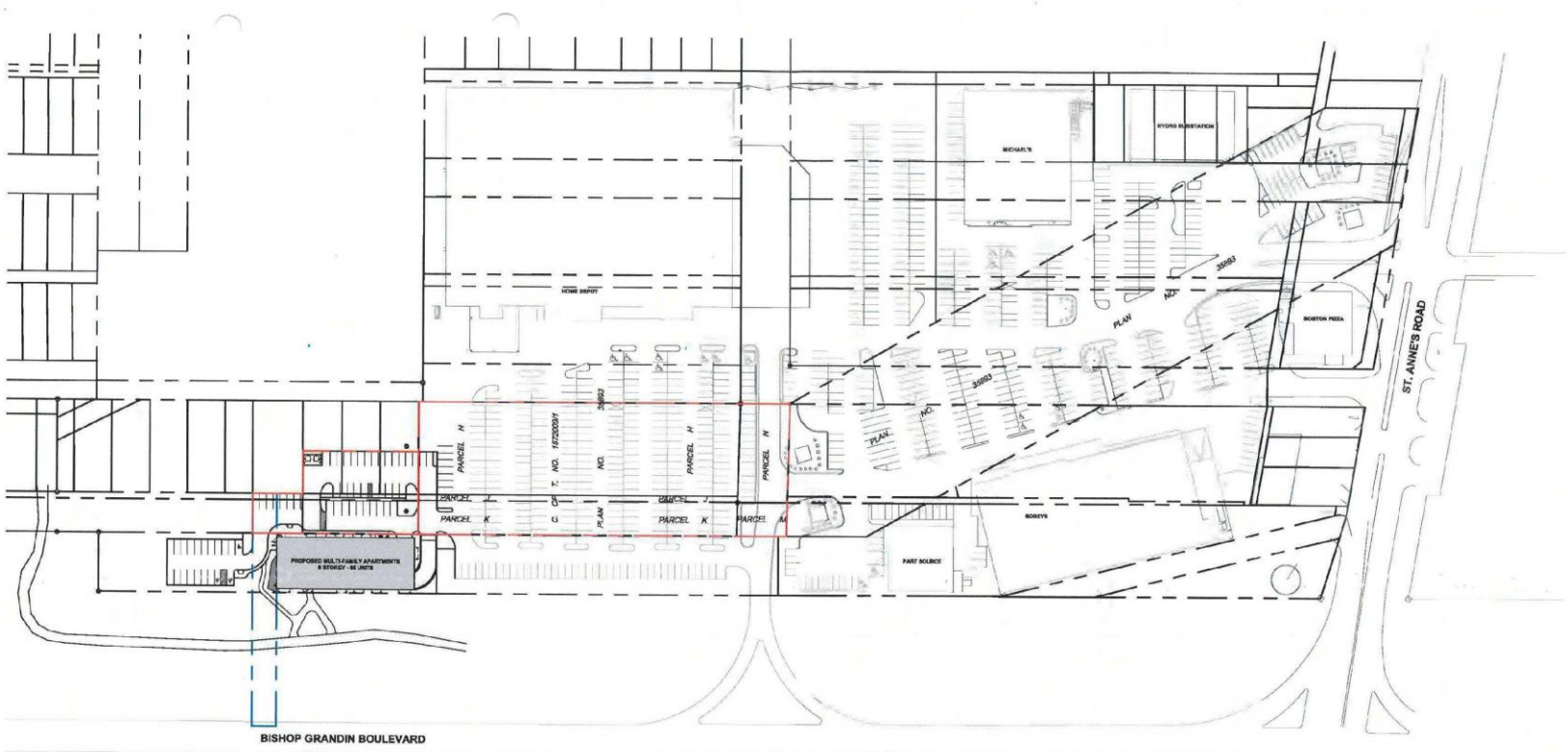
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PROJECT
2029 BISHOP GRANDIN BLVD
PROJECT INFORMATION
ST. VITAL, WINNIPEG MB

DRAWN TC REVD KS PROJECT NO. 2019_47
DATE 13 MAY 2020 DRAWING NO. G00
SCALE AS NOTED



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2029 BISHOP GRANDIN BLVD
OVERALL PLAN

NTS

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APPROX. LINE OF HYDRO LAND

APPROX. LINE OF SEWER EASEMENT

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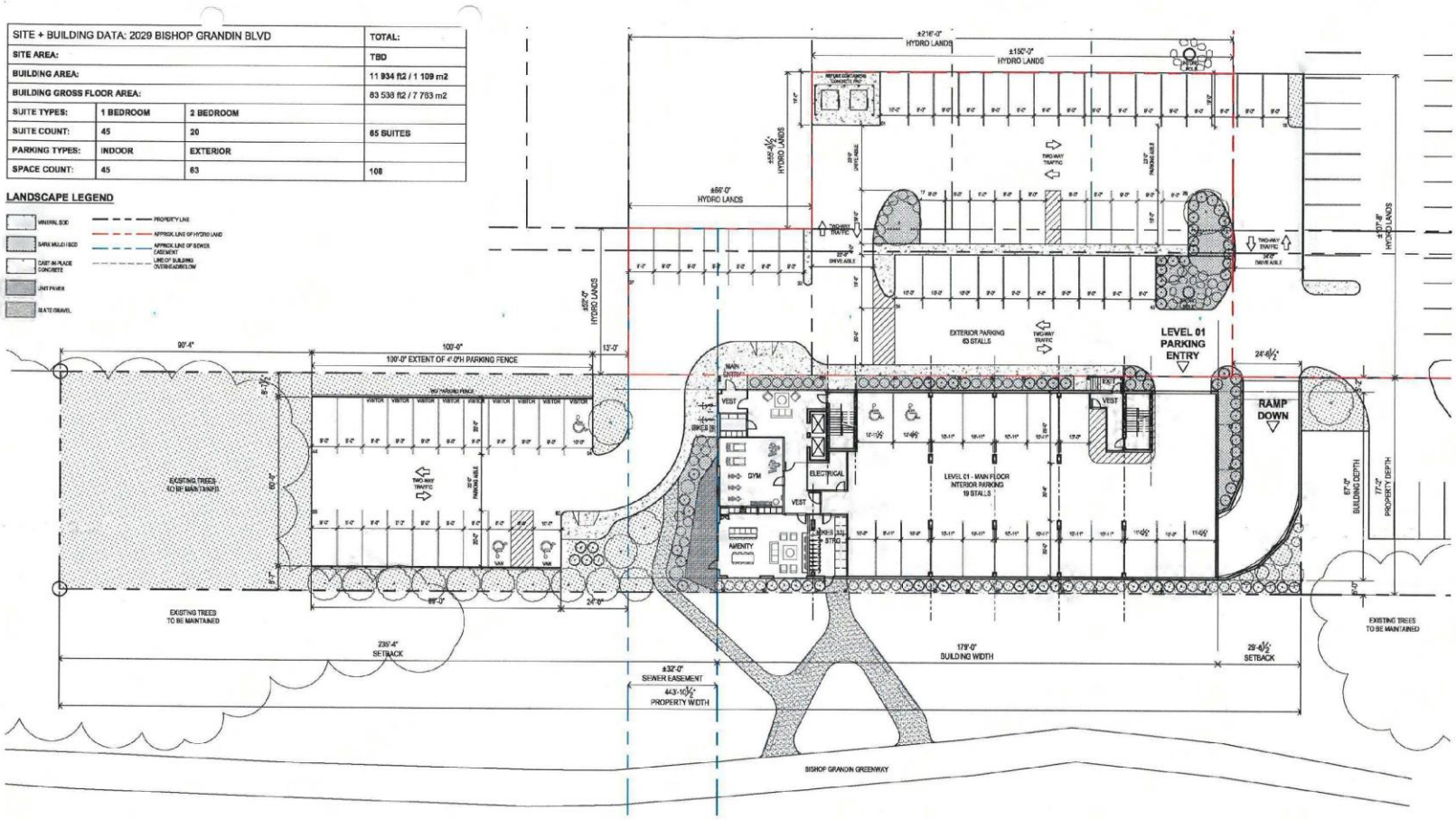
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PROJECT
2029 BISHOP GRANDIN BLVD
PROJECT INFORMATION
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DATE 13 MAY 2020 DRAWING NO. G01
SCALE AS NOTED

SITE + BUILDING DATA: 2029 BISHOP GRANDIN BLVD			TOTAL:
SITE AREA:			TBD
BUILDING AREA:			11 934 ft2 / 1 109 m2
BUILDING GROSS FLOOR AREA:			83 538 ft2 / 7 763 m2
SUITE TYPES:	1 BEDROOM	2 BEDROOM	
SUITE COUNT:	45	20	65 SUITES
PARKING TYPES:	INDOOR	EXTERIOR	
SPACE COUNT:	45	63	108

LANDSCAPE LEGEND



1

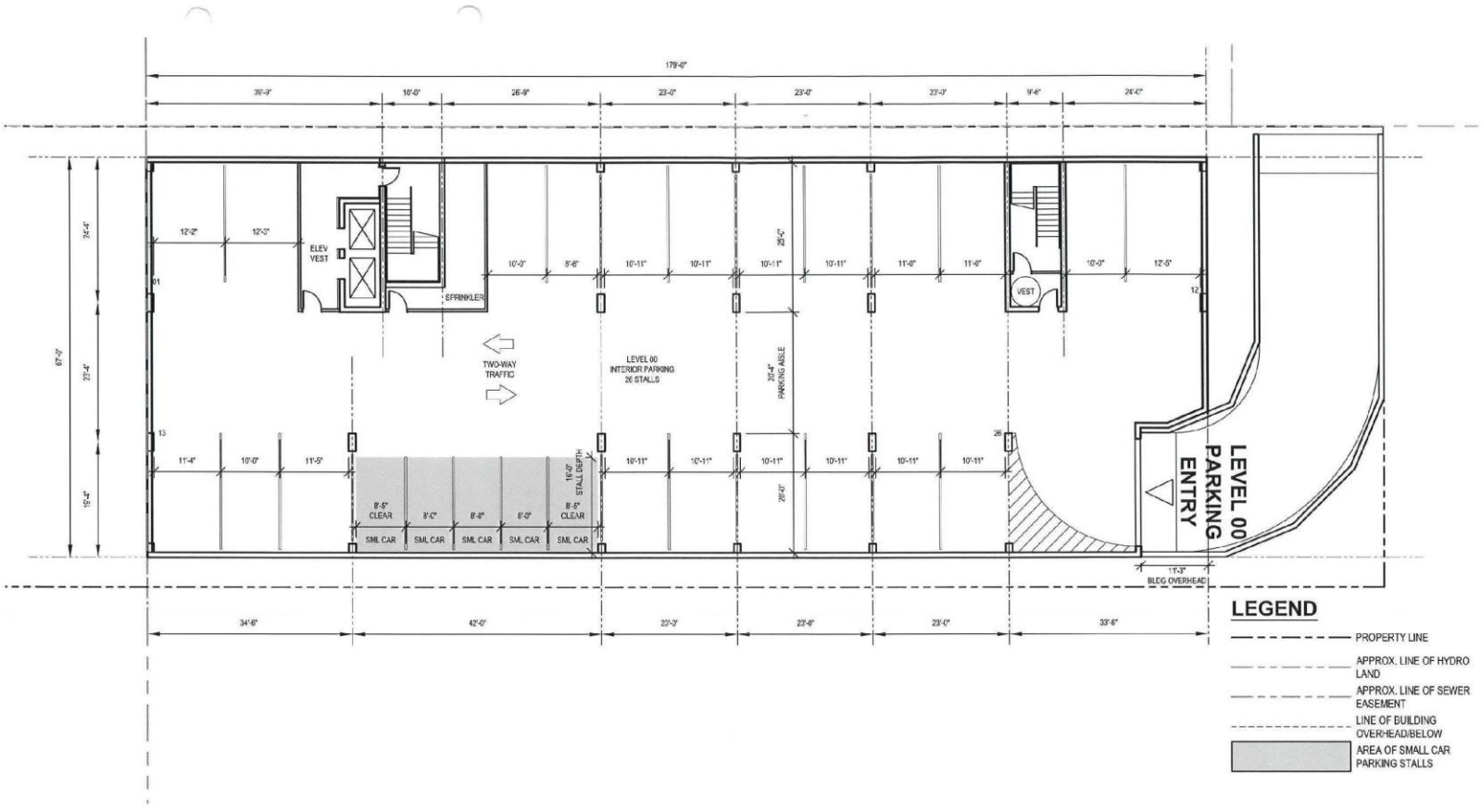
2029 BISHOP GRANDIN BLVD
MULTI-FAMILY SITE PLAN

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DATE 13 MAY 2020 DRAWING NO. A01
SCALE AS NOTED



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2029 BISHOP GRANDIN BLVD
LEVEL 00 PARKADE PLAN

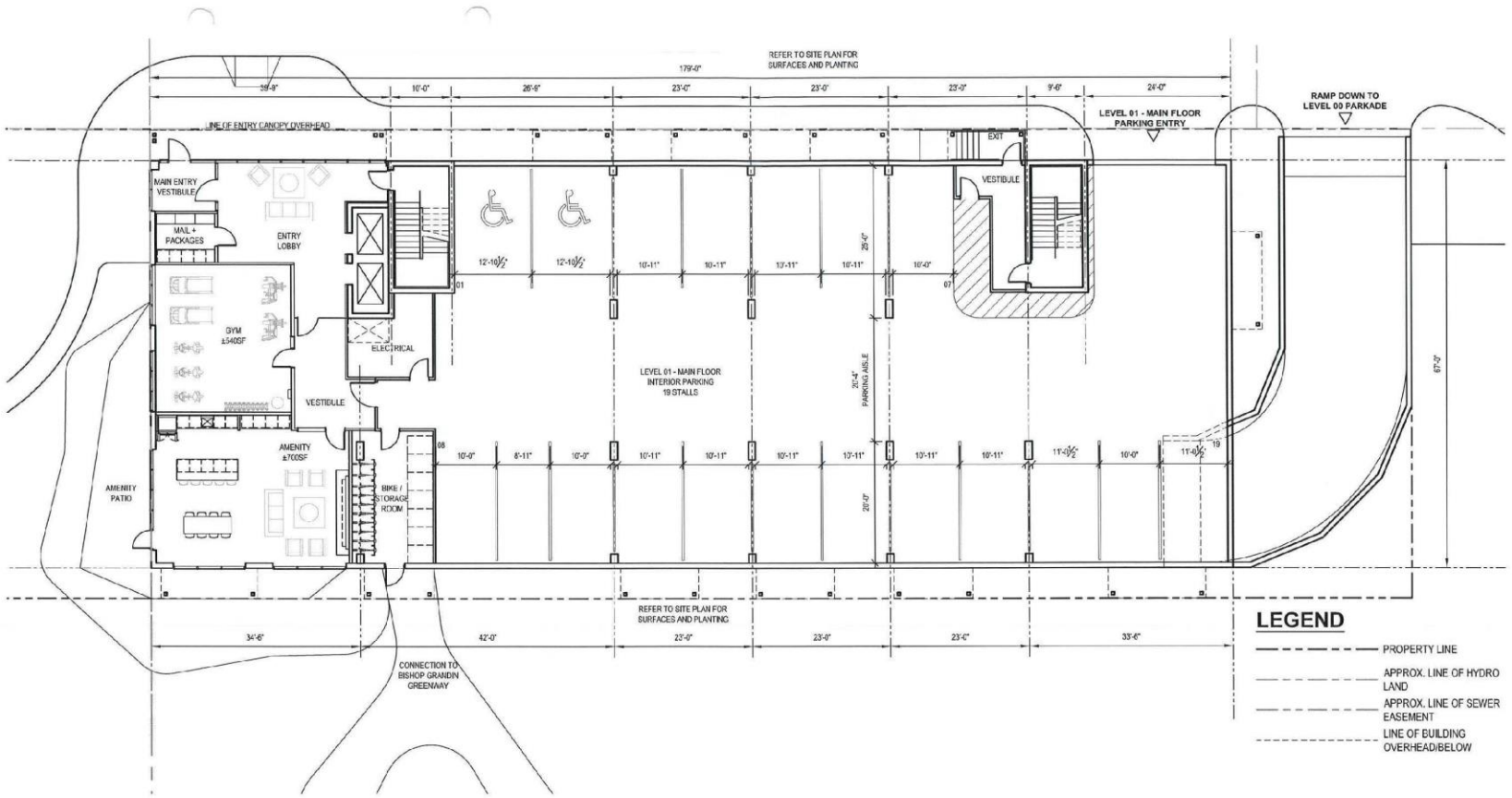
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PARKADE PLAN
ST. VITAL, WINNIPEG MB

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DATE 27 APR 2020 DRAWING NO. A10
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2029 BISHOP GRANDIN BLVD
LEVEL 01 MAIN FLOOR PLAN

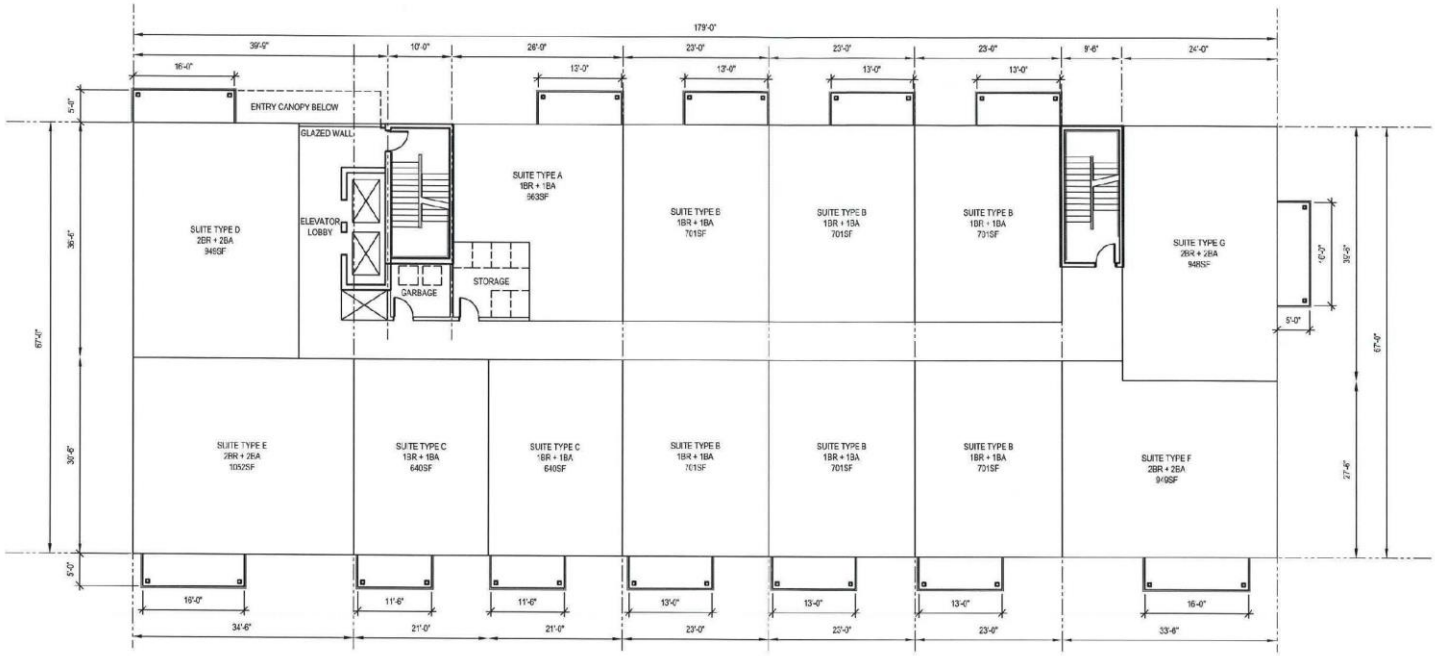
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PROJECT
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MAIN FLOOR PLAN
ST. VITAL WINNIPEG MB

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DATE 27 APR 2020 DRAWING NO. A11
SCALE AS NOTED



SUITE DATA: 2029 BISHOP GRANDIN BLVD			TOTAL:
BUILDING AREA:			11 934 ft2 / 1 109 m2
BUILDING GROSS FLOOR AREA:			83 538 ft2 / 7 763 m2
SUITE TYPES:	1 BEDROOM	2 BEDROOM	
SUITE COUNT:	45	20	65 SUITES

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2029 BISHOP GRANDIN BLVD
LEVEL 02 - 06 FLOOR PLAN

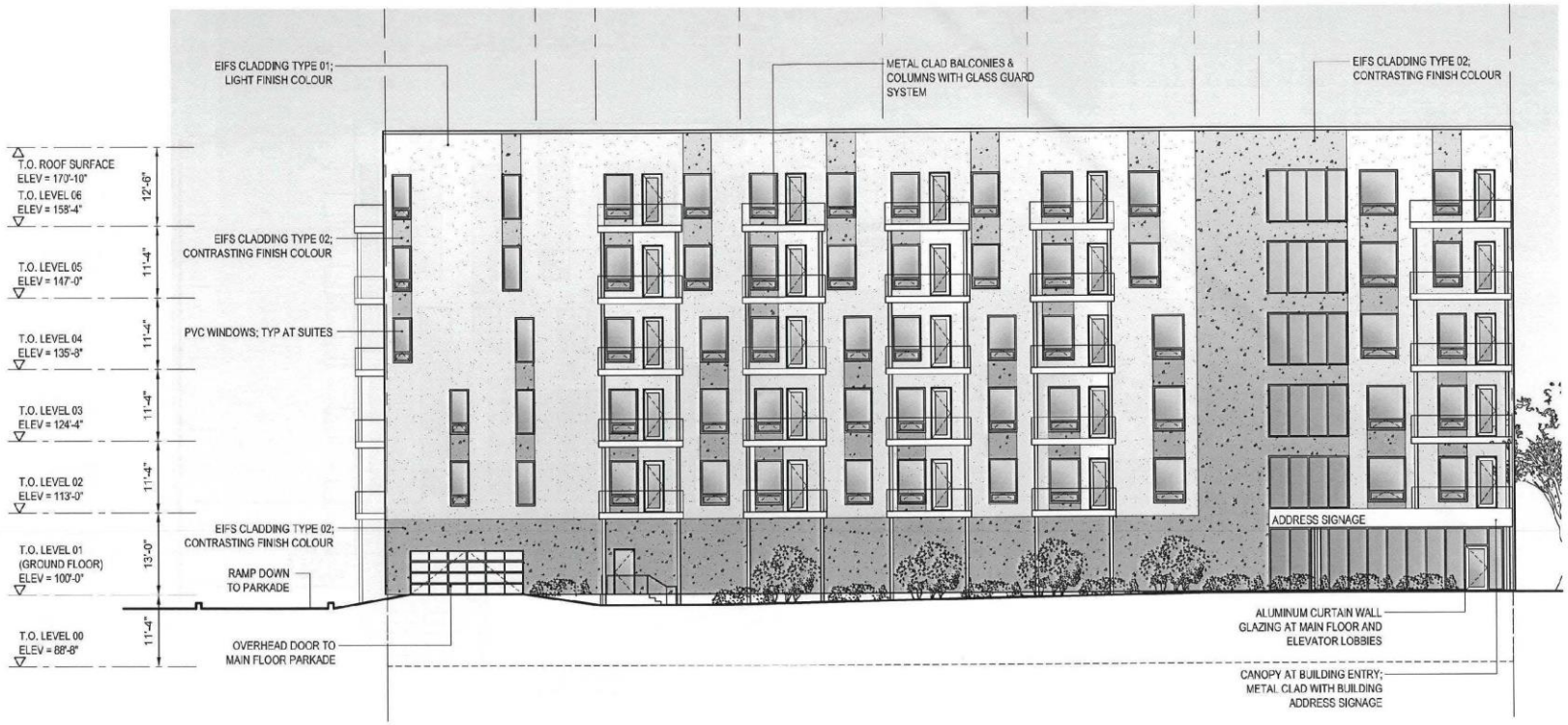
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TYPICAL FLOOR PLAN
ST.VITAL, WINNIPEG MB

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DATE 19 DEC 2019 DRAWING NO. A12
SCALE AS NOTED



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2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - NORTH

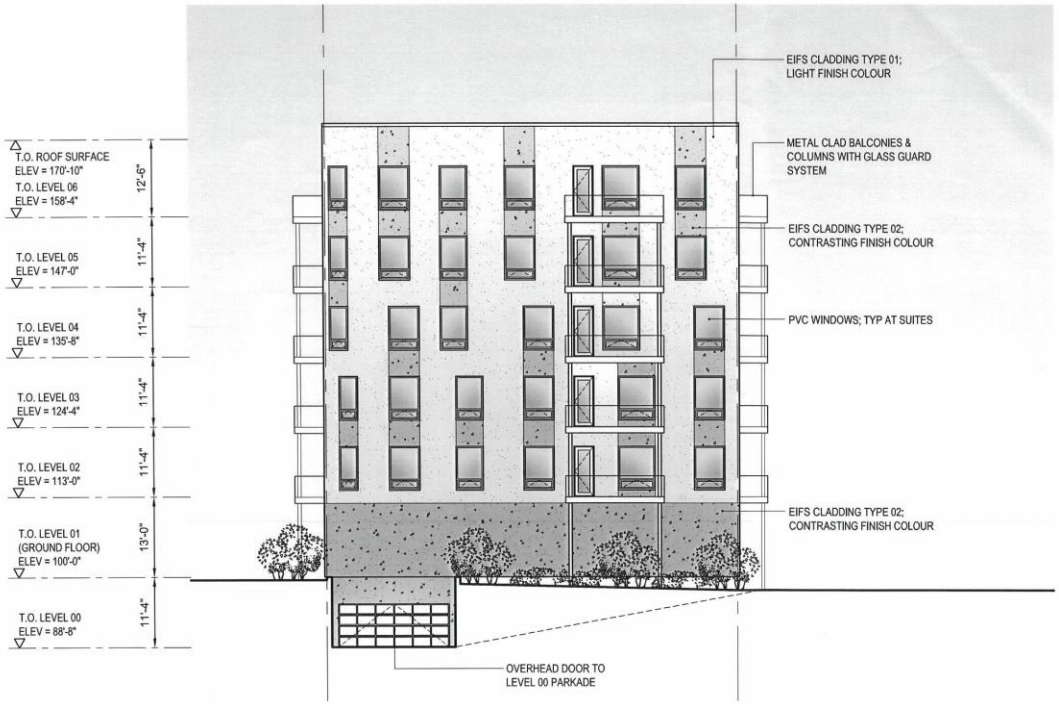
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EXTERIOR ELEVATION - NORTH
WINNIPEG, MB

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DATE 19 DEC 2019 DRAWING NO.
SCALE AS NOTED **A21**



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2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - EAST

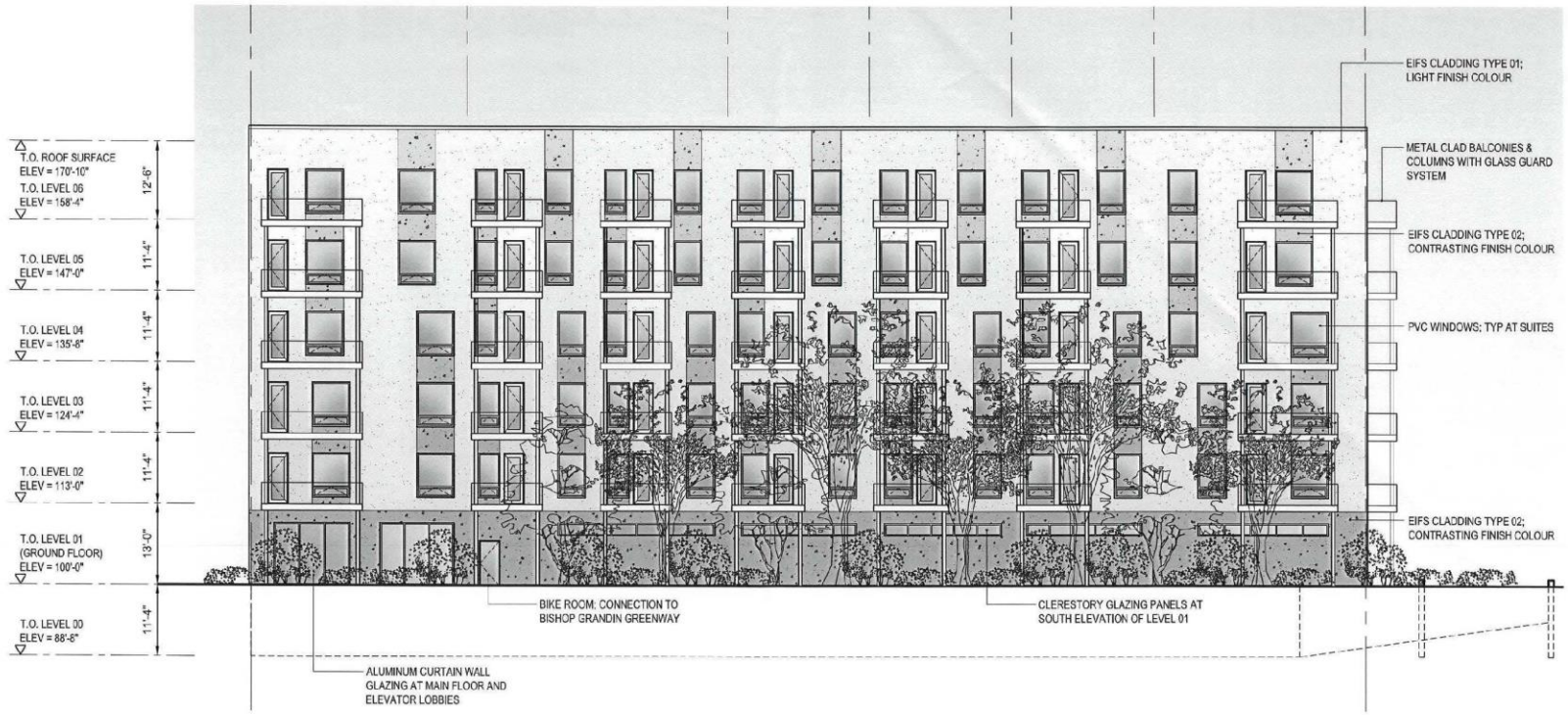
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PROJECT
2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - EAST
WINNIPEG, MB

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DATE 19 DEC 2019 DRAWING NO.
SCALE AS NOTED **A22**



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2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - SOUTH

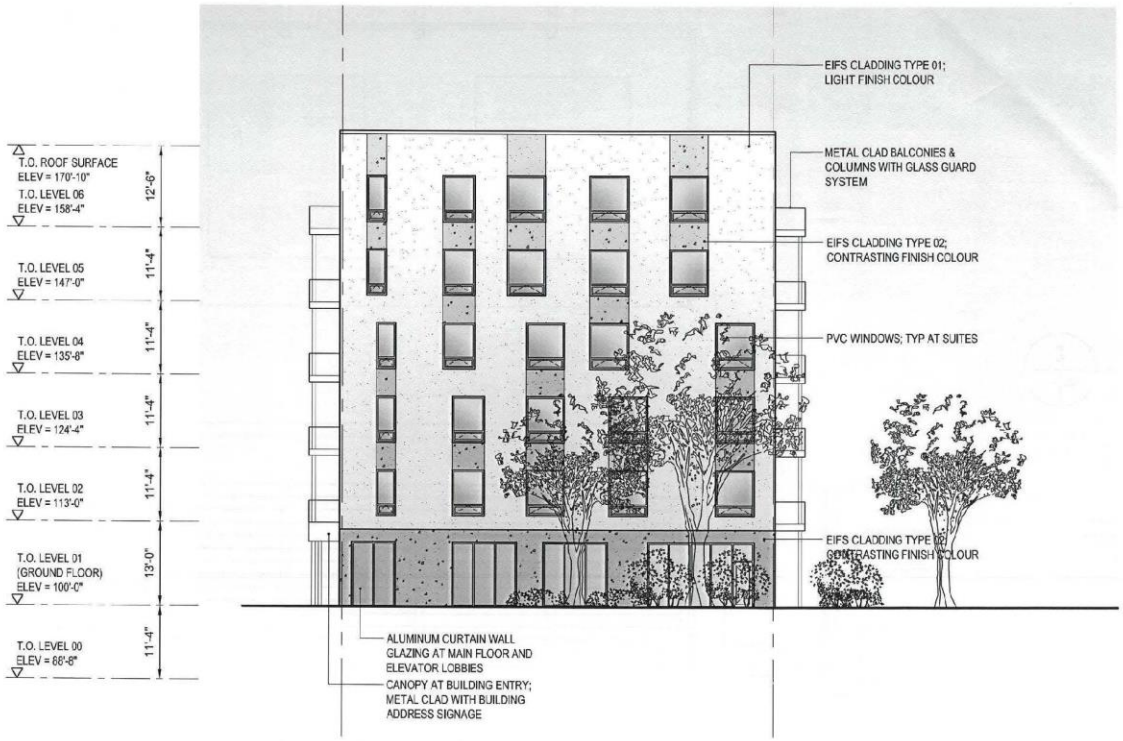
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PROJECT
2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - SOUTH
WINNIPEG, MB

DRAWN TC REVD KS PROJECT NO. 2019_47
DATE 19 DEC 2019 DRAWING NO.
SCALE AS NOTED **A23**



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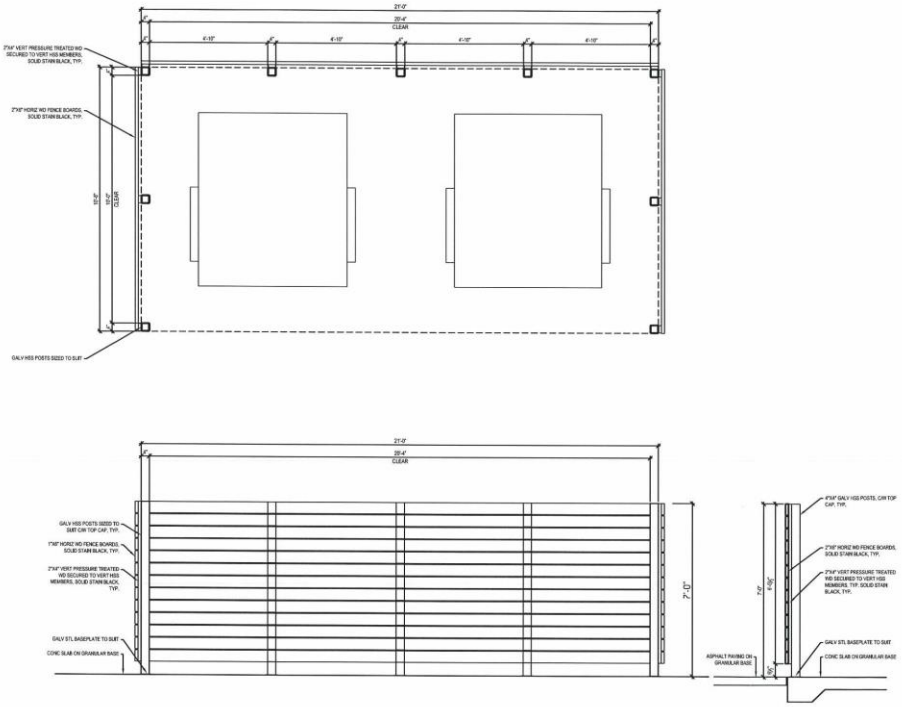
2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - WEST

1/16" = 1'-0"

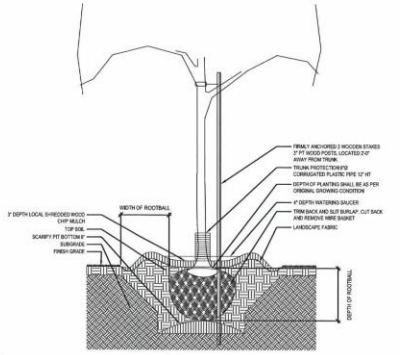
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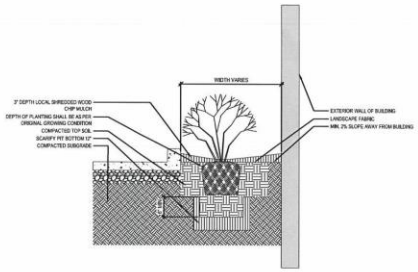
PROJECT
2029 BISHOP GRANDIN BLVD
EXTERIOR ELEVATION - WEST
WINNIPEG, MB
DRAWN TC REVD KS PROJECT NO. 2019_47
DATE 19 DEC 2019 DRAWING NO.
SCALE AS NOTED **A24**



1 L01 GARBAGE ENCLOSURE PLAN & ELEVATION
1/4" = 1'-0"



3 L01 TREE PLANTING DETAIL, TYP
1/4" = 1'-0"



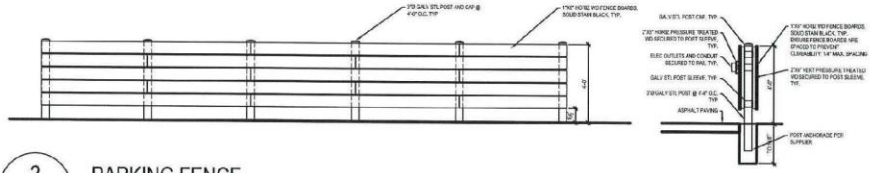
2 L01 SHRUB PLANTING DETAIL, TYP
1/4" = 1'-0"

PRELIMINARY
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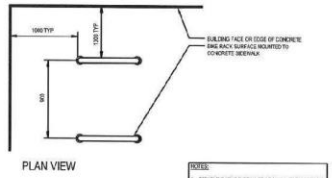
PROJECT
2029 BISHOP GRANDIN BLVD
LANDSCAPE DETAILS
ST. VITAL, WINNIPEG MB

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DATE 19 DEC 2019 DRAWING NO. L01
SCALE AS NOTED

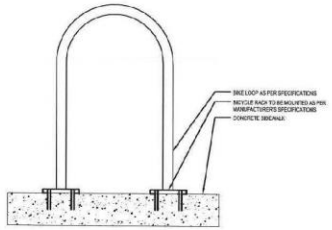


2 - L02 PARKING FENCE

1/4" = 1'-0"



PLAN VIEW



1 - L02 BICYCLE RACK DETAIL

1/4" = 1'-0"

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LANDSCAPE DETAILS
ST. VITAL, WINNIPEG MB

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DATE 19 DEC 2019 DRAWING NO. L02
SCALE AS NOTED