Agenda – Executive Policy Committee – July 13, 2022

REPORTS

Item No. 9 Subdivision and Rezoning – 1447 St. Anne's Road
(St. Norbert-Seine River Ward)
File DASZ 19/2022 [c/r DCU 117739/2022D & DAV 117754/2022D]

COMMUNITY COMMITTEE RECOMMENDATION:

On June 22, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 19/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 6th, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 26, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "C3" Commercial Corridor District and "PR-1" Parks and Recreation 1 (Neighbourhood), as shown on the map dated June 6, 2022 and included within Schedule "A", subject to the following conditions:

    A. That the Developer enter into a Zoning Agreement with the City 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

COMMUNITY 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 the land and any building or structure thereon shall not be used, nor any building or structure erected or altered on the land, for any use except:

a. Mini-warehouse, self-storage use;

b. Auto/light truck/motorcycle, sales and rental use.

iii. That excluding accessory parking, accessory uses shall not be permitted on the land.

iv. That the minimum setback to any building, parking area or outside display area from the west property line shall not be less than 90 feet.

v. That a maximum of one (1) private vehicular approach shall be permitted on the subject property.

vi. That the Developer shall, at no expense whatsoever to the City, construct a continuous fence or bollard fencing along the east property line abutting the park land zoned "PR1" as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development and thereafter must maintain and/or repair and/or replace the fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

vii. That permanent structures shall not be constructed in the area identified as 'Highway Control Area' detailed in Schedule 'C' for File No. DASZ 19/2022 dated June 6th, 2022.

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 3.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").

COMMUNITY COMMITTEE RECOMMENDATION (continued):

C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") 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.

4. That Caveat No. 256/53 be discharged as it affects the subject plan area.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with recommendations 1 and 5 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

7. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the Developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

8. That the subdivision section of the by-law shall come into force when the Plan is registered in the Winnipeg Land Titles Office.

9. 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.

10. 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.

COMMUNITY COMMITTEE RECOMMENDATION (continued):

11. 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 is enacted unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

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

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On June 22, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

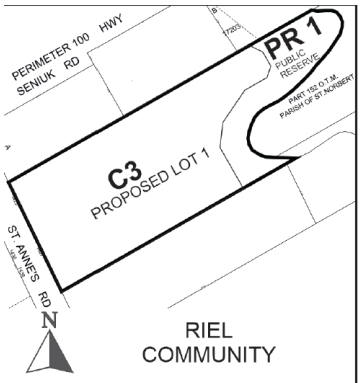
File: DASZ 19/2022

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

Public Hearing: June 22, 2022
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Andrei Friesen)

Subject:



APPLICANT : Landmark Planning & Design Inc. (Andrei Friesen)
FILE : DASZ 19/2022
PROPOSAL : An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and "C2" COMMERCIAL COMMUNITY DISTRICT to a "C3" COMMERCIAL CORRIDOR DISTRICT and a "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the creation of two (2) lots to allow for the establishment of an auto/light truck/motorcycle, sales, rental, mini-warehouse and self-storage uses on proposed Lot 1 and Public Reserve land. **For information, phone E. Finnigan, Planner at 431-374-4790.**
DEMANDEUR : Landmark Planning & Design Inc. (Andrei Friesen)
N° DE DOSSIER : DALZ 19/2022
PROJET : Demande d'approbation par le conseil municipal du plan de lotissement indiqué ci-dessus et proposition de modification du *Zoning By-law No. 200/2006* (règlement municipal sur le zonage) visant à changer le zonage des sols délinéés ci-dessus de sorte qu'ils passent de la catégorie RR5 (secteur résidentiel en milieu rural 5) et de la catégorie C2 (secteur commercial communautaire) à la catégorie C3 (secteur de couloir commercial) et à la catégorie PR1 (secteur des parcs et des loisirs 1) afin de faciliter la création de deux lots pour permettre l'établissement d'un service de vente, de location, de stockage en libre-service et d'entreposage en libre-service d'automobiles, de véhicules utilitaires légers et de motocyclettes sur le projet de lot 1 et une réserve publique. **Pour obtenir des renseignements, veuillez appeler E. Finnigan, urbaniste, au 431-374-4790.**

Premises Affected: 1447 St. Anne's Road

For submission to: Executive Policy Committee

Prepared by: Rebecca Ford, Committee Clerk
Riel Community Committee

Report date: June 23, 2022

Community Committee Recommendation:

On June 22, 2022, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 19/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 6th, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Developer shall meet all terms and conditions as outlined in Schedule "B", the report of the Administrative Coordinating Group, dated May 26, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "C3" Commercial Corridor District and "PR-1" Parks and Recreation 1 (Neighbourhood), as shown on the map dated June 6th, 2022 and included within Schedule "A", subject to the following conditions:

    A. That the Developer enter into a Zoning Agreement with the City 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 the land and any building or structure thereon shall not be used, nor any building or structure erected or altered on the land, for any use except:

a. Mini-warehouse, self-storage use;

b. Auto/light truck/motorcycle, sales and rental use.

iii. That excluding accessory parking, accessory uses shall not be permitted on the land.

iv. That the minimum setback to any building, parking area or outside display area from the west property line shall not be less than 90 feet.

v. That a maximum of one (1) private vehicular approach shall be permitted on the subject property.

vi. That the Developer shall, at no expense whatsoever to the City, construct a continuous fence or bollard fencing along the east property line abutting the park land zoned "PR1" as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development and thereafter must maintain and/or repair and/or replace the fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

vii. That permanent structures shall not be constructed in the area identified as 'Highway Control Area' detailed in Schedule 'C' for File No. DASZ 19/2022 dated June 6, 2022.

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 3.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 (the "Director") 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.

4. That Caveat No. 256/53 be discharged as it affects the subject plan area.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 5 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

7. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the Developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

8. That the subdivision section of the by-law shall come into force when the Plan is registered in the Winnipeg Land Titles Office.

9. 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.

10. 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.

11. 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 is enacted unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

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

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

1. This project has been vetted through both our Winnipeg Public Service and Manitoba Infrastructure. In terms of Manitoba Infrastructure, they have provided the permit required with the understanding that areas of this property will be expropriated at a further date to allow for the South-Perimeter Interchange at St. Anne's Road to occur. Again, not knowing what that timeline is, but speculating it would be anywhere from 10, 15 or 20 years down the road… part of the pun.

2. Allowing the opportunity for a business enterprise to take place, one that would be removed at the point in time when the Province is implementing or executing their plans for the interchange. The more permanent self-storage would become a more permanent structure.

3. They've done their research and studies showing that this is the lowest type of transportation activity that could take place at this location. I'm always cognizant of the fact that its not only the immediate area that creates traffic.

4. I know that there has been some densification just to the north of this location in the Creek Bend area, but also recognizing the traffic that is coming from other areas such as Ile Des Chenes and Niverville and metro regions around the City of Winnipeg that do have an impact as people are entering the city from these points, and their destination is to other areas of the City of Winnipeg.

5. This being the lowest in terms of transportation to the area, I'm willing to accept it.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated March 25, 2022
2. Notification of Public Hearing dated May 6, 2022
3. Manitoba Status of Title 2977907/1
4. Letter of authorization dated January 24, 2019 from 1181719 B.C. Ltd. (Howard Haug, President) to Landmark Planning & Design Inc.
5. Surveyor's Building Location Certificate and sketch dated August 20, 2018
6. Caveat 256153
7. Title Plot
8. Plans (3 pages)
9. Report from the Urban Planning Division dated June 6, 2022
10. Inspection Report
11. Communication dated June 21, 2022 from David Watson with respect to the application
12. Presentation titled 1447 St. Anne's Road from Andrei Friesen, Landmark Planning & Design Inc., in support of the application
13. Recording of Representations

REPRESENTATIONS:

In Support:

Andrei Friesen
Donovan Toews

In Opposition:

Nil

For Information:

David Watson

For the City:

E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department
S. Prociuk, Project Manager, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ 19/2022

ADMINISTRATIVE REPORT

Title: DASZ 19/2022 – 1447 St. Anne’s Road

Issue: An application for consideration at the public hearing to subdivide a lot and rezone to ‘C3’ Commercial Corridor and ‘PR1’ Parks and Recreation 1 (Neighbourhood) to allow for the establishment of an Auto/light truck/motorcycle sales and rental use and Mini-warehouse, self-storage use on proposed Lot 1 and to facilitate the establishment of Public Reserve.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 19/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated June 6th, 2022 and attached as Schedule “A” and with the Proposed By-law attached as Appendix “B” to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the developer shall meet all terms and conditions as outlined in Schedule “B”, the report of the Administrative Coordinating Group, dated May 26, 2022 to the satisfaction of the Director of Planning, Property and Development.

3. That, the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “C3” Commercial Corridor District and “PR-1” Parks and Recreation 1 (Neighbourhood), as shown on the map dated June 6th, 2022 and included within Schedule “A”, subject to the following conditions:

   A. That the developer enter into a Zoning Agreement with the City 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

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iii. That, excluding accessory parking, accessory uses shall not be permitted on the land.

iv. That, the minimum setback to any building, parking area or outside display area from the west property line shall not be less than 90 feet.

v. That, a maximum of one (1) private vehicular approach shall be permitted on the subject property.

vi. That the Developer shall, at no expense whatsoever to the City, construct a continuous fence or bollard fencing along the east property line abutting the park land zoned "PR1" as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development and thereafter must maintain and/or repair and/or replace the fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

vii. That, permanent structures shall not be constructed in the area identified as 'Highway Control Area' detailed in Schedule 'C' for File No. DASZ 19/2022 dated June 6th, 2022.

B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 3.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 (the "Director") 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.

4. That Caveat No. 256/53 be discharged as it affects the subject plan area.

5. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 6 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

7. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

8. That the subdivision section of the by-law shall come into force when the Plan is registered in the Winnipeg Land Titles Office.

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11. 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 is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

12. That the proper 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 subdivide the property and rezone from 'RR5' Rural Residential 5 and 'C2' Commercial Community to 'C3' Commercial Corridor and 'PR-1' Parks and Recreation 1 to allow for the establishment of a self-storage business and an auto/light truck/motorcycle sales and rental business as well as the establishment of Public Reserve.
- Subdivision and 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 site will be subdivided and rezoned consistent with the map provided in Schedule "A" of this report.

CONSULTATION

In preparing this report there was internal consultation with:

- Administrative Coordinating Group (ACG).
- Manitoba Transportation and Infrastructure (MTI).

OURWINNIPEG POLICY ALIGNMENT

City Building Direction 3: Promote compact urban form and manage the extension of municipal services for new growth.

- The continued infill development of this Mature Community will make use of existing municipal infrastructure and promote the development of compact urban form.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic opportunity 4: Facilitate Compact, Complete Development and Increase Density

4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

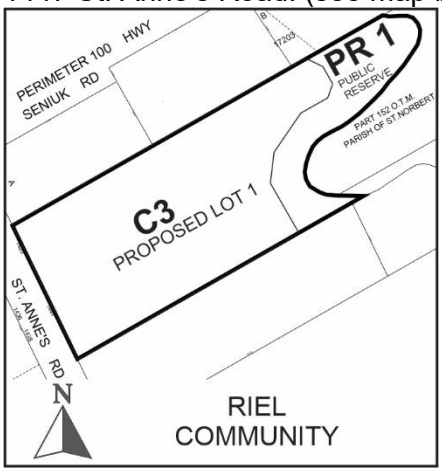
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Elise Finnigan, MCP
Date:	June 6th, 2022
File No.	DASZ 19/2022

List of Schedules and Attachments

1. Appendix A — Planning Discussion.
2. Appendix B — Proposed By-law.
3. Schedule ‘A’ — Recommended File No. DASZ 19/2022 Riel Community Committee, dated June 6th, 2022.
4. Schedule ‘B’ — Report of the Administrative Working Group – May 26th, 2022.
5. Schedule ‘C’ — ‘Highway Control Area’ – June 6th, 2022

APPENDIX 'A'

FILE:	**DASZ 19/2022**
RELATED FILES:	DCU 22-117739\D, DAV 22-117754/D
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.543 – St. Vital Perimeter South Neighbourhood
SUBJECT:	An application to subdivide a lot and rezone to 'C3' Commercial Corridor and 'PR1' Parks and Recreation 1 (Neighbourhood) to allow for the establishment of an Auto/light truck/motorcycle sales and rental use and Mini-warehouse, self-storage use on proposed Lot 1 and to facilitate the establishment of Public Reserve.
LOCATION:	1447 St. Anne's Road. (see map below)



APPLICANT:	Andrei Friesen (Landmark Planning & Design Inc.) 298 Waterfront Dr Winnipeg, MB R3B 0G5
OWNERS:	1181719 B.C. LTD. 90 Creek Bend Rd Winnipeg, MB R2N 3Z8

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject site is located on the east side of St. Anne's Road approximately 350 feet south of PTH 100 in the St. Vital Perimeter South neighbourhood of the St Norbert - Seine River ward.
- The site is **9.4 acres** and contains a single-family dwelling.
- The subject site is within the Rural and Agricultural Areas under the *Complete Communities Direction Strategy 2.0* and within the Commercial Policy Area under the *St. Vital Perimeter South Secondary Plan*.
- The property is zoned both "C2" Commercial Community and "RR5" Rural Residential 5.

- The property is within a 1,500-foot control circle established at PTH 100 and St. Anne's Road under the Highway Protection Act.

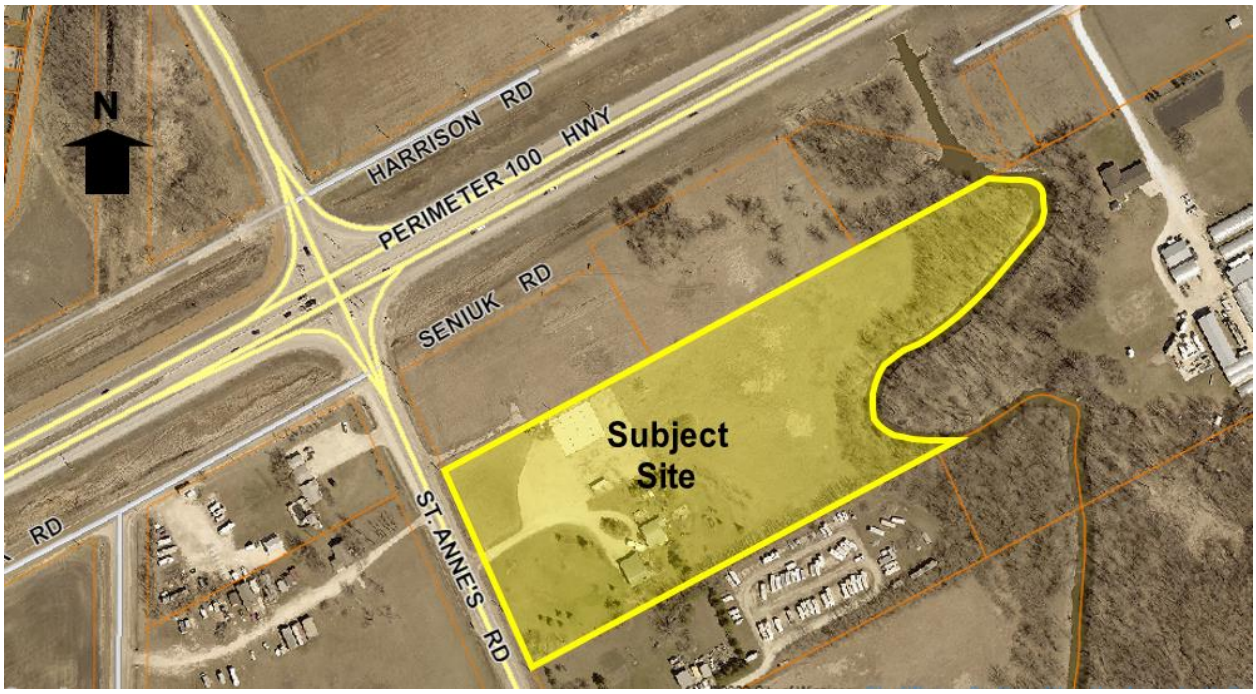


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Vacant land zoned "C2" Commercial Community, then PTH 100.

South: Rural residential uses zoned "RR5" Rural Residential 5.

East: The Seine River, then agricultural and residential uses zoned "RR5" Rural Residential 5.

West: St. Anne's Road., then agricultural and residential uses zoned "RR5" Rural Residential 5.

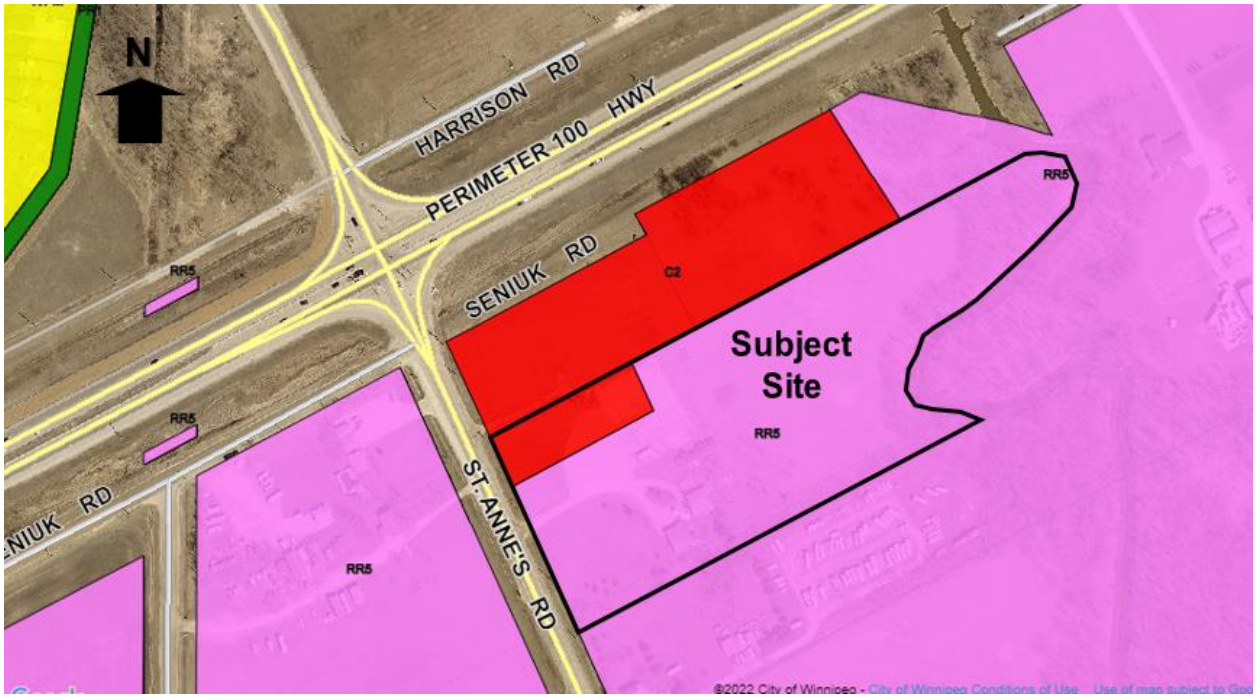


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide the property and rezone approximately 7 acres of land (i.e., proposed Lot 1) from 'RR5' Rural Residential 5 and 'C2' Commercial Community to 'C3' Commercial Corridor to allow for the establishment of a self-storage business and an auto/light truck/motorcycle sales and rental business.
- Approximately 2 acres of land abutting the Seine River will be rezoned to Parks and Recreation 1 (Neighbourhood) ('PR-1') and become public reserve land.
- As illustrated on the site plan, the applicant is proposing to construct nine self-storage buildings on the rear portion of proposed Lot 1 abutting the public reserve land. The buildings will all be one-storey in height and range in size from approximately 2,400 square feet to 4,350 square feet.
- A small office space for both the self-storage business and the vehicle sales/rental business will be located in one of the self-storage buildings. This building will also include a washing bay so that vehicles can be washed and detailed indoors. Four parking stalls will be provided near this building.
- On the portion of the site identified by Manitoba Transportation and Infrastructure (MTI) as being required to accommodate a future interchange at the St. Anne's Road/P.T.H. No. 100 intersection, the applicant is proposing to locate the vehicle display area for the vehicle sales/rental business. This area is proposed to accommodate approximately 66 vehicles and will be completely screened from view of St. Anne's Road and PTH 100 by fencing. The applicant notes in the letter of intent that the viewing of the vehicles will be by appointment only.
- A 6-foot-tall wood privacy fence is proposed along the St. Anne's Road frontage and a 6-foot-tall black chain link fence with vinyl privacy slats is proposed along the north, east, and south property boundaries.
- Quality landscaping is proposed along the St. Anne's Road street edge. A 10-foot-wide landscape buffer including a combination of deciduous and coniferous trees is proposed along the east

property line abutting the public reserve land as well as the south property line abutting the neighbouring property.

- Gravel surfacing is proposed through-out the site for the drive aisles, parking area, and outside sales area.
- A fully enclosed garbage enclosure is proposed abutting the self-storage building located at the southwest corner of the site.
- The existing single-family dwelling and accessory structures on the subject site will be demolished.
- Vehicular access to the property is proposed by way of the existing approach off St. Anne's Road.
- There is an associated Variance application (see report for DAV 22-117754\D) to permit gravel surfacing of the parking area, a 6 foot tall fence height in the front yard, and no parking lot interior landscaping. There is also an associated Conditional Use application (see report for DCU 22-117739\D) to permit gravel surfacing of the outside sales area associated with the Auto/light truck/motorcycle, sales and rental use instead of concrete, asphalt, paving stones or other impervious surface.

COLLABORATION

With the Public Service

- The Public Service has been in communication with the applicant about the proposed development since an initial pre-application submission beginning around May 2019 as well as via subsequent emails and meetings.
- Through the pre-application, the Public Service indicated that it would not be supportive of the proposal as comments were received from Manitoba Transportation and Infrastructure (MTI) indicating they were opposed to the proposed rezoning as a portion of the land would be required for a future interchange at PTH 100 and St. Anne's Road.
- Since the initial pre-application in 2019, the Province completed the South Perimeter Highway Design Study which provided a more detailed design for the future interchange at PTH 100 and St. Anne's Road. Based on this detailed design, MTI determined that the proposed rezoning could be supported provided no permanent uses or structures were located on the portion of the site identified as being required to accommodate the future interchange. The applicant has already received a permit from MTI supporting the proposal.
- The Public Service indicated support of the proposal noting the Province is no longer opposed to the proposal and the applicant has worked with the Public Service to ensure alignment with the *Complete Communities Direction Strategy 2.0* and the *St. Vital Perimeter South Secondary Plan*.

With the Public

- The applicant undertook a public engagement process including meetings with residents living in the St. Vital Perimeter South neighbourhood.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0:

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.

- The subject property is located in a “Rural and Agricultural” Policy Area in Complete Communities’ Urban Structure map. Rural and Agricultural areas are large tracts of undeveloped land that currently support a mix of agricultural and rural residential uses within city limits.
- With regard to this proposal, the key policy guiding the development of Rural and Agricultural areas includes*:*

  Policy 1.4: *Strongly discourage the establishment of new principal uses that would be best accommodated in an urban neighbourhood environment with a full range of municipal services.*

  Policy 2.1: *Require a minimum site area of 16 hectares (40 acres) except where an applicable statutory plan allows a smaller site, or to facilitate the consolidation or reconfiguration of land into larger holdings.*

  Policy 2.2: *Subdivision in areas not covered by an applicable statutory plan shall not result in an increase in the number of buildable lots.*

ST. VITAL PERIMETER SOUTH SECONDARY PLAN

- The subject site is located within the Commercial Policy Area under the *St. Vital Perimeter South Secondary Plan By-law No. 1735/77*. Key development objectives in the Commercial Policy Area include:
  - *To facilitate the provision of adequate commercial facilities in order to properly service local residents in the designated rural residential areas;*
  - *To provide for the location of neighbourhood commercial activities only in developing areas taking into consideration the traffic generated and the area to be served.*
  - *To ensure the location and development of each commercial site is compatible with adjacent land uses.*
  - *To permit the establishment of a limited amount of highway commercial development immediately adjacent the Perimeter Highway on the east side of St. Anne’s Road.*

PROVINCE OF MANITOBA TRANSPORTATION AND INFRASTRUCTURE DEPARTMENT (MTI)

- The subject property is sited along a planned interchange at St. Anne’s Road and the Perimeter Highway (PTH 100). The portion of the property required for the future interchange is identified in Schedule ‘C’.
- The subject property is also within a 1,500 foot control circle established at PTH 100 and St. Anne’s Road under the Highway Protection Act.
- MTI has confirmed their support of the proposed development and the applicant has received a permit from the Highway Traffic Board.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

ZONING

- Currently the lands are zoned Rural Residential 5 (‘RR5’) with a small portion of the site at the northwest corner of the property zoned Commercial Community (‘C2’).
- The RR5 district is intended to provide areas for large-lot rural residential development, along with limited agricultural uses. The RR5 district requires: a minimum lot width of 300 feet, a minimum lot area of 5 acres, side yards of 25 feet, a front yard of 25 feet, and a rear yard of 25 feet. The maximum building height is 35 feet and the maximum lot coverage is 30%.

- The ‘C2’ zone is intended to accommodate more intensive commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, recreational, limited residential and service facilities needed to support the surrounding neighbourhoods and the broader community. ‘C2’ districts are generally located in Community or Regional mixed use centres or along Community or Regional mixed use corridors. The dimensional standards in the ‘C2’ zone are: a minimum front yard of 10 feet to open parking and no front yard to a building wall; a minimum rear yard of 25 feet; no side yard requirement and, a maximum building height of 49 feet.
- The applicant is proposing to rezone the property to Commercial Corridor (‘C3’). 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.
- The public reserve land is proposed to be rezoned to Parks and Recreation 1 (Neighbourhood) (‘PR1’). The ‘PR1’ district is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, no parking facilities are associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or riverbank context and are generally accessed by residential streets.

Reason for the Subdivision and Rezoning

The applicant is proposing to subdivide the property and rezone to ‘C3’ Commercial Corridor and ‘PR-1’ Parks and Recreation 1 (Neighbourhood) to allow for the establishment of a self-storage business and an auto/light truck/motorcycle sales and rental business and to facilitate the establishment of Public Reserve.

CONSISTENCY WITH THE ST. VITAL PERIMETER SOUTH SECONDARY PLAN AND COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The subject site is unique within the plan area of the *St. Vital Perimeter South Secondary Plan* (secondary plan) as it is the only property identified on the secondary plan map as being located in the Commercial Policy Area. It is also the only location in the plan area where the following supporting policy from the secondary plan applies:

  ‘To permit the establishment of a limited amount of highway commercial development immediately adjacent the Perimeter Highway on the east side of St. Anne’s Road.’

- Accommodating a suitable commercial proposal has been a challenge for this site over the years noting:
  - Its proximity to the Perimeter Highway;
  - The absence of municipal services (i.e., piped sewer, water and land drainage);
  - The development restrictions placed on the land in anticipation of the future interchange; and
  - Noting the objectives of the secondary plan which stress the importance of preserving a primarily rural residential setting with the following three objectives being most pertinent:

    1. To establish a settlement policy which is compatible with the natural environment and which safeguards the general welfare of the community by ensuring the location and density of development respects the natural limits imposed by the local environment;

2. To accommodate some people who wish to live in a rural setting by designating areas appropriate for rural-residential and associated land uses.

3. To balance the development of this Limited Urban Expansion Area against the measurable costs of this development form in terms of service, utilities, and public facilities, taxes and environmental quality, thereby ensuring the greatest benefits possible are received by the community in the accommodation of the wishes of some people for limited urban development.

- The subject proposal to introduce lower intensity commercial uses on the site that do not require municipal services and with minimal traffic volumes is not only consistent with the objectives of the Commercial Policy Area under the *secondary plan* but is also compatible with the unique constraints imposed on the property in anticipation of the future interchange as the proposed self-storage business can continue to operate on the site once the interchange is constructed.
- The applicant has worked closely with the Urban Planning Division to develop a proposal that complements the primarily rural residential setting of the area and respects the shared property boundary with the future public reserve land. More specifically, the site design encompasses the following considerations:
    - The businesses are completely screened from street view by fencing that circles the entire site and are setback in excess of 100 feet from St. Anne's Road;
    - A 10-foot-wide landscape buffer including a combination of deciduous and coniferous trees as well as shrubs is proposed along the east property line abutting the public reserve land as well as the south property line abutting the neighbouring property;
    - Quality street edge landscaping is proposed along St. Anne's Road; and
    - The existing vehicular approach will be maintained.

RECOMMENDED CONDITIONS OF APPROVAL

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 Public Service and the Riel Community Committee to review final plans and design details before any future development takes place on the site.
- One of the issues that will need to be addressed through the Plan Approval application are concerns raised by the Winnipeg Fire and Paramedic Services (WFPS) in regard to site access. WFPS has noted that with the current proposal a portion of the site is inaccessible for fire crews. Through the Plan Approval application, the site plan will need to be revised to demonstrate compliance with the access requirements of the WFPS.

Use Restrictions

- The Urban Planning Division is recommending the uses permitted on the property be restricted to those included in the subject proposal (i.e., Mini-warehouse, self-storage use, Auto/light truck/motorcycle, sales and rental use, Accessory parking). Most of the uses listed under the C3 zoning district would not be suitable for the property noting the objectives/policies of the secondary plan, the absence of municipal services, and the future interchange requirements. This recommendation is also proposed to ensure the development does not grow in intensity by way of accessory uses.

Front yard setback

- While the applicant is proposing a significant front yard yard setback in excess of 100 feet, the Public Service is recommending this setback be restricted in the Zoning Agreement to 90 feet. This setback is recommended to help ensure compatibility with existing development in the area which is characterized by large, landscaped front yards and to help screen the businesses from street view.

Vehicular approach

- One of the policies under the Transportation section of the Secondary Plan states:

  'To discourage where practical private access driveways along St. Anne's Road, St. Mary's Road, PTH 101 and PTH 59, by encouraging the consolidation of traffic at major points of entry.'

- Noting this policy, the Public Service is recommending the property be restricted to a single vehicular access point.

Highway Control Area

- MTI has indicated that no permanent uses or structures are permitted on the portion of the site required to accommodate the future interchange.
- Schedule 'C' of this report, shows the boundaries of the property required for the future interchange noted as the 'Highway Control Area'. The Public Service is recommending no permanent structures be permitted within the area identified as the 'Highway Control Area' in Schedule 'C'.

Public Reserve

- As a condition of a subdivision and rezoning application, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes or to provide the equivalent as 'cash in lieu'. The Public Service is requesting land as the subject application provides a great opportunity to acquire strategic riverbank lands required to help extend the Seine River pathway network in future.
- Further, the development is subject to the Seine River Waterway Land Acquisition charge ($145.00/acre) for all land above geodetic elevation 229.75m. All land lying below geodetic elevation 229.75m must be sold to the City at a price not to exceed $15,000/acre and will become part of the Public Reserve.

RECOMMENDATION

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

- The proposal is consistent with the policies guiding development in the *Commercial policy area* in the *St. Vital Perimeter South Secondary Plan* which supports lower intensity commercial uses immediately adjacent to the Perimeter Highway on the east side of St. Anne's Road in a manner that is compatible with the rural residential setting of the area as well as the absence of municipal services.

This Report Submitted by: Elise Finnigan
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: PPD File # DASZ 19/2022

Schedule “A” for File No. DASZ 19/2022, Riel Community Committee, dated June 6th, 2022.

By-Law No. _____

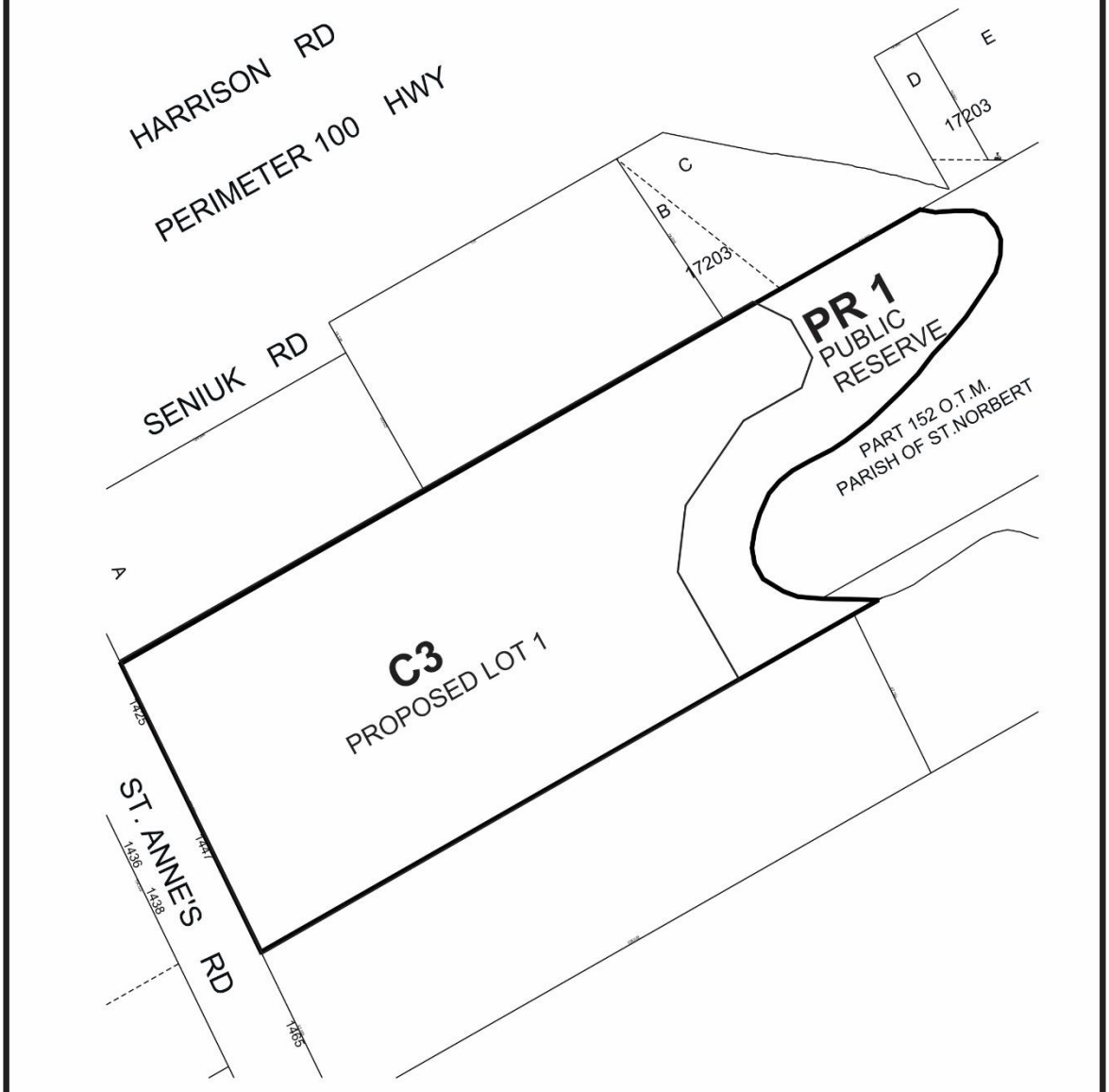
File No. **DASZ 19/2022**

Atlas Sheet No. **AJ30**

RIEL COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1447 St. Anne's Road from an “RR5” RURAL RESIDENTIAL 5 DISTRICT and “C2” COMMERCIAL COMMUNITY DISTRICT to a “C3” COMMERCIAL CORRIDOR DISTRICT and a “PR1” PARKS AND RECREATION 1 DISTRICT to facilitate the creation of two (2) lots to allow for the establishment of an auto/light truck/motorcycle, sales, rental, mini-warehouse and self-storage uses on proposed Lot 1 and Public Reserve land.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 1447 ST ANNE'S ROAD

The Administrative Coordinating Group (ACG) reviewed the servicing requirements for DASZ 19/2022. The Developer should take into consideration the following servicing and design requirements and considerations in the redevelopment of the site:

Section I – General Comments

1) The Water and Waste Department wishes to advise that the subject land is located within the boundaries of the St. Vital Perimeter South Secondary Plan (Plan). The extension of City water and sewer services in St. Vital south of the Perimeter Highway is not contemplated within the time-frame of the Plan. City services will not be available for development and any water and wastewater services would be private.

Section II - Servicing Conditions

1) Seine River Waterway

a) The Developer shall retain the services of a Manitoba Land Surveyor to conduct a legal survey of the site which delineates the location of the 230.8m contour and the area of the subject property located below this contour, as determined by and to the satisfaction of Director of Water and Waste.

b) The Developer shall sell to the City, for Seine River Waterway purposes, at a price not to exceed $15,000.00 per acre, the land lying below geodetic elevation 230.8m and the Seine River, in accordance with the City's Seine River Waterway policy.

c) The Developer shall pay to the City, in cash, prior to the release of the subdivision mylars for registration in the Winnipeg Land Titles Office, the Seine River Waterway Land Acquisition Charge ($145.00 per acre) for the approved Seine River Waterway lands.

d) The Developer shall adhere to flood proofing criteria in accordance with Designated Floodway Fringe Regulations 266/91 and the City of Winnipeg Charter Act.

2) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

3) Public Reserve

a) The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development area and shall, at no expense to the City, undertake landscape improvements in accordance with plans and specifications approved by the Director of Public Works and the Director of Planning, Property and Development.

i. At the site's northern limit, the property line for the Public Reserve shall connect to the existing Public Reserve limit in a manner that does not create a 90-degree corner or hidden and difficult to maintain areas.

ii. The Developer shall dedicate a minimum 10m wide 'terrace' area located in the Public Reserve above the Seine River Waterway Acquisition.

b) If the Developer is unable to dedicate a full amount of required dedication of land as Public Reserve, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Planning, Property, and Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash.

c) If the City deems that the provision of irrigation or water service to the Public Reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value.

d) The Developer shall, at no expense to the City, supply and install property line delineation, in the form of a continuous fence or bollard fencing (at the discretion of the Developer) along property lines abutting the Public Reserve, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

i) Any fencing that abuts the Public Reserve is to be located within private property and future owners shall be responsible for maintaining the fencing to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

ii) The Developer shall permit the City to file a caveat against the title of the lot, requiring the owner(s) to maintain and/or repair and/or replace the fence to the satisfaction of the Director of Public Works and the Director of Planning, Property, and Development.

e) The Developer shall, in accordance with the City's Standard Tree Protection requirements, provide protective fencing to ensure the proposed dedicated land natural areas are not encroached upon or damaged during construction, as determined by and to the satisfaction of the Director of Public Works.

f) The Developer shall, at no expense to the City, ensure that any re-grading of land or changes in drainage patterns due to development of the Planned Area will not negatively impact the natural habitat and trees within the Public Reserve. The Developer shall ensure that the development does not increase the amount of land drainage already occurring on the site. Any land drainage leading to or through the Public Reserve is not permitted, without prior consent of the Directors of Planning, Property and Development, and Public Works.

g) The Developer shall, at no expense to the City, supply and install signage at the north and south limits of the proposed parkway indicating that the Public Reserve site is the future Seine River Trail, as determined by and to the satisfaction of the Director of Public Works.

h) The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

i) The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of Public Reserve improvements.

j) Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, but shall not be released in full until and as-built drawings have been received and accepted as complete by the Director of Public Works and Final Acceptance for Parks has been issued.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 19/2022
May 26, 2022

"*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 D. Beaton"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

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

Schedule ‘C’: Highway Control Area

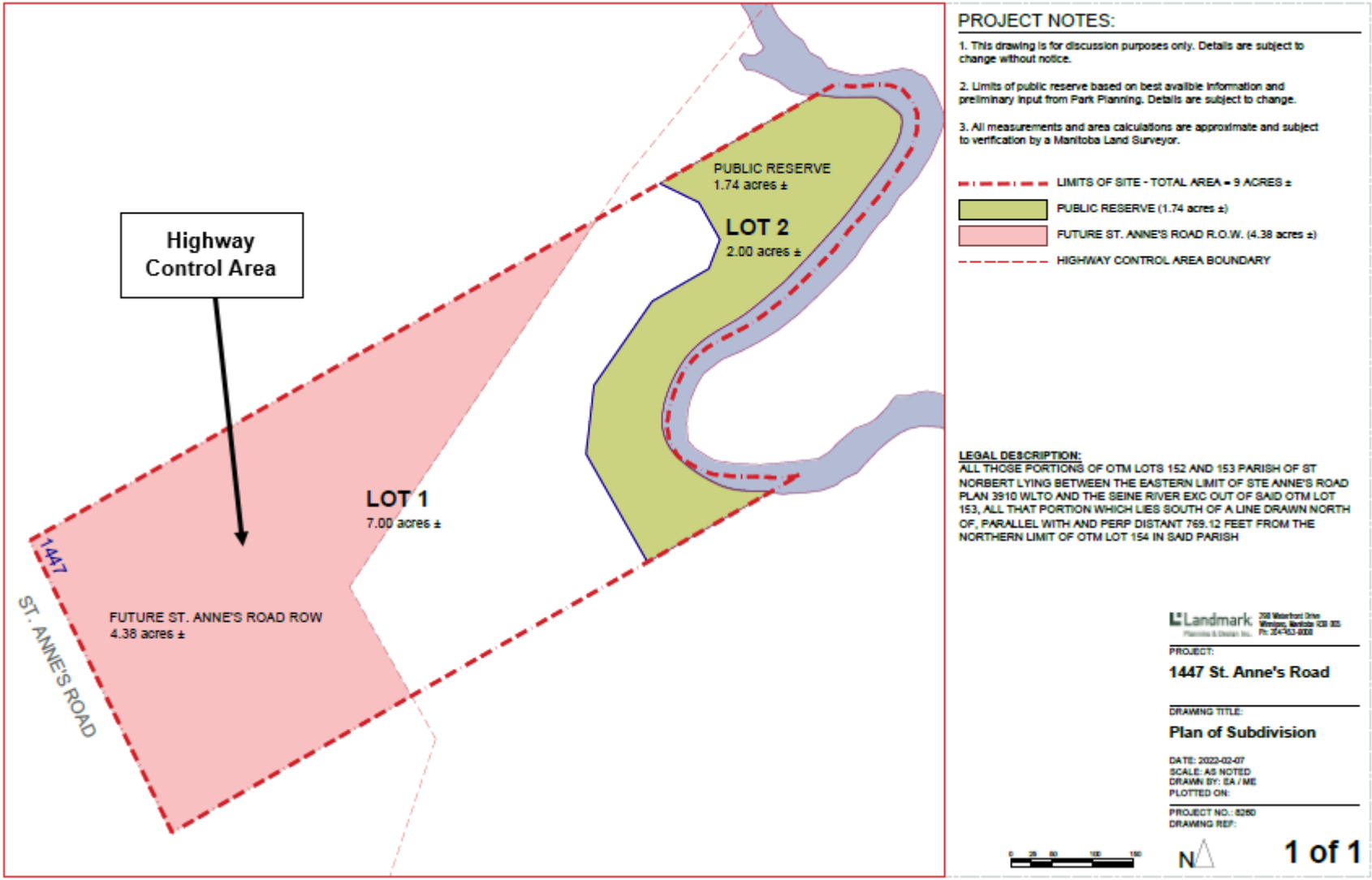
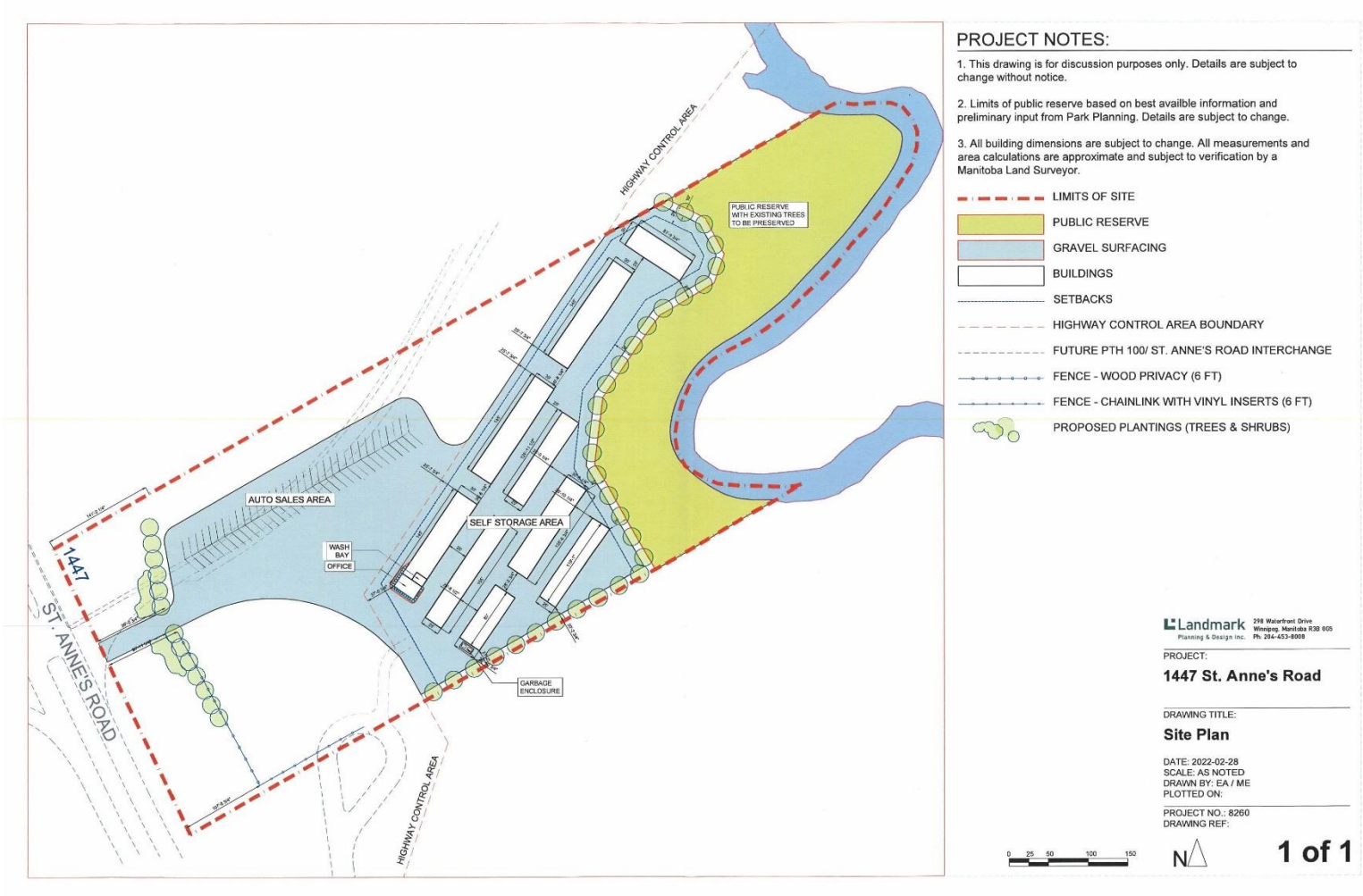
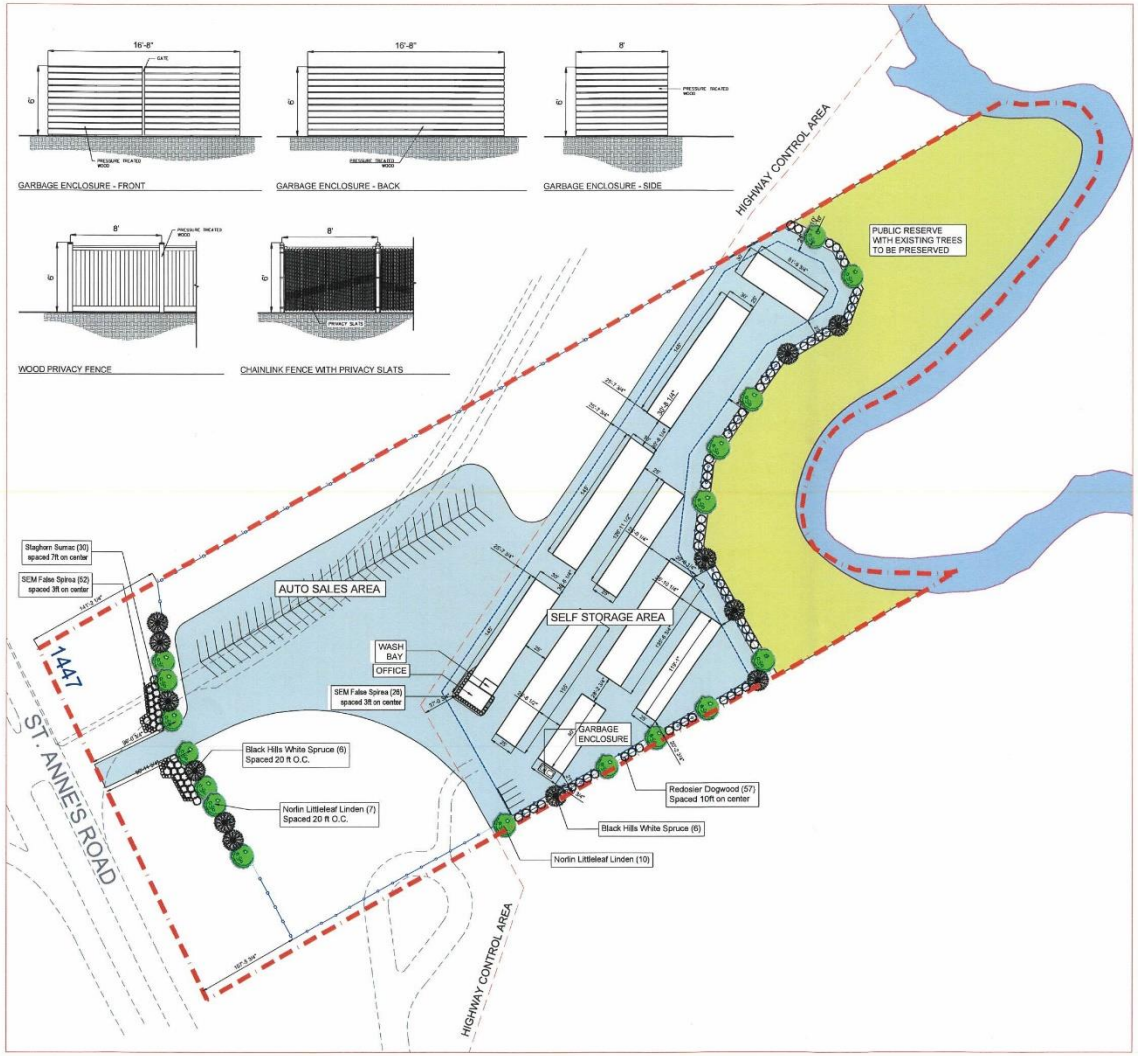


Exhibit “8” referred to in File DASZ 19/2022





PROJECT NOTES:

1. This drawing is for discussion purposes only. Details are subject to change without notice.

2. Limits of public reserve based on best availble information and preliminary input from Park Planning. Details are subject to change.

3. All building dimensions are subject to change. All measurements and area calculations are approximate and subject to verification by a Manitoba Land Surveyor.

- LIMITS OF SITE
- PUBLIC RESERVE
- GRAVEL SURFACING
- BUILDINGS
- SETBACKS
- HIGHWAY CONTROL AREA BOUNDARY
- FUTURE PTH 100/ ST. ANNE'S ROAD INTERCHANGE
- FENCE - WOOD PRIVACY (6 FT)
- FENCE - CHAINLINK WITH VINYL INSERTS (6 FT)
- PROPOSED PLANTINGS

PLANT LIST

Count	Plant Name	Remarks
TREES		
17	Norlin Littleleaf Linden *Tilia cordata 'Ronald'*	Minimum of 75mm caliper with 10 major branches, well formed. Staked as required.
12	Black Hills White Spruce *Picea glauca 'Densata'*	Minimum of 65mm caliper, well formed. Staked as required.
SHRUBS		
30	Staghorn Sumac *Rhus typhina*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.
78	SEM False Spirea *Sorbaria sorbifolia 'SEM'*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.
57	Redosier Dogwood *Cornus sericea*	Minimum height of 600mm. Well formed, full and bushy with a minimum of 5 branches.

Landmark Planning & Design Inc.
298 Waterfront Drive
Winnipeg, Manitoba R3B 0G5
Ph: 204-453-8008

PROJECT:

1447 St. Anne's Road

DRAWING TITLE:

Site Plan

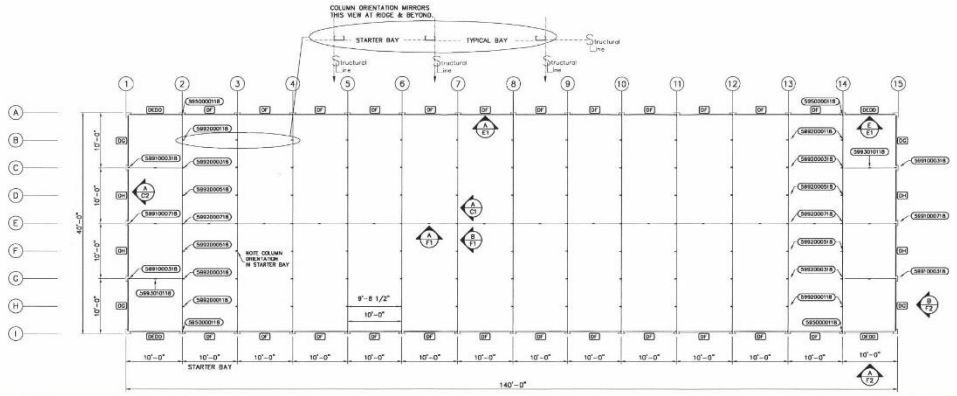
DATE: 2022-02-28
SCALE: AS NOTED
DRAWN BY: EA / ME
PLOTTED ON:

PROJECT NO.: 8260
DRAWING REF:

0 25 50 100 150

N

1 of 1

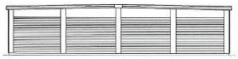


FLOOR PLAN FOR 8'-4" EAVE, 1/4:12 PITCH, MINI STORAGE BUILDING F 1/8" = 1'-0"
QP-34693 SO: 201855

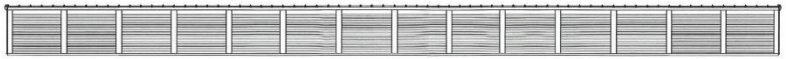
DOOR SCHEDULE

QTY	CODE	TYPE	SIZE	ROUGH OPENING (REF.)	MANUF.	DESCRIPTION	COLOR
4	DEDD	ROLL-UP	8'-8" x 7'-0"	8'-8" x 7'-0"	TRAC-RITE/eq.	NON-OPERATIONAL DOOR	CARNET
24	DF	ROLL-UP	9'-0" x 7'-0"	9'-0" x 7'-0"	TRAC-RITE/eq.	ROLL-UP DOOR	CARNET
4	DG	ROLL-UP	8'-8" x 6'-6"	8'-8" x 6'-6"	TRAC-RITE/eq.	ROLL-UP DOOR	CARNET
4	DH	ROLL-UP	9'-0" x 6'-6"	9'-0" x 6'-6"	TRAC-RITE/eq.	ROLL-UP DOOR	CARNET

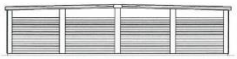
ROLL-UP DOORS MEET ASTM E330



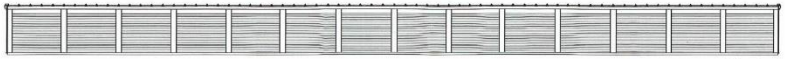
END WALL ELEVATION



SIDE WALL ELEVATION 1/8"=1'-0"



END WALL ELEVATION



SIDE WALL ELEVATION 1/8"=1'-0"

TRAC-RITE BUILDING SYSTEMS, Inc.
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REVISION	BY CODE

FLOOR PLAN & ELEVATIONS

Date: 05/10/18
Drawn By: CAB
Scale: 1/8" = 1'-0"
Plan No.: P0000
Order No.: 00000
Sheet No.: A1