Minutes – Executive Policy Committee – September 17, 2024

Report – Standing Policy Committee on Property and Development – September 13, 2024

Item No. 15 Subdivision and Rezoning – 823 Lemay Avenue and Land Located Between 35 de la Digue Avenue and 100 Villa Maria Place (St. Norbert - Seine River Ward) File DASZ 9/2024 [c/r DAV 129079/2024D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the application for subdivision and rezoning under File DASZ 9/2024 [c/r DAV 129079/2024D] be rejected.

2. That in accordance with Subsection 281(2) of The City of Winnipeg Charter, the supporting reasons of the hearing body, be adopted.

3. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

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.

Carried

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 6, 2024, the Riel Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the application for subdivision and rezoning under File DASZ 9/2024 [c/r DAV 129079/2024D] be rejected.

2. That in accordance with Subsection 281(2) of The City of Winnipeg Charter, the supporting reasons of the hearing body, be adopted.

3. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

On June 24, 2024, the Riel Community Committee did not hear any representations on the application and adjourned the public hearing to its meeting on Friday, September 6, 2024 at 10:30 a.m. in the Council Building at 510 Main Street.

PUBLIC HEARING SUMMARY

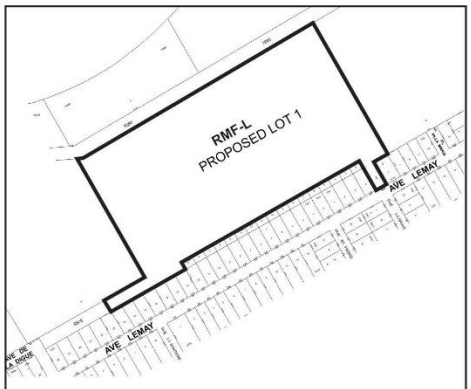
File: DASZ 9/2024

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard

Hearing: September 6, 2024
June 24, 2024
Council Building, 510 Main Street

Applicant: John Scott Wintrup Planning & Development

Subject:



APPLICANT: John Scott Wintrup Planning & Development (John Wintrup)
FILE: DASZ 9/2024
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 an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of the lands for the establishment of an Assisted Living Facility use. **For information, phone D. Iskierski Planner at 204-986-5337**
DEMANDEUR: John Scott Wintrup Planning & Development (John Wintrup)
N° DE DOSSIER: DALZ 9/2024
PROJET: Demande d'approbation par le conseil municipal du plan de lotissement délinéé ci-dessus et proposition de modification du Zoning By-law No. 200/2006 (règlement municipal sur le zonage) visant à modifier 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 R1-L (secteur de grandes habitations unifamiliales) à la catégorie RMF-L (secteur de grandes habitations multifamiliales) en vue de faciliter le remembrement des terres pour permettre l'aménagement d'une résidence pour personnes non autonomes. **Pour obtenir des renseignements, appelez D. Iskierski, urbaniste, au 204-986-5337.**

Premises Affected: 823 Lemay Avenue and land located between 35 De la Digue Avenue and 100 Villa Maria Place

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

Prepared by: K. McMillan, Manager of the Decision Making Process
Riel Community Committee

Report date: September 6, 2024

Community Committee Recommendation:

On September 6, 2024, the Riel Community Committee did not concur in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development:

1. That the application for subdivision and rezoning under File DASZ 9/2024 [c/r DAV 129079/2024D] be rejected.

2. That in accordance with Subsection 281(2) of The City of Winnipeg Charter, the supporting reasons of the hearing body, be adopted.

3. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

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

1. I'm concerned with the bylaw. It doesn't have anything about this bylaw and the cemetery, and I'm concerned about that.

2. Move opposition based on unresolved questions on the bylaw being proposed- I don't see any reference to the Manitoba Heritage Branch and conformance to that.

Objections under the Charter: Total number of **v**alid objections as per section 125(2) – 142

In accordance with section 236.1(1), the threshold for sufficient objection has been met.

Exhibits Filed:

1. Application dated March 26, 2024
2. Notification of Public Hearing dated May 23, 2024
3. Letters of authorization dated August 1, 2023 from MEMAZ INC. (Mazyar Yahyapour) and 10049772 Manitoba Inc (Mazyar Yahyapour) to John S. Wintrup
4. Manitoba Status of Title 1419504/1, 2927613/1, 2927614/1, 3039746/1
5. Certificate of Title C81841
6. Caveats 82-30529, 82-30530/1, 82-30531

Exhibits Filed (continued):

7. Letter of authorization dated March 13, 2024 from Marc Pittet, Real Estate and Land Development Division to John S. Wintrup
8. Site plans (10 pages)
9. Report from the Urban Planning Division dated June 7, 2024
10. Inspection Report
11. Communication dated June 18, 2024, from Jody Baltessen in opposition to the application
12. Communication dated June 19, 2024, from Stephen Meijer in support of the application
13. Communication dated June 19, 2024, from Alisabeth Delbridge in opposition to the application
14. Communication dated June 19, 2024, from Burton Mikolayenko in support of the application
15. Communication dated June 19, 2024, from Nicole Sorin in opposition to the application
16. Communication dated June 19, 2024, from Kathryn Kawka in opposition to the application
17. Communication dated June 19, 2024, from Dion Nemez in opposition to the application
18. Communication dated June 19, 2024, from Jacqueline Bernardin in opposition to the application
19. Communication dated June 19, 2024, from Denis De Pape in opposition to the application
20. Communication dated June 19, 2024, from Alexander Albert in opposition to the application
21. Communications dated June 19, 2024, from Wendy Buelow in opposition to the application
22. Communication dated June 19, 2024, from Julien Nayet-Pelletier in opposition to the application
23. Communication dated June 19, 2024, from Martine Pelletier in opposition to the application
24. Communication dated June 19, 2024, from Bertrand Nayet in opposition to the application
25. Communication dated June 20, 2024, from Ron Leclair in opposition to the application
26. Communications dated June 20, 2024, from Katharina Stieffenhofer in opposition to the application
27. Communication dated June 20, 2024, from Bev Pike with in opposition to the application
28. Communication dated June 20, 2024, from Jean Clipsham in opposition to the application
29. Communication dated June 20, 2024, from Paul and Noreen Thorimbert in opposition to the application
30. Communication dated June 20, 2024, from Justin Lamoureux in opposition to the application

Exhibits Filed (continued):

31. Communication dated June 20, 2024, from Nikki Dupuis in opposition to the application
32. Communication dated June 20, 2024, from Brianna Morgan Kaldor-Mair in opposition to the application
33. Communication dated June 20, 2024, from Cheryl Hodgson in opposition to the application
34. Communication dated June 20, 2024, from Audrey Weiss in opposition to the application
35. Communication dated June 20, 2024, from David Watson with respect to the application
36. Communication dated June 20, 2024, from Dennis Wayne Kachur in opposition to the application
37. Communication dated June 20, 2024, from Cynthia McDonald in opposition to the application
38. Communication dated June 20, 2024, from Stephen Berg in opposition to the application
39. Communication dated June 20, 2024, from Nicole Desautels in opposition to the application
40. Communication dated June 20, 2024, from Lee Asper in opposition to the application
41. Communication dated June 20, 2024, from Lori Morawecki in opposition to the application
42. Communication dated June 20, 2024, from Vanessa Bouchard in opposition to the application
43. Communication dated June 20, 2024, from Andre Tardiff in opposition to the application
44. Communication dated June 20, 2024, from Robert Bouchard in opposition to the application
45. Communication dated June 20, 2024, from Saul Henteleff in opposition to the application
46. Presentation dated June 20, 2024, from John Scott Wintrup in support of the application, including Petition in support of the application purporting to contain 57 signatures
47. Communication dated June 21, 2024, from Jo-Ann Labossiere in opposition to the application
48. Communication dated June 21, 2024, from Claudine Majzels in opposition to the application
49. Communication dated June 21, 2024, from Kyle Weiss in opposition to the application
50. Communication dated June 21, 2024, from Greg Abra with in opposition to the application
51. Communication dated June 21, 2024, from Julie Guevarra in opposition to the application
52. Communication dated June 21, 2024, from Aaron Gartner in opposition to the application
53. Communication dated June 21, 2024, from Cat Macaulay Gauthier in opposition to the application

Exhibits Filed (continued):

54. Communication dated June 21, 2024, from Denny Grey in opposition to the application
55. Communication dated June 21, 2024, from David Grant in support of the application
56. Communication dated June 21, 2024, from Amanda Kuyp in opposition to the application
57. Communication dated June 21, 2024, from Dale Weiss in opposition to the application
58. Communication dated June 21, 2024, from Rej Lafond in opposition to the application
59. Communication dated June 21, 2024, from Pauline. Gagnon in opposition to the application
60. Communication dated June 21, 2024, from William H Sharpe in support of the application
61. Communication dated June 21, 2024, from Jason Kuyp in opposition to the application
62. Communication dated June 21, 2024, from Michele Semchuk in opposition to the application
63. Communication dated June 21, 2024, from Shawn Kettner in opposition to the application
64. Communication dated June 21, 2024, from Annette Gagnon in opposition to the application
65. Communication dated June 21, 2024, from Lorraine Gauthier in opposition to the application
66. Communication dated June 21, 2024, from Noreen Hees in opposition to the application
67. Communication dated June 21, 2024, from Chantelle Murray in opposition to the application
68. Communication dated June 21, 2024, from Christine Albert in opposition to the application
69. Communication dated June 21, 2024, from Ravi Joshi with in support of the application
70. Communication dated June 21, 2024, from Marcel Wayne Gauthier in opposition to the application
71. Communication dated June 21, 2024, from Diana Serpa in opposition to the application
72. Communication dated June 21, 2024, from Lucien Gagnon in opposition to the application
73. Communication dated June 21, 2024, from Anne Lindsey in opposition to the application
74. Communication dated June 21, 2024, from Stacy Gosman in opposition to the application
75. Communication dated June 21, 2024, from Mazyar Yahyapour in support of the application
76. Communication dated June 21, 2024, from Shelley Sweeney in opposition to the application
77. Communication dated June 21, 2024, from Michael Murray in opposition to the application

Exhibits Filed (continued):

78. Communication dated June 21, 2024, from Natalie Gauthier in opposition to the application
79. Communication dated June 21, 2024, from Karla Gantenbein in opposition to the application
80. Communication dated June 21, 2024, from Katherine Johnston in opposition to the application
81. Communication dated June 21, 2024, from Melanie Brawdy in opposition to the application
82. Communication dated June 21, 2024, from Talia Bogaski in opposition to the application
83. Communication dated June 21, 2024, from Diane Dolski in opposition to the application
84. Communication dated June 21, 2024, from Tim Scatliff in opposition to the application
85. Communication dated June 21, 2024, from Ann E. Loewen in opposition to the application
86. Communication dated June 21, 2024, from Tara Procyk in opposition to the application
87. Communication dated June 21, 2024, from Megan Ludlow in opposition to the application
88. Communication dated June 21, 2024, from Marlene Gauthier in opposition to the application
89. Communication dated June 21, 2024, from William Gauthier in opposition to the application
90. Communication dated June 21, 2024, from Jaxon Kowaluk in opposition to the application
91. Communication dated June 21, 2024, from Kelly Radcliffe in opposition to the application
92. Communication dated June 21, 2024, from James Benson in opposition to the application
93. Communication dated June 21, 2024, from Bonita Bonneville in opposition to the application
94. Communication dated June 21, 2024, from Catharine Dunlop in opposition to the application
95. Communication dated June 21, 2024, from Evelyn Casey in opposition to the application
96. Communication dated June 21, 2024, from Adrian Sturch in opposition to the application
97. Communication dated June 21, 2024 from Brooklyn Rudolph-Nicholas in opposition to the application
98. Communication dated June 21, 2024 from Michelle Gauthier in opposition to the application
99. Communication dated June 21, 2024 from Danelle Webster in opposition to the application
100. Communication dated June 21, 2024 from Lynne Cenerini Coughlan in opposition to the application
101. Communication dated June 21, 2024 from Darlene Dolinski in opposition to the application

Exhibits Filed (continued):

102. Communication dated June 21, 2024 from Alyse Mailhot in opposition to the application
103. Communication dated June 21, 2024 from Evelyn Ball in opposition to the application
104. Communication dated June 21, 2024 from Brigitte A. E. Dion in opposition to the application
105. Communication dated June 21, 2024 from Delainy Brown in opposition to the application
106. Communication dated June 21, 2024 from Odelie Nayet-Pelletier in opposition to the application
107. Communication dated June 21, 2024 from Alexander Leslie in opposition to the application
108. Communication dated June 21, 2024 from Rachel Tiltman in opposition to the application
109. Communication dated June 21, 2024 from Lucy Goulet in opposition to the application
110. Communication dated June 24, 2024 from Justin Swandel in opposition to the application
111. Petition in support of the application purporting to contain 19 signatures, submitted by the applicant
112. Adjournment Letter dated June 26, 2024
113. Recording of Representations
114. Communication dated June 29, 2024 from Jo Taylor in opposition to the application
115. Petition in support of the application purporting to contain 2 signatures, submitted by the applicant
116. Communication dated July 18, 2024 from Rose Torrijos in opposition to the application
117. Communication dated July 22, 2024 from Chantelle Lapierre in opposition to the application
118. Communication dated July 22, 2024 from Anushthika Rajput in opposition to the application
119. Communication dated July 22, 2024 from Leah Watkins in opposition to the application
120. Communication dated July 22, 2024 from Greg Little in opposition to the application
121. Communication dated July 23, 2024 from Teresa Didora in opposition to the application
122. Communication dated July 23, 2024 from Josianne Barnabe in opposition to the application
123. Communication dated July 23, 2024 from Chad Barnabe in opposition to the application
124. Communication dated July 24, 2024 from Hellen Oceu in opposition to the application
125. Communication dated July 27, 2024 from Arial Komarniski in opposition to the application
126. Communication dated July 27, 2024 from Brandon Weir in opposition to the application

Exhibits Filed (continued):

127. Communication dated July 29, 2024 from Nat K. in opposition to the application
128. Communication dated July 31, 2024 from Neela Kati in opposition to the application
129. Communication dated August 2, 2024 from Hoda Hosseini in opposition to the application
130. Communication dated August 5, 2024 from Paige Shersty in opposition to the application
131. Communication dated August 9, 2024 from Kim Braun in opposition to the application
132. Communication dated August 21, 2024 from Jett Borsboom in opposition to the application
133. Communication dated August 31, 2024 from Jennifer Engbrecht in opposition to the application
134. Communication dated August 31, 2024 from Ginette Paillé in opposition to the application
135. Communication dated August 31, 2024 from Gilles Paillé in opposition to the application
136. Communication dated August 31, 2024 from Jacqueline Bernardin in opposition to the application
137. Communication dated August 31, 2024 from Sharon Epp in opposition to the application
138. Communication dated September 1, 2024 from Martine Pelletier in opposition to the application
139. Communication dated September 1, 2024 from Kathy Heppner in opposition to the application
140. Communication dated September 1, 2024 from MacKinnon Krystyn in opposition to the application
141. Communication dated September 1, 2024 from Evelyn Ball in opposition to the application
142. Communication dated September 2, 2024 from Julien Nayet-Pelletier in opposition to the application
143. Communication dated September 2, 2024 from Odelie Nayet-Pelletier in opposition to the application
144. Communication dated September 2, 2024 from Charlynne Belanger in opposition to the application
145. Communication dated September 2, 2024 from Maxine Cahill in opposition to the application
146. Communication dated September 2, 2024 from Michael Murray in opposition to the application
147. Communication dated September 3, 2024 from Hannah Marie Coulombe-Francis in opposition to the application
148. Communication dated September 3, 2024 from Heather Everton in opposition to the application
149. Communication dated September 3, 2024 from Vicki Poirier in support of the application
150. Communication dated September 3, 2024 from Veronica Rondeau in opposition to the application

Exhibits Filed (continued):

151. Communication dated September 3, 2024 from David Grant in support of the application
152. Communication dated September 3, 2024 from Diane Dolski in opposition to the application
153. Communication dated September 3, 2024 from Verne Reimer in support of the application
154. Communication dated September 3, 2024 from Craig Rowbotham in support of the application
155. Communication dated September 3, 2024 from Sheila Strutt in opposition to the application
156. Communication dated September 3, 2024 from Tammy Bargen in opposition to the application
157. Communication dated September 3, 2024 from Steven Melanson in opposition to the application
158. Communication dated September 3, 2024 from Kess Dolski in opposition to the application
159. Communication dated September 3, 2024 from Frank Dolski in opposition to the application
160. Communication dated September 3, 2024 from Sheila Scott in opposition to the application
161. Communication dated September 4, 2024 from Tamara Sturch in opposition to the application
162. Communication dated September 4, 2024 from William Strutt in opposition to the application
163. Communication dated September 4, 2024 from Suzanne Thompson in opposition to the application
164. Communication dated September 4, 2024 from Taylor Toffan in opposition to the application
165. Communication dated September 4, 2024 from Alexander Albert in opposition to the application
166. Communication dated September 4, 2024 from John Fast in opposition to the application
167. Communication dated September 4, 2024 from Blaire Barta in opposition to the application
168. Communication dated September 4, 2024 from Adrian Sturch in opposition to the application
169. Communication dated September 4, 2024 from Henry Mayer in opposition to the application
170. Communication dated September 4, 2024 from Alexandra Abt in opposition to the application
171. Communication dated September 4, 2024 from Katharina Abt in opposition to the application
172. Communication dated September 4, 2024 from Karin Mayer-Abt in opposition to the application
173. Communication dated September 4, 2024 from Tracy Pearce in opposition to the application
174. Communication dated September 4, 2024 from Katharina Stieffenhofer in opposition to the application

Exhibits Filed (continued):

175. Communication dated September 4, 2024 from Darlene Dolinski in opposition to the application
176. Communication dated September 5, 2024 from Genevieve Benoit in opposition to the application
177. Communication dated September 4, 2024 from Mazyar Yahyapour in support of the application
178. Presentation in opposition to the application, submitted by Shelley Sweeney on September 5, 2024
179. Communication dated September 5, 2024 from Catriona Younger in opposition to the application
180. Communication dated September 5, 2024 from Pam Lucenkiw in opposition to the application
181. Communication dated September 5, 2024 from Dawsyn Sturch in opposition to the application
182. Communication dated September 5, 2024 from John Scott Wintrup in support of the application
183. Communication dated September 5, 2024 from Wendy Bloomfield in opposition to the application
184. Communication dated September 5, 2024 from Bonnie Dickie in opposition to the application
185. Communication dated September 5, 2024 from Burton Mikolayenko in support of the application
186. Communication dated September 5, 2024 from Muriel St. John in opposition to the application
187. Communication dated September 5, 2024 from Ian Cummins in opposition to the application
188. Communication dated September 5, 2024 from Lorraine Gauthier in opposition to the application
189. Recording of Representations

REPRESENTATIONS:

In Support:

David Grant
Ravi Joshi
Stephen Meijer
Burton Mikolayenko
Mark Paxton-MacRae
Vicki Poirier
Verne Reimer
Craig Rowbotham
William H Sharpe
Jackie Wilkie
John Wintrup
Mazyar Yahyapour

In Opposition:

Greg Abra
Alexandra Abt
Katharina Abt
Alexander Albert
Christine Albert
Lee Asper
Evelyn Ball
Jody Baltessen
Tammy Bargen
Chad Barnabe
Josianne Barnabe
Blaire Barta
Charlynne Belanger
Genevieve Benoit
James Benson
Stephen Berg
Jacqueline Bernardin
Charmaine Bloomfield
Quinn Bloomfield
Wendy Bloomfield
Talia Bogaski
Bonita Bonneville
Jett Borsboom
Robert Bouchard
Vanessa Bouchard
Kim Braun
Melanie Brawdy
Delainy Brown
Wendy Buelow
Maxine Cahill
Evelyn Casey
Lynne Cenerini Coughlan
Jean Clipsham
Hannah Marie Coulombe-Francis
Ian Cummins
Marianne Dagenais
Denis De Pape
Alisabeth Delbridge
Nicole Desautels
Bonnie Dickie
Teresa Didora
Brigitte A. E. Dion
Darlene Dolinski
Diane Dolski
Frank Dolski
Kess Dolski
Catharine Dunlop
Nikki Dupuis
Jennifer Engbrecht
Sharon Epp
Heather Everton
John Fast
Annette Gagnon
Lucien Gagnon
Pauline Gagnon
Karla Gantenbein
Aaron Gartner
Lorraine Gauthier
Marcel Wayne Gauthier
Marlene Gauthier
Michelle Gauthier
Natalie Gauthier
William Gauthier
Stacy Gosman
Lucy Goulet
Denny Grey
Julie Guevarra
Noreen Hees
Saul Henteleff
Kathy Heppner
Cheryl Hodgson
Hoda Hosseini
Katherine Johnston
Dennis Wayne Kachur
Brianna Morgan Kaldor-Mair
Neela Kati
Kathryn Kawka
Shawn Kettner
Arial Komarniski
Natalie Kortchevich
Jaxon Kowaluk
MacKinnon Krystyn
Amanda Kuyp
Jason Kuyp
Jo-Ann Labossiere
Rej Lafond
Justin Lamoureux
Chantelle Lapierre
Ron Leclair
Alexander Leslie
Anne Lindsey
Greg Little
Ann E. Loewen
Pam Lucenkiw
Megan Ludlow
Cat Macaulay Gauthier
Alyse Mailhot
Claudine Majzels
Louise May
Henry Mayer
Karin Mayer-Abt
Cynthia McDonald
Steven Melanson
Lori Morawecki
Chantelle Murray
Michael Murray
Bertrand Nayet
Julien Nayet-Pelletier
Odelie Nayet-Pelletier
Dion Nemez
Hellen Oceu
Gilles Paillé
Ginette Paillé
Tracy Pearce
Martine Pelletier
Bev Pike
Tara Procyk
Kelly Radcliffe
Anushthika Rajput
Veronica Rondeau
Brooklyn Rudolph-Nicholas
Tim Scatliff
Sheila Scott
Michele Semchuk
Diana Serpa
Paige Shersty
Nicole Sorin
Muriel St. John
Katharina Stieffenhofer
Sheila Strutt
William Strutt
Adrian Sturch
Dawsyn Sturch
Tamara Sturch
Justin Swandel
Shelley Sweeney
Andre Tardiff

Jo Taylor
Suzanne Thompson
Paul and Noreen Thorimbert
Rachel Tiltman
Taylor Toffan
Gerald Tole
Rose Torrijos
Leah Watkins
Danelle Webster
Brandon Weir
Audrey Weiss
Dale Weiss
Kyle Weiss
Catriona Younger

For Information:

David Watson

For the City:

D. Iskierski, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit “9” referred to in File DASZ 9/2024

ADMINISTRATIVE REPORT

Title: DASZ 9/2024 – 823 Lemay Avenue and Roll Nos. 03091584500 & 03091584600 (land between 35 Avenue de la Digue and 100 Villa Maria Place.

Issue: An application for consideration at the public hearing to consolidate and rezone to “RMF-L” Residential Multi-Family Large District for the construction of three buildings encompassing 5000 beds within 2500 units.

Critical Path: Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Iskierski, RPP, MCIP	N/A	N/A	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 9/2024 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated June 24, 2024 and attached as Schedule “E” to this report, with such minor changes as may be required, subject to the following:
    A. That the “Plan” be amended in accordance with Section II of the report of the Administrative Coordinating Group dated June 7, 2024 and attached as Schedule “B” to this Report;
    B. 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 June 7, 2024 and attached as Schedule “B” to this report;
2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “RMF-S” Residential Multi-Family Small District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated June 24, 2024, and attached as Schedule “E” to this report, 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. For those portions of the Owner's Land zoned "RMF-S" Residential Multi-Family Small, 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 for approval by the Director of Planning, Property and Development ("Director") and the Riel Community Committee 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. For every lot that abuts the Public Reserve, the Owner will, at no expense to the City as determined by and to the satisfaction of the Director of Public Works:

    a. construct continuous property delineation as approved by the Director of Public Works, along the entirety of the lot line abutting the Public Reserve and located within that lot; and

    b. maintain, repair or replace, as required, the fence as originally constructed, installed or erected.

iii. The Developer and subsequent land owner shall grant ongoing public and Parks (maintenance) access to the proposed public reserve.

iv. That a landscape buffer that is a minimum of 25 feet consisting of a mix of deciduous and coniferous trees be planted and maintained along the southern property line abutting the properties along Lemay Avenue to the satisfaction of the Director of Planning, Property and Development.

v. That a landscape buffer that is a minimum of 20 feet consisting of a mix of deciduous and coniferous trees be planted and maintained along the eastern property line abutting 100 Villa Maria Place to the satisfaction of the Director of Planning, Property and Development.

vi. That the Owner covenants and promises to maintain the Heritage Area, unencumbered, free from excavation, drilling, placing, installing, or erecting, on, over, under, or through the Heritage Area, any buildings, pavement, structures, physical encumbrances, trees, brush, landscaping, well, foundation, pipes, lines, infrastructure, or otherwise, and shall not deposit on or move fill earth from the Heritage Area, and shall not do or suffer to be done anything or act that will or may injure, effect or damage and/or interfere with the Heritage Area and the rights and privileges of the Province of Manitoba pursuant to this Agreement, save and except as approved in writing, in advance, by the Province. Prior to the issuance of any development or building permits, the Owner is aware that the City of Winnipeg will submit any plans for review and consideration for the Province of Manitoba and await in writing, approval that such plans do not contravene the above restrictions.

vii. That any proposed increase in residential density above 800 units shall be accompanied by the following:

a. A transportation engineer's report confirming that trip generation rates for the proposed building(s), in combination with any buildings already approved or built on the subject lands, to the satisfaction of the Director of Public Works. If the trip generation rates will exceed the assumed ranges of the original Traffic Impact Study, a new Traffic Impact Study with improvement recommendations shall be prepared to the satisfaction of the Director of Public Works to address trip generation rates and impacts beyond the assumptions of the original Traffic Impact Study for DASZ 9/2024.

b. The developer will be responsible for the improvements outlined within the accepted study, as determined and to the satisfaction of the Director of Public Works.

3. That the City enter into, execute and deliver with the Developer

A. a Servicing Agreement in accordance with recommendation 1; and

B. a Zoning 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").

4. That authority be delegated to the Director of Planning, Property and Development (the “Director”) to negotiate and approve the terms and conditions of the Servicing Agreement, 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.

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 recommendations 1 and 2 (the “By-law”) and bring same directly to Council by way of communication for first reading.

6. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid the Dedication Fee and all other associated ancillary fees (the “Fees”), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

7. That Development Application No. DASZ 9/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not submitted the Plan and paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.
8. That the subdivision section of the By-law will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.
9. That the zoning section of the By-law will 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 following 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 that 1 year period and Council approves the extension.
11. That Development Application No. DASZ 9/2024 will be deemed to be concluded and all approvals in connection with same will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City within 1 year following the date on which the By-law is enacted, unless the developer applies for an extension of time before the expiration of that 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 consolidate the land to “RMF-L” Residential Multi-Family Large District for the construction of three buildings encompassing 5000 beds within 2500 units.
- Subdivisions and rezonings 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 and Design Division are concurred in, the subject site will be subdivided and rezoned consistent with the map provided in Schedule “E” of this report.

OURWINNIPEG 2045 POLICY ALIGNMENT

OurWinnipeg 2045 Goal: City Building

Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support *Complete Communities* principles, to achieve this Plan's sustainable development goals.

- Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.

Objective 2: Integrate resilient land use, transportation and infrastructure planning, and investments.

- Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

Objective 3: Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset.

- New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to health food, daily needs, employment, education, recreation, and green infrastructure.

Applicable Policies for Recent Communities

6.1 Sustainable Urban Growth

- The City must accommodate physical development that reflects this Plan's goals, and achieves a continuum of complete and connected communities over the lifecycle of the Plan.

6.6 Intensification Target

- Achieve the intensification target by making development in intensification target areas easier and more desirable and predictable, as directed by *Complete Communities*.

6.16 Established Neighbourhoods

- Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in *Complete Communities*.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.1:** *Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service*
- **Key Direction 4.2:** *Ensure new areas of growth are designed according to the principles of Complete Communities.*

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 and Design
Prepared by:	Dan Iskierski, RPP, MCIP
Date:	June 7, 2024
File No.	DASZ 9/2024

List of Schedules and Attachments

1. Schedule A Planning Discussion
2. Schedule B Report of the Administrative Working Group – June 7, 2024
3. Schedule C Proposed Public Reserve Dedication
4. Schedule D File No. DASZ 9/2024 Riel Community Committee, dated June 7, 2024
5. Schedule E File No. DASZ 9/2024 Riel Community Committee, dated June 24, 2024
6. Appendix A Proposed By-law

SCHEDULE 'A'

DATE: June 24, 2024

FILE: **DASZ 9/2024**

RELATED FILES: DAV 24-129079\D

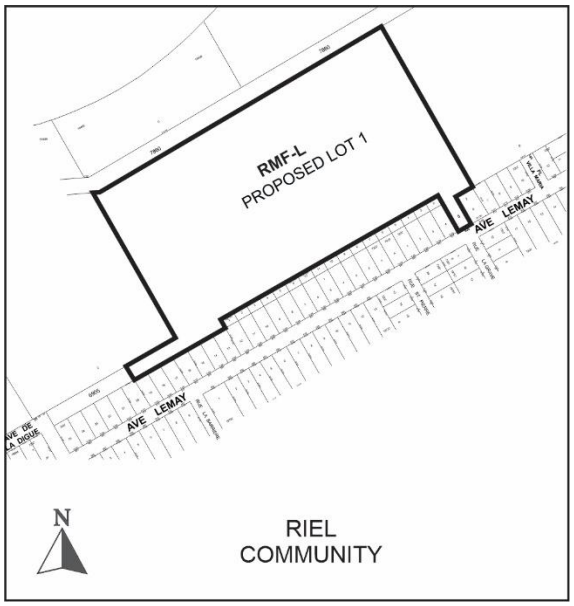
COMMUNITY: Riel Committee

NEIGHBOURHOOD #: 5.625 – (ST. NORBERT)

SUBJECT: An application for consideration at the public hearing to consolidate and rezone to "RMF-L" Residential Multi-Family Large District for the construction of three buildings encompassing 5000 beds within 2500 units.

LOCATION: 823 Lemay Avenue and Roll Nos. 03091584500 & 03091584600 (land between 35 Avenue de la Digue and 100 Villa Maria Place).

LEGAL DESCRIPTION: EXC PLAN 20150 PCL D PLAN 19405 84/85 ST N



APPLICANT: John Wintrup (J. Wintrup Consulting Ltd.)
139 Roslyn Rd Unit 301
Winnipeg, MB R3L 0G7

OWNER: MEMAZ INC.
8 Riverbend Ave
Winnipeg, MB R2M 2N6

RECOMMENDATION: Approval with Conditions

DISCUSSION

SITE DESCRIPTION

- The site consists of three subject properties; one located at 823 Lemay Avenue and the other two properties located north of 823 Lemay Avenue in between 35 Avenue de la Digue and 100 Villa Maria Place which are all in the St. Norbert neighbourhood of the St Norbert - Seine River ward.
- The subject site is approximately 22.72 acres (989,800 square feet or 91955.43 square metres) in area. 823 Lemay Avenue currently has a detached single-family dwelling built in 1972 and the other two properties are vacant with the westernmost property having an historic cemetery that previously was connected to the orphanage that used to be housed at 35 de la Digue.
- The subject site is currently landlocked with no direct access. Access is being proposed via a connection through 823 Lemay Avenue and a proposed easement along City owned land that connects the site to Avenue de la Digue.
- Under the *Complete Communities Direction Strategy 2.0*, the site is mostly within the Established Neighbourhood – Recent Communities policy area, however 823 Lemay Avenue is within the Established Neighbourhood – Mature Communities policy area.
    - The application will be assessed under the Established Neighbourhood – Recent Communities policy area considering the majority of the site is within that designation.
- Roll Nos. 03091584500 & 03091584600 (land between 35 Avenue de la Digue and 100 Villa Maria Place). are zoned “RR5” Rural Residential Five District. 823 Avenue is zoned “R1-L” Residential Single-Family Large District with a small portion of the northern part of the land abutting the larger parcels zoned “RR5” Rural Residential Five District.

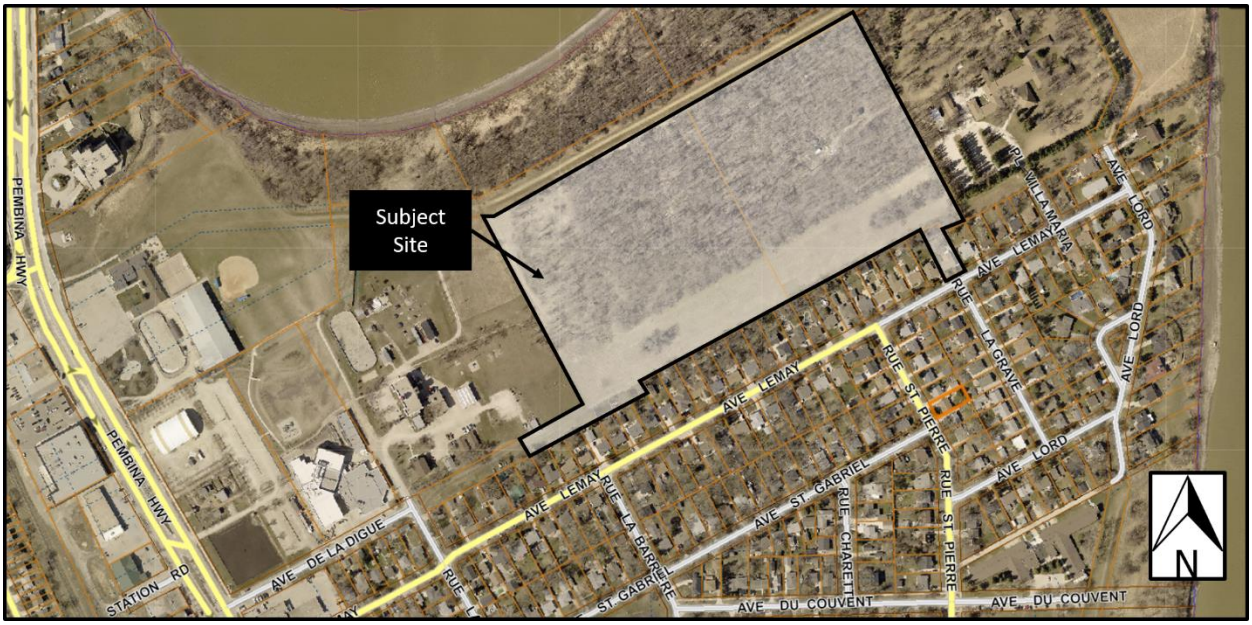


Figure 1: Aerial photo of subject site and surrounding area *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: City owned dike and parkland zoned “RR5” Rural Residential Five District

South: Detached single-family dwellings zoned “R1-L” Residential Single-Family Large District.

East: Private school zoned “RR5” Rural Residential Five District.

West: Residential group care facility and recreational facilities zoned “RR5” Rural Residential Five District.

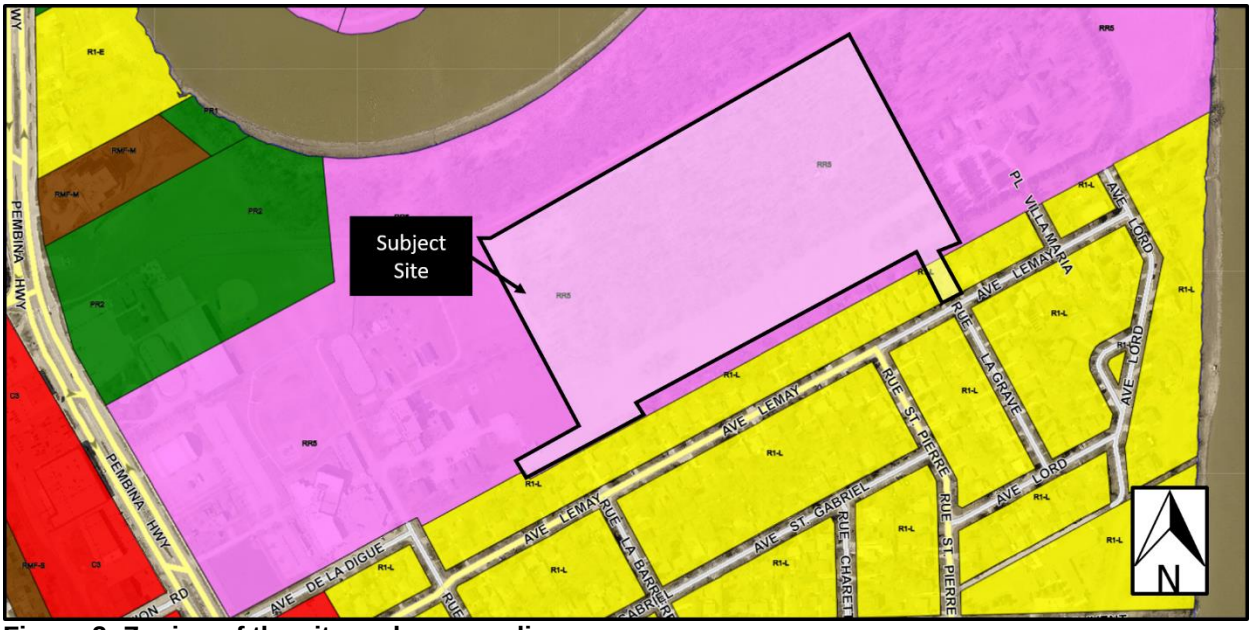


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to consolidate the properties and rezone to the “RMF-L” Residential Multi-Family Large District to establish an assisted living facility with 5000 beds which are encompassed within a “Congregate Care Retirement Community” with 2500 units.
- The existing house at 823 Lemay Avenue is being proposed to be demolished with access to the site proposed via this section of the overall land. An additional access is proposed via City owned land leading to Avenue de la Digue.
- The proposal includes three buildings:
    - Building one is rectangular and located north of the detached single-family dwellings along Lemay Avenue and is proposed to be 272,757.49 square feet (25,340 square metres).
    - Building two is U-shaped and located along the eastern edge of the property abutting the private school and is proposed to be 512,921.86 square feet (47,652 square metres).
    - Building three is a multi-winged building in the middle of the site between building one and two and is proposed to be 827,550.96 square feet (76,882 square metres).
- Elevation drawings show the buildings to be four stories or 54 feet (16.46 metres) and do not identify building materials.

- The submitted site plan shows parking between and around the buildings with no landscaping noted, and minimal setbacks with an area to the western most portion of the property identified as an area “not for development – Indigenous Cultural Consultation.

COLLABORATIVE PLANNING and CONSULTATION

With the Urban Planning and Design Division

The applicant engaged the Urban Planning and Design Division for preliminary discussions including submitting a pre-application where the applicant was informed that the scale of the proposal was out of context and that there was not policy support for such a large development.

With the Public

The applicant did not include any signatures of support in their application.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* 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.
- As part of *Complete Communities Direction Strategy 2.0*, the City has an intensification target under Section B1. General Growth Goal 2 - Policy 2.1 states that a minimum of 50% of all new dwelling units be accommodated in the intensification target area of the city of which this property is located within.
- The subject property is located in an Established Neighbourhood designated as a “Recent Community” as outlined in *Complete Communities Direction Strategy 2.0.*
- The Vision for Established Neighbourhoods is for them to continue to evolve as complete communities to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.
- Goal 1 states “encourage compatible residential development within Established Neighbourhoods to build more *Complete Communities* and align with the City’s residential intensification target.
- General policies for Established Neighbourhoods that relate to the subject proposal are as follows:

  1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development

  1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.

  1.3 The subdivision of land or the consolidation of land may occur when it is done in a context-sensitive manner, and only when in compliance with policy section 9.1 of the Strategic Infrastructure and Resources section.

  1.6 In the absence of a secondary plan guiding the local development of an Established Neighbourhood, intensification should be guided by a number of factors to ensure compatible development, including:

  a. Applicable City-endorsed policies or guidelines;

b. Existing zoning of the property and adjacent properties;

c. Characteristics of the immediately surrounding built form including building mass, height, lot coverage, setbacks and layout;

d. Surrounding uses and their characteristics including residential density and the intensity of commercial and other non-residential uses;

e. Characteristics of the lot, including whether it is a corner lot, a larger lot than is typical for the neighbourhood, or the shape of the lot;

g. The supporting street network (ex. local, collector, or arterial streets) and the street network's ability to support proposed development;

h. The supporting transit, pedestrian and active transportation network; and

i. The supporting water, wastewater, and land drainage infrastructure and capacity to accommodate a proposed development or ability to make the required upgrades necessary to accommodate a proposed development.

2 *Complete Communities Direction Strategy 2.0* states Mature Communities "present some of the best opportunities to accommodate infill development, to increase housing choice and to maximize the use of existing infrastructure."

3 Goal 2 states "design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride." More specifically, policies that relate to the subject proposal are as follows:

2.3 Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.

2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.

2.5 Encourage a variety of architectural styles.

2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the aesthetics of the street and neighbourhood.

2.9 Buildings with multi-unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:

a. Window placement that supports passive surveillance;

b. Unit entrances with direct access to the street;

c. Front porches;

d. Balconies;

e. Awnings;

f. Lighting; and

g. Height of primary entrances.

2.12 New developments should respect and complement the existing character of the built form of surrounding properties.

2.14 Avoid buildings that create long blank walls facing public streets.

2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.

2.17 Locate commercial, mixed-use, or multiple family residential parking underground or behind buildings in order to create a more pedestrian-oriented built form. Active uses should be located at grade when these buildings face public streets.

2.21 Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.

2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.

4 Goal 3 states "ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs." More specifically, policies that relate to the subject proposal are as follows:

3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges.

3.2 Encourage a mix of types, tenures and unit sizes within residential developments. Make provisions for unit sizes that can accommodate varying family sizes and multi-generational households.

3.6 Encourage new developments that incorporates housing types that enable "aging in place" in Established Neighbourhoods.

The subject proposal does not align with the above applicable policies for Recent Communities for the following reasons:

- The size of the proposal is not compatible with the surrounding community for the following reasons:
    - The built form including building mass and lot coverage are significantly greater than the surrounding properties with minimal setbacks that do not correlate to other properties.
    - The proposed 1,616,230.31 square feet (150,152.71 square metres) of building area represents 1.79 times the floor area of all residential living space (903,158 square feet or 83,906.12 square metres) in the St. Norbert census area, including apartment buildings along Pembina Highway. In relation to the immediate vicinity, the homes on Lemay Avenue abutting the property line of the subject site have a combined living area of 39,760 square feet (3693.82 square metres).
    - The density surrounding the site is predominately single-family which can vary in size but are generally on larger lots with a significantly lower density than what is proposed.

- The proposed development proposes 2500 units with the potential of 5000 beds which represents a potential population of 5000 people, not including staff. According to the St. Norbert 2021 census data, the current population is 1735 which means the proposal is nearly three times the current population or would potentially quadruple the current population of the neighbourhood.

- The proposed density is more appropriate in designated policy areas found within *Complete Communities Direction Strategy 2.0* such as Urban or Regional Mixed-Use Corridors located along Pembina Highway within the St. Norbert Planned Development Overlay and further north towards the Perimeter Highway.
    - *"The Vision for Corridors describe them as targeted segments of major roadways that, due to their excellent transit service via the Primary Transit Network as well as robust commercial opportunities, provide the best opportunity for mixed use intensification outside of the Downtown. They will provide a range of transportation options and will be vibrant destinations for people to live, work, and play. They will be designed to provide a comfortable pedestrian environment and attractive public realm."*
    - *Support densities in accordance with Policy 3.1 of the General Growth section, at a height and scale compatible with surrounding land uses.*

Guide to Distribution of Residential Density and Height

Urban Structure Area	Density	Height	Transit Service Type	Design Guidance
DOWNTOWN				
Downtown			Rapid and frequent	• Urban Design Advisory Committee
MIXED USE CORRIDORS				
Rapid Transit stations			Rapid	• *TOD Handbook* • Design guidelines in secondary plans • Corridors section
Regional Mixed Use Corridors			Rapid and frequent	• Corridors section • Design guidelines in secondary plans • *TOD Handbook*
Urban Mixed Use Corridors			Rapid, frequent, and direct	• Corridors section • Design guidelines in secondary plans • *TOD Handbook*

Recent Communities Collector street			Feeder network	• Established Neighbourhoods section • Design guidelines in secondary plans
Recent Communities Local street			None	• Established Neighbourhoods section • Design guidelines in secondary plans

Figure 3: Guide to Distribution of Residential Density and Height, *Complete Communities Direction Strategy 2.0.*

If the proposal was scaled back, as recommended, then the proposal would offer a mixture of housing types that could be designed to a scale, density and built form more in line with the surrounding neighbourhood. More specifically, given the site will only have access via a local street, the lowest multi-family zoning district would be appropriate which also corresponds with heights and setbacks more similar to lower density neighbourhoods such as the residential area to the south.

The “RMF-S” Residential Multi-Family Small provides for an increase in density in line with the policies in *Complete Communities Direction Strategy 2.0* guiding development in the “Established Neighbourhoods – Recent Communities” policy area as noted above and referenced in the above.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- The Residential Multi-Family Large District is intended to accommodate the development of multi-family units in areas with high residential densities.
- Development in the ”RMF” district should provide convenient access for pedestrians and transit users from the public street, and should facilitate pedestrian travel between residential uses and the public realm.
- The subject site is landlocked and within a neighbourhood that has low residential densities that are predominately detached single-family.
- *Complete Communities Direction Strategy 2.0* designates this site as an “Established Neighbourhood – Recent Community” which supports some small-scale lower density multi-family development, but not higher residential densities as is proposed.
- The proposed zoning district has a density of 400 square feet (37.16 square metres) per dwelling unit permitted in the “RMF-L” Residential Multi-Family Large Zoning District. The Urban Planning and Design Division does not support this level of intensification as it is out of scale and compatibility with the surrounding context. As presented, the proposal is therefore not supportable, however in general, provided access to the site can be obtained and services provided then some residential intensification is supportable. Accordingly, the recommendation is for an “RMF-S” Residential Multi-Family Small District which has a density of 1250 square feet (116.13 square metres) of lot area per dwelling unit.

- Within the “RMF-S” Residential Multi-Family Small District a number of housing styles can be built including detached single-family dwellings, duplexes, triplexes, fourplexes, row housing or small apartment buildings. The maximum height of buildings is 35 feet (10.67 metres) with a minimum front yard setback of 20 feet (6.10 metres), rear yard setback of 25 feet (7.62 metres), side yard of four (4) feet (1.22 meres) and corner side yard of five (5) feet (1.52 metres).

- The established residential context and planning policies do not support the substantial intensification as is proposed, however does support some level of residential development, therefore the Urban Planning and Design Division recommends the use of the “RMF-S” Residential Multi-Family Small Zoning District.

Based on these considerations, the “RMF-S” Residential Multi-Family Small Zoning District is the most appropriate zoning district to enable the development of an assisted living facility.

TRANSPORTATION AND STREET NETWORK

The subject site does not currently have access to the public street network which requires that access be gained through the demolition of the existing detached single-family dwelling at 823 Lemay Avenue and via an easement along City-owned land that connects the western portion of the property to Avenue de la Digue.

If the recommendation of the Public Service is concurred in, then the “RMF-S” Residential Multi-Family Small District, could result in approximately 791 new dwelling units. Within the Zoning Agreement, Public Works has indicated that should the number of dwelling units exceed 800 dwelling units, then a separate Traffic Impact Study would be required to be submitted to Public Works and that any required traffic improvements would be the responsibility of the developer (see conditions above and ACG report for more information).

Under the *Winnipeg Transit Master Plan* the closest transit service to the subject site is along Pembina Highway where there is a frequent line. The distance varies depending on the location of the dwelling unit on the site which could be anywhere from 400m to 1000m away from a transit stop.

SERVICING CONSTRAINTS

The subject site is not currently hooked up to municipal water or wastewater services and does not have land drainage. In order to facilitate any development, services will need to be extended to the site. There are also capacity issues within the St. Norbert neighbourhood related to the St. Norbert Lift Station, which requires upgrades (see the ACG report for more information).

LAND DEDICATION

As a condition of a rezoning or subdivision application, 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 Public Service is requesting land for this application.

HERITAGE EASEMENT

In May 2024, the City was made aware of an historic cemetery that exists on the northwest quadrant of the site. The Province of Manitoba's Historic Resources Branch (the "Province") administers processes related to archaeology and human remains. Consultation between the Province and the applicant, through their consultants, has been underway regarding the cemetery, formerly part of the property at 35 de la Digue, Asile Richot, which operated as an orphanage from 1904 to 1948. The cemetery houses the remains of infants, children, mothers, and nuns affiliated with the orphanage.

The relative location of the cemetery is known; however, further investigation is underway to determine the actual boundary of the cemetery and to establish a buffer area around it. The Province has recommended that the buffer area to be 50 meters offset from the cemetery boundary. Based on other historic precedents, it is assumed that human remains likely exist within this buffer area. In addition to an historic cemetery, remnants of a stone grotto and various stone structures, likely dating to the 1950s, exist to the south of the cemetery. It is unclear what the relationship between the stone remnants and the cemetery are. No development will be permitted on the site of the cemetery and the buffer zone, which will be protected through an heritage easement, administered by the Province, as well as restricted through the Zoning Agreement which is recommended as a condition of approval. A heritage easement is registered as a caveat on title to notify owners that human remains exist on a property and are subject to Provincial legislation. Furthermore, more research by the City's heritage staff is required to better understand the heritage value of Asile Ritchot, the cemetery and the stone grotto.

CONDITIONS OF APPROVAL

The above recommendations at the beginning of the report include recommendations for approval, including standard conditions, of which two relate to the Zoning Agreement and the Servicing Agreement.

Within the Zoning Agreement there is a requirement for Community Committee Plan Approval requiring that future plans of development be reviewed by the Riel Community Committee. There is also a requirement to install and maintain a fence along the boundary with the yet to be determined Public Reserve and to also provide a landscape buffer between the development and existing residences to the south and the school to the east. In consideration of the presence of a cemetery on the western portion of the property identified by the Province of Manitoba, there will be a requirement to circulate for approval all future applications for development or building permits to ensure no development occurs in restricted areas. Lastly, should the development exceed 800 dwelling units, then a Traffic Impact Study would be required to determine the impact of the units on the existing network and to right size any necessary traffic improvements.

The report of the Administrative Coordinating Group details overall limitations to wastewater servicing capacity. There is a requirement for park dedication and demarcation (fencing), which will be taken at the full 10% of what is permitted under the *City of Winnipeg Charter*. Additional items include requirements for reports related to roads, wastewater servicing, flood protection and fire safety. Lastly there are requirements for infrastructure upgrades for wastewater, land drainage, street upgrade to Avenue de la Digue, access via Pembina Highway and sidewalks and pathways in addition to the general conditions for utilities, construction traffic, site cleanliness, survey monuments and fees and services.

RECOMMENDATION

Provided the zoning district approved is for the “RMF-S” Residential Multi-Family Small District, the Urban Planning and Design Division recommends **approval with conditions** for the following reasons:

- The subject subdivision and rezoning, as modified, will result in the establishment of a multi-family residential development that is consistent with policies in *OurWinnipeg 2045* and the *Complete Communities Direction Strategy 2.0*.
- The proposed development, as modified, will moderately increase residential density in the St. Norbert neighbourhood, thereby increasing housing options as well as helping the city to achieve its residential intensification targets.
- The neighbourhood has transit service as well as library and recreation services.
    - Please note that any development will require upgraded servicing and infrastructure (see ACG Report).

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared By: Dan Iskierski, RPP, MCIP
PPD File # DASZ 9/2024

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED REZONING OF LAND LOCATED AT 823 LEMAY AVENUE AND LAND LOCATED BETWEEN 35 DE LA DIGUE AVENUE AND 100 VILLA MARIA PLACE

It is recommended that approval of DASZ 9/2024, if granted, be subject to the applicant amend the proposed plan in accordance with the following Plan Considerations and entering into a Servicing Agreement containing the following conditions:

Section I – General Comments

1) The Planned Area depends on upgrades to the St Norbert Lift Station. These upgrades are forecasted to be online in 2026-2027 and no developments permits will be released without sufficient servicing in place.
2) Wastewater sewer capacity along the Pembina Highway sewer system both south and north of the Perimeter Highway is constrained for the servicing of the Planned Area and other lands in St Norbert.
3) Any works located in close proximity to the City's Primary Line of Defense (PLD) will require geotechnical analysis to ensure the integrity of the PLD and seepage below its base are considered at this location.
4) There is adequate water servicing for the proposed development. Additional review will be required by our Department should the plans of development change during the design process.
5) The development's private water system must have a minimum of two feed points, to provide water supply reliability for the large number of customers using a water main loop.
6) As a drainage pipe to the Red River has not been accepted by affected stakeholders, the discharge of land drainage into the City's land drainage system is anticipated to limited. Undertaking solutions to provide more capacity may have a large financial impact on the project.
7) Land drainage impacts from De La Digue Avenue improvements contemplated in clause 3 of Section IV of this report will need to mitigated by land drainage works sufficient to prevent lowering the level of service in the land drainage system that receives the increased land drainage.
8) The Water and Waste Department has advised that they have no concerns with the discharge of caveats 82-80529/1 and 82-80530/1 from the Planned Area.
9) Parks would like to advise that the subject site consists of some of Winnipeg's highest quality ecologically significant natural lands with indication that it may hold historical and cultural significance. Ideally, the entirety of the area would be a public park.

Should development proceed at this location Parks is recommending, at minimum, 10% public reserve land dedication be required to protect and preserve approximately 2.5 acres of the existing grade A/B riverbank forest at the eastern limit of the subject site.
The preservation of the forest aligns with the Winnipeg Parks Strategy Park acquisition policy 4.1.1.30 to protect natural areas, Urban forests policy 4.2.1.4 to prioritize preservation of urban forest along riverbanks, and policy 21 in the Winnipeg Comprehensive Urban Forest Strategy to protect and preserve continuous forest patches.
Council adopted OurWinnipeg 2045 (OW) and Complete Communities 2.0 (CC) Bylaws support the preservation of natural forest within the City recognizing that protecting and valuing "ecosystems as essential components to life" is a key objective of Environmental Resiliency (OW, p21). Supporting policies includes OW 2.19, 2.21 and CC 4.1, 4.4.1 & 4.5.a of the Parks and Recreation section.

10) Recognizing the invaluable role riparian habitat plays in ecosystem health, Parks does not support the private land drainage infrastructure through the riparian riverbank land under Parks jurisdiction, as proposed in Option 2 of the Developer's submission. This land is high quality ecologically significant river bottom forest, wetland and grassland habitat that supports biodiversity, watershed health and provides an ecological corridor for the movement of species.

Section II – Plan Considerations

1) That the Developer be obligated to dedicate a minimum of 10% of the land for public park purposes, to preserve and protect the existing forest and habitat, as determined by and to the satisfaction of the Director of Public Work. The limits of the public reserve dedication shall be, at a minimum, 63m westerly from the eastern property line, between the north limit and southerly limit of the forest, as approximated in Schedule C.

Section III – Engineering Studies

1) The Developer shall, at no expense to the City, conduct geotechnical investigations and develop pavement designs in accordance with the City's "Guidelines for Site Investigation Requirements for Public Works Street Projects", all to the satisfaction of the Director of Public Works.

2) The Developer shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which shall outline the provision of underground services required for the Planned Area, adjacent lands and the improvements to , as determined by and to the satisfaction of the Director of Water and Waste.

3) Any works located in close proximity to the City's Primary Line of Defense (PLD) will require geotechnical analysis to ensure the integrity of the PLD and seepage below its base are considered at this location.

4) Fire Plan Exam requires a phased fire protection engineers report on how MFC 5.6.1.2. Measures to Mitigate Fire Spread to Adjacent Buildings requirements will be met.

Section IV - Servicing Conditions

1) Wastewater

a) The Developer shall, at no expense to the City, upgrade the wastewater infrastructure as identified in the accepted servicing report required to adequately serve the Planned Area and adjacent lands, to the satisfaction of the Director of Water and Waste.

b) For any oversizing of wastewater sewers to serve lands beyond the Planned Area, the necessary calculations shall be made to the satisfaction of the Water and Waste Department to determine the cost of additional capacity to be provided by the applicant. The City shall reimburse the applicant for any such oversizing, subject to available funding or when funds are collected from the benefitting property owner(s), in accordance with the Development Agreement Parameters.

2) Land Drainage

a) The Developer shall, at no expense to the City, upgrade the land drainage infrastructure as identified in the accepted servicing report required to adequately serve the Planned Area, adjacent lands and the improvements to De La Digue Avenue, to the satisfaction of the Director of Water and Waste.

b) For any oversizing of land drainage sewers to serve lands beyond the Planned Area, the necessary calculations shall be made to the satisfaction of the Water and Waste Department to determine the cost of additional capacity to be provided by the applicant. The City shall reimburse the applicant for any such oversizing, subject to available funding or when funds are collected from the benefitting property owner(s), in accordance with the Development Agreement Parameters

3) De La Digue Avenue

The Developer shall, at no expense to the City, construct Portland cement concrete pavement, at a width in consultation with Public Works by 200mm thick in De La Digue Avenue between the west limit of the Planned Area and Pembina Highway and all related works including, but not limited to ornamental street lighting, boulevard landscaping in the north boulevard, boulevard sodding in the south boulevard, multi-use path on the north side, and land drainage sewer all as determined by and to the satisfaction of the Director of Public Works.

4) Pembina Highway

The Developer shall, at no expense to the City, construct a southbound left turn lane, taper, and median opening on Pembina Highway at De La Digue Avenue, and all related works including but not limited to separating and redefining the southbound left turn on Pembina Highway at Lemay Avenue and De L'Eglise Avenue, all as determined by and to the satisfaction on the Director of Public Works.

5) Sidewalks/Pathways

The Developer shall, construct a multi-use path on top of the berm and connecting to Pembina Highway through St. Norbert Community Centre lands and all related works, as determined by and to the satisfaction of the Director of Public Works. Alternatively, the Developer shall pay the costs associated with the above works or a portion of the above works, at Public Works discretion, all as determined by and to the satisfaction of the Director of Public Works.

6) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

7) Construction Traffic

a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

8) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

15) Fencing Abutting Public Reserve

a) The Developer shall, at no expense to the City, provide continuous open-style fencing within the Developer-Owned Land for properties abutting the Public Reserve land(s), as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall permit the City to file a caveat against the title of each such lot, requiring the property owner(s) to maintain and/or repair/replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

16) 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 Winnipeg Land Titles Office.

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.

17) Public Reserve Dedication

a) The Developer shall dedicate a minimum of 10% of the net area for public park purposes, to the satisfaction of the Director of Public Works.

i. Dedicated land shall consist of preserved and protected forest and habitat, as approximated in Schedule C;

ii. The Developer shall compensate the City for any shortfalls in the amount of land, servicing, landscaping and improvements not provided, at the prevailing rate at the time of construction, by payment of cash, as approved by the Directors of Public Works and Planning, Property and Development; and,

iii. The Developer shall compensate the City for any damage to the natural area and trees within the dedicated Public Reserve resulting from development, by way of re-naturalization and reforestation or by cash payment for the value of the natural area and trees lost.

b) The Developer shall provide the following landscaping and improvements, in accordance with Park Development Guidelines, Park Standards and plans and specifications all as approved by the Director of Public Works:

i. Grade, level, vegetate and construct primary pathway between the public reserve and Lemay Avenue to support public and Parks' maintenance access.

ii. Provide park signage.

c) The Developer shall, at no expense the City, protect and preserve the existing forest and natural areas within the proposed Public Reserve in accordance with the following, to the satisfaction of the Director of Public Works:

i. Any re-grading of land or changes in drainage patterns due to development must ensure there is no run off or land drainage directed into the Public Reserve;

ii. Drainage patterns of water out of natural areas must be accounted for by providing drainage where necessary to maintain a neutral effect on the moisture regime; and,

iii. In accordance with the City's Standard Tree Protection Requirements, the Developer shall implement tree protection measures throughout the development and construction period, including but not limited to the installation of protective fencing along the limits of the Public Reserve lands, to ensure no accidental encroachment into that area during construction, all to the satisfaction of the City Forester and under the direction of a certified arborist engaged by the Developer;

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

e) The Developer shall, at no expense to the City, maintain the improvements to the Public Open Spaces for a period of two years, or longer, in accordance with specifications approved by the Director of Public Works. The said maintenance period shall begin on the date of issuance of a Construction Completion for Parks and shall conclude on the date of the issuance of a Final Acceptance Certificate for Parks. Despite the foregoing, the City reserves the right to impose longer maintenance periods for such amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of development.

f) The Developer agrees to undertake the required improvements to the Public Open Spaces before build out has reached 80% and to complete the said improvements before build out has reached 100%, unless an extension of time has been previously approved, in writing, by the Director of Public Works.

g) That the Developer negotiate and enter into the necessary agreement to grant ongoing public and Parks (maintenance) access to the proposed public reserve.

Section V – Costs and Fees

1) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of this Agreement and the physical development of the Planned Area.

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 9/2024
June 7th, 2024

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

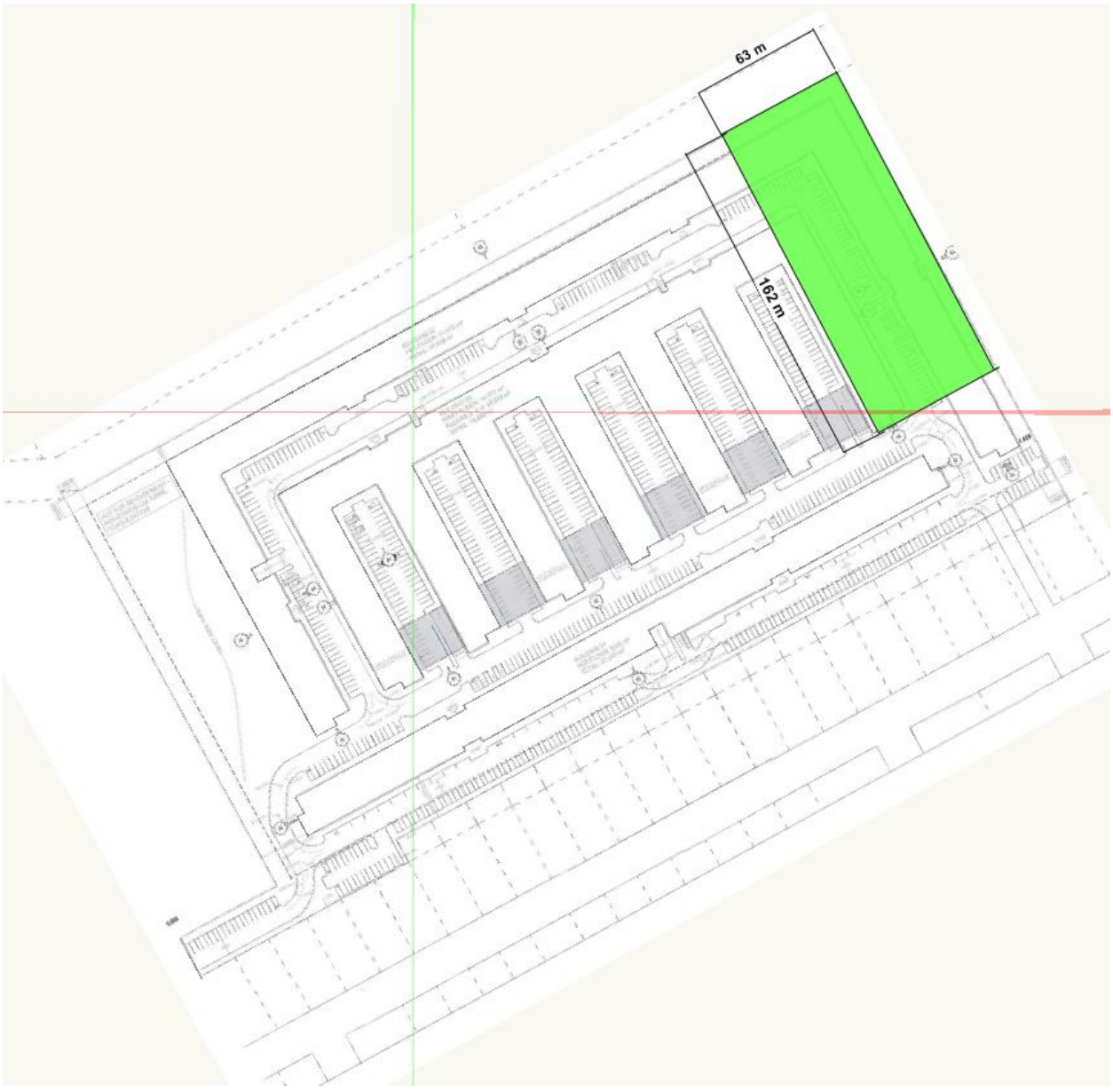
"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

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

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

SCHEDULE C

PROPOSED PUBLIC RESERVE DEDICATION



Schedule "D" for File No. DASZ 9/2024, Riel Community Committee, dated June 7, 2024

By-Law No. _____

File No. **DASZ 9/2024**

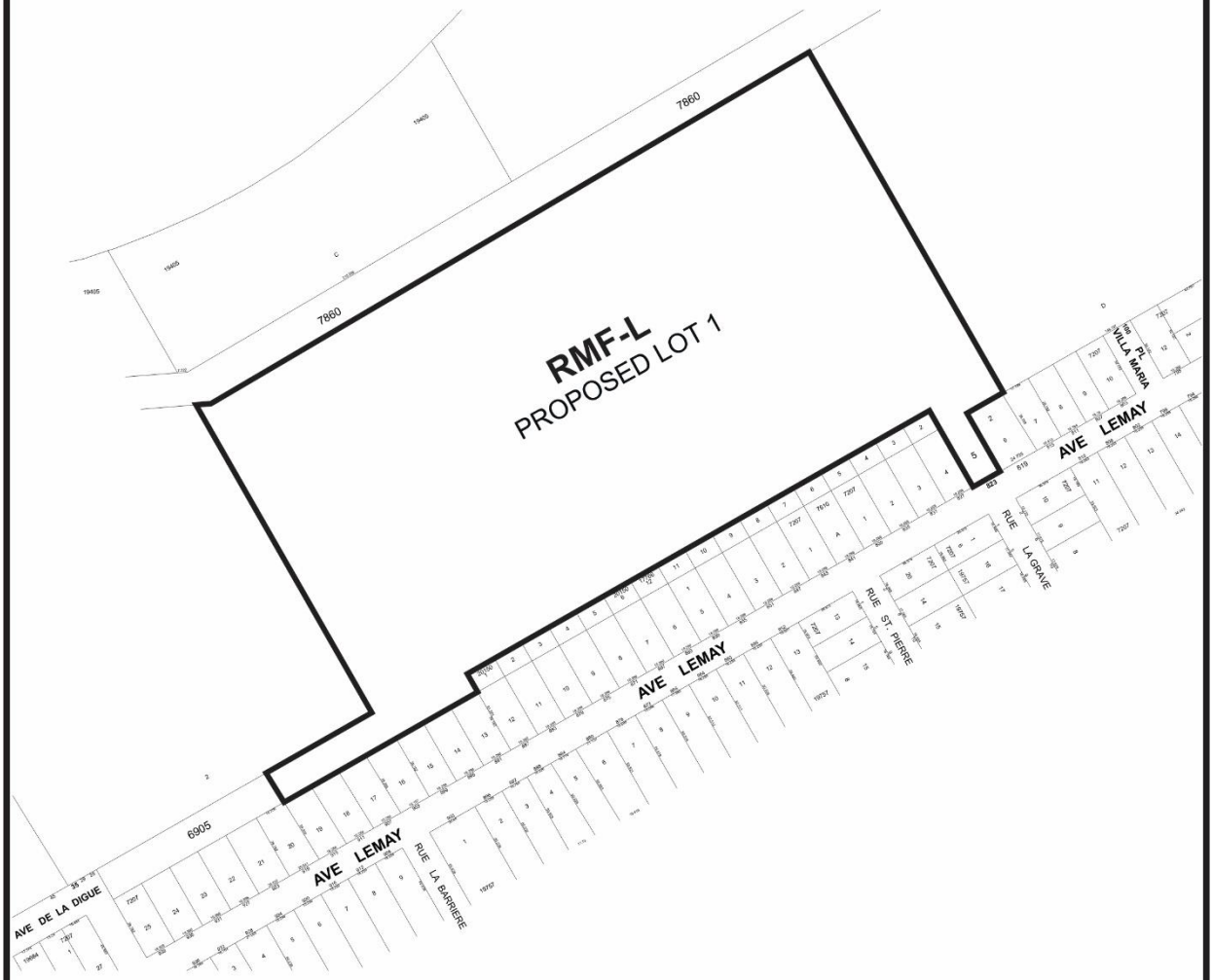
Atlas Sheet No. **AP24**

N

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 823 Lemay Avenue and lands located between 35 De La Digue Avenue and 100 Villa Maria Place from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to facilitate the consolidation of the lands for the establishment of an Assisted Living Facility use.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "E" for File No. DASZ 9/2024, Riel Community Committee, dated June 24, 2024

By-Law No. _____

File No. **DASZ 9/2024**

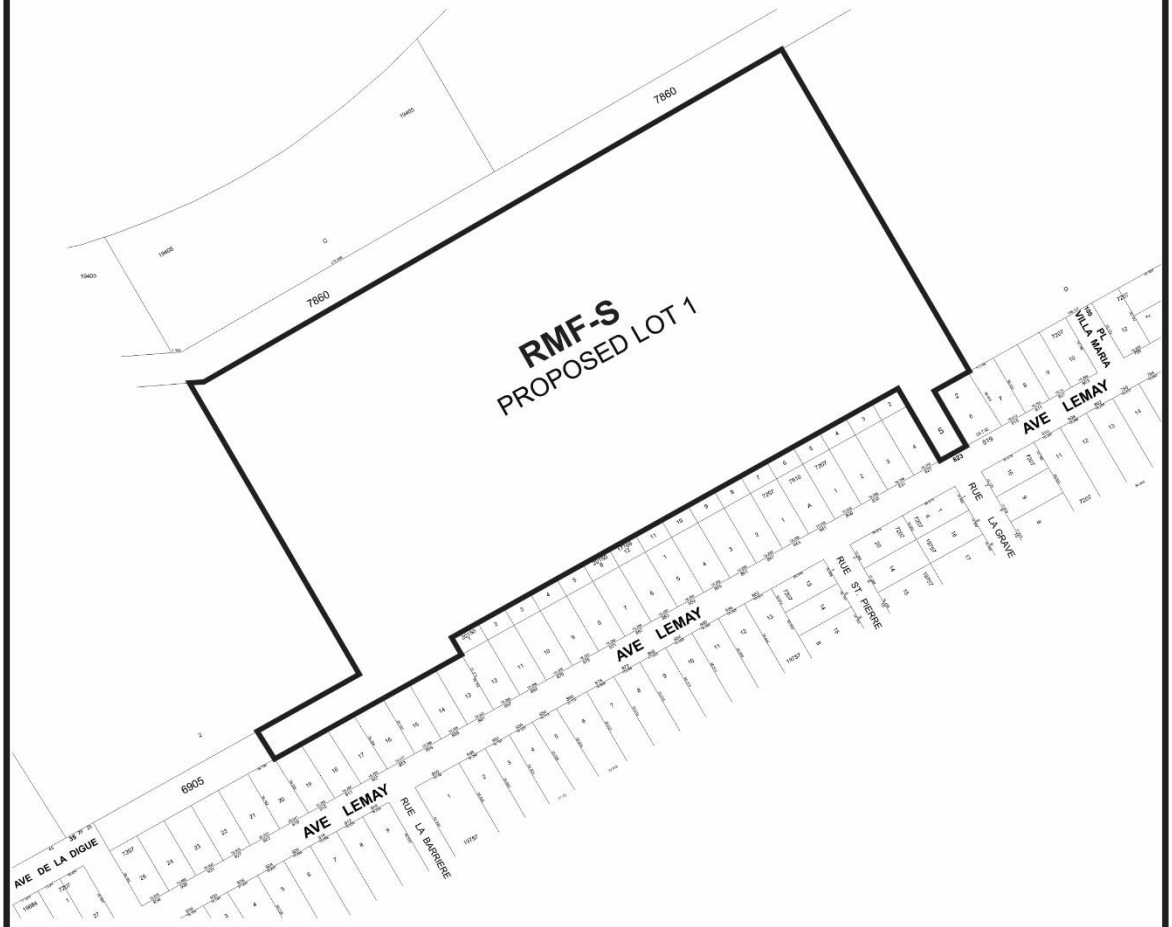
Explanation

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 823 Lemay Avenue and lands located between 35 De La Digue Avenue and 100 Villa Maria Place from an "RR5" RURAL RESIDENTIAL 5 DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to facilitate the consolidation of the lands for the establishment of an Assisted Living Facility use.

Atlas Sheet No. **AP24**

N

RIEL COMMUNITY



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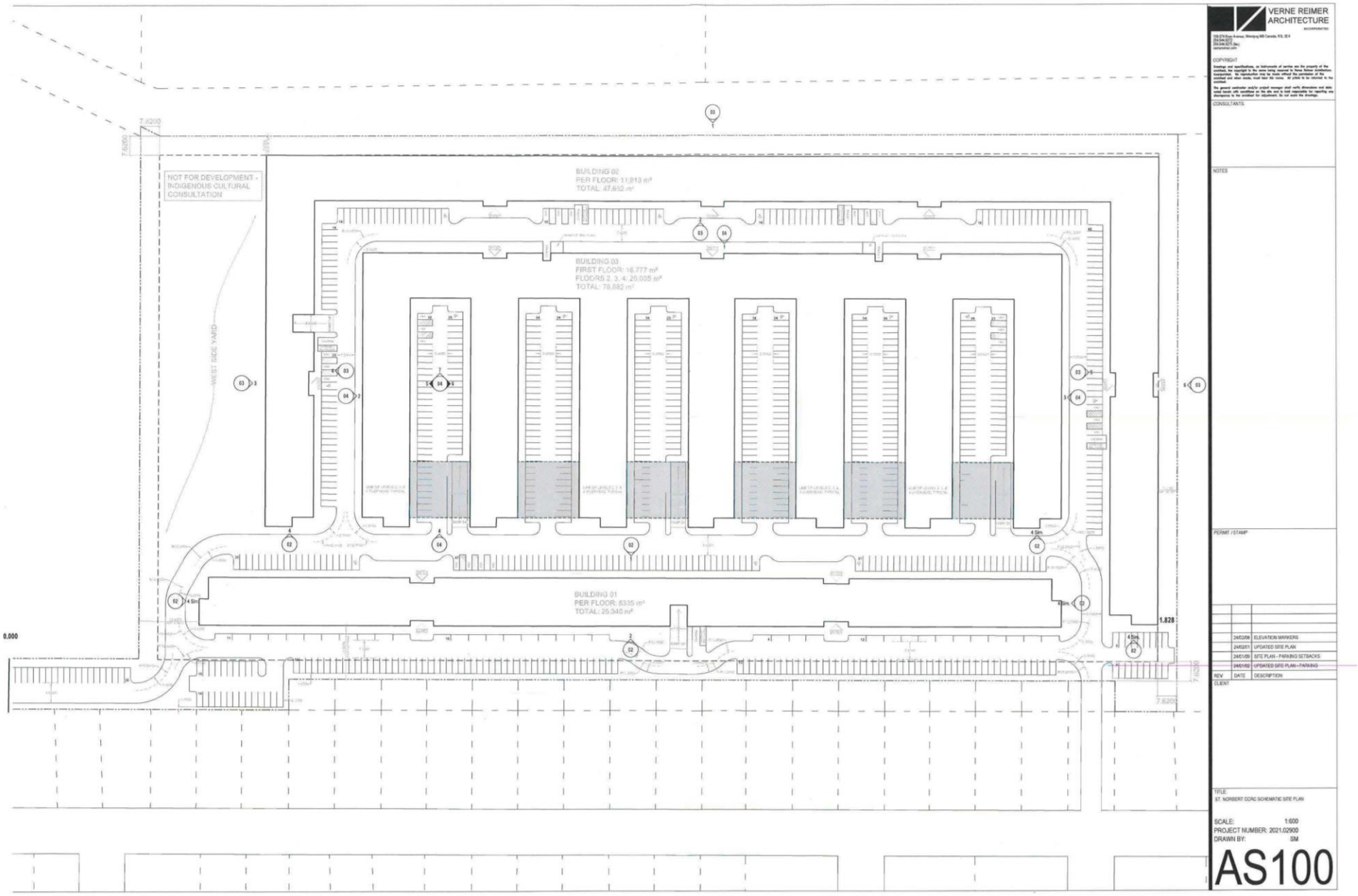
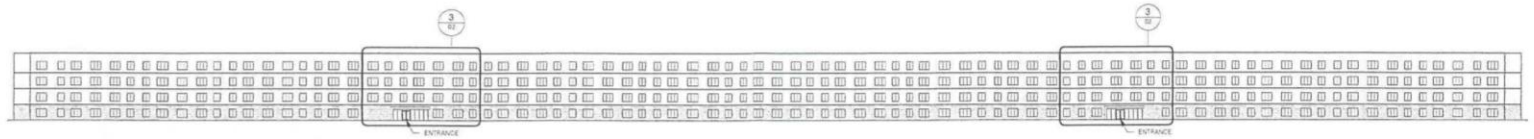
ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “8” referred to in File DASZ 9/2024





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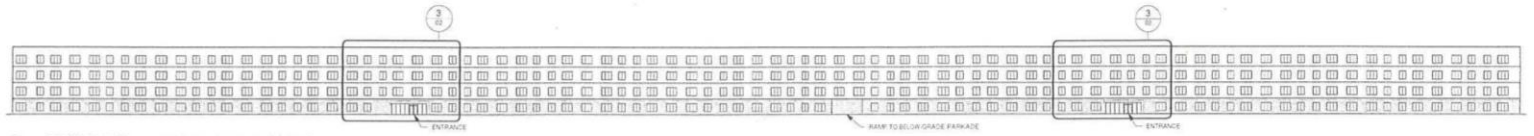

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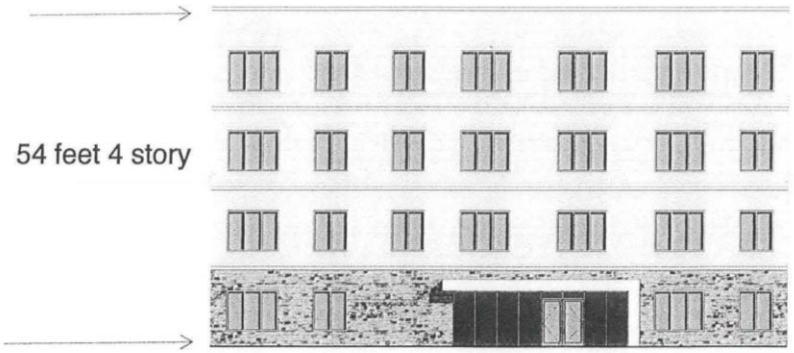

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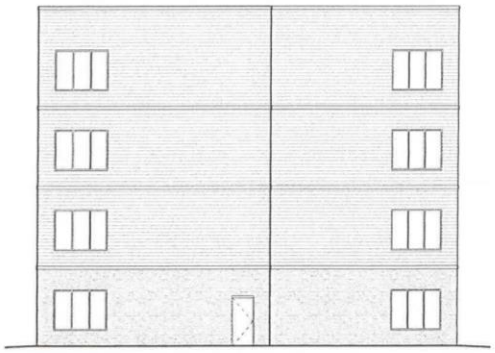

4 02 TYPICAL END WALL ELEVATION
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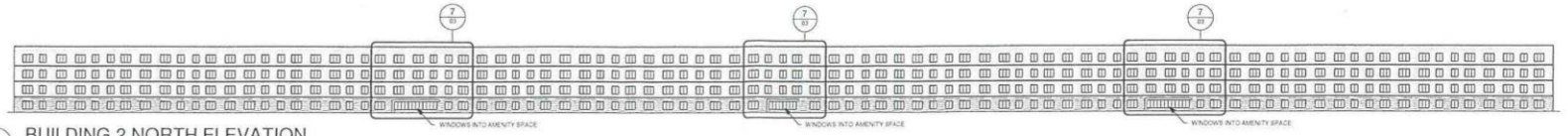
St. Norbert CCRC
BUILDING 1 ELEVATIONS
02

VERNE REIMER ARCHITECTURE



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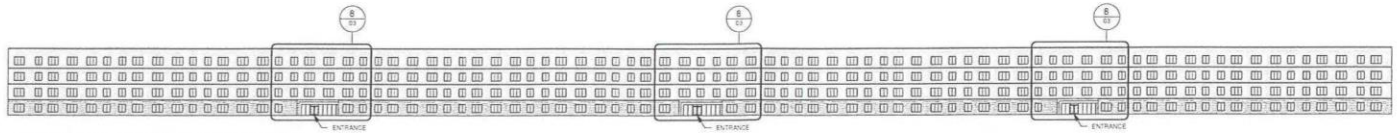

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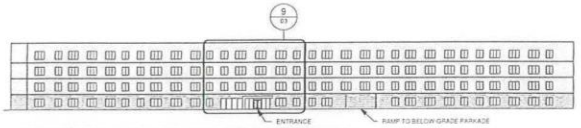

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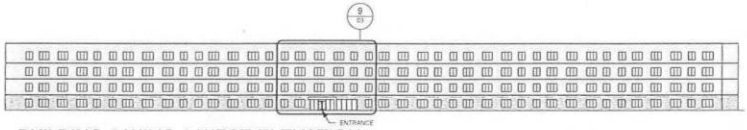

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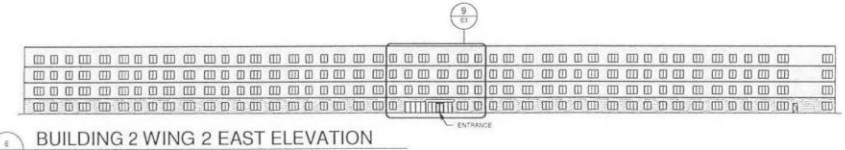

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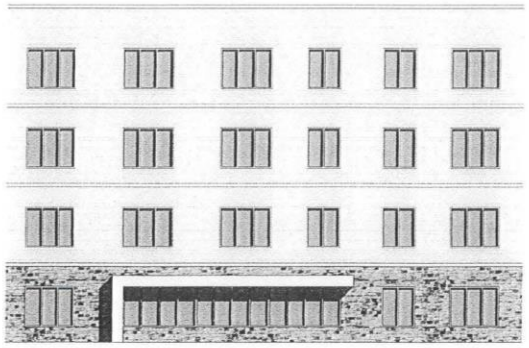

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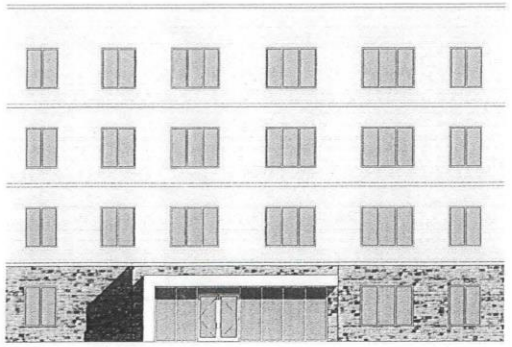

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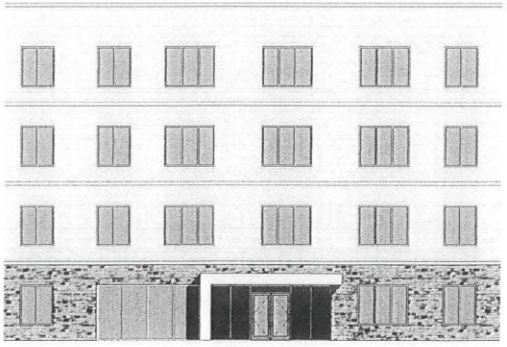

9 03 TYPICAL ENTRANCE TYPE 3
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St. Norbert CCRC
BUILDING 2 ELEVATIONS
SCALE As noted

03

VERNE REIMER ARCHITECTURE



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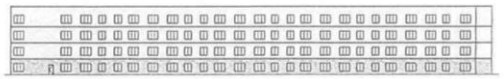

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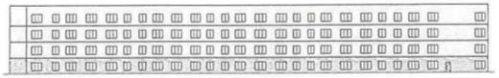

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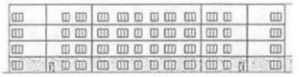

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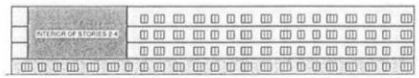

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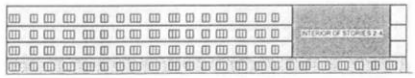

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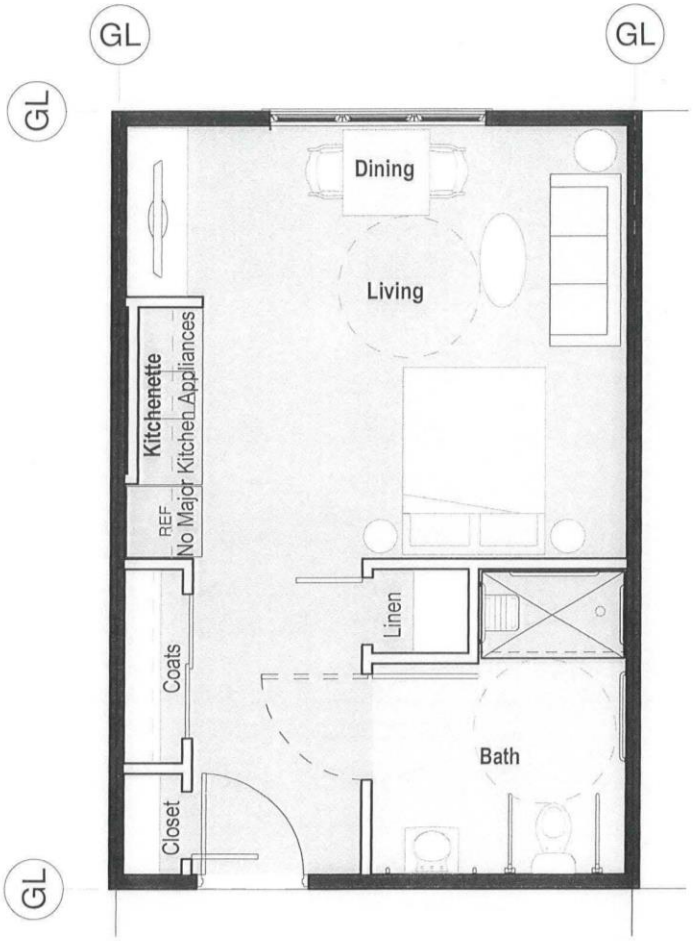

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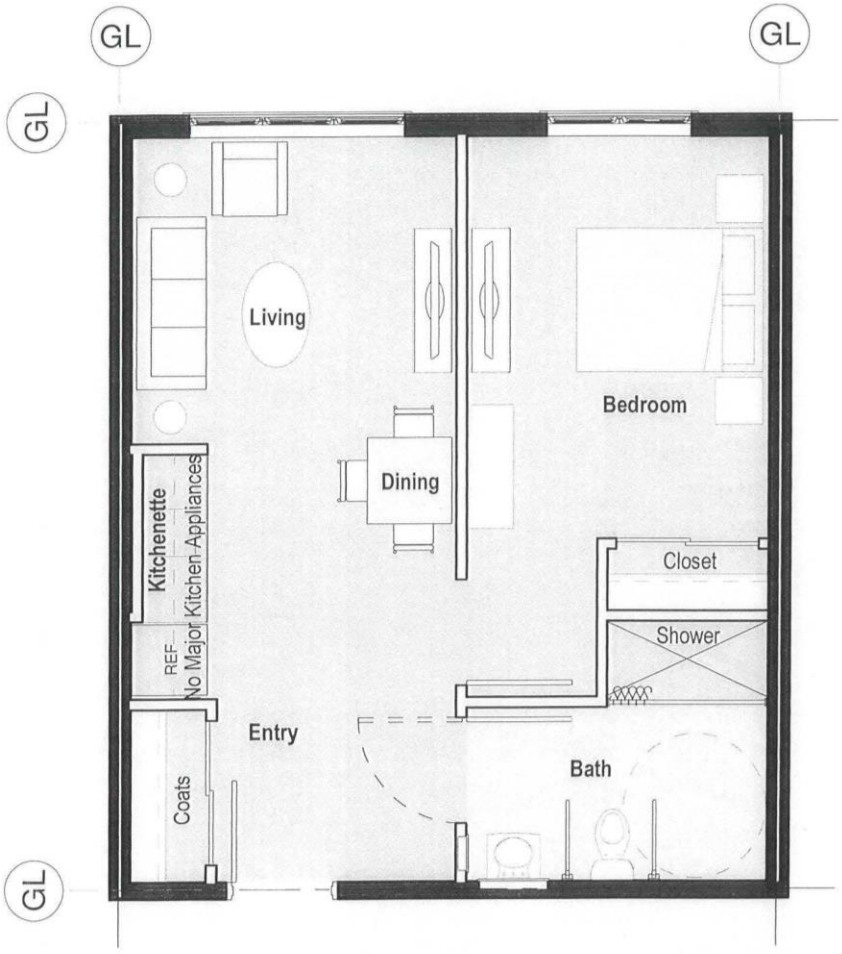

2/01 TYP ASSISTED SUITE 1BDRM

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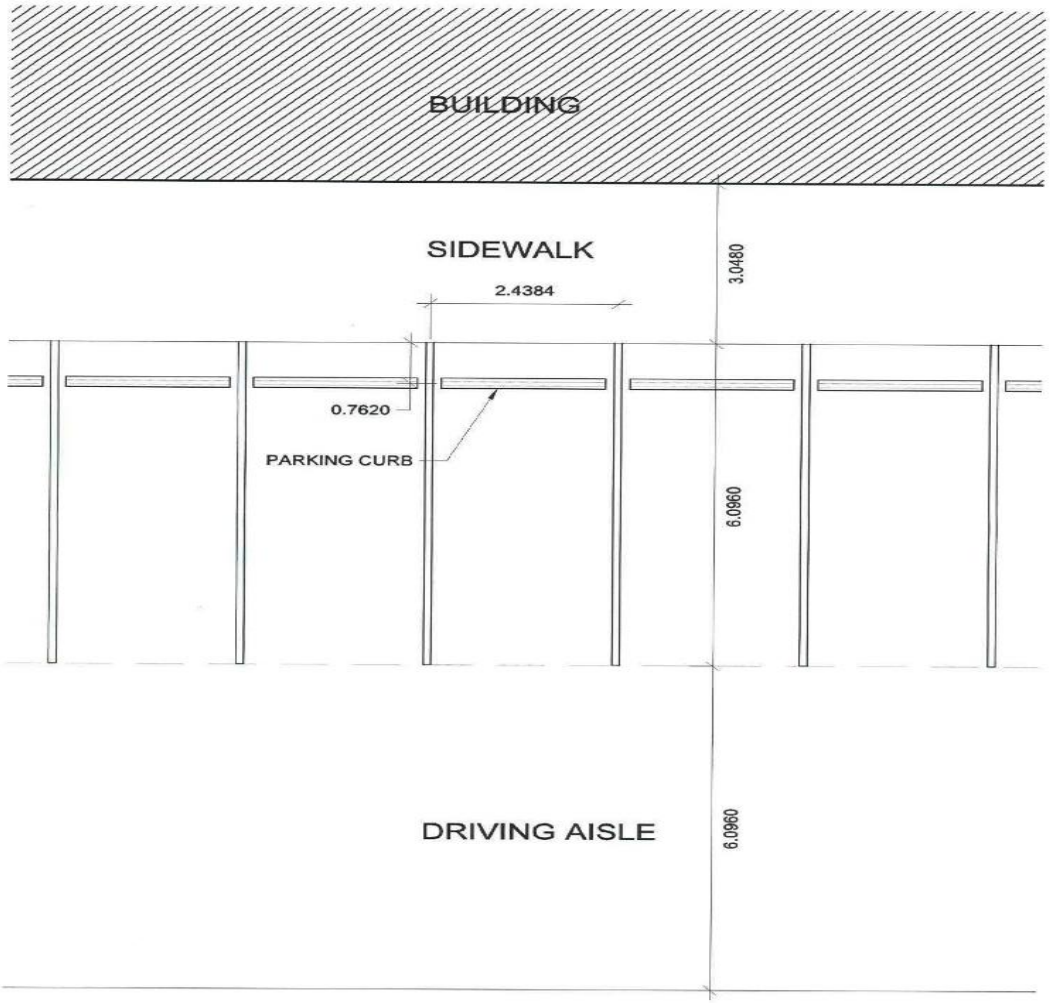
St. Norbert CCRC
TYP SUITES - ASSISTED
SCALE: 1 : 50

01

02/01/24

VERNE REIMER ARCHITECTURE INCORPORATED



VERNE REIMER ARCHITECTURE
INCORPORATED
109-374 River Avenue, Winnipeg MB Canada, R3L 0E4
204.944.9272
204.944.9275 (fax)
vernereimer.com

PROJECT TITLE
ST. NORBERT CCRC

PARKING STALL DETAIL - TYPICAL STALL (8' x 20')

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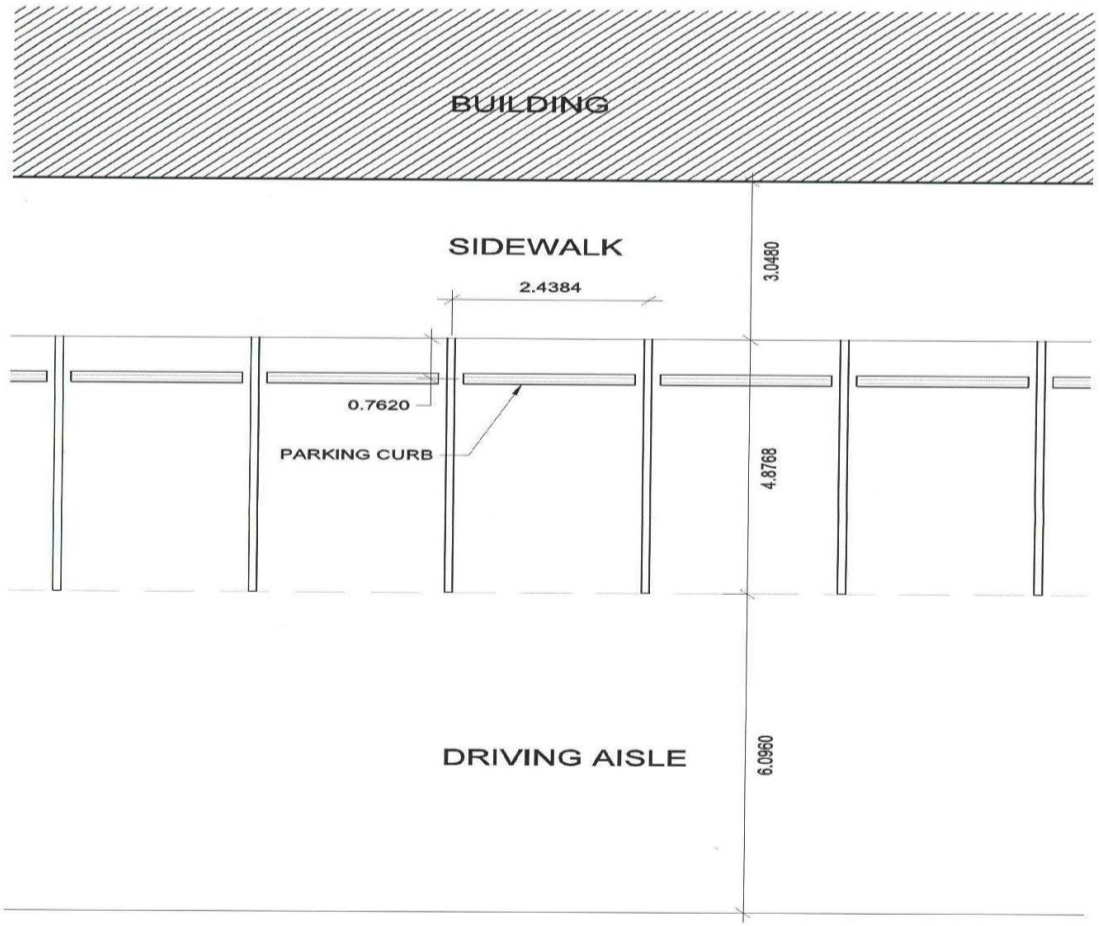
SM		
PROJECT NO.	DATE	SHEET NO.
2021.02900	2024-01-31	AS02



VERNE REIMER ARCHITECTURE
INCORPORATED
109-374 River Avenue, Winnipeg MB Canada, R3L 0E4
204.944.9272
204.944.9275 (fax)
vernereimer.com

PROJECT TITLE
ST. NORBERT CCRC

PARKING STALL DETAIL - SMALL STALL (8' x 16')

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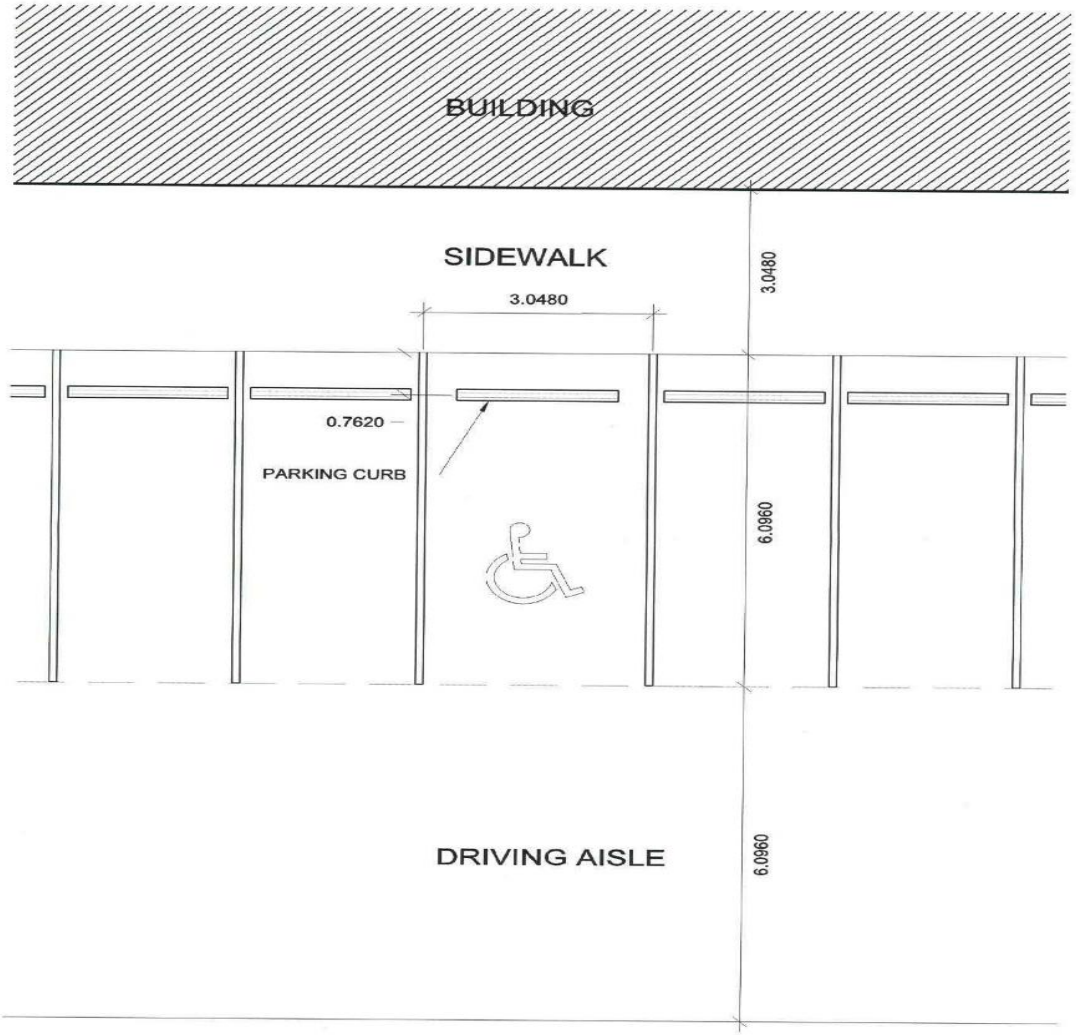

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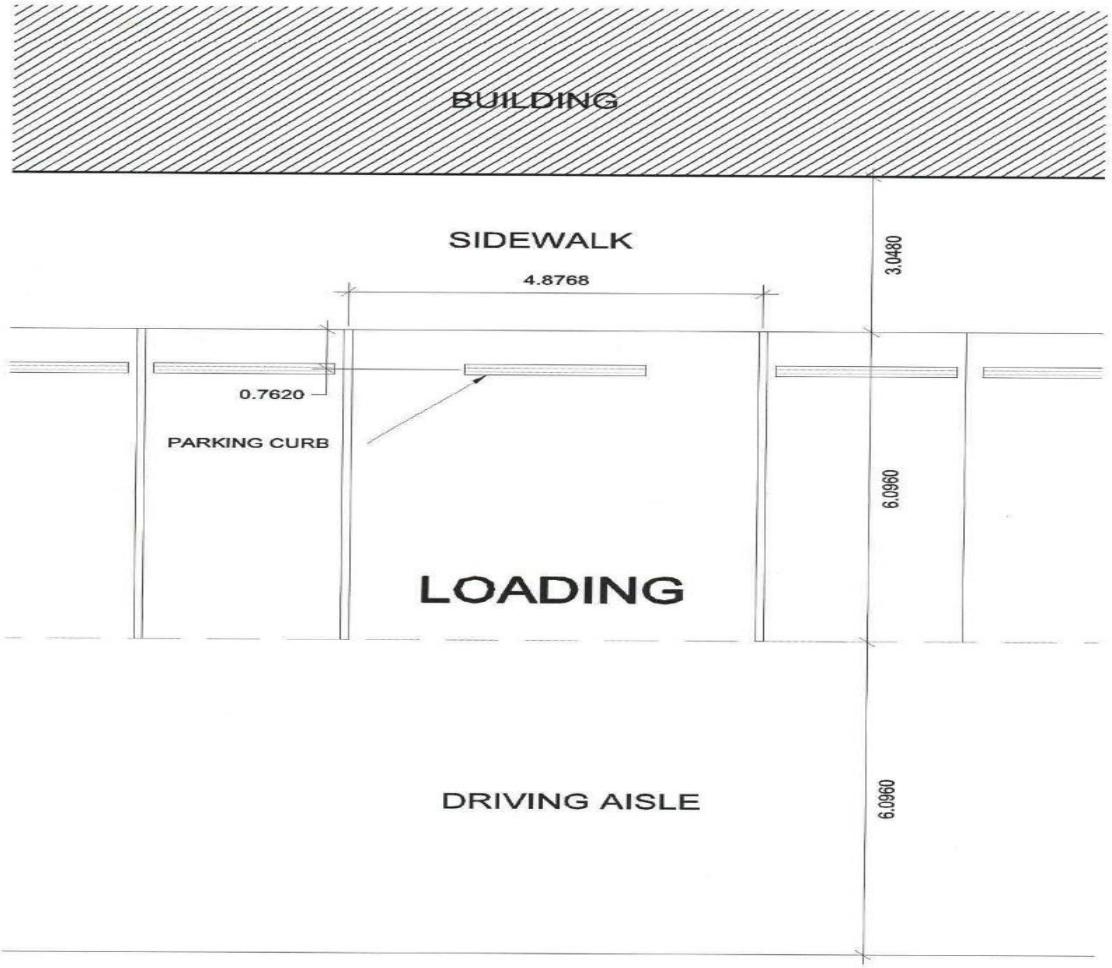
204.944.9275 (fax)
vernereimer.com

PROJECT TITLE
ST. NORBERT CCRC

PARKING STALL DETAIL - ACCESSIBLE STALL (10' x 20')

DRAWN BY	APPROVED BY	REFERENCE DRAWING
SM		
PROJECT NO.	DATE	SHEET NO.
2021.02900	2024-01-31	AS04



VERNE REIMER ARCHITECTURE
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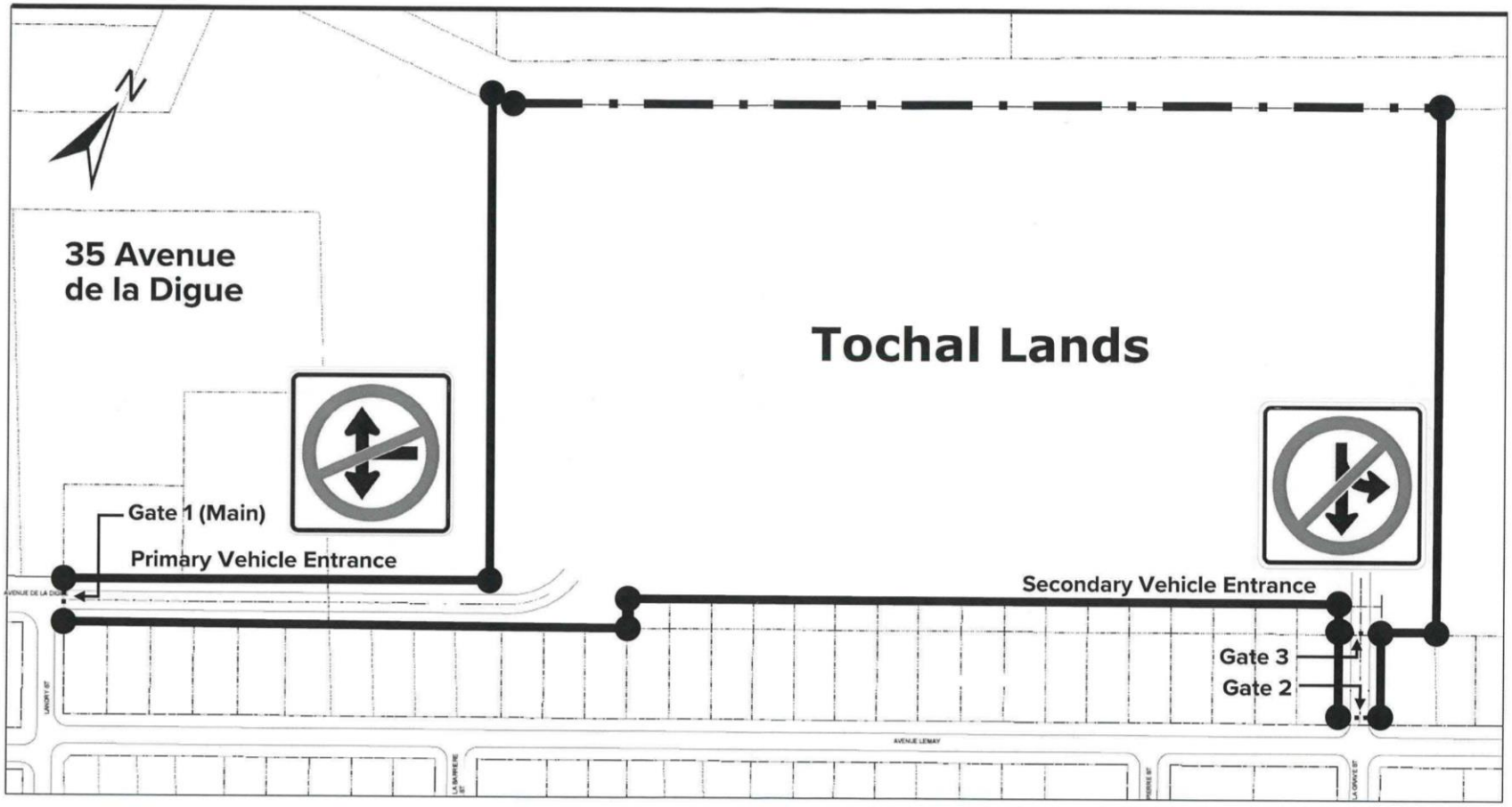
PROJECT TITLE
ST. NORBERT CCRC

PARKING STALL DETAIL - LOADING STALL (16' x 20')

DRAWN BY	APPROVED BY	REFERENCE DRAWING
SM		
PROJECT NO.	DATE	SHEET NO.
2021.02900	2024-01-31	AS05

Fence and Gate Plan



Chain Link Fence, 6.6 feet

Opaque Fence, 10 feet

Chain Link Gate, 8 feet

January 11, 2024