**Minutes – Council – December 12, 2024**

**Minute No. 50**
**Report – Executive Policy Committee – December 4, 2024**

**Item No. 2 Subdivision and Rezoning – 474 and 494 Panet Road (Elmwood-East Kildonan Ward) File DASZ 31/2024 [c/r SPA 5/2024 and DAV 160322/2024D]**

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the subdivision proposed under Development Application No. DASZ 31/2024 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 B to this report and as shown on the map dated November 13, 2024 and attached as Schedule C 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 September 26, 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 September 26, 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 a "C3" Commercial Corridor District and remove it from the WARMAN ROAD PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 WARMAN ROAD) in accordance with the proposed by-law attached as Appendix B to this report and as shown on the map dated November 13, 2024, and attached as Schedule C 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. The owner must construct the Works in substantial conformance with the plans submitted as Appendix A, otherwise plans must be submitted showing the location and design of any and all proposed:

**Report – Executive Policy Committee – December 4, 2024**

COUNCIL DECISION (continued):

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. pedestrian pathways
f. fencing
g. landscaping

on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan-Transcona 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. That, unless the Director of Planning, Property and Development receives written confirmation from the operator of the rail line that abuts the lands being rezoned by DASZ 31/2024, stating that a specific reduced setback is allowed by the operator of the rail line, the following restrictions shall apply to the lands being rezoned by DASZ 31/2024

a. No vehicular access point to the property shall be permitted within 30 metres (98.425 feet) of the at-grade railway crossing on Panet Road.

b. No building shall be constructed within 30 metres (98.425 feet) of the south property line abutting the rail line.

iii. That, the Owner of the lands being rezoned by DASZ 31/2024 will, at no expense to the City as determined by and to the satisfaction of the Director of Planning, Property and Development:

a. construct a continuous chain link fence along the entirety of their property that abuts the rail line; and

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

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

**Report – Executive Policy Committee – December 4, 2024**

COUNCIL DECISION (continued):

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 Director of Legal Services and City Solicitor 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 Director of Legal Services and City Solicitor to protect the interests of the City.

5. That, in lieu of the dedication of land, the developer shall provide a cash payment representing 10 percent of the planned area value of the Development Application (the "Dedication Fee"), as determined by the City's Director of Planning, Property and Development.

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and 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.

7. 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 and City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 31/2024 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.

9. 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.

**Report – Executive Policy Committee – December 4, 2024**

COUNCIL DECISION (continued):

10. 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.

11. 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

12. That Development Application No. DASZ 31/2024 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.

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

14. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 31/2024.

15. That DASZ 31/2024 shall not be enacted as a by-law unless SPA 5/2024 receives third reading.

**Report – Executive Policy Committee – December 4, 2024**

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

Councillors Allard, Gilroy and Orlikow were absent for the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 4, 2024, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

On November 13, 2024, the Executive Policy Committee did not hear any representation on the application and adjourned the public hearing to its meeting on Wednesday, December 4, 2024 at 9:30 a.m. in the Council Building at 510 Main Street.

## PUBLIC HEARING SUMMARY

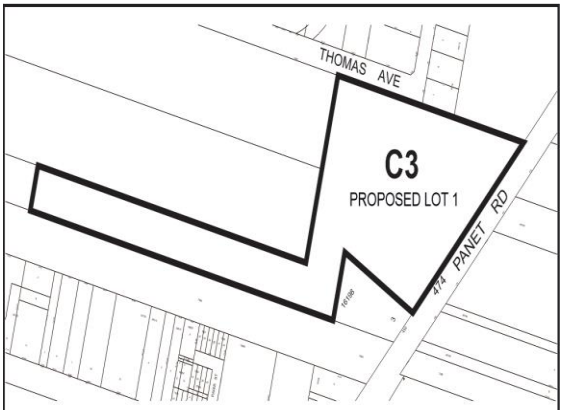
**File:** DASZ 31/2024

**Before:** Executive Policy Committee
His Worship Mayor Gillingham
Councillor Duncan
Councillor Lukes
Councillor Rollins
Councillor Santos

**Public Hearing:** December 4, 2024
November 13, 2024
Council Building, 510 Main Street

**Applicant:** MMP Architects (Aaron Simoes)

**Subject:**

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EAST KILDONAN
TRANSCONA
COMMUNITY

**APPLICANT:** MMP Architects Inc. (Aaron Simoes)
**FILE:** DASZ 31/2024
**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 "M2 PDO-1 WARMAN ROAD" MANUFACTURING GENERAL DISTRICT to a "C3" COMMERCIAL CORRIDOR DISTRICT to facilitate the consolidation of lands, remove the property from the Warman Road Planned Development Overlay 1 and allow the establishment of a Retail use. **For information, phone D. Chyz-Lund Planner at 204-986-8289**

**Premises Affected:** 474 and 494 Panet Road

**For submission to:** Council

**Prepared by:** K. McMillan, Manager of the Decision Making Process

**Report date:** December 4, 2024

**Executive Policy Committee Recommendation:**

On December 4, 2024, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the subdivision proposed under Development Application No. DASZ 31/2024 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 B to this report and as shown on the map dated November 13, 2024 and attached as Schedule C 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 September 26, 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 September 26, 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 a "C3" Commercial Corridor District and remove it from the WARMAN ROAD PLANNED DEVELOPMENT OVERLAY 1 (PDO-1 WARMAN ROAD) in accordance with the proposed by-law attached as Appendix B to this report and as shown on the map dated November 13, 2024, and attached as Schedule C 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. The owner must construct the Works in substantial conformance with the plans submitted as Appendix A, otherwise plans must be submitted showing the location and design of any and all proposed:

a. buildings
b. accessory parking areas
c. private approaches
d. garbage enclosures
e. pedestrian pathways
f. fencing
g. landscaping

on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan-Transcona 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. That, unless the Director of Planning, Property and Development receives written confirmation from the operator of the rail line that abuts the lands being rezoned by DASZ 31/2024, stating that a specific reduced setback is allowed by the operator of the rail line, the following restrictions shall apply to the lands being rezoned by DASZ 31/2024

a. No vehicular access point to the property shall be permitted within 30 metres (98.425 feet) of the at-grade railway crossing on Panet Road.

b. No building shall be constructed within 30 metres (98.425 feet) of the south property line abutting the rail line.

iii. That, the Owner of the lands being rezoned by DASZ 31/2024 will, at no expense to the City as determined by and to the satisfaction of the Director of Planning, Property and Development:

a. construct a continuous chain link fence along the entirety of their property that abuts the rail line; and

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

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 Director of Legal Services and City Solicitor 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 Director of Legal Services and City Solicitor to protect the interests of the City.

5. That, in lieu of the dedication of land, the developer shall provide a cash payment representing 10 percent of the planned area value of the Development Application (the "Dedication Fee"), as determined by the City's Director of Planning, Property and Development.

6. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services and 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.

7. 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 and City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

8. That Development Application No. DASZ 31/2024 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.

9. 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.

10. 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.

11. 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 9 and 10, unless the developer applies for an extension of time before the expiration of that 1-year period and Council approves the extension.

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

14. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 31/2024.

15. That DASZ 31/2024 shall not be enacted as a by-law unless SPA 5/2024 receives third reading.

The Executive Policy Committee provided the following supporting reasons for its recommendation:

1. We share the enthusiasm of Princess Auto and support the application with respect to being consistent with Plan Winnipeg and being an exciting project for Winnipeg, one that is clearly homegrown, and one that Winnipeggers rely upon to get jobs large and small done in their homes and workshops.

2. We have a goal to manage commercial areas but also to grow jobs and our economy. Princess Auto is a prominent retail destination and this supports many of our goals as a city.

| | |
|---|---|
| **Objections under the Charter:** | Total number of **v**alid objections as per section 125(2) – 0<br><br>In accordance with section 236.1(1), the threshold for sufficient objection 0 has not been met. |
| **Exhibits Filed:** | 1. Application dated June 27, 2024<br>2. Notification of Public Hearing<br>3. Manitoba Status of Titles 3156555/1, 3156556/1 and 3156558/1<br>4. Letter of authorization dated March 19, 2024 from Marc Tallman, Vice-President, West Panet Properties Ltd., to MMP Architects Inc.<br>5. Surveyor's Building Location Certificate and sketch dated November 2, 2023<br>6. Caveats 81-92036/1, 81-92038/1, 1001141/1, and 5467370/1<br>7. Title Plot Sketch<br>8. Proposed Plan of Subdivision Sketch<br>9. Site Plan<br>10. Initial Infrastructure Assessment<br>11. Princess Auto Flagship Store Conceptual Master Plan and Campus Conceptual Master Plan<br>12. Traffic Memo, SBC Servicing Memo and Public Engagement Summary dated April 12, 2024<br>13. Plans (10 pages)<br>14. Report from the Urban Planning Division dated November 4, 2024<br>15. Inspection Report<br>16. Notice of Adjournment dated November 13, 2024<br>17. Report from the Urban Planning Division dated October 3, 2024<br>18. Communication dated December 2, 2024, from Ben McGillivray in support of the application<br>19. Presentation in support of the application submitted by the Applicant<br>20. Recording of Representations |

REPRESENTATIONS:

In Support:

Aaron Simoes
Melissa Neirinck
Susan Russell
Heather Turnbull-Smith
Jennifer Benedictson
Ann Top
Ben McGillivary

In Opposition:

Nil

For Information:

Nil

For the City:

E. Allen, Planner, Planning, Property and Development Department
D. Chyz-Lund, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit “17” referred to in File DASZ 31/2024

# ADMINISTRATIVE REPORT

**Title:** DASZ 31/2024 at 474 and 494 Panet Road

**Critical Path:** Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| J. Veitch | H. Borys | T. Graham | S. Armbruster, Interim CAO |

## EXECUTIVE SUMMARY

For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from the “M2” Manufacturing - General district to the “C3” Commercial Corridor district to allow for the construction of a retail store.

## RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 31/2024 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 B to this report and as shown on the map dated November 13, 2024 and attached as Schedule C to this report, with such minor changes as may be required, subject to the following:

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(c) private approaches;

(d) garbage enclosures;

(e) pedestrian pathways;

(f) fencing; and

(g) landscaping;

on the Owner's Land ("Works") to the City for approval by the Director of Planning, Property and Development ("Director") and the East Kildonan - Transcona 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.

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

14. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File No. DASZ 31/2024.

15. That DASZ 31/2024 shall not be enacted as a by-law unless SPA 5/2024 receives third reading.

## REASON FOR THE REPORT

The applicant wishes to subdivide and rezone the existing property to the “C3” Commercial - Corridor District to construct a commercial building.

Subdivision and rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

The report is being submitted for the Committee’s consideration of the development application at the public hearing.

## IMPLICATIONS OF THE RECOMMENDATIONS

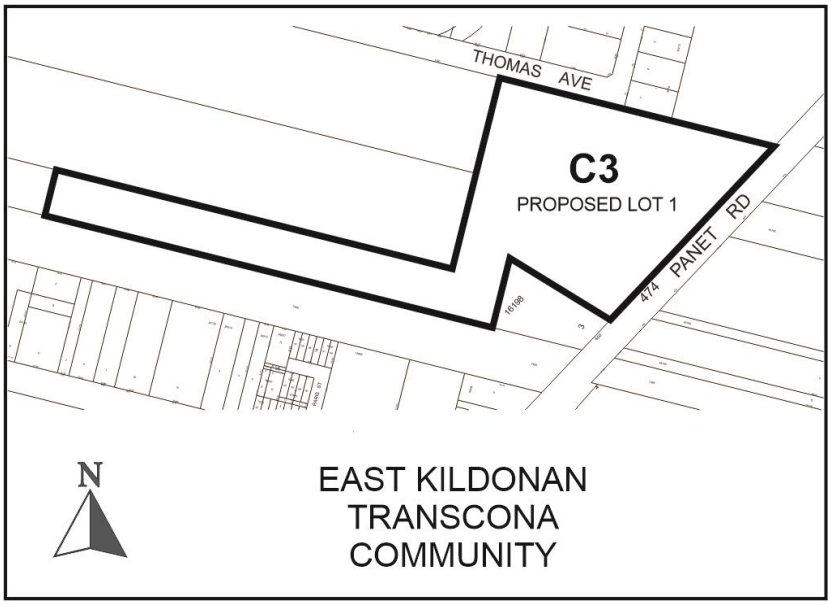
If the recommendations of the Urban Planning Division are concurred in, the land will be **subdivided and rezoned.**

## HISTORY/DISCUSSION

**SCHEDULE A - PLANNING DISCUSSION**

| | |
|---|---|
| **DATE:** | September 19, 2024 |
| **FILE:** | **DASZ 31/2024** |
| **RELATED FILES:** | SPA 5/2024 |
| | DAV 24-160332\D |
| **COMMUNITY:** | East Kildonan - Transcona Committee |
| NEIGHBOURHOOD #: | Tyne-Tees **-** 432 |
| **SUBJECT:** | For consideration at the public hearing of a subdivision and rezoning application to subdivide and rezone the subject property from the “M2” Manufacturing - General district to the “C3” Commercial Corridor district to allow the construction of a 105,000 square foot retail store. |

**LOCATION:** 474-494 Panet Road




**LEGAL DESCRIPTION:** LOT 2 PLAN 16198 72/74 ST B

**APPLICANT:** Aaron Simoes (MMP ARCHITECTS)
123 Bannatyne Ave Unit 200
Winnipeg, MB R3B 0R3

**OWNER:** WEST PANET PROPERTIES LTD.
535 Panet Rd 1
Winnipeg, MB R2C 2Z1

**RECOMMENDATION:** **Approval with conditions**

**SITE DESCRIPTION**

- The properties are located on the west side of Panet Road, between Mission Street and Nairn Avenue in the Tyne-Tees neighbourhood of the Elmwood – East-Kildonan Ward.

- The properties are currently zoned “M2” Manufacturing - General district.
- The properties are located in an Employment Lands policy area as designated in *Complete Communities 2.0*.
- The properties have an assessed area of approximately 17 acres (756,328 square feet).
- The properties are partly vacant, with some storage and parking currently on the site.

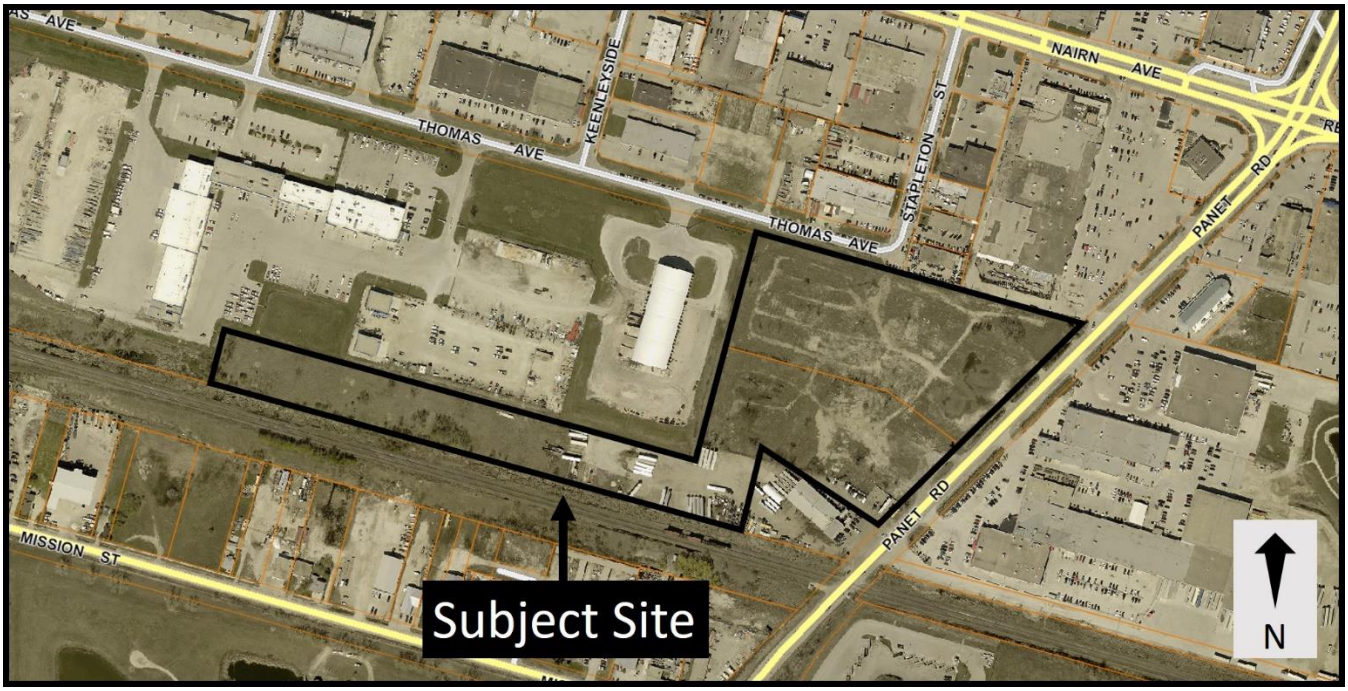



**Figure 1: Subject site and surrounding area (flown 2024).**

**SURROUNDING LAND USE AND ZONING (See Figure 2)**

**North**: A shopping centre zoned “C3” Commercial – Corridor district, Thomas Avenue, and several automotive and related uses zoned “M2” Manufacturing - General district.

**East**: Panet Road, then office and retail uses zoned “M1” Manufacturing – Light district.

**South**: An automotive / transportation service centre zoned “C2” Commercial – Community district, and railway tracks.

**West**: City of Winnipeg (Public Works) buildings zoned “M2” Manufacturing – General district.

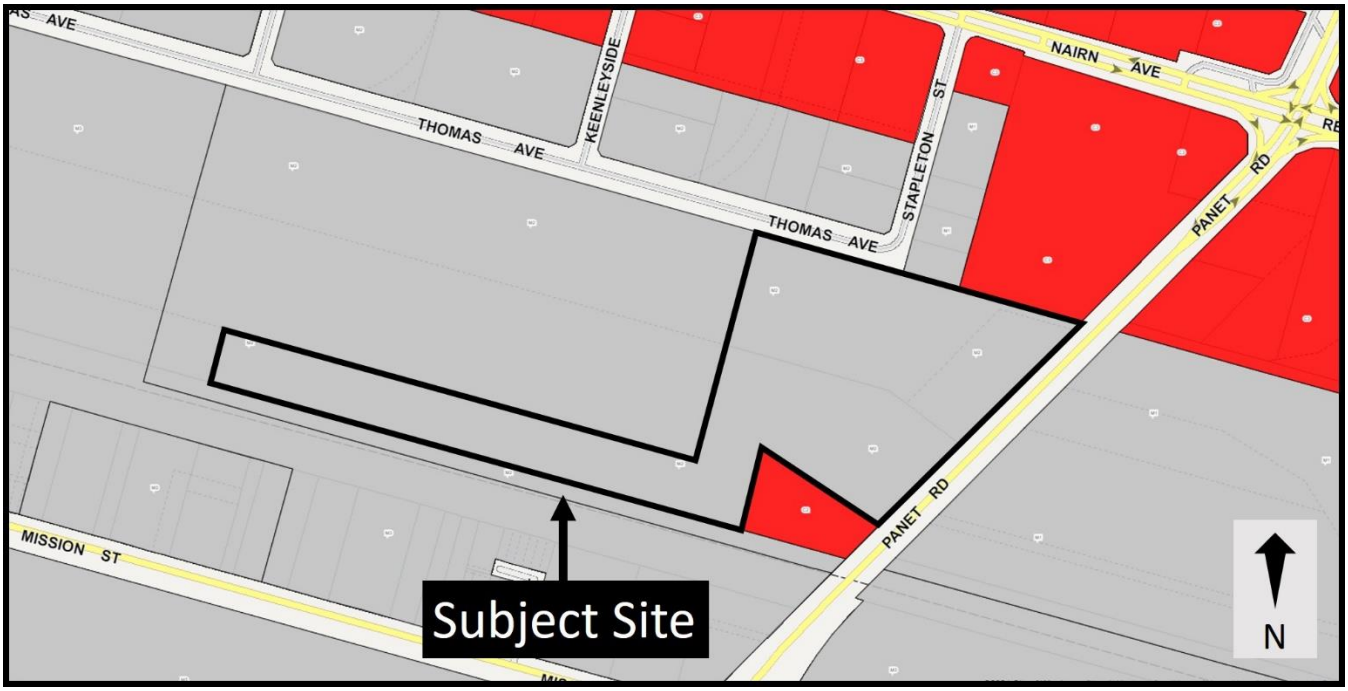



**Figure 2: Zoning of the site and surrounding area.**

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant wishes to subdivide and rezone the properties to construct a 105,000 square foot retail store.
- The building would be 30’ 5 ½” in height, with the main entrance along the east façade facing Panet Road and a drive through entrance on the north façade facing Thomas Avenue.
- A total of 503 parking stalls, including 13 accessible stalls are proposed, along with 46 bicycle stalls.
- A total of 101 trees and 434 shrubs are proposed across the site.
- Access to site is would be taken from Panet Road and Thomas Avenue.
- A stormwater retention basin is proposed at southwest corner of the site.

## REASON FOR APPLICATION

- The property is currently zoned “M2” Manufacturing – General, which does not permit retail sales. To accommodate the proposed large-scale retail use, a rezoning to the “C3” Commercial Corridor district is needed. In addition, because multiple properties are being consolidated, a subdivision application is required.
- Three variances are also needed, which address:
    - Insufficient building foundation landscaping.
    - Insufficient parking lot interior landscaping.
    - A reduced front yard to a parking area.
- The Public Service is supportive of the variances, which are analyzed in greater detail in the accompanying report for DAV 24-160332/D.
- A Secondary Plan Amendment is also needed, which is supported by the Public Service and discussed in further detail in the accompanying report for SPA 5/2024.

**ANALYSIS AND ISSUES**

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg 2045*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject site is located in an Established Neighbourhood – Recent Community policy area of *CCDS 2.0*. Certain goals and policies of *CCDS 2.0* apply to the proposal.
- Goal 1 - *Manage general commercial areas in support of Complete Communities goals.*
    - *1.5 Approve applications for new commercially zoned land where:*

        *a. The proposed commercial use is compatible with surrounding land uses;*

        *b. Impacts on existing commercial areas, including designated Mixed Use Centres, will be minimal and will not undermine or detract from their planned function. Impacts may include contributing to store closures, loss of vitality, and/or diminishment of their role and function, and will be considered in relation to the scale of the proposed development and future residential growth expected to be served by it;*

        *c. Existing nearby commercial areas cannot accommodate expansion;*

        *d. The street network can accommodate associated traffic volumes at full build-out; and*

        *e. Transit service can be provided in an economically efficient manner relative to the scale of the proposed development.*

- Goal 3 - *Ensure that Regional Mixed Use Centres continue to function as prominent retail destinations that serve a city-wide and regional population.*
    - *3.3.1 Recognize Regional Mixed Use Centres as the preferred locations for Major Retail uses.*
    - *3.4 Major Retail development may be permitted where contiguous to a Regional Mixed Use Centre's boundaries.*

Surrounding land uses include commercial-zoned land with retail, service, and light-industrial spaces, a City of Winnipeg Public Works yard, and light industrial-zoned land with automotive, service, and office spaces. The existing regional retail, light industrial, office, and automotive-focused uses are similar in type and intensity to the proposal, and do not pose a land use conflict.

Given the large size of the proposed building at 105,000 square feet, accommodating it in the existing commercial-zoned lands to the north is unlikely, while enabling it directly south of those commercial lands on the subject properties enables the contiguous extension of the existing commercial area.

**ZONING BY-LAW 200/2006**

- The “C3” Commercial Corridor district **is intended** for uses that provide commercial goods and services in areas that are dependent on automobile access and exposed to heavy automobile traffic, and are generally located in Community or Regional Mixed Use Centres.
- The “C3” Commercial Corridor district was chosen because it enables high-intensity, automobile focused retail uses.

**ADDITIONAL CONSIDERATIONS**

***Variances***

- Three variances are also needed, which address:
    - Insufficient building foundation landscaping.
    - Insufficient parking lot interior landscaping.
    - A reduced front yard to a parking area.

***Warman Road Planned Development Overlay***

- A Planned Development Overlay (PDO) is a part of the Winnipeg Zoning By-Law that functions as an additional zoning district with added regulations wherever the PDO is in effect, governing development in the underlying base district. The Warman Road PDO applies to part of the subject site, and is designed to protect designated industrial facilities from potential adverse impacts from surrounding properties located within 1000 feet of that industrial facility. However, the industrial facilities that the Warman Road PDO was designed to protect have relocated from the area. For this reason, as part of the rezoning application, it is recommended that in addition to rezoning to a “C3” Commercial Corridor district, the subject site is also removed from the Warman Road PDO.

***Secondary Plan Amendment***

- The property is currently designated as an “Employment Lands” policy area under *CCDS 2.0*, which does not allow rezonings from industrial to commercial zoning districts. Therefore, an amendment to CCDS 2.0 to change the subject site’s policy area from Employment Lands to Regional Mixed Use Centre has also been applied for, and is discussed in further detail in the accompanying report for SPA 5/2024.

***Site Servicing***

- The proposed development will be required to meet the conditions outlined in the report by the Administrative Coordinating Group (ACG) as outlined in Schedule B of this report. The report identifies a servicing agreement is required.

***Plan Approval***

For large-scale rezonings that introduce greater intensities to a subject site than were previously permitted, a Zoning Agreement specifying the requirement for a Plan Approval is often recommended. This condition typically requires an owner to register a Zoning Agreement with a Plan Approval requirement, then submit their final plans to the presiding community committee as part of the Plan Approval application before they can proceed with their development permits. Given that a complete set of supportable plans have been submitted, the Public

Service is recommending as a condition of approval that a Zoning Agreement be entered into, and that plan approval only be required if future plans are not in substantial conformance to the currently submitted plans.

**SUMMARY**

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

- The Subdivision and rezoning will result in the establishment of a commercial development that is consistent with policies in *OurWinnipeg 2045* and *Complete Communities 2.0*.

**RECOMMENDATION**

The Urban Planning Division recommends this application be **approved** and the subject property be Subdivided and rezoned to the “C3” Commercial Corridor district.

## SCHEDULE B

## REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

## RE: PROPOSED REZONING OF LAND LOCATED AT 474 AND 494 PANET ROAD

It is recommended that approval of DASZ 31/2024, if granted, be subject to the applicant entering into a Servicing Agreement containing the following conditions:

### Section I – General Comments

1) The Water and Waste Department advises that there is adequate water servicing for the proposed development. If plans of development change, further review will be required by their department.

2) The Water and Waste Department advises for the purposes of the site servicing process that the subject land is in a combined sewer district; the sum of the wastewater and land drainage runoff peak discharge from the proposed future development cannot exceed the allowable discharge rate:

   i) The future wastewater design will need to show how much overland flow is entering the combined sewer system.

   ii) The site runoff for 474 & 494 Panet Road must be controlled to a unit flow rate of 8 L/s/ha and connect to the storm relief sewer on Stapleton Street.

   iii) The wastewater connection shall be to the combined sewer on Thomas Avenue.

### Section II – Plan Considerations

The Developer shall legally open, at no expense to the City, property required up to 7 metres widening to the Panet Road right-of-way for the full length of the Planned Area abutting Panet Road, to the satisfaction of the Director of Public Works.

### Section III – Engineering Studies

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.

## Section IV - Servicing Conditions

1) Storm Relief Sewer

The Developer shall extend the storm relief sewer on Stapleton Street adequately service the Planned Area and adjacent lands to the satisfaction of Water and Waste. W&W estimates this extension will be approximately 30m, to the southwest corner of Stapleton Street and Thomas Avenue.

2) Panet Road

a) The Developer shall, pay to the City, in cash, on demand, their share of the costs of the following services to be installed in Panet Road, by others, along the full length of the Planned Area abutting Panet Road:
   i) A 10.0m wide by 200mm thick Portland cement concrete lane of pavement and all related works,
   ii) Street lighting,
   iii) Landscaping (trees and sod),
   iv) A multi-use asphalt pathway, and
   v) Land drainage sewer

   all as determined by and to the satisfaction of the Director of Public Works.

   Alternatively, the City may choose the Developer construct these works or a combination of constructing a portion and paying their share of the costs to construct the remaining.

b) The Developer shall, at no expense to the City, construct the proposed left turn lane, roadway modifications, and median works, and all related works, in Panet Road at the proposed private approach(es), all as determined by and to the satisfaction of the Director of Public Works. Alternatively, the City may choose the Developer pay to the City, in cash, on demand, the costs of these works or a combination of constructing a portion and paying the costs to construct the remaining.

3) Traffic Control Signals

The Developer shall, pay to the City, in cash, on demand, the costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals on Panet Road at the proposed private approach, if warranted, when and as determined by and to the satisfaction of the Director of Public Works.

It should be noted that the Public Service is not supportive of the proposed traffic control signal as it does not meet the City's warrants, however if a signal is approved for installation, the costs shall be solely borne by the Developer.

4) 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.

5) 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.

6) 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.

## 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 31/2024
September 26th, 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

**SCHEDULE C OF FILE DASZ 31/2024, East Kildonan – Transcona Community Committee, Dated November 13, 2024**

By-Law No. _____

File No. **DASZ 31/2024**

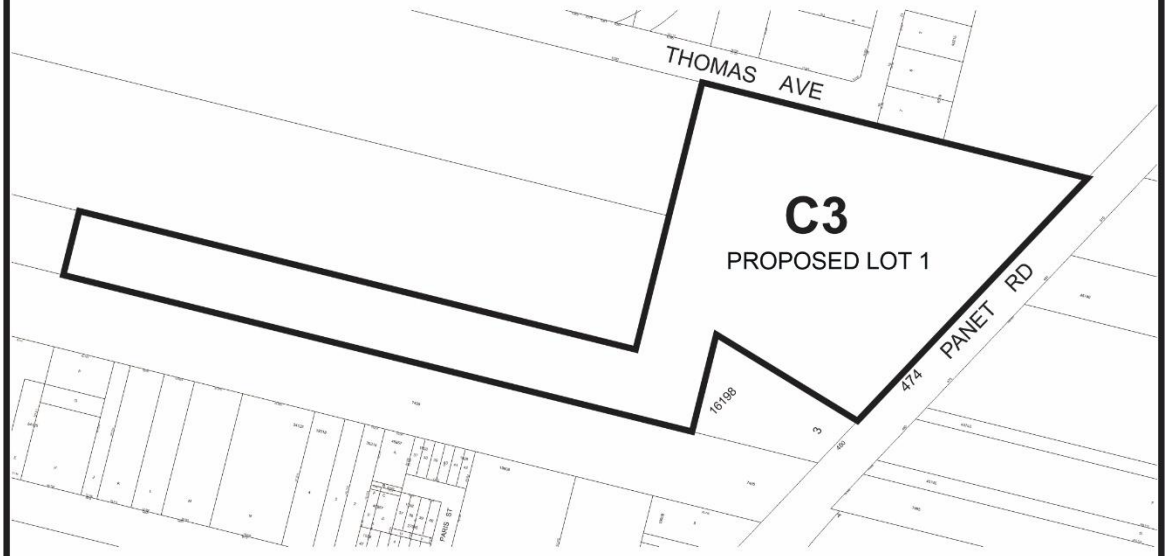
Explanation

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 474 and 494 Panet Road from an "M2 PDO-1 WARMAN ROAD" MANUFACTURING GENERAL DISTRICT to a "C3" COMMERCIAL CORRIDOR DISTRICT to facilitate the consolidation of lands, remove the property from the Warman Road Planned Development Overlay 1 and allow the establishment of a Retail use.

Atlas Sheet No. **Z29**

N

**EAST KILDONAN TRANSCONA COMMUNITY**




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

**FINANCIAL IMPACT**

## Financial Impact Statement

**Date:** October 3, 2024

## Project Name:

**DASZ 31/2024 at 474 and 494 Panet Road**

**COMMENTS:**

There are no direct financial implications associated with this report.

Mike McGinn Oct. 3, 2024

Mike McGinn, CA
Manager of Finance

## CONSULTATION

This Report has been prepared in consultation with:

- Legal Services

## OURWINNIPEG POLICY ALIGNMENT

*OurWinnipeg* is the City of Winnipeg's long-range development plan. Applicable Policies for Regional Mixed Use Centres include the following:

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.

6.25 Mixed Use Centres
Designate Mixed Use Centres within the Urban Structure, representing the largest commercial areas in the city with the ability to accommodate major retail uses, and become pedestrian-oriented environments connected by integrated and sustainable transportation options, and offering a variety of housing, employment, amenities and services.

The proposed development application **aligns** with *OurWinnipeg* for the following reason:

- It facilitates the commercial intensification of a site that is compatible with surrounding properties and is consistent with the policies of *OurWinnipeg*.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

## WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

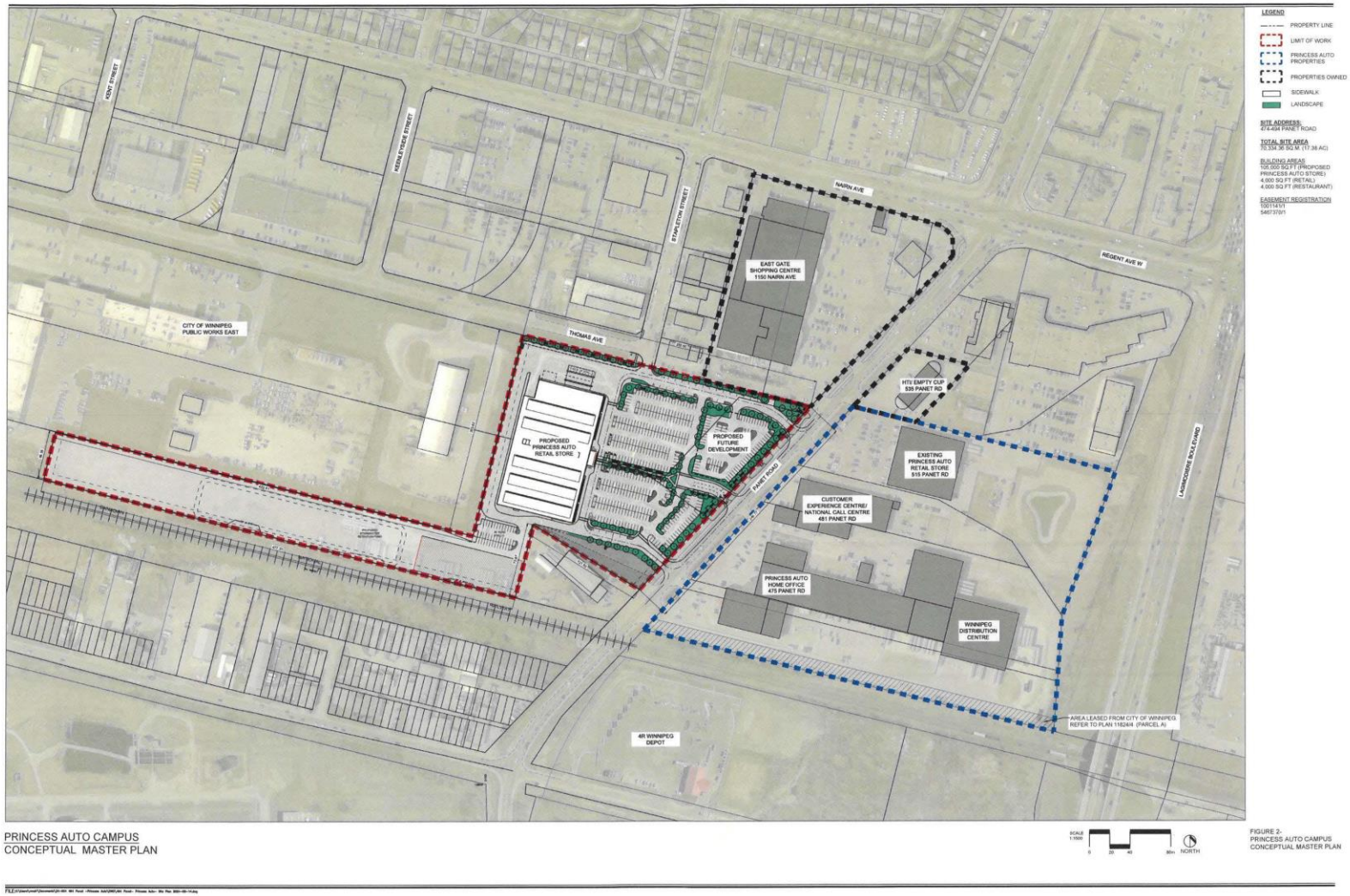
Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

## SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Dylan Chyz-Lund
Date: October 3, 2024
File No: DASZ 31/2024
Attachments:

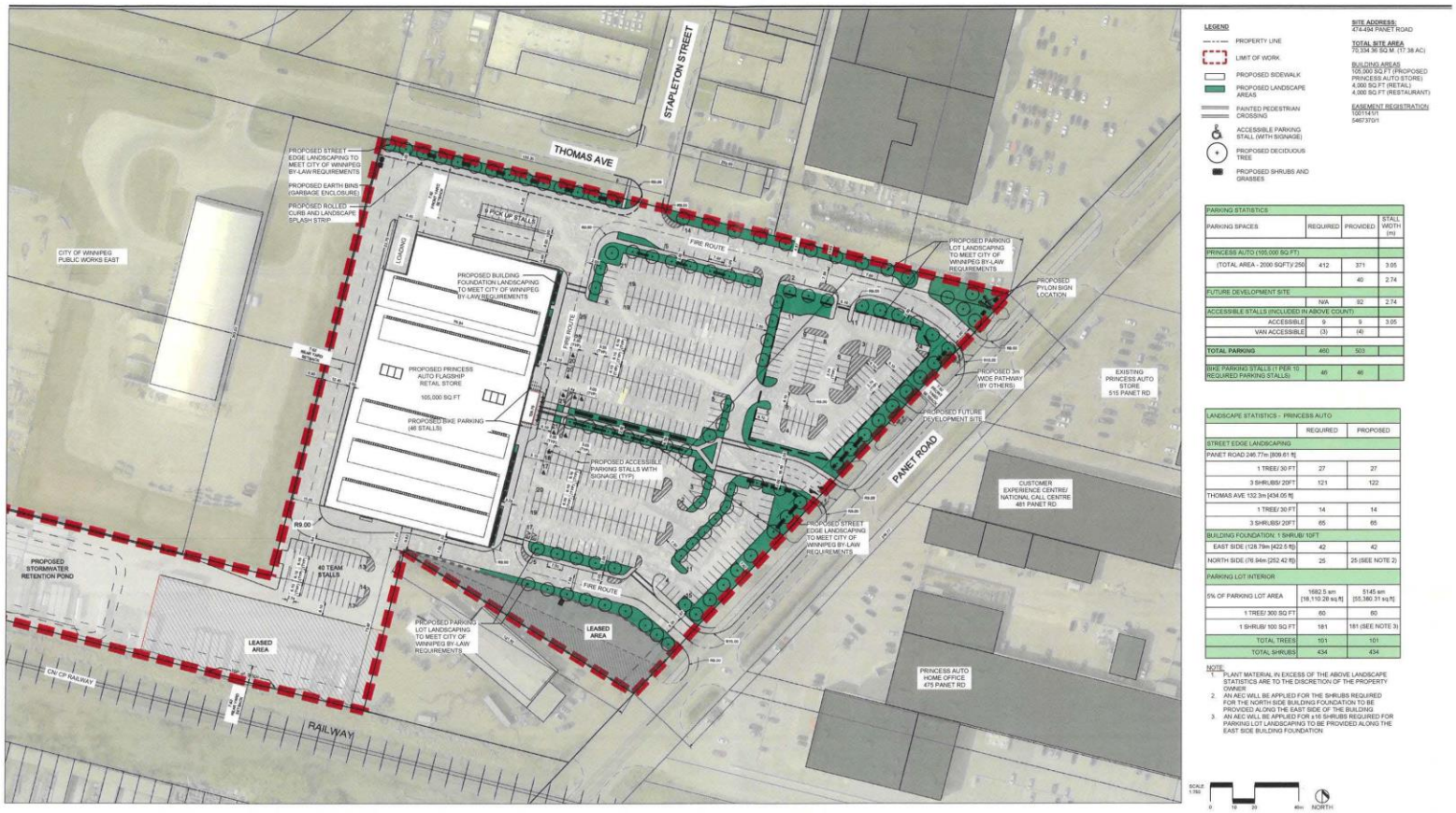
- Appendix A: Building and Site Plans
- Appendix B: Draft by-law
- Appendix C: Public Engagement Report

Exhibit “13” referred to in File DASZ 31/2024




PRINCESS AUTO CAMPUS
CONCEPTUAL MASTER PLAN

FIGURE 2-
PRINCESS AUTO CAMPUS
CONCEPTUAL MASTER PLAN




| PARKING STATISTICS | | | |
|---|---|---|---|
| PARKING SPACES | REQUIRED | PROVIDED | STALL WIDTH (m) |
| PRINCESS AUTO (105,000 SQ.FT) | | | |
| (TOTAL AREA - 2000 SQFT)/ 250 | 412 | 371 | 3.05 |
| | | 40 | 2.74 |
| FUTURE DEVELOPMENT SITE | | | |
| | N/A | 92 | 2.74 |
| ACCESSIBLE STALLS (INCLUDED IN ABOVE COUNT) | | | |
| ACCESSIBLE | 9 | 9 | 3.05 |
| VAN ACCESSIBLE | (3) | (4) | |
| TOTAL PARKING | 460 | 503 | |
| BIKE PARKING STALLS (1 PER 10 REQUIRED PARKING STALLS) | 46 | 46 | |

| LANDSCAPE STATISTICS - PRINCESS AUTO | | |
|---|---|---|
| | REQUIRED | PROPOSED |
| STREET EDGE LANDSCAPING | | |
| PANET ROAD 246.77m [809.61 ft] | | |
| 1 TREE/ 30 FT | 27 | 27 |
| 3 SHRUBS/ 20FT | 121 | 122 |
| THOMAS AVE 132.3m [434.05 ft] | | |
| 1 TREE/ 30 FT | 14 | 14 |
| 3 SHRUBS/ 20FT | 65 | 65 |
| BUILDING FOUNDATION: 1 SHRUB/ 10FT | | |
| EAST SIDE (128.79m [422.5 ft]) | 42 | 42 |
| NORTH SIDE (76.94m [252.42 ft]) | 25 | 25 (SEE NOTE 2) |
| PARKING LOT INTERIOR | | |
| 5% OF PARKING LOT AREA | 1692.5 sm [18,110.26 sq.ft] | 5145 sm [55,380.31 sq.ft] |
| 1 TREE/ 300 SQ.FT | 60 | 60 |
| 1 SHRUB/ 100 SQ.FT | 181 | 181 (SEE NOTE 3) |
| TOTAL TREES | 101 | 101 |
| TOTAL SHRUBS | 434 | 434 |

NOTE
1. PLANT MATERIAL IN EXCESS OF THE ABOVE LANDSCAPE STATISTICS ARE TO THE DISCRETION OF THE PROPERTY OWNER
2. AN AEC WILL BE APPLIED FOR THE SHRUBS REQUIRED FOR THE NORTH SIDE BUILDING FOUNDATION TO BE PROVIDED ALONG THE EAST SIDE OF THE BUILDING
3. AN AEC WILL BE APPLIED FOR ±16 SHRUBS REQUIRED FOR PARKING LOT LANDSCAPING TO BE PROVIDED ALONG THE EAST SIDE BUILDING FOUNDATION

PRINCESS AUTO FLAGSHIP STORE 474-494 PANET ROAD
CONCEPTUAL SITE PLAN

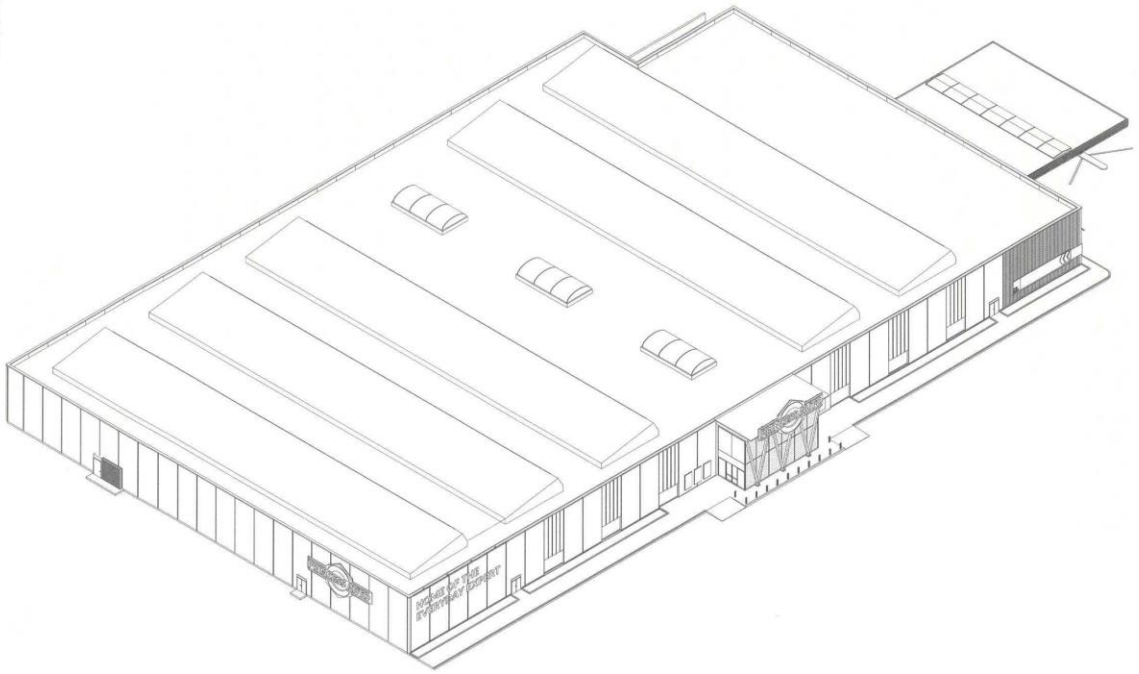
PROPOSED PLANT LIST

| KEY | COMMON NAME/ BOTANICAL NAME | SIZE | REMARKS |
|---|---|---|---|
| DECIDUOUS TREES | | | |
| A | BASSWOOD/ TILIA AMERICANA | 75mm CAL | SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 6.0m BRANCHING HT 1.8m |
| B | HARVEST GOLD LINDEN/ TILIA MONGOLICA 'HARVEST GOLD' | 75mm CAL | SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 6.0m BRANCHING HT 1.8m |
| C | DISCOVERY ELM/ ULMUS AMERICANA 'DISCOVERY' | 75mm CAL | SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 6.0m BRANCHING HT 1.8m |
| DECIDUOUS SHRUBS | | | |
| D | CONCORDE BARBERRY/ BERBERIS THUNBERGII 'CONCORDE' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| E | GLOBE CARAGANA/ CARAGANA FRUTEX 'GLOBOSA' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| F | DWARF WINGED BURNING BUSH/ EUONYMUS ALATUS 'COMPACTA' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| G | ROYAL JUBILEE NINEBARK/ PHYSOCARPUS OPULIFOLIUS 'JEFRO's' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| H | GOLDMOUND SPIREA/ SPIREA JAPONICA 'GOLDMOUND' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| J | CHARISMA LILAC/ SYRINGA X PRESTONIAE 'CHARISMA' | 2 GAL POT | SPECIMEN, CONTAINER GROWN,WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN 400mm HT |
| PERENNIALS/ GRASSES | | | |
| K | KARL FOERSTER FEATHER REED GRASS/ CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' | 2 GAL POT | SPECIMEN, CONTAINER GROWN, WITH MINIMUM 5 STALKS, IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN PLANT HT OF 300mm |
| L | BLUE OAT SAPPHIRE GRASS/ HELICTOTRICHON SEMPERVIRENS 'SAPPHIRE' | 2 GAL POT | SPECIMEN, CONTAINER GROWN, WITH MINIMUM 5 STALKS, IN WELL BRANCHED PLANT, FREE OF PESTS AND DISEASE. MIN PLANT HT OF 300mm |

FIGURE 1:
PRINCESS AUTO FLAGSHIP STORE
CONCEPTUAL SITE PLAN

DRAWING LIST

| | | |
|---|---|---|
| A | 300 | COVER PAGE |
| A | 301 | RENDERINGS |
| A | 302 | SITE PLAN |
| A | 303 | EAST ELEVATION |
| A | 304 | EAST ELEVATION DETAILS |
| A | 305 | ELEVATIONS |
| A | 306 | DRIVE-THRU DETAILS |
| A | 307 | ISOMETRIC VIEWS |
| A | 308 | ISOMETRIC VIEWS |




| MT-1 | MT-2 | MT-3 | MT-4 | MT-5 | MT-6 | WD-1 | WD-2 | GL-1 | GL-2 | FL-1 |
|---|---|---|---|---|---|---|---|---|---|---|
| **INSULATED PANELS**<br>NORBEC<br>MICRO-RIBBED<br>CLASSIC PVDF<br>CHARCOAL<br>17-1625<br>OR<br>KINGSPAN<br>QUADCORE KS MICRO-RIB | **EXPANDED MESH**<br>**AMICO**<br>APEX-01 ALUMINUM<br>FINISH: CLER ANODIZED | **METAL POWDER COAT**<br>**RAL 7022**<br>UMBRA GREY<br>ALL METAL TRIMS,<br>FLASHINGS AND<br>EXTRIOR LIGHTING<br>CASES | NOT IN USE | **BRAND COLOUR**<br>**POWDER COAT**<br>**PMS 2935C**<br>FOR SIGNAGE AND<br>ACM PANELS ON<br>DRIVE-THRU CANOPY | **BRAND COLOUR**<br>**POWDER COAT**<br>**PMS 109C**<br>**FOR EXTERIOR**<br>**SIGNAGE** | **CHARRED WOOD**<br>**NAKAMOTO FORESTRY**<br>GENDAI<br>ALKYD OIL BLACK<br>1X8 S3S | **VESTIBULE**<br>**MASS TIMBER**<br>GLULAM POST AND<br>BEAM | **GLAZING** | **POLYCARBONATE**<br>KLA<br>(KINGSPAN LIGHT+AIR)<br>UNIQUAD<br>TRANSLUCENT<br>WALL SYSTEMS<br>ICE WHITE MATTE<br>FRAME FINISH:<br>MILL FINISH ANODIZED | **SIDEWALK PAVER**<br>**UNILOCK**<br>HOLLANDSTONE<br>SIERRA<br>PATTERN C<br>4" x 8" HERRINGBONE |

Jackman

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TORONTO, ONTARIO, CANADA
M6K 3E4

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| REVISION | DATE |
|---|---|
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| [illegible] | [illegible] |

NOTES

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PROJECT

**PRINCESS AUTO MEGA-STORE**

DRAWING

**COVER PAGE**

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| SCALE | |
| PROJECT DATE | November 16, 2023 |
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| REVISION | PAGE No |
|---|---|
| R1 | A. 300 |













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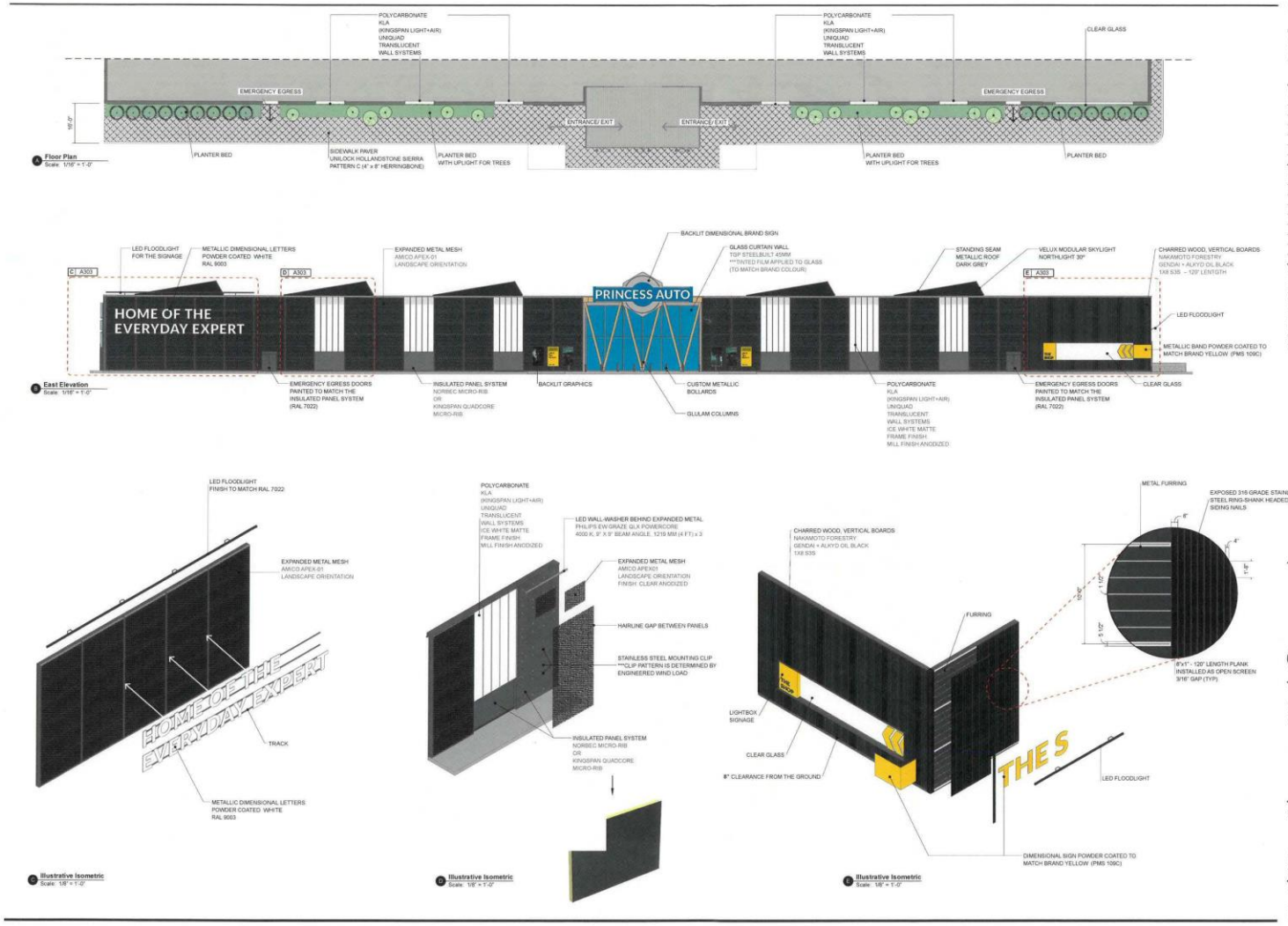
PROJECT

**PRINCESS AUTO MEGA-STORE**

DRAWING:

**CONCEPT RENDERINGS**

R1 A. 301

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|---|---|
| FOR DEVELOPMENT REVIEW | NOV. 15 2023 |
| FOR DEVELOPMENT REVIEW | NOV. 15 2023 |

| REVISION | DATE |
|---|---|
| R1 | NOV. 15 2023 |
| R | NOV. 15 2023 |

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PROJECT

**PRINCESS AUTO MEGA-STORE**

DRAWING

**EAST ELEVATION**

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| SCALE | |
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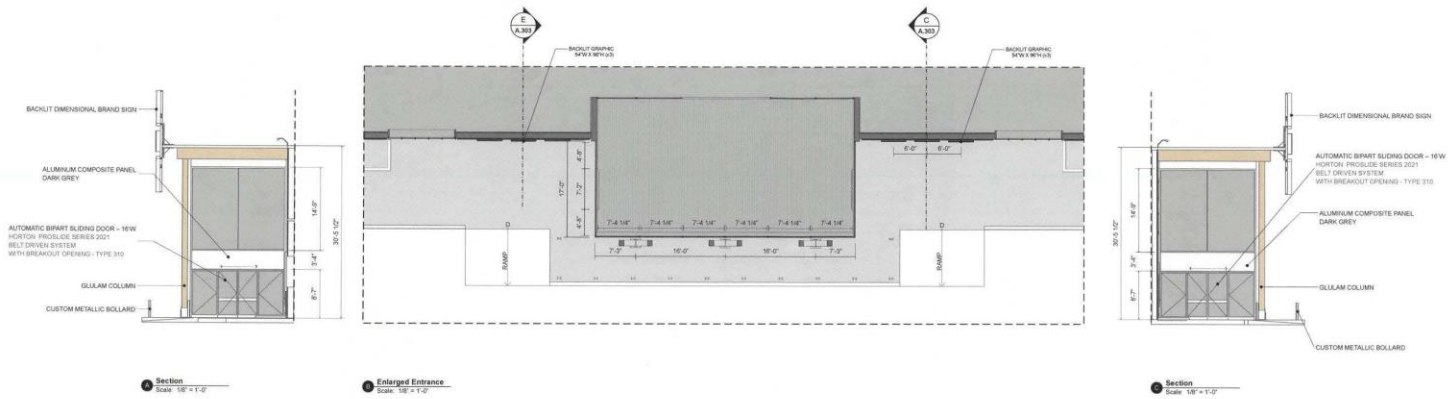
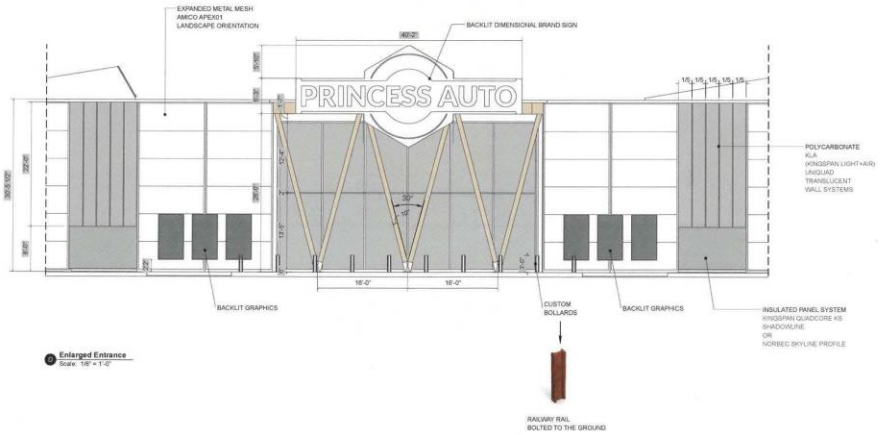
REVISION PAGE N°

R1 **A. 303**

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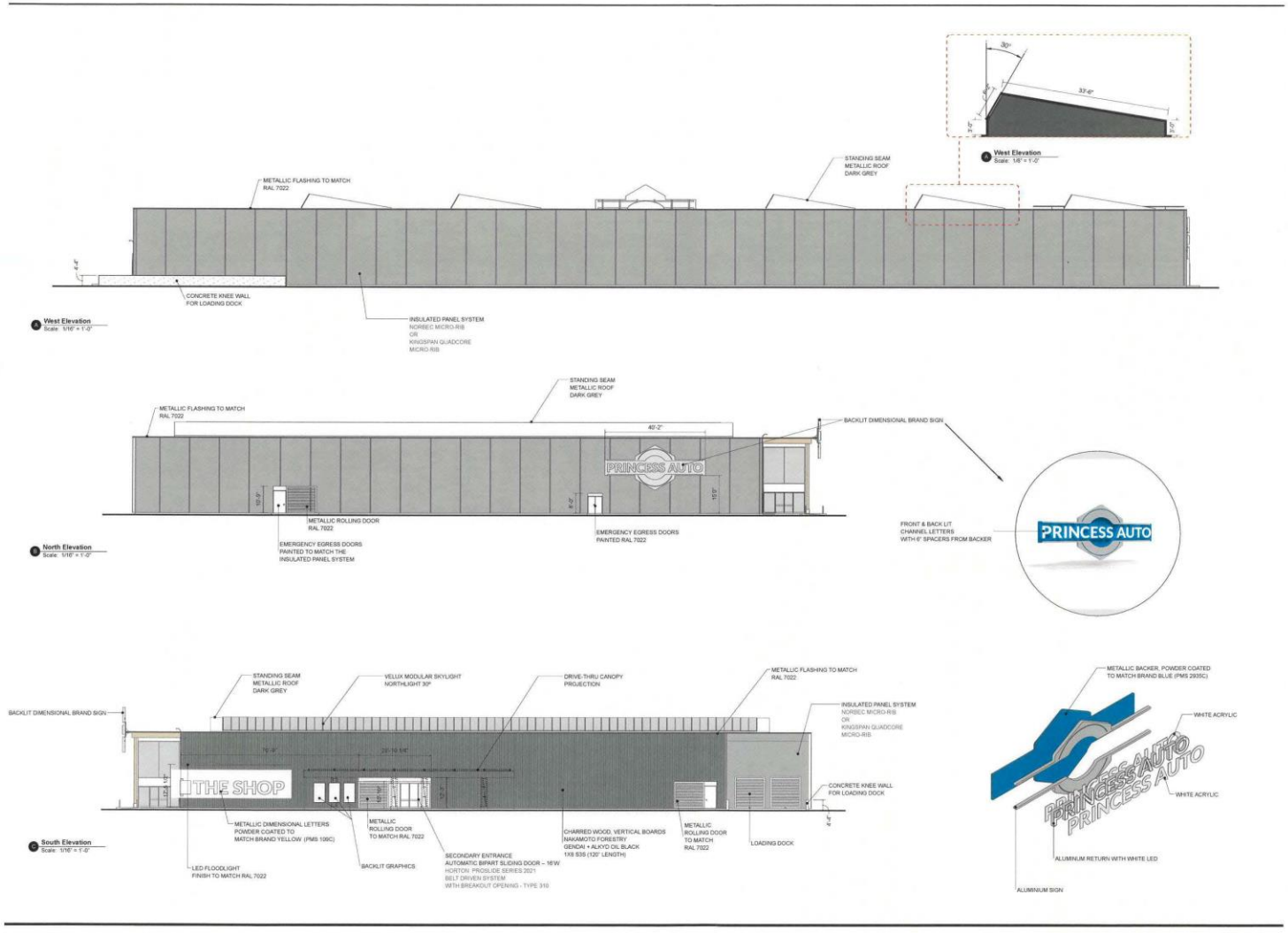
PROJECT
PRINCESS AUTO
MEGA-STORE

DRAWING
EAST ELEVATION DETAIL

R1 A. 304

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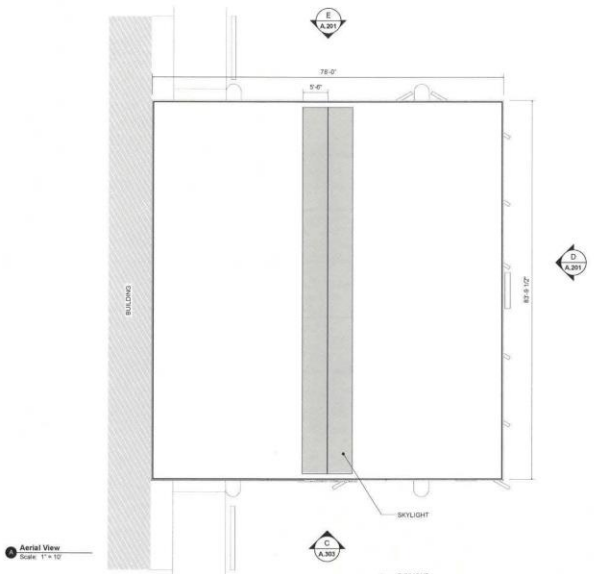
PROJECT

**PRINCESS AUTO MEGA-STORE**

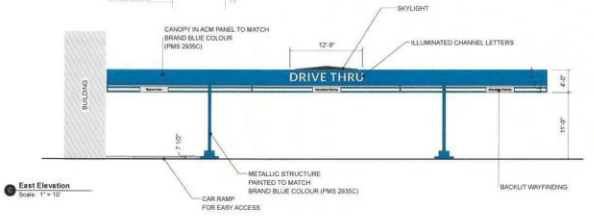
DRAWING

**ELEVATIONS**

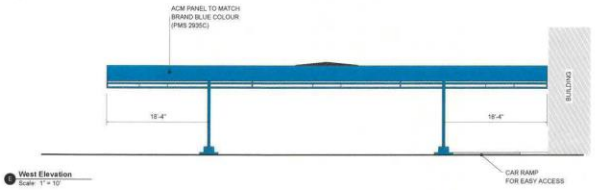
R1 A. 305



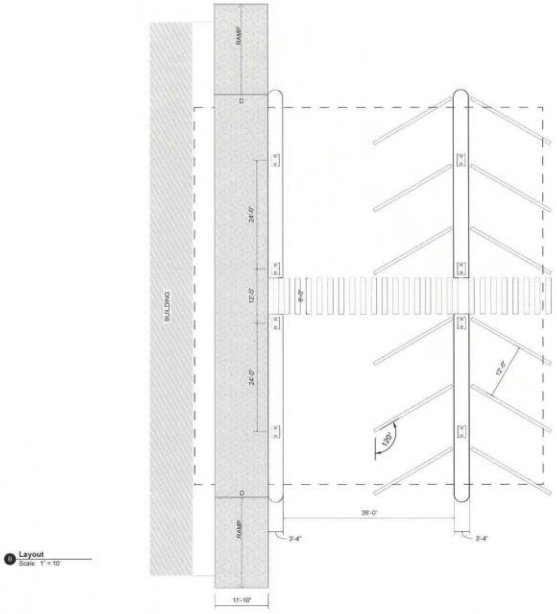

A Aerial View
Scale: 1" = 10'



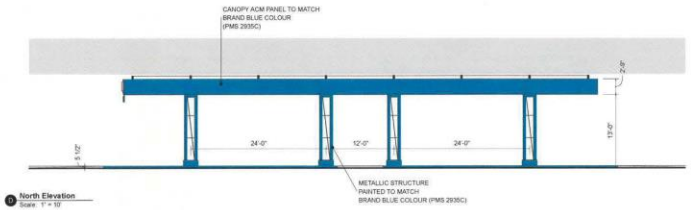

C East Elevation
Scale: 1" = 10'




E West Elevation
Scale: 1" = 10'




B Layout
Scale: 1" = 10'




D North Elevation
Scale: 1" = 10'

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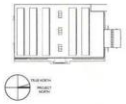

PROJECT

**PRINCESS AUTO MEGA-STORE**

DRAWING

**DRIVE-THRU OVERVIEW**

SCALE
PROJECT DATE November 15, 2023
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CHECKED CC
FILE NAME PA_Designintent_v2_1

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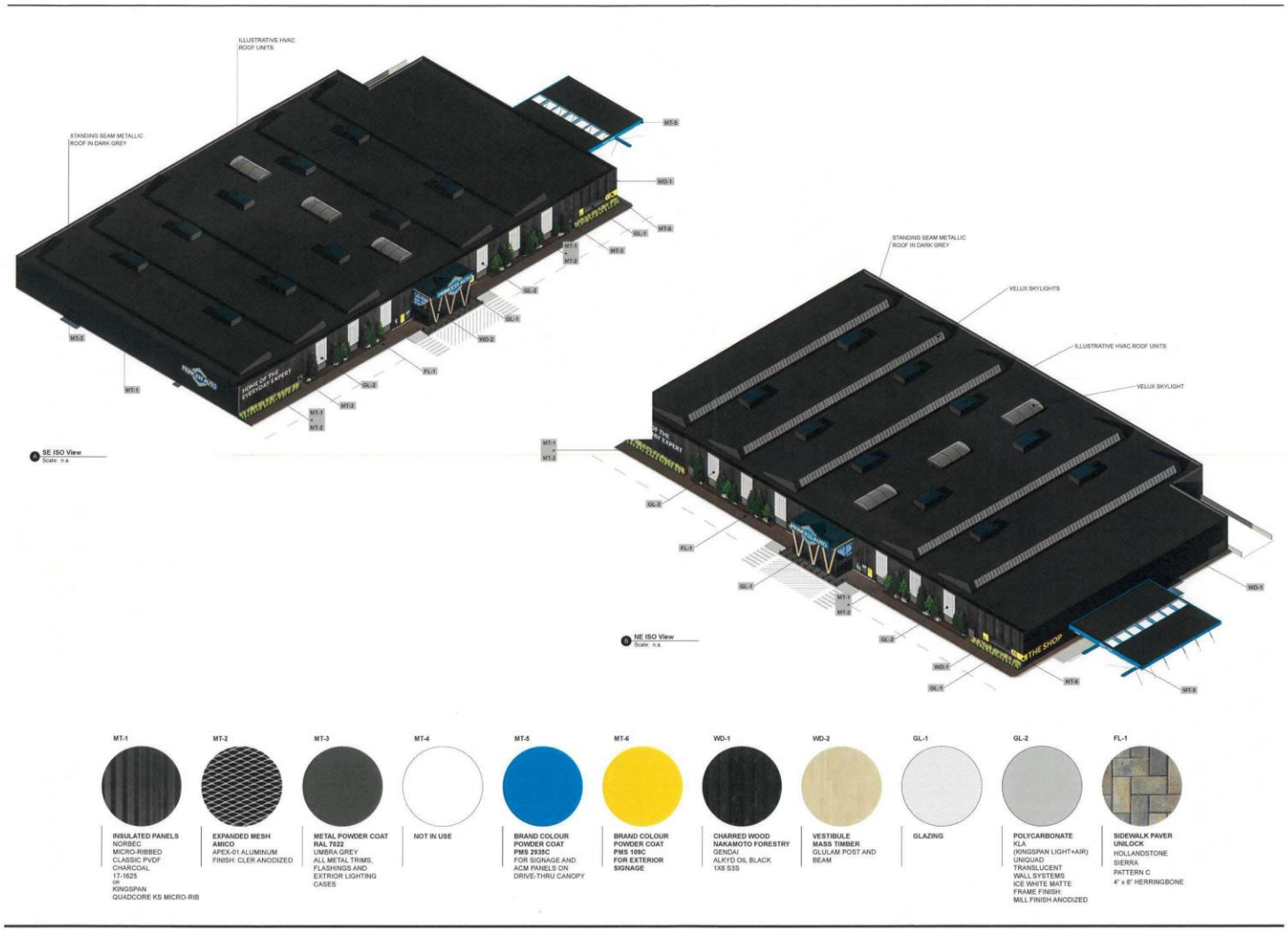
R1 **A. 306**

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**PRINCESS AUTO MEGA-STORE**

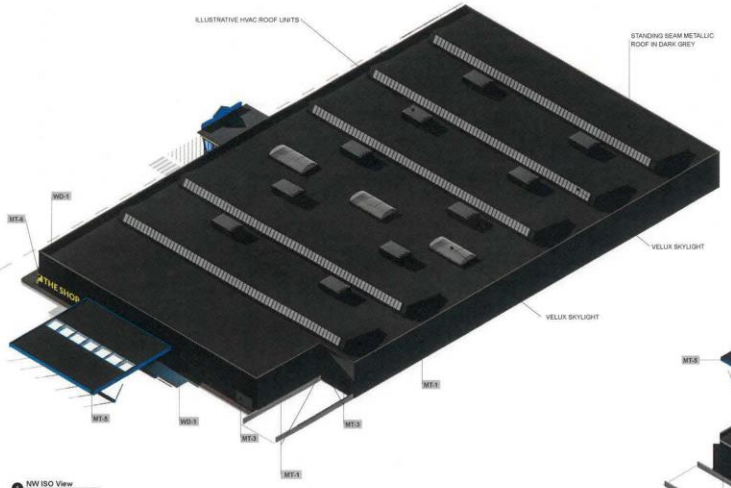
DRAWING

**ISOMETRIC VIEWS**

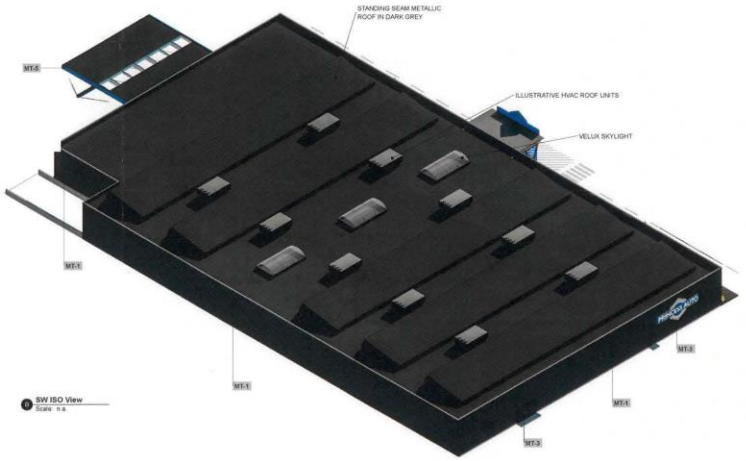
SCALE
PROJECT DATE November 15, 2022
DRAWN CC
CHECKED CC
FILE NAME PA_DesignWorks_v2_1

REVISION PAGE N°

R1 A. 307




NW ISO View
Scale: n.a.




SW ISO View
Scale: n.a.

| MT-1 | MT-2 | MT-3 | MT-4 | MT-5 | MT-6 | WD-1 | WD-2 | GL-1 | GL-2 | FL-1 |
|---|---|---|---|---|---|---|---|---|---|---|
| **INSULATED PANELS**<br>NORBEC<br>MICRO-RIBBED<br>CLASSIC PVDF<br>CHARCOAL<br>17-1625<br>or<br>KINGSPAN<br>QUADCORE KS MICRO-RIB | **EXPANDED MESH**<br>**AMICO**<br>APEX-01 ALUMINUM<br>FINISH: CLER ANODIZED | **METAL POWDER COAT**<br>**RAL 7022**<br>UMBRA GREY<br>ALL METAL TRIMS, FLASHINGS AND EXTRIOR LIGHTING CASES | NOT IN USE | **BRAND COLOUR POWDER COAT**<br>**PMS 2935C**<br>FOR SIGNAGE AND ACM PANELS ON DRIVE-THRU CANOPY | **BRAND COLOUR POWDER COAT**<br>**PMS 109C**<br>**FOR EXTERIOR SIGNAGE** | **CHARRED WOOD**<br>**NAKAMOTO FORESTRY**<br>GENDAI<br>ALKYD OIL BLACK<br>1X8 S3S | **VESTIBULE**<br>**MASS TIMBER**<br>GLULAM POST AND BEAM | **GLAZING** | **POLYCARBONATE**<br>KLA<br>(KINGSPAN LIGHT+AIR)<br>UNIQUAD<br>TRANSLUCENT<br>WALL SYSTEMS<br>ICE WHITE MATTE<br>FRAME FINISH:<br>MILL FINISH ANODIZED | **SIDEWALK PAVER**<br>**UNILOCK**<br>HOLLANDSTONE<br>SIERRA<br>PATTERN C<br>4" x 8" HERRINGBONE |

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**PRINCESS AUTO MEGA-STORE**

DRAWING

**ISOMETRIC VIEWS**

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PROJECT DATE November 16, 2023
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R1 A. 308