City Clerk's Department
Bureau du Greffier

January 27, 2026

File DASZ 37/1984

Penfor Construction Ltd.

Attention: Jennefer Waskul

Plan Approval – 2615 Main Street

On January 26, 2026, the East Kildonan-Transcona Community Committee did not concur in the recommendation of the Winnipeg Public Service, and referred the plans for 2615 Main Street back to the applicant to make the following amendments, in accordance with section 53(2)(c) of the Development Procedures By-law No. 104/2020:

1. Increased bicycle parking near the front entrance.

2. Installation of islands and landscaping throughout the parking lot as indicated in blue ink in the attached Appendix A.

3. A double entranceway system to allow an indoor waiting area for the public entering the building.

4. Publicly accessible washrooms.

5. Design of the signage on the building.

The owner or applicant may appeal the decision of the Community Committee by filing a written letter of appeal to the City Clerk not later than 4:30 p.m. on February 13, 2026:

Address: City Clerk, City of Winnipeg
c/o Standing Policy Committee on Property and Development
Main Floor, Susan A. Thompson Building, 510 Main Street
Winnipeg, Manitoba, R3B 1B9

City Clerk's Department
Bureau du Greffier

Fax: 204-947-3452
Email: CLK-Appeals@winnipeg.ca



Brenden Harris
Committee Clerk

Enclosure

LEGEND

- 1 / A00 — DETAIL CALLOUT (SECTION OR PLAN)
- P1 — WALL TYPE TAG
- D01 — DOOR TAG
- W1 — WINDOW TAG
- ROOM 1234 SF — ROOM TAG
- S1 — FLOOR TYPE TAG
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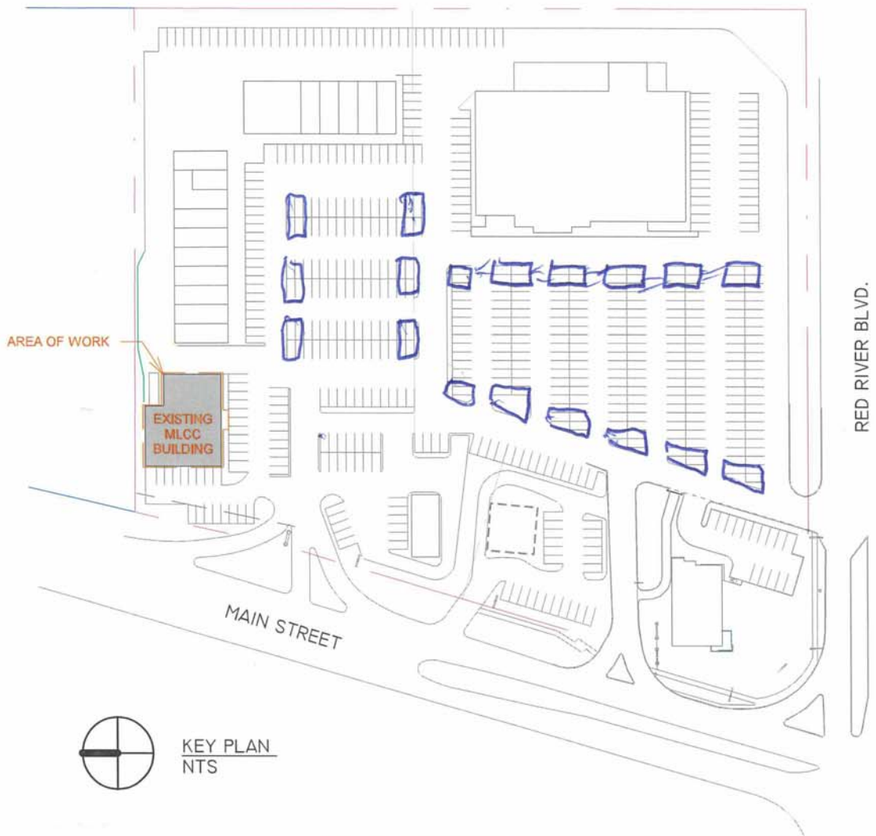


KEY PLAN
NTS

CODE & USE: CITY OF WINNIPEG

SITE ADDRESS: 2575 MAIN STREET
NEIGHBORHOOD: RIVERGROVE
NUMBER OF STOREYS: ONE STOREY
BUILDING AREA: 7,000 SF
PROPERTY USE CODE: CMRNS
ASSESSED LAND AREA: 9.4 ACRES

EXISTING ZONING SUMMARY
NO CHANGE TO EXISTING ZONING

CURRENT ZONING C2

BULK REGULATIONS:
MIN. LOT AREA N/A
FRONT YARD 20 ft.
REAR YARD 25 ft.
INTERIOR SIDE YARD 0 ft.
CORNER SIDE YARD 0 ft.
MAX. BLDG. HT. 45ft.
MAX. F.A.R. 3.0
MAX. LOT COVERAGE N/A

AREA OF BUILDING = 7000 sq.ft.

6 Bike Parking
7 Publicly Accessible Washrooms.
3 Landscape Plan with Paths
4 Primary/First Stage Entrance
5 Signage

SCHEDULE "A" page 1 of 3
To Zoning Agreement: DASZ 37/1984
By-Law No.: B/L 4030/01985

Winnipeg

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		19726'26
Community Clerk		
Approved for the Director of Planning, Property and Development		

REVISION SCHEDULE

REV No.	REV DATE	ISSUED BY	DESCRIPTION
1	DATE 1		REVISION 1

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS
RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE
NOTES

DATE	DRAWN BY	SHEET NO.
ISSUE DATE	JW	A0.0
SCALE: AS INDICATED	CHECKED BY: DS	

Penfor Construction

Date: November 4, 2025

City Clerk
City of Winnipeg
c/o Standing Policy Committee on Property and Development
Main Floor, Susan A. Thompson Building
510 Main Street
Winnipeg, Manitoba R3B 1B9

Re: Appeal of Plan Approval Decision
Property: 2615 Main Street
File: DASZ 37/1984

To Whom It May Concern,

We are writing to formally appeal the decision of the East Kildonan–Transcona Community Committee dated January 26, 2026, respecting the above-noted property.

As outlined in our original Letter of Intent, this application is strictly for exterior façade upgrades. The scope of work is cosmetic in nature and includes cladding replacement, lighting upgrades, and updated signage. There are no changes to the building footprint, use, occupancy classification, exiting, or overall site layout.

We respectfully submit the following clarifications in response to the items identified by the Committee:

1. Bicycle Parking
Bicycle parking currently exists on the site. As this project does not involve a change of use, intensification, or site reconfiguration, we do not believe additional bicycle parking is warranted as part of this façade-only upgrade.

2. Parking Lot Islands and Landscaping
The requested installation of additional islands and landscaping pertains to other areas of the parking lot that are not part of this application or construction scope. This submission does not include site redevelopment, parking lot reconstruction, or landscape modification beyond the immediate façade area.

3. Double Entranceway / Indoor Waiting Area
The project does not alter the existing entrance configuration. The building entrance remains code-compliant, and there are no changes to occupant load, exiting strategy, or public circulation. Introducing a double entrance vestibule would require significant structural and operational modifications outside the scope of this cosmetic upgrade.

4. Public Washrooms
There is no change in building use or occupancy classification. As such, there is no trigger requiring new publicly accessible washrooms. Existing facilities remain unchanged and compliant with the current approved use.

5. Signage Design
Updated signage has now been incorporated into the drawing set to address this concern. The design is integrated into the façade and consistent with the existing signage locations and proportions.

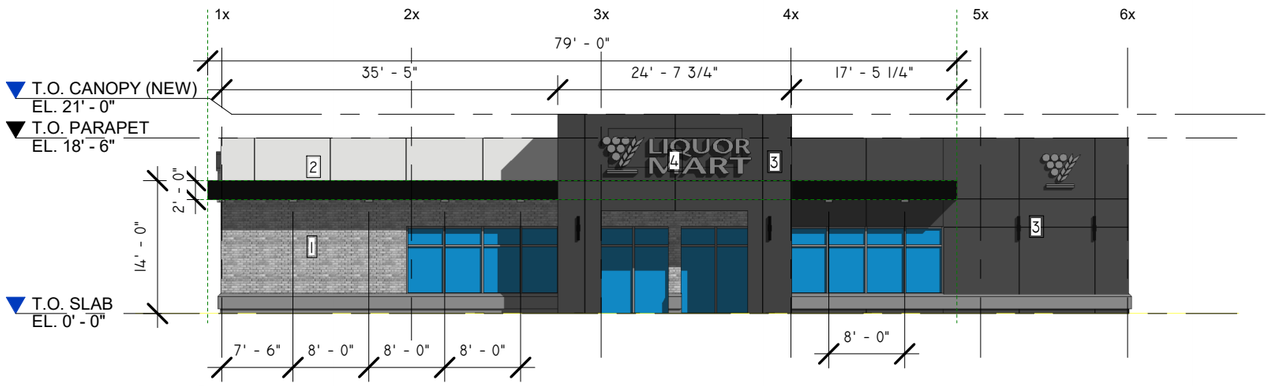
This proposal represents a modest aesthetic improvement to an existing commercial tenancy. It does not constitute redevelopment, intensification, or expansion of use. Requiring broader site modifications unrelated to the defined scope would impose disproportionate costs and delay without corresponding planning justification.

We respectfully request that the Standing Policy Committee overturn the Community Committee's decision and grant Plan Approval to allow the project to proceed to permit issuance.

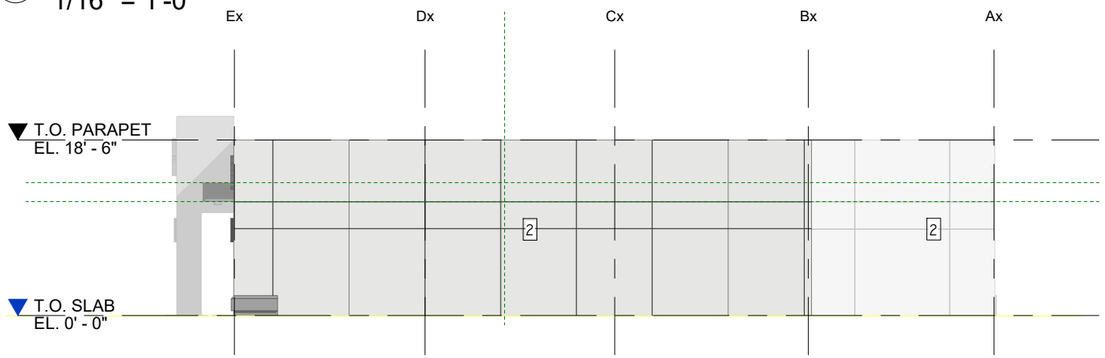
Thank you for your consideration.

Sincerely,

Jennefer Waskul
Penfor Construction Ltd.



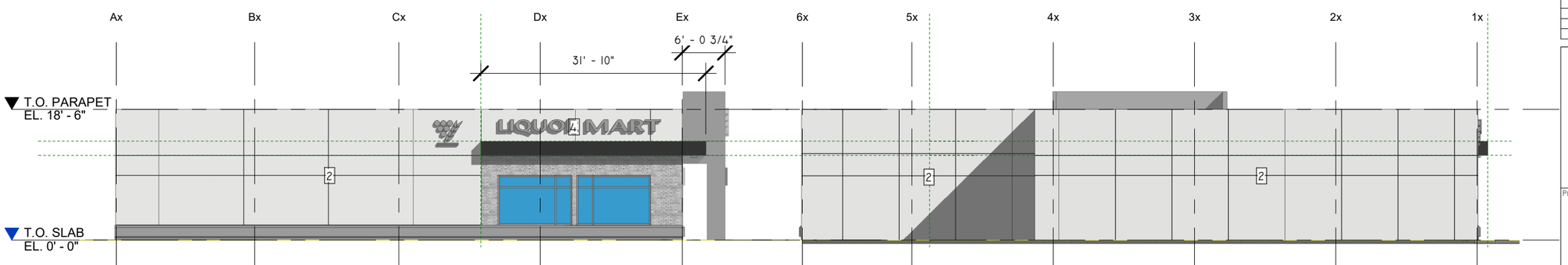
1 East Elev. Copy 1
1/16" = 1'-0"



2 North Elev. Copy 1
1/16" = 1'-0"

KEY NOTES:

1. ACRYLIC FINISH: BRICK TEXTURE
2. ACRYLIC FINISH: LIGHT
3. ACRYLIC FINISH: DARK
4. SIGNAGE



3 South Elev. Copy 1
1/16" = 1'-0"





4 West Elev. Copy 1
1/16" = 1'-0"

Revision Schedule

Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

Project Name & Address

RIVERGROVE MLCC FACADE UPGRADE

Sheet Title

COLOUR ELEVATIONS

Date	Drawn By	Sheet No.
Issue Date	JW	–
Scale	Checked By	
1/16" = 1'-0"	DS	

City Clerk's Department
Bureau du Greffier

REGISTERED MAIL RN 864 653 086 CA

February 23, 2026

File DASZ 37/1984

Penfor Construction Ltd.

Attention: Jennefer Waskul

Appeal – Plan Approval – 2615 Main Street

This will acknowledge receipt of your communication dated February 12, 2026, appealing the Decision dated January 27, 2026, issued by the East Kildonan-Transcona Community Committee, regarding a Plan Approval for 2615 Main Street.

Please be advised that the appeal will be heard by the Standing Policy Committee on Property and Development at its meeting on Monday, March 16, 2026, at 9:30 a.m. in the Council Building, 510 Main Street. The purpose of the appeal hearing is to allow interested persons to make submissions, ask questions or register objections with respect to this matter.

If you wish to speak on this matter at the meeting, or submit documentation, please fill out the public representation form available at winnipeg.ca/publichearings and submit it prior to noon (12:00 p.m.), Friday, March 13, 2026 to make the necessary arrangements to register.

Information or documents concerning this matter are available for inspection in the City Clerk's Department, 510 Main Street, or can be accessed four business days prior to the meeting via the Decision Making Information System at winnipeg.ca/CLKDMIS. A description of the procedure to be followed at the hearing can be accessed at winnipeg.ca/publichearings.

Leah Cowan
Senior Committee Clerk

c H. Borys, Director of Planning, Property and Development
J. Veitch, Manager of Urban Planning and Design, Planning, Property and Development Department

City Clerk's Department
Bureau du Greffier

R. Hayer, Chief Zoning Officer, Planning, Property and Development Department
C. Ho, Planner, Planning, Property and Development Department
Councillor Browaty, North Kildonan Ward
Councillor Durand-Wood, Elmwood-East Kildonan Ward
Councillor Wyatt, Transcona Ward

ADMINISTRATIVE REPORT

Title: Plan Approval 25-266930 – 2615 Main Street

Issue: For consideration of a Plan Approval for a proposed upgrade to an existing commercial building.

Critical Path: East Kildonan – Transcona Community Committee as per DASZ 37/1984

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Choi Ho, RPP, MCIP	n/a	n/a	n/a	

RECOMMENDATIONS

The Urban Planning and Design Division recommends ***approval*** of the submitted plans.

REASONS FOR REPORT

Per the Zoning Agreement for DASZ 37/1984:

8. No building or structure shall be erected or located on the land and no building permit issued for construction on the land unless and until plans including the location and design of the proposed buildings and structures, exterior materials and elevations thereof, accessory parking and loading areas, the location and design of landscaping, fencing and garbage enclosures, and all signs and methods of access and egress to and from the land are submitted to and approved by the Lord Selkirk-West Kildonan Community Committee and the Commissioner of Environment and thereafter identified by the signature of that Commissioner under the designation "Schedule 'A' to Zoning Agreement DASZ 37/84" and no buildings, structures or works shall be constructed or placed on the land except in accordance with that Schedule "A" to this agreement.

The applicant has submitted:

- Site Plan with dimensions
- Floor Plans and Elevations with dimensions

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning and Design Division are concurred in, the proposal ***can*** proceed.

HISTORY

DASZ 37/1984

- A subdivision and rezoning application was adopted by Winnipeg City Council, subject to a zoning agreement which stipulated Plan Approval as a condition.

FILE/APPLICANT DETAILS

FILE:	**ZR-PA 25-266930**
COMMUNITY:	North Kildonan
NEIGHBOURHOOD #:	4.322 - (RIVERGROVE)
SUBJECT:	Plans of Proposed Upgrade to an Existing Commercial Development
LOCATION:	2615 Main Street
LEGAL DESCRIPTION:	EXC PL 24740 LOT 2 BLOCK 1 PLAN 19456 32/34 K
APPLICANT:	Penfor Construction Ltd. (Jennefer Waskul)
OWNER:	2775680 MANITOBA LTD

DISCUSSION

SITE DESCRIPTION

- The subject property is located on east side of Main Street, between Red River Boulevard and Fernbank Avenue, in the Rivergrove Neighbourhood of the North Kildonan Ward.
- The property is zoned “C3” (Commercial - Corridor) and Main Street is an arterial road.
- The site is located within the “Established Neighbourhoods - Recent Communities” policy area under the *Complete Communities Direction Strategy 2.0*.
- The total property is 407,893 square feet (37,894.5 square feet or 9.36 acres) in assessed area.
- Currently on the site is the Rivergrove Shopping Centre along with associated parking.

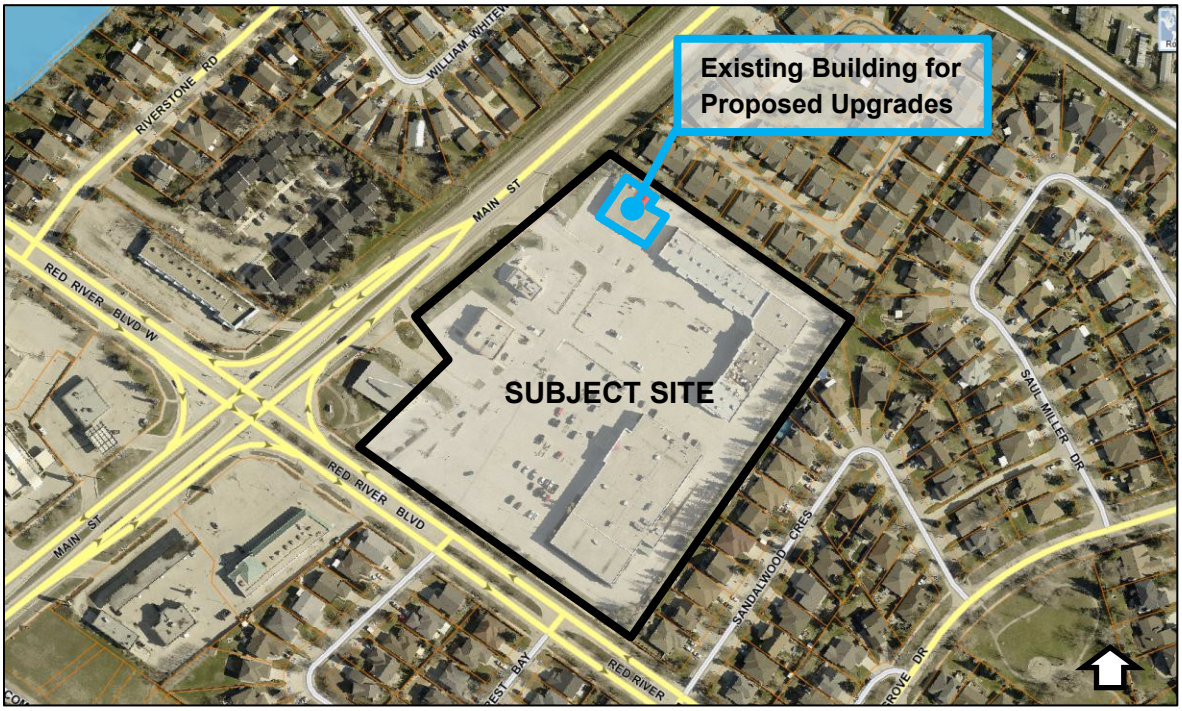


Figure 1: Air photo of subject site and surrounding context (*flown, 2024*)

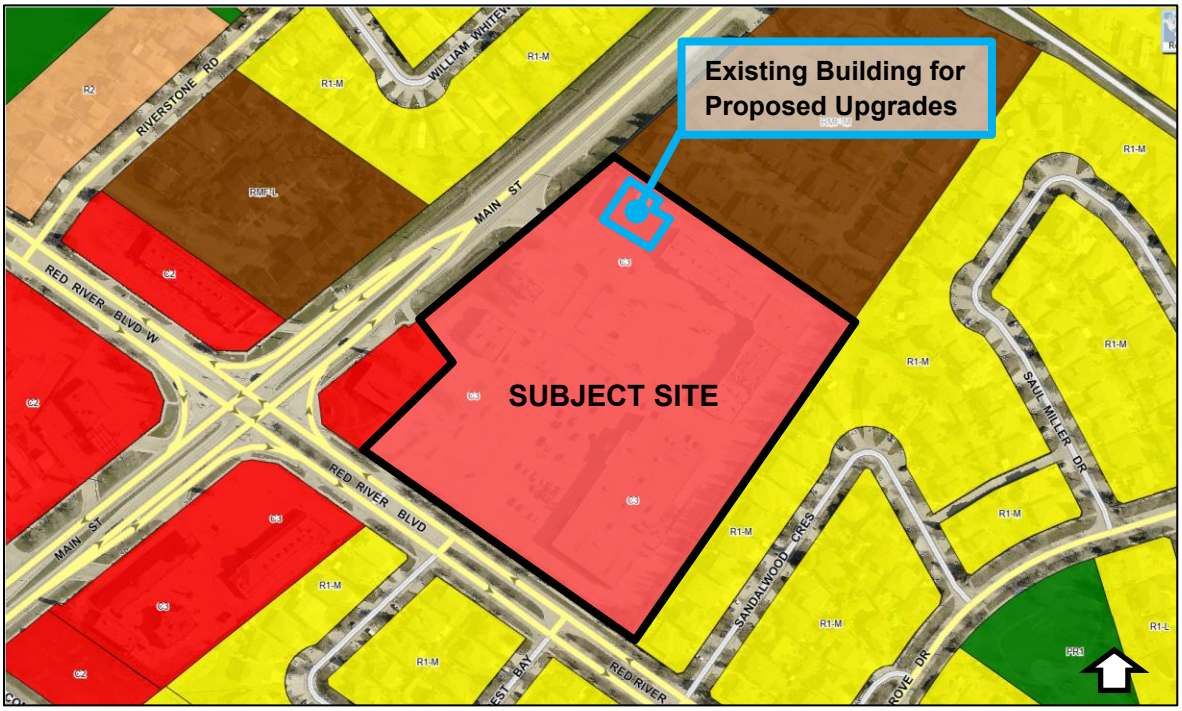


Figure 2: Zoning of the site and surrounding area.

SURROUNDING LAND USE AND ZONING (see Figure 2)

North: 2655 Main Street – single-family dwelling uses zoned “RMF-M” (Residential Multi-Family - Medium)

South: Other Commercial building uses and parking area uses within the subject site zoned “C3” (Commercial - Corridor), then Red River Boulevard

East: Other Commercial building uses and parking area uses within the subject site zoned “C3” (Commercial - Corridor), then 3-47 Sandalwood Crescent - single-family dwelling uses zoned “R1-M” (Residential Single-Family - Medium)

West: Main Street, then 7 Riverstone Road and 27-51 William Whiteway Bay – multi-family dwelling uses and single-family dwelling uses, zoned “RMF-L” (Residential Multi-Family - Large) and” R1-M” (Residential Single-Family - Medium), respectively

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to upgrade the exterior façade of the existing commercial use/building at 2615 Main Street (Liquor Mart) located on the northwest corner of the Rivergrove Shopping Centre.
- The letter of intent states that the project involves removing the existing façade and installing new EIFS cladding, lighting, and signage to create a more modern and cohesive appearance consistent with the rest of the Shopping Centre.
- The applicant indicates:
    - The materials have been selected for durability, low maintenance, and compatibility with the surrounding commercial context.
    - New lighting will use energy efficient LED fixtures to improve visibility and safety.
    - Updated signage areas are integrated into the facade design with similar locations as existing, to maintain clean proportions and a unified appearance.
    - The upgrades will refresh the storefront, enhance customer experience, and support the ongoing renewal of the Rivergrove Shopping Centre.
- There are no changes to the building footprint, use, or interior layout.
- No Variances are required for this proposed upgrade to the existing commercial building/use.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING AND CONSULTATION

With the Urban Planning and Design Division

- The applicant engaged the Urban Planning and Design Division for preliminary discussions prior to submitting a formal application.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- *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 property is located in an “Established Neighbourhoods – Recent Communities” policy area as outlined in *CCDS 2.0*. The goals and policies from *CCDS 2.0* that apply to the property include:

- *Goal 2 2.0 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.*
    - *2.2 Encourage the location of commercial or mixed-use buildings at or near the front and corner side property lines to create a pedestrian orientation. Use setbacks to reinforce the public realm through landscaping and pedestrian amenities, such as entryways, patios, benches, and bicycle parking.*
    - *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 visual aesthetics of the street and neighbourhood.*
    - *2.8 Buildings with commercial uses should be designed to support pedestrian activity by providing building elements that increase visual interest which may include, but are not limited to, the following:*
        - *a. Direct pedestrian access to main building entrances from the street;*
        - *b. Transparent storefront displays;*
        - *c. Human scaled signage; and*
        - *d. Decorative lighting, awnings, benches and other pedestrian oriented amenities.*

    - *2.10 Discourage building designs that orient the back of the building to the street.*
    - *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.*

- The proposal is consistent and meets all the applicable design policies above.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning and Design Division recommends ***approval*** of the submitted plans for the following reasons:

- The plans are consistent with policies in *Complete Communities Direction Strategy 2.0.*

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning and Design
Prepared by:	Choi Ho, RPP, MCIP
Date:	January 16, 2026
File No:	ZR-PA 25-266930

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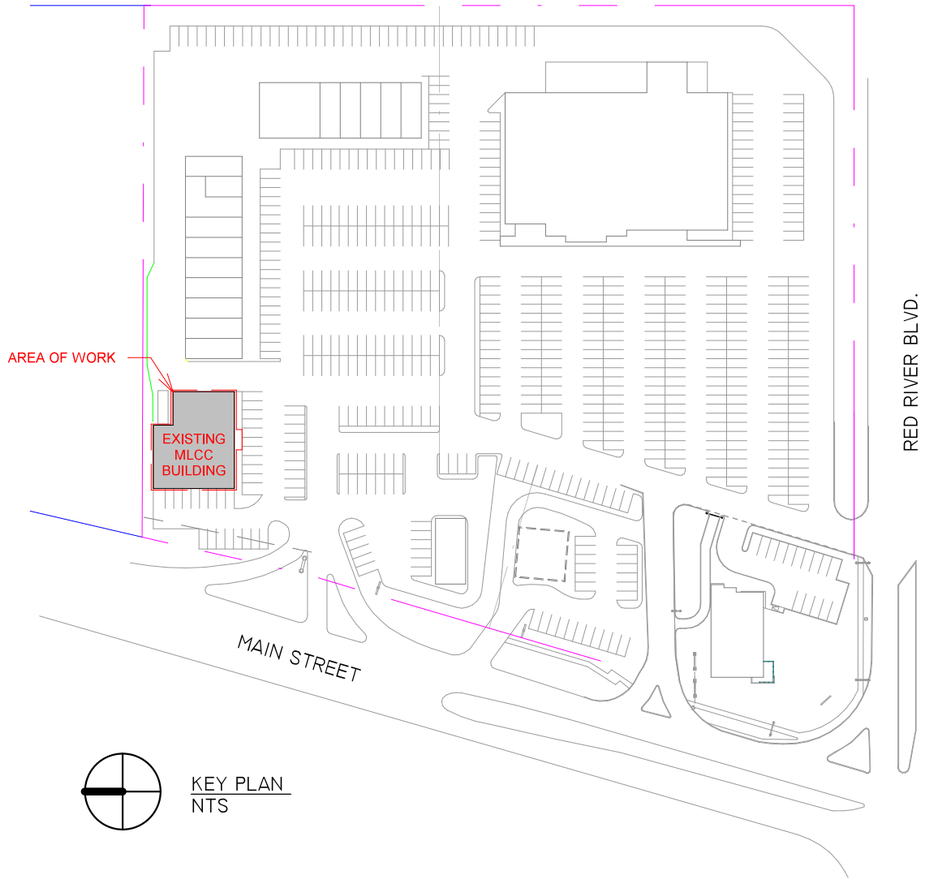
Provide continuity of insulation and vapour control at all transitions and penetrations.
Caulk all exterior openings using approved sealants; ensure compatibility with substrates.
Roof and slab insulation to meet or exceed minimum R-values as per Energy Code analysis.
Roof curbs and penetrations must be flashed and sealed to prevent moisture intrusion.



KEY PLAN
NTS

CODE & USE: CITY OF WINNIPEG

SITE ADDRESS: 2575 MAIN STREET
NEIGHBORHOOD: RIVERGROVE
NUMBER OF STOREYS: ONE STOREY
BUILDING AREA: 7,000 SF
PROPERTY USE CODE: CMRNS
ASSESSED LAND AREA: 9.4 ACRES

EXISTING ZONING SUMMARY
**NO CHANGE TO EXISTING ZONING*

CURRENT ZONING C2

BULK REGULATIONS:
MIN. LOT AREA N/A
FRONT YARD 20 ft.
REAR YARD 25 ft.
INTERIOR SIDE YARD 0 ft.
CORNER SIDE YARD 0 ft.
MAX. BLDG. HT. 45ft.
MAX. F.A.R. 3.0
MAX. LOT COVERAGE N/A

AREA OF BUILDING = 7000 sq.ft.

SCHEDULE "A" page 1 of 3

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/01985

Winnipeg

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		
Community Clerk		
Approved for the Director of Planning, Property and Development		

REVISION SCHEDULE

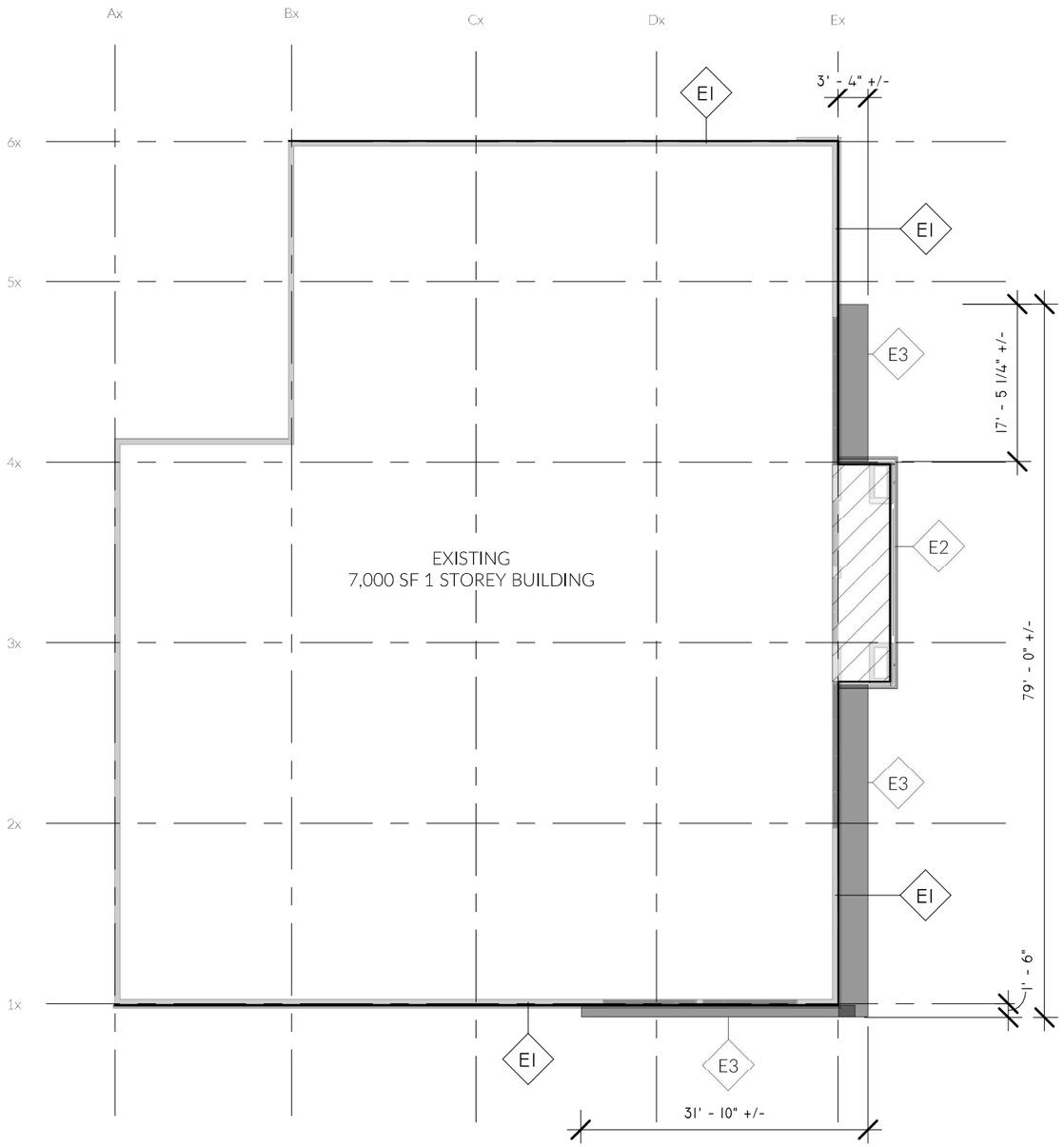
Rev No.	Rev Date	Issued By	Description
1	Date 1		Revision 1

Fenfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

Project Name & Address
.
RIVERGROVE MLCC FACADE UPGRADE

Sheet Title
NOTES

Date	Drawn By	Sheet No.
Issue Date	JW	A0.0
Scale: As Indicated	Checked By: DS	

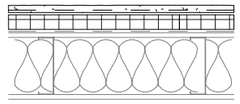


1 Main Floor Plan
1/16" = 1'-0"

NOTE DIMENSIONS ARE TO BE VERIFIED ON SITE, ACTUAL DIMENSIONS MAY VARY.

WALL SCHEDULE

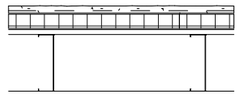
E1



EXTERIOR STUD WALL
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- NEW AIR BARRIER

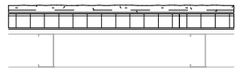
- EXISTING WALL ASSEMBLY:
  1/2" DENSE GLASS
  6" STEEL STUDS @ 16" O/C
  R-20 BATT INSULATION
  6 MIL POLY V.B.
  1/2" GWB TAPED & PAINTED

E2



EXTERIOR CANOPY
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- 1/2" DENSE GLASS
- NEW 6" STEEL STUDS @ 16" O/C

E3



EXTERIOR BULKHEAD
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- 1/2" DENSE GLASS
- MODIFIY EXISTING S.S. FRAMING TO SUIT

SCHEDULE "A" page 2 of 3

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/01985

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		
Community Clerk		
Approved for the Director of Planning, Property and Development		

Winnipeg

REVISION SCHEDULE

Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS

RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE

MAIN FLOOR PLAN RENOVATION

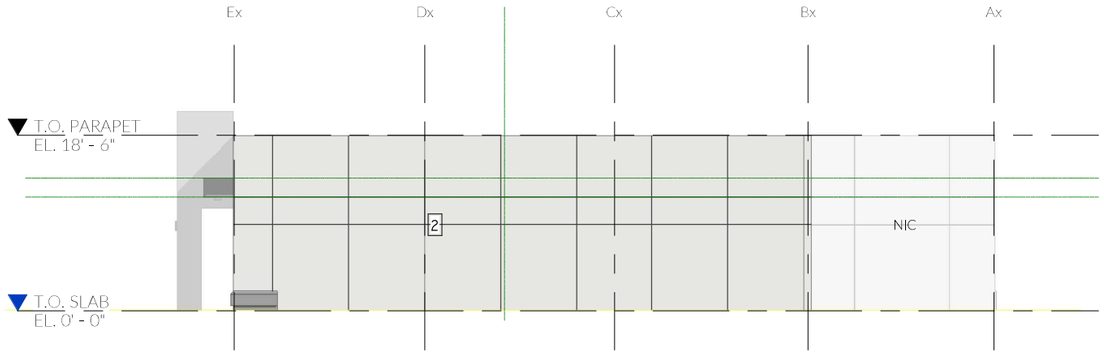
Date	Drawn By	Sheet No.
Issue Date	JW	A1.0
Scale: As indicated	Checked By: DS	



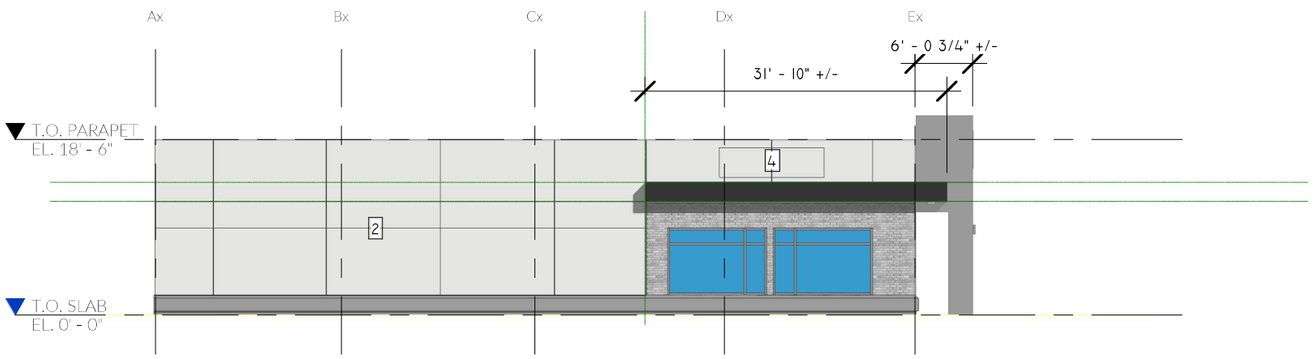
1 East Elevation
1/16" = 1'-0"

KEY NOTES:

1. BRICK TEXTURE: ACRYLIC FINISH,
2. ACRYLIC FINISH: ADEX 1420-4C
3. ACRYLIC FINISH: ADEX 1650-4C
4. SIGNAGE



2 North Elevation
1/16" = 1'-0"



3 South Elevation
1/16" = 1'-0"

SCHEDULE "A" page 3 of 3

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/01985

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		
Community Clerk		
Approved for the Director of Planning, Property and Development		

Winnipeg

REVISION SCHEDULE

Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS

RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE

ELEVATIONS

Date	Drawn By	Sheet No.
Issue Date	JW	A3.0
Scale 1/16" = 1'-0"	Checked By DS	

CITY CLERKS WPG '26 FEB 26 09:44

Physical Document Submission for:

East Kildonan-Transcona Community Committee

Project Proposal for: 2600 Main Street

MLCC River Grove Mall

Project Scope: Exterior Façade Improvement

Included:

Letter of Intent

Application

Owners Statement

Status of Title(s): 1461887_1, 1496854_1

Instrument(s): 1253015_1, 1253016_1, 3257371_1, 3257372_1, 4863932_1

Submitted By:

Jennefer Waskul, Penfor Construction Ltd.

January 15, 2026

Penfor Construction

Date: November 4, 2025

Planning, Property & Development Department
City of Winnipeg
Zoning & Permits Branch
31 – 30 Fort Street
Winnipeg, MB R3C 4X7

Re: Letter of Intent – Plan Approval Application
Project: Rivergrove MLCC Façade Upgrade
Location: 2600 Main Street (Rivergrove Mall)
Community Committee: Lord Selkirk–West Kildonan

This application is for plan approval of exterior façade upgrades to the Manitoba Liquor Mart at Rivergrove Mall. The project involves removing the existing façade and installing new EFIS cladding, lighting, and signage to create a more modern and cohesive appearance consistent with the rest of the mall.

The improvements are cosmetic only — there are no changes to the building footprint, use, or site layout. Materials have been selected for durability, low maintenance, and compatibility with the surrounding commercial context.

New lighting will use energy-efficient LED fixtures to improve visibility and safety. Updated signage areas are integrated into the façade design, with similar locations as existing, to maintain clean proportions and a unified appearance.

These modest upgrades will refresh the storefront, enhance customer experience, and support the ongoing renewal of Rivergrove Mall.

We respectfully request Plan Approval from the Lord Selkirk–West Kildonan Community Committee to proceed with permit issuance.

Thank you for your time and consideration.

Sincerely,
Jennefer Waskul
Penfor Construction Ltd.

Plan Approval/Design Review Application Form

The requirement for a Plan Approval or Design Review is typically specified as part of the conditions of a development application (e.g. zoning agreement, variance, conditional use) or as dictated by the Zoning By-law (e.g. Planned Development Overlay (PDO)) and must be approved prior to the issuance of any building or development permits for the property. Depending on what the development application or Zoning By-law specifies, the plan approval/ design review must be approved by the Community Committee for the area and/or the Director of Planning, Property and Development. They will need to approve the location and design of any of the following:

- Buildings
- Accessory parking and/or loading areas
- Private approaches
- Driveways
- Exterior lighting
- Garbage enclosures
- Fencing
- Landscaping
- Signage

Please refer to the property's Status of Title for any City of Winnipeg caveats that may be registered against it as there could be a Zoning Agreement that dictates the requirement for a plan approval. You can search for this information by contacting the Property Registry Office (i.e. Winnipeg Land Titles Office):

Address: 276 Portage Avenue, Winnipeg, MB R3C 0B6
Phone: 1-844-737-5684 (toll free)
Email: clientservice@teranet.ca

How to reach us:

Address: Zoning and Permits Unit 31- 30 Fort St. Winnipeg, MB R3C 4X7 **Phone:** 204-986-5140 **Email:** ppd-zdo@winnipeg.ca	**Hours of operation:** Tuesday to Friday 8:30 a.m. to 4:30 p.m. Please note the office is closed to customers on Mondays. However, staff are available for telephone and email inquiries, and completed applications may be dropped off in-person.

How to apply:

By appointment (recommended option):
We recommend arranging an appointment with a Zoning Development Officer to discuss your application. To schedule a meeting, please call Permits Direct Line at 204-986-5140 or email ppd-permitappointments@winnipeg.ca.

By mail, courier or drop off:
You can mail, courier or drop off your application package to Zoning and Permits (Unit 31 – 30 Fort Street, Winnipeg, MB, R3C 4X7). Free customer parking is located in the surface parking lot off Assiniboine Avenue at Garry Street and designated customer parking stalls are available (see ➲Customer Parking map). Please register your vehicle license number with the front desk clerk at the Zoning and Permits office.

By email:
You can submit digital copies of your application documents to ppd-zdo@winnipeg.ca. Please note that the Zoning Development Officer will request hard copies in order to process the application.

Before you submit your application, please ensure that you contact the Area/District Planner to confirm whether they will support your proposal. Please view the planning assignments map at winnipeg.ca/PlanningAssignments to determine the Planner for your area.

Fees:

Plan Approval Fees	
Director Plan Approval Fee	Fees will be assessed at the time of application. Refer to the Planning, Development and Building Fees and Charges schedule for more information.
Community Committee Plan Approval Fee	
Second and Each Subsequent Review Fee	
Design Review Fees (including boulevard Provencher)	
New Building or Addition	Fees will be assessed at the time of application. Refer to the Planning, Development and Building Fees and Charges schedule for more information.
Signs	
All Other Development Applications	

Payments can be made in-person, by mail or by calling Permits Direct Line at 204-986-5140 and following the prompts to speak to the cashier. Please note that individual invoices of more than $10,000 must be paid by cheque or bank draft, which can be made payable to the "City of Winnipeg".

Application fees must be paid before the application can be circulated to City departments for review. Please refer to the checklists under "Application Submission Requirements" to ensure you have supplied the required documentation and plans in order to avoid delays in processing.

Application Submission Requirements

Date: _____

Address Information:

Project Address	Street Number: 2600	Street Name: Main Street	
Legal Description	Lot Number: 2	Block Number: 1	Plan Number: 19456 WLTO

Applicant Information:

Applicant Information	Applicant Name: (print) Jennefer Waskul

Notes about the Checklists of Items:

- Items indicated "may be required" are items that may be requested by the City of Winnipeg as part of the review of the development application. These items may be requested at the time the application is submitted or after the application has been circulated to the other City departments.
- Items indicated "if applicable" are items that will be required if they apply to the context of the proposed development application.
- Please organize your submission to ensure that each individual set contains one copy of each required document. For example, the first set should contain one copy of the status of title, letters and plans, the second set should also contain one copy of the status of title, letters and plans, and so on.

Your personal information is being collected consistent with the requirements and limitations set out under *The Freedom of Information and Protection of Privacy Act (FIPPA)*. This collection of personal information is authorized by section 36(1)(b) of The FIPPA for the administration of *Development Procedures By-law No. 104/2020*. Your information is protected by FIPPA's privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg's Corporate Access and Privacy Officer by mail (City Clerk's Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.

Checklist of Required Items

Number of Copies Required	Type of Document	Explanations & Notes			
1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Letter of Intent (including project vision, use(s), project statistics, number of employees, hours of operation, etc.)	This letter should provide a description of the proposal, planning rationale as to how the proposal addresses Council policy, how it is compatible with its surrounding context, and a description of proposed measures to mitigate expected on- and off-site impacts. This letter should also provide a development summary, such as total gross land area, proposed area (in acres) of each land use category and zoning district, anticipated number of lots and units per land use category, proposed use of land and structures, etc.			
1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Landscaping Plan (if applicable) Maximum size of 11 in. x 17 in.	Detailed, fully dimensioned, drawn to scale landscape plan including the following:			
		☐	plant list (number, size and species)	☐	open space
		☐	planting to be removed or kept (number, size and species)	☐	ground cover
		☐	new planting (number, location and species)	☐	screening
		☐	fencing		
1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Site Plan Maximum size of 11 in. x 17 in.	Detailed, fully dimensioned, drawn to scale site plan including the following:			
		☐	Project name	☐	Proposed use
		☐	Municipal address	☐	Scale
		☐	North arrow	☐	Dimensioned property lines
		☒	Land parcel area (if applicable)	☒	Streets labeled
		☐	Pedestrian connections (if applicable)	☒	Exterior lighting
		☐	Dimensioned setbacks	☐	Floodway and flood fringe levels (if applicable)
		☒	Existing and proposed structures (number, location and height - if applicable)	☐	Features adjacent to parcel (City streets, sidewalks, curb cuts, median breaks - if applicable)
		☐	Boundary survey (total acreage, zoning, date, north arrow and vicinity map - if applicable)	☐	Easements and utility rights of way (depth, width, location, type and registration number - if applicable)
		☐	Vehicular circulation (parking spaces, drive aisles, driveways, accessible parking, ingress / egress, loading etc.)	☐	Nearby transit stops (if applicable)
		☐	Screening or treatment of any natural features	☐	Garbage enclosures (if applicable)
		☐	Proposed buffers or landscaped yards	☐	Free standing and accessible parking signs (if applicable)
		☐	Mechanical equipment (if applicable)	☐	Bicycle parking

1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Building Elevations (if applicable) Maximum size of 11 in. x 17 in.	Detailed, fully dimensioned, drawn to scale building elevations outlining the exterior appearance of the building. Learn more about ➲building elevation requirements.
1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Colour Renderings (if applicable) Maximum size of 11 in. x 17 in.	Learn more about ➲colour renderings requirements.

Checklist of Items that may be required

Number of Copies Required	Type of Document	Explanations & Notes
1	Current Status of Title	A Status of Title is a document that identifies property ownership and is available from the Winnipeg Land Titles Office. The copy provided must be dated within three months of the application date to verify current ownership, etc. For further information, please visit ➲Teranet Manitoba
1	City of Winnipeg caveats (if applicable)	Listed on the status of title as active instruments. Available from the Winnipeg Land Titles Office. For further information, please visit ➲Teranet Manitoba
1	Letter of Authorization	Written authorization by all registered owner(s) of the land whose name(s) appear on the Status of Title. If the owner on the title is a company name or number, the person signing the letter must state the company name or number as shown on the title and that they are authorized to sign for that company. Please see template at the end of this document.
1 (if reviewed by Director only); 2 (if reviewed by Community Committee)	Floor Plans (if applicable) Maximum size of 11 in. x 17 in.	Detailed, fully dimensioned, drawn to scale floor plans showing the interior layout of the building including labels and dimensions of all rooms.

Checklist of Items that may be required, continued

	Planning and Design (if applicable) Maximum size of 11 in. x 17 in. Number of copies required to be determined
☐	➲Parking Study
☐	➲Sun / Shadow Study
☐	➲Street Level Visualization of Proposed Development
☐	➲Public Consultation Program
☐	➲Arborist Report
☐	Context Photos
☐	Financial Impact Assessment
☐	Cultural Heritage Impact Statement (Historical Resources)
☐	Commercial Land Supply Study
☐	Employment Land Supply Study
☐	Residential Land Supply Study
☐	Archeological Resource Assessment

	Engineering Studies (if applicable) Maximum size of 11 in. x 17 in. Number of copies required to be determined
☐	Community Transportation Study and / or Transportation Impact Study
☐	Assessment of Adequacy of Public Services / Site Servicing Study
☐	Servicing Options Report
☐	Stormwater Management Report
☐	Geotechnical Study / Slope Stability Study
☐	Groundwater Impact Study
☐	Wind Study
☐	Photometric Plans
☐	➲Noise / Vibration Study
☐	Parking Functionality Analysis (Vehicle Access Checks, Clearances, Swept Path Analysis - e.g., Auto Turn)

Letter of Authorization

Registered owner(s) of the property whose name(s) appear on the title.

Date: _____

To: The City of Winnipeg
Planning, Property & Development Department
Zoning and Permits
31 – 30 Fort Street
Winnipeg, Manitoba R3C 4X7

RE: _____ (address or legal description of application)

I (we) hereby give authorization to:

_____ (Applicant's name)

To apply for a development application for the above address.

Registered owner(s) on the current Status of Title or Certificate of Title:

_____ _____
Please print name and company name (if applicable) Signature

_____ _____
Please print name and company name (if applicable) Signature

_____ _____
Please print name and company name (if applicable) Signature

_____ _____
Please print name and company name (if applicable) Signature

Your personal information is being collected consistent with the requirements and limitations set out under *The Freedom of Information and Protection of Privacy Act (FIPPA)*. This collection of personal information is authorized by section 36(1)(b) of The FIPPA for the administration of *Development Procedures By-law No. 104/2020*. Your information is protected by FIPPA's privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg's Corporate Access and Privacy Officer by mail (City Clerk's Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.

Docusign Envelope ID: 5532AFAE-A71B-4820-874C-CC0CD8868CE1

Owner Statement for Commercial Projects Development and Building Permits

Address or legal description of the project: 2600 Main Street (Rivergrove Mall)

Authorization Statement (if applicable)

I (we) hereby give authorization to Jennefer Waskul (applicant's name) to apply for a development or building permit for the above address.

Owner Statement

The following provisions apply to the respective development and building permit applications, where applicable for the scope of work proposed.

- I am aware that the City of Winnipeg will rely upon professional certificate(s), and will not conduct any review of the plans except by way of possible screening for completeness or audit for bylaw and code compliance, as they relate to the Winnipeg Zoning By-law, current editions of the Manitoba Energy Code for Buildings (MECB), the Canadian Electrical Code – Part I, as adopted and varied by the Winnipeg Electrical By-law, and the following provisions of the Manitoba Building Code (MBC), Division B:
    - Subsection 4.1.8. Earthquake Loads and Effects
    - Part 5 – Environmental Separation
    - Article 6.3.1.1. – General ventilation requirements
    - Part 7 – Plumbing Services
- I understand that the development and construction resulting from the respective development and building permit applications need to comply with:
    - the sealed plans submitted as part of the development and building permit applications;
    - the permit(s) and supporting approvals (e.g. variance) issued in response to the development and building permit applications; and,
    - all applicable codes, standards and bylaws.

  I further acknowledge that the Winnipeg Building By-law and Winnipeg Electrical By-law impose on me, as owner of the property, the responsibility to ensure that any elements of construction or occupancy be compliant or be brought into compliance with the above-noted bylaws and codes.
- Unless written acknowledgement has been provided by the City that Subsection 5.1 of the Winnipeg Building By-law does not apply and the professional(s) concerned will not be involved in construction reviews, I agree to notify the designated employee as soon as possible, if and when a design professional or professionals who signed and sealed the plans, drawings and other documents submitted as part of the application will not be carrying out review of certain aspects of the construction and will provide the designated employee, in writing, the name and address of the design professional who will be conducting the review of that aspect of construction as soon as that person is known.
- Subject to any appeal to which I am entitled, I hereby agree to immediately bring into compliance any construction pursuant to this application that is found not to comply with all applicable codes, standards and bylaws.
- I understand that the City of Winnipeg does not accept responsibility for any errors and omissions in the sealed plans.
- I further understand that it is my responsibility, as registered owner(s)/agent of the project, to review liability exposures, including those posed by potential third party claims, and ensure that any and all parties involved in the design and construction of the project carry a level of insurance that is appropriate and/or acceptable to me, based on the occupancy type and classification, value, size and complexity of the building and the risks to me associated with the City of Winnipeg's reliance on professional certificates as outlined above.
- I understand that the City of Winnipeg will not be checking for insurance coverage.
- I understand that I must notify the City of Winnipeg in writing of any change in the design professional or professional who signed and sealed the plans, drawing and other documents submitted as part of the application for the building permit, as required by Section 5.3 of the Winnipeg Building By-Law 4555/87.

Docusign Envelope ID: 5532AFAE-A71B-4820-874C-CC0CD8868CE1

Winnipeg

Additional Requirements re: Manitoba Energy Code for Buildings (MECB)

This section only applicable to:

- new buildings
- additions
- base building only (new building or addition)
- initial tenant improvements in a base building that is subject to the MECB requirements
- alterations to buildings subject to 2024 MECB

New Part 3 buildings and additions to Part 3 buildings are required to comply with the MECB or MBC, where applicable. The City of Winnipeg is enforcing the MECB through a certificate of compliance from a Coordinating Registered Professional (CRP). As such, it is a requirement that, prior to submitting a permit application the owner shall:

- Retain a coordinating registered professional (architect or engineer) to:
  - take responsibility to both, coordinate compliance with the MECB/MBC between the design professionals of record in terms of design and field reviews, and
  - provide a Final MECB Certificate of Compliance to the City of Winnipeg prior to a final occupancy permit.

Note: The CRP may be (but is not required to be) a member of the design team.

The CRP will likely need to rely on, and therefore will require, certificates of compliance from each of the members of the design team. These certificates of compliance will include, but might not be limited to, the pre- and post-construction certificates that the City requires of these professionals.

In the event that the CRP will require other certificates or statements under seal from professionals in order to issue a Final MECB Certificate of Compliance, I will ensure that the contractual obligations of such professionals allows for these to be issued to the CRP.

In the event that the CRP must be replaced:

- I will notify the City in accordance with Article 5.3 of the Winnipeg Building By-law 4555/87, and
- I understand that the City will not issue final occupancy or building permits associated with tenant spaces until a new CRP is engaged and submits the requisite MECB Declaration of Professional Responsibility to the City.

Re: Base Building Permit Applications

For buildings or additions constructed initially as base building only, MECB/MBC requirements apply to all of the interior alterations or tenant improvements as determined by final occupancy permits for the entire building or addition. The City of Winnipeg requires a Final MECB Certificate of Compliance from a Coordinating Registered Professional (CRP) for the entire building to ensure that each tenant space complies with the MECB and that the building 'as a whole' complies with the MECB.

I therefore take responsibility to ensure that each tenant and their designers will be made aware of the requirement to apply the MECB as it pertains to their respective interior alterations, and their responsibility to the CRP. I will engage the CRP to continue their role from the beginning of the project through to completion of every tenant space (as determined by initial final occupancy permits issued to each of the tenant spaces and common areas).

Owner's Delegate Contact Information (required):

The Owner's Delegate is an individual assigned by the owner to be the main point of contact for matters relating to this permit application.

Owner or delegate contact information (all fields are mandatory)

Name: (print) Jennefer Waskul	Position/title: Architectural Intern
Company name: Penfor Construction Ltd.	Email:
Main phone number:	Alternate phone number:

Winnipeg

Registered Owner(s) on the Status of Title or Certificate of Title or Authorized Agent

Name (please print)	Signature	Date (d/m/y)
Vince Spezzano	DocuSigned by: Vince Spezzano E6AD374F9F73489...	1/5/2026

Your personal information is being collected consistent with the requirements and limitations set out under *The Freedom of Information and Protection of Privacy Act (FIPPA)*. This collection of personal information is authorized by section 36(1)(b) of The FIPPA for permit management and administration. Your information is protected by FIPPA's privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg's Corporate Access and Privacy Officer by mail (City Clerk's Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.

STATUS OF TITLE

Title Number **1496854/1**
Title Status **Accepted**
Client File

Manitoba
Land Titles Registry

1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

3580351 MANITOBA LTD.

IS REGISTERED OWNER, SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

LOT 1 PLAN 24740 WLTO
EXC: MAIN STREET PLAN 26949 WLTO
IN RL 32 AND 33 PARISH OF KILDONAN

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type:	**Caveat**
Registration Number:	**1294350/1**
Instrument Status:	**Accepted**
Registration Date:	1990-05-15
From/By:	THE MANITOBA HYDRO AND MANITOBA TELEPHONE
To:	
Amount:	
Notes:	AFF: ELY 3.1 METERS PERP
Description:	EASEMENT

Instrument Type:	**Caveat**
Registration Number:	**2182399/1**
Instrument Status:	**Accepted**
Registration Date:	1997-09-08
From/By:	CODVILLE DISTRIBUTORS
To:	
Amount:	
Notes:	No notes
Description:	LEASE FOR 20 YEARS COMMENCING NOV. 1, 1998

Instrument Type:	**Caveat**
Registration Number:	**3171621/1**
Instrument Status:	**Accepted**
Registration Date:	2005-08-10
From/By:	ASSINIBOINE CREDIT UNION LIMITED
To:	JODY S. LANGHAN AS AGENT
Amount:	
Notes:	No notes
Description:	LEASE WITH RESTRICTION COVENANTS

Instrument Type:	**Change Of Address**
Registration Number:	**3252586/1**
Instrument Status:	**Accepted**
Registration Date:	2006-02-10
From/By:	3580351 MANITOBA LTD.
To:	FRANK BUETI AS SOLICITOR AND AGENT
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Caveat**
Registration Number:	**3257372/1**
Instrument Status:	**Accepted**
Registration Date:	2006-02-24
From/By:	THE CITY OF WINNIPEG
To:	
Amount:	
Notes:	SERVIENT
Description:	EASEMENT

Instrument Type:	**Caveat**
Registration Number:	**3447696/1**
Instrument Status:	**Accepted**
Registration Date:	2007-05-08
From/By:	THE LIQUOR CONTROL COMMISSION
To:	RICHARD H. G. ADAMS AS SOLICITOR AND AGENT
Amount:	
Notes:	No notes
Description:	LEASE AGREEMENT

Instrument Type:	**Mortgage**
Registration Number:	**3515812/1**
Instrument Status:	**Accepted**
Registration Date:	2007-09-24
From/By:	2775680 MANITOBA LTD. AND 3580351 MANITOBA LTD.
To:	THE TORONTO-DOMINION BANK
Amount:	$1,000,000.00
Notes:	No notes
Description:	No description

INSTRUMENTS THAT AFFECT THIS INSTRUMENT

Registration Number	Instrument Type	Status
3682397/1	Amending Agreement	Accepted
3807364/1	Amending Agreement	Accepted

Instrument Type:	**Amending Agreement**
Registration Number:	**3682397/1**
Instrument Status:	**Accepted**
Registration Date:	2008-10-01
From/By:	THE TORONTO-DOMINION BANK
To:	2775680 MANITOBA LTD. AND 3580351 MANITOBA LTD.
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Amending Agreement**
Registration Number:	**3807364/1**
Instrument Status:	**Accepted**
Registration Date:	2009-07-27
From/By:	THE TORONTO-DOMINION BANK
To:	2775680 MANITOBA LTD. & 3580351 MANITOBA LTD.
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Caveat**
Registration Number:	**3807366/1**
Instrument Status:	**Accepted**
Registration Date:	2009-07-27
From/By:	THE TORONTO-DOMINION BANK
To:	CHRYSOSTOMOS PAPPAS AS AGENT
Amount:	
Notes:	No notes
Description:	ASSIGNMENT OF LEASES

Instrument Type:	**Caveat**
Registration Number:	**4863932/1**
Instrument Status:	**Accepted**
Registration Date:	2017-07-14
From/By:	SOBEYS CAPITAL INCORPORATED
To:	MICHELLE R. REDEKOPP AS AGENT
Amount:	
Notes:	SEE DOCUMENT
Description:	RESTRICTIVE COVENANT & LEASE EXPIRES 2041/09/11

3. ADDRESSES FOR SERVICE

3580351 MANITOBA LTD.
1000-330 ST. MARY AVENUE
WINNIPEG MB
R3C 3Z5

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1207894/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	**Transfer Of Land**
Registration Number:	**2121338/1**
Registration Date:	1997-03-12
From/By:	SILPIT INDUSTRIES CO. LTD.
To:	3580351 MANITOBA LTD.
Consideration:	$300,000.00

10. LAND INDEX

Lot 1 Plan 24740
ALL EXC MAIN STREET PLAN 26949

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM OF TITLE NUMBER 1496854/1

STATUS OF TITLE

Title Number **1461887/1**
Title Status **Accepted**
Client File

Manitoba
Land Titles Registry

1. REGISTERED OWNERS, TENANCY AND LAND DESCRIPTION

2775680 MANITOBA LTD.

IS REGISTERED OWNER, SUBJECT TO SUCH ENTRIES RECORDED HEREON, IN THE FOLLOWING DESCRIBED LAND:

LOT 2 BLOCK 1 PLAN 19456 WLTO
EXC PLAN 24740 WLTO
IN RL 32 TO 34 PARISH OF KILDONAN

The land in this title is, unless the contrary is expressly declared, deemed to be subject to the reservations and restrictions set out in section 58 of *The Real Property Act*.

2. ACTIVE INSTRUMENTS

Instrument Type:	**Caveat**
Registration Number:	**1253015/1**
Instrument Status:	**Accepted**
Registration Date:	1990-01-22
From/By:	THE CITY OF WINNIPEG
To:	
Amount:	
Notes:	No notes
Description:	CERTAIN CONDITIONS:PURSUANT TO SEC 600 (1) CITY WPG ACT

Instrument Type:	**Caveat**
Registration Number:	**1253016/1**
Instrument Status:	**Accepted**
Registration Date:	1990-01-22
From/By:	THE CITY OF WINNIPEG
To:	
Amount:	
Notes:	No notes
Description:	AGREE. PURSUANT TO SEC 637 (57) CITY WPG. ACT

Instrument Type:	**Caveat**
Registration Number:	**2182399/1**
Instrument Status:	**Accepted**
Registration Date:	1997-09-08
From/By:	CODVILLE DISTRIBUTORS
To:	
Amount:	
Notes:	No notes
Description:	LEASE FOR 20 YEARS COMMENCING NOV. 1, 1998

Instrument Type:	**Caveat**
Registration Number:	**2322876/1**
Instrument Status:	**Accepted**
Registration Date:	1998-11-10
From/By:	THE MB. HYDRO-ELECTRIC BOARD & MTS COMMUNICATIONS INC.
To:	
Amount:	
Notes:	AFF: WTN LTS R/W PL 36506
Description:	EASEMENT

Instrument Type:	**Caveat**
Registration Number:	**2850252/1**
Instrument Status:	**Accepted**
Registration Date:	2003-05-26
From/By:	THE MANITOBA HYDRO-ELECTRIC BOARD
To:	BY AGENT: W. BRUCE MACFARLANE
Amount:	
Notes:	AFF: WTN LTS ROW PL 41676
Description:	EASEMENT

Instrument Type:	**Caveat**
Registration Number:	**3171621/1**
Instrument Status:	**Accepted**
Registration Date:	2005-08-10
From/By:	ASSINIBOINE CREDIT UNION LIMITED
To:	JODY S. LANGHAN AS AGENT
Amount:	
Notes:	No notes
Description:	LEASE WITH RESTRICTION COVENANTS

Instrument Type:	**Change Of Address**
Registration Number:	**3252585/1**
Instrument Status:	**Accepted**
Registration Date:	2006-02-10
From/By:	2775680 MANITOBA LTD.
To:	FRANK BUETI AS SOLICITOR AND AGENT
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Caveat**
Registration Number:	**3257371/1**
Instrument Status:	**Accepted**
Registration Date:	2006-02-24
From/By:	THE CITY OF WINNIPEG
To:	
Amount:	
Notes:	SERVIENT
Description:	EASEMENT

Instrument Type:	**Caveat**
Registration Number:	**3447696/1**
Instrument Status:	**Accepted**
Registration Date:	2007-05-08
From/By:	THE LIQUOR CONTROL COMMISSION
To:	RICHARD H. G. ADAMS AS SOLICITOR AND AGENT
Amount:	
Notes:	No notes
Description:	LEASE AGREEMENT

Instrument Type:	**Mortgage**
Registration Number:	**3515812/1**
Instrument Status:	**Accepted**
Registration Date:	2007-09-24
From/By:	2775680 MANITOBA LTD. AND 3580351 MANITOBA LTD.
To:	THE TORONTO-DOMINION BANK
Amount:	$1,000,000.00
Notes:	No notes
Description:	No description

INSTRUMENTS THAT AFFECT THIS INSTRUMENT

Registration Number	Instrument Type	Status
3682397/1	Amending Agreement	Accepted
3807364/1	Amending Agreement	Accepted

Instrument Type:	**Amending Agreement**
Registration Number:	**3682397/1**
Instrument Status:	**Accepted**
Registration Date:	2008-10-01
From/By:	THE TORONTO-DOMINION BANK
To:	2775680 MANITOBA LTD. AND 3580351 MANITOBA LTD.
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Amending Agreement**
Registration Number:	**3807364/1**
Instrument Status:	**Accepted**
Registration Date:	2009-07-27
From/By:	THE TORONTO-DOMINION BANK
To:	2775680 MANITOBA LTD. & 3580351 MANITOBA LTD.
Amount:	
Notes:	No notes
Description:	No description

Instrument Type:	**Caveat**
Registration Number:	**3807365/1**
Instrument Status:	**Accepted**
Registration Date:	2009-07-27
From/By:	THE TORONTO-DOMINION BANK
To:	CHRYSOSTOMOS PAPPAS AS AGENT
Amount:	
Notes:	No notes
Description:	ASSIGNMENT OF LEASES

Instrument Type:	**Caveat**
Registration Number:	**4457162/1**
Instrument Status:	**Accepted**
Registration Date:	2014-02-18
From/By:	H. M. THE QUEEN (CANADA)
To:	
Amount:	
Notes:	No notes
Description:	LEASE EXPIRES 2027/11/30

Instrument Type:	**Caveat**
Registration Number:	**4863932/1**
Instrument Status:	**Accepted**
Registration Date:	2017-07-14
From/By:	SOBEYS CAPITAL INCORPORATED
To:	MICHELLE R. REDEKOPP AS AGENT
Amount:	
Notes:	SEE DOCUMENT
Description:	RESTRICTIVE COVENANT & LEASE EXPIRES 2041/09/11

3. ADDRESSES FOR SERVICE

2775680 MANITOBA LTD.
1000-330 ST. MARY AVENUE
WINNIPEG MB
R3C 3Z5

4. TITLE NOTES

No title notes

5. LAND TITLES DISTRICT

Winnipeg

6. DUPLICATE TITLE INFORMATION

Duplicate not produced

7. FROM TITLE NUMBERS

1140077/1 All

8. REAL PROPERTY APPLICATION / CROWN GRANT NUMBERS

No real property application or grant information

9. ORIGINATING INSTRUMENTS

Instrument Type:	**Transfer Of Land**
Registration Number:	**2050756/1**
Registration Date:	1996-08-19
From/By:	DRACO DEVELOPMENTS LTD.
To:	2775680 MANITOBA LTD.
Consideration:	$350,000.00

10. LAND INDEX

Lot 2 Block 1 Plan 19456

CERTIFIED TRUE EXTRACT PRODUCED FROM THE LAND TITLES DATA STORAGE SYSTEM OF TITLE NUMBER 1461887/1

Certificate of Registration
Registered this date 22 JAN 90
as No. 125 3015
I certify that the within instrument was registered in the
Land Titles Office and entered on
Certificate of Title No. CA114007-7
For District Registrar
New Certificate of Title No.

LAND TITLES OFFICE
VANCOUVER, B.C.
JAN 22 1990
30-

CA114007-7

125 3015

SURVEYS

"Exhibit 6" - Appeal - Plan Approval - 2615 Main Street

Caveat

Manitoba
Attorney General
Land Titles

LAND TITLES OFFICE
DATE FILED
FEE CHARGED
DOCUMENT NUMBER
1850

District of Winnipeg

1. CAVEATOR(S) (include address and postal code)

~~I (We),~~ THE CITY OF WINNIPEG, 510 Main Street, Winnipeg, Manitoba, R3B 1B9

claim an interest in the following land or ~~mortgage~~, and ~~I~~ forbid the registration of any instrument affecting this interest unless such instrument be expressed to be subject to ~~my~~ its claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED

(as set forth in an Instrument hereto attached) A

3. LAND (description)

Lot 2, Block 1, Plan 19456, W.L.T.O., in R.L. 32 to 34, Parish of Kildonan, excepting that portion thereof taken by Lot 1, Plan 24740, W.L.T.O.

TITLE NUMBER(S) ☐ MORTGAGE NUMBER(S)
** if additional room required, attach schedule*

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE (include postal code)

DRACO DEVELOPMENTS LTD., c/o Pitblado & Hoskin, 1900 – 360 Main Street, Winnipeg Manitoba, R3C 3Z3, Att: E. W. Peever

** If additional room required, attach schedule* ☐

5. ADDRESS OF CAVEATOR(S) FOR SERVICE (include postal code)

THE CITY OF WINNIPEG, 510 Main Street, Winnipeg, Manitoba, R3B 1B9

6. SIGNATURES OF CAVEATOR(S)

1. That I ~~(we)~~ am ~~(are)~~ ~~the within~~ (Agent of ~~or Caveators~~) the within Caveator and I believe and the statements herein are true in substance and in fact.
2. The said Caveator~~(s)~~ has (~~have~~) a good and valid claim upon the within land, and this caveat is not filed for the purpose of delaying or embarassing any person.

			DATE Y	M	D
TREVOR LLOYD OBORN THOMAS	(Name)	(Signature)	88	07	22
	(Name)	(Signature)			

7. EVIDENCE — FARM LANDS OWNERSHIP ACT S.M. 1982-83-84 C. 22 where applicable

BY VIRTUE OF ☐ Agreement to Purchase ☐ Lease ☐ Loan ☑ Option to Purchase

~~1. Declaration under the Farm Lands Ownership Act enclosed; or~~
2. The within lands are not farm lands within the definition of section 1 (1) of the Farm Lands Ownership Act; or
~~3. The within farm lands are exempt by Regulation 211/84 of The Real Property Act, ie. are 5 acres or less; or~~
~~4. The within farm lands are exempt from The Farm Lands Ownership Act by section 82(6) of The Real Property Act. Particulars:~~

** strike out inappropriate statement(s) and initial*

			DATE Y	M	D
TREVOR LLOYD OBORN THOMAS	(Name)	(Signature)	88	07	22
	(Name)	(Signature)			

~~Caveator or~~ Agent

8. INSTRUMENT PRESENTED FOR REGISTRATION BY, include address and postal code

Pitblado & Hoskin, 1900 – 360 Main Street, Winnipeg, Manitoba, R3C 3Z3,
Att: E. W. Peever

IMPORTANT NOTICE: By virtue of Section 176(3) of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to The Manitoba Evidence Act.

Form 18

GREGORY CARTWRIGHT FORM 228 MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

THE CITY OF WINNIPEG claims an equitable estate or interest in an estate in fee simple in possession in the land described in box 3 hereof or schedule attached thereto by virtue of an agreement in writing dated the 30th day of August, A.D. 1985 between THE CITY OF WINNIPEG and DRACO DEVELOPMENTS LTD., a copy of which agreement is attached, under which the City has imposed certain conditions, pursuant to Section 600 (1) of The City of Winnipeg Act.

This Schedule forms part of a Caveat of ~~XXXXX~~

(Instrument Type)

THE CITY OF WINNIPEG ~~XX~~ _____, Dated

this 22nd day of July 1988

(Signature)

(Signature)

GREGORY-CARTWRIGHT FORM 228 MG-14477

Manitoba
Attorney General
Land Titles

Schedule

Additional Information

DASZ 37/84

SCHEDULE A
(insert letter)

Z O N I N G

A G R E E M E N T

SECTION 600 (1)

(THE CITY OF WINNIPEG ACT)

THIS AGREEMENT made in duplicate this 22nd day of August A.D. 1985.

B E T W E E N:

THE CITY OF WINNIPEG,
(hereinafter called the "City"),
OF THE FIRST PART,

- and -

DRACO DEVELOPMENTS LTD.
(hereinafter called the "Owner"),
OF THE SECOND PART.

WHEREAS:

(a) The Owner is or is entitled to be the registered owner of the land hereinafter described; and

(b) The Owner has made application to have the said land rezoned to an "R3B-TWO" Planned Building Group District and a "C2" Commercial District; and

(c) The City has agreed insofar as it lawfully can and may and subject to the provisions of The City of Winnipeg Act to rezone that land as requested subject to the execution of this agreement as a condition of enactment of the rezoning by-law.

This Schedule forms part of a Caveat of
(Instrument Type)

THE CITY OF WINNIPEG, Dated

this 22nd day of July 19 88

(Signature)

(Signature)

GREGORY-CARTWRIGHT FORM 228 MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

NOW THEREFORE IT IS AGREED THAT in consideration of and conditional upon the City enacting a by-law to so rezone the land hereinafter described, the Owner hereby covenants and agrees that:

1. The Owner's land affected by this agreement is described as follows:

Lot 1, Block 1, which lot and block are contained within the limits of the lands shown bordered on a plan of survey of part of River Lots 32, 33 and 34 of the Parish of Kildonan, in Manitoba, prepared by Casmir David Manitowich, Manitoba Land Surveyor, and sworn to by him on the 31st day of May, 1985.

(hereinafter called the "R3B-TWO" land); and

Lot 2, Block 1, which lot and block are contained within the limits of the lands shown bordered on a plan of survey of part of River Lots 32, 33 and 34 of the Parish of Kildonan, in Manitoba, prepared by Casmir David Manitowich, Manitoba Land Surveyor, and sworn to by him on the 31st day of May, 1985.

(hereinafter called the "C2" land).

"R3B-TWO" LAND

2. The maximum density shall be thirty (30) dwelling units per acre.

3. No building shall exceed six (6) storeys in height.

4. No building exceeding three (3) storeys in height above grade shall be located within one hundred (100) feet of the easterly property line of the "R3B-TWO" land.

5. No building or structure shall be located within forty (40) feet of the easterly limit of Main Street.

This Schedule forms part of a Caveat of , from
(Instrument Type)

THE CITY OF WINNIPEG to , Dated

this 22nd day of July 19 88

(Signature)

(Signature)

Form 3

GREGORY CARTWRIGHT FORM 228 MG-14477

Manitoba
Attorney General
Land Titles

Schedule

Additional Information

SCHEDULE A
(insert letter)

6. No parking spaces shall be located, and no vehicles shall be parked, within twenty (20) feet of the easterly limit of Main Street.

7. Parking spaces shall be provided on the "RJB-TWO" land equal to at least 1.5 times the total number of dwelling units located thereon and a minimum of one-eighth (1/8) of those total parking spaces shall be maintained as visitor parking.

8. No building or structure shall be erected or located on the land and no building permit issued for construction on the land unless and until plans including the location and design of the proposed buildings and structures, exterior materials and elevations thereof, accessory parking and loading areas, the location and design of landscaping, fencing and garbage enclosures, and all signs and methods of access and egress to and from the land are submitted to and approved by the Lord Selkirk-West Kildonan Community Committee and the Commissioner of Environment and thereafter identified by the signature of that Commissioner under the designation "Schedule 'A' to Zoning Agreement DASZ 37/84" and no buildings, structures or works shall be constructed or placed on the land except in accordance with that Schedule "A" to this agreement.

9. That Schedule "A" shall include landscaping of the westerly twenty (20) feet of the "RJB-TWO" land and landscaping or berming or fencing or a combination of two or more of such improvements of the easterly ten (10) feet

This Schedule forms part of a Caveat of (Instrument Type) Filed

THE CITY OF WINNIPEG XX Dated

this 22nd day of July 19 88

(Signature)

(Signature)

Form 3

GREGORY CARTWRIGHT FORM 228 MG-14477

Manitoba
Attorney General
Land Titles

Schedule

Additional Information

SCHEDULE A

(insert letter)

DAGC 37/84

of the "RJB-TWO" land; which landscaping, fencing or berming shall be constructed to the satisfaction of the Commissioner of Environment.

10. All fencing, landscaping and garbage enclosures shown on that Schedule "A" shall be completed within three (3) months of occupancy, in whole or in part, of any building constructed on the land, unless an extension of that time is approved by that Community Committee and those works shall thereafter be maintained in good condition at all times to the satisfaction of that Commissioner.

"C2" LAND

11. The "C2" land and any building or structure thereon shall not be used for, and no building or structure shall be erected, placed, altered or enlarged on the "C2" land for any use except for the following uses:

(a) Any use permitted in the "C1" District;
(b) Retail stores or retail businesses;
(c) Art or antique shop, if conducted wholly within completely enclosed building;
(d) Bank;
(e) Bird store, pet shop or taxidermist;
(f) Business college or private school operated as a commercial enterprise;
(g) Blueprinting or photostating;
(h) Catering establishment;
(i) Cleaning establishment, using non-flammable and non-explosive cleaning fluid;
(j) Department or furniture store;
(k) Film exchange;
(l) Interior decorating store;
(m) Medical or dental clinics and laboratories;
(n) Music conservatory or music instruction;
(o) Newsstand;
(p) Printing, Lithographing or publishing;
(q) Public garage, if all operations are conducted within a completely enclosed building;

This Schedule forms part of a Caveat of ~~Prior~~
(Instrument Type)

THE CITY OF WINNIPEG TO Dated

this 22nd day of July 19 88

(Signature)

(Signature)

GREGORY-CARTWRIGHT FORM 228 MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

provided, however, that where a public garage is located on a lot which does not abut upon a lane and is within fifty (50) feet of a lot in an "RA" or "R1" District, the garage wall, nearest to such lot, shall have no openings other than stationary windows;

(r) Studios (except motion pictures);
(s) Tire shop operated wholly within a building;
(t) Trade school, if conducted wholly within a completely enclosed building;
(u) Accessory uses when located on the same lot;
(v) Loading space as required in the applicable zoning provisions (presently Old Kildonan Town Planning Scheme 1957 Chapter 14, A9);
(w) Automobile parking space required for dwellings and buildings other than dwellings, as provided for in the applicable zoning provisions (presently Old Kildonan Town Planning Scheme 1957, Chapter 14, A8).

12. No building shall be erected exceeding two (2) storeys in height.

13. No building or structure shall be located within forty (40) feet of the easterly limit of Main Street.

14. No parking area shall be located and no vehicles shall be parked within twenty (20) feet of the eastern limit of Main Street.

15. Not more than one (1) free-standing sign shall be located upon a zoning lot within the "C2" land, such sign shall not exceed thirty (30) feet in height and such sign shall not be located within twenty (20) feet of the eastern limit of Main Street.

16. Facia signs attached to a wall of a building shall not exceed in total surface area ten per cent (10%) of the total surface area of that wall.

This Schedule forms part of a Caveat of , ~~Form~~
(Instrument Type)

THE CITY OF WINNIPEG ~~TO~~: , Dated

this 22nd day of July 19 88

(Signature)

(Signature)

GREGORY CARTWRIGHT FORM 22B MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

DASZ 37/84

17. No signs shall be located on the "C2" land of any type which is animated, flashing or scintillating.

18. No building shall be located within fifty (50) feet of the easterly property line of the "C2" land and no parking area shall be located or vehicles parked within that fifty (50) feet except for employee parking spaces, which shall not be located within ten (10) feet of that easterly property line.

19. No building or structure shall be erected or located on the "C2" land and no building permit issued for construction on that land unless and until plans including the location and design of the proposed buildings and structures, exterior materials and elevations thereof, accessory parking and loading areas, the location and design of landscaping, fencing and garbage enclosures, and all signs and methods of access and egress to and from the "C2" land are submitted to and approved by the Lord Selkirk-West Kildonan Community Committee and the Commissioner of Environment and thereafter identified by the signature of that Commissioner under the designation "Schedule 'B' to Zoning Agreement DASZ 37/84" and no buildings, structures or works shall be constructed or placed on the "C2" land except in accordance with that Schedule "B" to this agreement.

This Schedule forms part of a Caveat of ~~XXXX~~
(Instrument Type)

THE CITY OF WINNIPEG ~~XXX~~ Dated

this 22nd day of July 19 88

(Signature)

(Signature)

GREGORY-CARTWRIGHT FORM 228 MO-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

20. That Schedule "B" shall include landscaping of the most westerly twenty (20) feet of the "C2" land and landscaping, berming or fencing, or any two or more of those improvements of the easterly ten (10) feet of the "C2" land; which landscaping, fencing or berming shall be constructed to the satisfaction of the Commissioner of Environment.

21. All fencing, landscaping and garbage enclosures shown on that Schedule "B" shall be completed within three (3) months of occupancy, in whole or in part, of any building constructed on the land, unless an extension of that time is approved by that Community Committee and those works shall thereafter be maintained in good condition at all times to the satisfaction of that Commissioner.

22. For the purpose of this agreement, the term "storey" does not include that portion of the building between two floor levels which the Commissioner of Environment in his absolute discretion determines has more than one-half (1/2) of its height from finished floor to finished ceiling below the adjacent finished grade level.

23. Nothing in this agreement shall restrict or affect the powers of the City to amend, repeal or vary the Zoning By-law or Town Planning Scheme applicable to the land or to enact a zoning by-law rezoning the land

This Schedule forms part of a Caveat of ~~Xfrmx~~
(Instrument Type)

THE CITY OF WINNIPEG XTOX, Dated

this 22nd day of July 19 88

(Signature)

(Signature)

GREGORY-CARTWRIGHT FORM 228 MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

DASZ 37/84

and it is understood by the Owner that the execution of this agreement by the City cannot operate to effect any variance to the zoning by-law or Town Planning Scheme or approve any conditional use or operate to relieve against compliance with any other by-law or regulation of the City.

24. Any reference in this agreement to lot width or minimum lot width shall mean the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines, or fifty (50) feet from the front lot line, whichever is the lesser and the terms "side lot lines", "lot depth" and "front lot line" shall have the meanings as defined by the applicable zoning by-law.

25. If a provision of this agreement conflicts with a provision of any variance or conditional use order now existing or made in future the most restrictive provision shall apply.

26. This agreement shall run with the land and shall bind the Owner, his/her/its successors and assigns, provided that if the City does not enact the amending by-law recited in this agreement, this agreement shall become

This Schedule forms part of a Caveat of ~~XXXXX~~

(Instrument Type)

THE CITY OF WINNIPEG TO _____, Dated

this 22nd day of July 1988

(Signature)

(Signature)

GREGORY CARTWRIGHT FORM 228 MQ-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

SCHEDULE A

(insert letter)

DASZ 37/84

void and the City shall withdraw any caveat registered on the basis thereof.

SIGNED, SEALED AND DELIVERED the day and year first above written by

THE CITY OF WINNIPEG

Mayor

City Clerk

and by

DRACO DEVELOPMENTS LTD.

Per: President

Per: Secretary

Certified as to Planning Details:

Director of Environmental Planning

Certified as to Form:

City Solicitor

This Schedule forms part of a Caveat of
(Instrument Type)

THE CITY OF WINNIPEG TO , Dated

this 22nd day of July 1982

(Signature)

(Signature)

Certificate of Registration
Registered this date 22 Jan 90
as No. 1253016
I certify that the within instrument was registered in the
Land Titles Office and entered on
Certificate of Title No. 1140077
For District Registrar
New Certificate of Title No.

LAND TITLES OFFICE
WINNIPEG, MAN.
JAN 22 1990
30-

1253016
SURVEYS

360/87

N.LCT 1140077

"Exhibit 6" Appeal re Plan Approval - 2615 Main Street

Caveat

Province of Manitoba
Attorney General
Land Titles

LAND TITLES OFFICE USE ONLY
PRE-CHECK
FEE CHARGED
DOCUMENT NUMBER 1253014

District of Winnipeg

1. CAVEATOR(S) (include address and postal code)

~~I (We)~~, THE CITY OF WINNIPEG, 510 Main Street, Winnipeg, Manitoba R3B 1B9

claim an interest in the following land ~~or mortgage~~, and forbid the registration of any instrument affecting this interest unless such instrument be expressed to be subject to ~~my~~ claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED

(as set forth in an instrument hereto attached) A

3. LAND (description)

Lot 2, Block 1, Plan 19456, W.L.T.O., in R.L. 32 to 34, Parish of Kildonan, excepting that portion thereof taken by Lot 1, Plan 24740, W.L.T.O.

TITLE NUMBER(S) ☐ MORTGAGE NUMBER(S)
* *If additional room required, attach schedule*

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE (include postal code)

DRACO DEVELOPMENTS LTD., c/o Pitblado & Hoskin, 1900 - 360 Main Street, Winnipeg, Manitoba, R3C 3Z3, Att: E. W. Peever

* *If additional room required, attach schedule* ☐

5. ADDRESS OF CAVEATOR(S) FOR SERVICE (include postal code)

THE CITY OF WINNIPEG, 510 Main Street, Winnipeg, Manitoba, R3B 1B9

6. SIGNATURES OF CAVEATOR(S)

1. That I ~~(we)~~ am ~~(are)~~ the ~~within~~ (Agent of ~~the Caveators~~) and the statements herein are true in substance and in fact. the within Caveator and I believe
2. The said Caveator~~(s)~~ has ~~(have)~~ a good and valid claim upon the within land, and this caveat is not filed for the purpose of delaying or embarassing any person.

		DATE Y M D
TREVOR LLOYD OBORN THOMAS (Name)	(Signature)	88 07 22
(Name)	(Signature)	

7. EVIDENCE — FARM LANDS OWNERSHIP ACT S.M. 1982-83-84 C. 22 where applicable

BY VIRTUE OF ☐ Agreement to Purchase ☐ Lease ☐ Loan ☐ Option to Purchase

~~1. Declaration under the Farm Lands Ownership Act enclosed, or~~

2. The within lands are not farm lands within the definition of section 1 (1) of the Farm Lands Ownership Act; or

~~3. The within farm lands are exempt by Regulation 211/84 of The Real Property Act, ie. are 5 acres or less, or~~

~~4. The within farm lands are exempt from The Farm Lands Ownership Act by section 82(6) of The Real Property Act. Particulars:~~

* *strike out inappropriate statement(s) and initial*

		DATE Y M D
TREVOR LLOYD OBORN THOMAS (Name)	(Signature)	88 07 22
(Name)	(Signature)	

~~Caveator or~~ Agent

8. INSTRUMENT PRESENTED FOR REGISTRATION BY, include address and postal code

Pitblado & Hoskin, 1900 - 360 Main Street, Winnipeg, Manitoba, R3C 3Z3
Att: E. W. Peever

FARM LANDS EVIDENCE

IMPORTANT NOTICE: By virtue of Section 176(3) of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to The Manitoba Evidence Act.

Form 18

GREGORY-CARTWRIGHT FORM 228 MG-14477

Schedule

Manitoba
Attorney General
Land Titles

Additional Information

Page 1 of 1 Pages

SCHEDULE A

(insert letter)

THE CITY OF WINNIPEG claims an equitable estate or interest in an estate in fee simple in possession in the land described in box 3 hereof or schedule attached thereto by virtue of an agreement in writing dated the 30th day of August, A.D. 1985 between THE CITY OF WINNIPEG and DRACO DEVELOPMENTS LTD., made pursuant to Section 637 (57) of The City of Winnipeg Act, under which the Owner of the land has covenanted that it will not apply for and will not be entitled to any building permit for construction on the land unless and until certian works are constructed or a letter of credit provided securing construction of those works.

This Schedule forms part of a Caveat of , ~~from~~

(Instrument Type)

The City of Winnipeg ~~to~~ , Dated

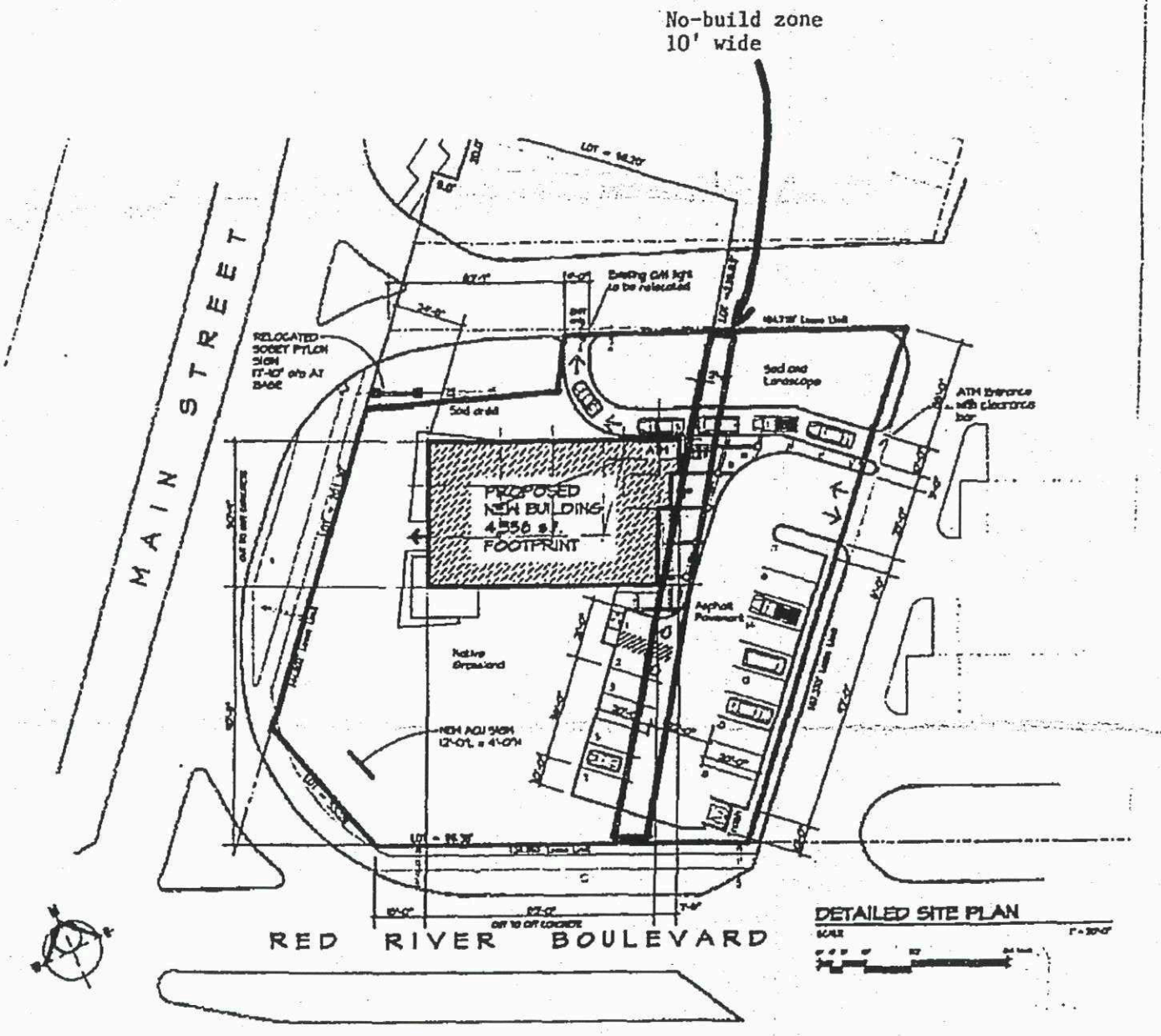
this 22nd day of July 19 88

(Signature)

(Signature)

SCHEDULE "A"

SITE PLAN OF SHOPPING CENTRE



7. FARM LANDS OWNERSHIP DECLARATION

BY VIRTUE OF ~ Agreement to Purchase ~ Lease ~ Loan ~ Option to Purchase

The registration of this instrument does not contravene the provisions of The Farm Lands Ownership Act because:

Strike out inappropriate statement(s) and initial

1. The within land is not farm land as defined in The Farm Lands Ownership Act; or
2. ~~The within farm land is exempt by Regulation 325/87 R of The Real Property Act, i.e. it is 5 acres or less; or~~
3. ~~The aggregate holdings of farm land by the Caveator is less than 40 acres; (including the land in this instrument); or~~
4. ~~The Caveator is a Canadian citizen, permanent resident of Canada, agency of the government, municipality, local government district, Qualified Canadian Organization, Family Farm Corporation, or a Qualified Immigrant as defined in The Farm Lands Ownership Act; or~~
5. ~~The interest in farm land is being claimed pursuant to a bona fide debt obligation; or~~
6. ~~The Caveator is exempt by the Farm Lands Ownership Board (Order enclosed); or~~
7. ~~Other (specify section of The Farm Lands Ownership Act)~~ _____

~~Particulars:~~

WT.

		DATE Y M D
WOLFGANG TIEGS (Name)	W. Tiegs (Signature)	2006 02 20
(Name)	(Signature)	

~~Caveator or Agent~~

8. INSTRUMENT PRESENTED FOR REGISTRATION BY include address, postal code, contact person and phone number

City Legal Services File No. P.3.1/

LTO USE ONLY

FEES CHECKED	REFUND AMOUNT
NC	

Certificate of Registration

Registered this date Feb 24, 2006

as No. 3257371

I certify that the within instrument was registered in the Wpg Land Titles Office and entered on

Title No. 1461487, 1468242

For District Registrar

CAVEAT

LAND TITLES OFFICE FEB 24 2006 WINNIPEG, MAN.

All 1461487 + All 1468242 See

3257371

Caveat

Approved as to form - Registrar General - Registration No. 2272178, where an instrument is registered that does not conform with the form of the instrument prescribed by regulation, the Registrar General and the District Registrar disclaim liability for loss resulting from the non-conformance.

Manitoba Consumer and Corporate Affairs
Land Titles

Form 18.1

3257371

DISTRICT OF WINNIPEG

1. CAVEATOR(S) (include address and postal code)

I (We), **THE CITY OF WINNIPEG**, 510 Main Street, Winnipeg, Manitoba, R3B 1B9

claim an interest in the following land or mortgage, and I forbid the registration of any instrument affecting the interest unless such instrument be expressed to be subject to my claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED

An Undertaking in writing given by 3580351 Manitoba Ltd. and 2775680 Manitoba Ltd. bearing date the 17th day of February, 2006, attached hereto as Schedule "A", in which, among other things, 2775680 Manitoba Ltd. granted to the City of Winnipeg an easement to enter onto the undermentioned servient land for the purpose of inspection.

see schedule "A"

3. LAND DESCRIPTION

Servient Tenement:
Lot 2 Block 1 Plan 19456 WLTO
Except Plan 24740 WLTO
in RL 32 and 34 Parish of Kildonan

Dominant Tenement:
Fernbank Avenue, Red River Boulevard, Sandalwood Crescent, Rivergrove Drive, Saul Miller Drive, Summerview Lane, Broadview Place, Tatum Place, Main Street and Public Lane Plan 19456 WLTO in RL 32 to 34 Parish of Kildonan

TITLE NUMBER(S) 1461887, 1568243

MORTGAGE NUMBER(S)

see schedule ☐

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE (include postal code)

2775680 Manitoba Ltd.
1000 – 330 St. Mary Avenue, Winnipeg, Manitoba R3C 3Z5 – Servient Tenement

Her Majesty the Queen in Right of the Province of Manitoba – Dominant Tenement

see schedule ☐

5. ADDRESS OF CAVEATOR(S) FOR SERVICE (include postal code)

As above.

6. SIGNATURES OF CAVEATOR(S)

1. That I (~~we~~) am (~~are~~) the within (Agent of ~~or~~ Caveators) and the statements herein are true in substance and in fact.
2. The said Caveator(~~s~~) has (~~have~~) a good and valid claim upon the within land, and this caveat is not filed for the purpose of delaying or embarrassing any person.

DATE Y M D: 2006 02 20

(Name)	(Signature)
WOLFGANG TIEGS	W. Tiegs
(Name)	(Signature)

IMPORTANT NOTICE: By virtue of Section 194 of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to The Manitoba Evidence Act.

SCHEDULE "A"

"Exhibit 6" - Appeal - Plan Approval - 2615 Main Street

UNDERTAKING

DATED EFFECTIVE this 6th day of February, 2006.

FROM:

3580351 MANITOBA LTD.,
(the "Owner"),

OF THE FIRST PART,

- and –

2775680 MANITOBA LTD.,
(the "Shopping Centre Owner"),

OF THE SECOND PART,

TO:

THE CITY OF WINNIPEG,
(the "City"),

OF THE THIRD PART.

WHEREAS 3580351 MANITOBA LTD. (hereinafter referred to as the "Owner") is the registered owner of the lands legally described as follows:

Title No. 1496854

LOT 1 PLAN 24740 WLTO
EXC MAIN STREET PLAN 26949 WLTO
IN RL 32 AND 33 PARISH OF KILDONAN

(hereinafter referred to as the "Lands");

AND WHEREAS the Assiniboine Credit Union Limited is constructing a building (hereinafter referred to as the "ACU Building") on a portion of the Lands;

AND WHEREAS the said construction results in a non-compliance with the spatial separation requirements as set out in Subsection 3.2.3 of the Manitoba Building Code (1998) (hereinafter referred to as the "Code");

AND WHEREAS the Shopping Centre Owner is the registered owner of the lands legally described as follows:

Title No. 1461887

LOT 2 BLOCK 1 PLAN 19456 WLTO
EXCEPT PLAN 24740 WLTO IN RL 32 AND 34 PARISH OF KILDONAN

(hereinafter referred to as the "Shopping Centre Lands");

AND WHEREAS the City has required this Undertaking to be furnished by the Owner and the Shopping Centre Owner as a condition precedent to the issuance of the Occupancy Permit for the ACU Building;

NOW THEREFORE, in consideration of the premises herein and other good and valuable consideration and the City issuing the said occupancy permit for the ACU Building located on the Lands, the Owner and the Shopping Centre Owner covenant and agree with the City as follows:

1. The Owner and the Shopping Centre Owner agree that no new building can be constructed or moved onto the portion of the Shopping Centre Lands that is ten (10.00) feet perpendicular width immediately to the east of the eastern boundary of the Lands as shown outlined in red on the attached Schedule "A", which area is hereinafter referred to as the "no build zone".

2. The Owner covenants and agrees that in the event that any building or structure is constructed or any development takes place within the "no build zone", the Owner will thereupon forthwith do all things necessary to comply with the provisions of the Building Code in force at that time including but not limited to protecting the unprotected openings located in the east wall of the Building to comply with the Building Code in force at that time.

3. The City shall have the right and an easement upon notice to enter upon the Lands and the Shopping Centre Lands to verify compliance with the terms and conditions of this Undertaking.

4. The Owner will not transfer or convey the Lands or any portion thereof to any other person, firm or corporation without first having given notice in writing to The City of Winnipeg and without first having obtained an acknowledgement from the proposed purchaser in a form satisfactory to the City Solicitor/Manager of Legal Services that it will be bound by the terms and conditions of the within Undertaking as if the proposed purchaser had executed the same in place of the Owner.

5. The Shopping Centre Owner will not transfer or convey the Shopping Centre Lands or any portion thereof to any other person, firm or corporation without first having given notice in writing to The City of Winnipeg and without first having obtained an acknowledgement from the proposed purchaser in a form satisfactory to the City Solicitor/Manager of Legal Services that it will be bound by the terms and conditions of the within Undertaking as if the proposed purchaser had executed the same in place of the Shopping Centre Owner.

6. In order to give appropriate public notice of the requirements of this Undertaking, the Owner and the Shopping Centre Owner agree that The City of Winnipeg may register and maintain a caveat against the Lands or any portion thereof and against the Shopping Centre Lands or any portion thereof to ensure the covenants on the part of the Owner and the Shopping Centre Owner respectively, and the Owner further agrees that should either the Owner or its successors or the Shopping Centre Owner or its successors request the Registrar of the Winnipeg Land Titles Office to strike out such caveat, this Undertaking shall be deemed to have been breached and the Owner hereby covenants and agrees to forthwith upgrade the ACU Building to comply with the spatial separation requirements of the Code applicable at that time.

7. This Undertaking shall run with the Lands and be binding on the Owner and the Owner's respective successors and all successors-in-title to the Lands.

8. This Undertaking shall run with the Shopping Centre Lands and be binding on the Shopping Centre Owner and the Shopping Centre Owner's respective successors and all successors-in-title to the Shopping Centre Lands.

IN WITNESS WHEREOF the parties hereto have hereunto set their respective corporate seals, duly attested by the hands of their respective proper officers in that behalf this 6th day of February, A.D. 2006.

2775680 MANITOBA LTD.

PER: _____
ANTONIO SPEZZANO - President
I have authority to bind the Corporation

3580351 MANITOBA LTD.

Per: _____
ANTONIO SPEZZANO - President
I have authority to bind the Corporation

IN WITNESS WHEREOF the City of Winnipeg has duly executed this Agreement, attested by the hands of its proper officers, this 17 day of February, A.D. 2006.

THE CITY OF WINNIPEG

PER: _____
for Director of Planning, Property and Development

Approved as to details:

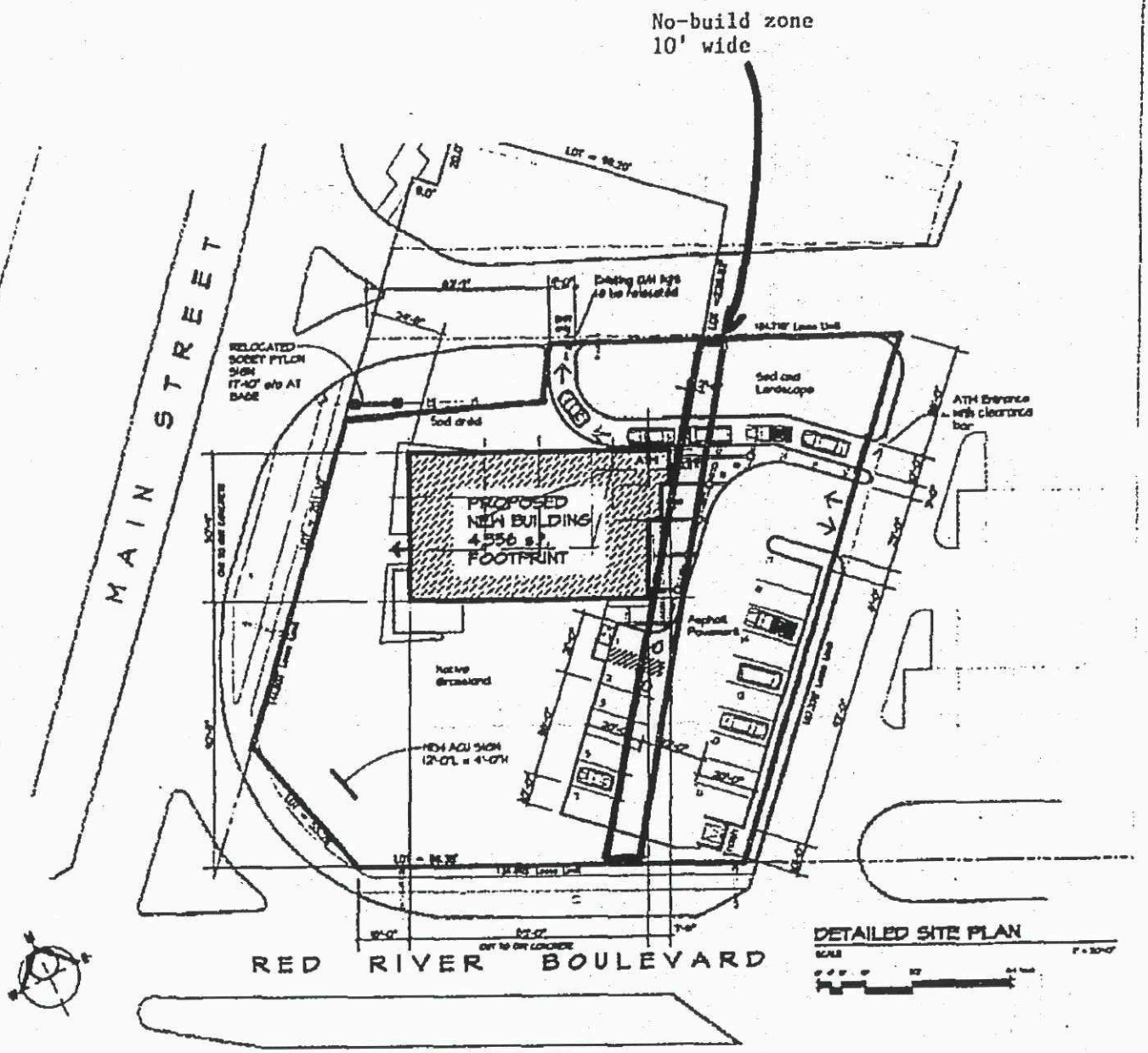
for _____
Manager of Development and Inspections

Approved as to form:

_____
for City Solicitor/Manager of Legal Services

SCHEDULE "A"

SITE PLAN OF SHOPPING CENTRE



7. FARM LANDS OWNERSHIP DECLARATION

BY VIRTUE OF ~ Agreement to Purchase ~ Lease ~ Loan ~ Option to Purchase

The registration of this instrument does not contravene the provisions of The Farm Lands Ownership Act because:

Strike out inappropriate statement(s) and initial

1. The within land is not farm land as defined in The Farm Lands Ownership Act; or
2. ~~The within farm land is exempt by Regulation 325/87 R of The Real Property Act, i.e. it is 5 acres or less; or~~
3. ~~The aggregate holdings of farm land by the Caveator is less than 40 acres; (including the land in this instrument); or~~
4. ~~The Caveator is a Canadian citizen, permanent resident of Canada, agency of the government, municipality, local government district, Qualified Canadian Organization, Family Farm Corporation, or a Qualified Immigrant as defined in The Farm Lands Ownership Act; or~~
5. ~~The interest in farm land is being claimed pursuant to a bona fide debt obligation; or~~
6. ~~The Caveator is exempt by the Farm Lands Ownership Board (Order enclosed); or~~
7. ~~Other (specify section of The Farm Lands Ownership Act)~~
   ~~Particulars:~~

		DATE Y M D
WOLFGANG TIEGS	W. Tiegs	2006 02 20
(Name)	(Signature)	
(Name)	(Signature)	

~~Caveator or Agent~~

8. INSTRUMENT PRESENTED FOR REGISTRATION BY include address, postal code, contact person and phone number

City Legal Services File No. P.3.1/

LTO USE ONLY

FEES CHECKED	REFUND AMOUNT
NC	

Certificate of Registration

Registered this date Feb 24, 2006

as No. 3257372

I certify that the within instrument was registered in the WPS Land Titles Office and entered on Title No. 1140075, 1496454

For District Registrar

CAVEAT SR

LAND TITLES OFFICE FEB 24 2006 WINNIPEG, MAN.

3257372

Caveat

Approved as to form - Registrar General - Registration No. 2272178, where an instrument is registered that does not conform with the form of the instrument prescribed by regulation, the Registrar General and the District Registrar disclaim liability for loss resulting from the non-conformance.

Manitoba Consumer and Corporate Affairs
Land Titles

Form 18.1

3257372

DISTRICT OF WINNIPEG

1. CAVEATOR(S) (include address and postal code)

I(We), **THE CITY OF WINNIPEG**, 510 Main Street, Winnipeg, Manitoba, R3B 1B9

claim an interest in the following land or mortgage, and I forbid the registration of any instrument affecting the interest unless such instrument be expressed to be subject to my claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED

An Undertaking in writing given by 3580351 Manitoba Ltd. and 2775680 Manitoba Ltd. bearing date the 17th day of February, 2006, attached hereto as Schedule "A", in which, among other things, 3580351 Manitoba Ltd. granted to the City of Winnipeg an easement to enter onto the undermentioned servient land for the purpose of inspection.

see schedule "A"

3. LAND DESCRIPTION

Servient Tenement:
Lot 1 Plan 24740 WLTO
Exc Main Street Plan 26949 WLTO
in RL 32 and 33 Parish of Kildonan

Dominant Tenement:
Red River Boulevard Plan 24740 WLTO
in RL 32 and 33 Parish of Kildonan

TITLE NUMBER(S) 1496854, 1140075

MORTGAGE NUMBER(S)

see schedule ☐

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE (include postal code)

3580351 Manitoba Ltd.
1000 – 330 St. Mary Avenue, Winnipeg, Manitoba R3C 3Z5 – Servient Tenement

Her Majesty the Queen in Right of the Province of Manitoba – Dominant Tenement

see schedule ☐

5. ADDRESS OF CAVEATOR(S) FOR SERVICE (include postal code)

As above.

6. SIGNATURES OF CAVEATOR(S)

	DATE
WT. 1. That I ~~(we)~~ am ~~(are)~~ the within (Agent of or Caveators) and the statements herein are true in substance and in fact.	Y M D
WT. 2. The said Caveator~~(s)~~ has ~~(have)~~ a good and valid claim upon the within land, and this caveat is not filed for the purpose of delaying or embarrassing any person.	2006 02 20
WOLFGANG TIEGS (Name) — W. Tiegs (Signature)	
(Name) — (Signature)	

IMPORTANT NOTICE: **By virtue of Section 194 of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to The Manitoba Evidence Act.**

SCHEDULE "A"

UNDERTAKING

DATED EFFECTIVE this 6th day of February, 2006.

FROM:

3580351 MANITOBA LTD.,
(the "Owner"),

OF THE FIRST PART,

- and –

2775680 MANITOBA LTD.,
(the "Shopping Centre Owner"),

OF THE SECOND PART,

TO:

THE CITY OF WINNIPEG,
(the "City"),

OF THE THIRD PART.

WHEREAS 3580351 MANITOBA LTD. (hereinafter referred to as the "Owner") is the registered owner of the lands legally described as follows:

Title No. 1496854

LOT 1 PLAN 24740 WLTO
EXC MAIN STREET PLAN 26949 WLTO
IN RL 32 AND 33 PARISH OF KILDONAN

(hereinafter referred to as the "Lands");

AND WHEREAS the Assiniboine Credit Union Limited is constructing a building (hereinafter referred to as the "ACU Building") on a portion of the Lands;

AND WHEREAS the said construction results in a non-compliance with the spatial separation requirements as set out in Subsection 3.2.3 of the Manitoba Building Code (1998) (hereinafter referred to as the "Code");

AND WHEREAS the Shopping Centre Owner is the registered owner of the lands legally described as follows:

Title No. 1461887

LOT 2 BLOCK 1 PLAN 19456 WLTO
EXCEPT PLAN 24740 WLTO IN RL 32 AND 34 PARISH OF KILDONAN

(hereinafter referred to as the "Shopping Centre Lands");

AND WHEREAS the City has required this Undertaking to be furnished by the Owner and the Shopping Centre Owner as a condition precedent to the issuance of the Occupancy Permit for the ACU Building;

NOW THEREFORE, in consideration of the premises herein and other good and valuable consideration and the City issuing the said occupancy permit for the ACU Building located on the Lands, the Owner and the Shopping Centre Owner covenant and agree with the City as follows:

1. The Owner and the Shopping Centre Owner agree that no new building can be constructed or moved onto the portion of the Shopping Centre Lands that is ten (10.00) feet perpendicular width immediately to the east of the eastern boundary of the Lands as shown outlined in red on the attached Schedule "A", which area is hereinafter referred to as the "no build zone".

2. The Owner covenants and agrees that in the event that any building or structure is constructed or any development takes place within the "no build zone", the Owner will thereupon forthwith do all things necessary to comply with the provisions of the Building Code in force at that time including but not limited to protecting the unprotected openings located in the east wall of the Building to comply with the Building Code in force at that time.

3. The City shall have the right and an easement upon notice to enter upon the Lands and the Shopping Centre Lands to verify compliance with the terms and conditions of this Undertaking.

4. The Owner will not transfer or convey the Lands or any portion thereof to any other person, firm or corporation without first having given notice in writing to The City of Winnipeg and without first having obtained an acknowledgement from the proposed purchaser in a form satisfactory to the City Solicitor/Manager of Legal Services that it will be bound by the terms and conditions of the within Undertaking as if the proposed purchaser had executed the same in place of the Owner.

5. The Shopping Centre Owner will not transfer or convey the Shopping Centre Lands or any portion thereof to any other person, firm or corporation without first having given notice in writing to The City of Winnipeg and without first having obtained an acknowledgement from the proposed purchaser in a form satisfactory to the City Solicitor/Manager of Legal Services that it will be bound by the terms and conditions of the within Undertaking as if the proposed purchaser had executed the same in place of the Shopping Centre Owner.

6. In order to give appropriate public notice of the requirements of this Undertaking, the Owner and the Shopping Centre Owner agree that The City of Winnipeg may register and maintain a caveat against the Lands or any portion thereof and against the Shopping Centre Lands or any portion thereof to ensure the covenants on the part of the Owner and the Shopping Centre Owner respectively, and the Owner further agrees that should either the Owner or its successors or the Shopping Centre Owner or its successors request the Registrar of the Winnipeg Land Titles Office to strike out such caveat, this Undertaking shall be deemed to have been breached and the Owner hereby covenants and agrees to forthwith upgrade the ACU Building to comply with the spatial separation requirements of the Code applicable at that time.

7. This Undertaking shall run with the Lands and be binding on the Owner and the Owner's respective successors and all successors-in-title to the Lands.

8. This Undertaking shall run with the Shopping Centre Lands and be binding on the Shopping Centre Owner and the Shopping Centre Owner's respective successors and all successors-in-title to the Shopping Centre Lands.

IN WITNESS WHEREOF the parties hereto have hereunto set their respective corporate seals, duly attested by the hands of their respective proper officers in that behalf this 6th day of February, A.D. 2006.

2775680 MANITOBA LTD.

PER: _____
ANTONIO SPEZZANO - President
I have authority to bind the Corporation

3580351 MANITOBA LTD.

Per: _____
ANTONIO SPEZZANO - President
I have authority to bind the Corporation

IN WITNESS WHEREOF the City of Winnipeg has duly executed this Agreement, attested by the hands of its proper officers, this 17 day of February, A.D. 2006.

THE CITY OF WINNIPEG

PER: _____
for Director of Planning, Property and Development

Approved as to details:

for _____
Manager of Development and Inspections

Approved as to form:

_____
for City Solicitor/Manager of Legal Services

CAVEAT Form 10.1

4863932/1 2017-07-14

1. **CAVEATOR(S)** *(full legal name and address for service)*

Sobeys Capital Incorporated
1020-64th Avenue N.E.
Calgary, Alberta, T2E 7V8

claim(s) an interest in the following land or mortgage, and forbids the registration of any instrument affecting the interest unless such instrument be expressed to be subject to their claim.

2. **ESTATE OR INTEREST IN LAND CLAIMED** *(please specify)*

- ☐ Easement *(you must specify both dominant and servient lands in Box 4)*
- ☐ Statutory Easement *(the agreement must be attached)*
- ☐ Agreement for Sale of Land
- ☐ Unregistered Transfer of Land
- ☐ Equitable Mortgage / Unregistered Mortgage
- ☐ Option to Purchase
- ☐ Unpaid Vendor's Lien
- ☐ Development Agreement pursuant to either *The Planning Act* or *The City of Winnipeg Charter (if the Development Agreement is pursuant to The Planning Act, it must be attached)*
- ☒ Restrictive Covenant *(you must specify both the restricted and the benefitting lands in Box 4)*
- ☐ Building Scheme/Development Scheme *(you must specify both the lands affected by and benefitting from the scheme in Box 4)*
- ☐ Beneficial Interest under a Trust
- ☐ Reversionary Right/Determinable Fee Simple
- ☐ Conservation Agreement
- ☒ Lease. Expiry of term and all renewals *(YYYY/MM/DD)*: 2041 / 09 / 11
- ☐ Petroleum and Natural Gas Lease.
  Expiry of term and all renewals *(YYYY/MM/DD)*: _____/_____/_____
  Other expiry details: _____
- ☐ Other *(specify)*: _____

see schedule ☐

3. **BASIS FOR CLAIM**

see schedule A

4. **LAND DESCRIPTION**

And 2650283/1

TITLE NO.(S) 1496854/1, 1461887/1 / MORTGAGE/ENCUMBRANCE NO.(S) see schedule B

5. **NAME OF REGISTERED OWNER(S) WHOSE INTEREST(S) IS(ARE) AFFECTED**
3580351 MANITOBA LTD. (AS TO TITLE NO. 1496854/1) AND 2775680 MANITOBA LTD. (AS TO TITLE NO. 1461887/1)

6. **EVIDENCE OF CAVEATOR(S)** see schedule ☐

(strike out inappropriate statement(s) and sign below:)

1. I am (the agent of) the caveator~~(s)~~ and the statements made in this caveat are true in substance and in fact.
2. I personally believe that the within caveator~~(s)~~ (has~~/have~~) a good and valid claim upon the within land.
3. This caveat is not filed for the purpose of delaying or embarrassing any person.
4. This caveat is not being filed for the purpose of giving notice of a disposition that is prohibited by section 4 *of The Homesteads Act*.
5. The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because:
   ~~(a) The interest being claimed is not claimed pursuant to a purchase, an option, a lease or a loan.~~
   (b) The within land is not farm land as defined in *The Farm Lands Ownership Act*.
   ~~(c) The interest in the farm land is being claimed pursuant to a bona fide debt obligation.~~
   ~~(d) Other *(specify section of The Farm Lands Ownership Act)*:~~ _____
   ~~Particulars:~~

Sobeys Capital Incorporated,
Michelle R. Redekopp

name of ~~caveator or~~ solicitor and agent — signature — date (YYYY/MM/DD) 2017 / 07 / 04

name of caveator or agent — signature — date (YYYY/MM/DD) //

7. **IMPORTANT NOTICES**

By virtue of section 194 of *The Real Property Act*, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or statutory declaration given pursuant to *The Manitoba Evidence Act*.

SINGULAR INCLUDES PLURAL AND VICE VERSA WHERE APPLICABLE. In this document "I" or "me" is to be read as including all caveators whether individual or corporate.

8. **instrument presented for registration by** *(include address, postal code, contact person and phone number)*

MLT AIKINS LLP
30th Floor, 360 Main Street
Winnipeg MB R3C 4G1

Contact: Michelle R. Redekopp
Phone: (204) 957-4698
File no. 1603306

LAND TITLES OFFICE USE ONLY

SEE ATTACHED LETTER/FAX/ADDITIONAL EVIDENCE FOR BOX(ES) _____

Set for acceptance ☐		Fee _____ Fee adjustment _____ ☐ Extra Fee ☐ Refund	
Examined by: ☐			
Fees checked ☐		**Registration No.** /	

SCHEDULE Form 16.1

ADDITIONAL INFORMATION Page 1 of 2 pages

SCHEDULE A
(insert letter)

BOX 3 – BASIS FOR CLAIM

The Caveator claims an interest by virtue of the Lease dated May 12, 1997 between 2775680 Manitoba Ltd. and 3580351 Manitoba Ltd., as Landlords (collectively, the "Landlord") and Codville Distributors, a division of Oshawa Holdings Limited, as Tenant ("Oshawa");

(a) as amended by an Amending Agreement dated August 27, 1997 between the Landlord and Oshawa;

(b) as amended by a **Second** Amending Agreement dated May 27, 2009 between the Landlord and Sobeys Capital Incorporated ("Sobeys"), a successor corporation to Oshawa;

(c) as amended by a **Third** Amending Agreement dated December 17, 2010 between the Landlord and Sobeys;

(d) as amended by a **Fourth** Amending Agreement dated February 28, 2011 between the Landlord and Sobeys;

(e) as amended by a **Fifth** Amending Agreement dated April 28, 2011 between the Landlord and Sobeys; and

(f) as amended by a **Sixth** Amending Agreement dated September 17, 2013 between the Landlord and Sobeys;

(the said Lease and Six Amending Agreements being herein collectively referred to as the "Lease"), the Lease provides:

(1) For an amended term of twenty (20) years commencing on the Rent Commencement Date.

(2) The Landlord grants to the Tenant options to extend the term of the Lease for two (2) additional periods of five (5) years each.

(3) To safeguard the Tenant's requirement for a clean and quiet environment in which to conduct its business and its requirement for adequate parking for its customers the Landlord covenants and agrees that within two hundred and fifty (250) feet of any wall defining the limit of the Leased Premises (as defined in the Lease) within the confines of the Shopping Centre it will not permit the operation of any restaurant (fast food or sit down), except for a family style sit down restaurant having a floor area not exceeding five thousand (5,000) square feet, or any place of instruction and that it shall not permit the use or operation of any portion of the Shopping Centre (as defined in the Lease) for the purposes of any entertainment or recreational facility. The term "entertainment or recreational facility" shall include, but shall not be limited to, a bowling alley, skating rink, theatre, pool hall, billiard room, game parlour, health spa or studio, gymnasium, massage parlour, tavern, dance hall or other place of public or private amusement.

Schedule A continued on next page

SCHEDULE Form 16.1

ADDITIONAL INFORMATION

SCHEDULE A
(insert letter)

BOX 3 – BASIS FOR CLAIM

(4) Throughout the term of this Lease, except as expressly contemplated in the Lease, the Landlord shall not permit any portion of the Shopping Centre, other than the Leased Premises, to be utilized for the sale of groceries, meat, fish, produce, baked goods or delicatessen items for off premises consumption except as specifically authorized thereunder, and this covenant shall be deemed to be a covenant running with the Lands (other than the Leased Premises) to and in favour of and for the benefit of the Leased Premises.

The Landlord shall not permit any type of Family Style Restaurant, Fast Food Restaurant or drive-through restaurant of any type to occupy the approximately 4,000 square feet of CRU to be built on Pad B abutting Main Street on Schedule B to the Lease.

For the purposes of this provision:

(a) "Family Style Restaurant" means a family style sit down restaurant such as Perkins, Denny's, Salisbury House, Earls, Moxies, Montanas, Boston Pizza, and the like.

(b) "Fast Food Restaurant" means a fast food restaurant such as McDonalds, A & W, Wendy's, Burger King, Tim Hortons and the like.

For clarity, the Landlord shall be entitled to lease part of the Premises to be built on Pad B, up to a maximum of 2,700 square feet, to restaurant(s) that are not a Family Style Restaurant or a Fast Food Restaurant, including, but not limited to, Subway, Taco del Mar, Pizza Pizza, Pita Pit, Quizno's, and the like.

This Schedule forms part of a CAVEAT *(insert instrument type)*,

dated July 4, 2017, *(insert date of that instrument)*

from Sobeys Capital Incorporated

Sobeys Capital Incorporated
By its authorized agent and solicitor,
Michelle R. Redekopp

signature

IMPORTANT NOTICES

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The date at the bottom of this schedule must be the same as the execution date of the instrument that it forms a part of.

SCHEDULE Form 16.1

ADDITIONAL INFORMATION

SCHEDULE B
(insert letter)

BOX 4 – LAND DESCRIPTION

Restricted Lands:

Title No. 1496854/1

LOT 1 PLAN 24740 WLTO
EXC: MAIN STREET PLAN 26949 WLTO
IN RL 32 AND 33 PARISH OF KILDONAN

Title No. 1461887/1
LOT 2 BLOCK 1 PLAN 19456 WLTO
EXC PLAN 24740 WLTO
IN RL 32 TO 34 PARISH OF KILDONAN

Benefitting Lands:

A leasehold interest in:

Title No. 496854/1

LOT 1 PLAN 24740 WLTO
EXC: MAIN STREET PLAN 26949 WLTO
IN RL 32 AND 33 PARISH OF KILDONAN

Title No. 1461887/1

LOT 2 BLOCK 1 PLAN 19456 WLTO
EXC PLAN 24740 WLTO
IN RL 32 TO 34 PARISH OF KILDONAN

Benefitting Lands:

Title No. 2650283/1

LOTS 7 AND 8 BLOCK 1 PLAN 9175 WLTO
IN NE 1/4 24-11-2 EPM

This Schedule forms part of a CAVEAT *(insert instrument type)*,

dated July 4, 2017, *(insert date of that instrument)*

from Sobeys Capital Incorporated

Sobeys Capital Incorporated
By its authorized agent and solicitor,
Michelle R. Redekopp

signature

IMPORTANT NOTICES

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The date at the bottom of this schedule must be the same as the execution date of the instrument that it forms a part of.

MLT AIKINS

WESTERN CANADA'S LAW FIRM

MLT Aikins LLP
30th Floor - 360 Main Street
Winnipeg, MB R3C 4G1

Michelle R. Redekopp*
*** services provided by**
M R Redekopp Law Corporation

Sandra Neufeld
Legal Assistant

July 24, 2017

The Property Registry
276 Portage Avenue
Winnipeg, MB R3C 0B6

Attention: Irvine Simmonds

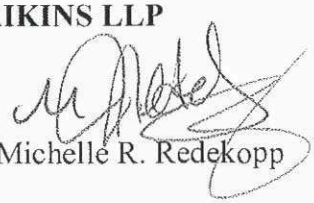
Dear Sir:

Re: Caveat No. 4863932/1 – Sobeys (Rivergrove)
Matter No. 1702835

Further in the above noted matter and your recent telephone call, please be advised that the leased lands referred to in the above referenced Caveat, pertain to the floor space in the building.

Yours truly,

MLT AIKINS LLP

Per: 
Michelle R. Redekopp

MRR:sn

MLT AIKINS

WESTERN CANADA'S LAW FIRM

MLT Aikins LLP
30th Floor - 360 Main Street
Winnipeg, MB R3C 4G1

Michelle R. Redekopp*
*** services provided by**
M R Redekopp Law Corporation

Sandra Neufeld
Legal Assistant

October 6, 2017

VIA EMAIL TO:

The Property Registry

Attention: Dave Wilken

Re: **CORRECTION to Schedule B of** CAVEAT
File No.: **1019115-1603306**

Further in the above noted matters and your recent voice mail to Dolores Rintoul of this office, please correct the Schedule B to the Caveat you are registering as follows:

Under the heading "**Dominant Lands"** on Schedule B: Please correct the Title No. from **496854/1 to 1496854/1** such that it will read:

Dominant Lands:

(c) **A leasehold interest in Title No. 1496854/1**

Thank you. We trust you will find the above in order.

Yours truly,

MLT AIKINS LLP

Per:
Michelle R. Redekopp

MRR:dr

Document Review

The Property Registry
A Service Provider for the Province of Manitoba

Registration #	Type	New Titles
4863932/1	Caveat	

Notes

1	2017-7-24	Irvine Simmonds	Require a letter the lease is for floor space in a building as the lease term is more than 21 years. Contacted Michelle Redekopp - they will email in a letter.
2	2017-10-6	Aldous Guzman	rec. cor.letter
3	2017-10-6	David Wilken	Called for a correction letter for title number 1496854 shown in benifitting land section on Schedule B.

Penfor Construction

Date: November 4, 2025

City Clerk
City of Winnipeg
c/o Standing Policy Committee on Property and Development
Main Floor, Susan A. Thompson Building
510 Main Street
Winnipeg, Manitoba R3B 1B9

Re: Appeal of Plan Approval Decision
Property: 2615 Main Street
File: DASZ 37/1984

To Whom It May Concern,

We are writing to formally appeal the decision of the East Kildonan–Transcona Community Committee dated January 26, 2026, respecting the above-noted property.

As outlined in our original Letter of Intent, this application is strictly for exterior façade upgrades. The scope of work is cosmetic in nature and includes cladding replacement, lighting upgrades, and updated signage. There are no changes to the building footprint, use, occupancy classification, exiting, or overall site layout.

We respectfully submit the following clarifications in response to the items identified by the Committee:

1. Bicycle Parking
Bicycle parking currently exists on the site. As this project does not involve a change of use, intensification, or site reconfiguration, we do not believe additional bicycle parking is warranted as part of this façade-only upgrade.

2. Parking Lot Islands and Landscaping
The requested installation of additional islands and landscaping pertains to other areas of the parking lot that are not part of this application or construction scope. This submission does not include site redevelopment, parking lot reconstruction, or landscape modification beyond the immediate façade area.

3. Double Entranceway / Indoor Waiting Area
The project does not alter the existing entrance configuration. The building entrance remains code-compliant, and there are no changes to occupant load, exiting strategy, or public circulation. Introducing a double entrance vestibule would require significant structural and operational modifications outside the scope of this cosmetic upgrade.

4. Public Washrooms
There is no change in building use or occupancy classification. As such, there is no trigger requiring new publicly accessible washrooms. Existing facilities remain unchanged and compliant with the current approved use.

5. Signage Design
Updated signage has now been incorporated into the drawing set to address this concern. The design is integrated into the façade and consistent with the existing signage locations and proportions.

This proposal represents a modest aesthetic improvement to an existing commercial tenancy. It does not constitute redevelopment, intensification, or expansion of use. Requiring broader site modifications unrelated to the defined scope would impose disproportionate costs and delay without corresponding planning justification.

We respectfully request that the Standing Policy Committee overturn the Community Committee's decision and grant Plan Approval to allow the project to proceed to permit issuance.

Thank you for your consideration.

Sincerely,

Jennefer Waskul
Penfor Construction Ltd.

LEGEND

- 1 / A00 — DETAIL CALLOUT (SECTION OR PLAN)
- P1 — WALL TYPE TAG
- D01 — DOOR TAG
- W1 — WINDOW TAG
- ROOM 1234 SF — ROOM TAG
- S1 — FLOOR TYPE TAG
- R1 — ROOF TYPE TAG
- 1 — REVISION CLOUD AND TAG
- NORTH ARROW
- ▼ ELEV. 0'-0" — LEVEL DATUM TAG
- 00 — KEYNOTE SYMBOL
- C1 — CEILING TAG
- ▼ ELEV. 0'-0" — ELEVATION MARKER

A.F.F. – Above Finished Floor
A.C.T. – Acoustic Ceiling Tile
A/V – Air/Vapour
ALUM. – Aluminum
ARCH. – Architectural
B.O. – Bottom Of
B.S. – Both Sides
BM. – Beam
BLKG. – Blocking
C.J. – Control Joint
C.M.U. – Concrete Masonry Unit
C.L. – Centre Line
C/W – Complete With
CLG. – Ceiling
COL. – Column
CONC. – Concrete
CONT. – Continuous
CORR. – Corridor
D. – Dryer / Deep
D/W – Dishwasher
DN. – Down
DO. – Door Opening
DR. – Door
E. – East / Existing
E.J. – Expansion Joint
ELEC. – Electrical
EL. – Elevation
EQ. – Equal
EXT. – Exterior
F.C.E. – Fire Cabinet Extinguisher
F.R.R. – Fire Resistance Rating
FDN. – Foundation
FIN. – Finish
FLR. – Floor
F.S. – Floor Sink / Fire Separation
GA. – Gauge
GL. – Glass / Grid Line
GWB – Gypsum Wall Board
H.C. – Hollow Core
H.M. – Hollow Metal
H.S.S. – Hollow Structural Section
HR. – Hour
INSUL. – Insulation
INT. – Interior
L.P. – Low Point
MAX. – Maximum
MECH. – Mechanical
MIN. – Minimum
MFR. – Manufacturer
NIC – Not In Contract
N.T.S. – Not to Scale
O.C. – On Centre
O.H. – Overhead
O.S. – Outside
P.L. – Property Line
P.T. – Pressure Treated
PT. – Paint
R.D. – Roof Drain
R.O. – Rough Opening
S.C.W. – Solid Core Wood
S.F. – Square Feet
S.S. – Stainless Steel
SIM. – Similar
STL. – Steel
T.O. – Top Of
TYP. – Typical
U.N.O. – Unless Noted Otherwise
U/S – Underside
VB – Vapour Barrier
VERT. – Vertical
W.C. – Water Closet
W/D – Washer/Dryer
WD. – Wood

GENERAL NOTES

Do not scale drawings. Written dimensions take precedence.
Drawings must be read in conjunction with all architectural, structural, mechanical, electrical, and civil documentation.
The contractor is responsible for verifying all dimensions and site conditions. Report discrepancies to the consultant before starting work.
Dimensions are to face of stud, concrete, or gridlines unless noted otherwise.
Provide blocking as required to support equipment, fixtures, millwork, and accessories.
All materials and workmanship must meet current applicable codes, CSA, CGSB, and local authority requirements.
Contractor shall maintain clean and safe site conditions throughout construction.
On project completion, remove debris, tools, temporary protections, and restore disturbed elements.
Contractor is responsible for obtaining and paying for all required permits and inspections.

SUBMITTALS & SHOP DRAWINGS

Provide shop drawings and submittals in an organized and timely sequence to avoid delays.
Shop drawings to include: doors and hardware, millwork, glazing, metalwork, insulation, AVB, mechanical, electrical, and other specialty items.
Review of shop drawings is for design intent only and does not relieve the contractor of field coordination or compliance responsibilities.

MATERIALS & WORKMANSHIP

All products shall be new, free of defects, and installed per manufacturer instructions.
Wood products in contact with concrete or grade must be pressure treated.
Finish products (paint, flooring, millwork, etc.) must be applied per specifications and approved samples.
Contractor must coordinate with all trades to ensure proper fit and sequencing of work.
Work not conforming to the drawings, code, or good practice will be rejected at the contractor's expense.

ELECTRICAL / MECHANICAL COORDINATION NOTES

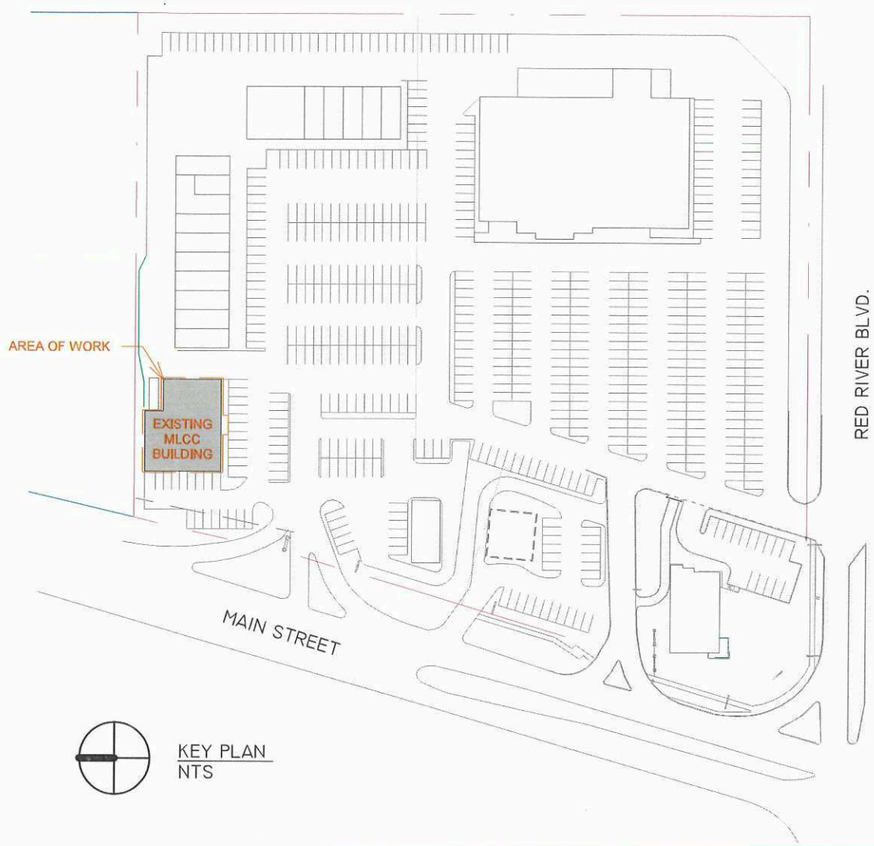
Contractor to coordinate layout and clearances for all electrical and mechanical components.
Provide openings, backing, and framing for ductwork, outlets, grilles, and plumbing fixtures.
Mark final device and outlet locations on site prior to coring or installation for client approval.
Access panels for mechanical/electrical devices must be reviewed with the architect for size, location, and finish.
All under-sink plumbing in barrier-free areas to include heat-resistant protection.
Coordinate equipment weight and mounting with structural drawings where applicable.

FIRE SEPARATION & FIRE RESISTANCE NOTES

Refer to life safety drawings and wall schedules for required fire-resistance ratings.
Seal all penetrations in rated assemblies with ULC-listed fire-stopping systems.
All trades are responsible for maintaining continuity of fire-rated assemblies as per NBC and ULC requirements.
Fire stopping assemblies shall follow the listed ULC system in entirety including approved products and installation method.
Portable extinguishers must be installed per NBC 3.2.5.16 unless otherwise directed.

THERMAL & MOISTURE PROTECTION

Install air/vapour barriers and insulation as detailed and per manufacturer's requirements.
Tape all joints and overlaps in AVB with compatible tape or sealant.
Provide continuity of insulation and vapour control at all transitions and penetrations.
Caulk all exterior openings using approved sealants; ensure compatibility with substrates.
Roof and slab insulation to meet or exceed minimum R-values as per Energy Code analysis.
Roof curbs and penetrations must be flashed and sealed to prevent moisture intrusion.



KEY PLAN
NTS

CODE & USE: CITY OF WINNIPEG

SITE ADDRESS: 2575 MAIN STREET
NEIGHBORHOOD: RIVERGROVE
NUMBER OF STOREYS: ONE STOREY
BUILDING AREA: 7,000 SF
PROPERTY USE CODE: CMRNS
ASSESSED LAND AREA: 9.4 ACRES

EXISTING ZONING SUMMARY
NO CHANGE TO EXISTING ZONING

CURRENT ZONING C2

BULK REGULATIONS:
MIN. LOT AREA N/A
FRONT YARD 20 ft.
REAR YARD 25 ft.
INTERIOR SIDE YARD 0 ft.
CORNER SIDE YARD 0 ft.
MAX. BLDG. HT. 45ft.
MAX. F.A.R. 3.0
MAX. LOT COVERAGE N/A

AREA OF BUILDING = 7000 sq.ft.

SCHEDULE "A" page 1 of 4

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/ 1985

Winnipeg

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner	[signature]	Jan 26 '26
Community Clerk		
Approved for the Director of Planning, Property and Development		

REVISION SCHEDULE

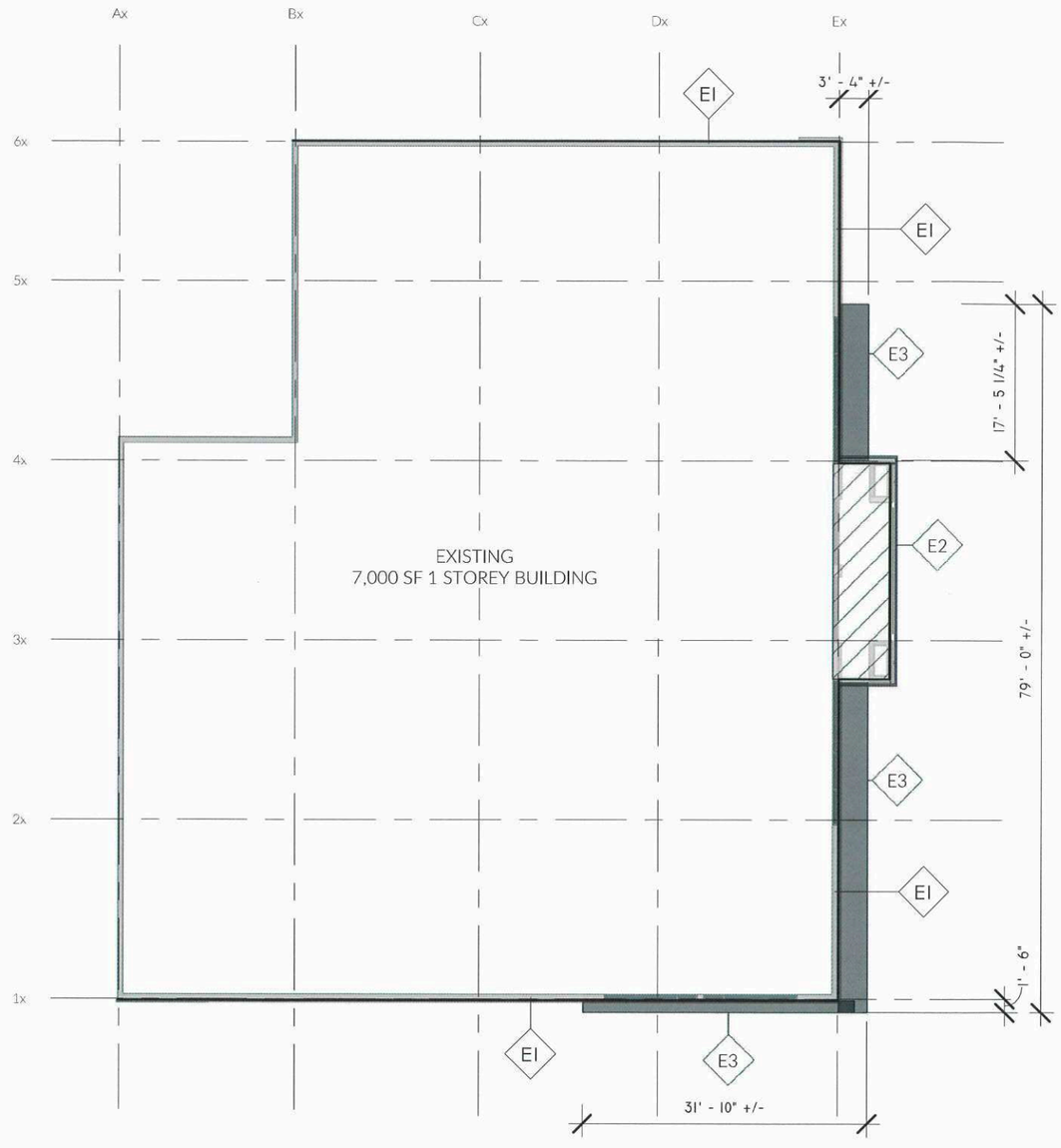
Rev No.	Rev Date	Issued By	Description
1	Date 1		Revision 1

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

Project Name & Address
RIVERGROVE MLCC FACADE UPGRADE

Sheet Title
NOTES

Date	Drawn By	Sheet No.
Issue Date	JW	A0.0
Scale: As Indicated	Checked By: DS	

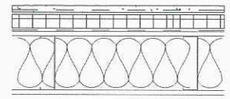


1 Main Floor Plan
1/16" = 1'-0"

NOTE DIMENSIONS ARE TO BE VERIFIED ON SITE, ACTUAL DIMENSIONS MAY VARY.

WALL SCHEDULE

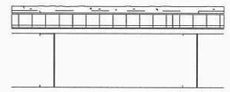
E1



EXTERIOR STUD WALL
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- NEW AIR BARRIER

- EXISTING WALL ASSEMBLY:
  1/2" DENSE GLASS
  6" STEEL STUDS @ 16" O/C
  R-20 BATT INSULATION
  6 MIL POLY V.B.
  1/2" GWB TAPED & PAINTED

E2



EXTERIOR CANOPY
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- 1/2" DENSE GLASS
- NEW 6" STEEL STUDS @ 16" O/C

E3



EXTERIOR BULKHEAD
- NEW ACRYLIC FINISH AS PER ELEVATIONS
- NEW 1.5" RIGID INSULATION
- 1/2" DENSE GLASS
- MODIFIY EXISTING S.S. FRAMING TO SUIT

SCHEDULE "A" page 2 of 4

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/ 1985

Winnipeg

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		Jan 26 '26
Community Clerk		
Approved for the Director of Planning, Property and Development		

REVISION SCHEDULE

Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS
RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE
MAIN FLOOR PLAN RENOVATION

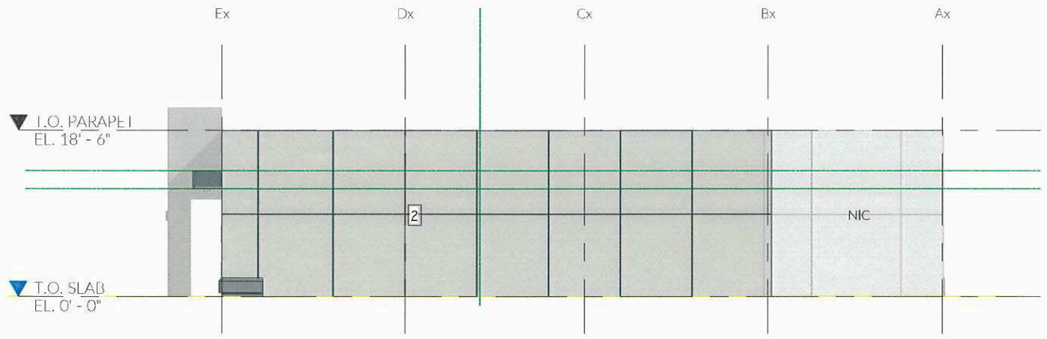
Date	Drawn By	Sheet No.
Issue Date	JW	A1.0
Scale: As indicated	Checked By: DS	



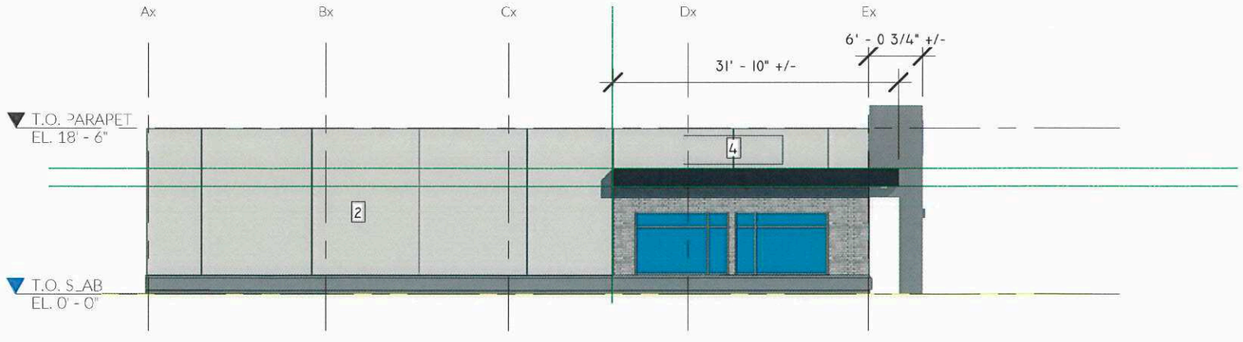
1 East Elevation
1/16" = 1'-0"

KEY NOTES:

1. BRICK TEXTURE: ACRYLIC FINISH,
2. ACRYLIC FINISH: ADEX 1420-4C
3. ACRYLIC FINISH: ADEX 1650-4C
4. SIGNAGE



2 North Elevation
1/16" = 1'-0"



3 South Elevation
1/16" = 1'-0"

SCHEDULE "A" page 3 of 4

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030/ 1985

Zoning Officer	Diana Lopez	Jan. 16, 2026
District Planner		Jan 26 26
Community Clerk		
Approved for the Director of Planning, Property and Development		

Winnipeg

REVISION SCHEDULE

Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS

RIVERGROVE MLCC FACADE UPGRADE

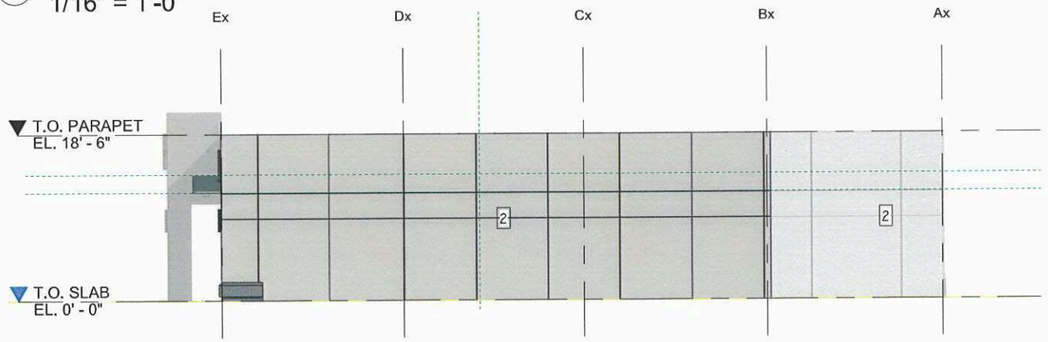
SHEET TITLE

ELEVATIONS

DATE	DRAWN BY	SHEET NO.
ISSUE DATE	JW	A3.0
SCALE 1/16" = 1'-0"	CHECKED BY DS	



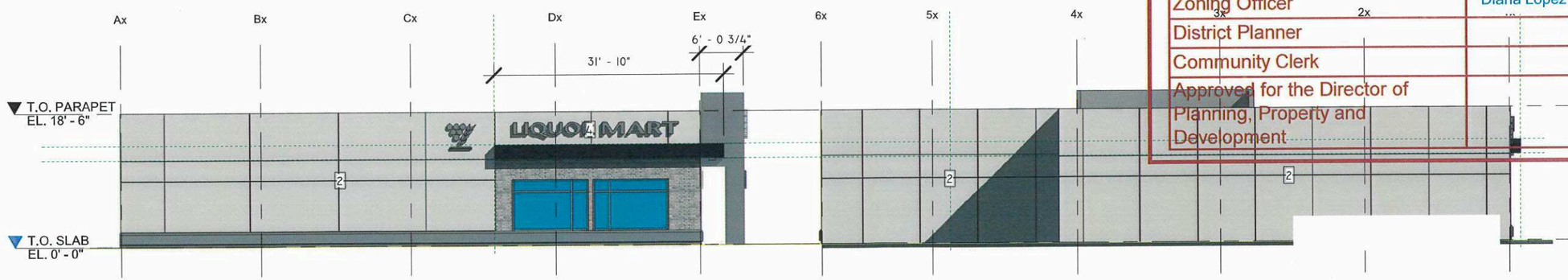
1 East Elev. Copy 1
1/16" = 1'-0"



2 North Elev. Copy 1
1/16" = 1'-0"

KEY NOTES:

1. ACRYLIC FINISH: BRICK TEXTURE
2. ACRYLIC FINISH: LIGHT
3. ACRYLIC FINISH: DARK
4. SIGNAGE



3 South Elev. Copy 1
1/16" = 1'-0"





4 West Elev. Copy 1
1/16" = 1'-0"

SCHEDULE "A" page 4 of 4

To Zoning Agreement: DASZ 37/1984

By-Law No.: B/L 4030 /1985

Zoning Officer	Diana Lopez
District Planner	
Community Clerk	
Approved for the Director of Planning, Property and Development	

Winnipeg

REV No.	REV DATE	ISSUED BY	DESCRIPTION
			Feb. 24, 2026

Penfor Construction
Phone: (204) 326-6313 Fax: (204) 346-1313

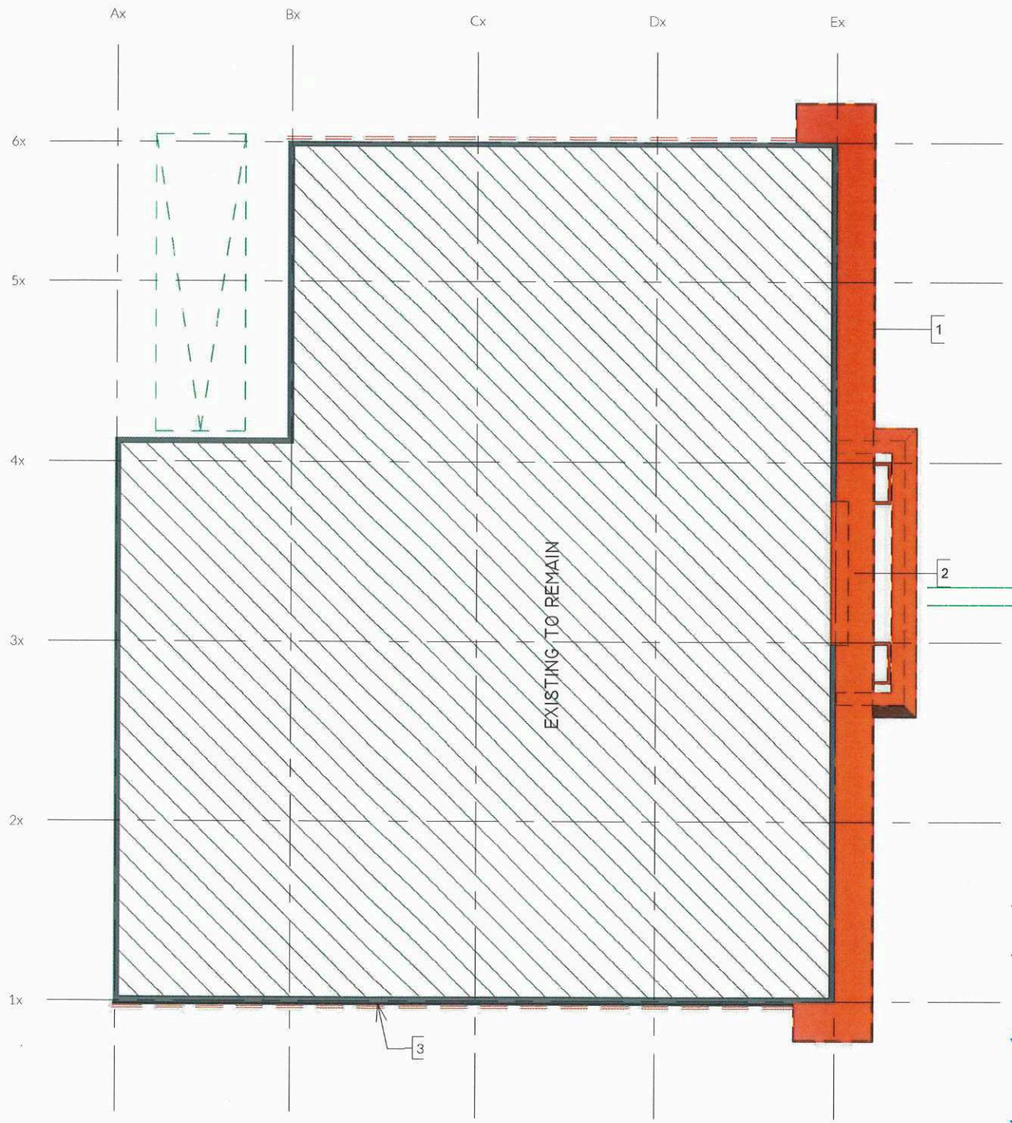
PROJECT NAME & ADDRESS

RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE

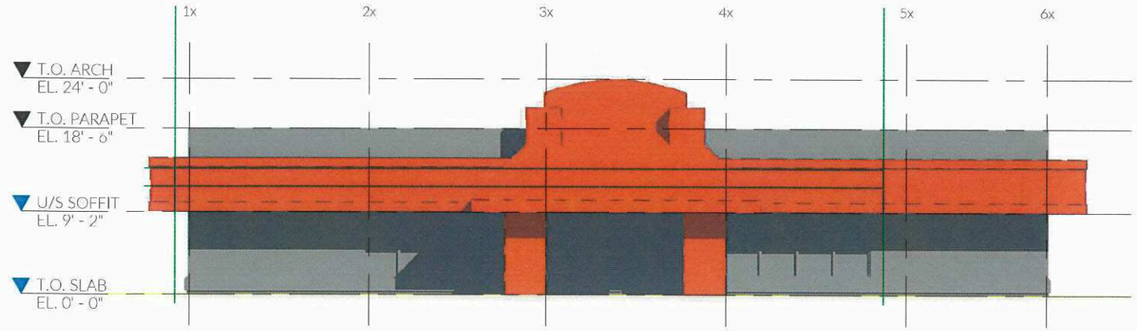
)UR ELEVATIONS

DATE	DRAWN BY	SHEET No.
ISSUE DATE	JW	–
SCALE 1/16" = 1'-0"	CHECKED BY DS	

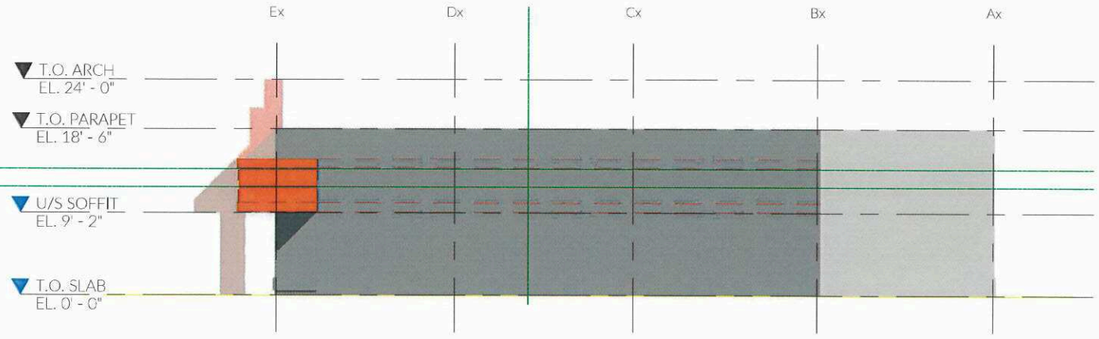


1 Main Floor Plan - Demolition
1/16" = 1'-0"

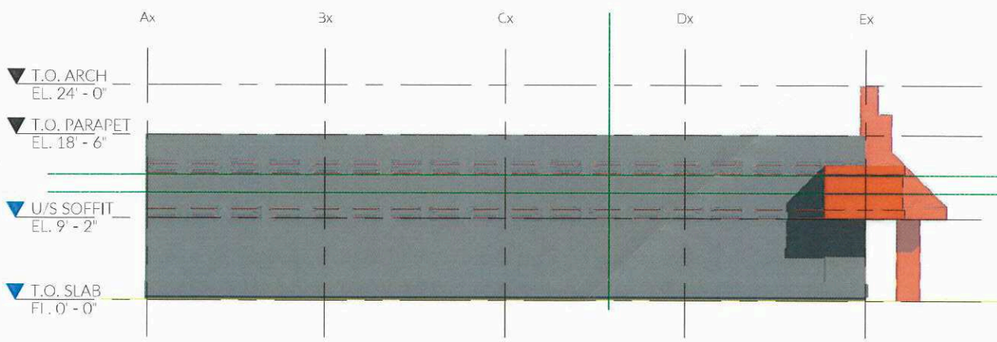
DEMOLITION - KEY NOTES:
1) DEMOLISH BULKHEAD
2) DEMOLISH CANOPY
3) REMOVE EXTERIOR FINISH TO SHEATHING.



2 East - Demo
1/16" = 1'-0"



3 North - Demo
1/16" = 1'-0"



4 South - Demo
1/16" = 1'-0"

REVISION SCHEDULE

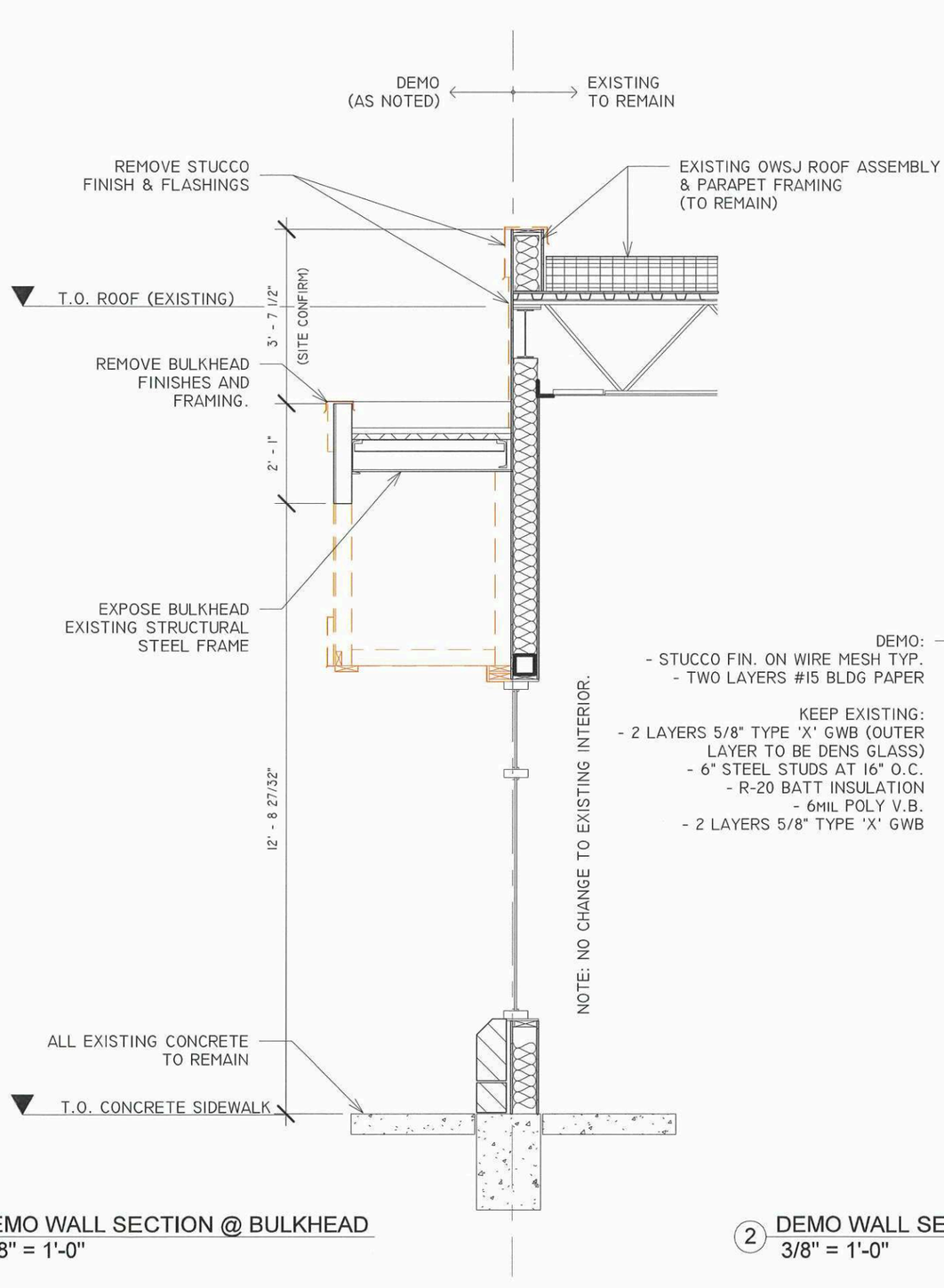
REV No.	REV DATE	ISSUED BY	DESCRIPTION

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

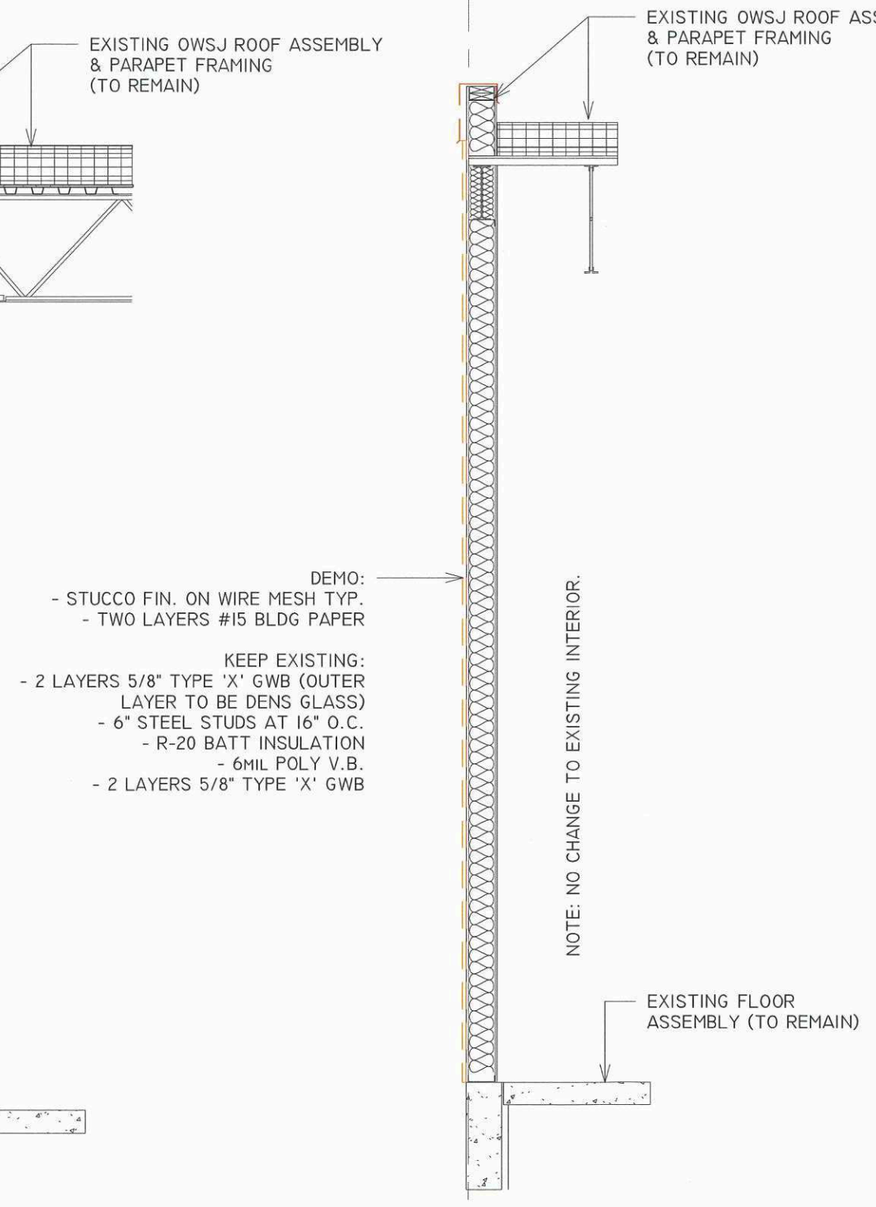
PROJECT NAME & ADDRESS
RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE
DEMO PLAN & ELVATIONS

DATE	DRAWN BY	SHEET No.
ISSUE DATE	JW	D1.0
SCALE 1/16" = 1'-0"	CHECKED BY DS	



1 DEMO WALL SECTION @ BULKHEAD
3/8" = 1'-0"



2 DEMO WALL SECTION TYP. EXT. WALL
3/8" = 1'-0"

REVISION SCHEDULE

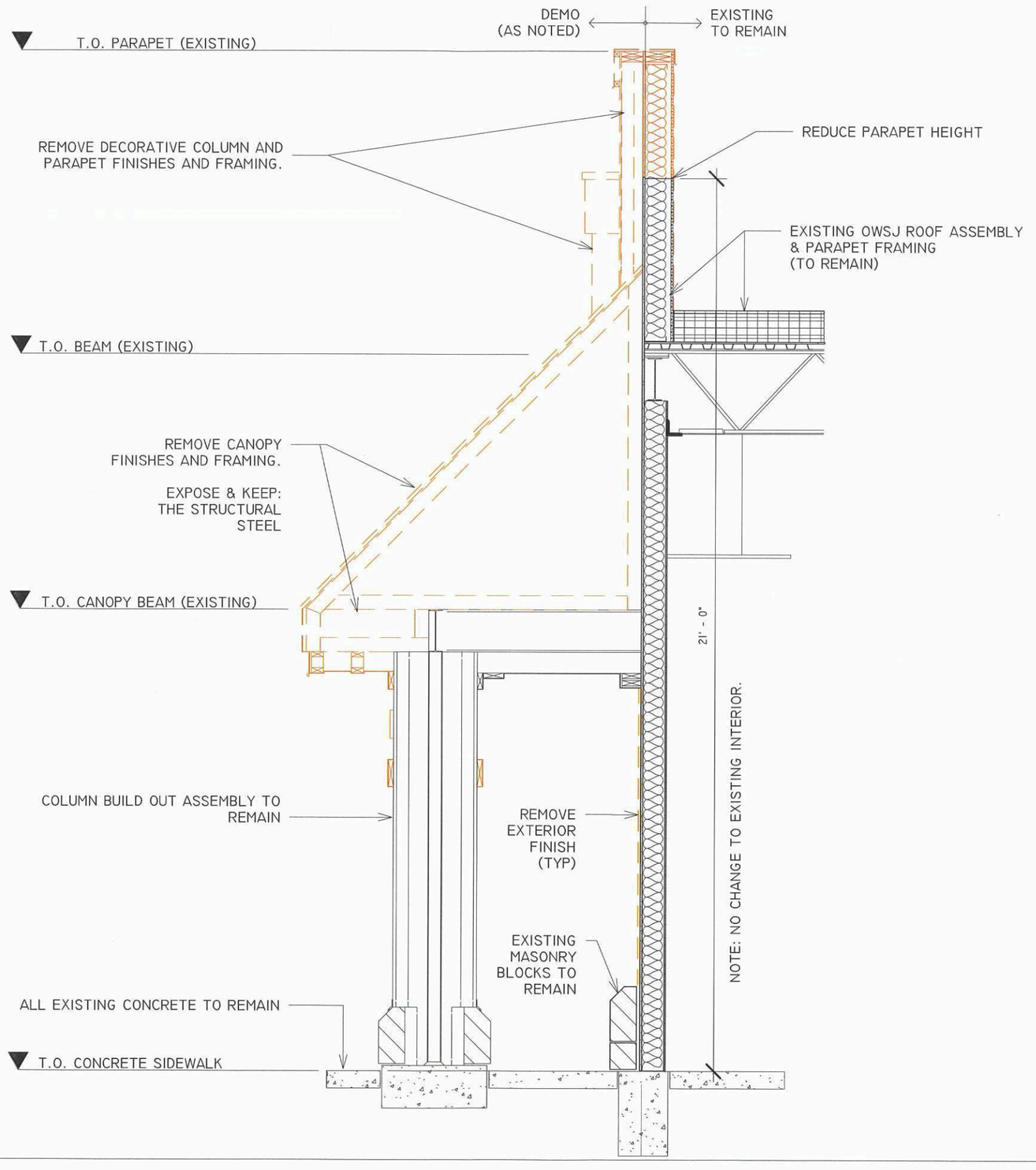
REV NO.	REV DATE	ISSUED BY	DESCRIPTION

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS
RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE
DEMO - BUILDING SECTIONS

DATE	DRAWN BY	SHEET NO.
ISSUE DATE	JW	D4.0
SCALE 3/8" = 1'-0"	CHECKED BY DS	



1 DEMO WALL SECTION @ CANOPY
3/8" = 1'-0"

REVISION SCHEDULE

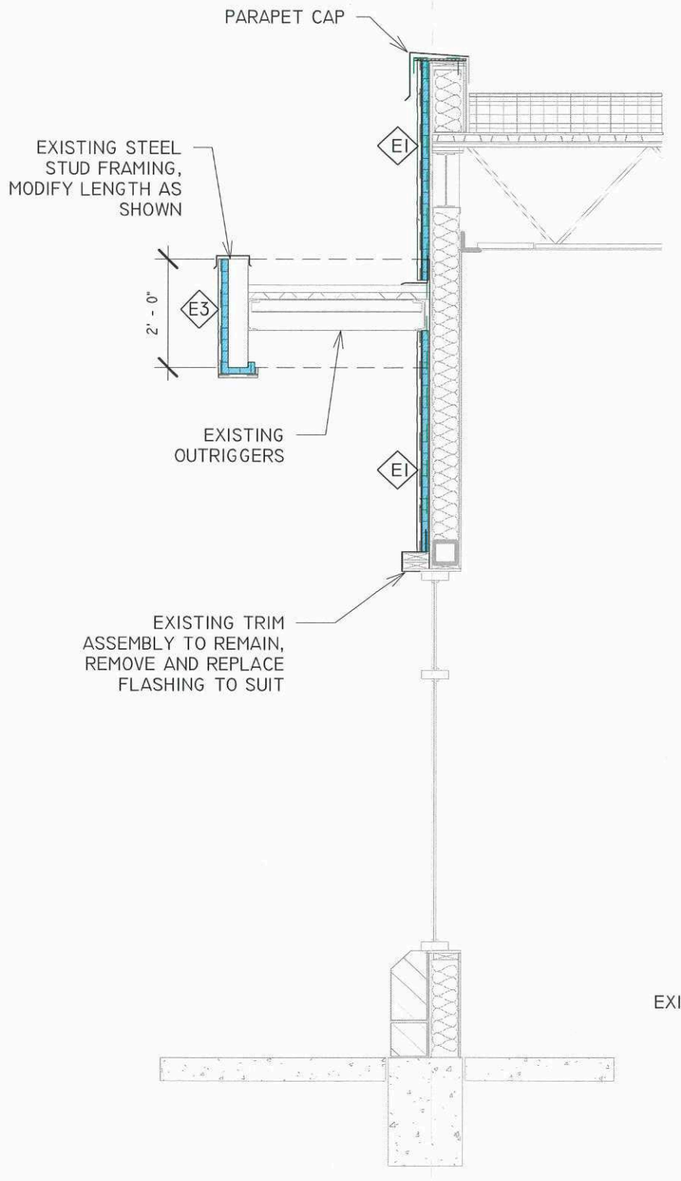
Rev No.	Rev Date	Issued By	Description

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

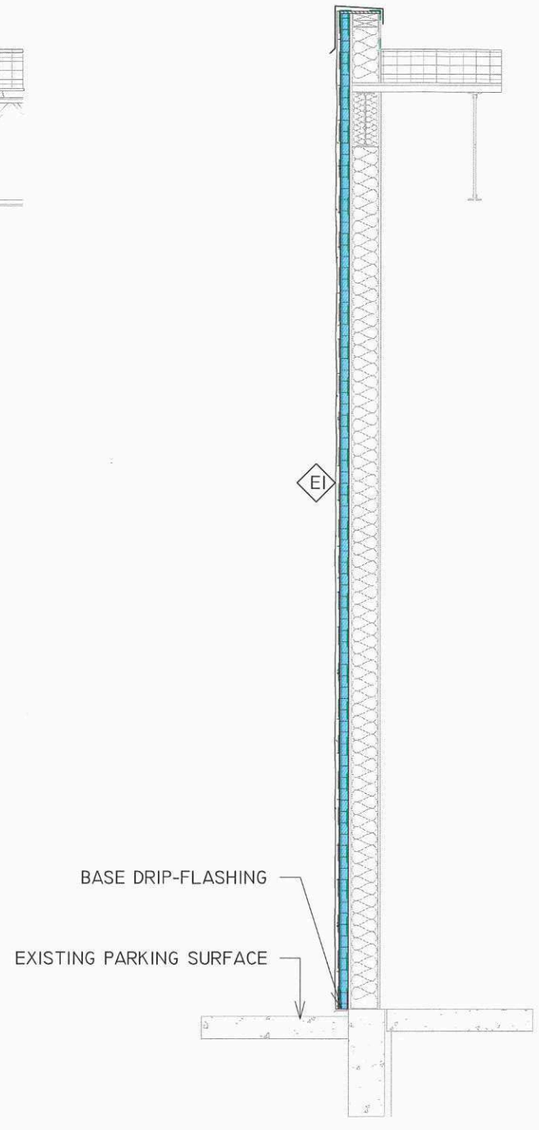
PROJECT NAME & ADDRESS
RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE
DEMO - BUILDING SECTIONS

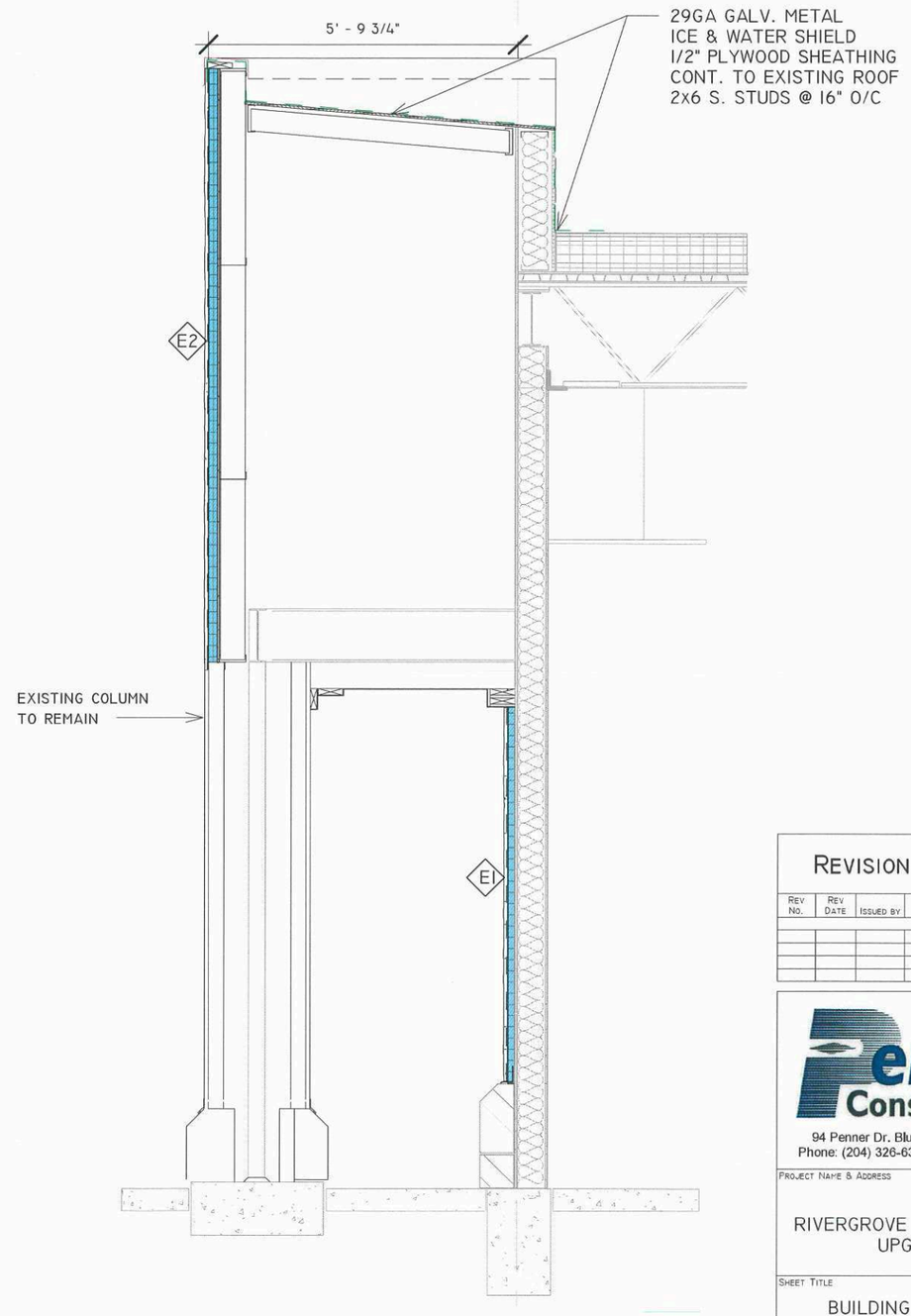
DATE	DRAWN BY	SHEET NO.
ISSUE DATE	JW	D4.1
SCALE: 3/8" = 1'-0"	CHECKED BY: DS	



1 TYPICAL WALL SECTION @ WINDOW
3/8" = 1'-0"



3 WALL SECTION TYP. EXT. WALL
3/8" = 1'-0"



2 WALL SECTION @ CANOPY
3/8" = 1'-0"

REVISION SCHEDULE

REV NO.	REV DATE	ISSUED BY	DESCRIPTION

Penfor Construction
94 Penner Dr. Blumenort MB. R0A 0C0
Phone: (204) 326-6313 Fax: (204) 346-1313

PROJECT NAME & ADDRESS

RIVERGROVE MLCC FACADE UPGRADE

SHEET TITLE

BUILDING SECTIONS

DATE	DRAWN BY	SHEET NO.
ISSUE DATE	JW	A4.0
SCALE 3/8" = 1'-0"	CHECKED BY DS	