

## ADMINISTRATIVE REPORT

**Title:** DAV 24-109415\C – 600 Gertrude Avenue

**Issue:** For consideration for a Variance associated with a 6-unit multi-family dwelling

**Critical Path:** Director of Planning, Property, and Development

### AUTHORIZATION

Author	Department Head	CFO	CAO
A. Ross, RPP, MCIP	n/a	n/a	

### DECISION AND CONDITIONS

The Urban Planning and Design Division **approves** the application to vary the “R2 PDO-1 Corydon Osborne” Development and Design standards of Winnipeg Zoning By-Law No. 200/2006 as follows:

1. for the construction of a multi-family dwelling to permit:
  - a. a front yard of 34 feet (10.36 metres) instead of 40 feet (12.19 metres);
  - b. a rear yard of 23.5 feet (7.16 metres) instead of 25 feet (7.62 metres);
  - c. 5 parking spaces instead of 7 spaces.
2. for the establishment of an accessory parking area to permit:
  - a. parking stall lengths of 21 feet (6.40 metres) instead of 23 feet (7.01 metres) for stalls accessed directly from a public lane;
  - b. parking space located within 2.5 feet (0.76 metres) of window of habitable room instead of 10 feet (3.04 metres);
  - c. insufficient buffering of a parking or loading area located within 20 feet (6.1 metres) of a rear lot line adjacent to a residential district.

Subject to the following condition(s):

1. That the development shall be constructed in substantial conformance with the plans submitted and identified as Sheets 1 to 4 for File No. DAV- 24-109415\C, dated May 23, 2024 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development;

OR

That the Owner must submit plans showing the location and design of any and all proposed:

- i. buildings;
- ii. accessory parking areas;
- iii. fencing; and
- iv. landscaping

on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

**REASON FOR THE REPORT**

- The applicant is proposing to build a 6-unit multi-family dwelling and requires variances.
- This report provides information regarding the subject application's compliance with *The City of Winnipeg Charter*, section 249.

**FILE/APPLICANT DETAILS**

**FILE:** DAV 24-109415C  
**RELATED FILES:** DAV 23-227297/C, 24-130989 ZR  
**COMMUNITY:** City Centre Committee  
**NEIGHBOURHOOD #:** 1.110 - (McMillan)

**SUBJECT:** To vary the ""R2 PDO-1 Corydon Osborne"" Development and Design standards of Winnipeg Zoning By-Law No. 200/2006 as follows:

- 1) for the construction of a multi-family dwelling to permit:
  - a) a front yard of 34 feet (10.36 metres) instead of 40 feet (12.19 metres);
  - b) a rear yard of 23.5 feet (7.16 metres) instead of 25 feet (7.62 metres);
  - c) 5 parking spaces instead of 7 spaces.
- 2) for the establishment of an accessory parking area to permit:
  - a) parking stall lengths of 21 feet (6.40 metres) instead of 23 feet (7.01 metres) for stalls accessed directly from a public lane;
  - b) parking space located within 2.5 feet (0.76 metres) of window of habitable room instead of 10 feet (3.04 metres);
  - c) insufficient buffering of a parking or loading area located within 20 feet (6.1 metres) of a rear lot line adjacent to a residential district.

**LOCATION:** 600 Gertrude AVE  
**LEGAL DESCRIPTION:** LOT 23 BLOCK 22 PLAN 208 31/35 ST B

**APPLICANT:** PARIS DEVELOPMENTS LTD.  
 528 Smithfield Ave  
 Winnipeg, MB R2V 0E3

**OWNER:** Elizabeth Johnson  
600 Gertrude Ave  
Winnipeg, MB R3L 0N1

**HISTORY**

N/A

**DISCUSSION**

**CRITERIA FOR APPROVAL**

Pursuant to Section 247(3) of *The City of Winnipeg Charter*, an application for a variance with respect to a property may be approved if the variance:

- (a) is consistent with Plan Winnipeg and any applicable secondary plan;
- (b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;
- (c) is the minimum modification of a zoning-by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and
- (d) is compatible with the area in which the property to be affected is situated.

**SITE DESCRIPTION**

- The subject property is located on the south side of Gertrude Avenue, 4 properties east of Daly Street, in the McMillan neighbourhood of the Fort Rouge - East Fort Garry ward.
- The subject site is 6,030 sq. ft. in area and is currently occupied by a single unit dwelling.
- The subject site is accessed by a paved rear lane.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the Mature Communities policy area.
- The property is zoned "R2" – Residential Two-Family District.

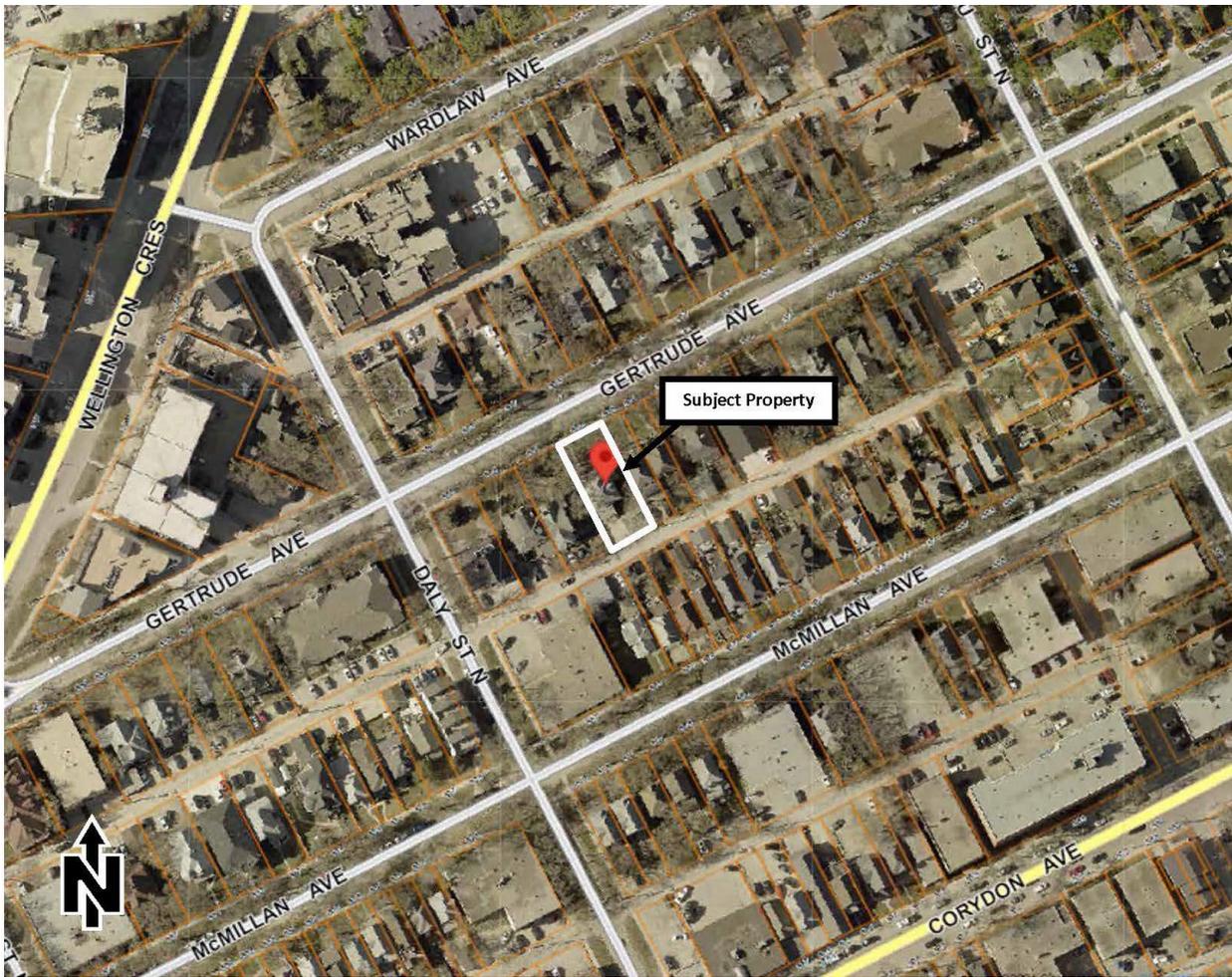


Figure 1: Aerial photo of subject site and surrounding area (flown 2023)

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

- North:** Gertrude Avenue, then duplex zoned “R2” – Residential Two-Family District.
- South:** Rear lane, then single unit dwellings zoned “R2” – Residential Two-Family District.
- East:** Single unit dwelling zoned “R2” – Residential Two-Family District.
- West:** Single unit dwelling zoned “R2” – Residential Two-Family District.



Figure 2: Zoning of the site and surrounding area.

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant requires variances for yards and parking in order to build a 6-unit multi-family dwelling.
- The existing dwelling onsite will be demolished.
- The submitted site plan shows a proposal with 5 car parking stalls located off the rear lane, 4 bike parking stalls in the front yard, peaked rooflines, and façade materials including Hardie panel, oak siding and glass enclosed balconies.

**REASON FOR APPLICATION**

YARDS

Front yard

Per the front yard alignment, the required front yard is 40 feet. The applicant proposes a front yard of 34 ft., therefore a variance is required.

### Rear yard

In the “R2” District, the minimum rear yard is 25 ft. The applicant is proposing a rear yard of 23.5 ft., therefore a variance is required.

### PARKING

#### Number of stalls

The required number of parking stalls for this development is 7. The applicant is providing 5 stalls, therefore a variance is required.

#### Length of stalls off the lane

Parking stalls for multifamily development have a required length of 23 ft. The applicant is proposing a length of 21 ft., therefore a variance is required.

#### Parking next to habitable room

10 ft. is required between parking stalls and a habitable room with a window less than 5 ft. above grade. The proposal provides rear stalls 2.5 ft. to such a window, therefore a variance is required.

#### Buffering of parking

Parking that is located within 20 ft. of a lot line abutting or adjacent to a residential zoning district requires a landscaped buffer. The applicant is not providing such a buffer at the rear, therefore a variance is required.

## **ANALYSIS AND ISSUES**

### COLLABORATIVE PLANNING

The applicant worked with the Urban Planning Division through a collaborative planning process leading up to completion of the application. The applicant agreed to:

- Provide roof pitches that complement the street context.
- Provide a front yard within 5 feet of the average of the two adjacent buildings’ setbacks, per the Corydon Design Guidelines.
- Ensure that the building height doesn’t exceed the 35 ft. maximum required.

### COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

The site is designated as Mature Community under the *Complete Communities Direction Strategy 2.0 (CCDS 2.0)*. Key policies most relevant to this proposal include:

- *Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.*
- *Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*
- *Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.*

- *Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.*
- *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.*
- *New development should respect and complement the existing character of the built form of surrounding properties.*
- *For properties with public lane access, vehicular access should be taken from the public lane*

The proposed development will result in a new multi-family residential development that meets the above policies by:

- Increasing neighbourhood population and to contributing to the physical renewal and revitalization of an older neighbourhood.
- Positively contributing to neighbourhood physical character, including a range of architectural features and supporting pedestrian activity.
- Taking all vehicular access from the public lane.

#### CORYDON-OSBORNE AREA PLAN

The properties are designated “Higher Density Residential” in the Corydon-Osborne Area Plan (COAP). “Higher Density Residential” policies state that for mid-block properties:

*“Up to two unit development will be permitted, subject to design guidelines / controls. Medium multi-family development may be accommodated subject to design guidelines / controls and the discretionary review process. The maximum building height for these areas should be 3 storeys.”*

The proposal for 6 units meets the above criteria for discretionary (Conditional Use) approval up to a medium multi-family density (800 sq. ft. of lot area per dwelling unit).

The COAP also contains design guidelines. The applicable guidelines for this property are the “North of Corydon Residential” guidelines. As shown in Appendix A, the proposed development meets the North of Corydon Residential design guidelines.

#### WINNIPEG ZONING BY-LAW - VARIANCES

##### YARDS

##### Front yard

The North of Corydon Residential design guidelines allow front yards of new developments to be located up to 5 ft. forward of the average of the two adjacent dwellings. In this case, the average of the two adjacent dwellings’ front yards is 39 ft. The applicant’s proposed 34 ft. is within 5 ft. of this, meeting the standard. The Urban Planning Division approves this variance.

##### Rear yard

A rear yard of 21 ft. is a commonly requested and approved variance in mature neighbourhood contexts such as this. 21 ft. can still provide sufficient space for parking off the lane with a small variance. (See “Length of stalls off the lane”, below). For this reason, the Urban Planning Division approves this variance.

## PARKING

### Number of stalls

The Urban Planning Division generally supports a minimum parking ratio of 0.8 stalls per dwelling unit in the Corydon area, which enjoys access to quality transit and cycling options. With the provision of 5 stalls for 6 units, the provided parking ratio is 0.83. The Division therefore approves this variance.

### Length of stalls off the lane

The Urban Planning Division often supports a length of 21 ft. for off-the-lane stalls, in cases where lot size constraints pose a challenge. The Division believes that 21 ft. will provide functional space to meet the intent of the Zoning By-Law regulation which is to provide space for longer vehicles and snow storage. The Urban Division therefore approves this variance.

### Parking next to habitable room

On compact infill sites such as this one, parking is often by necessity provided off the lane. In doing so, it is difficult to avoid locating parking stalls close to the rear building wall. The Division will often support variances in situations like this where the constraints of the site present a challenge due to smaller lots sizes typical in Mature Communities. The Division therefore approves this variance.

### Buffering of parking

Although buffering is required for parking areas located within 20 ft. of adjacent residential, in this case the applicant has no opportunity to plant landscaping or erect a fence at the rear lot line due to the parking off the lane. The Urban Planning Division therefore approves this variance.

## **OTHER CONSIDERATIONS**

### PUBLIC ENGAGEMENT

The applicant indicates the following regarding public engagement that was undertaken for this proposal (summarized by the Division):

- Community engagement was accomplished by visiting all immediate neighbours (17 properties).
- Canvassing was done on 3 separate occasions on weekdays and weekends as follows:
  - Round 1; (Friday, February 17th 2023 from 2:31 PM to 4:27 PM)
  - Round 2 (Saturday, February 18th 2023 from 3:11 PM to 4:03 PM)
  - Round 3 (Monday, February 27th 2023 from 11:20 AM to 11:54 AM)
- A detailed pamphlet was provided, which included an elevation drawing and footprint displaying size of dwelling, lot coverage, tree synopsis, appearance, and function.
- On the 3rd attempt, all neighbours that had not yet been spoken with directly were left with a pamphlet in their mailbox.

### SUBSTANTIAL CONFORMANCE

The applicant is required to build in substantial conformance with the plans attached to this application. Should changes be required, a condition for plan approval is included in order to provide opportunity the Division to review.

## REASONS FOR RECOMMENDATIONS

In the context of Section 247(3), the Urban Planning Division **approves** the application for the following reasons:

- (a) is consistent with Plan Winnipeg and any applicable secondary plan;  
*In that*, the proposed variances will enable a development that increases neighbourhood population and to contributes to the physical renewal and revitalization of an older neighbourhood.
- (b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;  
*In that*, the proposed development respects and complements the existing character of the built form of surrounding properties.
- (c) is the minimum modification of a zoning-by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and  
*In that*, proposed variances are relatively few in number and align with policies of CCDS 2.0 and the Corydon-Osborne Area Plan.
- (d) is compatible with the area in which the property to be affected is situated.  
*In that*, the proposed development respects and complements the existing character of the built form of surrounding properties.

### OURWINNIPEG POLICY ALIGNMENT

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

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

### WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

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

4.2 Ensure New Areas of Growth are designed According to the Principles of Complete Communities.

### WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

**SUBMITTED BY**

Department: Planning, Property and Development  
Division: Urban Planning and Design  
Prepared by: Andrew Ross, RPP, MCIP  
Date: July 5, 2024  
File No. DAV 24-109415\C

## Appendix A – North of Corydon Residential Design Guidelines

### Corydon Osborne Plan Urban Design Review Internal Evaluation Worksheet

North of Corydon Residential Design Guidelines	Comply (Yes or No)	Comments
i) Buildings should be parallel to the street frontage property line	<b>yes</b>	
ii) Building setbacks should be within 1.5 metres (5 feet) of the average of the two adjacent buildings' setbacks	<b>yes</b>	
iii) Roofs should be pitched unless adjacent buildings are flat roofed	<b>yes</b>	
iv) Buildings should have their main entrance facing the street	<b>yes</b>	
v) Windows and entrances should be articulated	<b>yes</b>	
vi) Façade lighting should be wall mounted luminaries no higher than top of first floor and all light should be cast down and fully shielded	<b>yes</b>	Building elements shield lights from casting skyward.
vii) Front yard fences should be less than 1.2 metres(4 feet) and mostly transparent	<b>n/a</b>	
viii) Multi-family buildings should reflect the surrounding residential building character	<b>yes</b>	
ix) Multi-family buildings should have a variable setback across the facade	<b>yes</b>	
x) Corner lots may have greater lot coverage	<b>n/a</b>	
xi) Multiple lot development may be contiguous but should articulate the appearance of the original lot line	<b>n/a</b>	
xii) Signs should be flush with the building	<b>n/a</b>	
xiii) Residential development should maintain the existing pattern of detached garages rather than attached garages	<b>n/a</b>	
xiv) All parking lots should provide appropriate screening to preserve the residential character of the area	<b>n/a</b>	

xv) Residential developments should provide pedestrian access at street level and locate parking, loading, and service entrances at the rear of buildings.	<b>yes</b>	
xvi) Residential development should have consideration for light, view, and privacy of adjacent buildings and area	<b>yes</b>	
xvii) Residential development should ensure pedestrian access is a predominant feature in the site design	<b>yes</b>	
xviii) Residential development should ensure the use of building design elements that are consistent with surrounding properties, including materials, finishing, signage, placement of windows, and doors and height and massing of buildings	<b>yes</b>	
xix) Residential development should ensure sensitive design that clearly defines public, semi-private, and private space	<b>yes</b>	
xx) Residential development should encourage preservation of mature canopy shade trees and natural areas through good design	<b>yes</b>	No mature trees present, only younger trees, however applicant indicates that they will protect these during construction.
xxi) Residential design should strongly encourage the incorporation of concepts of Universal Design and Crime Prevention Through Environmental Design (CPTED) into building, streetscape, and site design	<b>yes</b>	



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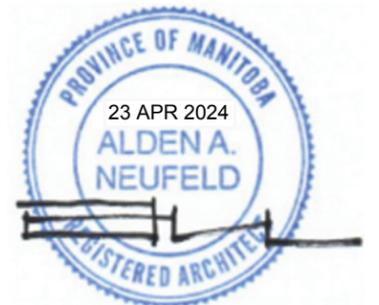
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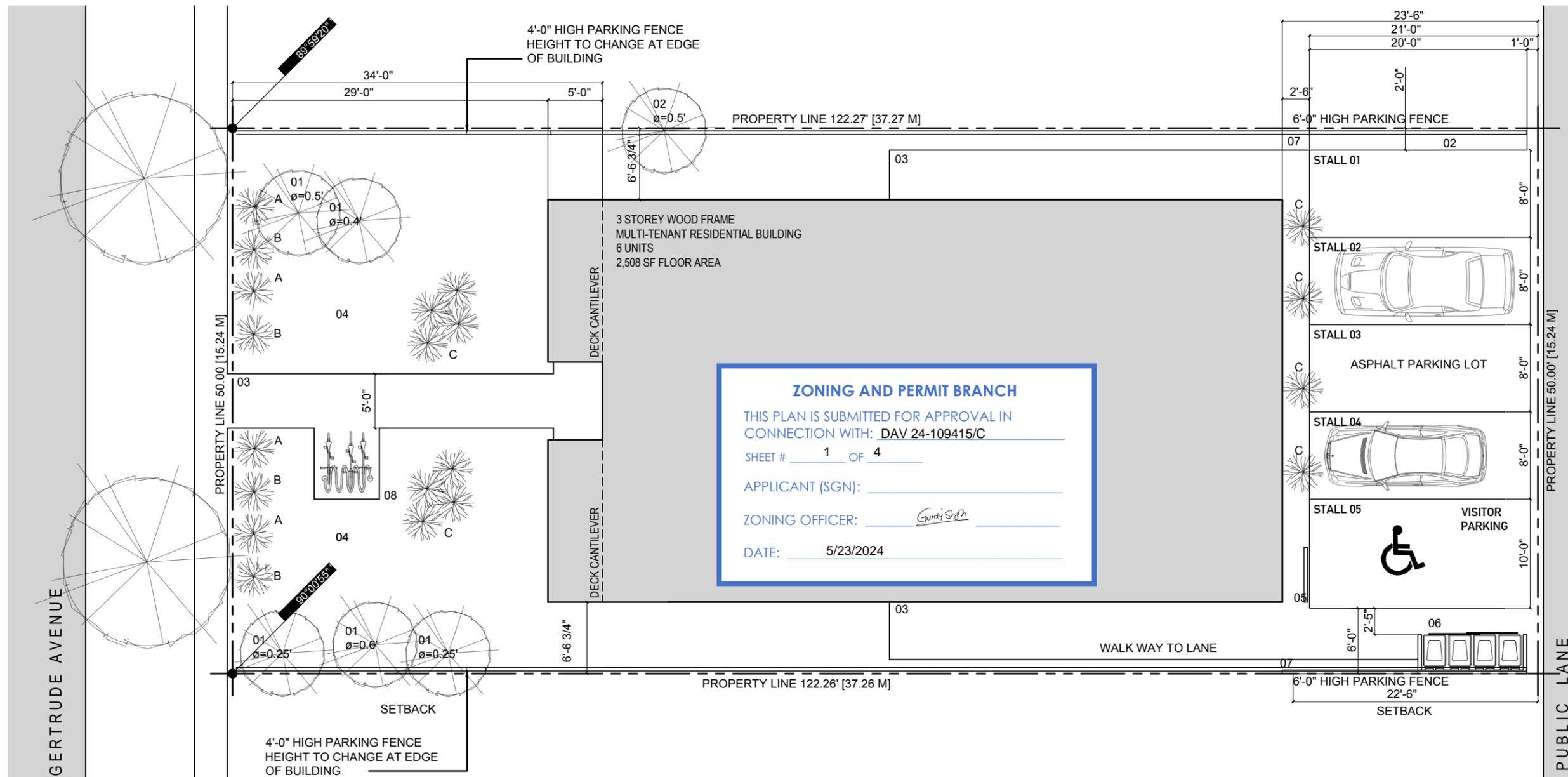
## 6 Unit Multi-Family Residential

Project Address 600 Gertrude Avenue  
Winnipeg, Manitoba

Client Paris Developments  
Winnipeg, Manitoba

Drawing  
SITE PLAN

# A1.0



**ZONING AND PERMIT BRANCH**  
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 24-109415/C  
SHEET # 1 OF 4  
APPLICANT (SGN): \_\_\_\_\_  
ZONING OFFICER: Guski Sgn  
DATE: 5/23/2024

### 1 Site Plan

A1.0 Scale: 3/32" = 1'-0"

### SITE PLAN NOTES

- PLANT MATERIALS
- (2) (A) PLANT MATERIAL MUST BE ABLE TO WITHSTAND LOCAL CLIMATIC CONDITIONS.
- (b) PLANT MATERIAL MUST BE NO. 1 GRADE NURSERY STOCK, SUPPLIED AND INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF CANADIAN NURSERY LANDSCAPE ASSOCIATION "CANADIAN STANDARDS FOR NURSERY STOCK".
- (c) PLANT MATERIALS LOCATED WITHIN 20 FEET OF A PUBLIC STREET MUST BE OF A SALT-TOLERANT SPECIES.

### SITE PLAN KEYNOTES

- 01 EXISTING TREE TO REMAIN
- 02 NEW BUSHES (SEE TYPE) ALTERNATING SHRUBS
- 03 NEW CONCRETE SIDEWALK
- 04 NEW GRASS PLANTINGS 'KENTUCKY BLUEGRASS SOD'
- 05 LIGHT PROOF FENCE
- 06 COVERED REFUSE/RECYCLING
- 07 SCREEN FENCING
- 08 BICYCLE PARKING

### VEGETATION PLAN PLANT LIST

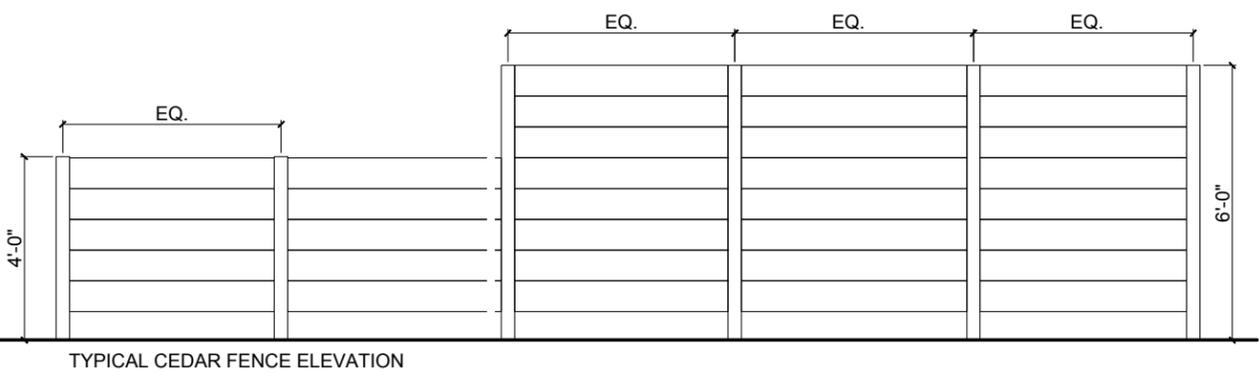
- A] CHERRY BOMB BARBERRY - FOUR - MATURE HEIGHT AND SPREAD OF 3 FEET
- B] MINIGLOBE HONEYSUCKLE - FOUR - MATURE HEIGHT AND SPREAD OF 3-4 FEET
- C] DWARF KOREAN LILAC - TWELVE - MATURE HEIGHT 4 FEET, MATURE SPREAD 5 FEET

### TABLE 5-16: TREE PRESERVATION CREDITS

CALIPER OF PRESERVED TREE (IN INCHES)  
NUMBER OF REQUIRED TREES CREDITED OVER 12 INCHES = 0  
8 INCHES TO 11.9 INCHES = 0  
2.5 INCHES TO 7.9 INCHES = 6

WHEN TREE OR SHRUB IS LOCATED WITHIN 30 LINEAR FEET OF AN INTERSECTION, SIGHTLINES MUST NOT BE BLOCKED BETWEEN 30 INCHES TO 6 FEET ABOVE GRADE.

ALL SIX (6) EXISTING TREES HAVE A CALIPER DIMENSION GREATER THAN 3".



### 2 Typical Fence Elevation

A1.0 Scale: 1/4" = 1'-0"



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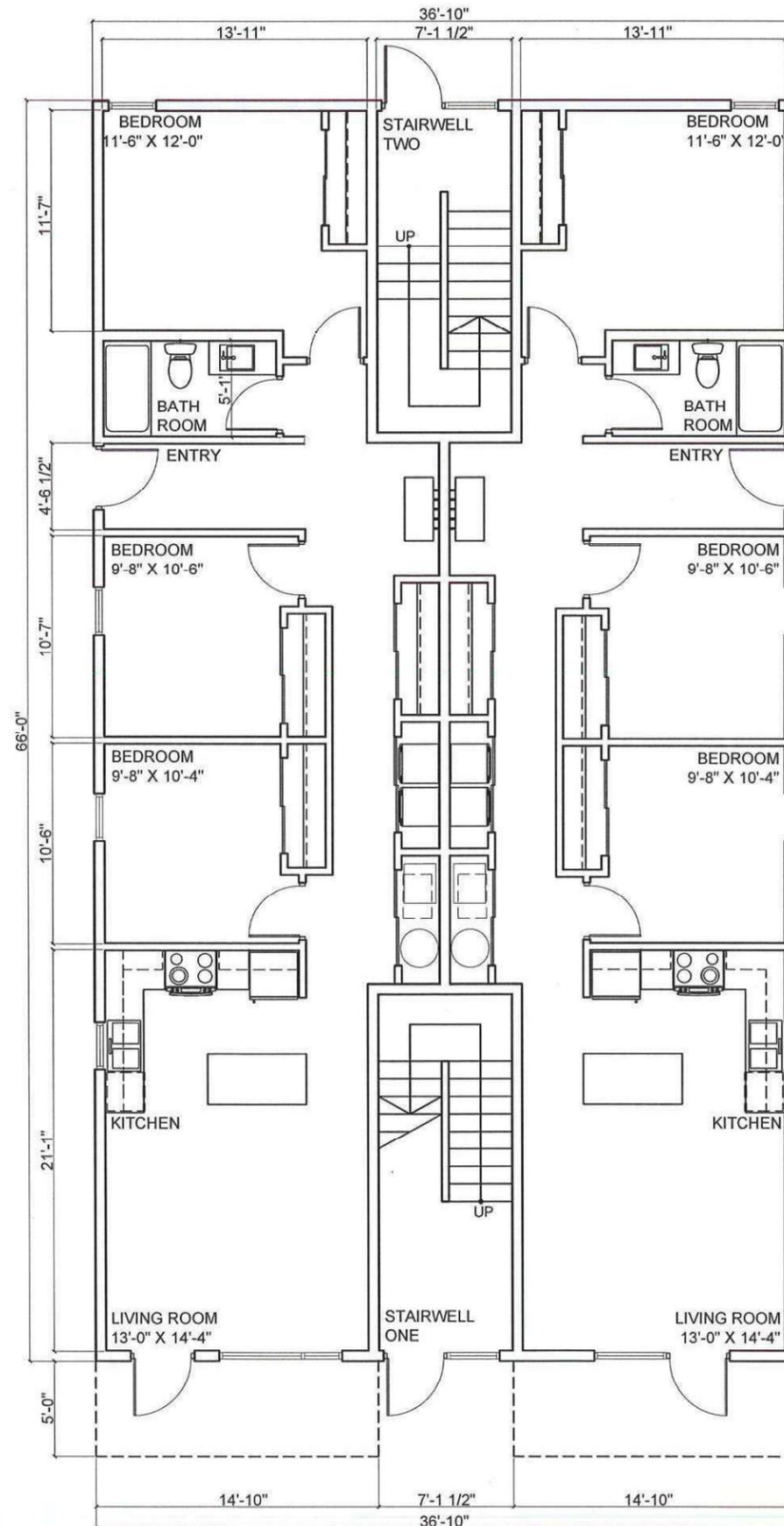
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**1** Level One Overall Plan  
A1.1 Scale: 1/8" = 1'-0"



### PROJECT INFORMATION

BUILDING ADDRESS: 600 GERTRUDE AVENUE  
 ROLL NUMBER: 12021791000  
 NEIGHBOURHOOD AREA: McMILLIAN  
 MARKET REGION: 7, TUXEDO / RIVER HEIGHTS / FT ROUGE

ASSESSED LAND AREA: 6,030 SF  
 FRONTAGE: 50'-0"

BUILDING AREA: 38' X 66' = 2,508 SF FLOOR AREA  
 SITE YARD SETBACK: 6'-6 3/4"  
 FRONT YARD SETBACK: 28'-0" VARIANCE REQUIRED  
 REAR YARD SETBACK: 26'-0"

3 STOREY WALK UP  
 WOOD FRAME CONSTRUCTION

[6] 3 BEDROOM / 1 BATH UNIT: 1,022 SF

5 PARKING STALLS  
 OUTDOOR BIKE PARKING  
 EXTERIOR DECK OR PATIO AREA  
 PERCENTAGE OF COVERAGE: 42%

### 6 Unit Multi-Family Residential

Project Address 600 Gertrude Avenue  
Winnipeg, Manitoba

Client Paris Developments  
Winnipeg, Manitoba

Drawing  
LEVEL ONE PLAN  
PROJECT INFORMATION



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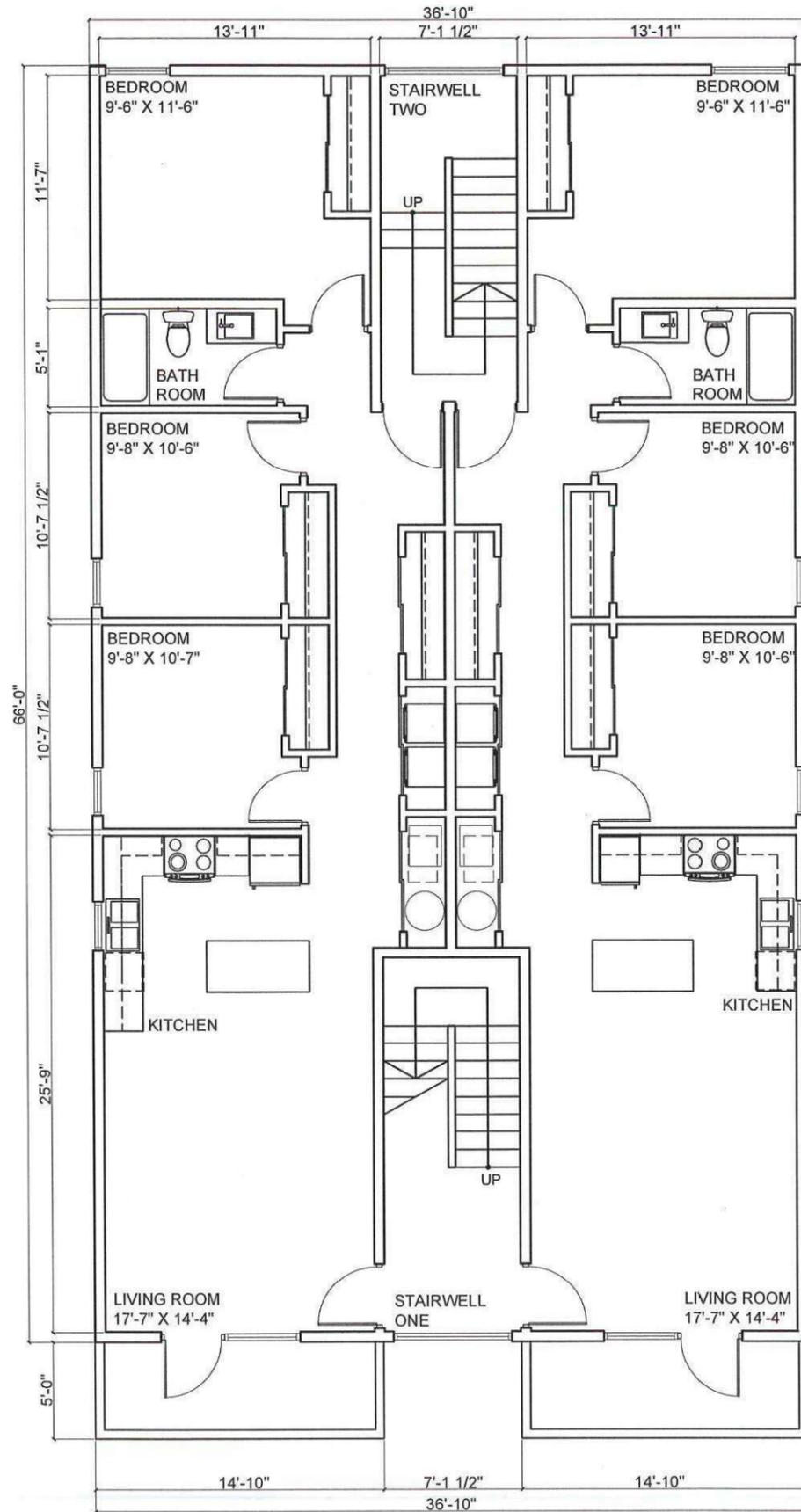
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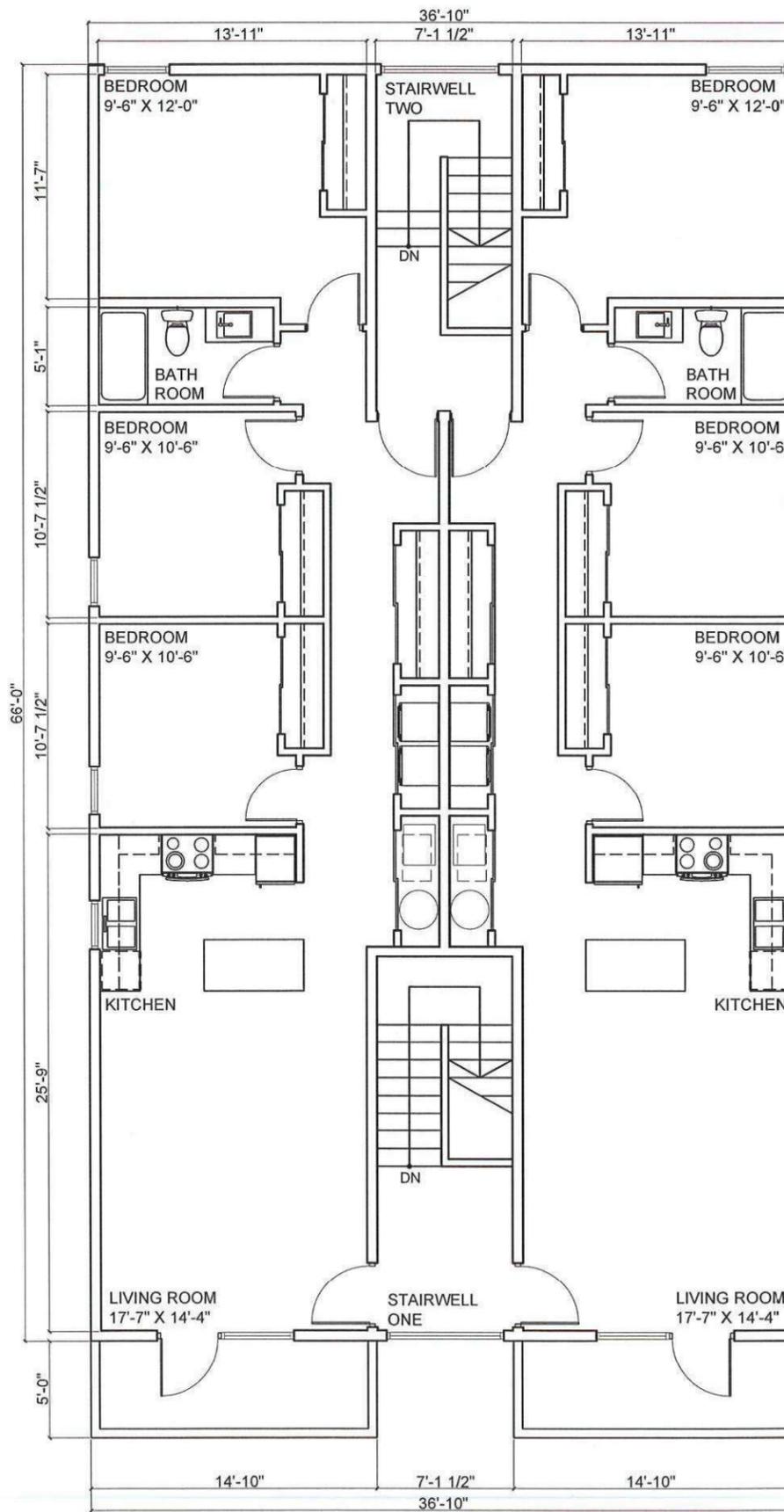
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1 Level Two Plan

A1.2 Scale: 1/8" = 1'-0"



2 Level Three Plan

A1.2 Scale: 1/8" = 1'-0"



## 6 Unit Multi-Family Residential

Project Address 600 Gertrude Avenue  
Winnipeg, Manitoba

Client Paris Developments  
Winnipeg, Manitoba

Drawing  
LEVEL TWO PLAN  
LEVEL THREE PLAN

# A1.2



# Size Architecture

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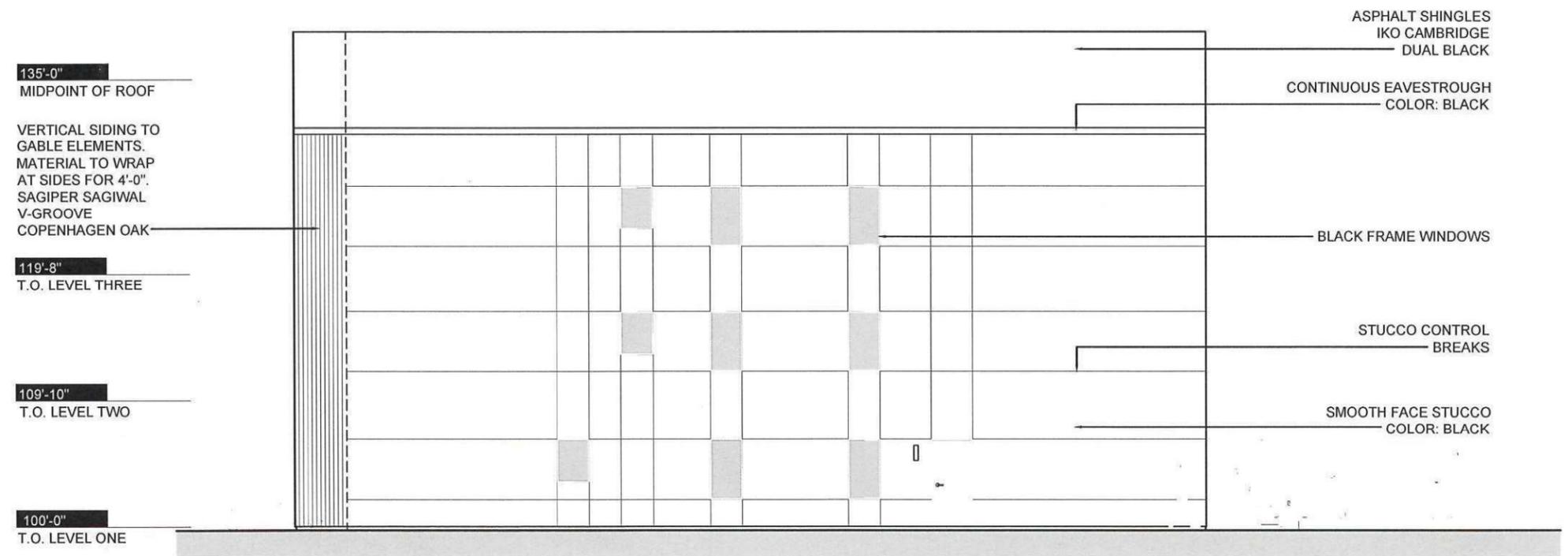
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**ZONING AND PERMIT BRANCH**  
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SHEET # 2 OF 4  
APPLICANT (SGN): \_\_\_\_\_  
ZONING OFFICER: Gundy Smith  
DATE: 5/23/2024

## 1 South Elevation

A2.0 Scale: 3/32" = 1'-0"



## 2 East Elevation

A2.0 Scale: 3/32" = 1'-0"

## 6 Unit Multi-Family Residential

Project Address 600 Gertrude Avenue  
Winnipeg, Manitoba

Client Paris Developments  
Winnipeg, Manitoba

Drawing  
ELEVATIONS

# A2.0



# Size Architecture

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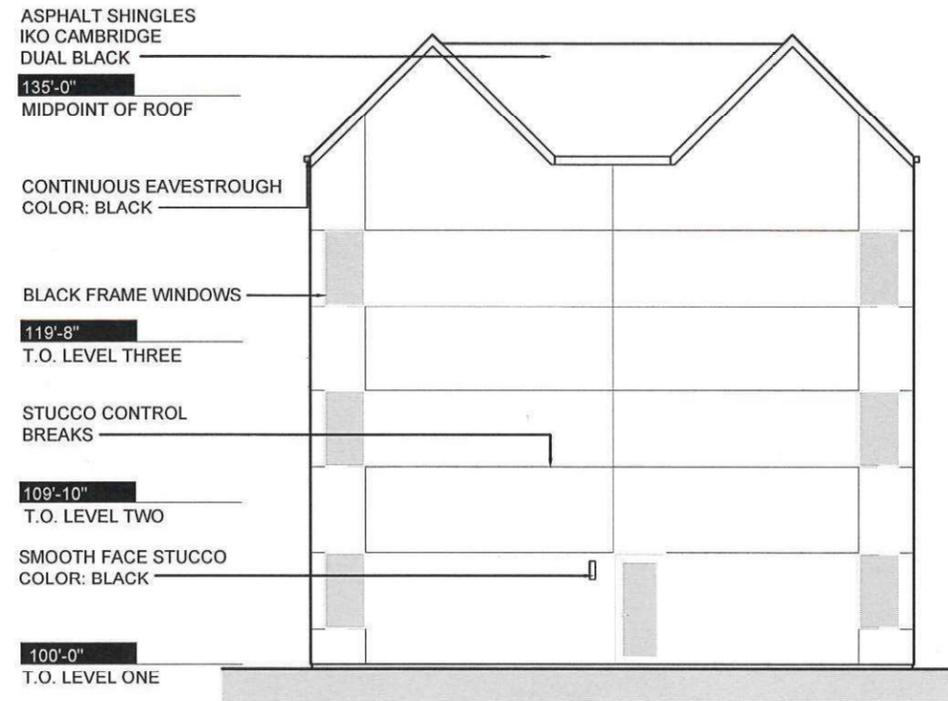
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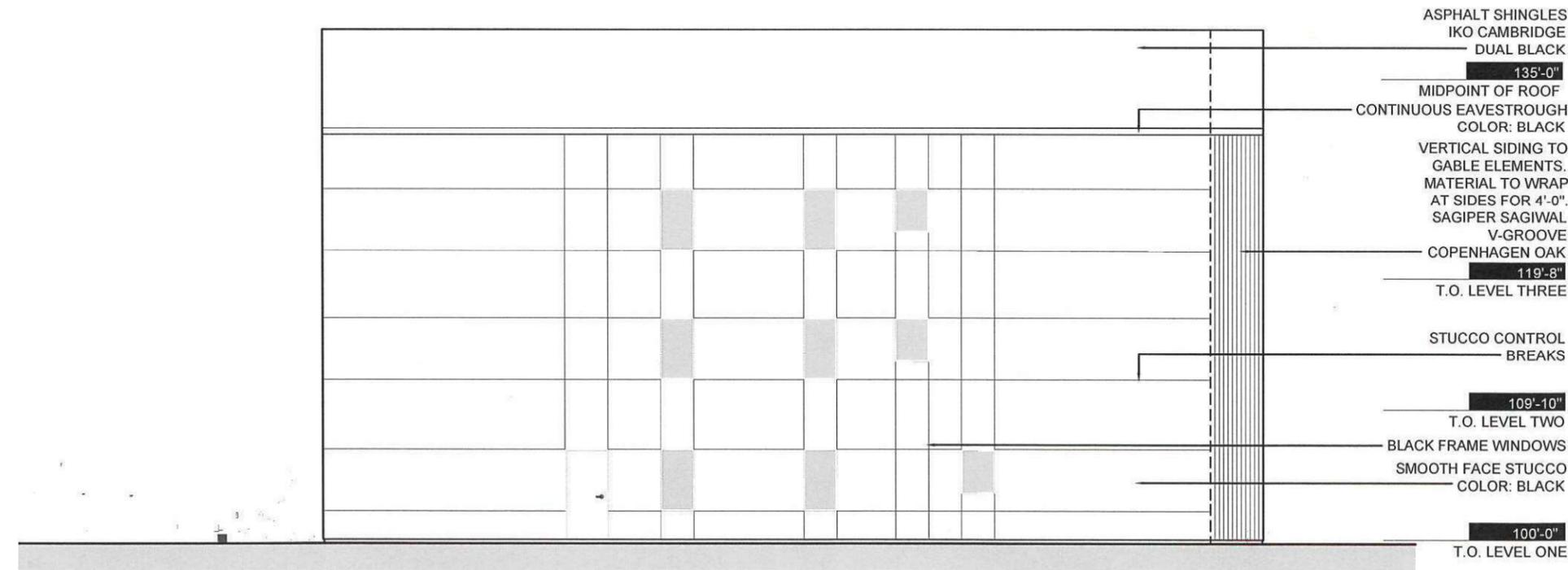
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1 North Elevation

A2.1 Scale: 3/32" = 1'-0"

**ZONING AND PERMIT BRANCH**  
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 24-109415/C  
SHEET # 3 OF 4  
APPLICANT (SGN): \_\_\_\_\_  
ZONING OFFICER: Gundy Smith  
DATE: 5/23/2024



2 West Elevation

A2.1 Scale: 3/32" = 1'-0"

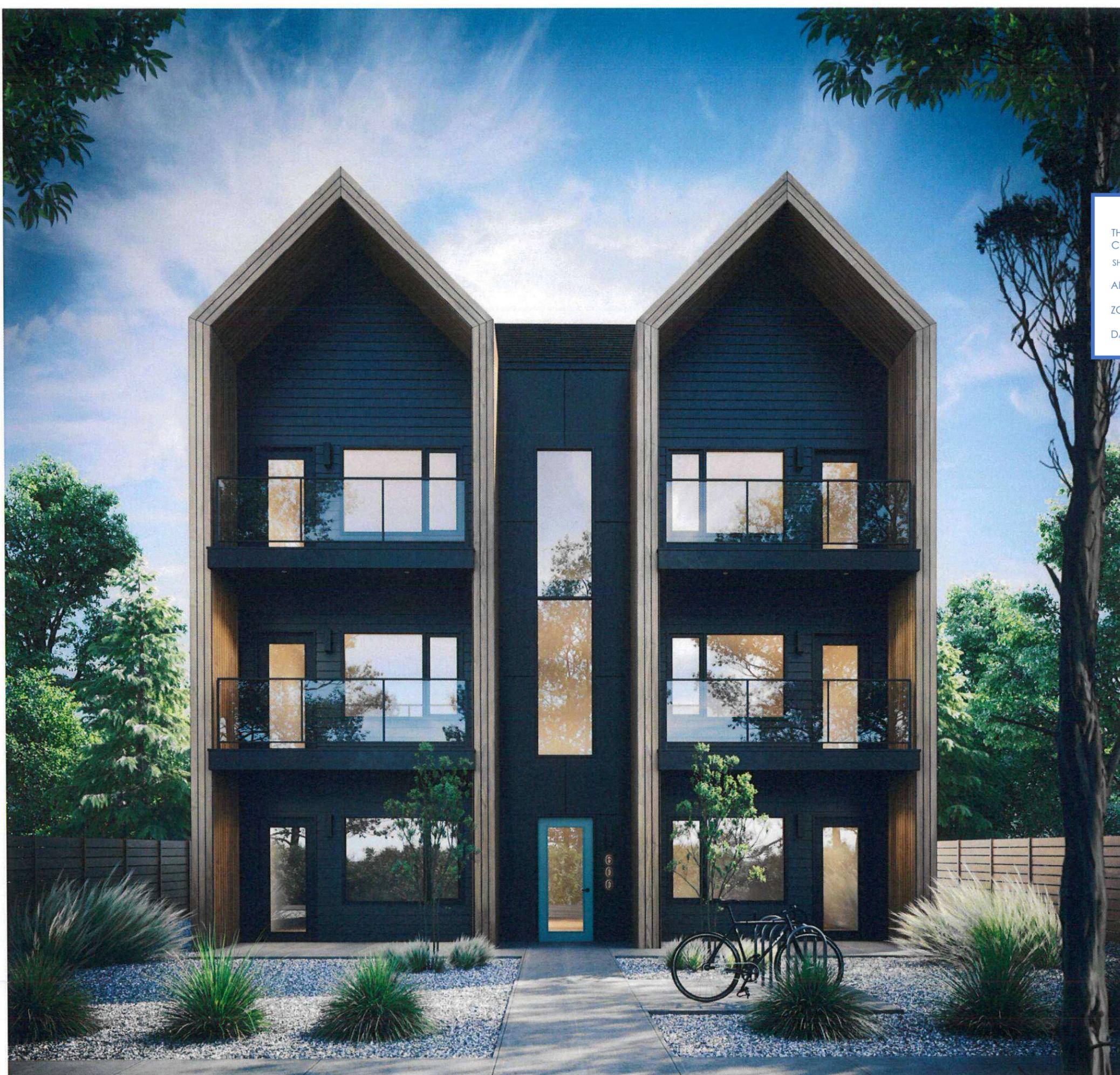
## 6 Unit Multi-Family Residential

Project Address 600 Gertrude Avenue  
Winnipeg, Manitoba

Client Paris Developments  
Winnipeg, Manitoba

Drawing  
ELEVATIONS

A2.1



**ZONING AND PERMIT BRANCH**

THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 24-109415/C

SHEET # 4 OF 4

APPLICANT (SGN): \_\_\_\_\_

ZONING OFFICER: Quintin Smith

DATE: 5/23/2024