**Agenda – Assiniboia Community Committee – January 6, 2026**

## PUBLIC HEARINGS

**Item No. 2 Variance – 980 St. James Street**
**(St. James Ward)**
**File DAV 220581/2025D [c/r DAZ 217/2025]**

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

The Urban Planning and Design Division recommends approval of the application to vary the Proposed "C3 PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors " Development and Design standards of Winnipeg Zoning By-Law No. 200/2006 for the maintenance of an accessory parking area to permit no front yard instead of 25 feet (7.62 metres).

Subject to the following condition(s):

1. That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.

| | |
|---|---|
| **File:** | DAV 220581/2025D |
| **Applicant:** | The City of Winnipeg<br>(Director of Planning, Property and Development) |
| **Premises Affected:** | 980 St. James Street |
| **Legal Description:** | LOT 1 PLAN 74457, hereinafter called "the land" |
| **Property Zoned:** | "RMU PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors" (Residential Mixed Use Planned Development Overlay-1 (District))<br>Proposed "C3 PDO-1 Airport Vicinity, Mature Communities, PDO-1, PDO-1 Malls and Corridors" |
| **Nature of Application:** | To vary the Proposed "C3 PDO-1 Airport Vicinity, Mature Communities, PDO-1, PDO-1 Malls and Corridors" Development and Design standards of the Winnipeg Zoning By-law No. 200/2006 for the maintenance of an accessory parking area to permit no front yard instead of 25 feet (7.62 metres) |
| **Exhibits Filed:** | 1. Application dated September 23, 2025<br>2. Notification of Public Hearing dated December 15, 2025<br>3. Manitoba Status of Title 3337603/1<br>4. Letter of authorization dated September 8, 2025 from Ranch Asset Management Inc. (Simon Tapper) to City of Winnipeg, Planning, Property and Development Department<br>5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising<br>6. Caveats 1065940/1, 5741221/1<br>7. Site Plan<br>8. Plans, Sheets 1, for File DAV 220581/2025D dated September 22, 2025<br>9. Report from the Urban Planning Division dated December 19, 2025<br>10. Inspection Report |

The Winnipeg Public Service to advise that all statutory requirements with respect to this application have been complied with.

Moved by Councillor

That the report of the Winnipeg Public Service be taken as read.

Moved by Councillor

That the receipt of public representations be concluded.

Moved by Councillor

That in accordance with Subsection 247(3) of The City of Winnipeg Charter, the Variance,

(a) ☐ is consistent ☐ is not consistent
with Plan Winnipeg, and any applicable secondary plan;

(b) ☐ does not create ☐ does 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 ☐ is not
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 ☐ is not
compatible with the area in which the property to be affected is situated.

Supporting Reasons:

Moved by Councillor

That the recommendation of the Winnipeg Public Service be concurred in / not be concurred in and the Variance be approved / rejected.

Moved by Councillor

That the public hearing with respect to this application be concluded.

Exhibit “9” referred to in File DAV 220581/2025D

# ADMINISTRATIVE REPORT

**Title:** DAV 25-220581/D – 980 St James Street

**Issue:** For consideration of a Variance associated with maintenance of a restaurant and drive-through

**Critical Path:** Assiniboia Community Committee

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| R. Galston, MCP | n/a | n/a | |

## RECOMMENDATIONS

The Urban Planning and Design Division recommends **approval** of the application to vary the Proposed "C3 PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors " Development and Design standards of Winnipeg Zoning By-Law No. 200/2006 for the maintenance of an accessory parking area to permit no front yard instead of 25 feet (7.62 metres).

Subject to the following condition(s):

1. That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.

## REASON FOR THE REPORT

- The applicant is proposing to maintain an existing restaurant and drive-through and requires a Variance for the requirements of the *Winnipeg Zoning By-Law*.
- This report provides information regarding the subject application’s compliance with *The City of Winnipeg Charter*, section 249.

## FILE/APPLICANT DETAILS

**FILE:** **DAV 25-220581/D**
**RELATED FILES:** DAZ 217/2025

| | |
|---|---|
| **COMMUNITY:** | Assiniboia Committee |
| **NEIGHBOURHOOD #:** | 2.125 (Polo Park) |
| **SUBJECT:** | To vary the Proposed "C3 PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors " Development and Design standards of Winnipeg Zoning By-Law No. 200/2006 for the maintenance of an accessory parking area to permit no front yard instead of 25 feet (7.62 metres). |
| **LOCATION:** | 980 St James Street |
| **LEGAL DESCRIPTION:** | LOT 1 PLAN 74457 |
| **APPLICANT:** | Rakvinder Hayer (City of Winnipeg Planning, Property and Development Department)<br>30 Fort Street, Unit 31<br>Winnipeg, MB R3C 4X7 |
| **OWNER:** | Ranch Asset Management, Inc.<br>335 8 Avenue SW, Unit 1700<br>Calgary, AB T2P 1C9 |

## HISTORY

*DASZ 22/2023*

- In September, 2023, Winnipeg City Council approved a subdivision and rezoning of land at 914 and 980 St. James Street, to accommodate a mixed-use development at 914 St. James Street and reconfigure the lots on the subject site. This subdivision and rezoning application rezoned the entire site to the “RMU” Residential Mixed Use district.

## 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 west side of St. James Street. It is in the Polo Park Neighbourhood of the St. James Ward.
- The subject property has a total area of approximately 28,244 square feet. The site contains a restaurant and drive-through use (Tim Horton's). This use has operated at this site since 2002.
- Vehicular access to the subject property is currently taken from St. James Street.
- The subject property is located in the Transformative Areas – Regional Mixed Use Policy area under the *Complete Communities Direction Strategy 2.0* Urban Structure Map.
- The property is currently zoned "RMU" Residential Mixed Use.




**Figure 1: Aerial photo of subject site and surrounding area *(flown 2024)***

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

**North:** Commercial uses zoned "C3" Commercial Corridor.

**South:** Vacant land zoned "RMU" Residential Mixed Use.

**East:** St. James Street, then commercial uses zoned "C3" Commercial Corridor.

**West:** A mix of utility and wholesale uses zoned "M1" Light Manufacturing.



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

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the subject site from the “RMU” Residential Multi-Family district to the “C3” Commercial Corridor district. This is to allow the maintenance of an existing restaurant and drive-through use.
- No changes to the site layout or building are proposed as part of this application. *Associated Variance (DAZ) Application*
- The proposed development is the subject of an associated Rezoning (DAZ) application concerning the proposed change of zoning to the “C3” Commercial Corridor district. Please refer to the Administrative Report under file no. DAZ 217/2025 for more information.

COLLABORATIVE PLANNING AND CONSULTATION

- Given that no changes to the use or design of the subject site are proposed, no public consultation was undertaken as part of this application.

## ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* supports *OurWinnipeg 2045*, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- As noted above, the subject property is classified as the Transformative Areas – Regional Mixed Use Centres policy area (Polo Park Area) under *Complete Communities 2.0*. Key policies include:

  *Goal 1*

  *1.0 Manage general commercial areas in support of Complete Communities goals.*

*Policies*

*1.1 Encourage the redevelopment, infill and expansion of existing commercial areas as the preferred method of accommodating new commercial development, while still providing local commercial opportunities in new neighbourhoods*

*Goal 2*

*2.0 Manage Mixed Use Centres in support of Complete Communities goals.*

*Policies*

*2.1 Prioritize the commercial intensification of existing commercial areas in Established Neighbourhoods, Mixed Use Centres, Corridors, and Downtown over the creation of new Mixed Use Centres while being mindful of differences in commercial scale permitted in each of these designations.*

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- Per the dimensional and design standards of the Winnipeg Zoning By-law, commercial uses in the "C3" zoning district are required to have a minimum front yard setback of 25 feet. The applicant is proposing to maintain a restaurant and drive-through use where the accessory parking area has a front yard setback of zero (0) feet. As such, a Variance is required.

ANALYSIS OF VARIANCES

- The Urban Planning and Design Division supports the Variance to maintain a front yard setback of zero (0) feet, instead of the required front yard setback of 25 feet. As noted above, no changes to the site or new uses are proposed as part of this application.
- Further, the setback of zero (0) feet is measured from easements registered under Plan numbers 37731 and 74458. These easements have a depth of approximately ten feet, respectively, and together run across the entire frontage (width) of the subject property.
- It should be noted that, within these easement areas, a landscaped setback area of approximately five (5) feet is located. This landscaped setback area includes shrubs, which help to buffer the parking area from the public street.
- Given this, the Urban Planning and Design Division recommends approval of the Variance for reduced front yard setback.

**REASONS FOR THE RECOMMENDATIONS**

In the context of Section 247(3), the Urban Planning and Design Division recommends **approval** of the application for the following reasons:

(a) is consistent with *Plan Winnipeg* and any applicable secondary plan;

***In that,** policies in* Complete Communities 2.0 support commercial uses in *Regional Mixed Use Centres.*

(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 existing development has been located on this site for more than 20 years, and street edge landscaping is located within an easement area.*

(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,*** *the Variance will allow the applicant to maintain an existing commercial use that is consistent with* Complete Communities 2.0.

(d) is compatible with the area in which the property to be affected is situated.

***In that,*** *the surrounding area is characterized by a mix of uses, including commercial uses.*

## CONSULTATION

In preparing this report there was internal consultation with: N/A

## OURWINNIPEG 2045 POLICY ALIGNMENT

**6.25 Regional Mixed Use Centres**

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

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

**Strategic Opportunity #4:**

- Facilitate Compact, Complete Development and Increase Density • Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service.

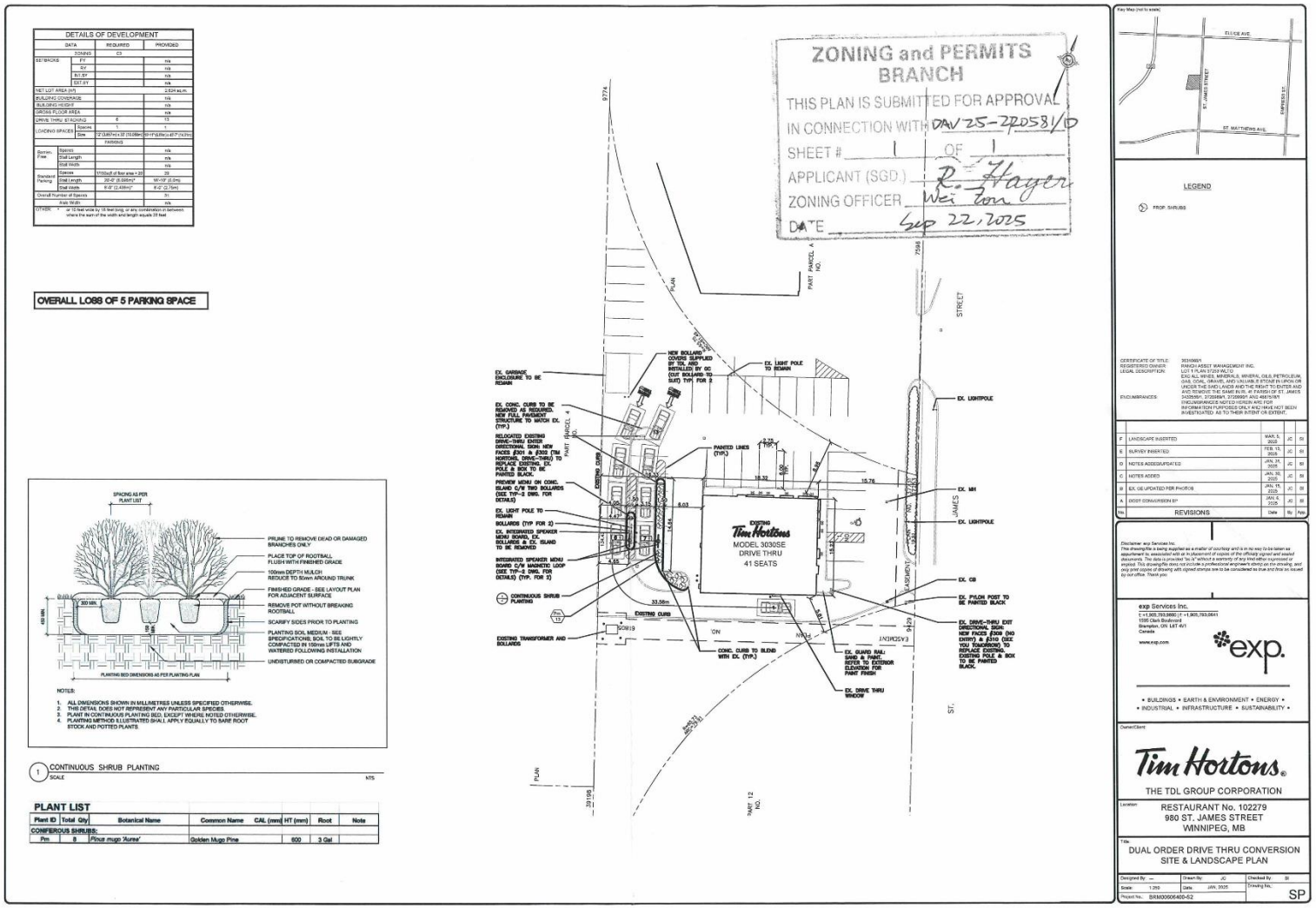
## WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning and Design |
| Prepared by: | Robert Galston, MCP |
| Date: | Friday, December 19, 2025 |
| File No. | DAV 25-220581/D |

Exhibit “8” referred to in File DAV 220581/2025D


DETAILS OF DEVELOPMENT
DATA
REQUIRED
PROVIDED
ZONING
C3
SETBACKS
FY
n/a
SY
n/a
INT.SY
n/a
EXT.SY
n/a
NET LOT AREA (m²)
2,524 sq.m
BUILDING COVERAGE
n/a
BUILDING HEIGHT
n/a
GROSS FLOOR AREA
n/a
DRIVE THRU STACKING
6
15
LOADING SPACES
Spaces
1
1
Size
PARKING
Barrier-Free
Spaces
n/a
Stall Length
n/a
Stall Width
n/a
Standard Parking
Spaces
1/100m² of floor area = 20
20
Stall Length
20'-0" (6.096m)*
18'-10" (5.8m)
Stall Width
8'-0" (2.438m)*
8'-2" (2.75m)
Overall Number of Spaces
21
Aisle Width
n/a
OVERALL LOSS OF 5 PARKING SPACE
ZONING and PERMITS BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DAV 25-220581/D
SHEET # 1 OF 1
APPLICANT (SGD.) R. Hagen
ZONING OFFICER Wei Ton
DATE Sep 22, 2025
EX. GARBAGE ENCLOSURE TO BE REMAIN
NEW BOLLARD COVERS (SLIPFLED OVER EX. BOLLARD INSTALLED BY GC. CUT BOLLARD TO SUIT) TYP. FOR 2
EX. LIGHT POLE TO REMAIN
EX. CONC. CURB TO BE REMOVED AS REQUIRED. NEW FULL PAVEMENT STRUCTURE TO MATCH EX. (TYP.)
RELOCATED EXISTING DRIVE-THRU ENTER DIRECTIONAL SIGN: NEW FACES (E301 & E302 TIM HORTONS, DRIVE-THRU) TO REPLACE EXISTING. EX. POLE & BOX TO BE PAINTED BLACK.
PREVIEW MENU ON CONC. ISLAND C/W TWO BOLLARDS (SEE TYP-2 DWG. FOR DETAILS)
EX. LIGHT POLE TO REMAIN
BOLLARDS (TYP. FOR 2)
EX. INTEGRATED SPEAKER MENU BOARD, EX. BOLLARDS & EX. ISLAND TO BE REMOVED
INTEGRATED SPEAKER MENU BOARD C/W MAGNETIC LOOP (SEE TYP-2 DWG. FOR DETAILS) (TYP. FOR 2)
CONTINUOUS SHRUB PLANTING
EXISTING TRANSFORMER AND BOLLARDS
PAINTED LINES (TYP.)
EXISTING Tim Hortons MODEL 3030SE DRIVE THRU 41 SEATS
CONC. CURB TO BLEND WITH EX. (TYP.)
EX. CURVED BAL: SAND & PAINT REFER TO EXTERIOR ELEVATION FOR PAINT FINISH
EX. DRIVE THRU WINDOW
EX. LIGHTPOLE
EX. MH
EX. LIGHTPOLE
EX. CB
EX. PYLON POST TO BE PAINTED BLACK
EX. DRIVE-THRU EXIT DIRECTIONAL SIGN: NEW FACES (E309 (NO ENTRY) & E310 (SEE YOU TOMORROW)) TO REPLACE EXISTING. EXISTING POLE & BOX TO BE PAINTED BLACK.
EXISTING CURB
EXISTING CURB
EXISTING CURB