**Agenda – Council – January 29, 2026**

**Report – Executive Policy Committee – January 20, 2026**

**Item No. 4 Rezoning – 980 St. James Street**
**(St. James Ward)**
**File DAZ 217/2025 [c/r DAV 220581/2025D]**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2026, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "C3 PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO1" Commercial Corridor District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated December 19, 2025, and attached as Schedule "B" to this report.

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

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendation 1 (the "By-law") and bring same directly to Council by way of communication for first reading.

4. That, upon instruction from the Director of Planning, Property and Development that the developer has paid all fees, charges or other amounts due in respect of DAZ 217/2025 (collectively, the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for consideration for second and third reading.

5. That Development Application No. DAZ 217/2025 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

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

**Report – Executive Policy Committee – January 20, 2026**

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

7. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2025.

## Report – Executive Policy Committee – January 20, 2026

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2026, the Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 6, 2026, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

## PUBLIC HEARING SUMMARY

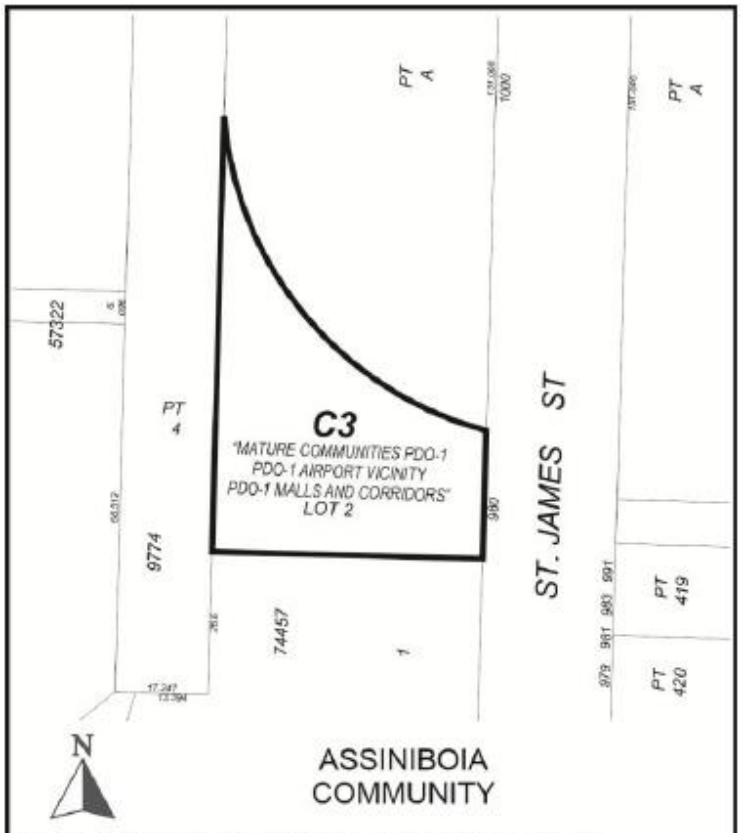
**File:** DAZ 217/2025

**Before:** Assiniboia Community Committee
Councillor Duncan, Chairperson
Councillor Dobson
Councillor Lukes

**Public Hearing:** January 6, 2026
Council Building, 510 Main Street

**Applicant:** The City of Winnipeg
(Director of Planning, Property and Development)

**Subject:**




**APPLICANT:** City of Winnipeg (Rakvinder Hayer)
**FILE:** DAZ 217/2025
**PROPOSAL:** To rezone the land shown outlined above from an "RMU PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO-1" RESIDENTIAL MIXED-USE DISTRICT to a "C3 PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO-1" COMMERCIAL CORRIDOR DISTRICT to facilitate the maintenance of an existing restaurant with drive through use. **For information, phone R. Galston Planner at 204-986-8645.**

**Premises Affected:** 980 St. James Street

**For submission to:** Executive Policy Committee

**Prepared by:** L. Cowan, Senior Committee Clerk
Assiniboia Community Committee

**Report date:** January 7, 2026

**Community Committee Recommendation:**

On January 6, 2026, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "C3 PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO1" Commercial Corridor District in accordance with the proposed by-law attached as Appendix "A" to this report and as shown on the map dated December 19, 2025, and attached as Schedule "B" to this report.

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

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendation 1 (the "By-law") and bring same directly to Council by way of communication for first reading.

4. That, upon instruction from the Director of Planning, Property and Development that the developer has paid all fees, charges or other amounts due in respect of DAZ 217/2025 (collectively, the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for consideration for second and third reading.

5. That Development Application No. DAZ 217/2025 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

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

7. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2025.

The Assiniboia Community Committee provided the following supporting reason for its recommendation:

1. This was just a small error, both lots were changed from C3 to RMU when the intent was only for Lot 1 to be changed to RMU, so this is correcting an error.

| | |
|---|---|
| **Objections under the Charter:** | Total number of valid objections as per section 125(2) – 0<br><br>In accordance with section 236.1(1), the threshold for sufficient objection has not been met. |
| **Exhibits Filed:** | 1. Application dated September 23, 2025<br>2. Notification of Public Hearing dated November 12, 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. Caveats 1065940/1, 5741221/1<br>6. Site Plan<br>7. Plans (1 page)<br>8. Report from the Urban Planning Division dated December 19, 2025<br>9. Inspection Report<br>10. Communication dated January 5, 2026, from Rakvinder Hayer in support of the application<br>11. Recording of Representations |

REPRESENTATIONS:

In Support:

Rakvinder Hayer

In Opposition:

Nil

For Information:

Nil

For the City:

R. Galston, Urban Planner, Planning, Property and Development Department
S. Klassen, Planner, Planning, Property and Development Department
K. Kowalyk, Land Development Engineer, Planning, Property and Development Department

Exhibit “8” referred to in File DAZ 217/2025

# ADMINISTRATIVE REPORT

**Title:** DAZ 217/2025 – 980 St. James Street

**Issue:** For consideration at the public hearing for an application to rezone the subject property to the “C3 PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors” Commercial Corridor District for the maintenance of an existing restaurant and drive-through.

**Critical Path:** Assiniboia Community Committee → Standing Policy Committee on Property and Development, Heritage and Downtown Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

## AUTHORIZATION

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

## RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a “C3 PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO1” Commercial Corridor District in accordance with the proposed by-law attached as Appendix “A” to this report and as shown on the map dated December 19, 2025, and attached as Schedule “B” to this report.
2. That, in lieu of the dedication of land, the developer shall provide a cash payment representing ten percent (10%) of the planned area value of the Development Application (the “Dedication Fee”), as determined by the City’s Director of Planning, Property and Development.
3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a by-law in accordance with recommendation 1 (the “By-law”) and bring same directly to Council by way of communication for first reading.
4. That, upon instruction from the Director of Planning, Property and Development that the developer has paid all fees, charges or other amounts due in respect of DAZ 217/2025 (collectively, the “Fees”), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for consideration for second and third reading.

5. That Development Application No. DAZ 217/2025 will be deemed to be concluded and all approvals in connection with same will expire if the developer has not paid the Fees within 2 years following the date on which Council gives first reading to the By-law, unless the developer applies for an extension of time before the expiration of that 2 year period and Council approves the extension.

6. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

7. That the variance order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DAZ 217/2025;

## REASON FOR THE REPORT

- Rezoning applications require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

## IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Winnipeg Public Service are concurred in, the subject property will be rezoned to the "C3 PDO-1 Airport Vicinity, Mature Communities PDO-1, PDO-1 Malls and Corridors" Commercial Corridor District.

## 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 from the "C3' Commercial Corridor district to the "RMU" Residential Mixed Use district.

## CONSULTATION

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

## SUBMITTED BY

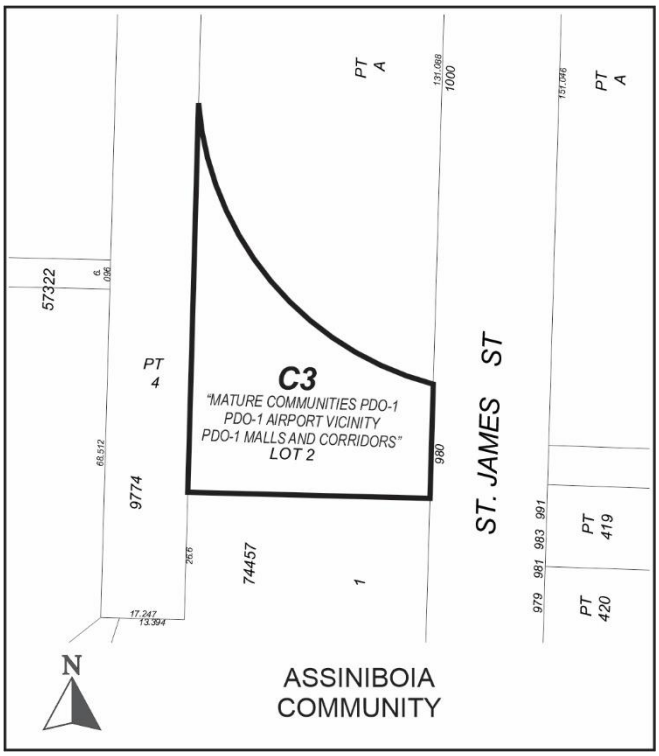
| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning and Design Division |
| Prepared by | Robert Galston, MCP |
| Date: | December 19, 2025 |
| File No. | DAZ 217/2025 |

**List of Schedules and Appendices**

| | |
|---|---|
| Schedule A | Planning Discussion |
| Schedule B | Recommended File No. DAZ 217/2025 Assiniboia Community Committee, dated December 19, 2025 |
| Appendix A | Proposed By-law |

**SCHEDULE 'A'**

| | |
|---|---|
| **FILE:** | **DAZ 217/2025** |
| **RELATED FILES:** | DAV 25-220058/D |
| **COMMUNITY:** | Assiniboia Committee |
| **NEIGHBOURHOOD #:** | 2.125 (Polo Park) |
| **SUBJECT:** | To rezone the subject property to the "C3" Commercial Corridor District |
| **LOCATION:** | 980 St. James Street |
| **LEGAL DESCRIPTION:** | LOT 1 PLAN 74457 WLTO<br>EXC ALL MINES, MINERAL OILS, PETROLEUM, GAS, CLAL, GRAVEL AND VALUABLE STONE IN UPON OR UNDER THE SAID LANDS AND THE RIGHT TO ENTER AND REMOVE THE SAME<br>IN 41 PARISH OF ST JAMES |




| | |
|---|---|
| **APPLICANT:** | Rakvinder Hayer (City of Winnipeg Planning, Property and Development Department)<br>30 Fort Street, Unit 31<br>Winnipeg, MB R3C 4X7 |
| **OWNERS:** | Ranch Asset Management, Inc.<br>335 8 Avenue SW, Unit 1700<br>Calgary, AB T2P 1C9 |

**RECOMMENDATION:** Approval

**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 Uses *(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 maintainance 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 (DAV) Application*
- The proposed development is also the subject of an associated Variance (DAV) application concerning the parking area’s front yard setback. Please refer to the Administrative Report under file no. DAV 25-220581/D for more information on the Variance.

## ANALYSIS AND ISSUES

OURWINNIPEG 2045

- *OurWinnipeg 2045* is the City’s long-range development plan. Per *OurWinnipeg 2045*, the subject site is identified as a Transformative Area – Mixed Use Centre. The policy for this area states:

  *6.25 Mixed Use Centres*

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

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.
- Key *Complete Communities 2.0* policies regarding Regional Mixed Use Centres 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.*

REZONING

- As noted above, the subject site is currently zoned “RMU” Residential Mixed Use.
- The applicant is proposing to rezone the land to the “C3” Commercial Corridor district. The “C3” Commercial Corridor zoning district is intended to:
    - Provide appropriately located areas consistent with the Complete Communities Direction Strategy By-law for retail, service, office, and institutional uses and mixed use where appropriate.
    - Provide adequate space and locations to meet the needs of commercial development.
    - Ensure that the appearance of commercial buildings and lands are of high quality and are harmonious with the character of the area in which they are located.
    - Provide convenient access for pedestrians and transit users from the public street.
- As discussed further, below, the subject site’s surrounding context and policies in the *Complete Communities Direction Strategy 2.0* (outlined above), support the proposed Rezoning to the “C3” Commercial Corridor zoning district.

CONSISTENCY WITH *COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0* AND COMPATIBILITY WITH SURROUNDING AREA

- As noted above, the subject site is located in the Transformative Areas – Regional Mixed Use Centres policy area under the *Complete Communities Direction Strategy 2.0.* This policy area supports the continued commercial function of the area while also supporting mixed-use intensification. The recommended rezoning to the “C3” Commercial Corridor district aligns with these policies.

*Characteristics of the Lot and Surrounding Area*

- As noted above, the subject property has a lot area of 28,244 square feet. This is a suitable size for a restaurant and drive-through use, in that it allows space for drive-through queuing, accessory parking, and loading operations. Specifically, the existing use provides 13 vehicle queuing spaces in the drive-through, 29 accessory parking stalls, and one (1) loading space. This meets or exceeds the Winnipeg Zoning By-law requirements.
- The proposed development is to be located within an area that is primarily established with commercial uses, including restaurant uses.
- As noted above, no changes to the site are proposed. This includes no building alterations, additions, or changes to the site layout.
- The proposal requires an associated Variance to maintain a reduced front yard setback. Please refer to associated file no. DAV 25-220581/D for further information and discussion.

PUBLIC 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.

CONDITIONS OF APPROVAL

*Land Dedication*

- As a condition of rezoning or subdivision of a parcel of land, a developer is required to contribute a portion of the land to be developed to the City of Winnipeg for parks purposes. The amount of land is not less than 10 percent.
- In the case of the subject proposed rezoning, the Planning, Property and Development Department is recommending that the developer provide ‘cash in lieu’ of a dedication of land for the appraised value of the subject site.

RECOMMENDATION

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

- The “C3” Commercial Corridor zoning district accommodates the current restaurant and drive-through use, and accommodates future development consistent with policies for Regional Mixed Use Centres in *Complete Communities Direction Strategy 2.0*.
- No change to the building, use, or site layout is proposed as part of this development.
- The proposed restaurant and drive-through use have operated on the subject site since 2002.
- The rezoning is required due to an error by the City of Winnipeg whereby in September 2023, this land was rezoned inadvertently in conjunction with the rezoning of the land at 914 St. James Street, which is the adjacent site to the south.

This Report Submitted by:

Planning, Property and Development Department

Urban Planning Division

Report Prepared by: Robert Galston, MCP
PPD File #: DAZ 217/2025

**Schedule "B" for File DAZ 217/2025, Assiniboia Community Committee, dated December 19, 2025**

By-Law No. _____

File No. **DAZ 217/2025**

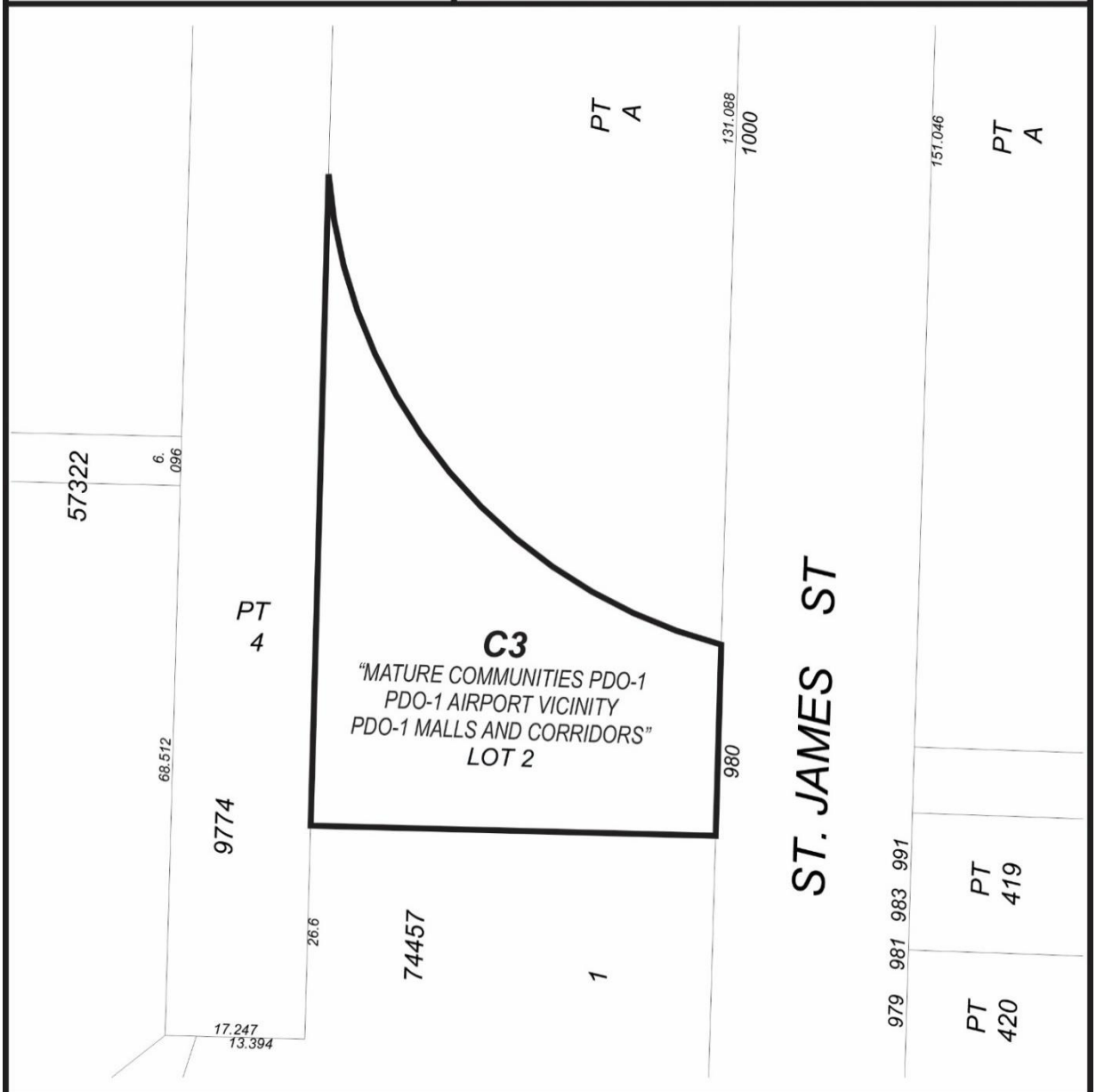
Atlas Sheet No. **Z20**

N

**ASSINIBOIA COMMUNITY**

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 980 St James Street from an "RMU PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO-1" RESIDENTIAL MIXED-USE DISTRICT to a "C3 PDO-1 AIRPORT VICINITY PDO-1 MALLS AND CORRIDORS MATURE COMMUNITIES PDO-1" COMMERCIAL CORRIDOR DISTRICT to facilitate the maintenance of an existing restaurant with drive through use.




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Exhibit “7” referred to in File DAZ 217/2025

