Agenda – Appeal Committee – July 8, 2026

PUBLIC HEARINGS

Item No. 1 **Appeal – Conditional Use – 7 Myles Robinson Way**
(St. Boniface Ward)
File DCU 139113A/2026B

An appeal was received against the decision of the Director of Planning, Property and Development, to approve a Conditional Use to permit on "the land" a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to establish as a home-based business;

subject to the following conditions:

1. That, the hours of operation for the daycare on the premises shall be limited to between 7:30 a.m. and 5:00 p.m. Monday to Friday inclusive.

2. That, the operator of the home-based business must be a resident of the dwelling where the home-based business is being conducted.

3. That, there shall be no more than two (2) non-resident employees on the premises at any time.

4. That, no other home-based business shall be conducted on the premises.

5. That, care shall be provided to not more than twelve (12) children on the premises and the day care shall be licensed in accordance with the Provincial Child Care Licensing authority.

6. That, a pickup/drop off area shall be provided to ensure the safety of persons entering and leaving the premises.

7. That, the Conditional Use granted by this order to establish a daycare, maximum twelve (12) children, with two (2) non-resident employees on the premises shall terminate on June 15th, 2031.

Agenda – Appeal Committee – July 8, 2026

File:	DCU 139113A/2026B
Appellant:	Robert Nerbas
Applicant:	Abimbola Wahab
Premises Affected:	7 Myles Robinson Way
Legal Description:	LOT 2 BLOCK 2 PLAN 20225 RCMP , hereinafter called "the land"
Property Zoned:	"R1-M" (Residential Single-Family – Medium)
Nature of the Application:	For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 to permit a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to establish as a home-based business.

Exhibits Filed:

1. Order DCU 139113/2026B dated May 29, 2026
2. Notice of Appeal filed by Robert Nerbas, received June 5, 2026
3. Notification of Public Hearing dated June 18, 2026
4. Manitoba Status of Title 3250127/1
5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
6. Plans, Sheets 1 and 2, for File DCU 139113/2026B dated May 19, 2026
7. Communication dated June 24, 2026, from Tajudeen Bello in opposition to the appeal
8. Communication dated June 29, 2026, from Sarah Okenwa in opposition to the appeal
9. Communication dated June 29, 2026, from Regina Sobowale in opposition to the appeal
10. Communication dated June 29, 2026, from Justin and Danielle Park in opposition to the appeal
11. Report from the Urban Planning Division dated May 20, 2026
12. Inspection Report

The Winnipeg Public Service to advise that all statutory requirements with respect to this appeal 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 Section 254 and Subsection 247(3) of The City of Winnipeg Charter, the Conditional Use,

(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; 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 appeal be allowed / denied and the decision of the Director of Planning, Property and Development be / not be concurred in.

Moved by Councillor,

That Conditional Use Order DCU 139113/2026B be confirmed / cancelled.

Moved by Councillor

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

Exhibit “11” referred to in File DCU 139113A/2026B

PLANNING ADMINISTRATIVE REPORT

Title: DCU 26-139113\B – 7 Myles Robinson Way

Issue: For consideration of a Conditional Use for an existing home-based business (daycare) for 8 to 12 children with two (2) non-resident employees.

Critical Path: Director of Planning, Property, and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
Donna Kane	n/a	n/a	

DECISION AND CONDITIONS

The Urban Planning and Design Division **approves** the application for a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 to permit a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to establish as a home-based business.

Subject to the following condition(s):

1) That, the hours of operation for the daycare on the premises shall be limited to between 7:30 a.m. and 5:00 p.m. Monday to Friday inclusive.
2) That, the operator of the home-based business must be a resident of the dwelling where the home-based business is being conducted.
3) That, there shall be no more than two (2) non-resident employees on the premises at any time.
4) That, no other home-based business shall be conducted on the premises.
5) That, care shall be provided to not more than twelve (12) children on the premises and the day care shall be licensed in accordance with the Provincial Child Care Licensing authority.
6) That, a pickup/drop off area shall be provided to ensure the safety of persons entering and leaving the premises.
7) That, the Conditional Use granted by this order to establish a daycare, maximum twelve (12) children, with two (2) non-resident employees on the premises shall terminate on June 15th, 2031.

REASON FOR THE REPORT

- The applicant is proposing to maintain a daycare use and requires a Conditional Use under 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:	**DCU 26-139113\B**
RELATED FILES:	N**/A**
COMMUNITY:	Riel Committee
NEIGHBOURHOOD #:	5.556 - (ISLAND LAKES)
SUBJECT:	For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 to permit a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to establish as a home-based business.
LOCATION:	7 Myles Robinson Way
LEGAL DESCRIPTION:	LOT 2 BLOCK 2 PLAN 20225 RCMP
APPLICANT:	Abimbola Wahab 7 Myles Robinson Way Winnipeg, MB R3X 1M6
OWNER:	Abimbola Wahab 7 Myles Robinson Way Winnipeg, MB R3X 1M6

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

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

(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;

(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 Myles Robinson Way, north of Desjardins Drive in the Island Lakes neighbourhood of the St Boniface ward.
- The subject site is 6,221 square feet (577.9 square metres) in area. The site is currently occupied by a two (2) storey 1,981 square foot single-family dwelling built in 1986 used as a private residence.
- The subject site is accessed by a driveway leading from Myles Robinson Way to the attached garage.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single-family residential uses zoned “R1-M” Single-Family Medium

South: Single-family residential uses zoned “R1-M” Single-Family Medium

East: Single-family residential uses zoned “R1-M” Single-Family Medium

West: Single-family residential uses zoned “R1-M” Single-Family Medium



Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to maintain a home-based business as a daycare for twelve (12) children and two (2) non-resident employees.
- The existing driveway on site will provide a safe drop-off/pick-up area.
- Hours of operation will be Monday to Friday from 7:30 am – 5:00 pm.

Reason for Conditional Use

In the “R1-M” District, a home-based business is proposing to have twelve (12) children and two (2) non-resident employees attend the premises. For this reason, a Conditional Use is required.

ANALYSIS AND ISSUES

ANALYSIS OF CONDITIONAL USE

The existing home-based business having twelve (12) children and two (2) non-resident employees attending the premises is compatible in a residential district.

The existing home-based business will operate out of the main floor of the dwelling and will be compatible with the existing uses in the neighbourhood.

There have been no complaints filed with this Department during the first two (2) years of operation.

However, due to the nature of the home-based business, it is recommended that the home-based business should be permitted for a five (5) year probationary period to monitor its continued operation and effect.

CONDITIONS OF APPROVAL

1) That, the hours of operation for the daycare on the premises shall be limited to between 7:30 a.m. and 5:00 p.m. Monday to Friday inclusive.
2) That, the operator of the home-based business must be a resident of the dwelling where the home-based business is being conducted.
3) That, there shall be no more than two (2) non-resident employees on the premises at any time.
4) That, no other home-based business shall be conducted on the premises.
5) That, care shall be provided to not more than twelve (12) children on the premises and the day care shall be licensed in accordance with the Provincial Child Care Licensing authority.
6) That, a pickup/drop off area shall be provided to ensure the safety of persons entering and leaving the premises.
7) That, the Conditional Use granted by this order to establish a daycare, maximum twelve (12) children, with two (2) non-resident employees on the premises shall terminate on June 15th, 2031.

REASONS FOR DECISION

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

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

In that, it provides an additional range of services and amenities within walking distance to meet daily needs.

(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, due to the small scale and provided drop-off/pick-up area there will be no adverse effect upon the adjacent properties or neighbourhood.

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

In that, there are many similar home-based businesses of this nature approved throughout the City without disruption to the neighbourhood.

CONSULTATION

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

OURWINNIPEG 2045 POLICY ALIGNMENT

OurWinnipeg Goal: City Building
Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support *Complete Communities* principles, to achieve this Plan's sustainable development goals.

- Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

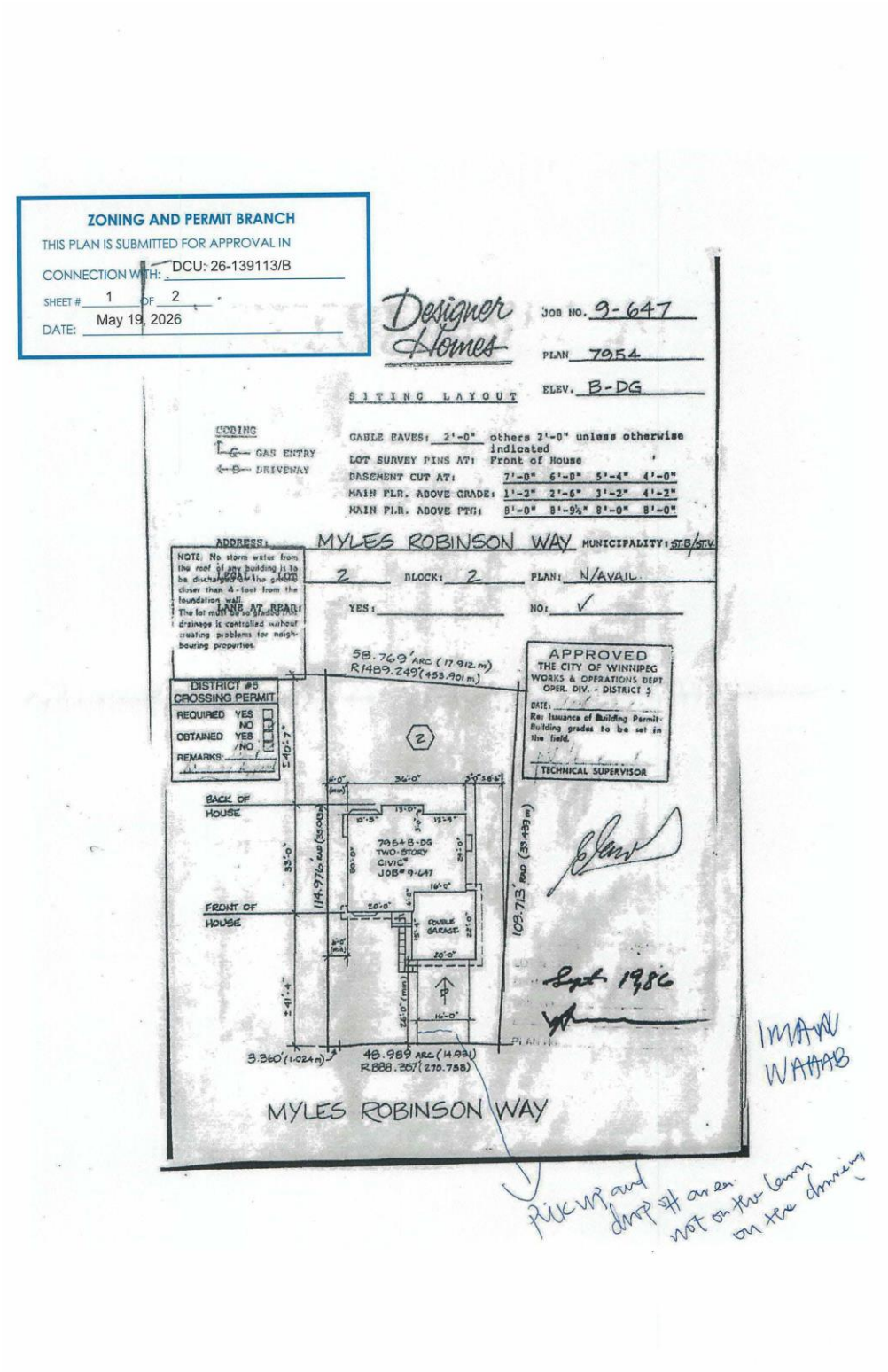
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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:	Donna Kane
Date:	Wednesday, May 20, 2026
File No.	DCU 26-139113\B

Exhibit “6” referred to in File DCU 139113A/2026B



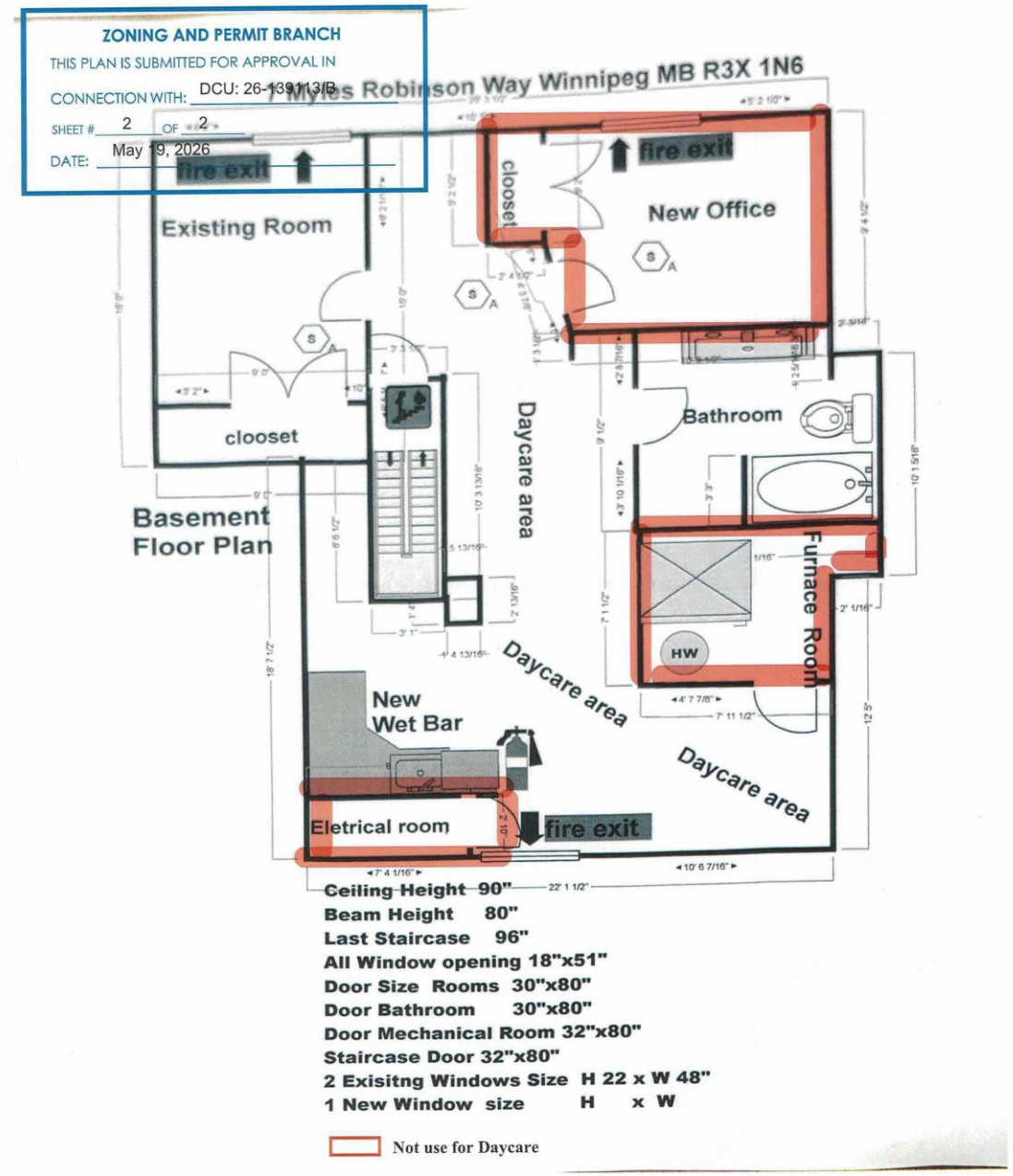

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DCU: 26-139713/B
SHEET # 2 OF 2
DATE: May 19, 2026
7 Myles Robinson Way Winnipeg MB R3X 1N6
fire exit
Existing Room
clooset
fire exit
New Office
clooset
Daycare area
Bathroom
Basement
Floor Plan
Furnace Room
HW
Daycare area
New
Wet Bar
Daycare area
Eletrical room
fire exit
Ceiling Height 90"
Beam Height 80"
Last Staircase 96"
All Window opening 18"x51"
Door Size Rooms 30"x80"
Door Bathroom 30"x80"
Door Mechanical Room 32"x80"
Staircase Door 32"x80"
2 Exisitng Windows Size H 22 x W 48"
1 New Window size H x W
Not use for Daycare

Exhibit “2” referred to in File DCU 139113A/2026B

Robert Nerbas

Hello: Office of the City Clerk

Concerning : DCU 26-139113B, 7 Miles Robinson Way

I am appealing for a conditional use under Winnipeg Zoning By-Law 200/2006 to permit a daycare use (maximum of 12 children having (2) non resident employees providing a per personal service on the premises to establish as a home-based business.

My concerns are the street is only for residential use only and having a business which involves a day care will increase traffic and noise.

Robert Nerbas

Exhibit “1” referred to in File DCU 139113A/2026B

Planning, Property and Development Department
Service de l'urbanisme, des biens et de l'aménagement
Unit 31 – 30 Fort Street • 30, rue Fort, unité 31 • Winnipeg • Manitoba R3C 4X7

CONDITIONAL USE ORDER

DCU 26-139113/B

APPLICANT: ABIMBOLA WAHAB
7 MYLES ROBINSON WAY
WINNIPEG MB R3X 1M6

PREMISES AFFECTED: 7 Myles Robinson Way
LEGAL DESCRIPTION: LOT 2 BLOCK 2 PLAN 20225 RCMP
hereinafter called "the land".
PROPERTY ZONED: R1-M
ZONING ATLAS SHEET: AG30
NATURE OF APPLICATION:

For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 to permit a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to establish as a home-based business.

It is the opinion of the Director of Planning, Property and Development Department that subject to conditions listed below, if any, this order meets the statutory criteria of the City of Winnipeg Charter in that it:

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

C.W. Charter Section 254 and Subsection 247(3)

ORDER:
RE: 7 Myles Robinson Way

The Director of Planning, Property and Development Department hereby orders thatFor a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 to permit a daycare use (maximum of 12 children) having two (2) non-resident employees providing a personal service on the premises to e stablish as a home-based business **is APPROVED** on "the land", subject to the following condition(s) which the Director of Planning, Property and Development Department considers necessary to ensure compliance with criteria (a) to (d) above, namely:

1) That, the hours of operation for the daycare on the premises shall be limited to between 7:30 a.m. and 5:00 p.m. Monday to Friday inclusive.
2) That, the operator of the home-based business must be a resident of the dwelling where the home-based business is being conducted.
3) That, there shall be no more than two (2) non-resident employees on the premises at any time.
4) That, no other home-based business shall be conducted on the premises.
5) That, care shall be provided to not more than twelve (12) children on the premises and the day care shall be licensed in accordance with the Provincial Child Care Licensing authority.
6) That, a pickup/drop off area shall be provided to ensure the safety of persons entering and leaving the premises.
7) That, the Conditional Use granted by this order to establish a daycare, maximum twelve (12) children, with two (2) non-resident employees on the premises shall terminate on June 15th, 2031.

DATE OF ORDER: May 29, 2026

CERTIFIED BY:



for the Director Planning, Property and Development Department

HOW TO APPEAL

You can appeal this order by filing a letter of appeal with the City Clerk. Note that, in filing the appeal, the entirety of the order is subject to review by the designated committee at the appeal hearing. The appeal letter must:

(a) be addressed as set out below,

(b) be received at that office not later than 4:30 p.m. on June 12, 2026
[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Conditional Use Order DCU 26-139113/B, give brief reasons and describe whether you appeal the whole order or only part(s) of it.

You can attend the appeal hearing and speak on issues raised in someone else's appeal; but the designated committee can only rule on issues raised in appeals filed. If you are not sure what others have appealed you should file your own appeal.

Address: City Clerk, City of Winnipeg
c/o Appeals Committee
Susan A. Thompson Bldg.
510 Main Street
Winnipeg, MB, R3B 1B9
Fax 947-3452
Email: clk-appeals@winnipeg.ca