

ADMINISTRATIVE REPORT

Title: DCU 24-272895\C – 726 Osborne Street

Issue: For a Conditional Use to establish a craft brewery, distillery, or winery use.

Critical Path: Director of Planning, Property, and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
Choi Ho, RPP, MCIP	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 craft brewery, distillery or winery use.

Subject to the following condition(s):

1. That the development shall be constructed in substantial conformance with the plans submitted under File No. DCU 24-272895\C, dated December 16, 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. parking;
- iii. garbage enclosures;
- iv. fencing; and
- v. landscaping

on the Owner's Land ("Works") to the Director of Planning, Property and Development ("Director") 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.

2. That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.
3. That the Conditional Use granted by the Order shall be operated in compliance with the Neighbourhood Liveability By-law.

4. No emission or projection of sound, from loudspeakers or from any other sound-amplifying equipment shall extend beyond the perimeter of the outdoor dining/drinking area, audible from any adjacent property.
5. All outdoor dining/drinking area service shall be stopped and all customers relocated inside the establishment by 11:00pm Sunday to Thursday, 12:00 a.m. Friday and Saturday nights.

REASON FOR THE REPORT

- The applicant is proposing to establish a craft brewery, distillery, or winery use and requires a Conditional Use per 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 24-272895\C
RELATED FILES:	N/A
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.666 - (RIVERVIEW)
SUBJECT:	For a Conditional Use under <i>Zoning By-Law No. 200/2006</i> to permit a craft brewery, distillery or winery use.
LOCATION:	726 Osborne St
LEGAL DESCRIPTION:	LOT 1 PLAN 27987 17/21 ST B
APPLICANT:	Scott Tackaberry (World Domination Inc o/a Dastardly Villain) 522 Beresford Ave Winnipeg, MB R2L 1J5
OWNER:	Scott Tackaberry 522 Beresford Ave Winnipeg, MB R3L 1J5

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 Osborne Street between Baltimore Road and Ashland Avenue, in the Riverview neighbourhood of the Fort Rouge - East Fort Garry ward.
- The property has a total lot area of 6,784 square feet (630.2 square metres).
- The site is currently occupied by a retail commercial use.
- The site is accessed via a concrete rear public lane.
- The site is designated “Established Neighbourhood - Mature Community” under the *Complete Communities Direction Strategy 2.0* (CCDS 2.0).
- The property is in the “C2” (Commercial – Community) zoning district.



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

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: 722 and 722 ½ Osborne Street – commercial uses zoned “C2” (Commercial – Community).

South: 730 Osborne Street – a commercial use zoned “C2” (Commercial – Community).

East: Rear public lane, then 368 Baltimore Road and 357 Ashland Avenue – residential single-family dwelling uses zoned “R1-L” (Residential Single-Family – Large).

West: Beresford Avenue and Osborne Street intersection, then 747 Osborne Street – a vehicle service related use zoned “C2” (Commercial – Community) and 717 Osborne Street – a mixed-use commercial and residential use zoned “C2” (Commercial – Community).

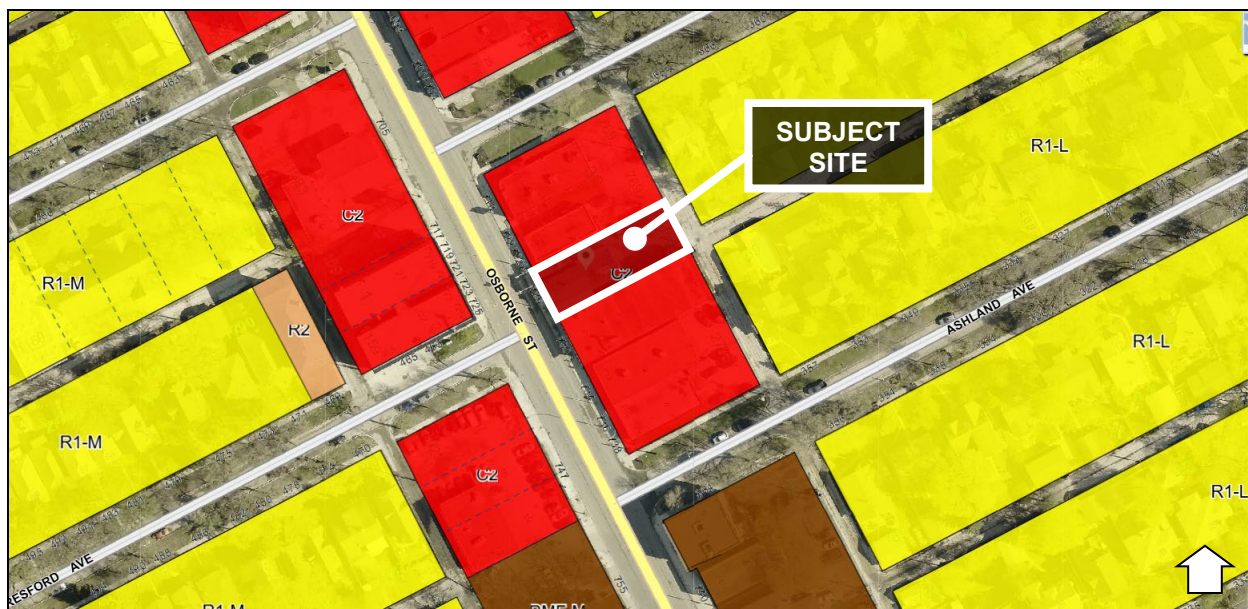


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to establish a craft brewery and tasting room within the existing commercial building at 726 Osborne Street.
- The brewing area will be located in the southeast wing of the building and will be 300 square feet in area.
- The tasting room will in the northeast wing and central area of the building.
- An accessory outdoor dining/drinking area will be located in the rear and east area of the building.
- Retail sales will be contained in the central area of the building.
- Four (4) washrooms will be provided. Two (2) of the four (4) washrooms will be accessible.
- Four (4) existing parking spaces are located off the rear public lane.
- Loading will be from the rear of the building, with access from the public lane.
- The applicant indicated the anticipated hours of operation will be from 11:00 am to 10:00 pm.

COLLABORATIVE PLANNING AND CONSULTATION

With the Public

- The applicant did not submit any written support or signatures of support with their application.

REASON FOR APPLICATION

The *Winnipeg Zoning By-law* enables the establishment of a craft brewery, distillery or winery use in the *Neighbourhood Main Streets PDO* through the Conditional Use process subject to two (2) use specific standards:

- *“The area dedicated to the production and storage of beer, wine or other liquor in a craft brewery, distillery or winery is limited to a maximum of 5,000 square feet of gross floor area.”*
- *“A minimum of 10% of the gross floor area of the craft brewery, distillery or winery must be dedicated to a tasting room or a commercial sales and service use that is associated with the craft brewery, distillery or winery.”*

The proposed use complies with both use specific standards above. Given the subject property is regulated by the *Neighbourhood Main Streets PDO*, a Conditional Use is still required to permit a craft brewery, distillery or winery use.

ANALYSIS AND ISSUES

Complete Communities Direction Strategy 2.0

- The *Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the City of Winnipeg.
- The subject site is located in the “Urban Mixed Use Corridors” policy area in CCDS 2.0. The proposal aligns with the following goals and policies:
 - Goal 2
 - 2.0 Prioritize city investment through focused support of development on Priority Corridors.
 - *“2.1 Recognize Priority Corridors as the Corridors that provide the best opportunity to achieve Complete Communities objectives.”*
 - Goal 3
 - 3.0 Ensure Corridors provide a comfortable pedestrian environment and attractive public realm.
 - *“3.1 Ensure that development on Urban Mixed Use Corridors is designed to prioritize a comfortable pedestrian environment and attractive public realm through the use of design elements which may include, but are not limited to the following:*
 - *3.1.1 Providing minimal building setbacks from the public right-of-way to define the street edge.*
 - *3.1.2 Having entrances provide direct access to the public sidewalk.*
 - *3.1.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.*
 - *3.1.4 Encouraging balconies and public spaces, such as plazas, patios, or other pedestrian amenities.*
 - *3.1.5 Minimizing impacts of vehicular access and parking on the pedestrian environment by having vehicular access off of existing lanes.*
 - *3.1.6 Encouraging the location of parking above- or below-grade, or behind the primary building. Parking located beside the building may be acceptable if the parking area occupies a minimal area and high-quality screening from the public right-of-way is provided.*
 - *3.1.7 Promoting pedestrian-scale signage.”*
 - Goal 4
 - 4.0 Use Corridors to provide local commercial amenities and opportunities for the surrounding neighbourhood and community.
 - *“4.1 Maintain ground floor commercial space when redeveloping properties in Urban Mixed Use Corridors.”*

City of Winnipeg Zoning By-Law 200/2006

- A craft brewery, distillery or winery is defined as a facility that possesses the appropriate license(s) issued by the Province of Manitoba to allow it to produce onsite, sell, and distribute beer, wine or other liquor or distilled spirits.
 - All processes, functions and mechanical equipment directly associated with the production of beer, wine or other liquor must be contained inside a building.
 - A tasting room established in accordance with all Province of Manitoba regulations and licensing requirements for the consumption of beer, wine or other liquor may form part of the craft brewery, distillery or winery.
- In the *Winnipeg Zoning By-law*, a craft brewery, distillery or winery use is a Conditional Use in the “C2” (Commercial - Community) zoning district.
- The proposal is within the *Neighbourhood Main Streets Planned Development Overlay* (PDO) which is intended to protect the scale and character of the pedestrian oriented, neighbourhood scale commercial areas in older areas of the city, to prevent the proliferation of certain uses that will erode the scale, character, or walkability of those areas, and to protect the surrounding neighbourhoods from adverse impacts of active commercial uses in close proximity to residential areas.
 - Within the *Neighbourhood Main Streets PDO*, a craft brewery, distillery or winery use may be approved only as Conditional Uses.

For these above reasons, a Conditional Use is required.

Analysis of Conditional Use

- The *Winnipeg Zoning By-law* categorizes certain land uses as “conditional” due to their potential to pose impact on adjacent uses. The Conditional Use process enables the Public Service to undertake additional analysis and determine the suitability of a proposal.
 - Conditional Uses are supported when they have demonstrated they are compatible with the existing development context and will not have any substantial adverse effects on the surrounding area.
- The Urban Planning and Design Division **supports** the proposed Conditional Use for the following reasons:
 - The proposed craft brewery, distillery or winery use is well below the maximum 5,000 square feet of gross floor area for the production and storage of beer, wine or other liquor and meets the minimum 10% gross floor area dedicated to a tasting room, thus complying with the use specific standards outlined in the *Winnipeg Zoning By-law*.
 - The existing commercial building and commercial use demonstrates it is compatible with the amenities, use, safety and convenience of the adjoining property and adjacent area.
 - The Conditional Use requires minimal exterior building alterations (primarily to improve building accessibility) thus the built form, character, and scale of the building remains consistent with the existing development context.

- The proposal enables the continued efficient use of an existing commercial building and will allow a ground floor commercial space to be maintained along this Urban Mixed Use Corridor.
- The craft brewery, distillery or winery use will add a new, attractive and active commercial use on this pedestrian oriented, walkable, bikeable, and transit-connected section of Osborne Street.

REASONS FOR DECISION

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

- (a) is consistent with *Plan Winnipeg* and any applicable secondary plan;
In that, the proposed use is consistent with the policies for “Urban Mixed Use Corridors” in *Complete Communities Directions Strategy 2.0*.
- (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 redevelopment proposes minimal exterior building changes and is compatible with abutting and adjacent buildings and uses on Osborne Street and in the community.
- (d) is compatible with the area in which the property to be affected is situated.
In that, the proposed craft brewery, distillery or winery use is located within an existing commercial building and complies with use specific standards that ensure the use is developed at a compatible, comfortable, and high-quality pedestrian-oriented and neighbourhood scale.

OURWINNIPEG 2045 POLICY ALIGNMENT

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.”

City Building Objective #3: Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset.

- “New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure.”

“6.23 Urban Mixed Use Corridors

Prioritize the creation of a comfortable pedestrian environment and attractive public realm along Urban Mixed Use Corridors through design guidelines and infrastructure investments.”

“6.40 Commercial Areas

Facilitate the redevelopment, infill, and expansion of existing commercial areas as the preferred method of accommodating new commercial development, while also accommodating local commercial amenities in new neighbourhoods, to ensure completeness from its inception.”

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.”*

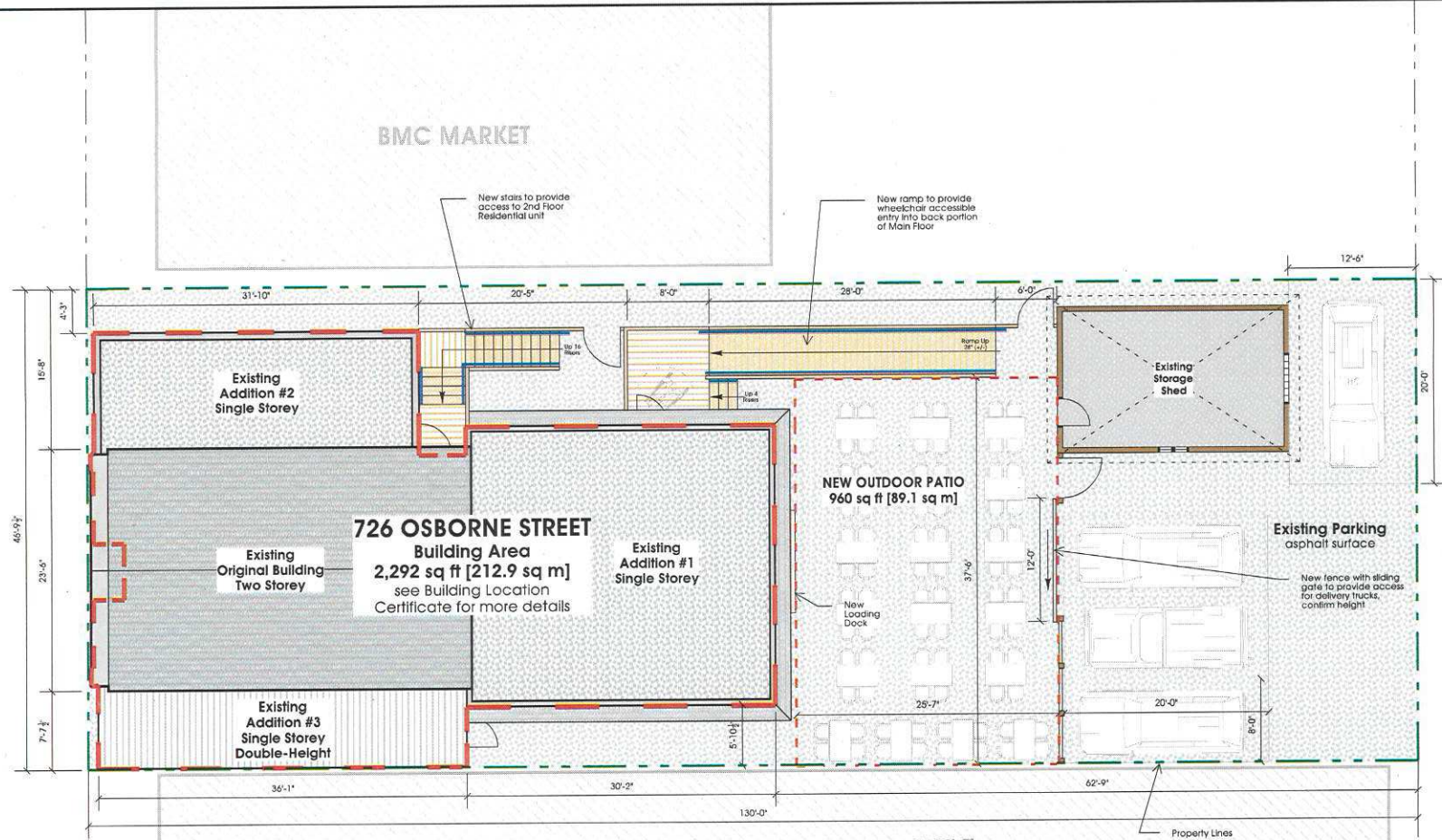
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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: Choi Ho, RPP, MCIP
Date: January 7, 2025
File No. DCU 24-272895\C

OSBORNE STREET



ZONING AND PERMITS
BRANCH

PARK ALLEYS

THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 24-272895/C

SHEET# 1 OF 2

APPLICATION (SGD.) _____

DEV EXAM. OK

DATE 12/16/2024

PRELIMINARY ONLY
NOT CONSTRUCTION
DOCUMENTS

DASTARDLY VILLAIN BREWPUB
726 Osborne Street
Winnipeg Manitoba
November 29, 2024
site plan
3/32" = 1'-0"

Dimensions are approximate only
& must be confirmed on site.



A1

PUBLIC LANE

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ZONING AND PERMITS
BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL
IN CONNECTION WITH DCU 24-272845/C
SHEET# 2 OF 2
APPLICATION (SGD.) _____
DEV EXAM. Allen
DATE 12/10/2024

