Winnipeg | Planning, Property & Development
Urbanisme, biens et aménagement

Fee Waiver Committee Decision Form

Applicant Information:

Applicant Name	Denis Vrignon-Tessier
Applicant Email	
Affected Municipal Property Address	393A Horace Street
Permit or Folder Number	25-273652 VC
Fee or Penalty Amount ($)	$824.25
Fee Description/Fee Name	Conditional Use Fee

Fee Waiver Committee Decision:

Decision	**Denied**	Date	**February 10, 2026**

The Fee Waiver Committee has met and recommended the application be **Denied.**

The Committee has reviewed the details of your application, and found that the Conditional Use Fee was correctly applied in accordance with the relevant By-laws, therefore your application is **Denied**.

Under the Winnipeg Zoning By-law, the Use Specific Standard 120.1(e) is very explicit in that a short term rental use is not permitted within a secondary suite, attached.
The dwelling was not established as a two-family dwelling, this is a secondary suite use that is accessory to a single-family dwelling.

If the denied fee has not been paid, a payment is still required;
If the denied fee has been paid, no further action is required by you.

Appeal Information:

In accordance with section 189 (1) (b) (ii) of The City of Winnipeg Charter, you may appeal this decision. To do so, you must send your written appeal by **February 24, 2026** to:

Standing Policy Committee on Property and Development
Attention:
City Clerk's Department
510 Main Street, Winnipeg MB R3B 1B9

Fax: 204-947-3452 • CLK-Appeals@winnipeg.ca

Fee Waiver Committee
Development & Inspections Division
Per:
K.Happychuk (*)
Kelly Happychuk
Fee Waiver Committee Chair
Chief of Enforcement and Investigations
Development and Inspections Division
Planning, Property and Development
City of Winnipeg
/sm

Application for Fee/Penalty Review
Fee Waiver Committee

Only one fee/monetary penalty can be submitted per application. If you are requesting a fee waiver for multiple fees/monetary penalties, please submit a separate application for each.

All fields are mandatory.

Application Information

Date of request (mm/dd/yyyy): 01/22/2026	Fee amount: $ 824.25
*Name: Denis Vrignon-Tessier	*Email address:
Address of affected property: 393A Horace	Permit number: 25 273652 VC (application no.)
Are there any attachments included?	Yes ☑ No ☐

*Name and email address included must be either the property owner or a contact listed on the permit file associated with this fee waiver request. If you do not have an email address, submit your application via mail.

Indicate the fee/monetary penalty you are requesting to be waived (select one):

☐	Administration fee for issuance of an Order
☐	Fee for work without permit
☐	Fee for work not ready for inspection when inspection arranged
☐	Fee for inspector unable to gain access
☐	Fee for inspection cancelled same day
☐	Fee for unsafe work site
☐	Fee for incorrect or insufficient information provided / no address on site, building or suite
☐	Fee for failing to call for a re-inspection of a defect within 30 days of being identified
☐	Fee for occupying without an occupancy permit
☑	Other fee – please specify: Requesting a waiving of fees for Conditional Use Application

Describe reasons for the fee waiver request in as much detail as possible. You may include an attachment if more space is required.

This is a brief, point form summary of the reasons I highlight in the letters accompanying our conditional use application (see attached files). Note STRA = Short Term Rental Accomodations , SS = Secondary Suites, CUA = Conditional Use Application

- The CoW allows STRA within whole homes, rooms within these, or as part of 1/2 of duplex suites or other with some minor limitations on length of stay. Secondly, there are countless examples of the city allowing informal basement suites (not officially permited as SS) to be used for STRA's. Secondary suites, are in practice, identical to the outcome achieved by all other examples listed, yet it is prohibited from use as STRA.
- We applied for permit to officialy allow the upstairs as a secondary suite, for eventual use as a STRA in Summer of 2022, prior to the new bylaw in Feb. 2023, preventing their use for STRA. Had we simply converted the space without a SS designation, this would not have created this barrier and the city would have allowed it for STRA, without a need for a CUA. It is for these reasons that we feel it is an unreasonable burden to have to pay significant CUA fee. In short, the outcome of allowing an SS for STRA is identical to many other uses, yet it is the only scenario requing the fee and CUA. The bylaw and inconsistent enforcement of what is a SS, creates an unreasonable double standard

Submit completed application via email or mail to:

Secretary to the Fee Waiver Committee
Development & Inspections Division
Planning, Property & Development Department
4th Floor - 65 Garry Street, Winnipeg, MB R3C 4K4

Email: PPD-FeeWaiver-Committee@winnipeg.ca

Your personal information is being collected consistent with the requirements and limitations set out under The Freedom of Information and Protection of Privacy Act. This collection of personal information is authorized by section 36(1)(b) of The FIPPA for the administration and operation of The Planning, Development and Building Fees By-law No. 66/2016. Your information is protected by FIPPA's privacy provisions and will not be used or disclosed for any other purpose, except as authorized by law. Contact the City of Winnipeg's Corporate Access and Privacy Officer by mail (City Clerk's Department, Susan A. Thompson Building, 510 Main Street, Winnipeg MB, R3B 1B9) or by telephone (311) if you have questions about this collection of your personal information.

"Exhibit 2" - Appeal - The Planning, Development and Building Fees By-law No. 66/2016 - 393A Horace Street

From: Denis V.T.
Sent: February 10, 2026 1:31 PM
To: CLK-Appeals <clk-appeals@winnipeg.ca>; PPD-FeeWaiver-Committee <PPD-FeeWaiver-Committee@winnipeg.ca>
Subject: Appeal for Fee Waiver Decision (393 A Horace st.)

EXTERNAL EMAIL : Proceed with Caution!
Think carefully before you click on a link, open an attachment, or scan a QR code. NEVER provide User IDs or Passwords.
_____

Good afternoon to the
Standing Policy Committee on Property Development and Fee Waiver Committee.
Attn: City Clerks' Department.

I'm writing to appeal the decision of the Fee Waiver Committee (attached) and received today (February 10th 2026).

The decision reads as follows (see italicized text):
*The Fee Waiver Committee has met and recommended the application be **Denied.***
*The Committee has reviewed the details of your application, and found that the Conditional Use Fee was correctly applied in accordance with the relevant By-laws, therefore your application is **Denied**.*
Under the Winnipeg Zoning By-law, the Use Specific Standard 120.1(e) is very explicit in that a short term rental use is not permitted within a secondary suite, attached.
The dwelling was not established as a two-family dwelling, this is a secondary suite use that is accessory to a single-family dwelling.
If the denied fee has not been paid, a payment is still required;
If the denied fee has been paid, no further action is required by you.

Please see below for my commentary and reasoning for appealing the decision.

1) It appears the committee has not reviewed the reasons provided for the request (see form attached).
- We are not arguing that the fee was "incorrectly" applied.
- We understand that the current rules in place prohibit secondary suites for STRA.
- Our argument is about the foundation of the Secondary Suite Prohibition for STRA and how there are glaring loopholes within the bylaw that effectively allow it, if called by another name. Specifically when named "Basement development" or other development types.

2) The crux of our argument is two-fold :
a) It is related to the fact that the City's regulations for STRA allow use of developed spaces within "Single Family Homes". By developed spaces, I mean basements or other portions of homes that have a clearly labelled separate entrance, kitchen, living areas, bathrooms and bedrooms. My argument is that, apart from minor code differences, from a zoning perspective, these are identical in function to a "labelled" secondary suite. There is clear evidence from numerous approved Airbnb or other

listings that the City is allowing these kinds of development to be used for STRA. Why, if a secondary suite is essentially identical to these basement developments, are the rules different? No one has addressed this from the City.
This is the major problem from our perspective:
With satire in mind, this seems akin to the city stating: "The rules say that blue houses are prohibited, therefore, this blue house will not be allowed". I'm asking, why is the blue house, which is identical in nature to the red house (from a zoning perspective) not allowed? And the city maintains its answer "Because it is blue".

A) The second part of our argument is the timing of the bylaw.
We applied for official secondary suite status in 2022 (for use as STRA) before the bylaw preventing them for STRA came into place in 2023.
If we had know this bylaw would come into place after the fact

AND

B) If we had known the city allows "informal basement suites or other" to be used for STRA, we would never have proceeded with the secondary suite designation and what seemed like the legal, permitted route for creating second kitchens etc. From a financial perspective, it is to say, we could have simply developed the space as part of our SFH. If so, we would never have had to pay for a conditional use application based on the precedent for all other acceptable "basement development examples in SFH's"

It is mainly from this perspective we think it is unreasonable to have to pay a conditional use application fee. We have had to pay far more in both the SS conversion permit, and the Conditional use application than an individual simply developing their basement or other.

Can someone at the city respond to these points a + b in any future response?

It has been exceedingly frustrating to attempt to communicate our perspective to the city's zoning, planning, and now waiver committee to the apparent inequities and have it continually be ignored or not acknowledged.

Thank you,

Winnipeg | City Clerk's Department
Bureau du Greffier

REGISTERED MAIL RN 864 653 687 CA

February 12, 2026

File EP-8

Denis Vrignon-Tessier
393 Horace St.
Winnipeg, MB R2H 0X3

Appeal – The Planning, Development and Building Fees By-law No. 66/2016 – 393A Horace Street

This will acknowledge receipt of your communication dated February 10, 2026, appealing the Decision dated February 10, 2026, from the Fee Waiver Committee of the Planning, Property and Development Department, regarding provisions of The Planning, Development and Building Fees By-law No. 66/2016 for the premises located at 393A Horace Street.

Please be advised that the appeal will be heard by the Standing Policy Committee on Property and Development at its meeting on Monday, March 16, 2026, at 9:30 a.m. in the Council Building, 510 Main Street. The purpose of the appeal hearing is to allow interested persons to make submissions, ask questions or register objections with respect to this matter.

If you wish to speak on this matter at the meeting, or submit documentation, please fill out the public representation form available at winnipeg.ca/publichearings and submit it prior to noon (12:00 p.m.), Friday, March 13, 2026 to make the necessary arrangements to register.

Information or documents concerning this matter are available for inspection in the City Clerk's Department, 510 Main Street, or can be accessed four business days prior to the meeting via the Decision Making Information System at winnipeg.ca/CLKDMIS. A description of the procedure to be followed at the hearing can be accessed at winnipeg.ca/publichearings.

Leah Cowan
Senior Committee Clerk

c. H. Borys, Director of Planning, Property and Development
R. Klassen, Manager of Development and Inspections, Planning, Property and Development Department

K. Happychuk, Chief of Enforcement and Investigations, Planning, Property and Development Department
R. Clements, Enforcement Coordinator, Planning, Property and Development Department
C. Berg, Administrative Assistant, Planning, Property and Development Department
PPD-Enforcement-Services@winnipeg.ca Planning, Property and Development Department

Winnipeg

Planning, Property and Development Department • Service de l'urbanisme, des biens et de l'aménagement

Development and Inspections Division• Division de l'aménagement et des inspections
Standing Policy Committee Appeals

Prepared for: Standing Policy Committee on Property and Development

Date:	March 4, 2026
Agenda Item Number/ Description:	PD-SPC Appeal of PD Fee Waiver Committee Decision dated June 26, 2025, re: 25-273652 VC, in the amount of **$824.25**
Affected Municipal Address:	393A Horace Street

Application Summary:

- 393A Horace Street, zoned "R2" Residential Two-Family District, contains a secondary suite accessory to a single-family dwelling.
- The applicant (homeowner) applied for a Conditional Use application to allow Short-Term Rental Accommodation (STRA) within the secondary suite (Folder # 25-273652-VC).
- A Conditional Use application fee of $824.25 was applied in accordance with the *Planning, Development and Building Fees By-law No. 66/2016* (the "By-law").
- The applicant applied to waive the Conditional Use application fee, which the Fee Waiver Committee has denied, and is now appealing against that decision.

History:

- In 2022, Building Permit no. BP 22 206365 HO approved a change of use to establish a 456 square foot secondary suite (attached) on the second floor of a single-family dwelling. The permit was issued on October 4, 2022.
- In September 2025, the homeowner inquired with the City on why a Conditional Use was required to establish an STRA.
- The applicant was advised that, per section 120 of the Winnipeg Zoning By-law a secondary suite may be created as accessory subject to standards, which include *"a secondary suite shall not be utilized as a home-based business, a care home, a short-term rental accommodation or a neighbourhood rehabilitation home"* (sec. 120(1)(e) of By-law No. 200/2006).

- On December 16, 2025, an application for a Conditional Use to permit an STRA in the attached Secondary Suite was applied for.
- On January 22, 2026 the fee of $824.25 was paid.
- On February 19, 2026 the Director of Planning, Property and Development issued a Conditional Use order approving the application subject to conditions.
- As of the date of this report, the appeal period for the Conditional Use is open.

Appellants argument:

- The appellant's position is that the fee should be waived due to perceived inconsistencies in how the Zoning By-law regulates Short-Term Rental Accommodation in secondary suites compared to developed basement spaces within single-family dwellings.
- The appellant further states that:
    - Secondary suites are functionally similar to developed basements that may be used for Short-Term Rental Accommodation.
    - The appellant applied to establish the secondary suite prior to the adoption of the 2023 regulation prohibiting Short-Term Rental Accommodation in secondary suites.
    - Had the appellant known of the future by-law change, they may have developed the space differently.
    - The appellant believes it is unreasonable to require payment of the Conditional Use application fee under these circumstances.
- The Public Service response to the concerns raised by the appellant is:
    - The Conditional Use application was submitted after the current zoning bylaw regulations came into force and effect and the applicable application fee is required to proceed under the current regulatory framework.
    - The requirement to pay the applicable fee is not affected by the timing of prior development decisions.
    - The Conditional Use application fee was applied in accordance with Council-approved fees and the established regulatory framework.
    - The applicable services have been provided by the City of Winnipeg.

Applicable By-law:

- Section 6 of the By-law establishes Council-approved fees for Conditional Use applications.
- The Conditional Use application fee is required in order for the Public Service to process and review the application.
- Section 18 of the By-law allows the Director (or delegate) to waive fees where the Director is satisfied that *"… the imposition of the fee or monetary penalty would be unfair in the circumstances."*

Analysis and Recommendation:

- The Conditional Use application fee was applied in accordance with the By-law.
- The Fee Waiver Committee reviewed the applicant's request and determined that the fee was correctly applied and did not meet the criteria for waiver.
- The appeal does not dispute that the fee was applied correctly under the applicable by-laws.
- The appellant's concerns relate primarily to the policy framework governing Short-Term Rental Accommodation in secondary suites and the timing of regulatory changes.
- Application fees are established by Council to support the administrative costs associated with application review and responsible public administration.
- No procedural error or misapplication of the applicable by-laws has been identified.
- For these reasons, the Public Service recommends that the appeal be denied **06081428000**

Prepared by: R. Hayer, Chief Zoning Officer

Denis Vrignon-Tessier & Erin Fehilly
393 Horace Street
Winnipeg, MB
R2H 0X3

Dec. 15th 2025

City of Winnipeg
Planning, Property & Development Department
Winnipeg, MB

Re: Letter of Intent – Conditional Use Application to Allow Short-Term Rental Accommodation (STRA) in a Secondary Suite at 393A Horace Street

To Whom It May Concern,

On behalf of the property owners of **393 & 393AHorace Street**, this Letter of Intent is submitted in support of a **conditional use application** to allow the legally established secondary suite located on the upper floor of the dwelling to operate as a **short-term rental accommodation (STRA)**. This request reflects the original functional intent of the suite, the timeframe and context under which it was created, and the zoning and development circumstances surrounding the property.

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1. Description of the Proposal

The proposal seeks authorization to use an existing, fully permitted and completed **secondary suite** as a **short-term rental accommodation**.
No new construction, development, or exterior modifications are proposed.

timeline

The owners purchased the property in **summer 2022**. At the time of purchase, the upper floor already functioned as an **informal secondary suite**. In 2022, the owners applied for and received all required permits to formally convert this space into a legal secondary suite, consistent with the City's intent to support accessory dwelling units.

Construction is complete and all permits are closed. The suite—now known municipally as **393A Horace**—was renovated to meet requirements for a secondary suite, including **sound separation, fire-smoke separation, a dedicated entrance, and an on-site parking stall**.

The purpose of this application is therefore not to authorize new development, but to restore the originally intended and anticipated use of this space, which included **hosting visiting family and operating as a short-term rental** when unoccupied.

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2. Planning Rationale

A. Alignment with City Policy & Intent

timeline

At the time permits were issued (2022), the Zoning By-law did **not** include the later “amended 106/2023” prohibition on the use of secondary suites for short-term rental accommodations. The expectation at that time—based on the by-laws in effect—was that the suite would be permitted to serve both family use and short-term accommodation purposes.

The proposed use aligns with multiple City or Provincial objectives:

- **Supporting the financial viability of homeownership**, consistent with provincial initiatives encouraging secondary suites as a means to offset rising housing costs.
- **Efficient use of existing housing stock**, particularly in mature neighbourhoods.
- **Gentle, low-impact density**, consistent with Council policy to increase housing flexibility while minimizing strain on infrastructure.
- **Context-sensitive residential intensification**, in line with Complete Communities direction.

B. Addressing the Current By-law and Resulting Hardship

loophole in bylaw / double standard in effect

The recently introduced prohibition on STRA in secondary suites creates a **unique and arbitrary hardship** in this specific case, imposed after work had begun in our case:

- **Informal secondary suites**, identical to legal ones in form and function, remain allowed to operate STRAs when they are considered part of the primary dwelling. Countless Airbnb’s attest to this fact.
- **Bedrooms within a primary residence** may be offered year-round for STRA (29-night max per stay, no annual limit).
- **Whole-home STRA** is permitted for up to 150 nights per year.
- **Non-primary residences owned prior to Feb 23, 2023** face STRA limit in number (i.e.4) —and this property was purchased in 2022.

Had the owners:

1. **Not opted to convert to a formal secondary suite**, or
2. **Chosen to convert to a duplex instead**,

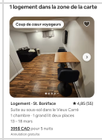
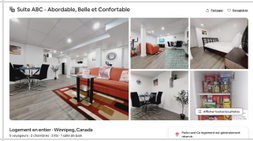
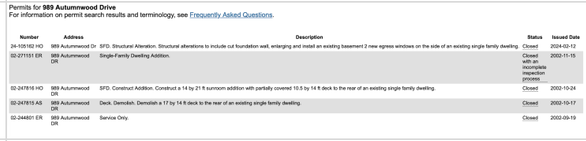
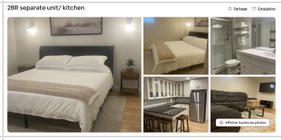
STRA use would be permitted outright under current policy. All required construction already meets, the standards applicable to a duplex with respect to fire separations, sound separation etc.

Thus, the current by-law places a disproportionate burden specifically on **legally established secondary suites**, despite them often being safer and better regulated than their informal counterparts. This creates a clear inequity and a hardship in this case.

C. Compatibility with Surrounding Context

The property is located in a neighbourhood undergoing **significant intensification**, including:

"Exhibit 5" - Appeal - The Planning, Development and Building Fees By-law No. 66/2016 - 393A Horace Street

EXAMPLES OF: Suites available on AirBnB that are mostly ***informal*** Secondary Suites in St.B area							
Area	**Description**		**LIkely Address**	**Type of Suite**	**Permits with City**	**image link**	**permit search**
St B	"Basement Suite in French Quarter"		391 Deschambault	Basement	develop lower level, SFH, plumbing repairs		
St.Vital	Private modern basement suite		102 Stranmillis	Basement	Permit search reveals permits for new kitchenette, bathroom, basement development in general.		
St.Vital\St.B	Cozy suite in St. Boniface		98 or 96 Guay	Basement	Zoning applications show development permits for New 2 storey houses with secondary suites.		NA
Windsor Park	"Home in Windsor Park" (Basement suite)		989 Autumnwood Dr.	Basement	Egress windows for a basement., 2024.		
Windsor Park	Home in Windsor Park		34 or near Alderwood	Basement	No confirmed.		NOT AVAILABLE OR NOT TAKEN
			Secondary Suite				
DEFINITIONS			120. A secondary suite may be created accessory to a single-family dwelling, subject to the following				
			standards:				
			(1) Secondary suite, attached				
			(a) Only one entrance to the dwelling from the street may be located on the l that				
			faces the street, unless the dwelling contained an additional street-facing				
			entrance prior to the creation of the secondary suite;				
			(b) Lots containing secondary suites must contain a minimum of 2 off-street parking				
			spaces;				
			(c) The maximum size of the secondary suites may be no more than 33 percent of				

		the floor area of the dwelling, or 800 square feet, whichever is less;				
		amended 148/2016				
		(d) No secondary suite shall have a floor area less than 350 square feet.				
		(e) A secondary suite shall not be utilized as a home-based business, a care home, a				
		short term rental accommodation or a neighbourhood rehabilitation home.				
		a dded 148/2016 ; amended 106/2023				
		"short term rental accommodation" or "STRA" means a dwelling unit rented in whole or in				
		part for a period of less than 30 consecutive days, but does not include a hostel or a hotel or				
		motel.				
		a dded 106/2023				
		"basement" means that portion of a building that is partly underground but that has at least one-half of its height from finished floor to finished ceiling above grade.				
		"secondary suite", attached" means an accessory dwelling unit added to or created within a				
		single-family detached dwelling that provides basic requirements for living, sleeping, cooking, and				
		sanitation. Only one secondary suite, either attached or detached, shall be allowed per zoning lot.				
		a dded 1/2013 ; amended 148/2016				
		"short term rental accommodation" or "STRA" means a dwelling unit rented in whole or in				
		part for a period of less than 30 consecutive days, but does not include a hostel or a hotel or				
		motel.				
		a dded 106/2023				