Minutes – Appeal Committee – March 25, 2026

PUBLIC HEARINGS

Item No. 1 **Appeal – Variance – 1164 Strathcona Street**
(Daniel McIntyre Ward)
File DAV 110848A/2026C

COMMITTEE DECISION:

The Appeal Committee allowed the appeal, did not concur in the decision of the Director of Planning, Property and Development, cancelled Variance Order DAV 110848/2026C and rejected a Variance on "the land" for the establishment of an Aviary having flighted birds.

DECISION MAKING HISTORY:

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

Moved by Councillor Rollins,
That the report of the Winnipeg Public Service be taken as read.

Carried

Moved by Councillor Rollins,
That the receipt of public representations be concluded.

Carried

Moved by Councillor Rollins,
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:

1. I appreciate that there is a lot of love for the birds and perhaps if they lived in a different area this would be acceptable, but the proposed aviary is located in a federally zoned area with airspace protections for the runway. It’s defined in a federal regulation. It’s defined in the Winnipeg International Airport zoning regulation.

DECISION MAKING HISTORY (continued):

2. The proposed aviary, an aviary that's existed for a year, an aviary that we found out has another, in this hearing we found out that there is another aviary in the airport vicinity that I'm also concerned about. Because as we know from literature and research that is available to us on the internet, within Transport Canada's website as well, the airport vicinity protection area regulation is not supposed to compromise airport safety and operations, and the strongest reason we have for that is that bird strikes, of which there are bird strikes in Winnipeg, can compromise our residents safety, and that is why I am motioning in support of the appeal. Approving the aviary, in my opinion, contradicts the very purpose of having an airport vicinity protected area. We have economic reasons for that, ie to not interfere with the 24/7 operations with the airport, but we also have safety reasons for that and that should be paramount, in my opinion, when the policy is being looked at.

3. For the reasons that pigeons fly in flocks, that there are a likelihood of strikes, that they are of a significant size to cause serious damage to an aircraft, and they're attracted to airports due to food sources and open grass lands that we have, because that's what you have at an airport.

Carried

Councillor Eadie asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

Moved by Councillor Rollins,

That the appeal be allowed and the decision of the Director of Planning, Property and Development not be concurred in.

Carried

Councillor Eadie asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

Moved by Councillor Rollins,

That Variance Order DAV 110848/2026C be cancelled.

Carried

Councillor Eadie asked to be recorded as having voted against the above motion, in accordance with Rule 47(7) of The Procedure By-law No. 50/2007.

DECISION MAKING HISTORY (continued):

Moved by Councillor Rollins,
That the public hearing with respect to this appeal be concluded.

Carried

THE CITY OF WINNIPEG
VARIANCE APPEAL ORDER
APPEAL COMMITTEE

DAV 110848A/2026C

Before:	Appeal Committee Councillor Eadie, Chairperson Councillor Dobson Councillor Mayes Councillor Rollins
Hearing	March 25, 2026 Council Building, 510 Main Street
Applicant	Ronald Lobo
Premises Affected	1164 Strathcona Street
Legal Description	LOT 56 PLAN 34557 46/47 ST JA hereinafter called "the land".
Property Zoned	“R1-M” PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1 (Residential Single-Family-Medium Planned Development Overlay-1)
Nature of the Application	To vary the "R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1" use specific standards of Zoning By-Law No. 200/2006 for the establishment of an Aviary to permit flighted birds instead of flightless.

ORDER MADE BY THE DIRECTOR OF PLANNING, PROPERTY AND DEVELOPMENT:

The Director of Planning, Property and Development approved a Variance, File DAV 110848/2026C to Ronald Lobo, for the premises located at 1164 Strathcona Street, for the establishment of an Aviary having flighted birds, subject to the following conditions:

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.

2. That the aviary shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DAV 26-110848\C, dated January 27, 2026, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

Pursuant to the provisions of The City of Winnipeg Charter, Russell and Caroline Elliott, appealed the Variance Order DAV 110848/2026C, and after Notice, the appeal was heard on March 25, 2026.

Upon consideration of the evidence adduced and submissions made, the Appeal Committee is of the opinion that, subject to the conditions imposed, if any, this Appeal Order does not meet the statutory criteria as outlined in Subsection 247(3) of The City of Winnipeg Charter, in that it:

(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:

1. I appreciate that there is a lot of love for the birds and perhaps if they lived in a different area this would be acceptable, but the proposed aviary is located in a federally zoned area with airspace protections for the runway. It's defined in a federal regulation. It's defined in the Winnipeg International Airport zoning regulation.

2. The proposed aviary, an aviary that's existed for a year, an aviary that we found out has another, in this hearing we found out that there is another aviary in the airport vicinity that I'm also concerned about. Because as we know from literature and research that is available to us on the internet, within Transport Canada's website as well, the airport vicinity protection area regulation is not supposed to compromise airport safety and operations, and the strongest reason we have for that is that bird strikes, of which there are bird strikes in Winnipeg, can compromise our residents safety, and that is why I am motioning in support of the appeal. Approving the aviary, in my opinion, contradicts the very purpose of having an airport vicinity protected area. We have economic reasons for that, ie to not interfere with the 24/7 operations with the airport, but we also have safety reasons for that and that should be paramount, in my opinion, when the policy is being looked at.

3. For the reasons that pigeons fly in flocks, that there are a likelihood of strikes, that they are of a significant size to cause serious damage to an aircraft, and they're attracted to airports due to food sources and open grass lands that we have, because that's what you have at an airport.

ORDER:

The Appeal Committee orders that the appeal is allowed and that Variance Order DAV 110848/2026C dated February 10, 2026, is cancelled.

THIS ORDER IS SUBJECT TO ALL BUILDING, HEALTH OR OTHER REGULATIONS PERTAINING TO THE LAND HEREIN REFERRED TO.

DATE OF ORDER: March 27, 2026

CERTIFIED BY:



Karly Dolski
Senior Committee Clerk

THE FOLLOWING PERSONS MADE REPRESENTATIONS:

In Support of the Appeal:

Caroline Elliott
Russell Elliott
Tara Hull
Mark Sable
Kimberly Ditz

In Opposition to the Appeal:

Manny Agbay
Harlan Duguay
True Gemmel
Hannah Lobo
Ronald Lobo
Edna Manila
Cody Pastula
Safaa Rostami
Michelle Younger

For Information on the Appeal:

Nil

For the City:

D. Chyz-Lund Planner, Planning, Property and Development Department
C. Burgess, Acting Administrative Coordinator of Bylaw Enforcement Operations, Community Services Department

EXHIBITS FILED FOR DAV 110848A/2026C

1. Order DAV 110848/2026C dated February 10, 2026
2. Notice of Appeal filed by Russ and Carol Elliot, received February 24, 2026
3. Notification of Public Hearing dated March 6, 2026
4. Manitoba Status of Title 2860009/1
5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
6. Letter of Authorization dated October 3, 2025, from Ronald and Celeste Lobo to Ronald Lobo
7. Petition in support of the application purporting to contain 5 signatures, submitted by Hannah Lobo
8. Plans, Sheets 1 to 3 inclusive, for File DAV 110848/2026C dated January 27, 2026
9. Report from the Urban Planning Division dated February 3, 2026
10. Inspection Report
11. Communication dated March 8, 2026, from Cody Pastula in opposition to the appeal
12. Communication from Edna Manila in opposition to the appeal
13. Communication dated March 8, 2026, from Manny Agbay in opposition to the appeal
14. Communication dated March 10, 2026, from Michelle Younger in opposition to the appeal
15. Communication dated March 8, 2026, from True Gemmel in opposition to the appeal
16. Photos submitted by Hannah Lobo in opposition to the appeal
17. Communication dated March 23, 2026, from Mark Sable in support of the appeal
18. Communication dated March 22, 2026, from Harlan Duguay in opposition to the appeal
19. Communication dated March 23, 2026, from Russell and Caroline Elliott in support of the appeal
20. Communication dated March 24, 2026, from Tara Hull, Director, Sustainability and Risk Management, Winnipeg Airports Authority Inc. in support of the appeal
21. Communication from Ronald Lobo in opposition to the appeal

Exhibit “9” referred to in File DAV 110848/2026C

ADMINISTRATIVE REPORT

Title: DAV 26-110848\C – 1164 Strathcona St

Issue: For a Variance associated with the establishment of an aviary use for flighted birds.

Critical Path: Director of Planning, Property, and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
Dylan Chyz-Lund, MCP	n/a	n/a	

DECISION AND CONDITIONS

The Urban Planning and Design Division **approves** the application to vary the "R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1" use specific standards of Zoning By-Law No. 200/2006 for the establishment of an Aviary to permit flighted birds instead of flightless.

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.
2. That the aviary shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DAV 26-110848\C, dated January 27, 2026 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

REASON FOR THE REPORT

- The applicant is proposing to construct an aviary on their property. Aviary Uses are a Conditional Use in the “R1” zoning district, but are not permitted to house flighted birds. To enable flighted birds in the Aviary, a variance is also needed.

- This report provides information regarding the subject application's compliance with *The City of Winnipeg Charter*, section 249.

FILE/APPLICANT DETAILS

FILE:	**DAV 26-110848\C**
RELATED FILES:	DCU 236610/2025C
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.118 - (SARGENT PARK)
SUBJECT:	To vary the "R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1" use specific standards of Zoning By-Law No. 200/2006 for the establishment of an Aviary to permit flighted birds instead of flightless.
LOCATION:	1164 Strathcona St
LEGAL DESCRIPTION:	LOT 56 PLAN 34557 46/47 ST JA
APPLICANT:	Ronald Lobo 1164 Strathcona St Winnipeg, MB R3G 3G6
OWNER:	Ronald Lobo 1164 Strathcona St Winnipeg, MB R3G 3G6

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

- The subject property is located on the west side of Strathcona Street, between Sargent Avenue and Ellice Avenue in the Sargent Park neighbourhood of the Daniel McIntyre ward.
- The subject site is 4,350 square feet in area.
- The site is currently occupied by a single-family dwelling.
- The property is located in an "Established Neighbourhood-Mature Community" policy area as identified in *Complete Communities 2.0*".
- The property is zoned "R1-M" Residential Single-Family – Medium district.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses (flown 2024).

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Single family dwellings zoned “R1-M” Residential Single-Family – Medium district.

South: Single family dwellings zoned “R1-M” Residential Single-Family – Medium district.

East: Strathcona Street, then Single family dwellings zoned “R1-M” Residential Single-Family – Medium district.

West: A rear lane, then a warehouse use zoned “M1” Manufacturing – Light district.

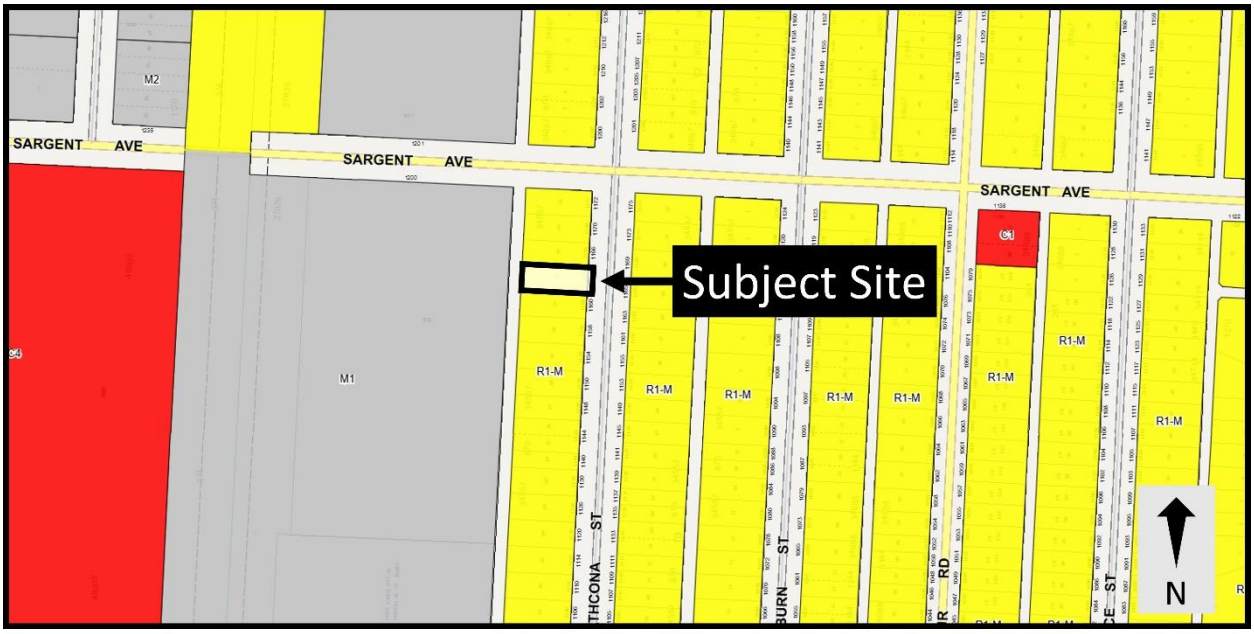


Figure 2: Zoning of the subject site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to construct a 42 square foot aviary (7' x 6') for use by racing pigeons.
- The aviary would be located in the backyard of the house, adjacent to the rear lane.
- The aviary would include racing pigeons, a type of sport bird specially bred and trained for racing and hobby use.

COLLABORATIVE PLANNING AND CONSULTATION

N/A

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

The *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg. *CCDS 2.0* provides policy guidance when assessing proposals that are seeking entitlements or changes to the *Winnipeg Zoning By-Law*.

The subject site is located in an "Established Neighbourhood-Mature Community" policy area as identified in *Complete Communities 2.0*". The following goals and policies of *CCDS 2.0* apply to the proposal:

- Goal 2 - *Design new development in Established Neighbourhoods to a high standard of urban design and construction to ensure new development adds value to public and private urban spaces to create a sense of place and civic pride.*

  Massing and scale

  - *2.12 New development should respect and complement the existing character of the built form of surrounding properties.*

  Site Design

  - *Site design should take cues from the character of the neighbourhood or street and should mitigate the potential for land use conflict with adjacent properties that have different scales, densities and uses. Parking location (motor vehicle and bicycle), vehicular access, servicing elements, building placement and landscaping treatment will be important design elements to ensure context-sensitive design.*

CCDS 2.0 contains limited policies that directly pertain to an aviary in this context. However, *CCDS 2.0* does require new development in Mature Communities to respect the existing character of surrounding properties, and to take steps to mitigate the impact between different uses. The proposed aviary use meets these policies, as it would be only 6' tall, and 7' x 6' in area. The relatively small structure is significantly smaller than a vehicle garage, and would not be out of character on the lot. In addition, owners keeping pigeons in an aviary are required to comply with the *Neighbourhood Livability By-Law*. The By-Law includes the following relevant sections:

16(5) The owner and occupant of property must ensure that pigeons kept on the property are contained within a loft which:

(a) provides at least 0.2 square meters of floor space for each pigeon;

(b) is dry and well-ventilated;

(c) is cleaned regularly, kept in a sanitary condition and is disinfected at least twice annually;

16(8) Notwithstanding subsection (7), the occupant of property must not allow any pigeons being kept on the property from being released:

(a) after 9:00 a.m. on Saturdays, Sundays or statutory holidays; and

(b) between the hours of 9:00 a.m. and 4:00 p.m. on any other day during the months of May, June, July, August and September.

Together, these sections of the *Neighbourhood Livability By-Law* ensure that the impact of an aviary for pigeons does not pose a land use conflict with neighbouring properties by requiring the area to be sanitary, the pigeons to have enough space to within the aviary, and by limiting the times when the pigeons can be let out.

Reasons for the Variances

Flighted Birds

The Use Specific Standards of the Winnipeg Zoning By-Law require that aviaries not contain flighted birds. Pigeons are flighted birds. Therefore, a variance to the Use Specific Standards of the Winnipeg Zoning By-Law is required.

Analysis of Variances

Flighted Birds

The keeping of Racing and Show Pigeons is regulated by the *Neighbourhood Livability By-Law*. The *By-Law* ensures that pigeons are kept in a responsible manner, that they have adequate space for living, that their quarters are sanitary, and that they are only permitted out at certain hours. The *Neighbourhood Livability By-Law* provides sufficient regulation to ensure the flighted birds proposed here will be kept responsibly and will not have an adverse effect on neighbouring properties.

CONDITIONS OF APPROVAL

N/A.

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, the proposed aviary building is of a similar scale to surrounding development, and the proposed use – coupled with its regulation in the *Neighbourhood Livability By-Law* - would not result in a land use conflict with surrounding properties.

(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 Neighbourhood Livability By-Law includes regulations to ensure racing and show pigeons do not have a substantial adverse effect on adjacent properties by limiting when they can be used and how they must be kept.

(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, pigeons – as a flighted bird – would not be permitted in the proposed aviary unless this variance is granted.

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

In that, the structure is relatively small and its use is regulated by the *Neighbourhood Livability By-Law to ensure the pigeons are compatible with the surrounding area.*

CONSULTATION

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

OURWINNIPEG 2045 POLICY ALIGNMENT

Consideration was given to whether this report connects to any of the specific Goals and Policies in OurWinnipeg 2045 and it was determined that OurWinnipeg 2045 is not applicable to this specific report.

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 *WCAP* is not applicable to this specific report.

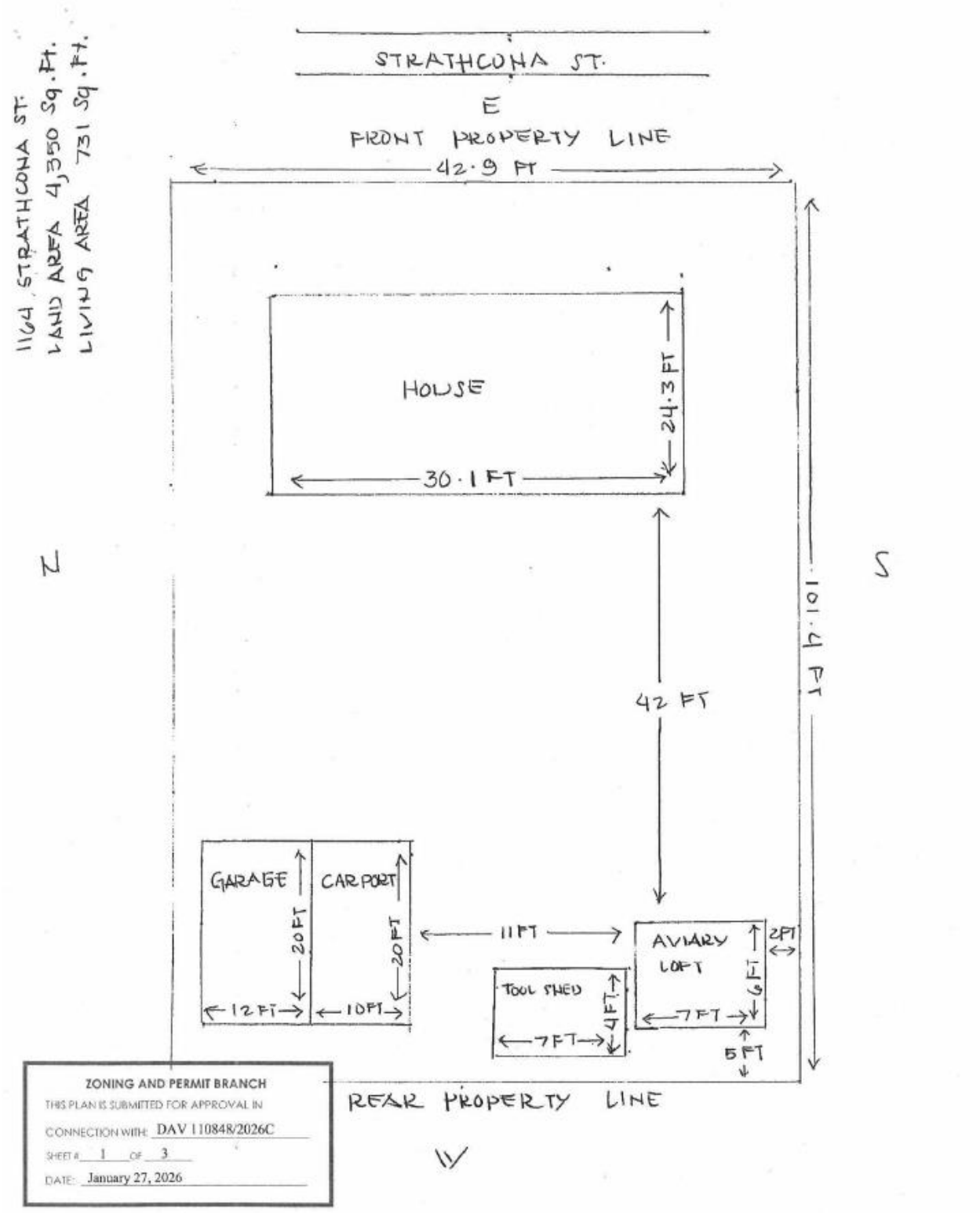
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

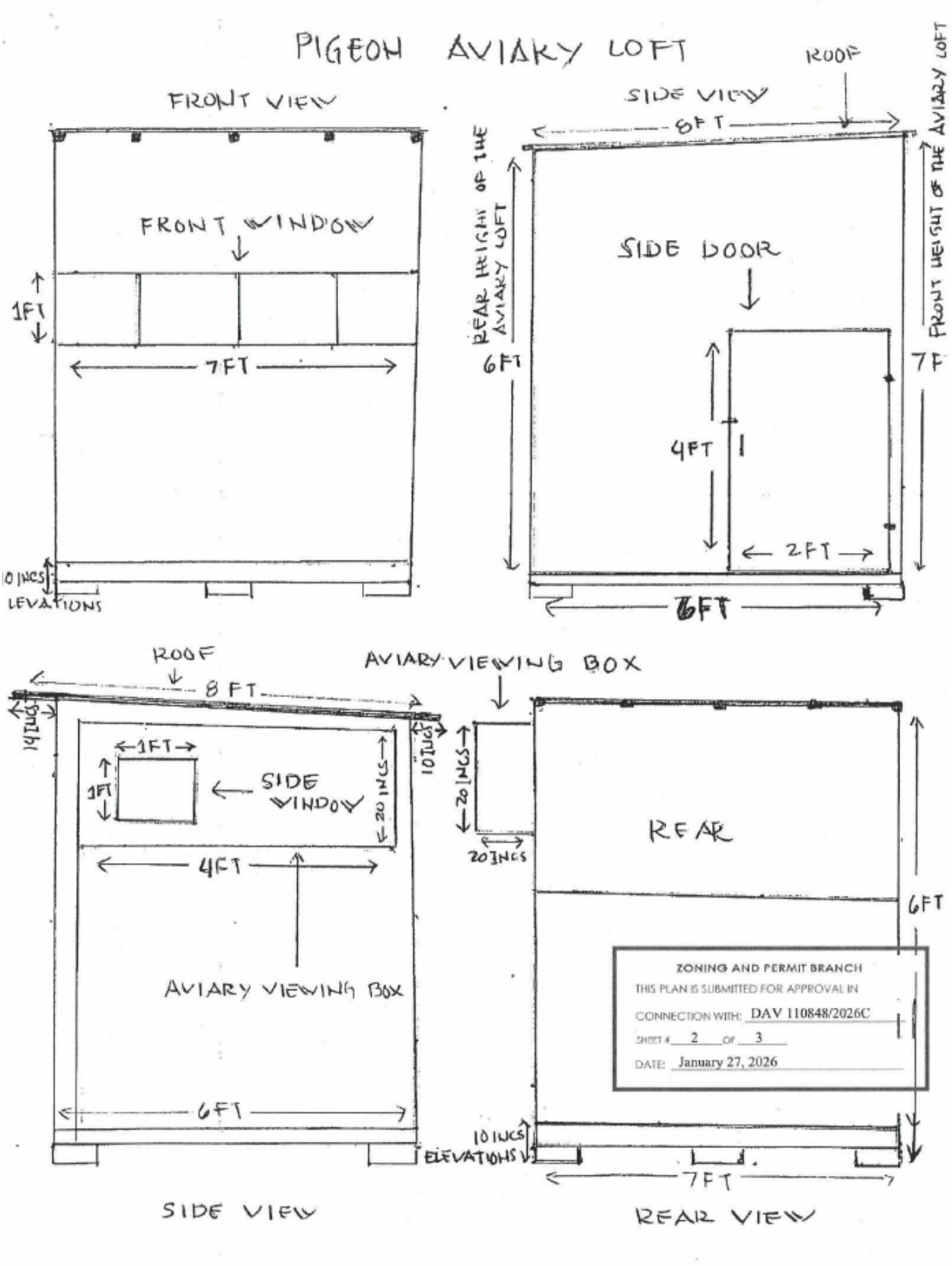
Consideration was given to whether this report connects to any of the specific Goals and Objectives in the *PRS* and it was determined the *PRS* is not applicable to this specific report.

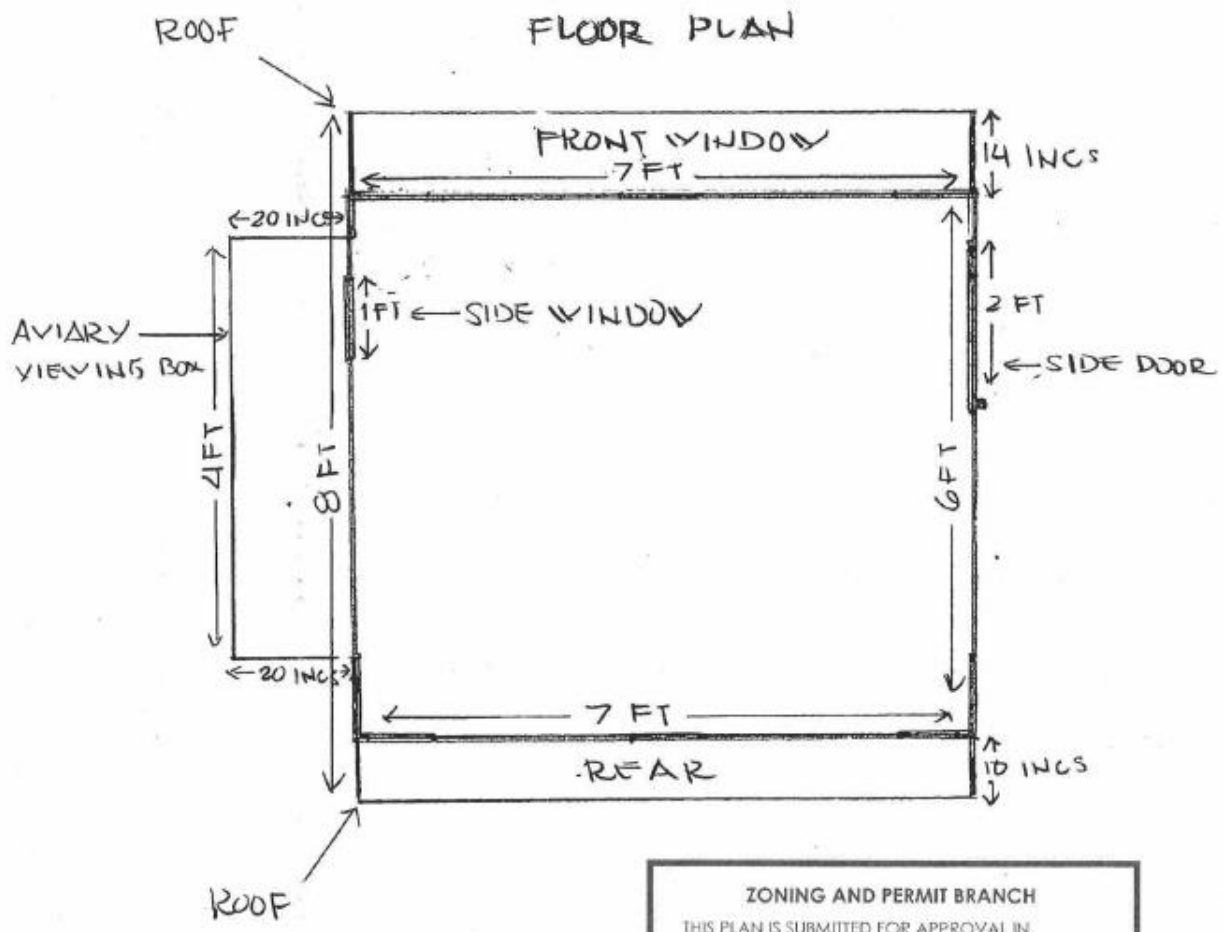
SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning and Design
Prepared by:	Dylan Chyz-Lund, MCP
Date:	Tuesday, February 3, 2026
File No.	DAV 26-110848\C

Exhibit “8” referred to in File DAV 110848/2026C




PIGEON AVIARY LOFT
FRONT VIEW
FRONT WINDOW
1FT
7FT
10 INCS
ELEVATIONS
SIDE VIEW
ROOF
8FT
REAR HEIGHT OF THE AVIARY LOFT
6FT
SIDE DOOR
4FT
2FT
6FT
7FT
FRONT HEIGHT OF THE AVIARY LOFT
ROOF
8 FT
14 INCS
1FT
1FT
SIDE WINDOW
20 INCS
10 INCS
4FT
AVIARY VIEWING BOX
6FT
SIDE VIEW
AVIARY VIEWING BOX
20 INCS
20 INCS
REAR
6FT
ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DAV 110848/2026C
SHEET # 2 OF 3
DATE: January 27, 2026
10 INCS
ELEVATIONS
7FT
REAR VIEW



ZONING AND PERMIT BRANCH

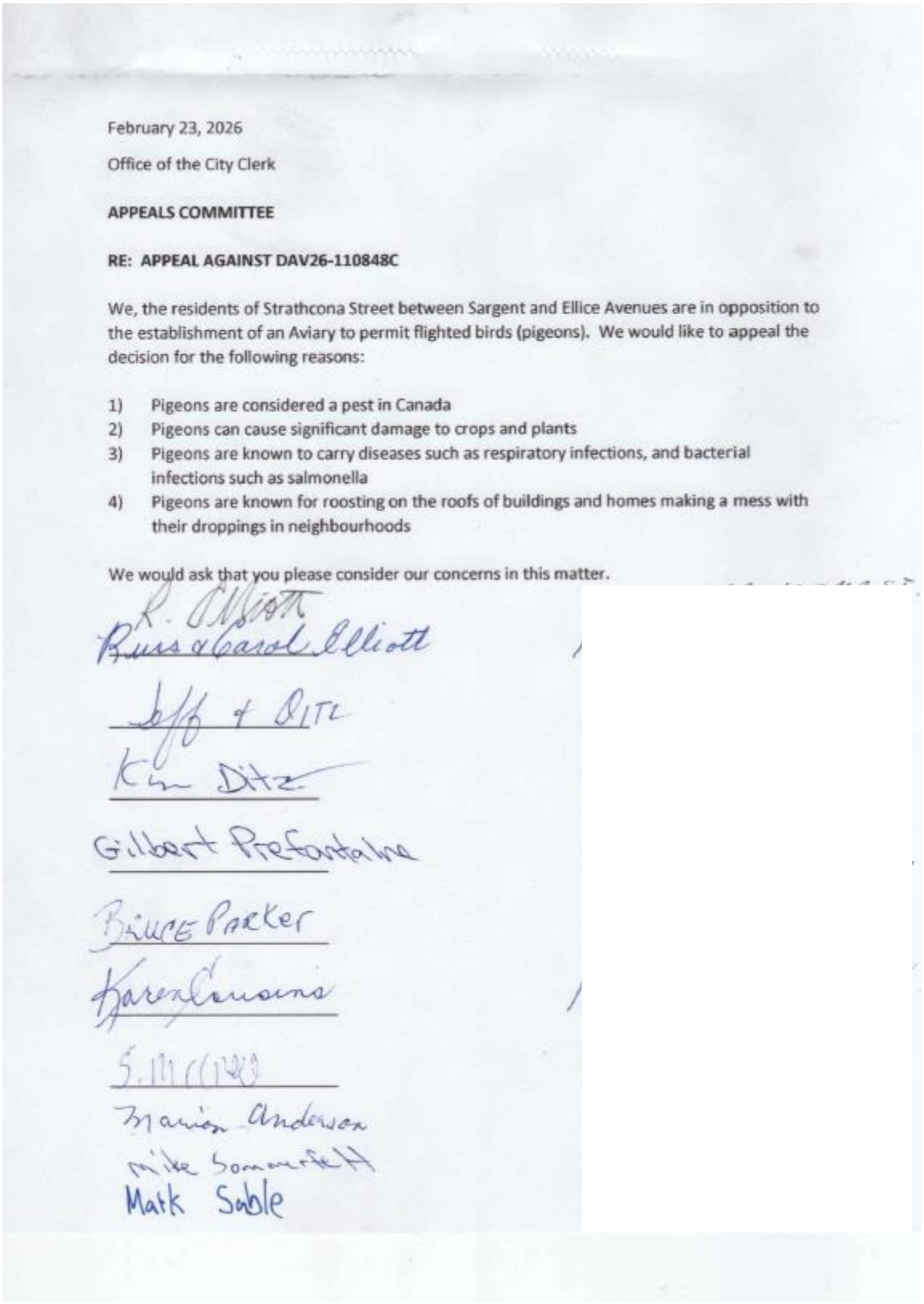
THIS PLAN IS SUBMITTED FOR APPROVAL IN

CONNECTION WITH: DAV 110848/2026C

SHEET # 3 OF 3

DATE: January 27, 2026

Exhibit “2” referred to in File DAV 110848/2026C



February 23, 2026

Office of the City Clerk

APPEALS COMMITTEE

RE: APPEAL AGAINST DAV26-110848C

We, the residents of Strathcona Street between Sargent and Ellice Avenues are in opposition to the establishment of an Aviary to permit flighted birds (pigeons). We would like to appeal the decision for the following reasons:

1) Pigeons are considered a pest in Canada
2) Pigeons can cause significant damage to crops and plants
3) Pigeons are known to carry diseases such as respiratory infections, and bacterial infections such as salmonella
4) Pigeons are known for roosting on the roofs of buildings and homes making a mess with their droppings in neighbourhoods

We would ask that you please consider our concerns in this matter.

R. Elliott
Russ & Carol Elliott

Jeff & Ditz

Kim Ditz

Gilbert Prefontaine

Bruce Parker

Karen Cousins

S. McCrae

Marion Anderson

Mike Sommerfelt

Mark Sable

Exhibit “1” referred to in File DAV 110848/2026C

Winnipeg

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

VARIANCE ORDER

DAV 26-110848/C

APPLICANT:	RONALD LOBO 1164 STRATHCONA ST WINNIPEG MB R3G 3G6
PREMISES AFFECTED:	1164 Strathcona Street
LEGAL DESCRIPTION:	LOT 56 PLAN 34557 46/47 ST JA hereinafter called "the land".
PROPERTY ZONED:	R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1
ZONING ATLAS SHEET:	Z21

NATURE OF APPLICATION:

To vary the "R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1" use specific standards of Zoning By-Law No. 200/2006 for the establishment of an Aviary to permit flighted birds instead of flightless.

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;
(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.

C.W. Charter Subsection 247(3)

ORDER:

RE: 1164 Strathcona Street

The Director of Planning, Property and Development Department hereby orders that the provisions of the “R1-M PDO-1 Airport Vicinity Protection Area Mature Communities PDO-1” dimensional standards of Zoning By-Law No. 200/2006 and amendments thereto are **VARIED TO PERMIT** on “the land” the establishment of an Aviary having flighted birds, 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, 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.
2. That the aviary shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DAV 26-110848\C, dated January 27, 2026 and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

DATE OF ORDER: February 10, 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 February 24, 2026. [IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Variance Order No. DAV 26-110848/C, 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