Minutes – Appeal Committee – April 8, 2026

PUBLIC HEARINGS

Item No. 4 Appeal – Variance – 160 Ash Street
(River Heights-Fort Garry Ward)
File DAV 253320A/2025D [c/r DAZ 228/2025]

COMMITTEE DECISION:

The Appeal Committee denied the appeals, concurred in the decision of the City Centre Community Committee, confirmed Variance Order DAV 253320/2025D and approved a Variance on "the land" to permit as follows:

1. A front yard of 14 feet (4.26 metres)

2. A rear yard of 6 feet (1.82 metres)

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 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 228/2025.

DECISION MAKING HISTORY:

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

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

Carried

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

Carried

Moved by Councillor Dobson,
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. It is a corner unit. It has 2 parking spots per unit which is above average. It does not have unsightly parking in the back lane, which I don't like.

2. The pedestrian sightlines are better versus the fences and trees currently there.

3. It's by a bus stop.

4. The fact that there is a tremendous need for housing and it provides the ability for people in the area to live in the area.

5. It's an attractive building.

Carried

Moved by Councillor Dobson,

That the appeals be denied and the decision of the City Centre Community Committee be concurred in.

Carried

Moved by Councillor Dobson,

That Variance Order DAV 253320/2025D be confirmed.

Carried

Moved by Councillor Dobson,

That the public hearing with respect to these appeals be concluded.

Carried

COUNCIL:

On March 26, 2026, Council concurred in the recommendation of the Standing Policy Committee on Property and Development dated March 5, 2026, and approved the rezoning of the subject land under File DAZ 228/2025, to an "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" (Residential Multi-Family – Small, Mature Communities Planned Development Overlay – 1 District and Planned Development Overlay – 1 District Academy Road)

THE CITY OF WINNIPEG
VARIANCE APPEAL ORDER
APPEAL COMMITTEE

DAV 253320A/2025D [c/r DAZ 228/2025]

Before:	Appeal Committee Councillor Eadie, Chairperson Councillor Dobson Councillor Mayes
Hearing	April 8, 2026 Council Building, 510 Main Street
Applicant	Lola Construction Management (Jeff Del Buono)
Premises Affected	160 Ash Street
Legal Description	LOT 2 PLAN 26304 48/50 ST B, herein after called "the land"
Property Zoned	"R1-L PDO-1 Academy Mature Communities PDO-1 PDO-1 Academy" (Residential Single-Family – Large Planned Development Overlay – 1 (District) Academy Mature Communities Planned Development Overlay – 1 (District) Planned Development Overlay – 1 (District) Academy) Proposed "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" (Residential Multi-Family – Small Mature Communities Planned Development Overlay – 1 (District) and Planned Development Overlay – 1 (District) Academy Road)
Nature of the Application	To vary the Proposed "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" development and design standards of Winnipeg Zoning By-law 200/2006 to permit: 1. A front yard of 14 feet (4.26 metres) instead of 39 feet (11.88 metres);

2. A rear yard of 6 feet (1.82 metres) instead of 25 feet (7.62 metres).

ORDER MADE BY THE CITY CENTRE COMMUNITY COMMITTEE:

The City Centre Community Committee approved a Variance, File DAV 253320/2025D to Lola Construction Management (Jeff Del Buono), for the premises located at 160 Ash Street, to permit:

1. A front yard of 14 feet (4.26 metres)

2. A rear yard of 6 feet (1.82 metres)

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 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 228/2025.

Pursuant to the provisions of The City of Winnipeg Charter, Clara Bohm, Eric Bohm, Curtis Boughton, Kim Boughton, Brittany Burkett, Kyle Burkett, Brock Campbell, Celeste Ferguson, James Ferguson, Marilyn Ferguson, Dana Mayberry, and Shaun Mayberry, appealed the Variance Order DAV 253320/2025D, and after Notice, the appeal was heard on April 8, 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 meets 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; and

(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. It is a corner unit. It has 2 parking spots per unit which is above average. It does not have unsightly parking in the back lane, which I don't like.

2. The pedestrian sightlines are better versus the fences and trees currently there.

3. It's by a bus stop.

4. The fact that there is a tremendous need for housing and it provides the ability for people in the area to live in the area.

5. It's an attractive building.

ORDER:

The Appeal Committee orders that the appeal is dismissed and that Variance Order DAV 253320/2025D dated February 27, 2026, is confirmed.

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

DATE OF ORDER: April 10, 2026

CERTIFIED BY:



Karly Dolski
Senior Committee Clerk

THE FOLLOWING PERSONS MADE REPRESENTATIONS:

In Support of the Appeals:

Gerhard Albl
Clara Bohm
Eric Bohm
Euan Bohm
Hanna Bohm
Mara Bohm
Curtis Boughton
Kim Boughton
Jordana Buckwold
Brittany Burkett
Kyle Burkett
Brock Campbell
Tara Campbell
Ian Dyck
Clancy Ethans
Celeste Ferguson
James Ferguson
Marilyn Ferguson
Dana Mayberry
Shaun Mayberry
Julie-Anne McCallum
Michelle Richard
Jolin Spencer
Victoria Stayner-Albl
Sheara Waxman
Andrea Weber Ethans

In Opposition to the Appeals:

Jeff Del Buono
Scott Stephanson
Steve Stephanson

For Information on the Appeals:

Nil

For the City:

D. Chyz-Lund, District Planner, Planning, Property and Development Department

EXHIBITS FILED FOR DAV 253320A/2025D

1. Order DAV 253320/2025D dated February 27, 2026
2. Notice of Appeal filed by Curtis and Kim Boughton, received March 13, 2026
3. Notice of Appeal filed by Celeste, James and Marilyn Ferguson, received March 16, 2026
4. Notice of Appeal filed by Brock Campbell, received March 16, 2026
5. Notice of Appeal filed by Clara and Eric Bohm, received March 16, 2026
6. Notice of Appeal filed by Brittany and Kyle Burkett, received March 18, 2026
7. Notice of Appeal filed by Dana and Shaun Mayberry, received March 18, 2026
8. Notification of Public Hearing dated March 20, 2026
9. Manitoba Status of Title 3331848/1
10. Letter of authorization dated October 10, 2025 from 10215633 Manitoba Ltd. to Lola Construction Management (Jeff Del Buono)
11. Letter of authorization dated December 1, 2025 from 10215653 Manitoba Ltd to Lola Construction Management (Jeff Del Buono)
12. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
13. Arborist Report dated March 7, 2025
14. Plans, Sheets 1 to 8 inclusive, for File DAV 253320/2025D dated November 12, 2025, and sheets 1 to 8 inclusive, for File DAV 253320/2025D dated March 18, 2026
15. Report from the Urban Planning Division dated February 11, 2026
16. Communication dated March 15. 2026 from Hanna, Mara and Euan Bohm in support of the appeal
17. Inspection Report
18. Communication dated April 6, 2026, from Julie-Anne McCallum in support of the appeal
19. Communication dated April 6, 2026, from Jordana Buckwold in support of the appeal
20. Communication dated April 7, 2026, from Jeff Del Buono in opposition to the appeal
21. Communication dated April 7, 2026, from Victoria Stayner-Albl in support of the appeal
22. Communication dated April 7, 2026, from Gerhard Albl in support of the appeal
23. Communication dated April 7, 2026, from Sheara Waxman in support of the appeal
24. Communication dated April 7, 2026, from Jolin Spencer in support of the appeal
25. Communication dated April 8, 2026, from Clancy Ethans and Andrea Weber Ethans in support of the appeal

Exhibit “15” referred to in File DAV 253320A/2025D

ADMINISTRATIVE REPORT

Title: DAV 25-253320\D – 160 Ash St

Issue: For consideration of Variances to allow the construction of a multi-family building.

Critical Path: City Centre Community Committee

AUTHORIZATION

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

RECOMMENDATION

The Urban Planning and Design Division recommends **approval-as-modified** of the application to vary the Proposed “RMF-S Mature Communities PDO-1 and PDO-1 Academy Road” development and design standards of Winnipeg Zoning By-Law 200/2006 to permit:

1) A front yard of ~~14 feet (4.26 metres)~~ 34 feet (10.363 metres) instead of 39 feet (11.88 metres);

2) A rear yard of 6 feet (1.82 metres) instead of 25 feet (7.62 metres).

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 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 228/2025.

REASON FOR THE REPORT

- The applicant is proposing to rezone the subject property to a “RMF-S” Residential Multi-Family (Small) district for the purpose of constructing one five-unit townhouse building on the lot. The proposed development includes a smaller front yard and a smaller rear yard than what is required by the *Winnipeg Zoning By-Law*, and therefor requires Variances.
- This report provides information regarding the subject application’s compliance with *The City of Winnipeg Charter*, section 249.

FILE/APPLICANT DETAILS

FILE:	**DAV 25-253320\D**
RELATED FILES:	DA25-252690 (DAZ228/2025)
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.631 - (WELLINGTON CRESCENT)
SUBJECT:	To vary the Proposed “RMF-S Mature Communities PDO-1 and PDO-1 Academy Road” development and design standards of Winnipeg Zoning By-Law 200/2006 to permit: 1) A front yard of 14 feet (4.26 metres) instead of 39 feet (11.88 metres); 2) A rear yard of 6 feet (1.82 metres) instead of 25 feet (7.62 metres).
LOCATION:	160 Ash St
LEGAL DESCRIPTION:	LOT 2 PLAN 26304 48/50 ST B
APPLICANT:	Jeff Del Buono (Lola Construction Management) 891 Wall St Winnipeg, MB R3G 2T9
OWNER:	10215653 MANITOBA LTD. 615 Waterloo St Winnipeg, MB R3N 0T2

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

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

(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.

SITE DESCRIPTION

- The subject property is located on the north side of Academy Road, in the Wellington Crescent neighbourhood of the River Heights Fort Garry ward.
- The subject property is located in an “Established Neighbourhood-Mature Community” policy area as identified in *Complete Communities 2.0*.
- The subject property is currently zoned “R1-L” Residential – Single-Family – Large district, and is approximately 9,074 square feet in area.
- The subject property is accessed by a paved rear lane.

SURROUNDING LAND USE AND ZONING (See Figure 2)



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

North: A single-family dwelling zoned “R1-L” Residential Single-Family – Large district.

South: Academy Road, then commercial uses zoned “C1” Commercial – Neighbourhood district.

East: A rear lane, then single-family dwellings zoned “R1-L” Residential Single-Family – Large district.

West: Ash Street, then single-family dwellings zoned “R1-L” Residential Single-Family – Large district.

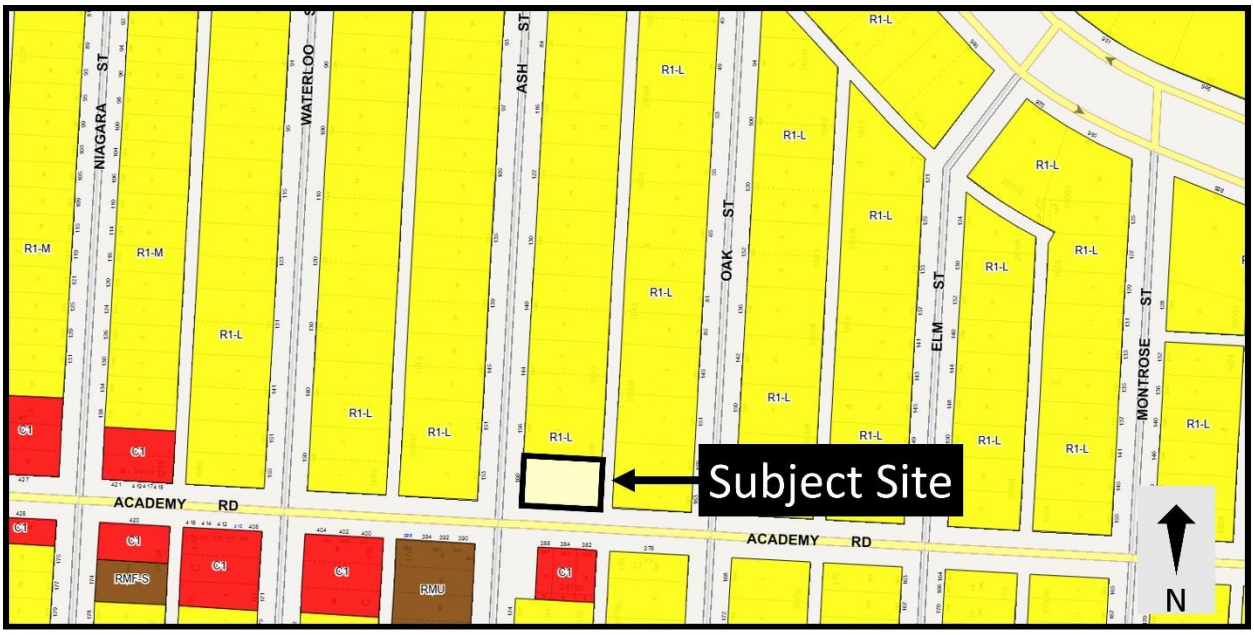


Figure 2: Zoning of the subject site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to construct a five-unit townhouse-style development, oriented towards Academy Road and Ash Street. The building would:
    - Have a 14’ front yard setback to the Ash Street property line.
    - Have a 24’ north side yard setback.
    - Have a 6’ rear yard setback to the rear lane.
    - Have an 8’ setback to Academy Road.
    - Be three stories in height (approximately 30’ 3 5/8”)
    - Include individual unit entrances facing both Academy Road and Ash Street, with direct pedestrian connections to the sidewalk on Academy Road.
    - Include balconies facing Academy Road, and one balcony facing Ash Street.
    - Include only clerestory windows facing the rear lane.
    - Be clad in a mixture of black acrylic stucco, corrugated metal, brick veneer, and EIFS.
- The site plan also shows:
    - A total of 16 new trees
    - Access from the rear lane through a 20’ wide driveway / drive aisle, with indoor parking provided at the ground floor of each individual unit

COLLABORATIVE PLANNING AND CONSULTATION

N/A

ANALYSIS AND ISSUES

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 Communities" policy area of *CCDS 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.*

  Building Setbacks

  - *2.3 Encourage, where contextually suitable, the location of multi-family buildings at or near the front and corner side property lines to create a pedestrian orientation that is respectful of the area context. Use setbacks to provide landscaping, front courtyards for individual units or other amenities that support the pedestrian environment, building design and relationship to the street.*

The proposed building includes a south corner side yard to Academy Road of 8', a reduced front yard to Ash Street of 14', a reduced rear yard to the lane of 6', and a north corner side yard to the abutting residential property of 24'

The south side yard to Academy Road brings the building closer to the street, creating a pedestrian orientation that somewhat mimics the developments on the south side of Academy Road, and is similar to other developments along the north side of Academy Road. The 8' yard to Academy Road increases the pedestrian orientation of the building by increasing activity and visibility at the street, enhancing the active frontage, and creating a continuous street wall.

While the reduced front yard to Ash Street also promotes a pedestrian orientation, it is out of context with the remainder of this block of Ash Street, as the average front yard setback to Ash Street is 39'. With some exceptions, the Administration only supports front yard setbacks that are within 5' of the front yard alignment.

The reduced rear yard of 6' – while a significant reduction – is contextually suitable because it is abutting a rear lane, followed by a garage and parking area on the neighbouring properties. The 20' wide lane – paired with the 6' rear yard setback, ensures the proposed building would be separated from the adjacent properties across the lane by a minimum of 26'.

The north side yard of 24' far exceeds what is required here, but enables the new development to reduce the impact on the abutting property to the north while also bringing the building closer to Academy Road.

Building Design

- *2.4 Encourage the use of high-quality, energy efficient, and durable exterior building façade materials.*
- *2.5 Encourage a variety of architectural styles.*

- *2.6 Encourage building design to include a range of architectural features that create visual interest and positively contribute to the visual aesthetics of the street and neighbourhood.*

The proposed building includes cement siding, brick veneer, substantial window coverage. And a corrugated metal roof that transitions into part of the upper façade of the building. In addition, the building includes both full balconies and juliet balconies, along with entrances facing both streets that flank the building. Together, these features create visual interest that positively contributes to the aesthetics of both streets the building is located on.

Pedestrian orientation

- *2.9 Buildings with multi unit residential uses should be designed to support pedestrian activity and reinforce the public realm through thoughtful use of architectural features which may include, but are not limited to, the following:*
  - *a. Window placement that supports passive surveillance;*
  - *b. Unit entrances with direct access to the street;*
  - *c. Front porches;*
  - *d. Balconies;*
  - *e. Awnings;*
  - *f. Lighting; and*
  - *g. Height of primary entrances*

The proposed building includes ground floor entrances that provide access to both Academy Road and Ash Street, balconies that face both streets, and significant window coverage that faces both streets. Together, these features promote the pedestrian orientation of the building.

Massing and scale

- *2.12 New development should respect and complement the existing character of the built form of surrounding properties.*
- *2.14 Avoid buildings that create long blank walls facing public streets.*
- *2.15 Encourage the use of architectural features to articulate building walls in order to mitigate the impact of new building mass.*

The proposed building height of three stories (approximately 30’ 3 5/8”) is consistent with surrounding development. A total height of 35’ is permitted on the surrounding residential properties, many which include two and two and a half storey homes. As well, taller buildings are located along Academy Road, including a four storey building at 378 Academy Road and at 390 Academy Road.

The use of individual entrances, alternating building façade materials, significant window coverage, and balconies all break up the horizontal massing of the proposed building.

Parking and loading

- *2.16 For properties with public lane access, vehicular access should be taken from the public lane in order to:*
  a. Reduce potential conflict between pedestrians using sidewalks and motor vehicles crossing the public right-of-way to access private property;
  b. Preserve green space and protect existing trees that can be impacted by the establishment of front approaches and corresponding private driveways; and
  c. Prevent fragmentation of the public boulevard in order to better accommodate on-street motor vehicle parking and public snow clearing

The parking is accessed from the rear lane, with parking located inside of the building iun attached garages. Parking taken from the rear lane, rather than from a front drive aisle, reduces the risk of conflict between pedestrians and vehicles and preserves the existing green space along the public boulevard.

Site design

- *2.21 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.*
- *2.22 Create or reinforce compact, pedestrian-oriented urban development patterns by ensuring the siting, form and scale of new development has a strong relationship to the street, public spaces and amenities in a way that is consistent with neighbourhood context.*

As discussed, the proposed building height of three stories is similar to surrounding development, and paired with the significant 24' north side yard ensures the new development mitigates the impact with abutting house to the north. As well, the rear yard of 6', coupled with the existing 20' rear lane, mitigates the impact of the proposed building on the existing houses to the east.

SMALL SCALE AND LOW-RISE RESIDENTIAL DEVELOPMENT GUIDELINESS FOR MATURE COMMUNITIES

- The *Small Scale and Low-Rise Residential Development Guidelines for Mature Communities (Infill Guidelines)* were adopted by Council on June 24, 2021 and are applicable to this proposal.
- The proposed development meets the preferred location criteria contained in the *Infill Guidelines* to support a townhouse-style development. Specifically, the *Infill Guidelines* support townhouse-style development where:
  - The rear yard abuts a lane;
  - The site is located within 400 metres of the Primary Transit Network;
  - The property abuts an arterial street.

The proposed development meets almost all of the applicable building design guidelines for townhouse-style development that are contained in the *Infill Guidelines*, including building height, roof pitches, façade materials and architectural features, main floor height, entrances, projections into setbacks, privacy and utilities servicing and mechanical.

The proposal does not meet the front yard or the rear yard regulations of the *Infill Guidelines,* which require front yards to be +/- 5' of the average front yard and require rear yards to be a minimum of 25'. The proposed front yard is 14', while the average front yard here is 39'. The proposed rear yard is 6'.

ACADEMY ROAD PLANNED DEVELOPMENT OVERLAY

- The subject site is located within Area 2 of the Academy Road Planned Development Overlay. Area 2 prohibits commercial development, but does not contain any regulations that are directly applicable to a multi-family residential development. The proposal therefore complies with the Academy Road PDO.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

Reasons for the Variances

Reduced front yard

- Ash Street has an average front yard of 39'. Development is therefore required to provide a 39' front yard to Ash Street. The applicant has proposed a front yard of 14' and therefore requires a Variance.

Reduced rear yard

- The required rear yard is 25', while the applicant has proposed a rear yard of 6'. For this reason, a Variance is required.

Analysis of Variances

Reduced front yard

- The Administration will generally support deviations from the average front yard of +/- 5'. This is intended to ensure front yards remain relatively consistent with the rest of the block, while also permitting some flexibility for new developments. In this instance, the Administration has recommended support of the Variance as modified, enabling a front yard of 34', which is 5' less than the front yard average of 39' but still greater than the applied for front yard of 14'. The 5' reduction to the required front yard would maintain a similar setback to Ash Street as other properties on the block, while enabling a slightly increased buildable area. For this reason, the Variance is supportable as modified.

Reduced rear yard

- The rear yard of the proposed building is only 6', however it flanks a rear lane, followed by a garage and parking area for the adjacent residential properties. This ensures that there is at least a 26' separation space between the new development and the parking areas – not the living areas – of the existing development to the east.
- While the rear yard of this site is technically the east portion facing the rear lane, the building is primarily oriented towards Academy Road in a manner consistent with the City's policies. Due to its orientation, functionally the north side yard serves as the rear yard for the new development. The north yard is 24' in depth with a landscaped buffer along the property line, creating ample buffering space to the existing development to the north.
- The *Infill Guidelines* explicitly support a five-unit townhouse-style development at this site. However, due to the large required front yard of 39' (or 34' with a minor reduction), and the required rear yard of 25', accommodating a five-unit townhouse on this site within the required yards would be challenging. Given that the proposal has incorporated a substantial north side yard to move the building further away from the abutting development to the north, and that the adjacent developments to the east are separated by a rear lane, the Variance for a reduced rear yard is supportable.

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 Variances as amended will enable the establishment of a new multi-family residential development in alignment with the policies of OurWinnipeg 2045 and Complete Communities 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 Variances as amended would enable setbacks and contextual design that reduce potential impacts on adjacent uses

(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, the proposed Variances as amended enable the establishment of a contextually-sensitive development.

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

In that, the proposed Variances as amended would enable a small-scale multi-family development in a neighbourhood characterized by other multi-family developments along this portion of Academy Road.

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.

Objective 2: Integrate resilient land use, transportation and infrastructure planning, and investments.

- Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

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 health food, daily needs, employment, education, recreation, and green infrastructure.

Applicable Policies for Established Neighbourhoods – Mature Communities

6.1 Sustainable Urban Growth

- The City must accommodate physical development that reflects this Plan's goals, and achieves a continuum of complete and connected communities over the lifecycle of the Plan.

6.16 Established Neighbourhoods

- Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in Complete Communities.

6.44 Compatible Growth

- Plan for and protect green and built infrastructure and resources from incompatible development that would compromise achievement of this Plan's goals.

The proposed development aligns with *OurWinnipeg2045* in general because it would facilitate the development of a small-scale multi-family building in an area characterized by smaller-scale development including single-family dwellings and low-rise multi-family buildings.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the *Winnipeg Climate Action Plan* (*WCAP*) and it was determined that the *WCAP* is not applicable to this specific report.

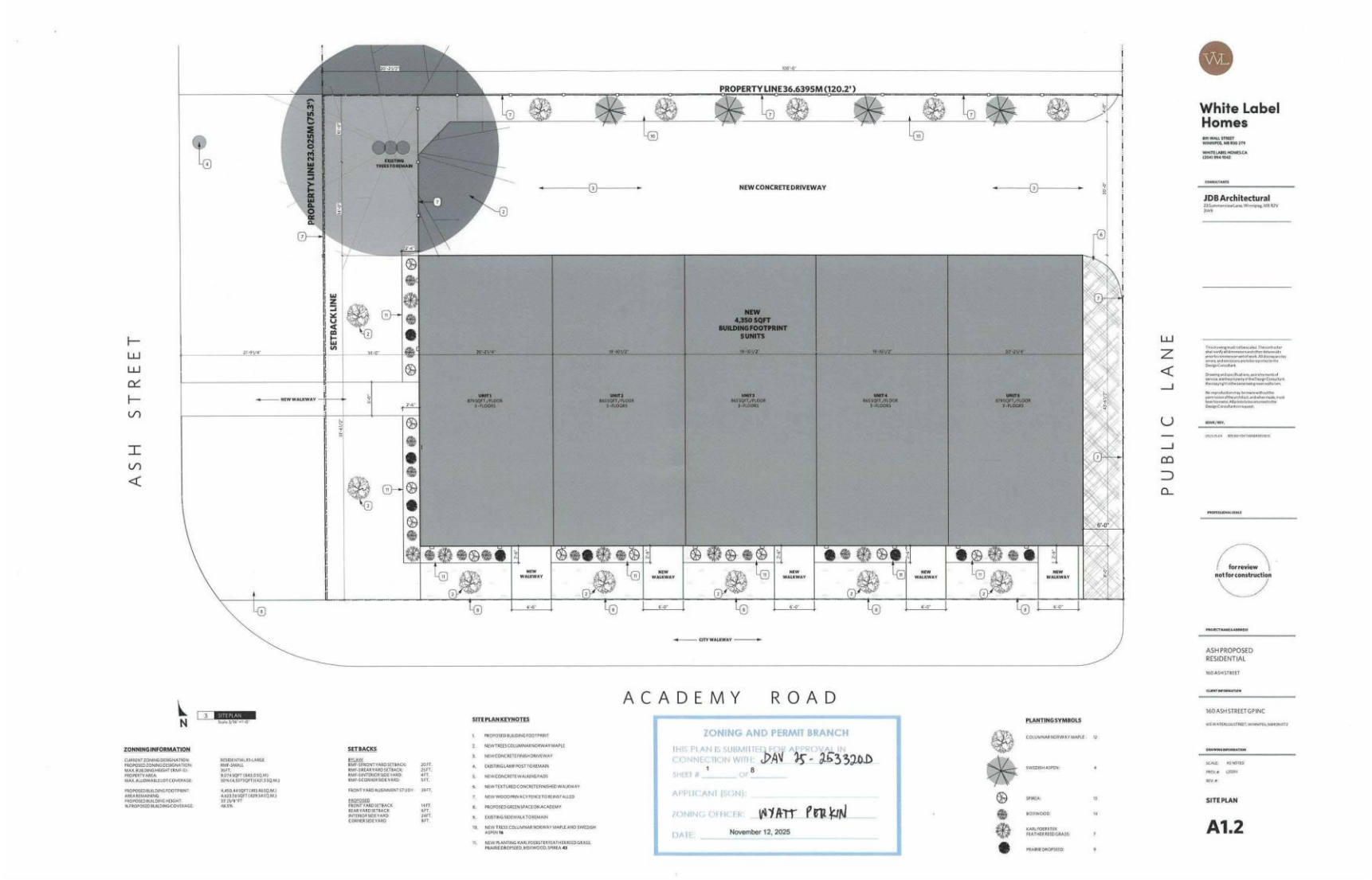
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

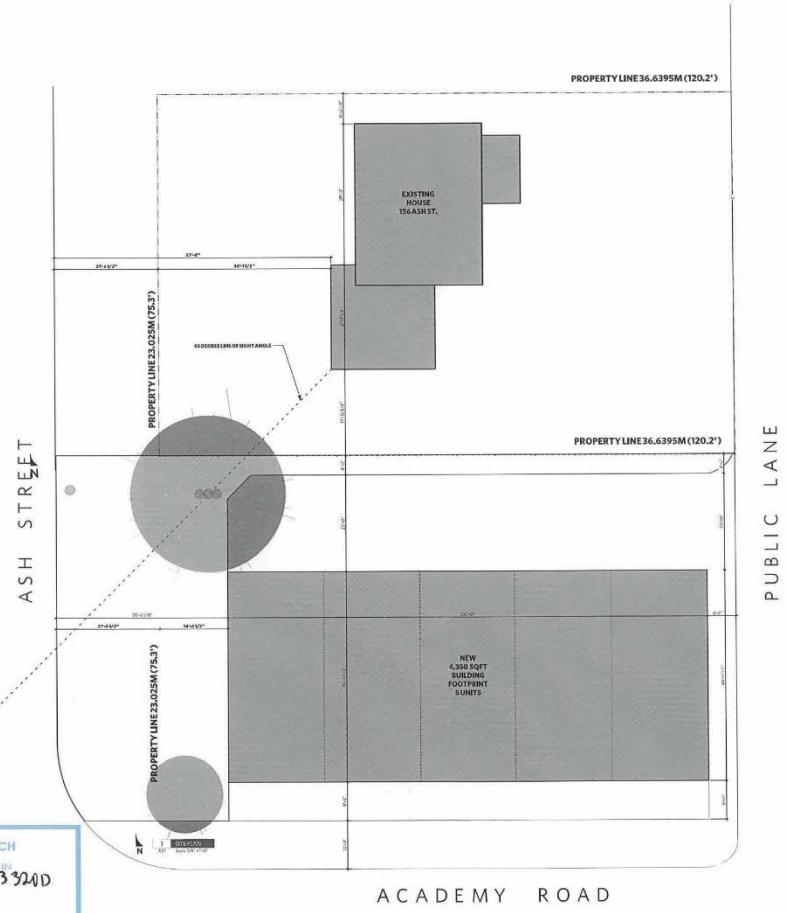
Consideration was given to whether this report connects to any of the specific Goals and Objectives in the *PRS* and it was determined the *PRS* is not applicable to this specific report.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning and Design
Prepared by:	Dylan Chyz-Lund, MCP
Date:	Wednesday, February 11, 2026
File No.	DAV 25-253320\D

Exhibit “14” referred to in File DAV 253320A/2025D





ZONING AND PERMIT BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-253210

SHEET # 2 OF 8

APPLICANT (SGN):

ZONING OFFICER: WYATT PERKIN

DATE: November 12, 2025

White Label Homes

JDB Architectural

for review not for construction

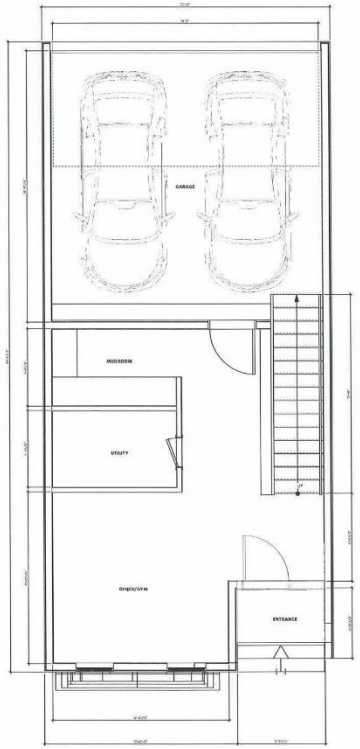
ASH PROPOSED RESIDENTIAL

160 ASH STREET

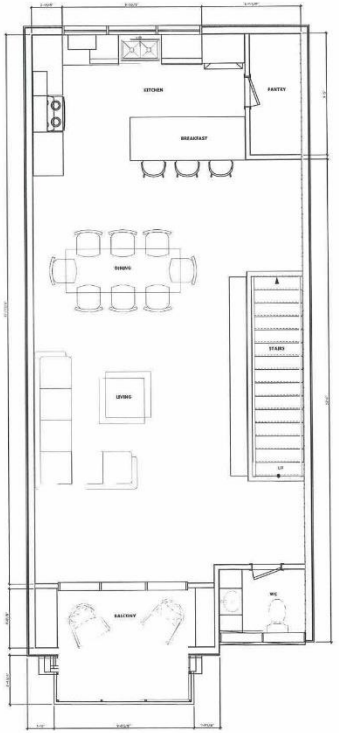
160 ASH STREET GP INC

KEY PLAN

A1.1



1 GROUNDFLOORPLAN



2 FIRSTFLOORPLAN



3 SECONDFLOORPLAN

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-253320D
SHEET # 3 OF 8
APPLICANT (SGN):
ZONING OFFICER: WYATT PERKIN
DATE: November 12, 2025

White Label Homes

JDB Architectural

for review not for construction

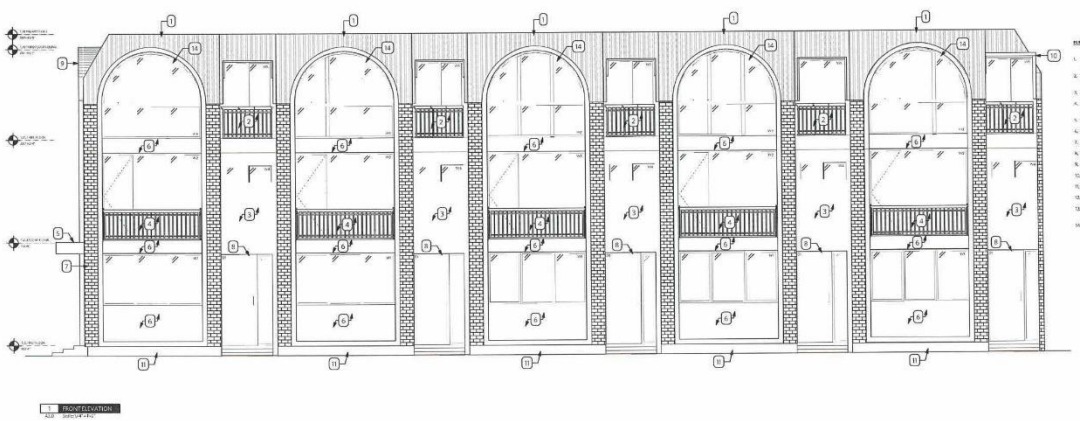
ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GP INC

FLOOR PLANS - 5 EQUNITS

A2.0



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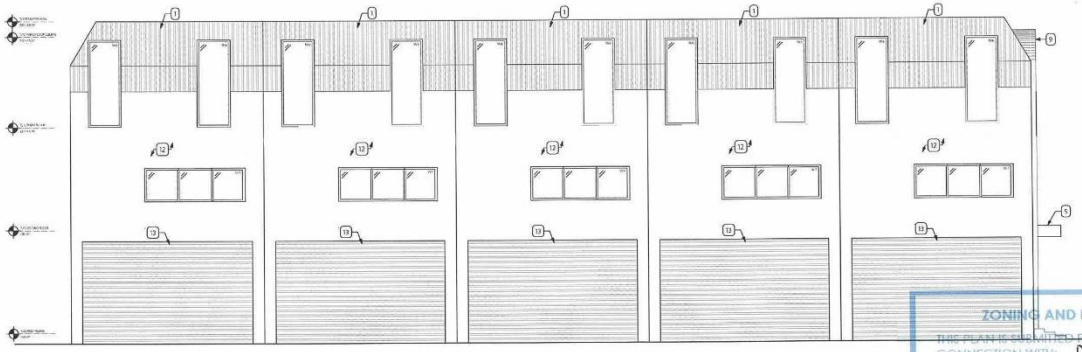


2 BACK ELEVATION

White Label Homes

JDB Architectural

for review not for construction

ASH PROPOSED RESIDENTIAL

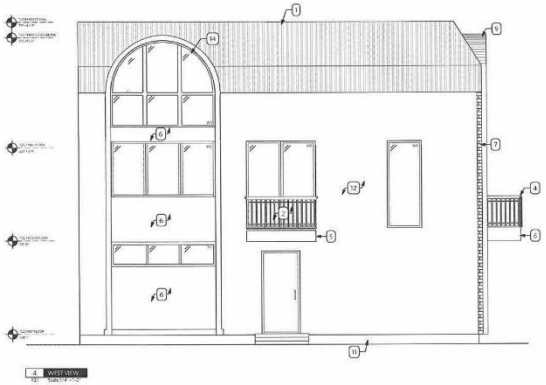
160 ASH STREET

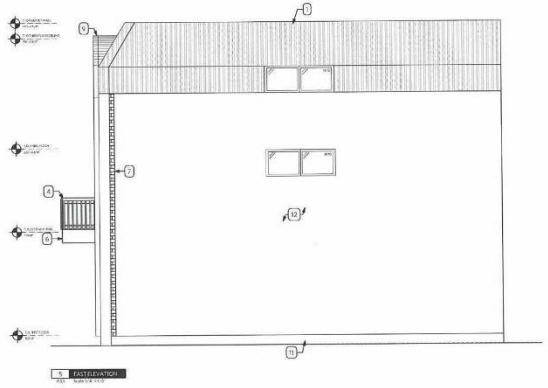
160 ASH STREET WINNIPEG

ELEVATIONS

A3.0

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-853320
SHEET # 4 OF 8
APPLICANT (SGN):
ZONING OFFICER: WYATT PERKIN
DATE: November 12, 2025





ZONING AND PERMIT BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-253 3210

SHEET # 5 OF 8

APPLICANT (SGN):

ZONING OFFICER: WYATT PERRIN

DATE: November 12, 2025

White Label Homes

JDB Architectural

for review
not for construction

ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GFING

ELEVATIONS 2

A3.1



ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-253 3200
SHEET # 6 OF 8
APPLICANT (SGN):
ZONING OFFICER: WYATT PERKIN
DATE: November 12, 2025

White Label Homes

JDB Architectural

for review
not for construction

ASH PROPOSED RESIDENTIAL
160 ASH STREET

160 ASH STREET GP INC

RENDERS

A4.0



ZONING AND PERMIT BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAN 25 - 253320

SHEET # 7 OF 8

APPLICANT (SGN): _____

ZONING OFFICER: WYATT PERKIN

DATE: November 12, 2025

White Label Homes

JDB Architectural

for review
not for construction

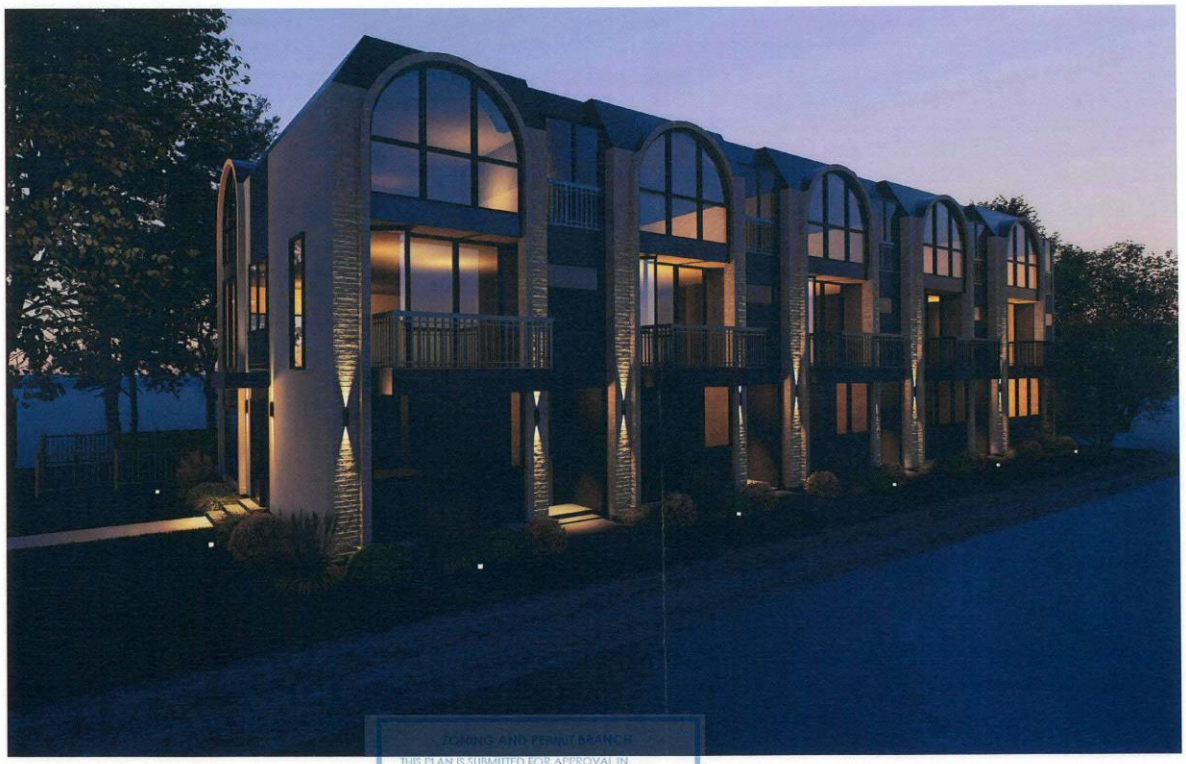
ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GP INC

RENDERS

A4.1



ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DAV 25-353320
SHEET # 8 OF 8
APPLICANT (SGN):
ZONING OFFICER: WYATT PERKIN
DATE: November 12, 2025

White Label Homes

CONSULTANTS

JDB Architectural

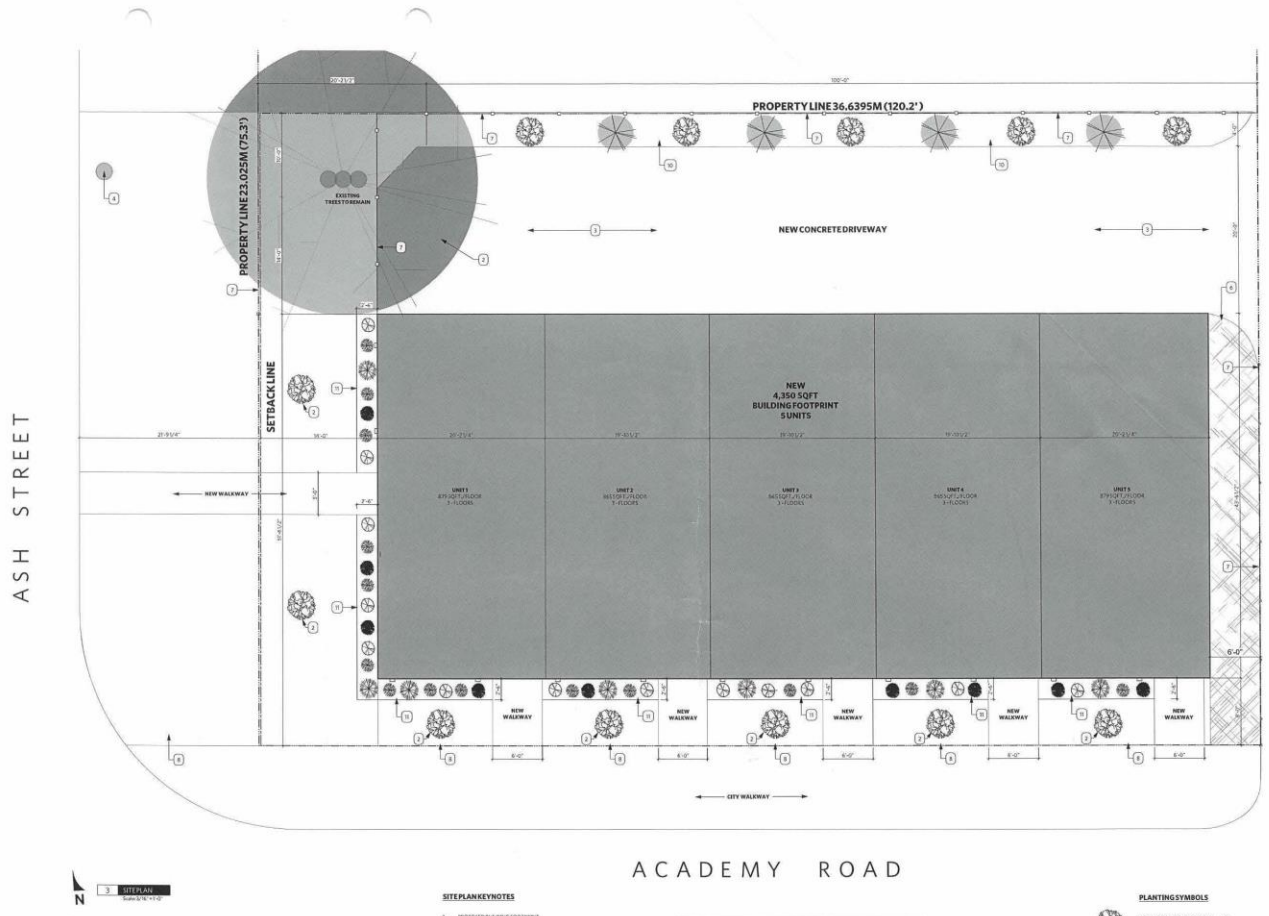
for review
not for construction

ASH PROPOSED RESIDENTIAL
160 ASH STREET

160 ASH STREET GP INC

RENDERS

A4.2



3 SITE PLAN
Scale: 3/16" = 1'-0"

ZONNING INFORMATION

CURRENT ZONING DESIGNATION:	RESIDENTIAL RI-LARGE
PROPOSED ZONING DESIGNATION:	RMF-SMALL
MAX. BUILDING HEIGHT (RMF-S):	35 FT.
PROPERTY AREA:	9,074 SQFT (843.0 SQ.M)
MAX. ALLOWABLE LOT COVERAGE:	50% (4,537 SQFT)(421.5 SQ.M.)
PROPOSED BUILDING FOOTPRINT:	4,450.44 SQFT (413.46 SQ.M.)
AREA REMAINING:	4,623.55 SQFT (429.54 SQ.M.)
PROPOSED BUILDING HEIGHT:	37 25/8" FT
% PROPOSED BUILDING COVERAGE:	48.5%

SETBACKS

BYLAW:	
RMF-FRONT YARD SETBACK:	20 FT.
RMF-GREAR YARD SETBACK:	25 FT.
RMF-INTERIOR SIDE YARD:	4 FT.
RMF-CORNER SIDE YARD:	5 FT.
FRONT YARD ALIGNMENT STUDY:	39 FT.
PROPOSED:	
FRONT YARD SETBACK	14 FT.
REAR YARD SETBACK	6 FT.
INTERIOR SIDE YARD	24 FT.
CORNER SIDE YARD	8 FT.

SITE PLAN KEYNOTES

1. PROPOSED BUILDING FOOTPRINT
2. NEW TREES COLUMNAR NORWAY MAPLE
3. NEW CONCRETE FINISH DRIVEWAY
4. EXISTING LAMP POST TO REMAIN
5. NEW CONCRETE WALKING PADS
6. NEW TEXTURED CONCRETE FINISHED WALKWAY
7. NEW WOOD PRIVACY FENCE TO BE INSTALLED
8. PROPOSED GREENSPACE ON ACADEMY
9. EXISTING SIDEWALK TO REMAIN
10. NEW TREES COLUMNAR NORWAY MAPLE AND SWEDISH ASPEN 16
11. NEW PLANTING KARL FOERSTER FEATHER REED GRASS, PRAIRIE DROPSEED, BOXWOOD, SPIREA 43

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DAV 25-253320D
SHEET 1 OF 8
DATE: March 18, 2026

PLANTING SYMBOLS

COLUMNAR NORWAY MAPLE:	12
SWEDISH ASPEN:	4
SPIREA:	13
BOXWOOD:	14
KARL FOERSTER FEATHER REED GRASS:	7
PRAIRIE DROPSEED:	9

White Label Homes

89 WALL STREET
WINNIPEG, MB R3G 2T9

WHITE LABEL HOMES CA
(204) 594-1242

CONSULTANTS

JDB Architectural
23 Summerview Lane, Winnipeg, MB R2V 3W9

This drawing must not be scaled. The contractor shall verify all dimensions and other data on site prior to commencement of work. All discrepancies, errors, and omissions are to be reported to the Design Consultant.

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ISSUE/REV.

2025-11-04 ISSUED FOR OWNER REVIEW

PROFESSIONAL SEALS

for review
not for construction

PROJECT NAME & ADDRESS

ASH PROPOSED RESIDENTIAL
160 ASH STREET

CLIENT INFORMATION

160 ASH STREET GP INC
615 WATERLOO STREET, WINNIPEG, MB R3H 0T2

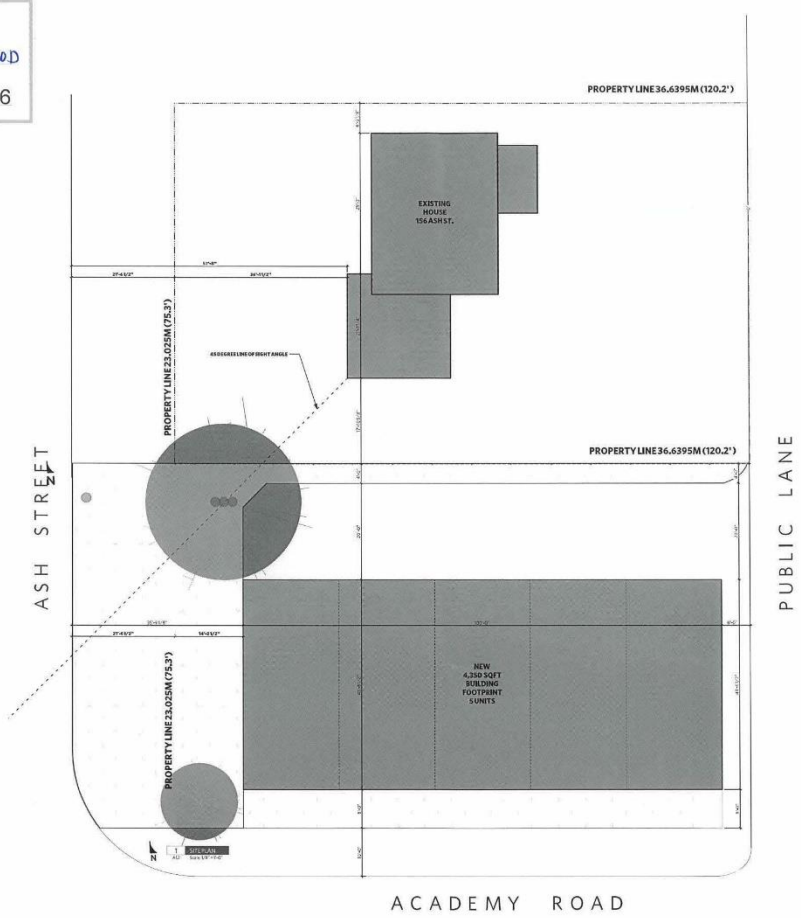
DRAWING INFORMATION

SCALE: AS NOTED
PROJ. #: L2024
REV. #:

SITE PLAN

A1.2

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DAV 25-253320D
SHEET # 2 OF 8
DATE March 18, 2026



White Label Homes

JDB Architectural

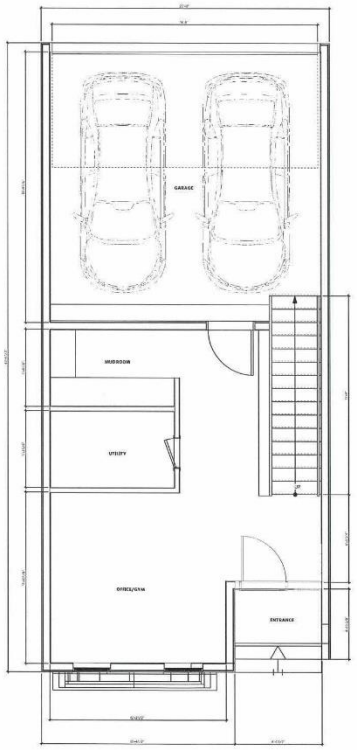
for review not for construction

ASH PROPOSED RESIDENTIAL
160 ASH STREET

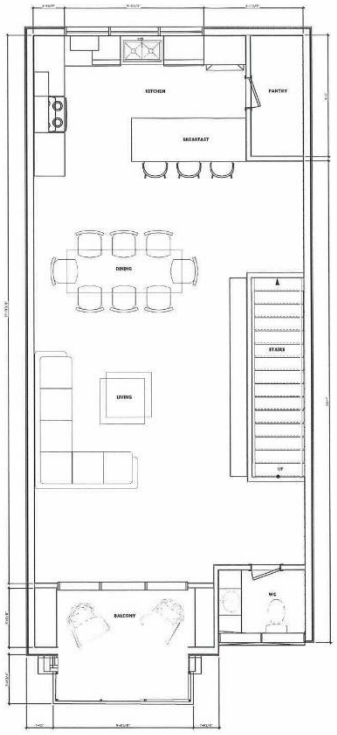
160 ASH STREET GP INC

KEY PLAN

A1.1



1 GROUND FLOOR PLAN



2 FIRST FLOOR PLAN



3 SECOND FLOOR PLAN

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH DAW 25 - 253210
3 8
DATE March 18, 2026

White Label Homes

JDB Architectural

for review not for construction

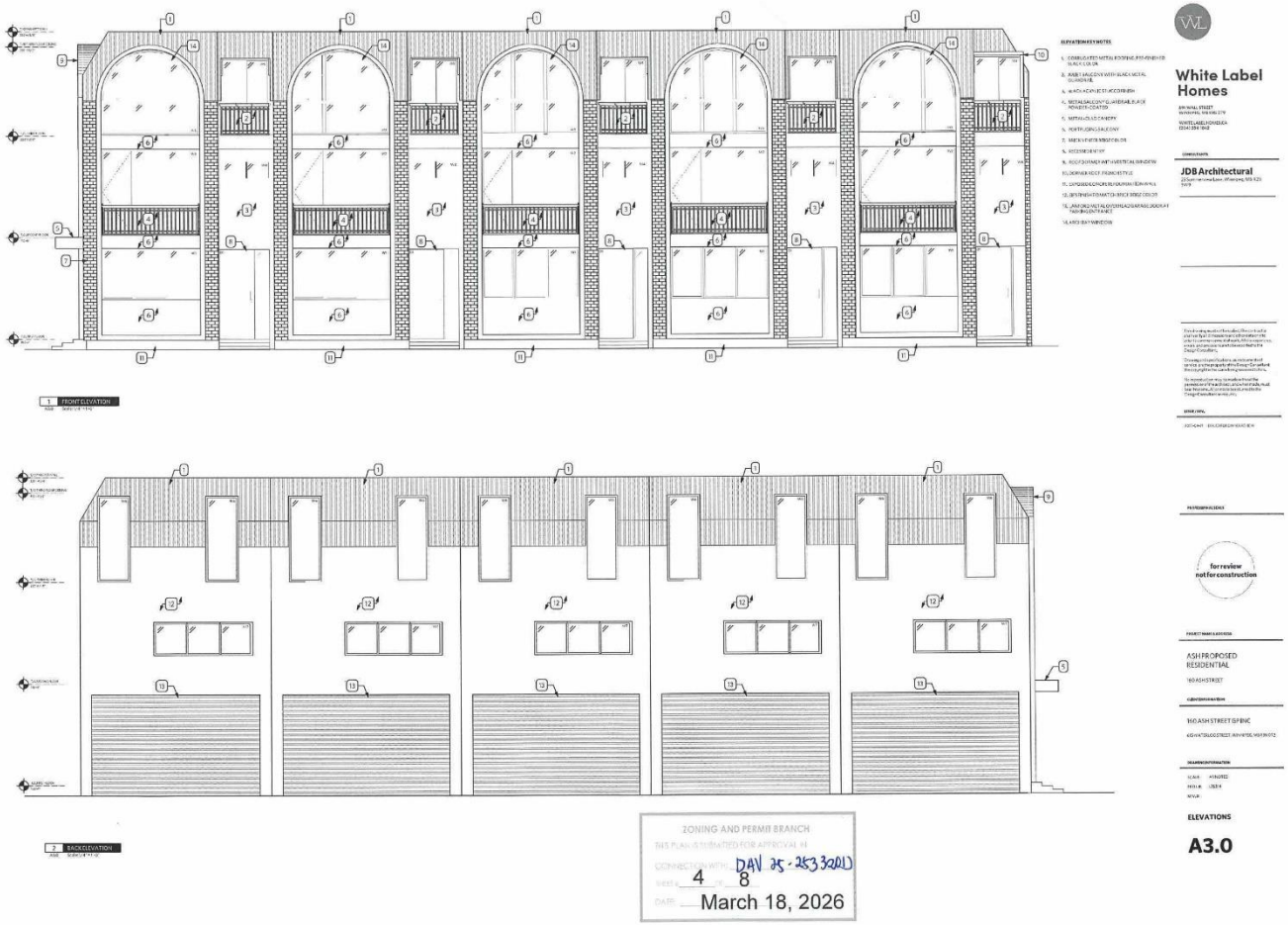
ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GPINC

FLOOR PLANS - SEQUNITS

A2.0



1 FRONT ELEVATION
2 BACK ELEVATION
White Label Homes
JDB Architectural
for review not for construction
ASH PROPOSED RESIDENTIAL
160 ASH STREET
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ELEVATIONS
A3.0
ZONING AND PERMIT BRANCH
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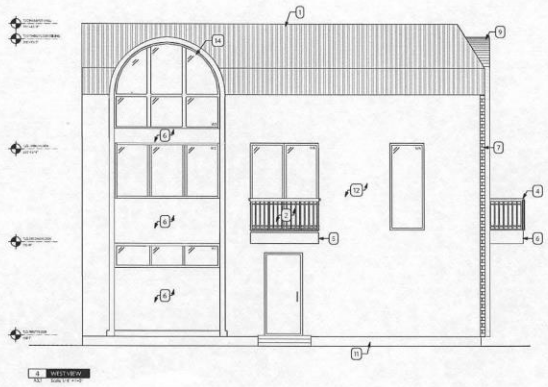
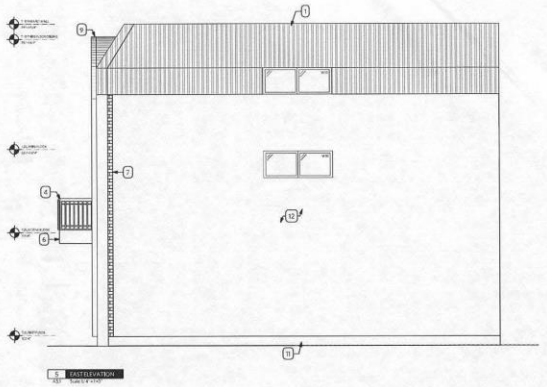
4
8
March 18, 2026

ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH DAV 25-253920 D
SHEET # 5 OF 8
DATE March 18, 2026





White Label Homes

JDB Architectural

for review not for construction

ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GP INC.

ELEVATIONS 2

A3.1



ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DAV 25-353220
SHEET # 6 OF 8
DATE: March 18, 2026

White Label Homes

JDB Architectural

for review
not for construction

ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET R MC

RENDERS

A4.0



ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH: DAV 25-253320D
SHEET # 7 OF 8
DATE: March 18, 2026

White Label Homes

JDB Architectural

for review
not for construction

ASH PROPOSED RESIDENTIAL
160 ASH STREET

160 ASH STREET GP INC

RENDERS

A4.1



ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN
CONNECTION WITH DAV 25-253320
SHEET 8 OF 8
DATE March 18, 2026

White Label Homes

JDB Architectural

for review
not for construction

ASH PROPOSED RESIDENTIAL

160 ASH STREET

160 ASH STREET GP INC

RENDERS

A4.2

Exhibit “7” referred to in File DAV 253320A/2025D

Date: March 18, 2026

To:
The Office of the City Clerk
c/o Appeal Committee

Susan A. Thomson Building

Main Floor, 510 Main Street

Email: CLK-AppealsW@winnipeg.ca

Re: Proposed FiveUnit Residential Development- 160 Ash Street
Zoning Context: R1L **/** Mature Communities PD01

Appeal to Order for Rezoning- DAZ 228/2025 and Variance- DAV 253320/20250

We are residents, living downtown the street from 160 Ash St. at . for 6 years. Over this time, **I** have seen wonderful renovations and additions to our street that have "fit" with the surrounding neighborhood. I too have upgraded my home over the years and was held to the standards, building codes and zoning that were in place.

While an ask from a builder for concessions for small modifications to zoning is common, We feel the size of this project and what the builder is asking for is more than a "tweak" but abuse to the zoning by laws!

I ask that this redevelopment follows the rules that are in place. I would have thought our councillors would have thought the same! **I** was wrong!

My grounds for appeal are,

- Consultation. I had zero consultation before the sign was on the lot. No discussion, no letter, no call. I feel that there was not sufficient information to affected neighbors to have input on the plan.
- Parking. 5 two small car garages on each unit. 10 in total vs a single home prior. Will the tenants keep all their vehicles in their garages? If they have surplus vehicles or storage in their garages the parking will escalate on the street. All units visitors and deliveries will park on the street. This is compounded by the lack of parking on Academy Rd. for the apartments and restaurants.
- Snow Removal. Where will the snow go for these units? Is there a budget for snow hauling? Or a requirement of zoning to deal with this?
- Set backs. Ash street has always had a setback requirement that have made this

street exceptional in its curb appeal. A wall of townhouses encroaching towards Ash street will take away from this charm, and for safety reasons make entering on to Academy Rd more difficult. The same goes for the back lane. Site lines will be hampered making entering Academy Rd unsafe.

I appeal to the City Centre Community Committee to stop this development as it stands. Approving a 5 plex is deleterious to the area and street. While the new Housing Accelerator Fund has opened the rules on redevelopment it only allows for a 4 plex in this instance with many tests for compatibility to the area.

I see no evidence that this site should be approved over the required criteria of City by laws for this property.

Respectfully,

Shaun and Dana Mayberry

Exhibit “6” referred to in File DAV 253320A/2025D

Appeal – DAV 253320/2025D

160 Ash St

Kyle and Brittany Burkett

We would like to appeal the conditional approval of the variance for front yard allotment at 160 Ash Street.

We believe that the reduction in the front yard depth from 39 ft. to 14 ft. would drastically alter the look of the block, create visual crowding, negatively affect adjoining properties and is not in keeping with the overall character of the neighbourhood.

The city planners suggested a setback of 30 ft. at the initial hearing. The councillors did not provide concise nor meaningful reasons for allowing the significant front yard variance. The applicant has reasonable alternatives to develop the property in full compliance with existing zoning regulations without requiring variances. Other multi-unit developments in the area adhere to a front yard depth in keeping with their neighbours which maintains the character and appearance of the neighbourhood - for instance 509 Academy Road.

As the property owners of 156 Ash Street, we believe this variance application fails to meet the criteria established under Section 247(3) of The City of Winnipeg Charter, and we respectfully request that Council deny this application for the following reasons:

1. The variance is not consistent with Plan Winnipeg and applicable secondary plans

Section 247(3)(a) of The City of Winnipeg Charter requires that a variance be consistent with Plan Winnipeg and any applicable secondary plan. The requested front and back yard setback reductions are inconsistent with the established development patterns in our neighborhood.

2. The variance will create a substantial adverse effect on adjoining properties

Section 247(3)(b) requires that a variance not create a substantial adverse effect on the amenities, use, safety, and convenience of adjoining properties and the adjacent area. The proposed reduced setbacks will:

- Create an overbearing presence on adjacent properties
- Substantially reduce privacy for neighboring residents
- Diminish light, air circulation, and views from surrounding properties
- Result in the loss of many mature trees

- Create visual crowding that is inconsistent with the established character of the area

These impacts represent substantial adverse effects on the amenities and use of my property and those of my neighbors.

3. The variance is not the minimum modification required

Section 247(3)(c) requires that a variance be the minimum modification necessary to relieve the injurious effect of the zoning by-law on the applicant's property. The applicant has not demonstrated any unique hardship or injurious effect caused by the current setback requirements. The property can be reasonably developed in compliance with existing zoning regulations.

4. The variance is not compatible with the area

Section 247(3)(d) requires that a variance be compatible with the area in which the property is situated. The existing setback requirements were established to maintain uniformity, adequate spacing, and the established character of our neighborhood. Granting these variances would set a detrimental precedent and create an incompatible development pattern that undermines the integrity of the block and neighbourhood.

We suggest the 5 townhouse unit building proposal be reduced to 4 units, with the west-most unit being deleted. This would allow the front yard variance to be minimal and maintain the positive aspects of the building that the developer desires.

We are not opposed to the development of multifamily units in the area. However, the front yard variance request is extreme. We are opposed to this variance and believe that the proposed building could be constructed while also adhering to the front yard allotment standard of the street.

We also note that much of the “support” and “lack of opposition” outlined by the developers in the initial hearing was found to lack reliability.

We therefore implore the city to uphold a reasonable front yard variance allotment for the new development at 160 Ash Street.

Respectfully,

Kyle and Brittany Burkett

Exhibit “5” referred to in File DAV 253320A/2025D

Date: March 15, 2026

To:
The Office of the City Clerk
c/o Appeal Committee

Susan A. Thomson Building

Main Floor, 510 Main Street

Email: CLK-Appeals@winnipeg.ca

Re: Proposed Five-Unit Residential Development – 160 Ash Street
Zoning Context: R1-L / Mature Communities PDO-1

Appeal to Order for Rezoning – DAZ 228/2025 and Variance – DAV 253320/2025D

The reasons for appeal are as follows:

While acknowledging the City of Winnipeg’s commitments under the **Housing Accelerator Fund** and the recent Council-approved zoning reforms intended to support increased housing supply (including four-unit residential development on appropriately sized lots and along major transit routes), the decision of the City Center **Committee is patently wrong and ignores many site-specific** issues **and does not satisfy the applicable statutory tests and the intent** of the City’s adopted four-plex framework, particularly within the **Mature Communities Planned Development Overlay (PDO-1)**.

Specifically, the requested variance will result in:

- **Substantial adverse affect** on the amenities, use, safety and convenience of the adjoining properties and adjacent area;
- **A substantial modification to the zoning by-law** through the elimination of a substantial amount of the front and rear yard setbacks
- The **development not being compatible with the surrounding area and homes** on this portion of Ash Street

---

The specific grounds for appeal are as follows:

1. Consistency with Applicable Plans and Policies

The subject property benefits from several favourable attributes, including its location on a major transit route, a 75-foot lot width, and rear-lane access. These characteristics support redevelopment and align with the City's general intensification objectives.

However, Council's recent zoning reforms explicitly normalized **four-unit development** as the appropriate form of "gentle density" in residential neighbourhoods. The proposed **fifth dwelling unit** exceeds that as-of-right framework and materially **changes the project from a four-plex into a small multi-family development**.

As a result, the proposal goes beyond what Council endorsed as a balanced implementation of increased density, particularly within Mature Communities subject to PDO-1 controls.

---

2. Compatibility with the Surrounding Area (PDO-1)

PDO-1 requires that new development **maintain the established character of the neighbourhood**, while allowing for sensitive infill.

While the proposed building is limited to two storeys, compatibility concerns arise from **intensity of use**, not height alone. Five dwelling units on a 9,000 square foot lot increase:

- Occupancy levels
- Servicing frequency
- Garbage and recycling volume
- Rear-lane traffic and operational demand
- Injurious effect to surrounding properties

These impacts exceed what the four-plex framework contemplated and alter the functional character of this block of Ash Street, which remains predominantly low-intensity residential. Other multi-family units in River Heights have maintained a yard depth similar to their neighbours to maintain sightlines from the block, promote uniformity and maintain the established character of the neighbourhood – a good example of this is the multi-family unit at 509 Academy.

---

3. Impact on Amenities, Safety, and Convenience

Parking and Access

Although the proposal appears to have parking spaces for each unit, **no visitor or guest parking** is provided. Transit adjacency may reduce resident vehicle ownership, but it does not eliminate:

- Visitor parking demand
- Trades and service vehicles
- Home-care providers
- Delivery and ride-hail activity

In winter months, snow storage further reduces on-street parking capacity, creating predictable spillover impacts on adjacent properties.

Pedestrian and Operational Safety

This portion of Ash Street lacks sidewalks. Pedestrians—including seniors and children—already share the roadway with vehicles. Increased residential intensity, combined with winter windrows and servicing activity, raises legitimate safety and convenience concerns that have not been adequately addressed.

The height of the proposed structure and lack of front yard setback on a corner, will **significantly impact the safety of vehicles turning from Ash Street onto Academy**.

---

4. Climate-Responsive and Operational Design

Winnipeg's climate magnifies design impacts. The current proposal raises concerns regarding:

- Ice and snow shedding onto pedestrian travel areas
- Reduced sunlight and shadowing effects
- Limited on-site space for snow storage without encroachment

These are not aesthetic objections, but **operational and safety considerations** relevant to livability in a Mature Community context.

---

5. Appropriateness of the Relief Sought

Approving a five-unit residential development where four units represent the negotiated policy baseline risks undermining the integrity of the City's newly adopted framework. Any additional unit should be justified by clear evidence that it does **not increase functional, servicing, or neighbourhood impacts** beyond those anticipated for a four-plex.

The requested zoning variances to allow for this development **significantly impact the front yard and back yard set back requirements to effectively none**.

The developer's rationale for the zoning variances is that the development is not financially viable with only four units. Clearly that is not justification for the aforesaid detrimental effect

to all the residents of this block of Ash Street that a five plex unit. **The developer acquired the property with full knowledge of the zoning limitations of the property**.

Respectfully submitted,
Dr Eric R Bohm

Dr Clara J Bohm

Hanna M Bohm

Mara E Bohm

Euan R Bohm

Exhibit “4” referred to in File DAV 253320A/2025D

Date: March 16, 2026

To:
The Office of the City Clerk
c/o Appeal Committee

Susan A. Thomson Building

Main Floor, 510 Main Street

Re: Proposed Five-Unit Residential Development – 160 Ash Street
Zoning Context: R1-L / Mature Communities PDO-1

Appeal to Order for Rezoning – DAZ 228/2025 and Variance – DAV 253320/2025D

I have been a resident, living across from 160 Ash St. at . for 20 years. Over this time, I have seen wonderful renovations and additions to our street that have “fit” with the surrounding neighborhood. I too have upgraded my home over the years and was held to the standards, building codes and zoning that were in place.

While an ask from a builder for concessions for small modifications to zoning is common, I feel the size of this project and what the builder is asking for is more than a “tweak” but abuse to the zoning by laws!

I ask that this redevelopment follows the rules that are in place. I would have thought our councillors would have thought the same! I was wrong!

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- Consultation. I had zero consultation before the sign was on the lot. No discussion, no letter, no call. I feel that there was not sufficient information to affected neighbors to have input on the plan.
- Parking. 5 two small car garages on each unit. 10 in total vs a single home prior. Will the tenants keep all their vehicles in their garages? If they have surplus vehicles or storage in their garages the parking will escalate on the street. All units visitors and deliveries will park on the street. This is compounded by the lack of parking on Academy Rd. for the apartments and restaurants.
- Snow Removal. Where will the snow go for these units? Is there a budget for snow hauling? Or a requirement of zoning to deal with this?
- Set backs. Ash street has always had a setback requirement that have made this street exceptional in its curb appeal. A wall of townhouses encroaching towards Ash

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I appeal to the City Centre Community Committee to stop this development as it stands. Approving a 5 plex is deleterious to the area and street. While the new Housing Accelerator Fund has opened the rules on redevelopment it only allows for a 4 plex in this instance with many tests for compatibility to the area.

I see no evidence that this site should be approved over the required criteria of City by laws for this property.

Respectfully,

Brock Campbell

Exhibit “3” referred to in File DAV 253320A/2025D

Date: March 12, 2026

To:

The Office of the City Clerk c/o Appeal Committee

Susan A. Thomson Building Main Floor, 510 Main Street

Email: CLK-Appeals@winnipeg.ca

Re: Proposed Five-Unit Residential Development – 160 Ash Street

Zoning Context: R1-L / Mature Communities PDO-1

Appeal to Order for Rezoning – DAZ 228/2025 and Variance – DAV 253320/2025D

The reasons for appeal are as follows:

While acknowledging the City of Winnipeg’s commitments under the **Housing Accelerator Fund** and the recent Council-approved zoning reforms intended to support increased

housing supply (including four-unit residential development on appropriately sized lots and along major transit routes), the decision of the City Center **Committee is patently wrong and ignores many site-specific** issues **and does not satisfy the applicable statutory tests and the intent** of the City’s adopted four-plex framework, particularly within the

Mature Communities Planned Development Overlay (PDO-1). Specifically, the requested variance will result in:

- **Substantial adverse affect** on the amenities, use, safety and convenience of the adjoining properties and adjacent area;
- **A substantial modification to the zoning by-law** through the elimination of a substantial amount of the front and rear yard setbacks
- The **development not being compatible with the surrounding area and homes** on this portion of Ash Street

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The specific grounds for appeal are as follows:

1. Consistency with Applicable Plans and Policies

The subject property benefits from several favourable attributes, including its location on a major transit route, a 75-foot lot width, and rear-lane access. These characteristics support redevelopment and align with the City's general intensification objectives.

However, Council's recent zoning reforms explicitly normalized **four-unit development** as the appropriate form of "gentle density" in residential neighbourhoods. The proposed **fifth dwelling unit** exceeds that as-of-right framework and materially **changes the project from a four-plex into a small multi-family development**.

As a result, the proposal goes beyond what Council endorsed as a balanced

implementation of increased density, particularly within Mature Communities subject to PDO-1 controls.

- **Compatibility with the Surrounding Area (PDO-1)**

PDO-1 requires that new development **maintain the established character of the neighbourhood**, while allowing for sensitive infill.

While the proposed building is limited to two storeys, compatibility concerns arise from

intensity of use, not height alone. Five dwelling units on a 9,000 square foot lot increase:

- Occupancy levels
- Servicing frequency
- Garbage and recycling volume
- Rear-lane traffic and operational demand
- Injurious effect to surrounding properties

These impacts exceed what the four-plex framework contemplated and alter the functional character of this block of Ash Street, which remains predominantly low-intensity

residential. Other multi-family units in River Heights have maintained a yard depth similar to their neighbours to maintain sightlines from the block, promote uniformity and maintain the established character of the neighbourhood – a good example of this is the multi-family unit at 509 Academy.

- **Impact on Amenities, Safety, and Convenience Parking and Access**

Although the proposal appears to have parking spaces for each unit, **no visitor or guest parking** is provided. Transit adjacency may reduce resident vehicle ownership, but it does not eliminate:

- Visitor parking demand
- Trades and service vehicles
- Home-care providers
- Delivery and ride-hail activity

In winter months, snow storage further reduces on-street parking capacity, creating predictable spillover impacts on adjacent properties.

Pedestrian and Operational Safety

This portion of Ash Street lacks sidewalks. Pedestrians—including seniors and children—already share the roadway with vehicles. Increased residential intensity, combined with winter windrows and servicing activity, raises legitimate safety and convenience concerns that have not been adequately addressed.

The height of the proposed structure and lack of front yard setback on a corner, will

significantly impact the safety of vehicles turning from Ash Street onto Academy.

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4. Climate-Responsive and Operational Design

Winnipeg's climate magnifies design impacts. The current proposal raises concerns regarding:

- Ice and snow shedding onto pedestrian travel areas
- Reduced sunlight and shadowing effects
- Limited on-site space for snow storage without encroachment

These are not aesthetic objections, but **operational and safety considerations** relevant to livability in a Mature Community context.

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5. Concerns Regarding Evidence Presented at the Hearing

During the Community Committee hearing, statements were made regarding

neighbourhood support for the proposal. It is my understanding that the level of support presented may not accurately reflect the number of neighbouring properties that support

the development. Five adjacent properties were represented as being in favor of the project when in fact only one property was in favor. The one property in favor is a property with a non-arms length relationship to the variance applicant.

In addition, written correspondence presented as support for the project appears to have originated from a property that was previously owned by an individual with a non-arms length relationship with the applicant but was not owned by them at the time of the

hearing.

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6. Appropriateness of the Relief Sought

Approving a five-unit residential development where four units represent the negotiated

policy baseline risks undermining the integrity of the City's newly adopted framework. Any additional unit should be justified by clear evidence that it does **not increase functional, servicing, or neighbourhood impacts** beyond those anticipated for a four-plex.

The requested zoning variances to allow for this development **significantly impact the front yard and back yard set back requirements to effectively none**.

The developer's rationale for the zoning variances is that the development is not financially viable with only four units. Clearly that is not justification for the aforesaid detrimental effect to all the residents of this block of Ash Street that a five plex unit. **The developer**

acquired the property with full knowledge of the zoning limitations of the property.

The previous representations of support for this project are not accurately affected. The

City should carefully examine the representations to the contrary as evidence in the appeal representations.

Respectfully submitted,

James A. Ferguson K.C. Marilyn D. Ferguson

Dr. Celeste E. Ferguson

Exhibit "2" referred to in File DAV 253320A/2025D

Date: March 13, 2026

City Clerk, City of Winnipeg
c/o Appeal Committee
Susan A. Thompson Building Main Floor, 510
Main Street Winnipeg, Manitoba, R3B 1B9

Re: Appeal of Variance Order DAV 253320/2025D – 160 Ash Street

Dear Members of the Appeal Committee,

I am writing to formally appeal the decision of the City Centre Community Committee dated February 27, 2026, which approved variances for the property at 160 Ash Street to permit:

- A front yard setback of 14 feet instead of 39 feet; and
- A rear yard setback of 6 feet instead of 25 feet.

While I support thoughtful residential intensification and do not oppose the rezoning of this property, the variances approved by the Community Committee do not satisfy the statutory criteria required under Section 247(3) of The City of Winnipeg Charter. In particular, the variances, as approved, will create a substantial adverse effect on the amenities, use, safety, and convenience of adjoining properties and are not compatible with the character of the neighbourhood in which the property is situated. The decision also departs significantly from the recommendations of City planning staff and the policy intent of Winnipeg's development framework.

For these reasons, I respectfully request that the Appeal Committee overturn the variance approval.

Failure to Meet the "Minimum Modification" Test

Section 247(3)(c) of The City of Winnipeg Charter requires that a variance represent the minimum modification of the zoning by-law necessary to relieve an injurious effect.

In this case, the City of Winnipeg planning department recommended a front yard setback of approximately 34 feet along Ash Street, reflecting the established street edge and neighbourhood context.

Despite this professional planning recommendation, the Community Committee approved a dramatically reduced setback of 14 feet. This represents a reduction of approximately 65 percent from the required setback, far exceeding the modification recommended by planning staff.

Professional planning staff are responsible for interpreting and applying Winnipeg's zoning by-law and planning policy framework. While Community Committees may depart from staff recommendations, such departures typically require clear planning justification. In this case, the Community Committee approved a setback that is substantially more permissive than what was recommended by City planning staff, without providing a clear planning rationale for doing so.

Given that the City's own planners determined that a setback closer to 34 feet would be appropriate, the approval of a 14-foot setback cannot reasonably be considered the minimum modification required by the Charter.

Incompatibility with the Established Streetscape

Section 247(3)(d) of The City of Winnipeg Charter requires that a variance be compatible with the area in which the property is situated.

Ash Street is characterized by a consistent pattern of deep front yards and a well-defined street edge. These setbacks contribute significantly to the established character of the neighbourhood and are reflected in the existing zoning standards.

Reducing the front yard setback from 39 feet to 14 feet introduces a building line that is substantially out of alignment with surrounding properties and represents a significant departure from the established streetscape.

Inconsistency with City Planning Policy

Winnipeg's planning framework, including OurWinnipeg, Complete Communities, and the Mature Communities Planned Development Overlay (PDO-1), encourages residential intensification while maintaining neighbourhood character and respecting established urban form.

The PDO-1 framework specifically emphasizes:

- reinforcing existing streetscapes
- ensuring new development responds to neighbourhood context
- maintaining compatible building placement and design

The extreme reduction of front and rear yard setbacks in this case conflicts with these principles.

Rear Yard Variance and Impact on Adjacent Properties

The variance also permits a rear yard setback of 6 feet instead of the required 25 feet, representing a reduction of approximately 76 percent of the required rear yard.

Rear yard setbacks serve important planning functions including maintaining adequate separation between buildings, protecting privacy and access to light for neighbouring properties, and providing functional space for drainage, servicing, and snow storage.

Reducing the rear yard setback to only 6 feet substantially limits these functions and significantly increases the intensity of development on the site. A rear yard of this size provides little functional space for snow storage, which is a practical consideration in Winnipeg's climate and may result in operational impacts for neighbouring properties and the surrounding area. Given the magnitude of the reduction from the required 25-foot setback, the approved variance cannot reasonably be considered the minimum modification required under Section 247(3) of The City of Winnipeg Charter.

Reliance on Irrelevant Planning Considerations

In its supporting reasons, the Community Committee noted that a four-storey four-plex could potentially be constructed as-of-right and suggested that such development might have greater impacts than the proposed project.

However, the statutory test for approving a variance is not whether a hypothetical development could be worse. The Committee must determine whether the specific variance application satisfies the criteria set out in Section 247(3) of The City of Winnipeg Charter.

Concerns Regarding Evidence Presented at the Hearing

During the Community Committee hearing, statements were made regarding neighbourhood support for the proposal. It is my understanding that the level of support presented may not accurately reflect the number of neighbouring properties that support the development. Five adjacent properties were represented as being in favor of the project when in fact only one property was in favor. The one property in favor is a property with a non-arms length relationship to the variance applicant.

In addition, written correspondence presented as support for the project appears to have originated from a property that was previously owned by an individual with a non-arms length relationship with the applicant but was not owned by them at the time of the hearing.

Conclusion

The variances approved for 160 Ash Street represent a significant departure from established zoning standards, from the recommendation of City planning staff, and from the policy intent of Winnipeg's planning framework.

In particular, the approved front yard setback of 14 feet fails to satisfy the statutory requirement that a variance represent the minimum modification necessary, creates the potential for adverse impacts on adjoining properties, and introduces a building placement that is incompatible with the established character of Ash Street.

For these reasons, I respectfully request that the Appeal Committee overturn the variance approval for DAV 253320/2025D and require that any redevelopment of the property comply with the established setback standards or, in the alternative, the setback recommended by City planning staff.

Thank you for your consideration of this appeal.

Sincerely,

Curtis Boughton
Kim Boughton

Exhibit "1" referred to in File DAV 253320A/2025D

THE CITY OF WINNIPEG
VARIANCE ORDER
CITY CENTRE COMMUNITY COMMITTEE

DAV 253320/2025D [c/r DAZ 228/2025]

Before:	City Centre Community Committee Councillor Gilroy, Chairperson Councillor Orlikow Councillor Rollins
Hearing:	February 23, 2026 Council Building, 510 Main Street
Applicant:	Lola Construction Management (Jeff Del Buono)
Premises Affected:	160 Ash Street
Legal Description:	LOT 2 PLAN 26304 48/50 ST B, hereinafter called "the land"
Property Zoned:	"R1-L PDO-1 Academy Mature Communities PDO-1 PDO-1 Academy" (Residential Single-Family – Large Planned Development Overlay – 1 (District) Academy Mature Communities Planned Development Overlay – 1 (District) Planned Development Overlay – 1 (District) Academy) Proposed "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" (Residential Multi-Family – Small Mature Communities Planned Development Overlay – 1 (District) and Planned Development Overlay – 1 (District) Academy Road)
Nature of Application:	To vary the Proposed "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" development and design standards of Winnipeg Zoning By-law 200/2006 to permit:

1. A front yard of 14 feet (4.26 metres) instead of 39 feet (11.88 metres);

2. A rear yard of 6 feet (1.82 metres) instead of 25 feet (7.62 metres).

It is the opinion of the City Centre Community Committee that subject to the conditions listed below, if any, this Variance meets 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. They really did do, I know it's a little strange, the style, but it's not that strange of a style where the area is located in the PDO area. There are some larger blocks in that area. This is where the community neighbourhood hub that we want in the area, but also taking the context of that. There is a need for densification, I definitely don't dispute that.

2. The applicant has really gone out of their way, met with me a few times on many issues I have raised, and they addressed, such as having the drive through lane off Ash and going right through. That would have caused some very strong problems because they don't have a sidewalk on Ash. Also another problem, the façade facing Ash, before as mentioned by the applicant, was a bare wall, it didn't keep in character with the front-line street, so they've addressed that.

3. The idea that there are 2 parking spots for each unit, is very helpful. I think there are some parking problems and to have people park on Academy, that's going to get more and more difficult as time goes on.

4. The fact that they have a large buffer between the neighbour's property including a row of trees that would go down between the neighbours property and the development, and the support of the neighbour, that's very supportive.

5. I do agree that there is a need for units such as this in the neighbourhood for people to retire to from the neighbourhood, so I agree with that as well.

6. The design is in keeping with the character. There was consultation, as much as they could. I know one appellant said that the consultation wasn't up to their standard, but again, it did adhere to our policies. They have met with me, they have met with the neighbourhood, and I have heard people call me and tell me that they have met with them, either in support or not, but again they did reach out, they tried hard on that, so I appreciate the effort they put into that.

7. The height, again, if we went with just allowing as of right, I think whatever would go there as of right would not be as good as this, so I'm willing to accept the extra unit because the 4 story, 4-plex would be higher, it would be pressing harder against the neighbourhood side and parking would probable be right off the lane, something I think the developer has addressed. So for those reasons I'm willing to support this application.

8. There is already a 30 foot set back requirement under the special yards requirement therefore this would not affect another 4 plex or even a single family house.

ORDER:

The City Centre Community Committee orders that the provisions of the Proposed "RMF-S Mature Communities PDO-1 and PDO-1 Academy Road" development and design standards of the Winnipeg Zoning By-law No. 200/2006 are varied on "the land" to permit:

1. A front yard of 14 feet (4.26 metres)

2. A rear yard of 6 feet (1.82 metres)

Subject to the following conditions, which the City Centre Community Committee considers necessary to ensure compliance with criteria (a) to (d) in Subsection 247(3) of the City of Winnipeg Charter, 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 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 228/2025.

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

DATE OF ORDER: February 27, 2026

CERTIFIED BY:



K. Dolski
Senior Committee Clerk

HOW TO APPEAL

If you object to this Order, you are entitled to file a notice of appeal. Your notice of appeal must:

(a) be in writing;

(b) contain your name, mailing address, and phone number;

(c) be addressed as set out below;

(d) be received at that office not later than 4:30 p.m. on March 18, 2026;

[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD]

(e) refer to Variance Use Order No. DAV 253320/2025D; and

(f) provide the reason(s) for the appeal

The City Clerk may not schedule an appeal hearing until your notice of appeal meets the above requirements.

Address:	City Clerk, City of Winnipeg c/o Appeal Committee Susan A. Thompson Building Main Floor, 510 Main Street Winnipeg, Manitoba, R3B 1B9
Fax:	204-947-3452
Email:	CLK-Appeals@winnipeg.ca

THE FOLLOWING PERSONS MADE REPRESENTATIONS AND ARE ENTITLED TO APPEAL:

In Support:

Jeffrey Del Buono
Derek Rolstone
Scott Stephanson
Stephan Stephanson
JP Chahal
Jared Neufeld
Jehad Harb
Ryan Navelgas
Danielle Bullich

In Opposition:

Kyle Burkett
Brittany Burkett
Michelle Richard
Ian Dyck
William Eamer
Jordana Buckwold
Julie-Anne McCallum
James McCallum
Victoria Albl
Gerhard Albl
Brock Campbell
Marie Harnois
John Webster
James Ferguson
Marilyn Ferguson
Celeste Ferguson
Curtis Boughton
Gerard Coneys
Sarah Coneys
Brigitte Magwet
John Zuk
Clancy Ethans
Andrea Weber Ethans
Doug Nanton
Conor Williamson
Megan Williamson
Sheara Waxman
Brock Loewen
Robin Jacuzzi
Shaun Mayberry
Dana Mayberry

For Information:

Nil

For the City:

D. Chyz-Lund, Planner, Planning, Property and Development Department
I. Stonehouse, Planner, Planning, Property and Development Department