Agenda – Appeal Committee – June 3, 2026

PUBLIC HEARINGS

Item No. 1 Appeal – Conditional Use – 1405 Portage Avenue (Daniel McIntyre Ward) File DCU 125866A/2026C

Appeals were received against the decision of the Director of Planning, Property and Development, to approve a Conditional Use to permit on "the land" the establishment of a Billboard, Digital Static Copy sign use,

subject to the following conditions:

1. That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.

2. That the sign shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DCU 26-125866\C, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

Agenda – Appeal Committee – June 3, 2026

File:	DCU 125866A/2026C
Appellants:	Don Derksen and Chris Di Lullo
Applicant:	Pattison Outdoor Advertising (Jeff Pinchin)
Premises Affected:	1405 Portage Avenue
Legal Description:	LOT 1 PLAN 32371 45 ST JA , hereinafter called "the land"
Property Zoned:	"C2 Malls and Corridors PDO Mature Communities PDO-1 Mature Communities PDO-1" (Commercial Community Malls and Corridors Planned Development Overlay Mature Communities Planned Development Overlay – 1 (District) Mature Communities Planned Development Overlay – 1 (District))
Nature of the Application:	For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 for the establishment of a Billboard, Digital Static Copy sign use.
Exhibits Filed:	1. Order DCU 125866/2026C dated April 27, 2026 2. Notice of Appeal filed by Chris Di Lullo, received May 8, 2026 3. Notice of Appeal filed by Don Derksen, received May 9, 2026 4. Notification of Public Hearing dated June 15, 2026 5. Manitoba Status of Title 3283942/1 6. Letter of authorization dated February 12, 2026 from Adam Rodin to Pattison Outdoor Advertising (Jeff Pinchin) 7. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising 8. Plans, Sheets 1 to 3 inclusive, for File DCU 125866/2026C dated March 16, 2026 9. Report from the Urban Planning Division dated April 17, 2026 10. Inspection Report

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

Moved by Councillor

That the report of the Winnipeg Public Service be taken as read.

Moved by Councillor

That the receipt of public representations be concluded.

Moved by Councillor

That in accordance with Section 254 and Subsection 247(3) of The City of Winnipeg Charter, the Conditional Use,

(a) ☐ is consistent ☐ is not consistent
with Plan Winnipeg, and any applicable secondary plan;

(b) ☐ does not create ☐ does create
a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway; and

(d) ☐ is ☐ is not
compatible with the area in which the property to be affected is situated.

Supporting Reasons:

Moved by Councillor

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

Moved by Councillor,

That Conditional Use Order DCU 125866/2026C be confirmed / cancelled.

Moved by Councillor

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

Exhibit “9” referred to in File DCU 125866A/2026C

ADMINISTRATIVE REPORT

Title: DCU 26-125866\C – 1405 Portage Ave

Issue: For a Conditional Use to allow a billboard sign.

Critical Path: Director of Planning, Property, and Development

AUTHORIZATION

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

DECISION AND CONDITIONS

The Urban Planning and Design Division **approves** the application for a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 for the establishment of a Billboard, Digital Static Copy sign use.

Subject to the following condition(s):

1. That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.
2. That the sign shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DCU 26-125866\C, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

REASON FOR THE REPORT

- The applicant is proposing to remove an existing free-standing sign, and replace it with a new digital static copy sign. Digital static copy signs are a Conditional Use in the “C2” zoning district.
- This report provides information regarding the subject application’s compliance with *The City of Winnipeg Charter*, section 249.

FILE/APPLICANT DETAILS

FILE:	**DCU 26-125866\C**
RELATED FILES:	N/A
COMMUNITY:	City Centre Committee
NEIGHBOURHOOD #:	1.115 - (MINTO)
SUBJECT:	For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 for the establishment of a Billboard, Digital Static Copy sign use.
LOCATION:	1405 Portage Ave
LEGAL DESCRIPTION:	LOT 1 PLAN 32371 45 ST JA
APPLICANT:	Jeff Pinchin (Pattison Outdoor Advertising) 1 Portage Ave E Unit 100 Winnipeg, MB R3B 3N3
OWNER:	RAE & JERRY'S CORPORATION 242 Hargrave St 1700 Winnipeg, MB R3C 0V1

HISTORY

N/A

DISCUSSION

CRITERIA FOR APPROVAL

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

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

(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway;

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

SITE DESCRIPTION

- The subject property is located on the north side of Portage Ave, in the Minto neighbourhood of the Daniel Mcintyre ward.
- The subject site is 91,003 square feet in area.
- The site is currently occupied by two free-standing signs and a restaurant.

- Under the *Complete Communities Direction Strategy 2.0*, the site is located within a "Regional Mixed Use" policy area.

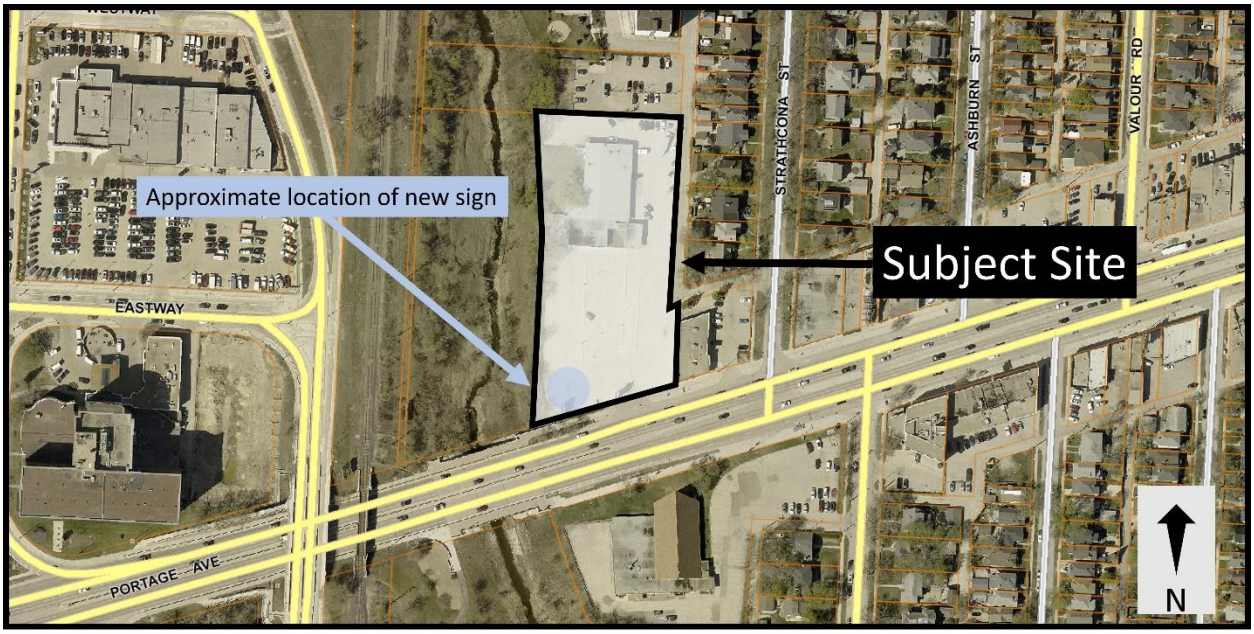


Figure 1: Aerial photo of subject site and surrounding area (flown 2024)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: The parking area of the restaurant use, zoned "C2" Commercial – Community district.

South: Portage Avenue, then a place of worship zoned "R2" Residential – Two-Family district.

East: A parking area and commercial use zoned "C2" Commercial – Community district.

West: Omand's Creek, zoned "PR1" Parks and Recreation – Passive Neighbourhood / Community district.

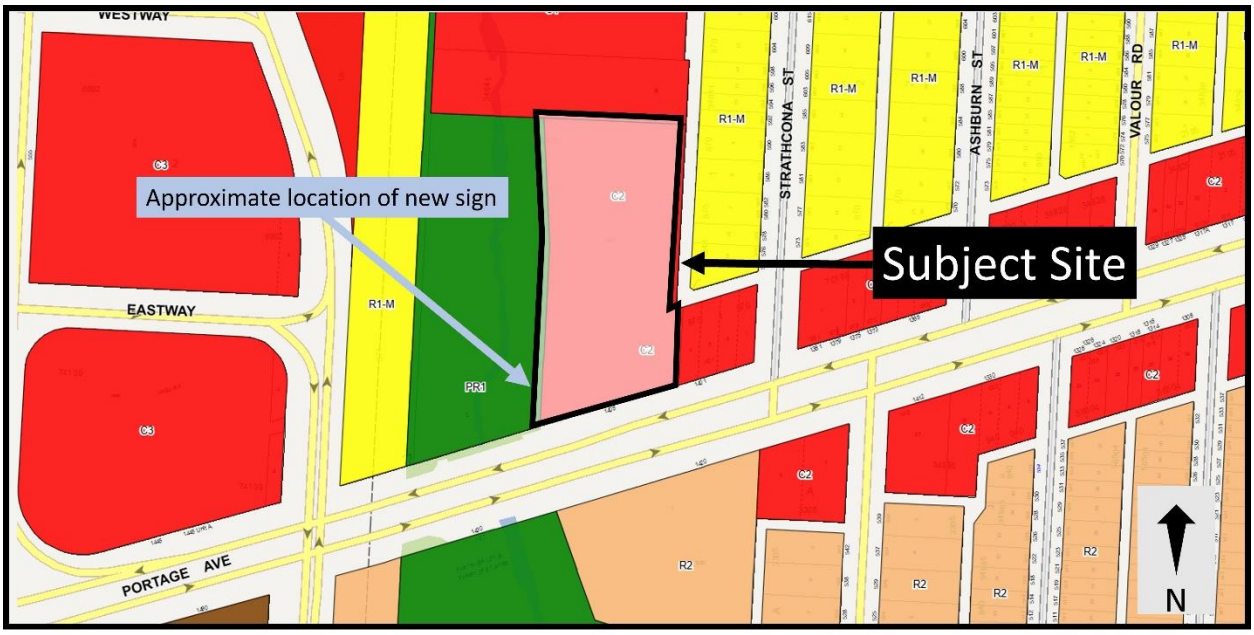


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to replace the existing free-standing sign with a new free-standing sign. The new free standing sign will:
    - Be 5.92 metres (19.42') x 3.04 metres (9.97')
    - Have a total surface area of approximately 193.61 square feet
    - Have new landscaping at the base, including a summit wall designed to look like brick with nine shrubs.
- The east side of the sign will be digital static copy, while the west side will be a static copy poster.

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 a "Regional Mixed Use Corridor" policy area as identified in *Complete Communities 2.0*. The following goals and policies of *CCDS 2.0* apply to the proposal:

- Goal 3 - *Ensure Corridors provide a comfortable pedestrian environment and attractive public realm.*

Regional Mixed Use Corridors

- *3.7 Encourage development on Regional Mixed Use Corridors to enable a comfortable pedestrian environment and attractive public realm through the use of design elements which may include, but are not limited to the following:*

  3.7.1 Providing minimal building setbacks from the public right-of-way to define the street edge.

  3.7.2 Having entrances provide direct access to the public sidewalk.

  3.7.3 Promoting a fine-grained and transparent street-level façade with active ground floor uses.

  3.7.4 Minimizing impacts of vehicular access and parking on the pedestrian environment.

  3.7.5 Promoting pedestrian-scale signage.

  3.7.6 The extent to which pedestrian-friendly design is pursued on Regional Mixed Use Corridors will be determined by the surrounding Corridor context, but in all cases will be encouraged.

- *3.9 Encourage pedestrian-oriented improvements to the design of the public realm and right-of-way.*

  3.9.1 Encourage a high degree of landscaping and street trees in the public realm and right-of-way to offer pedestrian comfort and shade protection.

In general, the Public Service tries to minimize the number of billboard signs along major roads in Winnipeg, prioritizing pedestrian-scaled signage instead. However, some areas of the city are characterized by a greater level of auto-orientation. This particular stretch of Portage Avenue includes multiple billboard signs located east and west of the subject site, with auto-oriented signage being a character of the area.

The proposed new billboard sign is intended to replace an existing billboard sign, meaning there is no change to the net number of signs on the site. Furthermore, the new sign represents an enhancement of the site, as it includes base landscaping.

CONDITIONAL USE

- The Winnipeg Zoning By-law categorizes certain land uses as “conditional” due to their potential to pose impact on adjacent uses. The Conditional Use process enables the Public Service to undertake additional analysis and determine the suitability of a proposal.
- Conditional Uses are supported when they have demonstrated they are compatible with the existing development context and will not have any substantial adverse effects on the surrounding area.

CONDITIONS OF APPROVAL

Given that the applicant has submitted supportable plans, a condition requiring the sign be established in compliance with the submitted plans has been included. If the plans were to change, a new application would be needed.

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 establishment of the sign does not conflict with the general intent of the policies In OurWinnipeg 2045 or 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 dimensional standards of the sign comply with the Winnipeg Zoning By-Law, limiting the impact on adjacent uses and to fit within the existing context.

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

In that, the sign is replacing an existing sign, and is proposed in for an area characterized by multiple auto-oriented billboard signs.

CONSULTATION

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

OURWINNIPEG 2045 POLICY ALIGNMENT

OurWinnipeg is the City of Winnipeg's long-range development plan. Applicable Policies for Mature Communities include the following:

6.21 Regional Mixed Use Corridors

- Recognize that a primary function of designated Regional Mixed-Use Corridors is for the efficient movement of people, goods and services, while transitioning the functional design over time to support mixed-use intensification and transit-orientation.

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.

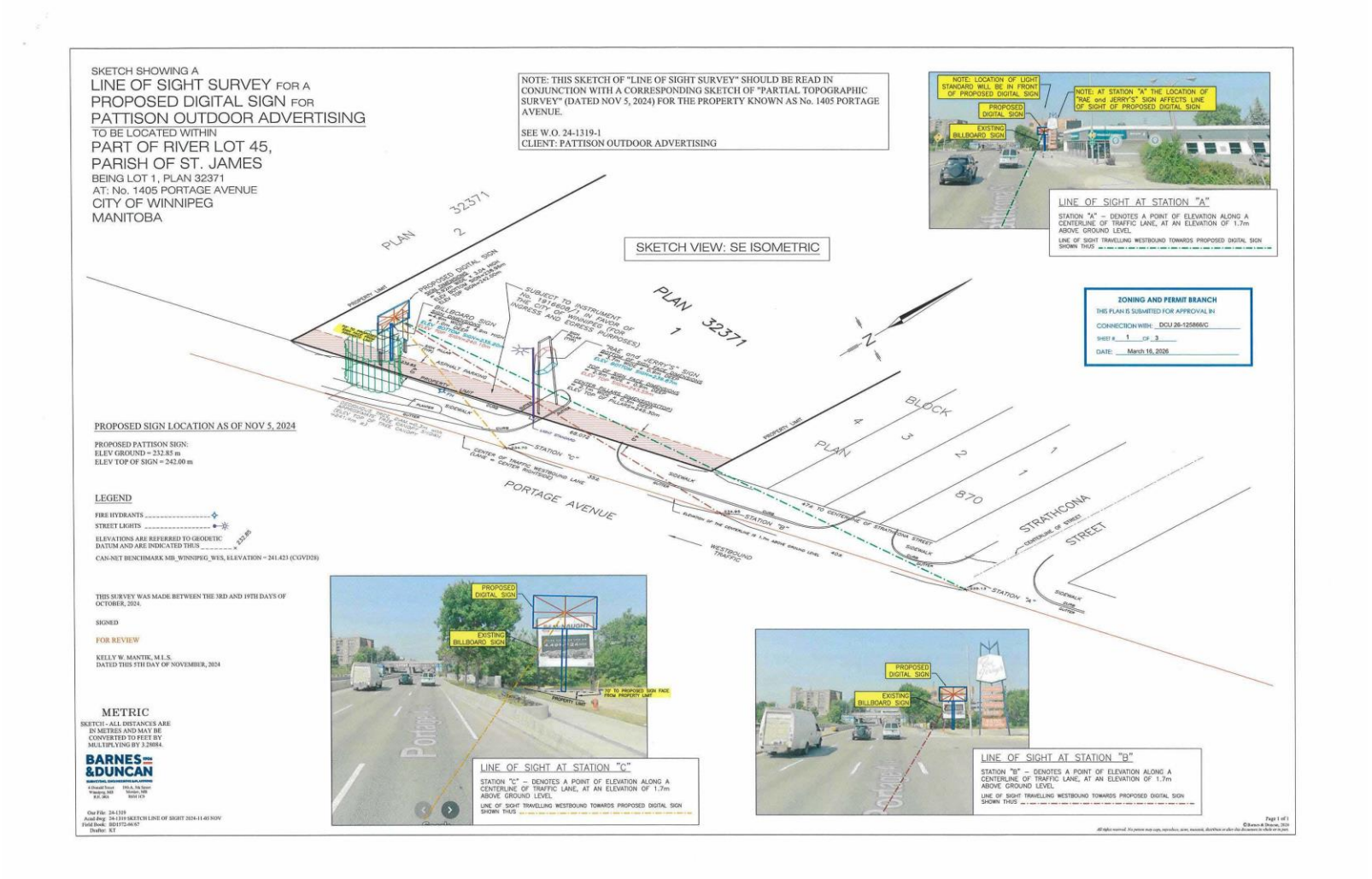
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

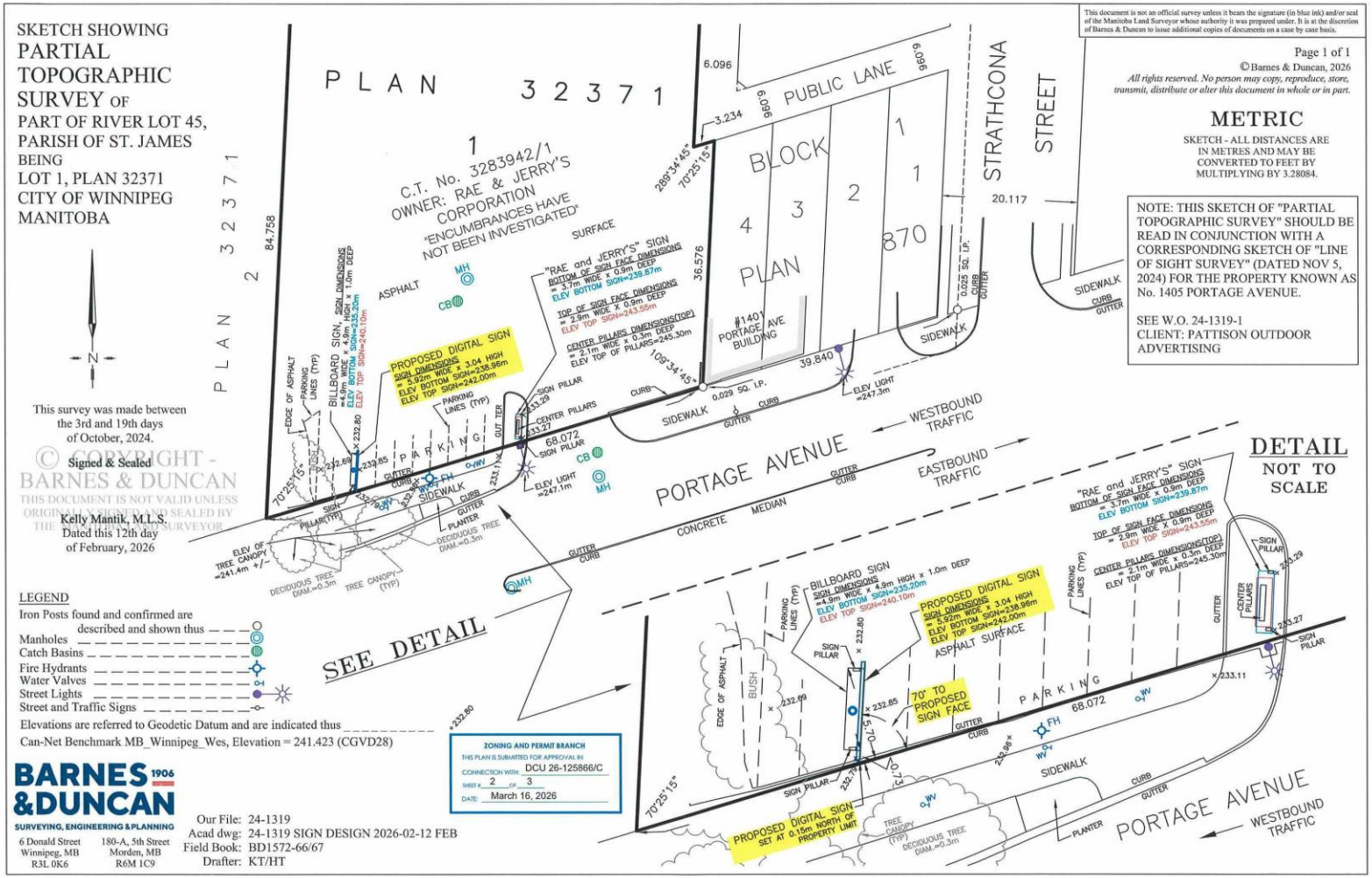
Consideration was given to whether this report connects to any of the specific Goals and Objectives in the *PRS* and it was determined the *PRS* is not applicable to this specific report.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Urban Planning and Design
Prepared by:	Dylan Chyz-Lund, RPP, MCIP
Date:	Friday, April 17, 2026
File No.	DCU 26-125866\C

Exhibit “8” referred to in File DCU 125866A/2026C




SKETCH SHOWING
PARTIAL TOPOGRAPHIC SURVEY OF
PART OF RIVER LOT 45, PARISH OF ST. JAMES
BEING
LOT 1, PLAN 32371
CITY OF WINNIPEG
MANITOBA
This document is not an official survey unless it bears the signature (in blue ink) and/or seal of the Manitoba Land Surveyor whose authority it was prepared under. It is at the discretion of Barnes & Duncan to issue additional copies of documents on a case by case basis.
Page 1 of 1
©Barnes & Duncan, 2026
All rights reserved. No person may copy, reproduce, store, transmit, distribute or alter this document in whole or in part.
METRIC
SKETCH - ALL DISTANCES ARE IN METRES AND MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084.
NOTE: THIS SKETCH OF "PARTIAL TOPOGRAPHIC SURVEY" SHOULD BE READ IN CONJUNCTION WITH A CORRESPONDING SKETCH OF "LINE OF SIGHT SURVEY" (DATED NOV 5, 2024) FOR THE PROPERTY KNOWN AS No. 1405 PORTAGE AVENUE.
SEE W.O. 24-1319-1
CLIENT: PATTISON OUTDOOR ADVERTISING
PLAN 32371
1
C.T. No. 3283942/1
OWNER: RAE & JERRY'S CORPORATION
"ENCUMBRANCES HAVE NOT BEEN INVESTIGATED"
BLOCK 4 3 2 1 PLAN 870
PUBLIC LANE
STRATHCONA STREET
#1405 PORTAGE AVE BUILDING
PROPOSED DIGITAL SIGN
SIGN DIMENSIONS = 3.04 HIGH x 2.92m WIDE
ELEV BOTTOM SIGN=238.96m
ELEV TOP SIGN=242.00m
BILLBOARD SIGN
SIGN DIMENSIONS = 4.9m WIDE x 4.9m HIGH x 1.0m DEEP
ELEV BOTTOM SIGN=235.20m
ELEV TOP SIGN=240.10m
"RAE and JERRY'S" SIGN
BOTTOM OF SIGN FACE DIMENSIONS = 3.7m WIDE x 0.9m DEEP
ELEV BOTTOM SIGN=239.87m
TOP OF SIGN FACE DIMENSIONS = 2.9m WIDE x 0.9m DEEP
ELEV TOP SIGN=243.55m
CENTER PILLARS DIMENSIONS(TOP) = 2.1m WIDE x 0.3m DEEP
ELEV TOP OF PILLARS=245.30m
PORTAGE AVENUE
WESTBOUND TRAFFIC
EASTBOUND TRAFFIC
CONCRETE MEDIAN
SEE DETAIL
DETAIL
NOT TO SCALE
70° TO PROPOSED SIGN FACE
PROPOSED DIGITAL SIGN SET AT 0.15m NORTH OF PROPERTY LIMIT
This survey was made between the 3rd and 19th days of October, 2024.
Signed & Sealed
Kelly Mantik, M.L.S.
Dated this 12th day of February, 2026
© COPYRIGHT - BARNES & DUNCAN
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED BY THE MANITOBA LAND SURVEYOR
LEGEND
Iron Posts found and confirmed are described and shown thus
Manholes
Catch Basins
Fire Hydrants
Water Valves
Street Lights
Street and Traffic Signs
Elevations are referred to Geodetic Datum and are indicated thus
Can-Net Benchmark MB_Winnipeg_Wes, Elevation = 241.423 (CGVD28)
ZONING AND PERMIT BRANCH
THIS PLAN IS SUBMITTED FOR APPROVAL IN CONNECTION WITH: DCU 26-125866/C
SHEET # 2 OF 3
DATE: March 16, 2026
BARNES & DUNCAN 1906
SURVEYING, ENGINEERING & PLANNING
6 Donald Street Winnipeg, MB R3L 0K6
180-A, 5th Street Morden, MB R6M 1C9
Our File: 24-1319
Acad dwg: 24-1319 SIGN DESIGN 2026-02-12 FEB
Field Book: BD1572-66/67
Drafter: KT/HT



ZONING AND PERMIT BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN

CONNECTION WITH: DCU 26-125866/C

SHEET # 3 OF 3

DATE: March 16, 2026

PATTISON OUTDOOR ADVERTISING

Proposed 10' X 20' Billboard, Digital Static Copy
1405 Portage Avenue
Winnipeg, Manitoba

PATTISON

Exhibit “3” referred to in File DCU 125866A/2026C

To the hard working people at the City of Winnipeg:

We live across portage avenue from Rae and Jerry’s at . The west and north sides of our house have windows in direct line of sight. Not enthusiastic about an increase in all night illumination. Please keep the classic and historically effective sign as it is.

With appreciation of your process rendering advance notice.

Don

Don Derksen

Exhibit “2” referred to in File DCU 125866A/2026C

Notice of Appeal

City Clerk’s Department

Attn: Appeals Committee

Council Building, 510 Main Street

Winnipeg, MB R3B 1B9

RE: Notice of Appeal – File No. DCU 26-125866/C Location: 1405 Portage Ave

I, **Chris Di Lullo, am writing** to formally appeal the decision made by the Director of Planning, Property, and Development to approve a Conditional Use for a Billboard, Digital Static Copy sign at the above mentioned address.

Grounds for Appeal: Pursuant to Section 247(3) of *The City of Winnipeg Charter*, I believe this development should be rejected based on the following impacts to the adjacent residential area:

- **Substantial Adverse Effect on Amenities and Use:** The proposed digital static copy sign, with dimensions of 5.92 metres by 3.04 metres, is significantly large and much larger and higher than the existing non-digital signage. The brightness emitted by a digital sign of this scale will create light pollution that disrupts the ability of residents to enjoy their private property. This includes light shining directly into house windows and onto private yards, making it difficult to utilize these spaces as intended.
- **Nighttime Disruption:** The digital nature of the sign is particularly intrusive at night. This brightness is annoying and unsightly for residents attempting to enjoy their porches, yards or look out their windows during evening hours, fundamentally altering the residential character of the immediate area to the East and South.
- **Incompatibility with the Area:** While the corridor is commercial, the southern adjacent area is zoned "R2" Residential. The intense light from a digital billboard is not compatible with a residential living environment and fails to meet the criteria for compatibility
  required for Conditional Use approval.

I confirm that I am an eligible voter in the City of

Winnipeg. Sincerely,

Chris Di Lullo

Date: May 8, 2026

Print Name: Chris Di Lullo

Mailing Address:

Phone Number:

Email:

Exhibit “1” referred to in File DCU 125866A/2026C

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

CONDITIONAL USE ORDER

DCU 26-125866/C

APPLICANT:	Jeff Pinchin Pattison Outdoor Advertising 1 PORTAGE AVE E UNIT 100 WINNIPEG MB R3B 3N3
PREMISES AFFECTED:	1405 Portage AVE
LEGAL DESCRIPTION:	LOT 1 PLAN 32371 45 ST JA hereinafter called "the land".
PROPERTY ZONED:	C2 Malls and Corridors PDO Mature Communities PDO-1 Mature Communities PDO-1
ZONING ATLAS SHEET:	AA21

NATURE OF APPLICATION:

For a Conditional Use under Winnipeg Zoning By-Law No. 200/2006 for the establishment of a Billboard, Digital Static Copy sign use.

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

(a) is consistent with Plan Winnipeg and any applicable secondary plan;
(b) does not create a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway; and
(d) is compatible with the area in which the property to be affected is situated.

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

ORDER:

RE: 1405 Portage AVE

The Director of Planning, Property and Development Department hereby orders that the establishment of a Billboard, Digital Static Copy sign use **is APPROVED** on "the land", subject

to the following condition(s) which the Director of Planning, Property and Development Department considers necessary to ensure compliance with criteria (a) to (d) above, namely:

1. That if any development granted by the Order is not established within two (2) years of the date thereof, the Order, in respect of that Conditional Use shall terminate.
2. That the sign shall be constructed in substantial conformance with the plans attached and identified as Sheets 1-3 for File No. DCU 26-125866\C, and thereafter maintained to the satisfaction of the Director of Planning, Property and Development.

DATE OF ORDER: April 27, 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 May 11, 2026.
[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Conditional Use Order DCU 26-125866/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