Minutes – Appeal Committee – June 17, 2026

PUBLIC HEARINGS

Item No. 4 Appeal – Variance – 925 Kildonan Drive (North Kildonan Ward) File DAV 132519A/2026B

COMMITTEE DECISION:

The Appeal Committee denied the appeal, concurred in the decision of the Director of Planning, Property and Development, as amended, cancelled Variance Order DAV 132519/2026B and approved a Variance on "the land" for the construction of a detached garage with an attached shed to permit as follows:

1. a west side yard of 2 feet (0.61 metres)

2. a separation space to the principal dwelling of 2 feet (0.61 metres.)

3. a west side yard eave projection of 1 foot (0.30 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 detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

3. That the owner install eavestroughs on the garage with downspouts that drain to the back lane, to the satisfaction of the Director of Planning, Property and Development.

DECISION MAKING HISTORY:

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

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

Carried

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

Carried

Moved by Councillor Allard,
That in accordance with Subsection 247(3) of The City of Winnipeg Charter, the Variance,

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

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

(c) [✓] is [ ] is not
the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

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

Supporting Reasons:

1. I think this garage is likely a benefit to the property it’s being built on and I think it’s a minor variation.

Carried

DECISION MAKING HISTORY (continued):

Moved by Councillor Allard,
That the appeal be denied and the decision of the Director of Planning, Property and Development be concurred in with the following amendment:

- Add the following new condition 3.:

  "3. That the owner install eavestroughs on the garage with downspouts that drain to the back lane, to the satisfaction of the Director of Planning, Property and Development."

Carried

Moved by Councillor Allard,
That Variance Order DAV 132519/2026B be cancelled.

Carried

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

Carried

THE CITY OF WINNIPEG
VARIANCE APPEAL ORDER
APPEAL COMMITTEE

DAV 132519A/2026B

Before:	Appeal Committee Councillor Santos, Chairperson Councillor Allard Councillor Durand-Wood Councillor Gilroy
Hearing	June 17, 2026 Council Building, 510 Main Street
Applicant	Bayward Builders Ltd. (Darryl Labay)
Premises Affected	925 Kildonan Drive
Legal Description	NELY 34F LOT 4; EXC NELY 17F LOT 5 BLOCK 5 PLAN 5747 70/5 K, hereinafter called “the land”
Property Zoned	“R1-M Mature Communities PDO-1” (Residential Single-Family – Medium Mature Communities Planned Development Overlay-1 (District)
Nature of the Application	To vary the "R1-M Mature Communities PDO-1" development and design standards of Winnipeg Zoning By-Law No. 200/2006 for the construction of a detached garage with an attached shed to permit as follows: 1. a west side yard of 2 feet (0.61 metre) instead of 4 feet (1.22 metre); 2. a separation space to the principal dwelling of 2 feet (0.61 metre) instead of 3 feet (0.91 metre);

3. a west side yard eave projection of 1 foot (0.30 metres) instead of 0.66 feet (0.20 metres).

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

The Director of Planning, Property and Development approved a Variance, File DAV 132519/2026B to Bayward Builders Ltd. (Darryl Labay), for the premises located at 925 Kildonan Drive, for the construction of a detached garage with an attached shed to permit as follows:

1. a west side yard of 2 feet (0.61 metres) instead of 4 feet (1.22 metres);

2. a separation space to the principal dwelling of 2 feet (0.61 metres) instead of 3 feet (0.91 metres);

3. a west side yard eave projection of 1 foot (0.30 metres) instead of 0.66 feet (0.20 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 detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

Pursuant to the provisions of The City of Winnipeg Charter, Joyce Liska, appealed the Variance Order DAV 132519/2026B, and after Notice, the appeal was heard on June 17, 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 meet the statutory criteria as outlined in Subsection 247(3) of The City of Winnipeg Charter, in that it:

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

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

(c) [✓] is [ ] is not
the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

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

Supporting Reasons:

1. I think this garage is likely a benefit to the property it's being built on and I think it's a minor variation.

ORDER:

The Appeal Committee orders that the appeal is denied, Variance Order DAV 132519A/2026B dated May 5, 2026, is cancelled, and the provisions of the "R1-M Mature Communities PDO-1" development and design standards of the Winnipeg Zoning By-law No. 200/2006 are varied on "the land" for the construction of a detached garage with an attached shed to permit as follows:

1. a west side yard of 2 feet (0.61 metres)

2. a separation space to the principal dwelling of 2 feet (0.61 metres.)

3. a west side yard eave projection of 1 foot (0.30 metres)

Subject to the following conditions(s) necessary to ensure conformity with the statutory criteria of The City of Winnipeg Charter:

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 detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

3. That the owner install eavestroughs on the garage with downspouts that drain to the back lane, to the satisfaction of the Director of Planning, Property and Development.

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

DATE OF ORDER: June 18, 2026

CERTIFIED BY:



Karly Dolski
Senior Committee Clerk

THE FOLLOWING PERSONS MADE REPRESENTATIONS:

In Support of the Appeal:

Joyce Liska

In Opposition to the Appeal:

David McDonald
Darryl Labay
Andrew Kulyk

For Information on the Appeal:

Nil

For the City:

M. Robinson, Principal Planner, Property and Development Department
I. Stonehouse, Planner, Planning, Property and Development Department
G. Kolody, Planner, Planning, Property and Development Department
S. Klassen, Planner, Planning, Property and Development Department

EXHIBITS FILED FOR DAV 132519A/2026B

1. Order DAV 132519/2026B dated May 5, 2026
2. Notice of Appeal filed by Joyce Liska, received May 13, 2026
3. Notification of Public Hearing dated May 29, 2026
4. Manitoba Status of Title 2721482/1
5. Letter of authorization dated March 13, 2026 from Trisha McDonald and David McDonald to Bayward Builders Ltd. (Darryl Labay)
6. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
7. Plans, Sheets 1 and 2 for File DAV 132519/2026B dated April 15, 2026
8. Report from the Urban Planning Division dated April 24, 2026
9. Inspection Report
10. Communication dated June 16, 2026, from David McDonald in opposition to the appeal
11. Communication dated June 16, 2026, from Andrew Kulyk in opposition to the appeal

Exhibit “8” referred to in File DAV 132519A/2026B

PLANNING ADMINISTRATIVE REPORT

Title: DAV 26-132519\B – 925 Kildonan Dr

Issue: For consideration of Variances associated with the construction of a detached garage with an attached shed.

Critical Path: Director of Planning, Property, and Development

AUTHORIZATION

Author	Department Head	CFO	CAO
Donna Kane	n/a	n/a	

DECISION AND CONDITIONS

The Urban Planning and Design Division **approves** the application to vary the "R1-M Mature Communities PDO-1" development and design standards of Winnipeg Zoning By-Law No. 200/2006 for the construction of a detached garage with an attached shed to permit as follows:

1) a west side yard of 2 feet (0.61 metre) instead of 4 feet (1.22 metre);

2) a separation space to the principal dwelling of 2 feet (0.61 metre) instead of 3 feet (0.91 metre);

3) a west side yard eave projection of 1 foot (0.30 metres) instead of 0.66 feet (0.20 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 detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

REASON FOR THE REPORT

- The applicant is proposing to build a detached garage and requires Variances for west side yard setback and separation space requirements of the *Winnipeg Zoning By-Law*.

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

FILE/APPLICANT DETAILS

FILE:	**DAV 26-132519\B**
RELATED FILES:	N/A
COMMUNITY:	East Kildonan - Transcona Committee
NEIGHBOURHOOD #:	4.411 - (KILDONAN DRIVE)
SUBJECT:	To vary the "R1-M Mature Communities PDO-1" development and design standards of Winnipeg Zoning By-Law No. 200/2006 for the construction of a detached garage with an attached shed to permit as follows: 1) a west side yard of 2 feet (0.61 metre) instead of 4 feet (1.22 metre); 2) a separation space to the principal dwelling of 2 feet (0.61 metre) instead of 3 feet (0.91 metre); 3) a west side yard eave projection of 1 foot (0.30 metres) instead of 0.66 feet (0.20 metres).
LOCATION:	925 Kildonan Dr
LEGAL DESCRIPTION:	NELY 34F LOT 4; EXC NELY 17F LOT 5 BLOCK 5 PLAN 5747 70/5 K
APPLICANT:	Darryl Labay (Bayward Builders Ltd) 921 Elmhurst Rd Winnipeg, MB R3R 3X8
OWNER:	David Mcdonald 925 Kildonan Dr Winnipeg, MB R2K 2G7

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 south side Kildonan Dr, north of Mossdale Dr in the Kildonan Drive neighbourhood of the North Kildonan ward.
- The subject site is 7,038 square feet (653.8 square metres) in area. The site is currently occupied by a one (1) storey 1,147 square foot single-family dwelling built in 1958 and used as a private residence.
- The subject site is accessed by a driveway from Kildonan Dr leading to the attached garage.

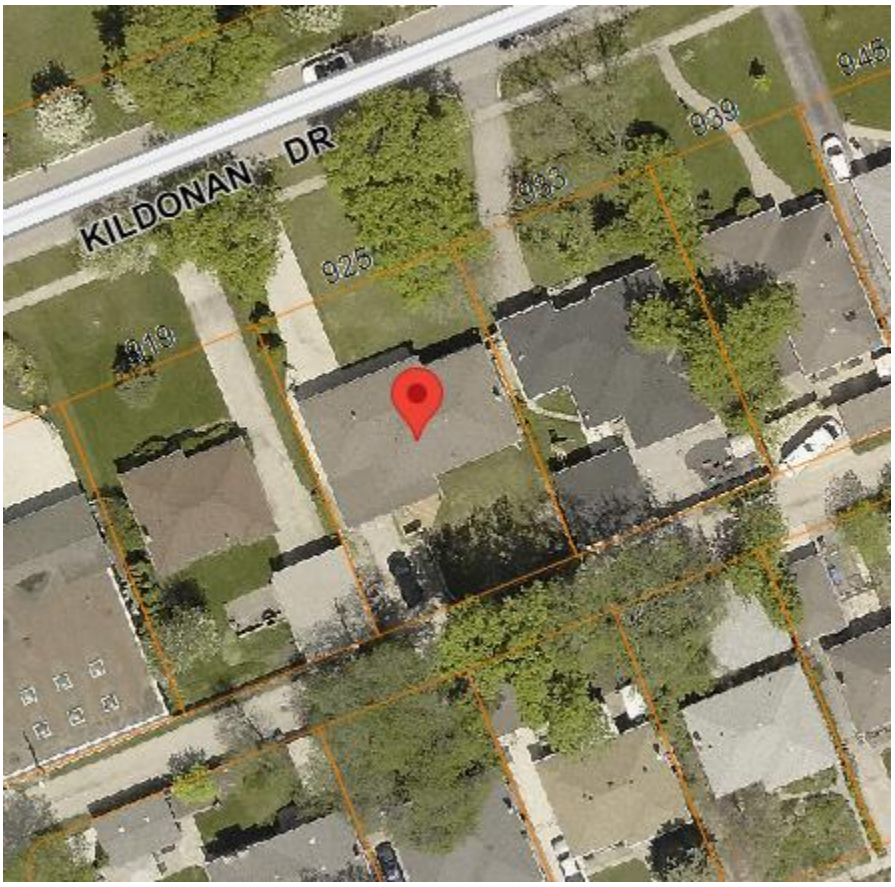


Figure 1: Aerial photo of subject site and surrounding area *(flown 2024)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Park uses zoned “PR1” Parks and Recreation

South: Single-family residential uses zoned “R1-M” Single-family Medium

East: Single-family residential uses zoned “R1-M” Single-family Medium

West: Single-family residential uses zoned “R1-M” Single-family Medium

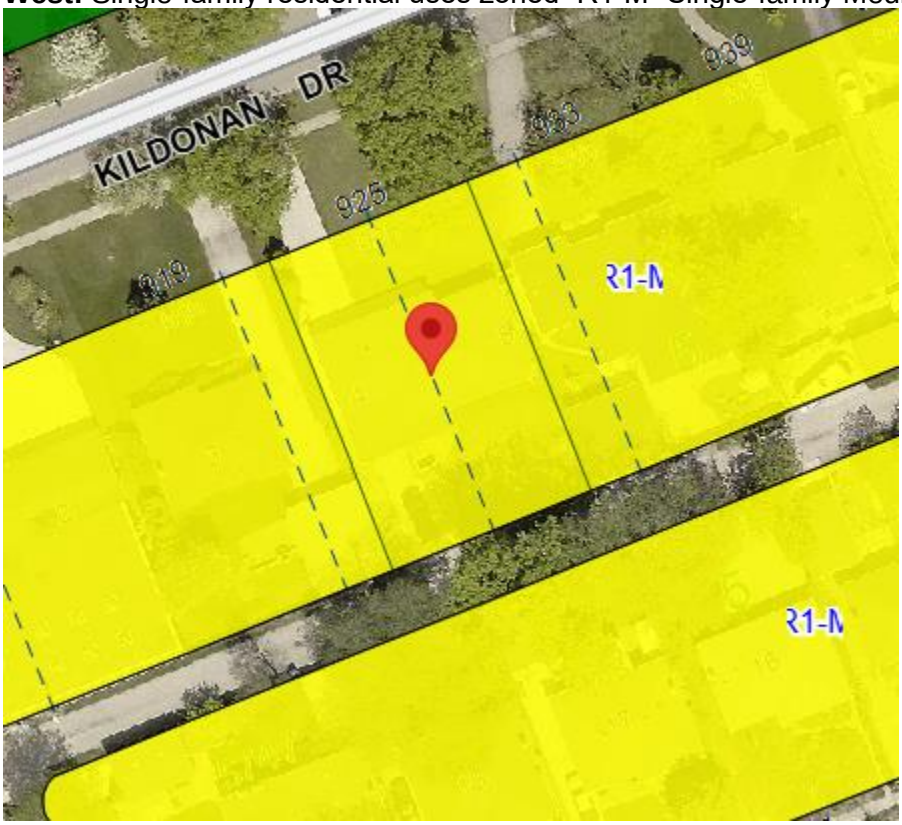


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to construct a detached garage with an attached shed addition.

Reason for the Variances

In the “R1-M” District, the required side yard setback for a detached garage that is not located to the rear of the dwelling is 4 feet and the separation space is 3 feet from the accessory structure to the dwelling.

The applicant is proposing to construct a detached garage in the rear yard. The detached garage will provide a 2 foot west side yard, a 1 foot west side yard eave projection and a 2 foot separation space. For these reasons, Variances are required.

ANALYSIS AND ISSUES

ANALYSIS OF VARIANCE

The construction of a detached garage with a reduced west side yard setback, west side eave projection and reduced separation space is a minor modification of the Zoning By-law for an interior lot in a Residential District.

The detached garage is compatible with the existing single-family dwellings in the vicinity and given the size of the subject site, will not have a substantial adverse impact upon adjoining

properties or the adjacent area. The reduced separation space will have no impact upon adjoining properties or the adjacent area.

CONDITIONS OF APPROVAL

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 detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

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 detached is compatible residential development within an Established Neighbourhood.

(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 size, height and area are compliant and thus negate any adverse impact this development would pose on the adjacent area.

(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 west side yard setback and eave projection to the detached garage can be considered a minor modification of the zoning by-law due to the size of the lot.

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

In that, there are many similar Variances granted for detached garages when the impact to neighbouring properties is minimal.

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.

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 PRS is not applicable to this specific report.

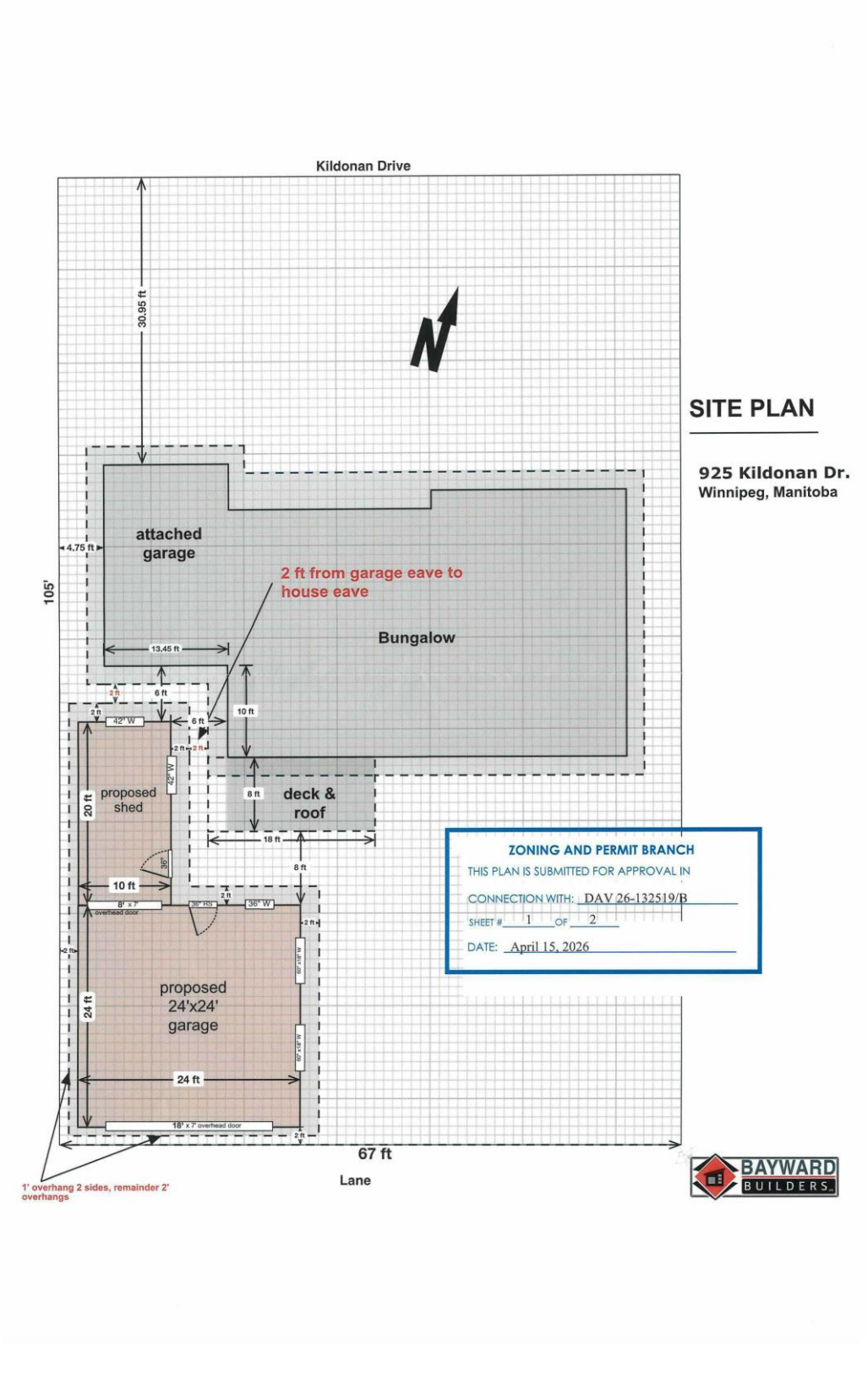
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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:	Donna Kane
Date:	Friday, April 24, 2026
File No.	DAV 26-132519\B

Exhibit “7” referred to in File DAV 132519A/2026B



ZONING AND PERMIT BRANCH

THIS PLAN IS SUBMITTED FOR APPROVAL IN

CONNECTION WITH: DAV 26-132519/B

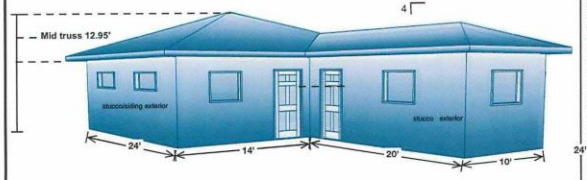
SHEET # 2 OF 2

DATE: April 15, 2026

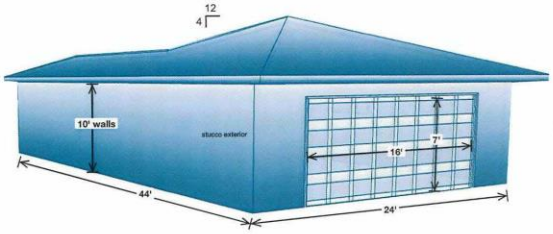
925 Kildonan Drive Building Plan page 1 of 5

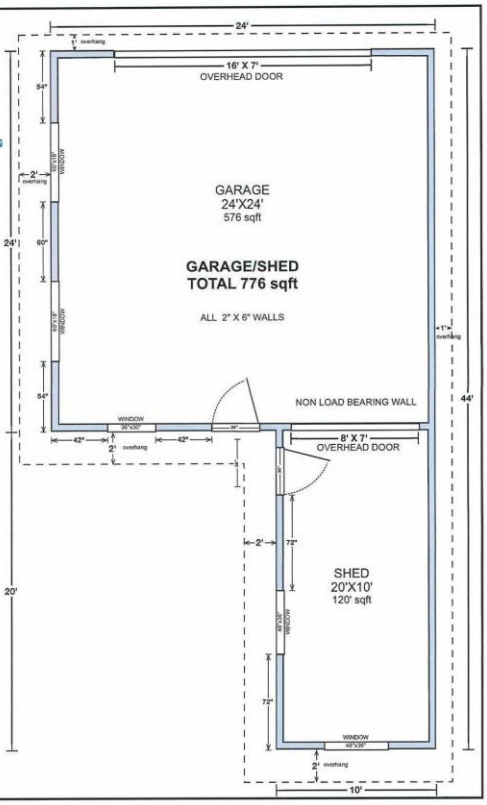
Elevations

HOUSE VIEW



BACK LANE VIEW





BAYWARD BUILDERS

Exhibit “2” referred to in File DAV 132519A/2026B

From: Joyce Liska
Sent: Wednesday, May 13, 2026 11:48 AM
To: CLK-Appeals <clk-appeals@winnipeg.ca>
Subject: Appeal against DAV 26-132519B

I am the owner of and the neighbor whom this variance request has the most affect on.
I wanted to be supportive of my neighbor in his request for a variance but did feel pressured and would have appreciated a reasonable time line for signing approval of this variance. On March 16 Trish McDonald called me and said she needed me to sign a document. On March 17 Dave McDonald wrote an e-mail saying he would like this signed by March 18. To me this request seemed unreasonable

I wrote a email on March 18 saying I needed more time to understand his request.
I said I would like my nephew who understood construction and variances to have a look in order to provide me with some understanding and feedback. My nephew had a look at the plans and had some questions and concerns regarding water damage that could potentially occur between the 2 garages. My property is lower than my neighbors which also may factor in.

I forwarded these concerns to my neighbor on March 19
As of today I have had no response to my concerns despite attempting to contact my neighbor by e-mail and phone calls. Theses are the concerns I forwarded to my neighbor and would still like addressed

Are there eavestroughs on the side between the buildings
Does his 1 foot overhang include a 5 inch eavestrough
Will Dave’s garage eaves and my garage touch each other
Do the downspouts drain to the back lane
What will the actual measurements between the 2 garages be

In doing more thinking about this variance request I have some additional concerns
This project will result in a 10 foot wall extending past the garages. I am requesting and would appreciate the distance of 4 feet from the property line be honored so it would not feel so closed in.
Also will this have any effect on future buyers when it comes time to sell
I understand there will be a meeting at City Hall when a request is appealed
In the event I am unable to attend am I able to send a delegate in my place
Thank you
Joyce Liska

Exhibit “1” referred to in File DAV 132519A/2026B

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

VARIANCE ORDER

DAV 26-132519/B

APPLICANT: Darryl Labay Bayward Builders Ltd
921 ELMHURST RD
WINNIPEG MB R3R 3X8

PREMISES AFFECTED: 925 Kildonan Drive
LEGAL DESCRIPTION: NELY 34F LOT 4; EXC NELY 17F LOT 5 BLOCK 5 PLAN 5747 70/5 K

hereinafter called "the land".
PROPERTY ZONED: R1-M Mature Communities PDO-1
ZONING ATLAS SHEET: U27
NATURE OF APPLICATION:

To vary the "R1-M Mature Communities PDO-1" development and design standards of Winnipeg Zoning By-Law No. 200/2006 for the construction of a detached garage with an attached shed to permit as follows:
1) a west side yard of 2 feet (0.61 metre) instead of 4 feet (1.22 metre);
2) a separation space to the principal dwelling of 2 feet (0.61 metre) instead of 3 feet (0.91 metre);
3) a west side yard eave projection of 1 foot (0.30 metres) instead of 0.66 feet (0.20 metres).

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

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

C.W. Charter Subsection 247(3)

ORDER:

RE: 925 Kildonan Drive

The Director of Planning, Property and Development Department hereby orders that the provisions of the "R1-M Mature Communities PDO-1" dimensional standards of Zoning By-Law No. 200/2006 and amendments thereto are **VARIED TO PERMIT** on "the land" for the construction of a detached garage with an attached shed to permit a west side yard of 2 feet (0.61 metre) and a separation space to the principal dwelling of 2 feet (0.61 metre) and a west side yard eave projection of 1 foot (0.30 metres), subject to the following condition(s) which the Director of Planning, Property and Development Department considers necessary to ensure compliance with criteria (a) to (d) above, namely:

1) That, if any variance granted by this order is not established within two (2) years of the date hereof, this order, in respect of that Variance shall terminate.

2) That, the detached garage shall be built in substantial conformance with plans submitted and identified as Sheet 1 and 2 DAV 26-132519/B.

DATE OF ORDER: May 05, 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 19, 2026
[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD.]

(c) refer to Variance Order No. DAV 26-132519/B, 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