Minutes – Assiniboia Community Committee – June 22, 2026

PUBLIC HEARINGS

Item No. 3 Variance – 136-172 Pathfinder Trail
(Waverley West Ward)
File DAV 167875/2026D

COMMUNITY COMMITTEE DECISION:

The Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and approved a Variance on "the land" as follows:

1. For the construction of single-family dwellings on Lots 1, 2, 3, 6, 7, 10 and 11, Block 5 to permit:

   A. east side yards of 3.1 feet (0.95 metres)

   B. west side yards of 3.1 feet (0.95 metres)

2. For the construction of single-family dwellings on Lots 4 and 8, Block 5 to permit no east side yard.

3. For the construction of single-family dwellings on Lots 5 and 9, Block 5 to permit no west side yard.

Subject to the following conditions:

1. That the applicant shall submit an application to rezone the subject site within one (1) year of the date of this Variance order.

2. 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.

DECISION MAKING HISTORY:

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

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

Carried

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

Carried

Moved by Councillor Lukes,
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. This is a clean-up from an error that was omitted by the Public Service.

Carried

DECISION MAKING HISTORY (continued):

Moved by Councillor Lukes,

That the recommendation of the Winnipeg Public Service be concurred in and the Variance be approved.

Carried

Moved by Councillor Lukes,

That the public hearing with respect to this application be concluded.

Carried

THE CITY OF WINNIPEG
VARIANCE ORDER
ASSINIBOIA COMMUNITY COMMITTEE

DAV 167875/2026D

Before:	Assiniboia Community Committee Councillor Duncan, Chairperson Councillor Dobson Councillor Lukes
Hearing:	June 22, 2026 Council Building, 510 Main Street
Applicant:	The City of Winnipeg (Director of Planning, Property and Development)
Premises Affected:	136, 140, 144, 148, 152, 156, 158, 162, 164, 168 & 172 Pathfinder Trail
Legal Description:	LOT 1 BLOCK 5 PLAN 76165, hereinafter called "the land"
Property Zoned:	"R1-M" (Residential Single-Family Medium)
Nature of Application:	To vary the "R1-M" Dimensional Standards of the Winnipeg Zoning By-law No. 200/2006 as follows:

1. For the construction of single-family dwellings on Lots 1, 2, 3, 6, 7, 10, and 11, Block 5 to permit:

    A. East side yards ranging from 3.1 feet (0.95 metres) to 3.8 feet (1.16 metres) instead of 4.0 feet (1.22 metres);

    B. West side yards ranging from 3.1 feet (0.95 metres) to 3.8 feet (1.16 metres) instead of 4.0 feet (1.22 metres);

2. For the construction of single-family dwellings on Lots 4 and 8, Block 5 to permit no east side yard instead of 4 feet (1.22 metres);

3. For the construction of single-family dwellings on Lots 5 and 9, Block 5 to permit no west side yard instead of 4 feet (1.22 metres)

It is the opinion of the Assiniboia 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. This is a clean-up from an error that was omitted by the Public Service.

ORDER:

The Assiniboia Community Committee orders that the provisions of the "R1-M" Dimensional Standards of the Winnipeg Zoning By-law No. 200/2006 are varied on "the land" as follows:

1. For the construction of single-family dwellings on Lots 1, 2, 3, 6, 7, 10 and 11, Block 5 to permit:

   A. east side yards of 3.1 feet (0.95 metres)

   B. west side yards of 3.1 feet (0.95 metres)

2. For the construction of single-family dwellings on Lots 4 and 8, Block 5 to permit no east side yard.

3. For the construction of single-family dwellings on Lots 5 and 9, Block 5 to permit no west side yard.

subject to the following conditions, which the Assiniboia 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 the applicant shall submit an application to rezone the subject site within one (1) year of the date of this Variance order.

2. 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.

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

DATE OF ORDER: June 24, 2026

CERTIFIED BY:



L. Cowan
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 July 13, 2026;

[IF RECEIVED LATE YOUR APPEAL CANNOT BE HEARD]

(e) refer to Variance Use Order No. DAV 167875/2026D; 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:

Rak Hayer
Veronica Eno

In Opposition:

Nil

For Information:

Nil

For the City:

R. Galston, Urban Planner, Planning, Property and Development Department
S. Klassen, Urban Planner, Planning, Property and Development Department

EXHIBITS FILED FOR DAV 167875/2026D

1. Application dated June 2, 2026
2. Notification of Public Hearing dated June 8, 2026
3. Manitoba Status of Titles 3399598/1, 3399600/1, 3399601/1, 3399603/1, 3399607/1, 3399609/1, 3399613/1, 3399623/1, 3399625/1, 3399626/1, 3399628/1
4. Letter of authorization dated May 26, 2026 from Southeast Lands Corp. to The City of Winnipeg
5. Confirmation from the Zoning and Permits Administrator that the subject property may be posted in substitution for newspaper advertising
6. Caveats 5838661/1
7. Site Plan
8. Plans, Sheet 1, for File DAV 167875/2026D dated June 4, 2026
9. Report from the Urban Planning Division dated June 11, 2026
10. Inspection Report

Exhibit “9” referred to in File DAV 167875/2026D

ADMINISTRATIVE REPORT

Title: DAV 26-167875/D – 136-172 Pathfinder Trail

Issue: For consideration of a Variance associated with the construction of residential dwellings

Critical Path: Assiniboia Community Committee

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Galston, MCP	n/a	n/a	

RECOMMENDATIONS

The Urban Planning and Design Division recommends **approval** of the application to vary the "R1-M" development and design standards of Winnipeg Zoning By-law No. 200/2006 as follows:

1. For the construction of single-family dwellings on Lots 1, 2, 3, 6, 7, 10 and 11, Block 5 to permit:
    a. east side yards of 3.1 feet (0.95 metres) instead of 4.0 feet (1.22 metres);
    b. west side yards of 3.1 feet (0.95 metres) instead of 4.0 feet (1.22 metres);
2. For the construction of single-family dwellings on Lots 4 and 8, Block 5 to permit no east side yard instead of 4.0 feet (1.22 metres);
3. For the construction of single-family dwellings on Lots 5 and 9, Block 5 to permit no west side yard instead of 4.0 feet (1.22 metres).

Subject to the following condition(s):

1. That the applicant shall submit an application to rezone the subject site within one (1) year of the date of this Variance order.
2. 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.

REASON FOR THE REPORT

- The applicant is proposing to build residential dwellings and requires Variances for the 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 26-167875/D**
RELATED FILES:	
COMMUNITY:	Assiniboia Committee
NEIGHBOURHOOD #:	2.681 (Waverley West B)
SUBJECT:	To vary the "R1-M" development and design standards of Winnipeg Zoning By-law No. 200/2006 as follows: 1) For the construction of single-family dwellings on Lots 1, 2, 3, 6, 7, 10 and 11, Block 5 to permit: a) east side yards ranging from 3.1 feet (0.95 metres) to 3.8 feet (1.16 metres) instead of 4.0 feet (1.22 metres); b) west side yards ranging from 3.1 feet (0.95 metres) to 3.8 feet (1.16 metres) instead of 4.0 feet (1.22 metres); 2) For the construction of single-family dwellings on Lots 4 and 8, Block 5 to permit no east side yard instead of 4.0 feet (1.22 metres); 3) For the construction of single-family dwellings on Lots 5 and 9, Block 5 to permit no west side yard instead of 4.0 feet (1.22 metres).
LOCATION:	136-172 Pathfinder Trail
LEGAL DESCRIPTION:	LOT 1 BLOCK 5 PLAN 76165
APPLICANT:	Rakvinder Hayer (City of Winnipeg) 30 Fort Street, Unit 31 Winnipeg, MB R3C 1C4
OWNER:	Southeast Lands Corp. 1 Dr. David Friesen Dr. Winnipeg, MB R3X 0G8

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 of the future Pathfinder Trail, in the Waverley West B Neighbourhood of the Waverley West Ward.
- The subject site is approximately 0.9 acres (39,700 square feet) in area. The site is currently vacant.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the Established Neighbourhoods – Recent Communities policy area. It is within the Lower Density Residential policy area under the *Waverley West Neighbourhood 'B' Secondary Plan.*
- The property was zoned "R1-M" Residential Single-Family (Medium) District under file no. DASZ 35/2024.

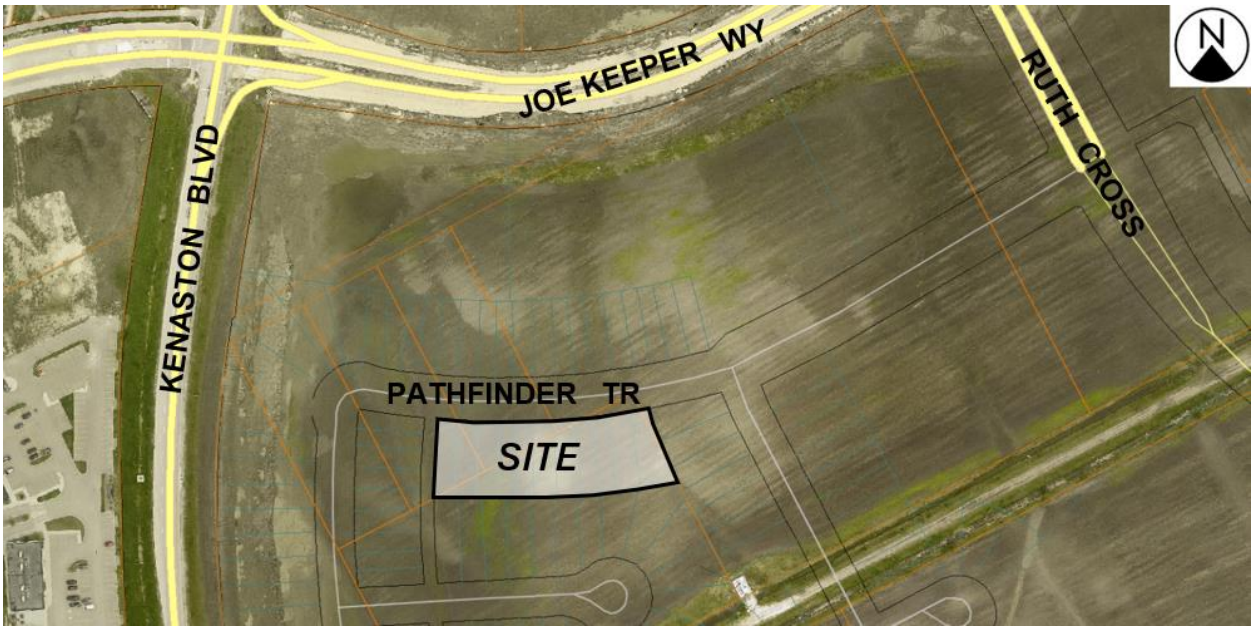

Figure 1: Aerial photo of subject site and surrounding area *(flown 2024)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Pathfinder Trail, then vacant land zoned a mix of "R2" Residential Two-Family and "R1-S" Residential Single-Family (Small).

South: Vacant land zoned "R1-M" Residential Single-Family (Medium).

East: Vacant land zoned "R1-M" Residential Single-Family (Medium).

West: Public lane, then vacant land zoned a mix of “R2” Residential Two-Family and “R1-S” Residential Single-Family (Small).

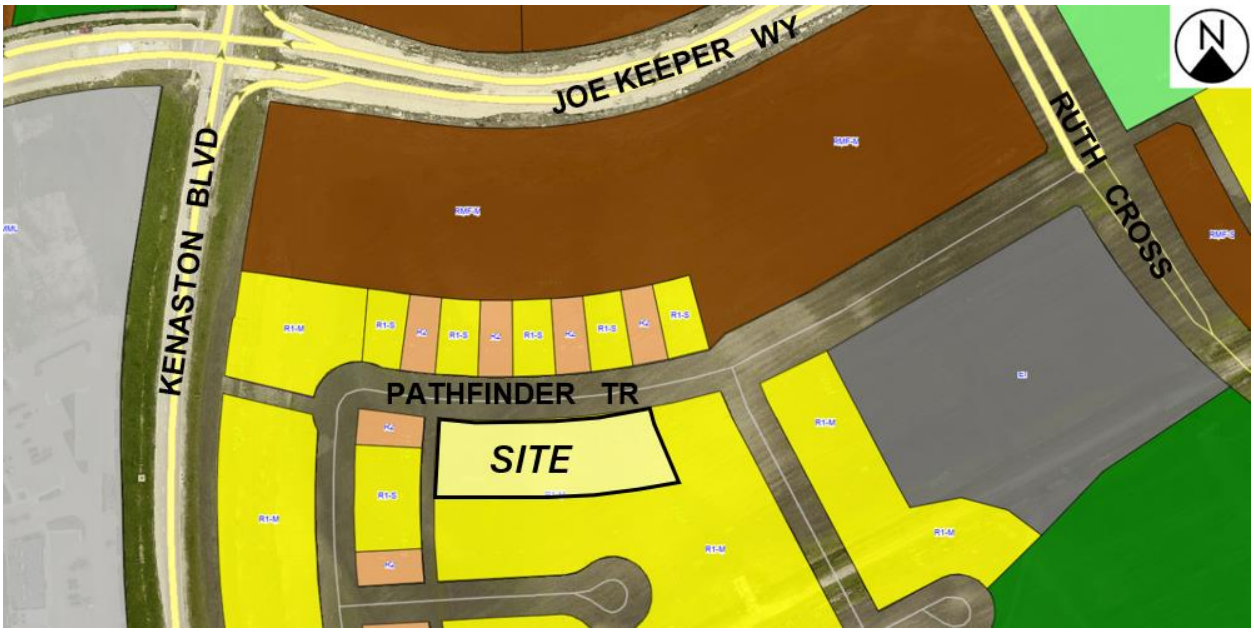

Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant proposes to develop residential lots on the subject site so that future builders can construct a mix of single and two-family (i.e., side-by-side duplex) dwellings on the site.
- At the time the subject site was subdivided and rezoned under DASZ 35/2024, the landowner’s intent was for the subject site to include a mix of “R1-S” Residential Single-Family (Small) and “R2” Residential Two-Family zoning districts.
- However, under DASZ 35/2024, the subject site was rezoned to “R1-M” Residential Single-Family (Medium). This was done in error.
- The proposal for the subject site will allow the construction of 11 dwelling units, including:
    - Four (4) duplex units;
    - Seven (7) detached single-family units.
- No changes from what was originally proposed under file no. DASZ 35/2024 are proposed.

COLLABORATIVE PLANNING AND CONSULTATION

- Given that no changes to the use or design of the subject site are proposed, no public consultation was undertaken as part of this application.

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

Under the *Waverley West Neighbourhood 'B' Secondary Plan*, the subject site is located in the Lower Density Policy Area. Relevant policies include the following:

Lower Density Residential

- *Lower Density Residential areas provide primarily for the development of single-family dwellings and opportunities for two-family dwellings and certain styles of multi-family dwellings, where appropriate, as outlined in the policies that follow.*

3.1.2 Policies

1. *Single-family and two-family dwellings shall be the predominant use of land, with ground-entry multi-family dwellings allowed in appropriate locations as determined by the City.*
2. *New public and institutional uses, such as places of worship, daycares and non-regional recreational uses may be allowed within the Lower Density Residential area, where determined by the City to be compatible and appropriate. Such uses shall be located adjacent to collector roads and the design of the site shall mitigate any negative impacts of the use on adjacent lower density residential uses.*
3. *Existing institutional uses within the Lower Density Residential areas may only expand if they are: a. located on and have access to a collector or arterial road; and b. serviced by a full range of municipal services.*
4. *Any residential development application for lands within a Lower Density Residential area should achieve a minimum density of 7.0 dwelling units per Net Developable Acre.*
5. *Higher density development shall be directed along collector roads within sub-areas 1 and 2.*
6. *Single-family dwellings shall not back onto an internal collector road.*
7. *Single-family dwellings on lots with less than 12.19 metres (40 feet) of frontage should take exclusive access from a back lane, unless a design solution can be provided, to the satisfaction of the Director of Public Works, that can address the following design considerations: a. the availability of front yard areas for landscaping and tree growth; b. adequate snow storage areas; c. on-street parking capacity; and d. the provision of utilities.*
8. *A pair of semi-detached dwellings or a two-family dwelling on lots less than 15.24 metres (50 feet) of frontage should take exclusive access from a back lane, unless a design solution can be provided, to the satisfaction of the Director of Public Works, that can address the following design considerations:*
    a. *the availability of front yard areas for landscaping and tree growth;*
    b. *adequate snow storage areas;*
    c. *on-street parking capacity;*
    d. *the provision of utilities; and e. pedestrian safety.*
9. *Multi-family dwellings may be allowed within the Lower Density Residential along collector roads within subareas 1 and 2 as shown in Appendix B, under the following conditions: a. multi-family dwellings shall take exclusive access from a back lane; and b. the design of multi-family dwellings shall be street oriented and ground-entry.*

10. *Multi-family dwellings may be allowed within the Lower Density Residential along collector roads within subarea 3 as shown in Appendix B and along local roads throughout the Plan Area, under the following conditions: a. multi-family dwellings shall take exclusive access from a back lane; b. the design of multi-family dwelling shall be street oriented and ground-entry; and c. should be limited to approximately six dwelling units per building.*
11. *Live-work style development may be allowed along collector roads in the Lower Density Residential areas within sub-areas 1 and 2 as shown on Appendix B.*
12. *Despite other policies in this section, only single-family dwellings shall be permitted on lots abutting the southerly edge of the Plan Area located within the Lower Density Residential areas.*
13. *Parks, open spaces and an integrated pathway network shall be provided in Lower Density Residential areas to meet the active and passive recreational needs of residents and visitors.*
14. *Properties zoned "A" Agricultural shall be required to rezone prior to the establishment of new principal buildings or uses.*

CITY OF WINNIPEG ZONING BY-LAW 200/2006

- Under the dimensional standards of the Winnipeg Zoning By-law, residential dwellings in the "R1-M" zoning district are required to have minimum side yards of four (4) feet.
- Given that the existing "R1-M" zoning district does not allow side-by-side duplex dwellings or side yard setbacks of less than 4.0 feet, Variances are required to allow:
    - Side yard setbacks of zero (0) feet to allow two (2) separate side-by-side duplexes on separate lots;
    - Side yard setbacks of between 3.1 and 3.8 feet to allow seven (7) detached single-family dwellings.

  As such, Variances for side yard setbacks are required.

ANALYSIS OF VARIANCES

Side Yard Setbacks for Duplexes

- The zero-foot side yard setbacks are for the east side yards of Lots 4 and 8, and the west side yards of Lots 5 and 9. This is to allow two (2) separate duplex dwellings, where the side-by-side duplexes will straddle a shared lot line between Lots 4-5 and 8-9, respectively.
- These Variances are supported by the Urban Planning and Design Division because the landowner's original intention, as shown in plans submitted under DASZ 35/2024, was for these lots to be zoned "R2" Residential Two-Family, which allows side-by-side duplexes on separate lots, as proposed in this current application.

Side Yard Setbacks for Single-Family Dwellings

- The requested side yard setbacks between 3.1 and 3.8 feet are for the east and west side yards of Lots 1-3, 6-7, and 10-11 on the subject site. This is to allow single-family detached dwellings.

- Similar to the Variances to allow duplexes, these Variances for single-family dwellings are supported because the owner's original intention was for these to be "R1-S" lots. In the "R1-S" zoning district, a minimum side yard of 3.0 feet as permitted.
- Typically in cases where duplex dwellings and single-family dwellings with side yards less than 4.0 feet, the Public Service expects the applicant to rezone to the appropriate zoning district. However, as noted above, the subject lots were rezoned to the "R1-M" zoning district under DASZ 35/2024 in error. The Public Service is therefore supportive of these Variances, enabling the landowner to construct residential dwellings before a future Rezoning application is completed.
- The applicant intends to make an application to rezone the lands to the "R2" and "R1-S" districts, which would thereby make these Variances null and void. To ensure this occurs, the Urban Planning and Design Division recommends a condition that would require the applicant to make a Rezoning application within one (1) year.

REASONS FOR THE RECOMMENDATIONS

In the context of Section 247(3), the Urban Planning and Design Division recommends **approval** of the application for the following reasons:

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

In that, *the Variances will enable residential development that is consistent with policies in the* Waverley West Neighbourhood B 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;

In that, *the surrounding area is characterized by vacant Agricultural land that will transition toward future urban development consistent with the* Waverley West Neighbourhood 'B' Secondary Plan.

(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 Variances will enable residential development which is consistent with policies in the* Waverley West Neighbourhood 'B' Secondary Plan*, and with the original proposal made by the land owner.*

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

In that, *the Variances are for properties that are part of a planned neighbourhood that is not yet developed.*

CONSULTATION

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

OURWINNIPEG 2045 POLICY ALIGNMENT

OurWinnipeg 2045 Goal – City Building

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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposed development aligns with the following Key Direction in the Winnipeg Climate Action Plan: *"Ensure New Areas of Growth are Designed According to the Principles of Complete Communities."*

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:	Robert Galston, MCP
Date:	Thursday, June 11, 2026
File No.	DAV 26-167875/D

Exhibit “8” referred to in File DAV 167875/2026D

