Minute No. 534
Minutes – Council – October 30, 2025

Report – Executive Policy Committee – October 21, 2025

Item No. 10 Zoning Agreement Amendment – 365–437 Desrosiers Drive (Transcona Ward)
File ZAA 5/2025

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Zoning Agreement dated December 13, 2017 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5082043/1 and the Zoning Amending Agreement dated February 23, 2023 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5622630/1 be amended and restated in accordance with the following:

    A. That clause 8(b) be deleted in its entirety and replaced with:

    For Lots 41 to 59 of the Owner's Land, provide a setback of no less than 21.42 metres (70.28 feet) between the Railway Land and any habitable room or space within any building on that lot.

2. That the City enter into, execute and deliver an agreement to amend the Zoning Agreement, as amended, in accordance with recommendation 1 (the " Second Amending Agreement") and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to be necessary to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the Second Amending Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. Subject to registration of the amended and restated Zoning Agreement required under recommendation 1 against title to the Subject Land at the Winnipeg Land Titles Office, that Caveat No. 5622630/1 and Caveat No. 5082043/1 be discharged from title to the Subject Land.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Executive Policy Committee – October 21, 2025

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 21, 2025, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 3, 2025, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

File: ZAA 5/2025

Before: East Kildonan-Transcona Community Committee
Councillor Wyatt, Chairperson
Councillor Browaty

Public Hearing: October 3, 2025
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc. (Susan Russell)

Subject:

Premises Affected: 365 - 437 Desrosiers Drive

For submission to: Executive Policy Committee

Prepared by: B. Harris, Senior Committee Clerk
East Kildonan-Transcona Community Committee

Report date: October 6, 2025

Community Committee Recommendation:

On October 3, 2025, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee.

1. That the Zoning Agreement dated December 13, 2017 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5082043/1 and the Zoning Amending Agreement dated February 23, 2023 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5622630/1 be amended and restated in accordance with the following:

    A. That clause 8(b) be deleted in its entirety and replaced with:

        For Lots 41 to 59 of the Owner's Land, provide a setback of no less than 21.42 metres (70.28 feet) between the Railway Land and any habitable room or space within any building on that lot.

2. That the City enter into, execute and deliver an agreement to amend the Zoning Agreement, as amended, in accordance with recommendation 1 (the " Second Amending Agreement") and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to be necessary to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the Second Amending Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. Subject to registration of the amended and restated Zoning Agreement required under recommendation 1 against title to the Subject Land at the Winnipeg Land Titles Office, that Caveat No. 5622630/1 and Caveat No. 5082043/1 be discharged from title to the Subject Land.

5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. The Public Service is in favour. There is still going to be a berm and a sound attenuation fence built on the back of the property to deal with landscaping, sight, and sound. In light of the Public Service's support of this, I'll be supporting the application.

Exhibits Filed:

1. Application dated July 11, 2025
2. Notification of Public Hearing dated July 22, 2025
3. Manitoba Status of Titles 3248264/1, 3206169/1, 3206171/1, 3206172/1, 3206173/1, 3206174/1, 3206175/1, 3206176/1, 3206177/1, 3206181/1, 3206182/1, 3206183/1, 3206184/1, 3206185/1, 3206186/1, 3206187/1, 3206188/1, 3206189/1, 3206190/1,
4. Letter of authorization dated May 5, 2025 from Kensington Homes and Ravenhurst Developments Inc. to McGowan Russell Group
5. Caveats 5082043/1, 5622630/1
6. Easement 5460737/1
7. Plans (2 pages)
8. Report from the Urban Planning Division dated September 3, 2025
9. Inspection Report
10. Revised report from the Urban Planning Division dated September 3, 2025
11. Communication dated October 2, 2025, from Michael Dickson in support of the application
12. Recording of Representations

REPRESENTATIONS:

In Support:

Michael Dickson
Jas Kalar
Jackie Wilkie

In Opposition:

Nil

For Information:

Nil

For the City:

C. Ho, Planner, Planning, Property and Development Department

Exhibit "10" referred to in File ZAA 5/2025

[REVISED] ADMINISTRATIVE REPORT

Title: ZAA 5/2025 – 365-437 Desrosiers Drive

Issue: For consideration at the public hearing to amend a Zoning Agreement under File DASZ 10/2017 to allow a reduced setback to a rail line

Critical Path: East Kildonan - Transcona Community Committee > Standing Policy Committee
on Property and Development > Executive Policy Committee > Council

AUTHORIZATION

Author	Department Head	CFO	CAO
Choi Ho, RPP, MCIP	N/A	N/A	

RECOMMENDATIONS

1. That the Zoning Agreement dated December 13, 2017 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5082043/1 and the Zoning Amending Agreement dated February 23, 2023 entered into pursuant to Development Application No. DASZ 10/2017 and registered against title to the land described therein as Caveat No. 5622630/1 be amended and restated in accordance with the following:

   A. That clause 8(b) be deleted in its entirety and replaced with:

      For Lots 41 to 59 of the Owner's Land, provide a setback of no less than 21.42 metres (70.28 feet) between the Railway Land and any habitable room or space within any building on that lot.

2. That the City enter into, execute and deliver an agreement to amend the Zoning Agreement, as amended, in accordance with recommendation 1 (the " Second Amending Agreement") and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to be necessary to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Director of Planning, Property and Development to negotiate and approve the Second Amending Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions deemed necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. Subject to registration of the amended and restated Zoning Agreement required under recommendation 1 against title to the Subject Land at the Winnipeg Land Titles Office, that Caveat No. 5622630/1 and Caveat No. 5082043/1 be discharged from title to the Subject Land.

5. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

- The applicant is proposing to amend the Zoning Agreement under File DASZ 10/2017, as amended by ZAA 7/2022, to allow a reduced setback to a rail line
- Modification of caveats on a Land Title requires a Zoning Agreement Amendment application.
- Zoning Agreement Amendment application requires a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.
- The Report is being submitted for the Committee's consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning and Design Division are concurred in, the Zoning Agreement under File DASZ 10/2017 will be amended.

HISTORY

DASZ 10/2017

Council adopted a Subdivision and Rezoning application (DASZ 10/2017) on December 13th, 2017, with a condition that the applicant enter into a Zoning Agreement.

- The Zoning Agreement included the following relevant condition:
    - *8. For any lot within the Developer's Land that abuts the Railway, the Owner shall provide a setback of no less than 30 metres (98.4 feet) between the Railway and any habitable room or living space within a building located on that lot.*

ZAA 7/2022

Council adopted a Zoning Agreement Amendment on February 23, 2023 for the following:

- *B. That Clause 8 be replaced with the following revised condition:*
    - *"8. For any lot within the Developer's Land that abuts the Railway, the Owner shall:*
        - *On lots 16-21 Block 1 PLAN 70448 WLTO in SE 1/4 3-11-4 EPM, provide a setback of no less than: 30 metres (98.4 feet) between the Railway and any habitable room or living space within a building located on that lot.*
        - *On lots 41-59 Block 1 PLAN 70448 WLTO in SE 1/4 3-11-4 EPM, provide a setback of no less than: 29 metres (95.1 feet) between the Railway and any habitable room or living space within a building located on that lot.*

CONSULTATION

In preparing this report there was consultation with:

- Legal Services
- Land Development

OURWINNIPEG 2045 POLICY ALIGNMENT

Goal: City Building

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."*

City Building 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 healthy food, daily needs, employment, education, recreation, and green infrastructure."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density.

- *"4.1 Increase Strategic Infill Development that provides access to and capitalizes on existing and planned corridors with frequent transit service."*

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

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

SUBMITTED BY

Department: Planning, Property and Development

Division: Urban Planning & Design Division
Prepared by: Choi Ho, RPP, MCIP
Date: September 3, 2025
File No. ZAA 5/2025

List of Schedules and Attachments

- Schedule A – Planning Discussion

SCHEDULE A

DATE: September 3, 2025

FILE: **ZAA 5/2025**

RELATED FILES: N/A

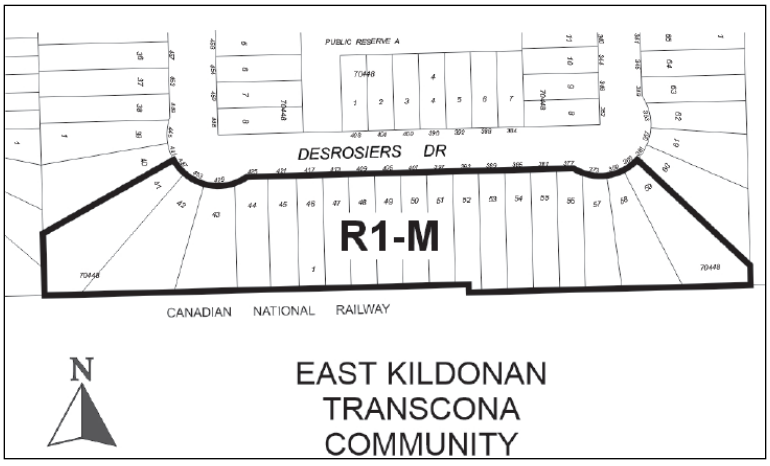
COMMUNITY: East Kildonan - Transcona Committee

NEIGHBOURHOOD #: 4.414 - (Canterbury Park)

SUBJECT: Zoning Agreement Amendment application to amend Caveat No. 82-45415/1 from DASZ 10/2017

LOCATION: 365-437 Desrosiers Drive

LEGAL DESCRIPTION:
LOT 41 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 42 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 43 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 44 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 45 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 46 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 47 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 48 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 49 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 50 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 51 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 52 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 53 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 54 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 55 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 56 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 57 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 58 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM
LOT 59 BLOCK 1 PLAN 70448 WLTO IN SE 1/4 3-11-4 EPM



APPLICANT:	McGowan Rusell Group Inc. (Susan Russell) 825 St. Joseph Street Winnipeg, MB, R2H 3A8
OWNER:	Kensington Homes/Ravenhurst Developments Inc. 1 Dr. David Friesen Drive / 1-1480 Plessis Road Winnipeg MB, R3X 0G8/R2C 5R5

RECOMMENDATION: ***Approval***

SITE DESCRIPTION

- The subject properties are located on the south side of Desrosiers Drive, in the Canterbury Park neighbourhood of the Transcona ward.
- The site is currently undeveloped/vacant, comprised of 19 residential lots.
- Under the *Complete Communities Direction Strategy 2.0*, the site is within the "Established Neighbourhoods – Recent Communities" policy area.
- The properties are in the "R1-M" (Residential Single-Family – Medium) zoning district.

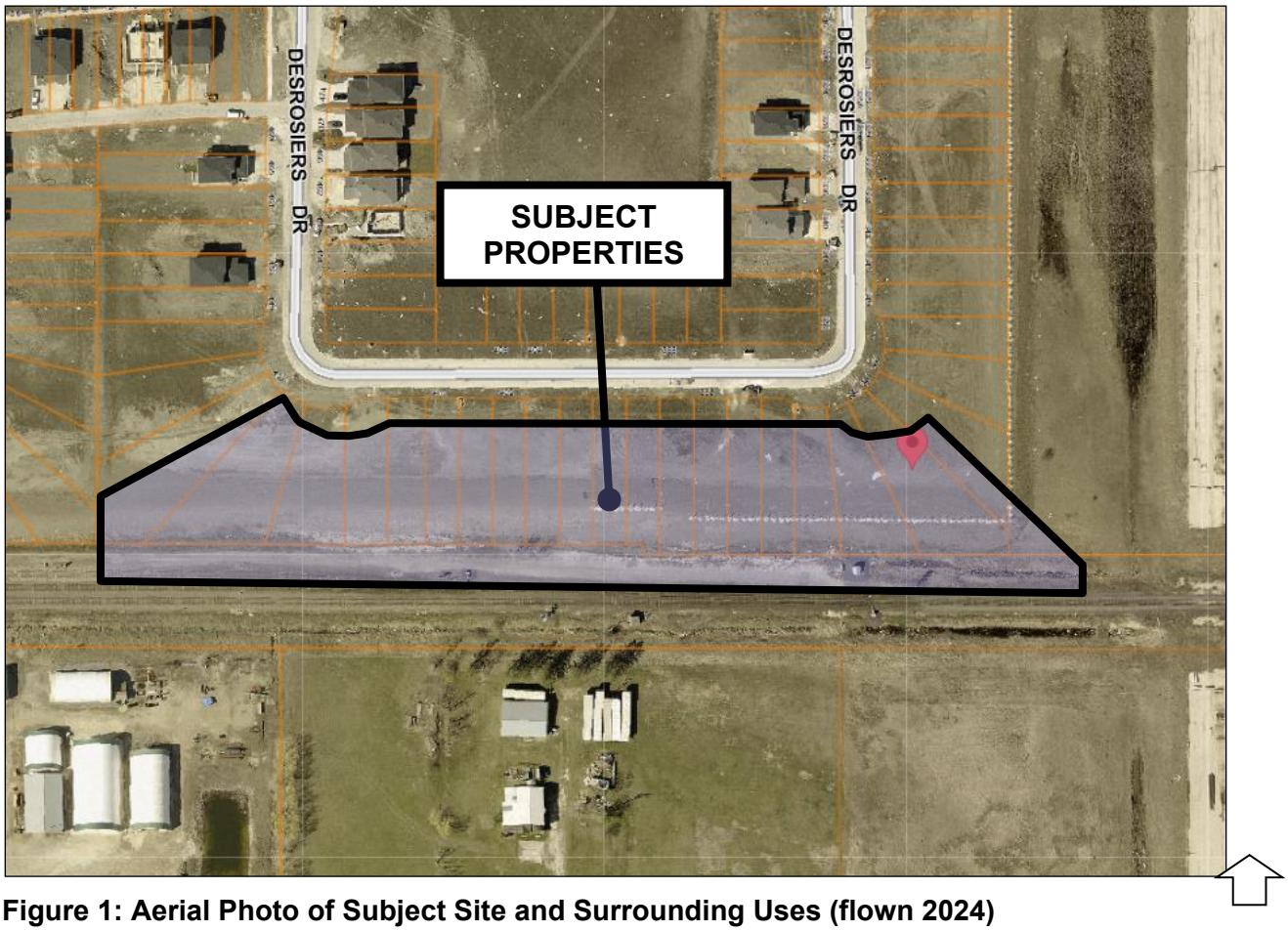


Figure 1: Aerial Photo of Subject Site and Surrounding Uses (flown 2024)

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Desrosiers Drive, then residential lots zoned “R1-M” (Residential Single-Family – Medium)

South: Railway use split zoned “R1-M” (Residential Single-Family – Medium) and “RR5” (Rural Residential – 5 acres)

East: Residential lots zoned “R1-M” (Residential Single-Family – Medium)

West: Residential lots zoned “R1-M” (Residential Single-Family – Medium)

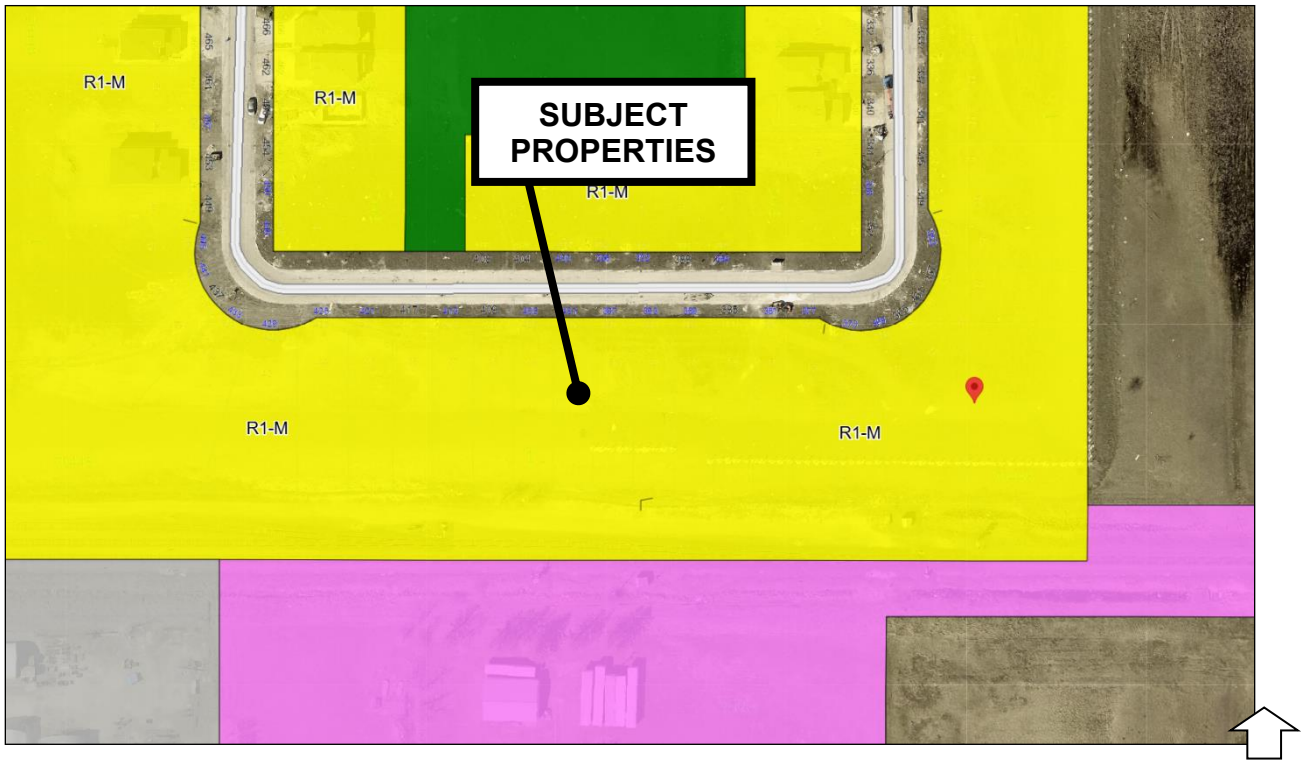


Figure 2: Zoning of the Site and Surrounding Area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to amend the existing Zoning Agreement caveated on title when the site was rezoned in 2017 (**see DASZ 10/2017**).
- The applicant indicated the amendment is for a reduced setback which is needed for accessibility and market desirability.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING AND CONSULTATION

With the Public Service

- The applicant engaged the Public Service prior to submitting an application.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

- The *Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg. The proposal aligns with the following goals and policies:

D1: Established Neighbourhoods

- Goal 1: 1.0 *Encourage compatible residential development within Established Neighbourhoods to build more Complete Communities and align with the City's residential intensification target.*
    - *1.1 Encourage residential development that positively contributes to neighbourhood character while expanding housing options for residents in a manner that is sensitive and complementary to existing development.*
    - *1.2 Increase the population within Established Neighbourhoods to contribute to the physical renewal and revitalization of older neighbourhoods.*
- Goal 3: 3.0 *Ensure all communities provide a diversity of housing options and meet resident life-cycle housing needs.*
    - *"3.1 Encourage a variety of housing types and tenures within Established Neighbourhoods to meet life-cycle housing needs and affordability ranges."*
    - *"3.2 Encourage a mix of types, tenures and unit sizes within residential developments. Make provisions for unit sizes that can accommodate varying family sizes and multi-generational households."*
    - *"3.6 Encourage new development that incorporates housing types that enable "aging in place" in Established Neighbourhoods."*

G2. Strategic Infrastructure and Resources

- Goal 1: 1.0 Ensure that new development of sensitive uses in proximity to freight rail operations and rail lines is constructed in a manner that mitigates potential safety risks and nuisance caused by land use incompatibilities.
    - *"1.1 Require that new residential development or the intensification of residential and other sensitive land uses near freight rail operations incorporate appropriate safety and compatibility measures."*
    - *"1.1.1 (A) Adopt guidelines for new development in proximity to freight rail operations that identify safety and compatibility measures to be employed and the types of applications where safety and compatibility measures will be required."*
    - *"1.1.2 Review opportunities to plan for development or redevelopment along freight rail lines or yards and pursue the appropriate planning initiatives when warranted."*

ZONING AGREEMENT AMENDMENT

The applicant has applied for an amendment to the Zoning Agreement under File. No. DASZ 10/2017.

- The current Zoning Agreement states under Clause 8(b):
    - *for Lots 41 to 59 of the Owner's Land, provide a setback of no less than 29 metres (95.1 feet) between the Railway Land and any habitable room or living space within any building located on that lot.*
- The ZAA would replace Clause 8(b) with the following:
    - *for Lots 41 to 59 of the Owner's Land, where a berm that is a minimum of 3.5 metres (11.48 feet) in height must be maintained, provide a setback of no less than 21.42 metres (70.28 feet) between the Railway Land and any habitable room or living space within any building located on that lot.*

SUMMARY

The Urban Planning & Design Division ***supports*** the Zoning Agreement Amendment for the following reasons:

- The amendment encourages a housing type that enables aging in place.
- The reduced setback (70.28 feet) still incorporates appropriate safety and compatibility measures for new residential development in proximity to a rail line.

RECOMMENDATION

The Urban Planning and Design Division recommends ***approval*** of the Zoning Agreement Amendment for the following reasons:

- The application is consistent with the policies of *OurWinnipeg 2045* and *Complete Communities Direction Strategy 2.0.*

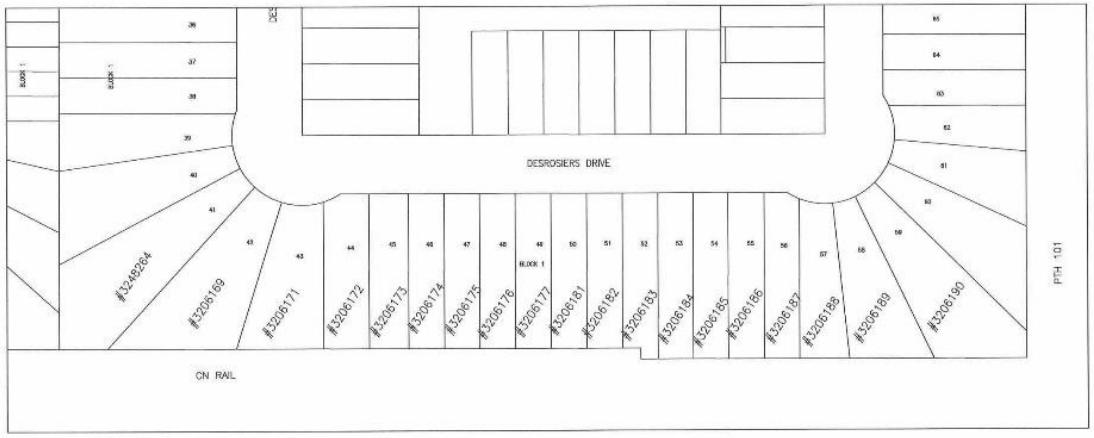
Report Submitted By:
Planning, Property and Development Department
Urban Planning & Design Division

Report Prepared By:
Choi Ho, RPP, MCIP
PPD File # ZAA 5/2025

Exhibit “7” referred to in File ZAA 5/2025

CANTERBURY CROSSING PHASE 3 BERM HEIGHT KEY PLAN

MAY 7, 2025
SCALE 1:750
McGOWAN•RUSSELL



TITLE PLOT FOR LOTS ON HOMINIK PLACE AND DESROSIERS DRIVE
AS PART OF ZAA APPLICATION FROM DASZ 10-2017