



### **Municipal Relations**

Inland Port Special Planning Area  
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November 17, 2021

**File No.: 13-2-172-2021-0156 and 4172-21-8091**

### **INLAND PORT SPECIAL PLANNING AUTHORITY**

**RE: INLAND PORT SPECIAL PLANNING AREA BY-LAW 2-21 TO RE-ZONE Pt. of the N ½ of 03-12-02 EPM IN THE RURAL MUNICIPALITY OF ROSSER FROM “IPR” INLAND PORT RURAL ZONE TO “I2” INDUSTRIAL GENERAL (WSP CANADA INC - APPLICANT)**

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The intent of this application is to re-zone and subdivide an existing parcel legally described as Pt. of the N ½ of 03-12-02 EPM in the Rural Municipality of Rosser from “IPR” Inland Port Rural Zone to “I2” Industrial General Zone. The parcel is ± 51.12 acres in size and currently utilized for agricultural purposes. There are no existing buildings or structures on the property.

The applicant proposes to subdivide the parcel and create 11 new lots (plus residual) ranging in size from ± 1.5 acres to ± 6.01 acres. The proposed subdivision will utilize a well and onsite wastewater management (septic field or holding tank) until such time as water and wastewater services are available to the site. The applicant proposes to develop the site over three phases. The first phase will establish a trailer and tractor compound and parking. The second phase will establish an office and 1-2 warehouses. The third phase will involve extension of water and wastewater services to the site. The proposed site will connect to a proposed development to the south. The new lots will accommodate industrial development within CentrePort.

The proposed subdivision will include an internal public road network with access to Brookside Boulevard by travelling south along the service road to Mollard Road or via Klimpke Road to Mollard Road. The proposal also states that the development will connect to a proposed development to the south and makes reference to a number of proposed new roads.

### **INLAND PORT SPECIAL PLANNING AREA REGULATION 48/2016:**

#### **Development Plan:**

The objective of policies within the Development Plan is to protect, enhance and promote land use and development that will contribute to the establishment of a comprehensively planned and functionally integrated inland port. Additionally, general policies within the Development Plan state that development should allow for the cost-effective extension of municipal services.

The area proposed for rezoning and subdivision is designated predominantly as a Service-Oriented Industrial Area and partly as a Manufacturing & Logistics Area. These designations support the development of a broad range of industrial uses. Policies within the Inland Port Special Planning Area Regulation support a variety of uses such as light industrial, general industrial and warehousing/storage. “I2” Industrial General uses are permissible in these designations.

Transportation related policies state that developers should be responsible for improving the transportation network to meet the needs of development and that individual projects must accommodate

future road connections at strategic locations to provide seamless connections to future development. There is no road layout defined in the Development Plan for the area proposed for development. The intent in this location is that road networks would be proposed by developers as part of an overall development or as part of a concept plan for future development.

Urban Design and Landscaping policies encourage tree planting and landscaping along roads.

Servicing policies state that development will be required to hook up to municipal services (water and wastewater) when available. Costs for this, outlined in the Capital Lot Levy By-law, will be applied as part of the Development Agreement to be entered into with the RM of Rosser.

Phasing policies state that the logical and orderly phasing of development will generally follow the extension of municipal services. Deviations from this approach may be considered in order to provide opportunities for un-serviced development. Un-serviced development should be directed to the lands along the west or northwest side of the inland port, north of the CPR rail line and adjacent to the Perimeter highway. These lands are located at the furthest point from where water and wastewater services will initially be installed and extended into the plan area.

**Zoning By-law:**

The subject property is currently zoned Inland Port Rural Zone. This zone was established to protect lands for future industrial and commercial uses while allowing lawfully existing uses to continue until such time the lands are required for Inland Port related development.

The proposed zone is “I2” Industrial General Zone. Land uses within this zone are to be oriented towards industrial uses such as manufacturing, truck activity, warehousing and distribution. Streetscapes in this zone are comprised of utilitarian frontages, including loading docks, facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

The proposed Truck Terminal use is permitted within the “I2” zone. The Industrial Corridor Overlay standards will apply as the lots become developed:

| Use            | Parking          | Building Height   | Building Setbacks |                 |  | Building Frontage   | Parking Access              | Site Coverage |
|----------------|------------------|-------------------|-------------------|-----------------|--|---|-----------------------------|---------------|
|                |                  |                   | Front             | Side            | Rear   |   |                             |               |
| Truck Terminal | 1/3 of employees | 3 stories maximum | 1.5 m. (5 ft.)    | 6.1 m. (20 ft.) | 6.1 m. (20 ft.); 1.5 m (5 ft.) to rear access lane | 50% min of total building frontage to be glass with 60% min clear glass | 9.1 m. (30 ft.) from corner | 70% maximum   |

The Zoning By-law also requires that new development applications achieve at least five points from one or more of the sustainable development measures. Because the application is only for the rezoning and subdivision of the property, future landowners will be required to meet the sustainable development measures, which would be verified at the time of issuance of a development and/or building permit.

The Zoning By-law requires that any new industrial building must be separated from any existing residential building by 61 m. (200 ft.) in the Industrial General Zone.

**DEVELOPMENT REVIEW COMMITTEE:**

The application was reviewed by the Development Review Committee for the Inland Port Special Planning Area. The following requirements/comments were received:

**Bell MTS:** Easements are required.

**City of Winnipeg:**

Discharging of wastewater to the City of Winnipeg wastewater system:

- Is subject to amendment of the Service Sharing Agreement;
- Is subject to capacity to accommodate the wastewater as determined by the Water and Waste Department; and
- Shall comply with the Service Sharing Agreement.

The Designated Officer of the Rural Municipality of Rosser (RM) shall provide written notification to the Director of Water and Waste a minimum of ninety (90) days in advance of the addition of any High Strength Discharger of Wastewater to the RM's wastewater system. A "High Strength Discharger of Wastewater" means an owner which produces, or is expected to produce, wastewater that exceeds limits set out in Schedule B of the RM's sewer by-law.

If wastewater system upgrades within the City of Winnipeg are required to support the development area, the RM shall pay their share of the wastewater upgrade costs as determined by the Director of Water and Waste.

**Manitoba Agriculture:** No objection.

**Manitoba Conservation and Climate (Drainage and Water Rights Licencing):**

Submit a Subdivision Development Drainage Plan Engineering Design and Analysis: An engineered drainage plan is required by Conservation and Climate for all subdivisions creating 10 or more lots. The following information is required in a Subdivision Development Drainage Plan, which is submitted for review by the Water Control Works and Drainage Licensing Section:

- With exceptions that may be granted by the Water Control Works and Drainage Licensing Section, subdivision storm water management and drainage plans shall be designed by a professional engineer registered to practice in Manitoba. The construction of the water control works shall be in accordance with the methods and materials as specified by the engineer.
- The applicant shall submit two copies of the design drawings of the proposed works approved by the engineer to the Water Control Works and Drainage Licensing Section for review.
- Developments of less than ten lots total in size, with lot sizes larger than two acres, may be subject to less stringent engineering design requirements. Nevertheless, the design and construction of the project shall still be completed in accordance with acceptable engineering standards. The applicant may be required to provide technical drawings showing design and construction details.
- Where the Water Control Works and Drainage Licensing Section determines it to be appropriate, we may direct the applicant to carry out an engineering analysis of hydrologic regime changes, potential physical impacts, and proposed mitigation measures.

Obtain a Water Rights Licence to Construct Water Control Works: As required by *The Water Rights Act*, a valid Water Rights Licence is required to control water or construct, establish or maintain any water control works. Water control works are defined as any dike, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert, borehole or contrivance for carrying or conducting water, that temporarily or permanently alters, or may, alter the flow or level of water, water in a water body, by any means, including drainage or changes, or may change the location or direction of flow of water by any means including drainage. You will need to fill out a license application form.

Hydraulic Design Requirements: Hydraulic design calculations are to be provided for review using a design scenario that details how post-development storm water runoff rates of the subject property are to be equal to, or less than pre-development run-off rates subject to the following criteria\*:

- The site design must be able to handle a minimum of 1-in-25 year storm event. Water-ponding volumes should equal the difference between a one-in-five year allowable outflow, and a 1-in-25 year post-development flow hydrograph. The allowable outflow is the one-in-five year peak flow based on pre-development conditions. The ponding storage is typically accomplished through retention ponds, or internal storage via ditches and drainage patterns.
- The storm duration for the design should be three hours.

- Report must clearly detail: 1. pre-development catchment area runoff volumes and rate for design event 2. post development catchment area runoff volumes and rate for design event 3. volume of water to be stored and proposed outflow rate In cases where increased post development runoff cannot be accommodated within the development, the Subdivision Development Drainage Plan must detail how the developer will mitigate negative downstream impacts of an increase in surface water flows\*\*.

*\*Please note that if the development intends to direct water through provincial infrastructure (Highway or Provincial Road culverts), then different drainage standards may apply. Please contact Manitoba Infrastructure for details.*

*\*\*Mitigation may include upgrading existing drainage infrastructure, such as culverts and drainage channels downstream, to accommodate additional runoff.*

Engineered Site Plan Requirements:

- Detailed engineering plans outlining any construction, alteration, improvement, blocking or modification of new or existing drainage works servicing the property.
- Drain flow direction(s).
- Proposed/existing culvert sizes, locations and schematics of any buried land drainage system.
- Detailed design drawings of proposed storm water storage works.
- Typical cross-sections of proposed drains.
- Existing and proposed geodetic lot grade elevations (in metric).
- Public rights-of-way or easements.
- Outlet(s) of proposed drainage works (where the water exits the development) – to be licensed in accordance with *The Water Rights Act*, and incorporating the above mentioned criteria.

Environmental Compliance and Enforcement Branch: Any proposed Commercial or Industrial type facility(s) may be subject to Manitoba Regulation 164/88 - Classes of Development Regulation, and where applicable, will require the proponent to file a proposal for a licence under *The Environment Act*.

**Manitoba Hydro:** Easements are required for Manitoba Hydro and Centra Gas Manitoba.

**Manitoba Infrastructure:** Based on the information available, Manitoba Infrastructure **objects** to the subdivision as proposed. We have concerns regarding the use of service roads for intensive commercial and/or industrial development. Service roads along PTH 101 were constructed to access agricultural lands and were not designed to provide access to commercial and industrial development and resulting traffic. Our department does not encourage nor support significant increases in use of service roads for this purpose. In addition, we also have concerns with the proposed development not having connectivity to the built up area to the south. Development should proceed in a logical way from the south and/or west rather than leaving significant areas without a comprehensive plan.

We recommend that an overall conceptual plan be prepared for the entire area. This conceptual plan should have an internal transportation plan identifying internal roads connecting to the built up area to the south and not relying on the PTH 101 service road for access.

Please note that PTH 101 is a Limited Access Highway and has been classified as an expressway. As per the North Perimeter Safety Study, our department's long range plans would eliminate all at-grade road and access connections to PTH 101.

Under the *Transportation Infrastructure Act*, a permit is required from Manitoba Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure within the 38.1 m (125 ft) controlled area from the edge of the PTH 101 highway right-of-way and within the 76.2 m (250 ft) controlled area from the edge of the PTH 7 highway right-of-way. In addition, a permit is required from the Manitoba Infrastructure for any planting placed within 15 m (50 ft) from the edge of the right-of-way of this highway.

**Shaw Communications:** An easement is required.

**The Property Registry (Land Titles):** A Multi-Lot Plan of Subdivision with public road, as proposed, prepared by a Manitoba Land Surveyor is required. The plan will have to be signed by all encumbrancers on CT 3117891/1 due to the proposed public road.

No comments were received from: Historic Resources Branch (Sport, Culture and Heritage); Mineral Resources Branch (Agriculture and Resource Development); Office of the Fire Commissioner; Rural Municipality of Rosser; South Interlake Planning District; and Winnipeg Airports Authority.

#### **COMMENTS/RECOMMENDATION:**

One of the objectives of the Development Plan is to protect land to allow for a comprehensively planned and functionally integrated inland port. While the type of land use proposed is generally acceptable under the Manufacturing and Logistics Industrial and Service-Oriented Industrial policies, it is premature to develop these lands without a concept plan for how development may proceed in the surrounding area.

The land proposed for subdivision and re-zoning is not contiguous with existing development. The nearest Inland Port related developments (Brookport Phases 1 & 2) are about 1.2 miles to the south. Additionally, the subject lands are bordered to the south by a Manitoba Hydro corridor (Roll 94600), which further isolates the subject land from other developments. The approval of this re-zoning and subdivision has the potential to cause demand for servicing where it may not be logical and orderly at this time. The Development Plan directs un-serviced development to the lands along the west or northwest side of the inland port, in the area that is north of the CPR rail line and adjacent to the Perimeter highway. The subject lands being proposed for re-zoning and subdivision do not satisfy the above noted criteria. Additionally, existing roads are not adequate to service the proposed development as indicated by Manitoba Infrastructure.

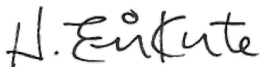
It may not be appropriate to approve the proposed rezoning and subdivision at this time. However, if the Board decides to recommend approval of the subdivision application, the approval should be conditional on the following:

1. That the applicant/owner enter into a development agreement with the municipality to ensure consistency with the *Inland Port Special Planning Areas Regulation 48/2016* and to cover any other such matters as deemed necessary by Council. The Development Agreement will include, but not be limited to, extension of sewer and water services, road upgrades, establishment of proposed landscaping, a traffic impact study, drainage study, lot grading, Sustainable Development Measures and application of the Capital Lot Levy By-law.
2. That the Inland Port Special Planning Area Regulation 48/2016 is amended to rezone the affected parcel to "I2" Industrial General.
3. Confirmation from Manitoba Conservation and Climate, Drainage and Water Rights Licencing ([Drainage@gov.mb.ca](mailto:Drainage@gov.mb.ca)) that a drainage plan and, if deemed necessary, hydraulic design calculations and engineering analysis of hydrologic regime changes, potential physical impact and proposed mitigation measures have been provided and any items identified have been addressed appropriately.
4. Confirmation from Manitoba Conservation and Climate, Drainage and Water Rights Licencing that a Water Rights licence to Construct Water Control works has been obtained.  
<https://www.gov.mb.ca/sd/water/water-rights/drainage-and-water-control/index.html>.

6. Confirmation from Manitoba Infrastructure that a concept plan for development of the entire area has been provided and any other items including an internal transportation plan identifying internal roads connecting to the built up area to the south have been addressed appropriately.
7. Confirmation from the City of Winnipeg that their requirements are met regarding discharging of wastewater to the City of Winnipeg wastewater system. Discharging of wastewater to the City of Winnipeg wastewater system is subject to amendment of the Service Sharing Agreement, is subject to capacity to accommodate the wastewater as determined by the Water and Waste Department, and shall comply with the Service Sharing Agreement.
8. Confirmation from the City of Winnipeg that the designated officer of the Rural Municipality of Rosser has provided written notification to the Director of Water and Waste a minimum of ninety days in advance of the addition of any High Strength Discharger of Wastewater to the RM's wastewater system. A "High Strength Discharger of Wastewater" means an owner which produces, or is expected to produce, wastewater that exceeds limits set out in Schedule B of the RM's sewer by-law.
9. Confirmation from the City of Winnipeg that financing for any required wastewater system upgrades as a result of this development within the City of Winnipeg has been settled between the Director of Waste and Water and the Rural Municipality of Rosser.
10. Confirmation that Easement Agreements has been entered into with Manitoba Hydro, Centra Gas, Shaw Communications and Bell MTS.

Please also note the following:

If the application is approved, subsequent developers of each proposed lot will be required to meet the Sustainable Development Measures. Additionally, the applicant/owner will also be required to submit a lot approval fee to the Province and provide a multi-lot Plan of Subdivision with public road, as proposed, to be prepared by a Manitoba Land Surveyor (to be pre-approved by The Property Registry) as part of the subdivision process.



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Holly Ervick-Knote  
Planner

c.: Kari Schulz c/o WSP, applicant