



Municipal and Northern Relations

Inland Port Special Planning Area
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July 10, 2024

File No.: 13-2-172-2024-0002 (Zoning By-law Amendment No. 2-24)
4172-23-8247 (Revised Subdivision)

INLAND PORT SPECIAL PLANNING AUTHORITY

RE: Inland Port Special Planning Area
Application to Rezone and Subdivide Pt. Parcel E Plan 50401 WLTO in Section 20 and
NW ¼ 21-11-2 EPM in the Rural Municipality of Rosser
Applicant: WSP Canada Inc.
Registered Owner: 7384859 Manitoba Ltd.

Background

This combined subdivision and rezoning application is a revision to the original subdivision and rezoning applications for this land. In 2015, the landowner applied to rezone the subject land from “IPR” Inland Port Rural Zone to “I1” Industrial Centre Zone. The rezoning was conditionally approved in 2016, however no conditions had been satisfied. The applicant withdrew this rezoning application in April of 2024.

In 2023, the applicant applied to subdivide the land into five lots and open two public roads. This application was circulated on January 23, 2023. A public hearing on the subdivision was held on March 15, 2023. The application was subsequently revised to increase the number of lots to six and remove one of the public roads. This revision was circulated on September 1, 2023. A public hearing was held on November 15, 2023, but was adjourned as the applicant anticipated further revisions to the subdivision.

Proposal

The intent of this application is to rezone and subdivide an existing title described as

PARCEL "E" PLAN 50401 WLTO EXC:
PARCELS A, B, AND C AND PUBLIC ROAD AND ROAD NO. 3 AND 4
PLAN 51435 WLTO
IN SECTION 20 AND NW 1/4 21-11-2 EPM

The applicant proposes to rezone the land from “IPR” Inland Port Rural Zone to “I2” Industrial General Zone and subdivide to create nineteen industrial lots ranging in size from 1.46 acres to 5.09 acres. One new public road is proposed, which will connect to Selkirk Avenue at two locations.

The proposed lots are intended to accommodate land uses that include light industrial, fast-food/take-out restaurants, vehicle-oriented retail, and vehicle-oriented services. Sustainable development measures will be met by future owners at the stage of issuance of development permits.

Subject Land and Environs

The existing lot is approximately 41.13 acres in size and currently being used for agricultural purposes. There are no existing buildings or structures on the property.

The subject land borders CentrePort Canada Way (PTH 190), Sturgeon Road, and Selkirk Avenue, as well as the City of Winnipeg. Please note that Selkirk Avenue is within the City of Winnipeg limits. The surrounding land uses are predominantly agricultural but include some industrial uses to both the north and northwest. Two dwellings are located south of the subject lands within the City of Winnipeg.

INLAND PORT SPECIAL PLANNING AREA REGULATION 48/2016:

DEVELOPMENT PLAN:

The policies of the Development Plan seek to protect, enhance and promote land use and development that will contribute to the establishment of a comprehensively planned and functionally integrated inland port while developing the area as a model for sustainability by encouraging sustainable practices in site building and design, and demonstrating leadership and innovation in energy conservation, ecological protection and sustainable transportation.

Designation

The Development Plan designates the land proposed for subdivision and rezoning as Service-Oriented Industrial. This designation supports small and medium scale industrial development including light and general industrial, warehousing and distribution, logistics, and manufacturing uses, as well other similar industries that are consistent with the guiding policies for the inland port. The lighter industrial uses should be directed adjacent to key transportation routes and intersections with more general industrial uses directed to internal areas.

Transportation and Street Overlay

The Development Plan provides policies to guide the development of the inland port's transportation network and the adjacent streetscapes. The internal transportation network should maintain and improve local and regional connectivity, and the design standards should be consistent with surrounding municipalities. New local roads, such as the one proposed, should provide multiple route choices and avoid dead-end streets and cul-de-sacs, which may be more difficult to navigate for larger vehicles. Developers should be responsible for improve the transportation network to meet the needs of development.

Street Overlay policies are included in the Development Plan to help create distinct streetscapes that reflect the intended use of the adjacent lands and roads, and guide the form and character of the area adjacent to the street. The subject land is bordered by an Industrial Corridor to the northwest and west (CentrePort Canada Way) and an Active Transportation Corridor to the northeast and east (Sturgeon Road). Selkirk Avenue does not have a street overlay as it is located within the City of Winnipeg. The proposed new road will have an Industrial Corridor overlay unless it meets the criteria for another overlay. Streets with an Industrial Corridor overlay must be designed with the primary design consideration being the safe and efficient movement of large industrial vehicles. Landscaping should be designed to assist in defining the street.

The land subject to rezoning and subdivision backs onto two Active Transportation Network paths (CentrePort Canada Way and Sturgeon Avenue). Lands that front or back onto CentrePort Canada Way must, if required by the approving authority, provide landscaping and an active transportation pathway along the right-of-way.

Phasing and Municipal Services

The logical and orderly phasing of development will generally follow the extension of municipal services. The first phases of development will be within or immediately adjacent to developed areas or within the Rail Serviced Industrial designation. Service development should expand from these areas in a contiguous manner to ensure efficient extension of services.

Development will be required to connect to municipal water and sewer services once they are extended to the property, at the developer's expense. Costs for this are outlined in the RM of Rosser Capital Lot Levy By-law and will be applied as part of the Development Agreement entered into with the Rural Municipality of Rosser.

ZONING BY-LAW:

Existing Zoning

The subject land is currently zoned "IPR" 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. Agricultural Activities are the only permitted use.

Proposed Zoning

The application proposes to rezone the subject land to "I2" Industrial General Zone. Land uses within this zone are to be generally oriented towards industrial uses, including light and general industries, vehicle-oriented services, and manufacturing and distribution uses with substantial large cargo truck activity and high cube warehouses. Ground floor level of buildings may contain industrial, manufacturing, office and storage uses, and may include outdoor assembly and retail sales accessory to the primary use, while upper stories may contain industrial, manufacturing and offices uses. 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.

Bulk Requirements:

The Industrial Corridor Overlay standards will apply as the lots are developed. Assuming an Industrial Corridor Overlay, future development will be required to meet the following standards:

CATEGORY		REQUIREMENT	
Building Height¹		3 stories max	
Building Setback²	Front	1.5 m (5 ft.) min	
	Side	Abutting I1	N/A
		Abutting I2	6.1 m (20 ft.) min
		Abutting I3	9.1 m (29.8 ft.) min
	Rear	6.1 m (20 ft.) min	
		1.5 m (5 ft.) to rear access lane min	
Parking³	Stalls	Varies depending on use (Schedule B: Zoning By-law, Appendix 2, Table 1 – Use and Parking in the Inland Port Special Planning Area Regulation)	
	Access	9.1 m (30 ft.) from nearest intersection min	
	Setback	Access must be from a lane where possible.	
		N/A	

¹ Any chimney, electrical or telephone transmission line, electrical apparatus or the mechanical elements associated with the operation of a building, and any overhead, crane, television or radio mast, steeple, tower or water storage tank is excluded from the height of a building.

² The designated officer may determine the yard requirements if the lot configuration, topography, architectural features or site arrangement make the application of yard requirements uncertain.

³ Parking area must be drained and maintained with a stable surface which is treated so as to prevent the rising of dust or loose particles. Lighting is shielded and directed to reflect away from residential development.

Encroachments		Yards are maintained open and unobstructed both at ground and above ground level except: <ul style="list-style-type: none"> • Yards may be encroached upon by accommodations for people disabled by barriers, fences, hedges, and landscape features. • Architectural features may encroach <ul style="list-style-type: none"> ○ Into a required side yard by no more than 12.7 cm (5") for each 0.3 m (1 ft.) of required yard width, provided the unobstructed width of the yard is not reduced to less than 0.9 m (3 ft.) ○ Into a required front or rear yard by not more than 0.9 m (3 ft.) • Open, unenclosed and uncovered porches or paved terraces, without permanent fixed canopies, may encroach into a front or rear yard 3.2 m (10 ft.) max. • Open and unenclosed stairways or balconies, not covered by a roof or canopy, may encroach into the required front yard by no more than 0.9 m (3 ft.) and into required rear yard by 1.2 m (4 ft.) max.
Fence Heights		3 m (10 ft.) inclusive of any security wire
Frontage	Shopfront	50 % min of total building frontage with 60% min clear glass
	Common Entry	Unlimited % of total building frontage with 30% min clear glass
Site Coverage		70% max
Roads	Lot access	Lot has frontage on an all-weather public road.
	Future roads	No building or structure is being erected on land that has been designated for a future public road, and if development is adjacent to such land, it complies with all requirements that would apply if the road was already in existence.
Site Landscaping⁴		Landscaped with connection to existing or proposed sidewalk and bike lane
		1 tree/18.3 m (60 ft.) min of frontage (all lot lines abutting public roads)
		3 shrubs/12.19 m (40 ft.) of primary frontage (lot line corresponding with building frontage)
		1 foundation shrub/3 m (9.84 ft.) of shopfront/common entry façade min
		Landscaped islands in parking areas every 40 number of stalls (hydro seeding, rock beds along with plantings is acceptable)
		Landscaped sidewalks/linkages to parking areas (hydro seeding, rock beds along with plantings is acceptable)
		Trees shall be a minimum of 50 mm caliper for deciduous trees and 1800 mm height for coniferous trees at time of planting. No single species can make up more than 30% of a planting
Sustainable Development		Must achieve a minimum of 5 points from the Sustainable Development Measures Checklist .
Uses and Performance Standards⁵		Proposed uses must be permitted in accordance with <i>Table 1 – Use and Parking</i> .

⁴ Additional landscaping information:

- Native plantings are encouraged.
- Trees and shrubs may be clustered to create visual interest.
- Trees should be selected based on their suitability to the site.
- Trees must be planted in accordance with their mature size.
- Visually appealing aesthetic along primary frontage (a 6.1 m (20 ft.) landscaped buffer is recommended, although other options may be proposed that ensure a visually appealing aesthetic along primary frontage).
- Additional landscaping is encouraged to provide a visually appealing aesthetic.
- Plantings are required to be maintained and replaced as necessary.

⁵ Performance Standards:

- Air pollution: No air pollution or smoke shall be produced which is in excess of the maximum concentration for fine particulate matter and ground-level ozone as established under the *Canadian Ambient Air Quality Standards (CAAQS) for PM2.5 and Ozone*, as published in The Canada Gazette, Part 1, Vol. 147, No. 21, May 25, 2013.
- Dust, dirt or particulate matter: No discharge into the air of any dust, dirt or particulate matter shall occur from any activity or from any products stored on the zoning Site that is discernible without instruments at a lot line of the zoning site.
- Electrical disturbance: No activity shall cause electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- Glare or heat: No direct or sky-reflected glare or heat shall be produced in quantities which are discernible without instruments at a lot line of the zoning site.
- Inflammable or explosive materials: No inflammable or explosive materials shall be produced, used, stored or handled unless adequately safe-guarded, as approved by the Municipal Fire Department, against hazards of explosion.
- Liquid contaminants: No discharge of liquid contaminants or materials of such nature or temperature which contaminates any water supply, interferes with bacterial processes and sewage treatment or in any way causes the emission of dangerous or offensive materials shall occur into any public sewer, private sewage disposal system, stream or into the ground.
- Noise or vibration: No noise or vibration, other than related to transportation activities and temporary Construction work shall be produced in quantities which are discernible without instruments at a lot line abutting a non-industrial land use. Where noise attenuation is required within a Provincial Highway or a controlled area as defined in *The Highways*

	Industrial uses, including uses which may be noxious or offensive, must comply with the performance standards.
For development near natural waterways, riparian habitat or ecologically sensitive land	A development built adjacent to land designated as a public open space may be required to incorporate fencing, a tree line or earth berm on the development's site, adjacent to the property line, to screen or separate the land use.
	Development must respect waterways and protect and preserve the archaeological and heritage sites located within the inland port.

Other Zoning By-law Requirements

Landscaping Standards: Landscaping requirements are set out in table 2 of the Zoning By-law. These standards will be met as each lot is developed, verified at the time of issuance of a development and/or building permit.

Additionally, because a new public road is being developed, additional landscaping (street trees) will be required. Industrial lands that front or back onto CentrePort Canada Way must, if required by the approving authority, provide landscaping and an active transportation pathway along the right-of-way.

Public roads: A building or structure must not be erected on land that has been designated for a future public road, and a development that is adjacent to such land must comply with all the requirements that would apply if the road was already in existence.

Sustainable Development Measures: New development applications must achieve at least five points from one or more of the Sustainable Development Measures listed in Table 3 of the Zoning By-law. Because the application is only for the 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.

Performance Standards: Industrial uses must conform with the performance standards set out in the zoning by-law.

Noxious or offensive uses: A use which may be noxious, or offensive may be permitted only if the use complies with the performance standards.

INTERNAL CIRCULATION:

The application was circulated to government department and agencies for their review and comment. A summary of the requirements/comments received are below. Please see the full comments for additional information.

BellMTS: Easements are required, and the landowner will be required to enter into a Right-of-Way Agreement with BellMTS for existing and/or future telecommunications facilities in connection with the subdivision. As easement rights must be registered against relevant titles, the developer is also required to register a statutory easement along with the Easement Plan, if required, in series immediately following the proposed subdivision plan.

Canada Post: Canada Post requires that the owner/developer comply with the following conditions:

- Include on all offers of purchase and sale a statement advising the prospective purchaser that mail delivery will be from a designation Community Mailbox, and subsequently advising the purchaser of the exact Community Mailbox location prior to closing;

Protection Act, application shall be made by the Owner to Manitoba Highway Traffic Board or to Manitoba Infrastructure and Transportation respectively.

- Odorous gas: No emission of any odorous gases or matter shall be produced in quantities which are discernible without instruments at a lot line of the zoning site.
- Radioactivity: No activity, including storage or dumping, shall result in the emission of radioactivity in any amount.

- Consult with Canada Post Corporation (CPC) to determine suitable locations for Community Mailbox and to indicate these locations on the appropriate servicing plan; and
- On the appropriate servicing plan, provide an approximately sized sidewalk section (concrete pad) as per municipal and CPC standards to place the Community Mailboxes on, with any required curb depressions for wheelchair access according to CPC specs.

City of Winnipeg:

Transportation: The City of Winnipeg requests an application package including a proposed pavement design and proposed roadway cross-section for the City street(s), and a Transportation Impact Study (TIS) to review the impacts to the nearby City streets and intersections. Additionally, the developer shall enter into an Agreement with the City of Winnipeg to upgrade or modify impacted City streets and intersections at no expense to the City, all to the satisfaction of the City and to pay all costs of future traffic control signals and other improvements as determined via the TIS or as determined by the City. Finally, the City requests the Rural Municipality of Rosser enter into a Maintenance Agreement with the City's Streets Maintenance Division to maintain sections of Selkirk Avenue.

Land Drainage: Drainage into the City of Winnipeg resulting from the proposed development cannot exceed the pre-development discharge rate to the satisfaction of the Water and Waste Department.

Water and Waste Department for the applicant: Interceptor sewer upgrades within the City are ultimately required to service the subject lands. Full development of the subject lands may be delayed until adequate wastewater servicing is available if City services are required.

Water and Waste Department for the RM of Rosser: Discharging of wastewater to the City of Winnipeg wastewater system, subject to capacity being available, will need to comply with the appropriately amended Service Sharing Agreement. The Water and Waste Department requests that a Designated Officer of the RM of Rosser 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.

Environment and Climate Change (Drainage and Water Rights Licensing): The branch requires a License to Construct Water Control Works be issued prior to any development taking place.

Manitoba Hydro and Centra Gas: The landowner is required to enter into a Statutory Easement agreement(s) and a Grant of Right of Use Agreement(s) regarding existing and/or future facilities. This registration will need to be included as a condition on the Certificate of Approval.

Sport, Culture, Heritage, and Tourism (Historic Resources Branch): The branch requires a Heritage Resource Protection Plan to be implemented. The potential for impact to heritage resources is believed to be low based on analysis of current data and evaluated by the type of action proposed.

Teranet Manitoba: They require a Plan of Subdivision as proposed.

Transportation and Infrastructure (Highway Design): The branch does not object to the revised plan. They require the completion of a Traffic Impact Study (TIS), prepared by a qualified transportation engineer, to identify the amount and type of traffic that will be generated and its potential impact on the adjacent road network, and what if any types of on-highway improvements will be required to safely accommodate the traffic generated. The costs will be borne by the developer. The branch also requires sufficient information to determine if the drainage from the land subject to subdivision and rezoning will adversely affect the provincial highway drainage system.

Transportation and Infrastructure (Water Management Planning and Standards): The branch has no concerns.

Winnipeg Airport Authority: The Authority notes that future land development must comply with:

- The Aeronautics Act (R.S., 1985, c.A-2);

- Winnipeg International Airport Zoning Regulations, SOR/81-708; and
- TP 1247E Aviation- Land Use in the Vicinity of Aerodromes.

Prior to development, Transport Canada may require an Aeronautical Assessment for Obstacle evaluation to ensure compliance with the Winnipeg International Airport Zoning Regulations, SOR/81-708, and a land use submission must be approved by Nav Canada. Additionally, the Winnipeg Airport Authority recommends the completion of an aeronautical assessment with Legal Land Survey for Airport Zoning Regulation Clearance Attestation, which can then be provided to the Authority and Transport Canada.

No comments were received from: Agriculture (Land Use and Ecosystem Resilience); Cartier Regional Water Co-op; Environment and Climate Change (Environmental Compliance and Enforcement); Economic Development, Investment, Trade and Natural Resources (Mining, Oil and Gas); Office of the Fire Commissioner; Rural Municipality of Rosser; Rosser Fire Department; Rogers.

COMMENTS/RECOMMENDATION:

The policies of the Development Plan seek to protect, enhance and promote land use and development that will contribute to the establishment of a comprehensively planned and functionally integrated inland port. The proposed subdivision is generally consistent with the Development Plan policies, and in particular the policies of the Service-Oriented Industrial designation. This designation supports small and medium scale industrial development including light and general industrial, warehousing and distribution, logistics, and manufacturing uses, as well other similar industries that are consistent with the guiding policies for the inland port. Further, the rezoning of the subject land from “IPR” Inland Port Rural Zone to “I2” Industrial General Zone is consistent with the Development Plan and will support the types of uses outlined in the Service-Oriented Industrial designation. Subsequent developers of each proposed lot will be required to meet the Sustainable Development Measures.

If the Board is satisfied that the proposed subdivision is in compliance with the intent of the Development Plan and Zoning By-law policies, the approval should be subject to the following requirements and conditions:

REQUIREMENTS:

- A. That the applicant/owner submits the provincial lot fee of **\$5,400.00** (18 new lots x \$300 per new lot) to the office of the Inland Port Special Planning Area. Please submit a cheque or money order made payable to the Minister of Finance.
- B. Teranet Manitoba requires a **Plan of Subdivision**, as proposed, prepared by a Manitoba Land Surveyor. Please submit to this office **one original mylar and one mylar copy**. Teranet Manitoba strongly encourages applicants to seek legal advice to ensure that they satisfy all registration requirements.
- C. Provide this office with a PDF copy of the Plan of Subdivision, showing the **total area of each lot and new public roads**, calculated by a surveyor in either square feet or square metres. Please note the PDF must contain the Deposit No. and Surveyor’s Sworn to Date.

If you have any concerns with Requirement B. and C., please contact the District Registrar at Teranet Manitoba.

CONDITIONS:

1. Rezoning of the subject land from “IPR” Inland Port Rural Zone to “I2” Industrial General Zone.

2. Submit written confirmation that a Development Agreement has been entered into with the RM of Rosser to cover any other such matters as deemed necessary by Council. The Development Agreement may include, but not be limited to, extension of water and wastewater services, road upgrades, establishment of proposed landscaping including street trees related to the new road, traffic impact study, drainage study, lot grading, and the application of the Capital Lot Levy By-law. **Contact:** *Larry Wandowich, Chief Administrative Officer, Rural Municipality of Rosser-* cao@rmofrosser.com.
3. Submit written verification that an Easement Agreement has been entered into with Manitoba Hydro/Centra Gas or that an easement is not required. If an easement is required, registration of this agreement will be included as a condition on the final Certificate of Approval. When Manitoba Hydro has granted approval of the required easements, please forward a copy of Hydro's "Release of Condition" letter to this office. **Contact:** *Please forward lawyer contact information, subdivision plan, and any inquiries to* HCSC@hydro.mb.ca.
4. Submit written confirmation that a right-of-way agreement has been entered into with BellMTS or that an easement is not required. Verification of said agreement must be submitted to this office. If required, registration of this agreement will be included as a condition on the final Certificate of Approval. **Contact:** *Cam Dryden, Survey Coordinator- 204-958-1768 or* neteng.control@bellmts.ca.
5. Submit written confirmation from Manitoba Transportation and Infrastructure (Highway Design) that sufficient information has been provided to their regional Technical Services Engineer to allow them to determine if drainage from the site may adversely affect the provincial highways drainage system. If necessary, they may request the submission of a detailed drainage plan prepared by qualified experts. The cost of this study and any revisions to the highway drainage system directly associated with this proposed development will be the responsibility of the developer. **Contact:** *Rob Crang, Technical Services Engineer- 204-945-8955 or* rob.crang@gov.mb.ca.
6. Submit written confirmation from Manitoba Transportation and Infrastructure (Highway Design) that a Traffic Impact Study has been received and approved. The Traffic Impact Study must be prepared by a qualified transportation engineer. It will identify the amount and type of traffic that will be generated and its potential impact on the adjacent road network, and what if any types of on-highway improvements will be required to safely accommodate the traffic generated. The costs of the Traffic Impact Study and any required on-highway improvements will be the responsibility of the developer. **Contact:** *Karen Toews, Manager, Roadside Development- 204-794-2733 or* karen.toews@gov.mb.ca.
7. Submit a valid *License of Construct Water Control works* as confirmation that requirements from Environment and Climate Change (Drainage and Water Rights Licensing) have been met. Licence applications may be submitted through the online portal. Please go to [Environment and Climate Change | Province of Manitoba \(gov.mb.ca\)](https://www.gov.mb.ca/environment/climate-change/) for more information. **Contact:** *1-800-214-6497 or* drainage@gov.mb.ca.
8. Submit written confirmation from Sport, Culture, Heritage, and Tourism (Historic Resources Branch) that a Heritage Resource Protection Plan has been implemented. **Contact:** *Archaeological Assessment Services Unit- 204-945-2118 or* hrb.archaeology@gov.mb.ca.
9. Submit written confirmation from the Winnipeg Airport Authority that an approach survey has been completed and a survey certificate has been submitted or is not required. **Contact:** *Andrew Curwain-* acurwain@waa.ca.
10. Submit written confirmation from the City of Winnipeg that the developer has entered into an Agreement to upgrade or modify impacted City of Winnipeg streets or intersections. **Contact:** regionalplanning@winnipeg.ca.

11. Submit written confirmation from the City of Winnipeg that a copy of the Traffic Impact Study has been provided to them. **Contact:** regionalplanning@winnipeg.ca.
12. Submit written confirmation from the City of Winnipeg that a drainage plan has been provided. **Contact:** regionalplanning@winnipeg.ca.
13. Submit written confirmation from Canada Post that the owner/applicant has met their requirements including the provision of suitable locations for Community Mailboxes with concrete pads/sidewalks constructed to their standard. **Contact:** Cathy Aiello-Wilks, Delivery Planning Officer- 204-333-7002 or cathy.aiello-wilks@canadapost.postescanada.ca.

Thank you,

Jessie Russell-Edmonds
Planner

c.: **Kari Schulz (WSP Canada Inc.)**