

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: September 10, 2018

File No.: 13-2-172-2018-0081

MATTER: Zoning By-law Amendment

BY-LAW NO.: 1-18

HEARING DATE: July 17, 2018, Winnipeg

PANEL: Frances Smee, Chair
Braden Smith, Member
Kelvin Stewart, Member
Marina James, Member
Linda McFadyen, Member

PARTIES AND APPEARANCES: *for the applicant*

Meagan Boles

for Community and Regional Planning Branch

Kari Schulz, Planner, CentrePort

presenters

Jas Brar
Ian Corbett

INTRODUCTION

DIA Enterprises Inc. (c/o Meagan Boles) has proposed to re-zone one +/- 33.5 acre parcel legally described as part of Parcel F Plan 50401 and owned by Lloyd Johnson and Beverly Johnson. The parcel is located north of the intersection of Provincial Road 221 and CentrePort Canada Way, immediately east of the proposed Rail Park and immediately west of Sturgeon Road. The applicant is proposing to rezone the parcel from "IPZ" Inland Port Rural Zone to "I3" Industrial Heavy Zone.

A truck terminal is proposed, including an office (3,100 ft²), a shop including wash bay, repair bays and cross-dock facility (11,000 ft²), and an 11 acre fenced compound. This site will accommodate approximately 324 to 338 employees, an increase from 270 employees currently.

ISSUE AND LEGISLATION

The issue before the Board is to make a recommendation to the minister to approve the proposed re-zoning, with or without conditions or reject the proposed re-zoning.

Section 12.2(1)(a) of the *The Planning Act* states that the mandate of a special planning authority, in respect of its special planning area, is to hold hearings to consider, among other things, any amendment to a zoning by-law.

Section 12.2(2) of the *The Planning Act* states that after holding a hearing on a matter set out in (1)(a), the special planning authority must provide the minister with a report on the hearing that includes the minutes of the hearing, the record of all representations made at the hearing and its recommendations on the matter considered at the hearing.

Section 12.2(5) of *The Planning Act* states that in carrying out its mandate, a special planning authority is to act in accordance with the regulations, being the *Special Planning Areas Regulation 49/2016* and the *Inland Port Special Planning Areas Regulation 48/2016*, being the Development Plan and Zoning By-law for the Inland Port Special Planning Area.

PUBLIC PRESENTATIONS

Kari Schulz, Planner from the Community and Regional Planning Branch presented the planning report. Meagan Boles spoke in favour of the application on behalf of the applicant, DIA Enterprises Inc. Jas Brar and Ian Corbett also spoke in support of the application.

Community and Regional Planning Branch:

Kari Schulz, Planner, presented the planning report. She confirms the area proposed for re-zoning is designated as Rail Serviced Industrial according to the Development Plan. Policies within this designation supports businesses that benefit from access to tri-modal transportation and the adjacent CentrePort Canada Rail Park. Policy 2.3.2.3 states that development adjacent to the common-use rail facility should be complementary and capitalize on the close proximity to the facility.

The proposed "truck terminal" use is permitted within the "I3" Industrial Heavy zone. The proposal meets the requirements listed in the zoning by-law – including the sustainable development measures which will be fulfilled by green building certification.

Ms. Schulz also presented comments received from Diane Gray, President and CEO of CentrePort Canada. Ms. Gray indicated that the access from PR 221 to the parcel should be subject to review and approval by CentrePort Canada due to the adjacent CentrePort Canada Rail Park.

Ms. Schulz indicated a technical review of the application was completed. The following recommendations were received:

1. The Rural Municipality of Rosser stated that a development agreement would be required to address water and wastewater servicing, drainage requirements, lot grading, access requirements and, among other things, address payment of the Capital Lot Levy's.
2. Manitoba Infrastructure requires a permit for any new, modified or relocated access to PR 221; additional information to determine if the development will have an impact on drainage; and a traffic impact study to determine if any on-highway improvements are required.
3. The Winnipeg Airport Authority stated that compliance with the Obstacle Limitations Surfaces (OLS) should be verified by conducting an approach survey and the resulting survey certificate to be submitted to the WAA.
4. Manitoba Hydro will require easements.

Ms. Schulz also recommended several additional conditions:

1. That the developer submits their proposal to meet the Sustainable Development Measures.
2. Confirmation from CentrePort Canada that they have reviewed and approved of the subject parcel's access to PR 221.

In Support of the Application:

Meagan Boles spoke in support of the application on behalf of the applicant, DIA Enterprises Inc. Ms. Boles indicated that DIA Enterprises Inc. will work with the municipality and other approval agencies to work through the conditions of the re-zoning application. She also indicated that the development is complementary to and will support development in CentrePort and is in keeping with the vision of CentrePort. The development will consolidate several other locations to this one site, increase employment by 54 to 68 additional staff, and increase the rail component of the business from 5% to 25% once the Rail Park is established.

Jas Brar spoke in support of the application. Mr. Brar confirmed that his business is in need of extra storage room for trailers, that he will be amalgamating several locations to this site, and that the proposed rail park will be beneficial to his business although not a requirement. He also stated that the value of the proposed buildings will be approximately \$4.7 million.

Ian Corbett spoke in support of the application.

In Objection to the Application:

No objections were received.

ANALYSIS AND CONCLUSION

The Board has carefully considered the evidence presented at the hearing.

The most significant consideration with respect to this application is the impact that this type of development will have on the RM's tax base. The proposal is for a small building on a large parcel, with a significant area of the parcel dedicated to parking. The Board questioned how much land can be used for parking within CentrePort and for CentrePort to be sustainable. However, this particular parcel is isolated and not suitable for subdivision. And the proximity to the Rail Park will allow for future expansion of this business. The Board also recommends that the development agreement between the RM and the developer include a provision that will require the developer to connect to water and wastewater services.

Overall, the Board is satisfied that the application is generally in keeping with the *Inland Port Special Planning Area Regulation 48/2016*.

THEREFORE, THE BOARD RECOMMENDS

That the approving authority approves the rezoning application, subject to the following conditions:

1. That a Development Agreement be entered into with the RM of Rosser 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 water and wastewater services, road upgrades, establishment of proposed landscaping, traffic impact study, drainage study, lot grading, and the application of the Capital Lot Levy By-law.
2. That the developer submits their proposal to meet the minimum of five Sustainable Development Measures outlined in the Zoning By-law.
3. Confirmation from Manitoba Infrastructure that an access permit has been obtained.
4. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
5. Confirmation from Manitoba Infrastructure that a Traffic Impact Study has been provided and any items identified have been addressed appropriately.
6. Confirmation from the Winnipeg Airport Authority that the developer has completed an approach survey and submitted the survey certificate to the WAA.
7. Confirmation from CentrePort Inc. that they review and agree to the location of the proposed access from the subject parcel to Provincial Road 221.
8. Confirmation that an Easement Agreement has been entered into with Manitoba Hydro.

Submitted by:

Frances Smee
Chair, Inland Port Special Planning Authority

Attachments

c.: Meagan Boles, applicant