

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: December 6, 2023

File No.: 13-2-172-2023-0001

MATTER: Zoning By-law Amendment

BY-LAW NO.: 1-23

HEARING DATE: November 15, 2023

PANEL: Kelvin Stewart, Acting Chair
Linda McFadyen, Board Member
James Platt, Board Member
Mike Teillet, Board Member

PARTIES AND APPEARANCES: *for the applicant*

Kari Schulz (WSP Canada Inc.)

for the Community Planning Branch

Holly Ervick-Knote, Planner

public presenters

None

INTRODUCTION

On behalf of the owner, SCC Property Ltd., the applicant Kari Schulz (WSP Canada Inc.) has applied to re-zone and subdivide ± 184 acres of land legally described as Part W ½ 21-11-2 EPM in the Rural Municipality of Rosser. The subject property is located in the southernmost part of the inland port and borders the City of Winnipeg on Selkirk Avenue to the south, CentrePort Canada Way to the northwest and Sturgeon Road to the southwest.

The applicant proposes to re-zone the subject land from “IPR” Inland Port Rural zone to “I2” Industrial General zone, create 24 industrial lots (23 plus residual) between ranging from ± 4.68 acres to ± 9.47 acres and create a public road network (± 11.25 acres).

ISSUE AND LEGISLATION

The issue before the Board is to make a recommendation to the minister on whether to approve the proposed rezoning, with or without conditions, or reject the proposed rezoning.

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 HEARING PRESENTATIONS

Community Planning Branch:

Holly Ervick-Knote, Planner, presented the planning report, which recommended approval of the proposed rezoning and the proposed subdivision.

Kari Schulz spoke in support of the application as the representative of the owner, SCC Property Ltd.

In Objection to the Application:

No objections have been received on the current subdivision design.

See *Attachment 1 – Public Hearing Minutes* for full details.

ANALYSIS AND CONCLUSION

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

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 Minister of Municipal and Northern Relations approve the rezoning application. See *Attachment 2 – Inland Port Special Planning Authority Resolution 13-2-172-2023-0194* for full details.

Submitted by:



Kelvin Stewart
Acting Chair, Inland Port Special Planning Authority

Attachments

Attachment 1 – Public Hearing Minutes 13-2-172-2023-0194

Attachment 2 – Inland Port Special Planning Authority Resolution 13-2-172-2023-0194

INLAND PORT SPECIAL PLANNING AUTHORITY

MINUTES OF PUBLIC HEARING

**ZONING BY-LAW AMENDMENT (BL 1-23) AND
SUBDIVISION (4172-23-8246)**

November 15, 2023 at 5:00 pm

BOARD MEMBERS AND STAFF PRESENT
Kelvin Stewart, Board Member (Acting Chair)
Linda McFadyen, Board Member
James Platt, Board Member
Mike Teillet, Board Member
Holly Ervick-Knote, Planner
Erin McCleery, Manager, Winnipeg CP Office
Sabrina Kratsberg, STEP Student

RECORD OF REPRESENTATION	IN SUPPORT	OBJECTING	FOR INFORMATION
Kari Schulz (WSP Canada Inc.) – applicant	X		

Acting Chair Kelvin Stewart called the public hearing to order, introduced the Board and explained the purpose and process of the hearing.

Holly Ervick-Knote, Planner, provided a summary of the procedure for processing subdivision applications, provided proof that the hearing was advertised in accordance with *The Planning Act*, and presented the planning report. Holly Ervick-Knote recommended approval of the application.

The following persons were in attendance and spoke:

Kari Schulz spoke on behalf of the application. The purpose of this application is to rezone and subdivide approximately ± 184 acres into 24 industrial lots. The application was revised and resubmitted based on MTI’s objection to the original submission, moving access to the lots from CentrePort Canada Way to Selkirk Avenue to the south.

The applicant requested amendments to Conditions 7 and 8, stating that drainage will not flow into City of Winnipeg.

The Inland Port Special Planning Authority (Board) inquired whether the development will be phased. The applicant informed the Board that it was not the intention of the developer to phase development.

The Board inquired whether Selkirk Avenue is entirely within the City of Winnipeg. The Chief Administrative Officer, who was in attendance at the hearing, was

permitted to speak on the matter and clarified that is a boundary road and that legal jurisdiction sits with the City of Winnipeg. Traditionally, municipalities on either side of a boundary road enter into agreements to establish roles and responsibility related to maintenance, speed limits, etc.

The Board inquired what is the intent of adding the words "in collaboration with Rosser" to the amended Condition #8. The applicant informed that Board that there are two reasons for this rewording request. First, in order to determine what standards the road will be built to (as the City of Winnipeg and Rural Municipality of Rosser road standards have differences). Second, to facilitate agreement between the Rural Municipality of Rosser and City of Winnipeg regarding maintenance, etc. of the boundary road. The applicant feels that involving the Rural Municipality of Rosser in the process will be beneficial to all parties.

The Board inquired whether drainage will continue to flow into Omand's Creek. The applicant confirmed that drainage will continue to flow to the north, and that pre-development flow will be required to equal post development flow.

The hearing was adjourned at 5:40 p.m.

INLAND PORT SPECIAL PLANNING AUTHORITY
Resolution of the Board
November 15, 2023

Moved by: Mike Teillet

Seconded by: Linda McFadyen

WHEREAS with the permission of the owner, SCC Property Ltd., the applicant, Kari Schulz (WSP Canada Inc.) has made an application to rezone and subdivide approximately 184 acres legally described as Part W ½ 21-11-2 EPM in the Rural Municipality of Rosser to accommodate future industrial development within CentrePort.

AND WHEREAS the rezoning and subdivision applications are generally in keeping with the policies and requirements of the Inland Port Special Planning Area Regulation 48/2016 – Schedule A: Development Plan.

THEREFORE BE IT RESOLVED THAT the Inland Port Special Planning Authority recommends approval of the applications, subject to the following conditions:

Rezoning:

CONDITIONS:

1. Submit written confirmation that a Development Agreement be entered into with the Rural Municipality of Rosser to cover any 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 required street trees related to 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.*

Subdivision:

CONDITIONS:

1. Submit written confirmation that a Development Agreement be entered into with the Rural Municipality of Rosser to cover any 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 required street trees related to 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.*
2. Submit written confirmation from Manitoba Transportation and Infrastructure that a Traffic Impact study for this development has been received and approved. The Traffic Impact Study will have to be prepared by a qualified transportation engineer. It will identify the amount and type of traffic that will be generated by the development and its potential impact on the adjacent road network. The study will identify the type of on-highway improvements that will be required to safely accommodate the traffic generated by this development. The cost of the Traffic Impact Study and any required on-highway improvements would be the responsibility of the developer (the applicant will have to enter into an agreement with the department for the construction of the on-highway improvements). **Contact:** *Karen Toews, Manager, Roadside Development: 1-204-794-2733 or Karen.Toews@gov.mb.ca.*

3. Submit written confirmation from Manitoba Transportation and Infrastructure that sufficient information has been provided to determine if drainage from this site may adversely affect the provincial highway drainage system. A detailed drainage plan prepared by qualified experts may be required. Please note that 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: 1-204-945-8955 or Robert.Crang@gov.mb.ca.*
4. Submit a valid *Licence to Construct Water Control Works* as confirmation that requirements from Environment and Climate (Drainage and Water Rights Licensing Branch) have been met. Licence applications may be submitted through the online portal. Please go to [Environment and Climate | Province of Manitoba \(gov.mb.ca\)](http://EnvironmentandClimate.ProuvinceofManitoba.gov.mb.ca) for more information. **Contact:** *Refer to the attachments sent with the report to Council for instructions to complete this requirement, or contact the Drainage and Water Rights Licensing Branch: drainage@gov.mb.ca or 1-800-214-6497.*
5. Submit written confirmation that the owner meets Canada Post's requirements including suitable locations for Community Mailboxes and concrete pad/sidewalk standards. **Contact:** *Cathy Aiello-Wilks at 1-204-333-7702 or by email at Cathy.Aiello-Wilks@canadapost.postescanada.ca.*
6. Submit written confirmation from the City of Winnipeg that a copy of the traffic study has been provided to them. **Contact:** regionalplanning@winnipeg.ca.
7. 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 and intersections, in collaboration with the Rural Municipality of Rosser. **Contact:** regionalplanning@winnipeg.ca.
8. Submit written confirmation from the City of Winnipeg that a drainage plan has been provided and that any issues identified by the RM of Rosser have been addressed appropriately. **Contact:** regionalplanning@winnipeg.ca.
9. Submit written confirmation from the Winnipeg Airports Authority that an approach survey has been completed and a survey certificate has been submitted or is not required. **Contact:** *Andrew Curwain at acurwain@waa.ca.*
10. Submit written verification that a Statutory Easement Agreement(s) and a Grant of Right of Use Agreement(s) has been entered into with Manitoba Hydro/Centra Gas or that they are 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 and any inquiries to HCSC@hydro.mb.ca.*
11. Submit written confirmation that an Easement Agreement(s) and a Right-of-Way Agreement(s) has been entered into with BellMTS or are not required. If required, registration of this agreement will be included as a condition on the final Certificate of Approval. **Contact:** neteng.control@bellmts.ca.
12. Submit written confirmation that an Easement Agreement(s) has been entered into with Shaw Communications or that an easement is not required. If required, registration of this agreement will be included as a condition on the final Certificate of Approval. **Contact:** *Rod Caners at projectmanagermanitoba@srb.ca.*

Carried


 Kelvin Stewart, Acting Chair