

# INLAND PORT SPECIAL PLANNING AUTHORITY

## REPORT AND RECOMMENDATION

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Recommendation Date: January 25, 2023

**MATTER:** Proposed Zoning By-law Amendment and Subdivision Application

**File Nos.:** **13-2-172-2022-0194 (Zoning)**  
**4172-22-8221 (Subdivision)**

**HEARING DATE:** **January 5, 2023**

**PANEL:** Linda McFadyen, Acting Chair  
Marina James, Vice-Chair  
Kelvin Stewart, Board Member  
James Platt, Board Member  
Mike Teillet, Board Member

**PARTIES AND APPEARANCES:** *for the applicant*

Kari Schulz

*for the Community Planning Branch*

Holly Ervick-Knote

*presenters*

None

## **INTRODUCTION**

On behalf of the owner, 10127793 Canada Inc. and Tak Yuen Sung, the applicant, Kari Schulz (WSP Canada Inc.) has applied to re-zone and subdivide ± 23.75 acres of land legally described as SW ¼ 28-11-2 EPM. The subject lands are located on the north side of Park Royale Way and west of Prairie Dog Trail in the Rural Municipality of Rosser.

The applicant proposes to re-zone two existing lots from "IPR" Inland Port Special Planning zone to "I2" Industrial General zone and subdivide to create six lots, ranging in size from approximately 2.00 acres to 7.04 acres. A public road with direct access to Park Royale Way to the south is also proposed.

There are two access points to the properties off Park Royale Way. This subdivision application proposes to close the existing accesses and create one central access point to the proposed lots.

The application states that all lots will be serviced with water and wastewater in accordance with municipal standards. The new lots are proposed to accommodate industrial development within CentrePort.

## **ISSUE AND LEGISLATION**

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

The second issue before the Board is to make a recommendation to the approving authority to approve the proposed subdivision, with or without conditions or reject the proposed subdivision.

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**

### **Community Planning Branch:**

Holly Ervick-Knote, Planner from the Community Planning Branch presented the planning report.

### **In Support of the Application:**

Kari Schulz spoke in support of the application as the representative of the owners, 10127793 Canada Inc. and Tak Yuen Sung.

**In Objection to the Application:**

The Rural Municipality does not support the zoning amendment and subdivision applications. The municipality submitted their comment to the Community Planning Branch during the circulation period, stating that there is no water and wastewater servicing plan for the subject lands, and that therefore the applications are premature.

**ANALYSIS AND CONCLUSION**

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

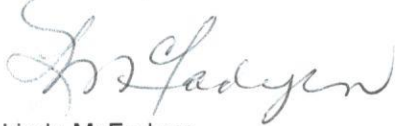
Overall, the Board does not deem the zoning or subdivision application to conform with the *Inland Port Special Planning Area Regulation 48/2016*.

**THEREFORE, THE BOARD RECOMMENDS**

That the Minister of Municipal Relations reject the zoning by-law amendment application.

That the Approving Authority (Manager of Community Planning Branch) reject the subdivision application.

Submitted by:



Linda McFadyen  
Acting Chair, Inland Port Special Planning Authority

Attachments

c.: Kari Schulz  
Aimee Goyer  
Larry Wandowich