

# INLAND PORT SPECIAL PLANNING AUTHORITY

## REPORT AND RECOMMENDATION

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Recommendation Date: August 29, 2024

File No.: 13-2-172-2024-0001

**MATTER:** Zoning By-law Amendment

**BY-LAW NO.:** 1-24

**HEARING DATE:** August 21, 2024

**PANEL:** Angela Emms, Chair  
James Platt, Member  
Kelvin Stewart, Member  
Linda McFadyen, Member  
Greg Dandewich, Member

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

Meagan Boles (WSP Canada Inc.)

*for the Community Planning Branch*

Jessie Russell-Edmonds, Planner

*presenters*

Chris Reiter, Focus Equities

Larry Wandowich, Rural Municipality of Rosser

Lloyd Johnson, Little Mountain Park Conservancy Group

**ATTACHMENTS:**

Attachment 1- Community Planning Report to Board

Attachment 2- Public Hearing Minutes

Attachment 3- Inland Port Special Planning Authority Resolution

## **INTRODUCTION**

On behalf of the owner, 10073026 Manitoba Ltd., the applicant Kari Schulz (WSP Canada Inc.) has applied to realign the boundaries between three titles, open one new public road, and rezone two lots. The land subject to subdivision and rezoning is legally described as Lot 2 Plan 71903 WLTO and Lot 2 and 3 Plan 72341 WLTO in Section 20-11-2 EPM in the Rural Municipality of Rosser.

The applicant proposes to re-zone proposed Lot 1 and 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone. Proposed Lot 1 will accommodate "Take-out" or "Fast-food" restaurants and "Vehicle-Oriented Services" or "Vehicle-Oriented Retail", and proposed Lot 3 will accommodate "Vehicle-Oriented Services" or "Vehicle-Oriented Retail". A new public road will be opened to provide access to proposed Lot 3 and connect RailPark Way to Selkirk Avenue in the future. A temporary cul-de-sac is proposed, secured by easement, at the termination of the new public road until the connection to Selkirk Avenue, a City of Winnipeg Street, can be made.

## **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 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 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:**

Jessie Russell-Edmonds (Planner, Community Planning Branch) presented the planning report.

### **In Support of the application:**

Meagan Boles (WSP Canada Inc.) spoke in support of the application as the representative of the owner, 10073026 Manitoba Ltd.

Chris Reiter (Focus Equities) also spoke in support of the application at the hearing.

### **Public Attendees:**

Public attendee Lloyd Johnson (Chair, Little Mountain Park Conservancy Group) also spoke at the hearing to voice concern over the growing industrial development and provide information about the organization's petition to preserve Little Mountain Park and route the future Chief Peguis Trail extension along the former Sturgeon Road.

### **In Objection to the Application:**

No objections were received at the public hearing.

See *Attachment 1- Community Planning Report to Board* for full details on the applicable policies and Community Planning's analysis and *Attachment 2- Public Hearing Minutes* for a summary of the presentations.

**ANALYSIS AND CONCLUSION**

The Board has carefully considered the evidence presented at the hearing including presentations by the planner, the applicant and the public.

The Board is concerned that a commercial restaurant use on proposed Lot 1 has the potential to impede the flow of industrial traffic at this location. The Board also understands that the *Inland Port Special Planning Area Regulation 48/2016* is currently under review and said review would be expected to provide clarity on how and where commercial uses may be accommodated in the Rail Park.

The Board feels the rezoning of proposed Lot 3 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 accept the rezoning of proposed Lot 3 only.

See *Attachment 3- Inland Port Special Planning Authority Resolution* for full details.

Submitted by:



Angela Emms  
Chair, Inland Port Special Planning Authority

Attachments

- c.: Kari Schulz, WSP Canada Inc.
- Larry Wandowich, RM of Rosser
- Chris Reiter, Focus Equities
- Lloyd Johnson, Little Mountain Conservancy Group

## **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 Rail Serviced Industrial. The objectives of the Rail Serviced Industrial designation are:

1. To accommodate the industrial development to the south of the CPR main line to facilitate the development of the rail serviced industrial lands; and
2. To support the prime location of the railway lines with the location of heavier industrial land uses.

Rail Serviced Industrial land should be preserved and maintained for uses that will benefit from direct rail service. Development should be designed with sufficient space to accommodate the transfer of heavy goods and materials from truck to rail and vice versa. They should also be well-connected to adjacent land use designations by roads and the active transportation network.

Development must be connected to the municipal sewer and water systems as the services are extended to their property. Costs for this, outlined in the Rural Municipality of Rosser Capital Lot Levy By-law, will be applied as part of the Development Agreement to be entered into with the Rural Municipality of Rosser.

#### Transportation and Street Overlay

The land subject to subdivision and rezoning fronts onto RailPark Way, a street with the Industrial Corridor Overlay. It is assumed that the proposed public road will have the Industrial Corridor Overlay, unless it meets the criteria for another. Streets with the Industrial Corridor Overlay are to be designed with the primary focus of serving industrial traffic, including the safe and efficient movement of large industrial trucks, including long combination truck trailers, and service vehicles. The Industrial Corridor Overlay standards will apply as the proposed lots are developed.

The subject lands also back onto CentrePort Canada Way, which has an Active Transportation Overlay and Active Transportation Network path. 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.

### **ZONING BY-LAW:**

#### Existing Zoning

The subject properties are currently zoned "I3" Industrial Heavy Zone.

Land uses within the "I3" Zone are to be generally oriented towards heavy industrial uses such as manufacturing and distribution activity, including multi-modal, inter-modal and specialized shipping facilities. Permitted uses include heavy, general and light industrial uses, as well as a variety of transportation-related uses. Streetscapes in this zone are comprised of industrial frontages, including loading docks and facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

#### Proposed Zoning

The application proposes to rezone proposed Lot 1 and 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone to accommodate land uses that perform a supportive function for the Rail Park.

- Proposed Lot 1 will be used for a “Fast Food Restaurant” or “Take Out Restaurant” and a “Vehicle-Oriented Service” or “Vehicle-Oriented Retail” use.
- Proposed Lot 3 will be used for a “Vehicle-Oriented Service” or “Vehicle-Oriented Retail” use.

Land uses within the “I2” Zone are to be generally oriented towards industrial uses, including manufacturing and distribution uses with substantial large cargo truck activity and high cube warehouses. Permitted uses include general and light industrial uses, agricultural-related and vehicle-oriented services and retail, offices, and some transportation-related uses. Streetscapes in this zone are comprised of industrial frontages, including loading docks and facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

Future development will be required to meet the following standards:

CATEGORY			I2 REQUIREMENTS	I3 REQUIREMENTS
<b>Building Height<sup>1</sup></b>			3 stories max	3 stories max
<b>Building Setback<sup>2</sup></b>	Front		1.5 m (5 ft.) min	1.5 m (5 ft.) min
	Side	Abutting I1	N/A	N/A
		Abutting I2	6.1 m (20 ft.) min	9.1 m (29.8 ft.) min
		Abutting I3	9.1 m (29.8 ft.) min	6.1 m (20 ft.) min
	Rear		6.1 m (20 ft.) min 1.5 m (5 ft.) to rear access lane min	6.1 m (20 ft.) min 1.5 m (5 ft.) to rear access lane min
<b>Parking<sup>3</sup></b>	Stalls		Varies depending on use (Schedule B: Zoning By-law, Appendix 2, <a href="#">Table 1 – Use and Parking in the Inland Port Special Planning Area Regulation</a> )	Varies depending on use (Schedule B: Zoning By-law, Appendix 2, <a href="#">Table 1 – Use and Parking in the Inland Port Special Planning Area Regulation</a> )
	Access		9.1 m (30 ft.) from nearest intersection min	18.3 m (60 ft.) from corner min
			Access must be from a lane where possible.	Access must be from a lane where possible.
	Setback		N/A	Landscaped with connection to existing or proposed sidewalk and bikeway
<b>Encroachments</b>			Yards are maintained open and unobstructed both at ground and above ground level except: <ul style="list-style-type: none"> <li>• Yards may be encroached upon by accommodations for people disabled by barriers, fences, hedges, and landscape features.</li> <li>• Architectural features may encroach <ul style="list-style-type: none"> <li>○ 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</li> </ul> </li> </ul>	Yards are maintained open and unobstructed both at ground and above ground level except <ul style="list-style-type: none"> <li>• Yards may be encroached upon by accommodations for people disabled by barriers, fences, hedges and landscape features.</li> <li>• Architectural features may encroach <ul style="list-style-type: none"> <li>○ 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.)</li> </ul> </li> </ul>

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

		<ul style="list-style-type: none"> <li>○ reduced to less than 0.9 m (3 ft.)</li> <li>○ Into a required front or rear yard by not more than 0.9 m (3 ft.)</li> <li>● 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.</li> <li>● 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.</li> </ul>	<ul style="list-style-type: none"> <li>○ Into a required front yard or rear yard by not more than 0.9 m (3 ft.)</li> <li>● 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</li> <li>● 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</li> </ul>
<b>Fence Heights</b>		3 m (10 ft.) inclusive of any security wire	3 m (10 ft.) inclusive of any security wire
<b>Frontage</b>	Shopfront	50 % min of total building frontage with 60% min clear glass	N/A
	Common Entry	Unlimited % of total building frontage with 30% min clear glass	N/A
<b>Site Coverage</b>		70% max	70% max
<b>Roads</b>	Lot access	Lot has frontage on an all-weather public road.	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.	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.
<b>Site Landscaping<sup>4</sup></b>		<p>Landscaped with connection to existing or proposed sidewalk and bike lane</p> <p>1 tree/18.3 m (60 ft.) min of frontage (all lot lines abutting public roads)</p> <p>3 shrubs/12.19 m (40 ft.) of primary frontage (lot line corresponding with building frontage)</p> <p>1 foundation shrub/3 m (9.84 ft.) of shopfront/common entry façade min</p> <p>Landscaped islands in parking areas every 40 number of stalls (hydro seeding, rock beds along with plantings is acceptable)</p> <p>Landscaped sidewalks/linkages to parking areas (hydro seeding, rock beds along with plantings is acceptable)</p>	<p>Landscaped with connection to existing or proposed sidewalk and bike lane</p> <p>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)</p>
<b>Sustainable Development</b>		Must achieve a minimum of 5 points from the <a href="#">Sustainable Development Measures Checklist</a> .	Must achieve a minimum of 5 points from the <a href="#">Sustainable Development Measures Checklist</a> .

<sup>4</sup> 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.

<b>Uses and Performance Standards<sup>5</sup></b>	Proposed uses must be permitted in accordance with <i>Table 1 – Use and Parking</i> .	Proposed uses must be permitted in accordance with <i>Table 1 – Use and Parking</i> .
	Industrial uses, including uses which may be noxious or offensive, must comply with the performance standards.	Industrial uses, including uses which may be noxious or offensive, must comply with the performance standards
<b>For development near natural waterways, riparian habitat or ecologically sensitive land</b>	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.	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.	Development must respect waterways and protect and preserve the archaeological and heritage sites located within the inland port.
	Parcel layout should minimize the impact on areas that have environmental or ecological significance or sensitivity.	Parcel layout should minimize the impact on areas that have environmental or ecological significance or sensitivity.
<b>For development adjacent to rail lines</b>	Railways must be protected from incompatible development. Development adjacent to rail lines or yards may require noise and vibration mitigation measures such as a berm, fencing or both.	Railways must be protected from incompatible development. Development adjacent to rail lines or yards may require noise and vibration mitigation measures such as a berm, fencing or both.
	Fence required for lots abutting rail line or creek/drain.	Fence required for lots abutting rail line or creek/drain.

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 proposed, 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.

<sup>5</sup> 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 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.

**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;
- 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.

**Cartier Regional Water Co-op:** The Cartier Regional Water Co-op noted there is a main line that runs to the north of Mile Four Road and CentrePort Way.

### **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 Discharge 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.

**Rogers Communications:** There are no easement requirements.

**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 (Land Titles):** A Plan of Subdivision as proposed is required.

**Transportation and Infrastructure (Highway Design):** The branch does not object to the plan. The branch requires sufficient information to determine if the drainage from the land subject to subdivision and rezoning will adversely affect the provincial highway drainage system. Additionally, Manitoba Transportation and Infrastructure will not approve any direct property access onto PTH 190 and PR 221. Access to all proposed lots shall come off the municipal roads.

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

*No comments were received from: Agriculture (Land Use and Ecosystem Resilience); CP Rail; Environment and Climate Change (Environmental Compliance and Enforcement); Economic Development, Investment, Trade and Natural Resources (Mining, Oil and Gas); Office of the Fire Commissioner; Winnipeg Airport Authority; Rural Municipality of Rosser; and the Rosser Fire Department.*

### **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 land subject to subdivision and rezoning is designated Rail Serviced Industrial. The intent of this designation is to accommodate the development of rail-serviced industrial lands and support the location of heavier land uses. To that end, the CentrePort Canada Rail Park was established. It is a 665-acre industrial development within the Inland Port Special Planning Area. The Rail Park features access to three Class 1 rail carriers, a 24/7 global cargo airport, and an interstate-quality east-west highway, providing increased efficiency for goods moving between rail, truck and air cargo. This is a unique area in Manitoba, as well as in the Inland Port Special Planning Area itself as it is the only area that proposes to service land with rail access.

Because of the Rail Park's rare confluence of features, the Rail Serviced Industrial designation seeks to *preserve and maintain this land for uses that will benefit from direct rail service* (Policy 2.3.2.1). The land's current zone, "I3" Industrial Heavy, supports the types of uses anticipated in the Rail Serviced Industrial designation including Heavy Industry, Container Transload Facility, Intermodal Container Transfer Terminal, and Rail or Truck Terminal.

Rezoning proposed Lot 1 and 3 to the "I2" zone will remove the opportunity for some rail-oriented uses and all heavy industrial uses and allow for some lighter industrial and commercial uses that are not permitted in the "I3" Zone, such as restaurants, offices, and vehicle-oriented retail or service uses. The Development Plan does indicate that *development adjacent to the common-use rail facility should be complementary and capitalize on the close proximity to the facility* (Policy 2.3.2.3). However, it is unclear if the policy is referring to land within the Rail Serviced Industrial area or the land adjacent to the Rail Serviced Industrial area.

This application raises questions of what the appropriate ratio of rail-oriented/heavy uses and supportive commercial uses is within the Rail Park. There are no policies in the Rail Serviced Industrial designation to guide the establishment of accessory or supportive commercial uses. Outside of the Rail Park, "I2" is the predominant zone throughout the developed land in the Inland Port Special Planning Area. This includes land adjacent to the Rail Park, where two subdivision applications propose to create forty-three (43) "I2"-zoned lots collectively on land that is primarily designated Service-Oriented Industrial.

Additionally, Community Planning questions the need for this quantity of land to be rezoned to "I2" when the uses identified in the application do not require this amount. At 8 and 10 acres respectively, proposed Lot 1 and 3 are large. The lot sizes may allow for multiple uses- more than the one or two proposed- to develop on each lot. If this were to occur, it may result in a cluster of lighter uses, such as restaurants and offices, that may be better suited in a commercial node zoned "I1" Industrial Centre Zone. The establishment of a commercial node in the Rail Serviced Industrial designation is not supported by Development Plan policies.

Notwithstanding these concerns a resolution to support approval should be subject to the following requirements and conditions:

#### **REQUIREMENTS:**

- A. That the applicant/owner submits the approval fee of **\$300.00** 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 this requirement, please contact the District Registrar at The Property Registry.

#### **CONDITIONS:**

1. Rezoning of proposed Lot 1 and 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone.
2. Submit written confirmation that a Development Agreement has been 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, CN Rail requirements and the application of the Capital Lot Levy By-law. **Contact:** Larry Wandowich, Chief Administrative Officer, Rural Municipality of Rosser- [cao@rmofrosser.com](mailto:cao@rmofrosser.com).

3. 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:** Mandip Sainbhi, Technical Services Engineer- 204-871-6154 or [Mandip.Sainbhi@gov.mb.ca](mailto:Mandip.Sainbhi@gov.mb.ca).
4. 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](mailto:HCSC@hydro.mb.ca).
5. 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](mailto:neteng.control@bellmts.ca).
6. 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 [Drainage & Water Control | Environment and Climate Change | Province of Manitoba](#) for more information. **Contact:** 1-800-214-6497 or [drainage@gov.mb.ca](mailto:drainage@gov.mb.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 or intersections. **Contact:** [regionalplanning@winnipeg.ca](mailto:regionalplanning@winnipeg.ca).
8. Submit written confirmation from the City of Winnipeg that a drainage plan has been provided. **Contact:** [regionalplanning@winnipeg.ca](mailto:regionalplanning@winnipeg.ca).
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10. 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](mailto:cathy.aiello-wilks@canadapost.postescanada.ca).

*Original signed by*

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Jessie Russell-Edmonds  
Planner

c.: WSP Canada Inc. (Kari Schulz)

**INLAND PORT SPECIAL PLANNING AUTHORITY**

**MINUTES OF PUBLIC HEARING**

**ZONING BY-LAW AMENDMENT BL NO. 1-24  
AND SUBDIVISION NO. 4999-24-7001**

**AUGUST 21, 2024, at 6:00PM**

<b>BOARD MEMBERS AND STAFF PRESENT</b>
Angela Emms, Chair
Linda McFadyen, Board Member
Kelvin Stewart, Board Member
James Platt, Board Member
Greg Dandewich, Board Member
Jessie Russell-Edmonds, Planner
Sabrina Kratsberg-Azarov, Planner
Erin McCleery, Manager
Rayson Wong, Manager

<b>RECORD OF REPRESENTATION</b>	<b>IN SUPPORT</b>	<b>OBJECTING</b>	<b>FOR INFORMATION</b>
Meagan Boles (WSP Canada Inc.)	X		
Chris Reiter (Focus Equities)	X		
Larry Wandowich (Rural Municipality of Rosser)			X
Lloyd Johnson (Little Mountain Conservancy Group)			X

Chair Angela Emms called the public hearing to order at 6:01 PM, introduced the Board and explained the purpose and process of the hearing.

Jessie Russell Edmonds, Planner, provided a summary of the procedure for processing zoning amendment applications, provided proof that the hearing was advertised in accordance with *The Planning Act*, and presented the planning report. They also confirmed there were zero written submissions received on the application.

The Board inquired if “I1” and “I2” lands are currently only on the eastern edge of CentrePort. The planner responded that there is “I2” across the road from the CentrePort Canada Rail Park and on the eastern side of CentrePort.

The following persons were in attendance and spoke:

The applicant, Meagan Boles of WSP Canada Inc., spoke on behalf of the application. The intent of the application is to realign the boundaries between three

titles on an existing parcel, rezone proposed Lot 1 and 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone, and open one new public road.

The applicant highlighted that Rail Serviced Industrial development should have complementary uses and noted that the applications supports the "Live Work Play" goal of CentrePort. The applicant stated that not all lots in the rail park will be rail serviced, as the rail line is constrained by turning radiuses. The applicant also noted that the Rail Park is made up of 665 acres, and that proposed lots for rezoning make up less than 3% of the total area. The applicant stated that having more than one land use will make the Rail Park successful and that the intent is not to create a commercial node, rather to provide services to the people that work there.

The applicant requested the removal of condition 9, as they did not believe it made sense as a condition of subdivision when it will be addressed during the construction stage.

The Board inquired about the about establishment of a buffer between the Rail Park and adjacent land uses, and if a buffer is warranted if there is already "I2"-zoned land adjacent. The applicant stated that proposed Lot 1 and 3 would buffer the heavier Rail Park uses from the two adjacent highways.

The Board inquired about condition 9 and asked at what point of the process would a Heritage Resource Protection Plan be completed. The applicant advised that a Heritage Resource Protection Plan would be completed at the time of construction as they are also legislated to do it. They noted it would not make sense at the subdivision stage as there is nothing to submit currently.

The Board inquired if rail access would be limited to proposed Lot 2. The applicant confirmed that rail access would be limited to proposed Lot 2. This is because it is not possible to get the rail line into proposed Lot 1, as it is too tight of a curve. Regarding proposed Lot 3, the applicant advised it would be hard to find a user for it because of the size. Additionally, the rail line would have to go through proposed Lot 2, which would make placement of a building and truck circulation challenging.

The Board inquired how much traffic will be generated by proposed Lot 1. The applicant stated that it may increase traffic generation. They noted that a traffic study has been completed but advised that it can be revisited if this is a concern.

The Board noted that the mixing private vehicles and semi trucks may impede the trucks from exiting the Rail Park and entering Rosser Road. The applicant advised that the RM of Rosser also noted that as a concern, and as a result the proposal left more space on proposed Lot 1 for vehicle circulation. The applicant also noted that they do not disagree that the access may have traffic jams from time to time.

The Board asked if this would impact the proposed overpass at Rosser Road and CentrePort Canada Way. In a previous subdivision, the applicant was required to move an approach so as to not impact the overpass. The Board requested clarification from the Rural Municipality of Rosser Chief Administrative Officer (CAO), who was in attendance at the hearing. With permission from the Chair to speak on the matter, the CAO of the RM of Rosser advised that when Manitoba Transportation

and Infrastructure objected, there were no clear plans for the intersection- it was on a long-term hold.

The Board asked what the timeline expectation is for the proposed public road's connection to Selkirk Avenue. The applicant advised that they had discussions with the City of Winnipeg, and that it will take time to solidify the required agreements between the developer, the City of Winnipeg and the RM of Rosser.

Chris Reiter, of Focus Equities, spoke to the application and advised that they are anticipating up to 600 employees, and are trying to get sidewalks built so employees can walk throughout the Rail Park to the services. The goal is to service the area and the people that work in the Rail Park. They noted the vision for proposed Lot 1 is similar to that of a truck stop.

Lloyd Johnston, of the Little Mountain Conservancy Group, attended the hearing for information only and was not in favour or against. They provided a presentation on the petition their group has sent to the province. The petition seeks to protect Little Mountain Park and route the future Chief Peguis Trail along the old Sturgeon Road footprint, rather than along Klimpke Road which would impact Little Mountain Park. They advised that Little Mountain Park is a significant green space in the city and a habitat for local wildlife, which is threaten by the growing impact of industrial development in CentrePort.

The hearing was adjourned at 6:48 p.m.

**INLAND PORT SPECIAL PLANNING AUTHORITY  
Resolution of the Board  
AUGUST 21, 2024**

Moved by: Linda McFadyen

Seconded by: Greg Dandewich

WHEREAS with the permission of the owner, 10073026 Manitoba Ltd., the applicant, Kari Schulz (WSP Canada Inc.) has made an application to realign the boundaries of three titles, rezone proposed Lot 1 and 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone, and open one new public road on land legally described as Lot 2 Plan 71903 WLTO and Lot 2 and 3 Plan 72341 WLTO in Section 20-11-2 EPM in the Rural Municipality of Rosser to allow for the creation of two "I2"-zoned industrial lots and one "I3"-zoned industrial lot.

WHEREAS there is concern that a commercial restaurant use on proposed Lot 1 has the potential to impede the flow of industrial traffic at this location,

WHEREAS the *Inland Port Special Planning Area Regulation 48/2016* is currently under review and said review would be expected to provide clarity on how and where commercial uses may be accommodated in the CentrePort Canada Rail Park,

AND WHEREAS the Inland Port Special Planning Authority feels the subdivision application and the rezoning of proposed Lot 3 is generally in keeping with the policies and requirements of the *Inland Port Special Planning Area Regulation 48/2016*,

THEREFORE BE IT RESOLVED THAT the Inland Port Special Planning Authority recommends approval of the subdivision application and the rezoning of proposed Lot 3 only from "I3" Industrial Heavy Zone to "I2" Industrial General Zone, subject to the following conditions:

**Rezoning:**

**CONDITIONS:**

1. 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](mailto:cao@rmofrosser.com).*

**Subdivision:**

**CONDITIONS:**

1. Rezoning of proposed Lot 3 from "I3" Industrial Heavy Zone to "I2" Industrial General Zone.
2. Submit written confirmation that a Development Agreement has been 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, CN Rail requirements and the application of the Capital Lot Levy By-law. **Contact:** Larry Wandowich, Chief Administrative Officer, Rural Municipality of Rosser- [cao@rmofrosser.com](mailto:cao@rmofrosser.com).

3. 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:** Mandip Sainbhi, Technical Services Engineer- 204-871-6154 or [Mandip.Sainbhi@gov.mb.ca](mailto:Mandip.Sainbhi@gov.mb.ca).
4. 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](mailto:HCSC@hydro.mb.ca).
5. 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](mailto:neteng.control@bellmts.ca).
6. 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 [Drainage & Water Control | Environment and Climate Change | Province of Manitoba](#) for more information. **Contact:** 1-800-214-6497 or [drainage@gov.mb.ca](mailto:drainage@gov.mb.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 or intersections. **Contact:** [regionalplanning@winnipeg.ca](mailto:regionalplanning@winnipeg.ca).
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Carried



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Angela Emms, Chair