

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: January 30, 2019

File No.: 13-2-172-2018-0161

MATTER: Zoning By-law Amendment

BY-LAW NO.: 2-18

HEARING DATE: December 10, 2018, Winnipeg

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

PARTIES AND APPEARANCES: *for the applicant*

Meagan Boles

for Community and Regional Planning Branch

Kari Schulz, Planner, CentrePort

presenters

Terry Grenkow

INTRODUCTION

BrookPort Business Park Inc. (c/o Meagan Boles) has proposed to re-zone and subdivide an +/- 80.0 acre parcel legally described as part of the SE ¼ EXC THE ELY 1320 FEET PERP and owned by Robert and Colleen Ryan and Demetrios Stamatis. The parcel is located in the Rural Municipality of Rosser, west of Brookside Boulevard and north of Farmer Road. The property is immediately west of the BrookPort Business Park. The applicant is proposing to rezone the parcel from "IPZ" Inland Port Rural Zone to "I2" Industrial General Zone and to create 35 new lots ranging in size from 1.40 acres to 4.93 acres.

The proposed subdivision will include an internal public road network with direct access to Farmer Road to the south, two access points connecting to BrookPort Business Park to the east, and additional accesses to the west to provide for connections to future development. The proposed lots will be serviced by municipal water and sewer and accommodate industrial development within CentrePort.

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 48/2016* 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, BrookPort Business Park Inc. Public attendee Terry Grenkow also spoke at the hearing.

Community and Regional Planning Branch:

Kari Schulz, Planner, presented the planning report. She confirms the area proposed for re-zoning is partly designated as Service-Oriented Industrial and partly Manufacturing and Logistics. Policies within these designations support the development of small to medium scale industrial development.

The proposed "I2" Industrial General Zone will accommodate industrial land uses such as manufacturing, truck activity, warehousing and distribution. The "I2" zone is suitable for small to medium scale industrial development and complementary to the adjacent "I2" uses to the east and south.

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

1. Manitoba Infrastructure requires the following to be added as conditions of approval:
 - a. Additional information to be provided to determine if the development will have an impact on drainage; and
 - b. A traffic impact study to determine if any on-highway improvements are required.
2. 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.
3. Manitoba Hydro and Bell MTS will require easements.

Ms. Schulz also noted that the proponent will have to enter into a development agreement with the Rural Municipality of Rosser.

Subsequent developers of each proposed lot will be required to meet the Sustainable Development Measures.

In Support of the Application:

Meagan Boles spoke in support of the application on behalf of the applicant, BrookPort Business Park Inc. Ms. Boles stated that the purpose of the application was to create 35 industrial lots and indicated that BrookPort Business Park Inc. will work with the municipality and other approval agencies to work through the conditions of the re-zoning application.

Terry Grenkow raised concerns about how the new development may negatively impact drainage in the area. Mr. Grenkow indicated that he owns and farms thousands of acres in the area and the ditch that provides drainage for his lands is not maintained. Chair Smee reinforced that the Municipality has stringent drainage requirements and will meet with Mr. Grenkow separately to address his specific issues.

In Objection to the Application:

No objections were received.

ANALYSIS AND CONCLUSION

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

The proposed development will be an extension of the recently subdivided BrookPort Industrial Park to the east. The development will also be fully serviced with water and wastewater and contiguous with existing development.

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 Inland Port Special Planning Area Regulation 48/2016 is amended to rezone the affected parcel to "I2" Industrial General Zone.
3. Confirmation from Manitoba Infrastructure that drainage onsite will not adversely affect the provincial highway system.
4. Confirmation from Manitoba Infrastructure and the City of Winnipeg that a Traffic Impact Study has been provided and any items identified have been addressed appropriately, including cost-sharing.
5. Confirmation from the Winnipeg Airport Authority that the developer has completed an approach survey and submitted the survey certificate to the WAA.
6. Confirmation that Easement Agreements have been entered into with Manitoba Hydro and Bell MTS.

Submitted by:

Frances Smee
Chair, Inland Port Special Planning Authority

Attachments

c.: Meagan Boles, applicant