

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: Tuesday, November 7, 2023

File No.: 13-2-172-2023-0002

MATTER: Zoning By-law Amendment

BY-LAW NO.: 2-23

HEARING DATE: October 18, 2023

PANEL: Angela Emms, Chair
Linda McFadyen, Board Member (virtual)
James Platt, Board Member
Kelvin Stewart, Board Member
Mike Teillet, Board Member

PARTIES AND APPEARANCES: *for the applicant*

Ryan Fox, M. Richard & Associates Ltd.
Michelle Richard, M. Richard & Associates Ltd.
Sean O'Neil, MMI

for the Community Planning Branch

Holly Ervick-Knote, Planner

public presenters

Lloyd Johnson – Chair, Little Mountain Conservancy Group
Tamara Bouknecht

ATTACHMENTS: Attachment 1 – Application
Attachment 2 – Community Planning Report to Board
Attachment 3 – Public Hearing Minutes
Attachment 4 – Manitoba Transportation and Infrastructure Objection
Attachment 5 – Rural Municipality of Rosser Written Submission
Attachment 6 – IPSPA Board Resolution – Rezoning

INTRODUCTION

On behalf of the owner, Eretz Farms Ltd., the applicant, M. Richard & Associates Ltd. has applied to rezone and subdivide ± **67.03** acres of land legally described as Part of SE ¼ 28-11-2 EPM in the Rural Municipality of Rosser. The subject lands are located to the north of CentrePort Canada Way/Park Royale Way and to the west of Klimpke Road.

The applicant proposes to rezone the parcel from “IPR” Inland Port Rural zone to “I2” Industrial General zone, to create fifteen new lots (plus residual) ranging in size from approximately 3.0 to approximately 5.33 acres in size, and create two new internal roads in order to accommodate new industrial development with accessibility for large-scale vehicles.

See *Attachment 1 – Application* for full details.

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

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

Ryan Fox, Michelle Richard and Sean O’Neil spoke in support of the application as the representatives of the owner.

Public attendees Lloyd Johnson (Chair, Little Mountain Conservancy Group) and Tamara Bouknecht (on behalf of her parents who live adjacent to the subject lands) spoke at the hearing in opposition to the proposal.

See *Attachment 2 – Community Planning Report to Board* for full detail on applicable policies and Community Planning’s recommendation and *Attachment 3 – Public Hearing Minutes* for a summary of presentations.

CIRCULATION COMMENTS

The Community Planning branch circulated the applications for review and comment. Manitoba Transportation and Infrastructure objected to the proposed rezoning and subdivision. The Rural Municipality of Rosser expressed support for the proposals.

See *Attachment 4 – Manitoba Transportation and Infrastructure Objection* and *Attachment 5 – Rural Municipality of Rosser Written Submission*.

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 recognizes that development within the Inland Port Special Planning Area is a priority for the Rural Municipality of Rosser and the Government of Manitoba, and wants to encourage development to happen in a timely manner.

The Board understands that subject lands are serviceable and are the next contiguous lands to be developed in the plan area, and contends that restricting development on the entirety of the subject lands is not necessary in order to protect the lands needed for future infrastructure projects.

THEREFORE, THE BOARD RECOMMENDS

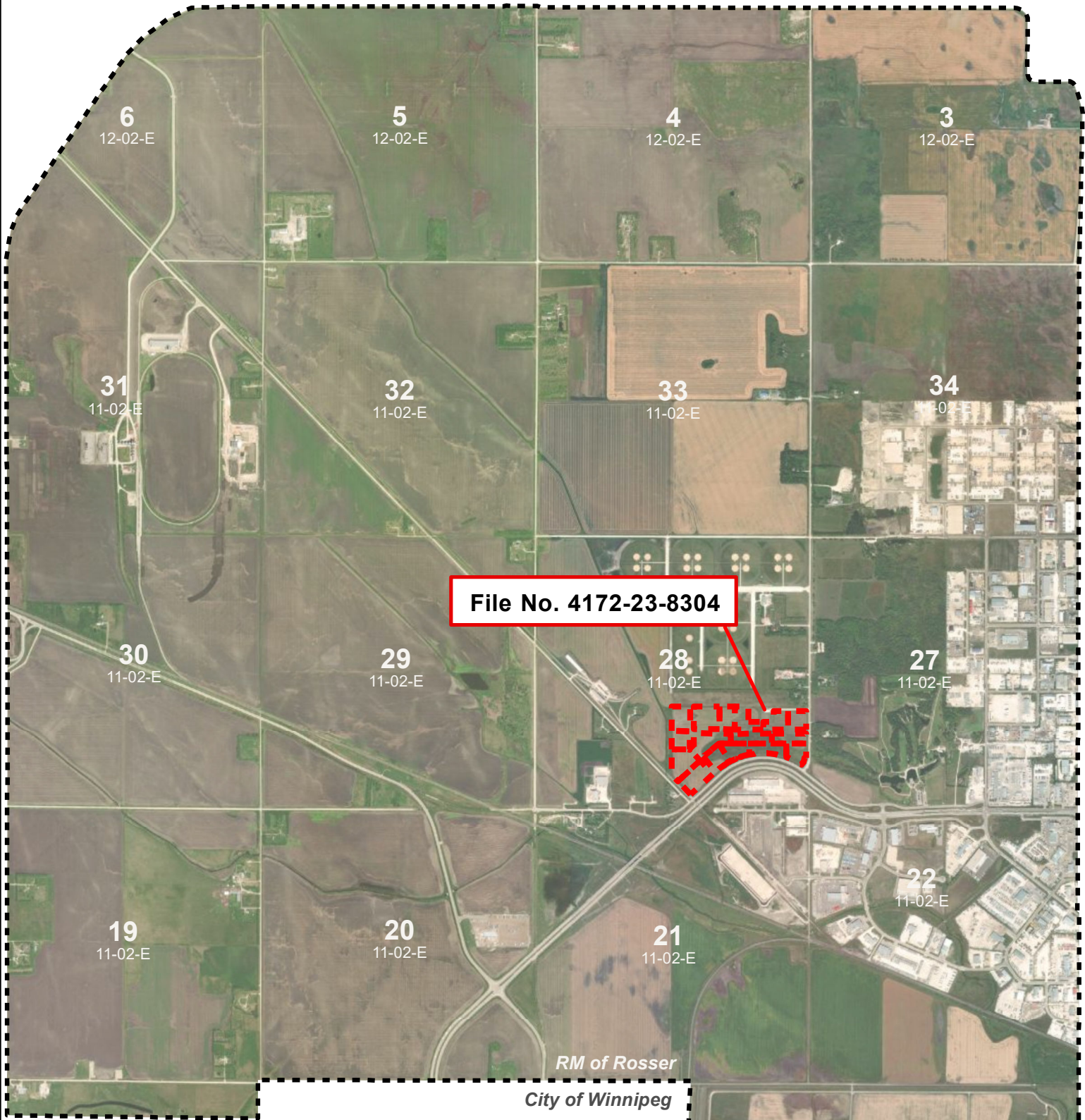
That the Minister of Municipal Relations accept the rezoning application. See *Attachment 6 – IPSPA Board Resolution* for full details.

Submitted by

Angela Emms
Chair, Inland Port Special Planning Authority

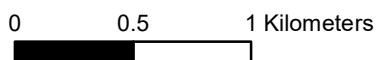
Attachments

c.: Ryan Fox, M. Richard & Associates Ltd. (applicant)
Lloyd Johnson, Little Mountain Conservancy Group
Tamara Bouknecht



Inland Port Special Planning Area Proposed Subdivision Regional Setting

Date: July 10, 2023



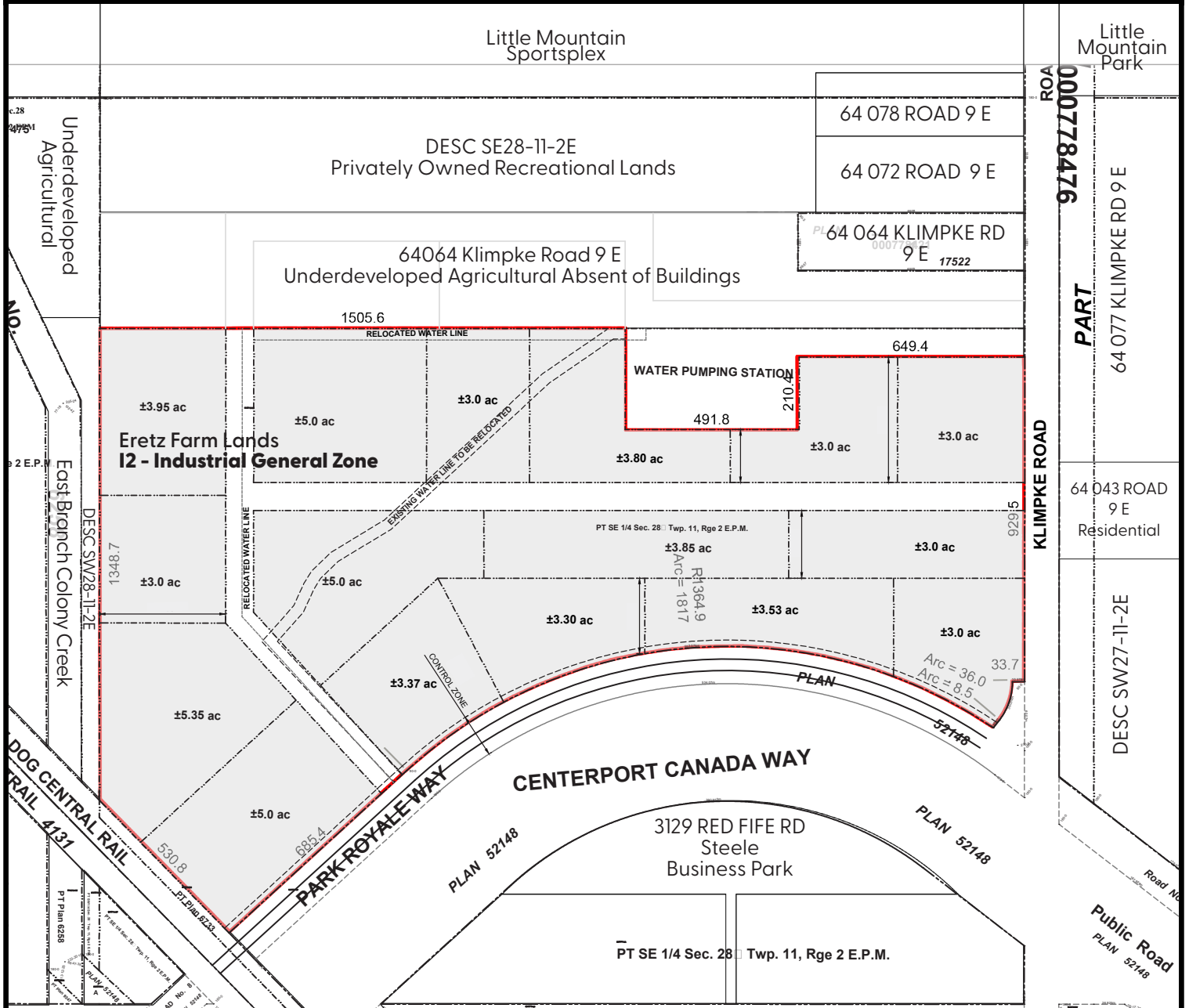
Manitoba 
Municipal Relations
Community Planning



**Inland Port
Special Planning
Area**

Explanation

Map showing the location of the subject site and requests an amendment to Inland Port Special Planning Area Zoning By-law [48/2016] proposing the rezoning from **IPR - Inland Port Rural Zone** to **I2 - Industrial General Zone** and subdivide the **one (1) lot** to **16 new lots**.



LEGEND

- Location of Subject Site

Site Information

DESC SE28-11-2E
Roll: 86300
Area: +/- 67.03 acres

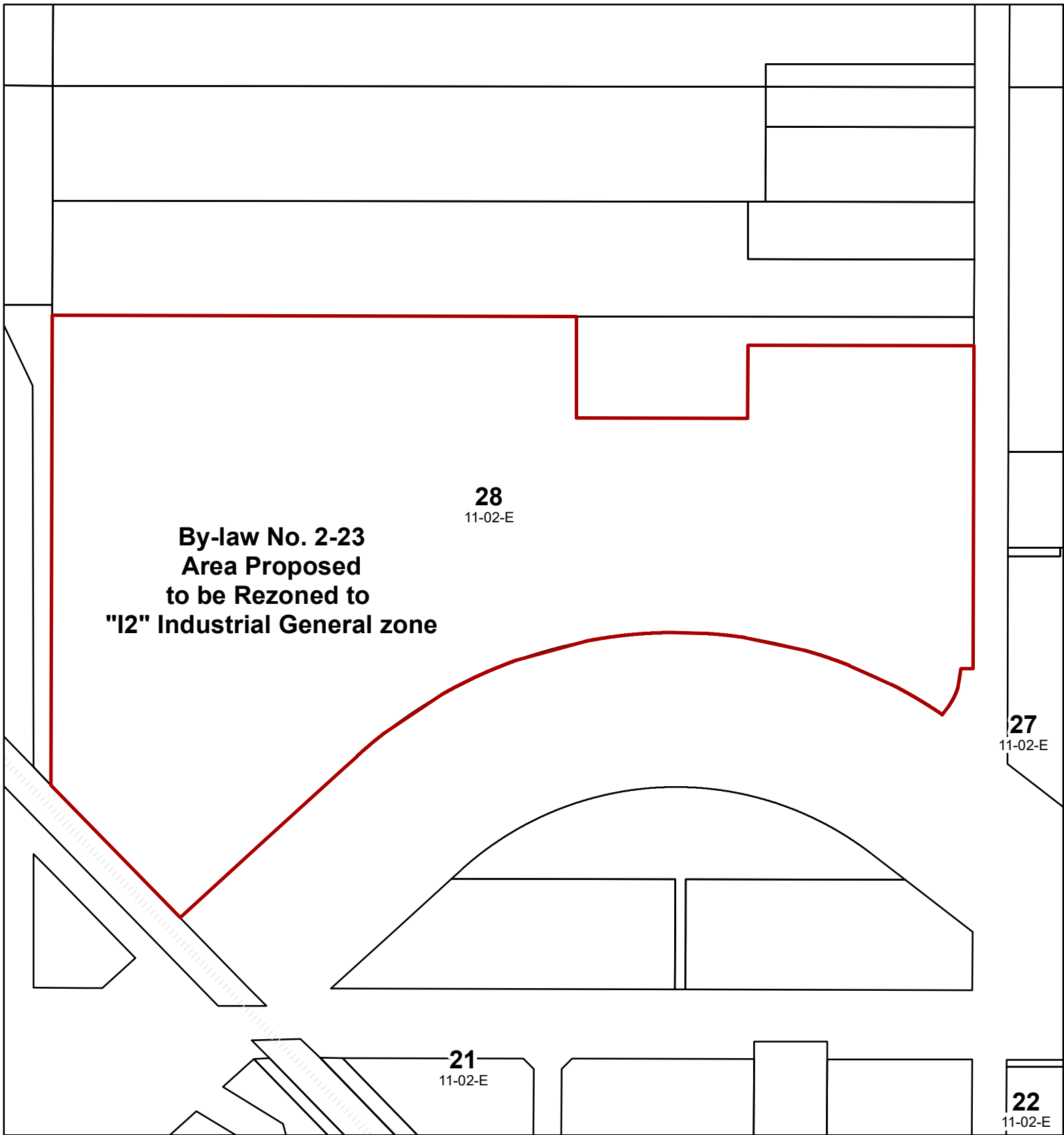
LEGAL DESCRIPTION

THE SE 1/4 OF SECTION 28-11-2 EPM
EXC FIRSTLY: THE NLY 660 FEET
SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE NORTHEASTERN LIMIT OF THE RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY, PLAN 6733 WLTO
FOURTHLY: ROAD PLAN 9347 WLTO AND
FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO



Scale: Metres
Date: 04/12/2023

M Richard
& Associates Ltd.



**By-law No. 2-23
Area Proposed
to be Rezoned to
"I2" Industrial General zone**

28
11-02-E

27
11-02-E

21
11-02-E

22
11-02-E

By-law Map

**Inland Port Special Planning Area
Proposed Zoning Amendment**

Attached to By-law No. 2-23
of the Inland Port Special Planning Area
amending Schedule B, Zoning Map 2 of
the Inland Port Special Planning Area
Regulation 48/2016

Date: July 10, 2023

From: "IPR" Inland Port Rural zone
To: "I2" Industrial General zone



SUBDIVISION APPLICATION MAP

OF PART OF
SE 1/4 Sec. 28, Twp. 11, Rge. 2 E.P.M.

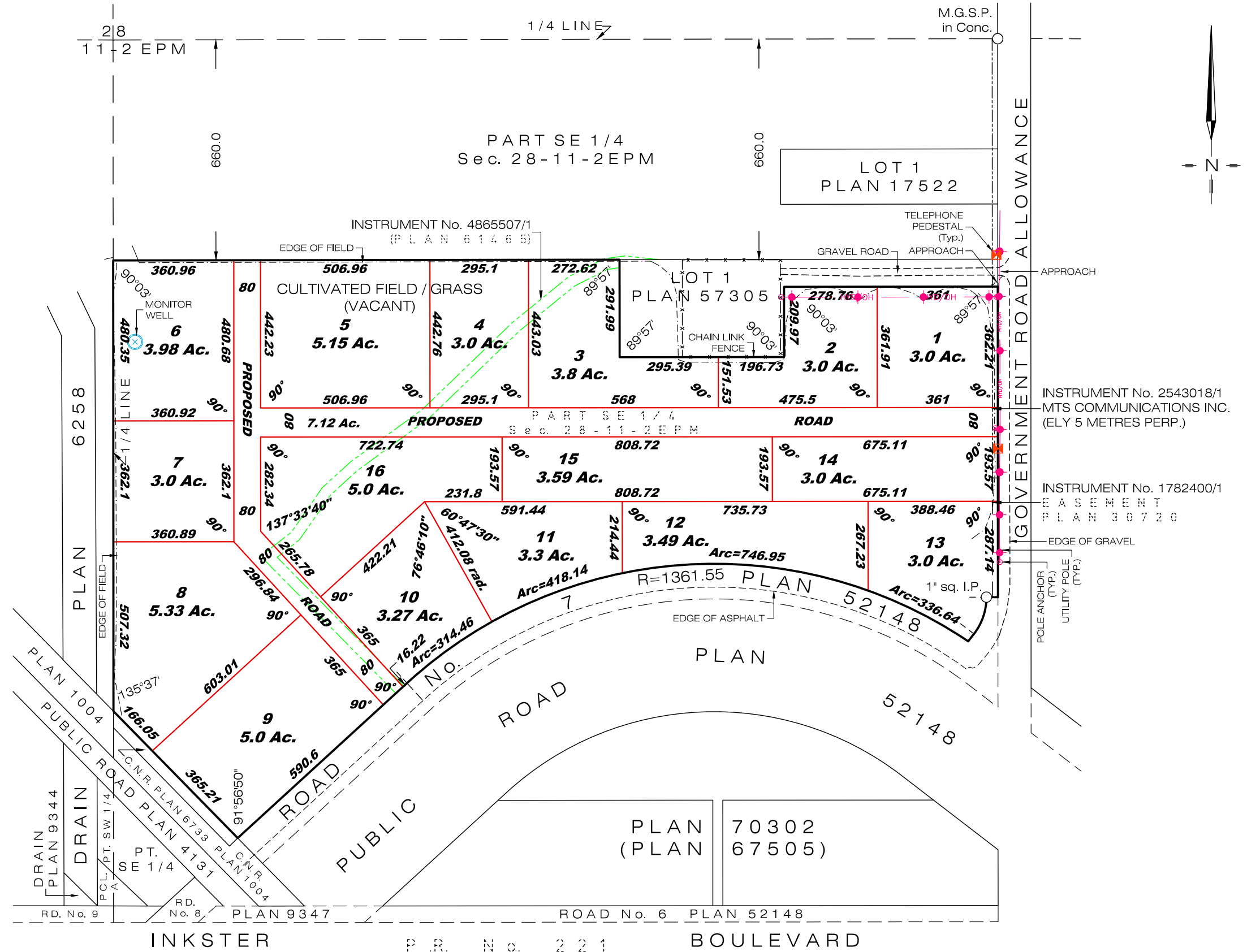
R.M. OF ROSSER, MANITOBA

CERTIFICATE OF TITLE:
3092882/1 (SEARCH DATE: MAY 3, 2023)

REGISTERED OWNER:
ERETZ FARMS LTD.

LEGAL DESCRIPTION:
THE SE 1/4 OF SECTION 28-11-2 EPM
EXC FIRSTLY: THE NLY 660 FEET
SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE NORTHEASTERN
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PLAN 6733 WLTO
FOURTHLY: ROAD PLAN 9347 WLTO AND
FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO

ENCUMBRANCES:
INSTRUMENT No. 203538/1, 1782400/1, 2543018/1, 4865507/1 AND 5233973/1.



BARNES & DUNCAN 1906
SURVEYING, ENGINEERING & GEOMATICS

6 Donald Street
Winnipeg, Manitoba
R3L 0K6

180-A, 5th Street
Morden, Manitoba
R6M 1C9

PREPARED BY:
JESSE P. S. CARELS, M.L.S.
MAY 3, 2023

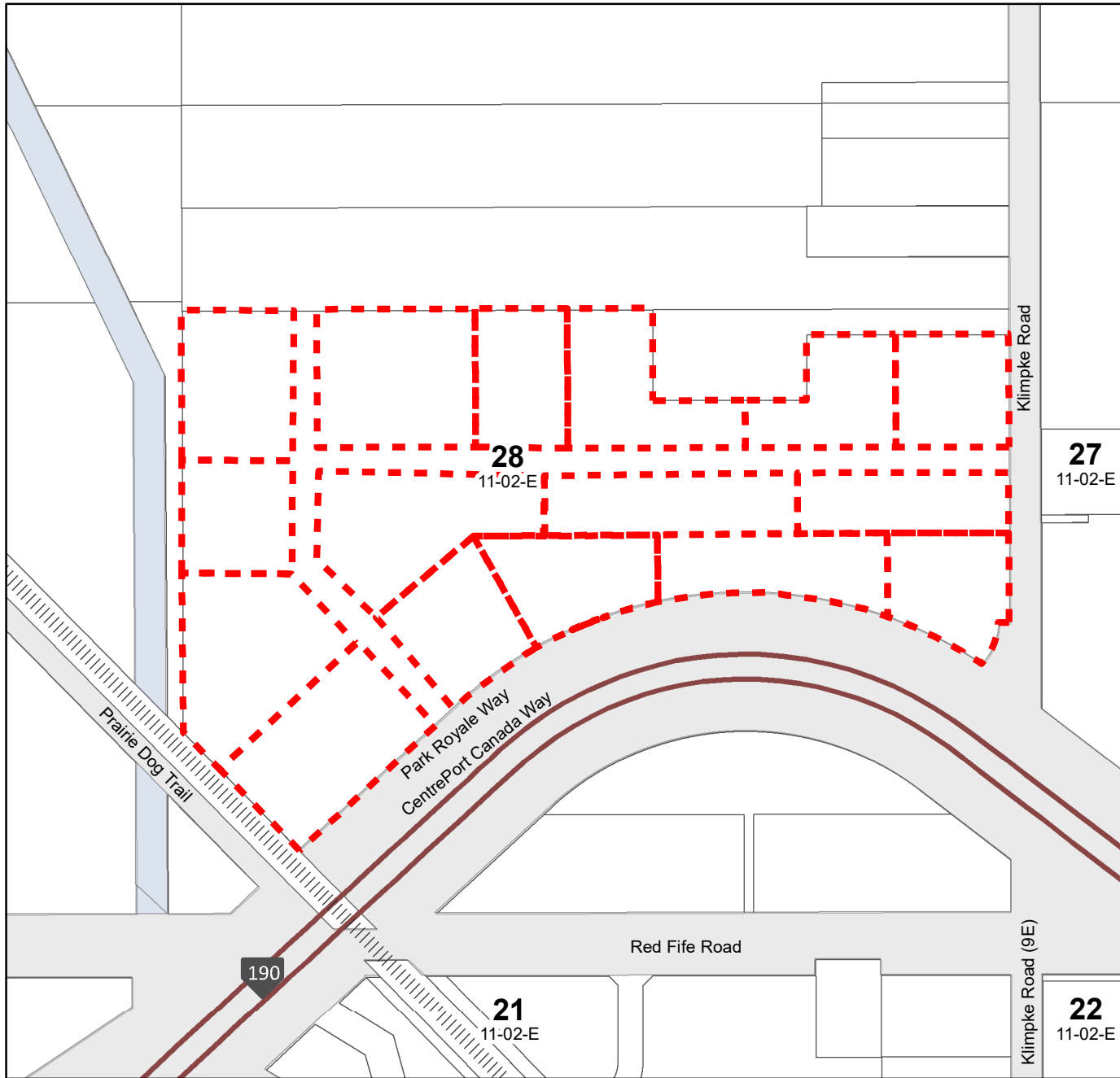
Our File: 2023/0349
Acad dwg: 23-0349 sketch-app
Field Book: 1493-100/101 BD
Drafter: Stu

NOTE:
**THIS MAP HAS BEEN PREPARED
FOR SUBDIVISION APPLICATION
PURPOSES ONLY.**
THIS IS NOT A FINAL SURVEY.

SKETCH - all distances are in feet and decimals of a foot.
This survey was made on the 1st day of May, 2023.

Proposed Subdivision (Plot Sheet)

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Legend

- Proposed Subdivision
- Provincial Trunk Highway
- CN Rail Line
- Public Road
- Drain/ Dyke/ Water Control Works
- Assessment Parcels

File Number:

4172-23-8304

Applicant:

M. Richard & Associates

Notes:

CT: 3092882
Roll No: 86300

Original Lot: ± 67.03 acres

Proposed Lots (1-15): ± 3.0 to ± 5.15 acres

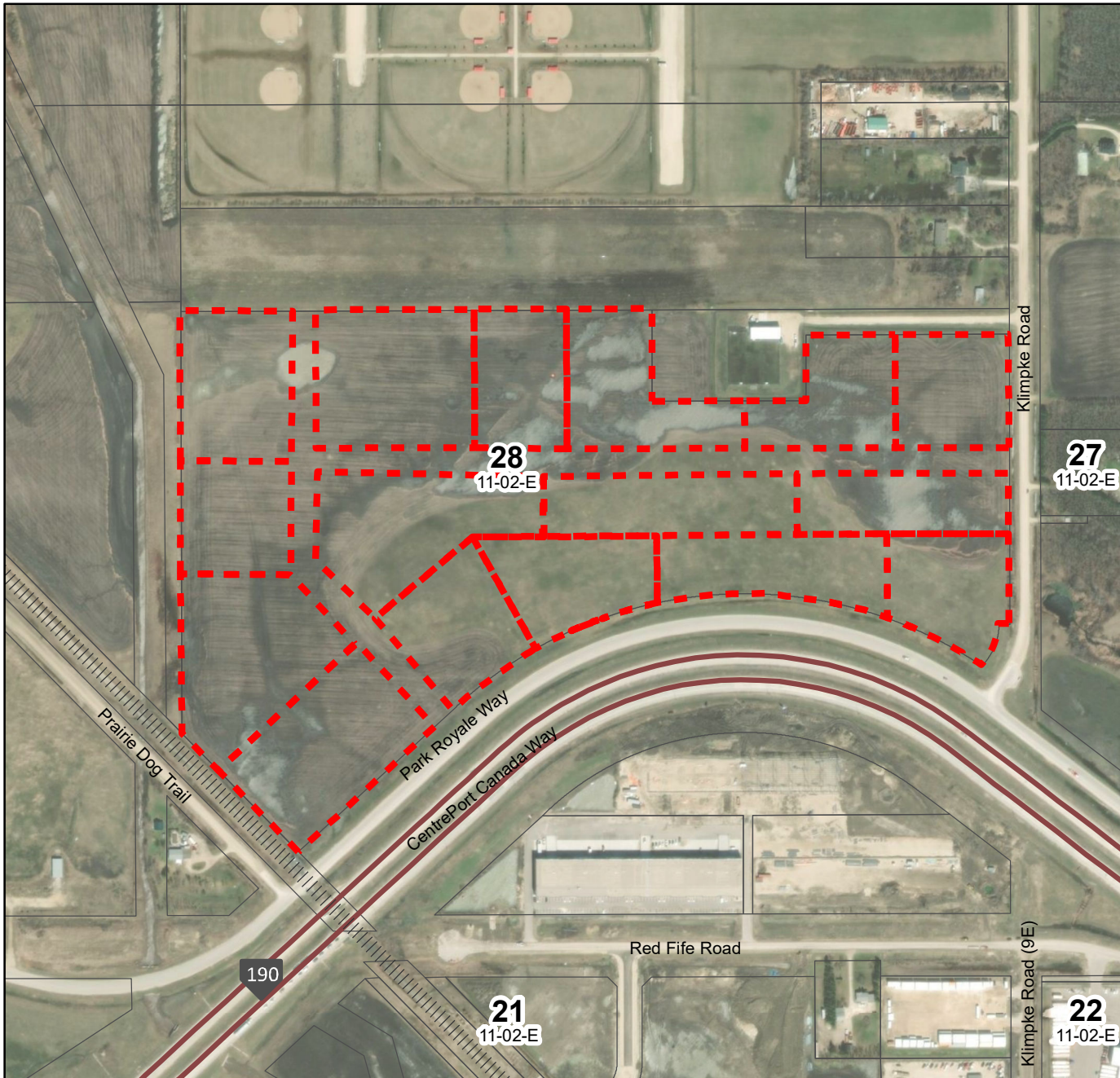
Residual: ± 5.33 acres

Proposed Road: ± 6.75 acres







Proposed Subdivision (Photo Map 1)

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Legend

-  Proposed Subdivision
-  Provincial Trunk Highway
-  CN Rail Line
-  Assessment Parcels

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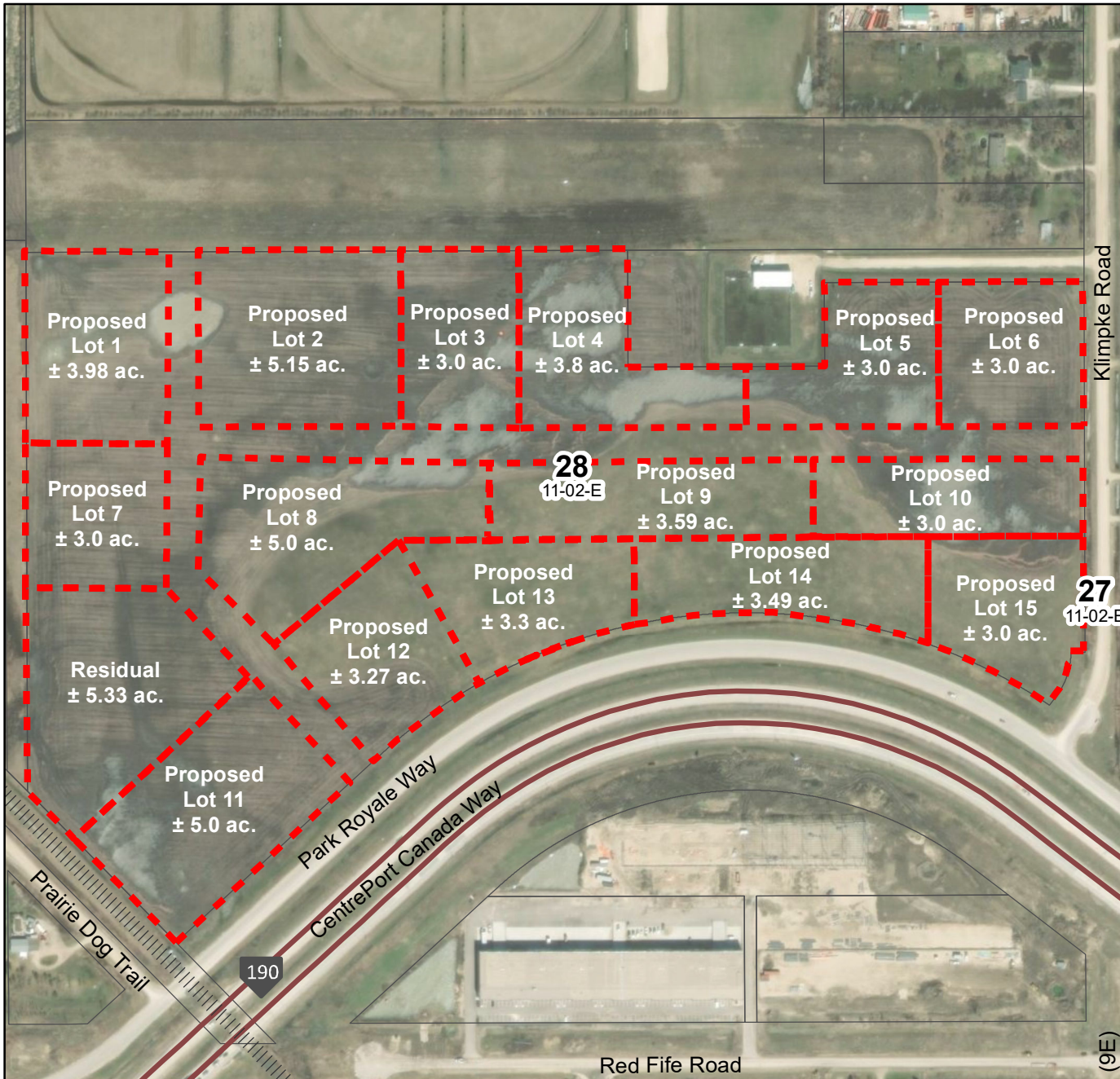
Residual: ± 5.33 acres

Proposed Road: ± 6.75 acres







Proposed Subdivision (Photo Map 1)

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Legend

-  Proposed Subdivision
-  Provincial Trunk Highway
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-  Assessment Parcels

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Residual: ± 5.33 acres

Proposed Road: ± 6.75 acres



Municipal Relations

Community Planning Branch
Room 604-800 Portage Avenue
Winnipeg, Manitoba, Canada R3G 0N4
T 204-945-2150 F 204-948-4042
Email inlandportspa@gov.mb.ca

Date: July 11, 2023

File Nos.: 13-2-172-2023-0002 (Zoning By-law Amendment By-law 2-23)
4172-23-8304 (Subdivision)

CIRCULATION REPORT
Proposal to Amend the Zoning By-law and Subdivide
SE ¼ 28-11-2 EPM
Rural Municipality of Rosser
Applicant: Ryan Fox (M. Richard & Associates)
Registered Owner: Eretz Farms Ltd.

MINOR SUBDIVISION CRITERIA

Zero or one new lots being proposed: No
Frontage and / or access on major expressway: No
Eligible for Minor Subdivision process: No
Being processed as: Standard

BACKGROUND

Subject Land

- Subject lands: ± 67.03 acres of agricultural lands.
- The subject property fronts on Park Royale Way and is adjacent to Klimpke Road (to the west).
- A ±19.4 acre area in the southern portion of the subject land was a former quarry, and has since been remediated.
- There are four dwellings immediately adjacent to the subject lands. The nearest dwelling is ±145 ft. from the subject lands.
- The lands proposed for development are surrounded primarily by agricultural and residential lands to the north, east and west, and industrial lands to the south.
- Rail lines owned by The Vintage Locomotive Society Inc. and CN Rail run along the southwest boundary of the subject land.
- East Branch Colony Creek runs to the west of the property and is separated from the subject land by ± 53 ft.

Rezoning

- Proposing to rezone from “IPR” Inland Port Rural zone to “I2” Industrial General zone.

Subdivision

- Proposing 16 new industrial lots (15 plus residual).
- Proposed lots range from ± 3.0 to ± 5.33 acres.
- Two new internal local roads are proposed.
- Accesses connecting internal local roads are proposed onto Park Royale Way (Collector Road) and Klimpke Road (Local Road) with a future connection (proposed as road stub currently) proposed to the north.

- The application states that proposed lots are intended to accommodate new industrial development with accessibility to accommodate large-scale vehicles.

SUBDIVISION REGULATION

Evaluation Criteria: The design of a proposed subdivision must be suited to the purpose for which the subdivision is intended, and the AA must consider the following matters:

- Topography
- Soil characteristics
- Surface and subsurface drainage including water table levels
- Potential hazards such as flooding, subsidence, landslides, erosion and other similar risks
- Existing and prospective uses of land in the vicinity
- Layout of public roads
- Provision of sewage disposal, potable water and other services
- Distinction and compatibility between pedestrian and vehicular traffic
- Segregation of traffic flow as between major thoroughfares and minor streets
- Convenience of access
- Dimensions, shape and orientation of each lot
- Protection of natural features and heritage resources
- Protection of critical fish and wildlife habitat
- Protection of ground and surface water
- Protection against pollution, including methane gas seepage and other potential environmental risks
- Anticipated need for school sites, recreational facilities and parks
- Provision for buffers between incompatible land uses
- Connections to a provincial or regional road network
- The efficient use and conservation of the value of the land
- Such other matters as the AA considers relevant to the land

Road standards (apply where DP, SP or ZBL do not provide otherwise)

- Local street minimum width: 18 m, and in a subdivision for industrial purposes: 25 m

Lot standards (apply where DP, SP or ZBL do not provide otherwise)

- Serviced institutional, commercial and industrial
 - Minimum lot width: 7m
 - Minimum lot area: 225m²
- Every lot or parcel must have frontage on a public road
- A lot must not front on two parallel or approximately parallel streets, except where the land is intended for a shopping centre, industrial development or similar type of use
- The side lot lines of all lots must be at approximately right angles or radial to the street centerline
- The depth-to-width ration of a lot must not exceed 3:1, and must not be less than 1:1

Where compliance would be unreasonable or impractical, an application which substantially complies with these requirements may be approved

DEVELOPMENT PLAN

Designation(s):

- **Service Oriented Industrial (eastern portion)**
- **Manufacturing and Logistics (centre)**
- **Open Space (East Branch Colony Creek, western boundary)**

Transportation Overlay(s):

- **Active Transportation**
- **Industrial Corridor**

Development Plan Road Classifications:

- **Fronts on Expressway, Arterial and Collector roads**
- **Internal local roads proposed**

Applicable section(s): 1.3; 1.4; 2.1.2; 2.2; 2.4; 3.3; 3.4.2; 3.4.3; 3.7.2; 5.1; 7.1

1.3 Environmental Protection

Design of subdivisions and layout of parcels should minimize the impact on areas that have environmental or ecological significance or sensitivity.

1.4 Existing Development

Industrial site designs for new industrial uses should reduce the potential impact on nearby existing uses by locating key access points away from existing uses, incorporating fencing, a tree line or earth berm on the industrial site, and adhering to minimum zoning separation distances.

2 Designations

The area proposed to rezoning and subdivision is designated primarily Service-Oriented Industrial according to the Inland Port Special Planning Area Regulation 48/2016. Smaller portions of the subject lands are designated Manufacturing and Logistics and Open Space.

Service-Oriented Industrial

This designation supports small and medium scale industrial development including warehousing, logistics, manufacturing, truck operations and other similar industries that are consistent with the guiding policies for Centreport. The lighter industrial uses should be directed adjacent to key transportation routes and intersections.

Manufacturing and Logistics

The Manufacturing and Logistics Industrial designation is intended for heavier industrial development that will allow for large parcels that will not be limited by natural features or existing infrastructure, including those that accommodate large-scale vehicles and those that may generate higher levels of nuisance. "I2" Industrial General type uses are permitted in this designation.

Open Space

This designation supports the preservation of the natural character of existing open spaces including ecologically sensitive areas. Development encouraged to protect and promote open space designation include active transportation, private passive open space for employees, maintaining public use of existing open space and protective buffers such as trees and fences.

3.3 Roads

Expressway (Future Chief Peguis Trail Extension to CentrePort Canada Way)

CentrePort Canada Way should be continued northward and connect to the future Chief Peguis Trail extension as an expressway. Exact routing will be determined in a future detailed highway planning and design process but should reduce the impact on Little Mountain Park and existing development.

Collector (Park Royale Way; Prairie Dog Trail)

Collector roads should be designed to provide convenient and efficient access for local trips and public transit but also to discourage regional cut-through and shortcuts.

Local Streets (Klimpke Road; proposed internal roads)

Local streets must be designed to maintain connectivity and access to individual parcels. The local street network should provide multiple route choices and avoid dead-end streets and cul-de-sacs, which may be more difficult to navigate for larger industrial vehicles.

3.4 Street Overlays

Industrial Corridor

Industrial streets must be designed with the primary focus of serving industrial traffic.

Active Transportation Corridor

Additional landscaping and buffering requirements to provide separation between active transportation users and vehicular traffic are required.

3.7 Rail

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.

5. Municipal Services

New development must be connected to the municipal water and sewer systems as the services are extended to their property. The cost of connecting a development to the municipal water and sewer systems shall be the responsibility of the developer. Serviced industrial uses should be located contiguously throughout the plan area, except for the common use rail facility.

Use of water-saving devices and practices are encouraged in order to conserve water and reduce the volume of wastewater produced.

Major existing natural and constructed land drainage features must be respected. As development occurs, new land drainage facilities must be designed and constructed to restrict the rate of surface water discharge into existing creeks and municipal drains so as not to exceed the allowed amounts. Land drainage facilities must be designed to discourage use by migrating waterfowl.

7.1 Phasing

The logical and orderly phasing of development will generally follow the extension of municipal services. The first phases of development will be within or immediately adjacent to developed areas or within the rail serviced industrial designation. Serviced development should expand from these areas in a contiguous manner to ensure efficient extension of services.

ZONING BY-LAW

Existing Zoning

The subject property is currently zoned "IPR" Inland Port Rural zone. This zone was established to protect lands for future industrial and commercial uses while allowing lawfully existing uses to continue until such time the lands are required for Inland Port related development.

Proposed Zone

The application proposes to rezone the subject lands from "IPR" Inland Port Rural zone to "I2" Industrial General zone. Land uses within this zone are to be oriented towards industrial uses such as manufacturing, truck activity, warehousing and distribution. Streetscapes in this zone are comprised of utilitarian frontages, including loading docks, facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

Other zoning requirements

Development adjacent to existing residences:

- *Setback for new industrial building in "I2" Industrial General zone to residences: 200 ft.*
- *A parking area that is located within 20 ft. of a residential use or an open space zone must include a landscaped buffer located inside and along the perimeter the lot that meets the criteria outlined 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.*

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.*

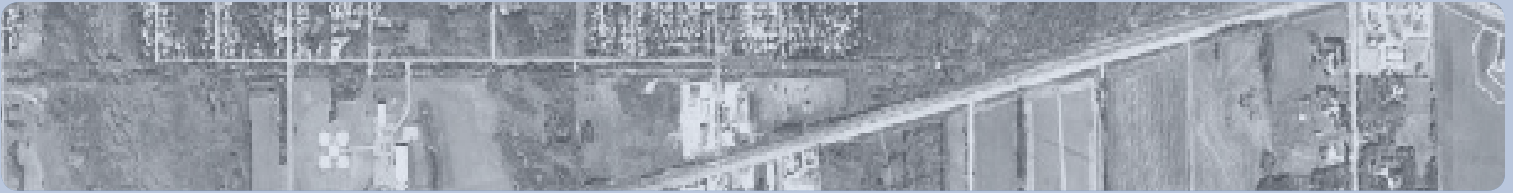
Sustainable Development: *Proposed development must achieve at least five points from one or more of the sustainable development measures set out in the zoning by-law.*

Performance Standards: *Industrial uses must conform with the performance standards set out in the zoning by-law.*

ADDITIONAL INFORMATION: N/A

Subdivision Application

under The Planning Act C.C.S.M. c. P80



Before You Start

Meet with a planner at your local Community and Regional Planning office to discuss your proposed subdivision.



Application Requirements

- a subdivision application form with all questions answered, and signed by the registered owner and applicant
- a Subdivision Application Map (submitted as a TIFF image and a hard copy) prepared by a Manitoba land surveyor showing:
 - ties to a minimum of two survey monuments
 - proposed lot(s) with dimensions, area and angles
 - location of all buildings on foundations and fixed structures
 - driveway(s) including the current and proposed access
 - onsite wastewater management systems and distance to proposed lot lines
 - well
 - existing above-ground utilities
 - existing tree line and edge of field
 - major water bodies
 - title search
- Status of Title(s) for all land to be included in the subdivision from a Manitoba land surveyor. The Status of Title(s) cannot be more than 30 days old.
- a cheque or money order for \$510 payable to the Minister of Finance

A Subdivision Application Map is a requirement for all subdivision applications under the Subdivision Regulation and it must be prepared by a Manitoba land surveyor. Refer to the *Planning Resource Guide: Subdivision in Manitoba* for more details on application and map requirements.



Submission

Mail or drop off the completed application form, the required application fee, map, titles, and any supporting documents to your local Community and Regional Planning office.

Your application will be considered incomplete and returned if any of the above requirements outlined in Section B are missing.

Refund Policy: The application fee will only be refunded if the application has not been circulated to reviewing agencies.



<h2 style="margin: 0;">1 Registered Owner(s)</h2> <p>Name(s): <u>Patricia Steele</u> <u>Eretz Farms Ltd.</u></p> <p>Address: <u>1212 Girton Boulevard</u></p> <p>City/Town/Village: <u>Winnipeg</u></p> <p>Province: <u>Manitoba</u></p> <p>Postal Code: <u>R3P 0A4</u></p> <p>Email: <u>pksteele@mymts.net & tsteele.nyc.rr.com</u></p> <p>Phone (daytime): <u>204-489-5149</u></p> <p>Cell Phone: <u>204-795-0468</u></p>	<h2 style="margin: 0;">Applicant</h2> <p>Name(s): <u>Michelle Richard</u></p> <p>Address: <u>200 – 55 Donald St</u></p> <p>City/Town/Village: <u>Winnipeg</u></p> <p>Province: <u>Manitoba</u></p> <p>Postal Code: <u>MB R3C 1L8</u></p> <p>Email: <u>michelle@mrichard.ca</u></p> <p>Phone (daytime): <u>204-202-7672</u></p> <p>Cell Phone: <u>204-451-4790</u></p> <p>Your File No.: _____</p>
--	---

2 Declaration

I, Michelle Richard hereby certify that I

am the registered owner of the land proposed for subdivision
OR
 am authorized to act as the registered owner

and I hereby affirm that all statements contained within this application are complete and true, and I make this declaration conscientiously believing it to be true.

Registered Owner(s) signature: *Patricia Steele* Date: April 20, 2023

Applicant signature: *Michelle Richard* Date: April 13, 2023

3 Lawyer Contact Information (if applicable)

Name: _____ Firm: _____

Address: _____ Your File No.: _____

City/Town/Village: _____ Province: _____ Postal Code: _____

Email: _____ Phone: _____

4 Land to be Subdivided

Municipality: _____ Roll Number: _____

Civic Address (if any): _____

Lot or Parcel No.: _____ Block No.: _____ Plan No.: _____

Part of NW NE 1/4 of Section _____ Township _____ Range _____ East West
 SW SE of the Principal Meridian

OR

River Lot No.: _____ Parish or Settlement: _____

5 Existing Land Use

a. What is the land currently used for? (check all that apply)

agriculture

i. Is there a livestock operation? yes no

Type of livestock: _____ Number of animal units or animals: _____

Distance to nearest property boundary: _____

ii. Is there a manure storage facility? yes no

Distance to nearest property boundary: _____

commercial

industrial

other (ex: woodland) _____

residential (including cottages)

single family

multiple family

A manure storage facility means a structure, earthen storage facility, molehill, tank or other facility for storing or treating manure.

b. Are there existing buildings on this land? yes no

Tip: Show the location and type of all permanent buildings and onsite wastewater management systems. Show the distances to the closest new property boundary on the surveyor's subdivision application map.

6 Proposed Land Use

a. Is this a multi-phase development? yes no

If yes, how many phases? _____

Is this a multi-lot development? yes no

If yes, how many lots? _____

b. What is the intended use of the proposed lot(s)? (Check all that apply)

- agriculture
- commercial
- industrial
- other _____
- residential
 - single family
 - multiple family

c. Are there existing buildings on the proposed lot(s)? yes no

d. Describe the proposed lot(s). (Check all that apply)

- wooded/treed
- low/swampy
- cultivated
- pasture
- hilly
- level/flat
- near a waterbody (ex: lake, river, creek)
- other _____

e. Within 1.6 kilometres (1 mile) of the proposed lot(s) is there any of the following?
(Check all that apply)

- livestock operations
 - If nearby, what is the type, approximate size and distance? _____
- gravel pit or quarry
- pipeline
- sewage lagoon
- historic site or structure
- airport
- waste disposal ground (active or inactive)

7 Flooding and Drainage

- a. Has any part of this land been flooded? yes no don't know

If yes, describe in more detail. _____

- b. How will the proposed lot(s) be drained?

- natural storm sewer
 ditches curb and gutter

- c. Is a new private drainage works proposed? yes no

- d. Do you have a water rights licence? yes no

If yes, date issued: _____

The Water Rights Act requires a person to obtain a valid licence to control water or construct, establish, or maintain any water control works. Water control works are defined as any dike, dam, drain, drainage, culvert, etc. that temporarily or permanently alters or may alter the flow or level of water.

8 Sewer and Water Supply

Indicate in the table the type of sewage disposal and water supply that is existing for any current structures and proposed for the new lot(s) shown on the sketch attached to your subdivision application.

Sewage Disposal	Existing Lot(s)	Proposed Lot(s)
municipal sewer		
holding tank		
septic field		
ejector		
other (please specify)		

Water Supply	Existing Lot(s)	Proposed Lot(s)
pipled water		
shared well (indicate number of connections)		
individual well		
cistern		
other (please specify)		

For details on water supplies, refer to the *Planning Resource Guide: Subdivision in Manitoba* available online.

9 Utilities

Electrical power is: existing proposed not required not available

Natural gas is: existing proposed not required not available

Telephone service is: existing proposed not required not available

Utilities may still require an easement agreement for any existing facilities.

10 Access

a. Current access (ex: driveway, lane) to the lot is by (and check all that apply):

- municipal road
- provincial road # _____
- provincial trunk highway # _____
- no access

Show existing and proposed driveways on the surveyor's subdivision application map.

b. Will the lot(s) require a new driveway? yes no

If yes, new access to the lot will be by:

- municipal road
- provincial road # _____
- provincial trunk highway # _____
- no access

c. Will the driveway be shared? yes no

d. Will a new public road be created? yes no

11 Reason for Application and Other Comments

Indicate the reason for making this application and provide any other information you think may be helpful.

May 19, 2023

Inland Port Special Planning Authority
Province of Manitoba
604-800 Portage Avenue,
Winnipeg, MB, R3G 0N4
T 204-945-2146

Dear Inland Port Special Planning Authority:

Letter of Intent – Eretz Farms DESC SE28-11-2E

Ryan Fox of **M Richard & Associates Ltd.** is the ‘Applicant’ on my behalf in making all the development applications on the **SUBJECT LANDS** for the **PROPOSED DEVELOPMENT** as outlined in the report.

LOCATION

The subject +/- 67.03 acres agricultural lands are located north of PTH 190 Centreport Canada Way on the northern edge of Park Royal Way, west of Prairie Dog Way, east of Klimpke Road and The Players Golf Course, and south of Little Mountain Sportsplex.

PROPOSED DEVELOPMENT

This letter of Intent proposes to subdivide the property and rezone from **IPR – Inland Port Rural Zone** to **I2 – Industrial General Zone to provide 16 new industrial lots**. The subject land’s lots are to accommodate the development of brand-new, state-of-the-art industrial development with the necessary accessibility to accommodate large-scale vehicles (please see Figure 1). The proposed development will contribute to the establishment of a comprehensively planned and functionally integrated inland port.

SUBJECT LANDS

Municipal Address: Unaddressed Land (DESC SE28-11-2E)
Roll Numbers: 86300
CT: 3092882/1
Legal Description: THE SE 1/4 OF SECTION 28-11-2 EPM
EXC FIRSTLY: THE NLY 660 FEET
SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE
NORTHEASTERN
LIMIT OF THE RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY,
PLAN 6733 WLTO
FOURTHLY: ROAD PLAN 9347 WLTO AND
FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO

Registered Owners: ERETZ FARMS LTD.

Municipality: Rural Municipality of Rosser

PHASING

The proposed development is consistent with the phasing policies under the *Inland Port Special Planning Area Development Plan* as it is a logical and orderly phasing of development that will follow the extension of municipal services.

TRANSPORTATION CONSIDERATIONS

As the subject lands are developed, the new development will accommodate the required CentrePort Canada Way Setbacks.

SUSTAINABLE DEVELOPMENT MEASURES

The sustainable development measures as per the *Inland Port Special Planning Area Regulation [48/2016]* will be met by future owners at the development permit stage.



Figure 1 - Example of the development vision (Lot 13, Bergen Cutoff Road - Brookside Industrial Park West)

M Richard **& Associates Ltd.**

200 – 55 Donald St
Winnipeg, MB R3C 1L8
Ph: 204-202-7672 | info@mrichard.ca
www.mrichardassociates.ca

NOTES

Please review the attached Background Analysis & Proposed Development Report for additional information pertaining to the subject lands, such as the proposed land use, subdivision plan, existing easements and right-of-ways, caveats against the title, transportation infrastructure analysis, service infrastructure analysis, and an environmental analysis. Other information being provided with this Letter of Intent includes:

1. Subdivision Application Form;
2. Subdivision Application Map;
3. Current Lot configuration with Legal Descriptions;
4. Current Status of Title;
5. Caveats;
6. Sustainable Development Proposal;
7. Application Fee.

Ryan Fox of **M Richard & Associates Ltd.** is the 'Applicant' for the development application at **Eretz Farms DESC SE28-11-2E**, whereas my role is to coordinate the submission of documents. Therefore, please do not hesitate to contact me directly if there is any information or materials missing from this application. We respectfully request this matter be advanced and processed in a timely manner.

Kind Regards,



Michelle Richard, RPP, MCIP
Principal, M Richard & Associates Ltd.
Email: michelle@mrichard.ca



ERETZ FARM

Background Analysis & Proposed Development

Prepared for: The Rural Municipality of Rosser & The Inland Port Planning Authority

Prepared by: M Richard & Associates Ltd.

April 2023



M Richard & Associates Ltd.

200 - 55 Donald Street

Winnipeg, MB. R3C 1L8

ph: 204.202.7672

www.mrichardassociates.ca

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1.0 INTRODUCTION

1.1 Proposed Development

The +/- 67.03-acre Eretz Farm subject lands are to be subdivided and re-zoned from **IPR - Inland Port Rural Zone** to **I2 – Industrial General Zone** to provide 16 new industrial lots.

The subject land's lots are to accommodate the development of brand-new, state-of-the-art industrial development with the necessary accessibility to accommodate large-scale vehicles.

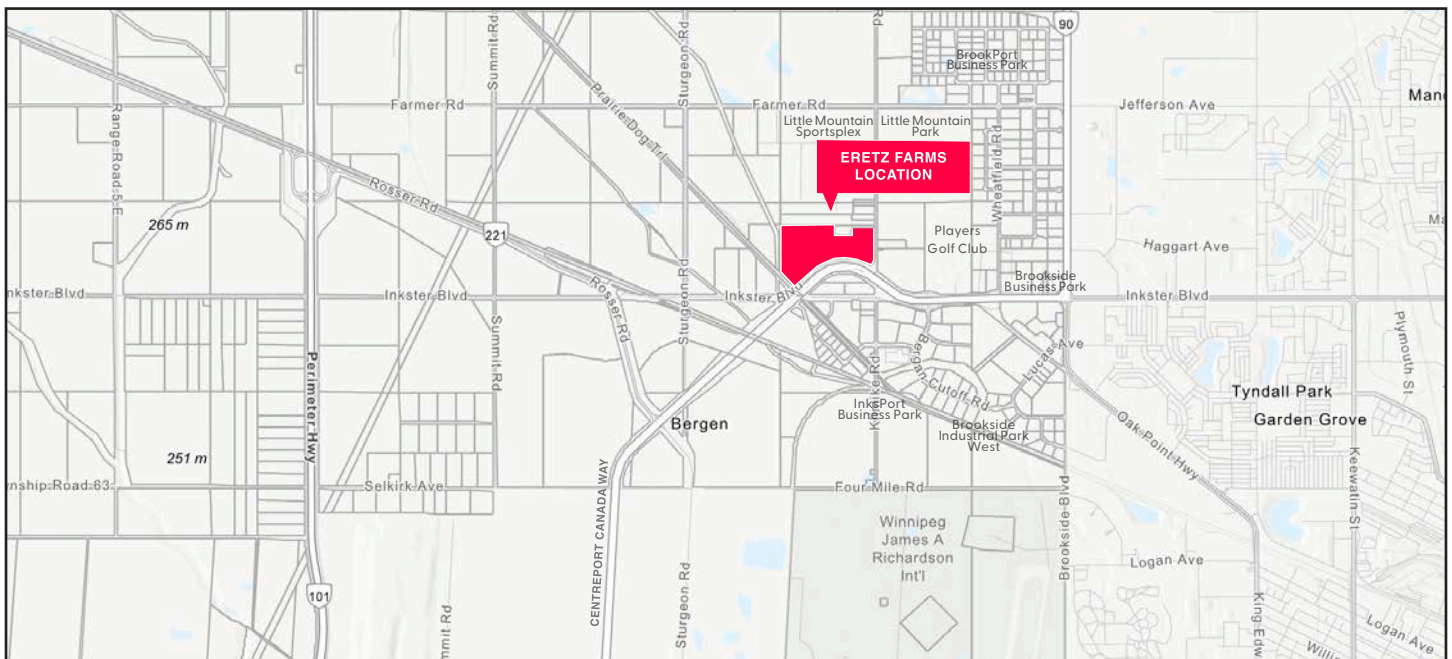
1.2 Regional and Site Overview

The Rural Municipality (RM) of Rosser's CentrePort lands have been designated as the Inland Port Special Planning Area (IPSPA) pursuant to *The Manitoba Planning Act*.

Historically, the subject lands were the former location of a quarry. The land is flat, undeveloped and currently agricultural in nature with the exception of a section of grassland located in the southern portion of the lands that are covering the area of the former quarry. The former quarry section represents +/- 19.4 acres of the total +/- 67.03-acre land.

THIS REPORT PROVIDES A DETAILED ANALYSIS OF THE SUBJECT LANDS:

- Location, detailed description of subject site
- Analysis of the land management, planning authority plans, and zoning
- Infrastructure and servicing consideration
- Transportation considerations
- Environmental considerations
- Land analysis
- Land Use and Concept Plan
- Next Steps



Map 1 Site Location (ArcGis)

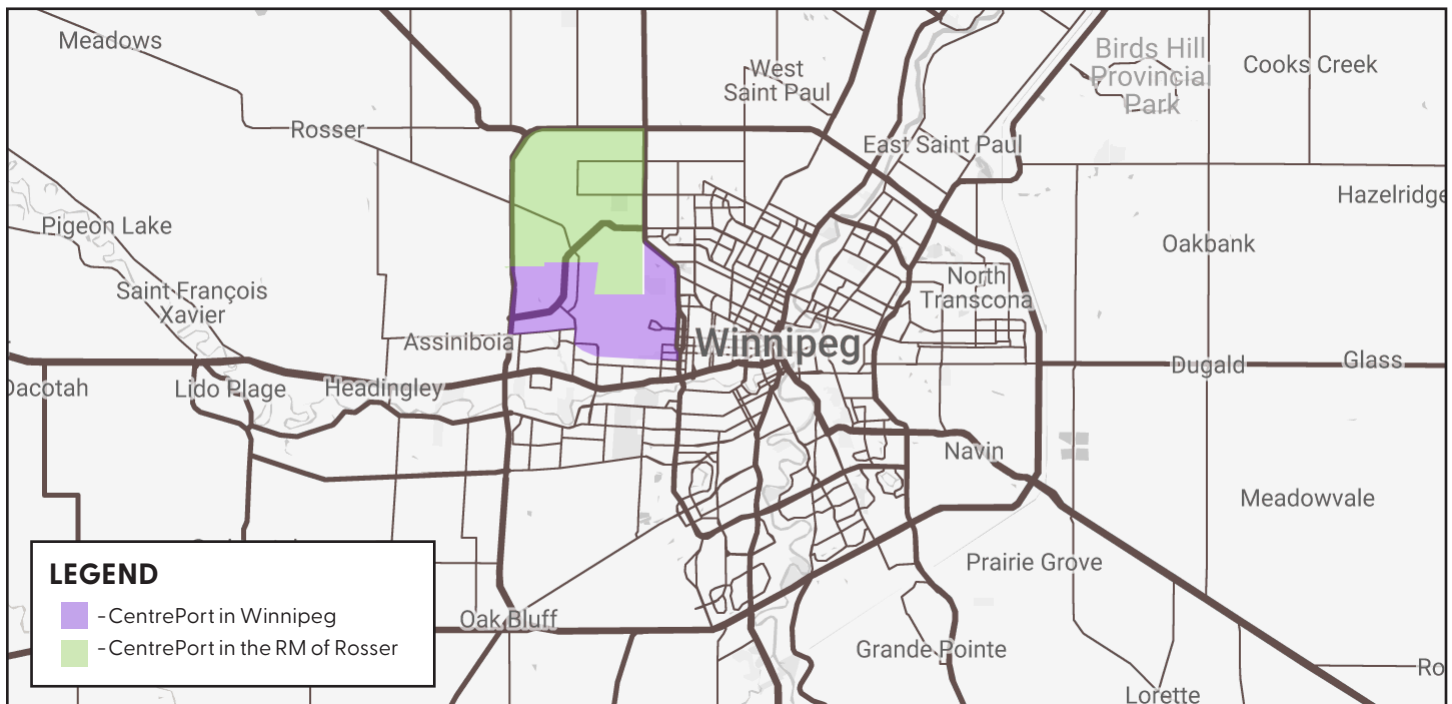
1.2 Methodology

The following analysis of the subject site is intended to provide a thorough understanding of the lands. The analysis was developed using a variety of methods, data sources, and information gathered from the following:

- The Rural Municipality of Rosser
- Inland Port Special Planning Area Planner
- South Interlake Planning District
- The Province of Manitoba
- The City of Winnipeg
- Stantec Engineers
- Manitoba Infrastructure
- Manitoba Hydro
- Cartier Regional Water Co-op



Map 3 Continental Trade Corridor



Map 4 Location of CentrePort Canada (CentrePort)

2.0 LOCATION & LAND USE

The subject +/- 67.03 acres of agricultural lands are located north of PTH 190 CentrePort Canada Way on the northern edge of Park Royal Way, west of Prairie Dog Way, east of Klimpke Road, and south of the recently developed Rosser Pumphouse and 64064 Klimpke Road 9 E, +/- 17.54 acres of underdeveloped agricultural land absent of buildings.

Further **north** of the Eretz Farm subject lands along Klimpke Road are four (4) residential lots between 1-3 acres in size, each containing single-detached residential dwellings. Directly north of 64064 Klimpke Road 9 E are +/- 15.45 acres of privately owned land connected to the Little Mountain Sportsplex recreational development, further beyond is Little Mountain Sportsplex.

To the **east** across Klimpke Road, a +/- 5 acre residential lot containing a single-detached dwelling and two (2) +/-35 acre lots of underdeveloped agricultural land; further beyond is the Players Golf Course and Winnipeg.

South, across CentrePort Canada Way is the Steele Business Park, +/- 17 acres of newly developed industrial lands; further beyond, a 5-minute drive south is the northernmost edge of the Winnipeg James Armstrong Richardson International Airport.

East of the Eretz Farm subject lands are underdeveloped agricultural lands, the Prairie Dog Central railway roadway, a short line railway owned and operated by The Vintage Locomotive Society Inc (also used by the Canadian National Railway), and East Branch Colony Creek.

For additional information on the neighbouring lands, please view Maps 4 and 5.



Map 4 Development Area and Nearby Businesses (CentrePort)

SUBJECT LANDS

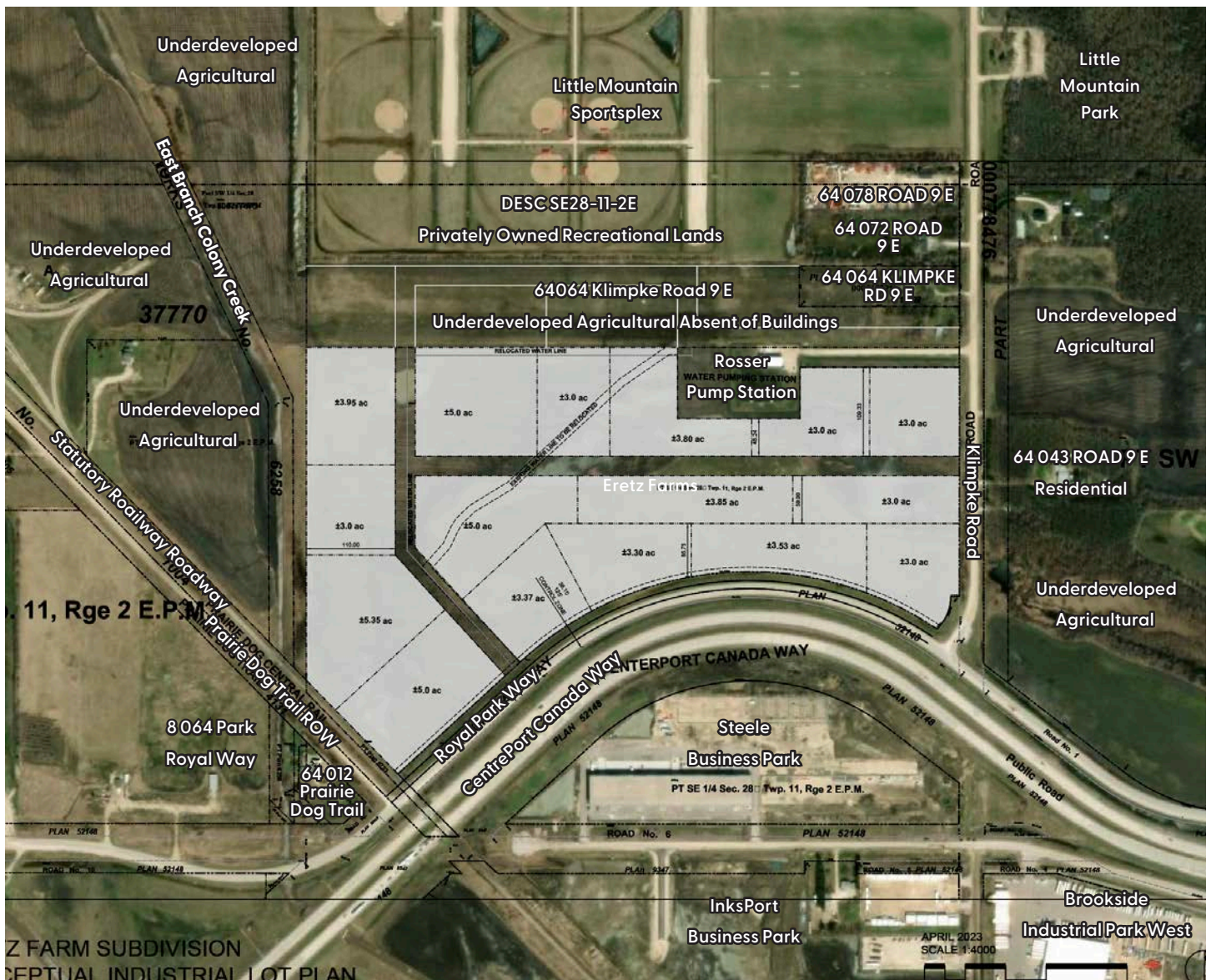
- (a) **Municipal Address:** Unaddressed Land
- (b) **Location:** North side of Inkster and CentrePort Canada Way right-of-ways (ROW), northeast side of Prairie Dog Trail ROW, west side of Klimpke Road ROW
- (c) **Roll Numbers:** 86300
- (d) **CT:** 3092882
- (e) **Municipal Caveat(s):** 203538/1 easement by Manitoba Telephone System.
1782400/1 easement by Manitoba Telephone System.
2543018/1 easement by MTS Communications Inc.
4865507/1 statutory easement for water utility lines by Eretz Farms LTD to Cartier Regional Water Co-op Inc.
5233973/1 statutory easement by Eretz Farms LDT to The Manitoba Hydro-Electric Board.
- (f) **Legal Description:** DESC SE28-11-2E
THE SE 1/4 OF SECTION 28-11-2 EPM
EXC FIRSTLY: THE NLY 660 FEET
SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE NORTHEASTERN
LIMIT OF THE RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY,
PLAN 6733 WLTO
FOURTHLY: ROAD PLAN 9347 WLTO AND
FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO
- (g) **Registered Owners:** ERETZ FARMS LTD.
- (h) **Municipality:** Rural Municipality of Rosser
- (i) **Development Plan:** *Inland Port Special Planning Area Regulation [48/2016]*

SUBJECT LANDS (CONTINUED)

(j)	D. Plan Designation:	Service-Oriented Industrial Manufacturing & Logistics
(k)	Zoning By-law:	<i>Inland Port Special Planning Area Zoning By-law</i>
(l)	Zoning District:	IPA - Inland Port Rural Zone
(m)	Zoning PDO	NA
(n)	Z.PDO Designation	NA
(o)	Land Area:	67.03 ACRES (2,919,826.8 sq.ft.)
(p)	Lot Configuration:	Corner
(q)	Land Configuration:	Irregular Polygon
(r)	Fronting Street:	+/- 2,533 ft on Park Royal Way, local paved road.
(s)	Access Points	No entry/egress
(t)	Flanking Street:	Klimpke Road, local gravel road
(u)	Lane:	No
(v)	Sidewalks/Pathways:	No
(w)	Sewer Main:	No
(x)	Current Land Uses:	Vacant Agriculture
(y)	Governing Bodies	Inland Port Planning Authority Rural Municipality of Rosser Province of Manitoba

2.1 Adjacent Lands

- North:** 640056 Klimpke Road 9 E, a newly built Rosser Pumping Station on a 4.52 acres lot zoned IPR and 64064 Klimpke Road 9 E, underdeveloped agricultural absent of buildings, on a 17.54 acres lot zoned IPR.
- South:** Park Royal Way right-of-way, paved.
- East:** Klimpke Road right-of-way, gravel road.
- West:** Statutory Railway Roadway, on a +/- 80 foot wide lot and +/- 1.9 acres of undeveloped lands classified as "Other Property" zoned IPR.



Map 5 Surrounding Lands (ArcGis)



Manufacturing Industry in Winnipeg

2.2 Land Use Designation

2.2.1. Land Management Plans and Regional Growth Strategies

- *Inland Port Special Planning Area Regulation [48/2016]* (governed by the RM of Rosser via the Inland Port Planning Authority)

2.2.2. Land Use Designation:

- Service-Oriented Industrial
- Manufacturing & Logistics
- Open Space

2.2.3. Land Use Designation Description:

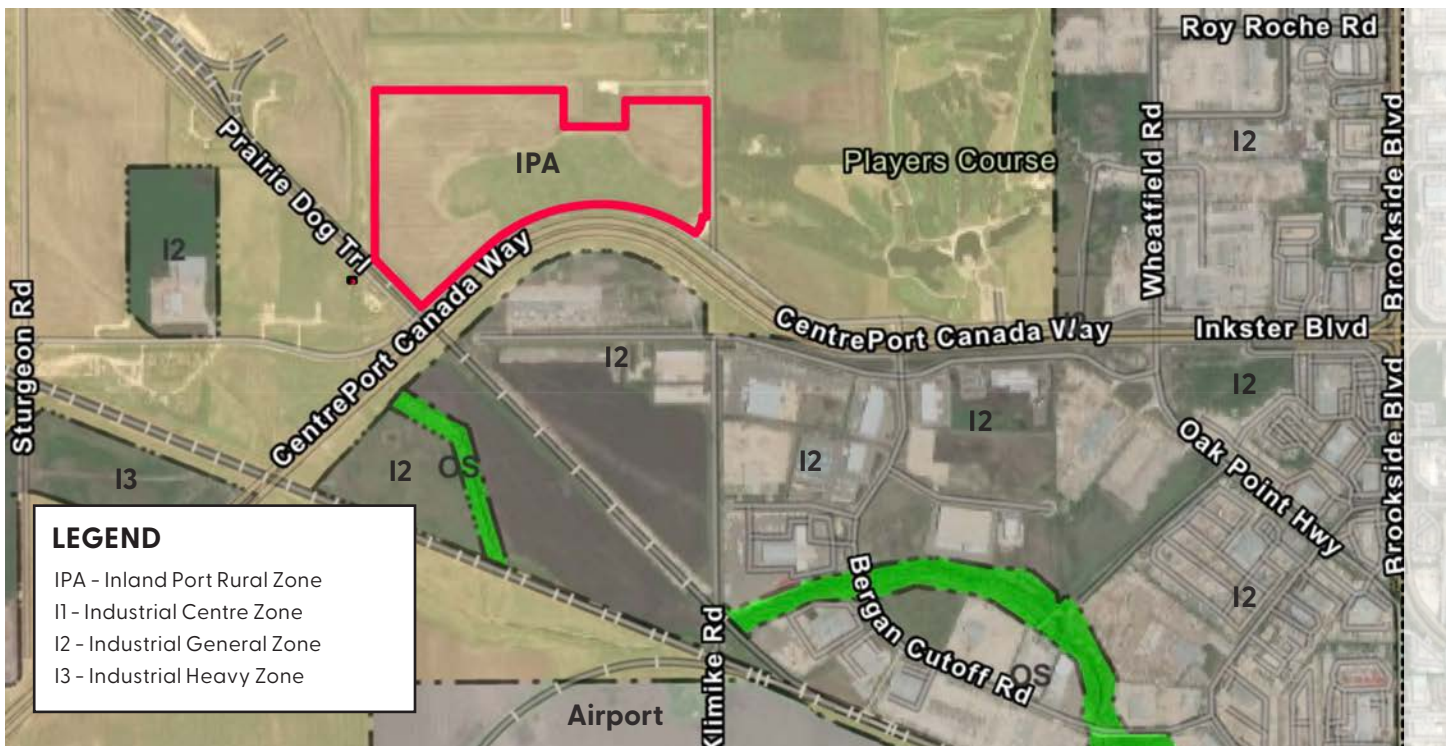
The subject lands are currently designated Manufacturing & Logistics Industrial and Service-Oriented Industrial according to the *Inland Port Special Planning Area Regulation [49/2016]*.

- **Service-Oriented Industrial**, intended to provide for smaller and medium-scale industrial development. And intended to provide for commercial nodes that are designed for uses such as retail, office and accommodation services that will serve the needs of employees and visitors within the inland port area, and that are accessible by a variety of transportation options.

- **Manufacturing & Logistics**, intended to provide medium to large-scale industrial development including warehousing, logistics, manufacturing, trucking operations and other similar industries that are consistent with the guiding policies for Centreport, and intended to locate heavier industrial development in areas that will allow for access for larger transportation vehicles and the creation of large parcels that will not be limited by natural features or existing infrastructure.
- **Open Space**, the objectives of establishing an open space zone are twofold: first, to designate areas dedicated to parks and recreational activities, and second, to safeguard environmentally sensitive lands. Additionally, the open space zone acts as a means to create a clear demarcation between different land uses within the industrial center, as well as the industrial general and industrial heavy zones.

2.3 Permitted Uses

PERMITTED LAND USES	SERVICE-ORIENTED INDUSTRIAL	MANUFACTURING & LOGISTICS
Accessory Buildings, Structures and Uses	○	○
Accommodations	○	
Agricultural Activities	○	○
Billboard		○
Emergency and Protection Services	○	○
Light Industry	○	○
General Industry		○
Open Space		○
Office	○	
Parking	○	○
Full-Service Restaurant	○	
Fast-Food Restaurant	○	○
Take-Out Restaurant	○	○
Agriculture Related Retail	○	○
General Services Retail	○	
Vehicle-Oriented Retail	○	○
Agriculture Related Services	○	○
General Services	○	○
Vehicle-Oriented Services	○	
Container Transload (Transport Related)		○
Distribution Centre (Transport Related)		○
Fulfillment Centre (Transport Related)		○
Utilities	○	
Warehouse and Distribution		○



Map 6 CentrePort Zoning (Province of Manitoba)

2.4 Zoning District

2.4.1. Zoning Designation:

- IPA - Inland Port Rural Zone

2.4.2. Purpose: The purpose of the inland port rural zone is to preserve and protect lands for future industrial and commercial uses in keeping with the vision for the inland port, and to ensure that existing lawful land uses can continue to function in their current state.

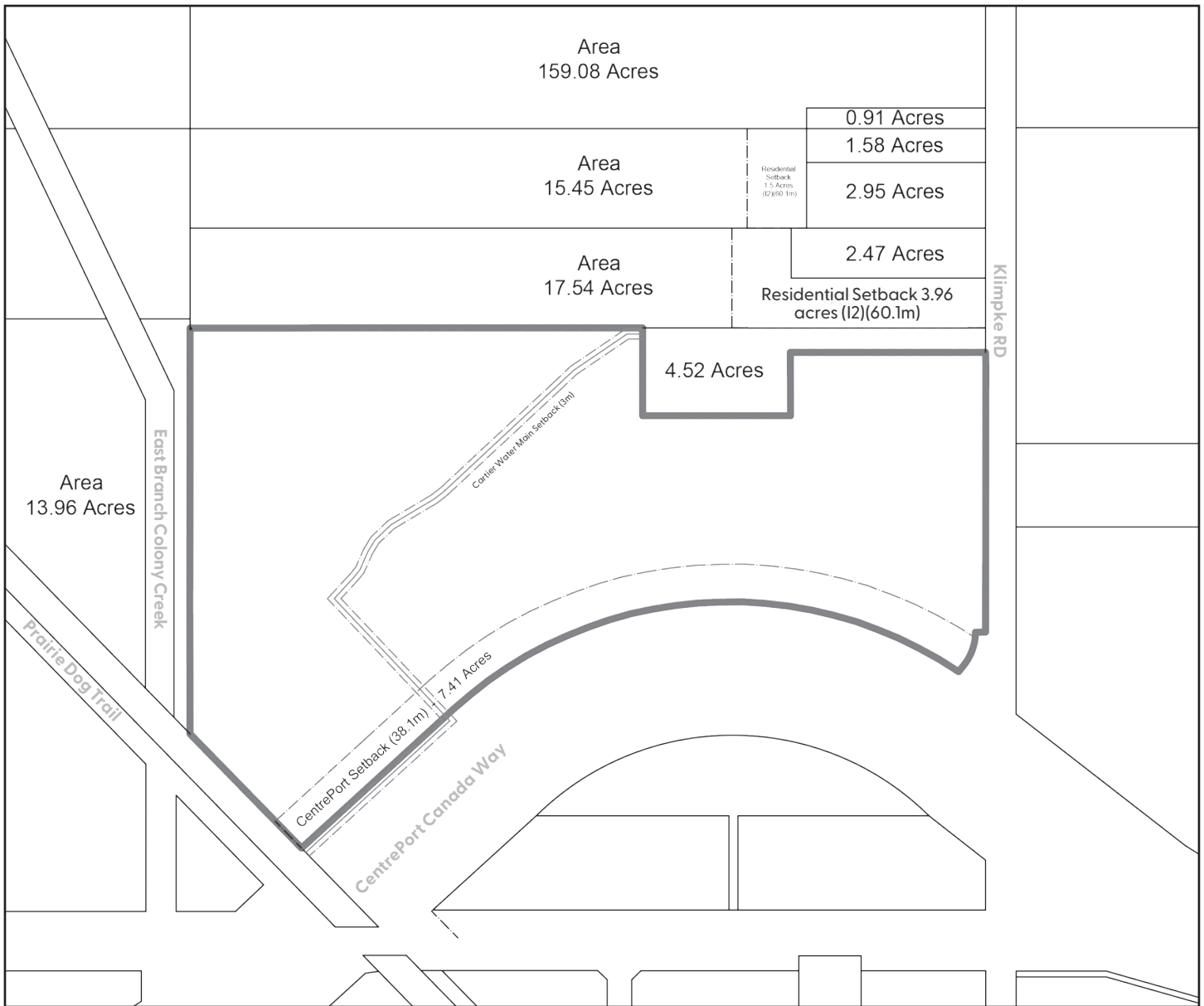
2.4.3. Zoning Designation Description: Intended to accommodate commercial sites that do not have a local or neighbourhood orientation. The district is intended to include attractive commercial, institutional, recreational, limited residential and service facilities needed to support the surrounding neighbourhoods and the broader community. Generally located in Community or Regional mixed-use centres or along Community or Regional mixed-use corridors.

2.4.4. Permitted Uses: Permitted uses in the Inland Port Rural Zone are limited to agricultural activities.

2.4.5. Zoning Considerations: A planning application to amend this zoning by-law must not be approved and no development permit is to be issued if the proposed development would substantially alter the existing state of the land, require structures, footings or foundations that cannot be removed or relocated at a nominal cost or compromise the future economical subdivision, servicing and development of the land.

2.4.6. Suitable Zoning Districts: In accordance with the *Inland Port Special Planning Area Regulation [49/2016]*, both Service-Oriented Industrial and Manufacturing & Logistics Industrial land use designations best supports “I2 - Industrial General Zone” zoning for the subject lands.

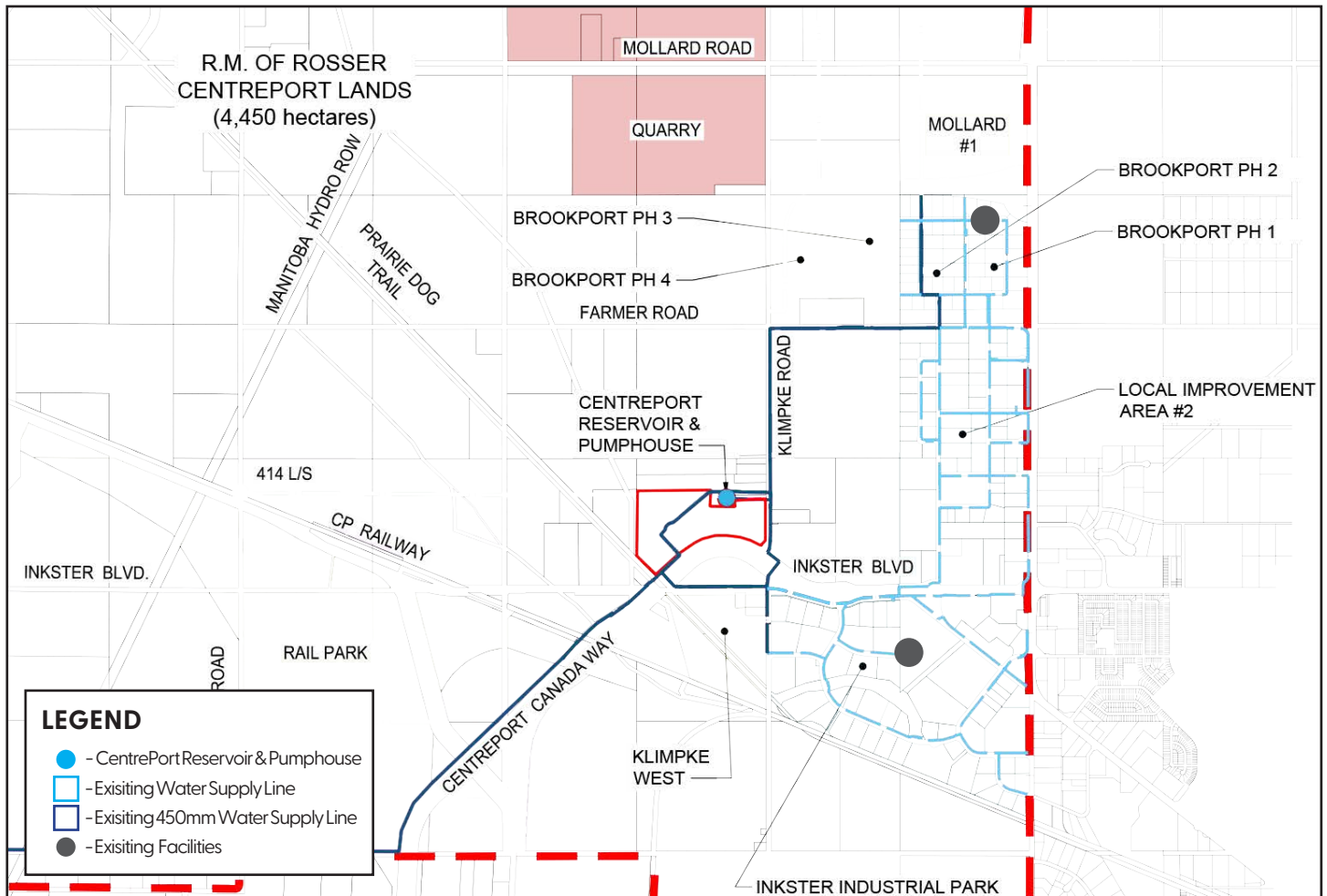
- **I2 - Industrial General Zones** - intended to locate heavier industrial development in areas that will allow for large parcels that will not be limited by natural features or existing infrastructure. It is assumed that larger parcels are envisioned to be larger than 3 acres.
Permitted Height: Three (3) storeys max.
Allowable Density: 70% site coverage max.



Map 7 Existing Building Setbacks Map

2.5 Building Setbacks

- **CentrePort Canada Way Setback** – 38.1 metres from the edge of the right-of-way.
- **Cartier Water Main Setback** – 3 metres from the pipeline.
- **Industrial Corridor Setback (I2)** - 1.5 m min (5 ft) front yard setback; 6.1 m min (20 ft) rear yard setback.
- **Residential Setback** - 60.1m setback when lands Zone “I1 – Industrial General” abut residential properties.



Map 8 Servicing Map Overlay (RM of Rosser)

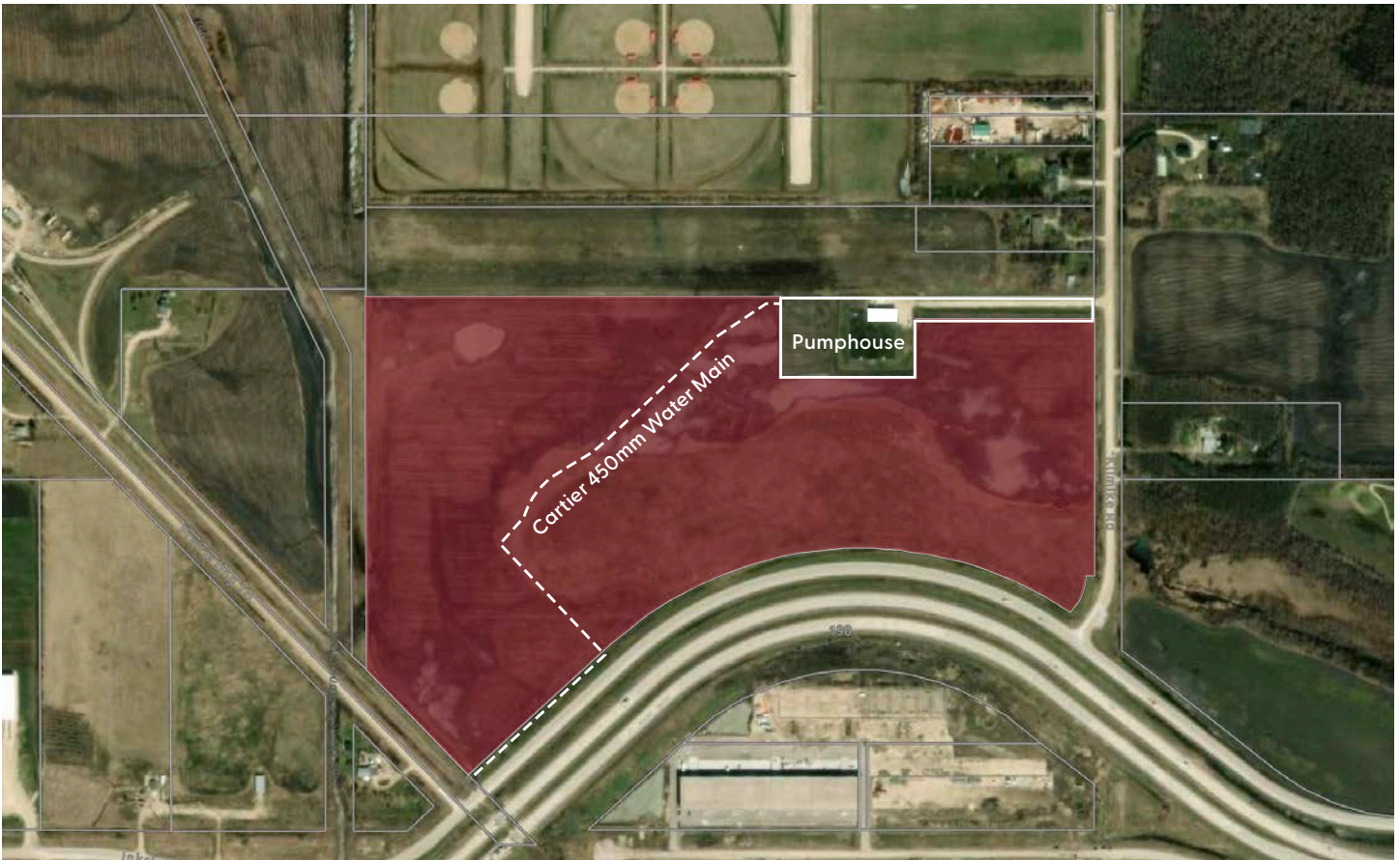
3.0 SERVICING & INFRASTRUCTURE

3.1 Water Main Facilities

- **Cartier CentrePort Reservoir & Pumphouse** - located directly northeast of the subject lands.
- **450mm Water Main** - from Headingley WTP to the Rosser Reservoir; the reservoir feeds the distribution system.
- The existing 450mm supply line to the Centerport Reservoir & Pumphouse runs through the middle of the Eretz Farm lands as shown in Map 10. The supply line belongs to the Cartier Regional Water Cooperative (CRWC). The property owner is receptive to working with the CRWC to relocate the line.

3.2 Water Supply Considerations

- As per Stantec and the RM of Rosser, the site can be serviced. The existing reservoir and distribution system is directly to the north of the property. Based on the engineering review of the system, there is sufficient water supply for the envisioned land use.
- The CRWC has recommended a minimum 3 metre setback requirement from the existing pipeline for any future on-site development.



Map 9 Location of Water Main Line and Pumphouse (ArcGis)

3.3 Wastewater Facilities and Sewer Lines

- **Inkster Industrial Park Lift Station** – South of CentrePort, along Bergen Cut Off Rd
- **Brooksport Lift Station** – East of Klimpke Rd, North of Farmer Ave
- **Brookside/Inkster Blvd Lift Station** - at the intersection of Inkster Blvd and Brookside Blvd.
- **Inkster Boulevard NW Interceptor Sewer** – sewer line ends at the intersection of Inkster Blvd and Brookside Blvd.
- (Proposed) **Rail Park Force Main Line** – proposed from the Rail park east of the subject site, through Park Royal Way, Inkster Blvd south of the subject site, and connecting to the Inkster sewer line

3.4 Wastewater Considerations

In June 2022, Stantec completed a review of the proposed development area for the RM of Rosser in regards to wastewater sewer servicing, and the potential to direct wastewater to the existing Durum Drive Lift Station to the south at the intersection of Durum Drive and Bergan Cutoff Rd (future development scenarios, such as a future subdivision, will inform any future servicing requirements).

3.5 Manitoba Hydro Lines

- **Klimpke Road** - wood pole power-line north/south parallel to right-of-way
- **Prairie Dog Trail** - wood pole power and gas line parallel to the right-of-way
- **Steele Business Park** – south across CentrePort Canada Way; wood pole power and gas line parallel to the Inkster Blvd right-of-way



Map 10

Manitoba Hydro Map

4.0 TRANSPORTATION

4.1 Road and Highway Network

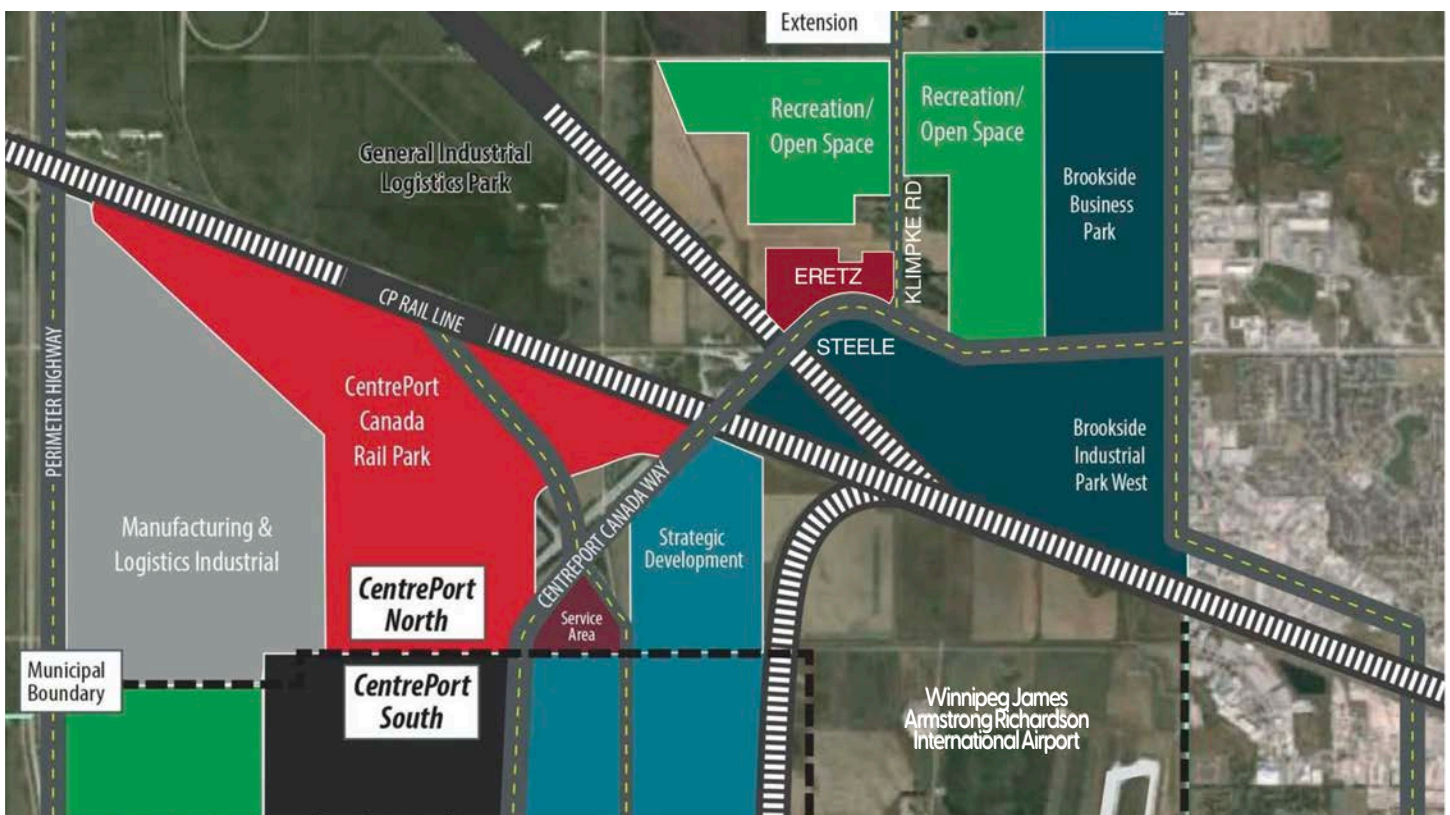
- **Park Royal Way** – two-lane, paved. Located along the southern edge of the subject site.
- **CentrePort Canada Way** – Provincial Trunk Highway, paved, four-lane divided expressway. Located south of the subject site, just beyond Park Royal Way.
- **Klimpke Road** – two-lane, gravel road. Located along the eastern edge of the subject site.
- **Prairie Dog Trail** – two-lane, gravel road. Located west of the subject site, beyond the Prairie Dog Statutory Railway and East Branch Coloney Creek.

4.2 Rail Transport Network

- **Prairie Dog Statutory Railway** – Located west of the subject site, parallel to Prairie Dog Trail.
- **CentrePort Canada Rail Park** – Located 500 metres west of the subject site along CentrePort Canada Way and the Canadian National rail line. Zoned I3 – Heavy Industrial.

4.3 Air Transport Network

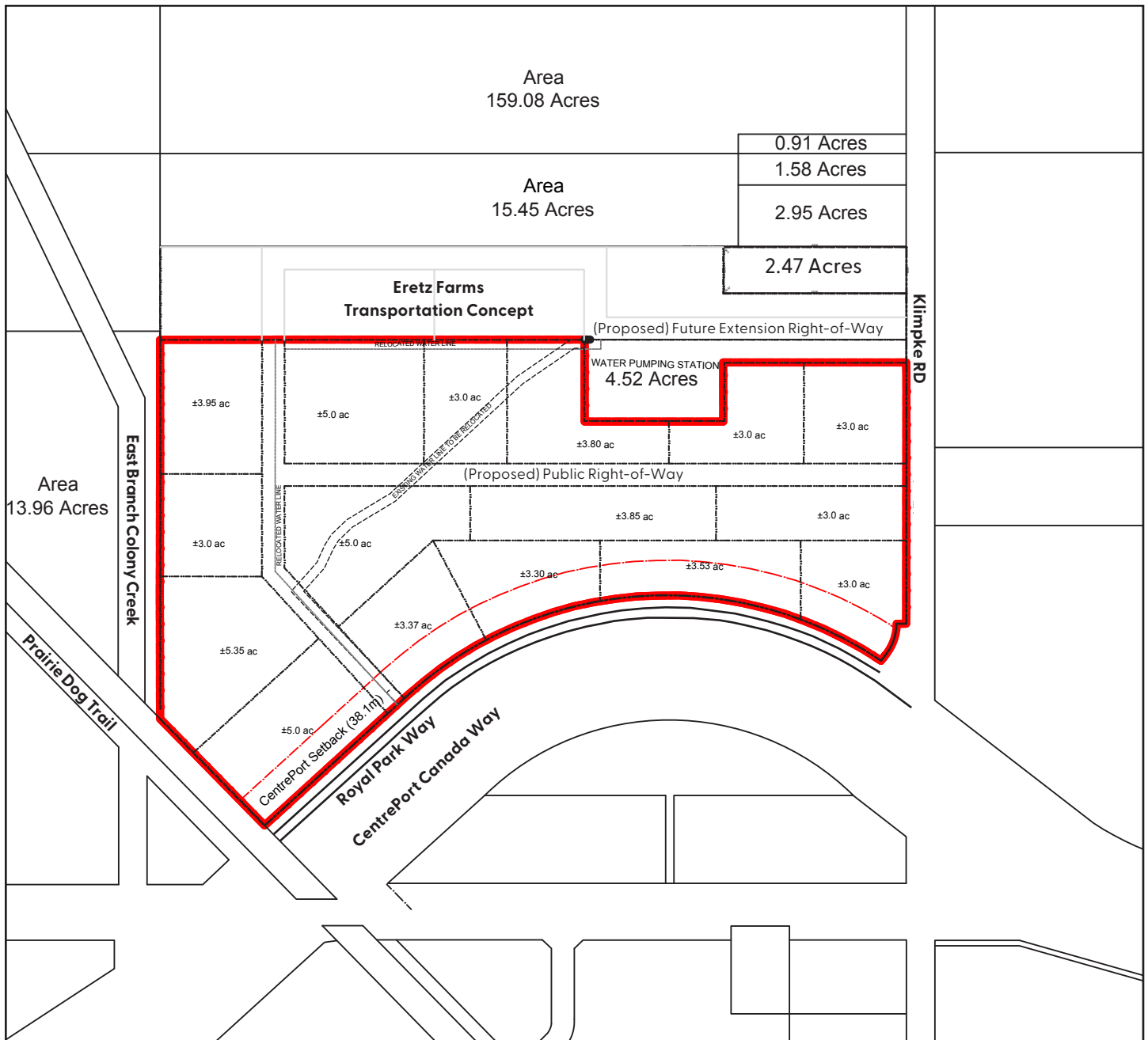
- **Winnipeg James Armstrong Richardson International Airport** – Lands located approximately 1100 metres south of the subject site.



Map 11 Location of nearby Roads and Railways (CentrePort)

4.4 Transportation Considerations

- Future development will accommodate future road connections at strategic locations.
- The subject lands do not have an entry or egress onto the abutting roads. Access is proposed for south onto Royal Park Way and Klimpke Road.



Map 12 Proposed Transportation Network



Eretz Farms Site Location (Google Earth)

5.0 ENVIRONMENT & LAND DRAINAGE

5.1 Site History

The subject lands are the former location of mineral extraction land use (quarry). Located on the southern portion of the subject lands, the former quarry section represents +/- 19.4 acres of the total +/- 67.03-acre property.

In 2015, Stantec Consulting Ltd. was working for the Manitoba Water Services Board on behalf of the Cartier Regional Water Cooperative to construct the RM of Rosser water supply pipeline. The water supply pipeline connects to the regional water treatment plant in the RM of Headingley to the new water supply reservoir and pumphouse located directly northeast of the Eretz Farm subject lands.

During the installation process through the Eretz Farm lands, Stantec conducted an Environmental Assessment of the former quarry lands to investigate soil suspected of containing petroleum hydrocarbon (PHC) impacts. The excavation location appeared to contain historic household construction debris such as bricks, wood, and rebar. The debris appeared to extend beyond the excavation area along the ROW (i.e., into the Eretz Farm lands).

Three (3) test pits were completed across the stockpile of soil. One (1) groundwater sample was collected.

Analysis of the soil and groundwater samples collected from the site indicated concentrations of various PAH pollution in excess of the applicable guidelines.

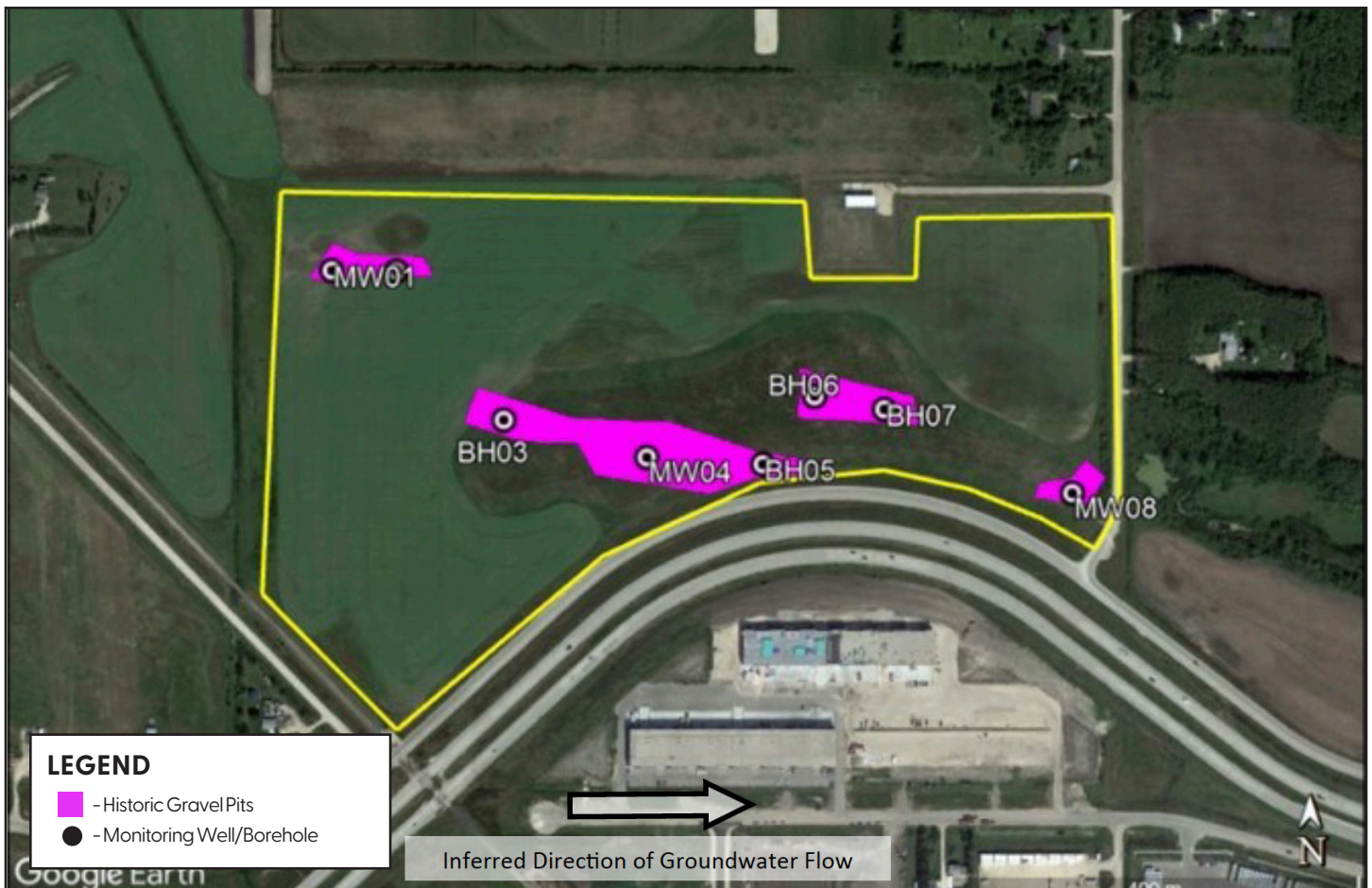
Upon presentation of the assessment finding. The pipeline route as planned was re-routed to avoid the impacted area. The pipeline was nevertheless constructed through the middle of the Eretz Farm property. To avoid the potentially contaminated area, the pipeline was re-routed northward, east of the former quarry lands, from along the north side of Park Royale Way.

THE REMEDIATION ACTIVITIES CONSISTED OF:

- A total soil volume of 226 tonnes (120 m³) was removed from the site to the Soil Treatment Facility in Ile des Chênes, Manitoba.
- Excavated backfill soil was imported to the site and stockpiled west of the excavation site.
- An additional soil sample analysis determined the remaining soil at the excavation site were below the most stringent soil quality guidelines for PHC.
- The excavation was backfilled on October 13, 2015 using backfill soil that had been tested and found to contain contaminants of concern below the applicable soil quality guidelines.



Map 14 Location of Former Quarry Lands (ArcGis)



Map 15 Phase II Environmental Assessment Monitoring Well Locations

5.2 Phase II Environmental Site Assessment Report

HLC Consulting Ltd. (HLC) was retained by Eretz Farms Ltd. to complete a Phase II Environmental Site Assessment (ESA) of the property. The purpose of the Phase II ESA was to assess areas of potential environmental concern (APECs) or areas of actual environmental concern (AAECs) which were identified in a previous Phase I ESA report completed for the Site in February 2022.

Phase I - focused on identifying potential environmental concerns relating to hazardous materials and to soil and groundwater contamination events that may have occurred on-site and adjacent to the Site. Based on HLC's assessment, aerial photos confirmed that the gravel pits were filled in by the late 1980s and then reported to be filled in with excavated material from Keewatin roadway construction. HLC recommended completion of a Phase II ESA to confirm the presence or absence of contamination on-site.

Phase II - soil results were compared to the values outlined in the most recent Canadian Council of the Ministers of the Environment (CCME) and the Ontario Ministry of the Environment Conservation and Parks (MOECP) publications for commercial land use on fine-grained subsoils in a non-potable groundwater condition. Select soil samples submitted to the laboratory were analyzed for BTEX; petroleum hydrocarbon

fractions; VOCs, PAHs, pH and metals. All soil samples submitted from these boreholes had concentrations that either satisfied their respective guidelines or were non-detectable. It is HLC’s opinion that direct contact with any possible contaminant on-site is relatively low risk and other slight soil exceedences on-site are relatively low risk, and that the limits used by CCME may not accurately reflect the natural levels found in Manitoba soils. As a result, HLC recommended that no further investigative, monitoring and/or remedial action is required at this time, and for the monitoring wells be decommissioned and removed.

5.3 Land Drainage

- Land drainage can be accommodated and will be informed through a future Lot Grading Plan and Drainage Study.

5.4 Environmental Considerations

- In accordance with the Inland Port Special Planning Area Regulation 49/2016, all developments must achieve at least five points from one or more sustainable development measures. Because this phase of the project will only deal with the re-zoning of the property and not the development of individual lots, we are to assume that future development approval processes, including a subdivision will meet the standards.



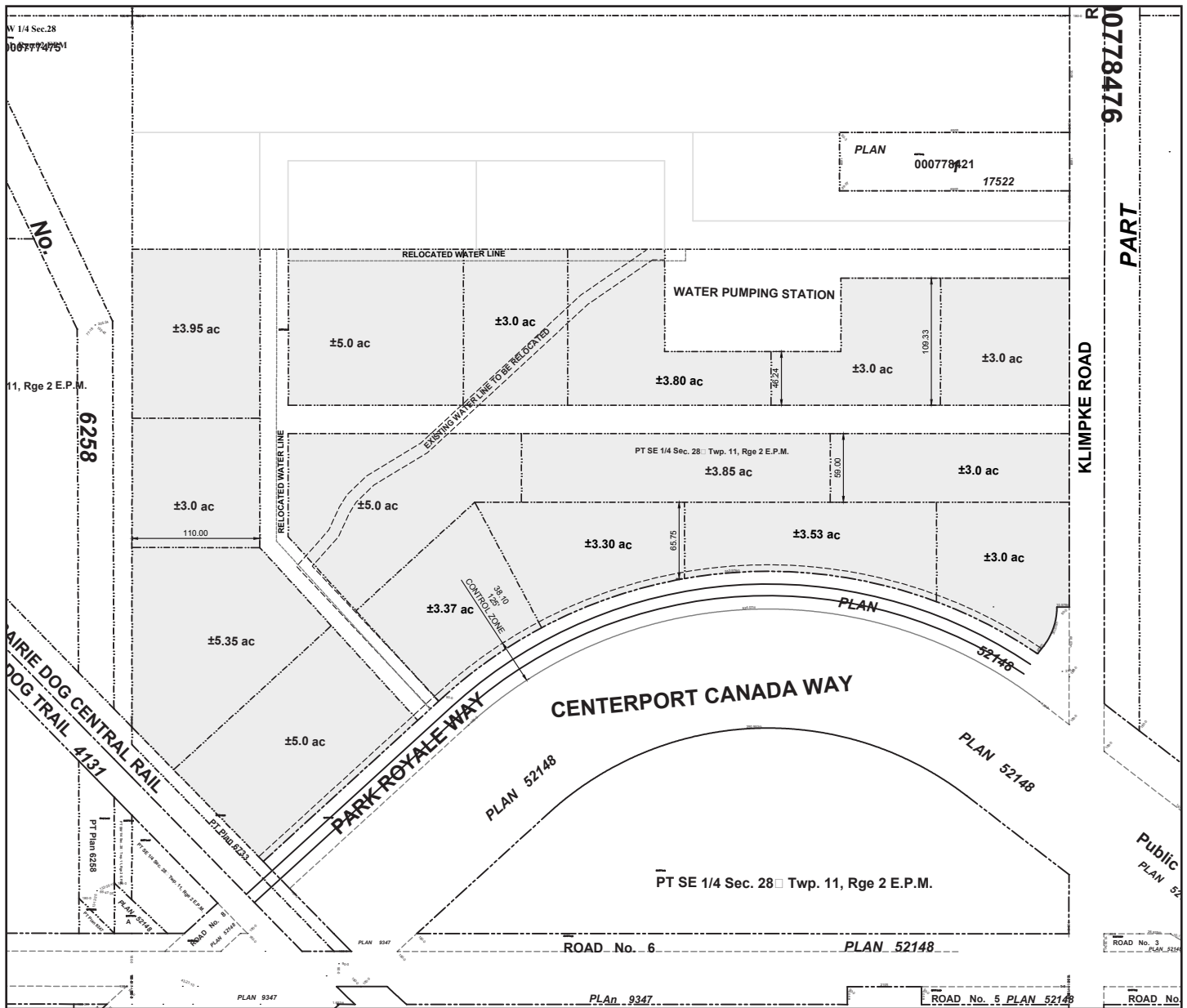
Map 16 Eretz Farm Aerial

6.0 PROPOSED DEVELOPMENT

The +/- 67.03-acre Eretz Farm subject lands are to be subdivided and re-zoned from **IPR - Inland Port Rural Zone** to **I2 - Industrial General Zone** to provide 16 new industrial lots.

The subject land's lots are to accommodate the development of brand-new, state-of-the-art industrial development with the necessary accessibility to accommodate large-scale vehicles.

The proposed development will contribute to the establishment of a comprehensively planned and functionally integrated inland port.



Map 17 Plan of Subdivision

Note: Some of the images and diagrams in this document are for illustrative purposes only, they are not produced by M Richard & Associates Ltd. Images shown in this document are for educative consumption only.



M Richard & Associates Ltd.

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Municipal Relations

Inland Port Special Planning Area
Community and Regional Planning Branch
604-800 Portage Avenue, Winnipeg, Manitoba, Canada R3G 0N4
T 204-945-2146 F 204-948-4042
www.manitoba.ca

Tuesday, October 17, 2023

**File Nos.: 13-2-172-2023-0002 (Zoning By-law Amendment)
4172-23-8304 (Subdivision)**

Community Planning Report to Inland Port Special Planning Authority – SECOND REVISION

Re: Proposal to Rezone and Subdivide
Part SE ¼ 28-11-2 EPM
Rural Municipality of Rosser
Applicant: Ryan Fox (M. Richard & Associates)
Registered Owner(s): Eretz Farms Ltd.

Proposal

The intent of this application is to rezone and subdivide an existing parcel described as

THE SE 1/4 OF SECTION 28-11-2 EPM
EXC FIRSTLY: THE NLY 660 FEET
SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE NORTHEASTERN LIMIT OF THE
RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY, PLAN 6733 WLTO
FOURTHLY: ROAD PLAN 9347 WLTO AND
FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO

The application proposes to rezone the parcel from “IPR” Inland Port Rural zone to “I2” Industrial General zone, to create fifteen new lots (plus residual) ranging in size from approximately 3.0 to approximately 5.33 acres in size, and create two new internal roads.

Accesses connecting internal Local Roads are proposed onto Park Royale Way (Collector Road) and Klimpke Road (Local Road) with a future connection to the north (proposed as road stub currently).

The application states that proposed lots are intended to accommodate new industrial development with accessibility to accommodate large-scale vehicles. Sustainable development measures will be met by future owners at the stage of issuance of development permits.

Existing Lot

The existing lot is approximately 67.03 acres and is currently being used for agricultural uses. There are no existing buildings or structures on the property. An approximately 19.4 acre area in the southern portion of the subject land was a former quarry, and has since been remediated.

Surrounding Area

The subject property is adjacent to CentrePort Canada Way/Park Royale Way to the south and west of Klimpke Road. There are four dwellings adjacent to the subject lands with the nearest dwelling located approximately 145 ft. from the subject lands. The lands proposed for development are surrounded primarily by agricultural and residential lands to the north, east and west, and industrial lands to the south.

Rail lines owned by The Vintage Locomotive Society Inc. and CN Rail run along the southwest boundary of the subject land. East Branch Colony Creek runs to the west of the property but is separated from the subject land by ± 53 ft.

INLAND PORT SPECIAL PLANNING AREA REGULATION 48/2016:

DEVELOPMENT PLAN

The objective of policies within the Development Plan is 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 following sections of the Development Plan apply to this application:

Designations:

- Service Oriented Industrial (eastern portion)
- Manufacturing and Logistics (centre)
- Open Space (East Branch Colony Creek, western boundary)

Transportation Overlays:

- Active Transportation
- Industrial Corridor

Development Plan Road Classifications:

- Fronts on Expressway, Arterial and Collector roads
- Internal local roads proposed

Applicable section(s): 1.3; 1.4; 2.1.2; 2.2; 2.4; 3.3; 3.4.2; 3.4.3; 3.7.2; 5.1; 7.1

Section 1: Guiding Policies

1.3 Environmental Protection

Design of subdivisions and layout of parcels should minimize the impact on areas that have environmental or ecological significance or sensitivity.

1.4 Existing Development

Industrial site designs for new industrial uses should reduce the potential impact on nearby existing uses by locating key access points away from existing uses, incorporating fencing, a tree line or earth berm on the industrial site, and adhering to minimum zoning separation distances.

Section 2: Land Use Policies

The area proposed for rezoning and subdivision is designated primarily “Service-Oriented Industrial” according to the Inland Port Special Planning Area Regulation 48/2016. Smaller portions of the subject lands are designated “Manufacturing and Logistics” and “Open Space”.

Service-Oriented Industrial

This designation supports small and medium scale industrial development including warehousing, logistics, manufacturing, truck operations and other similar industries that are consistent with the guiding policies for Centreport. The lighter industrial uses should be directed adjacent to key transportation routes and intersections.

Future development

Light or general industrial, manufacturing, logistics and distribution uses should be directed primarily to this designation.

- Lighter industrial uses should be directed adjacent to key transportation routes and intersections.
- More general industrial uses generally directed to the internal areas.

<ul style="list-style-type: none"> Heavy industrial uses are prohibited from being adjacent to commercial nodes.
Motor vehicle retail and services, such as truck and trailer sales, service and auto body repair, may be permitted in this designation if their operation or site requirements are not compatible with the Commercial Node and Retail Policies (DP sec. 2.1.3.5).
Uses located in the vicinity of a commercial node must be compatible or must incorporate buffers or other mitigated solutions into their site design to reduce their impact on the commercial node.
This designation does not allow uses that generate higher levels of nuisance.
Development adjacent to the common-use rail facility should be complementary and capitalize on the close proximity to the facility.
Developments should incorporate inviting sidewalks, sitting areas, multi-use paths, bike lands and landscaping measures to support pedestrian and commercial activity.

Manufacturing and Logistics

The Manufacturing and Logistics Industrial designation is intended for heavier industrial development that will allow for large parcels that will not be limited by natural features or existing infrastructure, including those that accommodate large-scale vehicles and those that may generate higher levels of nuisance. “I2” Industrial General type uses are permitted in this designation.

Future development

This designation must accommodate uses that generate higher levels of nuisance.
Heavy industrial uses must incorporate buffers and other mitigated measures into their site design when located adjacent to lighter industrial uses, natural waterways, public open spaces or existing residential dwellings.
Development that is not serviced should be directed to the lands along the west or northwest side of the plan area, north of the CPR rail line and adjacent to the Perimeter Highway.
Development adjacent to the common-use rail facility should be complementary and capitalize on the close proximity to the facility.
Buildings may be located with a portion of their frontage at or near the sidewalk. Ground activity may range from industrial to manufacturing uses.
Ground floor industrial activities, including loading docks and front yards, may shape the streetscape.

Open Space

This designation supports the preservation of the natural character of existing open spaces including ecologically sensitive areas. Development encouraged to protect and promote open space designation include active transportation, private passive open space for employees, maintaining public use of existing open space and protective buffers such as trees and fences.

Future development

Lands under this designation must be retained and protected.
Existing private open spaces uses are allowed to continue and are permitted in all of the industrial designations.
Public open space must remain accessible for public use through a variety of transportation options.

Section 3: Transportation

3.1 General Transportation

The development of the transportation network must be implemented in accordance with the transportation network in Map 2 in the Appendix of the Development Plan. *See Map A – Development Plan Transportation Network and Map B – Development Plan Street Overlays attached to this report for a detailed map of the transportation network as established under the Development Plan on the subject lands.*

The design of the transportation network must be sensitive to the design and function of stormwater management facilities, must respect rail and air facilities and provide access for long combination vehicles.

3.2 Connectivity

Intersections within the external road network must be generally located as illustrated in Map 1 in the Appendix of the Development Plan. Final locations will need to be reviewed by Rosser and the City (where connections to roads within Rosser and the City are proposed or may be impacted), and Manitoba Transportation and Infrastructure, when appropriate.

3.3 Roads

Expressway (*Future Chief Peguis Trail Extension to CentrePort Canada Way*)

CentrePort Canada Way should be continued northward and connect to the future Chief Peguis Trail extension as an expressway. Exact routing will be determined in a future detailed highway planning and design process but should reduce the impact on Little Mountain Park and existing development. Private access from expressways is prohibited.

Arterial (*Planned PTH 6 Extension*)

Access to arterial roads should be limited to road connections only.

Collector (*Park Royale Way; Prairie Dog Trail*)

Collector roads should be designed to provide convenient and efficient access for local trips and public transit but also to discourage regional cut-throughs and shortcuts.

Local Streets (*Klimpke Road; proposed internal roads*)

Local streets must be designed to maintain connectivity and access to individual parcels. The local street network should provide multiple route choices and avoid dead-end streets and cul-de-sacs, which may be more difficult to navigate for larger industrial vehicles.

3.4 Street Overlays

Street overlays are depicted on Map 2 in the Appendix of the Development Plan. See *Map B – Development Plan Street Overlays* attached to this report for a detailed map of the Street Overlays on the subject lands.

Industrial Corridor

Industrial streets must be designed with the primary focus of serving industrial traffic.

Active Transportation Corridor

Additional landscaping and buffering requirements to provide separation between active transportation users and vehicular traffic are required.

3.7 Rail

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.

5. Municipal Services

New development must be connected to the municipal water and sewer systems as the services are extended to their property. The cost of connecting a development to the municipal water and sewer systems shall be the responsibility of the developer. Serviced industrial uses should be located contiguously throughout the plan area, except for the common use rail facility.

Use of water-saving devices and practices are encouraged in order to conserve water and reduce the volume of wastewater produced.

Major existing natural and constructed land drainage features must be respected. As development occurs, new land drainage facilities must be designed and constructed to restrict the rate of surface water discharge into existing creeks and municipal drains so as not to exceed the allowed amounts. Land drainage facilities must be designed to discourage use by migrating waterfowl.

7.1 Phasing

The logical and orderly phasing of development will generally follow the extension of municipal services. The first phases of development will be within or immediately adjacent to developed areas or within the rail serviced industrial designation. Serviced development should expand from these areas in a contiguous manner to ensure efficient extension of services.

ZONING BY-LAW

Existing Zoning

The subject property is currently zoned "IPR" Inland Port Rural zone. This zone was established to protect lands for future industrial and commercial uses while allowing lawfully existing uses to continue until such time the lands are required for Inland Port related development.

Proposed Zone

The application proposes to rezone the subject lands from "IPR" Inland Port Rural zone to "I2" Industrial General zone. Land uses within this zone are to be oriented towards industrial uses such as manufacturing, truck activity, warehousing and distribution. Streetscapes in this zone are comprised of utilitarian frontages, including loading docks, facilities for movement of large cargo trucks and service and delivery vehicles, and trees planted for shade.

Other zoning requirements

Development adjacent to existing residences:

- *Setback for new industrial building in "I2" Industrial General zone to residences: 200 ft.*
- *A parking area that is located within 20 ft. of a residential use or an open space zone must include a landscaped buffer located inside and along the perimeter the lot that meets the criteria outlined 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.*

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: *Proposed development must achieve at least five points from one or more of the sustainable development measures set out in the zoning by-law.*

Performance Standards: *Industrial uses must conform with the performance standards set out in the zoning by-law.*

Bulk Requirements: *If the rezoning application is approved, future development will be required to meet zoning requirements for the "I2" zone and will be subject to the Industrial Corridor or Active Transportation Street Overlays.*

CIRCULATION COMMENTS:

The application was circulated to agencies and government departments. The following provides a summary of requirements and comments received. (A full copy of comments received is attached to this report.)

Bell MTS: 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: No comments.

City of Winnipeg:

Transportation: Requests a copy of the Traffic Impact Study if one is prepared.

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.

Wastewater information for the applicant: Interceptor sewer upgrades within Winnipeg 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 of Winnipeg services are required.

Wastewater information 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 days in advance of the addition of any High Strength Discharger of Wastewater to the RM's wastewater system.

Manitoba Environment, Climate and Parks (Environmental Compliance and Enforcement): Any proposed commercial or industrial type facility may require the proponent to file a proposal for a license under *The Environment Act*.

Council should be advised that the municipality will be required to prepare engineering data should the proposed subdivision result in alterations to the municipality's public sewerage and/or water system. If the subdivision will result in the construction of a new water or sewer system, regulatory approval may be required.

Manitoba Environment, Climate and Parks (Water Stewardship): Requires a Site Map, Engineered Drainage Plan, Wetland Assessment Report and a License to Construct Water Control Works.

Manitoba Hydro and Centra Gas: The land owner 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.

Manitoba Natural Resources and Northern Development (Mineral Tenure and Regulatory Services): No concerns.

Manitoba Sport, Culture and Heritage (Heritage Resources): No concerns with the proposed project at this time. 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.

Manitoba Transportation and Infrastructure (Highway Design): Based on all available information, Manitoba Transportation and Infrastructure objects to this subdivision and zoning by-law amendment. There are current future plans for the extension of PTH 6 and Chief Peguis Trail/CentrePort Canada Way at this location. A substantial amount of right-of-way will be required.

Manitoba Transportation and Infrastructure (Hydrologic Forecasting and Water Management): East Branch Colony Creek, which runs along the western boundary of the property is designated provincial water infrastructure and is therefore subject to Section 15.2(1) of *The Water Resources Administration Act*. A Provincial Water Infrastructure Permit must be obtained prior to the commencement of any construction or activity along provincial water infrastructure.

We recommend that all new permanent structures are confined to lands which are a minimum of 1.5 metres (5 feet) above the ordinary high water level of any nearby waterbody and set back a minimum distance of 30.5 metres (100 feet) from the present high water level of any nearby waterbody.

A land drainage plan, to be approved by MTI, should be added as a condition of approval. Drainage capacity on East Branch Colony Creek is a particular issue in this area.

Rural Municipality of Rosser: The Rural Municipality of Rosser supports the noted rezoning and subdivision applications for Eretz Farms Ltd. The municipality requires that a development agreement be entered into. See full comment for information regarding wastewater and land drainage.

Teranet (Land Titles): A plan of subdivision is required.

No comments were received from: CN Rail; CP Rail; Manitoba Agriculture; Office of the Fire Commissioner; Rosser Fire Department; Rural Municipality of Rosser and Winnipeg Airports Authority.

ADDITIONAL CORRESPONDENCE:

On October 13, 2023, M. Richard & Associates Ltd. (the applicant) submitted a letter to Community Planning requesting additional information from Manitoba Transportation and Infrastructure (MTI). The applicant expressed concern with the comments provided by MTI and felt they have not sufficiently addressed the specific lands that will be required for future critical infrastructure projects. M. Richard & Associates Ltd.'s letter further stated that these lands are in demand and are ready to be developed. See full letter attached to this report.

COMMUNITY PLANNING COMMENTS AND RECOMMENDATION:

The objective of policies within the Development Plan is 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 proposed rezoning and subdivision do not conform to the Development Plan's objective.

The Inland Port Special Planning Area's Development Plan establishes the existing and planned road network for the plan area in Map 1 (pg. 23) and transportation corridors in Map 2 (p. 24). Detailed versions of these maps are attached to this report (Map A – Development Plan Transportation Network and Map B – Development Plan Street Overlays).

This proposal conflicts with the Development Plan policies related to roads and transportation. Section 3.1.2.3 states that development of the transportation network must be implemented in accordance with the transportation network established in Map 1 in the Appendix of the Development Plan. Section 3.2.2.2 states that intersections within the external road network must be generally located as illustrated in Map 1 in the Appendix of the Development Plan. According to Map 1 in the Development Plan, an expressway intersection connecting CentrePort Canada Way and Chief Peguis Trail is planned on the lands that are the subject of this rezoning and subdivision proposal.

Section 3.3.2.1.1 states that CentrePort Canada Way shall be continued to the north to connect to a future Chief Peguis Trail extension as an expressway as shown on Maps 1 and 2 in the Appendix of the Development Plan. Exact routing will be determined in a future detailed highway planning and design process but should reduce the impact on Little Mountain Park and existing development. Both the CentrePort Canada Way/Chief Peguis Trail extension and the extension to PTH 6 cross and meet on the lands that are being proposed for rezoning and subdivision. This configuration, along with a planned extension to PTH 6, is shown on Maps 1 and 2 in the Development Plan Appendix.

Manitoba Transportation and Infrastructure (MTI) has objected to the rezoning and subdivision of these lands at this time, stating that there are future plans for the extension of PTH 6 and Chief Peguis Trail/CentrePort Canada Way at this location.

Community Planning recommends the proposals to rezone and subdivide these lands be rejected for the following reasons:

- The proposed rezoning and subdivision conflict with the Development Plan, as demonstrated above.
- MTI has submitted an objection to the rezoning and subdivision of these lands.

If the Board decides to recommend approving the application to amend the zoning by-law, the recommendation should be subject to the following requirements and conditions:

Rezoning Conditions of Approval

1. Submit written confirmation that a Development Agreement be entered into with the Rural Municipality 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. **Contact:** Larry Wandowich, Chief Administrative Officer, Rural Municipality of Rosser: cao@rmofrosser.com.

If the Board decides to recommend approving the application to subdivide, the recommendation should be subject to the following requirements and conditions:

Subdivision Conditions of Approval

1. Submit written confirmation that a Development Agreement with the Rural Municipality of Rosser has been entered into or updated. **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 is 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.ProuinceofManitoba.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 a drainage plan has been provided and any items identified have been addressed appropriately. **Contact:** regionalplanning@winnipeg.ca.
8. Submit written confirmation from the Winnipeg Airport 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.*
9. 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 and any inquiries to HCSC@hydro.mb.ca.*
10. 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:** neteng.control@bellmts.ca.
11. Submit written confirmation that a right-of-way agreement has been entered into with Shaw Communications 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:** *Rod Caners at projectmanagermanitoba@sjrb.ca.*
12. That the subject lands be rezoned from "IPR" Inland Port Rural zone to "I2" Industrial General zone.

Holly Ervick-Knote
Planner

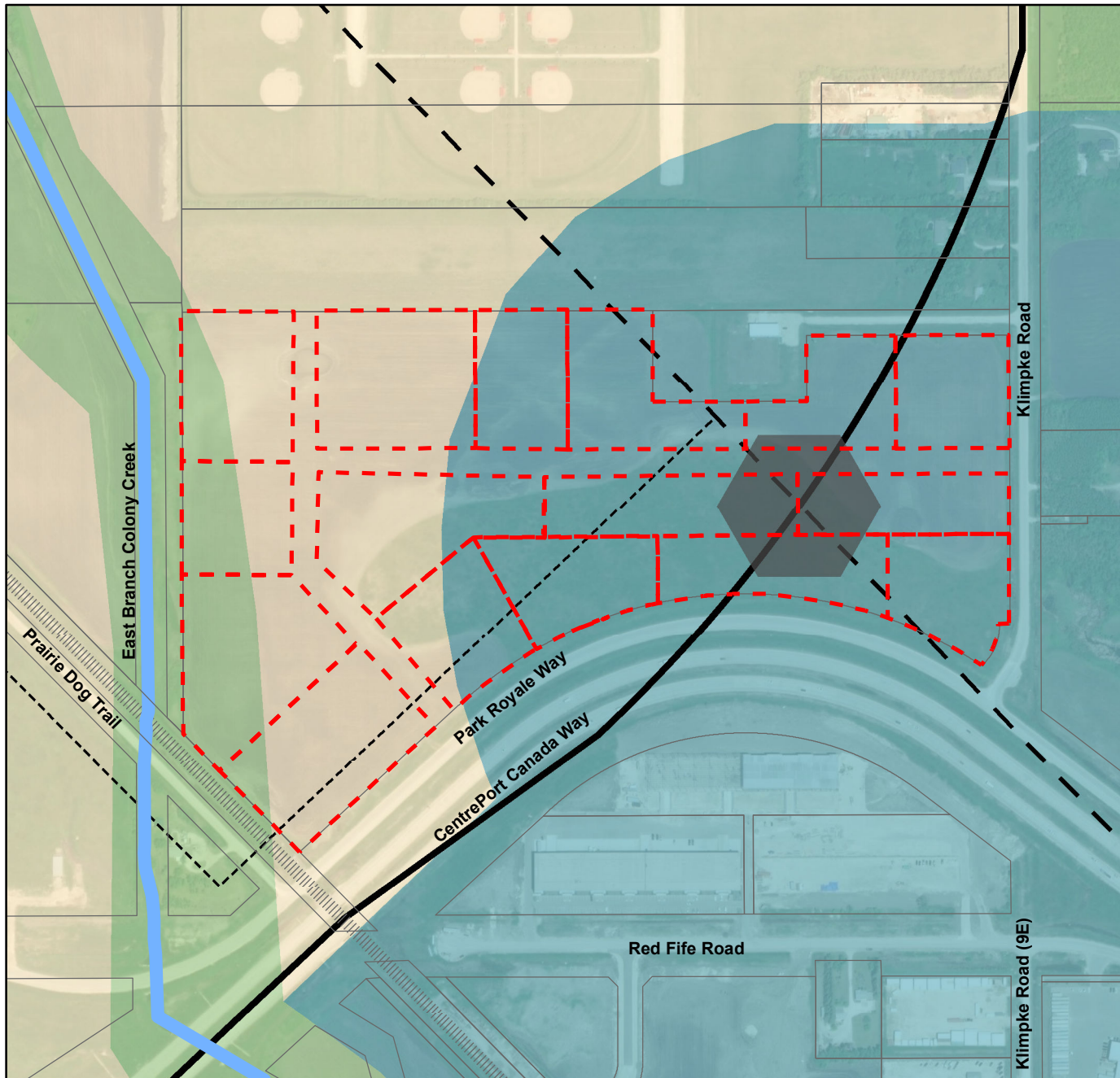
c.: M. Richard & Associates (Ryan Fox)

Attachments:

- Full comments
- Map A – Development Plan Transportation Network
- Map B – Development Plan Street Overlays
- M. Richard & Associates Ltd. Letter to IPSPA Planner – Oct. 12, 2023

Map A - Development Plan Transportation Network

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Development Plan

Transportation Network

- Expressway
- Arterial Roads
- Collector Streets
- Existing Rail Lines

- Expressway Intersection

Development Plan Designation

- Service-Oriented Industrial
- Manufacturing & Logistics
- Open Space

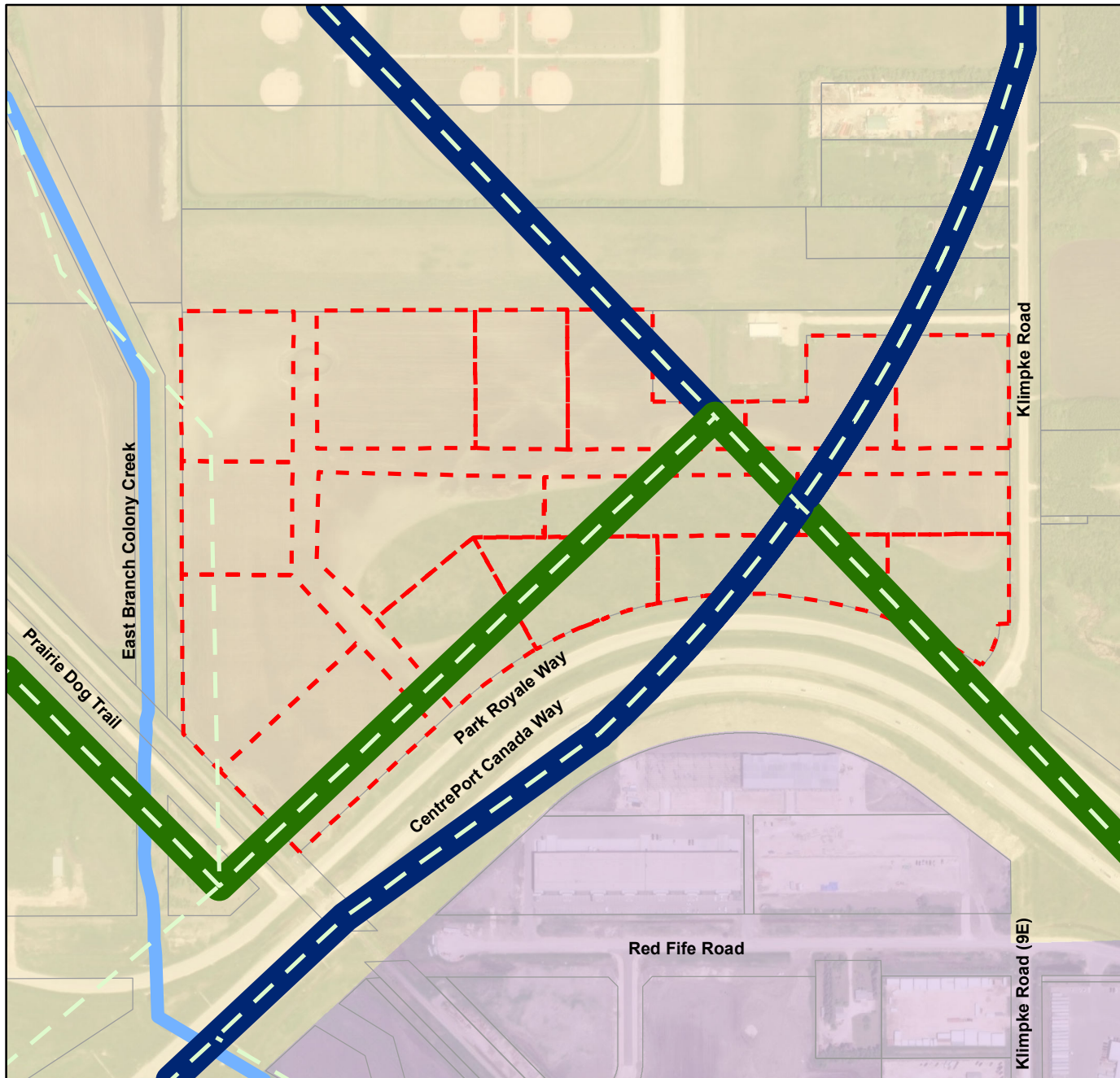
Other Features

- Proposed Subdivision
- Rail Line
- Water Course/Drain
- Assessment Parcels



Map B - Development Plan Street Overlays

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Inland Port Special Planning Area Regulation

Development Plan Street Overlays

- Active Transportation Corridor
- Industrial Corridor
- Active Transportation Network

Zoning District

- "IPR" CentrePort Rural Zone
- "I2" Industrial General Zone

Other Features

- Proposed Subdivision
- Rail Line
- Water Course/Drain
- Assessment Parcels





Transportation and Infrastructure

Technical Services and Operations Division
Highway Design Branch – Roadside Development Section
1420-215 Garry Street, Winnipeg, Manitoba, Canada R3C 3P3
T 204-794-2733 F 204-945-0593
e-mail: Karen.Toews@gov.mb.ca

October 4, 2023

PD 190.10Ex
PD 40.10 Ex

Holly Ervick-Knote, Planner
Inland Port Special Planning Authority
Department of Municipal Relations
604 – 800 Portage Avenue
Winnipeg, MB R3G 0N4
Phone: 204-945-2146
E-mail: inlandportspa@gov.mb.ca

Dear Holly:

**Inland Port Special Planning Area Subdivision File 4172-23-8304 - REVISED
Inland Port Special Planning Area (IPSPA) ZBL Amendment 2-23
SE 28-11-2E
Owner: Patricia Steele and Eretz Farms Ltd
Re-Zoning from Inland Port Rural Zone to “I2” Industrial General Zone**

In response to your e-mail dated July 11, 2023, we have reviewed the above noted proposed subdivision and RM of Rosser ZBL amendment. The intent is to create a 16 lot industrial development along with a new public road and to re-zone the subject property from Inland Port Rural Zone to “I2” Industrial General Zone. The new public road is proposed to connect onto Klimpke Road and Park Royale Way.

Based on all available information, we object to this subdivision and Zoning By-Law amendment. There are current future plans for the extension of PTH 6 and Chief Peguis Trail/CentrePort Canada Way at this location. A substantial amount of right-of-way will be required.

Please note the following statutory requirements affecting PTH 190.

Statutory Requirements:

Under *The Transportation Infrastructure Act*, a permit is required from Manitoba Transportation and Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Transportation and Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within the **38.1 m** (125 ft) controlled area from the edge of PTH 190 right-of-way.

In addition, a permit is required from the Manitoba Transportation and Infrastructure for any planting placed within **15 m** (50 ft) from the edge of the right-of-way of this highway

Please contact us if you have any questions or concerns regarding our comments.

Yours truly,

Original signed and e-mailed October 4, 2023

Karen Toews
Manager, Roadside Development

Copy: Capital Region; R. Coleman

JD/kt

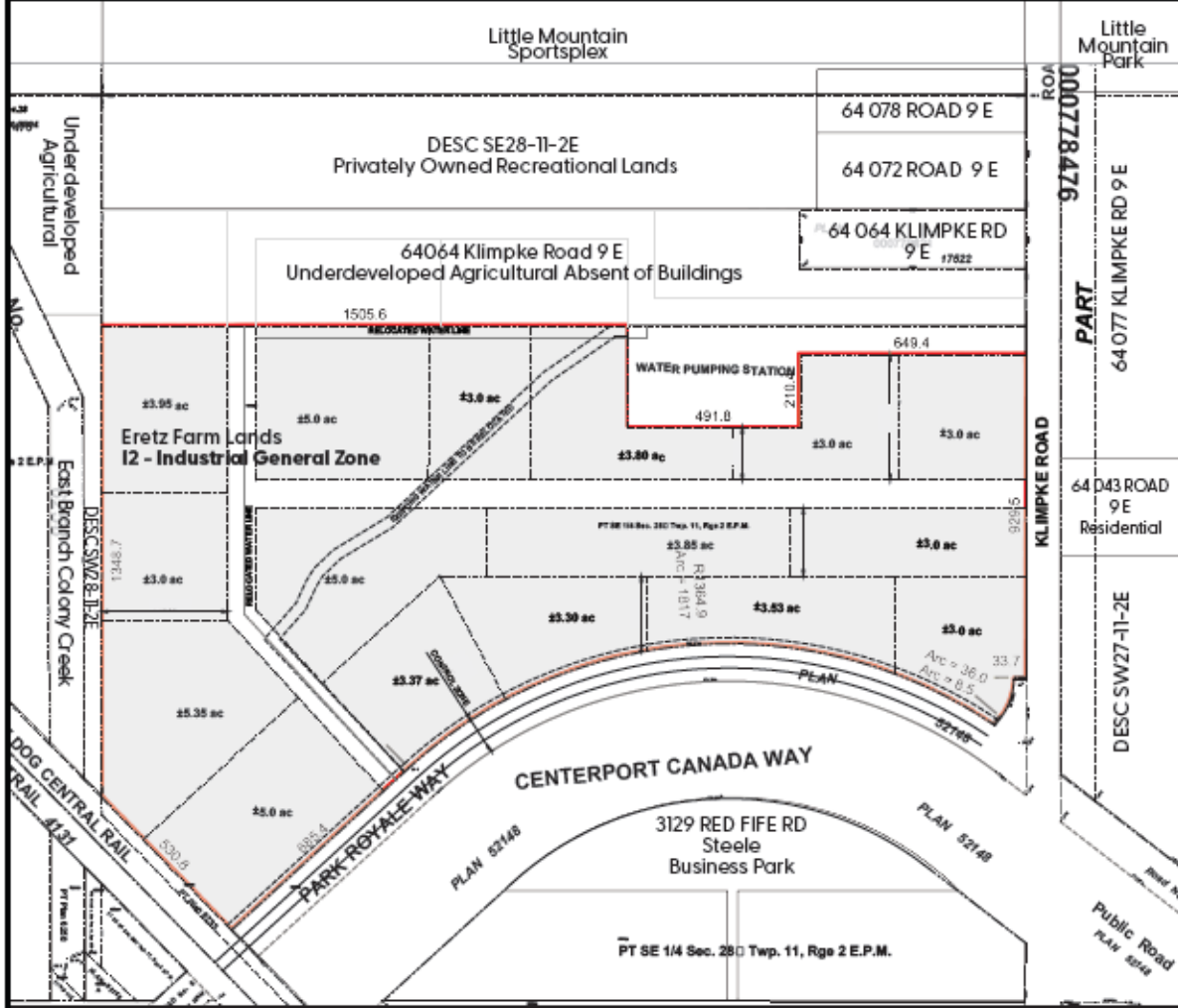
Rural Municipality of Rosser - Schedule B - Proposed Subdivision and Rezoning

File No. TBD

Inland Port Special Planning Area



Explanation
 Map showing the location of the subject site and requests an amendment to Inland Port Special Planning Area Zoning By-law [48/2016] proposing the rezoning from IPR - Inland Port Rural Zone to I2 - Industrial General Zone and subdivide the one (1) lot to 16 new lots.



LEGEND
 Location of Subject Site

LEGAL DESCRIPTION
 THE SE 1/4 OF SECTION 28-T1-2 EPM
 EXC FIRSTLY: THE NLY 660 FEET
 SECONDLY: PLANS 57305 WLTO AND 67505 WLTO
 THIRDLY: ALL THAT PORTION WHICH LIES SOUTHWEST OF THE NORTHEASTERN LIMIT OF THE RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY, PLAN 6733 WLTO
 FOURTHLY: ROAD PLAN 9347 WLTO AND
 FIFTHLY: PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 PLAN 52148 WLTO

Site Information
 DESC SE28-T1-2E
 Roll: 86300
 Area: +/- 67.03 acres

M Richard & Associates Ltd.
 Scale: Metres
 Date: 04/12/2023



SUBDIVISION APPLICATION MAP
 OF PART OF
 SE 1/4 Sec. 28, Twp. 11, Rge. 2 E.P.M.
 R.M. OF ROSSER, MANITOBA

CERTIFICATE OF TITLE
 90069871 (REAPPROPRIATE) MAY 3, 2023

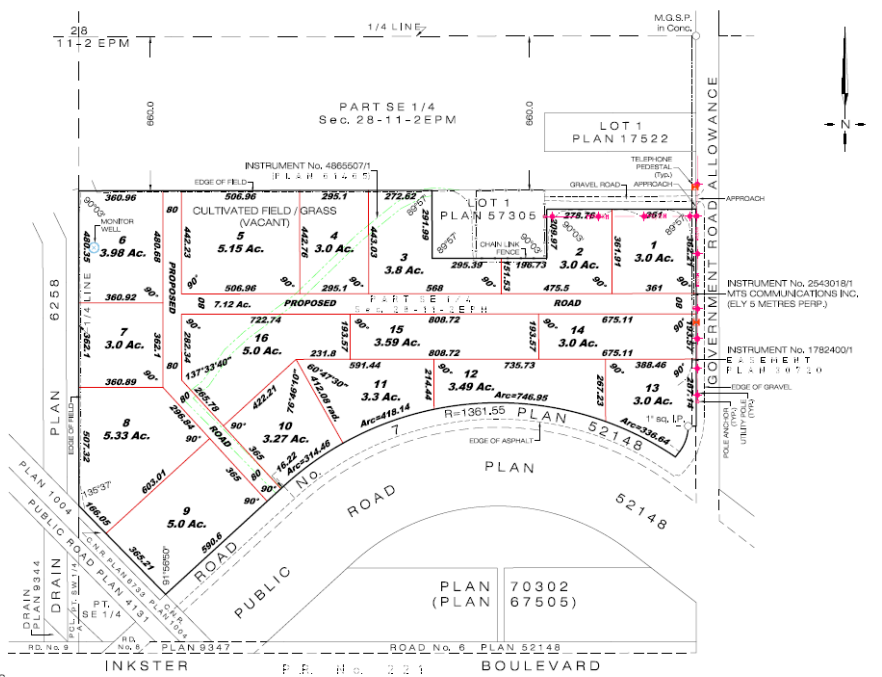
REGISTERED OWNER
 BRETZ FARMS LTD.

LEGAL DESCRIPTION:

THE SE 1/4 OF SECTION 28-11-2 EPM
 EXC. HEREIN, THE ONLY 650 FEET
 SECONDLY, PLANS 57305 W/TO AND 57306 W/TO
 THIRDLY, ALL THAT PORTION WHICH LIES SOUTH-WEST OF THE NORTHEASTERN
 LIMIT OF THE RIGHT OF WAY OF THE CANADIAN NATIONAL RAILWAY,
 PLAN 5733 W/TO,
 FOURTHLY, ROAD PLAN 5047 W/TO AND
 FIFTHLY, PUBLIC ROAD, ROAD NO. 6 AND ROAD NO. 7 (PLAN 52148 W/TO)

ENCUMBRANCES:

INSTRUMENT No. 70302/01, 17824001, 284301/01, 48655071 AND 50339731.



PREPARED BY:
 JESSE P. S. CARELS, M.L.S.
 MAY 3, 2023

Our File: 2023.0349
 Acad dwg: 23-0349 sketch-app
 Field Book: 1493-100/101 BD
 Drafter: Stu

NOTE:
 THIS MAP HAS BEEN PREPARED
 FOR SUBDIVISION APPLICATION
 PURPOSES ONLY.
 THIS IS NOT A FINAL SURVEY.

SKETCH - all distances are in feet and decimals of a foot.
 This survey was made on the 1st day of May, 2023.

From: Allan, Evan <EAllan@winnipeg.ca>
Sent: August 1, 2023 9:26 AM
To: +WPG139 - Inland Port Special Planning Authority
Cc: PPD-RegionalPlanning
Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Hi Holly,

The City of Winnipeg has the following comments related to the development application - Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304):

Transportation

- If a transportation impact study (TIS) is completed for this proposed development, the City requests a copy of the TIS is shared with the Public Works Department so that the City's modelling and Transportation Master Plans can be updated and this information can be incorporated. If a TIS is not required for this proposed development, the City suggests a TIS is completed for subsequent development proposals. The City's interest is the future projected traffic volumes on Inkster Boulevard and Brookside Boulevard within City limits and other City streets which may be affected.

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.
 - This area drains to the Omand's Creek.
 - To determine a reasonable pre-development flow from the area, use the equation $Q = 35 A^{0.678}$ (where Q – Peak flow – cfs / A – Area – Sq. miles), which is based on the study of "Small Rural Watersheds" done by N.J. Harden in May 1983, or equivalent method.

Wastewater information for the applicant:

- Based on current information, the applicant is advised that interceptor sewer upgrades within Winnipeg are ultimately required to service the subject lands.
- Water and Waste (WWD) anticipates that a portion of the subject lands can develop given the City's current wastewater pipe capacity. However, full development may be delayed until adequate wastewater servicing is available.
- The applicant is advised that wastewater capacity at the North End Sewage Treatment Plant is limited. A lack of treatment system capacity may constrain full development of the subject lands until an upgraded treatment system is available.
- WWD further advises that:
 - the response to this proposal is based on a review of capacity and servicing considerations as of the date of the review. For a project that proceeds over an extended period, when the project progresses to further stages, it may experience a lack of servicing from existing City of Winnipeg infrastructure as others may use remaining capacity in the intervening time.
 - capacity in the wastewater system is not reserved for the current proposal.
 - once capacity of the wastewater system is reached, proposals to discharge additional wastewater flow into the City's wastewater system will be rejected.

Wastewater comments 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.
- WWD requests that a Designated Officer of the Rural Municipality of Rosser (RM) 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 Discharger of Wastewater to the RM’s wastewater system.
 - A “High Strength Discharger of Wastewater” means an owner which produces, or is expected to produce, wastewater that exceeds limits set out in Schedule B of the RM’s sewer by-law.
- Further to the interceptor sewer upgrades referenced above, cost sharing discussions are planned as wastewater analysis and/or design proceed.

Regards,
Evan



Regional Planning
Planning, Property and Development
City of Winnipeg

Telephone: 204-986-2636

Email: RegionalPlanning@winnipeg.ca

Website: winnipeg.ca

Address: 15-30 Fort Street, Winnipeg, MB 4X5

Connect with us:



Confidentiality Notice: *The information contained in this message is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any use, dissemination, distribution, copying or disclosure of this message and attachments, in whole or in part, by anyone other than the intended recipient is strictly prohibited. If you have received this message in error, please notify the sender and permanently delete the complete message and any attachments. Thank you.*

Bell MTS, a division of Bell
Canada
PO Box 6666
3-191 Pioneer Avenue



Date: 25 July 2023

Inland Port Special Planning Area
604 – 800 Portage Avenue
Winnipeg MB R3J 0N4
inlandportspa@gov.mb.ca

File No.: 4172-23-8304

Attention: **Holly Ervick-Knote**

RE: Proposal to Amend the Zoning By-law and Subdivide
SE 1/4 28-11-2 EPM
Rural Municipality of Rosser
Applicant: Ryan Fox (M. Richard & Associates)
Registered Owner: Eretz Farms Ltd.

BellMTS will require easements and requests that as a condition of approval for this subdivision proposal, the landowner is required to enter into a Right-of-Way Agreement (“Agreement”) with BellMTS (“MTS”) for existing and/or future telecommunications facilities in connection with the subdivision for the **3.5M easement as shown below**. As a result of changes to The Real Property Act (Manitoba), BellMTS must ensure that its easement rights are registered against all relevant titles before further transfers of land take place; therefore, BellMTS requests that as a further condition of approval, the developer is required to register a statutory easement along with the Easement Plan, if required, in series immediately following the proposed subdivision plan, at the appropriate Land Titles Office.

If the subdivision is by legal description, in order to prepare the Agreement, BellMTS requires a copy of the legal description of the proposed lots/parcels to be conveyed, prepared by a lawyer or surveyor and approved by the Land Titles Office (as stated in the Letter of Conditional Approval).

If a Plan of Subdivision is required, the Manitoba Land Surveyor who is preparing the subdivision plan must forward a copy of the plan (pdf or hardcopy) to the attention of Garry Dyck (Garry.Dyck@bellmts.ca).

BellMTS will then review the print and reply to the surveyor with the BellMTS easement requirements. The surveyor can then prepare the Plan of Easement in accordance with The Real Property Act (Manitoba) and the Land Titles Office regulations. The Plan of Easement, if required, is prepared at the developer’s expense.

Any existing BellMTS services, easement agreements and/or caveats affecting the lands to be subdivided will be brought forward on the titles generated by the new plan of subdivision unless otherwise specified. If there are any existing facilities which require removal or relocation as a result of the subdivision, the costs will be at the expense of the developer.

The contact for proceeding with the Right-of-Way Agreement is

BellMTS
Property Acquisition Department
Attention: Mr. Cam Dryden, Survey Coordinator
P.O. Box 6666, BW100P
Winnipeg, MB R3C 3V6
Phone: 204-958-1768

Developer responsibilities (BellMTS Pre-Service Charges, BellMTS Buried Crossings, etc.) can be made available by calling the BellMTS Network Engineering Control Centre at 204-941-4369 or 1-866-756-7642.

Should you require further information, please contact BellMTS Access Engineering at the numbers below.

Regards,

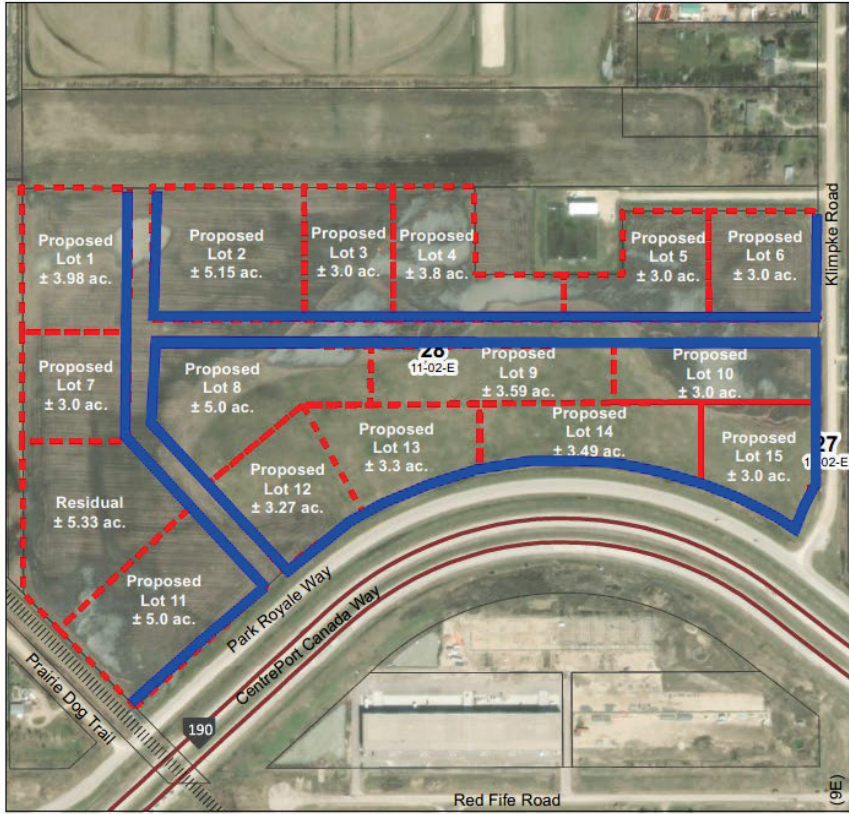
Grace Bushi

BellMTS Access Provisioning
Tel: 204-958-1959
Email: Grace.Bushi@bellmts.ca

cc. Manitoba Hydro
cc. BellMTS

Proposed Subdivision (Photo Map 1)

RM of Rosser in Pt. SE ¼ of 28-11-2 EPM



Legend

- Proposed Subdivision
- 190 Provincial Trunk Highway
- CN Rail Line
- Assessment Parcels

3.5M Easement

File Number:

4172-23-8304

Applicant:

M. Richard & Associates

Notes:

- CT: 3092882
- Roll No: 86300
- Original Lot: ± 67.03 acres
- Proposed Lots (1-15): ± 3.0 to ± 5.15 acres
- Residual: ± 5.33 acres
- Proposed Road: ± 6.75 acres

Subject: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

From: AIELLO-WILKS, Cathy <cathy.aiello-wilks@canadapost.postescanada.ca>

Sent: July 18, 2023 9:47 AM

To: +WPG139 - Inland Port Special Planning Authority <inlandportspa@gov.mb.ca>; +WPG1166 - MIT Water Review <MITWaterReview@gov.mb.ca>; +WPG1195 - Mines BR <mines_br@gov.mb.ca>; +WPG574 - HRB Archaeology <HRB.archaeology@gov.mb.ca>; +WPG969 - Roadside Development <RoadsideDevelopment@gov.mb.ca>; acolatruglio@hydro.mb.ca; acurwain@waa.ca; admin@rmofrosser.com; Aimee Goyer <agoyer@centreport.ca>; cao@rmofrosser.com; clerk@rmofrosser.com; Coleman, Roberta <Roberta.Coleman@gov.mb.ca>; cyrus_njung@cpr.ca; CRAWFORD, Deborah <debbie.crawford@canadapost.postescanada.ca>; Eleonora.Difino@bellmts.ca; Erb, Michelle <Michelle.Erb@gov.mb.ca>; eric.shaw@sipd.ca; Hawryliuk, Yvonne <Yvonne.Hawryliuk@gov.mb.ca>; info@sipd.ca; mb.surveysplanning@teranet.ca; mpalmer@tstruck.ca; neteng.control@bellmts.ca; Pike, Robert <Robert.Pike@gov.mb.ca>; projectmanagermanitoba@sjrb.ca; proximity@cn.ca; regionalplanning@winnipeg.ca; rjfraser@hydro.mb.ca; Roberts, Dan <Dan.Roberts@gov.mb.ca>; subdivisioncirculars@hydro.mb.ca; tburgoyne@hydro.mb.ca; Toews, Karen <Karen.Toews@gov.mb.ca>; Wareham, Brett <Brett.Wareham@gov.mb.ca>; Carly Edmundson <cedmundson@centreport.ca>

Cc: McCleery, Erin <Erin.McCleery@gov.mb.ca>; SHYMKO, Paul <paul.shymko@canadapost.postescanada.ca>

Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Canada Post has no comments for said Subdivision File No. (4172-23-8304).

Thank you,
Cathy Aiello-Wilks
Delivery Planning Officer
Canada Post Corporation
1870 Wellington Ave
Winnipeg Mb
R3H 3H3
Cell # 204 333 7702

Subject: FOR YOUR REVIEW: IPSPA Minor Subdivision File No. (4172-23-8305) Circulation Package

From: David Epler <davidrepler@crwc.ca>

Sent: August 1, 2023 2:56 PM

To: Ervick-Knote, Holly <Holly.Ervick-Knote@gov.mb.ca>

Subject: Re: FOR YOUR REVIEW: IPSPA Minor Subdivision File No. (4172-23-8305) Circulation Package

Hi Holly,

The CRWC is close and in contact with the RM of Rosser regularly, so there should be no concerns of communication or information loss between the two of us. Plus, they would have knowledge and copies of what I have shared with you.

My recommendation though would be for the applicant/developer/engineer/contractor types to be in contact with us for accurate documents and information as this progresses.

Hope that makes sense and is manageable from your perspective.

Let me know if you have any other questions or concerns.

Thanks

Dave

David Epler
Lead Operator at Headingley WTP
Cartier Regional Water Coop
6000 Portage Ave.
Headingley MB
R4H 1E8
W-204-832-2555
C-204-981-0978
E-davidrepler@crwc.ca

From: Bridges, Sonja
Sent: July 21, 2023 4:54 PM
To: +WPG139 - Inland Port Special Planning Authority
Subject: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Environmental Compliance and Enforcement has reviewed File No. 4172-23-8304 and would like to make the following comments:

- Council should be advised that should the proposed subdivision result in alterations to the municipality's public sewerage and/or water system, the municipality will be required as per Sections 6 and 7 of Manitoba Regulation *P210-331/88R --Water Works, Sewerage and Sewage Disposal Regulation*, to prepare engineering data supporting the proposed sewer or water extension to obtain a public health certificate for the alteration. If the subdivision will result in the construction of a new water or sewer system, regulatory approval may be required. Additional information is available online at the following link:
https://www.gov.mb.ca/sd/waste_management/wastewater/wastewater_collection/index.html
- Any proposed Commercial or Industrial type facility(s) may be subject to Manitoba Regulation 164/88 - *Classes of Development Regulation*, and where applicable, will require the proponent to file (in writing) a proposal for a license under the *Environment Act*. Additional information is available online at the following link:
https://www.gov.mb.ca/sd/permits_licenses_approvals/eal/licence/index.html

Regards,

Sonja Bridges,
Acting Regional Supervisor
Environment and Climate
Box 36, 14 Fultz Blvd
Winnipeg, MB R3Y 0L6
Phone: 204-918-4271
Fax: 204-948-2338
sonja.bridges@gov.mb.ca
Emergency Response Line: 204-944-4888 or toll free 1-855-944-4888 (Manitoba only)

***Move notice:** Our office has moved to a new location at Box 36, 14 Fultz Blvd, Winnipeg MB R3Y 0L6. Please update your address book. Our new office location will be open to public on March 20, 2023.*

Subject: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

From: Roberts, Dan <Dan.Roberts@gov.mb.ca>

Sent: July 13, 2023 7:51 AM

To: +WPG139 - Inland Port Special Planning Authority <inlandportspa@gov.mb.ca>

Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

The responsibility lies with the local government or planning district to ensure that all bylaws, zoning bylaws, development plans, and amendments thereof are in compliance with the Water Rights Act, the Water Rights Regulation, and the policies, procedures and requirements of the Drainage and Water Rights Licensing Branch. For more information, please follow the links below:

[The Water Rights Act](#)

[C.C.S.M. c. W80 \(gov.mb.ca\)](#)

[The Water Rights Regulation](#)

[Water Rights Regulation, M.R. 126/87 \(gov.mb.ca\)](#)

[The Drainage and Water Rights Licensing Branch](#)

[Environment, Climate and Parks | Province of Manitoba \(gov.mb.ca\)](#)

Sincerely,

Dan Roberts

Water Resource Officer

Environment and Climate

Water Stewardship Division

Drainage and Water Rights Licensing Branch

Drainage Section

Cell: (431) 336-1301

Subject: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Attachments: Landowner Consent Form.pdf; Wetland Compensation Notice Form.pdf

From: Roberts, Dan <Dan.Roberts@gov.mb.ca>

Sent: July 13, 2023 7:51 AM

To: +WPG139 - Inland Port Special Planning Authority <inlandportspa@gov.mb.ca>

Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

The Drainage and Water Rights Licensing Branch requires the following for this subdivision development proposal:

Requirements

1. Site Map.
2. Engineered Drainage Plan (Report and Design Drawings).
3. Wetland Assessment Report, including completion of the Wetland Compensation Notice Form (attached), and proof of compensation (if applicable).
4. Written authorization from the landowner where the works will outlet (private, municipality, Manitoba Transportation and Infrastructure (MTI), Lands Branch-Natural Resources and Northern Development), completed and signed – see attached Landowner Consent Form.
5. Apply for a License to Construct Water Control Works on our online portal: [Environment, Climate and Parks | Province of Manitoba \(gov.mb.ca\)](https://www.gov.mb.ca/environment/climate-parks/), and include the items listed in Requirements 1 through 4 with your application. *Note: Requirements that are not included with your application, or have not been fully met, will result in delays processing your application.*
6. When a license is issued by our Branch, supply a copy to the Approving Authority (Community and Regional Planning, or Planning District office) as written confirmation that our requirements have been met.

Definitions

Site Map:

A *Site Map* consists of a drawing depicting the location and full extent of the proposed development in relation to other features on the landscape, such as adjacent developments, subdivisions, roads, waterways, etc., overlaid on an aerial photograph. The *Site Map* shall be clearly labeled with the legal land description (Section, Township, and Range E/W), the municipality or local government where the development will be located, and a North Arrow.

Engineered Drainage Plan:

An *Engineered Drainage Plan* is a site development plan consisting of a Report and Design Drawings prepared and sealed by a professional engineer registered with *Engineers and Geoscientists Manitoba (EGM)*.

Report requirements

Hydraulic design calculations are to be provided for review using a design scenario that details how post-development storm water runoff rates of the subject property are to be equal to, or less than pre-development run-off rates subject to the following criteria:

- The site design must be able to handle a minimum of 1-in-25 year storm event. Water-ponding volumes should equal the difference between a one-in-five year allowable outflow, and a 1-in-25 year post-development flow hydrograph. The allowable outflow is the 1-in-5 year peak flow based on pre-development conditions. The ponding storage is typically accomplished through retention ponds, or internal storage via drains and drainage patterns.
- The storm duration for the design should be 3 hours.
- The report must clearly detail the pre-development catchment area runoff volumes and rate for the design event, and the post-development catchment area runoff volumes and rate for the design event.
- The volume of water to be stored and proposed outflow rate.

Design drawing requirements

Drawings (blueprints) delineating any construction, alteration, improvement, blocking or modification of new or existing drainage works servicing the property, including detailed design drawings of proposed storm water storage works. Drawings should include:

- Drain flow direction(s).
- Proposed/existing culvert sizes, locations, and schematics of any buried land drainage system.
- Typical cross-sections of proposed drains.
- Existing and proposed geodetic lot grade elevations (in metric).
- Public right-of-ways or easements.
- Outlet(s) of proposed drainage works (where water exits the development).
- *Design Drawings* are to be computer generated or professionally drafted to adequately depict the parameters and features of the development, clearly labeled with the legal land description (Section, Township, and Range E/W), and the municipality or local government where the development will be located.

Wetland Assessment Report:

A report prepared by a qualified wetland expert that delineates the location, extent, and Class of wetlands on properties slated for development. The information necessary for a comprehensive wetland assessment includes:

- Identification of aquatic plant species.
- Identification of soil types derived from direct observations of the soil profile, which may include the collection and analysis of soil samples.
- A historic aerial photo analysis of wetlands on the subject property.
- A map or maps illustrating the location, extent, area (delineated in acres), and Class of all wetlands within the proposed development area, overlaid on an aerial photograph.
- Photographs of each wetland, associated aquatic species, soils, and soil sample sites.
- Any other information deemed relevant to adequately assess wetlands within the proposed development area.

Wetland Compensation Notice Form:

This form is used to identify areas of Class 3, 4 and 5 wetlands on properties slated for development, such as the construction of a subdivision, and to provide proof of compensation for the loss of Class 3 wetlands.

Please follow the link below for more information:

[Water Rights Regulation, M.R. 126/87 \(gov.mb.ca\)](http://gov.mb.ca/water-rights-regulation/mr-126-87)

Wetland:

A *Wetland* is a marsh, bog, fen, swamp or ponded shallow water, including low areas of wet or water-logged soils that are periodically inundated by standing water that is able to support aquatic vegetation and biological activities adapted to the wet environment under normal conditions.

Wetland Classes:

Wetlands are divided into Classes using hydrologic, soil and vegetation criteria, as per Schedule C of the Water Rights Regulation. The specifics of each Class are outlined as follows:

Class 1: Ephemeral Wetlands

A wetland that usually holds surface water caused by melting snow, high water table or precipitation for one week or less during years with average moisture conditions. Class 1 wetlands frequently have low prairie species of vegetation such as Kentucky bluegrass, goldenrod and forbs.

Class 2: Temporary Wetlands

A wetland that usually holds surface water caused by melting snow, high water table or precipitation for a period between one week and one month during years with average moisture conditions. Water is frequently retained in a Class 2 wetland for long enough to enable the establishment of wetland vegetation. Class 2 wetlands frequently have wet meadow vegetation such as fine stemmed grasses, sedges and associated forbs.

Class 3: Seasonal Wetlands

A wetland that usually holds surface water caused by melting snow, high water table or precipitation for a period between one month and three months. Class 3 wetlands are often dry by mid-June in years with average moisture conditions. However, in years with above-average moisture conditions, Class 3 wetlands may hold water for the entire year. Water is frequently retained in a Class 3 wetland for long enough to enable the establishment of wetland vegetation and gleysolic soils. Class 3 wetlands frequently have shallow marsh vegetation, such as emergent wetland grasses, sedges and rushes.

Class 4: Semi-permanent Wetlands

A wetland that usually holds surface water caused by melting snow, high water table or precipitation for more than three months, but not on a permanent basis. Class 4 wetlands will hold some water in years with average to above-average moisture conditions but can go dry in years with below-average moisture conditions. Class 4 wetlands typically have gleysolic soils. Class 4 wetlands frequently have marsh vegetation or submerged aquatic vegetation such as cattails, bulrushes and pond weeds in the central area of the wetland.

Class 5: Permanent Wetlands

A wetland that holds surface water caused by melting snow, high water table or precipitation permanently in years with average moisture conditions. Class 5 wetlands may go dry in years with well below-average moisture conditions. Class 5 wetlands typically have gleysolic soils. Class 5

wetlands have permanent open water in the central area that is generally free of emergent vegetation. Submerged plants may be present in the deepest part of the wetland with emergent plants on the edges of the wetland.

Landowner Consent Form:

A form whereby a landowner (private, municipality, Manitoba Transportation and Infrastructure (MTI), Lands Branch-Natural Resources and Northern Development) provides written authorization to another party to construct water control works on their property, or outlet water onto their property.

Additional information

- The construction of the water control works shall be in accordance with the methods and materials specified by the engineer.
- If the development intends to direct water through provincial infrastructure (Provincial Trunk Highway, Provincial Road, or Provincial Drain (culverts or drains)), then different drainage standards may apply. Please contact Manitoba Transportation and Infrastructure (MTI) for details.
- Where the Drainage and Water Rights Licensing Branch determines it to be appropriate, we may direct the applicant to carry out an engineering analysis of hydrologic regime changes, potential physical impacts, and proposed mitigation measures.
- In cases where increased post development runoff cannot be accommodated within the development, the Engineered Drainage Plan must detail how the developer will mitigate negative downstream impacts from an increase in surface water flows. *Note: Mitigation may include upgrading existing drainage infrastructure, such as culverts and drainage channels downstream, to accommodate additional runoff.*
- A licensed Engineered Drainage Plan is required for the entire proposed subdivision, and prior to any of the lots therein being developed.
- Development of Class 6, 7, or unimproved organic soils cannot be authorized by the Drainage and Water Rights Licensing Branch.
- The required information for subdivision development proposals shall be prepared by a professional engineer registered with the *Association of Professional Engineers and Geologists of Manitoba (APEGM)*.

Sincerely,

Dan Roberts

Water Resource Officer

Environment and Climate
Water Stewardship Division
Drainage and Water Rights Licensing Branch
Drainage Section
Cell: (431) 336-1301

Subject: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

From: +WPG1195 - Mines BR <mines_br@gov.mb.ca>

Sent: July 26, 2023 2:48 PM

To: +WPG139 - Inland Port Special Planning Authority <inlandportspa@gov.mb.ca>

Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Hi Holly,

Mines Branch has no concerns

Tim Davis

GIS Specialist

Mining, Oil and Gas, EDIT

Tim.davis@gov.mb.ca

360-1395 Ellice Ave, Winnipeg, MB

(204) 945-6525

DATE: 2023-07-14

TO: Municipal Relations
Community Planning Branch
Room 604-800 Portage Avenue
Winnipeg, Manitoba
R3G 0N4

FROM: Archaeological Assessment Services Unit
Historic Resources Branch
Main Floor – 213 Notre Dame Avenue
Winnipeg, MB
R3B 1N3
T: (204) 945-2118 F: (204) 948-2384
e: HRB.archaeology@gov.mb.ca

**SUBJECT: File Nos. 13-2-172-2023-0002 (Zoning By-law Amendment By-law 2-23)
4172-23-8304 (Subdivision)
AAS-23-20713
Proposal to Amend the Zoning By-law and Subdivide SE ¼ 28-11-2 EPM
Rural Municipality of Rosser**

No Concerns at this Time

Further to your e-mail regarding the above noted application, the Manitoba Historic Resources Branch (HRB) has examined the location in conjunction with Branch records for areas of potential concern. 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, therefore, the HRB has no concerns with the proposed project at this time. This evaluation is only appropriate for this respective request.

Legislation

Under Section 46 and 51 of the Heritage Resources Act (the Act), if at any time, heritage resources are encountered in association with these lands during testing and development, there is an obligation to report any heritage resources and a prohibition on destruction, damage or alteration of said resources. HRB may require that an acceptable heritage resource management strategy be implemented by the proponent/developer to mitigate the effects of their activity on the heritage resources. A copy of this legislation can be found at this address:

- <https://web2.gov.mb.ca/laws/statutes/ccsm/h039-1e.php>.

If you have any questions, please contact as above for proper assignment and queueing.

Historic Resources Branch
Archaeological Assessment Services Unit

Attachment: Heritage Resource Protection Plan (HRPP)

From: SM-Subdivision Circulars <SubdivisionCirculars@hydro.mb.ca>
Sent: July 31, 2023 12:11 PM
To: +WPG139 - Inland Port Special Planning Authority; michelle@mrichard.ca
Cc: PROPERTY ACQUISITION; pksteele@mymts.net
Subject: 4172-23-8304 - Eretz Farms Ltd. - E-mail to Planning - Hydro File 2023-1835



The Manitoba Hydro-Electric Board – Centra Gas Manitoba Inc.

RE: Application(s)

Please be advised of the following Manitoba Hydro/Centra Gas conditions on file **4172-23-8304**:

1. **Easements required**—Manitoba Hydro and Centra Gas Manitoba Inc. will require easements.
 - a.

Manitoba Hydro and Centra Gas will require the land owner to enter into a Statutory Easement Agreement(s) and a Grant of Right of Use Agreement(s) (“Agreements”) with Manitoba Hydro and Centra Gas regarding existing and/or future facilities associated with the subdivision as set out in the above noted application.

This registration requirement will need to be included as a condition on the final Certificate of Approval.

2. If this application is revised at any time it will be necessary for Manitoba Hydro/Centra Gas to review the file to determine if our easement requirements remain the same.
3. We have included the applicant—if the email address was not provided please provide this letter to them.

Directions for the Applicant

Should you receive Conditional Approval of the subdivision Manitoba Hydro needs the following to complete our condition:

1. Have the surveyor provide Manitoba Hydro/Centra Gas Manitoba Inc. with a pdf copy of the Subdivision Plan.
 - a. **Timelines can be reduced should the surveyor provide a CAD file (georeferenced preferred)**
 - b. Upon receiving the pdf or CAD file of the Subdivision Plan we will review and provide our easement requirements to your surveyor to prepare a Plan of Easement. (Unless otherwise informed by Manitoba Hydro)
 - c. Promptly provide any layout changes. (Including changes requested by Land titles office)
2. Provide us with the name of the lawyer which will be taking care of registration of your subdivision.
 - a. Agreements will need to be signed by the land owners. The agreements and the plan of easement need to be sent in trust from our lawyer to the applicant’s lawyer to ensure they are signed and registered.

- b. Once signed at the lawyers office you will be provided with a release of conditions letter which can be given to the planning office.
3. Any removal or relocation of Manitoba Hydro and/or Centra Gas Manitoba Inc. existing facilities as a result of the proposed subdivision will be at the expense of the developer and/or customer.
4. Should you require further electrical or gas services please fill out online form on the [Manitoba Hydro](#) website.

The lawyer information, subdivision plan and any inquiries can be sent to HCSC@hydro.mb.ca.

***NEW* Subdivision Application Status Dashboard and Land Management Site**

View the status of your subdivision within Manitoba Hydro using our Subdivision Application Status Dashboard and [FAQ's](#) about the subdivision process on our new [Land Management Site](#). Instructions for how the Subdivision Application Status Dashboard works can be found [here](#). (Dashboard is best viewed on a desktop computer)

Thank you,

Subdivision Coordination Team, Property Department

Manitoba Hydro

12th Floor - 360 Portage Ave

Winnipeg MB

R3C 0G8 Canada

hydro.mb.ca



This communication is intended for the use of the named addressee(s), and may contain information that is private, confidential, and exempt from disclosure under law. If you have received this communication in error; please notify the sender immediately, delete this communication from all data storage devices and destroy all hard copies.

Subject: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

From: Teranet Manitoba - Surveys Planning <mb.surveysplanning@teranet.ca>

Sent: July 12, 2023 3:05 PM

To: +WPG139 - Inland Port Special Planning Authority <inlandportspa@gov.mb.ca>

Subject: RE: FOR YOUR REVIEW: IPSPA Rezoning (13-1-172-2023-0002) and Subdivision File No. (4172-23-8304) - Circulation Package

Hello,

A plan of subdivision as proposed SAM is required.

Thanks,

Laxmi Dhakal

Survey Examiner, Winnipeg Land Titles, Teranet Manitoba

500-200 Graham Ave, Winnipeg, MB R3C 4L5

Mailing Address: PO Box 70 Winnipeg Main, Winnipeg, MB R3C 2G1

Office: 1.844.737.5684 Ext. 1792

Laxmi.Dhakal@teranet.ca



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DATE: October 4, 2023

TO: Holly Ervick-Knote
Planner
Community Planning
Municipal Relations
604-800 Portage Avenue
Winnipeg MB R3G 0N4

FROM: Angela Howells
Senior Flood Protection Planning Officer
Water Management, Planning and Standards
Manitoba Transportation and Infrastructure
Second Floor, 280 Broadway
Winnipeg, MB R3C 0R8

**SUBJECT: Proposed Subdivision
SE ¼ 28-11-2 EPM
RM of Rosser
Registered Owner: Eretz Farms Ltd.
13-2-172-2023-0002 (Zoning By-law Amendment By-law 2-23)
4172-23-8304 (Subdivision)**

The applicant proposes to subdivide the present holdings of 67.03 acres into 16 new 3.0 to 5.33 acre industrial lots. East Branch Colony Creek runs along the western boundary of the property and is designated provincial water infrastructure.

The minimum criteria which Water Management, Planning and Standards is now utilizing in assessing the flood hazard is the 200 year flood or flood of record, whichever is greater. The 200 year flood level for this location is not known. We recommend that all new permanent structures are confined to lands which are a minimum of 1.5 metres (5 feet) above the ordinary high water level of any nearby waterbody and set back a minimum distance of 30.5 metres (100 feet) from the present high water level of any nearby waterbody as general precautionary measures against flooding and erosion.

A land drainage plan should be a condition of approval and this plan must be reviewed and approved by MTI as this subdivision should not be increasing flow into provincial water infrastructure. Drainage capacity on East Branch Colony Creek is a particular issue in this area.

East Branch Colony Creek is designated provincial water infrastructure located along the western border of this proposed subdivision. Designated provincial water infrastructure are subject to section 15.2(1) of the Water Resources Administration Act which states:

Unless the minister has issued a permit for the activity, a person must not do any of the following:

- a. construct, or otherwise place or establish, any works or structures on, over, under, through or across provincial water infrastructure;*
- b. place material on, or remove material from, provincial water infrastructure;*
- c. perform any activity on or near provincial water infrastructure, or use the provincial water infrastructure in a manner, that*

-
- i. *affects or has the potential to affect its structural integrity,*
 - ii. *degrades or has the potential to degrade its vegetation cover or any other covering material intended to limit erosion, or*
 - iii. *has the potential to impair its function.*

A Provincial Water Infrastructure Permit must be obtained prior to the commencement of any construction or activity along provincial water infrastructure.

Provincial Water Infrastructure Permits can be applied for at:
<https://forms.gov.mb.ca/pww/>

Access to any properties over provincial water infrastructure is not guaranteed. Property owners wanting access over the provincial water infrastructure must apply for a Provincial Water Infrastructure Permit, and works would be carried out at their own expense. The Province would not be liable for any costs associated with providing access to newly developed properties.

Original signed by

Angela Howells
Senior Flood Protection Planning Officer

Rural Municipality of Rosser

Reeve Ken Mulligan
Chief Administrative Officer
Larry Wandowich

www.rmofrosser.com



Box 131,
Rosser, Manitoba
R0H 1E0
Ph: 467-5711 Fax 467-5958
Email: info@rmofrosser.com

October 13, 2023

Holly Ervick-Knote
Planner, CentrePort
Inland Port Special Planning Area
Municipal Relations
Province of Manitoba

Eratz Farms Ltd Proposal to Rezone and Subdivide 13-2-172-2023-0002 & 4172-23-8304

The Rural Municipality of Rosser ("Rosser") supports the noted rezoning and subdivision applications for Eratz Farms Ltd.

As per the ongoing practice of the Inland Port Special Planning Area and Rosser, a development agreement should be entered into.

1. Regarding the City of Winnipeg ("City") comments on the proposed submission. Rosser submits:

Wastewater Information

Rosser and the City have a comprehensive and binding service sharing agreement ("Rosser/City Agreement" dated May 1, 2014) that governs the wastewater capacity and discharge from CentrePort lands in Rosser to the City. Rosser submits that the information provided by the City may be noted for information (as represented by the City), but should not be considered as conditions, as such conditions would interfere with the contractual obligations each party has regarding the Rosser/City Agreement. Rosser will fulfill its obligations pursuant to the Rosser/City Agreement.

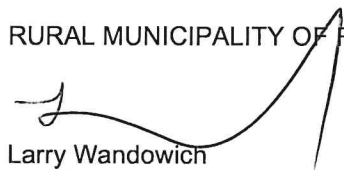
Land Drainage

Rosser will have their engineer determine the appropriate flow rate analysis under acceptable engineering standards. The City of Winnipeg Waste and Water department cannot have authority over the drainage planning and decision making on appropriateness within Rosser.

Rosser submits it would be inappropriate to provide the City's comments as conditions of approval, including the subjectivity of items identified as being addressed appropriately, as they are not developer issues. Rather they are intermunicipal issues that can be addressed between Rosser and the City.

Sincerely,

RURAL MUNICIPALITY OF ROSSER

A handwritten signature in black ink, appearing to read 'Larry Wandowich', is written over the printed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Larry Wandowich
Chief Administrative Officer

Atten: Holly Ervick-Knote
Inland Port Special Planning Authority
604-800 Portage Avenue,
Winnipeg, Manitoba, Canada R3G 0N4

October 12, 2023

Re: Proposal to Rezone and Subdivide, Part SE ¼ 28-11-2 EPM, Rural Municipality of Rosser

Dear Holly Ervick-Knote,

I am writing to formally request additional information from Manitoba Transportation and Infrastructure (MTI) in advance of the upcoming Public Hearing for the Eretz Farm rezoning and subdivision [file 13-2-172-2023-0002 (Zoning By-law Amendment)] [file 4172-23-8304 (Subdivision)], scheduled for October 18, 2023. If this information is forthcoming and there is a need for additional time, we are amenable to postponing the upcoming hearing.

Our primary concern pertains to the comments provided by MTI, which we find to be inadequate in terms of detail related to their proposed future expressway and interchange. As it stands, the comments from MTI have not sufficiently addressed the specifics of the land that will be needed for these critical infrastructure projects and if land is required, laying out the acquisition process.

For context, Manitoba Transportation and Infrastructure has expressed objections to the Eretz Farm subdivision and the associated zoning by-law amendment. Their objections are based on proposed plans for the extension of Provincial Trunk Highway 6 (PTH 6) and Chief Peguis Trail/CentrePort Canada Way in the vicinity of this location. MTI advises in their comments a need for a substantial right-of-way. However, their comments do not provide detail on their proposed requirements. As a result, we designed the subdivision in the absence of this information even though it was requested of them in the subdivision design process.

I would like to draw your attention to the Community Planning Report presented to the Inland Port Special Planning Authority on Wednesday, October 4, 2023. According to this report, the precise routing of the expressway and interchange is expected to be determined during a future detailed highway planning and design phase. It is emphasized that this design process should prioritize minimizing the impact on Little Mountain Park.

Regrettably, at this juncture, we are unable to propose a development plan that fully aligns with the transportation network depicted in Map 2 of the Appendix of the Development Plan without proper input from MTI. It isn't unreasonable to expect

M Richard
& Associates Ltd.

200 – 55 Donald St
Winnipeg, MB R3C 1L8
Ph: 204-202-7672 | info@mrichard.ca
www.mrichardassociates.ca

detail from MTI to inform the development plan for these lands.

To this point, these lands are designated for CentrePort development and they are in-demand. We would like to develop these lands and contribute to the local and provincial economy with jobs and investment.

In light of these concerns, we kindly request that the Inland Port Special Planning Authority liaise with Manitoba Transportation and Infrastructure to obtain the necessary information and clarity regarding the land requirements for the expressway and interchange projects, and the “substantial right-of-way” that will be required. We believe that such information is imperative for us to make informed decisions and proceed with our development plan in a manner that is in alignment with the broader infrastructure goals for the region.

We appreciate your attention to this matter. Please note that we are forwarding this communication through email and via registered mail. If you require any additional information or clarification from our end, please do not hesitate to contact us at your earliest convenience.

Thank you for your time and consideration.

Kind Regards,



Michelle Richard

M Richard & Associates Ltd.

Email: michelle@mrichard.ca

INLAND PORT SPECIAL PLANNING AUTHORITY

MINUTES OF PUBLIC HEARING

REZONING BY-LAW 2-23

SUBDIVISION NO. 4172-23-8304

October 18, 2023 at 6:00 pm

BOARD MEMBERS AND STAFF PRESENT
Angela Emms, Chair
Linda McFadyen, Board Member (virtual)
Kelvin Stewart, Board Member
James Platt, Board Member
Mike Teillet, Board Member
Holly Ervick-Knote, Planner

RECORD OF REPRESENTATION	IN SUPPORT	OBJECTING	FOR INFORMATION
Ryan Fox (M. Richard and Associates Ltd.)	X		
Michelle Richard (M. Richard and Associates Ltd.)	X		
Sean O’Neil (MMI)	X		
Lloyd Johnson (Chair, Little Mountain Conservancy Group)		X	
Tamara Bouknecht		X	

Chair Angela Emms called the public hearing to order at 6:06 pm, introduced the Board and explained the purpose and process of the hearing.

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

The following persons were in attendance and spoke:

Ryan Fox spoke on behalf of the application. Ryan described the lands surrounding the subject lands, including Little Mountain Park, the pump station, agricultural lands, Little Mountain Sports Plex, adjacent residential lots, Park Royale Way, CentrePort Canada Way, Steele Business Park, and rail. Discussed former quarry lands shown on map.

The applicant stated that the site is serviceable. The Cartier Regional Water Coop (CRWC) line cuts through the lands, which serves the region. The applicant has spoken to CRWC and they are willing to accommodate development on this land.

Michelle Richard spoke on behalf of the application next. Michelle stated that these lands are required for the inland port. They are in demand and developable. They were always intended to be rezoned and subdivided, it was just a question of timing. The applicant is seeking the Board's approval tonight.

The applicant also requested clarification on what Manitoba Transportation and Infrastructure (MTI) considered to be "substantial" [in reference to MTI's comment which stated that a substantial portion of the subject lands would be required for right of way for future road extensions]. The applicant further stated that without a clear understanding of which portion of the lands would be protected for highway extensions, the lands are essentially being sterilized.

MTI clarified that about 50% of the subject lands would be required for future road extensions when asked for clarification from the Board. However they specified that the lands would not be simply divided in half, and that several smaller fragmented parcels would result. Access for these parcels would need to be considered as well.

Sean O'Neil spoke on behalf of the application next and reiterated what had been stated by previous speakers on behalf of the application. Sean stated that they felt that the highest and best use of these lands is for future industrial development and are looking for approval or more information about transportation networks. Additionally, Sean stated that if there is an expectation that transportation improvements are imminent and the substantial portion of these lands are needed, they would want to understand the vehicle for provincial acquisition of the lands.

Kelvin Stewart (board member) inquired whether the applicant would be amenable to adjusting their application based on transportation upgrades if additional information was provided by MTI. Michelle Richard restated their request for additional information regarding protected lands.

Linda McFadyen (board member) asked MTI if there is a timeframe for further information to be available. MTI provided anticipated timelines, stating that the north perimeter functional study was anticipated to be completed by end of 2024. This will establish the location where PTH 6 connects to PTH 101 and then allow MTI to proceed with the next phase which would be to determine if and where PTH 6 will extend and connect to PTH 190. There are options for alternative routes but none that have been researched adequately at this time. The anticipated completion for a functional study of PTH 6 is end of 2025.

Angela Emms (Board Chair) inquired why MTI is restricting development on the entire lot when only portions of lots have been restricted from development to provide for the future Chief Peguis Trail Extension in the past. MTI clarified that in this case there is not only one road but two roads and an intersection. Additionally, in the area Angela is referring to, the ultimate plan for the Chief Peguis Trail extension has been established. The location and connection of Chief Peguis Trail and CentrePort Canada Way on the lands currently up for subdivision and rezoning has not been established.

Angela inquired about the expropriation process and stated that these are the next contiguous lands to be developed in CentrePort North. MTI clarified that the Department doesn't currently undertake advanced expropriation for future projects and that there is currently no timeline for expropriation of these lands.

Discussion regarding legislated control areas [from Right of Ways] and control circles followed.

Lloyd Johnson (Chair of Little Mountain Conservancy Group) spoke in opposition to the applications. Lloyd raised concerns about future development of these lands including traffic concerns to the north and east and stated that a traffic preparedness study needs to be done as many trucking companies are using double and triple trucks and share the road with smaller vehicles. The proposed subdivision will create more pressure on route 90. Lloyd also raised concerns about road conditions and the need for traffic lights at Farmer Road and Route 90, which City and Rosser have now set a timeline for.

Lloyd also proposed to use old Sturgeon Road to connect to the future Chief Peguis Trail extension, which would remove need for housing expropriation and allow green space to be maintained.

Tamara Bouknecht (daughter of adjacent landowners) spoke in opposition to the applications and to advocate on behalf of her parents and their homestead. They have lived there since 1966 and are in the centre of recreational hub (golf course, park, vintage locomotive). The proposed applications would significantly alter the character of the area from a recreation area to industrial. Tamara stated that current enforcement of traffic signage and speed limits is inadequate and that the roads are in bad condition. In addition Tamara raised concerns related to noise, light pollution, snowfall removal (clogging culverts and creating potential for flooding).

Tamara further pointed out that landowner does not live in the area. Tamara stated that highways are much preferable next to a recreation area to allow safe flow of traffic. Without improvement of infrastructure, allowing development here is dangerous.

The hearing was adjourned at 6:58 p.m.



Transportation and Infrastructure

Technical Services and Operations Division
Highway Design Branch – Roadside Development Section
1420-215 Garry Street, Winnipeg, Manitoba, Canada R3C 3P3
T 204-794-2733 F 204-945-0593
e-mail: Karen.Toews@gov.mb.ca

October 4, 2023

PD 190.10Ex
PD 40.10 Ex

Holly Ervick-Knote, Planner
Inland Port Special Planning Authority
Department of Municipal Relations
604 – 800 Portage Avenue
Winnipeg, MB R3G 0N4
Phone: 204-945-2146
E-mail: inlandportspa@gov.mb.ca

Dear Holly:

**Inland Port Special Planning Area Subdivision File 4172-23-8304 - REVISED
Inland Port Special Planning Area (IPSPA) ZBL Amendment 2-23
SE 28-11-2E
Owner: Patricia Steele and Eretz Farms Ltd
Re-Zoning from Inland Port Rural Zone to “I2” Industrial General Zone**

In response to your e-mail dated July 11, 2023, we have reviewed the above noted proposed subdivision and RM of Rosser ZBL amendment. The intent is to create a 16 lot industrial development along with a new public road and to re-zone the subject property from Inland Port Rural Zone to “I2” Industrial General Zone. The new public road is proposed to connect onto Klimpke Road and Park Royale Way.

Based on all available information, we object to this subdivision and Zoning By-Law amendment. There are current future plans for the extension of PTH 6 and Chief Peguis Trail/CentrePort Canada Way at this location. A substantial amount of right-of-way will be required.

Please note the following statutory requirements affecting PTH 190.

Statutory Requirements:

Under *The Transportation Infrastructure Act*, a permit is required from Manitoba Transportation and Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Transportation and Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within the **38.1 m** (125 ft) controlled area from the edge of PTH 190 right-of-way.

In addition, a permit is required from the Manitoba Transportation and Infrastructure for any planting placed within **15 m** (50 ft) from the edge of the right-of-way of this highway

Please contact us if you have any questions or concerns regarding our comments.

Yours truly,

Original signed and e-mailed October 4, 2023

Karen Toews
Manager, Roadside Development

Copy: Capital Region; R. Coleman

JD/kt

Rural Municipality of Rosser

Reeve Ken Mulligan
Chief Administrative Officer
Larry Wandowich

www.rmofrosser.com



Box 131,
Rosser, Manitoba
R0H 1E0
Ph: 467-5711 Fax 467-5958
Email: info@rmofrosser.com

October 13, 2023

Holly Ervick-Knote
Planner, CentrePort
Inland Port Special Planning Area
Municipal Relations
Province of Manitoba

Eratz Farms Ltd Proposal to Rezone and Subdivide 13-2-172-2023-0002 & 4172-23-8304

The Rural Municipality of Rosser ("Rosser") supports the noted rezoning and subdivision applications for Eratz Farms Ltd.

As per the ongoing practice of the Inland Port Special Planning Area and Rosser, a development agreement should be entered into.

1. Regarding the City of Winnipeg ("City") comments on the proposed submission. Rosser submits:

Wastewater Information

Rosser and the City have a comprehensive and binding service sharing agreement ("Rosser/City Agreement" dated May 1, 2014) that governs the wastewater capacity and discharge from CentrePort lands in Rosser to the City. Rosser submits that the information provided by the City may be noted for information (as represented by the City), but should not be considered as conditions, as such conditions would interfere with the contractual obligations each party has regarding the Rosser/City Agreement. Rosser will fulfill its obligations pursuant to the Rosser/City Agreement.

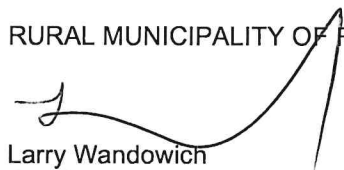
Land Drainage

Rosser will have their engineer determine the appropriate flow rate analysis under acceptable engineering standards. The City of Winnipeg Waste and Water department cannot have authority over the drainage planning and decision making on appropriateness within Rosser.

Rosser submits it would be inappropriate to provide the City's comments as conditions of approval, including the subjectivity of items identified as being addressed appropriately, as they are not developer issues. Rather they are intermunicipal issues that can be addressed between Rosser and the City.

Sincerely,

RURAL MUNICIPALITY OF ROSSER

A handwritten signature in black ink, appearing to read 'Larry Wandowich', is written over the printed name and title. The signature is fluid and cursive, with a long horizontal stroke that extends to the left and then curves upwards to the right.

Larry Wandowich
Chief Administrative Officer

INLAND PORT SPECIAL PLANNING AUTHORITY
Resolution of the Board
Tuesday, November 7, 2023

Moved by: Linda McFadyen

Seconded by: Angela Emms

WHEREAS with the permission of the owner, Eretz Farms Ltd., the applicant, Ryan Fox (M. Richard & Associates) has made an application to rezone and subdivide acres legally described as Part SE ¼ 28-11-2 EPM in the Rural Municipality of Rosser to allow for the establishment of new industrial lots.

AND WHEREAS the Board has reviewed the rezoning and subdivision applications, comments provided through the circulation process, the report and recommendation provided by the Planner including relevant development plan policies, and the applicant's presentation to the board.

AND WHEREAS in their circulation comments, the Rural Municipality of Rosser has expressed support for the rezoning and subdivision applications.

AND WHEREAS in their circulation comments, Manitoba Transportation and Infrastructure (MTI) has objected to the rezoning and subdivision of these lands at this time, stating that "a substantial amount of right-of-way will be required".

AND WHEREAS the board recognizes that development within the Inland Port Special Planning Area is a priority for the Rural Municipality of Rosser and the Government of Manitoba, and wants to encourage development to happen in a timely manner. The subject lands are serviceable and are the next contiguous lands to be developed in the plan area. The Board contends that restricting development on the entirety of the subject lands is not necessary in order to protect the lands needed for future infrastructure projects.

AND WHEREAS with their recommendation, the Board would like to encourage MTI to move forward undertake the necessary planning and design activities related to the transportation network within the Inland Port Special Planning Area, in order to ensure that future development is not delayed or prevented unnecessarily.

THEREFORE BE IT RESOLVED THAT the Inland Port Special Planning Authority recommends approval of this application to amend the zoning by-law, subject to the following conditions:

1. Submit written confirmation that a Development Agreement be entered into with the Rural Municipality 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. **Contact:** Larry Wandowich, Chief Administrative Officer, Rural Municipality of Rosser: cao@rmofrosser.com.

Carried



Angela Emms, Chair

Holly Ervick-Knote Digitally signed by Holly Ervick-Knote
Date: 2023.11.06 13:18:16 -05 00'

Holly Ervick-Knote, Planner

INLAND PORT SPECIAL PLANNING AUTHORITY

REPORT AND RECOMMENDATION

Recommendation Date: Tuesday, November 7, 2023

File No.: 13-2-172-2023-0002

MATTER: Zoning By-law Amendment

BY-LAW NO.: 2-23

HEARING DATE: October 18, 2023

PANEL: Angela Emms, Chair
Linda McFadyen, Board Member (virtual)
James Platt, Board Member
Kelvin Stewart, Board Member
Mike Teillet, Board Member

PARTIES AND APPEARANCES: *for the applicant*

Ryan Fox, M. Richard & Associates Ltd.
Michelle Richard, M. Richard & Associates Ltd.
Sean O'Neil, MMI

for the Community Planning Branch

Holly Ervick-Knote, Planner

public presenters

Lloyd Johnson – Chair, Little Mountain Conservancy Group
Tamara Bouknecht

ATTACHMENTS: Attachment 1 – Application
Attachment 2 – Community Planning Report to Board
Attachment 3 – Public Hearing Minutes
Attachment 4 – Manitoba Transportation and Infrastructure Objection
Attachment 5 – Rural Municipality of Rosser Written Submission
Attachment 6 – IPSPA Board Resolution – Rezoning

INTRODUCTION

On behalf of the owner, Eretz Farms Ltd., the applicant, M. Richard & Associates Ltd. has applied to rezone and subdivide ± 67.03 acres of land legally described as Part of SE ¼ 28-11-2 EPM in the Rural Municipality of Rosser. The subject lands are located to the north of CentrePort Canada Way/Park Royale Way and to the west of Klimpke Road.

The applicant proposes to rezone the parcel from "IPR" Inland Port Rural zone to "I2" Industrial General zone, to create fifteen new lots (plus residual) ranging in size from approximately 3.0 to approximately 5.33 acres in size, and create two new internal roads in order to accommodate new industrial development with accessibility for large-scale vehicles.

See *Attachment 1 – Application* for full details.

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

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

Ryan Fox, Michelle Richard and Sean O'Neil spoke in support of the application as the representatives of the owner.

Public attendees Lloyd Johnson (Chair, Little Mountain Conservancy Group) and Tamara Bouknecht (on behalf of her parents who live adjacent to the subject lands) spoke at the hearing in opposition to the proposal.

See *Attachment 2 – Community Planning Report to Board* for full detail on applicable policies and Community Planning's recommendation and *Attachment 3 – Public Hearing Minutes* for a summary of presentations.

CIRCULATION COMMENTS

The Community Planning branch circulated the applications for review and comment. Manitoba Transportation and Infrastructure objected to the proposed rezoning and subdivision. The Rural Municipality of Rosser expressed support for the proposals.

See Attachment 4 – Manitoba Transportation and Infrastructure Objection and Attachment 5 – Rural Municipality of Rosser Written Submission.

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 recognizes that development within the Inland Port Special Planning Area is a priority for the Rural Municipality of Rosser and the Government of Manitoba, and wants to encourage development to happen in a timely manner.

The Board understands that subject lands are serviceable and are the next contiguous lands to be developed in the plan area, and contends that restricting development on the entirety of the subject lands is not necessary in order to protect the lands needed for future infrastructure projects.

THEREFORE, THE BOARD RECOMMENDS

That the Minister of Municipal Relations accept the rezoning application. See Attachment 6 – IPSPA Board Resolution for full details.

Submitted by



Angela Emms
Chair, Inland Port Special Planning Authority

Attachments

- c.: Ryan Fox, M. Richard & Associates Ltd. (applicant)
- Lloyd Johnson, Little Mountain Conservancy Group
- Tamara Bouknecht

RM of Rosser Rezoning

Oct. 18th

400-330 Portage Ave.

6:00 PM

Hello, my name is Lloyd Johnson. I am the chair of the Little Mountain Park Conservancy Group Inc.

I am here to address our concerns for the future development of the area proposed in the 49/2016 rezoning that would affect Little Mountain Park and the adjoining properties to this committee.

Addressing these issues now, by this rezoning committee concerning the subdividing of the area before its adoption, will create a safer and less stressful environment for all the stakeholders in the area: the trucking firms, the sportsplex users, the animals who live in the Green Belt, and most of all, the citizens who care for and visit Little Mountain Park with their canines.

1-Traffic Concerns

The ongoing development to the north and east of Little Mountain Park has been troubling for quite a long period of time.

-Traffic Flow

The development of the area has not been well designed from a traffic flow perspective.

A traffic preparedness study needs to be done with regard to the amount of vehicles that use the area, or the types of vehicles used.

Many trucking firms are using double and triple trailers in the hauling of goods and materials and share these roads with small vehicles accessing Little Mountain Park and the Sportsplex.

As it stands now, Wheatfield Road is only one control access point that allows traffic to enter and exit the area safely.

The proposed subdivision will create more pressure on both the signal intersection at Jefferson/Farmer and Route 90 as well as the uncontrolled

intersection near Players Golf Course. This will be made even more congested by the proposed railyard area.

Is there a possibility of reopening the old Inkster Boulevard Highway westward to Highway 221 and out to the perimeter highway? This would help funnel traffic directly to the new Railyard staging area.

-Road conditions

The gravel condition of Klimpie Road does not support heavy truck and trailer traffic.

It nevertheless deteriorates with the increased volume as traffic looks to alternative directions of travel. With the increased traffic and noise volumes, there is also an increased risk to the native animal population. In addition, to the people who live in the affected area and those who use both the Sportsplex Recreation area and our park users and their dogs.

Despite reduced speed signs, Farmers Road is a drag strip at times, and drivers in the commercial complex disregard stop signs creating dangerous near misses.

-2-Lights at Farmers Road/Jefferson and Route 90 – Greg Blatz Corrflow 47688.

Due to our lobbying, the city in conjunction with the RM of Rosser in a cost-sharing effort has set a timeline for the installation of these lights to take place this month, in response to the many accidents and near misses at the intersection.

-3-Alternative Centre-port highway connection to Chief Peguis

My proposal is to use the current Sturgeon Road/Centre-port highway and PR. 221 Rosser Road intersection, as it exists in its current state to connect the to the proposed Chief Peguis Trail extension.

The proposed extension would follow the old Sturgeon Road footprint where it could then turn eastward and connect to the future Chief Peguis Road termination point located between Mollard Road and Jefferson, which is the plan.

By following this proposed route, the need for housing expropriation is removed. In addition, it takes future traffic away from the valuable

unreplaceable green space and recreation areas provided by the Little Mountain Sportsplex, Players Golf Course, and Little Mountain Park that are only available in the North West Corner of the City.

Thank you very much for your time.