



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.ProuvinceofManitoba.gov.mb.ca) for more information. **Contact:** Refer to the attachments sent with the report to Council for instructions to complete this requirement, or contact the Drainage and Water

Rights Licensing Branch: drainage@gov.mb.ca or 1-800-214-6497.

5. Submit written confirmation that the owner meets Canada Post's requirements including suitable locations for Community Mailboxes and concrete pad/sidewalk standards. **Contact:** *Cathy Aiello-Wilks at 1-204-333-7702 or by email at Cathy.Aiello-Wilks@canadapost.postescanada.ca.*
6. Submit written confirmation from the City of Winnipeg that a copy of the traffic study has been provided to them. **Contact:** regionalplanning@winnipeg.ca.
7. Submit written confirmation from the City of Winnipeg that 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

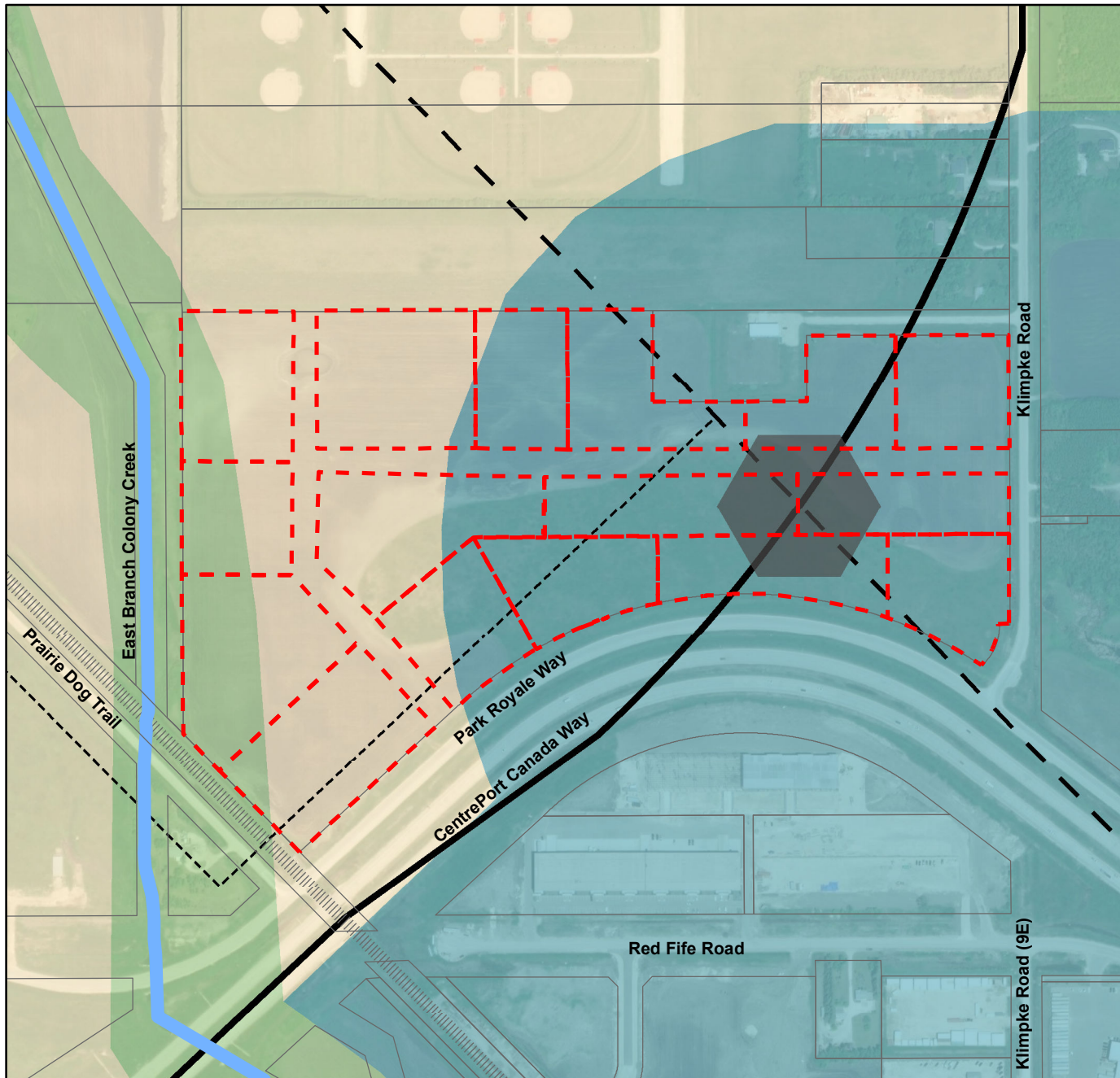
c.: M. Richard & Associates (Ryan Fox)

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

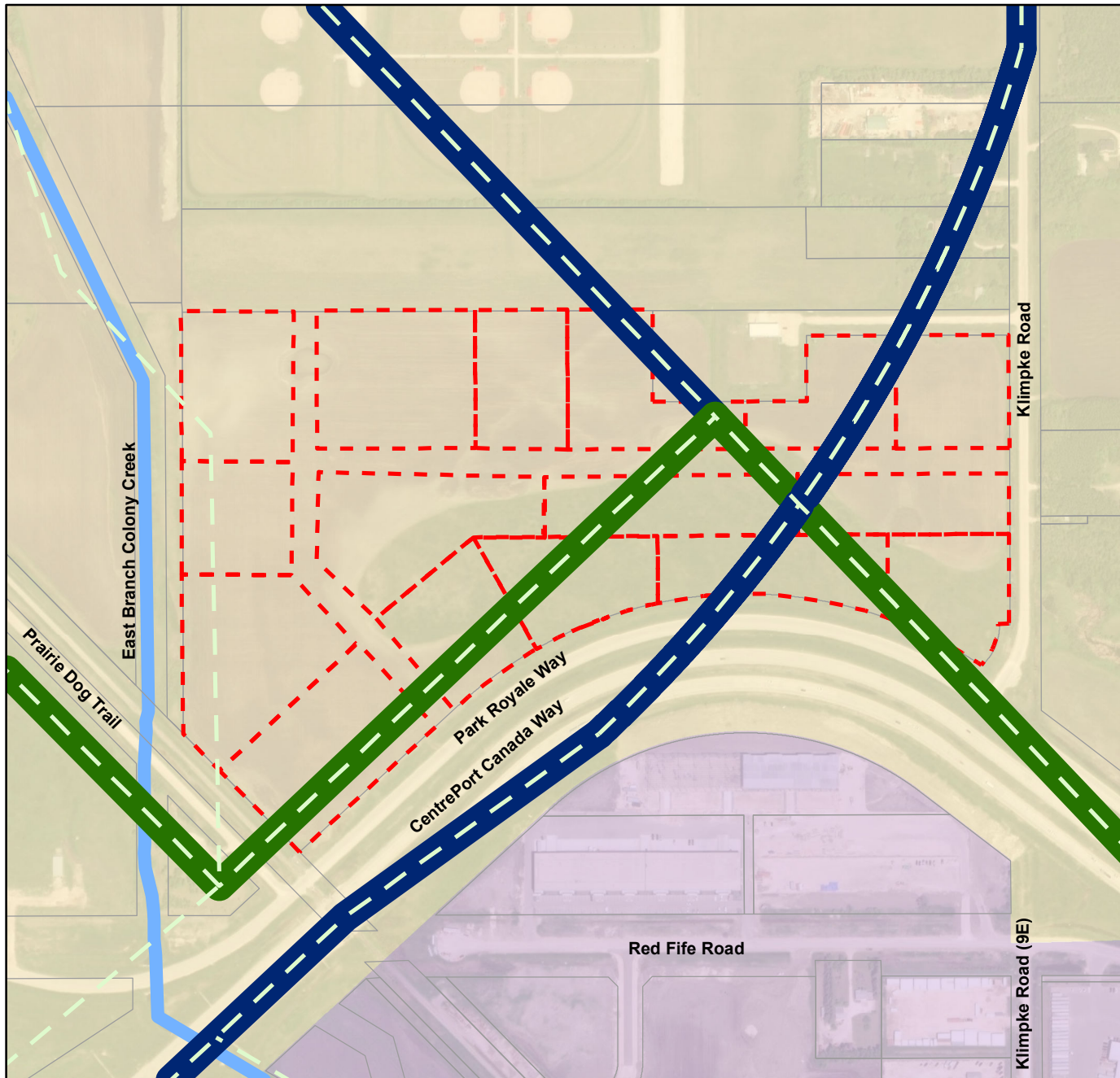
Other Features

- 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

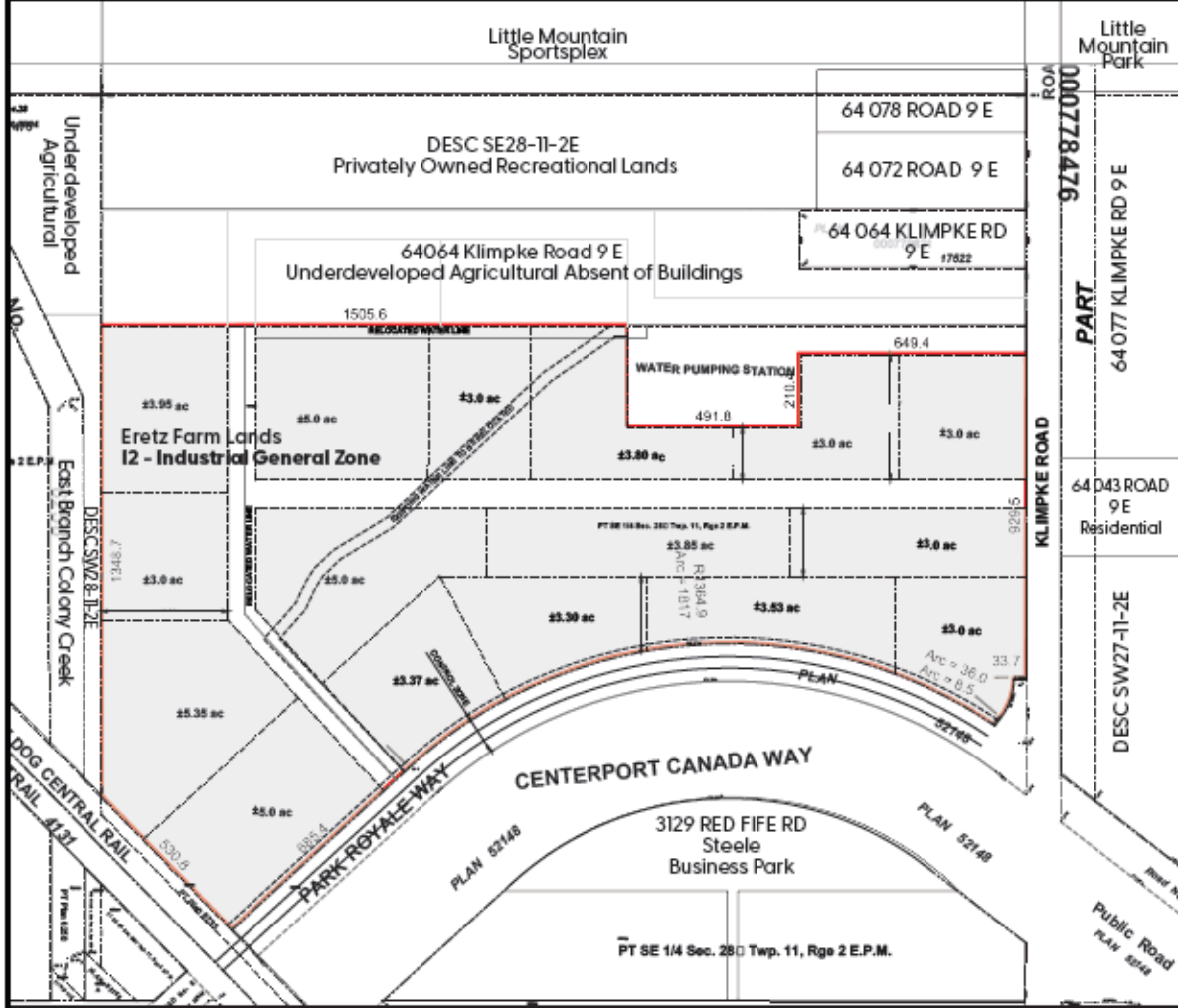
Rural Municipality of Rosser - Schedule B - Proposed Subdivision and Rezoning

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

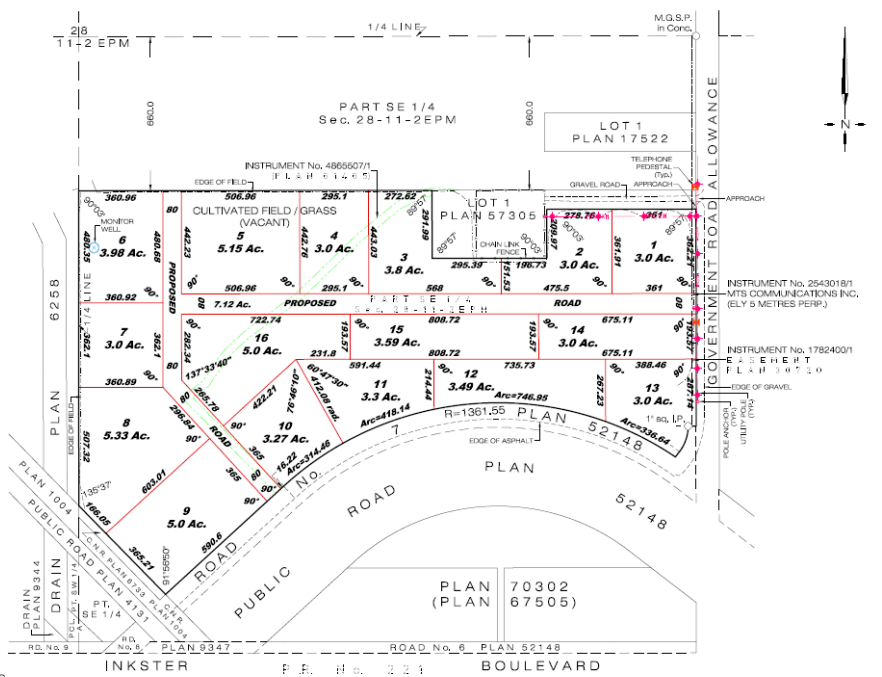
REGISTERED OWNER
 BRETZ FARMS LTD.

LEGAL DESCRIPTION:

THE SE 1/4 OF SECTION 28-11-2 EPM
 EXC. HEREIN, THE ONLY 650 FEET
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 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, 1782400/1, 284301/01, 4865507/1 AND 5033973/1.



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,

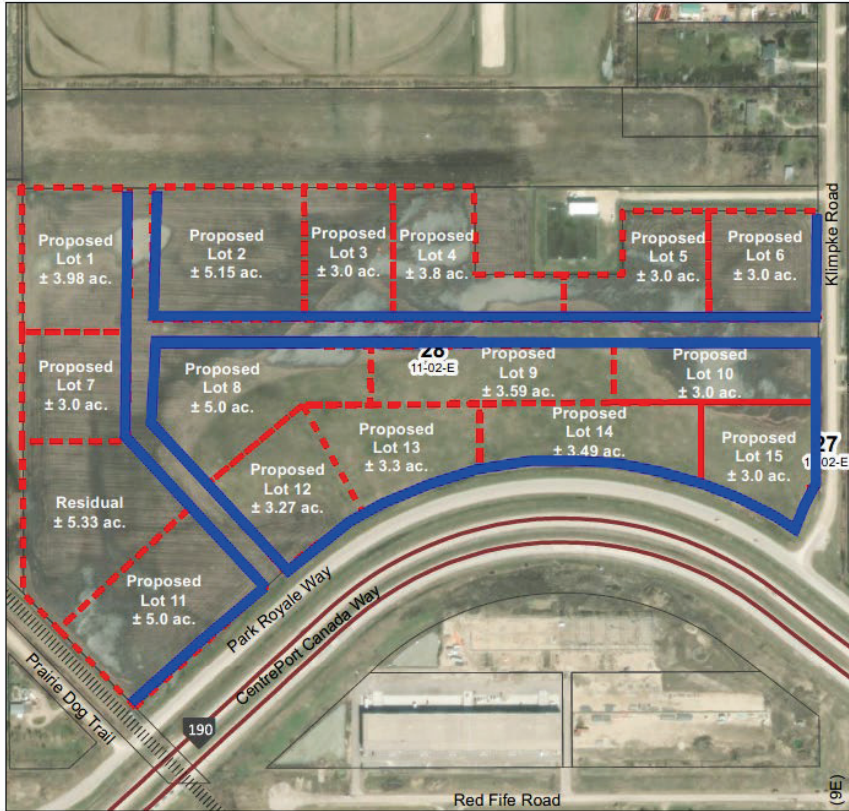
Grace Bushi

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
- 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

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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

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Box 131,
Rosser, Manitoba
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Ph: 467-5711 Fax 467-5958
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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.

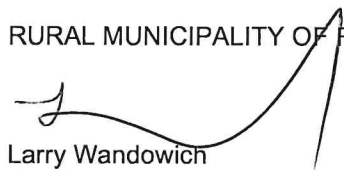
Land Drainage

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

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