



**Indigenous and Municipal Relations**

Inland Port Special Planning Area  
Community and Regional Planning Branch  
610-800 Portage Avenue, Winnipeg, Manitoba, Canada R3G 0N4  
T 204-794-3817 F 204-945-5059  
www.manitoba.ca

May 10, 2017

**File No.'s: 4172-2017-7621 and 13-2-172-2017-0067**

**INLAND PORT SPECIAL PLANNING AUTHORITY**

**RE: APPLICATION TO SUBDIVIDE AND BY-LAW 1-17 TO RE-ZONE LOTS 23 AND 24 PLAN 1249 PART SE ¼ 18-11-2E FROM INLAND PORT RURAL ZONE TO "I2" INDUSTRIAL GENERAL ZONE (DEAN KOSTIW AND DR. GEARLD HOY - APPLICANTS)**

Dean Kostiw and Dr. Gerald Hoy have proposed to subdivide six lots plus public road from two lots legally described as Lots 23 and 24 Plan 1249 Pt. SE ¼ 18-11-2E in the Rural Municipality of Rosser. The applicants own the parcels and have concurrently applied for re-zoning of the area from "Inland Port Rural Zone" to "I2 – Industrial General Zone". The proposed lots are as follows:

	<b>Lot 1</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>	<b>Lot 5</b>	<b>Lot 6</b>
<b>Area</b>	+/- 3.17 acres	+/- 3.0 acres	+/- 3.0 acres	+/- 3.17 acres	+/- 3.0 acres	+/- 3.0 acres

The lots are intended for general industrial use as part of a proposed industrial park to be called Summit Oaks. The site plan provided illustrates Lot 1 and 2 will be used by R & N Trucking, Lot 3 by Kostiw Construction and Lot 4 as medical storage. Lots 5 and 6 are identified for future development. A +/- 66 foot public road is proposed to extend from Summit Road and then north into the development to provide access to the lots. *Note: The applicant has since stated that the road is intended to be +/- 80 feet.*

R & N Trucking (Lots 1 and 2) proposes to establish a building (200 feet by 60 feet) with loading docks, truck and trailer parking and employee parking. The Letter of Intent states this will be a warehouse/cross-dock building offering services to a wide range of customers and prioritizing aboriginal communities. The proponent states that the company currently employs approximately 20 people and has annual revenue of \$2.8 million.

Kostiw Construction (Lot 3) proposes to establish a building (100 feet by 60 feet), fenced storage and parking area. The company has 6 employees and had annual revenue of \$750,000.00 in 2016. Revenue is projected to \$1.0 million for 2017.

The site plan illustrates a building (100 feet by 60 feet) is to be established for the medical storage use on Lot 4 in addition to employee parking. This business would employ 4 people.

The applicants have submitted a basic concept plan as to how the proposal may fit with expansion of industrial development to the south and west of the area. The Letter of Intent states there is interest in developing adjacent land to the west, including interest expressed from two First Nation Bands.

## INLAND PORT SPECIAL PLANNING AREA REGULATION 48/2016:

### Development Plan:

The objective of policies within the Development Plan are to protect, enhance and promote land use and development that will contribute to the establishment of a comprehensively planned and functionally integrated inland port. Policies support businesses that benefit from access to tri-modal transportation and development that allows for the cost-effective installation/extension of municipal services.

The area proposed for subdivision and re-zoning is designated Manufacturing and Logistics Industrial according to the Development Plan. Policies within this designation support development of general and heavy industrial uses, including manufacturing, distribution, warehousing, logistics and transportation related businesses. "I2" Industrial General uses are permissible in this designation.

Transportation related policies state that developers should be responsible for improving the transportation network to meet the needs of development and that individual projects must accommodate future road connections at strategic locations to provide seamless connections to future development. There is no road layout defined in the Development Plan for the area proposed for development, likely because development in this area was not contemplated so immediately. The intent in this location is that road networks would be proposed by the developer as part of an overall development or as part of a concept plan for future development.

A future arterial road is shown on the Development Plan map halfway between Summit Road and the Perimeter. The intent is this future road would provide access from the intersection of Rosser Road/PR 221 and the Perimeter and eventually connect with CentrePort Canada Way. The exact location of the intersection of this future arterial road and CentrePort Canada Way is unknown.

Servicing policies state that development will be required to hook up to municipal services (water and wastewater) when available. Costs for this, outlined in the Capital Lot Levy By-law, will be applied as part of a Development Agreement to be entered into with the RM of Rosser.

Phasing policies state that 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. The Development Plan states *"deviations from this approach may be considered in order to provide opportunities for un-serviced development. Un-serviced development should be directed to the lands along the west or northwest side of the inland port, north of the CPR rail line and adjacent to the Perimeter highway."* This proposal is not within the area defined for un-serviced development.

### Zoning By-law:

The subject property is currently zoned Inland Port Rural Zone. This zone was established as a holding zone to allow existing uses to continue until such time as development is proposed. The proposed zone is "I2 - Industrial General Zone". Land uses within this zone are to be oriented towards industrial uses, including manufacturing and distribution uses with substantial large cargo truck activity and high cube warehouses.

General industry and warehousing and distribution are permitted uses within this zone and the Industrial Corridor Overlay standards apply:

Use	Parking	Building Height	Building Setbacks			Parking Access	Site Coverage
			Front	Side	Rear		
General Industry	1/3 of employees	3 stories maximum	1.5 m. (5 ft.)	6.1 m. (20 ft.)	6.1 m. (20 ft.)	9.1 m. (30 ft.) from corner	70% maximum
Warehousing and Distribution							

Based on the site plan provided, most site requirements appear to be met. This and other zoning requirements, such as building frontages with a portion (i.e.: common entry) that is 30% clear glass will be confirmed prior to issuance of a Development Permit.

The Zoning By-law requires that any new industrial building must be separated from any existing residential building by 61 m. (200 ft.) in the Industrial General Zone. The developer must also meet the Sustainable Development Measures.

#### **Non-Regulatory Structure Plan for the CentrePort Canada Rail Park:**

Land proposed for the CentrePort Canada Rail Park is located directly east of the property proposed for subdivision. In June 2015, CentrePort Canada Inc. adopted a non-regulatory structure plan for the CentrePort Canada Rail Park. The purpose of the plan is to guide the overall rail and related industrial development and future subdivision plans for land within the Rail Park. The land proposed for subdivision and re-zoning is identified in the plan as "Phase 4 (beyond 2025)". The plan identifies that Phase 4 Rail Park development may see expansion of spur lines crossing Summit Road to provide for additional rail serviced lots.

Once an anchor tenant for the CentrePort Canada is secured, it will be the impetus for rail infrastructure to be established along the south side of PR 221/Rosser Road which will require the closure of Summit Road.

#### **DEVELOPMENT REVIEW COMMITTEE:**

The application was reviewed by the Development Review Committee for the Inland Port Special Planning Area. The following requirements/comments were received:

**Land Titles:** a Plan of Subdivision prepared by a Manitoba Land Surveyor is required.

**The RM of Rosser:** are of the opinion the application does not conform to the Development Plan. If approved, a Development Agreement would be required. The Development Agreement would address road upgrades, road construction, landscaping, drainage and application of the Capital Lot Levy By-law. A Traffic Impact Study would also be required.

**Sustainable Development:** (*Environmental Compliance and Enforcement Branch*): any proposed commercial or industrial facility 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*. The application also indicates that holding tanks are the proposed method of wastewater management for the subdivided lots. Any onsite wastewater management must be registered and installed in accordance with the *Onsite Wastewater Management Systems Regulation M.R. 83/2003*. No concerns with respect to the re-zoning.

**Infrastructure:** See detailed comments attached. Manitoba Infrastructure do not recommend approval of this proposal at this time as there is no conceptual future road network plan that would identify alternative access routes for this property or others in the area once connections to the Perimeter Highway (PTH 1) are closed.

#### **South Interlake Planning District:**

- Adequate lot grade/drainage, ditching, and culvert crossings should be established prior to the commencement of building construction;
- Adequate fire and emergency vehicle access to the development site(s) should be established, to the satisfaction of all emergency responders, prior to the commencement of building construction;
- Possible high water table in this location may present concerns for building foundations. This should be confirmed prior to lot development and building construction;

- Adequate water supply and sewage holding/handling to the development sites is required, in accordance with all applicable requirements of the permitting authorities;
- Should the aforementioned applications be approved, SIPD will require development, building, and occupancy permits for all development;
- Possible noise and dust impacts may present concerns / disruption to the residential property/ies to the south of the development site;
- Road quality should accommodate long/heavy vehicles – Manitoba Infrastructure may comment further;
- Possibility of traffic impact on the Selkirk Avenue and West Perimeter intersection – Manitoba Infrastructure may comment further; and
- Development site is located a short distance from a decommissioned dump site – Sustainable Development may comment further.

**Bell MTS:** requires an easement and Right-of-Way agreement.

**Manitoba Hydro/Centra Gas:** requires easements and Right-of-Way agreement.

No concerns: **Winnipeg Airports Authority** and **Growth, Enterprise and Trade (Mineral Resources), Culture and Heritage and Sport (Historic Resources Branch)**.

No comments were received from **Office of the Fire Commissioner, Agriculture, City of Winnipeg** and **Transport Canada**.

If additional comments are received from any of the above entities prior to the public hearing, additional conditions may be applied.

#### **COMMENTS/RECOMMENDATION:**

One of the objectives of the Development Plan is to protect land to allow for a comprehensively planned and functionally integrated inland port. While the type of land use proposed is generally acceptable under the Manufacturing and Logistics Industrial policies, it may be premature to develop these lands without a larger and more detailed plan for how development may proceed in the surrounding area. Of particular concern is access to the proposed development. Selkirk Avenue (east) has no access to CentrePort Canada Way, Manitoba Infrastructure plans to close connections to the Perimeter Highway at Selkirk Avenue (west) and at the municipal road to the north. Once rail infrastructure is established in the Rail Park, Summit Road access to PR 221/Rosser Road will be severed. There is currently no conceptual future road network plan that would identify alternative access routes for this property.

The land proposed for subdivision and re-zoning is not contiguous with existing development. This has the potential to cause demand for servicing where it may not be logical and orderly. Although demand for servicing for this development is not high, the Development Plan directs un-serviced development to the lands along the west or northwest side of the inland port, north of the CPR rail line and adjacent to the Perimeter highway. If this application is approved, there will likely be additional interest in development of adjacent lots, which would cause increased demand for servicing.

The Board may recommend against approval of the application based on non-conformity with the Development Plan, specifically that the proposal does not allow for the logical and orderly extension of municipal services and may prevent a comprehensively planned and functionally integrated inland port. Furthermore, the proposal is not located in the areas where the Development Plan contemplates un-serviced development and future access has been identified as an issue.

If the Board has interest in recommending approval of the subdivision application, any approval should be conditional on a Development Agreement 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 would include, but not be limited to, road upgrades, road construction,

establishment of proposed landscaping, a traffic impact study, a drainage plan and application of the Capital Lot Levy By-law.

If the Board decides to recommend approval of the re-zoning application, there are no additional conditions recommended. The change to the zoning would not occur until such time as the conditions of the subdivision have been met.

A handwritten signature in blue ink that reads "meaganboles".

---

Meagan Boles  
Senior Planner, Inland Port Special Planning Area

cc.: Dean Kostiw and Dr. Gerald Hoy, applicants



## Infrastructure

Executive Director, Highway Engineering  
Engineering and Operations Division  
Box 124, 1630 - - 215 Garry Street  
Winnipeg, Manitoba, Canada R3C 3P3  
T 204-945-3772, F 204-945-3841  
Email: [Walter.Burdz@gov.mb.ca](mailto:Walter.Burdz@gov.mb.ca)

May 10, 2017

PD 190.10 New

Meagan Boles  
Senior Planner, CentrePort  
Manitoba Municipal Government  
610 – 800 Portage Avenue  
Winnipeg, MB R3G 0N4  
Phone: 204-794-3817, Fax: 204-945-5059  
E-mail: [Meagan.Boles@gov.mb.ca](mailto:Meagan.Boles@gov.mb.ca)

Dear Meagan:

**Re: Proposed Subdivision  
File No. 4172-17-7621  
Lots 23 & 24 Plan 1249 WLTO  
Pt. SE ¼ 19-11-2E  
RM of Rosser  
Applicant: Dean Kostiw & Dr. Gerald Hoy  
Owners: Kostiw Construction & 5504333 Manitoba Ltd.**

---

In response to your April 20, 2017 email, MI staff have now reviewed the above noted subdivision proposal. We do not recommend approval of this proposal at this time.

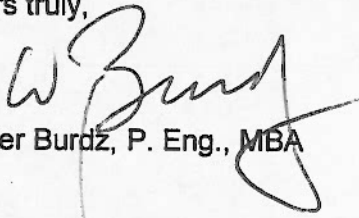
We understand that the intent of this subdivision is to create six (6) new commercial/industrial lots (approx. 3 acres each). The property is adjacent to Summit Road but there is currently no existing access to the property, and it would appear as though a proposed access strategy (covering both immediate and future conditions) has not yet been developed. Once such a plan is developed, it would need to be vetted past and approved by appropriate road authorities.

It should be noted that the department plans to rationalize access connections to the Perimeter Highway over time, in order to continue to ensure its functionality as a high-speed expressway facility. In this area, the Perimeter Highway (PTH 101) connections of the municipal road to the north and of Selkirk Avenue are planned to be closed in the future, thus altering how this area will obtain access as land development unfolds.

Currently there is no conceptual future road network plan that would identify alternative access routes for this property or for others in the local area. Accordingly, a local/municipal road staging plan is also a suggested requirement to guide future road development, in keeping with future land development.

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

Yours truly,

A handwritten signature in black ink, appearing to read 'W Burdz', written over a vertical line that extends from the signature down to the typed name below.

Walter Burdz, P. Eng., MBA

Copy: Region 1  
R. Coleman  
K. Toews Therrien

# Proposed Subdivision - Inland Port Special Planning Area

Part of the Qtr of SE-19-11-02 EPM



### Legend

- Assessment Parcels
- Title Boundary
- Proposed Subdivision

File Number: 4172-17-7621  
Date: April 18, 2017

Applicant: Dean Kostiw and Dr. Gerald Hoy

Notes:  
 Inland Port Special Planning Area Regulation 48/2016:  
 Development Plan - Manufacturing and Logistics Industrial  
 Zoning By-law - Proposed re-zoning to "I2" Industrial General Zone  
 Proposed subdivision of 6 lots (+/- 3.0 acres to +/- 3.17 acres) plus public road.

X Approving Authority  
 Date

Map Not to Scale

For Discussion Purposes Only

